

[Legal Notice No. 74]

**BETELNUT FREE ZONE ORDINANCE 2023****Table of provisions**

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**HONIARA CITY ACT 1999**

(No. 2 of 1999)

**BETELNUT FREE ZONE ORDINANCE 2023**

In exercise of the powers under sections 34 and 35 of the *Honiara City Act 1999*, the Honiara City Council makes the following Ordinance:

**1 Citation**

This Ordinance may be cited as the *Betelnut Free Zone Ordinance 2023*.

**2 Commencement**

This Ordinance commences on the date it is published in the Gazette.

**3 Definitions**

In this Ordinance:

“*Act*” means the *Honiara City Council Act 1999*;

“*betelnut*” means the nut, husk, pan, lime or associated products including the whole plant;

“*City Clerk*” means the Chief Executive appointed by the City Council under section 42 (1) of the *Honiara City Act 1999*;

“*consumption*” includes,

- (a) to consume betelnut;
- (b) to spit betelnut;
- (c) to chew betelnut;

(d) to have in his or her possession betelnut;

“*law enforcement officer*” means an officer employed under section 55M of the Act;

“*littering*” or “*litter*” means a bottle, tin, carton, package, paper, betelnut, betelnut spit or any other matter or thing that is disposed as refuse by a person in a public place;

“*public place*” means any of the following places within or around Honiara City:

- (a) bus stop;
- (b) shop front;
- (c) easement;
- (d) street, along all public or private roads and road access, lanes or walkway, or thoroughfares;
- (e) drains or road reserves;
- (f) beaches, foreshores, water frontage, river, creek, waterway, canal, bay, lake (whether natural or artificial) or lagoon;
- (g) wharf, pier or jetty;
- (h) settlement;
- (i) sports facility or any venue used for sporting activities by the public;
- (j) sea transfer;
- (k) land transfer.

“*sale of betelnut*” means the trade or commercial activity regularly engaged in as a means of livelihood or with a view to profit;

#### **4 Objectives**

This Ordinance is enacted to achieve the following objectives:

- (a) to establish betelnut-free zones in Honiara City;
- (b) to regulate the sale and consumption of betelnut and betelnut products in Honiara City;
- (c) to provide for the enforcement of the Ordinance.

#### **5 Betelnut Free Zones**

The betelnut free zones in Honiara City are listed in the Schedule.

#### **6 Power to declare betelnut-free zones**

Despite section 5, the City Clerk may, by Order publish in the Gazette, declare a place in Honiara City to be a betelnut-free zone.

#### **7 Offences**

- (a) The Consumption of betelnut on public transport in a betelnut free zone

or anywhere in a betelnut free zone is prohibited.

- (b) The sale of betelnut in a betelnut free zone or a public place is prohibited.
- (c) Littering in a betelnut free zone or a place is prohibited.
- (d) A person who contravenes subsection (a) or (b) or (c) commits an offence.

Maximum penalty: 10, 000 penalty units or 5 months imprisonment, or both.

## **8 Enforcement**

- (a) This Ordinance is enforced by law enforcement officers employed under section 55M of the Act.
- (b) The functions and powers of a law enforcement officer and the protection of officers from liability are as provided by the Act.

### **SCHEDULE**

#### **BETELNUT FREE ZONES**

(Section 5)

- (a) Mendana Avenue;
- (b) Hibiscus Avenue;
- (c) Kukum Highway;
- (d) Prince Phillip Highway;
- (e) Tandai Highway;
- (f) public markets established with the Authority of the Council under the Honiara (Markets) Ordinance;
- (g) any facility or venue accessed or used for sporting activities by the general public;
- (h) any school or organisation operating under the Honiara City Council; and
- (i) any other areas the Council approved pursuant to section 6.

PASSED by the Honiara City Council on thirteenth-day of November 2023.

**EDDIE SIAPU**

Mayor of Honiara City

ASSENTED to by the Minister on thirteenth-day of November 2023.

