

REPRINT

SOLOMON ISLANDS NATIONAL SPORTS COUNCIL ACT (CAP. 166)

As in force at: 1 October 2009

STATUS:	HISTORICAL
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<p>This version is that in force at the date stated above. It does not include amendments made since that date.</p>

<p>For list of amendments see Endnotes</p>
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AN ACT TO ESTABLISH A NATIONAL SPORTS COUNCIL IN SOLOMON ISLANDS AND CONFER POWERS UPON SUCH COUNCIL, AND FOR MATTERS CONNECTED THEREWITH OR INCIDENTAL THERETO

**SOLOMON ISLANDS NATIONAL SPORTS COUNCIL ACT (CAP.
166)**

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SOLOMON ISLANDS NATIONAL SPORTS COUNCIL ACT (Cap. 166)

As in force at: 1 October 2009

1 Short title

This Act may be cited as the *Solomon Islands National Sports Council Act*.

2 Interpretation

In this Act, unless the context otherwise requires:

“Chairman” means the person appointed by the Minister to be Chairman of the Council pursuant to the provisions of this Act;

“Council” means the Solomon Islands National Sports Council established pursuant to the provisions of section 3(1);

“National Association of Sports” means any organisation, federation or body which is the controlling or governing body of a sport or group of sports at provincial or national level;

“Vice-Chairman” means the person appointed by the Minister to be Vice-Chairman of the Council pursuant to the provisions of this Act.

3 Establishment of the Council

- (1) There shall be established for the purposes of this Act a Council to be called the Solomon Islands National Sports Council which shall be a body corporate to which the provisions of Part VII of the *Interpretation and General Provisions Act* shall apply.
- (2) The provisions of the Schedule shall have effect as to the constitution of the Council and otherwise in relation thereto.

4 Functions of the Council

The functions of the Council shall be:

- (a) to foster and promote the development of sport and recreation in Solomon Islands;
- (b) to carry out itself, or encourage and support other persons or bodies in carrying out the practice of sport and physical recreation in the interest of social welfare;
- (c) to foster, support or undertake the providing of facilities for sports and physical recreation;
- (d) to carry out itself, or to encourage and support other persons, bodies or organisations in carrying out, research and studies in connection with sport and physical recreation, and to disseminate knowledge and advice on matters relating thereto;
- (e) to collaborate with foreign or international bodies in furtherance of the foregoing, and to secure benefits from the facilities, training and expertise offered by such overseas bodies;
- (f) to advise, co-operate with, or assist the Minister or any sporting body, organisation, government department, provincial body or authority on any matters connected with sports and recreation; and
- (g) to carry on any other activity related to sports or recreation for the benefit of the public.

5 Powers of the Council

The powers of the Council shall be:

- (a) to make grants or loans upon such conditions as it thinks fit to any person or organisation engaged in the execution or promotion of any sporting or recreational activity;
- (b) to examine and consider any existing or proposed policies or practices, or other matters, relating to sport and recreation and the utilisation of land for recreational purposes, and with the approval of the Minister to make recommendations thereon to any appropriate person or authority;
- (c) with the approval of the Minister to develop any land or other

property and to erect and maintain buildings or other structures;

- (d) with the approval of the Minister to enter into any agreements with any provincial or local authority, corporation, society, body or person for the management and maintenance of any land or buildings for the purposes of this Act;
- (e) to charge such fees for admission in respect of any sporting activity promoted or sponsored by the Council;
- (f) to charge or levy subscriptions from bodies or other sporting organisations in Solomon Islands;
- (g) with the approval of the Minister responsible for finance to borrow or raise money and give security therefor in such manner as the Council thinks fit;
- (h) to establish or act as trustees of any charity, the objects of which are in accordance with the objects of the Council;
- (i) to employ a Director, Administrative Officers and such other officers on such remuneration and terms and conditions as the Council thinks fit;
- (j) with the approval of the Minister make provisions for the establishment and maintenance of pensions or other welfare schemes for its employees; and
- (k) generally to do whatever it considers necessary in order to promote the growth and spread of sporting and recreational activity in Solomon Islands.

6 Registration of National Associations of Sports

- (1) Any National Association of Sports in existence on 30th December 1992, shall within three months of such date apply for registration in the manner prescribed.
- (2) Any National Association of Sports which is formed after 30th December 1992, shall within three months of its formation, apply for registration in the manner prescribed.
- (3) The Council may, with the approval of the Minister make regulations

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prescribing the procedure for registration of a National Association of Sports.

