

THE PROVINCIAL GOVERNMENT ACT 1981  
CHOISEUL PROVINCE PUBLIC NUISANCE  
ORDINANCE 1997

AN ORDINANCE TO CONTROL THE PUBLIC CONSUMPTION OF ALCOHOL; DRUNK AND DISORDERLY PERSONS AND THE DISPOSAL OF RUBBISH.

ARRANGEMENT OF SECTIONS

1. Title and Commencement.
2. Interpretation.
3. Prohibition of consumption of liquor in specified public places.
4. Public Behavior.
5. Deposit of Rubbish.

1. Title and Commencement - This Ordinance may be cited as the Choiseul Province Public Nuisance Ordinance 1997 and shall come into force three (3) months after the Ordinance is published in the Solomon Islands Gazette.

2. Interpretation - In this Ordinance, except where the context requires otherwise:

“Act” means the Provincial Government Act 1981.

“licensed premises” means any premises or place in respect of which a Liquor Licence under the Liquor Act (Cap. 33) has been granted.

“Liquor” means any wine, spirits, beer or any liquid containing alcohol ordinarily used or fit for use as a beverage.

“premises” means any structure, building or part thereof together with the land on which the same is situated and any adjoining land used in connection therewith.

“public place” means any road, premises, beaches or any open space to which the public are entitled or permitted to have access and includes the sea.

3. Prohibition of consumption of liquor in specified public places- (1) Any person found consuming liquor in any place listed in section 3(3) being places to which the public has access and not being licensed premises is guilty of an offence and is liable to a fine not exceeding five hundred dollars (\$500.00) or to imprisonment not exceeding three (3) months, or to both such fine and imprisonment.

(2) For the purposes of this Ordinance, any person within five (5) feet of an opened vessel containing liquor shall be presumed to have consumed liquor.

(3) The places where consumption of liquor is prohibited are:

- (a) Public wharves.
- (b) Government and Provincial offices, commercial and industrial premises except with the prior consent of the Government or the Choiseul Provincial Government.
- (c) Public roads.
- (d) Primary and secondary school premises except with the prior consent of the School Board or Committee and the Provincial Education Division and except residential premises of teachers.
- (e) Clinics and hospitals except with the prior consent of the Health and Medical Ministry or Division.
- (f) Public commercial areas including market places.
- (g) Residential areas except on premises with the prior permission of the owner and/or resident.
- (h) Public beaches, except those on Customary Land.

(4) The Executive of Choiseul Province may suspend the operation of this section of the Ordinance for specified occasions on specified days.

4. Public Behaviour - (1) No person shall appear in a public place drunk so as to be incapable of taking care of himself.

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(2) No person shall, after being warned to stop, behave in a disorderly manner to the reasonable annoyance or disturbance of the public.

(3) Any person who violates the provisions of this section shall be guilty of an offence and liable to a fine not exceeding three (300) hundred dollars.

5. Deposit of Rubbish - (1) No person is permitted to throw drop, deposit, or accumulate or cause to be thrown, dropped, deposited or accumulated any tin, bottle, box, plastic bag or container or any other rubbish, refuse or litter in any public place except in a place assigned to or in a receptacle provided for the purpose of depositing or accumulating litter, rubbish or refuse.

(2) Any person over the age of twelve (12) years who throws, drops, deposits or accumulates or causes to be thrown, dropped, deposited or accumulated any tin, bottle, box, plastic bag or container or any other rubbish, refuse or litter in any public place which is not a place or receptacle assigned to or provided for the deposit or accumulation of litter, rubbish or refuse is guilty of an offence and is liable to a fine not exceeding one hundred dollars (100.00) or to imprisonment not exceeding one (1) month.

Passed by the Chouseul Provincial Assembly this thirtieth day of October 1997.

M. Saru Jopa  
Clerk to the Provincial Assembly

Assented to by the Honourable Minister of Provincial Government this sixteenth day of July 1999.

J. Waipora  
Minister for Provincial Government