

SUPPLEMENT to the Solomon Islands GazetteWednesday 1st April, 2015

S.I. No.21

[Legal Notice No. 25]

**CUSTOMS AND EXCISE ACT
(Cap. 121)****CUSTOMS AND EXCISE (EXPORT DUTY RATES FOR ROUND
LOGS) (AMENDMENT) (No. 3) ORDER 2015**

IN exercise of the powers conferred upon me by section 7 of the Customs and Excise Act, I hereby make the following Order:

1. This Order may be cited as the Customs and Excise (Export Duty Rates for Round Logs) (Amendment) Order 2015 and commences on the 1st day of April 2015 and expires on the 30th day of June 2015.
2. This Order does not have the effect of allowing the export of species which are prohibited for export as round logs under the Forest Resources and Timber Utilization Act (Cap.40) or any other Act.
3. The export duty payable on the export of round logs shall be calculated and determined according to the Schedule to this Order.
4. The First Schedule to the Customs and Excise Act (Cap.121), under the Schedule entitled **"EXPORT CLASSIFICATION AND TARIFF"** with 44.03 as the item number of commodity, is amended by replacing the rates of Legal Notice No.20 of 2015 with the rates in the Schedule to this Order.

SCHEDULE

Rates payable in US\$ per m³

No.	Species	Regular Grade (USD/M ³)	Small Grade (USD/M ³)	Super Small Grade (USD/M ³)	Low Grade (USD/M ³)
1	Palaquim (Pencil Cedar)	38	34	33	27
2	Calophyllum	39	35	34	27
3	Pometia (Tuan Akwa)	39	35	34	27
4	Planchonella	38	34	33	27
5	Schizomeria (Beabea)	34	31	30	26
6	Dillenia	31	28	27	25
7	Gonostylus (Ramin)	33	31	28	25
8	Terminalia brassii	32	30	27	24
9	Terminalia (Except T. brassii)	28	26	25	23
10	Terminalia Calamansanai	28	26	25	23
11	Canarium (Gnali)	30	27	26	25
12	Burkella	30	27	25	25
13	Celtis	28	26	25	23
14	Alstonia (Milkypine)	28	26	25	23
15	Dysoxylum	28	26	26	23
16	Eugenia (Water gum)	30	27	25	25
17	Endosepermum	28	26	25	23
18	Mixed Red	28	26	25	23
19	Amoora	28	26	25	23
20	Camptosperma	30	27	26	25
21	Maranthes	26	25	23	20
22	Mixed White	26	25	23	20
23	Parinari	26	25	23	20
24	Other*	39	35	34	27

*The rates for these species are as stated under item 24 of the above table or 25% of the FOB value (whichever is higher).

DATED AT HONIARA this first day of April, 2015.

HON. SNYDER RINI, MP
Minister for Finance and Treasury

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

Printed by Pacific Printers Limited.

SUPPLEMENT to the Solomon Islands GazetteThursday 2nd April, 2015

S.I. No.22

[Legal Notice No. 26]

AGREEMENT ON APPOINTMENT OF GOVERNMENT PRINTER**Between**

The Secretary to Cabinet, Office of the Prime Minister and Cabinet, P.O. Box G1, Honiara on behalf of the Solomon Islands Government (hereinafter referred to as the 'SIG').

And

The General Manager on behalf of the Pacific Printers Limited, P.O. Box 34, Honiara (hereinafter referred to as the 'Printer').

WHEREAS there is no Government Printer following the liquidation of the Solomon Islands Government Printery in 2011;

AND WHEREAS the SIG realizes that it is crucially important that, a Government Printer must be formally appointed to comply with the abovementioned provision to undertake printing of Bills for Parliament, Acts of Parliament and any documents of the Government including Gazettes:

AND WHEREAS the Cabinet of the Solomon Islands Government met on 17th March 2015 and has decided to formally appoint Pacific Printers Limited to be the Government Printer from 1st January 2015 to 31st December 2016.

NOW THEREFORE THE TWO PARTIES HAVE AGREED AS FOLLOWS:**Article I – Purpose and Scope:**

That Pacific Printers Limited is the appointed Government Printer on behalf of the Solomon Islands Government to undertake the printing of any Bill, Acts, Gazettes or any document of the Government as and when instructed to do so by an authorized officer of the Solomon Islands Government.

Article II – Authorized Officer

An “Authorized Officer” is the Secretary to Cabinet, Permanent Secretary of a Government Ministry or any authorized officer on behalf of the Secretary to Cabinet or the Permanent Secretary of a Government Ministry.

Article III – Roles and Responsibilities of the SIG:

- [a] the SIG shall be responsible to issue instructions by its authorized officer to the Printer to do printing of any Bills, Acts, Gazettes or any document for the Government.
- [b] the SIG through its authorized officer shall be responsible to deliver to the Printer’s Premises at Ranadi, East Honiara copy of the formatted Bills, Acts, Gazettes or documents for printing.
- [c] the SIG shall be responsible to collect from the Printer’s Premises copies of the Bills, Acts, Gazettes or any documents for the Government that the Printer has been instructed to do printing on.

Article IV – Roles and Responsibilities of the Printer:

- [a] The Printer shall proceed to do printing of the Bills, Act, Gazettes or any document for the Government immediately upon receiving instructions from the authorized Officer of the SIG to meet the required deadline.
- [b] The Printer shall not in any way distribute, **make available unauthorized copies**, sell or supply copies of the Bills, Acts, Gazettes or the documents of the Government to the Public or to any unauthorized persons unless being granted due permission or approval from the authorized officer.
- [c] The Printer upon completion of a printing assignment shall make available all copies of the Bills, Acts, Gazettes or any documents of the Government for collection by the authorized Officer.
- [d] Upon approval of the Secretary to Cabinet or any officer authorized by the Secretary to Cabinet, the Printer may print copies of Government documents, Bills, Acts or Gazettes for sale to any person or member of the Public upon their request at reasonable price to cover costs of printing. Such approval shall be granted in writing to the Printer.

Article V – Issues of Mutual Understanding**[a] Duration**

The Printer shall continue to do printing for the SIG up to the 31st of December 2016 where the SIG through its authorized officer shall advise the Printer that its appointment as the Government Printer has lapsed.

[b] Printing Costs

Any costs related to the printing of any Bills, Acts, Gazettes or Government documents shall be paid for by the instructing Government Ministry.

[c] Invoice for Payment

A copy of the invoice for payment to the instructing Government Ministry must be furnished to the Deputy Secretary to Cabinet [Administration] so that the Deputy Secretary to Cabinet [Administration] can pursue such instructing Ministry to settle their printing costs.

[d] Discard, destroy and dispose of copies [hard/electronic] and formats of Bills, Acts, Gazettes or any Government documents.

The Printer upon the expiry of its appointments as the Government Printer will be advised by the authorized officer of the SIG to discard, destroy and dispose of all hard copies, electronic copies or formats of the Bills, Acts, Gazettes or any documents of the Government which it has under its possession and shall not use the said documents for sale, distributions or for any other purposes after it is instructed of it ceasing to be the Government Printer.

Article VI – Review of this Memorandum of Understanding

This Memorandum of Understanding may be reviewed at the request of either of the Parties hereto:

As witnessed hereof the Parties have hereunder set their hands and seal this day and year hereunder stated.

.....
Signed by Mr. James Remobatu
Secretary to Cabinet
On behalf of the Solomon Islands Government

.....
Signed by Mr. Nathaniel Hebala
General Manager
On behalf of the Pacific Printers Limited

.....
Mr. Chris Hunupauro
Deputy Secretary to Cabinet
Witness to this AGREEMENT

.....
Mrs Aruana Ifunaoa
Chief Policy Officer/OPMC
Witness to this AGREEMENT

Dated at Honiara this thirty-first day of March, 2015.

SUPPLEMENT to the Solomon Islands Gazette

Thursday 2nd April, 2015

S.I. No.23

[Legal Notice No. 27]

CONSTITUTION OF SOLOMON ISLANDS
(Schedule to LN 43 of 1973)**MEMBERS OF PARLIAMENT (ENTITLEMENTS) COMMISSION**
(AMENDMENT) REGULATIONS 2015

IN exercise of the powers conferred upon it by section 69B and 137 (1) of the Constitution, the Members of Parliament (Entitlements) Commission makes the following Regulations –

Citation and Commencement

1. These Regulations may be cited as the Members of Parliament (Entitlements) Commission (Amendment) Regulations 2015 and shall commence on the 1st day of April 2015.

Regulation 4 amended

2. Regulation 4 of the principal Regulation is hereby amended –
 - (a) by deleting the words “Chairman of Parliamentary Caucus” wherever it appears and substituting the words “Chairman of Government Caucus”
 - (b) by inserting the words “dependent children” includes children who are unmarried and wholly dependent and for whom the Member of Parliament has legal responsibility.
 - (c) by inserting the words “Parliament meetings” means the whole duration of sitting of Parliament including weekends and public holiday.

Regulation 7(1) amended

3. Regulation 7(1) of the principal Regulation is hereby amended by deleting the words – “from the date the member is declared under section 55” and substituting with the words “upon the date of election under section 33 of the National Parliament Electoral Provisions Act.”

Regulation 9(2) amended

4. Regulation 9(2) of the principal Regulation is hereby amended by deleting the term – “Appendix A5” and substituting “Appendix A7.”

Regulation 9(3)(b)(i) amended

5. Regulation 9(3)(b)(i) of the principal Regulation is hereby amended –
 - (a) by deleting the words “three hundred thousand” and substituting with “five hundred thousand”
 - (b) by adding the words “as set out in Appendix A(11)” after the word Parliament.

Regulation 10(4) amended

6. Regulation 10 (4) of the principal Regulation is hereby amended –
 - (a) by repealing regulation 10 (4), and
 - (b) by inserting a new Regulation 10(4) –

Regulation 10 (4)

“10 (4) A member shall be entitled to \$200 a day meal allowance inclusive for weekends and public holidays when attending Parliament meeting.”

Regulation 10(5) amended

7. Regulation 10(5) of the principal Regulation is hereby amended —
8. deleting and substituted by inserting these words “A member (other than a Minister) shall be entitled to \$300 a day local subsistence allowance inclusive for weekends and public holidays when attending a Parliament meeting.”

Regulation 11A (4) amended

9. Regulation 11A (4) of the principal Regulation is amended and renumbered as a new 11A(3) and insert therein after the last word of the paragraph the words “with the exception of those Members who have been medically certified to be wholly dependent and incapacitated.”

Regulation 11C amended

10. Regulation 11C of the principal Regulation is hereby amended —
 - (a) by adding the words “This pension shall be paid fortnightly” after the last paragraph thereof.
 - (b) by deleting the table and substituting therein this new table

Table

Period of years served in Parliament (Column 1)	Percentage of Salary for life pension (column 2)
Up to 4 years	35%
Up to 8 years	45%
Up to 12 years	55%
Up to 16 years	65%
Up to 20 years	75%
Up to 24 years	85%
Above 24 years	95%

- (c) by deleting the words "A member who had held the Office of the Prime Minister shall be entitled to a life pension of 50% of the current annual basic salary of the Prime Minister."

Regulation 11D (3) amended

11. Regulation 11D (3) of the principal Regulation is hereby deleted.

Regulation 11D (4) amended

12. Regulation 11D (4) of the principal Regulation is hereby amended –
by renumbering it as Regulation 11D (3).

Regulation 11D (5) amended

13. Regulation 11D (5) of the principal Regulation is hereby amended –
by renumbering it as Regulation 11D (4).

Regulation 13(1) amended

14. Regulation 13(1) of the principal Regulation is hereby amended –
by deleting this figure "\$100,000" and substituting it with this
figure "\$150,000"

Regulation 19 to 68 renumbered

15. Regulations 19 to 68 of the principal Regulation are hereby amended –
by renumbering regulation 19 as regulation 18 and the rest of the regulations to be renumbered accordingly.

Regulation 31 amended

16. Regulation 31 of the principal Regulation is hereby amended –
- (a) by repealing regulation 31 and
 - (b) inserting new regulations –
 - (a) “Regulation 30 (A) - When a Member vacates his seat in Parliament, the amount outstanding on an advance or guaranteed loan may be recovered from any pay, terminal grants or pension payments for which the Member or his legal personal representative are eligible and any addition sum due shall be recoverable from any collateral or security held by the Member of his estate.”
 - (b) “Regulation 30(b) - When a Member dies, the amount outstanding on a guaranteed loan shall be paid off by the Guarantor.”

Regulation 32 amended

17. Regulation 32 of the principal Regulation is hereby amended –
- (a) by repealing regulation 32 and
 - (b) inserting new Regulation 31 –

“Regulation 31 – In the event that any Member should decline to hand over any balance remaining to be paid to Government, the Clerk shall take the following actions –

 - (a) The Clerk shall issue a fourteen (14) days’ notice to the Member reminding him of the government dues;

- (b) If there is no response from the Member after the fourteen (14) days' notice, the Clerk shall issue a further (14) days' notice and direct the Member to pay the dues within that 14 days and inform of the next course of action to be taken;
- (c) If a Member fails to comply with (b) above, the Clerk shall recover the Member's outstanding dues from his pension scheme in accordance with the Financial Instructions and Labour Act and shall inform the Accountant General, Treasury and Auditor General of such action."

Regulation 50 (1) (c) amended

- 18. Regulation 50(1)(c) of the principal Regulation is amended –
 - (a) by renumbering regulation 50 as Regulation 49 1(c), and
 - (b) by deleting the words "travel grant" in sub regulation 1(c) and substituting the words "clothing allowance" and inserting figure "3" after the word "Appendix A".

Regulation 50(3) amended

- 19. Regulation 50 (3) of the principal Regulation is amended –
 - (a) by renumbering regulation 50(3) as regulation 49(3) and
 - (b) by deleting the words "travel grant" in sub regulation 3(b) and substituting the words "clothing allowance" and inserting figure "3" after the word "Appendix A"

Regulation 51(4) amended

20. Regulation 51 (4) of the principal Regulation is hereby amended -
- (a) by renumbering it as Regulation 50(4)
 - (b) by deleting the words "Henderson Airport" and substituting the words "Henderson International Airport".

Regulation 60 amended

21. Regulation 60 of the principal Regulation is hereby amended -
- (a) by renumbering it as Regulation 59.
 - (b) by deleting the words "unmarried children under 18 years" and substituting the words "and their children".
 - (c) by deleting the words "free of charge and substituting the words" at no cost to the member and his spouse and dependents"
 - (d) by deleting the words "Central Hospital" and substituting the words "National Referral Hospital"

Regulation 61 amended

22. Regulation 61 of the principal Regulation is hereby amended -
- (a) by renumbering it as Regulation 60.
 - (b) by deleting the words "Chief Consultant" and substituting with the words "any appropriate specialist."

Regulation 62 amended

23. Regulation 62 of the principal Regulation is hereby amended -
- (a) by renumbering it as Regulation 61.
 - (b) by adding after the words "Solomon Islands" the words "in an emergency situation."

Regulation 63 amended

24. Regulation 63 of the principal Regulation is hereby amended –
- (a) by renumbering it as Regulation 62
 - (b) by deleting the words “Chief Consultant” and substituting the words “appropriate specialist.”

Regulation 65 amended

25. Regulation 65 of the principal Regulation is hereby amended –
- (a) by renumbering it as Regulation 64
 - (b) by deleting the words “Ministry of Health and Medical Services and substituting the words “Office of the Prime Minister and Cabinet.”

Regulation 66 amended

26. Regulation 66 of the principal Regulation is hereby amended –
- (a) by renumbering it as Regulation 65
 - (b) by deleting the words “Chief Consultant” and substituting the words “appropriate specialist at the”

Regulation 67 amended

27. Regulation 67 of the principal Regulation is hereby amended –
- (a) by renumbering it as Regulation 66.
 - (b) by deleting the words “Chief Private Consultant” and substituting the words “appropriate specialist.”

Regulation 67A amended

28. Regulation 67A of the principal Regulation is amended and renumbered as new Regulation 67 –
- “Regulation 67 – There shall be a Health and Medical Care Scheme for Members of Parliament and their families with a reputable insurer whether within or outside of Solomon Islands.”

New Regulation 68 inserted

29. The principal Regulation is hereby amended by adding a new Regulation 68 –

“Regulation 68 – The Government shall take out a life insurance cover for members of Parliament and their families with a reputable insurer within or outside Solomon Islands.”

Existing Regulation 68 amended

30. Regulation 68 of the principal Regulation is hereby amended –
- (a) by renumbering it as a new Regulation 69.
 - (b) by deleting the words “Appendix A8” and substituting the words “Appendix A10”.

Existing Regulation 69 amended

31. Regulation 69 of the principal Regulation is hereby deleted.

Regulation 70(1) (2) (3) amended

32. Regulation 70(1)(2)(3) of the principal Regulation is hereby amended –
- (a) by deleting the words “\$1000.00 a month and substituting the words “\$400.00 per day”.
 - (b) by deleting the words “\$2000 per month and substituting the words “\$400 per day.”
 - (c) by deleting the words “\$1000 a month and substituting the words “\$200 per day.”

Regulation 72(1) amended

33. Regulation 72(1) of the principal Regulation is hereby amended by adding before the word “allowances” the word “salaries,”

Regulation 72(2) deleted

34. Regulation 72(2) of the principal Regulation is hereby deleted.

Appendix A1 amended

35. Appendix A1 of the principal Regulation is hereby amended by deleting the current basic salary rates that appears in each respective class and substituting them with the following new rates –

(a)	Prime Minister	–	\$179,858
(b)	Deputy Prime Minister	–	\$163,508
(c)	Ministers, Leader of Opposition	–	\$144,362
	Leader of Independent Group		
(d)	Deputy Speaker, Chairperson of	–	\$132,064
	the Government Caucus, Chairperson		
	of Standing Committee of		
	Parliament		
(e)	Members	–	\$120,744

All basic salary increase by 7.5% of which 3.5% to be backed dated to 1st April 2014, and 4% to be effective 1st April 2015.

Appendix A (11) inserted

36. The principal Regulation is hereby amended by adding “Appendix A (11)” to the Schedule with the description “Members Discretionary Fund \$500,000”.

MADE AT HONIARA this first day of April 2015.

JOHNSON SIAPU
CHAIRMAN
MEMBERS OF PARLIAMENT (ENTITLEMENTS) COMMISSION

SUPPLEMENT to the Solomon Islands GazetteTuesday 7th April, 2015

S.I. No.24

[Legal Notice No. 28]

**SOLOMON ISLANDS INDEPENDENCE ORDER 1978
(L.N. No. 43 of 1978)****REVOCATION OF APPOINTMENT OF HIGH COMMISSIONERS
TO THE INDEPENDENT STATE OF PAPUA NEW GUINEA**

IN exercise of the powers conferred by section 127(1) of the Constitution, and acting in accordance with the advice of the Prime Minister tendered after the Prime Minister has consulted the Public Service Commission, I, **SIR FRANK UTU OFAGIORO KABUI**, Knight Grand Cross of the Most Distinguished Order of Saint Michael and Saint George, Cross of the Order of Solomon Islands, Officer of the Most Excellent Order of the British Empire, Governor-General and Commander-in-Chief of Solomon Islands, do hereby revoke the appointment of*-

BERNARD BATA'ANISIA

as the Solomon Islands High Commissioner to the Independent State of Papua New Guinea with effect from 17th day of February, 2012.

Dated at Honiara this seventh day of April, 2015.

SIR FRANK UTU OFAGIORO KABUI
Governor-General

* L.N.10/2006, p.80.

SUPPLEMENT to the Solomon Islands Gazette

Thursday 9th April, 2015

S.I. No.25

[Legal Notice No. 29]

**MALAITA PROVINCE BUSINESS LICENSES
ORDINANCE AMENDMENT 2014**

RESOLUTION

That the following Orders made by the Provincial Executive, amended in the Malaita Province Business License Fees (MPE 2 (AOB Paper 7 2014/2015) in pursuant of its powers under Section 21 of the Malaita Provincial Business License Ordinance 2008 (Amendment) and thus, the Malaita Province Business License Fees 2014/2015 new (Amendments) here tabled before this Honourable Assembly and so schedule as amended and be given formal approval.

Amended in Malaita Province Business License Fee (MPE 2 (AOB Paper 7) 2014/2015

MALAITA PROVINCE BUSINESS LICENSE ORDINANCE 2014
(AMENDMENT)

IN exercise of the power conferred by Section 21 of the Malaita Province Business License Ordinance 1991, the Malaita Province Executive makes the following Order.

