



NATIONAL BUILDING STANDARDS ACT 2025

(NO. 4 OF 2025)



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PASSED by the National Parliament this 14th day of August 2025.

(This printed impression has been carefully compared by me with the Bill passed by Parliament and found by me to be a true and correct copy of the Bill)

Jefferson Hallu
Clerk to National Parliament

ASSENTED to in His Majesty's name and on His Majesty's behalf this 2nd day of September 2025.

Patteson John Oti
Acting Governor-General

Date of Commencement: see section 2.

AN ACT TO PROVIDE FOR THE NATIONAL BUILDING CODE AND THE NATIONAL BUILDING CODE ADVISORY BOARD, AND TO MAKE A CONSEQUENTIAL AMENDMENT TO SCHEDULE 3 OF THE PROVINCIAL GOVERNMENT ACT 1997, AND FOR MATTERS INCIDENTAL THERETO.

ENACTED BY THE NATIONAL PARLIAMENT OF SOLOMON ISLANDS.

NATIONAL BUILDING STANDARDS ACT 2025

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NATIONAL BUILDING STANDARDS ACT 2025

PART 1 PRELIMINARY MATTERS

1 Short title

This Act may be cited as the *National Building Standards Act 2025*.

2 Commencement

This Act commences on the day appointed by the Minister by notice in the *Gazette*.

3 Interpretation

In this Act, unless the context otherwise requires:

“appointed member” means a member of the Advisory Board appointed under section 21(1)(i);

“building”:

(a) means:

- (i) an existing building or structure of a type for which standards are provided for in the National Building Code, or part of an existing building or structure, of any kind; or
- (ii) a proposed building or structure of a type for which standards are provided for in the National Building Code, or part of a proposed building or structure, of any kind; and

(b) includes a temporary building; and

(c) does not include plant or machinery comprised in a building, or traditional structures located within a rural community on unregistered land;

“building construction work” means all activities and work for or in connection with constructing a building, including:

(a) designing the building; and

- (b) supervising the building construction; and
- (c) excavating or land-filling; and
- (d) landscaping; and
- (e) carpentry works; and
- (f) electrical works; and
- (g) plumbing or drainage work;

“building practitioner” means an individual or body corporate who carries out building construction work;

“Minister” means the Minister responsible for infrastructure development;

“National Building Code” or **“NBC”** means:

- (a) the National Building Code for Solomon Islands in Part 2; and
- (b) if the NBC is amended, the NBC as amended; and
- (c) any rule, code, standard, specification, method applied, adopted or incorporated as part of the NBC; and
- (d) any manuals or other materials published under section 11 as guidance for complying with the NBC;

“NBC Advisory Board” or **“Advisory Board”** means the NBC Advisory Board established under section 19;

“Permanent Secretary” means the Permanent Secretary of the Ministry that is under the Minister, who administers the Act;

“permission” means permission to develop land granted under Part IV of the *Planning and Development Act* (Cap. 154);

“Planning and Development Act” means the *Planning and Development Act* (Cap. 154);

“Planning and Development Board” means a Planning and Development Board in a province or in Honiara established by section 5(1) of the *Planning and Development Act* (Cap. 154);

“prescribed” means prescribed by regulations;

“regulations” or **“the Regulations”** means regulations made under section 32 of the Act.

4 Purpose of the Act

The purpose of this Act is to:

- (a) establish, maintain and improve national standards for the construction of buildings; and
- (b) provide for the making, application and implementation of a National Building Code specifying rules, standards, specifications, methods and procedures that:
 - (i) provide for the minimum standards for buildings and building construction work in Solomon Islands; and
 - (ii) facilitate national uniformity in building construction work, which includes uniform use of building products and components, construction methods, building designs and building systems; and
 - (iii) ensure that acceptable standards of structural sufficiency, fire safety, sanitation and amenity are maintained for the health, safety and security of the occupants or users of buildings; and
 - (iv) stipulate appropriate accessibility to occupants or users of buildings; and
 - (v) promote and provide for the construction of environmentally efficient buildings, including by being resilient to the impacts of climate change; and
 - (vi) ensure buildings and building construction work comply with climate change mitigation and adaptation measures; and
- (c) regulate the carrying out of building construction work by providing for:
 - (i) compliance with the National Building Code; and

- (ii) the uniformity in qualifications of building practitioners, registration of building practitioners and the investigation and disciplining of building practitioners; and
- (iii) the imposition of legal obligations on registered building practitioners; and
- (d) establish, or provide for the establishment of, bodies to perform functions for achieving the Act's purpose, and provide for their procedures and in this regard other Acts that work closely with the building laws inclusive of the *Planning and Development Act* (Cap. 154); and
- (e) provide for the review of decisions relating to building practitioners, made under this Act.

5 Application of Act

(1) This Act applies:

- (a) in the whole of Solomon Islands; and
- (b) in Solomon Islands waters.

Note to section 5(1).

The expressions "Solomon Islands" and "Solomon Islands waters" have the meanings given in section 16(1) of the Interpretation and General Provisions Act (Cap. 85).

(2) This Act must be read and applied together with Part IV of the *Planning and Development Act* (Cap.154) and Part III of the *Environment Act 1998*.

6 Act binds Crown

This Act binds the Crown.

PART 2 NATIONAL BUILDING CODE

7 National Building Code

The National Building Code ("the NBC") sets out the minimum standards and requirements for buildings and the carrying out of building construction work.