**HON. CHRISTOPHER LAORE**  
MINISTER FOR HOME AFFAIRS

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[Legal Notice No. 75]

**HONIARA TOWN COUNCIL BUILDING (AMENDMENT)  
ORDINANCE 2023**

**Table of provisions**

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**HONIARA CITY ACT 1999**

(No. 2 of 1999)

**HONIARA TOWN COUNCIL BUILDING (AMENDMENT)  
ORDINANCE 2023**

In exercise of the powers under sections 34 and 35 of the *Honiara City Act 1999*, the Honiara City Council makes the following Ordinance:

**1 Citation**

This Ordinance may be cited as the *Honiara Town Council Building (Amendment) Ordinance 2023*.

**2 Commencement**

This Ordinance commences on the date it is published in the Gazette.

**3 Modification of “By-Laws” to “Ordinance”**

Pursuant to section 51(f) of the *Honiara City Act 1999*:

- (a) the name “Honiara Town Council Building By-Laws” is modified to “Honiara Town Council Building Ordinance”; and
- (b) for the purposes of subsection (a), a reference to “by-law” or “by-laws” in the Principal Ordinance is modified to be replaced by “Ordinance” or “section of the Ordinance”, whichever appropriately meets the reference, and any such reference shall be read and construed, with modifications (if any), as a reference to the relevant section or provision of the Principal Ordinance.

**4 Principal Ordinance amended**

The *Honiara Town Council Building By-laws* (“**Principal Ordinance**”) amended.

**5 Section 52 amended**

Section 52 of the Principal Ordinance is substituted as follows:

**“Penalty**

52. A person who contravenes any provision of this Ordinance commits an offence

Maximum penalty: 5,000 penalty units or imprisonment for 1 year, or both.”

PASSED by the Honiara City Council on thirteenth-day of November 2023.

**EDDIE SIAPU**

Mayor of Honiara City

ASSENTED to by the Minister on thirteenth-day of November 2023.

**HON. CHRISTOPHER LAORE**

MINISTER FOR HOME AFFAIRS

[Legal Notice No. 76]

**HONIARA (HAWKERS) (AMENDMENT) ORDINANCE 2023**

**Table of provisions**

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**HONIARA CITY ACT 1999**

(NO. 2 OF 1999)

**HONIARA (HAWKERS) (AMENDMENT) ORDINANCE 2023**

In exercise of the powers under sections 34 and 35 of the *Honiara City Act 1999*, the Honiara City Council makes the following Ordinance:

**1 Citation**

This Ordinance may be cited as the *Honiara (Hawkers) (Amendment) Ordinance 2023*.

**2 Commencement**

This Ordinance commences on the date it is published in the Gazette.

**3 Modification of By-laws to Ordinance**

Pursuant to section 51(f) of the *Honiara City Act 1999*:

- (a) the name “The Honiara (Hawkers) By-laws” is modified to “Honiara (Hawkers) Ordinance”; and

- (b) for the purposes of subsection (a), a reference to “by-law” or “by-laws” in the Principal Ordinance is modified to be replaced by “Ordinance” or “section of the Ordinance”, whichever appropriately meets the reference, and any such reference shall be read and construed, with modifications (if any), as a reference to the relevant section or provision of the Principal Ordinance.

**4 Principle Ordinance amended**

The *Honiara (Hawkers) Ordinance* (“**Principal Ordinance**”) is amended.

**5 Section 3(2) amended**

Section 3(2) of the Principal Ordinance is amended by:

- (a) deleting “and liable to a fine of ten dollars and, in default of payment, to imprisonment for three weeks.”; and
- (b) insert after subsection (2) the following:  
 “Maximum penalty: 1,000 penalty units or imprisonment for 3 weeks, or both.”.