7 Council may conduct inquiry or investigation

- (1) The Council shall have power to inquire into and investigate the activities of any National Association of Sports.
- (2) For the purposes of conducting any inquiry or investigation, the Council shall have power to:
 - (a) summon before it any person or office-bearer associated with such National Association of Sports; and
 - (b) direct such National Association of Sports to furnish in such form as the Council may require, returns, accounts and other information in respect of its property and activities.
- (3) Upon such direction being made by the Council under subsection (2), any such National Association of Sports shall afford all such facilities and furnish all such information, as may be necessary to carry out such inquiry or investigation.
- (4) Any office-bearer of a National Association of Sports or any employee or other person acting on behalf of such Association who:
 - (a) refuses to furnish any document, statement of accounts or other information as required under subsection (3); or
 - (b) obstructs or hinders any person in the exercise of any right under subsection (3),

shall be guilty of an offence and liable on conviction to a fine not exceeding one hundred penalty units or to imprisonment not exceeding one month or to both such fine and imprisonment.

8 Right to make representations

- (1) On completion of any inquiry or investigation commenced pursuant to section 7, the Council may:
 - (a) require such National Association of Sports to remedy any malpractices, misconduct or irregularities;

- (b) cancel the registration of such National Association of Sports;
 - (c) order such National Association of Sports to dissolve and wind up its affairs; or
 - (d) take such other measures as the circumstances may require.
- (2) If the Council is of the view that any of the measures provided for in subsection (1) should be taken against a National Association that has been the subject of inquiry or investigation, the Council shall in writing state the reasons for the action being considered and afford such National Association of Sports reasonable time to make representations.

9 Vesting of national facilities in Council

- (1) Where any national facilities to be used in connection with sporting activities are provided to Solomon Islands by way of grant, aid or otherwise by any foreign government, international organisation or other source, the ownership of such facilities shall without further assurance vest in the Council and the Council shall have all the powers necessary to deal with such facilities.
- (2) On the vesting of such national facilities in the Council, the Council shall endeavour to ensure that sports in Solomon Islands receive the greatest benefit obtainable from the proper use of such facilities.
- (3) In this section “***national facilities***” include buildings, fixtures and fittings.

10 Policy directions and guidelines

The Council shall in the exercise of its functions and powers, have regard to statements or directions that may be made or issued by the Minister from time to time in regard to Government policy.

11 Finances

The funds of the Council shall comprise of:

- (a) all moneys paid to the Council by way of grant or loan from the Consolidated Fund for the purposes of the Council;

- (b) all moneys collected by way of contributions, subscriptions or fees;
- (c) all moneys received by way of fees, rent or otherwise in respect of any land or property vested in or under the control of the Council or in respect of the performance or exercise of any of the functions and powers of the Council; and
- (d) all moneys received by the Council from the sale or disposal of any property.

12 Investment of funds

All moneys of the Council not required for immediate use shall be invested in securities authorised under the provisions of any Act relating to trustees for the time being in force.

13 Accounts

The Council shall keep proper accounts and other records in respect of its operations and shall cause to be prepared a statement of accounts in respect of each financial year.

14 Audit

The accounts of the Council shall be audited annually by the Auditor-General or by such other person on such terms and conditions the Auditor-General may impose.

15 Accounts to be laid before Parliament

- (1) As soon as practicable after the end of each financial year, the Council shall transmit to the Minister:
 - (a) a copy of its statement of accounts for such year;
 - (b) a copy of the report made thereon by the Auditor-General or such other person as may be appointed under the provisions of section 14; and
 - (c) a report on the activities of the Council during such year.
- (2) The Minister shall cause copies of the accounts and reports of the

Council to be laid before the National Parliament.

16 Non-liability of members and employees

- (1) Neither the Council nor any member or employee of the Council shall be personally liable for any act or omission of the Council, any committee or panel done or omitted to be done in good faith in the course of operations of the Council, any committee or panel, as the case may be.
- (2) In this section the words “**committee**” and “**panel**” means respectively a committee or panel established under the provisions of paragraph 8 of the Schedule.

17 Regulations

The Minister may make regulations generally for the purposes of carrying out the provisions of this Act and in particular in respect of any matter which he considers necessary or desirable for the furtherance of the functions of the Council.

