

**SUPPLEMENT** to the Solomon Islands Gazette

Tuesday 31st January, 2006

S.I. No. 1

[Legal Notice No.1]

**PRICE CONTROL ACT**  
(Cap, 64)**THE PRICE CONTROL (APPLICATION TO GOODS AND RESTRICTION OF PRICES) (AMENDMENT) ORDER 2006.**

IN exercise of the powers conferred by Section 4 and 6 of the Price Control Act, and after consultations with the Prices Advisory Committee, I, WALTON NAEZON, Minister of Commerce, Employment and Trade, do hereby make the following Order :-

1. This Order may be cited as the Price Control (Application to Goods and Restriction of Prices) (Amendment) Order 2006 and shall come into operation on 17 January 2006.
2. Schedule 3 to the Price Control (Application to Goods and Restriction of Prices) Order 1987 is hereby amended by deleting serial No. 13 thereof and substituting therefor the following -

**13 PETROLEUM PRODUCTS**

	WHOLESALE (maximum price in cents per litre)	RETAIL (maximum price in cents per litre)
(a) Petroleum Motor Spirit		
- (PMS)	408.55	509.8
(b) Distillate		
- (ADO)	432.97	537.9
(c) Kerosene		
- (KERO)	408.73	(maximum per centage mark - up

- cost into store plus 15%  
for sales of packaged product

- cost into store plus 20%  
for break-bulk sales.”

Dated at Honiara this sixteenth day of January 2006

HON. WALTON NAEZON, MP  
Minister of Commerce, Employment and Trade

L.N. No.47/87 p.104

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[Legal Notice No. 2]

**THE SOLOMON ISLANDS INDEPENDENCE ORDER 1978**  
**(LN No. 43 of 1978)**

**APPOINTMENT OF ACTING CHIEF JUSTICES**

IN exercise of its powers under section 79 (1) of the Constitution and acting in the accordance with the advise of the Judicial and Legal Service Commission, I, SIR NATHANIEL RAHUMAEA WAENA, Knight Grand Cross of the Most Distinguished Order of Saint Michael and Saint George, Cross of the Order of Solomon Islands, Knight of Saint John, Governor-General and Commander-in-Chief of Solomon Islands do hereby appoint:-

JUSTICE J. BROWN to act as Chief Justice from the 20th  
January 2006 to the 26th January 2006 and

JUSTICE F. KABUI CMG, OBE, CSI, to act as Chief Justice from the 27th January 2006 until 2nd February 2006 or until such time the substantive post holder resumes duties.

Dated at Honiara this twentyfourth day of January, 2006.

HON. NATHANIEL RAHUMAEA WAENA,  
Governor-General

Honiara, Solomon Islands  
Printed under the authority of the  
Solomon Islands Government

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**SUPPLEMENT** to the Solomon Islands Gazette

Tuesday 31st January, 2006

S.I. No. 2

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**EXTRA ORDINARY GAZETTE**

*The following are published as a Supplement to this Gazette:  
[Legal Notice No: 2 ]*

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**THE CONSTITUTIONAL OFFICES**

**(TERMS AND CONDITIONS OF SERVICE) ACT**

**(Cap 84)**

**THE CONSTITUTIONAL OFFICES (TERMS AND CONDITIONS  
OF SERVICE) (PUSNE) (AMENDMENT) REGULATIONS 2006)**

**THE CONSTITUTIONAL OFFICES  
(TERMS AND CONDITIONS OF SERVICE) ACT  
(Cap. 84)**

**THE CONSTITUTIONAL OFFICES (TERMS AND CONDITIONS OF  
SERVICE) (PUISNE JUDGE) (AMENDMENT) REGULATIONS 2006**

**ARRANGEMENT OF REGULATIONS**

**Regulation:**

1. CITATION
2. AMENDMENT OF REGULATION 4 OF L.N. 142 OF 1990
3. AMENDMENT OF REGULATION 6
4. AMENDMENT OF REGULATION 7
5. AMENDMENT OF REGULATION 9
6. AMENDMENT OF REGULATION 15
7. AMENDMENT OF REGULATION 16
8. AMENDMENT OF REGULATION 17
9. INSERTION OF NEW REGULATION 25

**THE CONSTITUTIONAL OFFICES  
(TERMS AND CONDITIONS OF SERVICE) ACT  
(Cap. 84)**

**THE CONSTITUTIONAL OFFICES (TERMS AND CONDI-  
TIONS OF SERVICE) (PUISNE JUDGE) (AMENDMENT)  
REGULATIONS 2006**

IN exercise of the powers conferred upon the Minister by section 3 of the Constitutional Offices (Terms and Conditions of Service) Act, the Minister hereby makes the following regulations -

- Citation
1. These Regulations may be cited as the Constitutional Offices (Terms and Conditions of Service) (Puisne Judge) (Amendment)

Regulations 2006, and shall be deemed to have come into force on 1st January, 2006.

- Amendment of regulation 4
2. Regulation 4 of the Constitutional Offices (Terms and Conditions of Service) (Puisne Judge) Regulations (hereinafter referred to as the "principal Regulations" is hereby deleted and the following substituted therefor -
- "Salary 4. The Puisne Judge shall be paid a taxable salary of \$5,000.00 per fortnight."
- Amendment of regulation 6
3. Regulation 6 of the principal Regulations is hereby amended by deleting the full stop at the end of sentence and substituting therefor the following -
- "or in the absence of rent free accommodation and at the option of the officer, he shall receive a housing allowance of \$5,000.00 per month."
- Amendment of regulation 7
4. Regulation 7 of the principal Regulations is hereby amended by deleting the full stop at the end of the sentence and substituting therefor the following -
- "or at the option of the officer, he shall receive a utilities allowance of \$1,300.00 per month."
- Amendment of regulation 9
5. Regulation 9 of the principal Regulations is hereby amended by deleting the full stop at the end of the sentence and substituting therefor the following -
- "and shall also be paid a fuel allowance of \$500.00 per month."

- Amendment of regulation 13 6. Regulation 13(1) of the principal Regulations is hereby amended by deleting the figure "US\$55.00" and substituting therefor the figure "US\$250.00".
- Amendment of regulation 16 7. Regulation 16 of the principal Regulations is hereby amended by deleting the figure "\$2,000.00" and substituting therefor the figure "\$10,000.00".
- Amendment of regulation 17 8. Regulation 17 of the principal Regulations is hereby amended by deleting the existing regulation and substituting therefor the following new regulation -
- "Clothing allowance 17. The Puisne Judge shall be paid a clothing allowance of \$10,000.00 per annum."
- Insertion of new regulation 25 9. The principal Regulations is hereby amended by inserting immediately after regulation 24 the following new regulation as regulation 25 as follows -
- "Education grant 25. The Puisne Judge shall be paid an Education grant of \$5,000.00 per annum."

Made at Honiara this thirtieth day of January 2006

**SIR ALLAN KEMAKEZA**  
Prime Minister

**THE CONSTITUTIONAL OFFICES  
(TERMS AND CONDITIONS OF SERVICE) ACT**

**(Cap. 84)**

**THE CONSTITUTIONAL OFFICES (TERMS AND CONDITIONS  
OF SERVICE) (GOVERNOR GENERAL) (AMENDMENT)  
REGULATIONS 2006**

**THE CONSTITUTIONAL OFFICES  
(TERMS AND CONDITIONS OF SERVICE) ACT  
(Cap. 84)**

**THE CONSTITUTIONAL OFFICES (TERMS AND CONDITIONS  
OF SERVICE) ( GOVERNOR-GENERAL) (AMENDMENT)  
REGULATIONS 2006**

**ARRANGEMENT OF REGULATIONS**

REGULATION:

1. CITATION
2. AMENDMENT OF REGULATION 2 (1) OF L.N. 140 OF 1990
3. AMENDMENT OF REGULATION 9
4. AMENDMENT OF REGULATION 10
5. AMENDMENT OF REGULATION 12
6. INSERTION OF NEW REGULATION
7. AMENDMENT OF REGULATION 14
8. INSERTION OF NEW REGULATION 22

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**THE CONSTITUTIONAL OFFICES  
(TERMS AND CONDITIONS OF SERVICE) ACT  
(Cap. 84)**

**THE CONSTITUTIONAL OFFICES (TERMS AND CONDITIONS  
OF SERVICE) (GOVERNOR-GENERAL) (AMENDMENT)  
REGULATIONS 2006**

IN exercise of the powers conferred upon the Minister by section 3 of the Constitutional Offices (Terms and Conditions of Service) Act, the Minister hereby makes the following regulations -

- |          |  |
|----------|--|
| Citation | 1. These Regulations may be cited as the Constitutional Offices (Terms and Conditions of Service) (Governor-General) (Amendment) Regulations 2006, and shall be deemed to have come into force with effect from 1st January, 2006. |
|----------|--|

2. Regulation 2 of the Constitutional Offices (Terms and Conditions of Service) (Governor-General) Regulations (hereinafter referred to as the "principal Regulations") is hereby amended by deleting paragraph (1) and substituting therefor the following -
- (1) The Governor-General shall be paid a fortnightly salary of \$5,000.00.
- Amendment  
of regulation  
2(1) of LN 140  
of 1990
3. Regulation 9(1) of the principal Regulation is hereby amended by deleting the words "forty dollars" and substituting therefor the words "three hundred dollars".
- Amendment  
of regulation 9
4. Regulation 10(1) of the principal Regulation is hereby deleted and the following new regulation substituted therefor
- (1) Subject to the provisions of paragraph (2) the Governor - General shall be entitled on official overseas travel to an allowance of US\$300.00 per day.
- Amendment  
of regulation 10
5. Regulation 12(1) of the principal Regulation is hereby amended by deleting the words "six thousand" and substituting therefor the words "ten thousand".
- Amendment  
of regulation 12
6. The principal Regulation is hereby amended by inserting therein immediately after regulation 12 the following as regulation 12A -
- "Education allowance 12A. The Governor-General shall be entitled to an annual education grant of \$5,000.00"
- Insertion  
of new  
regulation
7. Regulation 14(1) of the principal Regulation is hereby deleted and the following new regulation substituted thereof-
- Amendment  
of regulation 14

“ (1) The Governor - General shall be entitled to an annual clothing allowance of “fifteen thousand dollars”.

Insertion  
of new  
regulation

8. The principal Regulation is hereby amended by inserting immediately after regulation 21 the following new regulation as regulation 22 -

22

“ Pension 22. The Governor - General shall be entitle to pension at the rate of 45% of his basic annual salary.”

Made at Honiara this thirtieth day of January 2006

**SIR ALLAN KEMAKEZA**  
**Prime Minister**

**THE CONSTITUTIONAL OFFICES  
(TERMS AND CONDITIONS OF SERVICE) ACT**

**(Cap. 84)**

**THE CONSTITUTIONAL OFFICES (TERMS AND CONDITIONS  
OF SERVICE) (SPEAKER) (AMENDMENT) REGULATIONS 2006**

**THE CONSTITUTIONAL OFFICES  
(TERMS AND CONDITIONS OF SERVICE) ACT  
(Cap. 84)**

**THE CONSTITUTIONAL OFFICES (TERMS AND CONDITIONS OF  
SERVICE) (SPEAKER) (AMENDMENT) REGULATIONS 2006)**

**ARRANGEMENT OF REGULATIONS**

**REGULATION:**

1. CITATION
2. AMENDMENT OF REGULATION 4 OF L.N. 144 OF 1990
3. AMENDMENT OF REGULATION 6
4. AMENDMENT OF REGULATION 7
5. AMENDMENT OF REGULATION 9
6. AMENDMENT OF REGULATION 12
7. AMENDMENT OF REGULATION 14
8. AMENDMENT OF REGULATION 15
9. INSERTION OF NEW REGULATION 23

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**THE CONSTITUTIONAL OFFICES  
(TERMS AND CONDITIONS OF SERVICE) ACT  
(Cap. 84)**

**THE CONSTITUTIONAL OFFICES (TERMS AND CONDITIONS SER-  
VICE) (SPEAKER) (AMENDMENT) REGULATIONS 2006**

IN exercise of the powers conferred upon the Minister by section 3 of the Constitutional Offices (Terms and Conditions of Service) Act, the Minister hereby makes the following regulations -

- Citation 1. These Regulations may be cited as the Constitutional Offices (Terms and Conditions of Service) (Speaker) (Amendment) Regulations 2006, and shall be deemed to have come into force with effect from 1st January, 2006.
- (1) The Governor - General shall be paid a fortnightly salary of \$5,000.00."

- |                      |   |                                  |
|----------------------|---|----------------------------------|
| 2.                   | Regulation 4 of the Constitutional Offices (Terms and Conditions of Service) (Speaker) Regulations(hereinafter referred to as the "principal Regulations") is hereby amended by deleting the words "salary of \$62,673.03" and substituting therefor the words "fortnightly salary of \$5,500.00".                | Amendment<br>of regulation<br>4  |
| 3.                   | Regulation 6 of the principal Regulation is hereby amended by deleting the full stop that appears at the end of the sentence and substituting therefor the words "or in the absence of a rent free accommodation and at the option of the officer, he shall receive a housing allowance of \$5,000.00 per month". | Amendment<br>of regulation<br>6  |
| 4.                   | Regulation 7 of the principal Regulation is hereby amended by deleting the full stop at the end of the sentence and substituting therefor the following words "or at the option of the officer, he shall receive a utilities allowance of \$1,300.00 per month."  | Amendment<br>of regulation<br>7  |
| 5.                   | Regulation 9 of the principal Regulation is hereby amended by deleting the full stop that appears at the end of the sentence and substituting therefor the following words "and shall also receive a fuel allowance of \$500.00 per month."   | Amendment<br>of regulation<br>9  |
| 6.                   | Regulation 12 of the principal Regulation is hereby amended by deleting the existing regulation and substituting therefor the following new regulation as regulation 12 and 12A respectively -  | Amendment<br>of regulation<br>12 |
| " Overseas allowance | 12. (1) The Speaker shall be entitled to US\$250.00 travelling allowance per day whilst travelling overseas.  |                                  |
|                      | (2) Where the wife accompanies the Speaker on official overseas trips.  |                                  |

she shall be eligible to 50% of the travelling allowance of the Speaker.

	Local travel	12A. The Speaker shall be eligible to receive \$250.00 local travel allowance per day.
Amendment of regulation 14	7.	Regulation 14 of the principal Regulation is hereby amended by deleting the figure "\$2,000.00" and substituting therefor the figure "\$10,000.00."
Amendment regulation 15	8.	Regulation 15 of the principal Regulation is hereby of amended by deleting the existing regulation and substituting therefor the following -
	"Clothing allowance	15. The Speaker shall be entitled to a clothing allowance of \$10,000.00 per annum."
Insertion of new regulation 23	9.	The principal Regulation is hereby amended by inserting immediately after regulation 22 the following new regulation 23 as follows -
	" Education grant	23. The Speaker shall receive an education grant of \$5,000.00 per annum."

Made at Honiara this thirtieth day of January 2006

**SIR ALLAN KEMAKEZA**  
Prime Minister

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**THE CONSTITUTIONAL OFFICES**

**(TERMS AND CONDITIONS OF SERVICE) ACT**

**(Cap. 84)**

**THE CONSTITUTIONAL OFFICES (TERMS AND CONDITIONS**

**OF SERVICE) (CHAIRMAN OF PUBLIC SERVICE**

**COMMISSION) (AMENDMENT) REGULATIONS 2006**

**THE CONSTITUTIONAL OFFICES  
(TERMS AND CONDITIONS OF SERVICE) ACT  
(Cap 84)**

**THE CONSTITUTIONAL OFFICES (TERMS AND CONDITIONS OF  
SERVICE) ( CHAIRMAN OF PUBLIC SERVICE COMMISSION)  
(AMENDMENT) REGULATIONS 2006)**

**ARRANGEMENT OF REGULATIONS**

**REGULATION:**

1. CITATION
2. AMENDMENT OF REGULATION 4
3. AMENDMENT OF REGULATION 6
4. AMENDMENT OF REGULATION 7
5. AMENDMENT OF REGULATION 8
6. AMENDMENT OF REGULATION 10
7. AMENDMENT OF REGULATION 14
8. AMENDMENT OF REGULATION 15
9. AMENDMENT OF REGULATION 17
10. INSERTION OF NEW REGULATION 25

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**THE CONSTITUTIONAL OFFICES  
(TERMS AND CONDITIONS OF SERVICE) ACT  
(Cap. 84)**

**THE CONSTITUTIONAL OFFICES (TERMS AND CONDITIONS SER-  
VICE) ( CHAIRMAN OF PUBLIC SERVICE COMMISSION) (AMEND-  
MENT) REGULATIONS 2006**

IN exercise of the powers conferred by section 3 of the Constitutional Offices  
(Terms and Conditions of Service) Act, the Minister hereby makes the following  
regulations -

- Citation 1. These Regulations may be cited as the Constitutional Offices  
(Terms and Conditions of Service) (Chairman of Public Service  
Commission) (Amendment) Regulations 2006, and shall be  
deemed to have come into force with effect from 1st January,  
2006.

2. Regulation 4 of the Constitutional Offices (Terms and Conditions of Service) (Chairman of Public Service Commission) Regulations (hereinafter referred to as the "principal Regulations") is hereby amended by deleting the existing regulation and substituting therefor the following new regulation -
- "Salary            4.        The Chairman shall be paid a taxable fortnightly salary of \$4,000.00."
3. Regulation 6 of the principal Regulation is hereby amended by deleting the figure "\$2,000.00" and substituting therefor the figure "\$10,000.00".
4. Regulation 7 of the principal Regulation is hereby amended by deleting the full stop that appears at the end of the sentence and substituting therefor the words "or in the absence of rent free accommodation and at the option of the Chairman, he shall be paid a housing allowance of \$5,000.00 per month.
5. Regulation 8 of the principal Regulation is hereby amended by deleting the full stop that appears at the end of the sentence and substituting therefor the words "or at the option of the Chairman, he shall receive a utilities allowance of \$1,300.00 per month."
6. Regulation 10 of the principal Regulation is hereby amended by deleting the full stop that appears at the end of the sentence and substituting therefor the following words "and a fuel allowance of \$500.00 per month".
7. Regulation 14 of the principal Regulation is hereby amended by deleting the figure "US\$55.00" and substituting therefor the figures "US\$250.00".

Amendment  
of regulation  
4Amendment  
of regulation  
6Amendment  
of regulation  
7Amendment  
of regulation  
8Amendment  
of regulation  
10Amendment  
of regulation  
14

- Amendment of regulation 15
8. Regulation 15 of the principal Regulation is hereby amended by deleting the figure "\$40.00" and substituting therefor the figure "\$150.00."
- Amendment of regulation 17
9. Regulation 17 of the principal Regulation is hereby deleted and the following new regulation substituting therefor -
- "Clothing allowance
17. The Chairman shall be paid a clothing allowance of \$10,000.00 per year."
- Insertion of new regulations 25
10. The principal Regulation is hereby amended by inserting immediately after regulation 24 the following new regulation as regulation 25 -
- "Education allowance
25. The Chairman shall be paid an education allowance of \$5,000.00 per annum."

Made at Honiara this thirtieth day of January 2006

**SIR ALLAN KEMAKEZA**  
**Prime Minister**

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**THE CONSTITUTIONAL OFFICES**

**(TERMS AND CONDITIONS OF SERVICE) ACT**

**(Cap. 84)**

**THE CONSTITUTIONAL OFFICES (TERMS AND CONDITIONS  
OF SERVICE) (OMBUDSMAN) (AMENDMENT) REGULATIONS 2006**

**THE CONSTITUTIONAL OFFICES  
(TERMS AND CONDITIONS OF SERVICE) ACT  
(Cap. 84)**

**THE CONSTITUTIONAL OFFICES (TERMS AND CONDITIONS OF  
SERVICE) ( OMBUDSMAN) (AMENDMENT) REGULATIONS 2006**

**ARRANGEMENT OF REGULATIONS**

REGULATION:

1. CITATION
2. AMENDMENT OF REGULATION 4
3. AMENDMENT OF REGULATION 6
4. AMENDMENT OF REGULATION 7
5. AMENDMENT OF REGULATION 8
6. AMENDMENT OF REGULATION 10
7. AMENDMENT OF REGULATION 14
8. AMENDMENT OF REGULATION 15
9. AMENDMENT OF REGULATION 17
10. INSERTION OF NEW REGULATION 25

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**THE CONSTITUTIONAL OFFICES  
(TERMS AND CONDITIONS OF SERVICE) ACT  
(Cap. 84)**

**THE CONSTITUTIONAL OFFICES (TERMS AND CONDITIONS SER-  
VICE) ( OMBUDSMAN) (AMENDMENT) REGULATIONS 2006**

IN exercise of the powers conferred by section 3 of the Constitutional Offices  
(Terms and Conditions of Service) Act, the Minister hereby makes the following  
regulations -

- Citation 1. These Regulations may be cited as the Constitutional Offices  
(Terms and Conditions of Service) (Ombudsman) (Amendment)  
Regulations and shall be deemed to have come into force on  
1st January, 2006.

- |    |   |                                  |
|----|---|----------------------------------|
| 2. | Regulation 4 of the Constitutional Offices (Terms and Conditions of Service) (Ombudsman) Regulations (hereinafter referred to as the "principal Regulations") is hereby amended by deleting the words "an annual taxable salary of \$59,224.75" and substituting therefor the words "a fortnightly taxable salary of \$4,000.00". | Amendment<br>of regulation<br>4  |
| 3. | Regulation 6 of the principal Regulation is hereby amended by deleting the figure "\$2,000.00" and substituting therefor the figure "\$10,000.00".  | Amendment<br>of regulation<br>6  |
| 4. | Regulation 7 of the principal Regulation is hereby amended by deleting the full stop at the end of the sentence and substituting therefor the words "or in the absence of rent free accommodation and at the option of the officer, he shall receive a housing allowance of \$5,000.00 per month".                                | Amendment<br>of regulation<br>7  |
| 5. | Regulation 8 of the principal Regulation is hereby amended by deleting the full stop at the end of the sentence and substituting therefor the following words "or at the option of the officer, he shall be entitled to utilities allowance of \$1,300.00 per month."   | Amendment<br>of regulation<br>8  |
| 7. | Regulation 14 of the principal Regulation is hereby amended by deleting the figure "US\$55.00" and substituting therefor the figure "US\$250.00".   | Amendment<br>of regulation<br>14 |
| 8. | Regulation 15 of the principal Regulation is hereby amended by deleting the figure "\$40.00" and substituting therefor the figure "\$150.00".   | Amendment<br>of regulation<br>15 |
| 9. | Regulation 17 of the principal Regulation is hereby deleted and the following substituted therefor -<br><br>"Clothing allowance      17. the Ombudsman shall be paid a clothing allowance of \$10,000.00 per annum."  | Amendment<br>of regulation<br>17 |

Insertion of  
new  
regulation  
25

10. The principal Regulation is hereby amended by inserting immediately after regulation 24 the following new regulation as regulation 25 -

“ Education 25. The Ombudsman shall be paid a  
allowance education allowance of \$5,000.00  
per annum.”

Made at Honiara this thirtieth day of January 2006

**SIR ALLAN KEMAKEZA**  
**Prime Minister**

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**THE CONSTITUTIONAL OFFICES**

**(TERMS AND CONDITIONS OF SERVICE) ACT**

**(Cap. 84)**

**THE CONSTITUTIONAL OFFICES (TERMS AND CONDITIONS  
OF SERVICE) (CHIEF JUSTICE) (AMENDMENT) REGULATIONS  
2006**

**THE CONSTITUTIONAL OFFICES  
(TERMS AND CONDITIONS OF SERVICE) ACT  
(Cap. 84)**

**THE CONSTITUTIONAL OFFICES (TERMS AND CONDITIONS OF  
SERVICE) ( CHIEF JUSTICE) (AMENDMENT)  
REGULATIONS 2006**

**ARRANGEMENT OF REGULATIONS**

REGULATION:

1. CITATION
2. AMENDMENT OF REGULATION 4
3. AMENDMENT OF REGULATION 6
4. AMENDMENT OF REGULATION 7
5. AMENDMENT OF REGULATION 9
6. AMENDMENT OF REGULATION 14
7. AMENDMENT OF REGULATION 15
8. AMENDMENT OF REGULATION 16
9. INSERTION OF NEW REGULATION 24

**THE CONSTITUTIONAL OFFICES  
(TERMS AND CONDITIONS OF SERVICE) ACT  
(Cap. 84)**

**THE CONSTITUTIONAL OFFICES (TERMS AND CONDITIONS OF  
SERVICE) (CHIEF JUSTICE) (AMENDMENT) REGULATIONS 2006**

IN exercise of the powers conferred by section 3 of the Constitutional Offices (Terms and Conditions of Service) Act, the Minister hereby makes the following regulations -

- |    |   |                                 |
|----|---|---------------------------------|
| 1. | These Regulations may be cited as the Constitutional Offices (Terms and Conditions of Service) (Chief Justice)(Amendment) Regulations 2006, and shall be deemed to have come into force with effect from 1st January, 2006.   | Citation                        |
| 2. | Regulation 4 of the Constitutional Offices (Terms and Conditions of Service) (Chief Justice) Regulations (hereinafter referred to as the "principal Regulations") is hereby amended by deleting the words "salary of \$110,00.00" and substituting therefor the words "fortnightly salary of \$5,000.00". | Amendment<br>of regulation<br>4 |
| 3. | Regulation 6 of the principal Regulation is hereby amended by deleting the full stop at the end of the sentence and substituting therefor the words "or in the absence of a rent free accommodation and at the option of the officer, he shall receive a housing allowance of \$5,000.00 per month."      | Amendment<br>of regulation<br>6 |
| 4. | Regulation 7 of the principal Regulation is hereby amended by deleting the full stop at the end of the sentence and substituting herefor the  | Amendment<br>of regulation<br>7 |

following "or at the option of the officer, he shall receive a utilities allowance of \$1,300.00 per month."

- |           |    |  |
|-----------|----|--|
| Amendment | 5. | Regulation 9 of the principal Regulation is hereby |
|-----------|----|--|

- of regulation 9 amended by deleting the full stop at the end of the sentence and substituting therefor the following words "and shall also receive a fuel allowance of \$500.00 per month.
- Amendment of regulation 14 6. Regulations 14 of the principal Regulation is here by amended by deleting the figure "\$210.00" and substituting therefor the figure "\$250.00".
- Amendment of regulation 15 7. Regulation 15 of the principal Regulation is hereby amended by deleting the figure "\$4,000.00" and substituting therefor the figure "\$10,000.00".
- Amendment of regulation 16 8. Regulation 16 of the principal Regulation is hereby deleted and the following substituted therefor -
- "Clothing allowance 16. The Chief Justice shall be paid a clothing allowance of \$10,000.00 per annum."
- Insertion of new regulation 24 9. The principal Regulation is hereby amended by inserting immediately after regulation 23 a new regulation 24 as follows -
- "Education grant 24. The Chief Justice shall receive an education grant of \$5,000.00 per annum."

Made at Honiara this thirtieth day of January 2006

**SIR ALLAN KEMAKEZA**  
Prime Minister

**THE CONSTITUTIONAL OFFICES**

**(TERMS AND CONDITIONS OF SERVICE) ACT**

**(Cap. 84)**

**THE CONSTITUTIONAL OFFICES (TERMS AND CONDITIONS  
OF SERVICE) ( ATTORNEY GENERAL) REGULATIONS 2006**

**THE CONSTITUTIONAL OFFICES  
(TERMS AND CONDITIONS OF SERVICE) ACT  
(Cap. 84)**

**THE CONSTITUTIONAL OFFICES (TERMS AND CONDITIONS OF  
SERVICE) ( ATTORNEY GENERAL) REGULATIONS 2006)**

**ARRANGEMENT OF REGULATIONS**

REGULATION:

1. CITATION
2. TERM OF OFFICE
3. DUTIES
4. SALARY
5. NPF CONTRIBUTIONS
6. APPOINTMENT GRANT
7. HOUSING
8. UTILITIES
9. DOMESTIC SERVANTS
10. VEHICLE
11. LEAVE
12. PASSAGE
13. COMPASSIONATE LEAVE
14. OVERSEAS TRAVEL ALLOWANCE

15. LOCAL TRAVEL ALLOWANCE
16. CLASS OF TRAVEL (OVERSEAS VISITS)
17. CLOTHING ALLOWANCE
18. ENTERTAINMENT ALLOWANCE
19. MEDICAL TREATMENT
20. PERSONAL LOAN
21. BAGGAGE ALLOWANCE
22. DEATH DURING INCUMBENCY
23. MISCELLANEOUS BENEFITS
24. EDUCATION ALLOWANCE

**THE CONSTITUTIONAL OFFICES  
(TERMS AND CONDITIONS OF SERVICE) ACT  
(Cap. 84)**

**THE CONSTITUTIONAL OFFICES (TERMS AND CONDITIONS OF SERVICE) (ATTORNEY-GENERAL) REGULATIONS 2006**

IN exercise of the powers conferred upon the Minister by section 3 of the Constitutional Offices (Terms and Conditions of Service) Act, the Minister hereby makes the following regulations -

- Citation1. These Regulations may be cited as the Constitutional Offices (Terms and Conditions of Service) (Attorney -General) Regulations 2006, and shall be deemed to have come into force with effect from 1st January, 2006.
- Term of2. office The term of office of the Attorney General shall be permanent unless otherwise specified in a contract of employment.
- Duties 3. The duties of the Attorney General shall be as laid down in section 42 of the Constitution.
- Salary 4. The Attorney General shall be paid a fortnightly salary of \$5,000.00.
- NPF contribution Cap. 109 5. The Attorney General shall make contributions to the National Provident Fund as required under the provisions of Solomon Islands National Provident Fund Act.
- Appointment grant 6. The Attorney General shall on first appointment receive an appointment grant of \$10,000.00.
- Housing 7. The Attorney General shall be provided with an official residence free of rent or in the absence of a rent free accommodation and at the option of the officer he shall receive a housing allowance of \$5,000.00 per month.

- |                           |     |  |
|---------------------------|-----|--|
| Utilities                 | 8.  | The cost of water, gas, telephone and electricity provided to the residence of the Attorney General shall be charged to public funds and be paid for by the Government or at the option of the officer he shall receive a utilities allowance of \$1,300.00 per month.                             |
| Domestic servants         | 9.  | The wages payable for the service of one domestic employee and a gardener shall be charged to public funds and paid for by the government.   |
| Vehicle                   | 10. | The Attorney General shall be provided with one rent free official vehicle and a fuel allowance of \$500.00 per month.   |
| Leave                     | 11. | The Attorney General shall be entitled to leave at the rate of three and half days a month or forty-two days per annum for each year of completed service, which leave shall be taken during the year in which it accrues.   |
| Passage                   | 12. | <p>(1) The Attorney General and members of his family shall be provided with sea or air passages as appropriate to his home village and return passages to Honiara when proceeding on annual leave.</p> <p>(2) In this regulation "home village" includes the home village of the spouse.</p>      |
| Compassionate leave       | 13. | The Attorney General shall be entitled to two return trips either by sea or air within Solomon Islands on compassionate leave per annum.   |
| Overseas travel allowance | 14. | <p>(1) The Attorney General shall be entitled to a daily subsistence allowance of US\$250.00 whilst on overseas travel or one-fifth of the daily allowance if the travel is externally funded.</p> <p>(2) where the Attorney General is a guest of a host government, administration or agency</p> |

and is not called upon to meet costs for accommodation and meals, he may claim subsistence allowance at the rate of one-fifth of his daily subsistence allowance entitlement.

- |                                   |     |  |
|-----------------------------------|-----|--|
| Local travel allowance            | 15. | The Attorney General shall be entitled to a daily travel allowance of \$150.00 whilst on official travel within Solomon Islands.   |
| Class of travel (overseas visits) | 16. | <p>(1) The Attorney General shall be entitled to travel first class on all official overseas visits.</p> <p>(2) The spouse of the Attorney General shall be entitled to travel first class when accompanying the Attorney General on any official visit overseas and shall be entitled to claim subsistence allowance at the rate payable to the Attorney General in regulation 14(1).</p> |
| Clothing allowance                | 17. | The Attorney General shall be entitled to clothing allowance of \$10,000.00 per annum.   |
| Entertainment allowance           | 18. | The Attorney General, shall be entitled to an entertainment allowance. The amount of the allowance shall be as determined by the Accounting Officer of the Ministry responsible for Justice and Legal Affairs.   |
| Medical treatment                 | 19. | The Attorney General shall be entitled to medical treatment in accordance with the terms prescribed from time to time for public officers.   |
| Personal loan                     | 20. | The Attorney General shall be entitled to a Government guaranteed loan, the maximum amount of which shall not exceed his annual basic salary.  |

- |                         |     |  |
|-------------------------|-----|--|
| Baggage allowance       | 21. | Subject to the provisions of Chapter F of General Orders, the Attorney General shall be entitled to claim baggage allowance.   |
| Death during incumbency | 22. | Where the Attorney General dies whilst in office, the Government shall be responsible for all funeral expenses and all other expenses incidental thereto.                  |
| Miscellaneous benefits  | 23. | The Attorney General shall be entitled to other benefits available to public officers under General Orders or other regulations which are not covered by these Regulations |
| Education allowance     | 24. | The Attorney General shall be paid an Education allowance of \$5,000.00 per annum.   |

Made at Honiara this thirtieth day of January 2006

**SIR ALLAN KEMAKEZA**  
Prime Minister

**THE CONSTITUTIONAL OFFICES**

**(TERMS AND CONDITIONS OF SERVICE) ACT**

**(Cap. 84)**

**THE CONSTITUTIONAL OFFICES (TERMS AND CONDITIONS  
OF SERVICE) (AUDITOR GENERAL) (AMENDMENT)  
REGULATIONS 2006**

**THE CONSTITUTIONAL OFFICES  
(TERMS AND CONDITIONS OF SERVICE) ACT  
(Cap. 84)**

**THE CONSTITUTIONAL OFFICES (TERMS AND CONDITIONS  
OF SERVICE) (AUDITOR GENERAL) (AMENDMENT)  
REGULATIONS 2006**

**ARRANGEMENT OF REGULATIONS**

REGULATION:

1. CITATION
2. AMENDMENT OF REGULATION 4
3. AMENDMENT OF REGULATION 6
4. INSERTION OF NEW REGULATION 6A
5. AMENDMENT OF REGULATION 7
6. AMENDMENT OF REGULATION 8
7. AMENDMENT OF REGULATION 10
9. AMENDMENT OF REGULATION 14
10. AMENDMENT OF REGULATION 15
11. AMENDMENT OF REGULATION 17

**THE CONSTITUTIONAL OFFICES  
(TERMS AND CONDITIONS OF SERVICE) ACT  
(Cap. 84)**

**THE CONSTITUTIONAL OFFICES (TERMS AND CONDITIONS OF SERVICE) (AUDITOR GENERAL) (AMENDMENT) REGULATIONS 2006**

IN exercise of the powers conferred upon the Minister by section 3 of the Constitutional Offices (Terms and Conditions of Service) Act, the Minister hereby makes the following regulations -

- |                                 |    |  |
|---------------------------------|----|--|
| Citation 1.                     | 1. | These Regulations may be cited as the Constitutional Offices (Terms and Conditions of Service) (Auditor-General) Regulations 2006, and shall be deemed to have come into force with effect from 1st January, 2006.   |
| Amendment of regulation 4       | 2. | Regulation 4 of the Constitutional Offices (Terms and Conditions of Service) (Auditor General) Regulations (hereinafter referred to as the "principal Regulations") is hereby amended by deleting the words "an annual taxable salary of \$59,224.75" and inserting therefor the words "a fortnightly salary of \$4,000.00". |
| Amendment of regulation 6       | 3. | Regulation 6 of the principal Regulations is hereby amended by deleting the figure "\$2,000.00" and substituting therefor the figure "\$10,000.00".  |
| Insertion of new regulation 6 A | 4. | The principal Regulation is hereby amended by inserting immediately after Regulation 6 a new Regulation 6 A as follows-  |

- |                     |  |                            |
|---------------------|--|----------------------------|
| “Education grant    | 6A. The Auditor General shall receive an educational grant of \$5,000.00 per annum.”   |                            |
| 5.                  | Regulation 7 of the principal Regulation is hereby amended by deleting the full stop that appears at the end of the sentence and inserting thereafter the words “or in the absence of rent-free accommodation and at the option of the officer, he shall receive a housing allowance of \$5,000.00 per month”. | Amendment of regulation 7  |
| 6.                  | Regulation 8 of the principal Regulation is hereby amended by deleting the full stop at the end of the sentence and inserting thereafter the following words “and a fuel allowance of \$500.00 per month”.   | Amendment of regulation 8  |
| 7.                  | Regulation 10 of the principal Regulations is hereby amended by deleting the full stop that appears at the end of the sentence and inserting thereafter the following words “or at the option of the officer he shall receive a utility allowance of \$1,300.00 per month”.                                    | Amendment of regulation 10 |
| 9.                  | Regulation 14 of the principal Regulations is hereby amended by deleting the figure “US\$55.00” and substituting therefor the figure “US\$250.00”.   | Amendment of regulation 14 |
| 10.                 | Regulation 15 of the principal Regulations is hereby amended by deleting the figure “\$40.” and substituting therefor the figure “\$150.00”.   | Amendment of regulation 15 |
| 11.                 | Regulation 17 of the principal Regulation is hereby deleted and the following substituted therefor -   | Amendment of regulation 17 |
| “Clothing allowance | 17. The Auditor General shall receive a clothing allowance of \$10,000.00 per annum”.  |                            |

Made at Honiara this thirtieth day of January 2006

**SIR ALLAN KEMAKEZA**

**THE CONSTITUTIONAL OFFICES**

**(TERMS AND CONDITIONS OF SERVICE) ACT**

**(Cap. 84)**

**THE CONSTITUTIONAL OFFICES (TERMS AND CONDITIONS  
OF SERVICE) ( PUBLIC SOLICITOR) (AMENDMENT)  
REGULTIONS 2006**

**THE CONSTITUTIONAL OFFICES  
(TERMS AND CONDITIONS OF SERVICE) ACT  
(Cap. 84)**

**THE CONSTITUTIONAL OFFICES (TERMS AND CONDITIONS OF  
SERVICE) ( PUBLIC SOLICITOR) (AMENDMENT) REGULATIONS  
2006**

**ARRANGEMENT OF REGULATIONS**

REGULATION:

1. CITATION
2. AMENDMENT REGULATION 4
3. APPOINTMENT GRANT
4. AMENDMENT OF REGULATION 7
5. AMENDMENT OF REGULATION 8
6. AMENDMENT OF REGULATION 10
7. AMENDMENT OF REGULATION 14
8. AMENDMENT OF REGULATION 15
9. AMENDMENT OF REGULATION 17
10. INSERTION OF NEW REGULATION 24

**THE CONSTITUTIONAL OFFICES  
(TERMS AND CONDITIONS OF SERVICE) ACT  
(Cap. 84)**

**THE CONSTITUTIONAL OFFICES (TERMS AND CONDITIONS OF SERVICE) (PUBLIC SOLICITOR) (AMENDMENT) REGULATIONS 2006**

IN exercise of the powers conferred upon the Minister by section 3 of the Constitutional Offices (Terms and Conditions of Service) Act, the Minister hereby makes the following regulations -

- Citation 1. These Regulations may be cited as the Constitutional Offices (Terms and Conditions of Service) (Public Solicitor)(Amendment)Regulations 2006, and shall be deemed to have come into force on 1st January, 2006.
- Amendment regulation 2. Regulation 4 of the Constitutional Offices (Terms and Conditions of Service) (Public Solicitor) 4 Regulations (hereinafter referred to as the "principal Regulations") is hereby amended by deleting the words "an annual taxable salary of \$59,224.75" and substituting therefor the words "a fortnightly taxable salary of \$4,000.00".
- Appointment grant 3. Regulation 6 of the principal regulations is hereby amended by deleting the figure "\$2,000.00" and substituting therefor the figure "\$10,000.00".
- Amendment of regulation 7 4. Regulation 7 of the principal regulation is hereby amended by deleting the full stop at the end of the sentence and inserting thereafter the words "or in the absence of a rent free residence, and at the option of the officer he shall receive a housing allowance of \$5,000.00 per month".

- |     |  |                                      |
|-----|--|--------------------------------------|
| 5.  | Regulation 8 of the principal regulation is hereby amended by deleting the full stop at the end of the sentence and inserting thereafter the following words "or at the option of the officer he shall be paid a utility allowance of \$1,300.00 per month".       | Amendment<br>of regulation<br>8      |
| 6.  | Regulation 10 of the principal Regulations is hereby amended by deleting the full stop at the end of the sentence and inserting thereafter the following words "and a fuel allowance of \$500.00 per month."   | Amendment<br>of regulation<br>10     |
| 7.  | Regulation 14 of the principal Regulations is hereby amended by deleting the figure "US\$55.00" and substituting therefor the figure "US\$250.00".   | Amendment<br>of regulation<br>14     |
| 8.  | Regulation 15 of the principal Regulations is hereby amended by deleting the figure "\$40" and substituting therefor the figure "\$150.00".  | Amendment<br>of regulation<br>15     |
| 9.  | Regulation 17 of the principal Regulations is therefor -<br><br>"Clothing allowance      17.      The Public Solicitor shall receive a clothing allowance of \$10,000.00 per annum."   | Amendment<br>of regulation<br>17     |
| 10. | The principal regulation is hereby amended by inserting immediately after regulation 23, the following as regulation 24 as follows -<br><br>"Education allowance      24.      The Public Solicitor shall receive an education allowance of \$5,000.00 per annum". | Insertion of<br>new<br>regulation 24 |

Made at Honiara this thirtieth day of January 2006

**SIR ALLAN KEMAKEZA**  
Prime Minister

**THE CONSTITUTIONAL OFFICES**

**(TERMS AND CONDITIONS OF SERVICE) ACT**

**(Cap. 84)**

**THE CONSTITUTIONAL OFFICES (TERMS AND CONDITIONS  
OF SERVICE) ( CHAIRMAN LEADERSHIP CODE COMMISION)  
(AMENDMENT) REGULATIONS 2006**

**THE CONSTITUTIONAL OFFICES  
(TERMS AND CONDITIONS OF SERVICE) ACT  
(Cap. 84)**

**THE CONSTITUTIONAL OFFICES (TERMS AND CONDITIONS OF  
SERVICE) (CHAIRMAN LEADERSHIP CODE COMMISSION) REGU-  
LATIONS 2006**

**ARRANGEMENT OF REGULATIONS**

REGULATION:

1. CITATION
2. APPOINTMENT GRANT
3. ALLOWANCE
4. HOUSING
5. CLOTHING
6. TRANSPORT
7. OVERSEAS TRAVEL
8. LOCAL TRAVEL
9. UTILITIES
10. EDUCATION
11. GRATUITY

**THE CONSTITUTIONAL OFFICES  
(TERMS AND CONDITIONS OF SERVICE) ACT  
(Cap. 84)**

**THE CONSTITUTIONAL OFFICES (TERMS AND CONDITIONS OF SERVICE) (CHAIRMAN LEADERSHIP CODE COMMISSION) REGULATIONS 2006**

IN exercise of the powers conferred by section 3 of the Constitutional Offices (Terms and Conditions of Service) Act, the Prime Minister hereby makes the following regulations -

- |             |    |  |
|-------------|----|--|
| Citation    | 1. | These Regulations may be cited as the Constitutional Offices (Terms and Conditions of Service) (Chairman Leadership Code Commission) Regulations 2006, and shall be deemed to have come into force with effect from 1st January, 2006. |
| Appointment | 2. | The person appointed as Chairman shall be entitled on grant first appointment to a tax-free appointment grant of \$10,000.00.  |
| Allowance   | 3. | The Chairman shall be paid a fortnightly allowance of \$3,000.00.  |
| Housing     | 4. | The Chairman shall be paid a housing allowance of \$5,000.00 a month.  |
| Clothing    | 5. | The Chairman shall be entitled to a clothing allowance of \$10,000.00 a year.  |
| Transport   | 6. | The Chairman shall be entitled to an official vehicle or if no official vehicle is provided to a transport allowance of \$2,000.00 per month and fuel allowance of \$500.00 a month  |

- |              |     |   |
|--------------|-----|---|
| Overseas     | 7.  | The Chairman shall be entitled on official travel overseas to an allowance of US\$250.00 a day.                           |
| Local travel | 8.  | The Chairman shall be entitled to a daily allowance of \$150.00 per day whilst on official travel within Solomon Islands. |
| Utilities    | 9.  | The Chairman shall be entitled to a grant of \$1,300.00 per month for the cost of water, gas and electricity.             |
| Education    | 10. | The chairman shall be entitled to an education grant of \$5,000.00 per year in respect of his dependent children.         |
| Gratuity     | 11. | The Chairman shall be entitled to a gratuity of \$20,000.00 at the end of his term of appointment.                        |

Made at Honiara this thirtieth day of January 2006

**SIR ALLAN KEMAKEZA**  
Prime Minister

**THE CONSTITUTIONAL OFFICES  
(TERMS AND CONDITIONS OF SERVICE) ACT**

**(Cap. 84)**

**THE CONSTITUTIONAL OFFICES (TERMS AND CONDITIONS  
OF SERVICE) ( CHAIRMAN PARLIAMENTARY  
ENTITLEMENTS COMMISSION) (AMENDMENT)  
REGULATIONS 2006**

**THE CONSTITUTIONAL OFFICES  
(TERMS AND CONDITIONS OF SERVICE) ACT  
(Cap. 84)**

**THE CONSTITUTIONAL OFFICES (TERMS AND CONDITIONS OF  
SERVICE) (CHAIRMAN PARLIAMENTARY ENTITLEMENTS COM-  
MISSION) REGULATIONS 2006**

**ARRANGEMENT OF REGULATIONS**

REGULATION:

1. CITATION
2. APPOINTMENT GRANT
3. ALLOWANCE
4. HOUSING
5. CLOTHING
6. TRANSPORT
7. OVERSEAS TRAVEL
8. LOCAL TRAVEL
9. UTILITIES
10. EDUCATION
11. GRATUITY

**THE CONSTITUTIONAL OFFICES  
(TERMS AND CONDITIONS OF SERVICE) ACT  
(Cap. 84)**

**THE CONSTITUTIONAL OFFICES (TERMS AND CONDITIONS OF  
SERVICE) (CHAIRMAN PARLIAMENTARY ENTITLEMENTS COM-  
MISSION) REGULATIONS 2006**

IN exercise of the powers conferred by section 3 of the Constitutional Offices (Terms and Conditions of Service) Act, the Prime Minister hereby makes the following regulations -

- |                   |    |   |
|-------------------|----|---|
| Citation          | 1. | These Regulations may be cited as the Constitutional Offices (Terms and Conditions of Service) (Chairman Parliamentary Entitlements Commission) Regulations 2006, and shall be deemed to have come into force with effect from 1st January, 2006. |
| Appointment grant | 2. | The person appointed as Chairman shall be entitled on first appointment to a tax-free appointment grant of \$10,000.00.   |
| Allowance         | 3. | The Chairman shall be paid a fortnightly allowance of \$3,000.00.   |
| Housing           | 4. | The Chairman shall be paid a housing allowance of \$5,000.00 a month.   |
| Clothing          | 5. | The Chairman shall be entitled to a clothing allowance of \$2,000.00 a year.  |
| Transport         | 6. | The Chairman shall be entitled to an official vehicle or if no official vehicle is provided to a transport allowance of \$2,000.00 per month and fuel allowance of \$500.00 a month.  |

7. The Chairman shall be entitled on official travel overseas to an allowance of US\$350.00 a day. Overseas
8. The Chairman shall be entitled to a daily allowance of \$150.00 per day whilst on official travel within Solomon Islands. Local travel
9. The Chairman shall be entitled to a grant of \$2,000.00 per month for the cost of water, gas and electricity. Utilities
10. The Chairman shall be entitled to an education grant of \$3,000.00 per year in respect of his dependent children. Education
11. The Chairman shall be entitled to a gratuity of \$20,000.00 at the end of his term of appointment. Gratuity

Made at Honiara this thirtieth day of January 2006.

**SIR ALLAN KEMAKEZA**

**Prime Minister**

Honiara, Solomon Islands  
Printed under the authority of the  
Solomon Islands Government

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**SUPPLEMENT** to the Solomon Islands Gazette

Tuesday 7th February 2006

S.I No. 3

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[Legal Notice 4]

THE HONIARA CITY COUNCIL ACT 1999  
(NO. 2 of 1999)

THE HONIARA CITY COUNCIL (APPOINTMENT OF DATE OF  
ELECTION AND VALIDATION) ORDER 2006

IN exercise of the powers conferred by section 72(b) of the Honiara City Act 1999, I NELSON KILE, Minister of Home Affairs do hereby make the following Order -

1. This Order may be cited as the Honiara City Council (Appointment of Date of Election and Validation) Order 2006.
2. Notwithstanding provisions of the Orders published as legal Notices No. 4 of 22/01/04 and 15 of 4/02/04, the term of office of the Honiara City Council is hereby extended until the holding of elections on or before the 10th of May 2006.

Dated at Honiara this thirtieth day of January 2006

**NELSON KILE**  
Minister for Home Affairs

[Legal Notice 5]

**THE SOLOMON ISLANDS INDEPENDENCE ORDER 1978  
(L.N. 43 of 1978)**

**THE PUBLIC SERVICE COMMISSION (AMENDMENT)  
REGULATIONS 2006**

IN exercise of the power conferred by section 137 (1) of the Constitution, the Public Service Commission hereby makes the following regulations -

- |   |   |
|---|---|
| Citation 1.   | These Regulations may be cited as the Public Service Commission (Amendment) Regulations 2006.   |
| Amendment of regulations 11, 19, 20, 21, 24, 25, 27, 29, 33, 37, and 39 | <p>2. The Public Service Commission Regulations 1998* (hereinafter referred to as the "Principal Regulations") are hereby amended by deleting the regulations specified herein and substituting therefore in each case the following new regulations -</p> <p style="margin-left: 20px;">"Procedures for submission 11. All submissions to the Commission will be in writing and copy forwarded to the Secretary of the Public Service for the official records.</p> <p style="margin-left: 20px;">Appointments to be advertised 19. Unless the Commission otherwise agrees, all appointments to the Public Service will be publicly advertised.</p> <p style="margin-left: 20px;">Exception to minimum qualifications 20. No person shall be appointed to any office unless he or she has the appropriate minimum entry qualifications, except that, if there are no suitably qualified candidates, the Commission may, with the concurrence of the Permanent Secretary of the relevant department through the Permanent Secretary for the Public Service, appoint a person with less than the minimum qualifications on non-permanent terms</p> |

Appointments of  
non-nationals

21. Non-nationals shall only be appointed where the Commission is satisfied that no qualified national is available, and then only on a non-permanent basis for such time as may, in the view of the Commission, be necessary to obtain a qualified Solomon Islands officer. The selection of officers for appointment shall be made with due regard to the need to be inclusive of men and women, people with a disability and workers from all provinces.

Composition of  
Panels

24. A selection panel shall consist of a Chairman and two or more members who shall be public officers. One officer shall normally be from the Public Service Department and must hold a substantive appointment not less than level 6 or two levels above the level to which the appointment is being made whichever is the higher. The members, at least one of whom shall have relevant professional, technical or specialist qualifications and shall hold a substantive appointment not less than level 5 or one grade above the level of appointment, whichever is the higher.

Reference back  
by commission

25. All recommendations shall be made direct to the Commission by the Permanent Secretary of the relevant department for appointments from levels 3-13. A copy shall be provided to the Permanent Secretary for the Public Service for the personnel files. All recommendations must be signed by the Permanent Secretary. If any recommendation is not accepted by the Commission, any alternative appointment shall only be made after consultation with the Permanent Secretary of the relevant department and the Permanent Secretary for the Public Service, who shall seek the views of the panel or recommending officer before submitting another opinion to the Commission.

- Probationary period for permanent appointments 27. Permanent appointments will be subject to a probationary period of six months. In special circumstances the Commission may, however, on the recommendation of the supervising officer, extend this period.
- Reports during probation 29. It is the Permanent Secretary's responsibility to ensure that reports are made on officers on probation. The final report must be submitted to the Commission no later than one month before the end of the probation period.
- Field for consideration for promotion 33. The field of candidates for consideration for substantive promotion shall be determined by the Permanent Secretary for the relevant department. The Public Service Department should be advised of the short listed candidates.
- Selection for acting appointments 37. Appointment to act in any office shall be made by the Commission on the recommendation of the Permanent Secretary of the relevant department.
- Transfer at same grade level 39. Transfer from one cadre, group, or class to another at the same grade level shall be approved by the Commission on the recommendation of the Permanent Secretary of the relevant department and forwarded to it by the Permanent Secretary for the Public Service. This approval will only be granted if the officer is qualified and such a move would be in the public interest. On transfer an officer will carry over any seniority held in his former cadre, group or class.

Dated at Honiara this third day of February 2006

**EDMUND ANDRESEN**  
Chairman  
Public Service Commission

Honiara, Solomon Islands  
Printed under the authority of the  
Solomon Islands Government

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**SUPPLEMENT** to the Solomon Islands Gazette

Friday 17th February, 2006

S.I. No. 4

[Legal Notice No.6]

**THE CHOISEUL PROVINCE**

**2005 - 2006 APPROPRIATION ORDINANCE 2005**

Passed by the Choiseul Province Assembly this ..... day of ..... 2005

This printed impression has been compared by me with the ordinances passed by the Choiseul Provincial Assembly and found by me to be a true and correct copy of the said ordinance.

Geoffrey Pakipota  
Clerk to Choiseul Provincial Assembly

Assented to by the Honourable Minister for Provincial Government this twenty-sixth day of  
October, 2005

**Hon. Stephen Paeni**  
**Minister for Provincial Government and Rural Development**

Short Title And Commencement	1.	This Ordinance shall be entitled the Choiseul Province 2005 - 2006 Appropriation Ordinance and shall come into force upon approval of the Minister in accordance with section 30 of the Provincial Government Act 1997 and publication in the Solomon Islands Gazette.
Authorisation of Issues of 29,510,800 from the Provincial Fund	2.	The Appropriation from the Provincial Fund is hereby twenty nine million, five hundred and ten thousand and eight hundred dollars to be applied for the purposes specified in section 36(2) of the Provincial Government Act and to the services of the financial year ending 31st March, 2006.
Appropriation	3.	The sums specified in the preceding section shall be appropriated for the supply of the heads specified and in the amounts respectively specified in relation thereto in the schedule of the Ordinance.
Contingencies Warrants	4.	The total of the authorized by contingencies warrants issued by the Premier in exercise of his powers under section 26 and 27 of the Choiseul Province Financial Management Ordinance 1992 for the financial year ending 31st March, 2006 shall not exceed.
Advances	5.	<ul style="list-style-type: none"> <li>a). in respect of Heads of Recurrent Expenditure <b>twenty thousand dollars.</b></li> <li>b). in respect of Heads of Capital Expenditure <b>thirty thousand dollars.</b></li> </ul> <p>The total sums authorized by advances warrants issued by the Premier in exercise of his powers under Section 43 of the Choiseul Province Financial Management Ordinance 1992 for the financial year ending 31st March, 2006 shall not at any time exceed <b>ten thousand dollars.</b></p>

SCHEDULE

HEAD	RECURRENT EXPENDITURE	EXPENDITURE AUTHORISED
	<b>Details of Expenditure</b>	<b>Amount</b>
201	Provincial Assembly	\$ 93,000
202	Administration, Finance & Planning	2,256,500
203	Education Services	394,000
204	Lauru Affairs	273,000
205	Fisheries	87,800
206	Works and Transport	455,500
	<b>Total Recurrent Expenditure</b>	<b>3,559,800</b>
402	Capital Expenditure	25,951,000
	<b>Total Recurrent and Capital Expenditure</b>	<b>29,510,800</b>

[Legal Notice No. 7]

**PROVINCIAL GOVERNMENT ACT 1997  
(NO. 7 of 1997)**

**THE TEMOTU PROVINCE (LATA TOWNSHIP)  
COMMITTEE ORDINANCE 2005**

**PART 1 - PRELIMINARY**

1 This Ordinance may be cited as the Temotu Province Lata town Committee Ordinance 2005 and shall come into force upon approval by the Minister in accordance with section 32 of the Provincial Government Act.

2. In this Ordinance except where the context requires Otherwise -

“Assembly” means the Temotu Provincial Assembly in accordance with the Provincial Government Act.

“Executive” means the Temotu Provincial Executive in accordance with the Provincial Government Act;

“Member” means a member of the Lata town Committee appointed in accordance with the provisions of section 5 (a) i - viii, (b) i - iv, and section 6 and 7, but does not include an invited advisor;

“Premier” means a person for the time holding the office of the Premier of Temotu Provincial Government;

“Resident” means a person having his or her habitual place of residence within the area defined in section 2;

“Township” means the area of land designated as town land by order of the Commissioner of Lands pursuant to

section 125 (4) of the Lands and Titles Act;

“Financial Year” means the 12 months period ending 31st March.

**PART II - ESTABLISHMENT OF LATA TOWN COMMITTEE**

3. A Town Committee shall be established in Lata in the Province of Temotu.
4. This Ordinance applies only to the area situated and known as Lata town and encompasses the areas known as LR 751, 668, 896, 791, 589 lot 2, 700, 925,926 lot 3, 797, 750, 813 and 926 lot 1.

**Membership**

5. The Town Committee shall consist of no less than 12 and not more than 15 members as follows:
  - (a) Eight (8) members shall be the officers who occupy the following positions or any such other person acting for the time being in that capacity:
    - (i) Provincial Treasurer
    - (ii) Health Inspector or Medical Officer
    - (iii) Police Commander
    - (iv) Assistant Secretary - Infrastructure Development
    - (v) Education Officer
    - (vi) Agriculture Officer
    - (vii) Member of the Assembly - Ward 8
    - (viii) Assistant Secretary - Home Affairs
  - (b) **A representative from each of the following groups:**
    - (i) commercial community
    - (ii) religious community
    - (iii) women; and
    - (iv) youth and sports

6. The representatives referred to in section 5 (b) shall:
  - (a) be appointed by the relevant organisation existing for the time. Should there be no organisation then by appointment by the Executive; and
  - (b) be at least 18 years and who shall have their principal place of residence in the Township.
7. The Town Committee has power to co-opt three (3) additional members
8. No member may be admitted as a Member of the Committee who is also a member of the Assembly or a Member of Parliament, except MPA for the Ward that represents Lata Township.
9. Members are entitled to be paid a sitting or travel allowance where appropriate for attending meetings of the Town Committee such allowance are to be fixed by the Executive and may be reviewed by the Executive from time to time.

**Invited advisors**

10. The Town Committee may invite any persons suitably qualified to give information or advice on any matter before the Town Committee

**Voting**

11. On the first meeting of the coming into effect of this Ordinance, a Chairperson and a Vice Chairperson shall be elected by a majority vote.
  - 11.1 The election shall be by secret ballot;
  - 11.2 Nominations of candidates for each office shall be made orally from the floor,
  - 11.3 The Provincial Treasurer shall be the treasurer of the Town Committee;
  - 11.4 The Assistant Secretary for Home Affairs shall be the Secretary to the Committee.

**Terms of office**

12. The elected officers of the Town Committee -
  - (a) shall serve for two (2) years;
  - (b) may be re-elected; and
  - (c) if elected to a vacant position shall serve only the unexpired term.

**Meetings**

13. The Town Committee shall meet at least four (4) times in one year provided that additional meetings may be convened if in the opinion of the Chairperson such additional meetings are deemed to be necessary.
  - 13.1 All meetings of the Town Committee shall be open to the public;
  - 13.2 A member may move a motion to exclude the public during the consideration of a particular matter and if that motion is passed the public shall then be excluded for that part of the meeting during the discussion of that matter.
  - 13.3 The Town Committee shall be conducted in accordance with the provisions of Schedule 1.

**Functions**

14. It shall be the function of the Town Committee to advise the Executive on matters affecting the Government of Lata and shall be responsible for the following functions:
  - (a) the maintenance, planning and improvement of Lata
  - (b) waste disposal and cleansing services
  - (c) vagrancy
  - (d) public nuisances
  - (e) domestic animals
  - (f) markets
  - (g) parks and recreation grounds
  - (h) sports and recreation
  - (i) building standards
  - (j) public toilets
  - (k) food production, and
  - (l) any other matter affecting the general public of Lata and for the provision of services which the Town Committee deem to be appropriate.
- 14.1 The Executive may devolve responsibility for further functions to the Town Committee from time to time as it thinks fit.
- 14.2 The Town Committee is responsible for the administration and enforcement of the following ordinances within the Township:
  - (a) Refuse and Disposal Ordinance 1994;
  - (b) Market Ordinance 1994;
  - (c) Livestock Ordinance 1994;
  - (d) Dog Control Ordinance 1995.

- 15 The Town Committee has the power to do what is necessary and proper to carry out the functions listed in section 14 subject to law.

**Financial Management**

16. There shall be constituted for the purposes of estimates of revenue and expenditure under the Financial Management Ordinance 2005 the head of Lata Township for which the Provincial Treasurer shall be the Accounting Officer.

- 16.1 The Town Committee shall prepare estimates of revenue and expenditure for the head Lata Township in the form the Executive may decide in accordance with the requirements of the Financial Management Ordinance 2005.

- 16.2 Except where otherwise authorised or determined by an Ordinance, the Town Committee, with the approval of the Executive, may charge a fee for services or the hire or use of the Town Committee's equipment or premises.

**REPEAL**

17. The Lata Town Committee Ordinance 1989 is repealed.

**SCHEDULE 1**

1. The Chairperson of the Town Committee shall determine the time and place of meetings.
2. If the Chairperson is absent from a meeting the chair shall be taken by the Vice Chairperson who will assume the duties of the Chairperson and conduct the meeting.

3. If the Chairperson and Vice Chairperson are both absent the meeting shall be adjourned to a future date.
4. The Secretary shall carry out the following duties:
  - (a) Convene all meetings on the direction of the Chairperson and serve all notices relating to such meetings including the Agenda at least 7 days before the meeting takes place;
  - (b) Give notice of the meeting to the General Public in some place where it can be conveniently read;
  - (c) Take the Minutes of the meetings;
  - (d) keep records of all resolutions of the Town Committee;
  - (e) Forward copies of all proposals by the Town Committee to the Premier and Provincial Secretary;
  - (f) Assist the Chairperson with all matters relating to the administration of the Town Committee;
  - (g) To make him or her familiar with this Ordinance and to advise the Town Committee on procedural matters;
  - (h) Conduct the elections of the Chairperson and Vice Chairperson of the Town Committee.
5. A Quorum of the Town Committee shall be seven members
6. If a quorum is not present the meeting must be adjourned to a future date.
7. A resolution of the Town Committee is passed by a majority of votes of the members present in person.
8. In the event of an equal division of votes on any resolution the Chairperson shall have the deciding vote.
9. A member must declare any personal or financial interest he or she has in any motion or matter before the Committee at the commencement of discussion of that motion or matter and such

member is then not entitled to vote on the resolution or matter being discussed unless that member has the prior consent of the majority of members present.

Passed by the Temotu Provincial Assembly this first day of September 2005

This printed impression has been carefully compared by me against the Ordinance passed by the Temotu Provincial Assembly and found by me to be true and correct copy of the said Ordinance.

.....  
Clerk to Provincial Assembly

Assented to by the Honourable Minister for Provincial Government  
this sixth day of December 2005

.....  
Minister for Provincial Government

PROVINCIAL GOVERNMENT ACT 1997  
(No. 7 of 1997)

THE TEMOTU (LATA TOWNSHIP) WATER SUPPLY  
ORDINANCE 2005  
AN  
ORDINANCE  
TO  
PROVIDE FOR THE MAINTENANCE OF WATER SUPPLY  
SYSTEMS AND THE RECOVERY OF WATER CHARGES  
AT LATA TOWN

Enacted by the Temotu Provincial Assembly

**ARRANGEMENT OF SECTIONS**

1. Short title and commencement
2. Interpretation
3. Area of application
4. Responsibility to provide water supply
5. Consent required connecting or disconnecting water
6. Power to stop water
7. Power to restrict water supply
8. Wastage of water
9. Supply of water fittings
10. Charges for the supply of or work done on water fittings
11. Chargeable water rate
12. Appointment of Authorised Officers
13. Right of Entry
14. Notices
15. Liability for water rates
16. Offences

1. **Short title and commencement** - This Ordinance shall be cited as the Temotu (Lata Township) Water Supply Ordinance 2005 and shall come into force after assent by the Minister of Provincial Government.

2. **Interpretation** - In this Ordinance, unless the context otherwise requires -  
“Executive” means the Temotu Provincial Executive.

“Water System” means the totality of the water and infrastructure from an including the water source to the supply of water to the consumer.

3. **Area of application** - This Ordinance applies only to the area situated and known as Lata Town and encompasses the areas known as LR 751, 668, 896, 791, 589 lot 2, 700, 925, 926 lot 3, 797, 750, 813 and 926 lot 1.
4. **Responsibility to provide water supply** - Subject to the provisions of this Ordinance, the Provincial Government is responsible for the supply of wholesome water to Lata Township and the installation and maintenance of the water supply system and to make reasonable charges for the supply of water and the installation of fittings and for the maintenance and repair of the system.
5. **Consent required connecting or disconnecting water** - A person intending to use or disconnect water supplied under this ordinance shall obtain the consent of the Provincial Assembly.
6. **Power to stop water** - The Provincial Government may stop water services temporarily if that is necessary to:
  - (a) undertake repairs to any part of the water service;
  - (b) respond appropriately to a situation or an event that is or may become a nuisance or danger to public health: or
  - (c) in the event of water shortage.
7. **Power to restrict water supply** - The water supply to a person's property or building may be restricted if the person:
  - (a) commits an offence under this Ordinance; or
  - (b) fails or refuses to do anything required by this Ordinance in respect of water, or water system;
  - (c) refuses entry to, or obstructs an Authorised Officer.