1. Schedule 3 of the Malaita Province Business License Ordinance shall be replaced with the Orders.

SCHEDULE 3
BUSINESS LICENSE FEES
CATEGORY OF BUSINESS LICENSE FEES

TYPE OF BUSINESS	AREA	CURRENT RATE	PROPOSED RATE
Agency		\$1,500.00	\$ 2,000.00
Air Transport		\$5,000.00	\$ 6,000.00
Architect	Urban	\$1,500.00	\$ 2,000.00
Bakery	Urban	\$ 800.00	\$ 1,000.00
	Rural	\$ 125.00	\$ 150.00
Banking	Permanent	\$5,000.00	\$20,000.00
	Agency/Rural Area	\$ 250.00	\$ 500.00
Beach Trading	Rural	\$ 375.00	\$ 500.00
Bookshop	Urban	\$ 500.00	\$ 1,000.00
Bee Keeping	Rural	\$ 100.00	\$ 200.00
Brick or Cement Work	Urban	\$ 625.00	\$ 800.00
	Rural	\$250.00	\$ 400.00
Broadcasting	Urban	\$ 500.00	\$ 1,000.00
Butchery	Urban	\$750.00	\$ 1,000.00
Bula Ice Block & Ice Block	Urban	\$ 100.00	\$ 500.00
	Semi Urban	\$ 50.00	\$ 100.00
	Rural	\$ 20.00	\$ 50.00
Bulk Shop	Urban		\$ 1,000.00
	Semi-Urban		\$ 500.00
Catering	Urban		\$ 1,000.00
Cinema	Permanent	\$ 800.00	\$ 1,000.00
	Occasional	\$400.00	\$ 500.00
	Semi Urban	\$ 300.00	\$ 400.00
	Rural	\$ 200.00	\$ 300.00
	Mobile	\$ 300.00	\$ 400.00
Chicken / Pig /Raising (Fees)	Urban	\$ 500.00	\$ 600.00
	Rural	\$ 150.00	\$ 300.00
Cocoa Buyers	Export	\$3,000.00	\$4,000.00
	Joint Venture	\$1,500.00	\$2,000.00
	Local	\$ 800.00	\$ 1,000.00
	CEMA or Buying Centres	\$1,500.00	\$ 2,000.00
Commercial Chainsaw Slapping		\$2,000.00	\$3,000.00
Construction Work	Urban / Auki	\$2,000.00	\$3,000.00
Copra Buyers	CEMA or Buyers Centres	\$3,000.00	\$4,000.00
	CEMA or Buying Points	\$1,500.00	\$2,000.00
	Local	\$ 800.00	\$1,000.00
Chartering of Ships		\$5,000.00	\$10,000.00
Canteen Schools	Institution / Schools	\$ 100.00	\$ 200.00
Dam Fee (Service License)		\$ 20.00	\$ 50.00
Doctors / Dentist/Eye Doctors		\$ 625.00	\$1,000.00
Electrical Works Services /Training		\$ 625.00	\$1,000.00
Electrical Supply Services		\$5,000.00	\$10,000.00
Electronics		\$ 625.00	\$1,000.00
Engineering Services/Training		\$ 625.00	\$1,000.00
Electrical Planning/Welding		\$ 625.00	\$1,000.00

TYPE OF BUSINESS	AREA	CURRENT RATE	PROPOSED RATE
Fibro Glass Repair	Urban	\$ 625.00	\$ 1,000.00
	Rural		
Filming Fee		\$4,000.00	\$ 6,000.00
Fisheries Commercial	Fishing Fleet	\$ 5,000.00	\$10,000.00
Fish Market	Urban	\$ 625.00	\$ 1,000.00
	Rural	\$ 125.00	\$ 500.00
Fish Purchase for sale	Foreign / Export	\$ 5,000.00	\$ 7,000.00
	Urban	\$1,000.00	\$ 1,500.00
	Local	\$ 125.00	\$ 150.00
Fish & Chips Sales	Urban	\$ 125.00	\$ 300.00
	Local	\$ 75.00	\$ 100.00
Furniture Sales	Urban	\$ 1,250.00	\$ 1,500.00
	Semi Urban	\$ 625.00	\$ 700.00
	Local	\$ 250.00	\$ 300.00
Fundraising – Card Games (market)	Per day	\$ 10.00	\$ 200.00
Gaming – Club / Association		\$ 200.00	\$ 500.00
Garage	Urban	\$ 1,000.00	\$ 1,500.00
	Local	\$ 250.00	\$ 500.00
Gemstones Dealer		\$ 500.00	\$ 1,000.00
Gold Dealers		\$1,000.00	\$ 5,000.00
Hardware Service	Urban	\$4,000.00	\$8,000.00
	Semi Urban	\$ 625.00	\$ 1,000.00
	Local	\$ 125.00	\$ 500.00
Hair Dressing (Saloon)	Urban	\$ 200.00	\$ 300.00
Heli-Logging	Per Area	\$12,000.00	\$20,000.00
Insurance Company	Urban	\$ 1,000.00	\$ 2,000.00
	Agency	\$ 200.00	\$ 400.00
Ice Cream	Urban		\$ 500.00
	Semi Urban		\$ 250.00
Landing Fee	Urban		\$ 1,000.00
Legal Services		\$ 500.00	\$ 1,500.00
Liquor Sales	Full Retail	\$3,000.00	\$ 5,000.00
	Beer Retail	\$2,500.00	\$ 3,000.00
	Full Publican (BAR)	\$2,000.00	\$ 5,000.00
	Packet License (Ship)	\$2,000.00	\$ 2,500.00
	Wholesales	\$2,000.00	\$ 2,500.00
	Residential	\$ 750.00	\$ 1,000.00
	Restaurant	\$1,000.00	\$ 1,500.00
	Occasional Full	\$ 500.00	\$ 500.00
	Plus, per Day	\$ 50.00	\$ 70.00
	Club Full	\$2,000.00	\$ 2,500.00
Logging Operation	Foreign Owned Company	\$150,000.00	\$500,000.00
	Joint Venture Company	\$75,000.00	\$500,000.00
	Locally Owned	\$15,000.00	\$60,000.00
	Foreign Sub-contractor	\$50,000.00	\$100,000.00
	Local Sub-contractor	\$30,000.00	\$60,000.00

TYPE OF BUSINESS	AREA	CURRENT RATE	PROPOSED RATE
Exotic Tree Species	Foreign Sub-contractor	\$60,000.00	\$80,000.00
	Locally Sub-contractor	\$10,000.00	\$50,000.00
	Locally owned	\$ 5,000.00	\$20,000.00
MARINE PRODUCTS			
Exporter	Non-Solomon Islander	\$10,000.00	\$50,000.00
	Joint Venture	\$ 5,000.00	\$50,000.00
	Local	\$ 1,000.00	\$30,000.00
Marine Resources Trading (Local Traders)	Non-Solomon Islander	\$ 5,000.00	\$20,000.00
	Local Buyer	\$ 1,000.00	\$15,000.00
Mining	Reconnaissance	\$21,000.00	\$100,000.00
	Prospecting	\$50,000.00	\$100,000.00
	Mining	\$100,000.00	\$200,000.00
	Alluvial Mining	\$ 400.00	\$ 2,000.00
Money Lending		\$ 200.00	\$10,000.00
Ngalinut Buyers		\$ 50.00	\$ 200.00
PETROLIUM SALES			
Urban	1111-2200 gall. (50 Drums) 1-50	\$1,500.00	\$2,000.00
	2201-4400 gall.(100 Drums) 51-100	\$2,500.00	\$5,000.00
	4401-8800 gall. (220 Drums) 101- above	\$3,000.00	\$6,000.00
Semi - Urban	44-880 gall. (1-20 Drums)	\$1,000.00	\$1,500.00
	924-2200 gall. (21-50 Drums)	\$1,500.00	\$2,000.00
	2244-4400 gall. (51-100 Drums)	\$2,500.00	\$3,000.00
	101 Drums and above	\$3,000.00	\$5,000.00
Rural	4 gall - 176 gall (4 drums)	\$ 300.00	\$ 300.00
	177 gall-440 gall.(10 drums)	\$ 500.00	\$ 500.00
	441 gall - 1110 gall (25 drums)	\$ 800.00	\$ 800.00
	1111 gall - 2200 gall (50 drums)	\$1,000.00	\$1,000.00
	2201 gall - 4400 gall (100 drums)	\$1,500.00	\$1,500.00
	4401 gall - 8800 gall (200 drums)	\$2,500.00	\$2,500.00
	8801 gallons and above	\$3,000.00	\$3,000.00
Pharmacy Service		\$3,000.00	\$6,000.00
Photocopier Service		\$ 500.00	\$1,500.00
Printing Works		\$ 400.00	\$1,500.00
Private Consultancy		\$ 500.00	\$1,500.00
Provincial Meat Inspection (Fee per animal)	Urban	\$ 100.00	\$500.00
	Semi	\$ 50.00	\$ 200.00
Research		\$ 500.00	\$ 500.00
	Plus Deposit for every 90 days	\$ 150.00	\$ 200.00
Restaurant		\$1,000.00	\$3,000.00
Motels	Hotel / Motel	\$1,500.00	\$5,000.00
	Rest House	\$1,200.00	\$3,000.00
	Transit	\$1,200.00	\$3,000.00
Retail Shops	General Shops	\$6,000.00	\$8,000.00
	Urban - Full House	\$2,500.00	\$5,000.00
	Under Plaza	\$1,400.00	\$2,000.00
	Market Lock-Up Shop	\$ 400.00	\$1,000.00
	Semi Urban	\$ 750.00	\$1,000.00
	Rural	\$ 150.00	\$ 300.00

TYPE OF BUSINESS	AREA	CURRENT RATE	PROPOSED RATE
General Merchandise	Urban	\$3,500.00	\$4,000.00
	Rural	\$1,000.00	\$2,000.00
Ring Cake	Urban	\$ 50.00	\$ 200.00
	Rural	\$ 20.00	\$ 100.00
Road Construction		\$2,000.00	\$20,000.00
Road Trading		\$1,000.00	\$3,000.00
Screen Printing		\$ 500.00	\$1,000.00
Second Hand Clothing	Urban	\$1,000.00	\$3,000.00
	Semi Urban	\$ 200.00	\$1,500.00
	Rural	\$ 100.00	\$ 500.00
Secretarial Services	Urban	\$ 500.00	\$1,500.00
Security Services	Urban	\$ 500.00	\$1,000.00
Ship Building		\$ 500.00	\$3,000.00
Shipping Service			
	Passenger License for Vessels		
	Less than - 20 tonnes	\$ 300.00	\$ 500.00
	21 - 50 tonnes	\$ 800.00	\$1,000.00
	51 - 100 tonnes	\$1,000.00	\$3,000.00
	101 and above	\$1,600.00	\$10,000.00
Shipping Service Cont	Cargo License for Vessels		
	Less than 20 tonnes	\$ 300.00	\$ 500.00
	21 - 50 tonnes	\$ 600.00	\$1,000.00
	51 - 100 tonnes	\$1,000.00	\$3,000.00
	101 and above	\$1,600.00	\$10,000.00
Shipping Commercial & Charter		\$5,000.00	\$20,000.00
Sign Design Shop	Urban	\$ 500.00	\$1,000.00
Snack Bar	Urban	\$ 500.00	\$1,000.00
	Rural	\$ 100.00	\$ 500.00
Speedy Gas Sales	Urban	\$1,000.00	\$2,000.00
	Rural	\$ 250.00	\$ 500.00
Spices	Export	\$ 500.00	\$5,000.00
	Local	\$ 100.00	\$1,000.00
		\$ 800.00	\$1,500.00
Stevedoring Services		\$ 800.00	\$1,500.00
Steel Metal Manufacturing	Urban	\$3,000.00	\$5,000.00
	Semi Urban	\$1,500.00	\$3,000.00
	Rural	\$ 500.00	\$1,500.00
Selling of Fresh Fish in Eskies	Urban	\$20.00 p/day	\$ 50.00
	Semi Urban	\$10.00 p/day	\$ 30.00
	Rural	\$10.00 p/day	\$ 20.00
Scuba Diving		\$ 100.00	\$ 500.00
Survey Fee	Urban	\$ 500.00	\$1,500.00
	Semi Urban	\$ 300.00	\$ 500.00

TYPE OF BUSINESS	AREA	CURRENT RATE	PROPOSED RATE
Tailoring	Urban	\$ 500.00	
Telecommunication		\$10,000.00	
Timber Felling			
a. Permanent Saw Milling	Export	\$5,000.00	
	Local	\$ 1,500.00	
b. Walkabout (Portable Milling)		\$ 1,000.00	
c. Chainsaw (Frame)		\$ 500.00	
Extra Fee for Commercial Chainsaw slapping		\$ 200.00	
Timber Sales	Export	\$ 2,000.00	
	Local	\$ 500.00	
Tobacco Rolls	Urban	\$ 50.00	
	Semi Urban	\$ 30.00	
	Rural	\$ 20.00	
Tourist Resort		\$1,000.00	
Eco Tourism		\$ 500.00	
Tourist Resort		\$100.00	
Tour Guide		\$ 250.00	
Tourist Vessel		\$ 3,000.00	
Twenty Four (24) Hour Shop	Extra Fee plus Business License)	\$ 200.00	
	Heavy Vehicle	\$ 500.00	
Transport License	Light Vehicle	\$ 300.00	
	Urban		
Tyre Repair Service	Semi Urban		
	Rural		
	Urban	\$ 500.00	
Video Hire Shop	Semi Urban	\$ 250.00	
	Rural	\$ 100.00	
	Export	\$2,000.00	
Wildlife	Local	\$1,000.00	
	Plus for each species	\$ 50.00	
	Urban	\$ 3,000.00	
Wholesale & Retail	Semi	\$ 1,500.00	

This order was passed by the Malaita Provincial Assembly at Auki this thirty day of October, 2014.

M.E. MAEFAI, MBE
Clerk to Malaita Provincial Assembly

Honiara, Solomon Islands
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SUPPLEMENT to the Solomon Islands GazetteWednesday 15th April, 2015

S.I. No.26

[Legal Notice No. 30]

**THE LOCAL COURT SITTING ALLOWANCES RULES 2014
SECTION 30 LOCAL COURTS ACT
(CAP. 19)**

1. This Rules may be cited as the Local Courts Sitting Allowances Rules 2014.
2. The sitting allowances set out in schedule 1 shall be paid to members of the Local Court.
3. The accommodation allowances set out in schedule 2 shall be paid to members of the Local Court for any day or part of a day when no accommodation has been or can be provided by the Government at Government's expense.
4. A daily allowance shall be paid to members of the Local Court for any day or part of a day when no meals have been or can be provided by the Government at the Government's expense, to cover the cost of meals (breakfast, lunch and dinner) as set out in schedule 3.
5. These rates are to take effect from 1st January 2014.

Schedule 1

1. For sitting as President – \$220.00 per day or part thereof.
2. For sitting as Member – \$200.00 per day or part thereof.

Schedule 2

1. Accommodation allowance for the President per night – \$150.00
2. Accommodation allowance for the Members per night – \$150.00

Schedule 3

1. Daily allowance for the President per day or part thereof – \$180.00
2. Daily allowance for the Members per day or part thereof – \$160.00

Dated at Honiara this eighth day of January, 2014.

Sir Albert R. Palmer CBE
CHIEF JUSTICE

[Legal Notice No. 31]

**LANDS AND TITLES ACT
(CAP. 133)**

SECTION 255

The Warrants establishing the following Customary Land Appeal Courts are hereby amended by the addition of schedules 1, 2 and 3 below and to take effect from 1st January 2014:

- Eastern (Inner Islands) Customary Land Appeal Court LN 46/1975;
- Western Customary Land Appeal Court LN 47/1975 and LN 70/1977
- Central Customary Land Appeal Court LN 48/1975, LN 43/1980 and LN 53/1981;
- Malaita Customary Land Appeal Court LN 49/1975;
- Eastern (Outer Islands) Customary Land Appeal Court LN 50/1975;
- Guadalcanal Customary Land Appeal Court LN 43/1980;
- Ysabel Customary Land Appeal Court LN 13/1981;
- Central Islands Customary Land Appeal Court LN 53/1981;

Schedule 1

1. The President shall be paid a sitting allowance of \$230.00 per day or part thereof.
2. The Vice-President shall be paid a sitting allowance of \$220.00 per day or part thereof.
3. The other Members shall be paid a sitting allowance of \$210.00 per day or part thereof.

Schedule 2

1. The President shall be paid an accommodation allowance of \$150.00 per day or part thereof when no accommodation has been or can be provided by the Government at the Government's expense.
2. The Vice-President shall be paid an accommodation allowance of \$150.00 per day or part thereof when no accommodation has been or can be provided by the Government at the Government's expense.
3. The other Members shall be paid an accommodation allowance of \$150.00 per day or part thereof when no accommodation has been or can be provided by the Government at the Government's expense.

Schedule 3

1. The President shall be paid a subsistence allowance of \$190.00 per day or part thereof when no meals have been or can be provided by the Government at the Government's expense.
2. The Vice-President shall be paid a subsistence allowance of \$180.00 per day or part thereof when no meals have been or can be provided by the Government at the Government's expense.
3. The other Members shall be paid a subsistence allowance of \$170.00 per day or part thereof when no meals have been or can be provided by the Government at the Government's expense.

Dated at Honiara this eighth day of January, 2014.

Sir Albert R. Palmer CBE
CHIEF JUSTICE

Honiara, Solomon Islands
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SUPPLEMENT to the Solomon Islands GazetteWednesday 15th April, 2015

S.I. No.27

[Legal Notice No. 32]

MALAITA PROVINCE FISHERIES ORDINANCE 2015**Table of provisions**

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MALAITA PROVINCE FISHERIES ORDINANCE 2015**AN ORDINANCE TO REGULATE FISHERIES IN
MALAITA PROVINCE, AND FOR RELATED PURPOSES**

ENACTED BY THE MALAITA PROVINCIAL ASSEMBLY UNDER THE
PROVINCIAL GOVERNMENT ACT 1997.

Part 1 Preliminary matters**1 Short title**

This Ordinance may be cited as the Malaita Province Fisheries Ordinance 2015.

2 Commencement

This Ordinance commences on the day appointed by the Minister by Gazette notice.

3 Definitionss

In this Ordinance:

“Advisory Committee” means the Fisheries Advisory Committee established by section 4;

“approved form” means a form approved by the Chief Fisheries Office under section 34;

“aquaculture”:

- (a) means the cultivation, propagation or farming of fish or other living aquatic resources, including cultivation, propagation or farming:
 - (i) from eggs, spawn, spat or seed; or
 - (ii) by rearing fish or aquatic resourcess lawfully taken from the wild or lawfully imported into Solomon Islands; or
 - (iii) by other similar process; and

- (b) includes the collecting and holding of live fish;

“Chief Fisheries Officer” means the Chief Fisheries Officer appointed under section 30(a);

“civil society organisation” means a non-state, not-for-profit organisation that is not a political party;

“Community Fisheries Management Plan” has the meaning given in the Act;

“customary rights holder”, has the meaning given in the Act;

“Executive” means the Provincial Executive of the Malaita Provincial Government established by section 19 of the *Provincial Government Act 1997*;

“fish” means any water-dwelling aquatic or marine animal or plant, alive or dead, and includes their eggs, spawn, spat and juvenile stages and any of their parts;

“fisheries activity” means any of the following activities, including an activity conducted for a research purpose:

- (a) extracting, harvesting, catching, taking or killing fish by any method;
- (b) attempting to do anything mentioned in paragraph (a);
- (c) engaging in any other activity which can reasonably be expected to result in anything mentioned in paragraph (a);
- (d) placing, searching for or recovering fish aggregating devices or associated equipment;
- (e) any operation in support of, or in preparation for, anything mentioned in paragraphs (a) to (d);
- (f) aquaculture;

“fisheries area” means any area of provincial waters, whether saltwater or freshwater, including any adjacent foreshore;

“fisheries officer” means a person appointed under section 30 and includes the Chief Fisheries Officer;

“Minister” means the Provincial Minister responsible for fisheries;

“Member” means a member of the Advisory Committee appointed under section 6;

“permit” means a permit to conduct fisheries activities issued under section 22;

“provincial waters” means waters within the boundary of the Province as described by section 3(3) and (4) of the Provincial Government Act 1997, and includes any fisheries area located on customary land;

“Secretary” means the Provincial Secretary of Malaita Provincial Government;

“the Act” means the Fisheries Management Act 2015;

“the Province” means Malaita Province.

Part 2 Fisheries Advisory Committee

Division 1 Establishment and functions

4 Establishment

The Fisheries Advisory Committee is established.

5 Functions

The functions of the Advisory Committee are as follows:

- (a) to advise the Executive on the implementation of this Ordinance;
- (b) to assist the Executive to develop, implement, monitor and review fisheries management policy in the Province;

- (c) to advise the Minister on matters relating to the implementation of national laws on fisheries so far as they relate to the Province and any other matter relating to this Ordinance;
- (d) whenever relevant, to work with the national Fisheries Advisory Council established by the Act for the purpose of implementing this Ordinance;
- (e) if requested by the Minister, to carry out any inquiry and make a report to the Minister on any matter relating to this Ordinance;
- (f) to advise the Minister in relation to permit applications;
- (g) to advise the Executive in relation to Community Fisheries Management Plans;
- (h) to perform other functions given to it under this Ordinance or any other written law.

Dvision 2 Membership

6 Membership

The Advisory Committee consists of the following members appointed by the Minister by Gazette notice:

- (a) the Chief Fisheries Officer, as chairperson;
- (b) a deputy chairperson;
- (c) 5 members nominated by civil society organisations;
- (d) 2 other members

7 Term of office

- (1) A member holds office for 2 years or the shorter period specified in the instrument of appointment and is eligible for reappointment.
- (2) However, a member may not hold office for more than 3 consecutive terms.

8 Vacation of office

A person who is a member ceases to be a member if:

- (a) the person resigns by giving written notice to the Minister; or
- (b) the person's term of office comes to an end and the person is not reappointed; or
- (c) the person is convicted of an offence for which the available penalty includes a term of imprisonment; or
- (d) the person's appointment is terminated under section 9.

