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NOTIFICATION OF PUBLICATION

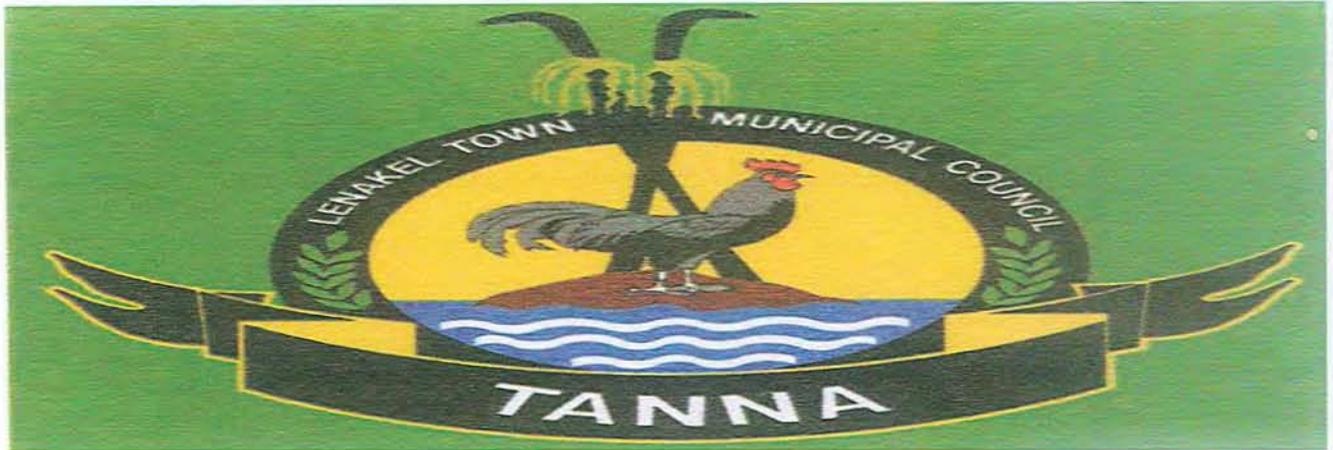
BY-LAW

MUNICIPALITIES ACT [CAP 126]

- LEVYING OF A BUSINESS ACCESS FEE BY-LAW NO. 1 OF 2014
- ROAD MARKET STALLS & GENERAL MARKET BY-LAW NO. 2 OF 2014
- LEVYING OF FEE ON RUBBISH COLLECTION BY-LAW NO. 3 OF 2014
- VANDALISM AND DAMMAGE TO COUNCIL AND PUBLIC PROPERTY BY-LAW NO. 4 OF 2014

REPUBLIC OF VANUATU

CHAPTER 126



LENAKEL TOWN MUNICIPAL COUNCIL

LEVYING OF A BUSINESS ACCESS FEE BYE-LAW NO. 1 OF 2014

To provide for the levying of an access fee to be paid by owners of every businesses operating within the boundaries of the Lenakel Town Municipal Council.

IN EXERCISE of the powers conferred by Sub section 36 (2) of the Municipalities Act (CAP 126) the Lenakel Town Municipal Council hereby makes the following Bye-Law :

1. LEVYING OF FEE

- 1) All owners of businesses operating within the Lenakel Town Municipal boundaries must pay an annual Access fee to the Council for permission to operate within its Boundary.
- 2) The fee must be paid at the same time as the Business License is paid to the collecting authority.

2. APPLICATION FEE

- 1) All persons after complying with subsection 2 (1) of the Business License Act, must fill the necessary form(s) provided for this purpose and submit with the application fee which shall be decided by the council.
- 2) The application fee is non-refundable.

3. CERTIFICATE OF ACCESS APPROVAL

- 1) Upon receiving the application fee plus the appropriate business fee, a certificate or permit will be issued
- 2) Said certificate will state name, address, validity period of certificate and other business information if necessary and must be displayed in public view at place of business along with the Government business license.

