

THE WESTERN PROVINCE AREA COUNCIL ORDINANCE 1989

[Consolidation: This is a consolidation of the principal Ordinance and amendments or intended amendments as at 1 October 1995. Errors in spelling or grammar or Omissions of words in the Gazetted Ordinance have been corrected in this Consolidation. This is not an authorised version of the Ordinance.

The principal Ordinance came into effect on 29/12/89 upon Gazetted under EN 04/89.

The enactments consolidated are:

WP Area Council Ordinance 1989

WP Area Council (Amendment) Ordinance 3991 LN 76/91

WP Area Council (Amendment) Ordinance 1993 LN 103/93

WP Area Council (Amendment) Ordinance 1995 EN 63/95.1

ARRANGEMENT OF SECTIONS

PART I PRELIMINARY

1. Title and Commencement.
2. Interpretation.

PART II ESTABLISHMENT OF AREA COUNCILS AND ELECTION OF MEMBERS

3. Establishment of Area Councils.
4. Election of Members.
5. Time of Elections.
6. Regulations.
7. Qualification of candidates.

PART III CONSTITUTION OF AREA COUNCILS

8. Membership.
9. Term of Office.
10. Entitlements.
11. Invited Advisers
12. Voting.
13. Disqualification from Membership.
14. President and Vice President.
15. Standing Orders.
16. Meetings.

PART IV
FUNCTIONS, POWERS AND DUTIES OF AREA COUNCILS

17. Functions, powers and duties.

PART V
ADMINISTRATION OF AREA COUNCILS

18. Secretary
19. Treasurer.

PART VI
DISSOLUTION OF AREA COUNCILS

20. Dissolution.
21. Dissolution by the Executive.
22. Procedure
23. Appeal.
24. Effects of dissolution.

PART VII
REPEALS

25. Repeals.

SCHEDULE I
Area Councils, Wards and Representation.

SCHEDULE II
Functions and Duties of Area Councils.

SCHEDULE III
Standing Orders.

SCHEDULE IV
Area Council Financial Regulations.

PART I
PRELIMINARY

- 1. Title and Commencement** - This Ordinance may be cited as the Western Province Area Council Ordinance 1989 and shall come into force upon approval of the Minister in accordance with Section 32 of the Provincial Government Act 1981 and

publication in the Solomon Islands Gazette.

2. Interpretation in this Ordinance, except where the context requires otherwise:

'Act" means the Provincial Government Act 1981;

"Area Councils" means the Area Councils established under Part II of this Ordinance

"Assembly" means the Western Provincial Assembly established in accordance with Section 7 of the Act;

Chief' means a traditional leader of Western Province;

'Executive" means the Western Provincial Executive established in accordance with Sections 21 and 22 of the Act;

'Financial Year" means the twelve months ending on 30th June;

'Majority' means one half of the Elected Members present plus I;

'Minister" means the Minister of Provincial Government;

"Paper" means and includes any policy, proposal, question, contract, bylaws, or any written matter for consideration by an Area Council;

"Secretary" means the person appointed by the Executive to be Secretary to an Area Council it~ accordance with Section IS

"Subward" means one of the areas within the boundaries of a Ward from which members are elected to represent that Ward or an Area Council Treasurer means the person appointed by the Executive to be Treasurer to an Area Council in accordance with Section 18

'Voter" means a person registered as a voter in accordance with the Local Government (Registration of Voters) Regulations;

Ward" means one *of* the Electoral Wards established within an Area Council area from which Members are elected to Area Councils;

PART II
ESTABLISHMENT OF AREA COUNCILS AND ELECTION OF MEMBERS

3. Establishment of Area Councils - (1) Area Councils will be established in Western Province.

(2) The number of Area Councils and the boundaries of Area Councils must always correspond with the number and boundaries of the Western Provincial Constituencies determined by the Constituencies Boundaries Commission for the Western Provincial Assembly Elections ('the Western Provincial Constituencies').

(3) The boundaries of authority of Area Councils extend to the areas described in Section 3(3) of the Act.

(4) The number and names of the first Area Councils to be established under the Ordinance are set out in Schedule I.

(5) Area Councils represent and have authority over a certain number of Wards.

(6) The number and names of the Wards to be included within the boundaries of authority of Area Councils must always correspond with the number and names of the Electoral Wards determined by the Constituencies Boundaries Commission as coming within the Western Provincial Constituencies.