9. Termination of appointment

- (1) The Minister may terminate the appointment of a person who is a member:
 - (a) on the ground of misbehaviour or misconduct; or
 - (b) on the ground of physical or mental inability to satisfactorily perform the duties of the office; or
 - (c) if the Minister is satisfied the person has failed to comply with section 16; or
 - (d) if the person is absent from 3 consecutive meetings of the Advisory Committee without leave granted by the chairperson; or
 - (e) if the person becomes bankrupt.

- (2) A termination of appointment must be made in writing.

Division 3 Procedures of Advisory Committee

10 Procedures

Subject to this Ordinance, the Advisory Committee may determine its own procedures.

11 Meetings

- (1) The chairperson may convene a meeting of the Advisory Committee at any time.
- (2) However, the chairperson must convene a meeting of the Committee at least 4 times each year.

12 Quorum at meetings

Subject to section 17(1)(c), the quorum for a meeting of the Advisory Committee is 4 members.

13 Presiding member at meetings

A meeting of the Advisory Committee must be presided over by:

- (a) the chairperson; or
- (b) in the absence of the chairperson, the deputy chairperson; or
- (c) in the absence of the chairperson and the deputy chairperson, another Committee member elected by the members present.

14 Voting at meetings

- (1) A decision at a meeting of the Advisory Committee must be determined by the majority vote of Committee members present and voting.
- (2) If there is an equality of votes, the person presiding at the meeting has a casting vote.

15 Records of meetings

- (1) The Advisory Committee must keep accurate records of each of its meetings.
- (2) The records must:
 - (a) include any matters prescribed by the regulations; and
 - (b) be certified by the member presiding over the meeting.

16 Disclosure of interest

- (1) This section applies if a member has a personal interest in a matter being considered, or about to be considered, by the Advisory Committee.
- (2) The member must disclose the following to the other members at the meeting at which the matter is to be considered:
 - (a) the nature and extent of the interest;
 - (b) how the interest relates to the matter mentioned in subsection (1).
- (3) The disclosure must be recorded in the minutes of the meeting.
- (4) The member need not disclose an interest if the interest is an interest shared with the public generally or a section of the public.
- (5) For this section, a member has a personal interest in a matter if the member:
 - (a) has a direct or indirect financial interest in the matter; or
 - (b) has a personal, professional, commercial or other relationship with a person and the nature of the relationship is likely to, or may reasonably be regarded as likely to, inhibit or prevent the member from exercising independent judgment about the matter.

17 Effect of personal interest

- (1) If a member has a personal interest in a matter that is required to be disclosed under section 16:
 - (a) the member must not take part in any deliberation or decision of the Advisory Committee about the matter; and
 - (b) the member must be disregarded for the purpose of constituting the quorum of the Committee for the deliberation or decision; and
 - (c) the quorum for the deliberation or decision is a majority of members entitled to participate in the deliberation or decision.
- (2) However, a failure by the member to disclose the interest in the matter does not, on its own, invalidate any decision of the Committee about the matter.

18 Fees and allowances for members

Each member is entitled to be paid the sitting fee and allowances prescribed by the regulations for attending a meeting of the Advisory Committee.

Part 3 Permits**19 Conducting fisheries activity without a permit**

- (1) A person commits an offence if the person conducts a fisheries activity in provincial waters otherwise than in accordance with a permit.

Maximum penalty: 5,000 penalty units
- (2) Subsection (1) does not apply to a person who is a customary rights holder for the fisheries area in which the activity is conducted.

20 Application for permit

- (1) A person may apply to the Chief Fisheries Officer for a permit to conduct fisheries activities in provincial waters.
- (2) The application must be:
 - (a) made in the approved form; and
 - (b) accompanied by the fee prescribed by regulation; and
 - (c) accompanied by evidence (in the approved form) that any customary rights holder of the fisheries area in which the activity is to be conducted consents to the grant of the permit.

21 Referral of application to Advisory Committee

- (1) On receipt of the application, the Chief Fisheries Officer must refer it to the Advisory Committee.
- (2) The Advisory Committee must publicise the application as widely as reasonably practicable among persons who may have an interest in the application.
- (3) In publicising the application, the Advisory Committee must invite the public to make written or oral submissions in response to the application within a specified time.
- (4) The Advisory Committee must consider any submissions received and give the Chief Fisheries Officer a written recommendation about:
 - (a) whether or not the permit should be granted; and
 - (b) if the Committee recommends that the permit be granted, any conditions or limitations that should be imposed under the permit.

22 Decision on application

- (1) The Chief Fisheries Officer must consider the application and the recommendation of the Advisory Committee given under section 21 and decide whether to grant or refuse to grant the permit.
- (2) The Chief Fisheries Officer must give written notice to the applicant for the permit of:
 - (a) the Chief Fisheries Officer's decision; and
 - (b) if the Chief Fisheries Officer refuses the application:
 - (i) the reasons for the refusal; and
 - (ii) the procedures for review under section 26.

23 Conditionss of permit

A permit is subject to the conditions and limitations:

- (a) prescribed by the regulations; and
- (b) any other conditions and limitations specified in it by the Chief Fisheries Officer, which may include limitations on any of the following:
 - (i) the fisheries activities permitted under the permit;
 - (ii) the purpose for which the activities may be conducted;
 - (iii) the methods by which the activities may be conducted.

24 Variation of conditions of permit

- (1) The Chief Fisheries Officer may vary the conditions of a permit:
 - (a) on application of the permit holder; or
 - (b) with the consent of any customary rights holder for the fisheries area to which the permit applies – on the Chief Fisheries Officer's initiative.

- (2) An application for variation must be:
 - (a) made in the approved form; and
 - (b) accompanied by the fee prescribed by regulation; and
 - (c) accompanied by evidence (in the approved form) that any customary rights holder for the fisheries area to which the permit applies consents to the variation.
- (3) The Chief Fisheries Officer must consider the application and decide whether to vary the conditions of the permit in accordance with the application.
- (4) The Chief Fisheries Officer must give written notice to the applicant for the variation of:
 - (a) the Chief Fisheries Officer's decision; and
 - (b) if the Chief Fisheries Officer refuses the application:
 - (i) the reasons for the refusal; and
 - (ii) the procedures for review under section 26.
- (5) Before varying the conditions on the Chief Fisheries Officer's initiative, the Chief Fisheries Officer must give the permit holder written notice:
 - (a) stating the proposed variation; and
 - (b) stating the reasons for the proposed variation; and
 - (c) inviting the permit holder to submit, within the period of not less than 28 days stated in the notice, reasons why the variation should not be made.
- (6) The Chief Fisheries Officer may, having considered any submissions of the permit holder, vary the conditions of the permit as proposed in the notice or in another way the Chief Fisheries Officer considers appropriate by giving written notice to the permit holder of:
 - (a) the variation; and
 - (b) the reasons for the variation; and
 - (c) the procedures for review under section 26.

- (7) A variation of conditions of a permit takes effect on the later of the following:
 - (a) the date on which the permit holder receives notice of the variation;
 - (b) the date stated in the notice.
- (8) Subsections (2) to (7) do not apply if the variation is for a formal or clerical reason that does not alter the effect of the permit.

25 Cancellation of permit

- (1) The Chief Fisheries Officer may cancel a permit:
 - (a) if the permit holder contravenes a condition of the permit; or
 - (b) if the permit holder is found guilty of an offence against this Ordinance or the Act.
- (2) Before cancelling the permit, the Chief Fisheries Officer must give written notice to the permit holder:
 - (a) stating that the Chief Fisheries Officer proposes to cancel the permit; and
 - (b) stating the reasons for the proposed cancellation; and
 - (c) inviting the permit holder to submit, within the period of not less than 28 days stated in the notice, reasons why the cancellation should not be occur.
- (3) If, having considered any submissions of the permit holder, the Chief Fisheries Officer continues to consider the permit should be cancelled, the Chief Fisheries Officer may cancel the permit by written notice to the permit holder of:
 - (a) the cancellation; and
 - (b) the reasons for the cancellation; and
 - (c) the procedures for review under section 26.

- (4) The cancellation takes effect on the later of the following:
 - (a) the date on which the permit holder receives the notice of the cancellation;
 - (b) the date stated in the notice.

26 Review of decisions on permits

- (1) In this section:
 - “reviewable decision”* means a decision stated in the Schedule;
 - “affected person”*, for a reviewable decision, means a person stated in the Schedule opposite the decision.
- (2) An affected person for a reviewable decision may request the Minister to review the merits of the decision.
- (3) The person must request the review within 28 days after the person receives notice of the decision.
- (4) The request must:
 - (a) be in the approved form; and
 - (b) be accompanied by the fee prescribed by regulation; and
 - (c) state the grounds on which it is made and the facts relied on to establish the grounds.
- (5) The Minister must:
 - (a) conduct the review in a way that is fair and expenditures; and
 - (b) give proper consideration to the issues.
- (6) After reviewing the merits of the decision, the Minister must:
 - (a) confirm the decision; or
 - (b) vary the decision; or
 - (c) revoke the decision; or
 - (d) substitute another decision for the decision.

- (7) The Minister must, as soon as practicable after making a decision on the review, give the affected person written notice of the decision, including the reasons for the decision.

Part 4 Community Fisheries Management Plans

27 Application of Part

This Part applies to a draft Community Fisheries Management Plan drawn up by customary rights holders under section 18 of the *Fisheries Management Act 2015*.

28 Process for approval of Plan

- (1) The customary rights holders that draw up the draft Plan must submit it to the Chief Fisheries Officer for consideration.
- (2) The Chief Fisheries Officer must review the draft Plan and:
 - (a) if the draft Plan does not meet the requirements of section 18 of the Act, return the draft Plan to the customary rights holders with written instructions to amend it in a specified way so that it meets the requirements of the Act; or
 - (b) if the draft Plan meets the requirements of section 18 of the Act, submit the draft Plan to the Advisory Committee for consideration.
- (3) Having considered the draft Plan, the Advisory Committee must recommend to the Minister in writing that the Executive approve or refuse to approve the draft Plan.

Note for section 28

Under section 18 of the Act, a Community Fisheries Management Plan must meet the following requirements:

- *it must be consistent with Provincial Ordinances and by-laws and the Act;*
- *it must be consistent with any Fisheries Management Plans made under section 17 of the Act.*
- *it must be drawn up in accordance with the requirements of the Third Schedule to the Act.*

Part 5 Enforcement**29 Forfeiture**

If person is convicted of an offence against this Ordinance, the Court may, in addition to any other penalty imposed, order that any of the following are forfeited to the Province.

- (a) fish caught in the commission of the offence;
- (b) fishing gear used in the commission of the offence;
- (c) any vessel (together with its fishing gear, stores and cargo) used in the commission of the offence.

30 Appointment of fisheries officers

The Minister may, by Gazette notice, appoint:

- (a) a person to be the Chief Fisheries Officer; and
- (b) persons to be other fisheries officers.

31 Powers and functions of fisheries officers

(1) A fisheries officer has the following functions:

- (a) to ensure this Ordinance is being complied with;
- (b) the other functions imposed on the officer by this Ordinance.

(2) For the performance of a fisheries officer's functions under this Ordinance, the officer may do any of the following within the Province (including provincial waters):

- (a) require a person to produce a permit;
- (b) stop, board and search any vessel;
- (c) stop and search any person or vehicle transporting, or reasonably suspected of transporting, fish;
- (d) seize anything found as a result of a search conducted under paragraph (b) or (c) that the officer reasonably suspects has been used in the commission of an offence under this Ordinance.

- (3) A fisheries officer other than the Chief Fisheries Officer is subject to the directions of the Chief Fisheries Officer.

32 Identity cards

- (1) In exercising a power or performing a function under this Ordinance, a fisheries officer must carry an identity card that:
 - (a) states the officer's name and that the person is a fisheries officer; and
 - (b) shows a recent photograph of the officer.
- (2) The Chief Fisheries Officer is responsible for ensuring each fisheries officer has an identity card.

33 Protection from liability

- (1) A person is not civilly or criminally liable for an act done or omitted to be done by the person in good faith in the exercise of a power or performance of a function a fisheries officer.
- (2) Subsection (1) does not affect any liability the Province would, apart from that subsection, have for the act or omission.

Part 6 Administrative matters

34 Approved forms

The Chief Fisheries Officer may approve forms for use under this Ordinance.

35 Regulations

- (1) The Minister may make regulations under this Ordinance that are:
 - (a) required or permitted to be prescribed by this Ordinance; or
 - (b) necessary or convenient to be prescribed for carrying out or giving effect to this Ordinance.

- (2) Without limiting subsection (1), the regulations may provide for the following:
- (a) the procedures fisheries officers must follow when performing functions and exercising powers under this Ordinance;
 - (b) penalties not exceeding 1000 penalty units or 3 months imprisonment for breach of the regulations.

Schedule Reviewable decisions and affected persons
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Passed by the Malaita Provincial Assembly this thirty first day of March, 2015.

HON. PETER CHANEL RAMOHIA
Honourable Premier
Malaita Province

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

MATHEW E MAEFAI MBE
Clerk to Assembly

Assented to by the Honourable Minister for Provincial Government and Institutional Strengthening this fifteen day of April, 2015.

HON. DUDDLEY KOPU
Minister of Provincial Government & Institutional Strengthening

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Tuesday 21st April, 2015

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

STANDING ORDERS OF THE PROVINCIAL ASSEMBLY

OF

RENNELL AND BELLONA PROVINCE

MARCH 2013

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PART 1. GENERAL

- | | | |
|----|---|--|
| 1. | These Standing Orders are made pursuant to Section 23 and Schedule 2 of the Provincial Government Act, No.7 of 1997 and subject to the Act and any other National Legislation binding the Assembly shall regulate all procedures of the Assembly. | Authority
for
standing
orders |
| 2. | These orders may be cited as the Standing Orders of the Provincial Assembly of Western Province and shall take effect on the date they are adopted by the Provincial Assembly of Western Province. | Short title
and com-
mencement |
| 3. | Words contained in these Orders shall, unless the context otherwise requires, have the meanings as in the Constitution of the Solomon Islands and in the Provincial Government Act 1997, subject to the following: | Interpreta-
tion |
- (a) "Absolute Majority" means half plus one of the elected members of the Assembly;
 - (b) "Act" means the Provincial Government Act, No.7 of 1997;
 - (c) "Appointed person" means a person appointed by the Minister under Section 44(3) of the Act;
 - (d) "Assembly" means the Provincial Assembly of Western Province;
 - (e) "Bill" means a proposed ordinance that has been placed on the Notice Paper;
 - (f) "Clear day" means a day other than a Saturday, Sunday or public holiday;
 - (g) "Clerk" means the Clerk of the Assembly appointed under Section 22(2) of the Act and shall include any Assistant Clerk acting as such on the authority of the Speaker;
 - (h) "Division" means the vote taken when the Speaker's decision on the voices is challenged;
 - (i) "Indigenous" means persons born in or characterized as being of the province;
 - (j) "Majority" means one-half of the Members present plus one;
 - (k) "Meeting" means any series of sittings of the Assembly from the date on which the meeting is called under S.O. 55, 57 and 58 until it is adjourned under S.O. 61;
 - (l) "Member" means an elected member of the Assembly;
 - (m) "Minister" means the Minister in the National Government of the Solomon Islands responsible for Provincial Government;

- (n) "Minister" mean a record of procedural actions including decisions, divisions and adjournments;
- (o) "Motion" means any question put forward for a vote by the Assembly;
- (p) "Move" means the method by which a member requests the Assembly vote on a question;
- (q) "Notice Paper" means the register of all business that the Assembly has to consider at a meeting;
- (r) "Order Paper" means the list of matters to be considered at a sitting;
- (s) "Ordinance" means a law passed by the Assembly, assented to by the Minister and gazetted and includes an amendment to an ordinance;
- (t) "Ordinary election" means an election under Section 9 of the Act;
- (u) "Paper" means an account, paper, return, order, report, statement or other document that is slaid upon the table of the Assembly;
- (v) "Petition" means a written request by citizens of the Province to take action that is within the Assembly's power to take;
- (w) "Point of Order" means a question or statement by a member regarding the proper procedure to follow according to these Standing Orders;
- (x) "Procedural motion" means a motion related to the functions of the standing orders;
- (y) "Provincial financial year" means the twelve (12) months ending 31st March of any year;
- (z) "Provincial Minister" means a Minister of the Assembly as established under Sections 19 and 20 of the Act;
- (aa) "Resolution" means a statement of the position of the Assembly with respect to a matter whether the matter is within the control of the Assembly and therefore binding or outside the control of the Assembly and therefore merely advisory;
- (bb) "Sitting" means one day of a meeting;
- (cc) "Speaking" means any person presiding in the Assembly in accordance with Section 22, 23 and Schedule 2 of the Act;
- (dd) "Substantive motion" means a motion requiring a resolution;
- (ee) "Term" means the period between an ordinary election and the next ordinary election of members.
- (ff) "Transcript" means a summary record of all debates conducted during a meeting;
- (gg) "Two thirds majority" means two thirds of the elected members, where necessary rounded up to the next highest whole number.

PART 2. MEMBERS AND OFFICERS**Oaths or affirmations of office**

- | | | |
|-----|--|---|
| (4) | The administration of relevant oaths or affirmations shall be the first item of business on any day when an oath is to be made. | Relevant
oaths
first item of
business |
| (5) | <p>No member shall take part in the proceedings of the Assembly until he or she has made the following oath or affirmation:</p> <p style="padding-left: 40px;">“I, do swear [or affirm] that I will be faithful and bear true allegiance to her Majesty Queen Elizabeth II, Her Heirs and Successors, according to Law.
[So help me God.]”</p> | Member's
oath
affirmation
of
office |
| (6) | <p>Before commencing the duties of Speaker the Speaker shall take the following oath or affirmation:</p> <p style="padding-left: 40px;">“I,, do swear [or solemnly affirm] that I will well and truly serve Her Majesty Queen Elizabeth II, Her Heirs and Successors, in the office of Speaker of the Provincial Assembly of Rennell and Bellona Province
[So help me God].”</p> | Speaker's
oath of
office |
| (7) | The Deputy Speaker shall take an oath or affirmation in the same terms as the Speaker. | Deputy
Speaker's
oath of
office |
| (8) | <p>No member shall take part in the proceedings of the Provincial Executive until he or she has made the following oath or affirmation;</p> <p style="padding-left: 40px;">“I, being a member of the Provincial Executive do swear [or affirm] that I will use my best judgment at all times, and when so required freely give my counsel and advice to the Premier of Rennell and Bellona Province (or any other person for the time being lawfully performing the functions of that office for the good management of the public affairs of Rennell and Bellona Province) and I do further swear [or affirm] that I will not on any account at any time whatsoever, disclose the counsel, advice, opinion or vote of any particular member of the Executive and that I will not, except with the authority of the Executive, and to such extent as may be required for the good management of the affairs of Rennell and Bellona Province directly or indirectly reveal the business or proceedings of the Executive or any matter coming to my knowledge in my capacity as a member of the Executive and that in all things I will be a true and faithful member of the Executive. [So help me God]”.</p> | Provincial
Minister's
oath of
office |

Administration of oaths (9) Oaths or affirmations shall be administered by the Speaker but if there is no Speaker or Deputy Speaker, by a Commissioner of Oaths in the presence of the Clerk of the Assembly.

Election and role of Speaker and Deputy Speaker

Nominations of candidates for Speaker (10) No later than three (3) clear days before the Assembly's first sitting of the meeting first occurring after an ordinary election of the Assembly, or whenever the office of the Speaker becomes vacant, the Clerk shall announce the opening of nominations for Speaker.

Closure of nominations (11) Nominations will close two (2) clear days after the Clerk's announcement.

Residency qualification of Speaker (12) The Speaker must be a registered voter, ordinarily resident in a ward of the Province and not a member of the Assembly or the National Parliament.

Nominations in writing (13) Nominations must be in writing, signed by two (2) members and personally delivered to the Clerk during the nomination period.

Candidate to sign nomination (14) The candidate shall sign the nomination form to indicate acceptance of the nomination.

No member to nominate more than one candidate (15) No Member may nominate more than one candidate in any election for Speaker or Deputy Speaker.

Clerk to post notice of nominations (16) The Clerk shall post on the Provincial Notice Board and in such other places as are considered necessary or appropriate, no later than 4.00pm on the day before the day set down for the election, the nominations that have been received and the time of the election.

Nomination may be withdrawn (17) A candidate may withdraw his or her nomination at any time prior to the ballot being taken by handing to the Clerk written advice of the withdrawal.

If only one candidate that person to be elected (18) Election of a Speaker shall be the first item of business after all Members have sworn the Oath or Affirmation of Allegiance.

Election of Speaker first item after oaths of allegiance (19) Election of a Speaker shall be the first item of business after all Members have sworn the Oath or Affirmation of Allegiance.

Clerk presides over election of Speaker (20) The Clerk shall preside over the election of Speaker.

Speaker to preside over election of Deputy Speaker (21) The Speaker or in his absence, the Clerk, shall preside over the election of Deputy Speaker.