4. THE LEVYING FEE

The Council will levy the fees as follows:

- 1) Annual fee is as follows, unless others have separate bye-laws stating otherwise:-
 - a) VT 5000 for businesses with total turnover of VT: 1 to VT 3,999,999
 - b) VT 7000 for businesses with total annual turnover of VT 4,000,000 to VT 7,999,999
 - c) VT 15000 for businesses with total annual turnover of VT 8,000,000 to VT 10,999,999
 - d) VT 20,000 for businesses with total annual turnover of VT 11,000,000 to VT 14,999,999
 - e) VT 50,000 for businesses with annual turnover of VT 15000,000 to 18,999,999
 - f) VT 100,000 for businesses with total annual turnover of VATU 19,000,000 upwards
 - g) For Bungalows, Hotels, and Resorts is VT: 1000 per single room and VT 2000 per double room.
 - h) For Kava Bars VT 2500
 - i) For Fuel stations VT 10,000
- 2) a) Occasional fee is VT 1000 – from one hour to two weeks , but when over two weeks , monthly fee applies.
 - b) Monthly fee is VT 2,000 - from 3 weeks to 2 months, but when over two months, annual fee applies.

5. OBLIGATION OF OWNERS

It is the obligation of the owners of every businesses operating within the boundaries of the Lenakel Town Municipality to provide true annual business records and to make payments to the Council Treasury.

6. OFFENCE

A person, entity or corporation who fails to comply with section 1 and section 5 of this Bye-Law is guilty of an offence the council may take him to a court of law and upon conviction is liable to a fine not exceeding VT 100,000 or to a period of imprisonment not exceeding 2 years or to both such fine, imprisonment and closure of business by the Council.

7. POWER OF POLICE , COUNCIL OFFICERS AND OTHER PERSON(S) AUTHORISED BY COUNCIL

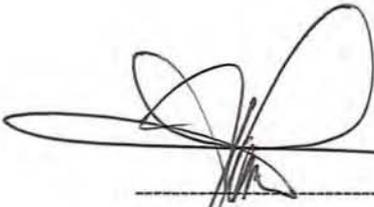
It is lawful for any police officers, council officers or other person (s) authorized by the council in writing to enter into any business premises to carry out checks on any official document as to ascertain payment of fees .

8. COMMENCEMENT

This Bye-Law shall come into force on the date of its publication in the Official Gazette.

MADE UNDER THE SEAL OF THE LENAHEL TOWN MUNICIPAL COUNCIL at Lenakel

This 23rd day of November..... 2014....



LORD MAYOR



ADMINISTRATOR



1st DEPUTY MAYOR



EXECUTED APPROVAL OF THE MINISTER OF MUNICIPALITIES



MINISTER OF INTERNAL AFFAIRS
MINISTRE DE AFFAIRS INTERIEURES
REPUBLIQUE DE VANUATU

REPUBLIC OF VANUATU

CHAPTER 1 2 6



LENAKEL TOWN MUNICIPAL COUNCIL

ROAD MARKET STALLS & GENERAL MARKET BYE-LAW NO. 2 OF 2014

To provide for control of road markets that sell cooked and frozen food and General Local produce Markets within the boundaries of the Lenakel Town Municipal Council.

IN EXERCISE of the powers conferred by sub-section 36 of the Municipalities Act [CAP 126] the Lenakel Town Municipal Council makes the following Bye-Law:

1. ROAD MARKET

(i) PERMIT

- a) Any person who wants to operate a road market within the municipality boundaries must apply for the same to the Town Planning unit of the Lenakel Town Municipal Council.
- b) A person will operate a road market only upon the approval of the Council and when granted a permit to do so.
- c) The application shall be submitted to the Town Planning Unit of the Lenakel Town Municipal Council together along with the following:
 - 1) VT 500 application fee
 - 2) 'Health and Hygiene ' certificate
 - 3) A plan of building setup

- 4) A plan of food storage and display shelves being up to health standards
- d) The application fee shall be non- refundable.
- e) The 'Health and Hygiene' certificate is a requirement under this Bye-Law.