(7) The names and numbers of the Wards to be included within the boundaries of authority of the first Area Councils to be established under this Ordinance and which Wards are to remain in place until-amended by the Constituency Boundaries Commission and such amendment has been incorporated in al, amendment to this Ordinance are set out in Schedule I.

(8) The Assembly may at any time request the Constituency Boundaries Commission:

(a) to review the boundaries of the Western Provincial Constituencies and/or;

(b) to review the boundaries of the Wards and/or;

(c) to review the number of Western Provincial Constituencies and/or Wards;

d) to rearrange the Wards within the Western provincial Constituencies; to better reflect the distribution of population or the location of villages or common language or otherwise to advance greater cohesion, a fairer representation of the people or more effective administration of Area Councils and/or the Province.

(9) Every Area Council established under this Ordinance is a body corporate having perpetual succession and a common seal and is capable in law of suing and being sued and of acquiring holding and disposing of moveable and immovable property.

4. Election of Members - (I) Subject only to Section 8(2) the Members of an Area Council must be elected,

(2) Each Ward must be represented on an Area Council.

(3) No Ward may be represented by more than two (2) elected Members PROVIDED HOWEVER that where an Area Council has authority over no more than two (2) Wards then those Wards may be represented by no more than three (3) elected Members.

(4) Each Ward is divided into Subwards

(5) The number of Subwards must always be the same as the number of elected members entitled to represent a Ward on an Area Council as specified in Section 4(3).

(6) The names of the Subward, and the boundaries and/or some of the villages of those Subwards are set out in Schedule 1.

(7) Each Subward must be represented by one and no more than one member on an Area Council.

(8) The Assembly may amend the names of the Subwards and/or the boundaries and/or the villages contained within the boundaries of a Subward at any time by amending legislation.

5. Time of Elections - (1) The first election of members of Area Councils under this Ordinance shall be held on a date to be determined by the Executive but such date must not be later than 30th June 199{ }.

(2) Subsequent ordinary elections of Members of Area Councils, other than by-elections, must always coincide with the date of the Western Provincial Assembly Elections under the Act,

(3)(1) Where the seat of an elected Member of an Area Council is vacant a by-election must be held to fill the vacancy.

(3)(2) The date of the by-election must be fixed by the Provincial Secretary

(3)(3) The date of the by-election must be no later than three (3) months after the vacancy has arisen.

(3)(4) A by-election must not be held if the last date for holding it in accordance with subsection 5(3)(3) would fall within three (3) months preceding the next election to be held under section 5(2).

6. Regulations - (1) The Assembly must make Area Council Election Regulations providing for the conduct and regulation of elections (if Members of Area Councils.

(2) When an election of Members of Area Councils takes place at the same time as an election for Members of the Provincial Assembly in accordance with section 5.2, the Area Council Election Regulations made in accordance with section 6(1) must be construed with such modifications, adaptations, qualifications and exceptions as are

necessary to ensure that in practical terms the procedure for the conduct and regulation of the election of Members of Area Councils is substantially the same and coincides with the procedure for the conduct and regulation of the election of Members of the Provincial Assembly.

7. Qualification of Candidates - A person is a qualified candidate for membership as an elected Member of an Area Council if the person:

- (i) is indigenous to or a resident for no less than four (4) years preceding the date of the election of the Area Council area
- (ii) is ordinarily resident in the Subward the candidate wishes to represent
- (iii) is a citizen of Solomon Islands;
- (iv) has attained the age of eighteen years;
- (v) is not disqualified under section 13 of his Ordinance except that public officers, provincial employees, Members of Parliament and Members of the assembly are qualified candidates on condition that they give written notice of resignation from such other posts within seven (7) days of being elected as ii Member of an Area Council;
- (vi) is nominated by three (3) registered voters who are
- (vii) residents of the Subward the candidate wishes to represent;
- (viii) consents in writing to being a candidate

PART III CONSTITUTION OF AREA COUNCILS

8. Membership - (1) An Area Council must not have less than 6 nor more than 18 Members including appointed Members.

(2) An Area Council may by resolution appoint no more than 2 persons to be appointed Members of an Area Council ("Appointed Members") PROVIDED HOWEVER that should an Area Council wish to appoint a Chief(s) to be an Appointed Member(s) the Area Council must invite the Chiefs residing within the boundaries of the authority of the Area Council to nominate the Chief(s) to be the Appointed Member(s).