8. **Wastage of water** - A person who is supplied reticulated water under this Ordinance must not waste the water or allow to be wasted or misused
  - 8.1 The expenses reasonably incurred by the Provincial Government in discovering the wastage or misused of water shall be recoverable by them whether or not the cause of the wastage or misuse was by supply pipes or fittings which the Provincial Government is not obligated to maintain.
9. **Supply of water fittings** - The Provincial Government may supply and regulate the supply of water fittings and may do any work in connection with the installation, repair and alteration of water fittings whether supplied by them or not.
10. **Charges for the supply of work done on water fittings** - the Provincial Government may charge for any fittings supplied or any materials provided and for any work done in regard to the installation, repair or alteration of water fittings.
11. **Chargeable water rate** - The Provincial Government may charge water rates under this Ordinance and such rates shall be fixed by the Executive from time to time.
  - 11.1 Such water rates shall be payable monthly and if not so paid shall be payable on demand as provided in section 15.1.
12. **Appointment of Authorised Officers** - The Provincial Government may appoint suitable persons to be Authorised Officers to ensure that the matter covered by this Ordinance are adequately administered and enforced.
13. **Right of entry** - Any Authorised Officer and duly authorized agents and servants of the Provincial Government shall on producing if required some authenticated document, have the right of access to any premises at all reasonable times to which water is supplied for the purpose of:
  - (a) ascertaining whether there is in connection of the premises any contravention of this Ordinance;

- (b) ascertaining whether or not circumstances exist which would authorise or require the Provincial Government to take action or execute any work under this Ordinance; and
  - (c) taking any action or executing any work authorised or required under this Ordinance.
- 13.1 Admission to any dwelling not being a workshop or work place shall not be demanded as of right unless 24 hours of notice of the intended entry has been given to the occupier in writing.
- 13.2 Any person who willfully obstructs any person upon whom a right of entry has been conferred under this Ordinance shall be liable on a summary conviction to summary conviction to a fine not exceeding \$200.00.
14. **Notices** - All notices, consents, demands and other documents authorised under this Ordinance shall be in writing and signed by such person the Provincial Government so authorises.
- 14.1 Any notice, consent, demand or other document required to be served under this Ordinance may be served either:
- (a) by delivering it to the person on whom it is to be served; or
  - (b) in the case of an incorporated society or body be delivering it to the secretary; or
  - (c) by leaving it with an adult Occupier of the premises or place to which the notice relates or by posting it upon a conspicuous part of the premises or place.
15. **Liability for water rates** -The Occupier of premises whether domestic or commercial shall be liable for the payment of water rates. For the purpose of this section the water rate includes any additional charges under this Ordinance and payable to the Provincial Government.
- 15.1 The water rate is payable on demand. If any person fails to pay within 14 days after a demand is made in

writing and served on the Occupier for payment of water rate due in respect of the premises, the Provincial Government may, subject to section 15.2, cut off the supply of water to premises and recover the expenses reasonably incurred by them in doing so.

15.2 If before the expiration of the 14 days, the Occupier gives notice to the Provincial Government that there is a dispute as to the amount due in respect of the water rate or as to liability to pay the rate the Provincial Government shall not cut off the water until dispute is settled.

15.3 Where the Provincial Government cuts off the supply of water to an inhabited house, it shall within 48 hours notify that they have done so to the Environmental Health Authority for th district.

16. **Offences** - Every person commits an offence and is liable on summary conviction to a fine not exceeding \$500 who:
- (a) obtains water without the consent of the Provincial Government;
  - (b) takes water from the Provincial Government to supply another person without consent; or
  - (c) permits that other person to take water supplied by the Provincial Government;
  - (d) fraudulently altering the index of any meter or other device used for measuring water supplied to them or prevents such a device from registering correctly the quantity of water supplied;
  - (e) baths or washes cloths or other things in, or throws animals, refuse, litter or debris into the water of a water source;
  - (f) carries out work on or in relation to a water source without first -
    - (i) notifying the Provincial Government of the intention to carry out the work;

- (ii) obtaining authorisation from the Provincial Government to undertake work on terms the Provincial Government thinks fit.
- 16.1 If a person willfully or negligently or without the consent of the Provincial Government opens, shuts or otherwise interferes with any valve or other work or apparatus belonging to the Provincial Government which causes the supply of water to be interfered with shall be guilty of an offence and liable to a fine not exceeding \$500. Provided that this section shall not apply to a consumer closing a stop-clock fixed on the service pipe supplying his or her premises so long as he or she has obtained the consent of any other consumer whose supply will be affected by the closure
- 16.2 The Provincial Government may:
- (a) recover expenses reasonably incurred in enforcing this Ordinance; and
  - (b) in addition to, or instead of, the penalty for the offence under section 16, recover the cost incurred in repairing any damage done to the water system.

Passed by the Temotu Provincial Assembly this first day of September 2005.

This printed impression has been carefully compared by me against the Ordinance passed by the Temotu Provincial Assembly and found by me to be true and correct copy of the said Ordinance.

.....  
Clerk of the Provincial Assembly

Assented to by the Honourable Minister for Provincial Government

this sixth day of December 2005.

.....  
Minister for Provincial Government

Honiara, Solomon Islands  
Printed under the authority of the  
Solomon Islands Government

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**SUPPLEMENT** to the Solomon Islands Gazette

Monday 13th March, 2006

**S.I. No. 5**

[Legal Notice No 8]

THE NATIONAL PARLIAMENT ELECTORAL  
PROVISION'S ACT

(Cap. 87)

## PROCLAMATION

By His Excellency Sir, NATHANIEL RAHUMAEA WAENA, Knight Grand Cross of the Most Distinguished Order of Saint Michael and Saint George, Knight of Saint John, Cross of the Order of Solomon Islands Governor-General and Commander-in-Chief of Solomon Islands.

IN exercise of the powers conferred by section 24 of the National Parliament Electoral Provisions Act as read with section 74 of the Constitution, I, hereby appoint the fifth day of April, 2006 as the date of the holding of the National Parliament General Elections in Solomon Islands.

Given at Honiara under my hand on the twenty second day of February two thousand and six.

GOD SAVE THE QUEEN

SIR NATHANIEL RAHUMAEA WAENA  
Governor-General

Honiara, Solomon Islands  
Printed under the authority of the  
Solomon Islands Government

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***SUPPLEMENT*** to the Solomon Islands Gazette

Wednesday 22nd February, 2006

S.I. No. 6

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[Legal Notice No.6]

THE NATIONAL PARLIAMENT ELECTORAL  
PROVISION'S ACT

(Cap. 87)

PROCLAMATION

By His Excellency Sir, NATHANIEL RAHUMAEA WAENA, Knight Grand Cross of the Most Distinguished Order of Saint Michael and Saint George, Knight of Saint John, Cross of the Order of Solomon Islands Governor-General and Commander-in-Chief of Solomon Islands.

IN exercise of the powers conferred by section 24 of the National Parliament Electoral Provisions Act as read with section 74 of the Constitution, I, hereby appoint the fifth day of April, 2006 as the date of the holding of the National Parliament General Elections in Solomon Islands.

Given at Honiara under my hand on the twenty second day of February two thousand and six.

GOD SAVE THE QUEEN

SIR NATHANIEL RAHUMAEA WAENA  
Governor-General

Honiara, Solomon Islands  
Printed under the authority of the  
Solomon Islands Government

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***SUPPLEMENT*** to the Solomon Islands Gazette  
Thursday 23rd February, 2006 S.I. No. 6

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[Legal Notice No.9]

**IMMIGRATION ACT**  
(CAP. 60)

**REVOCATION ORDER**

IN exercise of the powers conferred by section 7(g) of the Immigration Act, (Cap. 60) the Minister of Commerce, Industries and Employment do hereby revoke:

**ROBERT GEORGE DAWES**

from the requirements of Section 6(1) of the said Immigration Act.

Dated at Honiara this fifteenth day of February 2006

**WALTON NAEZON**  
Minister of Commerce, Industries and Employment

[Legal Notice No. 10]

**SOLOMON ISLANDS INDEPENDENCE ORDER 1978  
(LN 43 of 1978)**

**APPOINTMENT OF HIGH COMMISSIONER**

IN exercise of the powers conferred by section 127(1) of the constitution, and in accordance with the advice of the Prime Minister after consultation with the Public Service Commission I, **SIR NATHANIEL RAHUMAEA WAENA**, Knight Grand Cross of the Most Distinguished Order of Saint Michael and Saint George, Knight of Saint John, Cross of the Order of Solomon Islands, Governor-General and Commander-in-Chief of Solomon Islands, do hereby appoint -

**BERNARD BATA'ANISIA**

to be Solomon Islands High Commissioner to Papua New Guinea.

Dated at Honiara this tenth day of February, 2006.

**SIR NATHANIEL RAHUMAEA WAENA**  
Governor - General

Honiara, Solomon Islands  
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Solomon Islands Government

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***SUPPLEMENT*** to the Solomon Islands Gazette

Wednesday 1st March, 2006

S.I. No. 7

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[Legal Notice No.11]

**IMMIGRATION ACT**  
(CAP. 60)

**DECLARATION OF PROHIBITED IMMIGRANT**

IN exercise of the powers conferred by section 11 (2) of the Immigration Act,  
(Cap. 60) the Minister of Commerce, Industries and Employment do hereby  
declare:

**GEOFFREY LEONARD MOSS**

to be a prohibited immigrant and is hereby prohibited from entering the Solomon  
Islands.

Dated at Honiara this 16th day of February 2006

**WALTON NAEZON**  
Minister of Commerce, Industries and Employment

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**IMMIGRATION ACT**  
**(CAP. 60)**

**DECLARATION OF PROHIBITED IMMIGRANT**

IN exercise of the powers conferred by section 11(2) of the Immigration Act, (Cap. 60) the Minister of Commerce, Industries and Employment do hereby declare:

**KINIVUAI VAKATAWANAVATU SULUA,  
SOSICENI RAQIO,  
MESAKE RASARI,  
ABARAMA LAIVOU,  
SEKOVE TORANIBAU TUIDAMA  
USAIA TUKURAWA,  
JEREMAIA CAKACAKA,  
RUSIATE SEUTA,  
FILIPE TUIBARAVI QIONIMACAWA  
SIMECI ARE RATUMAIMURI,  
ENELE ARIU LIGAIRII and  
VODO KELETO**

to be prohibited immigrants and are hereby prohibited from entering the Solomon Islands.

Dated at Honiara this 15th day of February 2006

**WALTON NAEZON**  
**Minister of Commerce, Industries and Employment**

Honiara, Solomon Islands  
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***SUPPLEMENT*** to the Solomon Islands Gazette

**Monday 13th March, 2006**

**S.I. No. 8**

[Legal Notice No 12]

**THE MONEY LAUNDERING AND PROCEEDS OF CRIME ACT 2002  
[NO. 5 OF 2002]**

**NOTICE OF COMMENCEMENT OF PART II OF THE ACT**

IN exercise of the powers conferred by section 1[2] of the Money Laundering and Proceeds of Crime Act 2002 as read with section 2 of the Money Laundering and Proceeds of Crime [Amendment] Act 2004, I Simeon Bouro, Minister for Police, National Security, Justice and Legal Affairs do hereby appoint third April 2006 as the date on which Part II of the said Act shall come into operation.

Dated at Honiara this eighth day of March, 2006.

**SIMEON BOURO**  
Minister of Police, National Security, Justice and Legal Affairs.

Honiara, Solomon Islands  
Printed under the authority of the  
Solomon Islands Government  

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**SUPPLEMENT** to the Solomon Islands Gazette

Friday 16th March 2006

S.I. No. 9

[Legal Notice No. 13]

**IMMIGRATION ACT**  
(Cap. 60)**DECLARATION OF PROHIBITED IMMIGRANT**

IN exercise of the powers conferred by Section 11(2) (f) of the Immigration Act, (Cap.60) the Minister of Commerce, Industries and Employment do hereby declare:

**MICHAEL LEONARD and  
JACK HAIR**

to be prohibited immigrants and are hereby prohibited from entering Solomon Islands.

Dated at Honiara this eighth day of March 2006

**WALTON NAEZON**  
**Minister of Commerce, Industries and Employment**

[Legal Notice No. 12]

**LAND AND TITLES ACT**  
(Cap. 133)**APPOINTMENT TO THE CENTRAL ISLANDS  
CUSTOMARY LAND APPEAL COURT**

IN EXERCISE of the powers conferred on me by Section 255 (2) of the Land and Titles Act, I hereby with effect from this day for the period of three years appoint:-

**MOSES PULOKA**

to be President,

**HENRY KABELI**

to be Vice President,

**JAMES KAIBUA  
MARK QOLU  
MOSES TEPAI  
ENI TAKI  
ANTHONY PISUPISU  
JOHN LOUNA and**

**The Principal Magistrate, Central or in the alternative any other  
Magistrate**

to be members of the Central Islands Customary Land Appeal Court.

Dated at Honiara this sixth day of March 2006

Sir Albert Rocky Palmer CBE  
CHIEF JUSTICE

Honiara, Solomon Islands  
Printed under the authority of the  
Solomon Islands Government

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**SUPPLEMENT** to the Solomon Islands Gazette

Wednesday 22nd March 2006

S.I. No. 10

[Legal Notice No. 14]

**THE MAGISTRATES COURTS ACT  
(Cap. 20)****THE MAGISTRATES COURTS  
(INCREASE IN CIVIL JURISDICTION)  
NO. 1 OF ORDER 2000**

**IN exercise** of the powers conferred on me by section 26 of the Magistrates Courts Act (Cap 20), I SIR ALBERT ROCKY PALMER CBE, Chief Justice of the High Court of Solomon Islands hereby authorise:

**FRANK KALEA**

to hear and determine Civil Case No. 70/05/EOIMC - NPA Store -v- Hon. William Keizy involving a claim of \$5,000.00

Dated at Honiara this **tenth day of March 2006**

**Sir Albert R Palmer CBE  
CHIEF JUSTICE**

[Legal Notice No. 15]

**THE PUBLIC SERVICE ACT  
(Cap. 92)****THE PUBLIC SERVICE (TERMS AND CONDITIONS OF  
SERVICE) (CHAIRMAN LEADERSHIP CODE COMMISSION)  
RULES 2006**

**IN exercise** of the powers conferred by section 4 of the Public Service Act, the Prime Minister after consulting the Commission hereby makes the following Rules -

- Citation      1.      These Rules may be cited as the Public Service (Terms and Conditions of Service) (Chairman

- |                        |     |   |
|------------------------|-----|---|
| Appointment            | 2.  | The person appointed as Chairman shall be grant entitled on first appointment to a tax-free appointment grant of \$10,000.00.   |
| Salary                 | 3.  | The Chairman shall be paid a fortnightly salary of \$4,000.00   |
| Housing allowance      | 4.  | The Chairman shall be paid a housing allowance of \$5,000.00 a month.   |
| Clothing allowance     | 5.  | The Chairman shall be entitled to a clothing allowance of \$10,000.00 a year.   |
| Transport allowance    | 6.  | The Chairman shall be entitled to an official vehicle or if no official vehicle is provided to a transport allowance of \$2,000.00 per month and fuel allowance of \$500.00 a month.  |
| Overseas allowance     | 7.  | The Chairman shall be entitled on official travel to an overseas allowance of US\$250.00 a day or one fifth of the daily allowance allowance if the trip is externally funded.  |
| Local Travel allowance | 8.  | The Chairman shall be entitled to a daily allowance of \$150.00 per day whilst on official travel within Solomon Islands.   |
| Utilities              | 9.  | The Chairman shall be entitled to a grant of \$1,300.00 per month for the cost of water, gas and electricity.   |
| Education grant        | 10. | The Chairman shall be entitled to an education grant of \$5,000.00 per year in respect of his dependent children.   |
| Gratuity               | 11. | The Chairman shall be entitled to a gratuity of 20% of his total basic salary at the end of his term of appointment. In the event the contract is terminated prematurely a gratuity of 20% of the total basic salary for the period served by the Chairman shall be paid. |
| Repeal                 | 12. | The Constitutional Officers (Terms and Conditions of Service) (Chairman Leadership  |

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Code Commission) Regulations 2006 published  
as legal Notice No.2 in the Supplement to the  
Solomon Islands Gazette dated 31st January,  
2006 is hereby repealed.

Made at Honiara this sixth day of March two thousand and six

**SIR ALLAN KEMAKEZA**  
Prime Minister

Honiara, Solomon Islands  
Printed under the authority of the  
Solomon Islands Government

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**SUPPLEMENT** to the Solomon Islands Gazette

Monday 10th March 2006

S.I. No. 11

[Legal Notice No. 16]

**CUSTOMS AND EXCISE ACT  
(Cap. 121)****THE CUSTOMS AND EXCISE (EXPORT DUTY) ORDER 2006**

IN exercise of the powers conferred by section 7 of the Customs and Excise Act, I, PETER J. BOYERS, Minister of Finance, do hereby make the following orders:-

1. This Order may be cited as the Customs and Excise (Export Duty) Order 2006 and shall come into force on the date of publication in the Gazette.
2. That the First Schedule to the Customs and Excise Act, entitled "EXPORT CLASSIFICATION AND TARIFF" is hereby amended by deleting duty rate of "15 %" which appear in respect of tariff number 2616.0000 and substituting therefor "5%".

Dated at Honiara this tenth day of March 2006

**PETER J. BOYERS**  
Minister of Finance

[Legal Notice No. 17]

**THE PUBLIC SERVICES ACT  
(Cap. 92)****THE PUBLIC SERVICE (TERMS AND CONDITIONS OF SERVICE)  
(CHAIRMAN LAW REFORM COMMISSION) RULES 2006**

IN exercise of the powers conferred upon the Minister by section 3 of the Public Service Act, the Minister hereby makes the following Rules -

- |          |    |   |
|----------|----|---|
| Citation | 1. | These Rules may be cited as Terms and Conditions of Service (Chairman Law Reform Commission) Rules 2006 |
|----------|----|---|

- |                           |     |  |
|---------------------------|-----|--|
| Term of Office<br>Cap. 15 | 2.  | The terms of office of the Chairman of the Law Reform Commission (hereinafter referred to as the "Chairman") shall be as set out under the provisions of the Law Reform Commission Act.  |
| Duties                    | 3.  | The duties of the chairman are those specified under the provisions of the Law Reform Commission Act and such other administrative duties pertaining to the supervision and administration of the office of the Chairman of the Law Reform Commission.     |
| Salary                    | 4.  | The Chairman shall be paid taxable salary of \$5,000.00 per fortnight.   |
| NPF<br>Cap. 109           | 5.  | The Chairman shall contribute to the National Provident Fund as required under the provisions of the Solomon Islands National Fund Act.  |
| Appointment<br>Grant      | 6.  | The Chairman shall on first appointment be paid an appointment grant of \$10,000.00.   |
| Housing<br>Allowance      | 7.  | The Chairman shall be provided with an official residence free of rent or in the absence of rent free accommodation and at the option of the officer shall receive a housing allowance of \$5,000.00 per month.  |
| Utilities<br>Allowance    | 8.  | The cost of water, gas and electricity provided to the residence of the Chairman shall be paid for by the Government and charged to the Consolidated Fund or at the option of the officer, he shall receive a utilities allowances of \$1,300.00 per month |
| Domestic<br>Servant       | 9.  | Services of one domestic employee and a gardener shall be charged to public funds and be paid for by the Government.   |
| Leave                     | 10. | The Chairman shall be entitled to leave at the rate of three and half days a month or forty-two days per annum.  |

- |     |   |                           |
|-----|---|---------------------------|
| 11. | The Chairman shall be provided with a vehicle for use in connection with his official duties, and also shall be paid a fuel allowance of \$500.00 per month.                                  | Vehicle Allowance         |
| 12. | The Chairman and his family shall be provided with passage at Government expense to and from place of domicile within Solomon Islands during annual leave.                                    | Passage                   |
| 13. | The Chairman shall be entitled to two passages either by sea or air within Solomon Islands when traveling on compassionate leave in circumstances specified under GO. P202(d).                | Compassionate Leave       |
| 14. | (1) The Chairman shall be entitled whilst on official duties overseas to US\$250.00 daily allowance if the trip is externally funded.   | Overseas Visits Allowance |
|     | (2) Where the spouse of the Chairman accompanies him on official visits, the spouse shall be entitled to claim subsistence allowance at the rate payable to the Chairman under paragraph (1). |                           |
| 15. | (1) The Chairman shall be entitled to travel first class on all official overseas visits.   | Class of Travel           |
|     | (2) The spouse of the Chairman shall be entitled to travel first class on official visits overseas when accompanying the Chairman of the on such visits.                                      |                           |
| 16. | The Chairman shall be paid a daily allowance of \$150.00 during official tours within Solomon Islands.  | Local Tour Allowance      |
| 17. | The Chairman shall be entitled to an outfit allowance of \$10,000.00 per annum.   | Clothing Allowance        |
| 18. | The Chairman shall be entitled to an entertainment allowance from the Prime Minister's vote for entertainment. The amount of the allowance shall be as  | Entertainment Allowance   |

declared by the Accounting Officer.

- |                         |     |   |
|-------------------------|-----|---|
| Medical Treatment       | 19. | The Chairman shall be entitled to medical treatment in accordance with the terms prescribed from time to time for public officers.                            |
| Baggage Allowance       | 20. | The Chairman shall be entitled to claim baggage allowance in accordance with the provisions of Chapter F of General Orders.                                   |
| Loan Guarantee          | 21. | The Chairman shall be entitled to a Government guaranteed loan, the amount of which shall not exceed his annual basic salary at the time of application       |
| Education Grant         | 22. | The Chairman shall be paid an education grant of \$5,000.00 per annum.  |
| Benefits under GOs      | 23. | The Chairman shall be entitled to other benefits available to public officers under General Orders or other Regulations which are not covered in these Rules. |
| Death during incumbency | 24. | If the Chairman dies whilst in office the government shall pay for all funeral expenses and all other expenses incidental thereto.                            |
| Repeal of LN145/94      | 25. | The Terms and Conditions of Service (Chairman Law Reform Commission) Rules published as LN145/94 are hereby revoked.  |

Made at Honiara this twenty eighth day of March 2006

SIR ALLAN KEMAKEZA  
Prime Minister

Honiara, Solomon Islands  
Printed under the authority of the  
Solomon Islands Government

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Printed by Solomon Islands Printers Ltd.

***SUPPLEMENT*** to the Solomon Islands Gazette

Thursday 20th April 2006

S.I. No. 12

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[Legal Notice No. 18]

SOLOMON ISLANDS INDEPENDENCE ORDER 1978  
( L.N. 43 OF 1978 )

PROCLAMATION

NATHANIEL R. WAENA

Governor General

By His Excellency SIR NATHANIEL RAHUMAEA WAENA, Knight Grand Cross of the Most Distinguished Order of Saint Michael and Saint George, Knight of Saint John, Cross of the Order of Solomon Islands, Governor-General and Commander-in-Chief of Solomon Islands.

In accordance with section 72(1) of the Constitution, I, hereby appoint by Proclamation the 24th day of April 2006, as the day upon which the eighth session of the Parliament shall commence at Honiara in the National Parliament Building at 10 a.m.

Made at Honiara under my hand and the public seal this nineteenth day of April 2006.

GOD SAVE THE QUEEN

[Legal Notice No. 19]

THE PREERVATION OF PUBLIC SECURITY ACT  
(Cap. 27)

**NOTICE**

IN exercise of the powers conferred on me by section 4 as read with section 3 of the Preservation of the Public Security Act, I, Sir Nathaniel Rahumaea Waena, Knight Grand Cross of the Most Distinguished Order of Saint Michael and Saint George, Knight of Saint John, Cross of the Order of Solomon Islands and Commander-in-Chief do hereby, declare that a public emergency which threatens the life of the community exists and that the provisions of subsection 3 of section 4 shall come into operation.

This Notice shall apply to the areas designated in the Schedule hereto and shall come into operation with effect from the date hereof.

**Schedule**  
Designated Areas

- North: Northern boundary of Tandai Highway and Kukum Highway including the area commonly known as the Point Cruz Wharf Area.
- West: Tandai Highway from the Intersection with Tasahe Drive, includes Town Ground.
- South: Southern boundary of Hibiscus Avenue and southern boundary of Kukum Highway extending to the east to include Henderson Airport and Parliament House and environs and the area commonly known as China Town.
- East: Northbourne Avenue in a line extending south to Henderson Airport.

Made at Honiara this nineteenth day of April 2006.

SIR NATHANIEL RAHUMAEA WAENA  
Governor General

[Legal Notice No. 20]

THE PRESERVATION OF PUBLIC SECURITY ACT  
(Cap. 27)  
THE PRESERVATION OF PUBLIC SECURITY REGULATION  
2006.

IN exercise of the powers conferred upon me by section 4 as read with section 3 of the Preservation of Public Security Act, I, SIR NATHANIEL RAHUMAEA WAENA, Knight Grand Cross of the Most Distinguished Order of Saint Michael and Saint George, Knight of Saint John, Cross of the Order of Solomon Islands, Governor General and Commander-in-Chief of Solomon Islands, do hereby make the following regulations-

1. (1) These Regulations may be cited as the Preservation of Public Security Regulations 2006, and shall apply to the designated areas specified in the Notice made by the Governor General under section 4 as read with section 3 of the Act, on 19th April 2006. Citation.

(2) These Regulation shall come into force with effect from 19th April 2006.

2. (1) Any Police officer or military personnel may, notwith standing anything to the contrary in any other law, and without warrant- Powers of arrest and search, etc.

- (a) arrest any person who commits or is suspected of having committed an offence;
- (b) enter and search any premises;
- (c) stop and search any individual, vehicle, vessel or aircraft; or
- (d) seize any document or thing, connected with or concerned in or reasonably suspected of being connected with or concerned in any unlawful activity.

(2) Any person who obstructs or hinders any police officer or military personnel lawfully exercising any power conferred upon him by or under subregulation (1), shall be guilty of an offence and on conviction be liable to imprisonment for six months.

- |   |     |  |
|---|-----|--|
| Detention Order                                   | 3.  | Notwithstanding the provisions of any other law, a person arrested for an offence pursuant to these regulations or other law may be kept in custody for a period not exceeding seven days.   |
| Spreading of rumours an offence.                  | 4.  | Any person who by words either spoken or intended to be read or by visible representations or otherwise causes or intends to cause the commission of acts of violence, racial or communal disharmony or feelings of ill-will or hostility between different communities shall be guilty of an offence and liable on conviction to imprisonment for six months.   |
| Curfew.   | 5.  | No person other than the police, military personnel, emergency service personnel and personnel assisting such persons shall between the hours of 6pm to 6am be on any public road or other public ground or the seashore in the designated areas specified in the Notice. Such assisting person shall be accompanied by or under written direction of police, military or emergency service personnel. |
|   | (2) | If any person contravenes this regulation such person shall be guilty of an offence and be liable on conviction to a fine of two hundred dollars or to imprisonment of one month.  |
| Protection in respect of acts done in good faith. | 6.  | No civil suit or criminal prosecution shall be brought against a police officer or military personnel for any act or commission committed or done in good faith in carrying out his duties during the period of public emergency.  |
| Processions or public assemblies prohibited.      | 7.  | (1) During the continuance in force of these regulations, no procession or public assembly may be collected, convened, formed or held in any road, street, square or other public thoroughfare or in any place to which the public has access in the designated areas. This regulation does not apply to any religious services conducted in any church.   |
|   | (2) | Any person taking part in a procession or public assembly which is prohibited under subregulation (1) shall be guilty of an offence and liable on conviction to a fine of five hundred dollars or imprisonment for six months.   |

- |    |     |   |   |
|----|-----|---|---|
| 8. | (1) | During the continuance of this regulation no person other than persons referred to in regulation 5 shall enter or be present in the designated areas, until further notice. | Prohibition of entry into the designated areas. |
|    | (2) | Any person who contravenes this regulation shall be guilty of an offence and liable on conviction to a fine of five hundred dollars or imprisonment for six months.         |   |
| 9. |     | The sale of any form of liquor in any part of the city of Honiara during the period this regulation is in force is prohibited.  | Sale of liquor prohibited                       |
|    | (2) | Any person who contravenes this regulation shall on conviction be liable to a fine of one thousand dollars or imprisonment for one year.                                    |   |

Dated at Honiara this nineteenth day of April 2006.

SIR NATHANIEL RAHUMAEA WAENA  
Governor General

Honiara, Solomon Islands  
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**SUPPLEMENT** to the Solomon Islands Gazette

Tuesday 25th April 2006

S.I. No. 13

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[Legal Notice No. 21]

**SOLOMON ISLANDS INDEPENDENCE ORDER 1978**  
( L.N. 43 OF 1978 )**APPOINTMENT OF MINISTERS**

IN exercise of the powers conferred by section 33(3) of the Constitution and in accordance with the advice of the Prime Minister, I, SIR NATHANIEL RAHUMAEA WAENA, Knight Grand Cross of the Most Distinguished Order of Saint Michael and Saint George, Knight of Saint John, Cross of the Order of Solomon Islands, Governor-General and Commander-in-Chief of Solomon Islands, do hereby appoint -

The **HONOURABLE FRED FONO** to be Deputy Prime Minister and the Minister responsible for the Department of National Planning and Aid Coordination in the Ministry of Finance, National Planning and Aid Coordination.

The **HONOURABLE MILNER TOZAKA** to be Minister responsible for the Department of Public Service in the Ministry of the Prime Minister, Cabinet and Public Service.

The **HONOURABLE PETER BOYERS** to be Minister responsible for the Department of Finance and Treasury in the Ministry of Finance, National Planning and Aid Coordination.

The **HONOURABLE WILLIAM HAOMAE** to be Minister responsible for the Department of Police and National Security in the Ministry of Police, National Security and Justice.

The **HONOURABLE CLAY FORAU SOALAOI** to be Minister responsible for the Department of Justice and Legal Affairs in the Ministry of Police, National Security and Justice.

The **HONOURABLE EDWARD HUNIEHU** to be Minister responsible for the Ministry of Education and Human Resources Development.

The **HONOURABLE CLEMENT KENGAVA** to be Minister responsible for the Ministry of Health and Medical Services.

The **HONOURABLE LAURIE CHAN** to be Minister responsible for the Department of Foreign Affairs in the Ministry of Foreign Affairs, Commerce and Tourism.

The **HONOURABLE MANASSEH SOGAVARE** to be Minister responsible for the Department of Commerce, Industries and Employment in the Ministry of Foreign Affairs, Commerce and Tourism.

The **HONOURABLE JOHNSON KOLI** to be Minister responsible for the Department of Culture and Tourism in the Ministry of Foreign Affairs, Commerce and Tourism.

The **HONOURABLE SELWYN RIUMANA** to be Minister responsible for the Department of Agriculture and Livestock in the Ministry of Agriculture and Lands.

The **HONOURABLE SIRIAKO USA** to be Minister responsible for the Department of Lands and Survey in the Ministry of Agriculture and Lands.

The **HONOURABLE JAMES TORA** to be Minister responsible for the Department of Infrastructure and Development in the Ministry of Infrastructure and Development.

The **HONOURABLE DAVID DAY PACHA** to be Minister responsible for the Department of Communication, Aviation and Meteorology in the Ministry of Infrastructure and Development.

The **HONOURABLE SETH GUKUNA** to be Minister responsible for the Department of Forest, Environment and Conservation in the Ministry of Natural Resources.

The **HONOURABLE MARK KEMAKEZA** to be Minister responsible for the Department of Fisheries and Marine Resources in the Ministry of Natural Resources.

The **HONOURABLE ENELE KWAINARARA** to be Minister responsible for the Department of Mines and Energy in the Ministry of Natural Resources.

The **HONOURABLE PETER SHANEL** to be Minister responsible for the Department of Provincial Government and Constituency Development in the Ministry of Provincial Government, National Reconciliation and Peace.

The **HONOURABLE AUGUSTINE TANEKO** to be Minister responsible for the Department of National Reconciliation and Peace in the Ministry of Provincial Government, National Reconciliation and Peace.

Dated at Honiara under my hand and the public seal this twenty second day of April 2006.

SIR NATHANIEL RAHUMAEA WAENA  
Governor-General

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[Legal Notice 22]

**THE MONEY LAUNDERING AND PROCEEDS OF CRIME ACT 2002**  
(No. 5 of 2002)

**INSTRUMENT PROVIDING FOR DELEGATION OF CERTAIN FUNCTIONS  
OF THE ANTI-MONEY LAUNDERING COMMISSION TO THE FINANCIAL  
INTELLIGENCE UNIT**

1. The Anti-Money Laundering Commission (hereinafter referred to as the Commission) is established by section 11 of the Money Laundering and Proceeds of Crime Act 2002 (as amended) (hereinafter referred to as the Act)
2. The Solomon Islands Financial Intelligence Unit (hereinafter referred to as the SIFIU) is established by section 11A of the Act.
3. In exercise of the powers conferred by section 11A(1) of the Act, the Commission hereby delegates to the relevant officer(s) of the SIFIU specified below the following functions:
  - 3.1. to receive reports of suspicious transactions issued by financial institutions and cash dealers pursuant to section 14(1) (under section 11(2) (a) of the Act);

- 3.2. to consider any suspicious transaction report received to determine whether there are reasonable grounds to suspect that the transaction is suspicious and if so to send any such suspicious transaction report to the appropriate law enforcement authorities (under section 11(2)(b) of the Act);
- 3.3. to enter the premises of any financial institution or cash dealer during ordinary business hours to inspect any record kept pursuant to section 14(1), and ask any questions relating to such record, make notes and take copies of the whole or any part of the record (under section 11(2)(c) of the Act);
- 3.4. to send to the appropriate law enforcement authorities any information derived from an inspection carried out pursuant to paragraph 3.3 above or section 11(2)(c) of the Act); if the relevant officer of SIFIU has reasonable grounds to suspect that a transaction involves the proceeds of crime (under section 11(2)(c)(d) of the Act).
- 3.5. to instruct any financial institution or cash dealer to take steps as may be appropriate to facilitate any investigation anticipated by the SIFIU
- 3.6. to compile statistics and records, and disseminate information within Solomon Islands or elsewhere, make recommendations arising out of any information received, issue guidelines to financial institutions and advise the Minister of Finance (under section 11(2)(f) of the Act);
- 3.7. to create training requirements and provide such training for any financial institution in respect of transactions record-keeping and reporting obligations provided for in sections 13(1) and 14(1) (under section 11(2)(g) of the Act);
- 3.8. to consult with any relevant person, institution or organisation for the purpose of exercising delegated functions under paragraphs 3.3, 3.6 and 3.7 (under section 11(2)(h) of the Act);
- 3.9. to conduct an investigation for the purpose of ensuring compliance by a financial institution with the provisions of Part 2 of the Act (under section 11 (2)(i) of the Act);
- 3.10. to request a financial institution or cash dealer which has reported a suspicious transaction in accordance with Part 2 of the Act to give such further information as it has in relation to the transaction (under section 14(3) of the Act);

- 3.11. upon application to the Court, after satisfying the Court that a financial institution or cash dealer has failed to comply with any obligation provided for under sections 12,13,14,15 or 16 of the Act to obtain an order against all or any officers or employees of the institution or dealer in such terms as the Court deems necessary in order to enforce compliance with such obligation (under section 22(1) of the Act).
4. The relevant officer of the SIFIU for the purpose of this delegation is the financial analyst or such other officers as the Commission may from time to time decide.
5. This delegation comes into force on the third day of April 2006 and the functions hereby delegated shall be exercised by the SIFIU on the same conditions as if exercised by the Commission unless otherwise stated. The Commission and SIFIU may agree a memorandum of understanding setting out any conditions under which the above functions are delegated.
6. This delegation may be revoked, in whole or in part, at will by the Commission. Any such revocation shall be in writing and communicated immediately to the relevant officer(s) of the SIFIU.

Signed this third day of April 2006.

Primo Afeau  
Attorney-General  
Anti-Money Laundering Commission (Chairman)

Johnson Siapu  
Assistant Police Commissioner (Operations)  
Representative for Commissioner of Police

Shadrach Fanega  
Permanent Secretary, Ministry of Finance  
Anti-Money Laundering Commission

Rick N. Houenipwela  
Governor of the Central Bank  
Anti-Money Laundering Commission

Honiara, Solomon Islands  
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***SUPPLEMENT*** to the Solomon Islands Gazette

Thursday 27th April 2006

S.I. No. 14

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[Legal Notice No. 23]

**THE PRESERVATION OF PUBLIC SECURITY ACT**  
( Cap 27)

**NOTICE OF REVOCATION OF THE NOTICE AND PUBLIC  
SECURITY REGULATIONS 2006**

IN exercise of the powers conferred upon me by section 4 of the Preservation of Public Security Act, I, SIR NATHANIEL RAHUMAEA WAENA, Knight Grand Cross of the Most Distinguished Order of Saint Michael and Saint George, Knight of Saint John, Cross of the Order of Solomon Islands, and Commander-in-Chief of Solomon Islands, do hereby direct that the Preservation of Public Security Notice 2006 and the Preservation of Public Security Regulations 2006 published as Legal Notices Numbers 18 and 19 dated 19 April 2006, respectively shall cease to have effect from the date hereof.

Made at Honiara this twenty seventh day of April 2006.

SIR NATHANIEL RAHUMAEA WAENA  
Governor General

Honiara, Solomon Islands  
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**SUPPLEMENT** to the Solomon Islands Gazette

Tuesday 2nd May 2006

S.I. No. 15

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[Legal Notice No. 24]

**SOLOMON ISLANDS INDEPENDENCE ORDER 1978**  
(LN 43 OF 1978)

**NOTIFICATION OF THE ELECTION OF PRIME MINISTER**

IN exercise of the powers conferred upon me by paragraph 9(b) of the Schedule to the Constitution, I, SIR NATHANIEL RAHUMAEA WAENA, Knight Grand Cross of the Most Distinguished Order of Saint Michael and Saint George, Knight of Saint John, Cross of the Order of Solomon Islands, Governor-General and Commander-in-Chief of Solomon Islands, do hereby declare that HON. SNYDER RINI was duly elected Prime Minister of Solomon Islands by the Members of Parliament at the meeting held for the election of Prime Minister on the 18th of April 2006.

Dated at Honiara this 1st day of May 2006.

SIR NATHANIEL RAHUMAEA WAENA  
Governor General

Honiara, Solomon Islands  
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**SUPPLEMENT** to the Solomon Islands Gazette

Tuesday 30th May 2006

S.I. No. 16

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[Legal Notice No. 25]

**APPROVAL OF ARCHDIOCESE OF HONIARA, DIOCESE OF GIZO, AND  
DIOCESE OF AUKI AS EDUCATION AUTHORITIES**

IN exercise of the powers conferred by section 9 of the Education Act, the Minister hereby approves -

**ARCHDIOCESE OF HONIARA  
DIOCESE OF GIZO  
DIOCESE OF AUKI**

As Education Authorities from the date hereof

The Roman Catholic Church is hereby revoked as an Education Authority.

Dated at Honiara this twenty third day of January 2006

**SNYDER RINI**

Ministry of Education and Human Resources Development

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[Legal Notice 26]

**THE SOLOMON ISLANDS INDEPENDENCE ORDER 1978  
(L.N. No. 43 of 1978)**

**APPOINTMENT OF ACTING JUSTICE**

IN exercise of the powers conferred by section 79(1) of the Constitution and acting in accordance with the advice of the Judicial and Legal Service Commission, I, SIR, NATHANIEL RAHUMAEA WAENA, Knight Grand Cross of the Most Distinguished Order of Saint Michael and Saint George, Knight of Saint John, Cross of the Order of Solomon Islands, Governor General and Commander-in-Chief of Solomon Islands, do hereby appoint -

**JUSTICE JOHN BROWN**

to be Acting Chief Justice of Solomon Islands from 21st April to 2 May 2006.

Given in Honiara under my hand and the public Seal this twenty first day of April  
2006

NATHANIEL RAHUMAEA WAENA  
Governor General

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[Legal Notice 27]

**SOLOMON ISLANDS INDEPENDENCE ORDER 1978**

**(L.N. No. 43 of 1978)**

**ASSIGNMENT OF RESPONSIBILITY IN THE MINISTRY OF  
POLICE, NATIONAL SECURITY AND JUSTICE FOR THE DEPARTMENT  
OF JUSTICE AND LEGAL AFFAIRS**

IN exercise of the powers conferred by section 37 of the Constitution and in accordance with the advice of the Prime Minister, **I, SIR, NATHANIEL RAHUMAEA WAENA**, Knight Grand Cross of the Most Distinguished Order of Saint Michael and Saint George, Knight of Saint John, Cross of the Order of Solomon Islands, Governor-General and Commander-in-Chief of Solomon Islands, do hereby assign to the person for the time being holding the office of -

**MINISTER OF JUSTICE AND LEGAL AFFAIRS**

responsibility for the administration of the Department of Justice and Legal Affairs and for the conduct of business of the Government of Solomon Islands as Specified in the Schedule hereto -

**SCHEDULE**

Judiciary

- . Court Systems
- . Attorney General's Chambers
- . Office of the Public Prosecutor
- . Office of the Public Solicitor
- . Law and Constitutional Reform

CORE FUNCTION:

- . Judiciary

Dated at Honiara this seventeenth day of May, 2006

SIR NATHANIEL RAHUMAEA WAENA  
Governor-General

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[Legal Notice 28]

**SOLOMON ISLANDS INDEPENDENCE ORDER 1978  
(L.N. No. 43 of 1978)**

**ASSIGNMENT OF RESPONSIBILITY IN THE MINISTRY OF  
POLICE, NATIONAL SECURITY AND JUSTICE FOR THE DEPARTMENT  
OF JUSTICE AND LEGAL AFFAIRS**

IN exercise of the powers conferred by section 37 of the Constitution and in accordance with the advice of the Prime Minister, I, **SIR, NATHANIEL RAHUMAEA WAENA**, Knight Grand Cross of the Most Distinguished Order of Saint Michael and Saint George, Knight of Saint John, Cross of the Order of Solomon Islands, Governor-General and Commander-in-Chief of Solomon Islands, do hereby assign to the person for the time being holding the office of -

**MINISTER OF JUSTICE AND LEGAL AFFAIRS**

responsibility for the administration of the Department of Police and National Security and for the conduct of business of the Government of Solomon Islands as Specified in the Schedule hereto -

**SCHEDULE**

National Security

- . Fire Service
- . Surveillance Force

- Rehabilitation
  - . Correctional Services
- Policing
  - . Police Force
  - . Fire Arm Licensing
  - . Traffic
  - . Community Policing
  - . Police Training

## CORE FUNCTION:

- . National Security
- . Correctional Services
- . Policing

Dated at Honiara this seventeenth day of May, 2006

SIR NATHANIEL RAHUMAEA WAENA  
Governor-General

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[Legal Notice 29]

**SOLOMON ISLANDS INDEPENDENCE ORDER 1978**  
(L.N. No. 43 of 1978)

**ASSIGNMENT OF RESPONSIBILITY FOR THE DEPARTMENT OF  
FINANCE AND TREASURY**

IN exercise of the powers conferred by section 37 of the Constitution and in accordance with the advice of the Prime Minister, **I, SIR, NATHANIEL RAHUMAEA WAENA**, Knight Grand Cross of the Most Distinguished Order of Saint Michael and Saint George, Knight of Saint John, Cross of the Order of Solomon Islands, Governor-General and Commander-in-Chief of Solomon Islands, do hereby assign to the person for the time being holding the office of -

**MINISTER OF NATIONAL PLANNING AND AID COORDINATION**

responsibility for the administration of the Department of Finance and Treasury, in the Ministry of Finance, National Planning and Aid Coordination, until such time the substantive Minister (Minister of Finance) resumes duty.

Dated at Honiara under my hand and the Public seal this seventeenth day May, 2006

NATHANIEL RAHUMAEA WAENA  
Governor-General

[Legal Notice 30]

**SOLOMON ISLANDS INDEPENDENCE ORDER 1978**  
**(L.N. No. 43 of 1978)**

**ASSIGNMENT OF RESPONSIBILITY FOR THE DEPARTMENT OF  
POLICE AND NATIONAL SECURITY**

IN exercise of the powers conferred by section 37 of the Constitution and in accordance with the advice of the Prime Minister, **I, SIR, NATHANIEL RAHUMAEA WAENA**, Knight Grand Cross of the Most Distinguished Order of Saint Michael and Saint George, Knight of Saint John, Cross of the Order of Solomon Islands, Governor-General and Commander-in-Chief of Solomon Islands, do hereby assign to the person for the time being holding the office of -

**MINISTER OF FOREIGN AFFAIRS**

responsibility for the administration of the Department of Police and National Security in the Ministry of Police, National Security and Justice until such time the substantive Minister (of Police and National Security) assumes duty.

Dated at Honiara under my hand and the Public seal this seventeenth day May, 2006

**NATHANIEL RAHUMAEA WAENA**  
Governor-General

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[Legal Notice 31]

**SOLOMON ISLANDS INDEPENDENCE ORDER 1978**  
**(L.N. No. 43 of 1978)**

**ASSIGNMENT OF RESPONSIBILITY FOR THE DEPARTMENT OF CULTURE AND TOURISM**

IN exercise of the powers conferred by section 37 of the Constitution and in accordance with the advice of the Prime Minister, **I, SIR, NATHANIEL RAHUMAEA WAENA**, Knight Grand Cross of the Most Distinguished Order of Saint Michael and Saint George, Knight of Saint John, Cross of the Order of Solomon Islands, Governor-General and Commander-in-Chief of Solomon Islands, do hereby assign to the person for the time being holding the office of -

**MINISTER OF COMMERCE, INDUSTRIES AND EMPLOYMENT**

responsibility for the administration of the Department of Culture and Tourism, in the Ministry of Foreign Affairs, Commerce and Tourism until such time the substantive Minister (of Culture and Tourism) assumes duty.

Dated at Honiara under my hand and the Public seal this seventeenth day May, 2006

NATHANIEL RAHUMAEA WAENA  
Governor-General

[Legal Notice 32]

**SOLOMON ISLANDS INDEPENDENCE ORDER 1978  
(L.N. No. 43 of 1978)**

**APPOINTMENT OF MEMBER OF COURT OF APPEAL  
OF SOLOMON ISLANDS**

IN exercise of the powers conferred by section 86(2) of the Constitution and in accordance with the advice of the Judicial and Legal Service Commission, **I, SIR, NATHANIEL RAHUMAEA WAENA**, Knight Grand Cross of the Most Distinguished Order of Saint Michael and Saint George, Knight of Saint John, Cross of the Order of Solomon Islands, Governor-General and Commander-in-Chief of Solomon Islands, do hereby appoint -

**THE HONOURABLE MR JUSTICE GORDON WARD**

to be a Justice of the Court of Appeal of Solomon Islands for a period of two years effective from 1st March 2006

Given in Honiara under my hand and the Public seal this ninth day May, 2006

NATHANIEL RAHUMAEA WAENA  
Governor-General

[Legal Notice 33]

**SOLOMON ISLANDS INDEPENDENCE ORDER 1978  
(L.N. No. 43 of 1978)**

**APPOINTMENT OF MEMBER OF COURT OF APPEAL  
OF SOLOMON ISLANDS**

IN exercise of the powers conferred by section 86(2) of the Constitution and in accordance with the advice of the Judicial and Legal Service Commission, **I, SIR, NATHANIEL RAHUMAEA WAENA**, Knight Grand Cross of the Most Distinguished Order of Saint Michael and Saint George, Knight of Saint John, Cross of the Order of Solomon Islands, Governor-General and Commander-in-Chief of Solomon Islands, do hereby appoint -

**THE HONOURABLE MR JUSTICE GLEN WILLIAMS**

to be a Justice of the Court of Appeal of Solomon Islands for a period of two years effective from 1st March 2006

Given in Honiara under my hand and the Public seal this ninth day May, 2006

NATHANIEL RAHUMAEA WAENA  
Governor-General

[Legal Notice 34]

**SOLOMON ISLANDS INDEPENDENCE ORDER 1978  
(L.N. No. 43 of 1978)**

**APPOINTMENT OF MEMBER OF COURT OF APPEAL  
OF SOLOMON ISLANDS**

IN exercise of the powers conferred by section 86(2) of the Constitution and in accordance with the advice of the Judicial and Legal Service Commission, **I, SIR, NATHANIEL RAHUMAEA WAENA**, Knight Grand Cross of the Most Distinguished Order of Saint Michael and Saint George, Knight of Saint John, Cross of the Order of Solomon Islands, Governor-General and Commander-in-Chief of Solomon Islands, do hereby appoint -

**THE HONOURABLE MR JUSTICE LORD SLYNN OF HADLEY**

to be President of the Court of Appeal of Solomon Islands for a period of two years effective from 1st March 2006

Given in Honiara under my hand and the Public seal this twelfth day May, 2006

**NATHANIEL RAHUMAEA WAENA**  
Governor-General

Honiara, Solomon Islands  
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**SUPPLEMENT** to the Solomon Islands Gazette

Monday 8th May 2006

S.I. No. 17

[Legal Notice No. 35]

**SOLOMON ISLANDS INDEPENDENCE ORDER 1978**  
(L.N. No 43 of 1978)**APPOINTMENT OF MINISTERS**

IN exercise of the powers conferred by section 33(3) of the Constitution and in accordance with the advice of the Prime Minister, I, SIR, NATHANIEL RAHUMAEA WAENA, Knight Grand Cross of the Most Distinguished Order of Saint Michael and Saint George, Knight of Saint John, Cross of the Order of Solomon Islands, Governor-General and Commander-in-Chief of Solomon Islands, do hereby appoint -

The **HONOURABLE JOB DUDLEY TAUSINGA, CSI** to be Deputy Prime Minister and the Minister responsible for the Department of Forests, Environment and Conservation in the Ministry of Natural Resources.

The **HONOURABLE JOSES WAWARI SANGA** to be Minister responsible for the Department of Public Service in the Ministry of the Prime Minister, Cabinet and Public Service.

The **HONOURABLE BATHOLOMEW ULUFA'ALU** to be Minister responsible for the Department of Finance and Treasury in the Ministry of Finance, National Planning and Aid Coordination.

The **HONOURABLE GORDON DARCY LILO** to be Minister responsible for the Department of National Planning and Aid Coordination in the Ministry of Finance, National Planning and Aid Coordination.

The **HONOURABLE CHARLES DAUSABEA** to be Minister responsible for the Department of Police and National Security in the Ministry of Police, National Security and Justice.

The **HONOURABLE SAMUEL MANETOALI** to be Minister responsible for the Department of Justice and Legal Affairs in the Ministry of Police, National Security and Justice.

The **HONOURABLE DR. DEREK SIKUA** to be Minister responsible for the Ministry of Education and Human Resources Development.

The **HONOURABLE CLAY FORAU SOALAOI** to be Minister responsible for the Ministry of Health and Medical Services.

The **HONOURABLE PATTESON OTI** to be Minister responsible for the Department of Foreign Affairs in the Ministry of Foreign Affairs, Commerce and Tourism.

The **HONOURABLE FRANCIS BILLY HILLY** to be Minister responsible for the Department of Commerce, Industries and Employment in the Ministry of Foreign Affairs, Commerce and Tourism.

The **HONOURABLE NELSON NE'E** to be Minister responsible for the Department of Culture and Tourism in the Ministry of Foreign Affairs, Commerce and Tourism.

The **HONOURABLE TREVOR OLAVAE** to be Minister responsible for the Department of Agriculture and Livestock in the Ministry of Agriculture and Lands.

The **HONOURABLE REV. LESLIE BOSETO** to be Minister responsible for the Department of Lands and Survey in the Ministry of Agriculture and Lands.

The **HONOURABLE STANLEY FESTUS SOFU** to be Minister responsible for the Department of Infrastructure and Development in the Ministry of Infrastructure and Development.

The **HONOURABLE PATRICK VAHOE Jr** to be Minister responsible for the Department of Communication, Aviation and Meteorology in the Ministry of Infrastructure and Development.

The **HONOURABLE NOLLEN LENI** to be Minister responsible for the Department of Fisheries and Marine Resources in the Ministry of Natural Resources.

The **HONOURABLE TOSWELL KAUA, CSI, CMG, OBE** to be Minister responsible for the Department of Mines and Energy in the Ministry of Natural Resources

The **HONOURABLE JAPHET WAIPORA** to be Minister responsible for the Department of Provincial Government and Constituency Development in the Ministry of Provincial Government, National Reconciliation and Peace.

The **HONOURABLE BERNARD GHIRO** to be Minister responsible for the Department of Home Affairs in the Ministry of Provincial Government, National Reconciliation and Peace.

The **HONOURABLE SAM S. IDURI** to be Minister responsible for the Department of National Reconciliation and Peace in the Ministry of Provincial Government, National Reconciliation and Peace.

Dated at Honiara under my hand and the public seal this 5th day of May 2006

**SIR NATHANIEL RAHUMAEA WAENA**  
Governor-General

Honiara, Solomon Islands  
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**SUPPLEMENT** to the Solomon Islands Gazette

Tuesday 20th June 2006

S.I. No. 18

[Legal Notice No. 36]

**SOLOMON ISLANDS INDEPENDENCE ORDER 1978**

(L.N. No 43 of 1978)

**APPOINTMENT OF MINISTER OF CULTURE AND TOURISM**

IN exercise of the powers conferred respectively by section 33[3] and 34 [6] of the Constitution and acting in accordance with the advice of the Prime Minister, **I, SIR, NATHANIEL RAHUMAEA WAENA**, Knight Grand Cross of the Most Distinguished Order of Saint Michael and Saint George, Knight of Saint John, Cross of the Order of Solomon Islands, Governor-General and Commander-in-Chief of Solomon Islands, do hereby appoint -

The **HONOURABLE BENTLEY RAGOSOMANI** to be Minister responsible for the Department of Culture and Tourism with effect from the date hereof in place of the **HONOURABLE NELSON NE'E** whose appointment is hereby revoked.

Dated at Honiara under my hand and the public seal this eighth day of June 2006.

SIR NATHANIEL RAHUMAEA WAENA, GCMG, St. J, CSI  
Governor-General

**SOLOMON ISLANDS INDEPENDENCE ORDER 1978**

(L.N. No. 43 of 1978)

**APPOINTMENT OF MINISTERS**

IN exercise of the powers conferred respectively by sections 33(3) and 34(6) of the Constitution and acting in accordance with the advice of the Prime Minister, **I, SIR, NATHANIEL RAHUMAEA WAENA**, Knight Grand Cross of the Most Distinguished Order of Saint Michael and Saint George, Knight of Saint John, Cross of the Order of Solomon Islands, Governor-General and Commander-in-Chief of Solomon Islands, do hereby appoint -

The **HONOURABLE ISAAC INOKE TOSIKA** to be Minister responsible for the Department of Police and National Security with effect from the date hereof in Ministry of Police, National Security and Justice.

place of **HONOURABLE CHARLES DAUSABEA** whose appointment is hereby revoked.

Dated at Honiara under my hand and the public seal this eighth day of June, 2006

**SIR NATHANIEL RAHUMAEA WAENA**  
Governor-General

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[Legal Notice No. 37]

**THE CONSTITUTIONAL OFFICES  
(TERMS AND CONDITIONS OF SERVICE)**

(CAP 84)

**THE CONSTITUTIONAL OFFICES (TERMS AND CONDITIONS OF SERVICE) (CHIEF JUSTICE) (FURTHER AMENDMENT) REGULATION 2006**

The Constitutional Offices  
(Terms and Conditions of Service) Act  
(Cap. 84)

The Constitutional Offices (Terms and Conditions of Service) (Chief Justice)  
(Further Amendment) Regulation 2006

Arrangements of Regulations

**Regulation:**

1. Citation
2. Further Amendment of Regulation 4.

The Constitutional Offices  
(Terms and Conditions of Service) Act  
(Cap. 84)

The Constitutional Offices (Terms and Conditions of Service) (Chief Justice)  
(Further Amendment) Regulation 2006

In exercise of the powers conferred by section 3 of the Constitutional Offices  
(Terms and Conditions of Service) Act, the Minister hereby makes the fol-  
lowing regulations -

1. These Regulations may be cited and the Constitutional Office (Terms and  
Conditions of Services) (Chief Justice) (Further Amendment) Regulations  
2006, and shall be deemed to have come into force with effect from  
1st January, 2006. Citation
  
2. Regulation 2 of the Constitutional Offices (Terms and Conditions of Service) (Chief  
Justice) (Amendment) Regulations 2006, (hereinafter referred to as the  
Amendment Regulation) is hereby amended by deleting the words “fort  
nightly salary of \$5,000.00” and substituting therefore the words “fort  
nightly salary of \$5,500.00. Further Amendment  
of Regulation 4

Made at Honiara this fifteenth day of June, 2006

Manasseh Sogavare  
PRIME MINISTER

[Legal Notice No. 38]

THE MAGISTRATES COURT ACT  
(Cap. 20)

**WARRANT EMPOWERING MAGISTRATE TO HOLD PRINCIPAL  
MAGISTRATE'S COURT**

**UNDER** Section 118 of the Constitution the Judicial and Legal Service Commission has appointed SERI WILLIAM SENEKA to be a Principal Magistrate.

**NOW THEREFORE** under Section 7 of the Magistrates Courts Act, **I SIR ALBERT ROCKY PALMER, CBE** give power under my hand and the seal of the High Court of Solomon Islands to **SERI WILLIAM SENEKA** from 10th April 2006 to hold a Principal Magistrate's Court and to exercise all the powers and jurisdiction given by the Magistrates' Court Act or any other Act to a Principal Magistrate.

Made at Honiara this third day of May, 2006

SIR ALBERT PALMER, CBE  
CHIEF JUSTICE

**THE SOLOMON ISLANDS INDEPENDENCE  
ORDER 1978 ( LN No. 43 of 1978)**

**APPOINTMENT OF MAGISTRATE**

**WARRANT EMPOWERING MAGISTRATE TO HOLD PRINCIPAL  
MAGISTRATE'S COURT**

**IN** exercise of the powers under section 118 of the Constitution the Judicial and  
Legal Service Commission hereby appoints

**SERI WILLIAM SENEKA**

to be a Principal Magistrate from the 10th day of April 2006

Dated at Honiara this third day of May, 2006

**SIR ALBERT PALMER, CBE**  
Chairman  
Judicial and Legal Service Commission

Honiara, Solomon Islands  
Printed under the authority of the  
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**SUPPLEMENT** to the Solomon Islands Gazette

Monday 26th June 2006

S.I. No. 19

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[Legal Notice No. 39]

**THE FOREIGN INVESTMENT ACT**  
( No. 7 of 2005)

**NOTICE OF COMMENCEMENT**

IN exercise of the powers conferred by section 1(2) of the Foreign Investment Act, the Minister of Commerce, Industries and Employment hereby appoints the 26th day of 2006 as the date on which the said Act shall come into operation.

Dated at Honiara this twenty third day of June 2006

FRANCIS BILLY HILLY  
Minister of Commerce, Industries and Employment

**SUPPLEMENT** to the Solomon Islands Gazette

Wednesday 21st June 2006

S.I. No. 19

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[Legal Notice No. 40]

**TRADE DISPUTES ACT 1981**  
( No. 3 of 1981)

**APPOINTMENT OF MEMBER TO THE TRADE DISPUTES PANEL**

IN exercise of the powers conferred by section 2(3) of the Trade Disputes Act, 1981 upon Me, **I, HONOURABLE FRANCIS BILLY HILLY**, Minister for Commerce, Industries and Employment do hereby appoint -

**NEGO SISOLO**

To be a member of the Trade Disputes Panel for a period of two (2) years with effect from the date hereunder.

Dated at Honiara this eighth day of June 2006

FRANCIS BILLY HILLY  
MINISTER FOR COMMERCE, INDUSTRIES & EMPLOYMENT

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[Legal Notice No. 41]

**PRICE CONTROL ACT**  
( Cap. 64)

**THE PRICE CONTROL (APPLICATION TO GOODS AND RESTRICTION OF PRICES) (AMENDMENT) (NO. 1) ORDER 2006**

IN exercise of the powers conferred by sections 4 and 6 of the Price Control Act, and after consultations with the Prices Advisory Committee, **I, FRANCIS BILLY HILLY**, Minister of Commerce, Employment and Trade, do hereby make the following Order -

1. This Order may be cited as the Price Control (Application to Goods and Restriction of Prices) (Amendment) (No. 1) Order 2006 and shall come into operation on 1st June 2006.

2. Schedule 3 to the Price Control (Application to Goods and Restriction of Prices) Order 1987\* is hereby amended by deleting serial No. 13 thereof and substituting therefore the following -

**“ 13 PETROLEUM PRODUCTS**

		<b>WHOLESALE</b> (maximum price in cents per litre)	<b>RETAIL</b> (maximum price in cents per litre)
(a)	Petroleum Motor Spirit - (PMS)	499.93	614.9
(b)	Distillate - (ADO)	567.60	692.7
(c)	Kerosene - (KERO)	496.20	(maximum percentage mark - up)
			- cost into store plus 15% for sales of packaged product
			- cost into store plus 20% for break-bulk sales.”

Dated at Honiara this eighth day of June, 2006

FRANCIS BILLY HILLY  
Minister of Commerce, Employment and Trade

\*L.N. No.47/87 p.104

[Legal Notice No. 42]

**PROVINCIAL GOVERNMENT ACT 1997**

(No. 7 of 1997)

**APPOINTMENT OF NEW DEPUTY PREMIER TO MALAITA PROVINCIAL  
EXECUTIVE**

IN exercise of the powers conferred by section 20(4) of the Provincial Government Act 1997 and acting in accordance with the advice of the Honourable Reuben T. Moli, Premier of Malaita Province, **I, JAPHET WAIPORA**, Minister of Provincial Government and Constituency Development hereby appoint -

HONOURABLE WILFRED MAELUMA to be the new Deputy Premier of Malaita Province.  
and member of the Malaita Provincial Executive with effect from 12th day of April 2006.

Dated at Honiara this twenty ninth day of May, 2006

**HON. JAPHET WAIPORA, MP**  
Minister of Provincial Government and Constituency Development

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[Legal Notice No. 43]

PROVINCIAL GOVERNMENT ACT 1997  
(NO. 7 of 1997)

**APPOINTMENT OF MINISTER TO TEMOTU PROVINCIAL EXECUTIVE**

IN exercise of the powers conferred by section 20(4) of the Provincial Government Act 1997 and acting in accordance with the advice of the Honourable Johnson Levela, Premier of Temotu Province, I, JAPHET WAIPORA, Minister of Provincial Government and Constituency Development hereby appoint -

HONOURABLE FRANCIS BADENOGO

to be the Minister for Sports, Youth and Women's Interest Development for Temotu Province and Member of the Temotu Provincial Executive with effect from 10th day of May, 2006.

Dated at Honiara this twenty ninth day of May, 2006.

**HON. JAPHET WAIPORA, MP**  
Minister of Provincial Government and Constituency Development

[Legal Notice No. 44]

**THE PROVINCIAL GOVERNMENT ACT 1997  
(NO. 7 OF 1997)**

**THE MAKIRA ULAWA PROVINCE COUNCILS OF CHIEFS ORDINANCE  
2006**

**AN ORDINANCE to establish Ward Council of Chiefs and a Great  
Council of Chiefs, and to provide for their functions and funding**

**ENACTED BY the Provincial Assembly of Makira Ulawa Province.**

**Arrangement of sections**

Section:

**PART I PRELIMINARY**

1. Title and Commencement
2. Interpretation
3. Purpose
4. Status of Chiefs and customs

**PART II WARD COUNCILS OF CHIEFS**

5. Ward Councils of Chiefs
6. Constitution of Ward Councils of Chiefs
7. Functions of Ward Councils of Chiefs

**PART III GREAT COUNCIL OF CHIEFS**

8. Great Council of Chiefs
9. Constitution of Great Council of Chiefs
10. Functions of Great Council of Chiefs

**PART IV TRADITIONAL LEADER ASSOCIATES**

11. Nomination of Traditional Leader Associates of the Assembly
12. Rights and Entitlements of Traditional Leader Associates

**PART V TERMINATIONS AND TEMPORARY APPOINTMENTS**

13. Termination of office
14. Temporary appointments

**PART VI FINANCES**

15. Financial year and accountability
16. Funding and resources for Councils of Chiefs
17. Prohibition on lending, borrowing or seeking other funding

**PART VII SUBSIDIARY LEGISLATION**

18. Executive may make Orders
- Schedule One

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[Legal Notice No. 45]

**THE PROVINCIAL GOVERNMENT ACT 1997  
(NO. 7 OF 1997)**

**THE MAKIRA ULAWA PROVINCE COUNCILS OF CHIEFS ORDINANCE  
2006**

**PART I PRELIMINARY**

Under the powers conferred by Section 30 of the Provincial Government Act 1997, the Makira Ulawa Provincial Assembly makes the following Ordinance -

**1. Title and Commencement**

This Ordinance shall be cited as the Makira Ulawa Province Councils of Chiefs Ordinance 2006 and shall come into operation upon assent by the Minister of Provincial Government in accordance with Section 32 of the Provincial Government Act 1997 and publication in the Solomon Islands Gazette.

**2. Interpretation**

In this Ordinance, except where the context otherwise requires, words have the following meanings -

“Assembly” means Makira Ulawa Provincial Assembly;

“Associate” means a woman or youth representative appointed as an associate to a Council of Chiefs under this Ordinance;

“Chief” means a chief, tribal leader, or traditional leader in Makira Ulawa Province;

“Council of Women” means the Makira Ulawa Provincial Council of Women;

“Executive” means Makira Ulawa Provincial Executive;

“Province” means Makira Ulawa Province;

“Standing Orders” means the most recent version of the Standing Orders of the Makira Ulawa Provincial Assembly;

- “Traditional leader associate” means a representative of the Great Council of Chiefs appointed to the Assembly under Standing Orders as a non-voting associate;
- “Village Peace Council” means a village Peace Council established under the Village Peace Councils Ordinance;
- “Village Peace Council Ordinance” means the Makira Ulawa Peace Council Ordinance 2006 or its successors;
- “Ward” means a Ward in the Province as provided under the Provincial Government Act 1997 or its successors;
- “Ward Development Authority” means a Ward Development Authority established under the Makira Ulawa Provincial Ward Development Authorities Ordinance 2006 or its successors;
- “Ward Development Authorities Ordinance” means Makira Ulawa Province Ward Development Authorities Ordinance 2006 or its successors.

### 3. Purpose

The purpose of this Ordinance is to:

- a) Establish Ward Councils of Chiefs, and provide for their constitution and funding;
- b) Establish a Great Council of Chiefs, to be constituted by representatives of the Ward Councils of Chiefs, and provide for their funding;
- c) Make provision for appointment of Chiefs and other leaders to be appointed as Traditional Leader Associates of the Assembly, under the provisions of Standing Orders;
- d) Provide for the Councils of Chiefs to be consulted by and to provide advice to the Assembly, Executive, and Ward Development Authorities;
- e) Provide appropriate avenues for Councils of Chiefs to participate in governance activities in the Province;
- f) Encourage the maintenance and promotion of traditional cultures and customs.

