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THE NATIVE MARKET ORDINANCE, 1927.

Western Samoa

No. 1, 1927.



An Ordinance

made by the Administrator of the Territory of Western Samoa, with the advice and consent of the Legislative Council of that Territory, and in pursuance of the Samoa Act, 1921.

Title 1. This Ordinance may be cited as "The Native Market Ordinance, 1927."

Interpretation 2. In this Ordinance except where a contrary intention appears or the context otherwise requires,—

"Administrator" means the Administrator of the Territory of Western Samoa.

"Area" or "the central area" means that part of Apia and adjoining districts lying within a radius of one mile from the Apia Custom House.

"Market" means the land and building in Beach Road Apia set apart and constructed by the trustee of the Estate of Jane Nelson deceased for the purpose of a market for the offer and sale of native food and produce or such other site or building as may be hereafter declared and proclaimed by the Administrator as the market for the central area.

"Public place" includes any road street or place to which the public have access whether as of right or otherwise.

"Samoan foodstuffs" means and includes Samoan fruit fish, shellfish, taro, breadfruit, yams, sugarcane, cooked meat, poultry, cordials, drinks, kava, sweetmeats, confectionery, cakes, and all other foodstuffs usually or commonly sold or offered for sale in Apia by Samoans or Chinese.

"Market License" means a license issued under the provisions of this Ordinance and authorising or permitting the licensee to sell or expose for sale in the market any Samoan foodstuffs.

3. There shall be established a Native Market for the offer and sale of Samoan foodstuffs to be held and conducted exclusively on the Market as herein defined.

Native Market established

EXCEPT AS HEREINAFTER PROVIDED

4. From and after the date of coming into force of this Ordinance save and so far as hereinafter excepted or provided no person shall sell or offer for sale or set up or keep a stall for the purpose of selling or offering for sale any Samoan foodstuff or foodstuffs in any public place within the central area other than at or in the Native Market.

No sale of Samoan foodstuffs in Central Area save at the Market

5. No person shall sell or offer to sell or expose for sale in the Market any Samoan foodstuffs unless he is the holder of a market license then in force authorising him to sell Samoan foodstuffs in such market.

Vendor must hold a Market license

6. The provisions hereof shall not apply to or prevent any sale in or delivery from any licensed shop store or business premises in the area or to delivery within the area of any foodstuffs to a purchaser under contract for sale made outside the area nor to the sale or exposure for sale of foodstuffs by any holder of a market license on the occasion of any public holidays or special occasion proclaimed or allowed by the Administrator from or upon a stall or stalls erected at such place or places within the area as may be specifically allotted by the Inspector of Police for that purpose.

Saving as to licensed stores, delivery from outside the area and holidays

7. No person shall bring into the Market any Samoan foodstuffs unfit for human consumption or other offensive matter. The Inspector of Police or any person authorised by him or any Inspector of Health may condemn, seize, remove and destroy any Samoan foodstuffs or other matter so brought into the Market and at the risk and expense of the owner or other person so bringing in the same and any person so offending may be prosecuted for such offence.

Samoan foodstuffs unfit for human consumption and offensive matter in the Market

the owner shall forthwith on the expiry of the term of the license deliver to the Registrar the registration certificate in respect of the motor vehicle.

owner who wilfully fails to comply with the provisions of the last preceding subsection shall be guilty of an offence and liable to a penalty of Ten pounds.

the following subsections after subsection 2 of the said Ordinance:

any person driving a motor vehicle which is involved in an accident in which any person is injured shall forthwith report such accident in writing to the Inspector of Police in the prescribed form; and if the driver is so physically incapacitated as to be unable to do so, he shall cause such report to be made on his behalf by some other person.

and sunrise in any public place shall be attached at the front thereof and shall be of a sufficient brilliance to be seen from a forward direction at a distance of not less than 100 yards.

Riding cycle without light.

Misbehaviour
in the Market

8. No person shall enter the Market whilst drunk or gamble or excite any riot or fight or use any gross, indecent, obscene, filthy or abusive language therein or spit or put any dirt or offensive matter upon the building floor, stalls, furniture or appliances or be guilty of any indecent or improper conduct therein and any person so offending may be forthwith ejected from the Market and may be prosecuted for such offence.

License to sell
Samoan Food-
stuffs in Market

9. No person shall sell or expose for sale within the Market any Samoan foodstuffs unless he be the holder of a license from the Inspector of Police so to sell Samoan foodstuffs; such license shall be issued upon the payment of a fee of five shillings if the Inspector of Police is satisfied that the applicant is the bona fide tenant of a stall in the Market and such license shall remain in force until the 31st day of March then next ensuing or until the license shall cease to be the bona fide tenant of a stall as aforesaid (whichever event shall the first happen) when the license shall become null and void; provided that the Inspector of Police may cancel or suspend any such license for any breach of this Ordinance or of any regulations relating to the sale of foods for human consumption.

10. Any person who commits any breach of this Ordinance is liable to a fine not exceeding £25 or to imprisonment for a term not exceeding three months for every breach committed.

Assented to this twenty-second day of

March, 1927.

[L.S.] GEO. S. RICHARDSON,

Administrator.

report and there is another person or
the accident who is not incapacitated, s
one shall forthwith make such rep
fee ;
all be made upon the form or for
regulation.

Road Traffic Amendment Ordinance
changing the word "two" where it appears,
changing the word "four" therefor.

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sumption and
Revenue matter
in the Market

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