



Tuvalu

POLICE POWERS AND DUTIES REGULATIONS 2012

LN No.3 of 2012

**MADE UNDER SECTION 177 OF THE POLICE POWERS AND DUTIES
ACT 2009**

Commencement [10th October, 2012]

1 Short title

These Regulations may be cited as the Police Powers and Duties Regulations 2012.

1 Commencement

These regulations come into force on the day they are endorsed by the Minister.

2 Definitions

In these regulations:

“Act” means the Police Powers and Duties Act 2009.

3 Penalty notices

- (1) For paragraph 150 (1) (a) of the Act, each offence mentioned in Schedule 1 is a penalty notice offence.
- (2) For paragraph 150 (1) (b) of the Act, the penalty payable for a penalty notice offence is the amount mentioned for the offence in Schedule 1.
- (3) For paragraph 150 (1) (e) of the Act, a penalty notice may be issued on Funafuti.

Schedule 1 Penalty notice offences and penalties

(regulation 4)

Part 1 Traffic offences

Division 1.1 Police Powers and Duties Act 2009

| Item | Offence | Provision | Fine units |
|------|--|------------|------------|
| 1.01 | Fail to stop a vehicle when directed by a police officer without reasonable excuse | Section 21 | 2.5 |
| 1.02 | Fail to comply with a police officer's direction to a provide a vehicle for inspection | Section 23 | 2.5 |
| 1.03 | Fail to comply with a police officer's direction not to drive a motor vehicle | Section 25 | 2.5 |
| 1.04 | Fail to comply with a police officer's direction prohibiting the use of a vehicle | Section 26 | 2.5 |
| 1.05 | Fail to give notice to the owner of the vehicle | Section 26 | 2.5 |

Division 1.2 Traffic Act 1983

| Item | Offence | Provision | Fine units |
|------|--|---------------|------------|
| 1.06 | Unlicensed motor vehicle | Section 6 | 2.5 |
| 1.07 | Unlicensed driver | Section 13 | 2.5 |
| 1.08 | Drive motor vehicle with incorrect class of licence | Section 13 | 1.5 |
| 1.09 | Breach of conditions of a provisional drivers' licence | Section 14(3) | 1.5 |
| 1.10 | Fail to produce drivers' licence within 48 hours of being instructed by a police officer | Section 17(2) | 1.5 |
| 1.11 | Careless driving | Section 20 | 5 |
| 1.12 | Taking a motor vehicle without authority | Section 22 | 5 |

Division 1.3 Traffic Regulations

| Item | Offence | Provision | Fine units |
|-------------|--|------------------|-------------------|
| 1.13 | Unroadworthy motor vehicle | Regulation 2(1) | 2.5 |
| 1.14 | More than 2 persons on a motor cycle | Regulation 2(2) | 1 |
| 1.15 | Failing to signal | Regulation 3 | 1 |
| 1.16 | Failing to make way for emergency vehicle | Regulation 4A | 1 |
| 1.17 | Fail to display L plate when on provisional driver's license | Regulation 15(a) | 1 |
| 1.18 | Fail to keep vehicle left of centre on a roadway | Regulation 5(3) | 1 |
| 1.19 | Fail to stop and provide details after a traffic accident (including animal) | Regulation 4 | 1 |
| 1.20 | Disobey a traffic sign | Regulation 6 | 1 |
| 1.21 | Exceeding a speed limit | Regulation 7 | 2.5 |
| 1.22 | Illegally parking a motor vehicle | Regulation 8 | 0.5 |
| 1.23 | Fail to display a registration plate | Regulation 10 | 1 |
| 1.24 | Not more than 1 trailer shall be drawn by any motor vehicle | Regulation 11 | 1 |
| 1.25 | Fail to display "taxi" sign when operating as a taxi | Regulation 13 | 1 |
| 1.26 | Throw litter from a motor vehicle | Regulation 14(2) | 1 |
| 1.27 | Limb or part of body outside of motor vehicle | Regulation 14 A | 1 |
| 1.28 | Fail to display lights when driving a vehicle at night | Regulation 14C | 2.5 |