- | | | |
|------|---|---|
| (22) | The candidate elected to the Office of the Speaker or Deputy Speaker shall be the candidate who receives an absolute majority of votes upon a secret ballot of members present. | Election by
secret ballot |
| (23) | If no candidates receives an absolute majority of votes on the first ballot the candidate with the fewest votes shall be eliminated and further ballots held. If at any time there is a tie between two or more candidates receiving the fewest votes the Clerk shall eliminate one of the candidates by lots. Ballots shall continue until one candidate has an absolute majority. If two candidates remain and neither receives an absolute majority after two ballots, the Clerk shall call for fresh nominations from the original candidates and conduct a further ballot on the day following. If there is still a tied vote the Clerk shall determine the result by lot. | Process of
ballot |
| (24) | Appointed persons shall not be eligible to vote for Speaker or Deputy Speaker. | Appointed persons cannot
vote |
| (25) | The Assembly shall not transact any business, other than the election of the Speaker, prior to the election of the Speaker. | Assembly not
to transact
business prior
to Speaker's
election |
| (26) | Election of a Deputy Speaker shall follow as soon as practicable after the Premier has advised the Clerk of the names of the Provincial Ministers but not later than three (3) days after the commencement of the meeting. | Deputy
Speaker's
election |
| (27) | The Speaker shall perform such duties as are specified in these Orders and as resolved by the Assembly from time to time and shall include but not be limited to the following: | Duties of
Speaker |
| | <ul style="list-style-type: none"> (a) Chair meetings of the Assembly and the Committee of the Whole Assembly. (b) Send to members, not less than fourteen (14) days before a meeting, an agenda prepared in consultation with the Premier. (c) Sign the minutes of Assembly sittings as a true and correct record. (d) Suspend a sitting of the Assembly if a quorum is not present. (e) Put all questions before the Assembly or the Committee of the Whole Assembly and decide from the voices of the members if there is a majority for or against. | |

- (f) Ensure the orderly conduct of members. In any dispute between members the Speaker's decision shall be final.
- (g) Ensure that no offensive or abusive language is used in the Assembly.
- (h) Ensure that members are cleanly and neatly dressed and do not chew betel nut, smoke or eat in a sitting of the Assembly or a Committee of the Whole Assembly.
- (i) Order the removal of a member or any other person from the Assembly who acts in a disorderly matter.
- (j) Administer the oath of allegiance to new members of the Assembly.
- (k) Ensure all questions put to Provincial Ministers concern matters within the legislative competence of the Assembly or are of concern to the Provincial Service or functions of the Executive or are otherwise relevant to the affairs of the Province.
- (l) Ensure that Provincial Ministers or any member proposing an ordinance provide a copy to the Clerk at least two (2) clear days before the date of the start of the debate.
- (m) Receive from Members any motion of no-confidence in the Premier.
- (n) Appoint the chair and members of all committees in consultation with the Premier.
- (o) Receive from Members a list of pecuniary interests including any shares, appointments as a director, or any positions which a Member holds in any business operating or planning to operate in the province.
- (p) Examine every bill submitted for presentation to the Assembly to ensure it complies with the requirements of these Orders.
- (q) Propose amendments to improve these Orders, in collaboration with a qualified legal advisor, for the Assembly's consideration.
- (r) Supervise and work closely with the Clerk for proper management of the Assembly Office.

Deputy Speaker
performs duties
of Speaker when
presiding

- (28) In the absence of the Speaker the Deputy Speaker shall perform all the duties of the Speaker.

- | | |
|--|--|
| <p>(29) To qualify as a candidate for Speaker a person must be:</p> <ul style="list-style-type: none"> (a) a citizen of Solomon Islands and indigenous to the Province; (b) a registered voter and ordinarily resident in a ward of the Province; (c) not a member of the National Parliament or the Assembly; (d) a mature and responsible person; (e) knowledgeable in local politics; (f) a person of tempered character; (g) a person who has the respect of the people; (h) a leader of communities; (i) not been convicted of any criminal offence within the previous six (6) months or is before the courts for any criminal offence. | <p>Candidates qualifications for office of Speaker</p> |
| <p>(30) To qualify as a Candidate for Deputy Speaker a person must be:</p> <ul style="list-style-type: none"> (a) A citizen of Solomon Islands and indigenous to the Province; (b) A registered voter in a ward of the Province; (c) A Member of the Assembly but not a member of the Executive; (d) Not a member of the National Parliament. | <p>Candidates qualifications for office of Deputy Speaker</p> |
| <p>(31) The term of a Speaker shall continue from the date of election until the election of a new Speaker and shall not be terminated by reason only of the dissolution of the Assembly.</p> | <p>Speaker's term of office</p> |
| <p>(32) The Speaker or Deputy Speaker may resign in writing delivered to the Premier and shall take effect when it is accepted in writing by the Premier.</p> | <p>Resignation of Speaker or Deputy Speaker</p> |
| <p>(33) The Speaker or Deputy Speaker may only be removed from office by a two thirds majority of members.</p> | <p>Speaker or Deputy Speaker only removed by absolute majority</p> |
| <p>(34) As a symbol of authority at any meeting of the Assembly the Speaker shall wear during meetings such distinctive dress as is resolved by the Assembly.</p> | <p>Speaker's dress</p> |
| <p>(35) The person presiding shall be known and addressed as the Speaker.</p> | <p>Presiding officer to be addressed as Speaker</p> |

- Deputy Speaker to preside in Speaker's absence (36) In the absence of the Speaker the Deputy Speaker shall preside.
- Ordinary member to preside in absence of both presiding officers (37) In the absence of the Deputy Speaker, the Assembly shall choose a member, not being a member of the Executive to preside until the Speaker or Deputy Speaker is again present.
- In Committee of Whole House Speaker shall preside as chair' (38) Whenever the Assembly resolves itself into the Committee of the Whole Assembly, the Speaker shall preside as Chairman of the Committee.
- Chair of Committee of Whole House to have same powers as Speaker (39) The person acting as Speaker in the Assembly or as Chairman of the Committee of the Whole Assembly shall, while so presiding or acting, have all the powers conferred by these Orders on the Speaker.
- Vacancy in office of Speaker (40) The office of Speaker becomes vacant if;
 (a) the Speaker resigns in writing to the Premier,
 (b) the Speaker ceases to be eligible for election as Speaker under S.O. 29,
 (c) the Assembly passes a motion of no confidence in the Speaker by an absolute majority.
 (d) dies, or
 (e) is prevented by illness from continuing in office.

- Election of Premier**
- Election of Premier (41) The election of the Premier shall be the next item of business after the election of Speaker and shall be conducted by the Speaker in a meeting of the Assembly closed to public. The election shall be conducted in accordance with sections 19 and 20 of the Act at the first sitting of the Assembly after an ordinary election or whenever the office becomes vacant. Appointed persons shall not be eligible to vote.

- Nominations for Premier (42) The Speaker shall call for nominations for Premier no later than one (1) clear day before the first meeting after an ordinary election or whenever a vacancy occurs.

- Nominations to be signed (43) Nominations shall be in writing, signed by two nominating members and by the candidate to indicate acceptance of the nomination.

- Member may nominate only one candidate (44) A member may nominate only one candidate.

- No candidate may nominate another candidate (45) No member who is a candidate may nominate another candidate.

- | | | |
|------|---|---|
| (46) | Nominations must be handed to the Speaker at least one (1) hour before the sitting at which the election shall take place. | Nomination handed to Speaker |
| (47) | A candidate may withdraw his or her nomination at any time prior to the ballot by handing the Clerk written advice of the withdrawal. | Nomination may be withdrawn |
| (48) | If there is only one candidate the Clerk shall declare that candidate effected. | If only one candidate that person to be elected |
| (49) | <p>If there is more than one candidate for Premier a ballot shall be held and shall proceed as follows:</p> <ul style="list-style-type: none"> (a) If no candidate receives an absolute majority on the first ballot further ballots will be held. (b) The candidate receiving the fewest votes at the first ballot will be eliminated and further ballots conducted. (c) If there is a tie between two or more candidates receiving the fewest number of votes the Speaker shall eliminate one of the candidates by lot. (d) Ballots will then continue with the candidate receiving the fewest votes being eliminated until one candidate has an absolute majority. (e) If two candidates remain and neither receives an absolute majority after two ballots, the Clerk shall conduct a fresh election between the two candidates on the day following and the candidate receiving an absolute majority shall be declared the Premier. (f) If at the second ballot no candidate receives an absolute majority the Speaker shall call on one of the members nominated to move as follows, "A second ballot having been held for the office of Premier at which no candidate received an absolute majority this Assembly be now dissolved and the Minister advised to direct that a fresh election be held under Section 10(2)(b) of the Act. | Process for ballot if required |
| (50) | When a Premier is elected the result of the election shall be forwarded to the Minister for publication in the Solomon Islands <i>Gazette</i> . | Result of election forwarded to Minister |

Deputy
Premier and
Provincial
Ministers

(51)

Deputy Premier and Provincial Ministers

The Deputy Premier and Provincial Ministers shall be appointed in accordance with Sections 20(4) and 20(5) of the Act.

Deputy
Premier to act
in absence of
Premier

(52)

In the absence of the Premier, the Deputy Premier shall perform the duties of the Premier.

Duties of
Clerk

(53)

The Clerk

The Clerk, appointed by the Speaker under Section 22(2) of the Act, shall be responsible for:

- (a) keeping the minutes of proceedings of the Assembly and of the Committee of the Whole Assembly. The minutes of proceedings shall record the members attending, all decisions made and details of every division held;
- (b) submitting the minutes of proceedings of each sitting as a true and correct record to the Speaker for his signature and distributing copies to members before commencement of the next sitting;
- (c) preparing a transcript of all debates conducted during a meeting;
- (d) tabling the transcript of a meeting on the first day of the next meeting;
- (e) recording from day to day in an Order Book all business of which notice been given. The Order Book shall be open for inspection by members during business hours and when the Assembly is sitting;
- (f) preparing and maintaining,
 - (i) a Notice Paper recording all motions entered in the Order Book which have not been dealt with by the Assembly.
 - (ii) an Order Paper listing the business for each sitting;
- (g) maintaining custody of the ballots, records, bills, ordinances, regulations and other documents placed before the Assembly which shall be open for inspection during business hours by Members and other persons;
- (h) ensure all ordinances passed by the Assembly are properly certified and forwarded to the Minister for assent and publication in the Solomon Islands *Gazette*;

- (i) keep a record of all ordinances and regulations passed by the Assembly and a separate record of all Provincial ordinances and other papers that have become effective after being *gazetted* or otherwise.
- (j) perform such further duties set down in these orders or as resolved by the Assembly or directed by the Speaker.

PART 3. MEETINGS AND SITTINGS

Meetings

- (54) The Assembly shall meet at least twice in any Provincial financial year but may sit as often as required to effectively carry out Provincial business. Meetings
- (55) The first meeting after an ordinary election shall be called as soon as practicable but no later than 30 days after the date of the election. First meeting after ordinary election
- (56) Meetings shall be conducted in public. Meetings in public
- (57) Meetings shall be held at such place, date and time as the Speaker, on the advice of the Premier, shall decide and the Clerk shall place a notice giving these details on the Provincial Notice Board and such other places as are considered necessary or appropriate at least two weeks before the first sitting of the meeting. General notice of meeting
- (58) The Speaker shall also call a meeting if an absolute majority of members present a letter to the Speaker, signed by each member, calling for a meeting on the date stated in the letter. The letter shall state the reasons for calling the meeting and the business to be discussed at the meeting. Speaker may call meeting
- (59) The Clerk shall also give notice to members of the place, date and time of the meeting not less than two calendar weeks prior to the date of the first sitting, in writing handed to the Member, or posted to the Member where the Member has a reliable postal address, or by radio or telephone message, or to a person nominated by the member, and at that time provide a list of matters to be considered at the meeting. This list will be for information purposes only and may be changed at any time. Notice of meeting to members

- 7 days notice in exceptional circumstances (60) In exceptional circumstances the Speaker may give members seven (7) days notice of a meeting.
- End of meeting (61) A meeting shall come to an end, and no further proceedings or business shall take place when the Assembly so decides upon a motion to adjourn the meeting moved by the Premier, or, if there is no quorum for two sitting days consecutively.
- Speaker may adjourn meeting (62) The Speaker may adjourn the commencement date of a meeting before the due date after consultation with the Premier where unforeseen circumstances make it impracticable or impossible to proceed as schedule.
- Notice of new date, time and place after adjournment (63) When a meeting is adjourned under S.O. 62 the Speaker will ensure that all Members are informed of the date, time and place to which the meeting has been adjourned.
- Sittings (64) **Sittings**
During the period of a meeting, unless it has been previously decided upon a motion moved by any member, the Assembly shall sit on week-days unless any such day is a Public Holiday.
- Member may move motion in relation to sitting days (65) Any Member may move a motion,
(a) that the Assembly shall sit on any Saturday, Sunday or Public Holiday named in the motion or;
(b) that the Assembly shall not sit on any day named in the motion.
- General business day (66) One day during each meeting shall be set aside for private members business and for oral submissions from the public under S.O. 105, provided that if there is no such business, executive business may be debated.
- Sitting times (67) Sittings shall be from 9.00 am until 12 noon and from 1.30pm until 4pm, provided however, that the Speaker has the discretion to suspend, shorten or extend any sitting.
- Adjournment of sitting (68) On any sitting day during a meeting the Assembly may by resolution adjourn the meeting to a later day provided that the date set by the adjournment motion shall be no later than fourteen (14) days after the date of the resolution.

Quorums

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|------|--|--------------------------------|
| (69) | The quorum for any sitting of the Assembly shall be an absolute majority of members. | Quorum |
| (70) | At each sitting of the Assembly, before proceeding with business, the Speaker shall determine if a quorum is present. | Speaker to determine quorum |
| (71) | When, at any time during a sitting, <ul style="list-style-type: none"> (a) the Speaker determines a quorum is not present, (b) a member draws the Speaker's attention to the lack of a quorum; | Sitting adjourned if no quorum |

proceedings shall not continue until a quorum is present. If a quorum is not present within thirty (3) minutes the Speaker shall adjourn the sitting to the following day.

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| (72) | If a quorum is not formed under S.O. 70 or 1 and there is no quorum on the following day the meeting shall be adjourned until a date for a new meeting is set provided that such date shall be not later than fourteen (14) days after adjournment. | Meeting adjourns if no quorum on following day |
| (73) | The quorum for any committee of the Assembly shall be one more than half its members. | Committee quorum |
| (74) | If the Chair of the committee determines there is no quorum the committee meeting shall adjourn without conducting further business and shall stand adjourned until the next sitting day. | Committee adjourns when no quorum |

Attendance

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|------|--|------------|
| (75) | All Members are expected to attend on each sitting of a meeting and remain present throughout the sitting unless they have a reasonable excuse for not attending. Reasonable excuse for not attending a meeting or any part of a meeting shall include, <ul style="list-style-type: none"> (a) health reasons, (b) family emergency, (c) government business, | Attendance |
|------|--|------------|

however members are required to give priority to Assembly meetings over any non-urgent personal matters, or any business matters.

- Member unable to attend must give notice to Speaker (76) Any Member who is unable to attend all or part of a meeting must give notice in writing to the Speaker in accordance with Section 15(1)(j) of the Act prior to the start of the meeting where the reason is apparent before the start of the meeting.
- Failure to attend meetings (77) If any member fails to attend,
- (a) three (3) meetings without reasonable excuse in writing to the Speaker that member is disqualified from office under Section 11(j) of the Act.
 - (b) fails to provide reasonable excuse in writing for absence on three (3) consecutive sittings the member shall be suspended from attendance for the remainder of the meeting.
- Language (78) **Language and general conduct during sittings**
The proceedings and debates for the Assembly shall be in the English language, Solomon Islands pijin or a local language where it is a common language within the Province, except for written matters which shall be in English.
- Offensive language not to be used (79) Offensive, abusive and indecent language shall not be used during the proceedings of the Assembly.
- Member's dress (80) All members attending meetings shall be appropriately dressed which for men shall include a button shirt, tie, and trousers or sulu and for women appropriately equivalent attire.
- Conduct during sittings (81) During any meeting:
- (a) shall not refer to another member by name but by the name of the constituency the member represents,
 - (b) not read any material not connected with the meeting.
 - (c) may not eat or drink anything other than water during a meeting, other than during breaks.
 - (d) shall not sleep during a meeting,
 - (e) shall ensure that mobile phones are switched off during meetings.
 - (f) shall not consume alcohol on a sitting day until the sitting has concluded for the day.
 - (g) shall not smoke or chew betel nut.

PART 4. ORDER DURING SITTINGS

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| (82) | The Speaker shall be responsible for keeping order. | Speaker keeps order |
| (83) | Where a point of order is raised on a matter not covered by these Orders the Speaker may make a ruling based on natural fairness and commonsense. | Matters not covered by Orders |
| (84) | If the Speaker believes these Orders are not being followed the Speaker may make a ruling without a point of order being raised by a member. | Speaker may make ruling without point of order being raised |
| (85) | Members shall stand to speak and shall address the Speaker. | Members stand to speak |
| (86) | The Speaker shall speak sitting down. | Speaker speaks sitting down |
| (87) | Where two members stand together the Speaker shall decide which member speaks first. | Speaker decides who shall speak |
| (88) | No member may interrupt another member who is speaking except;
(a) by rising to call attention to a point of order in which case the member speaking shall sit and allow the member raising the point of order to concisely state the point or order, and such point of order shall be ruled upon by the Speaker,
(b) to query a point raised by a member speaking but only with the consent of the Speaker and where a query is raised it must be brief, not raise new material, and any answer shall be part of the member's speaking time. | When member may interrupt another member |
| (89) | No member may make offensive statements about the private affairs of another member or of the staff of the Provincial Assembly. | Member not make offensive statements about other members or Assembly staff |
| (90) | If a member wishes to make a statement critical of another member it must be done by substantive motion of which due notice has been given. | Criticism of another Member by substantive motion |
| (91) | A member may refer a point of order to the Speaker at any time. | Points of order |
| (92) | The Speaker may rule on a point of order without it being raised by a member. | Speaker may rule on own accord |
| (93) | The Speaker may hear submissions from members on a point of order but once the Speaker has made a ruling it shall be final. | Speaker's ruling final |

- Speaker may reference Standing Orders of National Parliament (94) Where a point of order is not specifically dealt with in these Orders the Speaker may make a decision by reference to the Standing Orders and precedents of the National Parliament of Solomon Islands.
- Removal of Member for disorderly conduct (95) The Speaker may order the removal of any member who violates these orders or behaves in a disorderly or offensive manner. On the first occasion upon which a Member is removed under this order the Member shall be excluded for the remainder of the sitting and upon return shall apologise verbally to the Assembly.
- Second or subsequent disorder (96) Where a member violates these orders or behaves in a disorderly or offensive manner.
- (a) on a second occasion the Speaker shall order the removal of the member for the remainder of the sitting and the two following sittings.
- (b) on any third or subsequent occasion for the remainder of the sitting and the four following sittings.
- Removal of other persons (97) Any person, not a member, who is removed by the Speaker shall not be permitted to return for the remainder of the sitting.
- Suspension of standing orders (98) Any member may move a motion for the suspension of any or all of these Orders. The Order or Orders shall be suspended upon a two thirds majority vote of members.

PART 5. SPEECHES AND RULES OF DEBATE

- Routine of business (99) The routine of business shall be as follows:
- (a) Prayer
- (b) Administration of Oaths
- (c) Urgent motions
- (d) Messages and announcements
- (e) Petitions
- (f) Questions
- (g) Notice of new business
- (h) Ministerial statements
- (i) Papers
- (j) Subsidiary legislation
- (k) Executive ordinances
- (l) Committee reports
- (m) Members statements
- (n) General Business

- (100) On the first day of each meeting the Premier shall be allocated one hour to make a speech regarding the present circumstances of the Province. Premier's opening address to meeting
- (101) The Speaker in consultation with the Premier or, where there is a business committee, the business committee shall determine the business for each sitting subject to these Orders. The Speaker shall issued an Order Paper for the information of the members thirty (30) minutes prior to the beginning of each sitting. Determination of business
- Speeches**
- (102) Members wishing to speak shall observe the following rules: Speeches
- (a) Speeches shall be relevant to the subject matter being debated and except with leave of the Speaker shall not exceed thirty (30) minutes.
 - (b) A member who has not previously spoken may without notice move that debate on that matter be closed. Thereupon the Speaker shall immediately put the motion to a vote.
 - (c) If a motion under so. 93(b) is carried in the affirmative the mover of the original motion shall have a right of reply before the substantive motion is put to a vote.
 - (d) The Speaker may order a member to cease speaking and sit down if the content of the member's speech is irrelevant, repetitious or offensive.
 - (e) In the Committee of the Whole Assembly a member may speak up to three (3) times, for no more than five (5) minutes each time, during debate on any question.
- (103) Provincial Ministers may make a statement on any matter relating to their portfolio at the time set down in the routine of business. The Minister must inform the Speaker of his intention no later than thirty (30) minutes before the beginning of the sitting. The Minister shall be allocated up to thirty (30) minutes. No debate will be allowed but the Speaker may allow short questions to the Minister for the purpose of elucidating points made in the statement. Ministerial Statement
- (104) Members may make statements of no more than fifteen (15) minutes, at the time allotted in the routine of business, after notifying the Speaker on the day prior to the sitting. If there is insufficient time at any sitting to allow for all members who wish to speak priority will be given to those members at the next sitting. No debate will be allowed but the Speaker may allow short questions to the member for the purpose of elucidating points made in the statement. Members statements

Submissions
from public

- (105) Oral submissions from the public may be made on the day set aside for private members business subject to the following rules,
- (a) application to make an oral submission must be lodged with the Speaker by the applicant in person at least fourteen (14) days before a meeting of the Assembly,
 - (b) when lodging the application the applicant must verbally advise the Speaker of the content of the submission,
 - (c) after hearing the application the Speaker shall consider its content and make a decision within two clear days whether the content is appropriate and the applicant shall be notified of the Speaker's decision,
 - (d) the Speaker's decision shall be final,
 - (e) if the Speaker approves the application it shall be the Speaker's responsibility to advise the applicant on the correct procedure for making the submission,
 - (f) the applicant may address the Assembly for up to ten (10) minutes.
 - (g) there shall be no debate or questions on the subject matter of the submission.

