

SUPPLEMENT to the Solomon Islands Gazette

Thursday, 3rd April 1997

S.I. No. 11

[Legal Notice No. 39]

LOCAL GOVERNMENT ACT
(CAP 14)

HONIARA CAR PARK BY-LAWS 1997

In exercise of the powers conferred by section 50 of the Local Government Act, and in pursuance of a resolution dated the 28th day of February 1997, the Honiara Town Council hereby makes the following by-laws.

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| 1. | These By-laws may be cited as the Honiara Car Park By-laws 1997, and shall come into operation on the date of publication in the gazette. | Citation |
| 2. | These By-laws shall apply within the Honiara Town Boundary. | Application of By-law. |
| 3. | In these By-laws unless the context otherwise requires:-

"Attendant" means any person appointed by the Council to carry out duties in a car park;
"car park" means any area or building or part of a building set apart by the Council for the use of motor vehicles as a parking place.
"Council" means the Honiara Town Council or any authority who for the time being is charged with the responsibility for Honiara Town. | Definitions |
| 4. | A car park shall be under the immediate management and control of the attendant. | Attendant |
| 5. | All persons using or being within the precincts of a car park shall obey all reasonable directions given by the attendant for the purpose of observing order and cleanliness in the car park. | Duty to obey Instructions |

- Prohibitions 6. No person shall make any alterations to the alignments of a car park or introduce any unauthorised fitting, fixture or obstruction into a car park and any thing so introduced may be removed forthwith by the attendant.
- Entry and Exit 7. All persons driving motor vehicles within a car park shall observe the directions posted at such car park relating to means of entrance thereto and egress therefrom.
- Maximum Weight 8. The Council may by resolution from time to time prohibit or restrict the use of a car park by motor vehicles exceeding a specified net weight and may prescribe different net weights for different car parks.
- Charges 9. The Council may, by resolution from time to time prescribe the charges for admission to and use of a car park and may prescribe different fees for different classes of vehicles and for different car parks.
- Opening Hours 10. The Council may, by resolution, from time to time prescribe the hours of opening and closing of any car park and a time limit for the length of stay in any car park.
- Resolution to be Gazetted 11. Every resolution made by the council in terms of this by-law shall be published in the Gazette.
- Fees 12(1) - The charges for the use of a car park for which the council has prescribed a time limit for the length of stay shall be paid in advance to the attendant in exchange for which a parking receipt will be issued. When any person overstays the time limit prescribed such person shall be liable to pay an additional charge as prescribed in the parking ticket.
- 12(2)(i) On admission to a car park where no time limit has been prescribed by the council the attendant shall issue to the driver of the motor vehicle a parking ticket and payment of the charges for the use of the car park shall be made to the attendant when the motor vehicles leaves the car park.
- 12(2)(ii) In any case where the parking ticket is not presented to the attendant before the motor vehicle leaves the car park a charge shall be made for that vehicle from the hour at which the car park opened on that day until the time the vehicle leaves the car park.

12(3) No person shall remove any motor vehicle from a car park after the prescribed closing hour.

13. Different classes of motor vehicles using a car park shall park only within the limits set apart for the use of vehicles of the class to which they belong as indicated by car park notices and as directed by the attendant.

Parking Places

14. Nothing in these By-laws shall preclude the council from issuing a pre-paid monthly or annual permit granting the holder thereof exclusive rights to park a motor vehicle in the parking place specified in the permit.

Parking Permits

15. The driver of any motor vehicle shall show for inspection his parking receipt, ticket, or permit upon demand of the attendant.

Production of Receipt

16. No person shall obstruct, prevent or interfere with an attendant in the performance of his duties.

Obstruction of Attendant.

17(1) No motor vehicle shall be parked in a car park so as to obstruct any of the entrances, divisions or thorough fares of the car park and the driver of any such vehicle; if called upon to do so by the attendant shall forthwith remove the vehicle.

Obstructing entrances. etc

(2) If the driver of any motor vehicle fails to comply with a direction given by the attendant under paragraph (1) or if the driver is not available, the attendant may cause the vehicle to be removed to such other place, whether in the car park or not, as the attendant considers reasonable in the circumstances and the Council shall not be responsible for any loss or damage to the vehicle resulting from such removal.

(3) Any costs incurred by the Council in effecting the removal of a vehicle in term of this by-law shall be recoverable from the registered owner of the vehicle.

18. No person shall loiter in any of the entrances, thorough fares or divisions of a car park.

Loitering.

19. Nothing in these by-laws or in any parking receipt, ticket or permit shall be deemed to make the Council responsible for any loss or damage to any motor vehicle admitted to or using a car park or for injury to any person entering a car park.

Avoidance of Liability.

Sale of Goods

20. No person shall sell or offer or expose for sale any produce or goods in a car park without the prior consent in writing of the Council.

Penalty.