### 4. Status of Chiefs and Customs

- 1) For the avoidance of doubt it is hereby declared that this Ordinance does not affect the status of any Chief of the Province, and in particular this Ordinance does not;
  - a) Remove the status of Chief from any person who is a Chief, whether the status is derived by birth or some other customary method of appointment;
  - b) Confer the status of Chief on any person who is not a Chief.
- 2) For the avoidance of doubt it is further declared that this Ordinance does not affect any custom of the Province.

**PART II WARD COUNCILS OF CHIEFS****5. Ward Councils of Chiefs**

There may be established in each Ward in the Province a Ward Council of Chiefs, representing the Chiefs of that Ward.

**6. Constitution of Ward Councils of Chiefs**

- 1) Subject to the provisions of this Ordinance a Ward Council of Chiefs may regulate its own procedure, and such procedure may include generally accepted customary practices within the particular Ward.
- 2) Every Chief in a Ward may be a member of the Ward Council of Chiefs for that Ward, and the Member of the Provincial Assembly for that Ward may be a member of the Ward Council of Chiefs if he is a Chief.
- 3) If there are too many members of a Ward Council of Chiefs for the Ward Council of Chiefs to be able to manage meetings within its financial budget or to be able to effectively make decisions, or for any other practical reason there are too many members, the Ward Council of Chiefs may limit the number of members who may attend meetings and:
  - a) Options for limiting the number of Chiefs who may attend may include:
    - (i) setting a maximum number of Chiefs who may represent each village, or represent each tribe; or
    - (ii) establishing a smaller governing body that meets regularly and the full membership meets occasionally for significant decisions and consultation;
  - b) Where the number of members who may attend are limited in any way, the Ward Council of Chiefs must also determine how the attendees are chosen and appointed, the period for which they are appointed, and how their appointment may be revoked.
  - c) Where there is any dispute about limiting the number of people who may attend, or the Ward Council of Chiefs can not resolve the matter, the matter shall be referred to the Great Council of Chiefs whose decision on the matter shall be final.
- 4) When a Ward Council of Chiefs is appointed, it must provide contact details for two persons who will be responsible for receiving communications on behalf of the Council of Chiefs and copy of its membership (including Women and Youth Associates

appointed under this section) to:

- a) The Provincial Secretary of the Province;
  - b) The Great Council of Chiefs;
  - c) The Ward Council of Chiefs;
- 5) Every Ward Council of Chiefs must appoint at least two women's representatives and two youth representatives as Associates of the Ward Council of Chiefs, and those Associates:
- a) May be nominated by the women and youth of the Ward respectively;
  - b) May hold office for a term of two years, after which their appointment will lapse;
  - c) May be appointed to hold office for a further term or terms;
  - d) May attend all meetings of the Ward Council of Chiefs, and and participate in all debates and activities,
  - e) Will act as advisors to the Ward Council of Chiefs, in relation to matters as they impact on women or youth respectively;
  - f) May not vote at the meetings unless the Ward Council of Chiefs grants voting rights to them;
  - g) Must consult with women and youth within the Ward in relation to the business of the Ward Council of Chiefs;
  - h) May be removed from office by the Ward Council of Chiefs on recommendations from the women (for women Associates) or youth (for youth Associates) of the Ward.
- 6) Ward Councils of Chiefs may invite any other person to attend their meetings, for advice or consultation, including representatives of the ward Development Authority and the Member of the Provincial Assembly for the Ward.
- 7) Ward Councils of Chiefs may meet at intervals and locations within their Ward that best achieve the objectives of this Ordinance.

**7. Functions of Ward Councils of Chiefs**

- 1) Ward Councils of Chiefs may provide advice to the Great Council of Chiefs on any matter, and the Great Council of Chiefs may consult with the Ward Councils of Chiefs on any matter.
- 2) A Ward Council of Chiefs may provide advice to its Ward Development Authority on any matter, and a Ward Development Authority may consult

- 3) A Ward Council of Chiefs may request the Executive to enact by-laws having effect in all or part of the Ward;
- 4) Ward Councils of Chiefs are encouraged to develop, promote and demonstrate appropriate Chiefly conduct.
- 5) Ward Councils of Chiefs may carry out the functions delegated to them under the Village Peace Councils Ordinance regarding membership and certification of Village Peace Councils.
- 6) The Ward Council of Chiefs must:
  - a) Keep their respective Village communities informed of the business of the Ward Councils of Chiefs;
  - b) Consult with the members of their respective Village's about all matters being considered by the Ward Councils of Chiefs.
- 7) Ward Councils of Chiefs may:
  - a) Make appointments to the Great Council of Chiefs as provided in **section 9** of this Ordinance;
  - b) Make appointments to the Ward Development Authority for their respective Wards, and approve its activities, as provided in the Ward Development Authorities Ordinance;
  - c) Co-ordinate the documentation of genealogy and customs of the Ward;
  - d) Carry out any other functions delegated under any Provincial Ordinance or subsidiary legislation.
- 8) Ward Councils of Chiefs shall not engage in development projects and activities, as these are the functions of Ward Development Authorities.

### **PART III GREAT COUNCIL OF CHIEFS**

#### **8. Great Council of Chiefs**

There may be established in the Province a Great Council of Chiefs, representing the Chiefs of the Province.

#### **9. Constitution of Great Council of Chiefs**

- 1) Subject to the provisions of this Ordinance the Great Council of Chiefs may regulate its own procedure, and such procedure may include generally accepted customary practices within the Province.
- 2) Every Ward Council of Chiefs in the Province may appoint one Chief from that Ward Council of Chiefs to be its representative on the Great Council of Chiefs and those representatives:
  - a) May hold office for a term of two years, after which their appointment will lapse;
  - b) May be appointed to hold office for a further term or terms;
  - c) May be removed from office for any reason by the Ward Council of Chiefs who appointed them.

- 3) Notwithstanding that they might be Chiefs, Members of the Provincial Assembly may not be appointed to the Great Council of chiefs.
- 4) The Great Council of Chiefs must appoint at least two women's representatives as Associates of the Great Council of Chiefs, and those Associates:
  - a) May be nominated by the Council of Women, but do not need to be member of the Council of Women;
  - b) May hold office for a term of two years, after which their appointment will lapse;
  - c) May be appointed to hold office for a further term or terms;
  - d) May attend all meetings of the Great Council of Chiefs, and participate in all debates and activities;
  - e) Will act as advisors to the Great Council of Chiefs, in relation to matters as they impact on women;
  - f) May not vote at the meetings unless the Great Council of Chiefs grants voting rights to them;
  - g) Must consult with the Council of Women and the women members and associates of the Ward Councils of Chiefs in relation to the business of the Great Council of Chiefs;
  - h) May be removed from office by the Great Council of Chiefs on recommendations from the Council of Women or the women members and associates of the Ward Councils of Chiefs.
- 5) When a Great Council of Chiefs is appointed, it must provide to the Clerk to the Assembly and the Provincial Secretary:
  - a) A copy of its membership, including associates;
  - b) Contact details for two person who will be responsible for receiving communications from the Assembly or Executive.
- 6) The Great Council of Chiefs may invite any person to attend its meetings, for advice or consultation.
- 7) The Great Council of Chiefs must inform the Assembly and the Executive of the times and locations of any proposed meeting, and those meetings:
  - a) Must be held at least quarterly in the Provincial centre, in the months of February, May, August and November of each year;
  - b) May otherwise be held at intervals and locations that best achieve the objectives of this Ordinance.

**10. Functions of Great Council of Chiefs**

- 1) The Great Council of Chiefs may nominate its members and associates to be appointed as Traditional Leader Associates of the Assembly as provided in **section 11** of this Ordinance.

- 2) The Great Council of Chiefs may provide advice to the Assembly and the Executive on any matter, and the Assembly and the Executive may consult with the Great Council of Chiefs on any matter.
- 3) The Great Council of Chiefs are encouraged to develop, promote and demonstrate appropriate Chiefly conduct.
- 4) The Great Council of Chiefs may request the Assembly or the Executive to enact laws having effect in all or part of the Province.
- 5) The Great Council of Chiefs may co-ordinate the documentation of genealogy and customs of the Province.
- 6) Where a Ward Council of Chiefs needs to limit the number of Chiefs who may attend the Ward Council of Chiefs meetings under **section 6** and is unable to resolve the matter, the Great Council of Chiefs may decide the matter and its decision shall be final.
- 7) The Great Council of Chiefs may carry out any other functions delegated under any Provincial Ordinance or subsidiary legislation.
- 8) The Ward representatives on the Great Council of Chiefs must :
  - a) Keep their respective Ward Councils of Chiefs informed of the business of the Great Council of Chiefs;
  - b) Consult with their respective Ward Councils of Chiefs about all matters being considered by the Great Council of Chiefs.
- 9) The Great Council of Chiefs shall not engage in development projects and activities, as these are the functions of Ward Development Authorities.

#### **PART IV TRADITIONAL LEADER ASSOCIATES**

##### **11. Nomination of Traditional Leader Associates of the Assembly**

- 1) The Great Council of Chiefs may nominate its members and associates to be appointed as Traditional Leader Associates of the Assembly .
- 2) The nominees must be members or associates of the Great Council of Chiefs and include;
  - a) Eight members of the Great Council of Chiefs; the Great Council of Chiefs may choose its own method of selecting the nominees which may include selecting one nominee to represent the traditionally accepted Ward and language groupings in the Province:
    - (i) Arosi, Wards 5,6,7,8;
    - (ii) Bauro, Wards 9, 10, 11;
    - (iii) Haununu, Ward 20;
    - (iv) Ravo, Wards 18,19;
    - (v) Santa Ana and Santa Catalina, Wards 15, 16;
    - (vi) Star Harbour, Wards 14, 17;
    - (vii) Ugi and Ulawa, Wards 1, 2, 3, 4;

- (viii) Wainoni, Wards 12, 13;
- b) At least two women, who may be members or associates of the Great Council of Chiefs.

- 3) If appointed to the Assembly, the Traditional Leader Associates:
  - a) Hold office in accordance with Standing Orders and any applicable law;
  - b) May be nominated to hold office for a further term or terms;
  - c) May be removed from office for any reason by the Great Council of Chiefs.

**12. Rights and Responsibilities of Traditional Leader Associates**

The Traditional Leader Associates have the rights, entitlements, responsibilities and obligations provided for under Standing Orders and any applicable law.

**PART V TERMINATIONS AND TEMPORARY APPOINTMENTS**

**13. Termination of office**

- 1) A Chief or Associate may resign, or be removed from office in accordance with this Ordinance, at any time before the appointment lapses.
- 2) A Chief who ceases to be a member of the Ward Council of Chiefs automatically ceases to be a member of the Great Council of Chiefs.
- 3) A Chief or Associate who ceases to be a member or Associate of the Great Council of Chiefs may automatically cease to be a Traditional Leader Associate of the Assembly.

**14. Temporary appointments**

- 1) Vacancies in any Council of Chiefs or Traditional Leader Associates may be temporarily filled in the same manner as full-term appointments are made to the Council or Assembly.
- 2) Temporary appointments will lapse at the same time as the full-term appointments to the Council or Assembly lapse.

**PART VI FINANCES**

**15. Financial Year and accountability**

- 1) The financial year for Council of Chiefs shall be from 1st January to 31st December.
- 2) In January of each year each Council of Chiefs must prepare an annual financial report summarising its income and expenditure for the previous financial year, and by 30 January:
  - a) Provide a copy of the financial report to the Provincial Finance Division;

- b) Each Ward Council of Chiefs must also provide a copy of its financial report to the Great Council of Chiefs;
  - c) The Councils of Chiefs may provide a copy of their financial reports to the Ward Development Authorities.
- 3) A model for a simple financial report is set out in Schedule One.

**16. Funding and resources for Councils of Chiefs**

- 1) Councils of Chiefs will be directly funded by Ward Development Authorities as provided in the Ward Development Authorities Ordinance.
- 2) Each Council of Chiefs is responsible for the management and allocation of its funds, and must budget its funds to ensure it can finance the involvement of its representatives in the business of the Council of Chiefs.
- 3) The Great Council of Chiefs will be responsible for its own accommodation, travel, and related expenses in relation to attending meetings in the Provincial centre, and:
  - a) The Executive may assist the Great Council of Chiefs to establish a permanent meeting and accommodation venue in the Provincial centre;
  - b) Until the Great Council of Chiefs establishes such permanent venues the Executive may negotiate a special rate at the Provincial Rest House for accommodation of members and associates of the Great Council of Chiefs during their meeting periods, and may provide a venue in the Provincial centre for the Great Council of Chiefs to meet free of any charge.
- 4) When the Assembly or Executive provide any communication or consultation documents to the Councils of Chiefs:
  - a) The Assembly must provide all the Traditional Leader Associates with copies of all documents distributed to Elected Members of the Assembly;
  - b) In any other circumstances, two copies of the documents only will be provided to the respective Councils of Chiefs, being one copy to each of the two persons nominated under either **section 5** or **section 8** of this Ordinance as appropriate.
- 5) The Assembly and the Executive are not required to provide any other funding or resources to the councils of Chiefs, however they may provide workshops or other similar education programs in co-operation with the Councils of Chiefs.

**17. Prohibition on lending, borrowing or seeking other funding**

- 1) No Council of Chiefs may lend any funds or provide any type of credit to any of its members or associates, or to any other person or organisation.
- 2) No Council of Chiefs may borrow funds from any source, or seek to obtain any goods or services on credit.
- 3) No Council of Chiefs may seek or solicit funding from any source other than those provided in this Ordinance, unless the application for funding or other financial assistance is:

- a) Authorised by Order of the Executive; and
- b) For one-off projects designed to help achieve the purposes of this Ordinance; and
- c) Not for funding the ongoing governance and consultation functions of the Councils of Chiefs; and
- d) Not for any activity prohibited under this Ordinance.

**PART VII SUBSIDIARY LEGISLATION**

**18. Executive may make Orders**

The Executive may make such Orders and Regulations as appear to them necessary or expedient for carrying out the objects of this Ordinance, including but not limited to the following objects:

- a) Approval of applications for funding by Councils of Chiefs;
- b) Formalising any advisory functions of the Councils of Chiefs, or consultation processes.

**PASSED BY THE MAKIRA ULAWA PROVINCIAL ASSEMBLY**

**THIS 30TH DAY OF MARCH 2006**

This printed impression has been carefully compared by me against the Ordinance passed by the Makira Ulawa Provincial Assembly and is found by me to be a true and correct copy of the said Ordinance.

---

Clerk to the Makira Ulawa Provincial Assembly

**ASSENTED TO BY THE MINISTER FOR PROVINCIAL GOVERNMENT**

**THIS TWENTY NINTH DAY OF MAY 2006**

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Minister for Provincial Government

**SCHEDULE ONE**

(Section 15)

Model for Financial Report for Councils of Chiefs

Financial Report of ..... Council of Chiefs

for the financial year 1st January ..... to 31st December .....

<b>1 BALANCE CARRIED FORWARD FROM LAST FINANCIAL YEAR</b>	<b>\$</b>	
<b>2 Entitlements from Ward Development Authority:</b>		
a) ... percent of Ward Development Grant	\$	
b) ... percent of Commission on revenue collection activities;	\$	
c) ... percent of revenue sharing allocation for Ward Business Licences	\$	
<b>3 Other income from Ward Development Authority:</b>		
a) .....	\$	
b) .....	\$	
<b>4 Income from applications approved by Order of the Executive</b>		
a) Donor: .....	\$	
Project .....	\$	
b) Donor: .....	\$	
Project .....	\$	
<b>5 TOTAL INCOME for the year (total of all income at 2, 3 and 4)</b>	<b>\$</b>	
<b>6 TOTAL REVENUE (total of 1 and 5)</b>		<b>\$</b>
<b>7 Expenditure for governance activities</b>		
a) Transport for meetings of the Council of Chiefs;	\$	
b) Accommodation costs for meetings;	\$	
c) Other costs associated with meetings;	\$	
d) Other costs associated with the business of the Council of Chiefs:		
i) .....	\$	
ii) .....	\$	
iii) .....	\$	
<b>8 Project expenditure</b>		
a) Donor: .....		
Project .....	\$	
Is project completed? Yes/no		
b) Donor: .....	\$	
Project .....		
Is project completed? Yes/no		
<b>9 TOTAL EXPENDITURE for the year (total of all expenditure at 7 &amp; 8)</b>		<b>\$</b>

<b>10 Surplus of revenue over expenditure</b>		
Total Revenue at 5	\$	
Less Total Expenditure at 8	\$	
<b>BALANCE CARRIED FORWARD to next financial year</b>		<b>\$</b>

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[Legal Notice No. 46]

**THE PROVINCIAL GOVERNMENT ACT 1997  
(NO 7 OF 1997)**

**THE MAKIRA ULAWA PROVINCE WARD DEVELOPMENT AUTHORITIES ORDINANCE 2006**

**AN ORDINANCE to provide for Development Authorities for each Ward in the Province, who may receive from the Provincial Fund Ward Development Grants and other revenue sharing allocations.**

**ENACTED BY the Provincial Assembly of Makira Ulawa Province.**

**Arrangement of sections**

**Section:**

**PART I - PRELIMINARY**

- 1 Title and Commencement
- 2 Interpretation
- 3 Purpose

**PART II - CONSTITUTION AND POWERS OF WARD DEVELOPMENT AUTHORITIES**

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**THE PROVINCIAL GOVERNMENT ACT 1997  
(NO. 7 OF 1997)**

**THE MAKIRA ULAWA PROVINCE WARD DEVELOPMENT AUTHORITIES ORDINANCE 2006**

Under the powers conferred by Section 30 of the Provincial Government Act 1997, the Makira Ulawa Provincial Assembly makes the following Ordinance -

**PART I - PRELIMINARY**

**1. Title and Commencement**

This Ordinance shall be cited as the Makira Ulawa Province Ward Development Authorities Ordinance 2006 and shall come into operation upon assent by the Minister of Provincial Government in accordance with Section 32 of the Provincial Government Act 1997 and publication in the Solomon Islands Gazette.

## 2. Interpretation

In this Ordinance, except where the context otherwise requires, words have the following meanings -

- “Assembly” means Makira Ulawa Provincial Assembly;
- “Executive” means Makira Ulawa Provincial Executive;
- “Councils of Chiefs Ordinance” means the Makira Ulawa Province Councils of Chiefs Ordinance 2006 or its successors;
- “Great Council of Chiefs” means the Great Council of Chiefs established under the Council of Chiefs Ordinance;
- “Province” means Makira Ulawa Province;
- “Province Fund” means the Provincial Fund established under the Provincial Government Act 1997 or its successors;
- “Registered electors” means persons whose names appear in the most recent Register of Electors for the Province
- “Special Fund” means the Special Fund established under the Special Fund Ordinance;
- “Special Fund Ordinance” means the Makira Ulawa Province Special Fund For Ward Development Authorities Ordinance 2006 or its successors;
- “Village” means a Village in the Province identified in the most recent Register of Electors for the Province;
- “Ward” means a Ward in the Province as provided under the Provincial Government Act 1997 or its successors;
- “Ward Business Licence” means a business licence issued in respect of a Ward only under the Makira Ulawa Province Business Licence Ordinance 2006 or its successors;
- “Ward Council of Chiefs” means a Ward Council of Chiefs established under the Councils of Chiefs Ordinance;
- “Ward Development Grant” means the sum appropriated under the head or sub-head named Ward Development Grant in the most recent Makira Ulawa Province Appropriation Ordinance, divided equally between all the Wards in the Province.

## 3. Purpose

The purpose of this Ordinance is to:

- a) Provide for the establishment of Ward Development Authorities for each Ward in the Province;
- b) Delegate to Ward Development Authorities the management and application of Ward Development Grants;
- c) Delegate to Ward Development Authorities the supervision of specified revenue collection activities in their respective Wards, and the management and application of the revenues allowable in respect of those activities and Ward Business Licences;
- d) Delegate to Ward Development Authorities the authority to promote or undertake a range of developmental activities in the Ward.

**PART II - CONSTITUTION AND POWERS OF WARD DEVELOPMENT AUTHORITIES**

**4. Ward Development Authorities**

There may be established in each Ward in the Province a Ward Development Authority constituted under the provisions of this Ordinance.

**5. Constitution of Ward Development Authorities**

- 1) Subject to the provisions of this Ordinance a Ward Development Authority may regulate its own procedure, and such procedure may include generally accepted customary practices within the particular Ward.
- 2) Each Ward Development Authority may have a minimum of five (5) members and a maximum of ten (10) members.
- 3) The Member of the Provincial Assembly for the Ward may ex- officio be a member of the Ward Development Authority, and such Member:
  - a) Shall not hold any executive position in the Ward Development Authority;
  - b) Shall not receive any payments or allowances for attendance at meetings or carrying out any of the functions of office;
  - c) Shall cease to hold office when he or she ceases to be the Member of the Assembly for that Ward.
- 4) The Ward Council of Chiefs for the Ward may appoint all other members who:
  - a) May not be a member of a Ward Council of Chiefs or the Great Council of Chiefs;
  - b) May hold office for a term of two years, after which their appointment will lapse;
  - c) May be appointed to hold office for a further term or terms;
  - d) May be removed from office for any reason by the Ward Council of Chiefs;
  - e) Shall be removed from office by Order of the Executive;
    - (i) for any substantial breach of the Leadership Code;
    - (ii) for any misconduct in relation to the funds of the Ward Development Authority or the Province, including any breach of the provisions of this Ordinance.
- 5) Each Ward Development Authority must appoint three (3) signatories to its funds, and two (2) of those signatories must sign any withdrawal or cheque drawn on the Authority's bank account and any request for funds held in the Special Fund;

- 6) When a Ward Development Authority is appointed, it must provide to the Provincial Secretary written notice of:
  - a) Its membership, including any executive positions allocated to members;
  - b) Address for the member who is authorised to receive communications on behalf of the Ward Development Authority;
  - c) It's bank account (if any);
  - d) The names of the three (3) signatories to its funds;
  - e) Whether it elects to have the payments from the Provincial Fund made into it's bank account or into the Special Fund;
  - f) Any changes to membership, address for communications, executive positions, bank account or signatories.
- 7) A Ward Development Authority may invite any other person to attend its meetings for consultation or advice.
- 8) Ward Development Authorities may encourage members of the community, including community groups, to assist them to carry out their functions.
- 9) Ward Development Authorities must comply with all reporting requirements set out in this Ordinance.

**6. Decisions of Ward Development Authorities**

- 1) All decisions of Ward Development Authorities must be made by a majority of the members (more than half of the members).
- 2) All decisions of Ward Development Authorities to apply for or allocate funds, or undertake developments, must be approved by the Ward Council of Chiefs for the Ward and should comply with or achieve the aims of the Community Development Plan for the Ward.

**7. Functions of Ward Development Authorities**

- 1) All activities of Ward Development Authorities must be carried out in accordance with this Ordinance and any other law applying to the area.
- 2) Ward Development Authorities may carry out the following functions:
  - a) Management of the entitlements and other revenues of the Ward Development Authority consistent with this Ordinance;
  - b) Developments in the Ward consistent with the Community Development Plan and this Ordinance;
  - c) Collection of revenues on behalf of the Provincial Executive in accordance with **section 10**;
  - d) Assisting and supporting members of the community and community groups to seek donor funding, including assisting them to complete and lodge applications and provide any appropriate endorsements;
  - e) Any other function delegated by or under any Provincial Ordinance.

- 3) Each Ward Development Authority must prepare an Annual Community Development Plan:
- a) That identifies the developments it proposes to undertake for the financial year and how it proposes to fund those developments;
  - b) Which must be approved by the respective Ward Council of Chiefs before implementation;
  - c) Once approved by the Ward Council of Chiefs, a copy must be forwarded to the Provincial Planning Division for co-ordination with the Provincial Development Plan and advising the Executive of planned Ward Developments;
  - d) Any amendments to the Community Development Plan must be approved by the Ward Council of Chiefs and a copy forwarded to the Provincial Planning Division;
  - e) In preparing its Annual Community Development Plan, a Ward Development Authority may choose to focus on just a few categories of development each year.

**8. Relations with other Ward Development Authorities**

Ward Development Authorities may form Sister relationships with other Ward Development Authorities, and may undertake joint projects and other co-operative activities with other Ward Development Authorities.

**PART III - REVENUES AND DEVELOPMENTS**

**9. Entitlements from Provincial Fund**

- 1) Each Ward Development Authority is entitled to receive from the Provincial Fund:
  - a) The Ward Development Grant for that Ward;
  - b) Forty percent (40%) commission on any Provincial revenues collected by the Ward Development Authority in accordance with this Ordinance;
  - c) Forty percent (40%) of the licence fee for any Ward Business Licence issued to have effect in the Ward.
- 2) The entitlements from the Provincial Fund shall, upon being received into the Provincial Fund, be paid:
  - a) To a bank account in the name of the entitled Ward Development Authority, which must require at least two (2) signatories for any withdrawals or cheques drawn on the account; or
  - b) To the Special Fund where:
    - (i) The Ward Development Authority elects in writing to have the payments made into the Special Fund; or
    - (ii) The Ward Development Authority does not have a bank account or has not provided details of its bank account and signatories as required by this Ordinance; or

- (iii) There is currently no properly constituted Ward Development Authority for the particular Ward; or
  - (iv) The entitlements are being withheld under this section.
- 3) While the Province continues to receive a significant portion of its revenues by way of monthly Provincial Service Grant, the Ward Development Grants shall also be paid on the basis of monthly installments; should the system of monthly Provincial Service Grants change then the timing of payments of Ward Development Grants shall be varied accordingly.
  - 4) No advances may be made of the entitlements.
  - 5) The entitlements from the Provincial Fund or the Special Fund may, by resolution of the Executive, be withheld from a Ward Development Authority in the following circumstances:
    - a) If a Ward Development Authority fails to provide any report required under this Ordinance, the Authority's entitlement shall be withheld until a satisfactory report is received;
    - b) If a Ward Development Authority, or any of its members, breaches any of the provisions of the Leadership Code or this Ordinance the Authority's entitlements may be withheld until a solution satisfactory to the Executive is achieved;
    - c) If there is no properly constituted Ward Development Authority for a Ward, the entitlements for that Ward may be withheld until such Authority is properly constituted.
  - 6) When the Executive resolves to withhold the entitlements of any Ward Development Authority it shall inform the Ward Development Authority in writing of the decision and the reasons for that decision, and provide a copy of the letter to the Ward Council of Chiefs for the Ward and the Great Council of Chiefs.
  - 7) When there is no properly constituted Ward Development Authority for a Ward for a period of six (6) consecutive months;
    - a) The Executive:
      - (i) May by Order determine that the entitlements in relation to that Ward shall cease; and
      - (ii) If so, the Executive shall by Order provide for any entitlements held in the Special Fund for the Ward to be divided equally between all properly constituted Ward Development Authorities in the Province;
      - (iii) Provide a copy of the Order to the Ward Council of Chiefs for the Ward and to the Great Council of Chiefs.

- b) If a Ward Development Authority for the Ward is properly constituted at some later time, it may begin its entitlements from the date it provides the required written notice to the Provincial Secretary.

**10. Collection of revenues on behalf of the Provincial Executive**

- 1) The Executive may by Order appoint any Ward Development Authority to collect, within its Ward, any Provincial revenues on behalf of the Executive as are prescribed by Order of the Executive.
- 2) In undertaking revenue collections activities on behalf of the Executive, Ward Development Authorities shall be bound by the conditions set out in **Schedule Two** of this Ordinance and any other conditions the Executive may prescribe by Order.
- 3) Every Ward Development Authority that undertakes revenue collections activities on behalf of the Executive is responsible for the collection and safe keeping of the revenues until they are handed over to the Provincial Finance Division.
- 4) Any person appointed by a Ward Development Authority to collect revenues on behalf of the Ward Development shall be responsible to the Ward Development Authority and:
  - a) Shall be bound by the conditions set out in **Schedule Two**; and
  - b) The Ward Development Authority shall be responsible for the acts of the appointed persons and for any remuneration agreed between the Ward Development Authority and the appointed persons.
- 5) If the Executive is not satisfied with the revenue collection performance of any Ward Development Authority it may, by Order, revoke the appointment of the Ward Development Authority and in such circumstances:
  - a) The Ward Development Authority will cease to be entitled to any commission on revenues collected in the Ward;
  - b) The Executive may by resolution appoint any other employee or agent to undertake the revenue collection on its behalf.

**11. Other revenue generating activities**

- 1) Ward Development Authorities may carry out any business activities within the Wards, after obtaining the appropriate business license under the Business License Ordinance.
- 2) Ward Development Authorities may enter into joint ventures with private business organisations upon approval of the Executive by Order.
- 3) Except as excluded in this Ordinance, the Executive may approve by resolution Ward Development Authorities carrying out any other revenue generating activities allowable under and in compliance with the laws applicable to the area, and such activities may include:
  - a) Applications for donors funding;
  - b) Community fund raising activities.

- 4) Any application for Executive approval must include:
  - a) Description of the type of fund raising or other activity proposed;
  - b) Location of proposed activity;
  - c) A statement of the purposes for which funds are being raised or sought;
  - d) An estimate of the amount of funds proposed to be raised by the activity;
  - e) Proposed timeframes for the activity;
  - f) Any specific requirements in relation to donor funding applications;
  - g) A statement of how the activity achieves the objectives of the Community Developments Plan for the Ward.
- 5) The Executive shall not approve any application that is not accompanied by the information by this section; sample application forms are set out in **Schedule One** for guidance.

**12. Prohibition on lending, borrowing or seeking other funding**

- 1) No Ward Development Authority may lend any funds or provide any type of credit to any of its members or associates, or to any other person or organisation.
- 2) No Ward Development Authority may borrow funds from any source, or seek to obtain any goods or services on credit.
- 3) No Ward Development Authority may seek, solicit, generate or obtain funding from any source other than those provided in this Ordinance and approved by either resolution or Order of the Executive as required by this Ordinance.
- 4) No Ward Development Authority may solicit funds from any investor who holds, or wishes or intends to obtain, a Ward Business License and the Executive shall not approve any application from any Ward Development Authority that in any way involves soliciting funds from such investors.
- 5) No Ward Development Authority may use any business enterprise or other entity or person it is associated with to carry out any of the activities prohibited by this section.

**13. Application of entitlement of Ward Development Authorities**

- 1) Each Ward Development Authority must provide to the Great Council of Chiefs five percent (5%) of its entitlements provided from the Provincial Fund.
- 2) Each Ward Development Authority must provide to the Ward Council of Chiefs for its Ward fifteen percent (15%) of its entitlement provided from the Provincial Fund.
- 3) The payments must be made to the Councils of Chiefs upon being received by the Ward Development Authority.

- 4) Each Development Authority may apply up to ten percent (10%) of its entitlements from the Provincial Fund to administration purposes, including the funding of its meeting and preparation of reports required under this Ordinance.
- 5) Each Ward Development Authority must use the balance of its entitlements, being at least seventy percent (70%) of the entitlement, for any or all of the following categories of developments in the Ward that benefit the Community of Ward:
  - a) Promoting or developing the welfare of women or youth, including their participation in governance;
  - b) Promoting or developing sporting and cultural activities;
  - c) Promoting or developing the protection of environment, culture, or heritage;
  - d) Health and sanitation promotion or development;
  - e) Provision of community services or utilities ;
  - f) Physical infrastructure development;
  - g) Supporting development of primary industries by providing scale income generating projects under to small under the provisions in **section 14**;
  - h) Contributing to the costs of workshops and other educational programs provided by the Executive for the purpose of assisting Ward Development Authorities to carry out their functions; such contributions must be approved by Order of the Executive;
  - i) Any other developmental activities consistent with the objects of this Ordinance and approved by Order of the Executive.

**14. Grants for small scale income generating projects**

- 1) Any person or community group may apply to the Ward Development Authority for their Ward for a grant to support a small scale income generating primary industries related project, and subject to the provisions of this Ordinance the Ward Development Authority may approve such grant for any income generating project which in the the opinion of the Authority will provide goods or services, or training or employment, of benefit to the community of the Ward.
- 2) Ward Development Authorities may provide grants to small scale income generating projects for primary industries within the Ward under the following conditions:
  - a) The grant may be allocated once only to any small scale income generating project;
  - b) The maximum amount of any grant to any project shall be one thousand dollars (\$1,000.00);
  - c) The grant may be applied to any goods or services reasonably required by the project and approved by the Ward Development Authority;
  - d) The grant shall not be provided directly to the applicant but may be paid, on the production of written invoices or quotes, to the

- to the supplier of the goods or services required by the project;
  - e) Any project which is a business within the meaning of the Business License Ordinance must obtain the appropriate business license before being approved a grant;
  - f) The grant may not be provided to any business or project which has been funded fully or partly by donor funding;
  - g) Any goods or services paid for by the grant remain the property of the Ward Development Authority and if the project no longer requires the items the project shall return the items to the Ward Development Authority who may allocate them to another project which has completed the application process;
  - h) Any goods or services approved or paid for by the grant, which are not used for the approved project within three (3) months of being approved, may be recovered by the Ward Development Authority who may allocate them to another project which has completed the application process.
- 3) A maximum number of grants may be provided in any financial year, being:
- a) Villages with less than twenty registered electors, one grant;
  - b) Villages with twenty and less than one hundred registered electors, two grants; Villages with one hundred or more registered electors, three grants.
- 4) Applications for grants must:
- a) Be in the format set out in Schedule Three and contain the information provided in that format;
  - b) Provide any further information the Ward Development Authority may request.
- 5) Any Ward Development Authority that intends to approve a grant:
- a) May approve the entire application or only some items;
  - b) Must obtain the endorsement of the Ward Council of Chiefs for the Ward before giving its final approval to the grant.
- 6) Any Ward Development Authorities who approves a grant:
- a) May impose any other conditions that are not inconsistent with this Ordinance and that in the opinion of the Ward Development Authority will ensure best use of the grant;
  - b) Shall monitor the project and if it is not satisfied with the progress of the project, or that the items provided by the grant are being used for the purposes of the approved project, may:
    - (i) Withhold any balance of the approved grant until a Satisfactory improvement is made;
    - (ii) Terminate the grant;
    - (iii) Recover any goods or services provided and allocate them to another project which has completed the application process.

- 7) Any person who is dissatisfied with any decision of a Ward Development Authority under this section may appeal to the Ward Council of Chiefs for the Ward, whose decision shall be final.

**15. Application of other funds generated by Ward Development Authorities**

- 1) Any funds obtained by licensed business activities of Ward Development Authorities may be applied to:
- a) Managing and developing the business activity and its assets;
  - b) Any developments in the Ward as provided under **section 13**;
  - c) Expenses in relation to administration of the Ward Development Authority, including the costs associated with meetings and employing persons to assist with administration activities;
  - d) Providing further discretionary funding to the Councils of Chiefs;
  - e) Providing funding to Village Peace Councils within the Ward;
  - f) Providing further grants to villages, or one further grant of up to one thousand dollars (\$1,000.00) to any applicant who has been approved a grant under **section 14**, under the same terms and conditions as provide in **section 14**.
- 2) Any funds from fund raising activities or donor funding obtained by a Ward Development Authority by must:
- a) Be applied to the purpose the funds were raised or applied for and in compliance with the application approved by the Executive; and
  - b) Any excess funds left after the completion of project must be treated as entitlements and applied in the manner specified for entitlements under **section 13**.

**PART IV - ACCOUNTABILITY**

**16. Financial year**

The financial year for Ward Development Authorities shall be from the first day of January in each year until the thirty first day of December of that year.

**17. Provincial Finance Division to provide statements of account**

- 1) When the Province allocates any entitlements to a Ward Development Authority, it shall also provide the Ward Development Authority with a summary of:
- a) The source of the entitlement and how the sum is calculated; and
  - b) A breakdown of how the funds must be applied in accordance with the percentages set out in **section 13**;
  - c) Whether the funds have been deposited into the Authority's bank account or are held in the Special Fund.
- 2) At the end of the financial year the Provincial Finance Division shall provide to each Ward Development Authority an annual financial

statement, and provide a copy of that annual financial statement to the Ward Council of Chiefs for the Ward and to the Great Council of Chiefs; the financial statement to show:

- a) The entitlements of the Ward Development Authority for the year, including the sources of those entitlements;
- b) The required allocation of the total of those entitlements in accordance with the percentages set out in section 13;
- c) Payments that have been made into the Ward Development Authority's bank account;
- d) Entitlements that are held in the Special Fund;
- e) If any entitlements are being withheld, the reason for the withholding;
- f) The details required to be provided under the Special Fund Ordinance.

**18. Duty of Ward Development Authorities to account**

- 1) Each Ward Development Authorities must prepare and provide to the Provincial Finance Division and to the Ward Council of Chiefs for the Ward the following financial reports:
  - a) A quarterly financial report, providing a breakdown of all revenue and expenditure for that quarter including the allocations to Councils of Chiefs and for the administration of the Ward Development Authority, the quarters being:
    - (i) January to March;
    - (ii) April to June;
    - (iii) July to September;
    - (iv) October to December.
  - b) An annual financial report, providing:
    - (i) A breakdown of all revenue and expenditure for that financial year, including the allocations to Councils of Chiefs and for the administration of the Ward Development Authority;
    - (ii) A summary of how the expenditure achieved the objectives of the Community Development Plan for the year.
  - c) Any further financial report when requested by the Executive.
- 2) The financial reports must be set out in the format prescribed by Order of the Executive and contain the information indicated in that format.
- 3) Ward Development Authorities must:
  - a) Provide their quarterly reports within three weeks of the end of the relevant quarter;
  - b) Provide their annual report by the last day of January.
- 4) Ward Development Authorities must provide receipts for all revenue or income they receive, except for income obtained from donor funding or fundraising activities approved by the Executive, and keep copies of receipts for all payments they make.

- 5) Ward Development Authorities are not required to provide copies of their receipts with their financial reports, however:
  - a) A Ward Council of Chiefs may at any time inspect the records of the Ward Development Authority for its Ward;
  - b) The Provincial Finance Division may inspect the records of a Ward Development Authority at any time;
  - c) The Executive may resolve that the records of a Ward Development Authority be inspected or audited at any time, and if the Executive so resolves the Ward Development Authority must hand over all receipts and other records of account to the person(s) authorised by the Executive.

**19. Reporting to the Executive**

- 1) The Provincial Finance Division shall forward to the Executive a copy of all financial reports of Ward Development Authorities, and provide a report detailing any discrepancies or irregularities in any of the financial reports.
- 2) When the entitlements of any Ward Development Authority are withheld for failing to provide any financial report, the Provincial Finance Division shall forward to the Executive a copy of the report from that Ward Development Authority as soon as it is received along with a report detailing any discrepancies or irregularities in the Ward Development Authority's financial report.

**20. Annual Public Meeting**

Every Ward Development Authority must at least once a year hold a public meeting in the Ward and:

- a) The mandatory annual meeting must be held in the first quarter of the year (January to March);
- b) The Ward Development Authority must report to the public of the Ward about the income and expenditure for the previous year, and the developments that have been undertaken;
- c) The Ward Development Authority must explain the Community Development Plan for the current year, and obtain input from the community into the next Community Development Plan;
- d) The Ward Development Authority must provide an opportunity for the community to ask questions about the functioning of the Ward Development Authority and to make suggestions.

**PART V - MISCELLANEOUS**

**21. Funds of Area Councils transferred**

When permitted by law:

- a) Any funds owed to an Area Council established under the Makira Province Council Ordinance 1985 may be collected by the

- b) Any funds being held by or owing to an Area Council shall be paid into the Special Fund, and for the purposes of the Special Fund Ordinance shall be deemed to be an entitlement of Ward Development Authorities;
- c) The funds from each Area Council shall be divided equally among the Ward that the particular Area Council represented.

**22. Subvention to organisation ceased**

The head in the Provincial Budget titled "subvention to organisations" shall be deleted.

**23. Executive may make Orders**

The Executive may make such Orders for the following purposes:

- a) Removing any member of a Ward Development Authority from office in accordance with **section 5**;
- b) Determining that the entitlements of a Ward Development Authority shall cease, and that the funds shall be divided between all properly constituted Ward Development Authorities, in accordance with **section 9**;
- c) Appointing Ward Development Authorities to undertake revenue collection activities on behalf of the Executive, or revoking such appointments, in accordance with **section 10**;
- d) Prescribing the revenues that Ward Development Authorities may collect on behalf of the Executive, in accordance with **Section 10**;
- e) Prescribing further conditions applying to revenue collection action activities, in accordance with **section 10**;
- f) Approving Ward Development Authority entering into joint ventures in accordance with **section 11**;
- g) Approving Ward Development Authorities contributing to the costs of workshops and other educational programs in accordance with **section 13**;
- h) Approving Ward Development Authorities undertaking any other developmental activity in accordance with **section 13**;
- i) Prescribing the format of financial reports in accordance with **Section 18**;

**24. Schedule of estimates**

A schedule of the estimates of revenue and expenditure, required by the Standing Orders of Makira Ulawa Provincial Assembly, is set out in **Schedule Four**.

**PASSED BY THE MAKIRA ULAWA PROVINCIAL ASSEMBLY**

**THIS 31ST DAY OF MARCH 2006**

This printed impression has been carefully compared by me against the Ordinance passed by the Makira Ulawa Provincial Assembly and is found by me to be a true and correct copy of the said Ordinance.

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**Clerk to the Makira Ulawa Provincial Assembly**

**ASSENTED TO BY THE MINISTER FOR PROVINCIAL GOVERNMENT**

**THIS TWENTY NINTH DAY OF MAY 2006**

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**Minister for Provincial Government**

173  
SCHEDULE ONE  
(Section 11)

**Sample application to the Makira Ulawa Provincial Executive  
for approval of donor funding application**

Ward Development Authority: Ward \_\_\_\_\_ Ward number \_\_\_\_\_

The purposes for which funds are being requested: \_\_\_\_\_  
\_\_\_\_\_

How the development meets the objectives of the Ward's Community Development Plan:  
\_\_\_\_\_

Amount of funds requested: \_\_\_\_\_

Suggested donor organisation(s) \_\_\_\_\_

Attached:   yes / no   Project proposal, including schedule of costs  
              yes / no   Completed application form for specified donor organisation

\_\_\_\_\_ for \_\_\_\_\_ Ward Development Authority \_\_\_\_\_  
(name/signature)                      (name of WDA)                                      (date)

The proposal to apply for donor funding is:  
(a) endorsed  
(b) recommended to be approved with the following modifications: \_\_\_\_\_  
(c) rejected

By the \_\_\_\_\_ Ward Council of Chiefs for the following reasons: \_\_\_\_\_  
(name of WCC)

\_\_\_\_\_ for \_\_\_\_\_ Ward Council of Chiefs \_\_\_\_\_  
(name/signature)                      (name of WCC)                                      (date)

The proposal to apply for donor funding is:  
(a) endorsed  
(b) approved with the following modifications: \_\_\_\_\_  
(c) rejected

By the Makira Ulawa Provincial Executive for the following reasons: \_\_\_\_\_

MUP Premier (or Minister supervising): \_\_\_\_\_ Date: \_\_\_\_\_  
\_\_\_\_\_  
(signature)

**Sample application to the Makira Ulawa Provincial Executive  
for approval of fund raising or other revenue generating activities**

Ward Development Authority: Ward \_\_\_\_\_ Ward number \_\_\_\_\_

Description of the type of fund raising or other activity proposed: \_\_\_\_\_  
\_\_\_\_\_

Location of proposed activity: \_\_\_\_\_

The purposes for which funds are being raised or sought: \_\_\_\_\_  
\_\_\_\_\_

Estimate of the amount of funds proposed to be raised by the activity: \_\_\_\_\_  
\_\_\_\_\_

Proposed timeframes for the activity: \_\_\_\_\_

How the development meets the objectives of the Ward's Community Development Plan:  
\_\_\_\_\_

\_\_\_\_\_ for \_\_\_\_\_ Ward Development Authority \_\_\_\_\_  
(name/signature) (name of WDA) (date)

The proposed fundraising activity:  
(a) endorsed  
(b) recommended to be approved with the following modifications: \_\_\_\_\_  
(c) rejected

By the \_\_\_\_\_ Ward Council of Chiefs for the following reasons: \_\_\_\_\_  
(name of WCC)

\_\_\_\_\_ for \_\_\_\_\_ Ward Council of Chiefs \_\_\_\_\_  
(name/signature) (name of WCC) (date)

The proposed fund raising activity is:  
(a) endorsed  
(b) approved with the following modifications: \_\_\_\_\_  
(c) rejected

By the Makira Ulawa Provincial Executive for the following reasons: \_\_\_\_\_  
\_\_\_\_\_

MUP Premier (or Minister supervising): \_\_\_\_\_ Date: \_\_\_\_\_  
(signature)

**SCHEDULE TWO**  
**(Section 10)**

**Conditions for Revenue Collection**

1. All revenues collected must be receipted on the official receipts issued by the Provincial Finance Division.
2. All copies of the receipt must be clearly written out in indelible ink and be readable.
3. All revenues collected must be remitted to the Provincial Finance Division together with all receipts and revenue collector's cash book.
4. Any shortfall in revenue shall be made good by the Ward Development Authority, and may be deducted from any entitlements of the Ward Development Authority.
5. Any discrepancies must be reported to the Provincial Finance Division as soon as they are discovered by the Ward Development Authority.
6. All revenues collected belong to the Province and may not be used for any purpose, whether purpose of the Ward Development Authority or any other purpose such as personal purpose, borrowing, or lending.
7. The Provincial Finance Division are authorised to check on the Ward Development Authority at anytime to ensure compliance with these instructions, and the Ward Development Authority may be requested to hand over all books and receipts and so on at any time.
8. All Ward Development Authorities approved to undertake revenue collection activities must maintain a record of the following, and provide a copy of it to the Provincial Finance Division:
  - a) All businesses operating in the Ward;
  - b) All eligible basic rate payers in the Ward;
  - c) Any other category of payer where the authority is delegated to the Ward Development Authority to collect the payments;
  - d) All persons who have paid to the Ward Development Authority the revenue they are required to pay under a Provincial Ordinance and the authority to collect it has been delegated to the Ward Development Authority;
  - e) Any person or business who fails or refuses to pay any revenue they are required to pay under a Provincial Ordinance and the authority to collect it has been delegated to the Ward Development Authority.
9. If any Ward Development Authority appoints any other person to collect revenues on its behalf, the Ward Development Authority:
  - a) Is responsible for ensuring that person complies with these conditions; and
  - b) Remains responsible to the Executive for compliance with these conditions; and
  - c) Remains responsible to the Executive for remitting the funds and receipts and so on to the Provincial Finance Division, and any shortfalls or other breaches of these conditions.



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SCHEDULE FOUR  
(Section 24)

**Schedule of estimates of revenue and expenditure of public funds\***

**A. REVENUE AND EXPENDITURE OF WARD DEVELOPMENT AUTHORITIES**

<b>1. Annual entitlements from Provincial Fund:</b>	
a) Ward Development Grant;	\$
b) Commission on revenue collection activities;	\$
c) Revenue sharing allocation for Ward Business Licences.	\$
<b>Estimated total annual revenue from public funds</b>	<b>\$</b>

<b>2. Annual expenditure:</b>	
a) Fifteen percent (15%) of total public revenue to Ward Councils of Chiefs for governance activities;	\$
b) Five percent (5%) of total public revenue to Great Council of Chiefs for governance activities;	\$
c) Ten percent (10%) of total public revenue for administration of Ward Development Authorities;	\$
d) Seventy percent (70%) of total public revenue for development.	\$
<b>Estimated total annual expenditure of public funds</b>	<b>\$</b>

**B. REVENUE AND EXPENDITURE FROM PROVINCIAL FUND**

<b>1. Annual expenditure from Provincial Fund:</b>	
a) Ward Development Grant (a current expenditure)	\$
b) Commission on revenue collection activities (a current expenditure)	\$
c) Revenue sharing allocation for Ward Business Licences (a newly introduced expenditure, however Ward Business Licences are also newly introduced and increase the overall from business licensing).	\$
<b>Estimated total annual expenditure from public funds</b>	<b>\$</b>

<b>2. Annual revenues to Provincial Fund:</b>	
Ward Development Authorities do not directly contribute funds to the Provincial Fund, however there will be indirect contributions and savings including the following:	
a) Increased Provincial revenue collection;	
b) Decreased need to allocate expenditure for rural developments;	
c) Need to allocate expenditure to fund the governance and law enforcement activities of Chiefs is eliminated;	
d) The expenditure head "Subventions to Organisations" is to be deleted from the Budget.	

\* Notes:

- a) The estimates are based on the estimates currently proposed for the Makira Ulawa Province Appropriation Bill for the 2006/2007 Provincial financial year.
- b) The Ward Development Authorities may have other revenue and expenditure which does not form part of public funds.

**THE PROVINCIAL GOVERNMENT ACT 1997  
(NO. 7 OF 1997)**

**THE MAKIRA ULAWA PROVINCE VILLAGE PEACE COUNCILS  
ORDINANCE 2006**

**AN ORDINANCE to support Chiefs to maintain peace in their villages and tribal lands in Makira Ulawa Province by establishing Village Peace Councils and delegating certain peace-keeping and law enforcement authority to them.**

**ENACTED BY the Provincial Assembly of Makira Ulawa Province.**

**Arrangement of sections**

**Section:**

**PART I - PRELIMINARY**

- 1. Title and Commencement**
- 2. Interpretation**
- 3. Purpose**

**PART II - CONSTITUTION OF VILLAGE PEACE COUNCILS**

- 4. Establishment and certification of Village Peace Councils**
- 5. Associates of Village Peace Councils**
- 6. Village Peace Warden**
- 7. Revocation of certification of Village Peace Council or removal of members**
- 8. Appointment of further members, Associates, or Wardens**

**PART III - JURISDICTION and OBLIGATIONS**

- 9. Jurisdiction**
- 10. Substituting a customary alternative for infringement fee**
- 11. Limitation of jurisdiction**
- 12. Customary land disputes excluded**
- 13. Reporting of criminal matters**
- 14. Reconciliations in criminal or civil matters**

**PART IV - MATTERS INVOLVING OTHER VILLAGE PEACE COUNCILS**

- 15. Village Peace Councils to co-operate**
- 16. Disputes between villages**
- 17. Village Peace Councils may amalgamate or form co-operatives**

**PART V - FINANCES**

- 18. Finances of Village Peace Council
- 19. Prohibition on lending, borrowing or seeking other funding

**PART VI - MISCELLANEOUS**

- 20. Executive may make Orders

Schedules

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**THE PROVINCIAL GOVERNMENT ACT 1997  
(NO. 7 OF 1997)**

**THE MAKIRA ULAWA PROVINCE VILLAGE PEACE COUNCILS ORDINANCE 2006**

Under the powers conferred by Section 30 of the Provincial Government Act 1997, the Makira Ulawa Provincial Assembly makes the following Ordinance -

**PART 1 - PRELIMINARY****1. Title and Commencement**

This Ordinance shall be cited as the Makira Ulawa Province Village Peace Councils Ordinance 2006 and shall come into operation upon assent by the Minister of Provincial Government in accordance with Section 32 of the Provincial Government Act 1997 and publication in the Solomon Islands Gazette.

**2. Interpretation**

In this Ordinance, except where the context otherwise requires, words have the following meanings -

- “Executive” means Makira Ulawa Province Executive;
- “infringement offence” means an offence identified in any Provincial Ordinance as an infringement offence in accordance with the Penalties For Offences Ordinance;
- “Penalties For Offences Ordinance” means the Makira Ulawa Penalties For Offences Ordinance 2006 or its successors;
- “Police” means Royal Solomon Islands Police;
- “Province” means Makira Ulawa Province;
- “Provincial Government” means Makira Ulawa Provincial Government;
- “Village Peace Council” means a Village Peace Council established and certified in accordance with this Ordinance.

**3. Purpose**

The purpose of this Ordinance is to:

- (a) Support Chiefs to resolve conflicts, and maintain and promote peace, in their villages and tribal lands in Makira Ulawa Province by establishing Village Peace Councils and delegating certain peace-keeping and law enforcement authority to the Village Peace Councils;
- (b) Provide for a system where authority is or may be delegated to Chiefs and other members of Village Peace Councils to issue infringement notices and collect the infringement, fees for identified infringement offences, in their villages and their tribal lands; and
- (c) Provide for the appointment of Village Peace Wardens to assist the Village Peace Councils with peace-keeping and law enforcement activities, including providing reports to various law enforcement agencies, and
- (d) Authorise Village Peace Councils to utilise infringement fees and other law enforcement income for peace-keeping and law enforcement activities in their respective areas.

**PART II - CONSTITUTION OF VILLAGE PEACE COUNCILS****4. Establishment and certification of Village Peace Councils**

- (1) Any Village in the Province may apply to the Ward Council of Chiefs for its Ward to be certified to carry out the peace-keeping and law enforcement activities provided for in this Ordinance, and:
  - (a) The Village must provide the details of:
    - (i) The identity of the Chiefs who have been selected to be members of the Village Peace Council;
    - (ii) The identity of the representatives who have been selected to be the Women and Youth Associates of the Village Peace Council;
    - (iii) The identity of the person or persons selected to be the Village Peace Wardens, and a summary of their skills that in the opinion of the Village make them suitable to be Village Peace Wardens;
    - (iv) The method upon which the proposed members, Associates, and Wardens were chosen and the method by which replacements will be chosen;
    - (v) An indication that the Village community accepts the nominations and the method by which the nominees were chosen;
    - (vi) The tribal lands the Village Peace Council applies to have jurisdiction over, and an indication of whether any of those lands are currently under dispute.

- (b) A form is set out in Schedule One as a guide to the information that must be provided by the Village when requesting certification.
- (c) If it is satisfied that the Village has identified the matters required in this section and has the capacity to adequately carry out the peace-keeping and law enforcement activities, the Ward Council of Chiefs may recommend to the Premier to certify that Village Peace Council in accordance with this Ordinance.
- (d) If the Premier:
  - (i) Accepts the recommendation of the Ward Council of Chiefs, the Premier may issue a certificate in the form in **Schedule Two**;
  - (ii) Is uncertain whether to act on the recommendation of the Ward Council of Chiefs, the Premier shall refer the matter to the Executive for the Executive to determine whether or not the Premier should issue a certificate in the form in **Schedule Two** and any limits that should be placed on the jurisdiction of the Village Peace Council, and the decision of the Executive shall be final.
- (e) When the Premier certifies any Village Peace Council, whether on the advice of a Ward Council of Chiefs or the decision of the Executive, the certification shall be deemed to be evidence of an Agency Agreement as provided in section 29 of the Provincial Government Act 1997 or its successors.
- (2) When considering an application the Ward Council of Chiefs, Premier, or Executive, may take into account any information they have about any of the tribal lands being in dispute, and may withhold approval to any area of land that is known to be in dispute and which has not been heard and determined by the relevant Chiefs in the customary manner.

#### 5. **Associates of Village Peace Council**

Every Village Peace Council must appoint at least one women's representative and one youth representative as Associates of the Village Peace Council, and those Associates:

- (a) May be nominated by the women and youth of the Village respectively;
- (b) May hold office for a term of two years, after which their appointment will lapse;
- (c) May be appointed to hold office for a further term or terms;
- (d) May attend all meetings or sittings of the Village Peace Council, and participate in all debates and activities;
- (e) Will act as advisors to the Village Peace Council, in relation to matters as they impact

- (g) Must consult with women and youth within the Village in relation to the business of the Village Peace Council;
- (h) May be removed from office by the Village Peace Council on recommendation from the women (for women Associates) or youth (for youth Associates) of the Village.

**6. Village Peace Warden**

- (1) Every Village Peace Council shall appoint at least one Village Peace Warden to assist the Village Peace Council to enforce law and keep the peace.
- (2) The Village Peace Warden must be a suitable person to carry out the functions of the Warden, and have such characteristics and skills as:
  - (a) Good formal education, so he or she can assist the Chiefs to understand the laws and can carry out the clerical tasks associated with issuing infringement notices;
  - (b) Courage to address breaches of the peace and to intervene when necessary;
  - (c) Willingness to assist the Village Peace council to collect outstanding infringement fees and supervise customary penalties;
  - (d) Ability to minimise disputes;
  - (e) Physically fit for travelling
- (3) The functions to Village Peace Wardens include:
  - (a) Administration of the Village Peace Council;
  - (b) Advising the Village Peace Council about relevant laws of the Province;
  - (c) Receiving reports from the village community about suspect infringement offenses and other offenses;
  - (d) Issuing infringement notices and collecting infringement fees;
  - (e) Supervising and reporting on the implementation of any customary penalty substituted for an infringement fee;
  - (f) Completing the reporting process for infringement offences as provided under the Penalties For Offences Ordinance;
  - (g) Reporting criminal matters to the Police;
  - (h) Completing the annual report to the Executive regarding the infringement offences addressed by the Village Peace Council (a form for reporting is set out in **Schedule Three**)
- (4) The Village Peace Council shall provide the Village Peace Warden with a notice of appointment in the form set out in Schedule Four and shall display a copy of the notice in a prominent place in the Village.
- (5) The Village Peace Council may, at its own cost, provide the Village Peace Warden with an identification card or other means of identification.

- (6) When attending meetings or sittings of the Village Peace Council, the Village Peace Warden shall have the same status as an Associate.

**7. Revocation of certification of Village Peace Councils, or removal of members**

- (1) The Ward Council of Chiefs may;
- (a) Revoke the appointment of any Chief or other member of a Village Peace Council within its Ward, or any Village Peace Warden within its Ward, for any reason.
  - (b) Revoke the appointment of any associate to a Village Peace Council within its Ward, upon the recommendation of the women of the village (for Women's associate) or the youth of the village (for Youth's associate).
- (2) When a Ward Council of Chiefs revokes the appointment of any person, it must notify the person in writing and provide a copy of the notice to the Executive.
- (3) The Executive may, by Executive Order issued in the format in **Schedule Five**, revoke the certification of:
- (a) Any Village Peace Council in the Province;
  - (b) Any particular Chief or other member or associate of a Village Peace Council;
  - (c) Any Village Peace Warden.
- (4) The Executive may only exercise the authority to revoke certification after considering a report from:
- (a) The Provincial Police Commander, or any Police Officer for the time being supervising the Office of the Provincial Police Commander; and
  - (b) The Principal Magistrate, or any Magistrate for the time being supervising the Magistrate's Court in the Province; and
  - (c) The senior Legal Advisor or Officer to the Provincial Government.
- (5) Where the Executive revokes certification it shall provide a copy of the Order to the Village Peace Council concerned, the Ward Council of Chiefs for Ward, and the Police.

**8. Appointment of further members, Associates, or Wardens**

- (1) Certified Village Peace Councils may appoint replacement or further persons to a Village Peace Council, using the method of selecting nominees identified by the Village Peace Council in its application for certification.
- (2) Any such appointments must be notified to the Ward Council of Chiefs for the Ward.
- (3) No person whose appointment has been revoked, whether by the Ward Council of Chiefs or by Order of the Executive, may

be reappointed to a Village Peace Council unless the appointment is approved by resolution of the Executive.

### **PART III - JURISDICTION and OBLIGATIONS**

#### **9. Jurisdiction**

- (1) Village Peace Councils may issue notices for infringement offences and collect the infringement fees for any infringement offence where the authority to do so is delegated in or under any Provincial Ordinance.
- (2) Notwithstanding anything to the contrary in any other Ordinance of the Province:
  - (a) Village Peace Councils shall not have Jurisdiction to address any offending that occurs, or is alleged to have occurred, outside the tribal lands of the village;
  - (b) Village Peace Councils shall not have jurisdiction to address any infringement or other offence for which a term of imprisonment may be imposed upon conviction;
  - (c) Village Peace Councils shall not have jurisdiction in any matter where the person alleged to have committed the offence is not indigenous to Solomon Islands;
  - (d) For the avoidance of doubt it is declared that a Village Peace Council is not a court and:
    - (i) Has no jurisdiction to conduct hearings or to finally determine any matter coming before it;
    - (ii) Has no jurisdiction to hear or determine any criminal matter.

#### **10. Substituting a customary alternative for infringement fee**

When a Village Peace Council substitutes a customary penalty for an infringement fee, in accordance with the provisions of the Penalties For Offences Ordinance, that customary penalty is not required to be of equal value to the infringement fee.

#### **11. Limitation of jurisdiction**

- (1) Where the Executive is satisfied that an area of land is in dispute and the matter has not been heard and determined by the relevant Chiefs in the customary manner the Executive may, by Order set out in the format in Schedule Six, prohibit a Village Peace Council from exercising any jurisdiction over offences occurring or alleged to have occurred within that land. Such Order shall be in addition to any land excluded in the certification of the Village Peace Council.
- (2) Where the Executive is satisfied that a Village Peace Council is failing to appropriately exercise jurisdiction in relation to any authority delegated to Village Peace Councils

- (3) Where the Executive prohibits a Village Peace Council from exercising any jurisdiction or authority it shall provide a copy of the Order to the Village Peace Council concerned, the Ward Council of Chiefs for the Ward, and the Police
- 12. Customary land disputes excluded**  
The process for resolving customary land disputes is regulated under Solomon
- 13. Reporting of criminal matters**  
A Village Peace Council must promptly report to the Police any crime that has occurred in its tribal lands or that it suspects has been committed in its tribal lands.
- 14. Reconciliations in criminal or civil matters**  
Nothing in this Ordinance shall prevent a Village Peace Council from participating in reconciliations of civil or criminal matters in accordance with the Magistrates Courts Act [CAP 20] or its successors.

**PART IV - MATTERS INVOLVING OTHER VILLAGE PEACE COUNCILS**

- 15. Village Peace Councils to co-operate**  
Where an infringement or other offence appears to have been committed within the tribal lands of a Village Peace Council, and the alleged offender is governed by another Village Peace Council:
- (a) In the case of an alleged criminal offence, report the matter to the Police;
  - (b) In Village Peace Council of the alleged offender will co-operate with that Village Peace Council in attempting to reconcile the matter.
- 16. Disputes between villages**  
Where an infringement or other offence appears to have been committed within the tribal lands of a village Peace Council, and the alleged offender is governed by another Village Peace Council:
- (a) In the case of an alleged criminal offence, report the matter to the Provincial Government;
  - (b) The Village Peace Council of the alleged offender will co-operate with that Village Peace Council in attempting to reconcile the matter.
  - (c) In the case of a civil dispute, inform the parties that the matter can not be resolved by the Village Peace Councils and that the parties may apply to the Magistrates Court to have the matter heard.
- 17. Village Peace Councils may amalgamate or form co-operatives**
- (1) Any two or more villages, or established Village Peace Councils, may amalgamate by agreement for the better maintenance of peace within their respective tribal lands, and in such circumstances:

- (a) The amalgamated Village Peace Council shall for all the purposes of this Ordinance be treated as one Village Peace Council;
  - (b) The members of the amalgamated Village Peace Council shall jointly have jurisdiction over all the tribal lands of the Villages included in the amalgamation;
  - (c) The infringement fee (or customary alternative) for any offence shall be payable to the amalgamated Village Peace Council decides to apply its funds.
- (2) Any two or more Village Peace Council may form co-operatives by agreement, where they consider that for the better maintenance of peace within their respective tribal lands it is preferable that the Village Peace Council involved each determine matters affecting the other village and tribal lands and in such circumstances;
    - (a) The Village Peace Councils shall for all the purposes of this Ordinance remain separate Village Peace Councils;
    - (b) The Village Peace Councils will swap jurisdiction to determine the matters;
    - (c) The infringement fee (or customary alternative) for any offence shall remain payable to the Village Peace Council whose tribal lands the particular offence occurred on.
  - (3) Any Village Peace Councils who amalgamate or form co-operatives must, in writing, advise the Ward Council of Chiefs for their Ward and the Executive.

#### **PART V - FINANCES**

##### **18. Finances of Village Peace Council**

- (1) A Village Peace Council shall not charge any fee or payment for determining or reconciling any matter under this Ordinance.
- (2) Village Peace Councils may, in accordance with the Penalties For Offences Ordinance, Collect the infringement fees for any infringement notice it has properly issued and may retain those fees for funding and supporting their peace keeping activities.
- (3) Village Peace Councils may also use any goods or services provided by way of customary penalty (where the offender has consented to a customary alternative to the infringement fee) for funding and supporting their peace keeping activities.
- (4) Village Peace Councils have absolute discretion in relation to utilising the proceeds of the infringements they enforce, however they are required to appropriately support their Village Peace Wardens which may include:

- (a) Providing administrative resources for the Village Peace Warden to carry out his or her role; for example paper or photocopied forms, biros and so on;
- (b) Transportation;
- (c) Providing goods or services to make up for the Village Peace Warden's absences from tending his or her garden or private business affairs.

**19. Prohibition on lending, borrowing or seeking other funding**

- (1) No Village Peace Councils, may lend funds or provide any type of credit to any of its members or associates, or to any other person or organisation.
- (2) No Village Peace Council may borrow funds from any source, or seek to obtain any goods or services on credit.
- (3) No Village Peace Council may seek or solicit funding from any source other than those provided in this Ordinance or the Makira Ulawa Province Ward Development Authorities Ordinance 2006, unless the application for funding or other financial assistance is:
  - (a) Authorised by Order of the Executive;
  - (b) For one-off projects designed to help achieve the purposes of this Ordinance;
  - (c) Not for funding the ongoing peace-keeping and law enforcement functions of the Village Peace Council.

**PART VI - MISCELLANEOUS**

**20. Executive may make Orders**

The Executive may make Orders for all or any of the following objects:

- (a) Revoking the certification of any Village Peace Council, Chief or other member or associate, or Village Peace Warden, in accordance with **section 7**;
- (b) Limiting the jurisdiction of any Village Peace Council in accordance with **section 11**.

**PASSED BY THE MAKIRA ULAWA PROVINCIAL ASSEMBLY**

**THIS 31ST DAY OF MARCH 2006**

This printed impression has been carefully compared by me against the Ordinance passed by the Makira Ulawa Provincial Assembly and is found by me to be true and correct copy of the said Ordinance.

**Clerk to the Makira Ulawa Provincial Assembly**

**ASSENTED TO BY THE MINISTER FOR PROVINCIAL GOVERNMENT**

**THIS TWENTY NINTH DAY OF MAY 2006**

**Minister for Provincial Government**

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**SCHEDULE ONE**  
**(Section 4)**

**MAKIRA ULAWA PROVINCE VILLAGE PEACE COUNCIL ORDINANCE 2006**

**Application to ..... Ward Council of Chiefs, of Ward ....., for  
recommendation to the Premier for certification as Village Peace Council**

Village: .....Ward: .....

Tribal lands of the Village: .....

Identify any of the tribal lands that are currently disputed: .....

Chiefs nominated to be members of the Village Peace Council .....

.....

Nominated Associates: Women: ..... Youth: .....

Nominated Village Peace Warden(s): .....