8 Minister makes and amends NBC

- (1) The Minister must, by written notice, make the National Building Code after the commencement of this Act.
- (2) The Minister:
 - (a) must ensure that the NBC remains in force; and
 - (b) may amend the NBC; and
 - (c) must review the content and operation of the NBC at least once every 5 years.

9 Content of NBC

- (1) The NBC may:
 - (a) be expressed in the terms of design, performance, types, components, systems, products, equipment, services, materials or methods of construction;
 - (b) provide for matters affecting the safety and security of buildings;
 - (c) provide for the prevention of and precautions against actions that may lead to injury, illness or death;
 - (d) provide for matters that apply in specified areas;
 - (e) be expressed to apply:
 - (i) to all cases; or
 - (ii) differently for different cases or classes of cases or for different circumstances or classes of circumstances; or
 - (iii) subject to specified exceptions or exemptions of conditions;
 - (f) make provision for a matter by applying, adopting or incorporating, wholly or in part and with or without modification, a rule, code, standard, specification or method, as in force at a particular time or as in force from time to time, which is prescribed or published by an authority or body established to

deal with the regulation of building construction work (whether established in Solomon Islands or another country).

- (2) A rule, code, standard, specification or method applied, adopted or incorporated under subsection (1)(f):
 - (a) may require anything referred to in it to be in accordance with another rule, code, standard, specification or method; and
 - (b) has effect as if it were part of the NBC.

10 Notice and Publication of NBC

- (1) The Minister, as soon as practicable, must:
 - (a) give notice in the *Gazette* of having made the NBC or any amendment; and
 - (b) publish the NBC or any amendment, and any rule, code, standard, specification, method applied, adopted or incorporated under it, on a Government website to which the public has free access in a format that enables a person to access and download a copy of it; and
 - (c) make copies of the NBC, amendment, rule, code, standard, specification or method available for viewing or purchasing at a place specified in the notice.
- (2) The notice in the *Gazette* must specify:
 - (a) that it is made under this section; and
 - (b) the title and date of the NBC or amendment made by the Minister and any rule, code, standard, specification, method applied, adopted or incorporated under the NBC or amendment; and
 - (c) the website where the NBC, amendment, rule, code, standard, specification or method may be accessed and downloaded; and
 - (d) the other place or places where the NBC, amendment, rule, code, standard, specification or method may be viewed or purchased.

- (3) The NBC and any amendment of the NBC takes effect on either the date the notice is published in the *Gazette* or on any other date specified in the notice.
- (4) For the avoidance of doubt section 61(1)(a) of the *Interpretation and General Provisions Act* (Cap. 85) does not apply to the NBC or an amendment of the NBC.
- (5) For complying with section 62(1) of the *Interpretation and General Provisions Act* (Cap. 85), the Minister, as soon as practicable must table a copy of the NBC or amendment of the NBC in Parliament at the meeting of Parliament held immediately after the date the NBC or amendment takes effect.

11 Guidance for complying with NBC

- (1) The Minister may prepare and make publicly available manuals and other materials that provide guidance for complying with the NBC.
- (2) The guidance must be made available by:
 - (a) publishing the manuals or materials on a Government website to which the public has free access in a format that enables a person to access and download a copy of it; and
 - (b) making copies of the manuals or materials available for viewing or purchasing at a place specified in the notice under section 10.

12 Operation of NBC

All new building construction work must:

- (a) be authorised by a permission granted under Part IV of the *Planning and Development Act* (Cap. 154) where such permission is required; and
- (b) comply with the NBC.

PART 3 ENFORCEMENT OF NBC

Division 1 Definitions

13 Definitions for Part 3

In this Part:

“authorised officer” means:

- (a) the Chief Building Inspector; or
- (b) an authorised officer appointed by a Planning and Development Board under section 5(5)(b) of the *Planning and Development Act* (Cap. 154);

“building construction work” means building construction work that is authorised by a permission granted by a Planning and Development Board;

“Chief Building Inspector” means the Chief Building Inspector appointed under section 14;

“compliance notice” has the same meaning as in section 2 of the *Planning and Development Act* (Cap. 154);

“direct” means to direct by notice in writing about buildings or building construction work complying with the NBC, and **“direction”** has the corresponding meaning;

“enforcement notice” means the notice served under section 22 of the *Planning and Development Act* (Cap. 154);

“inspection” means:

- (a) an inspection of building construction work before the final compliance notice is given for the work after its completion; or
- (b) an inspection of a building which the Chief Building Inspector is satisfied that the building does not comply with the NBC and because of that non-compliance is unsafe, unsanitary, without adequate safe egress or otherwise dangerous to the life, health, property or safety of the public or the occupants of the building;

“training” includes continuous training to maintain knowledge and learn about new and changing requirements and circumstances.

Division 2 Authorised officers

14 Chief Building Inspector

- (1) There must be a Chief Building Inspector, appointed by the Public Service Commission.
- (2) The Chief Building Inspector must:
 - (a) be a registered building practitioner; and
 - (b) hold qualifications and has at least 10 years work experience in a field relating to the structure, safety or integrity of buildings and building construction work in Solomon Islands or a place where building construction work is carried out in similar conditions relating to climate, the environment or other circumstances similar to those present in Solomon Islands; and
 - (c) be capable of devising and overseeing training on the NBC of other authorised officers and of supervising their conduct of inspections.
- (3) The functions of the Chief Building Inspector are to:
 - (a) supervise the conduct of inspections throughout Solomon Islands; and
 - (b) conduct the training of authorised officers on the NBC; and
 - (c) conduct inspections referred to the Chief Building Inspector by other authorised officers because of the complex or urgent factors involved in the inspection; and
 - (d) advance and enforce the objectives of the NBC.

