

PROVINCIAL GOVERNMENT ACT 1981
(No. 7 of 1981)

THE MAKIRA PROVINCE
PUBLIC NUISANCE ORDINANCE
1986

AN ORDINANCE TO CONTROL THE PUBLIC CONSUMPTION OF LIQUOR IN URBAN AREAS AND WITHIN AREAS OF COUNCILS HEADQUARTERS, TO CONTROL DRUNK AND DISORDERLY PERSONS THROUGHOUT MAKIRA PROVINCE, AND TO REGULATE THE DISPOSAL OF REFUSE.

ENACTED BY THE PROVINCIAL ASSEMBLY OF MAKIRA PROVINCE.

Arrangement of Sections

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This printed impression has been carefully compared by me with the Ordinance passed by the Makira Provincial Assembly and found by me to be a true and correct copy of the said Ordinance.

D. NAHUSU

Clerk to the Makira Provincial Assembly

Assented to by the Honourable Minister of Home Affairs & Provincial Government this twenty-second day of May, 1986.

A. H. NORI

Minister of Home Affairs & Provincial Government

Title and
commencement.

1. This Ordinance shall be cited as the public Nuisance Ordinance 1986. This Ordinance shall come into force following enactment by the Assembly and assent by Minister in accordance with Section 32 of the Act. The Ordinance shall be gazetted Following assent by the Minister.

Interpre-
tation

2. Words shall be given their common meaning unless specially defined in this section -
“Act” means the Provincial Government Act 1981;
“Liquor” means only beer, spirits, wine or any liquid containing alcohol ordinarily used or fit for use as a beverage;
“Premises” means any building together with the land upon which it is situated and any adjoining land used in connection with it;

“Public place” means any public road of any description, public building, sea and adjacent beaches or any open space to which the public are entitled or permitted to have access either with or without conditions.

PUBLIC CONSUMPTION OF LIQUOR

Application. 3. This Ordinance shall apply to the urban area of Kirakira, areas of Council Headquarters established by Councils and the Sea areas adjacent to these areas.

Public Consumption Prohibited. 4. No person shall consume liquor in any public place prohibited by this Ordinance.

Prohibited Public places 5. Public places where consumption of liquor is prohibited are:
(a) all public and feeder roads;
(b) commercial areas except in licensed premises;
(c) residential areas except on premises with the permission of the resident;
(d) School premises;
(e) government and provincial office premises;
(f) beaches adjacent to any of the above areas.

PUBLIC BEHAVIOUR

Public drunkenness 6. No person shall appear in a public place drunk so as to be incapable of taking care of himself.

Public Nuisance. 7. No person shall, after being warned to stop, behave in a disorderly manner to the reasonable annoyance or disturbing of the public.

Deposit of Rubbish 8. No person shall deposit, disturb or allow to accumulate upon any premises or public place any refuse or rubbish of any kind except in an appropriate rubbish bin except with permission of the Provincial Executive or its delegate.

Offences 9. Any person who violates any of the provisions of this Ordinance shall be guilty of an offence and liable to a fine not exceeding one hundred dollars, and a penalty not exceeding one hundred dollars.

Subsidiary Legislation 10. The Provincial Executive shall have authority to make orders and regulations, consistent with this Ordinance, that may be necessary to effectively carry out this Ordinance. Any subsidiary legislation shall be made in accordance with the Constitutional Rules.