What skills does he / she / they have that will make them a good Village Peace Warden?

.....

.....

How were the people nominated chosen, and how will any replacements be chosen?

.....

.....

Does the Village community accept these nominations and the method used to choose them?

.....

Village Chief: .....  
(name) (signature) (date)

Village Chief: .....  
(name) (signature) (date)

The ..... Ward Council of Chiefs has considered this application and recommends to the Premier of Makira Ulawa Province that the application be:

- (c) Approved without amendment, or
- (d) Approved with the following amendments: ..... or
- (e) Declined

For the following reasons: .....

For Council of Chiefs: .....  
(name) (signature) (date)

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SCHEDULE TWO  
(Section 4)

MAKIRA ULAWA PROVINCE VILLAGE PEACE COUNCILS ORDINANCE  
2006

CERTIFICATION OF ..... VILLAGE  
PEACE COUNCIL

(Village Peace Councils Certificate No ..... of 20 .....)

Under the powers conferred by Section 4 of the Makira Ulawa Province Village Peace Councils Ordinance 2006, the Premier of Makira Ulawa Province certifies the following -

- 1 **Certification to carry out peace keeping regime**  
..... Village Peace Council, of ..... Ward  
is hereby certified to carry out the peace keeping regime provided in the Makira Ulawa Province Village Peace Councils Ordinance 2006 or its successors.
  
2. **Jurisdiction of Village Peace Council**
  - (a) The Village Peace Council specified in this Certificate has jurisdiction over the Village and all tribal lands the Chiefs of the Village exercise primary customary rights over except for the following land known as:  
.....  
.....
  - (b) If at any time it is determined by law that the Chiefs do not have primary rights over any land, the Village Peace Council will cease to have jurisdiction over that land.
  
- 3 **Revocation of Certification**

Makira Ulawa Provincial Executive reserves the right to make Orders;

  - (a) Revoking the certification of the Village Peace Council or any of its Chiefs, associates, or Wardens;
  - (b) Limiting the jurisdiction of any Village Peace Council, in relation to either the area of land it exercises jurisdiction over or the range of peace keeping activities it may carry out and receive funds for.

**4 Revocation by Ward Council of Chiefs**

The Ward Council of Chiefs for ..... Ward retains the right to revoke the appointment of any Chief, Associate, or Warden of the Village Peace Council.

**Certified on (date) ..... by ....., Premier of Makira Ulawa Province (or Minister supervising the office of the Premier)**

**Witnessed by....., Provincial Minister for .....**

**Witnessed by ....., Provincial Secretary, Makira Ulawa Province**

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**SCHEDULE THREE**  
**(Section 6)**

**MAKIRA ULAWA PROVINCE VILLAGE PEACE COUNCILS ORDINANCE**  
**2006**

**Annual report to the Executive by Village Peace Council**

..... Village Peace Council of ..... Ward

**Annual report for the year: .....**

1. Total number of infringement notices issued for the year: .....
2. Number infringement notices revoked by the Village Peace Council: .....
3. Number of infringements where the infringement fee was paid: .....
4. Total amount of infringement fees collected by the Village Peace Council: .....
5. Number of infringements where a customary alternative was substituted for the fee: .....
6. Number of infringement notices forwarded to the Provincial Government for enforcement:
  - a) Where the person failed to pay the infringement fee as required: .....
  - b) Where the person agreed to a customary alternative but did not carry it out: .....

**Summary of total infringement notices issued for the year**

Name of MUP Ordinance	Section	Offence	Category of offence	Number of notices issued for that offence

Village Peace Warden : ..... (name) ..... (signature) ..... (date)

For Village Peace Council : ..... (name) ..... (signature) ..... (date)

**SCHEDULE FOUR  
(Section 6)**

**MAKIRA ULAWA PROVINCE VILLAGE PEACE COUNCILS ORDINANCE 2006**

**Appointment of Village Peace Warden**

..... Village Peace Council, of ..... Ward

**in Makira Ulawa Province appoints ..... to be Village Peace Warden with authority to assist the Village Peace Council to keep the peace and enforce laws in the tribal lands of the Village Peace Council.**

Village Chief: .....  
(name) (signature) (date)

Village Chief: .....  
(name) (signature) (date)

**A copy of this notice shall be provided to the Village Peace Warden and a copy shall be displayed in a prominent place in the Village.**

**SCHEDULE FIVE**  
**(Section 7 and 20)**

**MAKIRA ULAWA PROVINCE VILLAGE PEACE COUNCILS ORDINANCE 2006**

..... **VILLAGE PEACE COUNCILS**  
**(REVOCATION OF CERTIFICATION) ORDER** .....

(Village Peace Councils Order No ..... of .....)

Under the powers conferred by **Sections 7 and 20** of the Makira Ulawa Province Village Peace Councils Ordinance 2006, the Makira Ulawa Provincial Executive issues the following Order -

**1 Revocation of authority of Village Peace Council or members, associates, or Wardens**

*[delete options not relevant]*

- (a) All authority delegated to ..... Village Peace Council of ..... Ward, under the Makira Ulawa Province Peace Ordinance 2006 or its successors, is hereby revoked.
- (b) All authority delegated to:
- (i) Chief ....., of ..... Village Peace Council;
  - (ii) ....., Women's Associate for ..... Village Peace Council;
  - (iii) ....., Youth's Associate for ..... Village Peace Council;
  - (iv) ....., Village Peace Warden for ..... Village Peace Council;

of ..... Ward, under the Makira Ulawa Province Councils Ordinance 2006 or its successors, is hereby revoked and that person is no longer a member/Associate /Warden of the Village Peace Council.

**2 Display of Order**

The Village Peace Council named in this Order must display this Order in a prominent place in the Village for at least six months from the date of the Order.

*[Insert the details for verification of enactment and display of Orders of the Executive, as required by the Makira Ulawa Province Executive Governing Rules]*

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SCHEDULE SIX  
(Section 11 and 20)

MAKIRA ULAWA PROVINCE VILLAGE PEACE COUNCILS ORDINANCE 2006

..... VILLAGE PEACE COUNCILS (LIMITATION  
OF JURISDICTION OF VILLAGE PEACE COUNCIL) ORDER .....

(Village Peace Councils Order No ..... of .....)

Under the powers conferred by Sections 11 and 20 of the Makira Ulawa Province Village Peace Councils Ordinance 2006, the Makira Ulawa Provincial Executive issues the following Order -

**1 Limitation of jurisdiction of Village Peace Council**

*[delete options not relevant]*

(a) The ..... Village Peace Council of ..... Ward is prohibited from exercising any of the authority delegated under the Makira Ulawa Province Village Peace Councils Ordinance 2006 or its successors, and/or the Makira Ulawa Province ..... Ordinance ..... in relation to the following area of land:

.....  
.....

(b) The ....., Village Peace Council of ..... Ward is prohibited from exercising the following authority delegated under the Makira Ulawa Province Village Peace Councils Ordinance 2006, and/or the Makira Ulawa Province ..... Ordinance ..... :

.....  
.....

**2 Display of Order**

The Village Peace Council named in this Order must display this Order in a prominent place in the Village for at least six months from the date of the Order.

*[Insert the details for verification of enactment and display of Orders of the Executive, as required by the Makira Ulawa Province Executive Governing Rules]*

**THE PROVINCIAL GOVERNMENT ACT 1997  
(NO. 7 OF 1997)**

and

**THE MAKIRA PROVINCE DEVOLUTION ORDER  
(NO. 1 OF 1983)**

and

**THE PUBLIC HOLIDAYS ACT [CAP 151]**

**THE MAKIRA ULAWA PROVINCE  
CHIEFS EMPOWERMENT DAY ORDINANCE 2006**

**AN ORDINANCE to create a public holiday in Makira Ulawa Province to commemorate the empowerment of Chiefs' participation in community governance**

**ENACTED BY the Provincial Assembly of Makira Ulawa Province.**

**Arrangement of sections**

Section;

1. Title and Commencement
2. Public Holiday

**THE PROVINCIAL GOVERNMENT ACT 1997  
(NO. 7 OF 1997)  
and  
THE MAKIRA PROVINCE DEVOLUTION ORDER  
(NO. 1 OF 1983)  
and  
THE PUBLIC HOLIDAYS ACT [CAP 151]**

**THE MAKIRA ULAWA PROVINCE  
CHIEFS EMPOWERMENT DAY ORDINANCE 2006**

WHEREAS: When Solomon Islands gained its independence in 1978 a promise was made in section 114 of the Constitution of Solomon Islands that provision would be made for the role of traditional Chiefs in the Provinces. The Constitution also promised to make provision for customary law. However since independence very little has been done to fulfil those promises to maintain and uphold the chiefly and customary systems traditional to Solomon Islands.

Initial attempts were made by providing for the role of Chiefs in Area Councils, and the role of customary laws in Local Courts. For various reasons those institutions are no longer operating nationally and no alternatives have been provided. As a result Chiefs have been denied both their traditional rights and their constitutional rights, and the people of Solomon Islands have been deprived of the benefit of much of their customary heritage and traditional leadership.

Even though the national government has not successfully fulfilled its constitutional obligations Makira Ulawa Province has devised a sustainable program within the current constitution and legislative framework that are-empowers Chiefs, devolves governance (including development and law enforcement) to the community, and integrates customary laws and practices.

Because such measures are long overdue Makira Ulawa Province has decided to mark the occasion with an annual public holiday to commemorate this first significant step in reclaiming both the traditional rights and the constitutional rights of the Chiefs of the Province and their people, and also as a reminder of how such rights can be progressively diminished until they no longer exist (with the resulting deterioration of the community social structure) unless those rights are proactively protected and exercised in a sustainable manner.

The date chosen for the commemoration holiday is the day on which the people of Makira Ulawa Province exercised their will, through their Provincial Assembly, to enact the first Ordinance of a Comprehensive series of new laws designed to implement the Province's community governance strengthening program: the day on which the Makira Ulawa Province Councils of Chiefs Ordinance 2006 passed its third reading in the Provincial Assembly.

NOW THEREFORE under the powers conferred by Section 30 of the Provincial Government Act 1997, Order 5 of the Makira Province Devolution Order 1983, and Section 6 of the Public Holidays Act [CAP 151] the Makira Ulawa Provincial Assembly makes the following Ordinance -

**1. Title and Commencement**

This Ordinance shall be cited as the Makira Ulawa Province Chiefs Empowerment Day Ordinance 2006 and shall come into operation upon assent by the Minister of Provincial Government in accordance with Section 32 of the Provincial Government Act 1997 and publication in the Solomon Islands Gazette.

**2. Public holiday**

The 30th day of March in every year shall, for the purpose of the Public Holidays Act [CAP 151] or its successors, be a public holiday in all public offices in the Province to commemorate the empowerment of Chiefs' participation in community governance.

**PASSED BY THE MAKIRA ULAWA PROVINCIAL ASSEMBLY**

**THIS 30TH DAY OF MARCH 2006**

This printed impression has been carefully compared by me against the Ordinance passed by the Makira Ulawa Provincial Assembly and is found by me to be true and correct copy of the said Ordinance.

---

**Clerk to the Makira Ulawa Provincial Assembly**

**ASSENTED TO BY THE MINISTER FOR PROVINCIAL GOVERNMENT**

**THIS TWENTY NINTH DAY OF MAY 2006**

---

**Minister for Provincial Government**

**SUPPLEMENT** to the Solomon Islands Gazette

Tuesday 11th July 2006

S.I. No. 20

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[Legal Notice No. 47]

**THE FOREIGN INVESTMENT ACT 2005**  
( No. 7 of 2005)

**THE FOREIGN INVESTMENT REGULATIONS 2006**

**ARRANGEMENT OF REGULATIONS**

**REGULATION:**

**PART 1**  
**PRELIMINARY**

1. CITATION AND COMMENCEMENT
2. REFERENCES TO FORMS

**PART 2**  
**MATTERS RELATING TO REGISTRATION**  
**OF INVESTMENT**

3. INFORMATION TO BE RECORDED IN REGISTER
4. REGISTRAR TO NOTIFY MINISTER OF REGISTRATION

**PART 3**  
**FORMS**

5. FORM OF ANNUAL SURVEY
6. APPLICATION FOR CERTIFICATE OF REGISTRATION
7. FORM OF CERTIFICATE OF REGISTRATION
8. FORM OF NOTIFICATION OF CHANGE TO REGISTRATION DETAILS
9. FORM OF APPLICATION FOR REVIEW

**PART 4**  
**INVESTMENT FACILITATION COMMITTEE**

10. MEMBERSHIP OF COMMITTEE

11. APPLICATION TO COMMITTEE FOR ASSISTANCE
12. MANNER IN WHICH COMMITTEE TO CONSIDER
13. MANNER IN WHICH COMMITTEE MAY ASSIST FOREIGN INVESTOR
14. PROCEDURES COMMITTEE

**PART 5  
MISCELLANEOUS**

15. RESERVED LIST
16. FEES

**THE FOREIGN INVESTMENTS ACT 2005**

(No. 7 of 2005)

**THE FOREIGN INVESTMENT REGULATIONS 2006**

- |    |   |                           |
|----|---|---------------------------|
| 1. | These Regulations may be cited as the Foreign Investment Regulations 2006, and shall come into operation on the commencement of the Foreign Investment Act 2005 | Citation and commencement |
| 2. | A reference to a form by number is a reference to a form so numbered set out in Schedule 1.   | References to forms       |

**PART 2  
MATTERS RELATING TO REGISTRATION  
OF INVESTMENT ACTIVITIES**

- |    |   |  |
|----|---|--|
| 3. | The following information shall be recorded in the Register in respect of each investment activity registered in the Register -   | Information to be recorded in Register |
|    | <ol style="list-style-type: none"> <li>(a) a description of the investment activity;</li> <li>(b) the name of the foreign investor conducting the investment activity;</li> <li>(c) the business name (if any) under which the foreign investor conducts or will conduct the investment activity;</li> <li>(d) the address of each premises where the foreign investor conducts or will conduct the investment activity;</li> <li>(e) the date the Registrar registers the investment activity and the reference number of the certificate of registration issued in respect of the investment activity;</li> </ol> |  |

- (f) the details of any amendments to the certificate of registration and the date of the amendments;
  - (g) whether the certificate of registration is cancelled and the date of the cancellation; and
  - (h) the surrender of the certificate of registration (if any) and the date the certificate is surrendered.
4. At the end of each month, the Registrar must, in writing, notify the Minister of each investment activity registered in the Registrar during the month.

Registrar  
to notify  
Minister  
of new  
registration

### PART 3 FORMS

5. An annual survey under section 7 of the Act shall be in accordance with Form 1.
6. An application under section 15 of the Act for a certificate of registration shall be in accordance with Form 2 and shall set out the matters specified in section 16(2) of the Act.
7. A certificate of registration shall be in accordance with Form 3 and shall set out the matters specified in section 21(2) of the Act.
8. A foreign investor shall notify the Registrar of a change in a detail referred to in section 22(3) of the Act in accordance with Form 4.
9. An application for review under section 27 of the Act shall be in accordance with Form 5.

Form of  
annual sur-  
vey

Application  
for certifi-  
cate of reg-  
istration

Form of  
certificate  
of registra-  
tion

Form of  
notification  
of change  
to registra-  
tion details

Form of  
application  
for review

### PART 4 INVESTMENT FACILITATION COMMITTEE

10. (1) The members of the committee are -
- (a) the Minister for Commerce, Industries and Employment;
  - (b) the Minister for Finance and Treasury;
  - (c) the Governor of the Central Bank of Solomon Islands; and
  - (d) the Permanent Secretary of the Department responsible for administering this Act.

Member-  
ship of  
committee

- (2) The Minister for Commerce, Industries and Employment is the Chairman of the committee.
- (3) The Permanent Secretary of the Department responsible for administering this Act shall be the Secretary of the committee.
11. (1) A foreign investor who holds a certificate of registration may, after 60 days after receiving the certificate of registration, apply to the committee for assistance that will facilitate conducting his investment in Solomon Islands to which the certificate of registration relates. Application to committee for assistance
- (2) The application shall -
- (a) be in a written form approved by the committee; and
- (b) specify the reason the foreign investor wants assistance.
12. (1) When the committee receives an application for assistance under regulation 11, the committee shall - Manner in which committee to consider
- (a) consider the application;
- (b) determine whether to assist the foreign investor; and
- (c) if it determines to assist the foreign investor-
- (i) determine which action specified in the regulation it shall take to assist the foreign investor; and
- (ii) arrange for the assistance to be given to the foreign investor
- (2) The Committee shall notify the foreign investor of its decision in writing.
13. The committee may take any of the following actions to assist a foreign investor who has made an application under regulation 11 - Manner in which committee may assist foreign investor
- (a) make inquiries as to the status of any foreign government process relating to the conduct of the foreign investor's investment;
- (b) liaise with a government department, agency or officer to resolve issues or disputes relating to conducting the investment; and
- (c) make recommendations regarding the manner in which to undertake and complete procedures and processes on which conducting the investment requires.
14. The committee shall - Procedures committee
- (a) determines its own procedures; and
- (b) keep a written record of all of its procedures.

**PART 5  
MISCELLANEOUS**

- 15. The reserved list is set out in Schedule 2. Reserved list
- 16. A fee specified in column 2 in Schedule 3 is the fee payable in Fees  
relation to the matter under the Act specified opposite the fee in  
column 1 in that Schedule.

**SCHEDULE 1**

regulation 2

**FORMS**

**FORM1**

*Foreign Investment Act 2005*  
Foreign Investment Regulations 2005

section7,  
regulation 5

**ANNUAL SURVEY**

Name: .....

Contact Address: .....

.....

Telephone: ..... Facsimile: .....

E-mail: .....

- 1. Reference number of certificate(s) of registration held at the end of financial year: .....
- 2. Investment activities authorized by certificate(s) of registration holding at the end of financial year: .....
- 3. Status of investment activities:
  - a) Were any application for registration of investment activities pending at the end of financial year? If so, please identify them:  
.....  
.....
  - b) Were any investment activities for which a certificate of registration was issued during the financial year not commenced by the end of financial year? If so please identify them.  
.....  
.....
  - c) Did you cease conducting any investment activities during the financial year but certificate of registration has not yet been

surrendered or amended to reflect cessation? If so please identify them.

.....  
.....  
.....

- 4. Structure of business operations involving conduct of investment activities as at the end of the financial year:
  - a) Type of business entity or operation (e.g. sole proprietorship, partnership, company and joint venture):  
.....
  - b) Total value in \$SI of capital source from within Solomon Islands:  
.....
  - c) Total value in \$SI of capital source from outside Solomon Islands:  
.....
  - d) Countries from which capital is derive and approximate share of capital provided from each country:  
.....
  - e) Total value in \$SI of debt source from outside Solomon Island:  
.....
- 5. Total capital in \$SI invested in business operation that involve the conduct of investment activities in Solomon Islands as at end of the financial year:  
.....
- 6. Of the total capital in \$SI invested in business operations that involve the conduct of investment activities, total invested as at end of the financial year in:
  - a) land and buildings: .....
  - b) other fixed assets: .....
- 7. Location in each province of premise where conducted investment activities during the financial year: .....
- 8. Employment in business operating that involve the conduct of investment activities during the financial year:
  - a) number of employees who were not citizens of Solomon Islands:  
.....
  - b) proportion of non-citizen employees who were permanent full time employees: .....
  - c) total wages in \$SI paid to non-citizen employees: .....
  - d) number of employees who were citizen of Solomon Islands: .....

- e) proportion of citizen employees who were permanent full time employees:  
.....
  - f) total wages in \$SI paid to citizen employees: .....
9. Earnings from business operations that involve the conduct of investment activities during the financial year:
- a) value of total sales in \$SI: .....
  - b) value of total export earnings in \$SI: .....
  - c) proportion of sales that were derived from export: .....
10. Future plans for reinvestment in Solomon Islands:
- a) Will you re-investment in existing business operations that involve the conduct of investment activities? (*specify reasons and, if reinvestment, specify approximate amount in \$SI*)  
.....  
.....
  - b) If so, when? .....
  - c) Will you diversify into other sectors and activities? (*specify reasons and approximate amount in \$SI*) .....
  - d) Are you planning to wind down existing investment in business operations that involve the conduct of investment activities? (*Specify reasons and approximate amount in \$SI*)  
.....  
.....
  - e) If so, when? .....
  - f) Are you planning to divest? (*specify reasons and approximate amount in \$SI*)  
.....
  - g) If so when? .....

Customer satisfaction survey:

List services you received from Foreign Investment Division during financial year and please rate (a) excellent; (b) good; (c) average or (d) below average:

List suggestions for improvement:

Signed:

Date:

**FORM 2**  
*Foreign Investment Act 2005*  
Foreign Investment Regulations 2006  
*(section 16, regulation 6)*

APPLICATION FOR CERTIFICATE OF REGISTRATION

Name of foreign investor applying for certificate of registration: .....

Postal Address: .....

Address for service of notices and other documents: .....

Contact telephone number, fax number, etc.: .....

Name of applicant's representative (if any): .....

Description of investment activity/ies to be registered: .....

Business name(s) under which investment activity/ies intended to be conducted:  
*(if more than investment activity and more than one business name, indicate which investment activity will be conducted under each business name.)*

Address of premises in Solomon Islands where investment activity/ies intended to be conducted: *(If more than one investment activity and more than one premises, indicate which investment activity will be conducted at which premises.)*

Description of proposed investment and business operations relating to investment activity/ies: *(Specify: (a) nature of business entity and operation, country of establishment, registration, incorporation, etc. and members and directors of entity; (b) business activities proposing to undertake; (c) number of citizens employees and number of non-citizen employees likely to engage and type of work will offer them. Additional information that may be included for statistical purposes only is:*

(a) anticipated value of investment in \$SI; (b) anticipated export opportunities and sales)

.....  
.....  
.....  
.....

I .....  
of .....  
.....  
state that -

- (1) I am not bankrupt under the law of any country, have not applied to take relief under a law of any country for the relief of bankrupt or insolvent debtors or have not compounded my debts or entered into an arrangement with creditors in any country;
- (2) I have not, within the immediately preceding 15 year period, been convicted of an offence for which the maximum penalty is imprisonment for 12 months by a court in the Solomon Islands or any other country;
- (3) there are no criminal proceedings pending or being brought against the foreign investor in Solomon Islands or any other country for an offence referred to in clause (2); and
- (4) the information contained in this application is true, correct and accurate.

Signed: .....  
at ..... on .....

NOTE: Inclusion of a false statement in your application could lead to prosecution for an offence of using false pretence. Under section 311 of the Penal Code, it is an offence to willfully procure or attempt to procure any registration under an Act by false representation made by words, writing or conduct of a matter of fact which the person making it known it to be false or does not believe it to be true. The maximum penalty for committing the offence is 2 years imprisonment.

**FORM 3**  
*Foreign Investment Act 2005*  
Foreign Investment Regulations 2006  
*(section 21, regulation 7)*

**CERTIFICATE OF REGISTRATION**

Certificate of registration for the following investment activity/ies: *(specify each investment activity for which certificate issued)*

.....  
.....

Issued to: *(specify name of foreign investor)*

.....

of: *(specify address for service of foreign investor)*

.....

Business name(s) under which investment activity/ies conducted:

*(if more than investment activity and more than one business name, indicate which investment activity is conducted under each business name.)*

.....  
.....  
.....

Signed: .....

*Registrar*

Date: .....

**FORM 4**  
*Foreign Investment Act 2005*  
Foreign Investment Regulations

*(section 22, regulation 8)*

NOTIFICATION OF CHANGE OF REGISTRATION DETAILS

Name of foreign investor: .....

Reference number of certificate of registration: .....

Change to be made: .....

Signed: .....

*Name*

Date: .....

**FORM 5**  
*Foreign Investment Act 2005*  
Foreign Investment Regulations  
*(section 27, regulation 9)*

APPLICATION FOR REVIEW

TO: The Investment Facilitation Committee  
(Name) ..... applies for review of the  
decision of the Registrar under section (*insert section reference*).....  
of the Foreign Investment Act 2005 that .....  
.....  
.....  
.....

The grounds of application for review are .....  
.....  
.....  
.....  
.....  
.....

Date: .....

Applicant: .....

210  
**SCHEDULE 2**

**RESERVED LIST**

(section 9, regulation 15)

1. Cultivating plant crops exclusively for sale on the domestic market.
2. Timber milling operations producing not more than 2,500 m<sup>3</sup> sawntimber per year.
3. Retail trading of household goods and services on premises with an area of less than 200 m.
4. Producing handcrafts and cultural artifacts.
5. Operating buses, taxis and hire car services,
6. Farming of livestock for sale exclusively for domestic market.
7. Gathering of wild forest products for sale exclusively for domestic market.
8. Laundry services not part of hotels.
10. Market vending and roadside stalls.
11. Domestic help services.
12. Static guarding services for offices and domestic dwellings with an employment of less than 20 employees.
13. Office and lawn cleaning service not associated with hotels.
14. Customs clearing agent.

**SCHEDULE 3**

**FEES**

(regulation 16)

	(Column 1) Matter under Act	(Column) Fee
1.	Fee for copy of, or extract from, information recorded in	\$10.00 per page
2.	Application under section 15 of the Act to register	\$200.00
3.	Application under section 27 of the Act to review	\$200.00
4.	Fee for issue under section 31 of duplicate certificate	\$100.00

Dated at Honiara this third day of July 2006

FRANCIS BILL HILLY  
Minister of Commerce, Industries and Employment

[Legal Notice No.48]

**THE INCOME TAX (AMENDMENT) )NO.2) ACT 2005  
(No. 9 of 2005)**

**NOTICE OF COMMENCEMENT**

IN exercise of the powers conferred upon the Minister by section 1 of the Income Tax (Amendment (No. 2) Act 2005, the Minister hereby appoints the 26th day of June 2006 as the date on which the said Act shall come into operation.

Dated at Honiara this twenty second day of June 2006

**HON. GORDON DARCY LILO**

**Acting Minister for Finance and Treasury**

[Legal Notice No.49]

**THE MAGISTRATES COURT ACT  
(Cap. 20)**

**WARRANT EMPOWERING A MAGISTRATE TO HOLD  
PRINCIPAL MAGISTRATE'S COURT**

**UNDER** Section 118 of the Constitution the Judicial and Legal Service Commission has appointed JOHN CHARLES MYERS to be a Principal Magistrate.

NOW THEREFORE under section 7 of the Magistrates Courts Act, I, SIR ALBERT R. PALMER CBE give power under my hand and the seal of the High Court of Solomon Islands to JOHN CHARLES MYERS from 21st June 2006 to hold a Principal Magistrate's Court and to exercise all the powers and jurisdiction given by the Magistrates' Courts Act or any other Act to a Principal Magistrate.

Dated at Honiara this twenty first day of June 2006

**SIR ALBERT R. PALMER CBE  
Chairman  
Judicial and Legal Service Commission**

**THE MAGISTRATES COURT ACT  
(Cap. 20)**

**WARRANT EMPOWERING A MAGISTRATE TO HOLD  
PRINCIPAL MAGISTRATE'S COURT**

**UNDER** Section 118 of the Constitution the Judicial and Legal Service Commission has appointed STEPHEN MCKENZIE WILSON to be a Principal Magistrate.

NOW THEREFORE under section 7 of the Magistrates Courts Act, I, SIR ALBERT R. PALMER CBE give power under my hand and the seal of the High Court of Solomon Islands to STEPHEN MCKENZIE WILSON from 21st June 2006 to hold a Principal Magistrate's Court and to exercise all the powers and jurisdiction given by the Magistrates' Courts Act or any other Act to a Principal Magistrate.

Dated at Honiara this twenty first day of June 2006

**SIR ALBERT R. PALMER CBE  
Chairman  
Judicial and Legal Service Commission**

[Legal Notice 50]

**THE SOLOMON ISLANDS INDEPENDENCE ORDER 1978  
(LN No. 43 of 1978)**

**APPOINTMENT OF MAGISTRATE**

**IN** exercise of its powers under section 118 of the Constitution the Judicial and Legal Service Commission hereby appoints -

**JOHN CHARLES MYERS**

to be a Magistrate from the 21st day of June 2006

Dated at Honiara this twenty first day of June 2006

**SIR ALBERT R. PALMER CBE**

**Chairman**

**Judicial and Legal Service Commission**

**THE SOLOMON ISLANDS INDEPENDENCE ORDER 1978  
(LN No. 43 of 1978)**

**APPOINTMENT OF MAGISTRATE**

**IN** exercise of its powers under section 118 of the Constitution the Judicial and Legal Service Commission hereby appoints -

**STEPHEN MCKENZIE WILSON**

to be a Magistrate from the 21st day of June 2006

Dated at Honiara this twenty first day of June 2006

**SIR ALBERT R. PALMER CBE**

**Chairman**

**Judicial and Legal Service Commission**

Honiara, Solomon Islands  
Printed under the authority of the  
Solomon Islands Government

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**SUPPLEMENT** to the Solomon Islands Gazette

Friday 13th July 2006

S.I. No. 21

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[Legal Notice No. 51]

**COMMISSIONS OF INQUIRY ACT**  
( Cap. 5)

**COMMISSION OF INQUIRY INTO THE APRIL CIVIL UNREST IN  
HONIARA**

**COMMISSION**

BY The Right Honourable Manasseh D Sogavare MP, Prime Minister of Solomon Islands.

TO: THE HONOURABLE MARCUS EINFELD QC, AO of Sydney, Australia;

MR. WAETA BEN TABUSASI SIM, CSI of Honiara, Solomon Islands; and  
MR. GABRIEL SURI of Honiara, Solomon Islands

WHEREAS by virtue of Section 3 of the Commissions of Inquiry Act (Cap. 5), the Prime Minister, whenever he deems it advisable, shall issue a commission appointing one or more commissioners and authorising them to inquire into any matter in which an inquiry would, in the opinion of the Prime Minister, be for the public welfare

NOW THEREFORE by this commission, I, The Right Honourable Manasseh D Sogavare MP, Prime Minister:

1. APPOINT The Honourable Marcus Einfeld QC, AO, Mr Waeta Ben Tabusasi SIM, CSI and Mr Gabriel Suri ("the Commissioners") as commissioners to inquire into the civil unrest which occurred in Honiara during the period between April 18, 2006 and April 20, 2006, following the election of the Right Honourable Snyder Rini MP as Prime Minister of Solomon Islands ("the April Civil Unrest");

2. AUTHORISE the Commissioner to:
- (a) investigate, probe, examine and analyse the background to the April Civil Unrest including all the incidents, events, activities and circumstances connected therewith and leading thereto;
  - (b) investigate and determine the role played by the bodies, groups and individuals who planned, organised, assisted and participated in all activities relating to the April Civil Unrest;
  - (c) identify the persons as well as political parties and groups who spear-headed and participated in the April Civil Unrest;
  - (d) investigate, examine and determine the role of any Member of Parliament (including The Honourable Charles Dausabea MP and The Honourable Nelson Ne'e MP) in the planning, organisation and execution of the April Civil Unrest;
  - (e) review the circumstances relating to the arrest, charge and detention of The Honourable Charles Dausabea MP and The Honourable Nelson Ne'e MP as well as investigate and evaluate the basis upon which their continued detention in custody was reasonably justified and not politically- motivated so as to deprive them and their constituents of their constitutional rights and responsibilities;
  - (f) investigate all the circumstances attendant upon and surrounding the damage and destruction of property as well as the arson and looting of commercial and business establishments in and around Honiara and identify the bodies, groups and persons who conspired, planned, executed and assisted such criminal activities;
  - (g) investigate, examine, analyse, appraise and determine the role and responsibility of the Solomon Islands Police Force ("the SIPF") and the Participating Police Force ("the PPF"), respectively, in the preservation and maintenance of law and order in Honiara during the April Civil Unrest;
  - (h) consider and evaluate the response of the SIPF, the PPF and the emergency services to the April Civil Unrest and advise on the appropriateness, adequacy and coordination of that response;

- (i) review and consider the question of the liability or obligation of the Solomon Islands Government to rehabilitate and/or compensate any victims of the April Civil Unrest for damage, loss or destruction of their property occasioned thereby due to the failure (whether by omission or commission) of the SIPF, the PPF or any other constitutional or statutory body entrusted with responsibility for the prevention, control and suppression of the April Civil Unrest;
- (j) review, examine, appraise and evaluate the nature, appropriateness, effectiveness and adequacy of existing arrangements for the prevention, control, immediate suppression and repetition of incidents, events and activities occurring during the April Civil Unrest;
- (k) investigate, appraise, evaluate and report on any other issue bearing or impinging on any of the foregoing; and
- (l) make recommendations as to the actions that ought to be taken to prevent a recurrence of the incidents, events and activities occurring during the April Civil Unrest;

3. DIRECT as follows:

- (a) that The Honourable Marcus Einfeld QC. AO shall be chairman of the Commissioners;
- (b) that the inquiry shall be held:
  - (i) in public;
  - (ii) as soon as practicable; and
  - (iii) at such place(s) as the Commissioners shall designate;
- (c) that the presence of the chairman and one of the Commissioners shall constitute a quorum for the proceedings of the inquiry while permitting the Commissioners to sit in panels of one or two to take particular evidence if a quorum considers it convenient or appropriate so to do;
- (d) that decisions of the Commissioners shall be by simple majority and in the case of equality of votes the chairman shall have a casting as well as a deliberative vote;
- (e) that the Commissioners shall:

- (i) submit their written report on the result of their inquiry into each and all of the matters referred to in paragraph 2 above as well as the reasons for their conclusions; and
- (ii) furnish the full record of the proceedings of the inquiry;

to the Prime Minister within six months of the commencement of the inquiry, or on or before such other date as the Prime Minister may determine;

- (f) that the Commissioners may, if they consider it prudent or appropriate so to do:
  - (i) prepare and submit to the Prime Minister interim or provisional reports on any aspect of their inquiry at any stage thereof;
  - (ii) keep any part of the transcript and their reports confidential to the Prime Minister and the Attorney General;
- (g) that the Commissioners shall, in the performance of their functions, be assisted by:
  - (i) Mr Hugh Paia who is hereby appointed as secretary to the Commissioners under Section 7 of the Commissions of Inquiry Act (Cap. 5);
  - (ii) one or more legal practitioners duly appointed by the Attorney General to act as counsel to the Commissioners;
  - (iii) transcribers, interpreters, investigators, technical advisers, researchers and any other persons whom the Commissioners may, with the approval of the Minister of Finance, engage to render services based on their recognised expertise, specialisation, qualifications, knowledge and relevant experience;
  - (iv) police officers who the Commissioner of Police is hereby directed under Section 17 of the Commissions of Inquiry Act (Cap. 5) to detail for the protection of the Commissioners and the orderly and efficient conduct of their inquiry;
  - (v) such other public officers as may be assigned from time to time by the Minister responsible for the public service;

- (h) that the Commissioners and the secretary shall be remunerated at a rate to be determined by the Prime Minister;
- (i) that all ministries, servants, boards, agencies and instrumentalities of the Solomon Islands Government shall assist the Commissioners to the fullest extent in order that they may discharge their functions without any hindrance whatsoever.

ISSUED at Honiara this twelfth day of July, 2006

**THE RT. HON MANASSEH D SOGAVARE MP**  
**Prime Minister**

Honiara, Solomon Islands  
Printed under the authority of the  
Solomon Islands Government

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**SUPPLEMENT** to the Solomon Islands Gazette

Monday 24th July 2006

S.I. No. 23

[Legal Notice No. 52]

**PRICE CONTROL ACT**  
( Cap. 64)**THE PRICE CONTROL (APPLICATION TO GOODS AND RESTRICTION OF PRICES) (AMENDMENT) (NO. 2) ORDER 2006**

IN exercise of the powers conferred by section 4 and 6 of the Price Control Act, and after consultations with the Prices Advisory Committee, **I, FRANCIS BILLY HILLY**, Minister of Commerce, Employment and Trade, do hereby make the following Order -

1. This Order may be cited as the Price Control (Application to Goods and Restriction of Prices) (Amendment) (No. 2) Order 2006 and shall come into operation on 1st July 2006.
2. Schedule 3 to the Price Control (Application to Goods and Restriction of Prices) Order 1987\* is hereby amended by deleting serial No. 13 thereof and substituting therefore the following -

**"13 PETROLEUM PRODUCTS**

		<b>WHOLESALE</b> (maximum price in cents per litre)	<b>RETAIL</b> (maximum price in cents per litre)
(a)	Petroleum Motor Spirit		
	-(PMS)	530.97	650.6
(b)	Distillate		
	-(ADO)	578.48	705.3
(c)	Kerosene		
	-(KERO)	500.77	(maximum percentage mark-up)
			- cost into store plus 15% for sales of packaged product

-cost into store plus  
20% for break-bulk  
sales.”

Dated at Honiara this tenth day of July 2006

FRANCIS BILLY HILLY  
Minster of Commerce, Employment and Trade

\*L.N. No. 47/87 p. 104

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[Legal Notice No. 53]

**SOLOMON ISLAND INDEPENDENCE ORDER 1978**  
(LN 43 OF 1978)

**APPOINTMENT OF DIRECTOR OF PUBLIC PROSECUTIONS**

IN exercise of the powers conferred by section 91(2) of the Constitution and acting in accordance with the advise of the Judicial and Legal Service Commission, I, SIR NATHANIEL RAHUMAEA WAENA, Knight Grand Cross of the Most Distinguished Order of Saint Michael and Saint George, Knight of Saint John, Cross of the Order of Solomon Islands, Governor General and Commander-in Chief of Solomon Islands do hereby appoint -

**RONALD BEI TALASASA**

to be the Director of Public Prosecution with effect from the 1st day of July 2006.

Dated at Honiara this fourth day of July, 2006

NATHANIEL RAHUMAEA WAENA  
Governor-General

**THE CONSTITUTIONAL OFFICES  
(TERMS AND CONDITIONS OF SERVICE) ACT**

(Cap. 84)

**THE CONSTITUTIONAL OFFICES (TERMS AND CONDITIONS OF SERVICE) (DIRECTOR OF PUBLIC PROSECUTIONS) REGULATIONS 2006**

**ARRANGEMENT OF REGULATIONS**

**REGULATION:**

1. CITATION
2. TERM OF OFFICE
3. DUTIES
4. SALARY
5. NPF CONTRIBUTIONS
6. APPOINTMENT GRANT
7. HOUSING
8. UTILITIES
9. DOMESTIC SERVANTS
10. VEHICLE
11. LEAVE
12. PASSAGE
13. COMPASSIONATE LEAVE
14. OVERSEAS TRAVEL ALLOWANCE
15. LOCAL TRAVEL ALLOWANCE
16. CLASS TRAVEL (OVERSEAS VISITS)
17. CLOTHING ALLOWANCE
18. ENTERTAINMENT ALLOWANCE
19. MEDICAL TREATMENT
20. PERSONAL LOAN
21. BAGGAGE ALLOWANCE
22. DEATH DURING INCUMBENCY
23. MISCELLANEOUS BENEFITS
24. EDUCATION ALLOWANCE

**THE CONSTITUTIONAL OFFICES  
(TERMS AND CONDITIONS OF SERVICE) ACT**

(Cap. 84)

**THE CONSTITUTIONAL OFFICES (TERMS AND CONDITIONS OF SERVICE) (DIRECTOR OF PUBLIC PROSECUTIONS) REGULATIONS 2006**

IN exercise of the powers conferred upon the Minister by section 3 of the Constitutional Offices (Terms and Conditions of Service) Act, the Minister hereby makes the following regulations -

- |    |  |                               |
|----|--|-------------------------------|
| 1. | These Regulations may be cited as the Constitutional Offices (Terms and Conditions of Service) (Director of Public Prosecutions) Regulations 2006, and shall be deemed to have come into force with effect from 1st day of July, 2006.       | Citation                      |
| 2. | The term of office of the Director of Public Prosecutions shall be permanent unless otherwise specified in a contract of employment.   | Term of office                |
| 3. | The duties of the Director of Public Prosecutions shall be as laid down in section 91 of the Constitution.   | Duties                        |
| 4. | The Director of Public Prosecutions shall be paid a fortnightly salary of \$4,000.00.  | Salary                        |
| 5. | The Director of Public Prosecutions shall make contributions to the National Provident Fund as required under the provisions of Solomon Islands National Provident Fund Act  | NPF contributions<br>Cap. 109 |
| 6. | The Director of Public Prosecutions shall on first appointment receive an appointment grant of \$10,000.00.  | Appointment Grant             |
| 7. | The Director of Public Prosecutions shall be provided with an official residence free of rent or in the absence of a rent free accommodation and at the option of the officer, he shall receive a housing allowance of \$5,000.00 per month. | Housing                       |

- |         |   |                           |
|---------|---|---------------------------|
| 8.      | The cost of water, gas, telephone and electricity provided to the residence of the Director of Public Prosecutions shall be charged to public funds and be paid for by the Government or at the option of the officer he shall receive a utilities allowance of \$1,300.00 per month. | Utilities                 |
| 9.      | The wages payable for the service of one domestic employee and a gardener shall be charged to public funds and paid for by the government.  | Domestic servants         |
| 10.     | The Director of Public Prosecutions shall be provided with a government vehicle free of charge and a fuel allowance of \$500.00 per month.  | Vehicle                   |
| 11.     | The Director of Public Prosecutions shall be entitled to leave at the rate of three and half days a month or forty-two days per annum for each year of completed service, which leave shall be taken during the year in which it accrues.   | Leave                     |
| 12. (1) | The Director of Public Prosecutions and members of his family shall be provided with sea or air passages as appropriate to his home village and return passages to Honiara when proceeding on annual leave.   | Passage                   |
|         | (2) In this regulation "home village" includes the home village of the spouse.  |                           |
| 13.     | The Director of Public Prosecutions shall be entitled to two return trips either by sea or air within Solomon Islands on compassionate leave per annum.   | Compassionate leave       |
| 14. (1) | The Director of Public Prosecutions shall be entitled to a daily subsistence allowance of US\$250.00 whilst on overseas travel or one-fifth of the daily allowance if the travel is externally funded.  | Overseas travel allowance |
|         | (2) Where the Director of Public Prosecutions is a guest of a host government, administration or agency and is not called upon to meet costs for accommodation and meals, he may claim subsistence allowance at the rate of one-fifth of his  |                           |

- allowance at the rate of one-fifth of his daily subsistence allowance entitlement
15. The Director of Public Prosecutions shall be entitled to a daily travel allowance of \$150.00 whilst on official travel within Solomon Islands. Local travel allowance
  16. (1) The Director of Public Prosecutions shall be entitled to travel first class on all official overseas visits. Class of travel (overseas visits)
  - (2) The spouse of the Director of Public Prosecutions shall be entitled to travel first class when accompanying the Director of Public Prosecutions on any official visit overseas and shall be entitled to claim subsistence allowance at the rate payable to the Director of Public Prosecutions in regulation 14(1).
  17. The Director of Public Prosecutions shall be entitled to clothing allowance of \$10,000.00 per annum. Clothing allowance
  18. The Director of Public Prosecutions shall be entitled to an entertainment allowance. The amount of the allowance shall be as determined by the Accounting Officer of the Ministry responsible for Justice and Legal Affairs. Entertainment allowance
  19. The Director of Public Prosecutions shall be entitled to medical treatment in accordance with the terms prescribed from time to time for public officers. Medical treatment
  20. The Director of Public Prosecutions shall be entitled to a Government guaranteed loan, the maximum amount of which shall not exceed his annual basic salary. Personal loan
  21. Subject to the provisions of Chapter F of General Orders, the Director of Public Prosecutions shall be entitled to claim baggage allowance. Baggage allowance
  22. Where the Director of Public Prosecutions dies whilst in office, the Government shall be responsible for all funeral expenses and all other expenses incidental thereto. Death during incumbency

23. The Director of Public Prosecutions shall be entitled to Miscellaneous benefits available to public officers under General Orders or benefits other regulations which are not covered by these Regulations.
24. The Director of Public Prosecutions shall be paid an Education allowance of \$5,000.00 per annum. allowance

Made at Honiara twentyfourth day of July, 2006

MANASSEH SOGAVARE  
Prime Minister

[Legal Notice 54]

**SOLOMON ISLAND INDEPENDENCE ORDER 1978**  
(LN 43 OF 1978)

**NOTIFICATION OF THE ELECTION OF PRIME MINISTER**

IN exercise of the powers conferred upon me by paragraph 9(b) of the Schedule Constitution, I, SIR NATHANIEL RAHUMAEA WAENA, Knight Grand Cross of the Most Distinguished Order of Saint Michael and Saint George, Knight of Saint John, Cross of the Order of Solomon Islands, Governor General and Commander-in-Chief of Solomon Islands, do hereby declare that HONOURABLE MANASSEH SOGAVARE was duly elected Prime Minister of Solomon Islands by the Members of Parliament at the meeting held for the election of Prime Minister on the 4th of May, 2006.

Dated at Honiara this twentieth day of July, 2006

NATHANIEL RAHUMAEA WAENA  
Governor-General

Honiara, Solomon Islands  
Printed under the authority of the  
Solomon Islands Government

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***SUPPLEMENT*** to the Solomon Islands Gazette

Tuesday 1st August 2006

S.I. No. 24

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[Legal Notice No. 55]

**SOLOMON ISLANDS INDEPENDENCE ORDER, 1978  
(LN. NO. 43 OF 1978)**

Members of Parliament (Entitlements) Commission Regulations, 2006

Dated at Honiara this first day of August 2006

**COLIN R. DARCY**

Chairman

Members of Parliament (Entitlements) Commissions.

Honiara, Solomon Islands  
Printed under the authority of the  
Solomon Islands Government

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**SUPPLEMENT** to the Solomon Islands Gazette

Wednesday 2nd August 2006

S.I. No. 25

[Legal Notice No. 56]

**THE PUBLIC SERVICE ACT**  
(Cap. 92)**THE PUBLIC SERVICE (TERMS AND CONDITIONS OF SERVICE)**  
**(CHAIRMAN LAW REFORM COMMISSION) (AMENDMENT) RULES 2006**

IN exercise of the powers conferred upon the Minister by section 3 of the Public Service Act, the Minister hereby makes the following rules -

- |    |   |   |
|----|---|---|
| 1. | These Rules may be cited as the Public Service (Terms and Conditions of Service) (Chairman Law Reform Commission) (Amendment) Rules 2006.   | Citation  |
| 2. | The Public Service (Terms and Conditions of Service) (Chairman Law Reform Commission) Rules 2006 published as Legal Notice No. 16 dated 28 March 2006 is hereby amended in the following respects - | Amendment<br>of rules 8 and<br>14(1) of<br>L.N. No. 16<br>of 2006 |
|    | (a) in rule 8 by inserting after the words "cost of water" the word "telephone"; and  |   |
|    | (b) in rule 14(1) by inserting after the words "US\$250.00 daily allowance" the words "or one fifth of the daily allowance".  |   |

Made at Honiara this twenty sixth day of July 2006

JOSES SANGA  
Minister of Public Service

Honiara, Solomon Islands  
Printed under the authority of the  
Solomon Islands Government

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**SUPPLEMENT** to the Solomon Islands Gazette

Thursday 3rd August 2006

S.I. No. 26

[Legal Notice No. 57]

**PROVINCIAL GOVERNMENT ACT 1997****THE ISABEL PROVINCE MARKET ORDINANCE**

1. This Ordinance may be cited as the Isabel Province Market Ordinance 2005 and shall come into effect when assented by the Minister in accordance with section 31 of the Provincial Government Act 1997. **Title**
  
2. In this Ordinance unless the context otherwise requires:- **Interpretatio**

“Province” means the Isabel Province;

“Food” means food of any nature and includes water, ice, beverages, chewing gums, food additives or substances used as ingredients in the preparation of food and drinks and live-stock for human consumption.

“Handling” in relation to food means harvesting, preparation, processing, preserving, packing, storing, decorating, serving, conveying or delivery.

“Food Handlers” means any person who handles, prepares, process, cooked, stores, displays, for sale or sells any food for human consumption.

“Public Market” means any public market within Isabel Provincial boundary.
  
3. Public markets shall only be established with the authority of the Province and where the Province directs, and every public market shall be controlled by the Province which may appoint a Market Master and such other officers as it may consider necessary for that purpose.

4. (1) Any person who sells or exposes for sale in a public market any goods without having first paid the appropriate market fee prescribed there of in Schedule 1 to this Ordinance, shall be guilty of an offence and liable to a fine of fifty dollars or in default of payment of such fine, to imprisonment for one month.
- (2) The market fee shall be payable at the Province Office, the Market Master or one of his assistants.
- (3) The Province may, by resolution, from time to time, prescribe new fees or add to or amend the fees prescribed in Schedule 1 and 2.
5. (1) The Province may from time to time, by resolution, prescribe maximum prices for any goods sold at public markets. **Prices**
- (2) Where the Province has prescribed prices under Paragraph (1) it shall cause a notice of those prices to be displayed at all public markets.
- (3) No person shall sell any goods at a public market at a price above the price displayed in accordance with paragraph 5(1)
6. Public markets should be open on such days and at such times as the Province shall appoint and notices of the days and times of opening and closing shall be displayed at the entrances to public markets. **Opening hou:**
7. (1) The Market Master may, either personally or by means of his staff or assistant:- **Powers of Market Master**
- (a) Expel from a public market any person who contravenes or fails to comply with any of the provisions of this Ordinance
- or who fails to comply with any reasonable direction or instruction given or issued by the Market Master;

- (b) Prohibit and bar the entry of any person, animal or thing whose presence in the market would contravene the provisions of this Ordinance;
- (c) Require any person who, within a public market, has, without authority, made any alteration to slab or introduced any fitting fixture or any impediment or structure whatsoever to restore the slab to its original position or nature or to remove the fitting, fixture, impediment structure; and where such person fails to comply with the requirement within a reasonable time, the Market Master may, at the expense of the person in default, himself carryout or cause to be carried out, the work required;
- (d) Remove anything from the market which has been brought or is retained therein in contravention of this Ordinance, at the expense of the person who so brought or retained such thing;
- (e) Give and issue such reasonable direction and instructions as to him may appear to be necessary or desirable for the good order, cleanliness, and proper functioning of the market and the due observance of this ordinance;
- (f) Seize and take possession of any foodstuff he may reasonably suspect to be unfit for human consumption, and shall forthwith report such seizure to the nearest Medical Officer or Health Inspector and dispose of the foodstuffs in accordance with the instructions of the Medical Officer or Health Inspector, as the case may be.

- 8. (1) Any person who contravenes or fails to comply with any of the provisions of section 7(1) (f) of this Ordinance shall be guilty of an offence and liable to a fine of fifty dollars, or in default of payment of such fine, to imprisonment for one month.

8. (1) Any person who contravenes or fails to comply with any of the provisions of section 7(1) (f) of this Ordinance shall be guilty of an offence and liable to a fine of fifty dollars, or in default of payment of such fine, to imprisonment for one month.
- (2) (a) No authorize person shall enter or remain in a public place during the hours that it is closed,
- (b) No person shall make any alteration to a slab or any other fixture in a public market, or introduce any new fixture, fitting, or impediment of any kind without the authority of the Market Master, and any such things introduces without his authority shall be removed by the innovator.
- (c) No person may bring into any public market for sale or otherwise any firearm, bicycle, or intoxicating liquor.
- (d) No person shall obstruct, resist or hinder the Market Master or any officer or employee of the Province in the performance of his duties or the due exercise of his powers under this Ordinance, and no person shall enter a public market while drunk, or cause any disturbance, or curse or swear or use any gross indecent or filthy language or be guilty of any misconduct therein.
- (e) Animals brought into a public market shall be fettered, tethered, or confined in a crate or basket.
- (f) No person suffering from any venereal or other contagious or infectious disease, or having recently been exposed to infection by such a disease shall be employed or engaged in or about any public market.
- (g) Every person occupying a slab shall keep it in a clean and orderly condition and shall dispose of all refuse, garbage, offal and waste material, liquid or solid, from his slab into the receptacles, channels, or drains provided for this purpose.

**(h)** No person shall deposit or throw on the floor of a public market, any refuse, fruit, skin or vegetable matter, and no person shall willfully damage, efface, foul or misuse any part of such market or of the public convenience therein or connected therewith.

**(i)** No article or produce shall be exhibited for sale on pathways or over the drain or in any doorway in any public market and no board, box, basket, sack or other such thing shall be left in, upon or across such pathway, drain or doorway.

**(j)** Fish shall not be put out dry within the precincts of a public market.

**(k)** No person shall light a fire or cook within a public market, except in places authorized by the Market Master.

**(l)** No person shall defecate, urinate, expectorate or discharge any nasal fluid or mucus in or within the precincts of a public market.

**(m)** No dirty or verminous person shall enter or remain in a public market.

**(n)** No person shall bring into or keep in a public anything which is obnoxious, unwholesome, or dangerous.

**(o)** Persons using a public market for the purpose of selling shall keep their produce or other goods offered for sale and expose them for sale in as hygienic a manner as is practicable, and shall obey all reasonable directions of the Market Master in this regard.

**(p)** Every person using or being within the precincts of a public market shall obey all reasonable directions given by the Market Master.

(q) No person shall sell, or offer, or expose for sale in a public market, betelnut, leaves and lime or any thing which is unwholesome to the general cleanliness of a public market.

(r) Person chewing betelnut must not spit on the floor of a public market or within the precincts of a public market. All refuse for betelnut chewing shall be disposed of into proper receptacles, channels or drains provided for this purpose.

(s) No person shall sell, or offer, or expose for sale in a public market any article other than of the following types:

- i) Fresh vegetables;
- ii) Fresh fruit;
- iii) Pulses, grains and cereals grown in the protectorate;
- iv) Fish and shell fish;
- v) Livestock for human consumption;
- vi) Fresh eggs;
- vii) Locally made basket ware, mats earthen-ware, woodwork or other native-made product;
- viii) Such other goods as may from time to time be authorized by resolution of the Province.

(t) No person shall bring any dog or other animals that are injurious to health into a market house.

(u) Articles offered for sale in a market including cooked food shall be protected from flies and other insects to the satisfaction of a medical officer, Provincial Health Inspector, or Health assistant.

(v) No food stuff shall be sold which, in the opinion of a medical officer, health officer, or health assistant are unfit for human consumption.

- |     |     |   |   |
|-----|-----|---|---|
| 9.  | (1) | A Health Inspector may -  | <b>Powers of entry and inspection</b>                               |
|     | (a) | Enter and inspect at any reasonable time, any premises and or the market place which the Health Inspector reasonably believe any article used in the handling, displaying, packing or storing, and or serving of food for sale;   |   |
|     | (b) | Seize any food as prescribe other than those in Schedule 2 of the Market Ordinance.   |   |
| 0.  |     | In the performance of an inspection under section 9, a Health Inspector may seize any food or article that is or appears to him to be:-   | <b>Seizure and condemnation of food unfit for human consumption</b> |
|     | (a) | dangerous   |   |
|     | (b) | injurious   |   |
|     | (c) | unfit for use   |   |
|     | (d) | unwholesome; or   |   |
|     | (e) | otherwise adulterated or falsely described, as evidence that an offence against the Ordinance is being or has been committed.   |   |
| 11. |     | Subject to the provisions of this section, any person who offer for sale, any food or drug intended for, but unfit for human consumption as prescribed under this Ordinance, shall be guilty of an offence and liable to a fine of one hundred dollars or imprisonment for one month. | <b>Offences in connection with the sale of unfit food</b>           |

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**SCHEDULE 1**

**MARKET FEES**

<i>Particulars</i>	<b>Fee</b>
Use for one day or part thereof the Isabel Province market for selling or exposing for sale goods	<b>\$2.00</b>

*SCHEDULE 2***MAXIMUM MARKET PRIZES**

<i>COMMON NAMES</i>	<i>LOCAL NAMES</i>	<i>MAXIMUM MARKET PRICES</i>
<b>ROOT CROPS</b>		
Taro (all varieties)	Mhau	5.00/tuber
Kong kong taro	Faehu	3.00/tuber
Swamp taro	Kakake	3.00/tuber
Vila	Vila	10.00/tuber
Elephant taro (large varieties)	Mhau	5.00/tuber
Sweet potato	Kurama/Kumara	2.00/heap
Cassava (all varieties)	Tapioka/Bia	2.00/heap
Pana (all varieties)	Pana	3.00/heap
Yam (all varieties)	Bopa/Nufi	3.00/tuber
Wild Yam (all varieties)	Nufimata	3.00/tuber
<b>VEGETABLES (MINOR): LEAFY VEGETABLES</b>		
Lettuce	Lettuce	4.00/head
Spring Onion (varieties)	Small shallot	4.00/head
Chinese leak (varieties)	Big shallot	4.00/head
Ball cabbage	Ball cabbage	6.00/head
Cauliflower	Cauliflower	6.00/head
Brocoli	Brocoli	6.00/head
Water Cress	Water cress	6.00/parcel
All Chinese cabbages	Pak Choi, Saladeer etc	6.00/head
<b>LOCAL LEAFY VEGETABLES</b>		
Slippery cabbage	Ngnahi	4.00/parcel
Sand paper tree	Naule	2.00/parcel
Kangkang	Kankun	2.00/parcel
Pumpkin leaves	Pumpkin leaves	3.00/parcel
All other leafy vegetables	Gure, Glelei, tonaha, bonio	3.00/parcel

**FRUIT VEGETABLES**

Tomato (local varieties)	Tomato	3.00/heap
Tomato (imported varieties)	Tomato	4.00/heap
Egg plant	Deri	2.00/heap
Sweet pepper	Capsicum	0.50/fruit
Pineapple (rough)	Phoro	5.00/fruit
Pineapple (smooth)	Phoro vaka	10.00/fruit

**CUCURBITS**

Pumpkin	Manuku/Maduku	5.00/fruit
Squash pumpkin (smooth)	Manuku/Maduku	5.00/fruit
Melon (local varieties)	Melon (big seeds)	15.00/fruit
Melon (introduced varieties)	Melon	15.00/fruit
Rock Melon	Rock Melon	5.00/fruit
Apple Melon	Apple Melon	5.00/fruit

Cucumber	Cucumber	2.00/fruit
Chavote	Chavote	1.00/fruit
Granadila	Granadila	2.00/fruit

**RATOON/FRUITS/  
VEGETABLES/CANES**

Ginger (varieties)	Cheki	1.00/clump
Asparagus	Asparagus	3.00/parcel
Banana (cooking)	Chau	1.00/fruit
Banana (ripening)	Chau mata	5.00/clump
Sugarcane	Nehu	3.00/cane
Pitpit	Grerei	6.00/bundle

**GRAINS/CEREAL/FODDER**

Rice (TCS10/TNGS20)	No. 10 & No. 20	6.00/kg
Maze (varieties)	Corn	1.00/fruit
Sorghum (varieties)	Sorghum	2.00/fruit

**GROUND NUTS**

Peanut (varieties)	Peanut (white/red)	1.00/heap
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**OTHER FRUITS/VEGETABLES/  
CREEPERS/VINES**

Grapes (vine)		2.00/fruit
Passion fruit (varieties)		2.00/fruit

**VEGETABLES PULP/TUBERS**

Onion	Onion	5.00/kg
Garlic	Garlic	6.00/kg
Carrot	Carrot	2.00/root
Radish	Radish	2.00/root

**ORCHARD/CITRUS/  
OTHER FRUITS**

Pomelo (varieties)	Pamelou	2.00/fruit
Mandarin	Moli/Mandarin	1.00/fruit
Sweet orange	Moli	1.00/fruit
Bush lime	Lemane	1.00/fruit
Lemon (varieties)	Lemane	1.00/fruit
Guava	Small guava	.50/fruit
Guava	Big guava	1.00/fruit
Carambola (sweet)	Five corner	1.00/fruit
Carambola (sour)	Five corner	1.00/fruit
Mango (local)	Khebu mata	2.00/fruit
Mango (improved)	Khebu vaka	2.00/fruit
Rambutan	Rambutan	2.00/heap
Custard Apple	Custard Apple	4.00/heap
Bullock heart	Bullock heart	4.00/heap
Inikori (sour)	Inikori/Ngoe	1.00/fruit
Inikori (sweet)	Inikori/Ngoe	1.00/fruit
Sour sop	Nhego	3.00/fruit
Duran	Duran	2.00/fruit
Avacado	Avacado	5.00/fruit
Breadfruit	Nhego	5.00/fruit
Malayan apple	Sa'au	0.50/fruit
Pawpaw	Khiba	4.00/fruit

**SPICES**

Turmeric	Khogu	2.00/clump
Cardarmon	Cardarmon	5.00/clump
White pepper	White pepper	3.00/clump
Black pepper	Black pepper	3.00/clump
Vanilla	Vanilla	2.00/clump
Cinamon	Cinamon	2.00/clump
Lemon grass	Lemon grass	1.00/bundle
Nepalese Akabare	Taiyo chillie	1.00/fruit
Tabasco chillie (local)	Tabasco	1.00/fruit

Bird eye chillie (local)  
Long red chillie (local)

Small rocket/chillie 0.50/heap  
Big rocket/chillier 0.50/heap

**DRUGS/STIMULANTS**

Tobacco  
Kava

Legona sori/Viri mata 4.00/nine cm  
Kava 20.00/pkg

**OIL/KERNEL PALM TREES**

Local tall coconut  
Rennel  
Hybrid  
Sweet coconut  
Yellow dwarf coconut  
Sago palm  
Wild sago  
Santa Cruz nut  
Ngali nut (varieties)  
Wild nut (bush varieties)  
Cut nut (varieties)  
Alite  
Santa Cruz alite

Koilo 1.00/fruit  
Koilo/Renolo 2.00/fruit  
Koilo/hybrid 2.00/fruit  
Koilo mamahe/Gogole 2.00/fruit  
Koilo 2.00/fruit  
Naota 20.00/bundle  
Niva 20.00/bundle  
Santa Cruz Nut 0.50/heap  
Sitha 2.00/heap  
Kajoga 2.00/heap  
Fala 2.00/heap  
Naklise 2.00/heap  
Santa Cruz Naklise 2.00/heap

**COTTON/WOOL TREES**

Kapok  
Cotton tree

Vau 5.00 per 20 kg  
Cotton tree 5.00 per 20 kg

**TREE SPECIES WILD EDIBLE****FRUITS/VEGETABLE****CABBAGE**

Mangrove  
To'oma  
Oceania Lychee  
Polynesian chestnut  
Akama  
Wild egg plant (local)

Kho'a 1.00/heap  
Phopoi 0.50/fruit  
Gema 0.50/fruit  
Julapa 1.00/heap  
Glama 1.00/heap  
Deri 1.00/fruit

**COOKING FUEL/FIREWOOD/****MOTU LEAVES**

Firewood  
Charcol  
Motu leaves

Gaju 15.00/bundle  
Kokobru 12.00/10 kg  
Nghoi/tekomo 5.00/bundle

**BEANS/GOURD/PEA**

Snake gourd	Bini mogo/snake bean	3.00/fruit
Beans (all varieties)	Long, wing, mung beans	1.00/fruit

**LIVESTOCK (ANIMALS/BIRDS/****EGGS**

X-breed chicken (live)	Full Kokorako vaka	50.00/chicken
Local chicken (live)	Kokorako	30.00/chicken
Local chicken egg	Nakredi	2.00/egg
Local piglets	Bosu	100.00/piglet
X-breed piglets (live)	Bosu vaka	200.00/piglet

**Fish and Oystercern**

Kingfish	10.00 per kg
Bonitor	8.00 per kg
Yellow Fish	8.00 per kg
Reef fish	8.00 per kg
Cray fish	15.00 per kg
Mud crab	15.00 per kg

**(STANDARD SIGNATURE PAGE FOR ALL ORDINANCES)**

Approved by the Isabel Provincial assembly this first day of December 2005

Seal of the Province

.....	<u>10/3/06</u>	.....	<u>10/03/06</u>
<b>Clerk to the Assembly</b>	<b>Date</b>	<b>Speaker to Assembly</b>	<b>Date</b>

.....  
**Premier of Isabel Province**

10/3/06  
**Date**

Assented to by the Minister pursuant to Section 32 and 34 of the Act, after a finding that this Ordinance relate to matters within the legislative competence of the Assembly and that it does not conflict with the policy of the Solomon Islands Government.

.....  
**Minister of Provincial Government  
& Constituency Development**

21/7/06  
**Date**

[Legal Notice 58]

**ISABEL PROVINCE RESOURCE MANAGEMENT AND ENVIRONMENTAL  
PROTECTION ORDINANCE 2005**

**AN ORDINANCE TO**

Provide for the Isabel Provincial Executive to manage the natural resources of the Province in a manner consistent with National policy and legislation, to provide for the indigenous people of Isabel Province to contribute to the conservation, management and sustainable utilization of natural resources on customary land, and to consolidate previous ordinances.

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**PART I**  
**PRELIMINARY**

**1. Short title and Commencement**

This Ordinance is called the Isabel Province Resource Management Ordinance 2006 and shall come into force upon approval of the Minister in accordance with section 32 of the Provincial Government Act 1997 and publication in the Solomon Island Gazette.

**2. Objects of the Ordinance**

Under the direction of the Isabel Province Executive and with the assistance of Authorised Officers, the Isabel Province Resource Management Ordinance 2006 seeks to -

- (a) Assist in resource management planning on customary land;
- (b) Ensure the sustainable use of the renewable resources of Isabel Province for the long term well - being of its inhabitants;
- (c) Protect animal and plant species which are rare or threatened;
- (d) Prevent animal and plant species from becoming threatened, endangered extirpated or extinct within their natural range within Isabel Province;
- (e) Maintain and protect the natural biodiversity of the land and water environments of Isabel Province for the benefit of present and future generations.

**3. Effect of Ordinance on other laws**

(1) In the interests of clarity it is hereby declared that this Ordinance complements and does not seek to replace or conflict with other laws, including enactments of the National Parliament that are aimed at protecting species or natural resources.

(2) Should any part of this Ordinance be held invalid by virtue of its inconsistency with a superior law, the Court shall endeavour to excise only the offending sections and shall, as far as is practicable, preserve the operation of other parts of the Ordinance.

(3) Compliance with the requirements of this Ordinance shall not absolve a person from compliance with any Act of Parliament.

#### 4. Interpretation

In this Ordinance, unless the context otherwise requires:

“**Authorised Officer**” means any police officer, any fisheries, environment, or forestry officer; and any Village Chiefs or other person appointed in writing by the Executive to be an Authorised Officer for the purpose of this Ordinance.

“**Business Licence**” means a licence issued by the Executive in accordance with the Isabel Province Business Licence Ordinance.

“**Coastal waters**” means all that area of sea which comprises part of Isabel Province by virtue of section 3 of the Provincial Government Act. 1997.