9. Term of Office - (1) The term of office of an Elected Member of an Area Council begins on the day of election and ends, such Member not otherwise being disqualified from membership under Section 13 of this Ordinance or such Member not resigning on dissolution of the Area Council,

(2) An Area Council may by resolution terminate the membership of an Appointed Member,

(3) A Member of an Area Council may at any time resign his or her membership of an Area Council by giving 30 days notice in writing:

(a) to the President of the Area Council and

(b) to the Provincial Secretary.

10. Entitlements – (1) Elected and Appointed Members of an Area Council shall be paid entitlements allowances and expenses only In accordance with this section, the rates of which shall be Fixed and reviewed from time to time by resolution of the Western Provincial Assembly,

(2) Elected Members of an Area Council shall be paid the following –

(i) a monthly salary;

(ii) a night allowance for each day a member spends travelling to or from an Area Council Meeting or an Area Council Committee Meeting.

(3) An Appointed Members Allowance shall be payable to Appointed Members of an Area Council as follows:

(i) for each day a Member spends attending an Area Council Meeting;

(ii) for each day a Member spends travelling to and from an Area Council Meeting

(iii) for each day a Member spends attending an Area Council Committee Meeting

(iv) for each day a Member spends travelling to and from an Area Council Committee Meeting.

[Note: 5.10(1), (2) and (3) amended as from 18 June 1993 by 5.2(a) Western Province Area Council (Amendment) Ordinance 1993. Ss.10(1), (2) and (3) formerly read: 'Elected Members of an Area Council are entitled to be paid an Elected Members Allowance which allowance must be fixed by the Executive and reviewed from time to time']

(2) Appointed Members of an Area Council are entitled to be paid an Appointed Members Allowance which allowance must be fixed by the Executive and reviewed from time to time.

(3) The Elected Members Allowance or the Appointed Members Allowance as

appropriate is payable:

- (i) for each day Member spends attending an Area Council
- (ii) for each day a Member spends travelling to and from, an Area Council meeting;
- (iii) for each day a Member spends attending an Area Council Committee Meeting
- (iv) for each day a Member spends travelling to and from an Area Council Committee Meeting

(4) Elected and Appointed Members are entitled to be reimbursed for any travelling expenses actually paid by a Member in travelling to and from an Area Council meeting or an Area Council Committee meeting from the place of residence of the Member.

(5) All entitlements, allowances and expenses payable pursuant to this section shall be paid out of the Western Provincial Fund

[Note: 5.10(5) amended as from 18 June 1993 by 5.2(a) Western Province Area Council (Amendment) Ordinance 1993. Ss.10(5) formerly read: "The Member's allowance and travelling expenses must be paid from the Western Provincial Fund."]

(6) The Elected Members Entitlements and Allowances shall be as provided or in Schedule V of this Ordinance.

(Note: S10(6) inserted as from 18 June 1993 by S2~) Western Province Area Council (Amendment) Ordinance 1993.1

11. Invited Advisers

(1) An Area Council may in writing invite any of the following persons to attend an Area Council meeting ("Invited Advisers") on the following terms:

- (a) Any Member of Parliament or any Senior Public Servant to give information or advice on national government matters. Provided however that the appropriate Government Ministry agrees to pay the travelling expenses of that invited Adviser;
- (b) Any Member of the Assembly or any Senior Provincial Employee to give information or advice on Provincial matters. The Province must pay the travelling expenses of such Invited Adviser.
- (e) Any person suitably qualified to give information or advice on any matter before an Area Council which matter is within that person's area of expertise. The

Area Council must pay the travelling expenses of such Invited Adviser.

(2) If a Member of the Assembly or a Member of Parliament voluntarily attends an Area Council Meeting without prior written invitation then such Member is not entitled to be paid his or her travelling expenses.

12. Voting

(1) Every Elected Member is entitled to vote on a resolution.

(2) Appointed Members are not entitled or permitted to vote.

(3) Invited Advisers are not entitled or permitted to vote.

13. Disqualification from membership - A person is disqualified from membership of an Area Council if the person:

(a) is by virtue of his own act under any acknowledgement of allegiance, obedience or adherence to a foreign power or State;

(h) is an undischarged bankrupt under Solomon Islands law;

(e) Is certified to be insane or otherwise adjudged to be of unsound mind under Solomon Islands law;

(d) is under sentence of death imposed by a court in any part of the world or is under a sentence of imprisonment (by whatever name called) for a term of or exceeding 4 months other than a sentence, in lieu of a fine but including a suspended sentence imposed by such a court or substituted by a competent authority or some other sentence imposed by such a court;

(e) is disqualified from registration as at, elector or from voting at elections under Solomon Islands law relating to offences connected with elections;

(I) resigns;

(g) ceases to be a resident of the Area Council area

(h) is a public officer or Provincial employee;

(i) is a Member of the National Parliament;

j) is a Member of the Provincial Assembly.

