



Tuvalu

PROHIBITED AREAS ACT

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PROHIBITED AREAS ACT

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PROHIBITED AREAS ACT

AN ACT TO PROVIDE FOR CERTAIN ISLANDS AND THEIR TERRITORIAL WATERS TO BE DECLARED PROHIBITED AREAS¹

Commencement [22nd March 1957]

1 Short title

This Act may be cited as the Prohibited Areas Act.

2 Interpretation

In this Act “**territorial waters**” means that part of the sea adjacent to the coast of any island in Tuvalu which is within 3 geographical miles measured from low-water mark of the seaward side of the reef fronting such coast or bounding any lagoon waters adjacent to such coast or, when a reef is not present, from the low-water mark of the coast itself.

3 Notices relating to prohibited areas

- (1) The Minister may by notice declare any island within Tuvalu and its territorial waters to be a prohibited area.
- (2) The Minister may by subsequent notice declare that any such island and its territorial waters shall cease to be a prohibited area.
- (3) A declaration under subsection (2) shall be without prejudice to any proceedings in respect of any offence against this Act committed prior to the date of such declaration and such proceedings may be instituted, continued and enforced and such penalty imposed as if the island and its territorial waters were still a prohibited area.

4 No unauthorised person to be in a prohibited area

No person shall remain in or enter into or attempt to enter into any prohibited area without the authority in writing of the Minister or of any person to whom he may have delegated in writing his authority under this section.

5 Authority for removals from a prohibited area

Any administrative officer or any police officer above the rank of inspector or any officer holding Her Majesty's commission in the Navy, Army or Air Force may remove with such force as may reasonably be necessary any person whom he has reasonable grounds for believing has remained in or entered into or is attempting to enter into a prohibited area without authority and, if necessary, detain such person in custody until such time as he can be brought before a magistrate to be dealt with according to law.

6 Offences

Any person who shall remain in or enter or attempt to enter a prohibited area without authority shall be liable to a fine of \$50 and to imprisonment for 3 months.

ENDNOTES

¹ 1990 Revised Edition, Cap. 76 – Acts 1 of 1957, 8 of 1968