“**Council of Chiefs**” means Isabel Council of Chiefs.

“**Current Customary Usage**” means the usage of Solomon Islanders obtaining in relation to the matter in question at the time when that question arises, regardless of whether that usage has obtained from time immemorial or any lesser period.

“**Customary land**” means any land (not being registered land, other than land registered as customary land) used or occupied by a person or community in accordance with current customary usage. For the purposes of this Ordinance, “land” shall include areas of reef waters or lagoon waters where, according to current customary usage. A person’s or community’s use or occupation of land extends to and includes use and occupation of such reef or lagoon waters.

“**Customary land owning group**” means a tribe, clan, line, community or group of such persons owning or customarily recognised as entitled to own or exercise primary rights over customary land.

“**Endangered**” means in relation to any plant or animal species, imminent danger of extinction from any cause whatsoever, including the cause that population levels have been critically reduced and/or habitat has been critically reduced or damaged.

“**Executive**” means the Executive of the Provincial Government of Isabel.

“**Export**” means the selling, supplying or transportation of marine resources, forest resources or wildlife resources originating from within Isabel Province, outside of Isabel Province whether to another part of Solomon Islands or overseas.

**“Extinct”** means in relation to a plant or animal species, not definitely located within a period of 10 years up to the date of any enquiry.

**“Extirpated”** means in relation to any plant or animal species, eliminated from a part or parts of its previously known range. This may refer to loss of species from specific area within the Isabel Province.

**“Fish”** means any cold blooded animal living wholly in water breathing through gills with fins for swimming.

**“Forest resources”** means any tree, flora or fauna, alive or dead, which is of a species indigenous to Solomon Islands and is or was growing in the Isabel Province.

**“House of Chiefs”** means the relevant house of chiefs for the area concerned.

**“Land”** includes coastal marine and lagoon areas adjacent to land.

**“Management Committee”** means a management committee appointed by the Provincial Executive to manage a designated area.

**“Marine resources”** means any fish and any other animal, plant, or thing living in or found in salt water including but not limited to the following species or categories of species: beche de mer, clam, coral, crab, crayfish, crocodile, green snail, pearl oyster shell, prawn, seaweed, trochus and turtle.

**“Person”** includes person, bodies corporate, associations, co-operatives and any other group or body of persons.

**“Qualified requesters”** means all of the persons and their representatives who, according to the customary law and traditions of the area to be affected by a Resource Management Order, are the persons entitled to make rules which are binding on the people indigenous to the area and people coming to the area with respect to the natural resources of the area, which would be affected by the Resource Management Order.

**“Rare”** means any plant or animal species with small populations either because of local occurrence within restricted geographic areas or habitats or they are thinly scattered over a more extensive range within Isabel Province.

**“Resource Management Order”** means a Customary Land Resource Management Order made by the Executive pursuant to section 12 of this Ordinance.

**“Sustainable use”** means using, developing or protecting renewable natural and physical resources so that their ability to yield long term benefits is not endangered .

**“Business Licence”** means a licence issued by the Executive in accordance with the Isabel Province Business Licence Ordinance.

**“Take”** means in relation to forest resources to cut, kill, sell, purchase or export: and in relation to marine resources to fish, catch, kill, capture, sell, purchase or export, and in relation to wildlife resources to kill, hunt, capture, sell, purchase or export.

**“Threatened”** in relation to any plant or animal species means having a declining population due to over-exploitation or destruction of their habitat: such species being likely to become endangered in the near future if the factors responsible for the decline continue to operate.

**“Wildlife resources”** means all indigenous birds, insects including butterflies, reptiles, amphibians and mammals whether dead or alive.

**“Wildlife Sanctuary”** means an area declared by order of the Executive pursuant to Part IV of this Ordinance, for the primary purpose of protecting any species of wild fauna and their feeding, breeding or resting habitat.

**“Village Chief”** means the person who according to custom is regarded as the head of the village or other local community and where there is no such customary head, means the person regarded by the people within such village or local community as their leader in relation to the matter concerned.

**“Vulnerable”** means threatened or otherwise at risk in the absence of proper management or conservation.

**PART II**  
**PROTECTION OF RESOURCES**

**5. Prohibited species or categories of resources**

- (1) No person may take any of the prohibited species or categories of marine resources listed in Schedule I Part A.
- (2) No person may take any of the prohibited species or categories of wildlife resources listed in Schedule I Part B.
- (3) No person may take any of the prohibited species or categories of forest resources listed in Schedule I Part C.
- (4) Any person who takes a species of marine, wildlife or forest resource whose taking is prohibited under a national law is deemed to have taken a prohibited species under this section.
- (5) In this section, "take" includes killing, injuring or otherwise interfering with the specimen, and disturbing the nest, feeding grounds, breeding area or other habitat of the protected species.

**6. Limitation on taking species**

- (1) No person may take any of the species or categories of resources listed in Schedule 2 Part A of a size other than that prescribed in Schedule 2 Part A for such species or category.
- (2) No person may take any of the species or categories of resources listed in Schedule 2 Part B in quantities in excess of the quantity prescribed in Schedule 2 Part B for such species or category during any period of time prescribed in Schedule 2 Part B as a prohibited month(s) for such species or category.
- (3) No person may take any of the species or categories of resource listed in Schedule 2 Part C during any month in any year which is specified in Schedule 2 Part C in relation to such species or category as a prohibited month or year.

**7. Offences**

- (1) Any person who breaches any of the provisions of this Part of this Ordinance commits an offence and is liable upon conviction to a fine not exceeding \$5,000 or to imprisonment for 3 months, or to both such fine and imprisonment.
- (2) Any body corporate, association or cooperative who breaches any of the provisions of this part of the Ordinance is liable on conviction to:
  - (i) a fine not exceeding \$100,000; and
  - (ii) a penalty not exceeding \$50,000 to be paid to the Provincial Resource Management Fund in accordance with section 43 of this Ordinance.

**8. Amendment to Schedules**

The Executive may by order published in the Solomon Islands Gazette add to delete from or amend the contents of Schedules 1 and 2 of this Ordinance.

**9. Exemptions**

The following persons are exempt from compliance with the provisions of this Part:

- (a) Any person who has first obtained a valid research permit under the Research Act, or any Act or Ordinance passed in amendment or substitution therefore, or who has otherwise obtained the written consent of the Executive and the Solomon Islands Government to carry out scientific survey or other scientific works and, if appropriate, has obtained an export permit, and/or an Isabel Province Business Licence
- (b) Any person carrying on the business of farming or breeding any prohibited or protected marine, forest or wildlife resources with the prior written consent and approval of the Executive and the Ministry of Natural Resources, where the resource is being used in accordance with that consent or approval, and such person has an Isabel Province Business Licence and, if appropriate, a permit for wildlife export;
- (c) An Authorised Officer of the Ministry of Agriculture and Fisheries, Ministry of Forestry, Environment and Conservation or of the Isabel Provincial Government, where such officer is using the prohibited or protected species for research monitoring or survey studies and where

the use will have no deleterious impact on the species as a whole, or on the health or welfare of the specimen.

**10. Defence for Solomon Islands citizens**

- (1) It shall be a defence to a person charged with an offence under this Part of this Ordinance if, on a balance of probabilities the person is a Solomon Islands citizen indigenous to, or permanently residing in, Isabel Province; and
- (a) the person took the prohibited or protected resource (being an edible resource) for the sole purpose of consumption by himself, his family or other persons, where no monetary reward was received or intended to be received in return for providing the resource or for the effort expended or cost incurred in taking it; or
  - (b) the person took the prohibited or protected resource for use by himself or another or other Solomon Islands citizens indigenous to, or residing permanently in, Isabel Province to use in, or to process for use in building, personal adornment, or for a customary use or purpose.
- (2) This Section shall not provide a defence to any person who purchases or exports a resource which is prohibited or protected by this Part of this Ordinance, or who sells a prohibited or protected resource to a person who is not a Solomon Islands citizen, or who exports a prohibited or protected resource which has not been processed into a souvenir.

**PART III  
ENVIRONMENTALLY HARMFUL ACTIVITIES**

**11. Prohibition on taking or damaging coral**

- (1) Subject to subsection (2) of this section, no person shall take, cut, collect, blast using any explosives, harvest or remove any live coral from or in coastal waters.
- (2) Subsection (1) of this section shall not apply to:
- (a) A person indigenous to the Solomon Islands who takes, cut, collects, harvests or removes live coral for the sole purpose of producing by traditional means lime for consumption with betel nuts;
  - (b) A person indigenous to the Solomon Islands who takes, cuts, collects, harvests or removes live coral to use for traditional purposes;
  - (c) Any person who has first obtained a valid research permit under the Research Act or any Act or Ordinance passed in amendment or substitution therefore or who has otherwise obtained the written consent of the Executive and the Solomon Islands Government to carry out scientific survey or other scientific work related to corals; or

- (d) Any person who holds written authority from the Executive and Solomon Islands Government to clear a passage way or blast a channel through coral reef or otherwise remove coral for the purpose of a development or access way approved by the Executive.
- (3) It is an offence for any ship, boat, barge or other vessel to damage any coral or reef by grounding or striking the vessel on the coral or reef.

**12. Offence to use anchor**

It shall be an offence for the Captain of any ship to cause or allow his ship to be anchored within or near any coral reef where there is a mooring, buoy, wharf or other method of securing the ship within a radius of 500 yards from the place where the ship is anchored.

**13. Logging**

- (1) Subject to any right, privilege or licence granted pursuant to National laws, all logging and sawmilling activities within the Isabel Province must adhere to the Isabel Province Forest Management Policy.
- (2) The Isabel Province Forest Management Policy shall be that Policy notified and published by the Isabel Province from time to time.

**14. Harvesting methods for marine resources**

- (1) No person may use scuba gear or any other underwater breathing apparatus when harvesting any marine resource.
- (2) Any person may make use of traditional methods of harvesting or gathering marine resources, but poisonous plants may not be used as a harvesting technique for regular local consumption or harvesting for monetary reward. Poisonous plants may only be used for harvesting marine resources for special occasions such as feasts.
- (3) No person may use dynamite or other explosives when harvesting fish or other marine resources.

**15. Coastal and marine pollution**

- (1) No ship, canoe, barge, or vessel, and no person on board any vessel is permitted to drop, throw overboard or discharge in coastal waters any litter rubbish, refuse, garbage or any useless or unwanted materials or equipment or oil or any other hazardous products or chemicals including but not limited to petrol and bilge water or any other matter or thing causing or likely to cause marine pollution.

- (2) Subsection (1) does not apply to the dumping or discharge of biodegradable food or other substances or human waste including sewage.
- (3) Subsection (1) includes the release of fuel, oil, bilge water, or other substances that are potentially hazardous to the marine environment as a result of the vessel running aground or otherwise striking rocks or reef, or as a result of defects in the vessel structure that could have been prevented through reasonable maintenance of the vessel.

**16. Freshwater pollution**

- (1) No person is permitted to drop, throw, dispose of, any liquid or solid waste or any other polluting material of any kind into any river, stream or other freshwater source.
- (2) The prohibition in subsection (1) includes placing waste or other polluting material, or allowing it to be placed on land, in a position where it is reasonably likely to enter any river, stream or other freshwater source.

**17. Offences**

- (1) Any person who breaches any of the provisions contained in this Part of the Ordinance commits an offence and shall be liable upon conviction to a fine not exceeding \$5,000 or imprisonment for a term of up to 3 months or to both such fine and imprisonment.
- (2) Any body corporate, association or co-operative who breaches any of the provisions of this Part of the Ordinance commits an offence and is liable upon conviction to
  - (i) a fine not exceeding \$50,000; and
  - (ii) a penalty not exceeding \$20,000 to be paid to the Provincial Resource Management Fund established in accordance with **section 43** of this Ordinance.
- (3) The master or owner of any ship which commits an offence, or from which an offence is committed, is guilty of an offence and liable to the same penalty as if he was a corporate officer.

**PART V**

**RESOURCE MANAGEMENT ON CUSTOMARY LAND**

**18. plans and policies for resources on customary land**

- (1) Every customary land owning group may make its own policies and plans regarding the use of resources within its land or area.

- (2) Policy statements and plans prepared by customary land owning groups shall be referred to the appropriate House of Chiefs for endorsement.
- (3) The Executive or any public officer or provincial employee designated by the Executive shall, as soon as practicable, establish and maintain at the Assembly offices a Register of Policy Statements and Plans on Customary land. The register shall define as accurately as possible the boundaries of each area covered by a Plan or Policy Statement and shall include maps of the area. The said Register shall be available for inspection between the hours of 9am and 12 noon and 1pm and 4pm Monday to Friday.

**19. Resource Management Order**

- (1) The Executive may make Resource Management Orders by Order published in the Solomon Island Gazette.
- (2) A Resource Management Order is an Order applying to a particular area of customary land and providing for one or several of the following objectives:
  - (a) management, conservation and/or protection of marine resources, forest resources and/or wildlife resources existing on that land;
  - (b) reservation of an area for conservation of wildlife habitat or to protect representative ecosystems.
  - (c) protection of the area for spiritual or custom purposes.
- (3) A Resource Management Order may only be made if all of the procedural requirements of this Ordinance have been satisfied, and
  - (a) The proposed Resource Management Order relates to customary land;
  - (b) The boundaries of the customary land are clearly defined on a plan attached to the request for the Order;
  - (c) The Resource Management Order has been requested or consented to by all qualified requesters, and the Executive is satisfied that the request has been made after agreement between all such requesters and following consultation with holders of secondary rights who currently use the area and whose use rights would be affected by the resource management order;
  - (d) The contents of the proposed Resource Management Order would advance the objects of this Ordinance and are not contrary to the Provincial or National interest; and
  - (e) The rules of the proposed Resource Management Order are clear and unambiguous.
  - (f) The term of the proposed Resource Management Order is clearly specified.

**20. Request for Resource Management Orders**

- (1) A request for a Resource Management Order may be made at any time in relation to any defined area of customary land by qualified requesters; such persons hereinafter called 'the Applicants'.
- (2) A request for a Resource Management Order shall be made in the form set out in Schedule 3 of this Ordinance.
- (3) Where the Executive determine that an area requires appropriate management for the protection, maintenance, or sustainable utilization of any marine, forest or wildlife resource, it may consult with the owners of the area and request that they initiate the formulation of an application in the terms outlined in this section.
- (4) Upon receiving a request for a Resource Management Order, the Executive shall consider the request and, if satisfied that it complies in all respects with the requirements of this Ordinance shall, within one month of receipt of the request, endorse its approval on the request and deliver the request to the appropriate House or Houses of Chiefs to whose area the request relates and to an Authorized Officer designated by the Executive to administer the provisions of this Part.
- (5) Upon receipt of the request endorsed with the approval of the Executive, the Authorized Officer shall forthwith cause a copy of the request to be displayed in a conspicuous place in each village within and adjacent to the area affected by the request. The Authorized Officer shall at the time of displaying the request sign it and affix to it the date of the first complete day that it will be displayed.
- (6) Within one calendar month of the first complete day that the request is displayed, any person may give written notice of objection to the Houses of Chiefs for the area that the Applicants are not all the qualified requesters.
- (7) A copy of the notice of objection under subsection 20(6) shall be delivered by the objectors to the Provincial Secretary on behalf of the Executive, no later than one day after the day that the notice of objection is filed with the House of Chiefs.
- (8) A copy of the notice of objection shall be served on the Applicants, and such persons shall be respondents for the purpose of the objection and entitled to appear and be heard in the hearing of the House of Chiefs.

- (9) Upon hearing an objection brought to it pursuant to subsection 20(7), the House of Chiefs shall make and record determinations as to whether or not the Applicants are all the qualified requesters.
- (10) Following the hearing of the objection, the Secretary of the House of Chiefs shall deliver a copy of the determination to the Provincial Secretary on behalf of the Executive.
- (11) If the objector or the respondents are not satisfied that the determination of the House of Chiefs is correct, they may, within 21 days after the date of the determination, apply to the Isabel Council of Chiefs for a ruling on who is a qualified requester.
- (12) The Executive may by resolution make and cause to be gazetted a Resource Management Order in terms of the request, provided that:
  - (a) the time for lodging an objection to the House of Chiefs has expired and no objection has been lodged; or
  - (b) if an objection has been lodged, the determination of the House of Chiefs was to the effect that the Applicants are all of the qualified requesters and this determination has been made and delivered and no application to the Council of Chiefs under subsection 20(11) of this Ordinance has been made.
- (13) A Resource Management Order shall be in the form set out in the Form contained in Schedule 4 of this Ordinance and shall not differ substantially from the request endorsed by the Executive.
- (14) Unless otherwise provided for in the Order itself, a Resource Management Order shall come into effect one month after the resolution of the Executive.
- (15) Following the making of a declaration of a Resource Management Order, the Executive shall serve copies of the Order on the House of Chiefs and the Village Chiefs of areas affected by the Order, provincial fisheries, forestry, environment and natural resources officers, and the public officer in charge of policing within the province.
- (16) On receipt of the notice under subsection (15), the village chief must, as soon as practicable, display a copy of the Order at the boundary or boundaries of the area where it can readily be seen by members of the public.

- (17) As soon as practicable after the making of the Order, the applicants shall mark the boundary of the area with appropriate signage or other markers.
- (18) In addition to any rules governing the resource management area that are specified in the application, the following activities are prohibited unless they are expressly made permissible in the resource management order:
  - (i) cutting trees for any purpose other than the construction or maintenance of a dwelling house using traditional materials and techniques;
  - (ii) clearing or cultivation of land for any purpose;
  - (iii) access for mineral reconnaissance, prospecting or mining; and
  - (iv) earthworks of any kind.

**21. Effect of Resource Management Orders**

- (1) Once a Resource Management Order is declared and gazetted, the rules governing that area and set out in the order become part of the laws of the Isabel Province and shall be enforceable as part of this Ordinance.
- (2) The declaration of a Resource Management Order has no bearing whatsoever on the ownership of any land.

**22. Register of Resource Management Orders**

- (1) The Executive or any public officer designated by the Provincial Secretary shall, as soon as practicable, establish and maintain at the Provincial Offices a Register of Resource Management Orders.
- (2) The Register shall contain:
  - (i) a copy of each Resource Management Order, including the rules relating to the area;
  - (ii) a map of the area covered by the Resource Management Order.
- (3) The said Register shall be available for inspection between the hours of 9am and 12 noon and 1pm and 4pm Monday to Friday.
- (4) The Executive or its authorized officer must furnish to the Registrar of Title a copy of every Resource Management Order and any other information required to enter the declaration on the Land Register.

**23. Variation or Revocation of Resource Management Orders**

- (1) Any Resource Management Order may be varied by subsequent Order of the Executive, published in the Solomon Islands Gazette, provided:
- (a) A request for the variation or revocation was made by the same persons or substantial the same persons as were the qualified requesters in the request for the Resource Management Order. The Executive may reject any request where it is satisfied that there is not reasonable identity between the qualified requesters and the applicants for variation or revocation; and
  - (b) The request for variation or revocation is made in writing and specifies a date on which the variation or revocation is to take place, being a date not less than 6 months from the date of the request.
- (2) Should the Executive resolve to vary or revoke a Resource Management Order, it may impose such reasonable terms and conditions upon the future use, occupation or management of the land or its resources as may be requested by the applicants..

**24. Offences**

- (1) It shall be an offence under this section to breach any of the provisions of a Resource Management Order.
- (2)
- (a) Any person who breaches any of the provisions of a Resource Management Order is liable upon conviction to a fine of up to \$50000 or to imprisonment for a term of 3 months or to both such fine and imprisonment.
  - (b) Any person convicted of an offence under this section shall also be liable to pay to the Executive such sum reflecting the value of the resources taken or damage caused as the Court deems just for payment to the customary landowners by way of restitution.
  - (c) Any body corporate, association or co-operative who breaches any of the provisions of a Resource Management Order is liable on conviction to a fine not exceeding \$50000.
  - (d) Any body corporate, association or co-operate who is convicted of an offence under this section shall be liable to pay to the Executive such sum, reflecting the value of the resources taken or damage caused as the Court deems just for payment to the customary landowners by way of restitution.

- (e) On receipt of payment under paragraph (b) or (d) of this subsection, the Executive shall forthwith pay the restitution to the signatories to the Resource Management Order request, or their administrators or assigns.
- (3) The penalties and offences set in this section shall not deprive any person of civil rights and remedies otherwise available in relation to wrongful interference with resources on customary land.

**PART V**  
**ESTABLISHMENT AND MANAGEMENT OF WILDLIFE SANCTUARIES**

**25. Establishment of wildlife sanctuary**

- (1) The Executive may by resolution declare an area to be a wildlife sanctuary.
- (2) Any resolution declaring a wildlife sanctuary must be published in the Solomon Islands Gazette and exhibited at the office of the Provincial Government.
- (3) The procedures and requirements for establishing a wildlife sanctuary on customary land shall be the same as those set out in Part III of this Ordinance for establishing a resource management area.
- (4) The procedure for declaring a wildlife sanctuary on any land other than customary land shall be determined by the Executive, based on the location of the land, the proposed scope of the sanctuary and all other relevant circumstances.

**26. Restricted activities**

In addition to any rules applicable to a particular wildlife sanctuary, prescribed in orders or regulations in accordance with section 30 of this Ordinance, the following general rules shall apply to all areas declared as wildlife sanctuaries:

- (1) It is unlawful for any person to be in possession of any arms in a wildlife sanctuary;
- (2) It is unlawful for any person to be in possession of any arms in a wildlife sanctuary, unless the person holds a permit to carry arms that issued by the Executive, or the person is a Member of the Government Armed Forces or Police and carries arms upon a duty which involves the carrying of arms.

**27. Duty to comply with rules governing sanctuary**

- (1) It shall be the duty of all persons visiting any wildlife sanctuary, regardless of whether they are members of the management committee, residents of the area, customary landowners or any other person, to familiarize themselves with the

requirements of this Ordinance and any regulations made hereunder.

- (2) The resident warden of any wildlife sanctuary declared under this Ordinance shall display the regulations in a prominent place where they may be conveniently read by any visitor to the wildlife sanctuary and shall use his best endeavours to bring the regulations to the notice of all visitors.

**28. Offences**

- (1) Any person who contravenes the provisions of this part or any regulations made hereunder shall be guilty of an offence and liable upon conviction to penalties as follows:

- (a) where the offence was not committed for commercial gain, a fine of up to \$50000 or to imprisonment for a term of 3 months or to both such fine and imprisonment;
- (b) where the offence was committed for commercial gain, a fine of up to \$100000 or to imprisonment for a term of 2 years or to both such fine and imprisonment;
- (c) where the offence was committed by a body corporate, association or co-operative, a fine not exceeding \$500,000;

- (2) Any person or body corporate convicted of an offence under this section shall also be liable to pay to the Executive such sum reflecting the value of the resources taken or damage caused as the Court deems just for payment to the landowners by way of restitution.

- (3) On receipt of payment under subsection (2), the Executive shall forthwith pay the restitution to the signatories to the Wildlife Sanctuary request, or their administrators or assigns.

- (4) The penalties and offences set in this section shall not deprive any person of civil rights and remedies otherwise available in relation to wrongful interference with resources in wildlife sanctuaries.

**29. Enforcement in relation to wildlife sanctuaries**

- (1) Wardens bear the primary responsibility for protecting and managing wildlife sanctuaries.
- (2) All fisheries officers, whether members of the Public Service seconded to Isabel Province or direct Provincial Employees shall be wardens of wildlife

sanctuaries in Isabel Province.

- (3) The Management Committee of a wildlife sanctuary and the Provincial Executive may appoint any other person as a warden of the sanctuary for which the Management Committee is established.
- (4) Any warden or authorized officer, including any police officer, may enforce the provisions of this Part, and shall have all the powers of investigation and enforcement set out in Part 6 of this Ordinance.

**30. Power to make orders and regulations**

The Executive may make orders or regulations in respect of any of the following:

- (1) The mechanisms for managing a wildlife sanctuary
- (2) The composition of any committee established to oversee the management of a wildlife sanctuary
- (3) The process by which management committee members may be selected
- (4) The rules governing the funding, operation, decision-making procedures and all other aspects of the operation of the management committee
- (5) The persons who may be admitted to a wildlife sanctuary and the process by which permission may be granted
- (6) The rules governing conduct within a wildlife sanctuary
- (7) The management of natural resources within any wildlife sanctuary and any other matter which may be necessary to effectively carry out the objects of the sanctuary.

**31. Recognition and saving of existing sanctuaries**

Any wildlife sanctuary established or declared under any earlier or repealed Provincial Ordinance, including the Arnavon Conservation Area, shall be deemed to be a wildlife sanctuary declared under this Ordinance, and the rules and management arrangements applicable thereto shall continue as if they were made under this Ordinance.

**PART VI  
ENFORCEMENT**

**32. Local enforcement**

- (1) The primary responsibility for enforcing the provisions of this Ordinance or the rules of any resource management area or wildlife sanctuary rest with the local community in whose area the breach is said to have occurred.

- (2) To clarify subsection (1), this means that wherever possible, breaches of resource management orders should be remedied using traditional enforcement and dispute settlement processes and penalties, in accordance with the procedures set down in the rules governing the resource management area.
- (3) If no procedures are specified in the rules governing a resource management area the process for local enforcement set out in subsections (4) to (13) (inclusive) of this section, shall apply in default.
- (4) The village committee in each village shall nominate one chief to act as the person responsible for enforcing the provisions of this ordinance.
- (5) The nominee of the village committee shall be approved by the House of Chiefs for the area.
- (6) Where a village has no village committee, the House of Chiefs for the area shall appoint a chief from that village to enforce the provisions of the Ordinance.
- (7) In addition to any penalties ordinarily imposed in accordance with the custom of the area, if the village chief or leader determines that a breach has been committed, she or he may make any or all of the following orders:
  - (i) payment of a penalty payable to the village committee or, where there is no village committee, the House of Chiefs;
  - (ii) payment of a penalty to the owners of the resources removed, damaged or destroyed;
  - (iii) that the person who committed the breach work for a specified period of community service;
  - (iv) that the person who committed the breach restore or rehabilitate the damaged area;
  - (v) that the person surrender the vessel, gear or other equipment used to commit the breach either permanently or until such time as other orders have been complied with.
- (8) It is the duty of chiefs appointed to enforce the provisions of this Ordinance to do so in good faith, using their best efforts.
- (9) Any person who is dissatisfied with the decision of the chief may appeal to the village committee, or if there is no village committee, the House of Chiefs, for its determination.
- (10) The intention to appeal under subsection (9) shall be made by notifying the village committee or house of chiefs in writing, within 30 days of the chief's decision.
- (11) Any person who is dissatisfied with the decision of the village committee or House of Chiefs in hearing an appeal under subsection (9) may apply to the High Court of Solomon Islands for judicial review of that decision on one or more of the following grounds:

- (i) that the process by which the decision was made involved a denial of natural justice;
  - (ii) that the decision was such that no reasonable decision-maker in the same position could have made that decision;
  - (iii) that the decision involved an error of law
- (12) In addition to traditional investigation and enforcement powers ordinarily held and exercised by local leaders and chiefs, the Executive may confer the powers of an Authorised Officer on the village chief or another body established to manage an area created by a Resource Management Order or Wildlife Sanctuary Declaration.
- (13) Failure to comply with decision of a village chief, village committee or, where applicable, House of Chiefs, is an offence punishable by a fine not exceeding \$5000 or imprisonment or a term of up to 3 months or to both such fine and imprisonment.

### **33. Powers of Authorised Officers**

For the purposes of ascertaining whether there is or has been any contravention of the provisions of this Ordinance, any authorised officer may:

- (1) at all reasonable hours enter any establishment and premises, other than a premises used exclusively as a dwelling house;
- (2) stop, board and search any vessel or canoe, whether foreign or local, within the waters of the Isabel Province;
- (3) stop and search any vehicle transporting or reasonably suspected of transporting any prohibited or protected species or products thereof.
- (4) make such examination and inquiry as may appear necessary to him concerning any premises, establishment, vessel or vehicle in relation to which any of the powers conferred by this section have been or may be exercised and take samples of any prohibited or protected species found therein;
- (5) if it appears to the authorised officer that a person is doing an act for which a licence or other authority is required under this Ordinance, require that person to produce his licence or his authority and take a copy of such licence or other authority.

### **34. Powers of authorised officers without a warrant**

- (1) Where an authorised officer has reasonable grounds for believing that an offence against the provisions of this Ordinance has been committed, he may without a warrant:

- (a) stop, board search any vessel, canoe or vehicle, whether local or foreign, which he believes has been used in the commission of that offence or in relation to which he believes such offence has been committed;
  - (b) search the packages belonging to any person, whether in their personal possession or found within any premises, vehicle, vessel or canoe;
  - (c) arrest any person whom he believes has committed such an offence, and if the authorised officer making such arrest is not a police officer, or in the absence of a police officer, shall take such person to the nearest police station;
  - (d) seize any equipment, gear, explosive, poison or other noxious substance which he believes has been used, carried, possessed or controlled in the commission of such offence;
  - (e) seize any species of forest, wildlife or marine resource, or product thereof, which he believes to have been taken in contravention of this Ordinance.
- (2) The authorised officer concerned shall give a written receipt for anything seized under subsection (1) to the person from whom the seizure is made.
  - (3) Anything seized under subsection (1) (d) may be detained pending the outcome of any legal proceedings under this Ordinance.
  - (4) Any species of forest, wildlife or marine resource, or product thereof, seized under subsection (1) (e) may be returned to its natural habitat forthwith where the authorised officer considers it necessary to do so for the survival of the resource, or may otherwise be detained pending the outcome of any legal proceedings under this Ordinance.

**35. Wilful obstruction**

Any person who wilfully obstructs, assaults or threatens an authorised officer in the exercise of his powers shall be guilty of an offence and liable upon conviction to a fine not exceeding \$1000 or imprisonment for up to 3 months or both fine and imprisonment.

**36. Failure to comply with enquiry**

Any person who fails to comply with any lawful enquiry made by any authorised officer under this Ordinance, shall be guilty of an offence and shall be liable upon conviction to a fine not exceeding \$500.

**37. Identification of authorised officers**

Any authorised officer acting in the exercise of his powers under this Ordinance shall, on demand produce such document of identification or other evidence as may be reasonably sufficient to show that he is an authorised officer for the purposes of this Ordinance.

**38. No liability of authorised officers**

No authorised officer shall be personally liable in respect of any act done or omitted by him in good faith in the execution of his powers and duties under this Ordinance.

**39. Destroying of evidence**

Any person who destroys any species or product thereof, or any equipment, gear, explosive, poison, noxious substance or any other thing whatsoever with the intent to avoid the seizure of the said substance or thing, or the detection of any offence, is guilty of an offence and liable to a fine not exceeding \$1,000.

**40. Power of forfeiture**

(1) In addition to any other penalty it may impose, where any person is convicted of an offence under this Ordinance, the court may order the sale, forfeiture or disposal of any of the following, as it sees fit:

- (i) any species or product thereof taken, disturbed or otherwise interfered with as part of the offence;
- (ii) any equipment, gear or other substance used in the commission of such offence or in respect of which such offence has been committed;
- (iii) the proceeds of sale of such species or product thereof or equipment, gear or other substance used in the commission of such offence.

(2) Where the court orders the sale, forfeiture or disposal of any items or money listed in subsection (1), it shall transfer such assets or money to the Executive with an order that: (1), it shall transfer such assets or money to the Executive with an order that:

- (i) the Executive dispose of assets and pay the proceeds as restitution to landowners who have been adversely affected by the breach; or,
- (ii) where no landowners have been adversely affected, that the Executive deposit the sums in the Provincial Resource Management Fund established under section 43; or
- (iii) where the consider considers it appropriate, some combination of (i) and (ii) above.

**41. Power to order repair or remediation**

In addition to any other penalty it may impose, where any person is convicted of an offence under this Ordinance, the court may order that the person repair, rehabilitate or otherwise restore the environment or natural resources of the area in which the breach occurred, or reimburse the Executive for such restoration or rehabilitation work undertaken by the Province.

**42. Revocation or suspension of Provincial Business Licence**

- (1) Where the Provincial Secretary has reason to suspect that the holder of an Isabel Province Business Licence may have committed an offence under this Ordinance, the Provincial Secretary may serve a notice on the holder of the licence requiring him to explain the circumstances giving rise to the suspicion.
- (2) The licence holder must respond to the notice.
- (3) If the Provincial Secretary is not satisfied that the business licence holder is taking appropriate action to ensure compliance with this Ordinance, he may refer the matter to the Executive.
- (4) When the Executive receives a referral from the Provincial Secretary as set out in subsection (3), the Executive may:
  - (i) impose new terms and conditions on the person's Isabel Province Business Licence;
  - (ii) suspend the person's Isabel Province Business Licence; or
  - (iii) revoke the person's Isabel Province Business Licence.
- (5) This section applies notwithstanding that a holder of an Isabel Province Business Licence has not been charged or found guilty of any offence under this Ordinance.

**43. Resource Management Fund**

- (1) In accordance with Part VI 'Special Funds' of the Isabel Province Management Ordinance 1984, the Executive shall set up a Special Fund to be called the Resource Management Fund ('the Fund').
- (2) Rules made in respect of the Fund in accordance with **section 37** of the Isabel Province Financial Management Ordinance shall include provisions that the Fund must be applied:
  - (i) for the administration and enforcement of this Ordinance;
  - (ii) for any survey or other work undertaken for the purposes of managing marine, wildlife and forest resources of the Province;

- (iii) for the establishment and maintenance of Public Registers of both Plans and Policy Statements, and of Resource and Management Orders;
- (iv) for public awareness programmes and publications relating to the management of marine, wildlife and forest of the Province.

44. **Liability of company officers**

- (1) Where a body corporate, association or cooperative commits an offence under this Ordinance with the consent, participation or connivance of or because of neglect or omission by an individual, the individual is guilty of the same offence as the body corporate, association or cooperative if at the time of the offence
  - (a) the individual was a director, manager, secretary or other senior officer of the body corporate, association or co-operative; or
  - (b) the individual was holding out that he was such an executive officer of the kind listed in paragraph (a); or
  - (c) the individual was a member of a body corporate, association or co-operative which is managed by its members.
- (2) Where a company officer is convicted of an offence by virtue of this section, he or she is subject to the same penalties as apply to the company itself, but may also be sentenced to a term of imprisonment of up to two years, either instead of or in addition to any fine.
- (3) A company officer may be convicted under this section regardless of whether the company of which the person is an officer has been prosecuted.

45. **Repeal & transitional arrangements**

- (1) The following Ordinance are hereby repealed:
  - (i) The Isabel Province Marine and Freshwater Areas Ordinance 1993
  - (ii) The Isabel Province Conservation Areas Ordinance 1993
  - (iii) The Isabel Province Wildlife Sanctuary Ordinance 1995
- (2) Any marine or freshwater area, conservation area or wildlife sanctuary declared under any repealed ordinance shall be deemed to be an area declared under Part III or IV of this Ordinance and its management rules shall be recognized as a management plan under this Ordinance.

**SCHEDULE 1**  
**PROHIBITED SPECIES OR CATEGORY OF RESOURCE**  
**Section 6**

**PART A (Subsection 6(1))**  
Prohibited Marine Resource

Any of the following live marine resource not farmed or propagated subject to permit for commercial purposes.

Thdacna gigas - giant clam  
 Tridactmderasa - smooth giant clam  
 Ttidacnasouarnosa - fluted giant clam  
 Ttidacna maxima - rugose giant clam  
 Ttidanacnicea - boring clam  
 Hippopus hippopus - horses hoof clam  
 Charonia triponis - pacific trident  
 Holothuria scabra - sandfish  
 Oyster shell of the genus Pinctada  
 All turtles of whatever species  
 Any female crayfish of whatever species which is carrying eggs externally or from which the eggs have been removed. Any coconut crab of whatever species which is carrying eggs or from which eggs have been removed.

**PART B (Subsection 6(2))**  
Prohibited Wildlife Resource

Solomvs nonceleti - giant rat  
 Solomvs sanieus - giant rat  
 Hromvs rex - giant rat  
 Pteralooex atrata - monkey-faced flying fox  
 Pteralcoex ancens - monkey-faced flying fox  
 Dobsonia - all species, naked-hack bats  
 Macrodoossus rminimus - dagger-toothed flower bat  
 Melonvctehs - all species, tube-nosed bat  
 Pteralopex - all species, fruit bat  
 Pteropus - all species fruit bat

## PART C (Subsection 6 (3))

Prohibited Forest Resource

Any of the following live forest resource

Saline swamp forest (Mangroves)

Freshwater swamp forest (Terminalia spp and Metroxilon spp.)

**SCHEDULE 2**  
**PROTECTED SPECIES**  
**Section 7**

## PART A (Subsection 7(1))

**Protected species or category of  
Marine / Wildlife / Forest Resource**

**Prescribed Min/max size**

Holothuria nobilis, black teatfish

11 cm dry (min)

Holothuria fuscata, elephant trunk fish

12 cm dry (min)

Thelenota ananas, prickly redfish

11 cm dry (min)

Actinopterygion qaniliatis, black fish

11 cm dry (min)

Actinopterygion ecbimatis, deep water redfish

5 cm dry (min)

Panulirus, crayfish

8 cm (min) carapace length when measured along the midline from immediately behind the rostral horn to the rear edge of the carapace from immediately behind the rostral horn to the rear edge of the carapace in the midline.

Birgus latro - coconut crab

9 cm (min) when measured along the carapace from immediately behind the rostral horn to the rear edge of the carapace in the midline.

Any trochus shell

8 cm (min) 12 cm (max) measured across the base.

**Part B (Subsection 7(2))**  
**Prescribed species or category of Quantity Prescribed Time**  
**Marine Wildlife/Forest Resource**

NIL

**Part C (Subsection 7 (3))**

<b>Protected species or category of Marine / Wildlife / Forest Resource</b>	<b>Prescribed Periods Prohibited</b>
Turbo marmoratus green snail.	10 years, 1994 - 2003 (inclusive)
Turtle nests or eggs of whatever species	June, July, August and November, December, January

**SCHEDULE 3**  
**REQUEST FOR**  
**RESOURCE MANAGEMENT ORDER/  
WILDLIFE SANCTUARY DECLARATION\***

To the Provincial Executive

We request that the Provincial Executive make a Resource Management Order/Wildlife Sanctuary Declaration\* in the following terms:

1. The boundaries of the land are described as follows and as marked and outlined in on the plan attached.
2. The rules and enforcement mechanisms governing the Resource Management Order or Wildlife Sanctuary Declaration which we request the Executive to make part of the laws of the Isabel Province are as follows/set out in the attached annex\*:

[**Note:** The following are examples only. You should clearly state here what marine resource, forest resource or wildlife resource prohibitions, management regimes and protections you require. You may need to use a different form of wording from what is used here as an example. You may prepare these rules as a separate document and include as an annex to this request.]

1. No person is permitted within the area affected by this Order to take any of the species or categories of \*marine resource / \*forest resource / \* wildlife resource listed here: (list species or categories)
  2. Harvesting of listed species is limited to specified periods, specified quantities, and specified sizes (list as relevant)
  3. Within the area affected by the order no person is permitted to take any indigenous forest resource for the purpose of commercial logging of any sort.
  4. Within the area affected by the Order no person is permitted to take any of the following species or category of resource. (list the prohibited species of forest/marine/wildlife resource).
  5. Within the area affected by the Order no person is permitted to take for the purpose of exporting any of the following species of wildlife. (Name the prohibited species of wildlife).
3. Term of Resource Management Order/Wildlife Sanctuary Declaration\*
4. We the undersigned acknowledge that we are aware that if this request is approved by the Executive, and is not appealed against successfully, it will be gazetted in the Solomon Islands Gazette. It will then become part of the laws of the Isabel Province. There will be penalties for not obeying it. Once an Order is made, it can be changed unless the Executive agrees to vary or revoke it.
5. Names and signatures of all the qualified requesters.

We certify that we have discussed this Resource Management Order Request/Wildlife Sanctuary Request with the communities which will be affected by it, and that we substantially have their agreement to it.

SIGNED by and on behalf of the land owning group/tribe.

Names	Signatures	Title (if any)
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**SCHEDULE 4**  
**FORM OF RESOURCE MANAGEMENT ORDER OR**  
**WILDLIFE SANCTUARY DECLARATION**

I, \_\_\_\_\_ do this ..... day of ..... 20 , declare the area boundaries of the land and/or coastal waters described as follows and as marked and outlined on the plan attached to be a Resource Management Area/Wildlife Sanctuary and subject to the rules and procedures governing that area by virtue of the Isabel Province Resource Management and Environmental Protection Ordinance 2006.

**PROVINCIAL GOVERNMENT ACT 1997**

**ISABEL PROVINCE RESOURCE MANAGEMENT AND ENVIRONMENTAL  
PROTECTION ORDINANCE 2005**

**ARNAVON CONSERVATION AREA EXECUTIVE REGULATIONS**

1. These regulations are made under Section 23 of the Isabel Province Resource Management and Environmental Protection Ordinance 2006.
2. In these regulations:
  - “**Executive**” means the Isabel Provincial Executive.
  - “**Management Committee**” means the committee appointed for the management and administration of the land to which the Principal Ordinance relates which shall include:
    - i) The Director of the Division of Environment and Conservation of the Ministry of Natural Resources, *ex officio*;
    - ii) Two members from each of the communities of Posarae, Waghena and Kia, to be elected by those communities and approved by the executive. The election and/or appointment of such members shall be by any manner acceptable to the community that they are to represent;
    - iii) A Solomon Islands field representative of The Nature Conservancy, or a representative of such other non-government organization that is prepared to assume financial responsibility for the administration of the area.

- iv) The Senior Fisheries Officers representing the Provinces of Isabel and Choiseul.
4. The term of office for the elected members of the Committee shall be three years, but members may be re-elected.
  5.
    - (i) The Management Committee shall be responsible for preparing a management plan for the Area.
    - (ii) The Management plan shall be approved by the local communities and the Provincial executive before it is adopted.
  6.
    - (i) Decision-making within the Management Committee shall be by consensus
    - (ii) Decisions of the Management committee must be approved by the Executive.
  7. The Management Committee shall attempt to resolve disputes, conflicts or disagreements arising between participating communities, but nothing in this provision shall prevent any person from referring any matter to a court of competent jurisdiction.
  8. In addition to the preparation of the management plan, the duties of the Management committee are to:
    - a) protect the nesting ground and rookery of the hawksbill and other turtles in the area;
    - b) provide for the management and sustainable use of other marine and terrestrial resources for subsistence small scale commercial uses;
    - c) monitor and evaluate the status of resources and the effects of the management programme on those resources;
    - d) consult with local communities and relevant Provincial Officers in the planning, establishment, management and monitoring process for the area;
    - e) present a detailed progress report to the Provincial Executive at least once per year.
  9.
    - a) No person may enter, visit or reside in the area except in accordance with a permit issued in accordance with these regulations.
    - b) Persons wishing to visit the area must submit an application to the Management committee outlining the purpose and anticipated length of their proposed visit.
    - c) The Management Committee shall be responsible for issuing permits to applicants wishing to visit the area and advising applicants of their obligation to comply with the laws and regulations governing their conduct in the area.

- d) Before the management committee grants a permit to a person wishing to conduct research or commercial photography, it must first be satisfied that the applicant holds a Provincial business licence issued by the Executive.
  - e) Restrictions and conditions may be included on the permit to visit the area.
  - f) If any applicant is aggrieved by a refusal to grant such a permit, then may appeal to the Provincial Executive, whose decision on the matter shall be final.
  - g) The requirement to obtain a permit does not apply to:
    - i. The warden
    - ii. Any person whose ordinary place of residence is within the area.
    - iii. Any person who is seeking shelter or a safe harbour in the area due and during a bona fide emergency.
10. In addition to the requirement that visitors to the area obtain a permit, the following restrictions and prohibitions apply to any and all persons visiting or residing in the area:
- a) Harvesting, capture, killing or disturbance of any of the following species, including interference with their nesting, breeding or feeding habitat is prohibited:
    - v. turtles of all species and their eggs
    - vi. blacklip and goldlip pearl shell
    - vii. trochus and beche-de-mer
    - viii. giant clams
    - ix. green snail
    - x. milk fish (vulu or baneva)
    - xi. pigeons (kurukuru or bakuba)
    - xii. megapodes
  - b) Commercial fishing of reef fish, using any method whatsoever, is prohibited. Harvesting of reef fish for subsistence purposes is permitted.
  - c) The use of scuba and hookah gear for harvesting any marine resource is prohibited.
  - d) The cutting of any live vegetation from any part of the area is prohibited.
  - e) Other resources not listed in any of the foregoing subsections may be removed from the area.
  - f) Collection of dead timber for firewood is only permitted for subsistence purposes while in the area

- g) Collection of firewood for drying bech-de-mer or copra is prohibited.
  - h) Bringing of plants into or dispersal of seeds, plants or animals in the Area is prohibited.
  - i) All solid waste, including tin cans, plastics, glass and styrofoam must be removed from the island and disposed of in an environmentally appropriate way.
11. Camping is not permitted except at the designated camp site on Kerehikepa Island.
  12. All visitors to the area shall notify the warden as soon as possible after their arrival in the area.
  13. (1) It shall be the duty of all persons visiting the area, regardless of whether they are members of the management committee, residents of the area, customary landowners or any other person, to familiarize themselves with the requirements of this Ordinance and any regulations made thereunder.
    - (2) The resident warden of the area shall display the regulations in a prominent place where they may be conveniently read by any visitor to the wildlife sanctuary and shall use his best endeavours to bring the regulations to the notice of all visitors.
  14. All visitors shall complete and entry in a visitors register, including name, address, place of origin, purpose of visit, next destination, means of travel, and length of intended stay in the area.
  15. The Management Committee shall distribute copies of these Regulations to any Government department whose officer may visit the area, including the Departments of Forests Environment & Conservation; Fisheries; Customs and Excise; Immigration; Culture & Tourism, and Communication Aviation and Meteorology; Education and the Royal Solomon Islands Police. The copy of the Regulations shall include a request that the Department bring them to the notice of any officer intending to visit the area.
  16. Any visitor intending to carry out research activities or photography for commercial or monetary gain or reward.
  17. The Isabel Province Wildlife Sanctuary Ordinance Executive Regulations 1995 are repealed upon entry into force of these regulations.

These Regulations passed by the **Isabel Provincial Assembly on the .....**

(STANDARD SIGNATURE PAGE FOR ALL ORDINANCES)

Approved by the Isabel Provincial Assembly this twenty third day of February 2006

Seal of the Province

.....  
Clerk to the Assembly

.....  
Date

.....  
Speaker to Assembly

.....  
Date

.....  
Premier of Isabel Province

.....  
Date

Assented to by the Minister pursuant to Section 32 and 34 of the Act, after a finding that this Ordinance relate to matters within the legislative competence of the Assembly and that it does not conflict with the policy of the Solomon Islands Government.

Minister of Provincial Government  
& Constituency Development

.....  
Date

[Legal Notice 59]

**THE PROVINCIAL GOVERNMENT ACT 1997  
(NO. 7 OF 1997)**

**THE MALAITA PROVINCE (SIKAIANA ATOLL) CONTROL OF PIGS  
ORDINANCE 2005**

**AN ORDINANCE**

TO CONTROL AND REGULATE THE KEEPING OF DOMESTIC PIGS ON THE  
FOUR ISLANDS OF SIKAIANA ATOLL IN MALAITA PROVINCE

Enacted by the Malaita Provincial Assembly

1. This Ordinance may be cited as the Malaita Province (Sikaiana Atoll ) Control of Pigs Ordinance 2005. Short Title
2. This Ordinance shall come into force after assent by the Minister in accordance with **section 30(2)** of the Provincial Government Act 1997 and subsequent publication in the Solomon Islands Gazette.
3. In this Ordinance: Definitions

“**Pigs**” means any domestic pig not less than four months old.

“**Province**” means Malaita Province.

“**Owner**” means, in relation to any pig, the occupier of any premises on which, or around which, it is ordinarily kept or permitted to live and includes any person into whose care the pig may temporarily be placed or who may care for it.

“**Village Committee**” means a committee of not less than six members elected annually by a show of hands of the members of the community whose main task is to control and regulate the keeping of domestic pigs of Sikaiana Atolls in Malaita Province.
4. Any owner who wilfully or negligently allows any pig to roam uncontrolled anywhere in the four islands of Sikaiana Atoll and in the case of a house or a village within twenty yards of such house (be it a dwelling or non-dwelling house) or village shall be guilty of an offence and shall be liable to a fine not exceeding one hundred dollars or in default to a term of imprisonment not exceeding four weeks and shall be liable for a continuing offence to a further penalty of twenty dollars for each day on which the Pigs not allowed to roam and criminal penalties

offence is continued after Written Notice of the offence has been served on the offender or in default of payment to a term of imprisonment not exceeding eight weeks.

5. Any owner who willfully or negligently allows any pig to roam uncontrolled anywhere in the four islands of Sikaiana Atoll or on the case of a house or a village within twenty yards of such house (be it a dwelling or non-dwelling house) or village upon notice (written or verbal) being given to him of such transgression by a member of the Village Committee, cause such transgression to be rectified within a period not exceeding twenty four hours from time such notice was given and in default thereof shall pay to the Village Committee a penalty of two dollars per day for each day the transgression continues thereafter PROVIDED THAT payment of such a penalty shall not prejudice any criminal proceedings under Section 4 of this Ordinance.
 

Pigs not Allowed to Roam and Civil penalties
6. Any owner who keeps a pig within or under any dwelling house or within twenty yards of any dwelling house in the four islands of Sikaiana Atoll shall be guilty of an offence and shall be liable to a fine not exceeding one hundred dollars or in default to a term of imprisonment not exceeding four weeks and shall be liable for a continuing offence to a further penalty of twenty dollars for each day on which the offence is continued after written notice of the offence has been served on the offender or in default of payment to a term of imprisonment not exceeding eight weeks PROVIDED THAT an owner shall not be guilty of an offence under this Section if it can be shown that the pig is permanently housed in a structure used only for the keeping of pigs and not used for human habitation and which is situated over salt water.
 

Pigs not to be Kept near or Under Dwellings and Defence for such transgression
7. The owner of any pig which causes damage to garden crops or other property in the four Islands of Sikaiana Atoll shall be guilty of an offence and shall be liable to a fine not exceeding one hundred or in default of payment to a term of imprisonment not exceeding four weeks PROVIDED THAT such a conviction shall be without prejudice to the right of the owner or owners of such garden crops or other property to take civil
 

Damages of garden by pigs An offence

proceedings for compensation in respect of the loss and damage suffered.

8. All monies paid as civil penalties under section 5 of this Ordinance shall be under the custody and control of the Village Committee who shall use such funds for purposes approved by the majority of the people residing on Sikaiana Atoll at any given time. Use of civil penalties
- 9.. It shall be lawful for any police officer, medical officer, an area constable, any member of the Village Committee or any other officer or person so authorized by the Executive of the Province to make enquiries at any reasonable time in order to ascertain whether any breach of this Ordinance is being or has been committed. Enquiry
10. Any person who obstruct or impedes any police officer, medical officer, area constable, any member of the Village Committee or authorized officer or person acting in the due exercise of their powers under this Ordinance shall be guilty of an offence and liable to a fine not exceeding two hundred dollars or in default of payment to term of imprisonment not exceeding eight weeks or to both such a fine and imprisonment. Obstruction
11. In every proceeding arising out of or under this Ordinance every pigs shall be presumed to be over the age of four months and the burden of proof to the contrary shall rest upon the Defendant. Evidence
12. The Malaita Province Control of Pigs, Ordinance 1995 shall cease to apply to the four Islands of Sikaiana Atoll upon the Malaita Province (Sikaiana Atoll) control of Pigs Ordinance 2005 coming into force in accordance with **section 2** of this Ordinance.

Passed by the Malaita Provincial Assembly this eighth day of June, 2006

**MATTHEW MAEFAI**  
Clerk to Assembly

Assented to by the Minister this twenty first day of July, 2006

**HON. JAPHET WAIPORA**  
Minister of Provincial Government and Constituency Development

4. In accordance with section 36(1) of the Act. Payment out of the Provincial Fund in advance of the Appropriation shall not exceed in the aggregate the sum authorized from the Appropriation Ordinance and in accordance with Part III of the Central Islands Province Management Ordinance 1994. Provision of Funds
5. The financial limit on the Provincial Overdraft and Borrowing shall be in accordance with Section 40 of the Act and shall Not exceed such sum as may be fixed for the Executive by Order of the Minister. Borrowing
6. The financial statement 2006/2007 Appropriation are contained in schedule A to this Ordinance.

[Legal Notice 60]

**PROVINCIAL GOVERNMENT ACT 1997**  
**NO. 7 of 1997**

The Central Islands Province 2006/2007 Appropriation Ordinance

**AN ORDINANCE**  
**TO**

Appropriate the sum of Four million, eight hundred and sixteen thousand five hundred and twenty four dollars (\$4,816,524.00) for Recurrent and Fifteen million, nine hundreds and eighty thousand, and fifty dollars on Capital and Development expenditure to the service of the financial year ending 31st March 2007

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Enacted by the Central Islands Province Assembly with Assent of the Minister as follows:-

1. This Ordinance may be cited as the Central Islands Province 2006/2007 Appropriation Ordinance 2006 and shall come into EFFECT on the date it is assented to by the Minister in accordance with **Section 30** of the Provincial Government Act 1997 Short title of  
Commence-  
ment
2. This issue of the sum of \$4,816,524.00 from Provincial Funds is hereby authorized to be applied to the Funds services the Financial Year ending 31st March 2007 Authorization  
\$4,816,524.00  
from  
Provincial  
Appropriation
3. The some specified in the preceeding section shall be appropriated for the supply of Heads and Subheads specify in schedule and in the amounts respectively in relation hereto.

[Legal Notice 61]

**THE CENTRAL ISLANDS PROVINCE 2006/2007 APPROPRIATION ORDINANCE**

Passed by the CENTRAL ISLANDS PROVINCIAL ASSEMBLY this 31st Day of March, 2006

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**Gabriel Agutuzepe**

Clerk to CIP Assembly (Ag)

Assented to by the Honorable Minister for Provincial Government this 29th Day of June, 2006

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**Hon. Japhet. Waipora.**

**Minister for Provincial Government & Constituency Development.**

Made under the Common Seal of the Central Islands Provincial Assembly this 31st Day of March, 2006

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**Hon. Mark R. Kemakeza**

Premier  
Central Islands Province

**THE PROVINCIAL GOVERNMENT ACT 1997  
(NO. 7 OF 1997)**

**THE CENTRAL ISLANDS PROVINCE**

**Contingency Warrant**

A warrant to  
Appropriate the sum of One million, two hundred and fifty one thousand, nine hundred and forty six dollars (1,251,946.00)  
to the services of

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**“CENTRAL ISLANDS PROVINCIAL ASSEMBLY”**

for the interim period 1st April - 30th June, 2006

Endorsed by

---

Hon. Mark R. Kemakeza  
Premier & Provincial Minister for Finance  
Central Islands Province

[Legal Notice 63]

**PROVINCIAL GOVERNMENT ACT 1997**  
**(NO. 7 OF 1997)**  
**The Guadalcanal Province 2006/2007 Appropriation Ordinance**

**An Ordinance**  
**To**

Appropriate Seven Million Six Hundred and Ninety Thousand Six Hundred and Eighty One Dollars to the service of the financial year ending 31st March, 2006.

Enacted by the Guadalcanal Province Assembly with the Assent of the Minister as follows:

- | 1. | This Ordinance shall be entitled the Guadalcanal Province Appropriate Ordinance 2006/2007 and shall come into force by being passed by the Assembly and assented by the Minister in accordance with Section 30 of the Provincial Government Act 1997 and publication in the Solomon Islands Gazette.  | Short Title   | Commencement                   |
|----|---|---------------|--------------------------------|
| 2. | The Appropriation from the Provincial Fund is hereby authorised for the sum of Six Million Eight Hundred and Seventeen Thousand and Ninety Dollars for Recurrent; Four Million Six Hundred and Eleven Thousand One Hundred and Sixty One Dollars only for Capital Development Expenditures to be applied for the purposes specified in section 32(2) of the Provincial Government Act 1997 for the services of the financial year ending 31st March 2006. | Authorisation | Issue from the Provincial Fund |
| 3. | The Sum specified in the preceding section shall be appropriated for the supply of the head (codes) and in the amount respectively specified in the schedule to this Ordinance.   |               |                                |
| 4. | In accordance with section 36(1) of the Provincial Government Act 1997, Payment out of the Provincial Fund Provisions in advance of the Appropriation shall not exceed in the aggregate the sum authorized from the Appropriation Ordinance and in accordance with Part iii of the Guadalcanal Provincial Financial Management Ordinance.   | Of Funds      |                                |

5. The Finance Statement : 2007 Appropriation are contained in the sche . to this Ordinance.

Passed by the Guadalcanal  
Provincial Assembly this 16th Day February, 2006

Assented by the Honourable  
Minister of Provincial Government this 29th Day of June, 2006

Stephen Ngele  
Clerk to the Guadalcanal Provincial Assembly

Hon. Japhet Waipora  
Minister for Provincial Government & Constituency Development

[Legal Notice 64]

**RENNELL BELLONA PROVINCIAL ASSEMBLY.  
APPROPRIATION ORDINANCE 2006  
AN**

**ORDINANCE  
TO**

Appropriate the sum of **Four million nine hundred thirty four thousand four hundred and ninety seven dollars** to the services of the financial year ending 31st March, 2006.

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**Approved by the Rennell Bellona Provincial Assembly.**

PROVINCIAL GOVERNMENT ACT 1997  
(NO. 7 OF 1997)

RENELL BELLONA PROVINCE APPROPRIATION ORDINANCE 2006/2007

An Ordinance

To

1. This Ordinance shall be entitled the Rennell Bellona Province 2006/2007 Appropriation Ordinance and shall come into effect upon approval of the Minister in accordance with section 30(2) of the Provincial Government Act 1997 published in the Solomon Islands Gazettes.

Short Title  
Commencement

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2. The Appropriation from the Provincial Fund is hereby authorizing the sum of **Four Million, Nine Hundred Thirty Four Thousand, Four Hundred Ninety Seven Dollars** to be applied for the purposes specified in the section 36 [2] of the PGA and for the service of the financial year ending 31st of March 2007.

Authorization of  
Issues of \$4,934,497  
From the  
Provincial Fund

3. The sum specified in the proceeding sections shall be appropriated for the supply of the heads specified and in amounts respectively specified in relation thereto in the schedule of the Ordinance

Appropriation

4. The total of the authorized Contingencies Warrant issued by the Premier in exercise of his powers under Part 3 of the Rennell Bellona Financial Management Ordinance 2006 for the financial year ending 31st of March 2007 shall not exceed the Heads of Recurrent Expenditure of \$497,000.00

Contingencies  
Warrant

5. The total sum authorized by advances warrants issued by the Premier in exercise of his powers under Part 3 of the Rennell Bellona Province Financial Management Ordinance 2006 for the financial year ending 31st

Advances

**RENNELL BELLONA PROVINCE.**

**2006/2007 APPROPRIATION ORDINANCE 2006**

Passed by the Rennell Bellona Provincial Assembly this 17th Day of March, 2006.

This printed impression has been compared by me with the Ordinance passed by the Rennell Bellona Provincial Assembly and found by me to be true and correct copy of the said Ordinance.

---

Clerk to Rennell Bellona Provincial Assembly.

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Assented to by the Honourable Minister for Provincial Government this 29th Day of June, 2006.

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**Hon. Japhet Waipora**  
Minister for Provincial Government & Constituency Development

[Legal Notice 66]

**SANTA ISABEL PROVINCIAL ASSEMBLY**  
**APPROPRIATION ORDINANCE 2006**

Enacted by the Santa Isabel Provincial Assembly this 6th Day of March, 2006

This printed impression has been carefully compared by me with the Ordinance passed by the Santa Isabel Province Assembly as found by me to be true and correct copy of the said Ordinance.

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.....  
**JOHN PATTESON RIUMONO**

Clerk

SANTA ISABEL PROVINCE ASSEMBLY

Assented to by the Honourable Minister for Provincial Government this 29th Day of June, 2006.

**Hon. Japhet Waipora**

Minister for Provincial Government & Constituency Development

[Legal Notice 68]

**PROVINCIAL GOVERNMENT ACT 1997****(NO: 7 OF 1997)**

The Makira Ulawa Province 2006/2007 Appropriation Ordinance

**AN ORDINANCE****TO**

Appropriate Four million seven hundred and ninety eight thousand, four hundred and ninety three dollars to the Services of the financial year ending 31st March, 2007.

Enacted by the Makira Ulawa Provincial Assembly with the Assent of the Minister as follows:

- |    |   |  |
|----|---|--|
| 1. | This Ordinance may be cited as the Makira Ulawa Province 2006/2007 Appropriation Ordinance 2006 and Shall come into effect on the date it is assented to by the Minister of Provincial Government in accordance with <b>Section 30</b> of the Provincial Government Act 1997. | Short title &<br>Commencement  |
| 2. | The issue of the sum of Four million seven hundred and ninety eight thousand four hundred and ninety three dollars to be applied to the services of the financial year ending 31st March 2007.  | Authorisation<br>of Issue of<br>\$4,798,493.00<br>from Provincial<br>Funds |
| 3. | The sum specified in the preceding section shall be appropriated for the supply of Heads and Subheads specified in the schedule and in the amounts respectively in relation thereto.  |  |

Passed by the Makira Ulawa Provincial Assembly this ..... day of ..... 2006

.....  
**George Kuata**

**Clerk to the Makira Ulawa Provincial Assembly**

Assented to by the Honourable Minister for Provincial Government this 29th Day of June, 2006

.....  
**HON. JAPHET WAIPORA**

**Minister of Provincial Government and Constituency Development**

**SCHEDULE**

(Section 3)

Recurrent Expenditure

<u>Heads</u>	<u>Particulars</u>	<u>Authorised Expenditure</u>
300	Provincial Assembly	\$125,595.00
301	Administration	\$392,920.00
302	Finance	\$878,620.00
303	Provincial Reforms & Community Governace	\$531,428.00
304	Provincial Resources Development (Fisheries)	\$175,943.00
305	Provincial Resources Development (Agriculture & Forestry)	\$ 28,777.00
306	Lands, Mining & Energy	\$271,854.00
307	Health & Social Services	\$285,437.00
308	Works & Utilities	\$498,506.00
309	Transport & Communication	\$833,819.00
310	Education & Training	\$360,853.00
311	Trade, Investment and Business Services	\$ 88,759.00
312	Development Planning	\$ 80,131.00
313	Tourism, Culture, Environment & Conservation	\$130,591.00
	Sub-total	<b>\$4,683,233.00</b>

Capital Expenditure

<u>Heads</u>	<u>Particulars</u>	
400	Health Sector	\$25,010.00
401	Education Sector	\$10,050.00
402	Agriculture Sector	\$30,030.00
403	Fisheries Sector	\$10,010.00
404	Forestry Sector	\$10,010.00
405	Physical Infrastructure	\$30,070.00
406	Tourism Sector	\$ 30.00
407	Commerce and Industry Sector	\$ 50.00
	Sub-total	<b>\$115,260.00</b>
	Total Recurrent and Capital Expenditure	<b>\$4,798,493.00</b>

[Legal Notice 69]

**The Provincial Government Act 1997**

NO. 34 of 1997

The Malaita Province

**2006/2007 Appropriation Ordinance 2006**

**An Ordinance to appropriate a sum of five million, three hundred and five thousand, six hundred and forty dollars (\$5,305,640) to the service of Financial year ending 31st March, 2007.**

Enacted by the Malaita Provincial Assembly

- |    |  |                                       |
|----|--|---------------------------------------|
| 1. | This Ordinance may be cited as the Malaita Province Assembly 2006/2007 Appropriation Ordinance 2006 and shall come into force upon approval by the Minister in accordance with <b>Section 35</b> of the Provincial Government Act 1997 and publication in the Solomon Island Gazettee.   | Short title and commencement          |
| 2. | The Appropriation from the Provincial Fund of the sum of Five million, three hundred and five thousand, six hundred and forty dollars to be applied for the purpose specified in <b>Section 35</b> of the Provincial Government Act 1997, and to the service of the financial year ending 31st March 2007.   | Authorization of issue of \$5,305,640 |
| 3. | The sum specified in the preceding Section shall be appropriated for the supply of the Heads specified and in the amounts respectively set out in the schedule to this Ordinance   | Appropriation                         |
| 4. | The total of the sums authorized by Contingency Warrant by the Premier in exercise of his powers under <b>Section 43</b> of the Malaita Province Financial Management Ordinance 1991 for the financial year ending 31st March, 2007 shall not exceed one million, three hundred and twenty six thousand, four hundred and ten dollars (\$1,326,410) in respect of Recurrent Expenditure. | Contingencies Warrant                 |

5. The sums approved by Advance Warrant issued by the Premier in Exercise of Powers under **Section 43** of the Malaita Province Financial Management Ordinance 1991 for the Financial Year ending 31st March, 2007 shall not exceed:
- Advances
- (1) For the discharge of functions or the provision of services under Section 33 of the Provincial Government Act 1997 the amount at any time shall not exceed \$100,000.
  - (2) To or on behalf of a member of the Assembly in accordance with a resolution made and approved under Section 25 of the Provincial Government Act 1997 there shall be no entitlement for payment from the Provincial fund.
  - (3) To or on behalf of a Provincial Officer in accordance with the Provincial Staff Instruction the amount shall not exceed;
    - a. For advances in relation to serious illness, unexpected domestic calamities, or unforeseen events, an amount not exceeding the amount currently owed to the officer for holiday entitlement.
    - b. For Annual Leave, an amount not exceeding the amount currently owed to the officer for holiday entitlement.
    - c. For Tools of Trade, an amount not to exceed one thousand dollars (\$1,000)
    - d. On first appointment, an amount not to exceed two thousand dollars (\$2,000), or the equivalent of one month's gross salary, whichever is larger.

6. The overdraft and other borrowing of Malaita Province for the period to 31st March 2007 shall not at any time exceed the level of borrowing in place as at 31st March 2006. That is, overdraft and other borrowing shall not exceed eight million, seven hundred and thirty one thousand dollars (\$8,731,000).

