

CHAPTER 2.**LITTERING****ARRANGEMENT OF SECTIONS****Section**

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An Act to make provision for the control of littering.[Section numbering style modified to conform to Code format (Rev.2003)]

Commencement: September 10, 1982
 Source: P.L. 1982-2
 P.L. 1986-32

§201. Short Title.

This Act may be cited as the "Littering Act 1982" [P.L. 1982-2, §1.]

§202. Interpretation.

In this Act:

(a) "littering" means the unauthorized dumping, throwing away, placing or leaving of refuse of any kind, or any object or substance which tends to pollute, mar or deface, and includes a vehicle or a part of a vehicle;

(b) "person" means a person, firm, partnership or corporation and includes every owner, director, partner or manager of such firm, partnership or corporation:

(c) "public place" includes any place to which the public is admitted, or is allowed or is accustomed to go, free of charge, but does not include a building;

(d) "vehicle" means any kind of conveyance and includes a bicycle, motorcycle, motorcar, taxi cab, van, pickup truck or heavy vehicle. [P.L. 1982-2, §2; amended by P.L. 1986-32, §2, adding paragraphs (b) and (d). Original paragraph (b) has been renumbered to (c).]

§203. Application of this Act.

(1) This Act does not apply to:

(a) the parking of a vehicle; or

(b) the dumping, throwing away, placing or leaving of a thing:

(i) in a receptacle or in a manner approved by the responsible Minister or a local government for the purpose; or

(ii) in or on a refuse dump so approved.

(2) This Act applies whether or not the thing dumped, thrown away, placed or left is of any value.

(3) The provisions of this Act are in addition to and not in derogation of any other law prohibiting littering. [P.L. 1982-2, §3.]

§204. Prohibition of littering.

(1) A person who commits littering:

(a) in a public road or public place;

(b) on any private land near or adjacent to any public road or public place;

(c) on or in a beach, the foreshore or the lagoon; or

(d) in the sea, in such a way that the thing dumped, thrown away, placed or left can be reasonably expected to be carried to land or into the lagoon; shall be guilty of an offense and shall upon conviction be liable to a fine not less than \$50 and not exceeding \$1,000 or to a term of imprisonment not exceeding six (6) months, or both; and in addition the court may order him to remove and properly dispose of any thing dumped, thrown away, placed or left.

(2) Any person who abets, assists, associates himself or be concerned in the commission of an offense under Subsection (1) of this Section shall be guilty of an offense and shall upon conviction be liable to like punishment as in said Subsection (1).

(3) In the case where the offense committed under Subsection (1) of this Section is by any occupant of a vehicle, the occupant who committed the act, if known, and the driver of such vehicle shall be guilty of the same offense and shall upon conviction be liable to like punishment as in said Subsection(1). [P.L. 1982-2, §4; amended by P.L. 1986-32, §3, completely revising this Section.]

§205. Power of arrest and removal of litter.

(1) A police officer, or a peace officer appointed under Section 151(1) of the Local Government Act 1980 notwithstanding the provisions of that Section, may arrest without a warrant any person who is committing or has committed an offense under this Act, and may seize and remove, or destroy or otherwise dispose of any thing dumped, thrown away, placed or left in the commission of such offense.

(2) The owner or occupier of any private property on or in which any thing is dumped, thrown away, placed or left in contravention of this Act may seize, remove and destroy or otherwise dispose of the thing so dumped, thrown away, placed or left.

(3) Any expense incurred by any person referred to in Subsection (1) or (2) of this Section in the seizure, removal, destruction or other disposition of any thing so dumped, thrown away, placed or left, may be recovered from the person who has committed any such act, as a debt due to him from such person. [P.L. 1982-2, §5; amended by P.L. 1986-32, §4, completely revising this Section.]