(ii)NOTIFICATION

- a) Upon receiving a permit to operate at a road market, the person so granted a permit must inform the Town Planning Unit of the duration of the business.
- b) A permit I.D. tag will be issued to the applicant upon payment of the permit fee and it must be on display on the person at all times during business hours.
- c) The Council shall appoint inspectors to have unannounced inspections on road markets at any time.
- d) Upon reports from these inspectors the Council can cancel any permits of any person or persons at any time if the requirements under this Bye-Law are not met.

(iii)Essentials

- a) Tongs or equivalent must be used at all times in handling food at road markets.
- b) Proper dressing and cleanliness
- c) Proper and clean packaging whether local or plastic
- d) Food quality must be eatable i.e. meat, fish; must not be in a state of decay or staleness.

(iv). Restriction on Unclean Hands / Menstruation periods

This bye-law recognizes the Local Custom of "UNCLEAN HANDS". It is forbidden for women during their menstruation period to operate at road markets. Neither should they prepare food to be sold during this period.

(v). ANNUAL FEE

The annual fee charged to the operator of a road market shall be decided by the council.

2. General Local produces Market

(i). Market locations

(a). The Lenakel Town Municipal Council reserves the right to identify and approve Market Locations

(b) Any person; entity ;or corporation selling local produces in locations not approved by the Council is guilty of an offence

(c) For the avoidance of doubt stores or supermarkets selling fresh local products are exempted from this by-Law.

(ii) General Market fee

A fee not exceeding VT 1000 shall be collected by the Town council with collection days decided by the Council

3. OFFENCE

Any person or persons who fail to comply with this Bye-Law is guilty of an offence and is liable to:

- 1) A fine imposed by the Lenakel municipal Council of VT 3,000
- 2) Failure to comply with subsection 3 (1)the Lenakel Town Municipal Council shall proceed take the case to a court of law and upon conviction the offender will be liable to a fine not exceeding VT 100,000 or to a period of imprisonment not exceeding 2 years or to both such fine and imprisonment.

7. COMMENCEMENT

This Bye-Law comes into force on the date of its publication in the official Gazette.

MADE UNDER THE SEAL OF THE LENAKEL TOWN MUNICIPAL COUNCIL at Lenakel

This 23rd day of November year 2014

[Handwritten signature]

LORD MAYOR

[Handwritten signature]

ADMINISTRATOR

Srako

DEPUTY MAYOR



[Handwritten signature]

EXECUTED APPROVAL OF THE MINISTER OF MUNICIPALITIES

REPUBLIC OF VANUATU

CHAPTER 126



LENAKEL TOWN MUNICIPAL COUNCIL

LEVYING OF FEE ON RUBBISH COLLECTION BYE-LAW NO. 3 OF 2014

To provide for the Levying of fees and the control on rubbish collection within the boundaries of the Lenakel Municipality.

IN EXERCISE of the powers conferred by part viii , section 36 ; part vi section 25 subsection (1) (a) (b) (c) and (d) ; section 26 subsection (1) ; and section 27 of the Municipalities Act [CAP 126] the Lenakel Town municipal Council makes the following Bye-Law:

1. CONTROL OF RUBBISH COLLECTION

- (1) All businesses operating within the Lenakel Municipal boundaries and all persons living within the boundaries of the municipality must, either :
 - (a) Pay a collection fee for the collection of their rubbish, or,
 - (b) be responsible for transporting their respective rubbishes to the Lenakel Town Municipal Council Storage site and pay the allocated gate fees for admission.
- (2) Any businesses or person(s) who does not pay the collection fee will result in their rubbish not being collected until due payment is made, or who does not pay the allocated gate fees

according to categories as stated in section 3. Sub-section (2) of this bye-Law will result in refusal of admission to the storage site .