PART 6. MOTION OF NO CONFIDENCE IN THE PREMIER

Any Member
may move

- (106) Any Member may give notice of a motion of no confidence in the Premier subject to the provisions of Section 19(5) of the Act.

Notice

- (107) Notwithstanding any other provision of these Orders, no member shall move a motion of non-confidence in the Premier, unless at least seven (7) clear days notice has been given and placed on the Notice Paper and on the Public Notice Board at Provincial Headquarters.

Grounds

- (108) A motion of no-confidence under S.O. 106 must state in specific terms the grounds for the lack of confidence, being:

- (a) gross misuse or neglect of the powers of the office; or
- (b) misappropriation of public funds; or
- (c) any other grounds which may bring the office into serious disrepute.

Motion to take
precedence

- (109) A motion of no confidence shall be listed under general business but on the day it is set down for debate shall take precedence over all other business.

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| (110) | Every member shall have an opportunity to speak once to the motion. | Every Member may speak |
| (111) | The Premier shall have the opportunity to speak in the debate and in addition to the mover of the motion shall have a right of reply at the conclusion of the debate immediately before the mover's right of reply. | Exception |
| (112) | Where a motion of no-confidence is defeated no further motion of no-confidence shall be moved for a further twelve (12) months. | If motion defeated no further motion for twelve months |
| (113) | Where a motion of no confidence is carried the meeting shall be adjourned for a period of forty eight (48) hours excluding weekends and public holidays. | Adjournment on successful motion |
| (114) | The first matter of business on the recommencement of the meeting shall be the election of a new Premier. | Election of new Premier |
| (115) | Until a new Premier is elected the Deputy Premier shall be Acting Premier to maintain current services only. | Deputy Premier to be caretaker Premier |

PART 7. MOTION OF NO CONFIDENCE IN THE SPEAKER OR PROVINCIAL MINISTER

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| (116) | Any member may give notice of motion of no confidence in the Speaker or a Provincial Minister. | Any Member may move |
| (117) | Notwithstanding any other provisions of these Orders, no member shall move a motion of no-confidence in the Speaker or a Provincial Minister unless at least seven (7) clear days notice has been given by being placed on the Notice Paper. | Notice |
| (118) | A motion of no-confidence in the Speaker under S.O. 116 must be handed to the Deputy Speaker stating in specific terms the grounds for the lack of confidence, being: <ul style="list-style-type: none"> (a) gross misuse or neglect of the powers of the office; or (b) misappropriation of public funds; or (c) any other grounds which may bring the office into serious disrepute. | Grounds |

- Motion to take precedence (119) A motion of no confidence shall be listed under general business but on the day it is set down for debate shall take precedence over all other business.
- Deputy Speaker to preside (120) In any debate of no confidence in the Speaker the Deputy Speaker shall be the presiding officer.
- Every Member may speak (121) Every member shall have an opportunity to speak once to the motion.
- Exception (122) The Speaker or Provincial Minister who is the subject of the motion of no confidence shall have an opportunity to speak in the debate and in addition to the mover of the motion shall have a right of reply at the conclusion of the debate immediately before the mover's right of reply.
- If motion against Speaker defeated no further motion for twelve months (123) Where a motion of no-confidence in the Speaker is defeated no further motion of no-confidence shall be moved within the next twelve (12) months.
- Effect of successful motion (124) Where a motion of no-confidence in the Speaker is supported by a two thirds majority the Deputy Speaker shall immediately declare that the office of Speaker is vacant.
- Casual vacancy in office of Speaker (125) A person removed from the office of Speaker under S.O. 124 shall not be eligible to nominate again for the office of Speaker within a period of twelve (12) months.
- Person dismissed from office of Speaker may not nominate for 12 months (126) Whenever the office of Speaker becomes vacant under S.O. 124, or for any other reason, the Clerk will immediately announce the opening of nominations for the office of Speaker pursuant to S.O. 10 to 15.
- When vacancy is filled (127) If the election of a new Speaker to fill a vacancy under S.O. 124 does not take place within the meeting in which the vacancy occurs it shall be the first item of business at the next meeting.
- Effect of successful motion against Minister (128) Where a motion of no-confidence in a Provincial Minister is supported by a two thirds majority the Premier shall immediately remove that person from the executive position under the power conferred by Section 21(4) of the Act.

PART 8. QUESTIONS TO THE EXECUTIVE

- (129) There shall be a question time each day and the time set aside for asking questions shall not exceed sixty (60) minutes.

Question Time
each day

- (130) All questions shall be subject to the following rules:

Rules for
questions

- (a) Questions may be asked by any member, not a being a member of the Executive, to any Provincial Minister seeking information or official action on any matter for which the Provincial Minister has portfolio responsibility and the Provincial Minister is required to give a relevant answer.
- (b) The member posing the question shall deliver to the Clerk a signed copy of the question no later than 10am on the day before the day on which the member wishes to ask the question. The Clerk shall give copies of the question to the Speaker, the Premier and the Provincial Minister to whom the question is addressed and shall place the question on the Order Paper in the order in which it has been received.
- (c) Questions shall not contain argument, inferences, opinion or offensive words.
- (d) As far as practicable members shall be afforded equal opportunity to ask questions however a member shall not ask consecutive questions unless no other member wants to ask a question and in any circumstances shall not ask more than three (3) questions at any one sitting.
- (e) Where the member of the Executive to whom the question is addressed is not present the Speaker shall ask the Premier to answer the question.
- (f) After an answer has been given the member who asked the question may ask one supplementary question forthwith, without notice, for the purpose of elucidating the original answer. The Speaker shall rule out of order a supplementary question that introduces matter not related to the original question.
- (g) If questions remain on the business paper after sixty (60) minutes the remaining questions shall be given priority on the next sitting day.

Urgent
questions

(131) A question on a matter of public urgency may be asked under the following rules:

- (a) The Member shall hand a copy of the question, together with a statement of why it is urgent, to the Speaker no later than thirty (30) minutes before the sitting commences.
- (b) The Speaker shall determine whether the matter is sufficiently urgent to warrant setting aside the normal notice period.
- (c) A matter is urgent if it addresses a matter of significant public concern, suddenly arising, and for which there is not sufficient time for notice to be given in the normal way.
- (d) If the Speaker determines the matter is urgent it shall have priority at Question Time.

PART 9. PAPERS

Any Member
may table a
paper

(132) At the time set down in the routine of business any Member may table a paper and that paper shall be deemed part of the record of the Assembly.

Tabled papers
publicly avail-
able

(133) After tabling all papers shall be available for inspection by members and the public during business hours.

Rules for
tabling papers

(134) The procedures for tabling papers are as follows:

- (a) A member who wishes to table a paper shall, at least 48 hours prior to the sitting day on which the member seeks to table the paper, provide a copy to the Clerk who shall record it in the Order Book and place it on the Notice Paper.
- (b) The Clerk shall distribute copies of the paper to all members within twenty four (24) hours of receiving the paper.
- (c) A member tabling a paper may move that the Assembly resolve itself into the Committee of the Whole Assembly to debate the paper in detail.
- (d) The member may move in the following terms:
 - (i) that the Assembly take note of the paper
 - (ii) the Assembly reject the paper,
 - (iii) that the Assembly adopt the paper or any part of it as policy for the Province.

- (135) Where subordinate legislation has been approved by the Executive since a previous meeting the Premier shall lay on the table of the Assembly at its next meeting such subsidiary legislation. The validity of the subsidiary legislation shall continue unless revoked by a majority of members. Premier to table subsidiary legislation
- (136) Any member may give notice of motion to the Clerk for revocation of any subsidiary legislation tabled at that meeting within five (5) sitting days of it being tabled by the Premier and the Clerk shall list it for debate on the day following, at the time set down in the routine of business. Any Member may move revocation of subsidiary legislation
- (137) If there is insufficient time to debate a motion to revoke subsidiary legislation at the current meeting the motion shall be given priority at the next meeting. If insufficient time to debate motion it shall have priority at next meeting
- (138) Revocation of any subsidiary legislation shall not affect anything done pursuant to its provisions prior to revocation.

PART 10. MOTIONS

- (139) The rules applying to motions are as follows: Rules applying to motions
- (a) except as otherwise provided in these Orders or with prior permission of the Speaker on grounds of public urgency, no member shall move a substantive motion unless such motion has appeared on the Notice Paper for two (2) clear days before the day on which it is to be considered by the Assembly.
 - (b) a substantive motion must concern matters within the legislative competence of the Assembly or relating to provincial services or functions of the Executive or be otherwise relevant to provincial affairs.
 - (c) Any motion which would have the effect of increasing revenue or expenditure shall be not moved except by or with the consent of the Minister in the Executive with responsibility for finances.
 - (d) If the Speaker is of the opinion that a motion contains offensive or inappropriate words or is otherwise improper or unclear, the motion shall be returned to the member who may amend the motion so that it confirms with these Orders after which it shall be printed in the Notice Paper as amended.

- (f) A member moving a motion shall be called upon by the Speaker to move and speak in support of the motion.
- (g) The Speaker shall then open the motion for debate. When all members who wish to speak have spoken the Speaker shall call the mover to speak in reply before putting the motion to a vote.
- (h) Every member shall be entitled to speak for up to thirty (30) minutes on any motion, and no member shall speak more than once.
- (i) A member having a right of reply may only answer matters raised in debate and shall not introduce new matter.
- (j) A member who believes he or she has been misquoted may seek to clarify the misunderstanding by raising a point of order.
- (k) A motion may be amended. Members may speak to the amendment as a new question which shall be voted on before further debate on the original question.
- (l) It shall be out of order to attempt to reconsider a specific question on which the Assembly has taken a decision during the current or preceding two meetings except, with the permission of the Speaker, by substantive motion to rescind that decision.
- (m) Any member may move a motion that a matter be dealt with urgently if it is in the public interest and to delay debate may cause harm to the Province.
- (n) A notice of motion may be withdrawn from the Notice Paper at any time before it is moved if the mover gives a written instruction to the Clerk to withdraw it.
- (o) A motion already moved may be withdrawn at the oral request of the mover before the question has been voted upon if the Assembly so agrees with no dissenting voice.

Urgent motion (140) Any member may move an urgent motion subject to the following rules:

- (a) The members shall submit a copy of the motion to the Speaker no later than one (1) hour before a sitting commences,
- (b) The Speaker shall determine if the subject of the motion is sufficiently urgent to be given priority on that sitting day,
- (c) A matter shall be considered urgent if it addresses a matter of significant public concern, suddenly arising, and for which there is not sufficient time for notice to be given in the normal way,
- (d) An urgent motion shall take priority over other business.

PART 11. DISSOLUTION OF THE ASSEMBLY

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| (141) | The Assembly is dissolved; | Dissolution of
Assembly |
| | (a) on the fourth anniversary of the date of the previous election,
(b) if the Assembly resolves that it be dissolved. | |
| (142) | Any member may move that the Assembly be dissolved. | Any member
may move
dissolution |
| (143) | Following an ordinary election the Executive in place before the election shall remain in office until a new executive is sworn in for the purpose only of ensuring services are maintained, and shall not implement any new policy or initiative. | Previous execu-
tive to remain in
caretaker situa-
tion |
| (144) | Notwithstanding any other provision of these Orders, no member shall move a motion for dissolution of the Assembly unless such motion has appeared on the Notice paper seven (7) clear days before the day on which it is to be considered by the Assembly in accordance with Section 10(2) of the Act. | Motion for
dissolution |
| (145) | A motion to dissolve the Assembly must state in specific terms the grounds for dissolution. | Grounds for
dissolution |
| (146) | A motion to dissolve the Assembly shall be debated only if the Speaker finds that the content of the motion shows:-
(a) a gross misuse or neglect of Executive powers; or
(b) Misappropriation of public funds; or
(c) Any other grounds which brings the Assembly or the Provincial Government into disrepute | Content of
motion for
dissolution |
| (147) | Every member shall have an opportunity to speak to the motion. | Every Member
may speak |
| (148) | A motion for dissolution shall require an absolute majority of members voting by secret ballot. | Secret ballot |
| (149) | Upon the passing of a motion for dissolution of the Assembly, the resolution shall be forwarded immediately to the Minister for direction under the provisions of Section 10(2) of the Act. | Successful
resolution to be
forwarded to
Minister |
| (150) | Where a motion to dissolve the Assembly is defeated no further motion of dissolution shall be moved within the next twelve (12) months. | |

PART 12 VOTING

- Only elected Members may vote (151) Only elected members may vote on any question before the Assembly or in committee.
- Open ballot (152) All voting shall be by open ballot unless otherwise provided for in these Orders and all votes of the Assembly shall be determined by a majority vote unless otherwise provided in these Orders.
- One vote (153) Each elected member shall have one vote.
- Equality of votes when Speaker presiding (154) If the Speaker is presiding and there is an equality of votes the question shall be determined in the negative.
- Equality of votes when Deputy Speaker presiding (155) If the Deputy Speaker is presiding, the Deputy Speaker shall have an original vote, but if there is then an equality of votes the question shall be determined in the negative.
- Outcome of vote (156) The outcome of a vote shall be determined by a simple majority of the collective voices of "yes" and "no", or a raising of hands, as determined by the Speaker, unless otherwise provided for in these Orders.

PART 13 DIVISIONS

- Challenge to Speaker's decision (157) Any member may challenge the Speaker's decision on the voices or on a show of hands by calling for a division vote which shall be held forthwith.
- Manner of voting (158) When a Division is called, the Clerk shall announce each member's name and the member must say "yes" or "no" or "I abstain".
- Speaker shall declare result (159) As soon as the Clerk has taken and recorded the votes he shall hand the list to the Speaker who shall state the number voting "yes" and the number voting "no" then declare the result of the division.
- Member may abstain (160) A member may abstain from voting and such abstaining shall be recorded along with the "yes" and "no" votes.
- Provision for secret ballot (161) Where these Orders specify a secret ballot the Clerk shall prepare and issue each member with a ballot paper on which the member shall record his/her vote and return the ballot paper folded to the Clerk. The Clerk shall count the votes and give the count to the Speaker who will declare the result.

PART 14 PROCEDURE ON ORDINANCES

- (162) The laws of the Province shall be known as ordinances. Each ordinance shall have a short title which is the name by which it shall be known and a long title setting out its purpose in general terms followed by the words "Enacted by the Provincial Assembly of Rennel and Bellona Province". Form of ordinance
- (163) Any member may propose an ordinance to the Assembly for its consideration. Any Member may propose ordinance
- (164) Whenever the Clerk receives notice from a ordinary member proposing an ordinance the Clerk shall first seek advice as to whether the proposed ordinance, Ordinance proposed by private member
- (a) has objectives that are clear and unambiguous,
 - (b) is properly drafted in the correct format,
 - (c) is legally within the jurisdiction of the Assembly, and
 - (d) addresses a matter of relevance to the people of the Province.
- The Clerk shall within ten (10) clear days of receiving the notice
- (a) provide a copy of the proposed ordinance to the Premier and the relevant Provincial Minister for comment with a request that any comments be provided within thirty (30) days.
 - (b) within ten (10) clear days of the expiry of the time limit in sub-clause (a) above forward all advices that have been received to the member proposing the ordinance who shall within ten (10) days of receiving the advices lodge formal notice of the members wish to proceed by providing a copy of the ordinance to the Speaker.
- (165) When a Minister intends to propose an ordinance the Minister shall first give notice of that intention by providing a copy of the ordinance to the Speaker no less than ten (10) calendar days prior to the commencement of a meeting. Ordinance proposed by Minister
- (166) A separate memorandum shall accompany any proposed ordinance explaining its purpose and contents. Memorandum explaining purpose

- Structure of ordinance (167) The proposed ordinance shall be divided into clauses numbered consecutively and have a descriptive note in the margin or at the head of each clause. Matters of detail relevant to the ordinance may be annexed to the ordinance in the form of a schedule or schedules.
- Copies to be made available (169) Where the Speaker receives a proposed ordinance under S.O. 164 or 165 and it is in order, the Speaker shall direct the Clerk to arrange for deliver of copies of the ordinance to all members as soon as practicable but no later than three (3) clear days before the first day of the meeting and the date of notice and short title shall be listed on the Notice Paper.
- After listing ordinance to be known as bill (170) From the time the ordinance has been listed on the Notice Paper until it has been gazetted it shall be known as a bill.
- Priority (171) Proposed ordinances shall be debated according to the following priority,
- (a) Appropriation Ordinances
 - (b) Executive Ordinances in the order determined by the Premier
 - (c) Private Members Ordinances in the order they have been received by the Speaker.
- Insufficient time to debate (172) If there is insufficient time to consider all ordinances at a meeting those not dealt with shall receive priority at the next meeting.
- Finance ordinances (173) Where the Speaker receives a proposed ordinance involving raising revenue or incurring expenditure of provincial funds, the explanatory memorandum shall set out briefly the financial effect of the ordinance and estimates of the amount of money involved.
- Copy of finance ordinance must be received by Minister in charge of finance (174) Immediately upon receipt of a proposed ordinance under S.O. 173 the Speaker shall provide a copy of the ordinance, memorandum and estimates to the Provincial Minister having charge of financial matters and the Assembly shall not consider the ordinance unless the Minister has acknowledged its receipt.

PART 15 CONSIDERATION OF A BILL

- Stages of a bill (175) Each bill shall be considered in the following stages, first reading, second reading, Committee of the Whole Assembly and third reading.

- | | | |
|-------|---|---|
| (176) | There shall be no debate on the first reading. The first reading shall take place on the day decided by the Premier or, if there is a business committee, the business committee and shall be deemed complete when the Clerk reads out the short title, enters it in the minutes and enters a copy into the record of the Assembly. | No debate on first reading |
| (177) | The second reading shall take place immediately after the first reading and shall be limited to the purpose and general principles of the bill. | Second reading |
| (178) | When called upon by the Speaker the member introducing the bill shall move "that the (short title) bill be read a second time" and speak to the motion for no longer than thirty (30) minutes after which. | Debate on second reading |
| | <p>(a) the debate shall continue until all members who wish to speak have spoken.</p> <p>(b) members may speak for no longer than thirty (30) minutes.</p> <p>(c) when the last member has spoken the mover shall then have a right of reply after which a vote will be taken.</p> | |
| (179) | If the motion is defeated no further proceedings shall be taken upon the bill or may it be presented again during the meeting. | If motion defeated |
| (180) | If the motion is approved, the second reading shall be deemed to be complete when the Clerk reads the title aloud and repeated by the Speaker. | If motion approved |
| (181) | After a bill has been read a second time it shall be referred immediately to the Committee of the Whole Assembly which shall consider it clause by clause, debating the detail of each clause but not general principles. | Bill referred to Committee of the Whole House |
| | Community of Whole Assembly | |
| (182) | Subject to any special provisions otherwise provided for in these orders the procedures for the Committee of the Whole Assembly shall be governed by the same orders as for debate on other matters. | Procedures in Committee of the Whole House |
| (183) | Amendments in committee may be moved upon written notice delivered to the Speaker before business commences on the day set down on the Notice Paper. | Amendments |
| (184) | Amendments must be relevant to the subject matter of the original proposed ordinance and must otherwise conform to these Orders. | Relevance |

- (b) take such other action by resolution as is deemed appropriate to the circumstances of the Minister's refusal to assent to the ordinance, and
- (c) Each member shall have the opportunity to speak on any motion under (a) and (b) above.

PART 16 FINANCIAL PROCEDURES

- (195) Except as otherwise set out in this Part, the procedure to be followed for the presentation, consideration and passage of any financial ordinance shall be identical to the procedures for other ordinance as set out in Part 14 of these Orders. Procedures
- (196) The Assembly shall not proceed to debate or pass any ordinance relating to income or expenditure to or from the Provincial Fund unless: Debate on financial bill
- (a) the bill is accompanied by an estimate of revenue and expenditure for the financial year to which it relates, or
 - (b) the proposed ordinance is only for the first four (4) months of the financial year, is intended solely to maintain existing services and is so certified by the Provincial Minister in charge of financial matters.
- (197) During the second reading, debate shall be on the financial and economic state of the Province and the general principles of the Executive's policies and administration as indicated in the bill and estimates. Second reading
- (198) After the second reading, the bill and estimates shall be referred to the Committee of the Whole Assembly immediately for detailed consideration of each schedule and clause and: Bill referred to Committee of Whole House
- (a) The schedules to the bill shall be considered before the clauses.
 - (b) In consideration of a schedule each head of expenditure or revenue shall be considered with the appropriate estimate
 - (c) When considering a schedule the Chairman shall call the title of each head in turn and put the question "That the sum of \$..... stand part of the schedule".
 - (d) When all the heads in a schedule have been considered the Chairman shall put a vote, without amendment or debate, the question "That the schedule stand part of the bill".
 - (e) When every schedule has been voted on the Chairman shall call in turn each clause of the bill.

