

[Legal Notice No. 4]

PROVINCIAL GOVERNMENT ACT 1981  
(No. 7 of 1981)

THE TEMOTU PROVINCE MARKET ORDINANCE  
1994

AN ORDINANCE TO PROVIDE FOR THE REGULATION AND  
CONTROL OF MARKETS.

1. This Ordinance shall be cited as the Temotu Province Market Ordinance 1994 and shall come into operation in accordance with section 32 of the Provincial Government Act 1981.

2. In this Ordinance:

“Area Council” means one of the council established by the Temotu Provincial Area Council Ordinance 1992;

“authorised officer” means the medical officer, health inspector or other officer authorised in writing by the Executive to implement and enforce this Ordinance;

“Executive” means the Temotu Provincial Executive;

“goods” means any item described in section 4 of this Ordinance;

“Lata Station Committee” means the Committee established by the Lata Town Committee Ordinance 1989;

“market” means a place declared to be a market under section 3 of this Ordinance;

3. (1) A market may only be held at such time and place as:  
(a) the Area Council for the area in which the market is situated; or  
(b) the Lata Town Committee for the Lata Station Area; has declared by resolution.

(2) A notice of the declaration under sub-section 3(1) shall be displayed at the marked place where the market is to be held and at the Area Council headquarters or the Provincial Offices as the case may be.

(3) A resolution made under sub-section 3(1) may declare that a market may be held on a regular basis without the need for a separate resolution to be made each time the market is held.

4. No person shall sell or offer to sell in any market any goods other than:

(a) fresh fruits, vegetables, roots and nuts;

- (b) fish and shellfish;
- (c) livestock and poultry;
- (d) fresh meat;
- (e) fresh eggs;
- (f) locally produced handicrafts;
- (g) locally produced tobacco;
- (h) cooked foods.

5. (1) Any livestock or poultry brought into a market shall be tethered or confined in a crate or basket;

(2) No livestock or poultry shall be slaughtered at market;

(3) All goods offered for sale at a market shall be displayed in baskets, bowls or other receptacles, or on leaf placed on the ground or on benches or tables provided for the purpose'

(4) All cooked food offered for sale at market must be placed on benches or tables or otherwise raised above ground level;

(5) Goods offered for sale at a market shall be protected from flies and other insects;

(6) No goods shall be offered for sale or sold, which are in the opinion of an authorised officer unfit for human consumption;

(7) All refuse from the market shall be disposed of in the receptacle provided;

(8) No person shall bring a dog into a market unless it is at all times kept under proper control;

(9) No person shall spit betel nut near any goods on offer for sale at a market.

6. Any person who contravenes any provision in this Ordinance shall be guilty of an offence and liable to a fine not exceeding \$20.

7. (1) It shall be the duty of an authorised officer or any police officer to make reasonable enquiries to establish whether any breach of this Ordinance has been committed.

(2) Any person who obstructs or impedes a person authorised under this Ordinance acting in due exercise of their powers shall be guilty of an offence and liable to a fine not exceeding \$100.

8. The executive may publish regulations to further regulate and control markets declared this Ordinance.

9. The Eastern Islands Council (Markets) Byelaws 1976 are revoked.

Passed by the Temotu Provincial Assembly this fourth day of January, 1995.

**HELEN V. JEANS**

Acting Clerk to the Temotu Provincial Assembly

Assented to by the Minister for Provincial Government this seventeenth day of January, 1995.

**ALLAN QURUSU**

Minister of Provincial Government

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