

[Legal Notice No. 36]

**PROVINCIAL GOVERNMENT ACT 1997
(NO. 7 OF 1997)**

MALAITA PROVINCE BETEL NUT BILL 2010

A BILL FOR

**AN ORDINANCE TO REGULATE THE SELLING AND CHEWING OF
BETEL NUT IN PUBLIC PLACES WITHIN MALAITA PROVINCE
AND RELATED MATTERS**

ENACTED by the Malaita Provincial Assembly with the assent of the Minister

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| Citation | 1. | This Ordinance may be cited as the Malaita Province Betel Nut Ordinance 2010 and comes into force on the date of publication in the <i>Gazette</i> . |
| Interpretation | 2. | In this Ordinance, unless the context otherwise requires –
“betel nut” includes all other ingredients used for chewing with betelnut;
“designated betel nut market” means a betel nut market designated under section 3;
“Executive” means the executive of the Malaita Provincial Government;
“permitted hours” means from 0600 hours to 1700 hours every day from Monday to Sunday
“public place” means any place in respect of which the public has access to as of right and shall include any vehicle either moving or stationed in any public place;
“township” includes a government sub-station |
| Designated
betel nut
markets and
rules | 3. | (1) The Executive shall by order establish a designated betel nut market, in respect of each township.

(2) A designated betel nut market shall be managed by a manager to be appointed by the Executive.

(3) A designated betel nut market shall open for business from 0600 hours to 1700 hours every day from Monday to Sunday. |

(4) The managers shall ensure that the designated betel nut markets open and close at the permitted hours.

4. (1) A person who – Offence

- (a) sells betel nut in any public place other than a designated betel nut market;
- (b) chews or spits betel nut in any public place; or
- (c) discards betel waste in any public place,

commits an offence and is liable upon conviction to a fine not exceeding 100 penalty unit.

(2) A manager who allows or a person who sells betel nut from a designated betel nut market outside of the permitted hours commits an offence and is liable upon conviction to a fine of 50 penalty units or to an imprisonment term of 3 days or to both such fine and imprisonment.

5. Any person may bring a complaint under this Ordinance to the Police and shall comply with the procedures laid down in section 76 of the Criminal Procedure Code (Cap. 7). Complaints

6. (1) The Police may remove or order the immediate removal of any betel nut market, shed or structure (whether permanent or temporary) that is not designated under section. Police Powers

(2) The police may remove any person who sells betel nut from a designated betel nut market outside of the permitted hours.

Passed by the Malaita Provincial Assembly this third day of March, 2010.

MATTHEW MAEFAI
Clerk to Assembly

With the Assent of the Minister this twenty-seventh day of April, 2010.

MANASSEH MAELANGA
Minister for Provincial Government