15 Authorised officers appointed under Planning and Development Act

- (1) The Minister may, in consultation with the Minister responsible for the *Planning and Development Act* (Cap. 154), subject to subsection (2), direct a Planning and Development Board as to the persons to be

appointed by the Board as authorised officers under section 5(5)(b) of the *Planning and Development Act* (Cap. 154) to:

- (a) inspect buildings and building construction work to check their compliance with the NBC; and
- (b) issue a compliance notice or enforcement notice for the buildings or building construction work; and
- (c) inspect buildings and building construction work for which enforcement notices are issued to check their compliance with the enforcement notice.

Note to section 15(1).

Sections 21A and 21B of the Planning and Development Act (Cap. 154) specify the inspections an authorised officer must undertake to check for compliance with the NBC.

- (2) A person specified in the Minister's direction for appointment as an authorised officer must:
 - (a) be a registered building practitioner where a process for registration has been established in Regulations; and
 - (b) hold qualifications and have at least 5 years work experience, or have at least 10 years work experience, in a field relating to the structure, safety or integrity of buildings and building construction work in Solomon Islands or a place where building construction work is carried out in similar conditions relating to climate, the environment or other circumstances similar to those present in Solomon Islands; and
 - (c) have completed training, and complied with requirements for continuing training, on the NBC.
- (3) On being appointed by a Board, authorised officers:
 - (a) conduct the inspection of buildings and building construction work under section 21A and 21B of the *Planning and Development Act* (Cap. 154); and

- (b) for conducting the inspections, may enter and be on the area of land specified in the permission granted in respect of the building or building construction.

16 Evidence of identity of authorised officers

- (1) A person who is an authorised officer must, when performing inspections:
 - (a) have on his or her person, evidence of the person's appointment as an authorised officer and the person's identity; and
 - (b) produce that evidence if requested to do so.
- (2) If a person ceases to be an authorised officer, the person must surrender all things and documents (including the evidence of the person's appointment and identity) given to the person for carrying out his or her responsibilities and functions as an authorised officer.

17 Offences relating to authorised officers

- (1) A person commits an offence, if the person:
 - (a) assaults, obstructs or hinders an authorised officer carrying out an inspection; or
 - (b) aids or incites another person to assault, obstruct or hinder an authorised officer carrying out an inspection; or
 - (c) if required by an authorised officer to give or produce information:
 - (i) gives or produces false information; or
 - (ii) fails to comply with the requirement.

Maximum penalty: 50,000 penalty units or imprisonment for 5 years, or both.

- (2) A person commits an offence, if:
 - (a) the person is an authorised officer; and

- (b) the person directly or indirectly asks for or takes an unlawful reward or payment.

Maximum penalty: 150,000 penalty units or imprisonment for 15 years, or both.

- (3) A person commits an offence if the person directly or indirectly offers or gives an authorised officer an unlawful reward or payment.

Maximum penalty: 150,000 penalty units or imprisonment for 15 years, or both.

- (4) In subsections (2) and (3), ***“unlawful reward or payment”***:

- (a) means any reward or payment of any kind, whether monetary or otherwise, which:

- (i) is asked for, taken, offered or given in connection with the recipient’s duties or work as an authorised officer; and
- (ii) the recipient is not lawfully entitled to receive; and

- (b) includes a promise or security for that reward or payment.

- (5) A person commits an offence, if:

- (a) the person is an authorised officer; and

- (b) the person enters into or acquiesces in any agreement to:

- (i) do any act or thing; or
- (ii) abstain from doing any act or thing; or
- (iii) permit or connive in the doing of any act or thing; or
- (iv) conceal any act or thing; and

- (c) the conduct set out in paragraph (b)(i) to (iv) is or would be:

- (i) contrary to this Act or the *Planning and Development Act* (Cap. 154); or

- (ii) contrary to the proper execution of the person's duties and responsibilities as an authorised officer.

Maximum penalty: 150,000 penalty units or imprisonment for 15 years, or both.

(6) A person commits an offence, if:

- (a) the person proposes or enters into any agreement with an authorised officer in order to induce the officer to:
 - (i) do any act or thing; or
 - (ii) abstain from doing any act or thing; or
 - (iii) permit or connive in the doing of any act or thing; or
 - (iv) conceal any act or thing; and
- (b) the conduct set out in paragraph (a)(i) to (iv) is or would be:
 - (i) contrary to this Act or the *Planning and Development Act* (Cap. 154); or
 - (ii) contrary to the proper execution of the authorised officer's duties and responsibilities as an authorised officer.

Maximum penalty: 150,000 penalty units or imprisonment for 15 years, or both.

