



**Tuvalu**

# **CLOSED DISTRICTS ACT**

**2022 Revised Edition**

**CAP. 20.08**





Tuvalu

## CLOSED DISTRICTS ACT

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Tuvalu

## CLOSED DISTRICTS ACT

### AN ACT TO PROVIDE FOR THE DECLARATION OF CLOSED DISTRICTS<sup>1</sup>

Commencement [8th December 1936]

#### 1 Short title

This Act may be cited as the Closed Districts Act.

#### 2 Interpretation

In this Act “**licence**” means a licence granted under the provisions of this Act and “**licensee**” means a person holding a licence which has not expired and has not been revoked.

#### 3 Power to declare closed district

The Minister may by notice declare any islands, island or part of an island to be a closed district.

#### 4 Entry into closed district prohibited

No person shall enter a closed district except —

- (a) natives of the closed district;
- (b) government officers or persons acting under the orders of the Minister in the course of their duty;
- (c) licensees.

## **5 Licence to enter closed district**

The Minister may grant or renew a licence to enter a closed district and may if he thinks fit prescribe conditions, which shall be endorsed upon the licence, upon which such licence is granted or renewed, and may also as a condition precedent to the grant or renewal of a licence, require the proposed licensee to furnish security either in cash or by bond for the observance of the conditions.

## **6 Revocation of licence**

- (1) The Minister may at any time revoke a licence.
- (2) Notice of revocation shall be given in writing to the licensee and shall be served personally or by registered post.
- (3) Such revocation shall take effect from the date of receipt of such notice by the licensee or from such later date as the Minister may by such notice prescribe.

## **7 Penalty for entering without a licence**

Any person entering or being in a closed district without a licence or remaining in a closed district after the expiry or revocation of his licence shall be guilty of an offence and, in addition to any other penalty, shall be liable to repay any expenses entailed upon the Government by any action taken in connection with such offence.

## **8 Offences by licensees**

If a licensee commits a breach of the conditions endorsed upon his licence or does any act calculated to disturb the peace of a closed district or to cause the natives of that district to be disaffected towards the Government, he shall be guilty of an offence and, in addition to any other penalty, shall be liable to forfeit any security furnished by him.

## **9 Recovery of expenses from licensee**

The Minister may recover from the licensee any expenditure incurred by the Government in rendering him assistance and shall be entitled to recover the amount of such expenditure out of any security furnished by him.

## **10 Penalty for offence**

A person guilty of an offence under this Act shall be liable on summary conviction to pay a fine of \$200 and the costs of the prosecution, and in default of payment to imprisonment for 6 months.

**11 Power to make regulations**

The Minister may make regulations with regard to the following matters and generally for the purpose of carrying this Act into effect —

- (a) the officers or classes of officers by whom, and the manner in which, the powers conferred by this Act shall be carried out;
- (b) the form and period of validity of licences;
- (c) the conditions under which licences shall be granted;
- (d) the security to be furnished by licensees;
- (e) the fees to be paid in respect of the grant or renewal of a licence.

## ENDNOTES

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<sup>1</sup> 1990 Revised Edition, Cap. 75 – Acts 2 of 1936, 8 of 1968, 8 of 1971, LN 16/1972