Passed by the Malaita Provincial Assembly this 9th day  
of June, 2006

.....  
**M. MAEFAI**  
CLERK TO ASSEMBLY

Assented to this 29th day of June, 2006

.....  
MINISTER OF PROVINCIAL GOVERNMENT

[Legal Notice 70]

**THE CHOISEUL PROVINCE  
APPROPRIATION ORDINANCE 2006**

**AN**

**ORDINANCE**

**TO**

**Appropriate THIRTY MILLION, ONE HUNDRED NINETY ONE THOUSAND, EIGHT HUNDRED AND  
FIFTY THREE DOLLARS to the service of the financial year ending 31st March, 2007**

Appropriate

Made by the Choiseul Provincial Assembly

**THE CHOISEUL PROVINCE  
2006 -2007 APPROPRIATION ORDINANCE 2006**

Passed by the Choiseul Provincial Assembly this 1st Day of June, 2006

This printed impression has been compared by me with the Ordinances passed by the Choiseul Provincial Assembly and found by me to be a true and correct copy of the said Ordinance.

304

Geoffrey Pakipota  
Clerk to Choiseul Provincial Assembly

Assented to by the Honourable Minister for Provincial Government this 29th Day of June, 2006

Hon. Japhet Waipora  
Minister for Provincial Government and Rural Development

1. This Ordinance shall be entitled the Choiseul Province 2006-2007 Appropriation Ordinance and shall come into force upon approval of the Minister in accordance with section 30 of the Provincial Government Act 1997 and publication in the Solomon Islands Gazettee.

Short Title  
And  
Comment-  
ment

2. The Appropriation from the Provincial Fund is hereby **thirty million, one hundred ninety one thousand eight hundred and fifty three dollars** to be applied for the purposes specified in section 36(2) of the Provincial Government Act and to the services of the financial year ending 31st March, 2007.

Authorisation  
\$30,191,853  
from the  
Provincial  
Fund  
Appropriation

305 3. The sums specified in the preceding section shall be appropriated for the supply of the heads specified and in the amounts respectively specified in relation thereto in the schedule of the Ordinance.

4. The total of the authorized by contingencies warrants issued by the Premier in exercise of his powers under section 26 and 27 of Choiseul Province Financial Management Ordinance 1992 for the financial year ending 31st March, 2007 shall not exceed,

Contingencies  
Warrants

- a). in respect of Heads of Recurrent Expenditure **twenty thousand dollars.**
- b). in respect of Heads of Capital Expenditure **thirty thousand dollars.**

5. The total sums authorized by advances warrants issued by the Premier in exercise of his powers under Section 43 of the Choiseul Province Financial Management Ordinance 1992 for the financial year ending 31st March, 2007 shall not at any time exceed **ten thousand dollars.**

[Legal Notice 71]

PROVINCIAL GOVERNMENT ACT 1997  
(No. 7 of 1997)

The Western Province 2006/2007 Appropriation Ordinance

AN ORDINANCE  
TO

Appropriate Sixteen point two Million Dollars (\$16.2m) for Recurrent, and Six Million Dollars (\$6m) on Capital and Development Expenditures for the Services of the Financial Year ending 31st March, 2007.

Passed by the Western Provincial Assembly this 14th Day of June, 2006.

306

I have carefully compared this printed impression with the Ordinance passed by the Western Provincial Assembly and found by me to be true and correct copy of the said Ordinance.

**Eric Kikolo**

Clerk to Western Provincial Assembly

Assented to by the Honourable Minister for Provincial Government this 26th Day of July, 2006

**Honourable Japhet Waipora**

Minister of Provincial Government and Constituency Development

Made under the Common Seal of the Western Provincial Assembly this 11th Day of July, 2006.

Honourable Alex Lokopio  
Premier of Western Province

PROVINCIAL GOVERNMENT ACT 1997  
(No. 7 of 1997)

The Western Province 2006/2007 Appropriation Ordinance

Enacted by the Western Provincial Assembly with Assent of the Minister as follows:

1. This Ordinance shall be entitled "**Western Province 2006/2007 Appropriation Ordinance**" and shall come into force by being passed by the Assembly and Assented to by the Minister in accordance with Section 30 of the Provincial Government Act 1997 and Publication in the Solomon Islands Gazette.  

	Short Title and Commencement
--	---------------------------------
2. The Appropriation from the Provincial Fund is hereby Authorised the sum of **Twenty Two Million Two Hundred and Thirty Seven Thousand, Four Hundred and Seventy Two Dollars for Recurrent, Capital and Development Expenditures** to be applied for the purposes specified in **section 34(2)** of the Provincial Government Act 1997 for the Services of the Financial Year ending 31st March, 2007.  

	Authorisation of issue of SBD\$22,237,472 from the Provincial Fund Appropriation
--	---
3. The sum specified in the preceding section shall be Appropriated for the supply of the Head (Codes) and in the amount respectively specified in the Schedules to this Ordinance.
4. In accordance with **section 36 (1)** of the Act, payment out of the Provincial Fund in advance of the Appropriation shall not exceed in aggregate the sum authorized from the Appropriation Ordinance and in accordance with Part III of the Western Province Financial Management Ordinance 1994.
5. The Financial Limit on the Provincial Overdraft and Borrowing shall be in accordance with **section 40** of the Act and shall not exceed such sum as may be fixed for the Executive by order of the Minister.
6. The Financial Statement 2006/2007 Appropriation are contained in Schedule 2 to this Ordinance.

**SUPPLEMENT** to the Solomon Islands Gazette

Tuesday 15th August 2006

S.I. No. 27

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[Legal Notice No. 72]

**THE PRISONS ACT  
(Cap. 111)**

**THE PRISONS REGULATIONS (REMISSION OF SENTENCE) ORDER 2006**

IN exercise of the powers conferred by regulation 114(2) of the Prisons Regulations, I ISAAC INOKE, Minister of Police and National Security, on the recommendation of the Superintendent of Prisons, do hereby make the following Order -

1. This Order may be cited as the Prisons Regulations (Remission of Sentence) Order 2006.
2. On the recommendation of the Superintendent of Prisons, which is based on the physical condition of FRED OSIFELO, remission is hereby granted on the balance part of his sentence.

Dated at Honiara the fifteenth day of August 2006.

ISAAC INOKE  
Minister of Police and National Security

Honiara, Solomon Islands  
Printed under the authority of the  
Solomon Islands Government

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Printed by Solomon Islands Printers Ltd.

***SUPPLEMENT*** to the Solomon Islands Gazette

Wednesday 16th August 2006

S.I. No. 28

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[Legal Notice No. 73]

THE CONSTITUTIONAL OFFICES

(TERMS AND CONDITIONS OF SERVICE) ACT

(Cap. 84)

THE CONSTITUTIONAL OFFICES (TERMS AND CONDITIONS OF SERVICE)

(DIRECTOR OF PUBLIC PROSECUTIONS) REGULATIONS 2006

[Legal Notice No. 73]

THE CONSTITUTIONAL OFFICES  
(TERMS AND CONDITIONS OF SERVICE) ACT

(Cap. 84)

THE CONSTITUTIONAL OFFICES (TERMS AND CONDITIONS OF SERVICE)

(DIRECTOR OF PUBLIC PROSECUTIONS) REGULATIONS 2006

ARRANGEMENT OF REGULATIONS

REGULATION:

1. CITATION
2. TERM OF OFFICE
3. DUTIES
4. SALARY
5. NPF CONTRIBUTIONS
6. APPOINTMENT GRANT
7. HOUSING
8. UTILITIES
9. DOMESTIC SERVANTS
10. VEHICLE
11. LEAVE
12. PASSAGE
13. COMPASSIONATE LEAVE
14. OVERSEAS TRAVEL ALLOWANCE
15. LOCAL TRAVEL ALLOWANCE
16. CLASS OF TRAVEL (OVERSEAS VISITS)
17. CLOTHING ALLOWANCE
18. ENTERTAINMENT ALLOWANCE
19. MEDICAL TREATMENT
20. PERSONAL LOAN
21. BAGGAGE ALLOWANCE
22. DEATH DURING INCUMBENCY
23. MISCELLANEOUS BENEFITS
24. EDUCATION ALLOWANCE

THE CONSTITUTIONAL OFFICES  
(TERMS AND CONDITIONS OF SERVICE) ACT

(Cap. 84)

THE CONSTITUTIONAL OFFICES (TERMS AND CONDITIONS OF SERVICE)  
(DIRECTOR OF PUBLIC PROSECUTIONS) REGULATIONS 2006

IN exercise of the powers conferred upon the Minister by section 3 of the Constitutional Offices (Terms and Conditions of Service) Act, the Minister hereby makes the following regulations -

- |    |   |                           |
|----|---|---------------------------|
| 1. | These Regulation may be cited as the Constitutional Offices (Terms and Conditions of Service) (Director of Public Prosecutions) Regulations 2006, and shall be deemed to have come into force with effect from 1st day of July, 2006. | Citation                  |
| 2. | The term of office of the Director of Public Prosecutions shall be permanent unless otherwise specified in a contract of employment.  | Term of Office            |
| 3. | The duties of the Director of Public Prosecutions shall be as laid down in section 91 of the Constitution.  | Duties                    |
| 4. | The Director of Public Prosecutions shall be paid a fortnightly salary of \$4,000.00.   | Salary                    |
| 5. | The Director of Public Prosecution shall make contribution to the National Provident Fund as required under the provisions of Solomon Islands National Provident Fund Act.  | NPF Contributions Cap 109 |
| 6. | The Director of Public Prosecutions shall on first appointment grant of \$10,000.00.  | Appointment Grant         |

- |     |  |                           |
|-----|--|---------------------------|
| 7.  | The Director of Public Prosecutions shall be provided with an official residence free of rent or in the absence of a rent free accommodation and at the option of the officer, he shall receive a housing allowance of \$5,000.00 per month.                                       | Housing                   |
| 8.  | The cost of water, gas telephone and electricity provided to the residence of the Director of Public Prosecutions shall be charged to public funds and be paid for by the Government or at the option of the officer he shall receive a utilities allowance of \$1,300, per month. | Utilities                 |
| 9.  | The wages payable for the service of one domestic employee and a gardener shall be charged to public funds and paid for by the government.   | Domestic                  |
| 10. | The Director of Public Prosecutions shall be provided with a government vehicle free of charge and a fuel allowance of \$500.00 per month.   | Vehicle                   |
| 11. | The Director of Public Prosecution shall be entitled to leave at the rate of three and half days a month or forty-two days per annum for each year of completed service, which leave shall be taken during the year in which it accrues.   | Leave                     |
| 12. | The Director of Public Prosecutions and members of his family shall be provided with sea or air passage as appropriate to his home village and return passages to Honiara when proceeding on annual leave.   | Passage                   |
| 13. | The Director of Public Prosecutions shall be entitled to two return trips either by sea or air within Solomon Islands on Compassionate leave per annum.  | Compassionate leave       |
| 14. | (1) The Director of Public Prosecutions shall be entitled to a daily subsistence allowance of US\$250.00 whilst on overseas travel or one-fifth of the daily allowance if the travel is externally funded.   | Overseas travel allowance |

- (2) Where the Director of Public Prosecution is a guest of a host government, administration or agency and is not called upon to meet costs for accommodation and meals, he may claim subsistence allowance at the rate of one-fifth of his daily subsistence allowance entitlement.
15. The Director of Public Prosecutions shall be entitled to a daily travel allowance of \$150.00 whilst on official travel within Solomon Islands. Local travel allowance
16. (1) The Director of Public Prosecutions shall be entitled to travel first class on all official overseas visits. Class of travel (overseas visits)
- (2) The spouse of the Director of Public Prosecutions shall be entitled to travel first class when accompanying the Director of Public Prosecutions on any official visit overseas and shall be entitled to claim subsistence allowance at the rate payable to the Director of Public Prosecution in regulation 14(1).
17. The Director of Public Prosecutions shall be entitled to clothing allowance of \$10,000.00 per annum.
18. The Director of Public Prosecutions shall be entitled to an entertainment allowance. The amount of the allowance shall be as determined by the Accounting Officer of the Ministry responsible for Justice and Legal Affairs. Entertainment allowance
19. The Director of Public Prosecutions shall be entitled to medical treatment in accordance with the terms prescribed from time to time for public officers. Medical treatment
20. The Director of Public Prosecutions shall be entitled to a Government guaranteed loan, the maximum amount of which shall not exceed his annual basic salary. Personal loan

- |     |  |                         |
|-----|--|-------------------------|
| 21. | Subject to the provision of Chapter F of General Orders, the Director of Public Prosecutions shall be entitled to a claim baggage allowance.   | Baggage allowance       |
| 22. | Where the Director of Public Prosecutions dies whilst in office, the Government shall be responsible for all funeral expenses and all other expenses incidental thereto.             | Death during incumbency |
| 23. | The Director of Public Prosecutions shall be entitled to benefits available to public officers under General orders or other regulations which are not covered by these Regulations. | Miscellaneous benefits  |
| 24. | The Director of Public Prosecutions shall be paid an education allowance of \$5,000.00 per annum.  | Education allowance     |

Made at Honiara this ninth day of August, 2006

MANASSEH SOGAVARE  
Prime Minister

Honiara, Solomon Islands  
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Solomon Islands Government

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**SUPPLEMENT** to the Solomon Islands Gazette

Friday 25th August 2006

S.I. No. 29

[Legal Notice No. 74]

**THE GOODS TAX ACT**  
(Cap. 122)**THE GOODS TAX (EXEMPTION) ORDER 2006**

In exercise of the powers conferred by Section 37(2) of the Goods Tax Act, the Minister hereby makes the following Order.

1. This Order may be cited as the Goods Tax (Exemption) Order 2006
2. (a) that **Solomon Islands Electricity Authority** shall be granted **100% exempted** from the liability to goods tax on the following:-
  1. **Refer attached items per appendix 1 of the MOU**
  - (b) That the exemptions granted under (a) shall have effect from **03/08/06** and expires on **31/08/06**
  - (c) goods tax exemption Order No. **00367/06**
  - (d) this exemption Order is not transferable.

Dated at Honiara this third day of August 2006

HONOURABLE BARTHOLOMEW ULUFA'ALU (MP)  
Minister of Finance

**CLASSIFICATION OF ITEMS TO BE EXEMPTED FROM BOTH IMPORT****DUTY & GOODS SALES TAX**

- |  |  |
|--|--|
| 1. Generators and Controls   | 2. Hydro Turbines  |
| 3. Switchboards  | 4. Power Station Auxiliaries   |
| 5. Switchgears   | 6. Transformer oil   |
| 7. Workshop Plant  | 8. Solar Panels, Batteries & Controls  |
| 9. Electrical & Data Cables  | 10. Power Poles and fitting  |
| 11. Cable Termination Kits   | 12. Street Lighting Equipment  |
| 13. Tools  | 14. Motor Vehicles for Operations  |
| 15. Safety and Protective Wears,<br>Clothing and all kinds of<br>Protective body wears | 16. Computer Hardware,<br>Software, Accessories, Billings &<br>Computer Papers.          |
| 17. Test equipment   | 18. Energy Meters  |
| 19. Bare Conductors  | 20. Transformers   |
| 21. Insulators   | 22. DC Power Cables  |
| 23. Galvanized pipes   | 24. Spare Parts and equipment<br>for Diesel engines, heavy<br>plants and motor vehicles. |
| 25. Cash power meters  |  |

**THE GOODS TAX ACT**  
(Cap. 122)

**THE GOODS TAX (EXEMPTION) ORDER 2006**

In exercise of the powers conferred by Section 37(2) of the Goods Tax Act, the Minister hereby makes the following Order.

1. This Order may be cited as the Goods Tax (Exemption) Order 2006
2. (a) that **John Lobo** shall be granted **100% exempted** from the liability to goods tax on the following:-
  - (1) **2 x Units 3 ton trucks**
- (b) that the exemptions granted under (a) shall have effect from **15/08/06** and expires on **31/12/06**.
- (c) goods tax exemption Order No. **00368/06**.
- (d) this exemption Order is not transferable.

Dated at Honiara this fifteenth day of August 2006

HONOURABLE BARTHOLOMEW ULUFA'ALU (MP)  
Minister of Finance & Treasury

Honiara, Solomon Islands  
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Solomon Islands Government

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**SUPPLEMENT** to the Solomon Islands Gazette

Wednesday 30th August 2006

S.I. No. 30

[Legal Notice No. 75]

**LABOUR ACT**  
(Cap. 73)**THE LABOUR ADVISORY BOARD RULES 2006**

IN exercise of the powers conferred by section 80 of the Labour Act, the Minister hereby makes the following rules -

- |    |   |  |
|----|---|--|
| 1. | These Rules may be cited as the Labour Advisory Board Rules 2005.   | <i>Citation</i>  |
| 2. | There shall be established a tripartite Board known as the 'National Labour Advisory Board' (herein to be referred to as "The Board")   | <i>The Establishment of the National Labour Advisory Board</i> |
| 3. | The Board will Serve as forum to provide for -  | <i>Objectives and Functions</i>                                |
|    | (a) tripartite consultation and cooperation between the government and the social Partners on labour and employment related matters as a contribution to national development and |  |
|    | (b) to enable the Minister to seek the views and advice of the member of The Board on Labour, Employment and related development matters, including -                             |  |
|    | Labour<br>Employment<br>Industrial Relations<br>Wages and Income<br>Occupational Safety and Health<br>Social Security<br>Productivity<br>Labour Laws and Social Legislation       |  |

4. (1) The Board shall be tripartite in composition consisting of the following members - *Composition of the Board*
- Minister responsible for labour who shall be Chairman  
 Permanent Secretary responsible for Labour  
 Permanent Secretary, Ministry of Finance  
 Commissioner of Labour  
 A representative of the Attorney General  
 Four Members representing the Business and Employers Interest  
 Four Members representing the Workers interests, at least one of whom Shall represent the public sector industry.
- (2) The Minister may if he deems necessary, appoint additional members to the Board to represent any special interest groups.
- (3) In the absence of the Minister, the Permanent Secretary responsible for Labour may Chair the meeting of the Board.
- (4) Any member of the Board may be represented by an alternate member in the event of the members inability to attend a meeting.
5. (1) The Employers representative to the Board shall be appointed by the Minister in consultation with the most represented organizations of Employers in Solomon Islands. *Appointment of Members of the Board.*
- (2) The Workers representative to the Board shall be appointed by the Minister in Consultation with the most represented organization of Workers in Solomon Islands.
6. (1) Subject to this part, a member holds office for the period not exceeding two years as is specified in the instrument of the members appointment, but is eligible for reappointment. *Term of Office, Leave resignation and dismissal of members*
- (2) The Minister may grant leave of absence to a member on terms and Conditions the minister consider appropriate.
- (3) A member may resign office in writing signed by the member and delivered to the Minister.

- (4) The Minister may terminate the appointment of a member for inability, inefficiency misbehaviour or physical or mental incapacity.
- (5) The Minister shall terminate the appointment of a member who -
- (a) is absent, on leave granted by the Board or the Minister, from three consecutive meetings of the Board; or,
  - (b) becomes bankrupt, applies to take benefits of law for the relief of bankrupt or insolvent debtors, compounds with his or her creditors or makes an assignment of his or her remuneration for their benefit.
7. The Minister may appoint a secretary to The Board who shall be responsible to the Minister and The Board for the conduct of the affairs of the Board. *Appointment of Secretary to the Board.*
8. (1) There shall be established within the Ministry responsible for Labour a Secretariat of The Board which shall be headed by the Secretary of the Board. *The Secretariat*
- (2) The Minister shall be responsible for providing of funds, facilities and amenities to the Secretariat for its efficient functioning and operation.
9. The Board shall meet at least once a month, but the Minister may convene a special meeting to the Board at any time to consider any matter of importance as he may deemed necessary. *Meetings of the Board*
10. At a meeting of the Board - *Quorum*
- (1) The Chairman, or in his absence, the Permanent Secretary and 50% of the other members for the time being holding office, constitute a quorum; and,
  - (2) questions arising must be determined by a majority vote of the members present and voting and in the event of an equality of votes the Chairman, or his

absence, the Permanent Secretary, has a casting as well as a deliberative vote.

- |     |   |  |
|-----|---|--|
| 11. | (1) Notice of normal meetings of the Board shall be given to the members at least seven (7) days in advance.  | <i>Notice of Meeting</i>                               |
|     | (2) A special meeting of the Board may be convened by the Minister at Short Notice.   |  |
| 12. | The Agenda of meetings shall be drawn up by the secretariat, in consultation with the Chairman.   | <i>Agenda of meetings</i>                              |
| 13. | The Minutes of the Meetings of the Board shall be prepared and maintained by the Secretary to the Board for the consideration and adoption by the Board.  | <i>Minutes of Meetings</i>                             |
| 14. | (1) The Board may appoint such a number of standing committees and ad hoc sectoral Committees as deemed necessary to undertake study and research on specific matters assigned to them and submit reports for the consideration of the Board. | <i>Appointment of Standing and Sectoral Committees</i> |
|     | (2) The members of standing committees and sectoral committees may be drawn from persons outside the Board membership in consideration of their specialized knowledge and expertise in the relevant fields.                                   |  |
| 15. | The Board may make its own rules for the conduct of its affairs and related procedural matters.   | <i>Rules of the Board</i>                              |

Dated at Honiara this first day of August 2006

Hon Francis Billy Hilly  
Minister for Commerce, Industries and Employment

[76]

**THE FISHERIES ACT 1998**

(No. 6 of 1998)

**THE FISHERIES (PROTECTION OF SEA CUCUMBERS) REGULATIONS 2006**

IN exercise of the powers conferred by section 59 of the Fisheries Act, 1998, I, NOLLEN LENI, Minister of Fisheries and Marine Resources, do hereby make the following regulation -

- |    |   |  |
|----|---|--|
| 1. | This Regulation may be cited as the Fisheries (Protection of Sea Cucumbers) Regulation 2006, and shall come into operation on the date of publication in the Gazette.   | <i>Citation</i>                            |
| 2. | (1) Any person who catches and retains, or sells or exposes for sale or buys, or exports or has in possession for export all sea Cucumber species belonging to the Family Holothuroidea, shall be guilty of an offence and liable to a fine not exceeding fifty thousand Solomon Islands dollars or to imprisonment for three months or to both such fine and imprisonment. | <i>Protection<br/>of sea<br/>Cucumbers</i> |
|    | (2) Paragraph (1) shall not apply to the taking or collecting of any sea cucumber species belonging to the above mentioned aspidochirote genera for local consumption by indigenous individuals or for scientific purposes.   |  |

Dated at Honiara this sixteenth day of August 2006

NOLLEN LENI  
Minister of Fisheries and Marine Resources

Honiara, Solomon Islands  
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**SUPPLEMENT** to the Solomon Islands Gazette

Wednesday 30th August 2006

S.I. No. 30

[Legal Notice No. 77]

**THE GOODS TAX ACT**  
(Cap. 122)**THE GOODS TAX (EXEMPTION) ORDER 2006**

IN exercise of the powers conferred by section 37(2) of the Goods Tax Act, the Minister hereby makes the following Order.

1. This Order may be cited as the Goods Tax (Exemption) Order 2006
2. (a) that **Vatu Enterprises Ltd** shall be granted **100% exemption** from the liability to goods tax on the followings:-
  - (1) 10 units STIHL Chainsaw
  - (2) 10 units STIHL Chainsaw Bar
  - (3) 1 unit Roll Chain
  - (4) 1 unit 30hp Suzuki Outboard Motor
- (b) that the exemptions granted under (a) shall have effect from **21/7/06** and expires on **31/08/06**.
- (c) goods tax exemption Order **No. 00366/06**.
- (d) this exemption Order granted is not transferable.

Dated at Honiara this twenty first day of July 2006.

**HONOURABLE BARTHOLOMEW ULU'UFA'ALU**  
Minister of Finance & Treasury

**THE GOODS TAX ACT**  
(Cap. 122)

**THE GOODS TAX (EXEMPTION) ORDER 2006**

IN exercise of the powers conferred by section 37(2) of the Goods Tax Act, the Minister hereby makes the following Order.

1. This Order may be cited as the Goods Tax (Exemption) Order 2006
2. (a) that **Solomon Kitano Mendana Hotel** shall be granted **100% exemption** from the liability to goods tax on the followings:-
  - (1) **Per attached listed items from overseas for the renovation of the hotel.**
- (b) that the exemptions granted under (a) shall have effect from **24/6/06** and expires on **31/07/07**.
- (c) good tax exemption Order **No. 00364/06**.
- (d) this exemption Order granted is not transferable.

Dated at Honiara this twenty third day of June 2006.

**HONOURABLE GORDON DARCY LILO**  
Acting Minister of Finance & Treasury

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SUPPLY ITEMS  
SOLOMON KITANO MENDANA HOTEL 2006

NO.	ITEMS	DESCRIPTION	QTY	U-PRICE	TOTAL
1.	DOWNLIGHT 60W	TOILET	15	82.83	1,242.50
2.	DOWNLIGHT 100W	CONFERENCE ROOM	32	82.83	2,650.66
3.	BRACKET	TOILET	3	60.02	180.07
4.	BULB		50	18.01	900.36
5.	TOA. TS-800CE CENTRAL UNIT		1		
6.	TOA. TS-801/904 CHAIRMAN'S UNIT		1		
7.	TOA. TS-802/904 DELEGATE'S UNIT		19		
8.	TOA. YW-1024Y SYSTEM DISTRIBUTOR, 4 OUTLETS		1		123,925.45
9.	TOA. AD-0910 CE AC ADAPTOR		20		
10.	TOA. TS-905 INFRARED TRANSMITTER/RECEIVER		4		
11.	PAP. COAXPSF 1/3 COAX CABLE		100		
12.	ALABASTER BLIND 2100 x 2100@ 12ea		12	1,050.42	12,605.04
13.	TOA. WM4220 RADIO MICROPHONE		4		
14.	TOA. WTU4800 UHF FREQUENCY AGILE MODULE		4		
15.	TOA. WT4820 DUAL SHELL		2		
16.	TOA. MBWT4 RACK BRACKET KIT FOR 2xWT 4800		1		22,422.03
17.	TOA. A1724 240W LINE AMPLIFIER		1		
18.	AMIS. QF8 8" CEILING SPEAKERS WITH GRILE		12		
19.	LOCAL FREIGHT IN ARRANGED BY EAGLE EXPORTS		1		
20.	24588 COMPTON STAR SAVER DOWN LIGHT (WHITE)		16	82.83	1,325.33

**SUPPLY ITEMS**  
**SOLOMON KITANO MENDANA HOTEL 2006 NO.**

NO.	ITEMS	DESCRIPTION	QTY	U-PRICE	TOTAL
21.	LOCAL FREIGHT IN ARRANGED BY EAGLE EXPORTS		1	63.02	63.03
22.	LIGHTING GRID 10 x 10mm Sq x 12.7mm THICK WHITE		1	1,769.51	1,769.51
23.	LOCAL FREIGHT IN ARRANGED BY EAGLE EXPORTS		1	63.03	63.03
24.	ACCESS PANEL 450 x 450mm		4	522.21	2,103.24
25.	LOCAL FREIGHT IN ARRANGED BY EAGLE EXPORTS		1	63.03	63.03
26.	SONY VPL-CX76 LIGHT PROJECTOR		1		
27.	EXTRON 43-101-01 EXTENDER		1		
28.	LINE DRIVER (SIGNAL AMPLIFIER)		1		
	SCREENTECHNIQUES 4310019				
	CHAIN DRIVEN SCREEN		1		
29.	GEPICO. RBSC250 MINI SDI				
	CGAX 5-CORE CABLE		30		34,471.85
30.	EXTRON. 26-531-01 CABLE		1		
31.	VOGEL'S PPC 130 CEILING PROJECTOR MOUNT ADJUSTABLE (3m)		1		38,512.06
32.	BOARDROOM TABLE		1		42,389.57
33.	BOARDROOM ARMCHAIRS		30	1,412.99	
					<b>283,444.24</b>

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[Legal Notice No. 78]

**THE SOLOMON ISLANDS INDEPENDENCE ORDER 1978**  
(L.N. No. 43 of 1978)

**APPOINTMENT OF ACTING CHIEF JUSTICE**

IN exercise of the powers conferred by section 79 (1) of the Constitution and acting in accordance with the advice of the Judicial and Legal Service Commission, I, **SIR PETER KENILOREA**, Knight of the British Empire, Privy Council, Acting Governor-General do hereby appoint -

**JOHN RODNEY BROWN**

to be Acting Chief Justice of Solomon Islands from 5th August to 12th August 2006 or until the substantive post holder of the office resumes duties.

Given in Honiara under my hand and the public seal this fourth day of August 2006.

**SIR PETER KENILOREA KRE, PC**  
**ACTING GOVERNOR-GENERAL**



[Legal Notice No. 79]

**The Money Laundering and Proceeds of Crimes Act, 2002**  
[No. 5 of 2002]

**STIPULATION OF THE SPECIFIED AMOUNT OF CURRENCY**

IN exercise of the powers conferred by section 13 [1] of the Money Laundering and Proceeds of Crimes Act, 2002, I, Hon. Bartholomew Ulu'ufa'alu hereby stipulate the sum of:

**SBD\$0**

as the amount of currency specified for the purposes of section 13 of the Act for financial institutions.

Dated at Honiara the thirty first day of August 2006

**Hon. Bartholomew Ulu'ufa'alu**  
**Minister of Finance and Treasury**

[Legal Notice 80]

**The Money Laundering and Proceeds of Crimes Act, 2002**  
[No. 5 of 2002]

**DESIGNATION OF AUTHORISED OFFICERS**

IN exercise of the powers conferred by section 79 as read with section 2 of the Money Laundering and Proceeds of Crimes Act, I, Hon. Bartholomew Ulu'ufa'alu hereby designate all:

Solomon Islands Police Officers, and  
Solomon Islands Customs Officers

as authorised officers for purposes of the Act.

Dated at Honiara the thirty first day of August 2006

**Hon. Bartholomew Ulu'ufa'alu**  
**Minister of Finance and Treasury**

[Legal Notice 81]

**The Money Laundering and Proceeds of Crimes Act, 2002**  
[No. 5 of 2002]

**STIPULATION OF THE PRESCRIBED SUM**

IN exercise of the powers conferred by section 79 as read with section 19 of the Money Laundering and Proceeds of Crimes Act 2002, I, Hon. Bartholomew Ulu'ufa'alu Minister of Finance and Treasury hereby stipulate the sum of:

SBD\$50,000.00 or its foreign currency equivalent

as the prescribed sum for purposes of section 19 of the Act.

Dated at Honiara the thirty first day of August 2006

**Hon. Bartholomew Ulu'ufa'alu**  
**Minister of Finance and Treasury**

**SUPPLEMENT** to the Solomon Islands Gazette

Wednesday 20th September 2006

S.I. No. 32

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[Legal Notice No. 82]

**IMMIGRATION ACT**

(CAP 60)

**DECLARATION OF PROHIBITED IMMIGRANT**

IN exercise of the powers conferred by section 11 (2) of the Immigration Act (Cap 60)  
I, Minister for Commerce, Industries and Employment do hereby declare:

**RANNGAU ANAK KASAU**

to be a Prohibited Immigrant and is hereby prohibited from entering Solomon Islands.

Dated this fifteenth day of November 2005

**WALTON NAEZON**

**Minister of Commerce, Industries and Employment**

[Legal Notice 83]

**PRICE CONTROL ACT**  
(Cap. 64)

**THE PRICE CONTROL (APPLICATION TO GOODS AND RESTRICTION OF PRICES) (AMENDMENT) (NO. 3) ORDER 2006.**

IN exercise of the powers conferred by section 4 and 6 of the Price Control Act, and after consultations with the Prices Committee, **I, PETER SHANELAGOVAKA**, Minister of Commerce, Employment and Trade, do hereby make the following Order -

1. This Order may be cited as the Price Control (Application to Goods and Restriction of Prices) (Amendment) No. 3) Order 2006 and shall come into operation on 1st September 2006.
2. Schedule 3 to the Price Control (Application to Goods and Restriction of Prices) Order 1987\* is hereby amended by deleting serial No. 13 thereof and substituting therefore the following -

**“13 PETROLEUM PRODUCTS**

		<b>WHOLESALE</b> (maximum price in cents per litre)		<b>RETAIL</b> (maximum price in cents per litre)
(a)	Petroleum Motor Spirit - (PMS)	548.64		670.9
(b)	Distillate - (ADO)	587.07		727.6
(c)	Kerosene - (KERO)	537.60		(maximum percentage mark - up)
				- cost into store plus 15% for sales of packaged product
				- cost into store plus 20% for break-bulk sales.”

Dated at Honiara this twelfth day of September 2006

**PETER SHANELAGOVAKA**  
Minister of Commerce, Employment and Trade

\*L.N. No. 47/87 p. 104

[Legal Notice 84]

**THE LABOUR ACT**  
(Cap. 73)

**EXEMPTION ORDER**

IN exercise of the powers conferred by section 79 of the Labour Act, **I, PETER SHANEL AGOVAKA**, Minister of Commerce, Industries and Employment do hereby exempt: -

**KIYOKAZU HISANAGA**  
**YOSHIRO NAKAMURA**

from the requirements of Section 37 of the Labour Act.

Dated at Honiara this eleventh day of September 2006

**PETER SHANEL AGOVAKA**  
Minister of Commerce, Industries and Employment

[Legal Notice 85]

**THE LABOUR ACT**  
(Cap. 73)

**EXEMPTION ORDER**

IN exercise of the powers conferred by section 79 of the Labour Act, **I, PETER SHANEL AGOVAKA**, Minister of Commerce, Industries and Employment do hereby exempt: -

**SUMALINOG ALEJANDRO**  
**GANZON RAMON**  
**PANGATUNGAN FLAVIANO**  
**CANIZARES RAMON**  
**QUIMADA RESTITUTO JR.**  
**BACALTOS WILFREDO**  
**DEIPARINE JAIME POQUITA**  
**DEIPARINE ROBERTO**  
**BERNALES ROMAN**  
**MALINGIN VICENTE**  
**ABANGAN ROLANDO CANADA**  
**DEIPARINE ARTURO**  
**ABANGGAN LUCIANO DELIMA**  
**LAMANILAO ROLANDO BULILAN**  
**LUEGA JULITO**  
**DANO REGIE**  
**AUTENCIO RICKY**  
**JUNASA ZURIEL**

from the requirements of Section 37 of the Labour Act.

This Exemption Order is effective from 1st March 2006 to 31st March 2007

Dated at Honiara this fifteenth day of September 2006

**PETER SHANEL AGOVAKA**  
Minister of Commerce, Industries and Employment

**SUPPLEMENT** to the Solomon Islands Gazette

Thursday 28th September 2006

S.I. No. 33

[Legal Notice 86]

**LIQUOR ACT**  
(Cap. 60)**APPOINTMENT OF MEMBERS TO THE GUADALCANAL PROVINCE  
LIQUOR LICENSING BOARD**

In exercise of the powers conferred by Section 17 of the Liquor Act I, **ABEL ARABOLA, Premier of Guadalcanal Province Assembly, do hereby appoint-**

**MAGISTRATE KEITH CHAPMAN to be Chairman; and**  
**FATHER MICHAEL SAKI**  
**ELLEN JOY**  
**PETER AROUNISAKA**  
**MARTIN SOPHAGE**  
**HENRY TOBANI**  
**WILLIAM RAPASIA**

to be members of the Guadalcanal Provincial Liquor Licensing Board for a period of one (1) year from the date hereof..

Done at Honiara this twentieth day of September 2006.

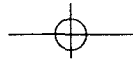
**ABEL ARABOLA**  
**Premier**  
Guadalcanal Government

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**SUPPLEMENT** to the Solomon Islands Gazette

Tuesday 3rd October 2006

S.I. No. 34

[Legal Notice 87]

**PROVINCIAL GOVERNMENT ACT 1997  
(No. 7 of 1997)****APPOINTMENT OF MINISTERS TO MALAITA PROVINCIAL EXECUTIVE**

IN exercise of the powers conferred by section 20(4) of the Provincial Government Act 1997 and acting in accordance with the advice of the Honourable Reuben T. Moli, Premier of Malaita Province, I, **JAPHET WAIPORA**, Minister of Provincial Government and Constituency Development hereby appoint -

HONOURABLE WILFRED MAELUMA	-	to be the new Deputy Premier and Minister of Regional Affairs;
HONOURABLE BRIAN TABA'A	-	to be Minister of Finance and Administration
HONOURABLE EDWIN SUIBAEA	-	to be Minister of Planning and Economic Development;
HONOURABLE NATHAN ROBERT HAUNU	-	to be Minister of Community and Human Development;
HONOURABLE PHILIP MIMIDI	-	to be Minister of Primary Resources;
HONOURABLE WALTER BADLEY HOU	-	to be Minister for Infrastructure, Industry and Tourism;
HONOURABLE TONY S. BOBBY	-	to be Minister for Environment and Conservation;

HONOURABLE ALLEN RURAI	-	to be Minister for Lands and Urban Development;
HONOURABLE JOHN KAIA	-	to be Minister for Health;
HONOURABLE DAVID NGUBURI	-	to be Minister for Education and Sports;
HONOURABLE JOHN BAPTIST ARAHAORI	-	to be Minister for Southern Region Affairs;
HONOURABLE ROSE ANILABATA	-	to be Minister for Western Region Affairs;
HONOURABLE REDLEY SIRA	-	to be Minister for Eastern Region Affairs; and
HONOURABLE JOEL REX FUNUSULIA	-	to be Minister for Northern Region Affairs.

in Malaita Province and to be Members of the Malaita Provincial Executive with effect from 17th May 2006.

Dated at Honiara this nineteenth day of September, 2006.

HON JAPHET WAIPORA, MP  
Minister of Provincial Government and Constituency Development

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**SUPPLEMENT** to the Solomon Islands Gazette

Friday 6th October 2006

S.I. No. 35

[Legal Notice 88]

**PROVINCIAL GOVERNMENT ACT, 1997  
(NO. 7 OF 1997)****APPOINTMENT OF MEMBER TO TEMOTU PROVINCIAL EXECUTIVE**

In the exercise of powers conferred by Section 20 (4) as read with Section 21(4) of the Provincial Government Act 1997 and acting in accordance with advice of the Premier of Temotu Province I, **JAPHET WAIPORA**, Minister of Provincial Governments and Rural Development do hereby appoint -

**HON. CLEMENT MENAPI**

to be the Minister for Commerce, Trade and Tourism

In Temotu Province and to be a Member of Temotu Provincial Executive with effect from 21 August 2006.

The appointment of HON. COMMINS VAIKE is hereby revoked.

Dated at Honiara this fifth day of October 2006

**JAPHET WAIPORA**  
Minister of Provincial Governments and Rural Development

Honiara, Solomon Islands  
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**SUPPLEMENT** to the Solomon Islands Gazette

Monday 9th October 2006

S.I. No. 36

[Legal Notice 89]

**THE FOREST RESOURCES AND TIMBER UTILISATION ACT  
(Cap. 40)****THE NORTHWEST FOREST LIMITED (EXPORT OF 3000<sup>m3</sup> OF TERMINALIA  
LIA BRASSII) EXEMPTION ORDER 2006**

IN exercise of the powers conferred by section 4(1)(c) of the Forest Resources and Timber Utilisation Act, the Minister hereby makes the following order -

1. This Order may be cited as the Northwest Forest Limited (Export of 3000<sup>m3</sup> of Terminalia Brasili) Exemption Order 2006, and shall come into force on the date of publication in the Gazette.
2. North West Forest Limited is hereby exempted and permitted to export 3000<sup>m3</sup> of Terminalia Brassii which has been felled from CDC 3 on Guadalcanal Province.
3. The licence to be used for purposes of the export is numbered A10127 deposited with the Commissioner of Forest.
4. The above shipment shall be exported through the vessel MV Hikawa Pride.
5. On the export of this shipment this Order shall cease to have effect.

Dated at Honiara this sixth day of October 2006

**JOB DUDLEY TAUSINGA**  
Minister of Forést, Environment and Conservation

[Legal Notice 90]

**THE IMMIGRATION ACT  
(Cap. 60)**

**DECLARATION OF PROHIBITED IMMIGRANT**

IN exercise of the powers conferred by section 11(2)(g) of the Immigration Act,  
the Minister of Commerce, Industries and Employment hereby declares -

**MARK CHRISTOPHER EMERY**

to be prohibited immigrant and is hereby prohibited from entering Solomon  
Islands.

Dated at Honiara this sixth day of October 2006

**PETER SHANEL AGOVAKA**  
Minister of Commerce, Industries and Employment

**THE IMMIGRATION ACT  
(Cap. 60)**

**DECLARATION OF PROHIBITED IMMIGRANT**

IN exercise of the powers conferred by section 11(2)(g) of the Immigration Act,  
the Minister of Commerce, Industries and Employment hereby declares -

**DIDIER MARIE-EDMOND FARSY**

to be prohibited immigrant and is hereby prohibited from entering Solomon  
Islands.

Dated at Honiara this sixth day of October 2006

**PETER SHANEL AGOVAKA**  
Minister of Commerce, Industries and Employment

[Legal Notice 91]

**THE IMMIGRATION ACT  
(Cap. 60)**

**EXEMPTION ORDER**

IN exercise of the powers conferred by section 7(g) of the Immigration Act, (Cap. 60), I, Peter Shanel Agovaka, Minister of Commerce, Industries and Employment hereby exempt::

MS. JEANETTE E. BROWN  
MR. KEITH A. BICKNELL  
MISS KATIE LOUISE M. BICKNELL  
MSTR. KENNETH A. BICKNELL-BROWN  
MISS AMY DIANA N. BICKNELL-BROWN

from the requirements of Section 6(1) of the said Immigration Act.

€

Dated at Honiara this second day of October 2006

**PETER SHANEL AGOVAKA**  
Minister of Commerce, Industries and Employment

[Legal Notice 92]

**THE FOREIGN INVESTMENT ACT  
(NO. 7 OF 2005)**

**NOTICE OF COMMENCEMENT**

IN exercise of the powers conferred by section 1(12) of the Foreign Investment Act, I, PETER SHANEL AGOVAKA, the Minister of Commerce, Industries and Employment hereby appoints the 26th day of June 2006 as the date on which the said Act shall come into operation

Legal Notice No. 39/2006 is hereby revoked.

Dated at Honiara this 2nd day of October 2006

**PETER SHANEL AGOVAKA**  
Minister of Commerce, Industries and Employment

Honiara, Solomon Islands  
Printed under the authority of the  
Solomon Islands Government

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**SUPPLEMENT** to the Solomon Islands Gazette

Thursday 12th October 2006

S.I. No. 37

[Legal Notice 93]

**THE GOODS TAX ACT  
(Cap. 122)****THE GOODS TAX (EXEMPTION) ORDER 2006**

IN exercise of the powers conferred by section 37(2) of the Goods Tax Act, the Minister hereby makes the following Order.

1. This Order may be cited as the Goods Tax (Exemption) Order 2006.
2. (a) That the **Stella Salumata T/A Coconut Bio-Energy** shall be granted **100% exemption** from the liability to goods tax on the following:-
  - (1) **1150 LITRE BIOFUEL REFINERY AND 150 KVA (120KW) GENERATOR**
  - (b) The goods tax exempted under this Order is **\$31,565.82**.
  - (c) That the exemption granted under (a) shall have effect from **14th September 2006** and expires on **31st October 2006**.
  - (d) Goods tax exemption Order **No. 00376/06**
  - (e) This exemption Order granted is not transferable.

Dated at Honiara this fourteenth day of September 2006

**HONOURABLE BARTHOLOMEW ULU'UFA'ALU (MP)**  
Minister of Finance and Treasury

[Legal Notice 94]

**THE GOODS TAX ACT  
(Cap. 122)**

**THE GOODS TAX (EXEMPTION) ORDER 2006**

IN exercise of the powers conferred by section 37(2) of the Goods Tax Act, the Minister hereby makes the following Order.

1. This Order may be cited as the Goods Tax (Exemption) Order 2006.
2. (a) That the **Gold Ridge Mining Limited** shall be granted **100% exemption** from the liability to goods tax on the following:-
  - (1) **All qualified items under clause 6.5(d) of the Gold Ridge Mining Agreement (MOU).**
- (b) The goods tax exempted under this Order is **\$585,000.00**.
- (c) That the exemption granted under (a) shall have effect from **13th September 2006** and expires on **31st December 2006**.
- (d) Goods tax exemption Order **No. 00371/06**.
- (e) This exemption Order granted is not transferable.

Dated at Honiara this thirteenth day of September 2006

**HONOURABLE BARTHOLOMEW ULU'UFA'ALU (MP)**  
Minister of Finance and Treasury

[Legal Notice 105]

**THE GOODS TAX ACT  
(Cap. 122)**

**THE GOODS TAX (EXEMPTION) ORDER 2006**

IN exercise of the powers conferred by section 37(2) of the Goods Tax Act, the Minister hereby makes the following Order.

1. This Order may be cited as the Goods Tax (Exemption) Order 2006.
2. (a) That the **Excel Company Ltd.** shall be granted **100% exemption** from the liability to goods tax on the following:-
  - (1) **One Containers (mixed recovery package)**
- (b) That the exemptions granted under (a) shall have effect from **3rd October 2006** and expires on **30th November 2006.**
- (c) Goods tax exemption Order **No. 00380/06.**

Dated at Honiara this third day of October 2006

**HONOURABLE BARTHOLOMEW ULU'UFA'ALU (MP)**  
Minister of Finance and Treasury

[Legal Notice 97]

**THE GOODS TAX ACT  
(Cap. 122)**

**THE GOODS TAX (EXEMPTION) ORDER 2006**

IN exercise of the powers conferred by section 37(2) of the Goods Tax Act, the Minister hereby makes the following Order.

1. This Order may be cited as the Goods Tax (Exemption) Order 2006.
2. (a) That the **Stella Salumata T/A Coconut Bio-Energy** shall be granted **100% exemption** from the liability to goods tax on the following:-
  - (1) **1 Unit Machinery imported to produce oil from copra**
- (b) The goods tax exempted under this Order is \$18,278.44.
- (c) That the exemption granted under (a) shall have effect from **13th September 2006** and expires on **31st October 2006**.
- (d) Goods tax exemption Order **No. 00372/06**.
- (e) This exemption Order granted is not transferable.

Dated at Honiara this thirteenth day of September 2006

**HONOURABLE BARTHOLOMEW ULU'UFA'ALU (MP)**  
Minister of Finance and Treasury

[Legal Notice 98]

**THE GOODS TAX ACT  
(Cap. 122)**

**THE GOODS TAX (EXEMPTION) ORDER 2006**

IN exercise of the powers conferred by section 37(2) of the Goods Tax Act, the Minister hereby makes the following Order.

1. This Order may be cited as the Goods Tax (Exemption) Order 2006.
2. (a) That the **Valepelo Development Company** shall be granted **100% exemption** from the liability to goods tax on the following:-
  - (1) **1 Unit Lucas Portable Sawmill**
- (b) The goods tax exempted under this Order is \$12,960.00.
- (c) That the exemption granted under (a) shall have effect from **14th September 2006** and expires on **31st October 2006**.
- (d) Goods tax exemption Order **No. 00375/06**.
- (e) This exemption Order granted is not transferable.

Dated at Honiara this fourteenth day of September 2006

**HONOURABLE BARTHOLOMEW ULU'UFA'ALU (MP)**  
Minister of Finance and Treasury

[Legal Notice 99]

**THE GOODS TAX ACT  
(Cap. 122)**

**THE GOODS TAX (EXEMPTION) ORDER 2006**

IN exercise of the powers conferred by section 37(2) of the Goods Tax Act, the Minister hereby makes the following Order.

1. This Order may be cited as the Goods Tax (Exemption) Order 2006.
2. (a) That the **Tauba/uru'uru Island water supply project** shall be granted **50% exemption** from the liability to goods tax on the following:-
  - (1) **All imported water supply materials**
  - (b) The goods tax exempted under this Order is \$26,000.00
  - (c) That the exemption granted under (a) shall have effect from **14th September 2006** and expires on **31st October 2006**.
  - (d) Goods tax exemption Order **No. 00377/06**.
  - (e) This exemption Order granted is not transferable.

Dated at Honiara this fourteenth day of September 2006

**HONOURABLE BARTHOLOMEW ULU'UFA'ALU (MP)**  
Minister of Finance and Treasury

[Legal Notice 100]

**THE GOODS TAX ACT  
(Cap. 122)**

**THE GOODS TAX (EXEMPTION) ORDER 2006**

IN exercise of the powers conferred by section 37(2) of the Goods Tax Act, the Minister hereby makes the following Order.

1. This Order may be cited as the Goods Tax (Exemption) Order 2006.
2. (a) That the **Ekwaiola Development Ent.** shall be granted **100% exemption** from the liability to goods tax on the following:-
  - (1) **Machines, Equipments and Accessoris (see list attached)**
- (b) That the exemption granted under (a) shall have effect from **15th September 2006** and expires on **2nd March 2007.**
- (c) Goods tax exemption Order **No. 00378/06.**
- (d) This exemption Order Supersedes order No. 0031/06 previously granted and is not transferable.

Dated at Honiara this fifteenth day of September 2006

**HONOURABLE BARTHOLOMEW ULU'UFA'ALU (MP)**  
Minister of Finance and Treasury

[Legal Notice 101]

**Ekwaiola Development Ent.****List of Machinery, Equipment & Accessories**

<u>Item</u>	<u>Model/Description</u>	<u>Unit</u>
Hitachi	EX200 Excavator	2 units
Caterpillar	D6D Dozer	6 units
Caterpillar	D7G Dozer	1 unit
Caterpillar	966E Loader	2 units
Caterpillar	12G Grader	1 unit
Toyota	75HDJ Land Cruiser	3 units
Nissan	TZ Dump Truck	2 units
Mercedes	038 Log Truck	2 units
Stihl	070 Chainsaw	11 units
	Barge & Tug-boat	1 set
	Generator set	1 unit
	Welding set	2 units
	45,000L Oil Tank	2 units
	10,000L Oil Tank	2 units
	4,000L Oil Tank	2 units
	8,000L Water Tank	3 units
	20' Container	2 units
	Water Pump	1 unit
	Pressure Pump	1 unit

[Legal Notice 102]

**THE GOODS TAX ACT  
(Cap. 122)**

**THE GOODS TAX (EXEMPTION) ORDER 2006**

IN exercise of the powers conferred by section 37(2) of the Goods Tax Act, the Minister hereby makes the following Order.

1. This Order may be cited as the Goods Tax (Exemption) Order 2006.
2. (a) That the **Essential Company Ltd.** shall be granted **100% exemption** from the liability to goods tax on the following:-
  - (1) **One Container Cooking Oil**
- (b) That the exemptions granted under (a) shall have effect from **20th September 2006** and expires on **27th September 2006.**
- (c) Goods tax exemption Order **No. 00379/06.**

Dated at Honiara this twentieth day of September 2006

**HONOURABLE BARTHOLOMEW ULU'UFA'ALU (MP)**  
Minister of Finance and Treasury

[Legal Notice 103]

**THE GOODS TAX ACT  
(Cap. 122)**

**THE GOODS TAX (EXEMPTION) ORDER 2006**

IN exercise of the powers conferred by section 37(2) of the Goods Tax Act, the Minister hereby makes the following Order.

1. This Order may be cited as the Goods Tax (Exemption) Order 2006.
2. (a) That the **Pagasa Enterprises Ltd.** shall be granted **100% exemption** from the liability to goods tax on the following:-
  - (1) **Three (3) Containers of goods.**
- (b) That the exemption granted under (a) shall have effect from **3rd October 2006** and expires on **30th November 2006.**
- (c) Goods tax exemption Order **No. 00381/06.**

Dated at Honiara this third day of October 2006

**HONOURABLE BARTHOLOMEW ULU'UFA'ALU (MP)**  
Minister of Finance and Treasury

[Legal Notice 104]

**THE GOODS TAX ACT  
(Cap. 122)**

**THE GOODS TAX (EXEMPTION) ORDER 2006**

IN exercise of the powers conferred by section 37(2) of the Goods Tax Act, the Minister hereby makes the following Order.

1. This Order may be cited as the Goods Tax (Exemption) Order 2006.
2. (a) That the **Red Apple Co. Ltd.** shall be granted **100% exemption** from the liability to goods tax on the following:-
  - (1) **Two (2) Containers of mixed goods.**
- (b) That the exemption granted under (a) shall have effect from **3rd October 2006** and expires on **30th November 2006.**
- (c) Goods tax exemption Order **No. 00382/06.**

Dated at Honiara this third day of October 2006

**HONOURABLE BARTHOLOMEW ULU'UFA'ALU (MP)**  
Minister of Finance and Treasury

[Legal Notice 105]

**THE GOODS TAX ACT  
(Cap. 122)**

**THE GOODS TAX (EXEMPTION) ORDER 2006**

IN exercise of the powers conferred by section 37(2) of the Goods Tax Act, the Minister hereby makes the following Order.

1. This Order may be cited as the Goods Tax (Exemption) Order 2006.
2. (a) That the **Excel Company Ltd.** shall be granted **100% exemption** from the liability to goods tax on the following:-
  - (1) **One Containers (mixed recovery package)**
- (b) That the exemptions granted under (a) shall have effect from **3rd October 2006** and expires on **30th November 2006.**
- (c) Goods tax exemption Order **No. 00380/06.**

Dated at Honiara this third day of October 2006

**HONOURABLE BARTHOLOMEW ULU'UFA'ALU (MP)**  
Minister of Finance and Treasury

Honiara, Solomon Islands  
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[Legal Notice 106]

**PRICE CONTROL ACT  
(Cap. 64)****THE PRICE CONTROL (APPLICATION TO GOODS AND RESTRICTION  
OF PRICES) (AMENDMENT) (NO. 4) ORDER 2006**

IN exercise of the powers conferred by section 4 and 6 of the Price Control Act, and after consultations with the Prices Advisory Committee, **I, PETER SHANEL AGOV-  
AKA**, Minister of Commerce, Employment and Trade, do hereby make the following Order -

1. This Order may be cited as the Price Control (Application to Goods and Restriction of Prices) (Amendment) (No. 4) Order 2006 and shall come into operation on 1st October 2006.
2. Schedule 3 to the Price Control (Application to Goods and Restriction of Prices) Order 1987\* is hereby amended by deleting serial No.13 thereof and substituting thereof and substituting therefore the following -

**"13 PETROLEUM PRODUCTS**

		<b>WHOLESALE</b> (maximum price in cents per litre)	<b>RETAIL</b> (maximum price in cents per litre)
(a)	Petroleum Motor Spirit		
	- (PMS)	522.86	641.3
(b)	Distillate		
	- (ADO)	591.45	720.2
(c)	Kerosene		
	- (KERO)	541.41	(maximum per- centage markup)
			-cost into store plus 15% for sale of packaged product

-cost into store plus  
20% for break-bulk  
sales.”

Dated at Honiara this thirteenth day of October 2006

PETER SHANEL AGOVAKA  
Minister of Commerce, Employment and Trade

\*L.N. No. 47/87p. 104

[Legal Notice 107]

**SOLOMON ISLANDS INDEPENDENCE ORDER 1978**  
(L.N. No. 43 of 1978)

**APPOINTMENT OF MINISTERS**

IN Exercise of the powers of the powers conferred by sections 33(3) and 34(6)(e) of the Constitution and in accordance with the advice of the Prime Minister, I, SIR, NATHANIEL RAHUMAEA WAENA, Knight Grand Cross of the Most Distinguished Order of Saint Michael and Saint George, Knight of Saint John, Cross of the Order of Solomon Islands, Governor-General and Commander-in-Chief of Solomon Islands, do hereby appoint -

The **HONOURABLE GORDON DARCY LILO** to be Minister responsible for the Department of Finance and Treasury in the Ministry of Finance, National Planning and Aid Coordination with effect from the date hereof in place of **HONOURABLE BATHOLOMEW ULUFA'ALU** whose appointment is hereby revoked.

The **HONOURABLE STEVE ABANA** to be Minister responsible for the Department of National Planning and Aid Coordination in the Ministry of Finance, National Planning and Aid Coordination with effect from the date hereof in place of **HONOURABLE GORDON DARCY LILO** whose appointment is hereby revoked.

The **HONOURABLE MARK KEMAKEZA** to be Minister responsible for the Department of Agriculture and Livestock in the Ministry of Agriculture and Lands with effect from the date hereof in place of **HONOURABLE TREVOR OLAVAE** whose appointment is hereby revoked.

Dated at Honiara under my hand and the public seal this sixteenth day of 2006.

SIR NATHANIEL RAHUMAEA WAENA  
Governor-General

Honiara, Solomon Islands  
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**SUPPLEMENT** to the Solomon Islands Gazette

Wednesday 18th October 2006

S.I. No. 39

[Legal Notice 108]

**SOLOMON ISLANDS INDEPENDENCE ORDER 1978**  
(L.N. No. 43 of 1978)**APPOINTMENT OF MINISTERS**

IN exercise of the powers conferred by sections 33(3) and 34(6)(e) of the Constitution and in accordance with the advice of the Prime Minister, I, SIR, NATHANIEL RAHUMAEA WAENA, Knight Grand Cross of the Most Distinguished Order of Saint Michael and Saint George, Knight of Saint John, Cross of the Order of Solomon Islands, Governor-General and Commander-in-Chief of Solomon Islands, do hereby appoint -

The **HONOURABLE TOSWELL KAUA** to be Minister responsible for the Department of Agriculture and Livestock in the Ministry of Agriculture and Lands with effect from the date hereof in place of **HONOURABLE MARK KEMAKEZA** whose appointment is hereby revoked.

The **HONOURABLE MARK KEMAKEZA** to be Minister responsible for the Department of Mines and Energy in the Ministry of Natural Resources with effect from the date hereof in place of **HONOURABLE TOSWELL KAUA** whose appointment is hereby revoked.

Dated at Honiara under my hand and the public seal this 18th day of October, 2006

SIR NATHANIEL RAHUMAEA WAENA  
Governor-General

[Legal Notice 109]

**SOLOMON ISLANDS INDEPENDENCE ORDER 1978**  
(L.N. No. 43 of 1978)

**ASSIGNMENT OF RESPONSIBILITY**

IN exercise of the powers conferred by sections 37 of the Constitution and in accordance with the advice of the Prime Minister, I, SIR, NATHANIEL RAHUMAEA WAENA, Knight Grand Cross of the Most Distinguished Order of Saint Michael and Saint George, Knight of Saint John, Cross of the Order of Solomon Islands, Governor-General and Commander-in-Chief of Solomon Islands, do hereby assign to the person for the time being holding the office of -

**MINISTER OF FOREIGN AFFAIRS AND TRADE**

responsibility for the conduct of business and the administration of the Department of Immigration

Dated at Honiara this 18th day of October, 2006

SIR NATHANIEL RAHUMAEA WAENA  
Governor-General

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**SUPPLEMENT** to the Solomon Islands Gazette

19th October 2006

S.I. No. 40

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[Legal Notice 110]

**IMMIGRATION ACT  
(CAP. 60)****EXEMPTION ORDER**

In exercise of the powers Conferred by Section 7 (g) of the Immigration Act, (Cap. 60). I, Peter Shanel Agovaka, Minister of Commerce, Industries and Employment do hereby exempts:-

**PHAKPHUM BUASRI**

from the requirements of section 66 (1) of the same Act from period 1st August 2006 to 31st December 2006

Date at Honiara this seventeenth day of October 2006

**PETER SHANEL AGOVAKA**  
Minister of Commerce, Industries and Employment

**SUPPLEMENT** to the Solomon Islands Gazette

20th October 2006

S.I. No. 40

[Legal Notice 111]

**THE SOLOMON ISLANDS INDEPENDENCE ORDER 1978**  
(L.N. No. 43 of 1978)**APPOINTMENT OF ACTING CHIEF JUSTICE**

In exercise of the powers Conferred by Section 79 (1) of the Constitution and acting in accordance with the advice of the Judicial and Legal Service Commission, I, SIR NATHANIEL RAHUMAEA WAENA, Knight Grand Cross of the Most Distinguished Order of Saint Michael and Saint George, Knight of Saint John, Cross of the Order of Solomon Islands, Governor-General and Commander-in-Chief of Solomon Islands, do hereby appoint-

**JOHN RODNEY BROWN**

to be Acting Chief Justice of Solomon Islands from 7th of October to 14th October 2006 or until the substantive post holder of the office resumes duties.

Given in Honiara under my hand and the public Seal this 6th day of October 2006.

**SIR NATHANIEL RAHUMAEA WAENA GCMG, KStJ, CSI**  
**Governor-General**

[Legal Notice 112]

**THE SOLOMON ISLANDS INDEPENDENCE ORDER 1978**  
(L.N. No. 43 of 1978)

**APPOINTMENT OF ACTING CHIEF JUSTICE**

In exercise of the powers Conferred by Section 79 (1) of the Constitution and acting in accordance with the advice of the Judicial and Legal Service Commission, I, SIR NATHANIEL RAHUMAEA WAENA, Knight Grand Cross of the Most Distinguished Order of Saint Michael and Saint George, Knight of Saint John, Cross of the Order of Solomon Islands, Governor-General and Commander-in-Chief of Solomon Islands, do hereby appoint -

**FRANCIS MWANESALUA**

to be Acting Chief Justice of Solomon Islands from 15th of October to 19th October 2006 or until the substantive post holder of the office resumes duties.

Given in Honiara under my hand and the public Seal this sixth day of October 2006.

**SIR NATHANIEL RAHUMAEA WAENA GCMG, KStJ, CSI**  
**Governor-General**



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**SUPPLEMENT** to the Solomon Islands Gazette

25th October 2006

S.I. No. 41

[Legal Notice 113]

**IMMIGRATION ACT**  
(CAP. 60)**EXEMPTION ORDER**

In exercise of the powers Conferred by Section 7 (G) of the Immigration Act, (Cap. 60). I, Peter Shanel Agovaka, Minister of Commerce, Industries and Employment do hereby exempt:

Julius Violaris  
Maybelle Hay  
Adam Hay  
Robert Atkinson  
Bernie Brosnahan  
Daniel Andy  
Benson Kuba  
Yumandi Mathias  
Linus Raphael  
Francis Franki  
Norbert Kava  
Tau Towasa  
Pius Silas  
Paul Kepi  
Samson Bawa  
George Saun  
Keksi Jongi  
Alie Waka  
Charlie Paisoi  
Ceceil Folende  
Kana Naroi

Jairus Akia  
John Sohaga  
Justus Eroro  
Kelly Benny  
Abel Mono  
Ronal Silas  
Reyson Joe  
Franzer Daniel  
John Lau  
George Nelson  
Dedeli Maiq  
Maroi Gumau  
Albert Bailoilo  
Michael Kenoli  
Velent Frank  
Andrew Ritchie  
Edrick Eupu  
Nicho Narei  
Henry Bayagau  
Bona Frank  
Philip Mebi  
Kevin Weni  
Dickson Modudula  
Ben Keya

from the requirements of section 66 (1) of the same Act from period 1st August 2006  
to 31st December 2006

Date at Honiara this seventeenth day of October 2006

**PETER SHANEL AGOVAKA**  
**Minister of Commerce, Industries and Employment**

Honiara, Solomon Islands  
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**SUPPLEMENT** to the Solomon Islands Gazette

27th October 2006

S.I. No. 42

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[Legal Notice 114]

**HONIARA CITY ACT**  
(No. 2 of 1999)**APPOINTMENT OF DEPUTY MAYOR**

In exercise of the powers conferred by section 7(2) of the Honiara City Act, and acting in accordance with the advice of the Major of the Honiara City Council, I, Bernard Ghiro, Minister of Home Affairs do hereby appoint -

**JIM SEVESI**

to be Deputy Mayor of the Honiara City Council with effect from the date of assumption of duties.

Dated at Honiara this fifth day of September 2006

**BERNARD GHIRO**  
Minister of Home Affairs

[Legal Notice 115]

**HONIARA CITY ACT**  
(No. 2 of 1999)

**APPOINTMENT OF COUNCILLORS**

IN exercise of the powers conferred by section 5(1)(b) of the Honiara City Act, I,  
Bernard Ghio, Minister of Home Affairs do hereby appoint -

**SAM IRO**  
**ALBERT LAORE**  
**JANE TOZAKA**  
**JOASH SALANI**

to be members of the Honiara City Council with effect from the date of assumption of  
duties

Dated at Honiara this    day of    2006.

**BERNARD GHIRO**  
**Minister of Home Affairs**

[Legal Notice 116]

**THE INVESTMENT CORPORATION OF SOLOMON ISLANDS ACT**  
(Cap. 143)

**APPOINTMENT OF CHAIRMAN OF THE BOARD OF DIRECTORS OF THE  
INVESTMENT CORPORATION OF SOLOMON ISLANDS**

IN exercise of the powers conferred by section 7(2) and paragraphs 1 and 2(1) of the Second Schedule to the Investment Corporation of Solomon Islands Act, **I, GORDON DARCY LILO**, Minister of Finance and Treasury, do hereby appoint -

**HON. SEVERINO NUALASI**

to be a member and perform the functions of Chairman of the Investment Corporation of Solomon Islands Board for a period of two (2) years with effect from the date hereof.

The appointment of HON. FRANCIS BILLY HILLY is hereby revoked.

Dated at Honiara this twenty fifth day of October 2006.

**GORDON DARCY LILO**  
Minister of Finance and Treasury

Honiara, Solomon Islands  
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Solomon Islands Government  

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**SUPPLEMENT** to the Solomon Islands Gazette

31st October 2006

S.I. No. 43

[Legal Notice 117]

**THE PROVINCIAL GOVERNMENT ACT, 1997**  
(No. 7 OF 1997)**THE PROVINCIAL ASSEMBLIES ELECTION REGULATIONS 1987**  
**NOTICE TO HOLD PROVINCIAL ELECTIONS 2006**

IN exercise of the powers conferred by sections 9 and 10 of the Provincial Government Act 1997 as read with Regulation 9 of the Provincial Assemblies Election Regulation 1987, I, **JAPHET WAIPORA**, Minister of Provincial Government and Rural Development hereby:-

- (i) Appoint the **5th Day of December 2006** as the date for holding of the Provincial Assembly Election for **Central Islands Province**;
- (ii) Appoint **Mr. Michael Salini** to be the **Returning Officer** for the Central Provincial Assembly Election; and
- (iii) Require that nominations in respect of candidates for the Election be delivered to the Returning Officer at the **Provincial Headquarter, Tulagi**, not later than **4 0'clock** in the afternoon of **Tuesday the 7th Day of November, 2006**.

Dated at Honiara this thirty first Day of October 2006.