- (f) An amendment to an Appropriate Bill to increase or decrease revenue or expenditure shall only be moved by the Premier or the Provincial Minister of Finance.
- (g) An amendment to increase the sum allocated to any head shall take precedence over an amendment to reduce the sum.
- (h) An amendment to increase or decrease the sum allocated to a Head shall be moved in the following form, "That Head be increased or decreased by \$..... in respect of Subhead Item"
- (i) An amendment to increase or decrease the sum allocated to a Head shall not be in order unless the Sub-Head and the Item number (if any) to which the increase or reduction applies are specified.
- (j) After the bill is passed by the Assembly, certified copies of the Appropriation Bill shall be sent to the Minister for assent, and, the bill shall be summarized by each Head of Expenditure and Revenue without reference to every Sub-Head and other such detail as contained in the Estimates.

PART 17 MANDATORY STANDING COMMITTEES

Mandatory Committees

- (199) It shall be mandatory for the Assembly to establish a Provincial Public Accounts Committee and a Provincial Co-ordinating Committee. Procedures for these committees shall be governed by the same Orders as for debate on other matters provided that where these Orders do not cover a necessary procedure the committee shall determine its own procedure.

Provincial Public Accounts Committee

- (200) **Provincial Public Accounts Committee**
The Provincial Public Accounts Committee shall meet at least four times each Provincial Financial year.

Appointment of Members

- (201) The Speaker in consultation with the Premier shall appoint no more than seven (7), but where the number of members does not allow this, no less than four (4) members to the Provincial Public Accounts Committee none of whom shall be executive members.

Training of committee members

- (202) Members shall be appointed for the full term of the Assembly and shall undergo training on their roles and responsibilities within six months of their appointment to the committee.

Committee to elect Chairman

- (203) The Provincial Public Accounts Committee shall be responsible for electing its own chair, who shall be a senior and fair-minded person who should be seen to be fair-minded and respected by members of the Assembly.

- Each clauses debated (185) The Speaker shall call the number of each clause and each schedule in succession. If there is no debate on a clause or schedule or no amendment moved, or after any amendment has been considered and voted upon, the Speaker shall propose the question "that the clause, or the clause as amended, stand part of the bill".
- Clauses proposed as a single group (186) If no member objects or no notice has been given of any amendment, the Speaker may call the numbers of more than one clause as a single group and propose that "the clauses as read stand part of the bill".
- Suspension of consideration (187) Consideration of a clause may be suspended until the remaining clauses of the Bill have been considered.
- Members may speak up to 3 times (188) Each Member may speak up to three (3) times, for no more than five (5) minutes on each occasion, on every question put to the Committee and may move any amendment in accordance with S.O. 183 and 184.
- Completion of committee stage reported (189) When every clause and schedule and any new clause or schedule has been considered the member in charge of the bill shall report bill with or without amendments to the Speaker after which the same member shall move "That the Committee report be adopted and that the bill be now read a third time."
- Final stages of bill**
- Third reading (190) There shall be no debate on the third reading and no amendment may be moved.
- Conclusion of consideration of a bill (191) If the motion for adoption of a bill on the third reading is approved, the Speaker shall read out the title and the Clerk shall write at the end of the ordinance "Enacted by the Provincial Assembly" together with the date and the motion number.
- Defeated bill not to be considered again during current meeting (192) If the motion for adoption of a bill on the third reading is defeated no further proceedings shall be taken on the same ordinance during that meeting of the Assembly.
- Certified copies of ordinance to be sent to Minister (193) After the Assembly has passed an ordinance the Clerk shall send certified copies to the Minister for assent under Section 30(2) of the Act.
- Procedure if Minister refuses consent (194) If the Minister refuses assent the Assembly may:-
- (a) at the first reasonable opportunity debate a motion moved by the member who presented the ordinance in order to consider such amendments as may be necessary to obtain the Minister's assent,

(204) The Provincial Public Accounts Committee shall have the following powers, Powers of committee

- (a) to adjourn from time to time and to meet on days other than sitting days,
- (b) to adjourn from place to place,
- (c) to send for and examine persons, papers, records and things,
- (d) to make visits of inspection within the Province and if authorized by the Assembly within the Solomon Islands,
- (e) to request the attendance and examine members of the Assembly

(205) The functions of the Provincial Public Accounts Committee are to examine and report to the Assembly on: Functions of Committee

- (a) the account of sums paid and received by the Executive in the current financial year under review
- (b) any draft estimates of revenue and expenditure prepared by the Executive in support of any appropriate ordinance,
- (c) the account of payments into and out of the Provincial Fund in the current financial year under review, balance sheet of assets and liabilities of the Executive,
- (d) the reasons for any under-collection of revenue and/or excess of expenditure,
- (e) any Provincial financial matter it thinks necessary to bring to the attention of the Assembly, including discrepancies or irregularities, but in doing so shall ensure that its focus is on the financial activities of the Assembly and accountability of financial performance, and shall not comment on or evaluate the content of Assembly policies,
- (f) the effectiveness of the Province's financial systems and procedures as set out in the Financial Management Ordinance and the requirements of Section 34 of the Act and where necessary make recommendations for improving financial and accounting control, and
- (g) steps taken to implement previous recommendations and may report to the Minister on any areas where it considers adequate steps have not been taken to implement its recommendations and any reasons given by the executive for its failure to implement the recommendations, and,
- (h) in regard to any inquiry may investigate any financial matter relating to any previous financial year if the matter is deemed relevant to the committee's inquiry,

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| Committee may seek external advice | (206) | The Provincial Public Accounts Committee may at any time seek the assistance of persons with financial qualifications as may be necessary to the carrying out of its functions. |
| Additional powers of committee | (207) | In addition to the powers of all committees the Provincial Public Accounts Committee has specific power to call and examine public officers, Provincial Ministers, and any other person on any financial matter relating to the finances of the Provincial Government and the Province's jurisdiction. |
| Clerk to forward Auditor General's report to committee within seven days | (208) | The Clerk shall forward the Auditor General's report under Section 39(3) to the Chair of the committee within seven (7) days of its receipt by the Clerk or Provincial Secretary. |
| Consideration of Auditor-General's report | (209) | The Provincial Public Accounts Committee shall meet within twenty eight (28) days to consider the Auditor General's report and an analysis of that report prepared by its secretariat. |
| Committee prepares detailed report | (210) | Any report under S.O. 210 shall be forwarded immediately to the Premier for consideration by the Executive prior to the Assembly meeting and a copy shall be forwarded to the Minister. |
| Report forwarded to Premier | (211) | The Provincial Public Accounts Committee shall be supported by a competent secretariat which at minimum shall comprise an executive officer and secretary, both with accountancy qualifications. |
| Committee to have competent secretariat | (212) | The Provincial Public Accounts Committee shall be supported by a competent secretariat which at minimum shall comprise an executive officer and secretary, both with accountancy qualifications. |
| Funds for secretariat | (213) | The Executive shall ensure that adequate funds are available to fund the secretariat and may seek supplementary funding from the Ministry of Provisional Government or other external sources as may be necessary for this purpose. |
| Report and power to direct additional meeting | (214) | The Committee shall submit a report to the Clerk after each meeting and where it considers a matter to be of an urgent nature shall have the power to direct the Clerk to call an additional meeting of the Assembly to consider its report. |
| Provincial Coordinating Committee | (215) | <p>Provincial Coordinating Committee</p> <p>The Provincial Coordinating Committee has the function of co-ordinating relations between the Province and the National Government and between the Province and other Provinces.</p> |

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|-------|---|-------------------------|
| (216) | The Provincial Coordinating Committee shall meet at least twice each calendar year but may meet on such other occasions as the Premier may decide. | Meetings of Committee |
| (217) | The Committee shall consist of: <ul style="list-style-type: none"> (a) the Premier, as chair, (b) each member of the National Parliament whose constituency includes any part of the Province, (c) at least one member of the Assembly appointed by the Premier for each National Parliament Member. (d) at least two community representatives appointed by the Premier. | Membership of Committee |
| (218) | The Provincial Coordinating Committee shall report to the first meeting of the Assembly after it has met. | Reporting to Assembly |
| (219) | Procedures for meetings of the Provincial Coordinating Committee shall be those applying to Standing and Special Committees. | Procedures |

PART 18 STANDING AND SPECIAL COMMITTEES

- | | | |
|-------|--|---------------------------------|
| (220) | In addition to the mandatory standing committees the Assembly may establish by resolution such standing or special committees as it considers necessary to consider matters or ordinances which the Assembly may refer to such committees. | Standing and special committees |
| (221) | The Speaker, after consultation with the Premier, shall appoint the Chair and each member of a standing or special committee from the members of the Assembly. | Appointment of Members |
| (222) | A resolution to establish a standing or special committee shall state the terms of reference of the committee, the names of the members to be appointed to the committee, the powers of the committee and if it is a Special Committee the final reporting date. | Terms of reference |
| (223) | A committee appointed to consider matters covered by broad terms of reference shall be termed a standing committee and shall cease to exist upon dissolution of the Assembly in accordance with section 10 of the Act. | Standing Committee |
| (224) | A committee appointed to inquire into a specific matter shall be termed a special committee and shall cease to exist on the date set down in the resolution as its final report date. | Special Committee |

Committee
powers

(225) Committees shall have the following powers,

- (a) to adjourn from time to time,
- (b) to adjourn from place to place,
- (c) to send for and examine persons, papers, records and things,
- (d) to make visits of inspection within the Province,
- (e) to request the attendance and examine members of the Assembly,
- (f) to meet and transact business during the sittings or any adjournment of the Assembly,
- (g) may require evidence presented to it to be given on oath or affirmation.

Standing
Committee
reports

(226) Standing committees shall table a report to each meeting of the Assembly.

Special
Committee
reports

(227) Special Committees may table a report to each meeting of the Assembly but shall as soon as it has either completed consideration of the matter or ordinance assigned to it, or reached its final reporting date, lodge its report with the Clerk; and the committee shall then be dissolved.

Clerk to table
Special
Committee
report

(228) If the Assembly is sitting the Clerk shall table a special committee report on the next sitting day after it is received however if the Assembly is not sitting the committee may recommend, with reasons, earlier release of the report and the Clerk shall, with the consent of the Speaker, make the report publicly available before it is tabled at the next meeting.

Procedures

(229) Standing and special committees shall observe the following procedures:

- (a) deliberations shall be confined to the matter or matters assigned to it by the Assembly,
- (b) sitting times shall be determined by the Chair,
- (c) sittings may continue after the adjournment of a meeting of the Assembly,
- (d) the quorum of any committee shall be one more than half its members.
- (e) The Chair shall appoint a member to keep appropriate minutes of all committee proceedings, and shall appoint a member to serve as chair in the Chair's absence.
- (f) Voting, divisions and debate shall proceed in the Committee in the same manner as provided by these Orders for the Assembly.

- (230) When consideration of the report is concluded, the Chairman shall put the question "that the report be the final report of the Committee to the Assembly." Final report

PART 19 MISCELLANEOUS MATTERS

Committee on the Prerogative of Mercy

- (231) After the election of the Premier following an ordinary election the Premier, or a member designated by the Premier, shall nominate a person to serve on the Committee on the Prerogative of Mercy for the term of the Assembly pursuant to Section 45(2)(b)(ii) and (3) of the Constitution. Nomination of person to serve on Committee on the Prerogative of Mercy
- (232) The nominee may resign in writing to the Premier which shall take effect from the date it is accepted by the Premier. Nominee may resign
- (233) The nomination may be withdrawn by a resolution carried by a two thirds majority of members. Nomination may resign

Petitions

- (234) Petitions from citizens of the Province may be presented to the Assembly by Members provided they are in the correct form. Sample forms of petition are attached to these Orders as Appendices 1 and 2. Petitions to be in correct form
- (235) A petition must: Requirement as to correct form of petition
- (a) be in English or Solomon Islands pijin, or a local/mother tongue language where that is a common language within the Province,
 - (b) be clearly written, typed or printed,
 - (c) not have anything attached to it and not contain any alterations;
 - (d) commence with the words "To the Speaker and Members of the Rennell and Bellona Provincial Assembly
 - (e) state the facts which the petitioners wish to bring to the notice of the Assembly,
 - (f) conclude with a request that the Assembly do, or not do, something or take some course of action; and the content of (c) and (d) must appear at the top of each sheet,
 - (g) each page to contain at least one signature,
 - (h) contain the name, address and original signature of each petitioner.

Members' responsibilities

(236) The Member presenting a petition:

- (a) cannot be a signatory,
- (b) is responsible for ensuring that the petition is in order and must sign the front sheet to verify this.
- (c) must lodge it with the Clerk by 12.00 noon on the day before it is to be presented.

Procedure for lodging petitions

(237) The Speaker will call for petitions to be presented at the time set down in the routine of business. A member presenting a petition may briefly state the number and description of the petitioners and the subject of the petition.

No debate at time of presentation

(238) No debate will be allowed upon the subject matter of any petition at the time it is presented and every petition presented is deemed to be received by the Assembly.

Notice to be given if petition to be debated

(239) A Member may give notice of motion on a subsequent day that the subject matter of the petition be debated as an item of business under general business.

Member not required to present petition

(240) There is no requirement for a member to present a petition to the Assembly when requested to do so.

Other persons may be invited to address Assembly

Participation of others
(241) The Speaker may invite persons, not being members, to address the Assembly and may permit someone who is not an Assembly member to participate in an Assembly debate in order to give technical advice.

Admission of public and press

Admission of public and press
(242) Members of the public and press shall be admitted to all sittings of the Assembly or its committees unless upon majority vote of members, or members of a committee, the proceedings are made private.

Grounds for private proceedings

(243) The grounds for making proceedings private are those concerning,
 (a) commercial-in-confidence matters,
 (b) security of the province,
 (c) matters under police investigating when no charges have been laid.

Public and Press not admitted for certain elections

(244) The public and press may not be admitted during the election of the Premier, Speaker and Deputy Speaker.

- (245) Members of the National Parliament representing a part of the Province shall be admitted to all sittings of the Assembly or its Committees notwithstanding S.O. 242 of this Order.

Admission of
certain
Members of
National
Parliament

Integrity provisions for members

- (246) Members shall conduct themselves, both in public and private life so as not to:
- (a) be in a position where their public duties conflict with their private interests.
 - (b) be in a position where the fair exercise of their public or official duties are compromised.
 - (c) demean the office of being a member of the Provincial Assembly of Rennell and Bellona Province.
 - (d) have their integrity reasonably called into question, or,
 - (e) endanger or diminish respect for or confidence in the Provincial Government of Rennell and Bellona Province.

Members con-
duct

- (247) No member of the Assembly may,
- (a) use the office of member for personal gain,
 - (b) enter into any transaction or engage in any enterprise or activity which might be expected to give rise to doubt in the public mind as to the members compliance with the duties and responsibilities of a member of the Provincial Assembly of Rennell and Bellona Province.

Not use office
for personal
advantage

- (248) Every member shall lodge with the Clerk a Statement of Assets and Financial Interests for each year ending 30th June after the date of the member's election which the Speaker shall file with the Leadership Code Commission pursuant to the Leadership Code (further provisions) Act 1979.

Members must
lodge state-
ment of finan-
cial interests

- (249) Interest to be included in a Statement of Assets and Financial Interests include,

Nature of
pecuniary
interests

- (a) real or personal property
- (b) income,
- (c) gifts,
- (d) financial or other contributions to travel,
- (e) shareholdings or other beneficial interests in corporations,
- (f) partnerships,
- (g) trusts,
- (h) positions (whether remunerated or not) held in or membership of corporations, trade unions, professional associations,
- (i) occupations,
- (j) debts,
- (k) payments of money or transfer of property to other persons,

- Speaker's discretion to refuse Member's participation (250) The Speaker may at his or her discretion refuse to allow any member who has failed to lodge the required Statement of Assets and Financial Interests to vote or otherwise participate in Assembly meetings until the Speaker receives the Statement.
- Clerk to maintain record of Members interests (251) The Clerk shall maintain a Register of Statements of Assets and Financial Interestss received under this Order and shall make them available for inspection by members of the public between the hours of 8 am to 12.00 pm and 2.00 pm to 4.30pm on week days, public holidays excepted.
- Declaration of financial interest In debate (252) A member must declare any direct personal pecuniary interest in any matter that is the subject of a motion before the Assembly.
- Member may speak after disclosing (253) A member may speak and vote on any such matter, whether in the Assembly or in any Committee, subsequent to disclosing that interest.
- Motion to disallow participation in debate (254) When a disclosure is made under S.O. 252 any other member may move a motion without notice to disallow the participation of the interested member in the matter under consideration.
- Speaker's discretion to put motion (255) The Speaker shall have discretion whether or not to put a motion moved under S.O. 254 to a vote and in exercising such discretion the Speaker shall take into consideration.
- (a) the nature of the question upon which a vote is to be taken,
 - (b) whether the interest therein of the member whose vote is challenged is direct and pecuniary and not an interest in common with the rest of the inhabitants of the province.
- Debate on disallowance (256) If the Speaker determines that the motion for disallowance of a member's participation in the debate is to be put to a vote, the member concerned may be heard in his/her place before the vote is taken but shall, if the motion is carried, withdraw from the Assembly for the duration of the debate and any vote on the question.
- Non disclosure of interest during debate (257) If it is discovered after a vote that a member who voted held a pecuniary interest in the motion any member may move without notice to disallow that member's vote on the ground of non-disclosure of his personal pecuniary interest. The Speaker shall have the same discretion specified in S.O. 255.

- (258) If a motion for the disallowance of a member's vote is carried, the Speaker shall direct the Clerk to alter the numbers voting in the original division.

Voting record
to be corrected

Repeal of previous standing orders

- (259) All prior standing orders are repealed in their entirety upon a resolution that the Assembly adopt these orders.

Repeal of pre-
vious standing
orders

Date _____

PETITION

This petition of

(identify here who the petitioners are, in general terms, for example, citizens of Province, or residents of [name region, constituency, town or village])

Brings to the attention of the Assembly
 (the circumstances of the matter)

(outline the action that the Assembly should, or should not, take)

FORM OF PETITION WITHOUT INSTRUCTIONS

(Date

To the Speaker and the Members of the Provincial
Assembly of Rennell and Bellona Province

The petition of
Brings to the attention of the Assembly

The undersigned petitioners thereof ask the Assembly to

[illegible]

APPENDIX 3

FORM OF MOTION FOR ESTABLISHMENT OF A STANDING OR SPECIAL COMMITTEE

1. *(insert name of member moving motion) move*
1. That a standing (or sspecial) committee be appointed to inquire into and report on
(insert subject of inquiry)
2. That the committee consist of seven members being:
(list members)
3. That the Chair of the committee be elected by the committee.
4. That the Chair shall appoint a member to serve as chair in the Chair's absence and a member to keep appropriate minutes of all committee proceedings.
5. That four members will constitute a quorum.
6. That the committee has the following powers:
 - a) to adjourn from time to time and place to place and to make visits of inspection within the Province,
 - b) to send for and examine persons, papers, records and things,
 - c) to request the attendance and examine Assembly members,
 - d) to meet and transact business during the sittings or any adjournment of the Assembly.
 - e) to require evidence presented to it to be given on oath or affirmation.
7. That the committee report to each meeting of the Assembly (or for a Special Committee by *(insert date)*).

Signed:
(Member moving motion)

Date:

PROVINCIAL GOVERNMENT ACT 1997

**STANDING ORDERS OF THE RENNELL AND BELLONA
PROVINCIAL ASSEMBLY**

I confirm that the attached and above named Ordinance was passed by the Rennell and Bellona Provincial Assembly at its meeting on the 13th day of February 2015.

Signed:

.....
Lemuel Kevianga
Clerk (Acting)
Rennell and Bellona Provincial Assembly

Date

Assented to by the Honourable Minister for Provincial Government and Institutional Strengthening on this 20th day of February, 2015.

HON. DUDDLEY KOPU
Minister for Provincial Government and Institutional Strengthening

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SUPPLEMENT to the Solomon Islands GazetteWednesday 22nd April, 2015

S.I. No.29

[Legal Notice No. 34]**FOREST RESOURCES AND TIMBER UTILISATION ACT
(Cap. 40)****REVOCATION OF EXEMPTION ORDER**

IN exercise of the powers conferred upon me by section 4(1) (c) of the Forest Resources and Timber Utilisation Act (Cap.40), read with section 36 of the Interpretation and General Provisions (Cap.85), **I Bodo Dettke**, Minister for Forestry and Research hereby make this Order –

That the Exemption Order issued and appeared under Legal Notice No. 103 Supplement to Solomon Islands *Gazette* is hereby revoked with immediate effect.

Made at Honiara this twenty-second day of April, 2015.

HON. BODO DETTKE, MP
Minister for Forestry and Research

Honiara, Solomon Islands
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SUPPLEMENT to the Solomon Islands GazetteWednesday 22nd April, 2015

S.I. No.30

[Legal Notice No. 35]

CUSTOMS AND EXCISE ACT
(Cap. 121)**COMPTROLLER'S DIRECTIONS**
(Section 270)

IN exercise of the powers conferred on me by Section 270 of the Customs and Excise Act (CAP. 121), I, **Nathan Kama**, Comptroller of Customs and Excise, hereby direct that –

1. All carriers and/or their agents will be required to provide Customs in advance of the arrival of a ship or aircraft a report of all the cargo carried aboard the ship or aircraft, in conformity with the reporting periods outlined in Paragraphs 2 and 3, below;
2. A report of all cargo carried on board a vessel must be notified to Customs *at least 96 hours* prior to the vessels' estimated time of arrival in the Solomon Islands.
 - (a) In the event that the duration of the journey is likely to be 72 hours or more but less than 96 hours the reporting period will be 72 hours;
 - (b) In the event that the duration of the journey is likely to be 48 hours or more but less than 72 hours the reporting period will be 48 hours.
 - (c) In the event that the duration of the journey is likely to be 24 hours or more but less than 48 hours the reporting period will be 24 hours.