14. President and Vice President

- (1) Even Area Council must have a President and a Vice President.
 - (2) The President must be elected by the Elected Members of an Area Council from among the Elected Members.
 - (3) The method of election of the President is described in the Area Council Standing Orders contained in Schedule IN.
 - (4) The President and Vice President must not be employees of or shareholders in a Foreign Investor as defined in the Foreign Investment Act 1984 operating or carrying on business within the boundaries of authority of the Area Council.
 - (5) The President and Vice President are entitled to be paid an allowance additional to the Member's allowance described in Section 10, the amount of such additional allowance to be determined by the Assembly and paid from the Provincial Fund.
- [Note: 5.10(5) amended as from 18 June 1993 by 5.2(d) Western Province Area Council (Amendment) Ordinance 1993 by deleting the word "Executive" and substituting the word "Assembly"]

15. Standing Orders - An Area Council must discharge its functions and earn out its duties and exercise its powers and conduct its affairs in accordance with the Area Council Standing Orders contained in Schedule III.

16. Meetings - (1) An Area Council must meet at least twice but no more than 4 times in a financial year PROVIDED HOWEVER that an Area Council may hold additional meeting if it obtains the prior written consent of the Executive.

(2) The proceedings of an Area Council and its committee must be in public PROVIDED HOWEVER:

- (a) the President and Secretary, when preparing the Agenda may provide and declare that the public are to be excluded from the proceedings when a certain matter is under consideration;
- (b) a Member may move a motion during a meeting that the public be excluded from the proceedings of an Area Council or of a committee during consideration of a particular matter and that motion is duly passed.

PART IV FUNCTIONS, POWERS AND DUTIES OF AREA COUNCILS

17. Functions, powers and duties

- (1) An Area Council must promote the health, welfare and convenience of the residents within the boundaries of its authority and maintain order and good local government.

(2) An Area Council must, within the limits of its authority under this Ordinance or under any other legislation do all such things as are proper, necessary or desirable for the discharge of its functions and duties and to effectively carry out the provisions of this Ordinance.

(3) An Area Council must carry out the functions and duties described in Schedule II.

(4) The Executive may devolve responsibility for further functions and services to Area Councils from time to time as it considers appropriate.

(5) The Executive may perform any function or provide any services listed in Schedule II should it consider that the Area Council is not satisfactorily performing such function or providing such service.

(6) An Area Council has power to charge fees or any service or facility provided by an Area Council or for any licence or permit issued pass a bylaw authorising such charge (unless a Provincial Ordinance or other law is in force authorizing such a charge).

(7) An Area Council must conduct its financial affairs in accordance with the Area Council Financial Regulations contained In Schedule IV.

(8) An Area Council has power to make bylaws on the following terms and conditions:

(a) The bylaws only apply within the boundaries of authority of the Area Council enacting them;

(b) The bylaws are subject to approval by the Executive. The bylaws do not come into force until they are approved by the Executive;

(c) The by laws must not conflict with any Provincial Ordinance or Regulations or any Solomon Islands Legislation or subsidiary legislation;

(d) The bylaws must not be made for a purpose for which provision is made or may be made under any other enactment;

(e) The bylaws must be passed in compliance with the Area Council Standing Orders;

(f) The by laws must only relate to the following matters:

(i) Control of Livestock

(ii) Control of markets outside of Gizo and Noro;

(iii) Community Services;

- (iv) Local custom and culture
- (v) Visitors
- (vi) Protection of flora and fauna;
- (vii) Local Water Supplies.

(g) The bylaws must be published in accordance with the Area Council Standing Orders.

(9) An Area Council has power to appoint persons to work within the area of authority of the Area Council. Such employees must be paid from Area Council funds under conditions of service approved by the Executive.

PART V

ADMINISTRATION OF AREA COUNCILS

18. Secretary

(1) The Western Provincial Secretary in consultation with the President of the affected Area Council must appoint a Secretary for each Area Council

[**Note:** S.18(1) amended as from 16 June 1995 by 5.3 Western Province Area Council (Amendment) Ordinance 1995. S. 18(1) formerly read:

"The Executive must appoint a Secretary for each Area Council"]

(2) The Secretary may be a public officer or a Provincial employee but he or she must not be the same person as the Treasurer appointed pursuant to Subsection 19(1) hereof.