- (3) No other business entity or person has the right to collect rubbish around the boundaries of the Lenakel Municipality for purposes of gaining profit without the prior approval of the Lenakel Town Municipal council.
- (4) Where section (1) (a) of this bye-Law is being implemented, Collections will be made weekly with the exact days for collection decided by the Council.
- (5) Bins and plastics will be provided by the businesses and persons paying for collection of their rubbish until such time that the Municipality can afford to provide them.

2. MANAGEMENT OF RUBBISH

The Lenakel Town Municipal Council shall manage its rubbish in separating as follows

- (1) Plastic and rubber and Iron (non-erodible)
- (2) Tins, Glass and bottles and
- (3) Mix erodible

3. THE LEVYING FEE

- (1) Every business operating within the boundaries of the Lenakel Municipality and all person(s) living within the boundaries of the Municipality whether on rental of premises, lease of land or ownership of premises basis must :
 - (a) Where section (1) (a) of this bye-Law is being implemented, pay a rubbish collection fee to the Lenakel Town Municipal Council for the weekly collection of their rubbish as prescribed in this Bye-Law.
 - (b) Where section (1) (b) of this bye-Law is being implemented, provide own transportation of their respective rubbish to the Lenakel Town Municipal Storage site and pay the allocated gate fees for admission.
- (2) (a) Where section (1) paragraph (a) of this bye-Law is being implemented ,The rubbish collection fee will be as follows:
 - (i) Businesses will pay an amount which shall be decided by the council.
 - (ii) Person living within the boundaries of Lenakel Municipality shall pay an amount which shall be decided by the council..
 - (iii) Late payments will be charged an additional surcharge of VT 500 per monthly late payment.
- (b) Where section (1) paragraph (b) of this bye-Law is being implemented, the gate admission fees shall be decided by the council.

3. OBLIGATIONS OF BUSINESSES AND PERSON(S) LIVING IN THE MUNICIPALITY.

- (1) It is the obligation of each businesses operating within the boundaries of the Lenakel Municipality and person(s) living within the Municipality to make payments to the Municipal treasury:

(a) At the periods prescribed in this Bye-Law, where section (1) paragraph (a) of this bye-Law is being implemented, or,

(b) According to section 3. Sub-section (2) paragraph (b) of this bye-Law, where section (1) paragraph (b) of this bye-Law is being implemented.

- (2) It is the obligation of every person living in the boundaries of the Municipality and every Businesses operating within the boundaries of the Lenakel Municipality when readying their Rubbish for collections to separate their rubbish according to section 2 of this bye-Law.
- (3) Businesses and persons living within the Lenakel town Municipal Boundaries are Required to submit receipts upon request by council officers or any person authorized by Council in writing
- (4) Every businesses operating within the boundaries of the Lenakel Town Municipal Council and Person living within the Municipal boundaries must ensure the cleanliness of their respective Premises' and that there is no pileup of rubbish lying around, but if so, a fine shall be decided And imposed by the council.
- (5) Any business or person(s) who fails to comply with section 3 sub-section (1) & (3) of this Bye-Law will result in:
- (a) No pickups of their rubbish until payments are made, surcharge inclusive, where section (1) paragraph (a) of this bye-Law is being implemented, or,
- (b) Refusal of admission to Storage site, where section (1) paragraph (b) of this bye-Law is being implemented.

4. OFFENCE

Any business, person or persons who fail to comply with section 3 subsection (4) of this Bye-Law is guilty of an offence and is liable to:

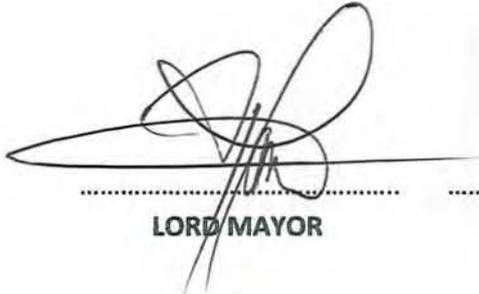
- 1) A fine imposed by the Lenakel Town Municipal Council of VT 5000
- 2) Failure to comply with section 4 sub-section 1) of this bye-law after 2 repeated warnings, the Lenakel Town Municipal Council shall proceed to take the case to a court of law and upon conviction the offender is liable to a fine not exceeding VT 100,000 or to a period of imprisonment not exceeding 2 years or to both such fine and imprisonment.