**6 Section 7 repealed and replaced**

Section 7 of the Principal Ordinance is repealed and replaced with the following:

**“7. Law Enforcement Officers**

- (1) It shall be lawful for a law enforcement officer at all reasonable times to demand the production of any hawkers’ licence for inspection and to make any enquiries that he thinks fit to ascertain whether any breach of these By-laws has been committed.
- (2) If any person obstructs, resists or hinders a law enforcement officer acting in the due exercise of any of his or her powers under these Ordinance, or makes any false statement to a law enforcement officer, or refuses or fails without lawful excuse to produce any licence which he is duly required to produce, he shall be guilty of an offence and liable to a fine of twenty dollars or in default of payment to imprisonment for six weeks.”

PASSED by the Honiara City Council on thirteenth-day of November 2023.

**EDDIE SIAPU**  
 Mayor of Honiara City

ASSENTED to by the Minister on thirteenth-day of November 2023.

**HON. CHRISTOPHER LAORE**  
 MINISTER FOR HOME AFFAIRS

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[Legal Notice No. 77]

**HONIARA (DOGS) (AMENDMENT) ORDINANCE 2023****Table of provisions**

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**HONIARA CITY ACT 1999****HONIARA (DOGS) (AMENDMENT) ORDINANCE 2023**

In exercise of the powers under sections 34 and 35 of the *Honiara City Act 1999*, the Honiara City Council makes the following Ordinance:

**1 Citation**

This Ordinance may be cited as the *Honiara (Dogs) (Amendment) Ordinance 2023*.

**2 Commencement**

This Ordinance commences on the date it is published in the Gazette.

**3 Modification of By-laws to Ordinance**

Pursuant to section 51(f) of the *Honiara City Act 1999*:

- (a) the name “The Honiara (Dogs) By-laws” is modified to “Honiara (Dogs) Ordinance”; and
- (b) for the purposes of subsection (a), a reference to “by-law” or “by-laws” in the Principal Ordinance is modified to be replaced by “Ordinance” or “section of the Ordinance”, whichever appropriately meets the reference, and any such reference shall be read and construed, with modifications (if any), as a reference to the relevant section or provision of the Principal Ordinance.

**4 Principal Ordinance amended**

The *Honiara (Dogs) Ordinance* (“**Principal Ordinance**”) is amended.

**5 Repeal and replacement of section 3(2)**

Section 3(2) of the Principal Ordinance is repealed and replaced with the

following:

“(2) A person who fails to comply with subsection 3(1) commits an offence.

Maximum penalty: 5,000 penalty units or imprisonment for 3 months, or both.”.

## **6 Repeal and replacement of section 9**

Section 9 of the Principal Ordinance is repealed and replaced with the following:

### **“Disposal of unclaimed dogs**

9 (1) Any dog that is not registered or having a Honiara City Council identification tug or disc, and not claimed after 2 days is considered a stray dog and the Honiara City Council must dispose of the dog.

(2) Any dog that is registered or having a Honiara City Council identification tug or disc shall be impounded and detained by Honiara City Council for 2 days only, and if the dog is not claimed after 2 days, the Honiara City Council must dispose of the dog.”.

## **7 Section 11 amended**

Section 11 of the Principal Ordinance is amended by deleting “and liable to a fine of ten dollars, or in default of payment, to imprisonment for three weeks” and substituting the following:

“Maximum penalty: 1,000 penalty units or imprisonment for 3 weeks, or both”.

## **8 Section 12 amended**

Section 12 of the Principal Ordinance is amended by deleting “and liable to a fine of ten dollars, or in default of payment, to imprisonment for three weeks” and substituting the following:

“Maximum penalty: 500 penalty units or imprisonment for 3 weeks, or both”.

## **9 Section 13 amended**

Section 13 of the Principal Ordinance is amended by inserting “or law enforcement officer” after “officer of the Council”.

## **10 Section 14 amended**

Section 14 of the Principal Ordinance is amended by inserting “or law enforcement officer” after “officer of the Council”.

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**EDDIE SIAPU**

Mayor of Honiara City

ASSENTED to by the Minister on thirteenth-day of November 2023.

**HON. CHRISTOPHER LAORE**

MINISTER FOR HOME AFFAIRS

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