Part 2 Alcoholic Drink Act 1984

| Item | Offence | Provision | Fine units |
|-------------|--|------------------|-------------------|
| 2.01 | Drink alcohol in or near an off-licence premises | Section 22 | 2.5 |
| 2.02 | Licensee – sell alcoholic drink outside authorised trading hours | Section 93 | 2.5 |
| 2.03 | Unauthorised alcoholic drink on licensed premises | Section 94 | 2.5 |
| 2.04 | Licensee – breach of conditions of liquor licence | Section 95 | 5 |
| 2.05 | Licensee – trade at premises other than place specified in the licence without authorisation | Section 96 | 5 |
| 2.06 | Licensee – fail to produce a liquor licence to a police | Section 97 | 2.5 |

| Item | Offence | Provision | Fine units |
|------|---|--------------------|------------|
| | officer on demand | | |
| 2.07 | Agent or Servant of a licensee – sell or supply an alcoholic drink to an person under 18 years of age | Section 99(2) | 5 |
| 2.08 | Licence holder permit a police officer to be on licensed premises except for the purposes of duty | Section 100 | 2.5 |
| 2.09 | Drink within curtilage of licensed premises | Section 101 | 2.5 |
| 2.10 | Outside seller in a licensed premises | Section 102 | 2.5 |
| 2.11 | Unauthorised alcoholic drink in shops, etc | Section 103(1) | 2.5 |
| 2.12 | Unauthorised sign | Section 104 | 2.5 |
| 2.13 | Possess a weapon on licensed premises | Section 105(1) (a) | 2.5 |
| 2.14 | Possess a weapon while under the influence of alcohol | Section 105(1) (b) | 2.5 |
| 2.15 | Unauthorised making of alcoholic drink | Section 106(1) | 2.5 |
| 2.16 | Drink or possess mixture of sour toddy | Section 107 | 1 |
| 2.17 | Drink alcohol in a prohibited area (eg. public place) | Section 118 | 2.5 |
| 2.18 | Fail to leave licensed premises when directed | Section 120 | 2.5 |

Part 3 Police Powers & Duties Act 2009

| Item | Offence | Provision | Fine units |
|------|---|-------------|------------|
| 3.01 | Fail to comply with police order | Section 50 | 5 |
| 3.02 | Tamper with a seized thing | Section 77 | 5 |
| 3.03 | Contravene a direction or requirement of a police officer | Section 170 | 5 |

Part 4 Penal Code

| Item | Offence | Provision | Fine units |
|------|---|----------------|------------|
| 4.01 | Be drunk and disorderly in a public place | Section 167(d) | 1 |
| 4.02 | Throw rubbish on a footway | Section 169(i) | 1 |
| 4.03 | Drunk and incapable of taking care | Section 170 | 1 |
| 4.04 | Shout or make excessive noise | Section 171(1) | 1 |
| 4.05 | Damage a signboard | Section 169(f) | 1 |

| Item | Offence | Provision | Fine units |
|-------------|--|------------------|-------------------|
| 4.06 | Indecent act in a public place | Section 167(e) | 1 |
| 4.07 | Threatening, abusive or insulting words or behaviour | Section 169(n) | 1 |

Part 5 Aerodrome Regulations

| Item | Offence | Provision | Fine units |
|-------------|---|------------------|-------------------|
| 5.01 | Drive a vehicle on an aerodrome runway without permission | Regulation 3(9) | 1 |

Part 6 Public Health Regulations

| Item | Offence | Provision | Fine units |
|-------------|---|------------------|-------------------|
| 6.01 | Unclean premises | Regulation 2 | 1 |
| 6.02 | Stagnant water on premises | Regulation 3 | 1 |
| 6.03 | Tins, bottles or receptacles capable of holding water on premises | Regulation 4 | 1 |
| 6.04 | Water tanks sealed with mosquito-proof gauze | Regulation 5 | 1 |
| 6.05 | Stagnant water in boats | Regulation 6 | 1 |
| 6.06 | Litter in a public place | Regulation 10 | 1 |
| 6.07 | Unclean toilet | Regulation 12 | 1 |
| 6.08 | Not dispose of rubbish | Regulation 14 | 1 |
| 6.09 | Obstruct a sanitary inspector | Regulation 27 | 1 |