Division 3 Directions

18 Minister may give directions to comply with NBC

- (1) The Minister may, on the advice of the Advisory Board, direct a Planning and Development Board or an authorised officer as to the following:
 - (a) that an inspection must be carried out to check compliance with the NBC of a building or building construction work;
 - (b) that an inspection must be carried out on a specified building or specified building construction work which does not comply with the NBC;

- (c) the inspection on the extent to which a building or a building construction work does not comply with the NBC;
 - (d) if the building or building construction work does not comply with the NBC:
 - (i) that building construction work must cease; or
 - (ii) that building or part of the building must be demolished; or
 - (iii) how to rectify the building or building construction work to comply with the NBC;
 - (e) any other matter relating to compliance with the NBC.
- (2) If the direction is given to a Planning and Development Board, the Board and each authorised officer appointed by the Board must comply with the direction.
 - (3) If the direction is given to an authorised officer, the authorised officer must comply with the direction.

PART 4 NBC ADVISORY BOARD

19 Establishment of NBC Advisory Board

The NBC Advisory Board is established.

20 Functions of Advisory Board

- (1) The functions of the NBC Advisory Board are as follows:
 - (a) to monitor, assess, consult on and advise the Minister on the implementation of the NBC;
 - (b) to provide proposals to the Minister:
 - (i) for new or amended policies and procedures relating to the NBC; or
 - (ii) for amendments to the NBC; or
 - (iii) to aspire to, or to meet international building standards;

- (c) to provide a report to the Minister for the review of the content and operation of the NBC under section 8(2)(c);
 - (d) to approve training, including continuing training, on the NBC for authorised officers;
 - (e) any other functions conferred by this Act.
- (2) The Advisory Board must, in ensuring compliance of an applicant to the requirements of section 15 of the *Planning and Development Act* (Cap. 154) or a Planning and Development Board:
- (a) assess whether the applicant's application for permission, including the plans, drawings and other documents that must accompany the application, complies with the NBC and, as appropriate, advise the applicant on any shortcomings of the application and recommend how to rectify the application; and
 - (b) advise the Planning and Development Board whether the application complies with the NBC and the extent of the non-compliance (if appropriate), and any other relevant matter concerning the NBC.

21 Membership of the Advisory Board

- (1) The members of the Advisory Board are as follows:
- (a) Director of Architecture and Building Management Services;
 - (b) Director of Civil Engineering;
 - (c) Director of Housing in the Ministry responsible for land, housing and survey;
 - (d) the Chief Planner of the Honiara City Council;
 - (e) the National Infrastructure Manager of the Ministry responsible for health, or their delegate;
 - (f) the Director of the Environment Conservation Division in the Ministry responsible for environment and conservation, or their delegate;

- (g) the Commissioner of Labour in the Ministry responsible for labour, or their delegate;
 - (h) a representative from the Solomon Islands Chamber of Commerce and Industry;
 - (i) 1 other member appointed by the Minister (an “**appointed member**”) by notice in the *Gazette*.
- (2) A person is eligible to be an appointed member under subsection (1)(i) if the person:
- (a) is not a public officer; and
 - (b) either:
 - (i) is an architect or civil engineer who has at least 10 years professional experience; or
 - (ii) has skills and experience in one or more of the following areas:
 - (A) town planning;
 - (B) land surveying;
 - (C) fire engineering;
 - (D) disability advocacy and social safeguarding;
 - (E) water and sanitation engineering;
 - (F) environmental safeguarding;
 - (G) climate change adaptation;
 - (H) disaster management;
 - (I) energy efficiency and sustainability; and
 - (c) has not been convicted of an offence.
- (3) The member who holds the position of Director of Architecture and Building Management Services is the Chairperson of the Advisory Board.

- (4) The members of the Advisory Board must select from amongst themselves a member to be the Deputy Chairperson of the Advisory Board.
- (5) The Permanent Secretary appoints the Secretary to the Advisory Board.

22 Term of office of appointed member

- (1) An appointed member holds office for at least 3 years, but not more than 5 years, as specified in the instrument of appointment.
- (2) An appointed member must not be reappointed unless 5 years have lapsed since he or she previously held office.

23 Vacation of office of appointed member

A person who is an appointed member ceases to be a member, if:

- (a) the person resigns by giving written notice to the Minister; or
- (b) the person's term of office comes to an end; or
- (c) the person ceases to be eligible to hold office; or
- (d) the person's appointment is terminated under section 24.

24 Termination of appointment of appointed member

- (1) The Minister may terminate an appointed member of the Advisory Board on any of the following grounds:
 - (a) misbehaviour or misconduct; or
 - (b) physical or mental inability to perform the duties of the office; or
 - (c) if the Minister is satisfied the person failed to comply with section 26(3) or section 27(2).
- (2) The termination of appointment must be in writing.

25 Sitting fees and expenses

A member of the Advisory Board is not entitled to remuneration, but may receive fees for attending meetings (including meetings of a

technical working group of the Advisory Board), or a travelling or subsistence allowance, or be reimbursed expenses, on a basis determined by the Minister by *Gazette* notice.

26 Register of interests of members of Advisory Board

- (1) There is a register of financial interests of members of the Advisory Board.
- (2) The Chairperson must:
 - (a) keep the register in an appropriate form or combination of forms, including an electronic form; and
 - (b) on a member making the disclosure under subsection (3), record the member's interests in the register.
- (3) A member must disclose to the Chairperson:
 - (a) as soon as practicable after taking office, any financial interests; and
 - (b) any change to those interests as soon as practicable after the change occurs.

