



Tonga

# MARKET REGULATIONS

1988 Revised Edition





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## MARKET REGULATIONS

### Arrangement of Regulations

#### Regulation

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# MARKET REGULATIONS

*Made by the Minister of Agriculture, Forests and Fisheries*

*G.S. 1/71, Act 46/1988*

[26 February, 1971]

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## 1 Short title.

These regulations may be cited as the Market Regulations.

## 2 Application.

- (1) These regulations apply only to a market established under the provisions of the Markets Act or these regulations, and to a market established by notice published in the Gazette.
- (2) The markets described in Schedule 1 to these regulations are hereby established.

## 3 Interpretation.

In these regulations, unless the contrary intention appears —

“**market authority**” means the person or persons having the management and control of a market as provided under regulation 4;

“**stall**” includes a canteen.

**4 Market Authority.**

The market authority consists of such persons whose names or designations are published in the Gazette from time to time, and until those names or designations are so published, the following constitute the market authority, namely: —

The Hon. Siosaia Laufilitonga Aleamotu'a Tuita (who shall be chairman)

The Director of Agriculture

The Director of Works

The Chief Superintendent of Police

The Director of Health.

**5 Accounts.**

The market authority shall keep proper accounts and records of receipts and expenditures in connection with a market and shall submit to the Minister a report on the full activities of that market at least once every 12 months and at such other times as the Minister may direct.

**6 Market Manager.**

Every market shall be under the immediate management and control of a market manager who shall be appointed by and be responsible to the market authority.

**7 Obedience to Market Manager.**

All persons using or being within the precincts of a market shall obey all reasonable directions given by the market manager for the purpose of observing the good order and cleanliness of that market.

**8 Hours of opening.**

(1) A market shall be open for business during such times as the market authority may determine from time to time but the market shall not be open for business on a Sunday.

(2) A market shall be open for business during the following times: —

Until otherwise so determined by the market authority,

|                    |                        |
|--------------------|------------------------|
| Monday to Thursday | from 6 a.m. to 6 p.m.  |
| Friday             | from 6 a.m. to 10 p.m. |
| Saturday           | from 4 a.m. to 10 p.m. |

- (3) No person may enter or remain in a market outside business hours without the authority of the market manager.

## **9 Goods which may be sold.**

The market authority may from time to time prescribe the types of goods to be offered for sale in a market; and no goods other than those so prescribed may be offered for sale or sold in that market.

## **10 Delivery of goods.**

All goods intended for sale in a market shall be delivered to that market only during such times as the market authority may determine from time to time.

## **11 Inspection of goods.**

- (1) The market authority may require any goods intended for sale in a market to be inspected during such times and at such places and by such person or persons as the market authority may determine, and no person may sell or offer for sale in a market any goods found after such inspection to be bad, obnoxious, dirty, decayed, unwholesome, dangerous or in poor condition.
- (2) The market manager shall remove or cause to be removed from the precincts of a market any goods found to be bad, obnoxious, dirty, decayed, unwholesome, dangerous or in poor condition under the provision of sub-regulation (1).

## **12 Unsold goods.**

Goods unsold at the close of the day may be left in a market with the permission of the market authority or of the market manager but at the owner's risk and any goods so left without such permission may be removed by the market manager and disposed of in such manner as he may consider reasonable.

## **13 Stalls.**

No person may sell any goods in a market except at a stall allotted to him and during the hours that the market is open for business.

## **14 Allocation of stalls.**

- (1) The allocation of stalls in a market shall be in the discretion of the market authority whose decision shall be final.

- (2) The allocation of stalls shall be made in as fair and reasonable a manner as possible and on such conditions as the market authority may determine from time to time.

## 15 Fees.

- (1) The fees to be charged for the rental of stalls in a market shall be determined from time to time by the market authority in its discretion.
- (2) Until otherwise so determined by the market authority, the fees for the rental of stalls are as follows: —

|  |  |
|--|--|
| For a canteen  | not less than \$400.00 for a period of one year; |
| For a lock-up stall  | not less than \$8.00 for a period of one month;  |
| For an open stall measuring not more than 6 feet long by 3 feet wide | 25 seniti for a period of one day;               |
| For an open stall measuring more than 6 feet long by 3 feet wide     | 30 seniti per day.                               |

## 16 Alteration of stalls.

No person may make any alteration to a stall or exhibit any notice thereon or introduce any fittings, fixtures, furniture or impediments of any kind without the permission of the market authority, and any such thing introduced without such permission may be removed by the market manager.

## 17 Payment of charges.

No person may occupy or use a stall so long as any charges which are due and payable for the use of that stall are outstanding.

## 18 Medical examination.

- (1) The market authority may from time to time require any person employed by the market authority in a market, or any person engaged in the selling of any goods in that market, to be medically examined, and to produce a certified health certificate signed by a medical officer.
- (2) Any person who has not been medically examined and who does not produce a certified health certificate as provided for under this regulation shall not work or be engaged in the selling of those goods, in a market.



**19 Infectious diseases.**

No person who is suffering from an infectious or contagious disease may make use of a market.

**20 Dogs Prohibited**

No person may bring a dog into a market or suffer it to remain there.

**21 Behaviour.**

No person may within the precincts of a market behave in a disorderly, offensive, obscene or insulting manner, or obstruct or interfere with any person lawfully exercising his rights or performing his duties within that market.

**22 Rules.**

- (1) Anything prescribed, determined or required by the market authority under a provision of these regulations may be notified for public information by exhibiting a copy of it prominently on a Notice Board provided by the market authority for that purpose within the precincts of the market.
- (2) The market authority shall cause a copy of these regulations to be exhibited on that Notice Board.

**23 Offences.**

A person who contravenes any of the provisions of these regulations commits an offence and is liable on conviction to a fine not exceeding \$40.