

**NIUE LAWS
LEGISLATION AS AT DECEMBER 2006**

GENERAL LAWS ACT 1968

1968/52 ó 1 November 1968

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To make better provision for the order and good government of Niue

**PART 1
PRELIMINARY**

1 Short title

This is the General Laws Act 1968.

2—

3 Interpretation

In this Act ó

"**Chief of Police**" means the Chief of Police in Niue.

4 Chief of Police to administer Act

The Chief of Police shall be charged with the administration of this Act under the general direction and control of Cabinet.

**PART 2
UNAUTHORISED PERSONS ON BOARD SHIP**

5 Application of Part 2

(1) This Part shall apply to every ship calling on Niue from the time of her arrival in the roadstead until the time of her departure from it.

(2) In this Part, "ship" includes every description of vessel used for overseas voyages, however propelled, but does not include ships of the naval forces of any country.

6 [Spent]

7 Disobedience when ordered to leave ship

Every person who not being a person bound or entitled to sail on the ship or a person duly authorised to be on the ship for any purpose recognised by law) refuses or fails to leave the ship when ordered so to do by the master or any officer of the ship or by any officer of Police or Customs or, after having complied with an order to leave the ship or after being taken ashore, re-enters or attempts to re-enter the ship commits an offence and shall be liable on conviction to a fine not exceeding 0.5 penalty units or to imprisonment for a term not exceeding 3 months.

8 Arrest without warrant

The master or any officer of the ship or any officer of Customs may take ashore or, as circumstances require, take into custody any person who acts in contravention of section 7 and deliver him to a constable and any constable may arrest without warrant any person so acting or so delivered to him.

9 Offence of obstructing or resisting

Every person who wilfully obstructs, hinders, or resists any person in the exercise or execution of any power, duty or function conferred or imposed on such person by this Part commits an offence and, unless the Niue Act 1966 provides a more severe penalty in respect of the same offence, shall be liable on conviction to a fine not exceeding 0.5 penalty units.

PART 3 CONTROL OF WHARF

10 Closing order

The Chief of Police in concurrence with the Revenue Manager shall have power to close at any time and for any period of time the wharf or any portion of it, or any building, machinery, or other construction erected on or near the wharf (in this Part referred to as the closed area).

11 Public to be duly warned

The Chief of Police shall in such customary and practicable manner as he deems fit make generally known to the public every order under section 10 specifying the closed area and the hours of commencement and termination of the order.

12 Effect of closing order

The effect of any order so made shall be that, for the period of time specified in the order, any closed area shall be deemed not to be open to the public as of right.

13 Restricted admittance to closed area

(1) Except with the permission of the constable on duty on the wharf, no person shall enter any closed area unless his presence is required for the working of the wharf or for the pursuit of any legitimate and customary other work or business in connection with it.

(2) Any constable may remove from the closed area any person found there in contravention of this Part.

14 Offences

Every person who acts in contravention of this Part commits an offence and shall be liable on conviction to a fine not exceeding 0.5 penalty units.

15 Aggravated offences

Every person who, after being ordered or removed from any closed area re-enters or attempts to re-enter that closed area commits an offence and, unless the Niue Act 1966 provides a more severe penalty in respect of the same offence, shall be liable on conviction to a fine not exceeding 0.5 penalty units or to imprisonment for a term not exceeding 3 months.

PART 4 OFFENCES INJURIOUS TO PUBLIC MORALITY

16 Adultery by married persons

Every married person who commits adultery shall be guilty of an offence and liable on conviction to a fine not exceeding 0.5 penalty units.

17 Adultery with married person

Every unmarried man who commits adultery with a woman whom he knows to be married, and every unmarried woman who commits adultery with a man whom she knows to be married shall be guilty of an offence and liable to a conviction to a fine not exceeding 0.5 penalty units.

18 Scandalous conduct

Persons of the opposite sex who, without being married to each other, live together as husband and wife to the annoyance of the public commit an offence and shall be liable on conviction to a fine not exceeding 0.5 penalty units.

PART 5 MISCELLANEOUS

19 [Spent]

20 Application of fines

All fines paid or collected under this Act shall form part of the public revenues of Niue and shall be paid into the appropriate account.

21 Power to make regulations

(1) Cabinet may make regulations ó

(a) For the purposes of this Act, and

(b) For the implementation of the International Convention for the Safety of Life at Sea 1974, the International Shipping and Port Security Code and any other international standard, requirement or recommended practice relating to maritime and port security.

(2) Regulations made under this section may make provision for ó

(a) Fees and charges, and

(b) Offences and penalties for the contravention of such regulations.