SCHEDULE

(Section 3)

1. Constitution of the Council

- (1) The Council shall consist of nine members appointed as follows:
 - (a) the Chairman and Vice-Chairman appointed by the Minister;
 - (b) the President of the Solomon Islands Sports Association National Olympic Committee and one other executive member nominated by the Olympic Committee;
 - (c) three members appointed by the Minister from persons appearing to him to represent the private sector;
 - (d) the Under Secretary to the Ministry of Finance and Economic Planning; and
 - (e) a representative nominated by the Ministry for the time being charged with responsibility for Planning and Projects.
- (2) The Chairman, the Vice-Chairman and other members (excluding the two nominated members) shall be appointed by the Minister, and the terms of their appointments shall be as determined by him.

2. Terms of office

- (1) Every member of the Council shall subject to the provisions of this Schedule hold office in accordance with the terms of his appointment.
- (2) The Chairman shall be appointed for such term, not exceeding five years.
- (3) The Vice-Chairman shall be appointed for a term of not more than three years.
- (4) No member shall be appointed for a term of more than three years unless such member is the Chairman of the Council.

- (5) The Chairman, Vice-Chairman and all other members shall be eligible for re-appointment.
- (6) A member may at any time by notice in writing to the Minister resign his office.

3. Revocation of appointment

Notwithstanding the provisions of paragraph 2 or the terms of his appointment, any member may at any time by notice in writing given under the hand of the Minister be deprived of his membership of the Council:

- (a) if he is declared an undischarged bankrupt; or
- (b) if in the opinion of the Minister he is guilty of an offence of a fraudulent character; or
- (c) if he has conducted himself in such a way which in the opinion of the Minister renders him unfit to remain in office.

4. Reimbursement of members

Save as is provided in this Schedule, the Council shall not make to any of its members any payment by way of remuneration for his services as a member, but may reimburse to any such member expenses reasonably incurred by him in the performance of such services.

5. Remuneration

The Council shall, if the Minister so directs, make to its Chairman and the Vice-Chairman such remuneration whether by way of honorarium, salary or fees and such allowances as the Minister may determine.

6. Proceedings and quorum

- (1) The Council may act notwithstanding a vacancy among its members and the validity of any proceedings of the Council shall not be affected by any defect in the appointment of a member.

- (2) The quorum of the Council shall be five members personally present, or such greater number as the Council may from time to time determine.

7. Procedure

Subject to the provisions of this Schedule, the Council may regulate its own procedure.

8. Appointment of committees etc.

- (1) The Council may appoint committees or panels to exercise, or advise it on the exercise of, any of its functions, and may:
 - (a) appoint to any such committee or panel persons who are not members of the Council; and
 - (b) at any time revoke the appointment of any member of any such committee or panel.
- (2) The Council may appoint as Chairman of any such committee or panel any member, who is a member of the Council.

9. Procedure of committees etc.

The Council may regulate the procedure of any committee or panel appointed pursuant to paragraph 8.

10. Attendance of meetings by public officer

Any public officer appointed by the Minister under the provisions of this Schedule to be a member to the Council, or to any committee or panel, shall be entitled to attend any meeting of the Council, committee or panel, as the case may be.

11. Delegation

The Council may with the approval of the Minister, delegate the performance or supervision of any of its functions to any approved regional sports council.

ENDNOTES

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KEY

amd = amended	Pt = Part
Ch = Chapter	rem = remainder
Div = Division	renum = renumbered
exp = expires/expired	rep = repealed
GN = Gazette Notice	Sch = Schedule
hdg = heading	Sdiv = Subdivision
ins = inserted	SIG = Solomon Islands Gazette
lt = long title	st = short title
LN = Legal Notice	sub = substituted
nc = not commenced	

NOTE

This Reprint comprises the Act and amendments as in force on 1 March 1996 and published as Chapter 166 of the Revised Edition of the Laws of Solomon Islands, together with amendments made to the Act from that date to 1 October 2009.

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LIST OF LEGISLATION

Solomon Islands National Sports Council Act (Cap. 166)

Constituent legislation: 14 of 1988 (Commenced 1 October 1988)
14 of 1992

Penalties Miscellaneous Amendments Act 2009 (No. 14 of 2009)

Assent date 29 July 2009
Gazetted 1 October 2009
Commenced 1 October 2009

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LIST OF AMENDMENTS

s 7 amd by Act No. 14 of 2009