5. COMMENCEMENT

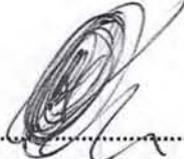
This Bye-Law comes into force on the date of its publication in the official Gazette.

MADE UNDER THE SEAL OF THE LENAKEL TOWNMUNICIPAL COUNCIL at Lenakel this

23rd Day of Nov. year 2014



LORD MAYOR



ADMINISTRATOR

Srako

DEPUTY MAYOR



EXECUTED APPROVAL OF THE MINISTER OF MUNICIPALITIES

REPUBLIC OF VANUATU

CHAPTER 1 2 6



LENAKEL TOWN MUNICIPAL COUNCIL

VANDALISM AND DAMMAGE TO COUNCIL AND PUBLIC PROPERTY
BYE-LAW NO. 4 OF 2014

To provide for the protection against vandalism and damage to Council property and other public property around the boundaries of the Lenakel Town Municipality.

IN EXERCISE of the powers conferred by section 36, sub-section (1) and (2) of the Municipalities Act [Cap 126] the Lenakel Town Municipal Council makes the following Bye-Law:

1. CONTROL OF VANDALISM AND DAMMAGE TO COUNCIL AND PUBLIC PROPERTY

- 1) No person (s),entity or Corporation shall either willfully, intoxicated by any chemical or emotion, in their right state of mind, directly, or indirectly create destruction ;damage ;defacement or cause the removal from its allocated location of Council or Public property within the boundaries of the Lenakel Town Municipality.
- 2) For the avoidance of doubt, Council property in this bye-law includes vehicles, machinery, paper documents, plants and landscaping architecture, beautification objects, Public notices and all things deemed as belonging to the Council, or being the property of the council.

2. OFFENCE AND PENALTY

Any person, persons, entity or corporation who fails to comply with this Bye-Law is guilty of an offence and is liable to:

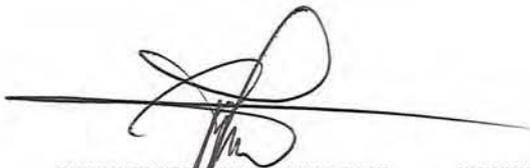
- 1) A fine imposed by the Lenakel Town Municipal Council of VT 10,000 plus the total sum of property value based on evaluation by Council officers.
- 2) Failure to comply with section 2 sub-section 1) of this bye-law after 2 repeated warnings the Lenakel Town Municipal Council shall take the case to a court of law and upon conviction the offender is liable to a fine not exceeding VT 100,000 or to a period of imprisonment not exceeding 2 years or to both such fine and imprisonment.

3. COMMENCEMENT

This Bye-Law comes into force on the date of its publication in the official Gazette.

MADE UNDER THE SEAL OF THE LENAKEL TOWN MUNICIPAL COUNCIL at Lenakel this

23rd Day of November year 2014



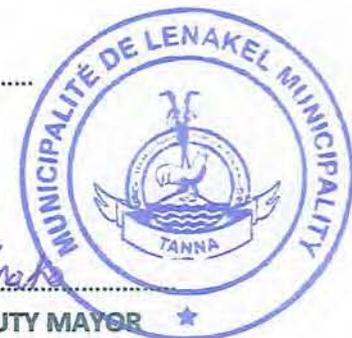
LORD MAYOR



ADMINISTRATOR



DEPUTY MAYOR ★



MUNICIPALITÉ DE LENAKEL MUNICIPALITY
 TANNA



EXECUTED APPROVAL OF THE MINISTER OF MUNICIPALITIES



REPUBLIC OF VANUATU
 MINISTER OF INTERNAL AFFAIRS
 MINISTRE DE AFFAIRES INTERIEURES
 REPUBLIQUE DE VANUATU