[**Note:** 5.18(2) amended as from 28 June 1991 by 5.2(a) Western Province Area Council (Amendment) Ordinance 1991. 5.18(2) formerly read: "The Secretary maybe a public officer or a Provincial employee.]"

(3) The Secretary must carry out the following duties:

- (a) Determine the time and place of the first meeting of the Area Council following an Area Council election for the purpose of the election of President convene that first meeting in accordance with the notice provision of Standing Order 3.1 and chair the meeting for the election of the President in accordance with Standing Order 1.1.

[**Note:** S.18(3)(a) amended as from 28 June 1991 by S.2(h) Western Province Area Council (Amendment) Ordinance 1991. 5.1 S(3)(a) formerly read. Convene

all meetings of the Area Council and prepare and serve all notices relating to such meetings in accordance with Standing Order 3;"]

(b) Convene all meetings of the Area Council and prepare and serve all notices relating to such meetings in accordance with Standing Order 3;

Note: S.18(3)(b) amended as from 28 June 1991 by S.2(b) Western Province Area Council (Amendment) Ordinance 1991. S.18(3)(b) formerly read: "Attend all meetings of the Area Council;"]

(c) Prepare and circulate the Agenda for the meetings of the Area Council together with copies of the Papers;

(d) Attend all meetings of the Area Council and take the minutes of those meetings in accordance with Standing Order 8.1;

Note: S.18(3)(d) amended as from 28 June 1991 by S. 2(b) Western Province Area Council (Amendment) Ordinance 1991. S. 18(3)(d) formerly read: 'Take minutes of the meetings of the Area Council in accordance with Standing Orders 8.1;']

(e) Circulate the Minutes in accordance with Standing Order 8.2

(f) File the Minutes of the meetings of the Area Council in accordance with Standing Order 8.3;

(g) Keep a record of all resolutions of the Area Council in accordance with Standing Order 6.6;

(h) Forward copies of all proposed by-laws to the Executive in accordance with Standing Order 9.3;

(i) Post copies of all by-laws passed by the Area Council and approved by the Executive in accordance with Standing Order 9.8;

(j) Forward all project proposals of the Area Council to the Executive for consideration and approval and it appropriate for onward submission by the Executive to the Provincial Development Unit or the Minister;

(k) Act as Secretary to any committee appointed by the Area Council;

(l) Assist the President of the Area Council with all matters relating to administration of the Area Council;

(m) Advise the Area Council on Provincial matters and procedural matters.

19. Treasurer – (1) The Western Provincial Secretary in consultation with the President of the affected Area Council must appoint a Treasurer for each Area Council.

[Note: 5.19(1) amended as from 16 Juno 1995 by S. 3 Western Province Area Council (Amendment) Ordinance 1995. S.19(1) formerly read:

"The Executive must appoint a Treasurer for each Area Council"]

(2) The Treasurer must be a public officer or a Provincial employee.

(3) The Treasurer must carry out the following duties:

(a) Attend all meetings of the Area Council

(b) Advise the Area Council on all financial matters of or relating to the Area Council

(c) Carry out the duties and follow the procedures described in the Area Council Financial Regulations;

(d) Ensure that the Area Council carries out the functions of the Area Council described in Schedule II Clause I;

(c) Keep in safe keeping the bank books, Receipt Books. Cash Books, Payment Voucher Books and all other financial records;

(I) Keep in sale keeping all documents of title relating to Area Council property and all original copies of contracts, agreements or other important documents;

(g) Liaise and cooperate with the Provincial Treasurer concerning the financial affairs of the Area Council and/or the collection of any revenue on behalf of the Province

PART VI DISSOLUTION OF AREA COUNCILS

20. (I) An Area Council is automatically dissolved on the eve of an ordinary election of Members,

(2) An Area Council may be dissolved:

(a) by a resolution of the Members voting by secret ballot;

(b) by the Executive, the Provincial pursuant to the provisions of Section 21

(3) When an Area Council is dissolved by resolution of the Members or by the Executive, the Provincial Secretary must arrange for a new Area Council Election to be held within

three (3) months of the Area Council resolution or the date of dissolution by the Executive.