3. A report of all cargo carried on board an aircraft must be notified to Customs *at least 2 hours* prior to the aircraft's estimated time of arrival in the Solomon Islands.
 - (d) In the event that the duration of the journey is likely to be 1 hour or more but less than 2 hours the reporting period will be 1 hour;
4. The report of all cargo carried must be communicated to Customs using the ASYCUDA World automated system.
5. These Directions shall come into effect on 20th April 2015.

Dated at Honiara this 22nd day of April, 2015.

Nathan Kama
Comptroller of Customs and Excise

SUPPLEMENT to the Solomon Islands GazetteThursday 23rd April, 2015

S.I. No.31

[Legal Notice No. 36]

**FOREST RESOURCES AND TIMBER UTILISATION ACT
(Cap. 40)****REVOCATION OF EXEMPTION ORDER**

IN exercise of the powers conferred upon me by section 4(1) (c) of the Forest Resources and Timber Utilisation Act (Cap.40), read with section 36 of the Interpretation and General Provisions (Cap.85), I, **BODO DETTKE**, Minister for Forestry and Research hereby make this Order –

That the Exemption Order issued and appeared under Legal Notice 88/2014 Supplement to Solomon Islands *Gazette* is hereby revoked with immediate effect.

Made at Honiara this twenty-third day of April, 2015.

HON. BODO DETTKE, MP
Minister for Forestry and Research

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SUPPLEMENT to the Solomon Islands GazetteThursday 23rd April, 2015

S.I. No.32

[Legal Notice No. 37]

**FOREST RESOURCES AND TIMBER UTILISATION ACT
(Cap.40)****EXEMPTION ORDER**

IN exercise of the powers conferred upon me by section 4 (1) (c) of the Forest Resources and Timber Utilisation Act (Cap.40), I **Bodo Dettke**, Minister for Forestry and Research hereby make this Order –

1. That Mandou Customary Land, Parara Island, Western Province referred to in this Order is exempted from the provisions of section 4 of the Forest Resources and Timber Utilisation Act (Cap.40) and the provisions of the Forest Resources and Timber Utilisation (Protected Species) Regulations 2012 including any subsequent amendments therein.
2. That Mandou Customary Land are to be used for Agriculture purposes (Coconut Plantation) shall not exceed 500 hectares and to be certified by the Ministry of Agriculture and Livestock Development.
3. Logs felled and cleared during land preparation period under this Order including any logs that are considered as protected species under Regulation 4 of the Forest Resources and Timber Utilisation (Protected Species) Regulation 2012, shall be exported and sold in processed form pursuant to the law of Solomon Islands.
4. Records of logs felled, exported or sold shall be furnished to the Commissioner of Forest within 14 days of the export or sale of such logs.

5. After 90 days of the commencement of the land preparation and sale of logs from the above area, the purpose sought under this Order must be commenced immediately.
6. Any person who contravenes any of the clauses in this Order is deemed to have committed an offence under section 4 of the Act, as if the exemption were not granted under this Order.

Made at Honiara this twenty-third day of April, 2015.

HON. BODO DETTKE, MP
Minister for Forestry and Research

SUPPLEMENT to the Solomon Islands GazetteThursday 30th April, 2015

S.I. No.33

[Legal Notice No. 38]

**FOREST RESOURCES AND TIMBER UTILISATION ACT
(Cap.40)****EXEMPTION ORDER**

IN exercise of the powers conferred upon me by section 4 (1) (c) of the Forest Resources and Timber Utilisation Act (Cap.40), I **Bodo Dettke**, Minister for Forestry and Research hereby make this Order –

1. That Nielea, Kuvikuvina, Lenkova, Lvan Kahua, Karoua Pitu, Salopa, Burua, Mareke, Ketavaoa, Enaaai and Lahaia Customary Lands, Mono Island, Shortlands, Western Province referred to in this Order are exempted from the provisions of section 4 of the Forest Resources and Timber Utilisation Act (Cap.40) and the provisions of the Forest Resources and Timber Utilisation (Protected Species) Regulations 2012 including any subsequent amendments therein.
2. That Nielea, Kuvikuvina, Lenkova, Lvan Kahua, Karoua, Pitu, Salopa, Burua, Mareke, Ketavaoa, Enaaai and Lahaia Customary lands are to be used for Agriculture purposes (Betel Nut and Coconut Plantation) shall not exceed 1000 hectares and to be certified by the Ministry of Agriculture and Livestock Development.
3. Logs felled and cleared during land preparation period under this Order including any logs that are considered as protected species under Regulation 4 of the Forest Resources and Timber Utilisation (Protected Species) Regulation 2012, shall be exported and sold in processed form pursuant to the law of Solomon Islands.

4. Records of logs felled, exported or sold shall be furnished to the Commissioner of Forest within 14 days of the export or sale of such logs.
5. After 90 days of the commencement of the land preparation and sale of logs from the above area, the purpose sought under this Order must be commenced immediately.
6. Any person who contravenes any of the clauses in this Order is deemed to have committed an offence under section 4 of the Act, as if the exemption were not granted under this Order.

Dated at Honiara this twenty-seventh day of April, 2015.

HON. BODO DETTKE, MP
Minister for Forestry and Research

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SUPPLEMENT to the Solomon Islands Gazette

Friday 30th April, 2015

S.I. No.34

[Legal Notice No. 39]

**WESTERN PROVINCE BUSINESS LICENSE
(AMENDMENT) ORDINANCE 2015**

1 Short title and commencement

This ordinance may be cited as the Western Province Business License ordinance 2012 (“the Ordinance”) and shall come into effect upon the approval by the minister in accordance with section 31 of the Provincial Government Act 1997, and publication in Solomon Islands *Gazette*.

2 Revocation

This ordinance repeals all previous Western Province Business License Ordinances, regulations and orders, and all amendments thereto.

3 Purpose

The purpose of this Ordinance is to establish a regime for the licensing of businesses operating in Western Province to ensure that the businesses operating in Western Province meet such environmental, economic, health and safety, cultural, and labour standards and/or requirements as may be set from time to time under this ordinance, or by any other order of the Western Province Provincial Assembly.

4 Definition

In this Ordinance and in regulations made under it, except where the context otherwise requires:

“*Abattoir*” means the business of slaughtering cattle, pigs, chickens, or other livestock Intended for human consumption by domestic animals.

“*Accounting service*” means the business of providing any service, advice or assistance to any person relating to accounting, accounts, taxation and financial matters of any kind and including persons not residing on the premises on which the baking or making is carried out.

“*Baking*” means the business of banking and is a business which requires a license accordance with section 3 of the Banking Act 1916 or under any Act passed in amendment or substitution therefore.

“*Base in Western Province*” means a business that conducts the primary bulk of Business in Western Province.

“*Beach trading*” means the business of hawking from a canoe, ship or other vessels.

"Beautification" means the business of providing beautifying and/or remedial Treatments for the face or body.

"Beche-de-mer" means the business of buying and/or selling the species Holothurians which include the exporting of beche-de-mer.

"Bee keeping" means the business of keeping bees and hives and includes but is not limited to the selling or hiring of hives or bee keeping Equipment or selling honey or any other honey based produce Or any product based upon a bee keeping operation.

"Brick making" means the business of making small units of building materials by hardening Clay or cement or combining these materials with any other materials or Using some other similar materials.

"Broadcasting services" means the business of transmitting by radion any message or other matter of information, education or entertainment to the public within or outside Solomon Islands.

"Building construction" means the business of building or repairing of buildings but does not include Casual building or repairing of building by traditional agreement.

"Building rentals" means the business of leasing, renting or administering the leasing or renting of the business of acting as agent for the owner of any property in respect of the Administration of that property.

"Bus/Tax service" means the business of providing transporting services by any road vehicle for paying passengers.

"Business" means any activity or undertaking, services, trade profession or occupation or other venture determined by the provincial executive to be a business within the intent of this ordinance earned on, undertaken or operated by any person within the boundaries of Western Province for the purpose of gain or profit or for payment of any kind but does not include any activity or service undertaken by an employee duties.

"Butchery" means the business of storing, preparing and/or selling or reselling meat.

"Cannery" means the business of placing processed or unprocessed products into metal cans or plastic Containers for the purposes of sale on the Solomon Islands domestic market or for export from Solomon Islands as food for human consumption by animals.

"Catering" means the business of preparing food and beverages for consumption on specific occasions.

"Cinema" means the business of showing films or videos and is a business which requires a theatre Licence in accordance with section 4 of the Cinematograph Act or any Act passed in Amendment or substitution therefore.

"Clam" means any of giant clam which includes Tridaena gigas, T drasa, T aquamosa, T maxima, T crocea And Hippopus hippopu.

"Clam trading" means the business of buying and/or selling any species of giant clam which includes Tidaena gigas, T Drasa, T Aquamosa, T Maxima, T Crocea and Hippopus hippopus and Does not include the buying or selling of giant clams by or from the international centre for living Aquatic Resources management (ICLARM) where such buying or selling is for Research or trial marketing purposes, but does not include the exporting of clams.

"Commodity" means the business of carrying on the exporting of any commodity listed in schedule 1 of The Commodities Export Marketing Authority Act or any Act passed in amendment or Substitution therefore and/or the business of carrying on of any prescribed activity listed in the Notices of Prescribed Activities given under the Commodities Export Marketing Authority Act or any Act passed in amendment or substitution therefore.

"Consultancy service" means the business of providing services as an expert adviser to and/or the Business of drawing or preparing designs, drawings, plans, diagrams, maps or Charts for any individual, trade, profession or business.

"Crayfish trading" means the business of buying and/or selling crayfish (genus penalties and/or lobster but does not include the exporting of crayfish and/or lobster).

"Diving service" means the business of providing facilities for scuba diving or snorkeling and/or providing instruction and/or training courses for diving and/or the hiring out of equipment for scuba diving or snorkeling.

"Electricity service" means the business of building installing, repairing, maintaining or removing any Electrical device including but not limited to radios, videos, televisions, computers, Word processors, typewriters, tape cassette recorders or photocopies.

"Engineering works" means the business of building or repairing structure other than buildingsss and any other kind of constructions work including but not limited to water tanks, walls Roads, bridges, wharves, town water supplies and sewerage works.

"Entertainment" means the business of providing entertainment of any kind other than the business of a cinema as here in defined, including but not muted to video games and all Business coming within the provisions of gaming and lotteries. Actor any amendments thereto.

"Executive" means the Western Province Executive as established under section 22 of the Provincial Government Act 1981 or any other person to whom authority has been properly delegated.

"Exporting" means the business of selling or supplying goods of any description originating from within Solomon Islands for transportation outside of Solomon Islands for the purpose of trade or the transporting of goods originating from within Western Province outside Solomon Islands for the purpose of trade.

"Financial scheme" means the business of receiving monies for the purposes of investment hereof and by the payment of returns thereon.

"Fish" means any cold blooded animal originality caught living in water and breathing through gills with Fins for swimming but excluding marine products as defined in this ordinance.

"Fish commercial" means the business of operating one or more fishing vessels and is a business which requires a licence in accordance with section 6 of the Fisheries Act or an Act passed in amendment or substitution therefore.

"Fish processing" means the business operated on land or preserving or preparing fish and/or other Sea foods or marine products and/or producing any substance or article from fish or other sea food by a method.

"From Outside" means received from a place outside Western Province.

"Furniture manufacture" means the business of making or manufacturing or selling assembled and finished chairs, table, desks, sofas, couches, shelves, bookcases or any other furniture for household or commercial use.

"Gas agency" means the business of extracting and/or storing and/or supplying liquid petroleum, Benzene, butane, and kerosene gas for sale.

"Gold dealer" means the business of buying or selling or dealing in gold and is a business which requires a license in accordance with section 46 of the mining Act passed in the amendment or substitution therefore.

"Green snail trading" means the business of buying and/or selling green snail (*Turbo marmoratus*) but does not include the business of exporting green snail.

"Hardware store" means the business in which hardware store materials are stocked and sold or offered for sale to the general public.

"Hawking" means the business of carrying goods for sale barter or exchange and includes the sale of food, fish or other goods by any person at a place where that person does not usually reside or carry on business but does not include wholesaling.

"Hire services" means the business of hiring goods of any kind and includes but is not limited to the hire of video, electronic, goods, tools, machinery, bicycles, or motor vehicles.

"Hotel" means the business of providing sleeping accommodation and restaurant service from the same Premises.

"Ice-cream and ice-block manufacturing" means the business of making ice-cream and/or ice block and selling the ice-cream and/or ice blocks so made to wholesale and/or retailers and/or the retailers and/or the public.

"Internet cafe" means businesses that provide computer/internet/email services are provided for a fee.

"Lambete station" means the area which encompasses Munda station and for the purposes of this Ordinance is to be classified as urban area.

"Legal service" means a business of providing any advice or assistance on any law or legal matter.

"Manufacturing" means the business of making any product for sale.

"Marine product" means the following species or categories of species, Beche-de-mer, clam, crab, crayfish, crocodile, green snail, pearl, oyster shell, prawn, seaweed, trochus and turtle and such other like species or category or species as the Executive by resolution deems to be a marine product and such other like species or category of species as the Executive by resolution deems to be a marine product.

"Marine product exporting" means the exporting of an one or a number of marine products being marine product as defined in this ordinance, but excluding the export of fish as defined in this ordinance, and excluding the export of giant clams by or from the International Center for Living Aquatic Resources Management means the business of providing medical aid/or dental service and/or other health services and/or pharmacy services.

"Milled timber" means timber that is produced by swing a log longitudinally to create pieces of sawn timber each with a square or rectangular cross-section.

"Mining" means the business of reconnaissance, prospecting and/or mining of minerals and minerals Substances as defined in section 2 of the mining AOL OR ANY Act passed in amendment or substitution therefore and is a business which requires a license or permit or lease under any section of that Act or any Act passed in amendment or substitution therefore.

"Motor sales" means the sales of outboards engines used for dingiest canoes, and larger boats.

"Pawn broking" means the business of taking of property as security for a debt or loan and the business of selling such property to recover the debt and interest thereon and is a business which requires a license under the Pawn broking Act passed in amendment or institution therefore.

"Pearl oyster shell trading" means the business of cultivating or growing lip pearl oyster (*Pteria penguin*) using a floating or static grow out system for commercial purposes, but does not include the export pearls.

"Pest control" means the business of providing services and/or pesticides or any other product or form of method of eradication for the control or destruction of pests and vermin.

"Petroleum storage" means the business of storing for sale and processed petrol or oil product including but not limited to petrol, diesel, kerosene, propane, speedy gas and lubricants.

"Photography" means the business of operating a photographic service and/or the sale or hire of photographic equipment and including but not limited to a developing service for photographic film or slide film.

"Plantation means" the business of the planting, growing, production and sale of copra, cocoa, coffee, and palm oil species or any other commercial crop by any company as defined in the companies Act or any Act passed in amendment or substitution therefore or by any co-operative society registered under the co-operative society Act or any Act passed in amendment or substitution therefore.

"Plumbing services" means the business of installing, repairing, maintaining or repairing water pipes, sewers, drains, or any apparatus relating thereto.

"Port services" means the business of providing operating improving, maintaining and regulating use of port facilities.

"Prawn trading" means the business of buying and/or selling freshwater prawns (*Macrobrachium rosenburgi*) and/or salt water prawns (*panaeus monodon*) or shrimps or related species but does include the exporting of prawns.

"Premises" means any structure, building or part thereof together with the land on which the same is situated and any adjoining land used in connection therewith.

"Prescribed business" means

- (a) any business for which a category and fee are prescribed under this ordinance;
- (b) any determination made under section 14; or
- (c) any other business, but does not include a business under section 4 (4).

"Printing" means the business of producing printed materials/articles purposely for sale.

"Processing" means the cleaning, cutting, filleting and seasoning of the fish product so that it is in a state where it can be placed in a container for sale.

"Provincial officer" means any person holding a public office and seconded to the Western Provincial Assembly or Executive or a person directly employed by the Western Provincial Assembly or executive.

"Provincial treasurer" means the person holding the public office.

"Recreational fishing" means the business of taking paying customers for the purposes of the game and/or sport fishing being non-commercial fishing.

"Religious bookshop" means the business of operating a bookshop selling religious books and/or other religious and/or other religious items by a church or other religious body.

"Restaurant" means the business or preparing and selling meals by table service for consumption at that particular premises.

"Rest house" means the business of providing sleeping accommodation at a price.

"Retail store" means the business in which merchandise goods or commodities other than those covered by other definitions within this section are stocked and offered for sale other than by hawking.

"Road transport service" means the business of providing transportation services by any road vehicle whether for passengers or freight.

"Round log timber exporting" means the business of exporting logs or un-milled timber.

"Round Log Harvesting (Special Permit)" means the business of extracting logs and clearance for agriculture or other purposes.

"Rural" means all land outside the town boundaries of Gizo, Noro, and Lambete station.

"Saw milling" means the business of converting unmilled timber into milled timber, including but not limited to sawn timber, wood chip, wood pulp and veneer and is a business which requires a license in accordance with section 7 of forest and timber Act or any Act passed in amendment or substitution therefore or which requires a license under any other relevant legislation.

"Scrape metal trading" means the collecting storing and sale of metal extracted from machines and other items containing steel iron, or similar elements.

"Scrape metal exporting" means the export of scrap metal which is collected within the Western Province.

"Sea transport service" means the business of providing transportation services by one or more boat(s), canoes or other vessels (s) for passengers and/or freight but does not include transportation by private canoes whereby contributions are made on the cost of the travel.

"Secretarial service" means the business of providing secretarial services including but not limited to typing services, word processing services, filling services or data recording services.

"Security services" means the business of providing security of any kind for property and/or goods and/or persons including but not limited to provide secure transportation of goods, selling and/or installing security locks and equipment and systems of alarm system.

"Ship building" means the business of building, repairing or maintaining any ship, boat, vessel or canoe but does not include any wooden canoe.

"Shipping agency" means the business or being an agent for a shipping line in and out of the Solomon Islands.

"Shipping service (occasional)" means the business of providing transportation services for passengers or cargo by boat or any other vessel but not including a canoe, where such boat, ship or other vessels makes no more than four trips to Western Province in any one licensing year under this ordinance to conduct its business and which spends no more than fourteen consecutive days conducting its business in Western Province during any one trip.

"Snack bar" means the business of preparing and selling food and beverages for consumption by persons not residing on the premises where such preparation or sale takes place and including any such freshness conducted from a motor vehicle or vessel or caravan.

"Stevedore services" means the business by which persons are provided whether by employment to load or unload the ships.

"Tailor" means the business of making clothes for sale.

"Timber felling" means the business of cutting trees within Western Province for the purpose of exporting or sawmilling whether the saw milling or export is carried out by a timber-feller or some other persons.

"Timber harvesting" means the harvesting of timber which a particular company, or entity has planted and nurtured.

"Timber sales" means the business of selling timber un-milled or milled including but not limited to sawn timber wood particles, wood chip, veneer and any other wood products produced by a timber mill, or purchasing the same for resale.

"Timber Dressing" means the business of dressing milled timber using electrical Machineries.

"Tourist business" means any business offering sight-seeing, recreation or relaxation opportunities to or for tourists but not being a resort or tourist vessel service.

"Tourist resort" means the business of provision of tourists of various services and facilities from one premise such as accommodation, restaurant, transportation, retails store (s) under a single administration and permanent staff.

"Tourist vessel service" means a business involving the transportation of tourist for the purpose of pleasure of sight-seeing abroad a vessel requiring a safety certificate under the shipping Act or any passed in amendment or substitution therefore.

"Trade store" means a traditional Melanesia store involved mainly in the sale of food and drink.

"Wild life" means the trading of wild life such as crocodiles or birds within Western Province. People so trading required the appropriate license to be issued by ministry of *conservation*.

"Wildlife exporting" means the exporting of wildlife species or products by people who have a valid license to do so provide by ministry of conservation.

"Urban" means all land inside the town boundaries of Gizo and Noro.

"Wholesale store/warehouse" means the business in which merchandise goods or commodities are stocked and sold or offered for sale to persons, business or other entities other than the general public for the purpose of resale.

4. Prescribed business

- (1) Subject to subsection (4), no person shall operate a prescribed business within the boundaries of Western Province unless they hold a current business licence.
- (2) A business licence may be issued subject to any terms and conditions considered reasonable by the issuing body.
- (3) Any person operating a business outside the scope of the terms and conditions of their licence is deemed not to hold a business licence.
- (4) This section shall not apply to the following:
 - (a) Occasional fundraising events where the proceeds are used solely for charitable, religious, educational, sporting or other community purposes.
 - (b) Canteens or stores run by a school or training institute for the use and benefit only of the pupils, student and teachers of school or training institute but does not include canteens or store run by a school or training institute which sells to parents, relatives, friends of pupils, student or teachers or to the public.
 - (c) Any business activities in the market which for the purposes of this section means any regularly scheduled gathering of individuals in a public place to offer goods, food stuffs or beverages for sale.