**HON. JAPHET WAIPORA**  
**MINISTER FOR PROVINCIAL GOVERNMENT**  
**AND RURAL DEVELOPMENT**

**THE PROVINCIAL GOVERNMENT ACT, 1997**  
( No. 7 OF 1997)

THE PROVINCIAL ASSEMBLIES ELECTION REGULATIONS 1987

**TIME SCHEDULE FOR THE HOLDING OF ELECTIONS FOR  
CENTRAL PROVINCE - 2006**

MONTH	DATE	NO. OF DAYS	PUBLICATION OF MINISTER'S NOTICE	
<b>OCTOBER '06 NOVEMBER 2006</b>	31	35	<b>Closing date for publication of Minister's Notice. Reg. 9 (1) (a), (b) and 2 (a).</b>	
	01	34		
	02	33		
		03	32	
		04	31	
		05	30	
		06	29	<b>Nominations to be received not later than 4.00 p.m. Reg. 9 1(c).</b>
		07	28	
		08	27	
		09	26	
		10	25	
		11	24	
		12	23	<b>List of Candidates to be published not later than this date. Reg. 15.</b>
		13	22	
		14	21	
		15	20	
		16	19	
		17	18	
		18	17	
		19	16	
		20	15	<b>Withdrawal of nominations by Candidates not later than 4.00 p.m. Reg. 11(4)</b>
	21	14		

MONTH	DATE	NO. OF DAYS	PUBLICATIONS OF MINISTER'S NOTICE
	22	13	
	23	12	
	24	11	
	25	10	
	26	09	<b>Last date for publication of final list of Candidates by Returning Officer. Reg. 18.</b>
	27	08	
	28	07	
<b>DECEMBER 2006</b>	29	06	
	30	02	<b>Appointment of Polling Agents by Candidates. Reg. 20 (1), (2) (3) (a) and (b).</b>
	01	04	
	02	03	<b>Appointment of Counting Agents by Candidates. Reg. 31 (1), (2) and (3).</b>
	03	02	
	04	1	
05	0	<b>Election Day</b>	

[Legal Notice 118]

**THE PROVINCIAL GOVERNMENT ACT, 1997**  
( No. 7 OF 1997)

**THE PROVINCIAL ASSEMBLIES ELECTION REGULATIONS 1987**  
**NOTICE TO HOLD PROVINCIAL ELECTIONS 2006**

IN exercise of the powers conferred by sections 9 and 10 of the Provincial Government Act 1997 as read with Regulation 9 of the Provincial Assemblies Election Regulation 1987, I, **JAPHET WAIPORA**, Minister of Provincial Government and Rural Development hereby:-

- (i) Appoint the **5th Day of December 2006** as the date for holding of the Provincial Assembly Election for **Isabel Province**;
- (ii) Appoint **Mr. John Mark Lokumana** to be the **Returning Officer** for the Isabel Provincial Assembly Election; and
- (iii) Require that nominations in respect of candidates for the Election be delivered to the Returning Officer at the **Provincial Headquarter, Buala**, not later than **4 O'clock** in the afternoon of **Tuesday the 7th Day of November, 2006**.

Dated at Honiara this thirty first Day of October 2006.

**HON. JAPHET WAIPORA**  
**MINISTER FOR PROVINCIAL GOVERNMENT**  
**AND RURAL DEVELOPMENT**

**THE PROVINCIAL GOVERNMENT ACT, 1997**  
( No. 7 OF 1997)

THE PROVINCIAL ASSEMBLIES ELECTION REGULATIONS 1987

TIME SCHEDULE FOR THE HOLDING OF ELECTIONS FOR

**ISABEL PROVINCE - 2006**

MONTH	DATE	NO. OF DAYS	PUBLICATION OF MINISTER'S NOTICE
<b>OCTOBER '06</b>	31	35	<b>Closing date for publication of Minister's Notice. 9 (1) (a), (b) and 2 (a).</b>
	<b>NOVEMBER 2006</b>	01	
	02	33	
	03	32	
	04	31	
	05	30	
	06	29	<b>Nominations to be received not later than 4.00 p.m. Reg. 9 1(c).</b>
	07	28	
	08	27	
	09	26	
	10	25	
	11	24	
	12	23	<b>List of Candidates to be published not later than this date. Reg. 15.</b>
	13	22	
	14	21	
	15	20	
	16	19	
	17	18	
	18	17	
	19	16	
	20	15	<b>Withdrawal of nominations by Candidates not later than 4.00 p.m. Reg. 11(4)</b>
	21	14	

MONTH	DATE	NO. OF DAYS	PUBLICATIONS OF MINISTER'S NOTICE
	22	13	
	23	12	
	24	11	
	25	10	
	26	09	<b>Last date for publication of</b>
	27	08	<b>final list of Candidates by</b>
	28	07	<b>Returning Officer. Reg. 18.</b>
<b>DECEMBER</b>	29	06	
<b>2006</b>	30	02	<b>Appointment of Polling Agents</b>
			<b>by Candidates. Reg. 20 (1), (2)</b>
			<b>(3).</b>
	04	1	
	05	0	<b>Election Day</b>

Honiara, Solomon Islands  
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**SUPPLEMENT** to the Solomon Islands Gazette

2nd November 2006

S.I. No. 44

[Legal Notice 119]

**THE PROVINCIAL GOVERNMENT ACT  
(NO. 7 OF 1997)****APPOINTMENT OF MINISTER TO WESTERN PROVINCIAL EXECUTIVE**

IN exercise of the powers conferred by Section 20(4) of the Provincial Government Act 1997 and acting in accordance with the advice of the Honourable Alex Lokopio, Premier of Western Province, I, **JAPHET WAIPORA**, Minister of Provincial Government and Rural Development hereby appoint:-

**HONOURABLE CHRISTOPHER MUIA, MPA:-** to be the Minister of State and Local Government.

in Western Province and to be Member of Western Provincial Executive with effect from 13th July 2006.

Dated at Honiara this thirteenth day of October, 2006

**HON. JAPHET WAIPORA  
MINISTER FOR PROVINCIAL GOVERNMENT  
AND RURAL DEVELOPMENT**

Honiara, Solomon Islands  
Printed under the authority of the  
Solomon Islands Government

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**SUPPLEMENT** to the Solomon Islands Gazette

7th November 2006

S.I. No. 45

[Legal Notice 120]

**SOLOMON ISLANDS INDEPENDENCE ORDER 1978**  
(L.N. NO. 43 OF 1978)**APPOINTMENT OF MEMBER OF COURT OF APPEAL OF SOLOMON ISLANDS**

IN exercise of the powers conferred by Section 86 (2) of the Constitution and acting in accordance with the advice of the Judicial and Legal Service Commission. I, SIR NATHANIEL R. WAENA, Knight Grand Cross of the Most Distinguished Order of Saint Michael and Saint George, Knight of Saint John, Cross of the Order of Solomon Islands. Governor General and Commander-In Chief of Solomon Islands, hereby appoint -

**THE HONOURABLE MR JUSTICE DAVID STEWART MORIS**  
Retired Judge of the High Court of New Zealand

to be a Justice of the Court of Appeal of Solomon Islands for a period of five years effective from the 17th of October 2006.

Dated this seventeenth day of October, 2006

Sir Nathaniel R. Waena  
GOVERNOR GENERAL

**OATH OF ALLEGIANCE**

**I, DAVID STEWART MORRIS** do swear that I will be faithful and bear true allegiance to Her Majesty Queen Elizabeth the Second, Her Heirs and Successors, according to law.

So help me God

.....

Subscribed by the said **DAVID STEWART MORRIS**  
Before me  
**SIR NATHANIEL R. WAENA**  
Knight Grand Cross of the Most Distinguished  
Order of Saint Michael and Saint George,  
Knight of Saint John, Cross of the Order of Solomon  
Islands, Governor General and Commander-In-Chief  
of Solomon Islands

Dated this seventeenth day of October, 2006

Sir Nathaniel R. Waena  
GOVERNOR GENERAL

**JUDICIAL OATH**

**I, DAVID STEWART MORRIS** do swear that I will well and truly serve Her Majesty Queen Elizabeth the Second, Her Heirs and Successors, in the office of the Judge of the Court of Appeal of Solomon Islands and will do right to all manner of people after the laws and usages of Solomon Islands, without fear or favour, affection or illwill.

So help me God

.....

Subscribed by the said **DAVID STEWART MORRIS**  
Before me  
**SIR NATHANIEL R. WAENA**  
Knight Grand Cross of the Most Distinguished  
Order of Saint Michael and Saint George,  
Knight of Saint John, Cross of the Order of Solomon  
Islands, Governor General and Commander-In-Chief  
of Solomon Islands

Dated this seventeenth day of October, 2006

Sir Nathaniel R. Waena  
GOVERNOR GENERAL

[Legal Notice 121]

**THE PROVINCIAL GOVERNMENT ACT, 1997**  
( No. 7 OF 1997)

**THE PROVINCIAL ASSEMBLIES ELECTION REGULATIONS 1987**  
**NOTICE TO HOLD PROVINCIAL ELECTIONS 2006**

IN exercise of the powers conferred by sections 9 and 10 of the Provincial Government Act 1997 as read with Regulation 9 of the Provincial Assemblies Election Regulation 1987, I, **JAPHET WAIPORA**, Minister of Provincial Government and Rural Development hereby:-

- (i) Appoint the **12th Day of December 2006** as the date for holding of the Provincial Assembly Election in Wards 1 - 12 and 17 for **Temotu Province**;
- (ii) Appoint **Mr. Samuel Kafukese** to be the **Returning Officer** for the Temotu Provincial Assembly Election; and
- (iii) Require that nominations in respect of candidates for the Election be delivered to the Returning Officer at the **Provincial Headquarter, Lata**, not later than **4 0'clock** in the afternoon of **Tuesday the 14th Day of November, 2006**.

Dated at Honiara this thirty first Day of October 2006.

**HON. JAPHET WAIPORA**  
**MINISTER FOR PROVINCIAL GOVERNMENT**  
**AND RURAL DEVELOPMENT**

**THE PROVINCIAL GOVERNMENT ACT, 1997**  
( No. 7 OF 1997)

THE PROVINCIAL ASSEMBLIES ELECTION REGULATIONS 1987

**TIME SCHEDULE FOR THE HOLDING OF ELECTIONS FOR  
TEMOTU PROVINCE - 2006**

Wards 1 - 12 and 17

MONTH	DATE	NO. OF DAYS	PUBLICATION OF MINISTER'S NOTICE	
NOVEMBER 2006	07	35	Closing date for publication of Minister's Notice. Reg. 9 (1) (a), (b) and 2 (a).	
	08	34		
	09	33		
	10	32		
	11	31		
	12	30		
	13	29		Nominations to be received not later than 4.00 p.m. Reg. 9 1(c).
	14	28		
	15	27		
	16	26		
	17	25	List of Candidates to be published not later than this date. Reg. 15.	
	18	24		
	19	23		
	20	22		
	21	21		
	22	20	Withdrawal of nominations by Candidates not later than 4.00 p.m. Reg. 11(4)	
	23	19		
	24	18		
	25	17		
	26	16		
	27	15		
	28	14		

MONTH	DATE	NO. OF DAYS	PUBLICATIONS OF MINISTER'S NOTICE
DECEMBER 2006	29	13	
	30	12	
	01	11	
	02	10	
	03	09	Last date for publication of final list of Candidates by Returning Officer. Reg. 18.
	04	08	
	05	07	
	06	06	
	07	02	Appointment of Polling Agents by Candidates. Reg. 20 (1), (2) (a) and (b) and (3) (a) and (b)..
	08	04	
	09	03	Appointment of Counting Agents by Candidates. Reg. 31 (1), (2) and (3).
	10	02	
	11	1	
12 <sup>1</sup>	0	Election Day	

<sup>1</sup> Wards 1 -12 had their elections as scheduled on 12th December 2002. Election in 2006 is to be held on 12th December 2006 in these wards. Assembly dissolves on 11th December 2006.

[Legal Notice 122]

**THE PROVINCIAL GOVERNMENT ACT, 1997**  
( No. 7 OF 1997)

**THE PROVINCIAL ASSEMBLIES ELECTION REGULATIONS 1987**  
**NOTICE TO HOLD PROVINCIAL ELECTIONS 2006**

IN exercise of the powers conferred by sections 9 and 10 of the Provincial Government Act 1997 as read with Regulation 9 of the Provincial Assemblies Election Regulation 1987, I, **JAPHET WAIPORA**, Minister of Provincial Government and Rural Development hereby:-

- (i) Appoint the **18th Day of December 2006** as the date for holding of the Provincial Assembly Election in Wards 13 - 16 for **Temotu Province**;
- (ii) Appoint **Mr. Samuel Kafukese** to be the **Returning Officer** for the Temotu Provincial Assembly Election; and
- (iii) Require that nominations in respect of candidates for the Election be delivered to the Returning Officer at the **Provincial Headquarter, Lata**, not later than **4 0'clock** in the afternoon of **Tuesday the 20th Day of November, 2006**.

Dated at Honiara this thirty first Day of October 2006.

**HON. JAPHET WAIPORA**  
**MINISTER FOR PROVINCIAL GOVERNMENT**  
**AND RURAL DEVELOPMENT**

**THE PROVINCIAL GOVERNMENT ACT, 1997**  
( No. 7 OF 1997)

THE PROVINCIAL ASSEMBLIES ELECTION REGULATIONS 1987

TIME SCHEDULE FOR THE HOLDING OF ELECTIONS FOR

**TEMOTU PROVINCE - 2006**

Wards 13 - 16

MONTH	DATE	NO. OF DAYS	PUBLICATION OF MINISTER'S NOTICE	
<b>NOVEMBER 2006</b>	13	35	Closing date for publication of Minister's Notice. Reg. 9 (1) (a), (b) and 2 (a).	
	14	34		
	15	33		
	16	32		
		17	31	Nominations to be received not later than 4.00 p.m. Reg. 9 1(c).
		18	30	
		19	29	
		20	28	
		21	27	List of Candidates to be published not later than this date. Reg. 15.
		22	26	
		23	25	
		24	24	
		25	23	
		26	22	
	27	21		
	28	20		
	29	19		
<b>DECEMBER 2006</b>	30	18		
	01	17		
	02	16		
	03	15	Withdrawal of nominations by Candidates not later than 4.00 p.m. Reg. 11(4)	
04	14			

MONTH	DATE	NO. OF DAYS	PUBLICATIONS OF MINISTER'S NOTICE
	05	13	
	06	12	
	07	11	
	08	10	
	09	09	<b>Last date for publication of final list of Candidates by Returning Officer. Reg. 18.</b>
	10	08	
	11	07	
	12	06	<b>Appointment of Polling Agents by Candidates. Reg. 20 (1), (2) (a) and (b) and (3) (a) and (b)..</b>
	13	05	
	14	04	
	15	03	<b>Appointment of Counting Agents by Candidates. Reg. 31 (1), (2) and (3).</b>
	16	02	
	17	1	
	18 <sup>1</sup>	0	<b>Election Day</b>

<sup>1</sup> Wards 13 -16 had their elections as scheduled on 12th December 2002.

However, due to late approval of election funds and far away distance of Wards 13 - 16, it has been decided that elections in the 4 Wards be held on 17th December 2006 and not 12th December 2006. The 17th December 2006 falls on an "excluded day" i.e. on Sunday and as such elections will be held on Monday 18th December 2006 . Assembly dissolves on 11th December 2006.

[Legal Notice 123]

**THE PROVINCIAL GOVERNMENT ACT, 1997**  
(No. 7 OF 1997)

**THE PROVINCIAL ASSEMBLIES ELECTION REGULATIONS 1987**  
**NOTICE TO HOLD PROVINCIAL ELECTIONS 2006**

IN exercise of the powers conferred by sections 9 and 10 of the Provincial Government Act 1997 as read with Regulation 9 of the Provincial Assemblies Election Regulation 1987, **I, JAPHET WAIPORA**, Minister of Provincial Government and Rural Development hereby:-

- (i) Appoint the **12th Day of December 2006** as the date for holding of the Provincial Assembly Election in Wards 1 - 5 for **Malaita Province**;
- (ii) Appoint **Mr. Harol Leka** to be the **Returning Officer** for the Malaita Provincial Assembly Election; and
- (iii) Require that nominations in respect of candidates for the Election be delivered to the Returning Officer at the **Provincial Headquarter, Auki**, not later than **4 O'clock** in the afternoon of **Tuesday the 14th Day of November, 2006**.

Dated at Honiara this thirty first Day of October 2006.

**HON. JAPHET WAIPORA**  
**MINISTER FOR PROVINCIAL GOVERNMENT**  
**AND RURAL DEVELOPMENT**

**THE PROVINCIAL GOVERNMENT ACT, 1997**  
( No. 7 OF 1997)

THE PROVINCIAL ASSEMBLIES ELECTION REGULATIONS 1987

**TIME SCHEDULE FOR THE HOLDING OF ELECTIONS FOR  
MALAITA PROVINCE - 2006**

Wards 1 - 5

MONTH	DATE	NO. OF DAYS	PUBLICATION OF MINISTER'S NOTICE	
<b>NOVEMBER 2006</b>	07	35	<b>Closing date for publication of Minister's Notice. Reg. 9 (1) (a), (b) and 2 (a).</b>	
	08	34		
	09	33		
	10	32		
		11	31	<b>Nominations to be received not later than 4.00 p.m. Reg. 9 1(c).</b>
		12	30	
		13	29	
		14	28	
		15	27	
		16	26	
		17	25	
		18	24	<b>List of Candidates to be published not later than this date. Reg. 15.</b>
		19	23	
		20	22	
	21	21		
<b>DECEMBER 2006</b>	22	20	<b>Withdrawal of nominations by Candidates not later than 4.00 p.m. Reg. 11(4)</b>	
	23	19		
	24	18		
	25	17		
	26	16		
	27	15		
	28	14		

MONTH	DATE	NO. OF DAYS	PUBLICATIONS OF MINISTER'S NOTICE
DECEMBER 2006	29	13	
	30	12	
	01	11	
	02	10	
	03	09	Last date for publication of final list of Candidates by Returning Officer. Reg. 18.
	04	08	
	05	07	
	06	06	
	07	05	Appointment of Polling Agents by Candidates. Reg. 20 (1), (2) (a) and (b) and (3) (a) and (b)..
	08	04	
	09	03	Appointment of Counting Agents by Candidates. Reg. 31 (1), (2) and (3).
	10	02	
	11	1	
12 <sup>1</sup>	0	Election Day	

<sup>1</sup>Wards 1 -5 had their elections as scheduled on 12th December 2002.

Elections in 2006 is to be held 12th December 2006. Assembly dissolves 11th December 2006

[Legal Notice 124]

**THE PROVINCIAL GOVERNMENT ACT, 1997**  
( No. 7 OF 1997)

**THE PROVINCIAL ASSEMBLIES ELECTION REGULATIONS 1987**  
**NOTICE TO HOLD PROVINCIAL ELECTIONS 2006**

IN exercise of the powers conferred by sections 9 and 10 of the Provincial Government Act 1997 as read with Regulation 9 of the Provincial Assemblies Election Regulation 1987, **I, JAPHET WAIPORA**, Minister of Provincial Government and Rural Development hereby:-

- (i) Appoint the **18th Day of December 2006** as the date for holding of the Provincial Assembly Election in Wards 6 - 33 for **Malaita Province**;
- (ii) Appoint **Mr. Harol Leka** to be the **Returning Officer** for the Malaita Provincial Assembly Election; and
- (iii) Require that nominations in respect of candidates for the Election be delivered to the Returning Officer at the **Provincial Headquarter, Auki**, not later than **4 0'clock** in the afternoon of **Monday the 20th Day of November, 2006**.

Dated at Honiara this thirty first Day of October 2006.

**HON. JAPHET WAIPORA**  
**MINISTER FOR PROVINCIAL GOVERNMENT**  
**AND RURAL DEVELOPMENT**

**THE PROVINCIAL GOVERNMENT ACT, 1997**  
(No. 7 OF 1997)

THE PROVINCIAL ASSEMBLIES ELECTION REGULATIONS 1987

TIME SCHEDULE FOR THE HOLDING OF ELECTIONS FOR

**MALAITA PROVINCE - 2006**

Wards 6 - 33

MONTH	DATE	NO. OF DAYS	PUBLICATION OF MINISTER'S NOTICE	
<b>NOVEMBER 2006</b>	13	35	<b>Closing date for publication of Minister's Notice. Reg. 9 (1) (a), (b) and 2 (a).</b>	
	14	34		
	15	33		
	16	32		
		17	31	<b>Nominations to be received not later than 4.00 p.m. Reg. 9 1(c).</b>
		18	30	
		19	29	
		20	28	
		21	27	
		22	26	
		23	25	
		24	24	<b>List of Candidates to be published not later than this date. Reg. 15.</b>
		25	23	
		26	22	
	27	21		
	28	20	<b>Withdrawal of nominations by Candidates not later than 4.00 p.m. Reg. 11(4)</b>	
	29	19		
<b>DECEMBER 2006</b>	30	18		
	01	17		
	02	16		
	03	15		
	04	14		

MONTH	DATE	NO. OF DAYS	PUBLICATIONS OF MINISTER'S NOTICE
	05	13	
	06	12	
	07	11	
	08	10	
	09	09	<b>Last date for publication of final list of Candidates by Returning Officer. Reg. 18.</b>
	10	08	
	11	07	
	12	06	<b>Appointment of Polling Agents by Candidates. Reg. 20 (1), (2) (a) and (b) and (3) (a) and (b)..</b>
	13	05	
	14	04	
	15	03	<b>Appointment of Counting Agents by Candidates. Reg. 31 (1), (2) and (3).</b>
	16	02	
	17	1	
	<b>18<sup>1</sup></b>	<b>0</b>	<b>Election Day</b>

<sup>1</sup> Wards 6 -30 had their elections as scheduled on 17th December 2002. The 17th December 2006 falls on an "excluded day" i.e. on Sunday and as such Election will be held on Monday 18th December 2006 for the Wards specified herein. Assembly dissolves on 11th December 2006.

Wards 31 - 33 had their elections as scheduled on 12th December 2002. However, due to late approval of election funds and far away distance of Wards 31 - 33 it has been decided that elections in the 3 Wards be held on 17th December 2006 and not 12th December 2006. The 17th December 2006 falls on an "excluded day" i.e. on Sunday and as such elections will be held on Monday 18th December 2006. Assembly dissolves on 11th December 2006.

[Legal Notice 125]

**THE PROVINCIAL GOVERNMENT ACT, 1997**  
( No. 7 OF 1997)

**THE PROVINCIAL ASSEMBLIES ELECTION REGULATIONS 1987**  
**NOTICE TO HOLD PROVINCIAL ELECTIONS 2006**

IN exercise of the powers conferred by sections 9 and 10 of the Provincial Government Act 1997 as read with Regulation 9 of the Provincial Assemblies Election Regulation 1987, I, **JAPHET WAIPORA**, Minister of Provincial Government and Rural Development hereby:-

- (i) Appoint the **14th Day of December 2006** as the date for holding of the Provincial Assembly Bye - Election **Choiseul Province**;
- (ii) Appoint **Mr. Geoffrey Pakipota** to be the **Returning Officer** for the Choiseul Provincial Assembly Bye-Election; and
- (iii) Require that nominations in respect of candidates for the Election be delivered to the Returning Officer at the **Provincial Headquarter, Taro**, not later than **4 0'clock** in the afternoon of **Thursday the 16th Day of November, 2006**.

Dated at Honiara this thirty first Day of October 2006.

**HON. JAPHET WAIPORA**  
**MINISTER FOR PROVINCIAL GOVERNMENT**  
**AND RURAL DEVELOPMENT**

**THE PROVINCIAL GOVERNMENT ACT, 1997**  
( No. 7 OF 1997)

THE PROVINCIAL ASSEMBLIES ELECTION REGULATIONS 1987

**TIME SCHEDULE FOR THE HOLDING OF ELECTIONS FOR  
WARD 2 - KATUPIKA, CHOISEUL PROVINCE - 2006**

MONTH	DATE	NO. OF DAYS	PUBLICATION OF MINISTER'S NOTICE	
<b>NOVEMBER 2006</b>	09	35	<b>Closing date for publication of Minister's Notice. Reg. 9 (1) (a), (b) and 2 (a).</b>	
	10	34		
	11	33		
	12	32		
		13	31	<b>Nominations to be received not later than 4.00 p.m. Reg. 9 1(c).</b>
		14	30	
		15	29	
		16	28	
		17	27	
		18	26	<b>List of Candidates to be published not later than this date. Reg. 15.</b>
		19	25	
		20	24	
		21	23	
		22	22	
		23	21	
<b>DECEMBER 2006</b>	24	20	<b>Withdrawal of nominations by Candidates not later than 4.00 p.m. Reg. 11(4)</b>	
	25	19		
	26	18		
	27	17		
	28	16		
	29	15		
	30	14		

MONTH	DATE	NO. OF DAYS	PUBLICATIONS OF MINISTER'S NOTICE
DECEMBER 2006	01	13	
	02	12	
	03	11	
	04	10	
	05	09	Last date for publication of final list of Candidates by Returning Officer. Reg. 18.
	06	08	
	07	07	
	08	06	
	09	05	Appointment of Polling Agents by Candidates. Reg. 20 (1), (2) (a) and (b) and (3) (a) and (b)..
	10	04	
	11	03	
	12	02	Appointment of Counting Agents by Candidates. Reg. 31 (1), (2) and (3).
	13	1	
	14	0	Election Day

[Legal Notice 126]

**THE PROVINCIAL GOVERNMENT ACT, 1997**  
(No. 7 OF 1997)

**THE PROVINCIAL ASSEMBLIES ELECTION REGULATIONS 1987**  
**NOTICE TO HOLD PROVINCIAL ELECTIONS 2006**

IN exercise of the powers conferred by sections 9 and 10 of the Provincial Government Act 1997 as read with Regulation 9 of the Provincial Assemblies Election Regulation 1987, **I, JAPHET WAIPORA**, Minister of Provincial Government and Rural Development hereby:-

- (i) Appoint the **14th Day of December 2006** as the date for holding of the Provincial Assembly Bye - Election **Western Province**;
- (ii) Appoint **Mr. Jonathan Bana** to be the **Returning Officer** for the Choiseul Provincial Assembly Bye-Election; and
- (iii) Require that nominations in respect of candidates for the Election be delivered to the Returning Officer at the **Provincial Headquarter, Gizo**, not later than **4 0'clock** in the afternoon of **Thursday the 16th Day of November, 2006**.

Dated at Honiara this thirty first Day of October 2006.

**HON. JAPHET WAIPORA**  
**MINISTER FOR PROVINCIAL GOVERNMENT**  
**AND RURAL DEVELOPMENT**

**THE PROVINCIAL GOVERNMENT ACT, 1997**  
( No. 7 OF 1997)

THE PROVINCIAL ASSEMBLIES ELECTION REGULATIONS 1987

**TIME SCHEDULE FOR THE HOLDING OF ELECTIONS FOR  
WARD 7 - VONUNU, WESTERN PROVINCE - 2006**

MONTH	DATE	NO. OF DAYS	PUBLICATION OF MINISTER'S NOTICE	
<b>NOVEMBER 2006</b>	09	35	<b>Closing date for publication of Minister's Notice. Reg. 9 (1) (a), (b) and 2 (a).</b>	
	10	34		
	11	33		
		12	32	
		13	31	
		14	30	
		15	29	<b>Nominations to be received not later than 4.00 p.m. Reg. 9 1(c ).</b>
		16	28	
		17	27	
		18	26	
		19	25	
		20	24	
		21	23	<b>List of Candidates to be published not later than this date. Reg. 15.</b>
		22	22	
		23	21	
	24	20		
	25	19		
<b>DECEMBER 2006</b>	26	18		
	27	17		
	28	16		
	29	15	<b>Withdrawal of nominations by Candidates not later than 4.00 p.m. Reg. 11(4)</b>	
	30	14		

MONTH	DATE	NO. OF DAYS	PUBLICATIONS OF MINISTER'S NOTICE
DECEMBER 2006	01	13	
	02	12	
	03	11	
	04	10	
	05	09	Last date for publication of final list of Candidates by Returning Officer. Reg. 18.
	06	08	
	07	07	
	08	06	Appointment of Polling Agents by Candidates. Reg. 20 (1), (2) (a) and (b) and (3) (a) and (b)..
	09	05	
	10	04	
	11	03	Appointment of Counting Agents by Candidates. Reg. 31 (1), (2) and (3).
	12	02	
	13	1	
	14	0	Election Day

[Legal Notice 127]

**THE PROVINCIAL GOVERNMENT ACT, 1997**  
( No. 7 OF 1997)

**THE PROVINCIAL ASSEMBLIES ELECTION REGULATIONS 1987**  
**NOTICE TO HOLD PROVINCIAL ELECTIONS 2006**

IN exercise of the powers conferred by sections 9 and 10 of the Provincial Government Act 1997 as read with Regulation 9 of the Provincial Assemblies Election Regulation 1987, **I, JAPHET WAIPORA**, Minister of Provincial Government and Rural Development hereby:-

- (i) Appoint the **19th Day of December 2006** as the date for holding of the Provincial Assembly Election for **Rennell Bellona Province**;
- (ii) Appoint **Mr. Robert Pongi** to be the **Returning Officer** for the Choiseul Provincial Assembly Bye-Election; and
- (iii) Require that nominations in respect of candidates for the Election be delivered to the Returning Officer at the **Provincial Headquarter, Tupuaki** not later than **4 0'clock** in the afternoon of **Thursday the 21st Day of November, 2006**.

Dated at Honiara this thirty first Day of October 2006.

**HON. JAPHET WAIPORA**  
**MINISTER FOR PROVINCIAL GOVERNMENT**  
**AND RURAL DEVELOPMENT**

**THE PROVINCIAL GOVERNMENT ACT, 1997**  
( No. 7 OF 1997)

THE PROVINCIAL ASSEMBLIES ELECTION REGULATIONS 1987

TIME SCHEDULE FOR THE HOLDING OF ELECTIONS FOR

**RENNELL BELLONA PROVINCE - 2006**

MONTH	DATE	NO. OF DAYS	PUBLICATION OF MINISTER'S NOTICE	
<b>NOVEMBER 2006</b>	14	35	<b>Closing date for publication of Minister's Notice. Reg. 9 (1) (a), (b) and 2 (a).</b>	
	15	34		
	16	33		
	17	32		
		18	31	<b>Nominations to be received not later than 4.00 p.m. Reg. 9 1(c).</b>
		19	30	
		20	29	
		21	28	
		22	27	<b>List of Candidates to be published not later than this date. Reg. 15.</b>
		23	26	
		24	25	
		25	24	
		26	23	
		27	22	
	28	21		
	29	20	<b>Withdrawal of nominations by Candidates not later than 4.00 p.m. Reg. 11(4)</b>	
	30	19		
<b>DECEMBER 2006</b>	01	18		
	02	17		
	03	16		
	04	15		
	05	14		

MONTH	DATE	NO. OF DAYS	PUBLICATIONS OF MINISTER'S NOTICE
DECEMBER 2006	06	13	
	07	12	
	08	11	
	09	10	
	10	09	
	11	08	
	12	07	<b>Last date for publication of final list of Candidates by Returning Officer. Reg. 18.</b>
	13	06	
	14	05	
	15	04	<b>Appointment of Polling Agents by Candidates. Reg. 20 (1), (2) (a) and (b) and (3) (a) and (b)..</b>
	16	03	
	17	02	<b>Appointment of Counting Agents by Candidates. Reg. 31 (1), (2) and (3).</b>
	18	1	
	19	0	<b>Election Day</b>

[Legal Notice 128]

**THE PROVINCIAL GOVERNMENT ACT, 1997**  
( No. 7 OF 1997)

**THE PROVINCIAL ASSEMBLIES ELECTION REGULATIONS 1987**  
**NOTICE TO HOLD PROVINCIAL ELECTIONS 2006**

IN exercise of the powers conferred by sections 9 and 10 of the Provincial Government Act 1997 as read with Regulation 9 of the Provincial Assemblies Election Regulation 1987, I, **JAPHET WAIPORA**, Minister of Provincial Government and Rural Development hereby:-

- (i) Appoint the **12th Day of December 2006** as the date for holding of the Provincial Assembly Election for **Guadalcanal Province**;
- (ii) Appoint **Mr. John Stewart** to be the **Returning Officer** for the Guadalcanal Provincial Asse,bly Election; and
- (iii) Require that nominations in respect of candidates for the Election be delivered to the Returning Officer at the **Provincial Headquarter, Honiara** not later than **4 0'clock** in the afternoon of **Tuesday the 14th Day of November, 2006**.

Dated at Honiara this thirty first Day of October 2006.

**HON. JAPHET WAIPORA**  
**MINISTER FOR PROVINCIAL GOVERNMENT**  
**AND RURAL DEVELOPMENT**

**THE PROVINCIAL GOVERNMENT ACT, 1997**  
( No. 7 OF 1997)

THE PROVINCIAL ASSEMBLIES ELECTION REGULATIONS 1987

TIME SCHEDULE FOR THE HOLDING OF ELECTIONS FOR

**GUADALCANAL PROVINCE - 2006**

MONTH	DATE	NO. OF DAYS	PUBLICATION OF MINISTER'S NOTICE	
NOVEMBER 2006	07	35	<b>Closing date for publication of Minister's Notice. Reg. 9 (1) (a), (b) and 2 (a).</b>	
	08	34		
	09	33		
	10	32		
		11	31	<b>Nominations to be received not later than 4.00 p.m. Reg. 9 1(c).</b>
		12	30	
		13	29	
		14	28	
		15	27	<b>List of Candidates to be published not later than this date. Reg. 15.</b>
		16	26	
		17	25	
		18	24	
		19	23	
		20	22	
		21	21	
		22	20	<b>Withdrawal of nominations by Candidates not later than 4.00 p.m. Reg. 11(4)</b>
		23	19	
		24	18	
		25	17	
		26	16	
		27	15	
		28	14	

MONTH	DATE	NO. OF DAYS	PUBLICATIONS OF MINISTER'S NOTICE
<b>DECEMBER 2006</b>	29	13	
	30	12	
	01	11	
	02	10	
	03	09	<b>Last date for publication of final list of Candidates by Returning Officer. Reg. 18.</b>
	04	08	
	05	07	
	06	06	
	07	05	<b>Appointment of Polling Agents by Candidates. Reg. 20 (1), (2) (a) and (b) and (3) (a) and (b)..</b>
	08	04	
	09	03	<b>Appointment of Counting Agents by Candidates. Reg. 31 (1), (2) and (3).</b>
	10	02	
	11	1	
12	0	<b>Election Day</b>	

Honiara, Solomon Islands  
Printed under the authority of the  
Solomon Islands Government

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**SUPPLEMENT** to the Solomon Islands Gazette

13th November 2006

S.I. No. 46

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[Legal Notice 129]

**SOLOMON ISLANDS INDEPENDENCE ORDER 1978**  
(L.N. NO. 43 OF 1978)

**APPOINTMENT OF COMMISSIONER**

IN exercise of the powers conferred by Section 127 (1) of the Constitution, and in accordance with the advice of the Prime Minister after consultation with the Public Service Commission, I, SIR NATHANIEL RAHUMAEA WAENA, Knight Grand Cross of the Most Distinguished Order of Saint Michael and Saint George, Knight of Saint John, Cross of the Order of Solomon Islands, Governor-General and Commander-in Chief of Solomon Islands, hereby appoint -

**VICTOR SAMUEL NGELE**

to be Solomon Islands High Commissioner to Australia.

Dated at Honiara this eighth day of November, 2006

Sir Nathaniel R. Waena  
Governor-General

Honiara, Solomon Islands  
Printed under the authority of the  
Solomon Islands Government  

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**SUPPLEMENT** to the Solomon Islands Gazette

15th November 2006

S.I. No. 47

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[Legal Notice 130]

**IMMIGRATION ACT  
(CAP. 60)****EXEMPTION ORDER**

IN exercise of the powers conferred by Section 7 (g) of the Immigration Act (Cap. 60),  
I the Minister of Foreign Affairs, Immigration and Trade hereby exempts:

**WISARUT BULSUWAN**

from the requirements of Section 6(1) of the said Immigration Act.

Dated at Honiara this eleventh day of November, 2006

**PATTESON OTI**  
**Minister of Foreign Affairs, Immigration & Trade**

[Legal Notice 131]

**SOLOMON ISLANDS INDEPENDENCE ORDER 1978**  
(L.N. NO. 43 OF 1978)

**APPOINTMENT OF MEMBER OF COURT OF APPEAL OF SOLOMON ISLANDS**

IN exercise of the powers conferred by Section 86 (2) of the Constitution and acting in accordance with the advice of the Judicial and Legal Service Commission, I, **SIR NATHANIEL R WAENA**, Knight Grand Cross of the Most Distinguished Order of Saint Michael and George, Knight of Saint John, Cross of the Order of Solomon Islands, Governor General and Commander-In-Chief of Solomon Islands, hereby appoint -

**THE HONOURABLE MR JUSTICE BRUCE McPHERSON**  
Judge of the Supreme Court of Queensland

to be a Justice of the Court of Appeal of Solomon Islands for a period of two years effective from the seventeenth of October 2006.

Dated at Honiara this seventeenth day of October, 2006

Sir Nathaniel R Waena  
**GOVERNOR GENERAL**

[Legal Notice 132]

**GAMING AND LOTTERIES (AMENDMENT) ACT 2006**  
[Cap. 139]

**GRANTING OF FURTHER PERIOD TO OPERATE CASINO OUTSIDE A HOTEL-  
CASINO COMPLEX**

[Section 6 (8)]

**IN** exercise of the powers conferred by Section 6 (8) of the Gaming and Lotteries (Amendment) Act 2006, **I, HON. BERNARD GHIRO, Minister for Home Affairs** hereby grant:-

**HONIARA CASINO LIMITED**

five (5) years to comply with section 6 (1) of the Act with effect from the date hereof.

Dated at Honiara this thirteenth day of November, 2006

Hon. Bernard Ghiro, MP  
Minister for Home Affairs

[Legal Notice 133]

**GAMING AND LOTTERIES (AMENDMENT) ACT 2006**  
[Cap. 139]

**GRANTING OF FURTHER PERIOD TO OPERATE CASINO OUTSIDE A HOTEL-  
CASINO COMPLEX**

[Section 6 (8)]

IN exercise of the powers conferred by Section 6(8) of the Gaming and Lotteries (Amendment) Act 2006, I, **HON. BERNARD GHIRO**, Minister for Home Affairs hereby grant:-

**CLUB SUPREME**

five (5) years to comply with section 6(1) of the Act with effect from the date hereof.

Dated at Honiara this thirteenth day of November, 2006

Hon. Bernard Ghiro, MP  
Minister for Home Affairs

Honiara, Solomon Islands  
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**SUPPLEMENT** to the Solomon Islands Gazette

22nd November 2006

S.I. No. 48

[Legal Notice 134]

**THE HONIARA CITY ACT 1999**  
(No. of 1999)**DETERMINATION OF THE HONIARA CITY COUNCIL MAYOR'S  
ENTITLEMENTS**

IN exercise of the powers conferred by Section 15 of the Honiara City Act 1999, the Members of Parliament (Entitlements) Commission hereby determines the Mayor's entitlements to be as follows -

1. The Mayor shall be paid an annual gross salary of \$50,000.00, which is to be paid on a fortnightly basis. Salary
2. The Mayor whilst on official overseas trips shall be paid a daily subsistence allowance of US\$150.00 per day. While attending official business in the provinces, the Mayor shall be paid a daily subsistence of \$150.00. Subsistence Allowance
3. The Honiara City Council shall provide the Mayor with a suitable furnished accommodation. However, where the Mayor opts to remain in his private accommodation, the Honiara City Council shall pay him a housing allowance of \$5,000.00 per month. Accommodation
4. The Honiara City Council shall provide and pay for the salary of a domestic servant for the Mayor. Domestic servant
5. The cost of gas, water and electricity at the Mayor's residence shall be paid for by Honiara City Council. Utilities
6. The cost of installation and rental of telephone bills at the Mayor's residence shall be paid for by the Honiara City Council. The Honiara City Council shall also provide the Mayor with a mobile telephone but that all his personal calls be paid for by the Mayor to the City Council in full at the beginning of each month for the month before. Telephone

- Driver 7. During all official events of the Honiara City Council, the Honiara City Council shall provide the Mayor with a Honiara City Council official vehicle and a driver to drive the Mayor to such events.
- Leave 8. The Mayor shall be entitled to three (3) weeks paid annual leave. This leave to commence on 5th September 2006.

Dated at Honiara this 22nd day of November 2006.

COLLIN R. DARCY  
Chairman  
Members of Parliament (Entitlements) Commission

**SUPPLEMENT** to the Solomon Islands Gazette

23rd November 2006

S.I. No. 50

[Legal Notice 135]

**SUPPLEMENT**

To the

Solomon Islands Gazette

The

**RENNELL BELLONA PROVINCE**

**FINANCIAL MANAGEMENT ORDINANCE**

**2006**

An

**ORDINANCE**

To

**Provide the control and management of Provincial Finance and to Repeal the  
Rennell and Bellona Province financial Management Ordinance 1995**

Enacted by the Rennell Bellona Provincial Assembly

THE RENNELL BELLONA PROVINCE

FINANCIAL MANAGEMENT ORDINANCE 2006

Passed by the Rennell Bellona Provincial Assembly this 14th Day of September 2006

I have carefully compared this printed impression with the ordinance passed by the Rennell Bellona Provincial Assembly and found by me to be a true and correct copy of the said ordinance

.....  
Clerk to Rennell Bellona Provincial Assembly

Assented to by the Minister for Provincial Government and Constituency Development under Section 30[2] of the Provincial Government Act 1997 this 21st day of September 2006.

.....  
**Hon Japhet Waipora, MP**  
Minister of Provincial Government and  
constituency Development

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2. Interpretation

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4. Estimates to be laid before the assembly
5. Appropriation and supplementary appropriation Ordinances
6. Other matters which may be included in Appropriation Ordinances
7. Lapse of authority at end of financial year

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9. Warrant in advance of appropriation
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12. No expenditure unless authorized by warrants

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- 40. Accounts Committee

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- 41. Repeal of the Rennell and Bellona Province Financial Management Ordinance 1995.

**PART 1  
PRELIMINARY**

- Short title 1. This ordinance is called the **Rennell Bellona Province Financial Management Ordinance 2006** and shall come into effect when assented to by the Minister under Section 30[2] of the Provincial Government Act 1997
- Interpretation 2. In this ordinance:-  
 “Act” means the Provincial Government Act 1997  
 “Financial year” means the 12 months ending 31st of March in any year

**PART 2  
ESTIMATES AND APPROPRIATION**

- Forms of estimates 3. Estimates of revenue and expenditure shall be in the form, the Provincial Executive may from time to time decide provided that:
- (a). Estimates of revenue shall state each source of revenue and the amount to be collected from it and shall show the estimate and the amount from it in the previous year;
- (b). Estimate of expenditure shall:
- (i) Describe the purpose and scope of each head
- (ii) Show the sum required for each head in sufficient detail to identify the amounts allocated for each service to be provided
- (iii) Show in similar detail the amount allocated or revised figures of expenditure for the previous year
- Estimates to be laid before the Assembly 4. Estimates of revenue and expenditure shall be presented to the Assembly before the start of each financial year
5. (1). the Provincial Executive shall present an ordinance to appropriate sums for a financial year to the Assembly before the start of the financial year

- (2). A Supplementary Appropriation Bill may be presented to the Assembly at any time after financial year has come into effect
- 6. In addition to making appropriations from the Provincial Fund an appropriation ordinance may:-
  - (a). in accordance with Section 34[3] of the Act, specify the maximum aggregate amount which may be paid out of the Provincial Fund in advance of appropriation sum for the following year
- 7. Subject to the provision of section 6[a], every appropriation by the Assembly shall lapse and cease to have effect at the end of the financial year

Other matters which may be included in Appropriation Ordinances

Lapse of Authority at end of financial year

**PART 3  
WARRANT FOR EXPENDITURE**

- 8. (1). On the coming into effect of an appropriation ordinance, the Premier may by warrant signed by him authorize the Provincial Treasurer to issue from the Provincial Fund the sum or part thereof appropriated
- (2). The Premier may at any time limit or suspend any expenditure not being statutory expenditure with or without cancellation of the warrant if in his opinion financial circumstances or the public interest so require
- 9. The Premier may under the authority of and subject to the limit imposed by an appropriation ordinance authorize by warrant signed by him the payment of money from the Provincial Fund in advance of appropriation where an urgent need for expenditure has arisen:-
  - (a). for which no appropriation has been made or for which the existing appropriation is insufficient and
  - (b). for which funds cannot be provided in accordance with section 11 and
  - (c). which cannot be deferred without harm to the public interest

Warrant for appropriated expenditure

Warrant in advance of appropriation

- Supplementary appropriation of advance payments 10. Whenever payment has been made under the authority of a warrant issued under section 9. The Premier shall include the sums authorized in the warrant in a supplementary appropriation bill which shall be presented to the Assembly at the next meeting after the issue of the warrant.
- Changes within Heads 11. If it appears to the Premier to be in the public interest to change sums assigned to subheads within a head or to create new subheads within that head or to provide new services, he may sign a variation warrant to give effect to such changes provided that: -
- (a) the total sum appropriated to a head is not increased; and
  - (b) any new service to be provided is within the purpose and scope of that head
- No expenditure unless authorized by warrant 12. No payment shall be made and no commitment made for expenditure from the Provincial Fund without the authority of a warrant signed by the Premier.

#### PART 4

#### PROVINCIAL TREASURER, ACCOUNTING STAFF AND PROVINCIAL FINANCIAL AND STORES REGULATIONS

- Provincial Treasurer 13. There shall be a Provincial Treasurer appointed by the Public Service Division
- Principal duties of Provincial Treasurer 14. (1) The Provincial Treasurer shall keep records to provide at all times a clear account of the current state of the finances and financial commitments of the Assembly including:-
- (i) record of all receipts into and payment from the Provincial Fund and every other account maintained for the purpose of Section 34 of the Act or special fund authorized under part 6 of this Ordinance
  - (ii) a record of all revenue received and expenditure made in accordance with the annual estimates as approved by an appropriation or supplementary appropriation ordinance

- (iii) records of deposits in accordance with section 24 and advances in accordance with section 21
  - (iv) the records required by part 6, 7 and 9 of this Ordinance.
- (2). The Provincial Treasurer shall at the end of each month and at such other times as he deems prudent:-
- (i) reconcile the records of receipt and payments with the total of moneys held in cash or at the bank;
  - (ii) balance the record of revenue and expenditure referred to in subsection (1) (b);
  - (iii) balance and reconcile all other accounts kept by him and;
  - (iv) submit a financial report to the Provincial Executive together with summary totals of revenue, expenditure and commitments and an explanation of the current state of the finances of the Province
15. (1). Subject to subsection (2) the Provincial Treasurer shall be the accounting officer of all heads of the annual estimates. Accounting Officers
- (2). The Provincial Treasurer in consultation with the Premier may in writing at any time appoint any other officer to be the accounting officer for a head or part of a head
16. Every accounting officer appointed under 15(2) shall control the expenditure of moneys from head or part of a head for which he is responsible and shall:- Duties of Accounting Officers
- (a). keep proper records of revenue and expenditure and stores under his control;

- (b). provide prompt and accurate information to the Provincial Treasurer on:
- (i) collections and arrears of revenue;
  - (ii) expenditures and commitments;
  - (iii) the condition and value of stores under his control;
- (c). observe and enforce financial and stores regulations
- Duties of other Staff 17. All officers employed by or under the Provincial Assembly or the Provincial Executive entrusted with the control or use of cash or other property are accountable for them.
- Financial and Stores Regulations 18. The Provincial Treasurer shall make the financial and stores regulations to provide for carrying out the purposes of this ordinance, for proper financial management and the procurement, safekeeping, accounting for and disposal of stores at the approval of the Provincial Executive.

**PART 5  
ADVANCES AND DEPOSITS**

- Authority for Advances 19. On the coming into effect of an appropriation ordinance the Premier may sign a warrant authorizing the Provincial Treasurer to make advance for the purposes of section 20 [a] and [b]
- Allowable Advances 20. Advances may be made for the following purposes only:
- (a). for the discharge of function under section 34 of the Act;
  - (b). to a direct employee of the Provincial Government by way of salary advance for reason of unexpected or unforeseen tragedy to himself, his immediate or extended family provided that no salary advance shall be made to such employee whilst a previous salary advance to him was still outstanding
- Provincial Treasurer to be Accounting Officer

- |     |   |  |
|-----|---|--|
| 21. | The Provincial Treasurer shall be the accounting officer for all advances; he shall maintain records of all advances and repayments and ensure that advances are recovered strictly in accordance with the condition of the advance.                | Provincial<br>Treasurer to be<br>Accounting<br>Officer |
| 22. | The conditions on which advances are granted and for their recovery are specified in financial and stores instructions.   | Conditions   |
| 23. | The Provincial Treasurer shall hold moneys, which do not form part of the Provincial Fund or any special fund in the following circumstances:   | Deposits<br>Allowable                                  |
|     | (a) where the money is legally due and payable to a member of the Assembly, an officer or an agent of the Provincial Executive but cannot immediately be paid;  |  |
|     | (b) moneys due to but withheld from a contractor under the terms of a contract;   |  |
|     | (c) moneys held in Trust where the Assembly, the Provincial Executive or any member or officer is a trustee;  |  |
|     | (d) moneys received in advance for the provisions of works or services by the Provincial Executive under a contract;  |  |
|     | (e) moneys held on behalf of another authority;   |  |
|     | (f) any other moneys which cannot be brought to immediate account.  |  |
| 24. | The Provincial Treasurer shall keep separate records for each deposit   | Records of<br>Deposits                                 |
| 25. | Deposits unclaimed after 6 years from the date of the deposit shall be paid into the Provincial Fund, provided that, if any person can prove his claim to the deposit, the Premier may authorize the release of the money from the Provincial Fund. | Unclaimed<br>Deposits                                  |

**PART 6  
SPECIAL FUNDS**

- |                                       |     |   |
|---------------------------------------|-----|---|
| Creation of special funds             | 26. | <p>(1). The Assembly may, subject to Schedule 6 of the Act, create special funds, which shall not form part of the Provincial Fund.</p> <p>(2). An ordinance creating a special fund shall:-</p> <ul style="list-style-type: none"> <li>(a) make a clear statement of the aims and purposes of the fund;</li> <li>(b) specify the sources of income;</li> <li>(c) provide a full list of expenditures which may be made from the fund;</li> <li>(d) appoint the Provincial Treasurer as accounting officer for the fund.</li> </ul> |
| Estimates and Accounts                | 27. | <p>The Assembly shall not appropriate expenditure from special funds but:-</p> <ul style="list-style-type: none"> <li>(a) estimates of revenues and expenditure of each special fund shall be included with the annual estimates of revenue and expenditure presented to the Assembly under section 4;</li> <li>(b) a detail statement of the transactions of each special fund signed by the Premier and Provincial Treasurer shall be presented annually to the Assembly.</li> </ul>  |
| Special funds estimated by Parliament | 28. | <p>Where a special fund for the Province is created by Act of Parliament, the Provincial Treasurer shall forthwith make rules to provide for the proper management of such fund with Provincial Executive approval.</p>   |

**PART 7**  
**BORROWING, LOANS AND GUARANTEES**

- |     |       |  |                         |
|-----|-------|--|-------------------------|
| 29. | (1).  | The Provincial Treasurer shall keep detailed records of all borrowings by the Provincial Executive.  | Record of<br>Borrowing  |
|     | (2).  | The Provincial Treasurer shall produce an annual statement of debt outstanding at the end of the financial year and showing:-  |                         |
|     | (a)   | The aggregate limit fixed by order of the minister under section 41(2) of the Act;   |                         |
|     | (b)   | In respect of each debt outstanding:-  |                         |
|     | (i)   | the purpose of the borrowing;  |                         |
|     | (ii)  | the lender, rate of interest and terms of repayment;   |                         |
|     | (iii) | the total amount borrowed and the dates borrowed;  |                         |
|     | (iv)  | the total principal repaid and the total outstanding; and  |                         |
|     | (v)   | the total interest paid and interest due but unpaid  |                         |
|     | (c)   | The amounts of principal outstanding and of interest due but unpaid shall be totalled and the aggregate amount shall be noted as a future liability on the annual statement of assets and liabilities. |                         |
| 30  | (1)   | The Provincial Executive may, subject to section 41 of the Act and this section make loans and guarantee the repayment of loans for the purposes of devolved functions                                 | Loans and<br>Guarantees |
|     | (2)   | No loan may be made or guarantee given:-   |                         |
|     | (a)   | where any loan or guarantee in respect of borrower is still outstanding;   |                         |

- (b) until the Provincial Executive is satisfied that there is an adequate charge on the income or assets of the borrower to secure to the Provincial Executive all sums due under the loan or liable for payment under the guarantee

- Records of loans and guarantees
31. The Provincial Treasurer shall keep detailed records of loans made and guarantees given and shall prepare a statement at the end of each financial year showing:-
- (a) In respect of each loan outstanding:-
    - (i) the borrower;
    - (ii) the date the loan was made, the rate of interest and the terms of repayment;
    - (iii) the total amount lent, principal unpaid, principal outstanding and principal due but not repaid;
    - (iv) interest paid and interest due but not paid;
    - (v) any authority for deferment of any repayment of principal or interest.
  - (b) In total amount still subject to guarantee and this amount shall be noted on the annual statement of assets and liabilities.

**PART 8  
BANKING AND INVESTMENT**

- Bank Accounts
32. (1) The Provincial Treasurer shall keep such accounts at such banks as the Provincial Executive shall direct.
- (2) All revenues [Provincial Funds and special funds] shall forthwith be paid into such account.
- Investment
33. (1) The Provincial Executive may where moneys of the provincial fund or moneys held on deposit are not needed for immediate purposes invest such moneys in government securities or place them on deposit with a bank in Solomon Islands.

- (2) Nothing in this section shall prevent the investment in commercial enterprises of the moneys of a special fund established for that purpose under section 26.

**PART 9  
LOSSES AND WRITE OFF**

- |     |     |   |  |
|-----|-----|---|--|
| 34. | (1) | The loss of cash or other property and all damages to property shall immediately be reported to the Provincial Secretary who shall attempt to recover losses or the cost of repair  | Losses of and<br>Damage to<br>property |
|     | (2) | If recovery or repair is not possible or practicable the Premier may in writing, authorize the write off of the value of the loss or cost of repair.  |  |
| 35. |     | The Provincial Treasurer shall keep records of losses, damages, recoveries and amounts written off and at the end of the year shall produce a detailed statement thereof.   | Records of<br>losses. etc              |
| 36. | (1) | The Accounting Officers shall attempt to recover revenue due but not paid and at the end of the year shall give to the Provincial Treasurer a return stating details of all revenue due but unpaid.                       | Arrears of<br>Revenue                  |
|     | (2) | If the Premier is satisfied, that it is not possible or practicable to collect any revenue, he may, in writing, authorize its abandonment.  |  |
| 37. | (1) | The Premier may, in writing, authorize the disposal of property, which is surplus to Provincial needs   | Disposal of<br>Surplus property        |
|     | (2) | Such property shall first be advertised for tender and if no reasonable tender is received, the Premier may then authorize that the property be disposed of in the manner most likely to be of advantage to the Province. |  |

**PART 10**  
**ANNUAL ACCOUNTS, AUDITOR GENERAL AND**  
**ACCOUNTS COMMITTEE**

- Annual Accounts 38. The Accounts to be prepared pursuant to section 39 of the Act shall be signed by the Premier and the Provincial Treasurer and shall include:-
- (a) a statement of assets and liabilities at the end of the financial year;
  - (b) a statement of receipts and payments;
  - (c) a comparative statement of estimated and actual revenue and expenditure;
  - (d) a summary statement of special funds showing for each:-
    - (i) the balance at the beginning of the financial year;
    - (ii) the revenue during the year;
    - (iii) the expenditure during the year; and
    - (iv) the balance during the year;
  - (e) statements of balances outstanding and money held on deposit;
  - (f) statements of loans made and guarantees given and outstanding;
  - (g) a statement of provincial debt; and
  - (h) a statement of losses, claims abandoned and amounts written off.

39. (1) The Auditor General may at any time report to the provincial Executive on any matter concerning the finances and accounts of the Provinces. Auditor General
- (2) The powers and duties of the Auditor General extend to the Accounts of the Assembly, any agent appointed under section 29 of the Act, and any committee, joint committee or joint venture established or joined by the Provincial Executive.
- (3) In the exercise of his functions, the Auditor General shall have the same discretion and powers as are conferred upon him by sections 34, 35, 36 and 41 of the Public Finance and Audit (cap. 120)
40. (1) The Provincial Executive shall within four (4) weeks of the receipt of the report of the Auditor General under section 41 (3) of the Act, lay before the Accounts Committee a detailed commentary thereon and such commentary shall be published together with Committee's report Accounts Committee
- (2) The Committee may request the Auditor General or his representative to attend any of its meetings and may require any member of the Provincial Executive, accounting officer or accountable officer to appear before it and to give written and oral evidence.

**PART 11  
REPEAL**

41. The Rennell and Bellona Province Financial Ordinance 1995 is hereby repealed
- Repeal of Rennell  
Bellona Province  
Financial  
Management  
Ordinance  
1995.

..... *End of FMO Document* .....

Honiara, Solomon Islands  
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**SUPPLEMENT** to the Solomon Islands Gazette

8th December 2006

S.I. No. 49

[Legal Notice 136]

**PRICE CONTROL ACT**  
(Cap. 64)**THE PRICE CONTROL (APPLICATION TO GOODS AND RESTRICTION OF PRICES) (AMENDMENT) (NO. 5) ORDER 2006.**

IN exercise of the powers conferred by sections 4 and 6 of the Price Control Act, and after consultations with the Prices Advisory Committee, I, **PETER SHANEL AGOVAKA**, Minister of Commerce, Employment and Trade, do hereby make the following Order -

1. This Order may be cited as the Price Control (Application to Goods and Restriction of Prices) (Amendment) (No. 5) Order 2006 and shall come into operation on 1st November 2006.
2. Schedule 3 to the Price Control (Application to Goods and Restriction of Prices) Order 1987\* is hereby amended by deleting serial No.13 thereof and substituting therefore the following -

**"13 PETROLEUM PRODUCTS**

	<b>WHOLESALE</b> (maximum price in cents per litre)	<b>RETAIL</b> (maximum price in cents per litre)
(a) Petroleum Motor Spirit		
- (PMS)	446.27	553.2
(b) Distillate		
- (ADO)	539.18	660.1
(c) Kerosene		
- (KERO)	496.48	(maximum percentage mark - up)
		-cost into store plus 15% for sales of packaged product
		-cost into store plus 20% for break-bulk sales."

Dated at Honiara this 1st day of November 2006

**PETER SHANEL AGOVAKA**  
Minister of Commerce, Employment and Trade

\*LN. No. 47/87 p. 104

[Legal Notice 137]

**PRICE CONTROL ACT**

(Cap. 64)

**THE PRICE CONTROL (APPLICATION TO GOODS AND RESTRICTION OF PRICES) (AMENDMENT) (NO. 6) ORDER 2006.**

IN exercise of the powers conferred by sections 4 and 6 of the Price Control Act, and after consultations with the Prices Advisory Committee, I, **PETER SHANEL AGOVAKA**, Minister of Commerce, Employment and Trade, do hereby make the following Order -

1. This Order may be cited as the Price Control (Application to Goods and Restriction of Prices) (Amendment) (No. 6) Order 2006 and shall come into operation on 1st December 2006.
2. Schedule 3 to the Price Control (Application to Goods and Restriction of Prices) Order 1987\* is hereby amended by deleting serial No.13 thereof and substituting therefor the following -

**“13 PETROLEUM PRODUCTS**

	<b>WHOLESALE</b> (maximum price in cents per litre)	<b>RETAIL</b> (maximum price in cents per litre)
(a) Petroleum Motor Spirit		
	- (PMS) 433.36	538.4
(b) Distillate	- (ADO) 513.82	630.9
(c) Kerosene	- (KERO) 471.91	(maximum percentage mark - up) -cost into store plus 15% for sales of packaged product -cost into store plus 20% for break-bulk sales.”

Dated at Honiara this 1st day of December 2006

**PETER SHANEL AGOVAKA**  
Minister of Commerce, Employment and Trade

\*L.N. No. 47/87 p. 104

[Legal Notice 138]

**THE FOREST RESOURCES AND TIMBER UTILISATION ACT**  
(Cap. 40)

**THE NORTHWEST FOREST LIMITED (EXPORT OF 3000<sup>m3</sup>  
OF TERMINALIA BRASSII) EXEMPTION (AMENDMENT) ORDER 2006**

IN exercise of the powers conferred by sections 4 (1)(c) of the Forest Resources and Timber Utilisation Act, the Minister hereby makes the following order -

1. This Order may be cited as the Northwest Forest Limited (Export of 3000<sup>m3</sup> of Terminalia Brasili) Exemption (Amendment) Order 2006\*, and shall come into force on the date of publication in the Gazette.

2. Paragraph 4 of the Northwest Forest Limited (Export of 3000<sup>m3</sup> of Terminalia Brasili) Exemption Order 2006\* is hereby amended by deleting the words "MV Hikawa Pride" and substituting therefore the words "MV Yayasan Tujuh".

Dated at Honiara this 5th day of November 2006

**JOB DUDLEY TAUSINGA**  
Minister of Forest, Environment and Conservation

\*L.N. No. 89 of 2006

[Legal Notice 139]

**IMMIGRATION ACT**  
(Cap. 60)

**EXEMPTION ORDER**

IN exercise of the powers conferred by Sections 7(g) of the Immigration Act (Cap. 60),  
I the Minister of Foreign Affairs, Immigration and Trade hereby exempts:

**YOKO MIURA**  
**MAYUMI NISHIMURA**

from the requirements of Section 6(1) of the said Immigration Act.

Dated at Honiara this 5th day of December 2006

**PATTESON OTI**  
Minister of Foreign Affairs, Immigration & Trade

[Legal Notice 140]

**IMMIGRATION ACT**  
(Cap. 60)

**EXEMPTION ORDER**

IN exercise of the powers conferred by Sections 7(g) of the Immigration Act (Cap. 60),  
I the Minister of Foreign Affairs, Immigration and Trade hereby exempts:

**ERIN BEAL**

from the requirements of Section 6(1) of the said Immigration Act.

Dated at Honiara this 5th day of December 2006

**PATTESON OTI**  
Minister of Foreign Affairs, Immigration & Trade

[Legal Notice 141]

**IMMIGRATION ACT**  
(Cap. 60)

**EXEMPTION ORDER**

IN exercise of the powers conferred by Sections 7(g) of the Immigration Act (Cap. 60),  
I the Minister of Foreign Affairs, Immigration and Trade hereby exempts:

**ANTHONY NEDLEY**

From the requirements of Section 6(1) of the said Immigration Act.

Dated at Honiara this 6th day of December 2006

**PATTESON OTI**  
Minister of Foreign Affairs, Immigration & Trade

Honiara, Solomon Islands  
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**SUPPLEMENT** to the Solomon Islands Gazette

20th December 2006

S.I. No. 50

[Legal Notice 142]

**CUSTOMS AND EXCISE ACT  
(CAP 121)****THE CUSTOMS AND EXCISE (DETERMINATION OF DUTIES ON LOG  
EXPORTS) ORDER 2006**

IN exercise of the powers conferred by section 7 of the Customs and Excise Act, I, HONOURABLE GORDON DARCY LILO, Minister of Finance and Treasury, do hereby make the following order:-

1. This Order may be cited as the Customs and Excise (Determination of Values on Log Exports) (Amendment) Order 2006 and shall come into force on the date of publication in the Gazette.
2. That part of the first schedule and the export tariff to the Customs Act, heading 44.03 entitled "EXPORT CLASSIFICATION" hereby amended in the following respect:-

SPECIES	SCHEDULE LOG GRADE			
	REGULAR GRADE	SMALL GRADE	SUPER SMALL	LOW GRADE
	USD/M3	USD/M3	USD/M3	USD/M3
Intsia bijuga (Kwila)	134	121	109	
Vitex (Vasa)	134	121	109	
Palaquim (Pencil Cedar)	109	98	89	71
Calophyllum	109	98	89	71
Pometia (Tuan, Akwa)	109	98	89	71
Planchonella	109	98	89	71

SPECIES	REGULAR GRADE	SMALL GRADE	SUPER SMALL	LOW GRADE
	USD/M3	USD/M3	USD/M3	USD/M3
Schizomeria (Beelosa)	95	87	78	64
Dillenia	95	87	78	64
Gonostylus (Ramin)	95	87	78	64
Terminalia brassii)	95	87	78	64
Terminalia (Except T. brassii)	90	80	72	64
Terminalia calamansanai	83	75	68	64
Bukella	83	75	68	64
Canarium (Gnali)	83	75	68	64
Celtis	83	75	68	64
Alstonia (Milky Pine)	83	75	68	64
Dysoxylum	83	75	68	64
Eugenia (Water gum)	83	75	68	64
Endospermum	83	75	68	64
Amoora	83	75	68	64
Camptosperma	83	75	68	64
Maranthes	72	67	63	60
Mixed Species	72	67	63	60
Parinari	72	67	63	60

3. The Order published as Legal No. 134 of December 30th 2003 is hereby revoked.

Dated at Honiara twentieth day of December 2006

**HONOURABLE GORDON DARCY LILO**  
Minister of Finance & Treasury

[Legal Notice 143]

**CUSTOMS AND EXCISE ACT  
(CAP 121)**

**THE CUSTOMS AND EXCISE (EXPORT DUTIES) (NO. ) (AMENDMENT)  
ORDER 2006**

IN exercise of the powers conferred by section 7 of the Customs and Excise Act, I, HONOURABLE GORDON DARCY LILO, Minister of Finance and Treasury, do hereby make the following order:-

1. This Order may be cited as the Customs and Excise (Export Duties) (Amendment) Order 2006 and shall come into force on the date of publication in the Gazette.
2. That part of the first schedule to the Customs and Excise Act, entitled EXPORT "CLASSIFICATION AND TARIFF" is hereby amended by deleting tariff items 4403.1110, 4403.1120, 4403.1130, 4403.1310, 4403.1320 and 4403.1330 and the words that appear in respect of each item in the corresponding columns and substituting therefore the following:-

Item No. of Commodity	Commodity	Unit	Rate of Duty
4403.1110	Determined Value not more than \$673.00 per M3	M3	25% of determined value
4403.1120	Determined value more than \$673.00 per M3 but not more than \$1047.00 per M3.	M3	25% for the first \$673.00 plus 40% of the log value above \$673.00 M3.
4403.1130	Determined value above \$1047.00 per M3	M3	25% for the first \$673.00 plus 40% of 374 plus 60% of remaining log value above SBD 1047
4403.1310	Determined Value not more than \$673.00 per M3.		25% of determined value.