21 Any person who fails to comply with any of the provisions of these By-laws shall be guilty of an offence and shall be liable on conviction to a fine not exceeding one hundred dollars or in default of payment of such fine to imprisonment for a period not exceeding three months and in the case of a continuing offence, a further penalty not exceeding five dollars for each day on which the offence is continued after written notice of the offence has been served on the offender.

Made under the common seal of the Honiara Town Council at Honiara this 28th day of February 1997.

DAVID MAESUA
President

Approved this twenty-fourth day of March 1997.

OLIVER ZAPO
Minister for Home Affairs

Published and exhibited at the Office of the Council this 20th day of March 1997.

JOSEPH HASIAU
Clerk to Honiara Town Council

[Legal Notice No. 40]

LOCAL GOVERNMENT ACT
(CAP 14)

HONIARA (LICENSING OF BUSINESSES) AMENDMENT
BY-LAWS 1997

IN EXERCISE of the powers conferred by Section 50 of the Local Government Act and in pursuance of a resolution dated the 28th day of February 1997 the Honiara Town Council hereby makes the following By-laws.

1. These By-laws may be cited as the Honiara (Licensing of Businesses) (Amendment) By-law 1997 and shall come into operation on the date of publication in the Gazette.
2. The Schedule to the Honiara (Licensing of Businesses) (Amendment) By-laws 1990* hereby amended by adding to the list of designated businesses the following business under Merchandise and General Trading -

<u>"BUSINESS</u>	<u>PARTICULARS</u>	<u>FEES</u>
Home Retail - Betel Nut	per House	\$100"

Made under the common seal of the Honiara Town Council at Honiara this 28th day of February 1997.

DAVID MAESUA
President

Approved this twenty-fourth day of March 1997.

OLIVER ZAPO
Minister for Home Affairs

Published and exhibited at the Office of the council this 26th day of March 1997.

JOSEPH HASIAU
Clerk to Honiara Town Council

* LN 42190.

[Legal Notice No. 41]

LOCAL GOVERNMENT ACT
(CAP 14)

THE HONIARA (MARKETS) (AMENDMENT) BY-LAW

IN EXERCISE of the powers conferred by Section 50 of the Local Government Act, and in pursuance of a resolution dated the 28th day of February 1997, the Honiara Town Council hereby makes the following By-laws.

1. These By-laws may be cited as the Honiara (Markets) (Amendment) By-laws 1997, and shall come into operation on the date of publication in the Gazette.
2. The Honiara (Markets) By-laws are hereby amended as follows
 - (1) By substituting for the word "Authority" where ever that word appears the word "Council".
 - (2) In By-law 2 -
 - (a) delete the definition of "Council" and substitute instead the "Council" means the Honiara Town Council or any authority who for the time being is charged with the responsibility for Honiara Town.
 - (b) by inserting after the definition of "Food stuffs" the following new definition "Market Master" includes his staff or assistants, council messengers or a police officer acting under his instruction or supervision".
3. By inserting after By-law 7 the following new By-law
 - "8. Notwithstanding the provisions of By-law 7(2)(q) betel nut and home made tobacco shall only be sold or offered or exposed for sale in public markets specifically prescribed for that purpose by the Council by resolution Betel nut includes leaves and lime used to chew betel nut"

Made under the seal of Honiara Town Council this 28th day of February 1997.

DAVID MAESUA
President
Honiara Town Council

Approved this 24th day of March 1997.

OLIVER ZAPO
Minister for Home Affairs

Published and exhibited at the Office of the Council this 26th day of March 1997.

JOSEPH HASIAU
Clerk to Honiara

[Legal Notice No. 42]

THE LOCAL GOVERNMENT ACT
(CAP 14)

THE HONIARA MARKETS BY-LAWS

In exercise of the powers conferred by By-law 8 of the Honiara Markets By-laws,

Betel nut and home made tobacco shall only be sold, offered or exposed for sale in the public market at King George VI and in no other market with effect from the 7th April 1997.

Dated at Honiara the twenty-seventh day of March 1997.

DAVID MAESUA
President
Honiara Town Council

[Legal Notice No. 43]

THE INCOME TAX (AMENDMENT) ACT 1996
(No. 12 of 1996)

NOTICE OF COMMENCEMENT

IN exercise of the powers conferred by section 1 of the Income Tax (Amendment) Act, 1996, I, MICHAEL MAINA, Minister of Finance, do hereby appoint the nineteenth day of March 1997 as the date on which the said Act shall come into operation.

Dated at Honiara this nineteenth day of March 1997.

MICHAEL MAINA
Minister of Finance

[Legal Notice No. 44]

THE INCOME TAX (AMENDMENT) (NO. 2) ACT 1996
(No. 13 of 1996)

NOTICE OF COMMENCEMENT

IN exercise of the powers conferred by section 1 of the Income Tax (Amendment) (No. 2) Act, 1996, I, MICHAEL MAINA, Minister of Finance, do hereby appoint the nineteenth day of March 1997 as the date on which the said Act shall come into operation.

Dated at Honiara this nineteenth day of March 1997.

MICHAEL MAINA
Minister of Finance