21. Dissolution by the Executive The Executive is entitled to dissolve an Area Council if an Area Council:

- (a) is bankrupt;
- (b) is in administrative collapse
- (c) disregards or disobeys the provisions of this Ordinance, the Area Council Standing Orders or the Area Council Financial Regulations;
- (d) unreasonably obstructs the work of the Western Provincial Government.

22. Procedure

(1) The Executive resolves that all Area Council must be dissolved on one of the grounds set out in Section 21, the Executive must arrange for a Notice of Dissolution to be delivered personally to the President of the Area Council or, in the absence of the President, to the Vice President,

(2) A Notice of Dissolution issued on the ground that the Area Council is bankrupt must specify that ground and is final.

(3) A Notice of Dissolution issued on any or all of the grounds (b), (c) or (d) of Section 21 must specify:

- (a) The ground(s) or violations giving rise to the Notice;
- (b) Specific instructions for remedying the violations;
- (c) The time within which the violations must be remedied to avoid dissolution.

(4) The President must immediately call an Extraordinary Meeting of the Area Council to consider the Section 22(3) Notice of Dissolution and to arrange for the necessary remedial action to be taken.

(5) If the Area Council fails to remedy the violations within the time specified in the Notice of Dissolution or within such longer time as the Executive may agree, the Area Council is automatically dissolved.

23. Appeal

(1) An Area Council which has been dissolved by the Executive is entitled to appeal to the Minister by notice writing in within thirty (30) days of the date of dissolution on the

following grounds:

- (a) The insufficiency of the contents of the Notice of Dissolution and/or
 - (b) The reasonableness of the action of the Executive in dissolving the Area Council.
- (2) When an appeal (from a dissolution is resolved in favour of the Executive the Provincial Secretary must arrange for a new Area Council Election to be held within three (3) months of the appeal decision.
- (3) When an appeal from dissolution is resolved in favour of the Area Council, the dissolution is deemed to be reversed and the Area Council must resume its exercising its powers and carrying out its functions and ditties.

24. Effects or Dissolution

(1) Subject always to Section 3(10), upon the dissolution of an Area Council and pending the election of new members of an Area Council, the following provisions apply:

- (a) The Executive must can-v out the duties and functions and exercise the powers imposed and given in this Ordinance;
- (b) All bylaws made by the Area Council remain in full force and effect and may be enforced, amended or repealed by the Executive
- (c) Management and control of the assets and property of the Area Council must be undertaken by the Executive;
- (d) The membership of the appointed members of the Area Council pursuant to Section 8.2 is terminated;
- (e) Persons employed by the Area Councils pursuant to Section 17(9) remain in that employment subject to the supervision and control of the Executive. The "ages/salary of such persons shall continue to be paid out of the funds of the Area Council;
- (f) The Provincial Secretary becomes signatory for all banking arid other purposes and for affixing the seal in the stead of the President or Vice President;
- (g) All contracts, works or undertakings, rights or liabilities and all actions suits and-legal proceedings pending by or against the Area council are deemed to be transferred to, vested in and be enforced, carried on or prosecuted by or against the Executive;
- (h) All rates, fees and debts due or payable to or recoverable by an Area Council

become payable and recoverable by the Executive but must be paid into the Area Council Fund;

(i) All licences, permits and registrations imposed, made or granted by an Area Council continue in force for the period specified in, such licences, permits or registrations and all licences permits and registrations are issued, administered and enforced by the Executive.

(2) The Executive may in writing delegate its powers and duties under this Section to a public officer or Provincial employee.

PART VII REPEALS

25 This Ordinance repeals the following enactments:

- (a) The Western Province Area Council Ordinance 1985.
- (b) The Western Province Area Council (Amendment)(Number 1) Ordinance.
- (c) The Western Province Area Council (Amendment) (Number 2) Ordinance.
- (d) The Western Province Area Council (Amendment) (Number 3) Ordinance.
- (e) The Western Council (Control of Livestock) By-laws 1912.
- (f) The Western Council (Control of Pigs) Bylaws 1972.
- (g) The Western Council (Dogs) fly-laws 1972 and amendments.
- (h) The Western Council (Minor Communal Services) Bylaws 1974 and amendments.
- (i) The Western Council (Prohibition of Net Fishing) By-laws 1976.
- (j) The Western Council (Primary School Senior laws 1981.
- (k) The Western Council Gizo and Munda (Refuse Disposal) By-laws 1973 and amendments.
- (l) The Western Council (School Attendance) By-laws 1972.
- (m) The Western Council (Village Cleaning) Bylaws 1972.