4403.1320	Determined Value more than \$673.00 per M3 but not more than \$1047.00 per M3.	25% for the first \$673.00 40% of the log value above \$673.00 M3.
4403.1330	Determined value above \$1047.00 per M3.	25% for the first \$673.00 plus 40% of 374 plus 60% of remaining log value above SBD 1047.

Dated at Honiara twentieth day of December 2006

**HONOURABLE GORDON DARCY LILO**  
Minister of Finance and Treasury

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**SUPPLEMENT** to the Solomon Islands Gazette

21st December 2006

S.I. No. 51

[Legal Notice 144]

**PROVINCIAL GOVERNMENT ACT, 1997  
(NO. 7 OF 1997)****MALAITA PROVINCIAL EXECUTIVE NEW MINISTERIAL PORTFOLIO  
LINE UP**

In exercise of the powers conferred by Section 20 subsection 4 of the Provincial Government Act 1997 and acting in accordance on the advice of the Honourable Reuben Torii Moli, Premier of the Malaita Province.

I, Honourable Japhet Waipora, Minister of Provincial Government and Constituency Development hereby reassign:

HON. WILFRED MAELUMA	-	DEPUTY PREMIER AND REGIONAL AFFAIRS MINISTER
HON. ROBERT N. MAUTAI	-	MINISTER FOR COMMUNITY & HUMAN DEVELOPMENT
HON. EDWIN M. SUIBAEA	-	MINISTER FOR PLANNING & ECONOMIC DEVELOPMENT
HON. BRIAN S. TABA'A	-	MINISTER FOR FINANCE AND ADMINISTRATION
HON. PHILIP N. MIMIDI	-	MINISTER FOR PRIMARY RESOURCES
HON. WALTER B. HOU	-	MINISTER FOR INFRASTRUCTURE, INDUSTRY & TOURISM
HON. TONY SILAS BOBBY	-	MINISTER FOR ENVIRONMENT & CONSERVATION
HON. JOHN KAIA	-	MINISTER FOR HEALTH AND MEDICAL SERVICES

HON. ALLEN RURAI	-	MINISTER FOR LANDS & URBAN AFFAIRS
HON. DAVID NGUIBURI	-	MINISTER FOR EDUCATION AND SPORTS
HON. JOHN B. ARAHAORI	-	MINISTER FOR SOUTHERN REGIONAL AFFAIRS
HON. ROSE A. ANILABATA	-	MINISTER FOR WESTERN REGIONAL AFFAIRS
HON. JOEL R. FUNUSULIA	-	MINISTER FOR NORTHERN REGIONAL AFFAIRS
HON. REDLEY SIRA	-	MINISTER FOR EASTERN REGIONAL AFFAIRS
UNALLOCATED	-	MINISTER FOR PUBLIC RELATIONS AND SPECIAL DUTIES

These changes were effective as from 9th June, 2006.

Dated at Honiara this fourteenth day of November 2006

HON. JAPHET WAIPORA  
Minister for Provincial Government & Constituency Development

[Legal Notice 145]

**THE SHIPPING ACT 1998  
(No. 5 of 1998)**

**THE MARITIME SECURITY REGULATIONS 2004**

**ARRANGEMENT OF REGULATIONS**

REGULATION:

1. CITATION
2. APPLICATION
3. INTERPRETATION AND DEFINITIONS
4. MINISTRY'S RESPONSIBILITY
5. PORT SECURITY
6. SECURITY LEVELS
7. THE NEED FOR A DECLARATION OF SECURITY
8. ISSUANCE OF A DECLARATION SECURITY
9. PORT SECURITY PLANS
10. PORT ORGANISATION AND RESPONSIBILITY
11. PORT FACILITY OPERATORS' RESPONSIBILITY
12. OTHER PORT USERS
13. INFORMATION TO BE PROVIDED BY SHIPS PRIOR TO ENTRY PORT
14. ASSESSMENT OF INFORMATION RELATED TO SHIPS PRIOR TO ENTRY INTO PORT
15. SHIP SECURITY PLAN
16. SHIPPING ORGANISATION AND RESPONSIBILITY
17. CONTINGENCY PROCEDURE - PORTS
18. CONTINGENCY PROCEDURES - SHIPS
19. SECURITY TRAINING - PORTS
20. SECURITY TRAINING - SHIPS
21. ROLE OF THE POLICE
22. THE ROLE OF GOVERNMENT MINISTRIES AND AGENCIES
23. OFFENCES AND PENALTIES

**THE SHIPPING ACT 1998**  
(No. 5 of 1998)

**THE MARITIME SECURITY REGULATIONS 2004**

IN exercise of the powers conferred by sections 3(2), 56 and 220 of the Shipping Act, 1998,

I, STANLEY FESTUS SOFU, Minister for Infrastructure and Development, do hereby make the following regulations -

PART 1 - PRELIMINARY

- |                           |  |
|---------------------------|--|
| Citation and commencement | 1. These Regulations may be cited as the Shipping (Maritime Security) Regulations 2004, and shall be deemed to have come into force on 1st July, 2004.   |
| Application               | <p>2. These Regulations shall apply to -</p> <p style="margin-left: 20px;">(a) Solomon Islands passenger ships, including high-speed craft, engaged on international voyages;</p> <p style="margin-left: 20px;">(b) Solomon Islands cargo ships, of 500 gross tonnage and upwards, engaged on international voyages;</p> <p style="margin-left: 20px;">(c) Ports and Port Facilities within ports in Solomon Islands that serve vessels engaged on international voyages; and</p> <p style="margin-left: 20px;">(d) all foreign vessels in Solomon Islands waters to which the SOLAS Convention applies.</p> <p>(2) Notwithstanding the provisions of subsection (1), the Minister may decide the extent of application of these Regulations to those port facilities, which, although used primarily by ships engaged on domestic voyages, are required, occasionally, to serve ships arriving or departing on an international voyage.</p> <p>(3) Notwithstanding Article III of the Convention, these Regulations shall apply to fishing vessels 12 metres in length and above fishing in the EEZ of Solomon Islands and in international waters.</p> |

Interpretation and  
definitions

(3) In these regulations, unless the context otherwise requires -

“Company” means a shipping company or companies owning ships operating in Solomon Islands; to which these Regulations apply;

“Company Security Officer” (CSO) means the person designated by the Company for ensuring that a ship security assessment is carried out; that a ship security plan is developed, submitted for approval, and thereafter implemented and maintained and for liaison with port facility security officers and the ship security officer. Any person may act as a CSO for more than one ship;

“Convention” means the International Convention for the Safety of Life at Sea, 1974 (SOLAS), as amended;

“Designated Authority”, under the International Ship and Port Facility Security Code, means the Ministry;

“Exclusion Zone” means a waterside area to which access is temporarily restricted to persons authorised by the Ports Authority;

“Facility Operator” means port facility to which these Regulations apply;

“Gross tonnage” (GT) means the total capacity of a vessel in tonnage units of 100 cubic feet;

“ISPS Code” means the International Ship and Port Facility Security Code;

“Master” means a person having command or charge of a ship;

“Minister” means the Minister charged with responsibility for shipping;

“Ministry” means the Ministry responsible for the administration of shipping;

“Port Operator” means the Agency responsible for the time being for the administration, management and operation of declared International Ports in Solomon Islands;

“Port Authority” means the Solomon Islands Ports Authority as defined by Cap 161;

“Port Facility Operator” means the manager of ship/port interface facility that provides for the interactions that occur when a ship is directly and immediately affected by actions involving the movement of persons, goods or the provisions of port services to or from the ship;

“Port Facility Security Officer” (PFSO) means a suitably qualified person designated by the facility operator responsible for the development, implementation, review and maintenance of the Port Facility Security Plan and for liaison with ship security officers, the company security officer and the port security officer;

“Port Facility Security Plan” (PFSP) means a plan developed to ensure the application of measures designed to protect the port facility and ships, persons, cargo, cargo transport units and ship’s stores within the port facility from the risks of a security incident;

“Port Security Committee” means the committee constituted under Regulation 4 to provide advice as to the National Security Assessment, comprising representatives stakeholder Government Ministerial Divisions and other Organisations as appointed by the Minister;

“Port Security Officer” (PSO) means a suitably qualified person designated by the Port Operator/owner to facilitate the development, implementation, review and maintenance of the port security plan and for liaison with port facility security officers and ship security officers, where appropriate;

“Recognised Security Organisation” means (definition under the ISPS Code);

“Restricted Areas” means areas on the ship to which access is restricted to crew, persons invited by the master or ship security officer and persons authorised pursuant to the Ministry’s maritime security regulations;

“Restricted Area” means landside areas to which access is restricted to persons Authorised by the facility operator or persons authorised pursuant to the Ministry’s maritime security regulations;

“Screener” means a person, approved by the Ministry, who screens people or goods for disallowed items, such as a weapon or a dangerous good, which is not allowed aboard a ship;

“Screening Procedures” means those measures involved in the inspection of people (e.g. passenger, visitor, industry personnel) and goods, checking for disallowed items to make sure these items are not carried into sterile areas where established or onto the ship;

“Security Level 1” means the level for which minimum appropriate protective security measures shall be maintained at all times;

“Security Level 2” means the level for which appropriate additional protective security measures shall be maintained for a period of time as a result of heightened risk of a security incident;

“Security Level 3” means the level for which further specific protective security measures shall be maintained for a limited period of time when a security incident is probable or imminent, although it may not be possible to identify the specific target;

“Ship Security Officer” (SSO) means the person on board a ship, accountable to the master, designated by the Company as responsible for the security of the ship, who shall perform those duties stipulated in the ISPS Code, including implementation and maintenance of the ship security plan, and liaison with the company security officer and port facility security officers;

“Ship Security Plan” means a plan developed to ensure the application of measures on board the ship designed to protect persons on board, cargo, cargo transport units,

“Sterile Area” means an area of the port approved pursuant to the Ministry’s maritime security regulations to which persons, vehicles and goods are not permitted until given clearance, in relation to maritime security.

“Solomon Islands ports” means ports in Solomon Islands that service ships engaged on international voyages.

“Solomon Islands ships” means those ships that are registered in Solomon Islands.

“Unaccompanied Baggage” means any baggage, including personal effects, which is not with the passenger or member of ship’s personnel at the point where of screening.

“Unlawful Interference” means, the commission of an act by a person without lawful excuse or contrary to or in defiance of the law; and includes acts such as committed by a person without a lawful excuse -

- (a) seizing, or exercising control of, a ship by force, or threat of force, or any other form of intimidation;
- (b) damaging or destroying a ship that is in service;
- (c) placing, or causing to be placed, on board a ship in service a thing that is likely to:
  - (i) destroy the ship; or
  - (ii) endanger its safety;
- (d) communicating information, which is known to be false, thereby endangering the safety of a ship;
- (e) committing an act of violence against a person, property or the environment at a port, if the act;
  - (i) causes, or is likely to cause, injury or death; and
  - (ii) endangers, or is likely to endanger, the safe and efficient operation of the port or the safety of anyone at the port;
- (f) attempting to commit an act described in any of the above paragraphs.

2. The term "Contracting Government" includes a reference to the Designated Authority.

3. Terms not otherwise defined in this part shall have the same meaning as the meaning attributed to them in SOLAS.

4. The following abbreviations mean:

PSC	Port Security Committee
PSA	Port Security Assessment
PSP	Port Security Plan
PSO	Port Security Officer
PFSA	Port Facility Security Assessment
PFSP	Port Facility Security Plan
PFSSO	Port Facility Security Officer
SSA	Ship Security Assessment
SSP	Ship Security Plan
CSO	Company Security Officer
SSO	Ship Security officer
RSO	Registered Security Organization Responsibility
DOS	Declaration of Security

4. The Ministry is responsible for - Ministry's Responsibility
- (a) initiating, developing, promoting and reviewing maritime security policy, legislation, standards and procedures;
  - (b) auditing and pursuing compliance with maritime security policy, legislation, standards and procedures;
  - (c) approving Security Plans;
  - (d) coordinating the maritime security policy response to a threat or act, which threatens the security of the maritime transport sector;
  - (e) coordinating the provision of intelligence and information on threats to the maritime industry;
  - (f) providing advice on maritime security to government, industry and the public; and
  - (g) advising of the need for additional security measures.
5. (1) Recognising the need for effective co-ordination and implementation of security controls and procedures across various jurisdictions and boundaries at the interface between ships and ports, a Port Security Committee (PSC) shall be constituted. Port Security Committee
- (2) The Port Security Committee (PSC) shall consist of representatives from the Department of Transport, Police, Customs, Immigration and other Organisation as appointed by the Minister in Regulation 3 and as defined in 5 (5).
- (3) The chair of the PSC shall be the General Manager of the Solomon Islands Ports Authority.
- (4) The role of the PSC shall be to -
- (a) coordinate the implementation of national maritime security measures in Solomon Islands ports and on Solomon Islands ships;
  - (b) provide a forum for the discussion of maritime security matters affecting port tenants/users and ships visiting the ports;

(c) draw up and maintain a list of vulnerable points of the ports, including essential equipment/facilities and review their security from time to time;

(d) provide a forum for communication between port tenants/users and shipowners on issues of security and procedures in place to meet threats, providing for normal situations and contingencies for periods of heightened tension and emergency situations;

(e) promote security awareness amongst port workers/users and shipowners; and

(f) liaise, as considered appropriate, with external agencies to discuss security issues.

(5) The PSC shall comprise representatives from the following organisations -

- (a) Department of Transport;
- (b) Honiara State Government;
- (c) Police;
- (d) Customs;
- (e) Immigration;
- (f) Marine Law Enforcement;
- (g) Quarantine; and
- (h) Port Users - Solomon Islands International Traders Incorporated, Solomon Islands Shipping Company, and Solomon Islands Sea & Air Transportation Agency; with the chair co-opting other members on an ad-hoc basis.

(6) The chair of the PSC shall ensure that a record of each meeting is kept and minutes are forwarded within one month of the meeting, either in written or electronic form, to all committee members.

(7) In the event of a security incident the Port Operator or shipowner shall contact the Minister who shall immediately convene a meeting of the PSC, along with other members as determined appropriate, who will set up a support team.

(8) The role of the support team is to -

- (a) provide technical and operational advice and assistance to the Police in relation to operational matters and resources available at the port;

(b) consult with the Police, ensure the orderly conduct of other operations on the port not associated with the incident; and

(c) provide incident-related advice and information to their respective organisations and the Ministry.

(6). (1) The Minister shall, with the assistance of the assistance of the PSC, set security levels and provide guidance for protection from security incidents. Higher security levels indicate greater likelihood of occurrence of a security incident. Factors to be considered in setting the appropriate security level include -

Security levels

(a) the degree that the threat information is credible;

(b) the degree that the threat information is corroborated;

(c) the degree that the threat information is specific or imminent; and

(d) the potential consequences of such a security incident.

(2) The Minister shall, when necessary, with the assistance of the PSC, issue appropriate instructions and shall provide security related information to the ships and port facilities that may be affected.

(3) At higher levels of alert additional preventive protective security measures will need to be considered. Such measures may be required in relation to an entire port, specific port operations, certain port facilities, etc.

(4) These additional security measures may be implemented either at the direction of the Ministry or on the initiative of the Port Operator or ship owner. In the latter cases, advice of such implementation shall be immediately passed to the Ministry.

(5) The Minister may delegate to a Recognized Security Organization (RSO) certain of the duties under these Regulations with the

exception of -

- (a) setting of the applicable security level;
- (b) approving a Port/Port Facility/Ship Security Assessment and subsequent amendments to an approved assessment;
- (c) determining the port/port facilities that will be required to designate a Port (Facility) Security Officer;
- (d) approving a Port/Port Facility/Ship Security Plan and subsequent amendments to an approved plan.

The Need for a Declaration of Security

7. (1) A Declaration of Security (DoS) should be completed in respect of a port or port facility when the Minister deems it necessary or when a ship deems it necessary.

(2) The need for a DoS may be indicated by the results of the Port Facility Security Assessment (PFSA) and the reasons and circumstances in which a DoS is required should be set out in the Port Facility Security Plan (PFSP).

(3) The need for a DoS may be indicated by the Maritime Administration for ships entitled to fly its flag or as a result of a ship security assessment and should be set out in the ship security plan.

(4) It is likely that a DoS will be requested at higher security levels, when a ship has a higher security level than the port facility, or another ship with which it interfaces, and for ship/port interface or ship-to-ship activities that pose a higher risk to persons, property or the environment for reasons specific to that ship, including its cargo or passengers or the circumstances at the port facility or a combination of these factors.

(5) In the case that a ship or a Maritime Administration, on behalf of ships entitled to fly its flag, requests completion of a DoS, the Port Facility Security Officer (PFSO) or Ship Security Officer (SSO) should acknowledge the request and discuss appropriate security measures.

(6) A PFSO may also initiate a DoS prior to ship/port interfaces that are identified in the approved PFSA as being of particular concern. Such DoS may include the embarking or disembarking passengers, and the transfer, loading or unloading of dangerous goods or hazardous substances. The PFSA may

also identify facilities at or near highly populated areas or economically significant operation that warrant a DoS.

(7) The main purpose of a DoS is to ensure agreement is reached between the ship and the port facility or with other ships with which it interfaces as to the respective security measures each will undertake in accordance with the provisions of their respective approved security plans.

(8) The agreed DoS should be signed and dated by both the port facility and the ship(s), as applicable, to indicate compliance with SOLAS chapter XI-2 and part A of the ISPS Code and should include its duration, the relevant security level, or levels and the relevant contact details.

(9) A change in the security level may require that a new or revised DoS be completed.

(10) The DoS should be completed in English or in a language common to both the port facility and the ship or the ships, as applicable.

(11) A model DoS is included in Appendix VIII to these Regulations. This model is for a DoS between a ship and a port facility. If the DoS is to cover two ships model should be appropriately adjusted.

8. (1) The Minister on advice from the PSC shall determine when a Declaration of Security is required by assessing the risk the ship/port interface or ship-to-ship activity poses to persons, property or the environment

Issuance of a  
Declaration  
Security

(2) A ship can request a Declaration of Security when -

(a) the ship is operating at a higher security level than the port facility or another ship it is interfacing with; of a Declaration of Security,

(b) there is an agreement on a Declaration of Security between Contracting Governments covering certain international voyages or specific ships on those voyages;

(c) there has been a security threat or a security incident involving the ship or involving the port facility, as applicable;

(d) the ship is at a port that is not required to have and implement an approved port facility security plan; or

(e) the ship is conducting ship-to-ship activities with another ship not required to have and implement an approved ship security plan.

(3) Requests for the completion of a Declaration of Security, under this section, shall be acknowledged by the applicable port facility or ship.

(4) The Declaration of Security shall be completed by -

(a) the master or the ship security officer on behalf of the ship(s); and, if appropriate;

(b) the Port Facility Security Officer or, if the Contracting Government determines otherwise, by any other body responsible for shore-side security, on behalf of the port facility.

(5) The Declaration of Security shall address the security requirements that could be shared between a port facility and a ship (or between ships) and shall state the responsibility for each.

(6) The Declaration of Security shall specify the minimum period for which it shall be kept by the port facilities located within Solomon Islands.

(7) The Maritime Administration shall specify the minimum period for which Declaration of Security shall be kept by ships entitled to fly the Solomon Islands flag.

Port Security Plans

9. (1) The Port Operator shall, in accordance with the requirements of these Regulations and following discussion with the PSC, conduct a Port Security Assessment (PSA) and produce a Port Security Plan (PSP), issued under the authority of Chief Executive Officer or the person in overall charge of the port.

(2) The Ministry shall review the Draft PSP and may approve its content prior to its circulation and shall approve all amendments prior to their being put into effect.

(3) The Port Security Officer (PSO) may amend the Plan as necessary, subject to approval by the Ministry, in consultation with the PSC.

(4) The completed PSP is classified "Confidential" and, while selected members of staff will need to be apprised of particular aspects of the Plan, it shall be protected from unauthorised access or disclosure.

(5) No part of the PSP may be reproduced or transmitted, in any form or by any means, without the written consent of the PSO.

(6) The PSO may, at any time, review this Plan. In reviewing the Plan the PSO may have regard to:

(a) developments in relation to human and other resources used and procedures followed concerning security; and

(b) experience gained in relation to security by other port authorities.

(7) If the Port Operator/Port Facility Operator, in consultation with the Port Security Committee, is satisfied that:

(a) the approved Plan is no longer adequate for any one or more of the Plans purpose; or

(b) the effectiveness of the Plans for those purposes could be substantially improved:

the PSO should prepare and submit to the Ministry for approvals for any variation of the Plan considered necessary.

10. (1) All employees and agents of the Port Operator whose duties them to implement security controls at the port or routinely access a Restricted Area at the port have a responsibility to ensure that the retrospective security arrangements covered by this Plan are observed at all times.

Port organisation  
and responsibility

(2) Any employee or agent on becoming aware of a:

(a) breach or suspected breach of security arrangements;

(b) any deficiency in the Plan; or

(c) who observes activities of a suspicious nature; must report the matter immediately to the PSO.

(3) The Port Operator, in conjunction with the PSC, shall ensure compliance with the provisions of the PSP and for the implementation of complementary additional security measures as required by the Ministry.

(4) The Port Operator, in conjunction the PSC, shall initiate periodic internal audits or reviews of the PSP to ensure compliance with, and appropriateness of, existing security measures.

(5) The Port Operator shall appoint a Port Security Officer (PSO) who, with the authority of management, shall administer the day-to-day operations of the PSP at the port.

(6) The duties and responsibilities of the PSO shall include, but not be limited to:

- (a) ensuring that appropriate security measures are maintained at the port;
- (b) maintain and supervise the implementation of the PSP, including any amendments to the Plan;
- (c) propose modifications to the PSP;
- (d) report to management any deficiencies and non conformities identified during internal audits, periodic reviews, security inspections and verifications of compliance and implementing any corrective actions;
- (e) attend port security committee meetings;
- (f) enhance security awareness and vigilance by all staff;
- (g) ensure adequate security training has been provided to port employees and agents with regard to their security roles and responsibilities and maintenance of training records;
- (h) ensure that security equipment is appropriately operated, tested, calibrated and maintained, if any;
- (i) ensure effective communication and cooperation between the port and members of the port security committee
- (j) report all security incidents to the Ministry; and
- (k) oversee the issue of copies of the PSP and maintain a record of all authorised holders.

11. (1) The Port Facility Operator shall, in co-operation with the Port Operator and in accordance with the requirements of these Regulations and following discussion with the PSC, conduct a Port Facility Security Assessment (PFSA) and produce a Port Facility Security Plan (PFSP), issued under the authority of Port Facility Security Officer (PDSO). Port facility operators' responsibility

(2) The PFSP shall be incorporated into the overall PSP where appropriate.

(3) The Ministry in consultation with the PSC shall review the draft PFSP and may approve its content prior to its circulation and shall approve all amendments prior to their being put into effect.

(4) The Port Security Officer (PSO) in consultation with the PSC may amend the Plan as necessary, subject to approval by the Minister, in consultation with the PSC.

(5) Port facility operators, lessees and tenants are responsible for:

- (a) the security of their facilities and areas specifically allocated for their use;
- (b) maintaining access control procedures as they apply to any of their facilities; and
- (c) ensuring that any staff or other persons, such as contractors, who enter Restricted Areas or sterile areas do so only on current essential duties to that area,

which could be effected through contractual arrangements.

(6) Port facility operators, lessees and tenants may be required, at short notice from the Port Operator or the Ministry, to comply with security systems and/or procedure variations resulting from increases in maritime security threats.

(7) Security exercises, to test measures and response arrangements, shall be conducted by the Port Operator/owner at a frequency agreed with the Ministry. Broadly these exercises may take the form of:

- (a) theoretical or desktop exercises; or
- (b) simulated incidents to practice response and handling arrangements.

(8) The object of the exercises is to not only test response arrangements to a simulated act of unlawful interference but to also;

- (a) practice call out of all involved elements;
- (b) test the adequacy of facilities;
- (c) exercise members of the port security committee in the provision of effective support to the Police operational elements; and
- (d) test the adequacy of appropriate contingency plans.

(9) The PSO and appropriate Port Facility Security Officers will review each security exercise and submit a formal report to the Ministry, and the Port Security Committee, within two months of the completion of the exercise.

12. Persons who enter the Port are required to comply with all regulatory provisions brought to their notice by any means including public notices, signs, announcements, publications or oral messages. Any person who contravenes or fails to comply with these regulations shall be guilty of an offence and liable to a penalty prescribed under regulation 23.

13. (1) The PSC may require, as a condition of entry into port in order to assist with ensuring the safety and security of persons, port facilities, ships and other property, that ships intending to enter a Solomon Islands port provide the following information -

- (a) confirmation that the ship possesses a valid ISSC and the name of its issuing authority;
- (b) the security level at which the ship is currently operating;
- (c) the security level at which the ship operated in the previous ten calls a port facilities where it had conducted a ship/port interface;
- (d) any special or additional measures that were taken by the ship during the timeframe specified above including -
  - (i) any records of the measures taken while visiting a port facility located in the territory of a State which is not a Contracting Government. especially those measures that would normally

have been provided by port facilities located in the territories of Contracting Governments;

(ii) any Declarations of Security that were entered into with port facilities or other ships.

(e) that appropriate ship security procedures were maintained during ship-to-ship activity conducted within the period of the last ten calls at a port facility, including -

(i) records of the measures taken while engaged in a ship to ship activity with a ship flying the flag of a State which is not a Contracting Government, especially those measures that would normally have been provided by ships flying the flag of Contracting Governments;

(ii) records of the measures taken while engaged in a ship to ship activity with a ship that is flying the flag of a Contracting Government but is not required to comply with the provisions of chapter XI-2 and part A of this Code, such as a copy of any security certificate issued to that ship under other provisions; and

(iii) in the event that persons or goods rescued at sea are on board, all known information about such persons or goods, including their identities when known and the results of any checks run on behalf of the ship to establish the security status of those rescued, but only to the extent that it does not delay or prevent the delivery of those in distress at sea to a place of safety;

(f) other practical security related information that may be required include -

(i) information contained in the Continuous Synopsis Record;

(ii) location of the ship at the time the report is made;

(iii) expected time of arrival of the ship in port,

(iv) crew list;

(v) general description of cargo aboard the ship;

(vi) passenger list; and

(vii) information regarding parties responsible for appointing shipboard personnel, such as ship management companies, manning agents, contractors, concessionaires (for example, retail sales outlets, casinos, etc.);

(viii) information regarding parties responsible for deciding the employment of the ship including, time or bare-boat charterer(s) or any other entity acting in such capacity; and

(ix) in cases when the ship is employed under the terms of a charter party, the contact, details of those parties including time or voyage charterers.

(2) This information should be provided in the English language.

(3) This information should be provided 24 hours before the intended ETA.

Assessment of information related to ships prior to entry into port

14. (1) If the master declines to provide information requested in accordance with regulation 13 above, the Minister may deny the ship entry into port. In the event that entry into port is denied, the Minister on advice of the Port Security Committee shall, forthwith by the most expeditious means, ensure that the Flag State Administration is informed in writing (by facsimile or e:mail) specifying the reasons. The RSO, (if applicable) should also be notified.

(2) If the assessment of available information regarding a ship does not establish clear grounds for believing that the ship is not in compliance with these Regulations, the Superintendent of Marine may allow the ship to enter port

(3) If the assessment of available information regarding a ship shows that there are clear grounds to believe that the ship is not in compliance with these Regulations and the requirements of chapter XI-2 or part A of the ISPS Code, the Minister shall attempt to establish communication with the ship and the Flag State Administration and/or the RSO, in order to rectify the non-compliance.

(4) If the communication does not result in rectification of the apparent non-compliance, or if the Minister has clear grounds for believing the ship is non-compliant, the Minister may -

(a) allow the ship to enter port, knowing that the ship is apparently non-compliant;

- (b) inspect the ship before it enters port;  
and
- (c) deny the shipment entry into port.

15. (1) Companies owning ships that are registered in Solomon Islands or operating in Solomon Islands waters shall, in accordance with the requirements of these Regulations and following discussion with the Port Security Committee (PSC), conduct a Ship Security Assessment (SSA) and produce a Ship Security Plan (SSP), issued under the authority of Company Security Officer (CSO). Ship Security  
Plan

(2) The PSC shall review the Draft SSP and may approved its content prior to its circulation and shall approve all amendments prior to their being put into effect.

(3) The CSO may amend the Plan as necessary, subject to approval by the Ministry, in consultation with the PSC.

(4) The completed SSP shall be classified "Confidential" and, while Company staff and ship's crew will need to be apprised of particular aspects of the Plan, it shall be protected from unauthorised access or disclosure.

(5) No part of the SSP may be reproduced or transmitted, in any form or y any means, without the written consent of the CSO.

(6) The CSO may, at any time, review this Plan. In reviewing the Plan the CSO may have regard to:

(a) developments in relation to human and other resources used and procedures followed concerning ship security; and

(b) experience gained in relation to ship security by other ship operators.

(7) If the CSO is satisfied that:

(a) the approved Plan is no longer adequate for any one or more of the Plan purposes; or

(b) the effectiveness of the Plan for those purposes could be substantially improved, the CSO should prepare and submit to the Ministry for approval, proposals for any variation of the Plan considered necessary.

Shipping  
organisation  
and  
Responsibility

16. (1) The Company shall ensure compliance with the provisions of the SSP and for the implementation of complementary additional security measures as required by the Ministry.

(2) The Company shall initiate periodic internal audits or reviews of the SSP to ensure compliance with, and appropriateness of, existing security measures.

(3) The Company shall appoint a Company Security Officer (CSO), who, with the authority of management, shall administer the overall operations of the SSP on all the Company's ships.

(4) The Company shall appoint a Ship Security Officer (SSO) for each ship, who, with the authority of management, shall administer the day-to-day operations of the SSP on each of the Company's ships.

(5) The duties and responsibilities of the CSO shall include, but not be limited to -

(a) advising the level of threats likely to be encountered by the ship, using appropriate security assessments and other relevant information;

(b) ensuring that ship security assessments are carried out and regularly reviewed;

(c) ensuring the development, the submission for approval, and thereafter the implementation and maintenance of the Ship Security Plan;

(d) ensuring that the Ship Security Plan is amended, as appropriate, to correct perceived shortcomings and satisfy the security requirements of the individual ship;

(e) arranging for internal audits and reviews of security activities;

(f) ensuring that deficiencies and non-conformities identified during internal audits, periodic reviews, security inspections and verifications of compliance are promptly addressed and dealt with;

(g) enhancing security awareness and vigilance;

(h) ensuring adequate training for personnel responsible for the security of the ship;

(i) ensuring effective communication and cooperation between the Ship Security Officer and the relevant Port Facility Security Officers;

(j) ensuring consistency between security requirements and safety requirements;

(k) ensuring that, if sister-ship or fleet security plans are used, the plan for each ship reflects the ship-specific information accurately;

(l) ensuring that any alternative or equivalent arrangements approved for a particular ship or group of ships are implemented and maintained, and

(m) authorising the issue of copies of the Ship Security Plan and maintaining a record of all authorised holders

(6) The duties and responsibilities of the SSO shall include, but not be limited to -

(a) undertaking regular security inspections of the ship to ensure that appropriate security measures are maintained;

(b) maintaining and supervising the implementation of the Ship Security Plan, including any amendments to the Plan;

(c) coordinating the security aspects of the handling of cargo and ship's stores with other shipboard personnel and with the relevant Port Facility Security Officers;

(d) proposing modifications to the Ship Security Plan;

(e) reporting to the CSO any deficiencies and non conformities identified during internal audits, periodic reviews, Security inspections and verifications of compliance and implementing any corrective actions;

(f) enhancing security awareness and vigilance on board;

(g) ensuring adequate training has been provided to shipboard personnel with regard to their security roles and responsibilities and maintenance of training records;

(h) reporting all security incidents;

(i) coordinating implementation of the Ship Security Plan with the CSO and the relevant Port Facility Security Officer, and

(j) ensuring that security equipment is properly operated, tested, calibrated and maintained, if any.

(7) All employees and agents of the company, including crew, have a responsibility to ensure that the protective security arrangements covered by the Ship Security Plan are observed at all times. Any employee or agent becoming aware of a -

(a) breach or suspected breach of security arrangements;

(b) any deficiency in the Plan; or

(c) who observes activities of a suspicious nature; must report the matter immediately to the CSO or SSO as appropriate.

(8) Nothing in these Regulations removes from the master the overriding authority and responsibility to make decisions with respect to the safety and security of the ship and to request the assistance of the Company or of any government as may be necessary.

Contingency  
procedure  
ports

17. (1) In the event of an employee or agent of the Port Operator or Port Facility Operator becoming aware of a significant act of unlawful interference (e.g. one involving the use of weapons or force) or an unlawful threat (e.g. bomb or sabotage threat), that person shall report the incident/threat as soon as practicable to the PSO.

(2) Where the incident/threat directly impacts upon another organisation, or may impact upon one or other organisations, the PSO shall relay details of the incident/threat to the organisation(s) concerned as soon as possible.

(3) The assessing and classifying of all threats, such as bomb or sabotage threats, against any of the port's amenities rests with the Port Operator.

(4) Threats are to be classified as either "GENUINE", in which case appropriate response procedures are to be enacted, or "HOAX", in which case no further action (other than to report the Police and the Ministry) is necessary.

(5) Where the search of a building or facility (over which the Port Operator or Port Facility Operator has management control) is considered necessary, the threat shall be considered to remain genuine until the PSO advises that the threat has been reclassified as a hoax, or any suspicious object discovered during the search has been removed or declared safe.

(6) The PSO will report to the Police details of significant breaches of security or threats impacting upon the operations of the Port Operator or Port Facility Operator involving violence.

(7) The PSO is to report, at the earliest opportunity, all security related incidents as well as actual or suspected acts of terrorism impacting upon the operations of the Port Operator or Port Facility Operator such as -

- (a) discovery of weapons or prohibited items (such as explosive devices) within the Port or Port Facility;
- (b) unauthorised access to restricted areas;
- (c) unauthorised access to a ship
- (d) bomb or sabotage threats;
- (e) disruptive and/or abusive passengers or stevedores; and
- (f) incidents that have attracted media attention to the PSC and the Ministry.

(8) Contingency procedures shall be developed and maintained to provide for situations that could present a threat to the security of the Port or Port Facility.

(9) These procedures shall form part of the PSP or PFSP.

(10) Other types of emergencies that should be provided in the PSP or PFSP include -

- (a) bomb search routine;
- (b) evacuation procedures;
- (c) security equipment failure; and
- (d) action to be taken in respect of a major security incident at the port.

(11) Where it may not be possible to provide a full report within a reasonable time frame, due to the need to investigate certain aspect, a preliminary report shall be forwarded.

(12) The type of information that the PSO should include in any report to the Ministry is detailed at Appendix VI.

18. (1) In the event of any person becoming aware of a significant act of unlawful interference on board a ship at sea or in port (including the use of weapons or force) or an unlawful threat (including bomb or sabotage threat), that person shall report details on the incident/ threat as soon as practicable to the master/SSO/CSO. Contingency procedures ships

(2) Where the incident/threat directly impacts upon (or may impact upon) another organisation, the master/CSO shall relay details of the incident/ threat to the appropriate organisation as soon as practicable.

(3) The duty of assessing and classifying of all threats, such as bomb or sabotage threats, against the ship or other facilities rests with the Company.

(4) Threats are to be classified as either "GENUINE", in which case appropriate response procedures are to be enacted, or "HOAX", in which case no further action (other than to report the incident to the Police and the Ministry) is necessary.

(5) Where a search is considered necessary, the threat shall be considered to remain genuine until the master/CSO advises that the threat has been reclassified as a hoax, or any suspicious object discovered during the search has been removed or declared safe.

(6) The master/CSO (as appropriate) shall report to the Police details of significant breaches of security or threats impacting upon the operations of the ship involving violence.

(7) The master/CSO shall report, at the earliest opportunity, all incidents as well as actual or suspected acts of terrorism or other acts of unlawful interference that may affect the security of the ship, such as:

- (a) discovery of weapons or prohibited items (including explosive devices) aboard the ship;
- (b) unauthorised access to restricted areas;
- (c) unauthorised access to the ship;
- (d) bomb or sabotage threats;
- (e) disruptive and/or abusive passengers; and

(f) incidents that have attracted media attention to the Company, and the Ministry.

(8) Contingency procedures shall be developed and maintained to provide for situations that could present a threat to the security of the ship.

(9) These procedures shall form part of the SSP.

(10) Other types of emergencies that should be provided in the SSP include -

- (a) bomb search routine in port;
- (b) bomb search routine at sea;
- (c) repelling unsolicited boarders at sea;
- (d) evacuation of the vessel;
- (e) security equipment failure; and
- (f) security procedures while in dry-dock or extended maintenance.

(11) Where it may not be possible to provide a full report within a reasonable time frame, due for example to the need to investigate certain aspects, a preliminary report shall be forwarded.

(12) The type of information that the SSO should include in any report to the CSO is detailed at Appendix VII. Upon receipt of the report the CSO shall forward a copy to the Ministry, which may contain supplementary information.

19. (1) Responsibility for developing and maintaining the security awareness and training of the Ports Authority's employees and agents rests with the Ports Authority. Security training  
Ports

(2) The PSO shall ensure that relevant employees and agents of the Ports Authority are provided with a basic level of training, the object of which is to establish a rudimentary level of security awareness. The minimum level of training shall include the following -

- (a) port layout and organisations;
- (b) the role of the Ports Authority, the Ministry, Police and other government agencies;

- (c) basic port security procedures;
- (d) access control;
- (e) threat response; and
- (f) other training specific to their duties.

(3) The PSO shall ensure that employees and agents of the Ports Authority engaged in port security activities undertake more advanced training, which as a minimum shall include the following -

- (a) principles of protective maritime security;
- (b) legislation;
- (c) IMO standards;
- (d) Port Security Committee;
- (e) law enforcement interface;
- (f) passenger and baggage screening (where applicable);
- (g) bomb threat assessment; and
- (h) search and evacuation guidelines.

(4) The training modules offered shall be reviewed periodically, as shall the need for refresher training, with regard being given to developments in equipment used and procedures.

(5) The PSO shall ensure that records on the content, duration and dates of those training activities undertaken by employees and agents of the Ports Authority are retained for the previous five years.

(6) Port Facility Security Training is the responsibility of the Port Facility Operator. The Operator is responsible for developing and maintaining security awareness and training of the its employees and agents, and it shall follow as closely as possible the procedures required to be followed by the Ports Authority for the ports in sub regulation 1 - 5 above.

Security  
trainingships 20. (1) The company shall ensure that all crew members are provided with sufficient training to enable them to understand and carry out their security responsibilities.

(2) Training will consist of initial training in procedures and practices applicable to their position and, as appropriate, refresher training, which takes into account developments in relation to the equipment used and procedures followed relative to maritime security.

(3) The company shall ensure that records of the content, duration and dates of those training activities undertaken by crew members are retained for the previous five years.

(4) Crew members are to also be provided with current travel advice information prepared by the Ministry of Foreign Affairs for those foreign ports they are to operate to/from and the potential impact that any special port security procedures in place may have.

21. (1) The Police are responsible for responding to any act of terrorism or other act of unlawful interference to maritime operations. The Police retain responsibility for the resolution of any incident notwithstanding that other contingency procedures are activated. Role of the police

(2) The Police are responsible for providing preventative policing, which includes responding to reports of criminal activity or suspicious behaviour and, in consultation with the maritime sector, identifying issues of crime and disorder that are important to the Ministry, the Port Operator, Port Facility Operators, Shipping Companies and the wider community.

22. Notwithstanding specific powers and the responsibilities conferred upon any government Ministries or any other officers by any other legislation all bodies shall comply at all times with these regulations and in accordance with any Port Security Plan and Ship Security Plan and shall heed instructions by persons given authority by these Regulations in respect of security in the port and on board ship. The Role of government ministries and agencies

23. (1) Any person in breach these regulations, or any person not in compliance with the requirements of these regulations, commits an offence and shall be liable upon conviction to a fine not exceeding \$10,000. Offences and penalties

(2) Any person found to be in a restricted area who is not authorized to be in that area, commits an offence and shall be liable upon conviction to a fine not exceeding \$1,000 for the first offence and a fine to be calculated in increments of \$1,000 for each subsequent offence.

Form of the International Ship Security Certificate

SOLOMON ISLANDS

INTERNATIONAL SHIP SECURITY CERTIFICATE

(Official seal)

(State)

Certificate Number .....

Issued under the provisions of the

INTERNATIONAL CODE FOR THE SECURITY OF SHIPS  
AND OF PORT FACILITIES (ISPS CODE)

Under the authority of the Government of Solomon Islands  
by the Minister responsible for shipping

Name of ship: .....

Distinctive number or letters: .....

Port of registry: .....

Type of ship: .....

Gross tonnage: .....

IMO Number: .....

Name and address of the Company: .....

THIS IS TO CERTIFY:

1 That the security system and any associated security equipment of the ship has been verified in accordance with section 19.1 of part A of the ISPS Code;

2 That the verification showed that the security system and any associated security equipment of the ship is in all respects satisfactory and that the ship complies with the applicable requirements of chapter XI-2 of the Convention and part A of the ISPS Code;

3. That the ship is provided with an approved Ship Security Plan.

Date of initial/renewal verification on which this certificate is based .....

This Certificate is valid until ..... subject to verifications in accordance with section 19.1.1 of part A of the ISPS Code.

Issued at Honiara by the Minister \_\_\_\_\_ (signature)

Issued on the ..... day of ..... 20..... \_\_\_\_\_ (Seal or Stamp)

**ENDORSEMENT FOR INTERMEDIATE VERIFICATION**

THIS IS TO CERTIFY that at an intermediate verification required by section 19.1.1 of part A of the ISPS Code the ship was found to comply with the relevant provisions of chapter XI-2 of the Convention and part A of the ISPS Code.

Intermediate verification -

Signed .....  
(Signature of Minister responsible for Shipping)

At Honiara on the ..... day of ..... 20.....

(Seal or Stamp of the authority, as appropriate)

**ENDORSEMENT FOR ADDITIONAL VERIFICATIONS\***

Additional verification -

Signed .....  
(Signature of Minister)

At Honiara on the ..... day of ..... 20 .....

(Seal or Stamp of the authority, as appropriate)

Additional verification -

Signed .....  
(Signature of Minister)

At Honiara on the ..... day of ..... 20 .....

(Seal or Stamp of the authority, as appropriate)

Additional verification -

Signed .....  
(Signature of Minister)

At Honiara on the ..... day of ..... 20 .....

(Seal or Stamp of the authority, as appropriate)

\* This part of the certificate shall be adapted by the Maritime Administration to indicate whether it has established additional verifications as provided for in section 19.1.1.4.

**ADDITIONAL VERIFICATION IN ACCORDANCE  
WITH SECTION A/19.3.7.2 OF THE ISPS CODE**

THIS IS TO CERTIFY that at an additional verification required by section 19.3.7.2 of part A of the ISPS Code the ship was found to comply with the relevant provisions of chapter XI-2 of the Convention and part A of the ISPS Code.

Additional verification -

Signed .....  
(Signature of Minister)

At Honiara on the ..... day of ..... 20.....

(Seal or Stamp of the authority, as appropriate)

**ENDORSEMENT TO EXTEND THE CERTIFICATE IF VALID FOR LESS  
THAN 5 YEARS WHERE SECTION A/19.3.3 OF THE ISPS CODE APPLIES**

The ship complies with the relevant provisions of part A of the ISPS Code, and the Certificate shall, in accordance with section 19.3.3 of part A of the ISPS Code, be accepted as valid until the ..... day of ..... 20 .....

Signed .....  
(Signature of Minister)

At Honiara on the ..... day of ..... 20 .....

(Seal or Stamp of the authority, as appropriate)

**ENDORSEMENT WHERE THE RENEWAL VERIFICATION HAS BEEN  
COMPLETED AND SECTION A/19.3.4 OF THE ISPS CODE APPLIES**

The ship complies with the relevant provisions of part A of the ISPS Code, and the Certificate shall, in accordance with section 19.3.4. of part A of the ISPS Code, be accepted as valid until the ..... day of ..... 20.....

Signed .....  
(Signature of Minister)

At Honiara on the ..... day of ..... 20.....

*(Seal or Stamp of the authority, as  
appropriate)*

**ENDORSEMENT TO EXTEND THE VALIDITY OF THE CERTIFICATE UNTIL REACHING THE PORT OF VERIFICATION WHERE SECTION A/19.3.5 OF THE ISPS CODE APPLIES OR FOR A PERIOD OF GRACE WHERE SECTION A/19.3.6 OF THE ISPS CODE APPLIES**

This Certificate shall, in accordance with section 19.3.5 / 19.3.6\* of part A of the ISPS Code, be accepted as valid until the ..... day of ..... 20.....

Signed .....  
(Signature of Minister)

At Honiara on the ..... day of ..... 20.....

*(Seal or Stamp of the authority, as appropriate)*

**ENDORSEMENT FOR ADVANCEMENT OF EXPIRY DATE WHERE SECTION A/19.3.7.1 OF THE ISPS CODE APPLIES**

In accordance with section 19.3.7.1 of part A of the ISPS Code, the new expiry date\*\* is the ..... day of ..... 20.....

Signed .....  
(Signature of Minister)

At Honiara on the ..... day of ..... 20.....

*(Seal or Stamp of the authority, as appropriate)*

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\* Delete as appropriate

\*\* In case of completion of this part of the certificate the expiry date shown on the front of the certificate shall also be amended accordingly.

Form of the Interim International Ship Security Certificate

SOLOMON ISLANDS

INTERIM INTERNATIONAL SHIP SECURITY CERTIFICATE

(Official seal) (State)

Certificate No .....  
Issued under the provisions of the

INTERNATIONAL CODE FOR THE SECURITY OF SHIPS  
AND OF PORT FACILITIES (ISPS CODE)

Under the authority of the Government of Solomon Islands  
by the Minister responsible for shipping

Name of ship: .....  
Distinctive number or letters: .....  
Port of registry: .....  
Type of ship: .....  
Gross tonnage: .....  
IMO Number: .....  
Name and address of the Company: .....

Is this a subsequent, consecutive interim certificate? Yes/No\*  
If Yes, date of issue of initial interim certificate .....

THIS IS TO CERTIFY THAT the requirements of section A/19.4.2 of the ISPS Code  
have been complied with.

This Certificate is issued pursuant to section A/19.4 of the ISPS Code.

Date of initial/renewal verification on which this certificate is based .....

This Certificate is valid until .....  
subject to verifications in accordance with section 19.1.1 of part A of the ISPS Code.

Issued at Honiara by the Minister responsible for

Shipping \_\_\_\_\_ (signature)

Issued on the ..... day of ..... 20..... (Seal or Stamp)

\*Delete as appropriate

Form of the International Ship Security Certificate

SOLOMON ISLANDS

STATEMENT OF COMPLIANCE OF A PORT OR PORT FACILITY

(Official seal)

(State)

Certificate Number .....

Issued under the provisions of the

INTERNATIONAL CODE FOR THE SECURITY OF SHIPS AND OF PORT FACILITIES (ISPS CODE)

Under the authority of the Government of Solomon Islands by the Minister responsible for shipping

Name of Facility: .....

Address: .....

Telephone: ..... Fax: .....

..... Chief Executive Officer E:mail .....

Port Facility Security Officer and Contact Details

..... Harbour Master E:mail .....

Telephone: ..... Fax: ..... Mobile .....

THIS IS TO CERTIFY THAT the requirements of the provisions of SOLAS Chapter XI-2 and part A of the ISPS Code have been complied with.

Date of initial/renewal verification on which this certificate is based .....

This Certificate is valid until .....

Issued at Honiara by the Minister responsible for Shipping  
..... (signature)

Issued on the ..... day of ..... 20..... (Seal or Stamp)

## GUIDELINES FOR THE DEVELOPMENT OF PORT AND PORT FACILITY SECURITY PLANS

The following is for the guidance of Port Owners and Port Operators to whom these Regulations apply.

### Facility Access Control Measures

1. (1) Peripheral protection of the Restricted Area is provided by intrusion protection and detection equipment. It is normally achieved by installing security barriers (fencing), which can be complemented by installing peripheral or close intrusion detection equipment and/or intrusion display equipment. Openings in security barriers should be kept to a minimum and secured when not in use. Security barriers should accomplish the following:

- (a) define the area to be protected;
- (b) create a physical and psychological deterrent to persons attempting or contemplating unauthorised entry;
- (c) delay intrusion, enabling operating personnel and security guards to detect and apprehend intruders; and
- (d) provide designated and readily identifiable place for entry of personnel and vehicles into areas where access is controlled.

(2) Where feasible, buildings and other suitable permanent obstacles should be used as part of the physical barrier, provided that access through the buildings used is controlled. If buildings are used as part of the security barrier, they should be inspected to ensure that windows, roofs, ventilation openings, etc, do not provide for unauthorised access, with consideration being given to the fitting of bars, grills or screens.

### Access Control Measures - Staff

2. Only those employees/agents who have a legitimate need to access the Port Operator's Restricted Area shall enter the area. Other staff members will need to justify a need for access to the PFSO.

### Access Control Measures - Service Providers & Visitors

3. (1) Where a service provider, such as a maintenance contractor or a ship's provider, requires access to a Restricted Area their need to access the area shall be verified with the requesting organisation.

(2) Where that need can be established, the person(s) may be authorised to enter the Restricted Area. However, where the need cannot be established the person is to be denied entry and the matter brought to the attention of the PFSO, who in turn may consider it appropriate to inform the Police.

(3) Visitors with a legitimate requirement for access to a Restricted Area shall remain under supervision by their sponsor at all times during the visit.

(4) The identity of each non-employee/non-agent provided access to the Restricted Area is to be recorded, for each visit, in a visitor's register. The minimum detail to be recorded shall comprise their name, organisation represented, arrival time, departure time, who sponsored their visit. The register is to also show the signature of the person authorising their access to the Restricted Area.

(5) Records of those persons authorised to access the Restricted Area will be retained by the PFSO for a period of twelve months.

#### Access Control Systems

4. (1) Where access points into the Restricted Area are key-controlled, a restricted key system is to be used.

(2) Keys will only be issued by the PFSO to authorised persons (e.g. staff and regular contractors) who have a valid reason to access to the Restricted Area in the course of their duties.

(3) A key register will be maintained detailing to whom specific keys have been issued as well as the date of issue and return (where appropriate). Recipients are to sign the register for each key issued.

(4) Change of coding should be considered where control of any key is lost. Coding must be changed when 5% or more of the keys to any particular lock cannot be accounted for.

(5) Where an electronic access control system is fitted access rights will only be provided by the PFSO to authorised persons who have a valid reason to access the Restricted Area in the course of their duties.

(6) A register of those with access rights will be maintained detailing to whom specific rights have been provided as well as the date granted, date withdrawn (where appropriate), the areas into which the holder has access and any prohibitions that may apply (e.g. access limited to certain hours).

(7) The PFSO shall audit bi-annually the manual and electronic systems registers and ensure that any deficiencies are rectified within one month of the audit.

(8) Keys and access cards, or changes to access cards, will only be effected where the applicant has requested the issue/change in writing and the request is approved by their supervisor/manager.

#### Electronic Surveillance

5. Enhanced surveillance over specific facilities/installations or specific areas may be determined essential to guard against a perceived threat and could involve the use of the following types of equipment: CCTV or intruder detection systems.

#### APPENDIX V

### **GUIDELINES FOR THE DEVELOPMENT OF SHIP SECURITY PLANS**

The following is for the guidance of ship owners and operators of ships to whom these Regulations apply.

#### Restricted Areas

1. (1) Ship Security Plans shall show the following:
  - (a) the location of restricted areas (e.g bridge, engine room, steering gear compartments, officers' cabins and crew accommodation);
  - (b) the location and function of actual or potential access points (e.g. ladders, gangways, scuttles, mooring lines and cranes); and
  - (c) spaces with security and surveillance equipment, cargo spaces, spaces containing ship's stores or hazardous substances.
- (2) A sign advising those areas that are restricted to authorised personnel shall be prominently displayed on those doors providing initial access to each restricted area. These signs will be maintained in good condition and be clearly legible.

#### Access Control

2. (1) It is Company policy that all entrances to the ship are closed unless the master decides there are operational reasons to have one or more of these open. All open access points must be protected to the same standard.
- (2) The master should consider all operational and potential security impacts when deciding how many gangways are rigged at each port. This decision should consider the Security Level and allocation of crew for security surveillance activities.

(3) While in port no shell door will be opened under any circumstances without the express permission of the Officer on Watch. At sea, no shell door will be opened without permission of the master. Where a shell door is to remain open a member of crew shall be placed on guard duty to prohibit unauthorised entry.

(4) All doors allowing access to restricted areas shall be secured (where practicable), controlled and regularly inspected. The intention is to establish secure areas that unauthorised persons will find difficult to penetrate while being cognisant of other requirements, such as the need to provide for emergency egress.

(5) Where an access point is via a gangway, ramp or ladder and is used at night, the area surrounding that access point shall be adequately illuminated.

(6) All persons, other than crew, proposing to board the ship will need to have a justifiable reason to access the ship prior to entry being authorised.

(7) Crew members shall challenge all persons, other than authorised crew, in a restricted area should the person not be displaying an appropriate form of company identification or the person is not under escort by another member of the crew.

(8) The identity of those persons authorised the access a restricted area shall be recorded, for each visit, in a visitor's register. The minimum detail to be recorded shall comprise their name, organisation represented, and arrival time, departure time, who sponsored their visit. The register is to also show the signature of the person authorising their access to the restricted area.

(9) Records of those persons authorised to access the restricted area will be retained by the SSO for a period of twelve months.

(10) Visitors, other than service providers such as an accredited maintenance contractor or ship's provider, with a legitimate requirement to access a restricted area shall remain under supervision of the SSO, or someone nominated by the SSO, while within a restricted area.

#### Access Control Systems

3. (1) Where access points into the restricted area are key-controlled a restricted key system is to be used.

(2) Keys will only be issued, by the SSO, to crew members who have a valid reason to access to the restricted area in the course of their duties.

(3) A key register will be maintained detailing to whom specific keys have been issued as well as the date of issue and date of return (where appropriate). Recipients are to sign the register for each key issued.

(4) Where an electronic access control system is fitted access rights will only be provided, by the SSO, to crew members who have a valid reason to access the restricted area in the course of their duties.

(5) A register of those with access rights will be maintained detailing to whom specific rights have been provided as well as the date granted, date withdrawn (where appropriate), the areas into which the holder has access and any prohibitions that may apply (e.g. access limited to certain hours).

(6) The SSO shall audit bi-annually the manual and electronic systems registers and ensure that any deficiencies are rectified within an agreed timeframe, which shall be as soon as practicable.

(7) Keys and access cards, or changes to access cards, will only be effected where the applicant has requested the issue/change in writing and the request is approved by their supervisor/manager.

#### Restricted Area Breach

4. (1) In the event of a detected breach of security in a restricted area, the SSO will arrange for the incident to be investigated and a sweep of the affected area will be conducted. The purpose of the sweep will be to determine the method of unauthorised access, check for evidence of tampering to commodities, etc and locate any suspicious objects prior to the recommencement of operations in the area.

(2) In each case those security measures and procedures breached will be reevaluated with the view to remedying any inherent or perceived weaknesses.

#### Screening of Passengers & their Baggage

5. (1) On each occasion that a prospective passenger presents for boarding, the company will ensure that:

- (a) the passenger has valid travel documentation;
- (b) baggage is only accepted from ticketed passengers;
- (c) baggage is only accepted at a designated check-in point;
- (d) a tag displaying the relevant passenger is securely attached to each item of baggage accepted for carriage; and
- (e) prior to the baggage being loaded, baggage accepted for carriage will not be accessible by a person other than a person authorised by the port facility operator or company, the owner of the item (once they have been screened), and those involved in loading the item aboard the ship.

(2) The company will ensure that all passengers and their possessions are, prior to their entering any sterile area used for departing passengers, subject to screening procedures by an approved screener unless specifically exempted pursuant to the Ministry's maritime security regulations.

(3) The company will ensure that the sterile area into which the screened passengers pass is an area properly secured against unauthorised entry and exit.

(4) Where there is no sterile area the company will ensure that all passengers and their possessions are, prior to their being provided access to the ship, subject to screening procedures by an approved screener, unless specifically exempted pursuant to the Ministry's maritime security regulations.

(5) The company will ensure that passengers, or intending passengers, of the ship who have been screened do not make physical contact with persons, vehicles or goods that have not been screened or cleared for purposes of maritime security, unless the persons, vehicles or goods are specifically exempted pursuant to the Ministry's maritime security regulations.

(6) When a weapon or other disallowed item is detected during the screening process it must be surrendered if the passenger wishes to travel. Surrendered weapons or disallowed items may be carried aboard the ship in a secure manner and returned to the passenger at his or her destination point.

(7) An approved screener must not screen a passenger, other than by a physical search, should the passenger elect to be screened by means of a physical search.

(8) The tag attached to unaccompanied baggage is to be checked prior to the baggage being loaded aboard the ship. Any unaccompanied baggage that is not tagged shall not be loaded until the legitimacy of the baggage can be verified by the SSO.

(9) strict control shall be exercised over tags used to identify authorised baggage to limit the likelihood of rogue bags being introduced into the baggage stream.

(10) When in an overseas port, prior to allowing any passengers and their baggage aboard, the SSO/CSO will need to be satisfied that security measures, in relation to the handling of passengers and their baggage, are consistent with the ISPS Code.

#### Screening of Ship's Crew & Visitors

7. (1) All crew, guests of crew and service providers (e.g. maintenance contractors and providers), and goods in their possession will be screened should they board the ship via an active passenger screening point, unless specifically exempted pursuant to the Ministry's maritime security regulations.

(2) Crew, guests of crew and service providers who enter the ship via an alternate means, separate from the sterile area, need not be subject to screening.

Crew Baggage

8. (1) Until baggage is checked in or taken aboard the ship, crew members are at all times responsible for the security integrity of their baggage.

(2) Where crew baggage is consolidated prior to check-in or being stowed aboard the ship, the baggage is to be kept under constant surveillance by a crew member or other authorised person.

Cargo Handling

9. (1) Cargo accepted for export (from Solomon Islands) shall be in accordance with Solomon Islands Division of Customs requirements. This recognises that all goods for export come under Customs control and also recognises the established preventive security measures, both physical and procedural, that Solomon Islands Division of Customs has in place with regard to those goods.

(2) Prior to loading packaged and containerised export or domestic cargo the cargo is to undergo a cursory inspection to ensure that there are no obvious signs of tampering.

(3) Any obvious signs of tampering or damage must be referred to the SSO and the cargo handler. If a satisfactory explanation cannot be established the cargo shall not to be accepted. Should there be a satisfactory reason for the loss of integrity then the damage shall be made good before acceptance.

(4) The SSO shall contact the Police or the Solomon Islands Division of Customs in suspicious circumstances.

(5) For both export and domestic cargo, where a cargo handler (e.g. stevedore who is challenged by a crew member is unable to produce appropriate identification then the goods shall not be accepted.

(6) When the ship is in an overseas port, prior to accepting goods the SSO/CSO will need to be satisfied that security measures, in relation to the handling of cargo, are consistent with the ISPS Code.

Ship's Stores

10. (1) All stores are to be individually accepted by a member of the ship's crew, with evidence that they were ordered made available prior to their being loaded aboard the ship.

(2) Prior to acceptance, the goods are to undergo a cursory inspection by crew to ensure that there are no obvious signs of tampering.

(3) Any signs of obvious tampering or damage must be referred to the SSO and the port facility operator/transporter. If a satisfactory explanation cannot be established the goods are not to be accepted. Should there be a

satisfactory reason for the loss of integrity then the damage shall be made good before acceptance.

(4) For passenger ships, and where X-ray equipment is in use, the stores should (where possible) be "broken down" and screened via the use of X-ray equipment, which is to be operated by an approved screener.

(5) For passenger ships, where X-ray equipment is not available, or the item is too large to fit through the frame of the X-ray equipment, those stores are to be subject to a detailed physical search by approved screeners.

(6) In a limited number of cases those screening the stores may be satisfied that the goods do not contain a weapon or disallowed item, based on other considerations, such as the surrounding circumstances of the arrival of the goods at the ship. For example, the goods are transported within a pre-existing and secure scheme known to the screener.

**THREAT/INCIDENT REPORT  
PORT OR PORT FACILITY**

**General information**

Name of Port/Facility: .....

Person providing Report: .....

Date: ..... Time: ..... Location: .....

**Type of occurrence** (e.g. bomb/sabotage threat, unauthorised entry, suspect device, extortion, etc)

**Description of threat/incident**

.....  
.....  
.....  
.....  
.....  
.....  
.....

**Alleged offender(s)**

Name: ..... Nationality: .....

Name: ..... Nationality: .....

Name: ..... Nationality: .....

Name: ..... Nationality: .....

**Nature and severity of any injuries sustained by others**

Name: \_\_\_\_\_ link to port \_\_\_\_\_ Injury \_\_\_\_\_

Name: \_\_\_\_\_ link to port \_\_\_\_\_ Injury \_\_\_\_\_

Name: \_\_\_\_\_ link to port \_\_\_\_\_ Injury \_\_\_\_\_

Name: ..... link to port \_\_\_\_\_ Injury \_\_\_\_\_

**Circumstances surrounding device(s) used**

Type of Device(s): .....  
.....  
Method of introduction (e.g. passenger, baggage, cargo, stores, etc): .....  
.....  
Security measures circumvented: .....  
.....

**Proposed measures and procedures to prevent recurrence of a similar event?**

.....  
.....

**Other pertinent details**

.....  
.....  
.....  
.....  
.....  
.....  
.....  
.....

**Reporting Officer**

Signature: ..... Name (printed): .....  
Designation: ..... Date: .....

*Upon receipt of this report the PSO shall forward a copy to the Ministry.*

THREAT/INCIDENT REPORT

SHIP

General information

Name of Ship: .....
Person providing Report: .....
Date: ..... Time: ..... Location: .....
Type of occurrence (e.g. bomb/sabotage threat, unauthorised entry, passenger incident, suspect device, etc) .....

Description of threat/incident

.....
.....
.....
.....
.....
.....
.....

Alleged offender(s)

No. Passengers: ..... No. Crew: ..... Other: .....
Name: ..... Nationality: ..... Embarked: .....
Name: ..... Nationality ..... Embarked: .....
Name: ..... Nationality ..... Embarked: .....

Nature and severity of any injuries sustained by passengers, crew or others

Name: ..... Crew/Pass/Other: ..... Injury: .....
Name: ..... Crew/Pass/Other: ..... Injury: .....
Name: ..... Crew/Pass/Other: ..... Injury: .....
Name: ..... Crew/Pass/Other: ..... Injury: .....

**Circumstances surrounding device(s) used**

Type of Device(s): .....  
.....  
Method of introduction (e.g. passenger, baggage, cargo, store, etc): .....  
: .....  
.....  
Security measures circumvented: .....  
.....  
.....

**Proposed measures and procedures to prevent recurrence of a similar event?**

.....  
.....  
.....

**Other pertinent details**

.....  
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.....  
.....  
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.....  
.....

**Reporting Officer**

Signature: ..... Name (printer): .....  
Designation: ..... Date: .....

*Upon receipt of this report the CSO shall forward a copy to the Ministry.*

Form of a Declaration of Security between a ship and a port facility\*

**DECLARATION OF SECURITY**

Name of Ship:	
Port of Registry:	
IMO Number:	
Name of Port Facility:	

This Declaration of Security is valid from ..... until ....., for the following activities

..... (list the activities with relevant details)

under the following security levels

Security level(s) for the ship:	
Security level(s) for the port facility:	

The port facility and ship agree to the following security measures and responsibilities to ensure compliance with the requirements of Part A of the International Code for the Security of Ships and of Port Facilities.

The affixing of the initials of the SSO or PFSO under these columns indicates that the activity will be done, in accordance with relevant approved plan, by:

Activity	The port facility	The ship
Ensuring the performance of all security duties		
Monitoring restricted areas to ensure that only authorized personnel have access		
Controlling access to the port facility		
Controlling access to the ship		
Monitoring of the port facility, including berthing areas and areas surrounding the ship		
Monitoring of the ship, including berthing areas and areas surrounding the ship		
Handling of cargo		
Delivery of ship's stores		

\* This form of Declaration of Security is for use between a ship and a port facility. If the Declaration of Security is to cover two ships this model should be appropriately modified.

Dated at Honiara this eighteenth day of December 2006

STANLEY FESTUS SOFU  
Minister for Infrastructure and Development

Honiara, Solomon Islands  
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Solomon Islands Government  
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**SUPPLEMENT** to the Solomon Islands Gazette

21st December 2006

S.I. No. 52

[Legal Notice 146]

**TOWN AND COUNTRY PLANNING ACT  
(Cap. 154)****APPROVAL OF CHINATOWN REDEVELOPMENT PLAN AS AN AMEND-  
MENT TO A LOCAL PLANNING SCHEME**

In exercise of the powers conferred by Section 11 of the Town and Country Planning Act, and in accordance with the advice of the Honiara Town and Country Planning Board and Honiara City Council, I, Hon. Rev. LESLIE BOSETO, Minister of Lands, Housing and Survey, do hereby approve the Chinatown Development Plan in accordance with the recommendation of the Honiara Town and Country Planning Board as an amendment to the approved Local Planning Scheme for Honiara, Plan 1676A. This Plan, deposited at the offices of Honiara City Council, shall be the approved Local Planning Scheme for Chinatown until such time as Plan 1676A is further amended or replaced.

This approval shall apply from the date hereof

Dated at Honiara this twelfth day of December 2006

**REV. LESLIE BOSETO**  
Minister for Lands, Housing and Survey

Honiara, Solomon Islands  
Printed under the authority of the  
Solomon Islands Government  

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**SUPPLEMENT** to the Solomon Islands Gazette

22nd December 2006

S.I. No. 53

[Legal Notice 147]

**IMMIGRATION ACT  
(Cap. 60)**

**DECLARATION OF UNDESIRABLE IMMIGRANT**

IN exercise of the powers conferred by Section 11(2)(f) of the Immigration Act [Cap. 60]  
the Minister for Foreign Affairs, Trade and Immigration hereby declares:

**SHANE CASTLES**

to be an undesirable immigrant and is hereby prohibited from entering Solomon Islands

Dated this twenty second day of December, 2006

**HONOURABLE PATTERSON OTI MP**  
Minister of Foreign Affairs, Trade and Immigration

Honiara, Solomon Islands  
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Solomon Islands Government  

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