27 Conflict of interest

- (1) This section applies, if a member of the Advisory Board:
 - (a) has a direct or indirect financial interest in a matter being considered, or about to be considered, by the Advisory Board; or
 - (b) has a personal, professional, commercial or other relationship with a person and the nature of the relationship is likely to, or may reasonably be regarded as likely to, inhibit or prevent the member from exercising independent judgment about a matter being considered, or about to be considered, by the Advisory Board.
- (2) The member:
 - (a) must disclose the nature of the interest and how it relates to the matter to the other members; and

- (b) must not take part in any deliberation or decision of the Advisory Board about the matter; and
 - (c) must be disregarded for the purpose of constituting the quorum of the Advisory Board for the deliberation or decision.
- (3) The member may not disclose an interest if the interest is an interest shared in common with:
 - (a) persons of the class represented by the member or a substantial section of those persons; or
 - (b) the public generally or a substantial section of the public.
- (4) The disclosure must be noted in the records of the Advisory Board.
- (5) A failure by the member to disclose an interest in a matter does not, on its own, invalidate a decision of the Advisory Board about the matter.

28 Procedures of Advisory Board

- (1) The Advisory Board must meet at least twice each year.
- (2) The Chairperson or, in the absence of the Chairperson, the Deputy Chairperson presides at a meeting (the ***“presiding member”***).
- (3) If both the Chairperson and Deputy Chairperson are absent from a meeting, the members present must choose a member from amongst them to be the presiding member for that meeting.
- (4) The quorum for a meeting is 5 members.
- (5) A member may participate in a meeting, and is taken to be present at the meeting if participating by:
 - (a) telephone; or
 - (b) exchange of emails; or
 - (c) online facilities; or
 - (d) any other means of electronic communication.

- (6) Decisions of the Advisory Board must be in the form of a resolution signed by all members present, noting whether each member voted for or against the resolution.
- (7) In making the decisions:
 - (a) each member present has 1 vote; and
 - (b) in the event of an equality of votes, the presiding member has a casting vote.
- (8) A member who dissents from the majority in a particular decision may require that the member's dissent be recorded in the minutes.
- (9) The Regulations may prescribe the other procedures of the Advisory Board.
- (10) An irregularity in the procedures of the Advisory Board does not, on its own, invalidate an act or decision of the Advisory Board.
- (11) The Secretary appointed under section 21(5), must ensure that minutes of the meeting are taken and copies of the minutes are circulated to all members within 7 days after the meeting.

29 Advisers and technical working groups of Advisory Board

- (1) The Advisory Board may:
 - (a) establish technical working groups to advise on technical areas; and
 - (b) appoint advisers to review a matter relating to its functions and advise and make recommendations about the matter.
- (2) An adviser:
 - (a) must make a written report to the Advisory Board on the conduct of the adviser's review and providing his or her advice and recommendations on the matter reviewed; and
 - (b) may attend the part of a meeting of the Advisory Board when the adviser's report is considered.

30 Delegation

The Advisory Board may delegate its functions as prescribed.

31 Administrative support

The Permanent Secretary must provide sufficient resources and administrative support for the functioning of the Advisory Board.

PART 5 MISCELLANEOUS MATTERS

32 Regulations

- (1) The Minister may make Regulations, not inconsistent with this Act, to prescribe matters that are necessary or expedient for carrying out or giving effect to this Act.
- (2) Without limiting subsection (1), the Regulations may make provisions for transitional matters, savings and consequential amendments consequent to the commencement of this Act, which may be in addition to or in place of, or which may amend, a transitional, savings or consequential provision in this Act.
- (3) Without limiting subsection (1), the Regulations may:
 - (a) prescribe procedures and requirements to amend the NBC; or
 - (b) prescribe procedures of the Advisory Board; or
 - (c) provide a power of delegation of the Advisory Board, and prescribe any conditions or limitations for exercising the power of delegation and the manner in which the delegation is made; or
 - (d) provide for the conduct of public inquiries by the Advisory Board into matters relating to building construction standards and the NBC, building construction work or building practitioners referred to the Advisory Board by the Minister; or
 - (e) provide for the constitution and powers of the Advisory Board for conducting a public inquiry; or
 - (f) provide for the application of this Act and the Regulations to corporations; or

- (g) provide for the registration and control of the conduct of building practitioners, including by:
 - (i) specifying the qualification and other requirements for registration of building practitioners and the manner for registering building practitioners; and
 - (ii) establishing a body for:
 - (A) registering persons as building practitioners, including imposing conditions on a building practitioner's registration; and
 - (B) monitoring compliance with registration conditions; and
 - (C) monitoring competence of building practitioners and the professional conduct of building practitioners; and
 - (iii) providing for the functions, powers (including a power of delegation), membership and procedures of the body; and
 - (iv) establishing a register of building practitioners, provide for the register's content and require the body to keep and maintain the register; and
 - (v) providing for requirements relating to certificates of registration; and
 - (vi) prescribing disciplinary procedures against a building practitioner, including imposition of conditions on a building practitioner's registration, suspension of the building practitioner's registration or removal of the building practitioner's name from the register, and the effect of doing so; and
 - (vii) providing for review of and appeals against decisions of the body; or
- (h) provide for the technical working groups' and advisers' functions, procedures, terms of appointment, reporting criteria, timelines and any other relevant matters; or

- (i) prescribe fees for matters under this Act or the Regulations and providing for remission of the fees in specified circumstances; or
- (j) create offences and impose a maximum penalty not exceeding 5,000 penalty units or 6 months imprisonment.