SCHEDULE I

AREA COUNCIL	WARD	No of WARD	SUBWARD	BOUNDARIES OR VILLAGES OF OR IN SUBWARD
FAMOA	Outer Shortlands	1	Falamae	Falamae
			Toumua	Samanago, Toumua, Mania
			Kariki	Kariki
	Inner Shortlands	2	Gaomae	Gaomae, Laomana, Harapa, Kamaleai, Poekeai
			Koliae	Koliae, Lofung, Pirumeri, Mila, Parolang
			Maleai	Aleang, Malem, Nuhu
SIMBO RANONGGA	Simbo	3	Nusa Simbo	Nusa Simbo, Karivara, Bilo Olomo, Masuru, Lengana, Tuku, Bulolo, Baeongo, Patosogara
			Tapurai	Mege, Tapurai, Malomo, Rupe, Tanamolo, Tatonga, Patubelama, Riguru, Qaqo
	North Ranongga	4	Mondo	Mondo, Sambala
			Buri	Buri
	Central Ranongga	5	Koriovuku	Ringi, Koriovuku, New Mala, Kolomali, Patu, Rava

AREA COUNCIL	WARD	No of WARD	SUBWARD	BOUNDARIES OR VILLAGES
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				OF OR IN SUBWARD
			Pienuna	Varovo
	South Ranongga	6	Suava	Obobulu, Surna, Page, Kogu
			Keara	Ngaidavala, None, Keara, Saevuke, Kadu, Lale
VELLA LAVELLA	Vonumu	7	Vonumu	Uzamns to Sambora
			Varese	Subilai to Lajaka
	Mbilua	8	Maravari	Buleana, Maravari, Eleoteve, Kuava, Kolokolo, Nairovi
			Beiporo	Beiporo, Orate, Lambulambu, Valapata
	Ndovele	9	Sibilado	Sibilado, Spalei, Ngarangara, Karaka, Tudou, Paroana
			Boro	Paraso, Boro, Mengoju, Karokesa, Sosolokama, Zutapati
	Irrigila	10	Irrigila	Liangai, Suantali, Siskau, Vese, Irrigila

AREA COUNCIL	WARD	No of WARD	SUBWARD	BOUNDARIES OR VILLAGES OF OR IN SUBWARD
GIZO KOLOMBANGARA	Gizo	11	Saeragi	Saeragi, Bibolo, Vorivori, Paeloge, Mile 6
			Titiana	Titiana, New Manta, Kata, Sepu, Mari,

				Fishing Village, Nusa Hariku, Babanga
			Gizo Town	Gizo
	Kolombangara	20	Kuji	Tughagha, Kaza Bay, Hapi, Ringi, Jack Harbour, Teme, Sausepe, Vao, Kuji, Hunda, Ireke, Pine, Sagharughobe, Kena
			Ghatere	Vavanga, Poratovegho, Mihohoko, Taghope, Pepete, Kukudu, Hombere, Titiana, Vaotokada, Poporo
			Varu	Nusa Mhiri, Piu, Patupaele, Peoro, Sandfly, Tanahuke, Monga, Poitete, Mamaloku, Ropa, Lodumae, Rei, Tahitu, Quhele, Tombulu, Tirobangara, Tuki

AREA COUNCIL	WARD	No of WARD	SUBWARD	BOUNDARIES OR VILLAGES OF OR IN SUBWARD
CHOISEUL	Waghena	12	Arariki	Arariki, Nikumaroro
			Kukutini	Kukutini
	Natabu	13	Kuboro	Laena Island to Noatabu including Kanata and

				Tarama School
			Karepangara	Dudurava to Kozo River
	Pangoe	14	Pangoe	Kelekele to Vanapagele
			Bakaluka	Batano to Tabaroto
	Susuka	15	Koloe	Kadove to Kuma
			Susuka	Susuka to Voruvoru
	Vurago	16	Ogho	Pupuku to Vachu River
			Mamarana	Vachu River to Pachuava River
	Voza	17	Batava	Sagasaga to Kuku
			Tepazaka	Kona to Sagigae
	Sasamunga	18	Sasaumnga	Jarepe to Silu Point
			Tunde	Ghoe to Soneke
	Papara	19	Papara	Papara Village to Kakaja
			Vurulata	Loloko to Taoro and Robroy Island
ROVIANA	Vonavona	21	Madou	Madou, Buni, Barasipo, Repi, Kilepagoasa, Boe to Noror Estate
			Rurumana	Rurumana, Boeboe, Nimunimu,