5. Compliance

No person shall be granted a business licence unless the business complies with the laws of Western Province.

6. The Provincial Business Licence Committee

- (1) The purpose of the Provincial Business Licence Committee ("Committee") is to
 - (a) receive applications for business licences;
 - (b) make decisions in respect of applications for business licence;
 - (c) receive applications and make determinations under section 14;
 - (d) perform any other duties and functions reasonably within the scope of their powers;

- (2) The committee consists of four members namely;
 - (a) the Provincial Treasury,
 - (b) the Provincial Revenue Collection Officer,
 - (c) the Provincial Legal Officer, and
 - (d) one member appointed to represent the Provincial Executive.
- (3) The committee shall not meet unless they have a quorum of three (3) or more members.
- (4) The committee may convene at any time necessary to consider submitted business licence applications and to ensure that it complies with the time requirements as set out in section 6(9).
- (5) The committee is to provide the Provincial Executive with an updated list of all newly granted business licences at each meeting of the Provincial Executive.
- (6) The committee may appoint an officer, or officers and delegate to them any of the functions, duties and powers set out in this Ordinance, except those powers of decision under section 8, 9, 12, 14 and 15.
- (7) The committee may make recommendations to the Provincial Assembly regarding the performance of this ordinances, including recommendations regarding the definitions and classes of businesses, and the fees prescribe thereof.

7. Application for a business licence for a prescribed business

- (1) All applications for a business licence must;
 - (a) be sent to Provincial Treasurer;
 - (b) be on the form prescribed by schedule 2; and
 - (c) attach the application fee(s) prescribed in schedule 1.
- (2) The applicant must complete the prescribed form in full and give particulars of the business for which the licence is requested.

- (3) The information required to be provided includes but not limited to the following
- (a) the nature of the business operation (s);
 - (b) the address (both physical and postal) of the business;
 - (c) the number of employees employed by the business;
 - (d) information to show that the business is complying with the employment, labour, health, and safety information;
 - (e) information to prove that the business is complying with environmental standards;
 - (f) information to show that the building that the business is operating in complies with the Western Province Building Ordinance; and
 - (g) if any aspect of business is operated on customary or registered land, proof showing that appropriate permission/approval has been obtained for the necessary landowners.

8. Consideration of applications for a business licence

- (1) All applications for a business licence shall be considered by the committee.
- (2) The committee shall consider;
 - (a) the extent to which the applicant has complied with section 6;
 - (b) any additional matter (s) reasonably within the scope of their authority and which impact on whether or not the applicant is able and/or entitle to hold a business license;
- (3) The committee may require the applicant to provide further information in support of his/her application.
- (4) information required by the committee under section (3) must be provided before the application is progressed any further.
- (5) in considering an application, the committee may consult with such people or groups as it considers appropriate.

9. Determination on an application

- (1) After consideration of the application under section 7, the committee decides whether to;
 - (a) approve the license
 - (b) decline the license
 - (c) approve the license subject to certain terms or conditions in addition to those set out in section 16.
- (2) Examples of conditions imposed under subsection (1)(c) are;
 - (a) a requirement that the applicant comply with certain identified standards within a specified period of time; or
 - (b) any other conditions which the committee considers appropriate, taking into account the type and nature of the business.
- (3) The Committee has the authority of its own volition or upon application to vary, amend, add to, or delete any terms and conditions imposed under this Ordinance, notwithstanding that the application may have originally been granted free of restrictions.

10. Notification of the decision of the committee

- (1) The applicant will be notified in writing of the decision of the Provincial Business License Committee within 15 working days of lodging the application.
- (2) If the application is approved (either conditional or unconditional) the applicant is asked to forward to the committee the prescribed fee, as set out in schedule 1.
- (3) Upon receipt of payment of the prescribed fee the authorizing officer shall issue to the applicant a business license in the form prescribed in schedule 3.
- (4) No person holds a valid business license until payment of the prescribed fee has been received by the committee or authorizing officer.

11. Time and duration of license

- (1) Any business licence issued under section 9.(3) commences on the date that payment is received, subject to subsection (3).
- (2) All licences expires on the 31 March following the date of issue, and will not be issued for a period of time exceeding one(1) year.
- (3) A licence may come into force on a date in the future, as specified in the licence.

12. Combination licence

- (1) Where a person operates several categories of business from one premise, vehicle, vessel that a person shall take out a combination business licence in respect of each category of business.
- (2) The combination licence must set out the differing specific activities being carried out in the premises or vessel.
- (3) The applicant must pay the prescribed business licence fee for each separate category of business, however, is only required to pay one application fee.
- (4) If an applicant requires a combination licence for more than three separate business categories, then such a person will only be require to pay business licence fee for three categories, subject to subsection (5).
- (5) The committee has the jurisdiction to determine which business category fees are to be paid for a combination licence having more than three business categories.
- (6) Where a person operates a business in separate premises vehicles or vessels that person shall take out separate business licences in respect of each premises and/or vehicle and/or vessel.

13. Application for a business licence from overseas operators

- (1) Before any person (s) and/or operator who reside overseas applies for a business licence they must apply to gain approval from the Western Province Provincial Executive.
- (2) The Western Provincial Business Licence Committee will not consider an application from an overseas business operator until they have obtained formal approval from the Western Provincial Executive to undertake that business activity.
- (3) After obtain approval from Executive, the applicant may apply for a licence in accordance with section 6.

14. Business not prescribed in this Ordinance

- (1) If a person wishes to operate a business that is not prescribed in schedule 1, they must apply to the committee for a determination in accordance with the subsection (2).
- (2) The committee shall, after receipt of an application for determination under (1), determine
 - (a) the category of the business, if any; and
 - (b) the fee to be paid, if any
- (3) This ordinance shall be amended by the Provincial Assembly to include the new category of prescribed business and prescribed fee as soon as practicable after the determination has been made.
- (4) If the committee determines that a particular activity is a business activity which requires a business licence under this Ordinance, then the committee has the full power to require that an application for a licence be submitted to the committee and if the application is approved, the prescribed licence fee be paid.

15. Power to vary, amend, remove, or alter fee

- (1) The committee has the power to vary, amend, alter or remove a fee prescribed in schedule 1 if it considers it reasonable and appropriate in the circumstances, subject to subsection.
- (2) Examples of situation which may be reasonable for the purposes of subsection (1) are;
 - (a) the applicant applies part way through the year;
 - (b) the licence is only required for a short period of time; or
 - (c) the fee would cause financial hardship to an unreasonable degree.
- (3) The committee may not increase a fee.

16. Terms and conditions of a business licence

- (1) No licence holder shall transfer the business licence to any other person or conduct the business on any premises, vehicle or vessel other than that specified in the business licence except in accordance with section 19 of this Ordinance.
- (2) The licence holder shall produce the business licence and receipt for the prescribed fee upon demand from a police officer or any person authorized by the Executive on the production by that person of his written authority.
- (3) Where a business being the holder of a business licence is undertaking commercial activities with another business activity which in accordance with this ordinance would be required to hold a business licence but does not, the business with the prescribed business licence is required, upon the request of an authorized Provincial Officer, to provide the officer with such details of the business that it has a commercial relationship with that the officer may reasonably require.

- (4) The licence holder shall conduct his business in compliance with all relevant Acts of Solomon Islands, Ordinances of Western Province, subsidiary legislation of Solomon Islands and Western Province and all lawful orders of any court, tribunal commission or statutory body of competent jurisdiction in Solomon Islands.
- (5) Where the Executive is satisfied that the licence holder is conducting the business in contravention of any of the provisions of this Ordinance or in contravention if any of the terms conditions or limitations of the business licence or in contravention of any Acts subsidiary legislation or lawful orders then the Executive may be notice in writing cancel or suspend the business licence.
- (6) Where a business licence is suspended or cancelled under this section the licence holder.
- (a) shall immediately cease the business in question;
 - (b) shall not receive any refund of licence balance of the business licence year;
 - (c) shall not have the licence reinstated or be granted a new business licence until the Executive is satisfied that the grounds on which the business licence was suspended or cancelled have been remedied, the business can operate in full compliance with all Acts subsidiary legislation and lawful orders and all lawful penalties imposed by proper authorities have been satisfied.
- (7) No licence issued under this Ordinance shall convey, or by construed to convey any right, power or authority to enter any private land or reef nor take any action within respect of anything without the authority and permission of the owners of that land or reef or thing.

17. Registrar

- (1) The Executive shall keep a register of all the business licenses granted.
- (2) The registrar of business licenses is to be updated on a monthly basis and is available for inspection by any member of the public during work hours.

18. Fees

- (1) Upon payment of the prescribed fee a business license holder may transfer the business license to another person or the Executive may permit the business to operate from other premises, vehicle or vessel or in another area of operation provided always that the business shall still comply with the term and conditions of the business license and this Ordinance.

20. Duplicate License

- (1) Any holder of a licence issued under this Ordinance whose licence has been lost or destroyed or damaged may on payment of the prescribed fee obtain a duplicate licence from the Executive.

21. Powers of Police Officers and Authorised Persons

- (1) It shall be lawful for any Police Officers of any person authorised by the Executive on production of his written authority at all reasonable time to demand from a person operating a business the production of any business licence for inspection and to make such enquiries as he thinks fits to ascertain whether any breach of this Ordinance or of the licence has been committed.
- (2) If the authorised officers establish that a particular business operation through not having a business licence is operating illegally he/she/they may require the operation to cease immediately.
- (3) To effect the ceasing of a illegal operation, the authorised person may hold that equipment for such time as is considered to be necessary to ensure compliance with the Act.

22. Penalties for non-payment of business licence -

- (1) Any person who operates or conducts a prescribed business within Western Province without a prescribed business licence is in contravention of the Ordinance is required to pay.
 - (a) the immediate payment of the full licence fee that is owed for the current financial year and any other financial years which he licence fee is owing for
 - (b) the payment of penalty interest is 10%
- (2) In addition to those amounts set out in subsection (1), a person may also be required to contribute towards the cost incurred by the province in enforcing the outstanding business licence fee.
- (3) If payment is require under subsection (2), it is the responsibility of the Western Province Provincial Government to provide a schedule of the costs incurred during the enforcement process, and evidence to support the information contained in the schedule if so requested by the offending person.
- (4) Any penalty interest charged under subsection(1) (ii) is based on the period of time that the business licence fee has been outstanding and is calculated as follows;
 - (a) divided the full business licence fee by 12, being the number of months in the financial year;
 - (b) multiplied by the number of months that the business licence has been outstanding for;
 - (c) the penalty interest of 10% of this amount.

Example: If a business licence fee for a specific business activity is \$120,000.00 for a particular year and the licences fee has been outstanding for six (6) months, the penalty interest would be calculated as follows;

- (i) \$120,000,00 divided by 12=\$10,000
- (ii) \$10,000 multiplied by 6=\$60,000

10% of \$60,000.00 is \$6,000,00

Therefore, the infringing person must pay \$6,000,00 in penalty interest, plus \$120,000,00 for the outstanding licence fee.

23. Enforcement of debt

The stated penalties will be enforced as a civil debt due to the province by the persons/entity in default and is recoverable by the Province in any court of competent jurisdiction.

24. Penalties for obstructive practices

- (1) Any person who;
 - (a) obstructs, hinders or resist a Police Officer or other authorized person acting in the due exercise of his powers under this Ordinance; or
 - (b) make a false statement to any police offers or any authorized person; or
 - (c) refuses to fails without lawful exercise to produce any license; shall be guilt of an offence and liable to a fine up to \$2,000,00 or in default of payment to imprisonment for a period not exceeding four weeks.
- (2) Such penalties and fines are enforceable through a court of competent jurisdiction.

25. Delegation

- (1) The Executive may authorize any Provincial officer or public officer to exercise any powers, or perform any duties of the Executive under this Ordinance subject to the general directions of the Executive and any conditions prescribed in the instrument.
- (2) The Executive may exercise a power or perform a duty notwithstanding that such power or duty has been delegated to an authorize officer.
- (3) Any delegation made under subsection (1) must be in writing.

26. **Subsidiary Legislation**

- (1) The Executive may make such orders and regulations as appear to them to be necessary or expedient for carrying out the objectives and provisions of this Ordinance and in particular (without prejudice to the foregoing) such orders and regulations may.
 - (a) prescribed the forms and contents of any application, certificate, license or authority required by this Ordinance.
 - (b) Prescribed and define new categories of business;
 - (c) Prescribed fees and matters relating to fees
 - (d) Provide for the manner of appointment and the duties and powers of the persons authorized to enforce and carry out the provisions of this Ordinance and its regulations and Orders.
- (2) Without limiting the powers of the Executive, the Executive may make such Orders and Regulations as appear to them necessary or expedient to calculate, regulate or enforce such fees.

WESTERN PROVINCE BUSINESS LICENCE ORDINANCE 2012

SCHEDULE TWO

Application form

APPLICATION FORM FOR RENEWAL OF A WESTERN PROVINCE BUSINESS LICENCE

1. Applicant _____
2. Trade/Business name (if different from above) _____
3. Postal Address _____
4. _____
5. _____
6. Telephone Number _____ Facsimile number _____
7. Number of existing business license _____
8. List the categories of business to be operated
 - (a) _____
 - (b) _____
 - (c) _____
 - (d) _____
 - (e) _____
7. Please give full particulars of any changes to business (if any) from the time of the original.
Application or the renewal (eg. Area of operation, number of employees license held under

SIGNED by _____

Print Name _____

Being _____

Specify position held in company/organization

Being a dully authorized agent of the applicant

Date this _____ day of _____ 2012

To: The Provincial Treasurer
PO Box 36
Gizo
Western Province

Western Province Business Licence Ordinance 2012**Schedule 1****Prescribed Business and Annual Licence Fees**

Prescribed Business	Annual Licence Fee
Abattoir	1,000.00
Accounting Service	3,000.00
Air Transport Service	40,000.00
Bakery:	
Urban	1,500.00
Rural	100.00
Banking:	
Per Premises	10,000.00
Agents	400.00
Beach Trading - Commercial	5,500.00
Local	500.00
Beautician	500.00
Beche-de-mer trading - Buyers	5,000.00
Agents	1,000.00
Bee Keeping	100.00
Brick making	500.00
Broadcasting Services	10,000.00
Building Construction - Foreigners	10,000.00
- External	8,000.00
- Local	4,000.00
Building Rentals - Domestic	1,000.00
commercial	3,000.00
Bus Services - 15 seater	1,000.00
25 seater	1,500.00
Urban	1,250.00
Rural	500.00
Cannery	15,000.00
Cinema:	
Cinema Part I	1,000.00
Cinema Part II	500.00
Clam trading (shell)	1,000.00
Clam trading (meat)	100.00

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Commodities:	Copra	
	Dry Copra Trading	250.00
	Green Copra Trading	250.00
	Coconut (dry/wet bean trading - Local	2,000.00
	Coconut oil extraction	750.00
	Consultancy service	1,000.00
	Clothing Sale - Urban	1,500.00
	Rural	500.00
	Cray fish trading	2,000.00
	Diving Service	3,000.00
	Electrical Service	1,000.00
	Engineering Works	1,000.00
	Entertainment	1,000.00
	Exporting	7,000.00
	Feed Processing	2,500.00
	Feed Supply	1,000.00
	Filming (commercial)	5,000.00
	Financial Scheme	5,000.00
	Fishing (commercial)	25,000.00
	Fish Export	7,500.00
	Fish marketing (local eskies)	750.00
	Fish Processing	15,000.00
	Furniture manufacture:	
	Urban	1,200.00
	Rural	500.00
	Gas agency	1,000.00
	Gold Dealer	5,000.00
	Green Snail Trading	1,000.00
	Urban	4,000.00
	Rural	500.00
	Hawking	200.00
	Hire service	500.00
Hotel:		
	10 rooms or less	6,000.00
	More than 10 rooms	10,000.00
	Ice cream and ice block manufacturing	750.00
	Internet Service	2,000.00
	Legal Service	2,000.00
	Manufacturing	
	General	1,200.00
	Alcohol/Beverages	15,000.00

Fibreglass:

Commercial	4,000.00
Domestic	500.00
Maritime product exporting	5,000.00
Medical and/or Dental clinic	1,000.00
Milled Timber Exporting	5,000.00

Mining:

Prospectors rights	25,000.00
Prospecting Licence	75,000.00
Mining Permit	150,000.00

Money Lending

500.00

Motor Sales

3,500.00

Pawn Broking

1,000.00

Pearls oyster shell trading

1,000.00

Pest Control

1,000.00

Photocopy

1,500.00

Petroleum Storage: Urban/Commercial

1 litre - 400 litres	500.00
401 Litres - 1000 litres	1,000.00
1001 litres - 2000 litres	3,000.00
2001 litres - 3000 litres	6,000.00
3001 litres - 500 litres	10,000.00
5001 litres - 10,000 litres	15,000.00

More than 10,000 litres 20,000.00

More than 20,000 litres 50,000.00

More than 100,000 litres 150,000.00

Rural

1 litre - 400 litres	300.00
401 litres - 1000 litres	750.00
1001 litres - 2000 litres	2,000.00
2001 litres - 3000 litres	4,000.00
3001 litres - 5000 litres	7,000.00
5001 litres - 10,000 litres	11,000.00
10,001 litres - 20,000 litres	15,000.00
More than 20,000 litres	20,000.00

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Plumbing services	500.00
Ports Services	20,000.00
Prawn trading	1,000.00
Printing:	
Commercial	2,000.00
Domestic	500.00
Recreation fishing	1,000.00
Research	1,000.00
Restaurant:	
Serving breakfast, Lunch and dinner	4,000.00
Serving Lunch and dinner	3,000.00
Serving breakfast or Lunch or Dinner only	1,500.00
Rest house - urban	
7 beds or more	5,000.00
Less than 7 beds	3,500.00
Government stations (Seghe/Ringi):	
7 beds or more	1,500.00
Less than 7 beds	1,000.00
Rural	750.00
Resort:	
5 rooms or more	6,000.00
Less than 5 rooms	4,000.00
Road transport service	1,000.00
Round Log export	75,000.00
Round Log felling	2,500.00
Round Log operators (Contractors)	150,000.00
Round Log sustainable harvesting licence (foreign joint Venture)	55,000.00
Round Log sustainable harvesting licence (Customary Landowner)	30,000.00
Round log harvesting (special permit)	150,000.00
Retail Store:	
Urban/commercial (Gizo, Lambete, Munda, Noro):	
License fee is \$1500.00 per category of item sold up to three categories and fixed extra charges of \$1000.00 for each additional	

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Category thereafter:

Category i	1,500.00
Category ii	3,000.00
Category iii	4,500.00
Additional category (maximum)	5,500.00
Retail Trade Store (urban/residential)	1,000.00
Retail Trade Store (rural)	
Category i	350.00
Category ii	700.00
Category iii maximum	1,050.00
Retail Store (official government station)	
Category i	600.00
Category ii	1,200.00
Category iii maximum	1,800.00
Scrap metal collection/trading	2,500.00
Scrap metal exporting	5,000.00
Sawmill:	
50hp or more	7,500.00
25 - 49 hp	5,000.00
Less than 25 hp	2,500.00
Sea transport service - less than 100 hp	250.00
100 hp or more	500.00
Seaweed trading	100.00
Secretarial service	1,500.00
Security service	2,000.00
Ship building	1,500.00
Shipping agent	15,000.00
Ship entry permit (per ship)	5,000.00
Ship Docking Fees:	
Gizo	500.00
Lambete/Seghe/Ringi	350.00
Snack Bar	500.00
Stevedore service	1,000.00
Tailor: Urban	1,500.00
Rural	500.00
Taxi service	500.00

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Timber Dressing	5,000.00
Timber Felling	7,000.00
Timbers Sales	2,000.00
Tourist business	1,000.00
Trochus Trading	250.00
Wholesale (Store or Warehouse)	
Urban	7,500.00
Rural	2,500.00
Wildlife	2,500.00
Wildlife Exporting	5,000.00
Other Fees	
Application fee non refundable):	
Local (with in Western Province)	100.00
Outside of Western Province	200.00
Fee for transfer Licence under section 19	50.00
Fee for issue of Duplication Licence under section 20	50.00

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**WESTERN PROVINCE BUSINESS LICENCE
ORDINANCE 2012**

**WESTERN PROVINCE BUSINESS LICENSE
(AMENDMENT) ORDINANCE 2015**

The Western Province Business License (amendment) Ordinance 2015 was passed by the Western Provincial Assembly on Friday 20th March, 2015.

I have carefully read the version of the ordinance which is being presented to the Ministry of the Provincial Government and the Institutional Strengthening against the document which was passed by the Western Province Provincial Assembly and are found by me to be an accurate and correct copy of the Said ordinance which was adopted by the Western Provincial Assembly.

.....
GIDEON TUKE

Clerk to Western Provincial Assembly

Assented to by the Honourable Minister for Provincial Government and Institutional Strengthening this 30th day of March 2015.

.....
HON. DUDLEY KOPU

Minister of the Provincial Government and Institutional Strengthening

Made under the Common Seal of the Western Provincial Assembly this
..... day of 2015.

.....
HON. LESTER HUCKLE SAOMASI

Minister of Finance
Western Province

Honiara, Solomon Islands
Printed under the authority of the
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Western Province Business License (Amendment) Ordinance 2015