33 **Personal indemnity**

The following persons are not personally, criminally or civilly liable, and are not to be subject to an action, liability, claim or demand, for a matter or thing done or omitted to be done by the person in good faith for the purpose of performing a responsibility or function under this Act or otherwise for the administration of this Act:

- (a) the Minister;
- (b) the Permanent Secretary;
- (c) the Chief Building Inspector;
- (d) a public officer acting under the direction of the Minister or Permanent Secretary;
- (e) a member of the Advisory Board;
- (f) a member of a body established by the Regulations under section 32(3)(g)(ii).

34 **Liability of officers of bodies corporate**

- (1) In this section:

“officer of a body corporate” means:

- (a) a director, secretary, manager or other similar officer of a body corporate; or
- (b) if the affairs of the body corporate are managed by the members of the body corporate, a member of the body corporate who performs a function in managing the affairs of the body corporate; or
- (c) if an officer of a body corporate is another body corporate, an officer of that other body corporate; or

- (d) a person in accordance with whose directions or instructions the officers of a body corporate are accustomed to act.
- (2) If a body corporate is convicted of an offence against this Act or Regulations made under this Act, every officer of the body corporate is also guilty of the offence (and may be convicted and sentenced) if it is proved:
 - (a) that the act that constituted the offence took place with the officer's authority, permission or consent; or
 - (b) that the officer:
 - (i) knew, or could reasonably be expected to have known, that the offence was to be or was being committed; and
 - (ii) failed to take reasonable steps to prevent or stop it.
- (3) If the officer is convicted, the maximum penalty to which the officer is liable is the maximum penalty specified for a natural person committing the offence.

35 Judicial notice of NBC

A court must take judicial notice of a copy of the National Building Code and any amendments made under section 8 and published under section 10, to be a true copy of the National Building Code.

PART 6 REPEAL, CONSEQUENTIAL AMENDMENTS AND TRANSITIONAL ARRANGEMENTS

Division 1 Repeal and transitional arrangements

36 Repeal

The following are repealed:

- (a) the *Honiara City Building By-laws 1960*;
- (b) the *Choiseul Province Building Standards Ordinance 1991*;
- (c) the *Malaita Province Building Standards Ordinance 1995*;
- (d) the *Western Province Building Standards Ordinance 1991*.

37 Transitional arrangements

- (1) In this section:

“repealed By-laws” means the *Honiara City Building By-laws 1960*;

“repealed Ordinance” means the *Choiseul Province Building Standards Ordinance 1991*, the *Malaita Province Building Standards Ordinance 1995* or the *Western Province Building Standards Ordinance 1991*.

- (2) An application made under the repealed *By-laws* or repealed Ordinance when this Act comes into force is to be continued and dealt with under the repealed *By-laws* or repealed Ordinance, until completion.
- (3) Any permission given under the repealed *By-laws* or repealed Ordinance remains valid and is to be continued and dealt with under the repealed *By-laws* or repealed Ordinance, until completion.
- (4) Any building construction work based on a permission given under the repealed *By-laws* or repealed Ordinance may be continued to completion.

Division 2 Consequential amendments

Note to Division 2.

Under section 32(2), the Regulations may provide for consequential amendments which may amend, replace or be in addition to a consequential amendment in this Division.

Subdivision 1 Amendment of Honiara City Act 1999

38 Honiara City Act 1999 amended

This Subdivision amends the *Honiara City Act 1999* (No. 2 of 1999) (**“Principal Act”**).

39 Schedule 5, Part I amended

Schedule 5, Part I to the Principal Act is amended by omitting paragraph 4(xiii).

Subdivision 2 Amendment of Planning and Development Act (Cap. 154)

40 Planning and Development Act (Cap. 154) amended

This Subdivision amends the *Planning and Development Act* (Cap. 154) (“**Principal Act**”).

41 Section 2 amended

Section 2 of the Principal Act is amended by:

- (a) inserting after the definition of “**Area Council**”:

““**authorised officer**” means:

- (a) the Chief Building Inspector appointed under section 14 of the *National Building Standards Act 2025*; or

Note to paragraph (a) of the definition of authorised officer.

Under section 14(3) of the National Building Standards Act 2025, the Chief Building Inspector may conduct inspections referred to the Chief Building Inspector by another authorised officer because of the complex or urgent factors involved in the inspection.

- (b) an authorised officer appointed by a Board under section 5(5); and

- (b) by omitting the definition of “**building**” and substituting it with:

““**building**” has the same meaning as in section 3 of the *National Building Standards Act 2025*;

“**building construction work**” means building construction work as defined in section 3 of the *National Building Standards Act 2025* for which a permission has been granted under Part IV; and

- (c) by inserting after the definition of “**class 4 development**”:

““**compliance notice**”, for a building or building construction work, means:

- (a) a notice issued under section 21A which specifies that building construction work complies with the permission

granted for the building or building construction work and the NBC for the phase of construction specified in the notice; or

- (b) a notice issued under section 21B which specifies that a building or building construction work complies with the NBC or is safe, sanitary, has adequate safe egress or is not dangerous to the life, health, property or safety of the public or the occupants;”; and

- (d) by inserting after the definition of **“Director of Physical Planning”**:

““enforcement notice” has the meaning given in section 22(2);”; and

- (e) by inserting after the definition of **“Minister”**:

““National Building Code” and **“NBC”** has the same meaning as in section 3 of the *National Building Standards Act 2025*;”.

42 **Section 5 amended**

Section 5 of the Principal Act is amended by omitting subsection (5) and substituting:

“(5) A Board:

- (a) may appoint authorised officers to exercise powers or perform functions of the Board under the supervision of the Board; and
- (b) must, in accordance with the direction of the Minister in consultation with the Minister responsible for Infrastructure and Development, given under section 18 of the *National Building Standards Act 2025*, appoint authorised officers to conduct inspections of buildings or building construction work for their compliance with the NBC and issue compliance notices or enforcement notices for the buildings or building construction work.

Note to section 5(5).

Authorised officers appointed under section 5(5):

- (a) have the functions specified in section 15(1) of the National Building Standards Act 2025; and*
- (b) must have the qualifications and experience specified in section 15(2) of the National Building Standards Act 2025; and*
- (c) must comply with Part 3 of the National Building Standards Act 2025 when carrying out their functions, duties and work as an authorised officer.”.*

43 Section 15 amended

Section 15 of the Principal Act is amended by omitting subsection (2)(b) and substituting:

- “(b) supply the following further particulars, as the case requires:
 - (i) particulars that are necessary to demonstrate compliance with the NBC;
 - (ii) particulars prescribed by regulations by the Minister; and”.

44 Section 16 amended

Section 16 of the Principal Act is amended:

- (a) by omitting from subsection (1)(c) “is consistent with” and substituting “complies with the NBC and”; and
- (b) by omitting from subsection (4)(c)(ii) the word “period.” second mentioned and substituting “period;”; and
- (c) by inserting after subsection (4)(c):
 - “(d) the condition that the development must comply with the NBC.”; and
- (d) by omitting from subsection (5)(b) “that Act.” and substituting “that Act; or”; and
- (e) by inserting after subsection (5)(b):

- “(c) a proposed development that does not comply with the NBC; or
- (d) an application that does not provide sufficient information for the Board to determine whether the proposed development complies with the NBC.”.

45 Section 19 amended

Section 19 of the Principal Act is amended:

- (a) by omitting subsection (5) and substituting:
 - “(5) The decision of the Planning Appeals Tribunal must comply with the NBC.
 - (6) The decision of the Planning Appeals Tribunal is final and conclusive and must not be questioned in any proceedings.”.

46 Section 20A amended

Section 20A of the Principal Act is amended:

- (a) by omitting from subsection (1)(b) “more than 50%.” and substituting “more than 50%; or”; and
- (b) by inserting after subsection (1)(b):
 - “(c) result in existing or proposed buildings contravening the NBC.”.

47 Section 21 amended

Section 21(1) of the Principal Act is amended by inserting “, the NBC” after “Scheme”.

48 New sections 21A and 21B

The Principal Act is amended by inserting after section 21:

“21A Inspections during construction

- (1) All building construction work must be inspected at the following stages:
 - (a) immediately prior to commencement of the building construction work;
 - (b) on completion of footings, foundations or column bases, as appropriate;
 - (c) on completion of the floor slab, bearers or floor joists, as appropriate;
 - (d) on completion of ring beams or plate height, including all diagonal wall bracing;
 - (e) on completion of roof trusses before internal cladding;
 - (f) on completion, but before being covered, of drain runs, septic tank or soakage pits;
 - (g) where a sewerage network owned and managed by Solomon Islands Water Authority is available nearby, on completion of mains sewerage connections before being covered;
 - (h) on completion of water supply connections (where Solomon Islands Water Authority supplies to the area);
 - (i) on completion of electrical wiring work before connection to public electricity supply or other electricity supply;
 - (j) on full completion of building construction work.

Note to section 21A(1).

The inspections under section 21A(1)(h) and (i) include inspections for which the Solomon Islands Power Authority and Solomon Islands Water Authority are responsible.

- (2) When building construction work reaches a stage specified in subsection (1)(a) to (j), the building practitioner carrying out the building construction work must give the prescribed notice to an authorised officer who is authorised to inspect building construction work for compliance with the NBC.

- (3) The authorised officer must inspect the building construction work within 3 days after the day on which the officer receives the prescribed notice.
- (4) The building practitioner must not continue carrying out the building construction work until it has been inspected or the 3 day period has ended (whichever occurs first), but this does not apply if the building construction work is at full completion stage in subsection (1)(j).
- (5) A building must not be occupied until the inspection specified in subsection (1)(j) has been carried out and a compliance notice issued for the building.
- (6) If an authorised officer is, after conducting an inspection for a phase of building construction work, satisfied that building construction work complies with the NBC for that phase, the authorised officer must issue a compliance notice to the building practitioner within 3 days from the date of inspection.
- (7) A compliance notice must:
 - (a) be in the prescribed form; and
 - (b) must identify the building or building construction work being inspected; and
 - (c) must specify the date of the inspection, and which phase of the building construction work the inspection relates to; and
 - (d) must be signed and dated by the authorised officer conducting the inspection.
- (8) If, however, the authorised officer is satisfied that the building construction work does not comply with the permission granted for it or the NBC, the authorised officer must issue an enforcement notice to the building practitioner stating that:
 - (a) the specified building or specified building construction work does not comply with the NBC; and
 - (b) the extent to the building or building construction work does not comply with the NBC; and

- (c) how the building or building construction work must be rectified to comply with the NBC (which may include demolition and re-building); and
 - (d) if the non-compliance needs urgent rectification, the non-compliance must be rectified as soon as practicable and specify the period of time within which the rectification must occur and that the authorised officer will inspect the building or building construction work when that period of time ends.
- (9) The building practitioner must comply with the enforcement notice.

21B Other inspections

- (1) An authorised officer may inspect a building or building construction work at any time if the authorised officer believes, on reasonable grounds, that the building or building construction work does not comply with the NBC or is unsafe, unsanitary, without adequate safe egress or otherwise dangerous to the life, health, property or safety of the public or the occupants of the building.
- (2) The authorised officer is not required to give notice of the inspection.
- (3) Section 21A(6), (7), (8) and (9) applies as if:
 - (a) the reference to an inspection in those provisions were a reference to an inspection under section 21B; and
 - (b) the reference to non-compliance with the NBC includes a reference to being unsafe, unsanitary, without adequate safe egress or otherwise dangerous to the life, health, property or safety of the public or the occupants of the building; and
 - (c) the reference to compliance with the NBC includes a reference to being safe, sanitary, having adequate safe egress or not being dangerous to the life, health, property or safety of the public or the occupants of the building.”.

49 Section 22 amended

Section 22 of the Principal Act is amended:

- (a) by inserting in subsection (1):

- (i) “, that any development does not comply with the NBC” after “under this Part”; and
 - (ii) “or the NBC” before the second stance of “, within four years”; and
 - (iii) “or the NBC” before “, if the Board considers”; and
- (b) by inserting in subsection (2):
- (i) “or the NBC” before “as aforesaid” (wherever occurring); and
 - (ii) “or the NBC” before “as the case may be” second mentioned.

50 Section 23 amended

Section 23 of the Principal Act is amended:

- (a) by inserting:
- (i) in subsection (1)(a) “, or the NBC has been complied with,” before “shall quash”; and
 - (ii) in subsection (1)(b) “or the NBC,” before “, as the case may be”.

51 Section 30 amended

Section 30 of the Principal Act is amended:

- (a) by inserting a new subsection (2a) after subsection (2):
- “(2a) If a person ceases to be an authorised officer, the person must surrender all things and documents (including the evidence of the person’s appointment and identity) given to the person for carrying out his or her responsibilities and functions as an authorised officer.”; and
- (b) in subsection (3) substitute “1000 penalty units” with “20,000 penalty units”.

52 Section 32 amended

Section 32 of the Principal Act is amended by deleting “1000 penalty units” and substituting “20, 000 penalty units”.

53 Insertion of new section 32A

The Principal Act is amended by inserting a new section after section 32:

“32A Offences relating to authorised officers

- (1) A person commits an offence if the person:
- (a) assaults, obstructs or hinders an authorised officer carrying out an inspection; or
 - (b) aids or incites another person to assault, obstruct or hinder an authorised officer carrying out an inspection; or
 - (c) if required by an authorised officer to give or produce information:
 - (i) gives or produces false information; or
 - (ii) fails to comply with the requirement.

Maximum penalty: 50,000 penalty units or imprisonment for 5 years, or both.

- (2) A person commits an offence if:

- (a) the person is an authorised officer; and
- (b) the person directly or indirectly asks for or takes an unlawful reward or payment.

Maximum penalty: 150,000 penalty units or imprisonment for 15 years, or both.

- (3) A person commits an offence if the person directly or indirectly offers or gives an authorised officer an unlawful reward or payment.

Maximum penalty: 150,000 penalty units or imprisonment for 15 years, or both.

- (4) In subsections (2) and (3), “***unlawful reward or payment***”:
- (a) means any reward or payment of any kind, whether monetary or otherwise, which:
 - (i) is asked for, taken, offered or given in connection with the recipient’s duties or work as an authorised officer; and
 - (ii) the recipient is not lawfully entitled to receive; and
 - (b) includes a promise or security for that reward or payment.
- (5) A person commits an offence if:
- (a) the person is an authorised officer; and
 - (b) the person enters into or acquiesces in any agreement to:
 - (i) do any act or thing; or
 - (ii) abstain from doing any act or thing; or
 - (iii) permit or connive in the doing of any act or thing; or
 - (iv) conceal any act or thing; and
 - (c) the conduct set out in paragraph (b)(i), (ii), (iii) or (iv) is or would be:
 - (i) contrary to this Act or the *National Building Standards Act 2025*; or
 - (ii) contrary to the proper execution of the person’s duties and responsibilities as an authorised officer.

Maximum penalty: 150,000 penalty units or imprisonment for 15 years, or both.

- (6) A person commits an offence if:
- (a) the person proposes or enters into any agreement with an authorised officer in order to induce the officer to:
 - (i) do any act or thing; or

- (ii) abstain from doing any act or thing; or
 - (iii) permit or connive in the doing of any act or thing; or
 - (iv) conceal any act or thing; and
- (b) the conduct set out in paragraph (a)(i) to (iv) is or would be:
- (i) contrary to this Act or the *National Building Standards Act 2025*; or
 - (ii) contrary to the proper execution of the authorised officer's duties and responsibilities as an authorised officer.

Maximum penalty: 150,000 penalty units or imprisonment for 15 years, or both.”.

Subdivision 3 Amendment of Provincial Government Act 1997

54 Provincial Government Act 1997 amended

This Subdivision amends the *Provincial Government Act 1997* (No. 7 of 1997) (***“Principal Act”***).

55 Paragraph 7 of Schedule 3 amended

Paragraph 7 of Schedule 3 of the Principal Act is amended by deleting “Building Standards.”.