AREA COUNCIL	WARD	No of WARD	SUBWARD	BOUNDARIES OR VILLAGES OF OR IN SUBWARD
				Vivie, Tiparere, New Mala, Tahitu
	Kusaghe	22	Paradise/Mase	Paradise, Mase
			Jericho	Meka, Jericho/Engoghae
	Munda	23	Lambete	Lambete to

				Goldie College
			Noro	Tabaka to Baeroko
	Nusa Roviana	24	Dude	Ludokama to Hobaga
			Nusa Roviana	Hibi to Kakia
	Roviana	25	Elolo	Elolo to Baraulu
			Nusahope	Nusahope to Kogukalena
RENDOVA	South Rendova	26	Baruku	Baruku to Kobi
			Elomana	Dughiri, Elomana, Fotufie, Toropie, Berozi
			Vanikuva	Tetepare, Vanicouver, Rano, Iriviri, Bangopingo
	North Rendova	27	Baniata	Baniata
			Hopongo	Hopongo, Kenelo
			Aghaghana	Bulelavata to Rendova Harbour
MAROVO	Kolobagea	28	Ramata	Duvaha, Keru, Alalu, Bukobuko, Aeroko, Hovoro, Dololo
			Kolombangara	Kolombangara, Barora, Zeall, Baina
	Mbunitusu	29	Kalekolo	Vakabo, Tamneke, Onne

AREA COUNCIL	WARD	No of WARD	SUBWARD	BOUNDARIES OR VILLAGES OF OR IN SUBWARD
				Buinitusu
			Seghe	Chuchulu, Michi, Seghe, Patutiva, Balavaeni
	Nono	30	Tige	Vura to Nazareth
			Viru Harbour	Tobe to Arara

	Gatokae	31	Sobito	Penjuku to Bili
			Kokee	Qevala to Tatburi
	North Vangunu	32	Chea	Sasaghana to Rukuti
			Cheke	Telina to Batuna

SCHEDULE II FUNCTIONS AND DUTIES

1. REVENUE AND EXPENDITURE

(a) Draft Area Council Estimates of Area Council Revenue and Expenditure for each financial year in accordance with the Area Council Financial Regulations.

(b) Supervise Area Clerks and Area Constables in the collection of basic rates, business licence fees and any other authorised Provincial rates, fees or revenue or, behalf of the Province.

(c) Apply for and allocate Provincial rates.

(d) Keep full and proper accounts of Area Council Revenue and Expenditure in accordance with the Area Council Financial Regulations.

(e) Prepare an Annual Finance Report and submit it to the Executive in accordance with the Area Council Financial Regulations.

Do all such other things required by the Area Council Financial Regulations to properly and efficiently manage the finances of the Area Council.

2 RELATIONS WITH THE WESTERN PROVINCIAL GOVERNMENT ("the Province")

(a) Provide a corridor of communication between the residents of the Area Council area and the Province.

(b) Coordinate and express the views of the residents of the Area Council area on any matters referred to the Area Council by the Province.

(c) Formulate policies *and* plans to meet the needs and desires and address the concerns of the residents of the Arts Council area and submit such policies and plans to the Province for consideration, approval and/or action.

(d) Provide a means for the Province to disseminate information to he residents of the Area Council areas.

- (e) Communicate Area Council resolutions to the Province.
- (f) Liaise with and coordinate Provincial and Council staff and employees.
- (g) Supervise Provincial activities in the Area Council area.
- (h) Submit project applications for consideration by the Province.

3. CUSTOM AND CULTURE

- (a) Promote and preserve local custom and culture.
- (b) Encourage the recording (4 custom and culture.
- (c) Promote the establishment of local cultural centres.
- (d) Encourage and support the survey and recording and registration of archaeological and tambu sites.
- (e) Encourage an appreciation of traditional artefacts amongst both the residents of the Area Council area and visitors, the preservation of such traditional artefacts and discourage the sale of such traditional artefacts for financial gain.
- (f) Encourage and/or arrange the establishment of cultural organizations and/or festivals within the Area Council area.

4. EDUCATION AND PUBLIC HEALTH

- (a) Identify and, if appropriate implement community education projects.
- (b) Identify subjects for extra curricular education activities and if appropriate arrange such activities.
- (c) Provide or arrange for the provision of health education in conjunction with the Public Health authorities.
- (d) Assist Provincial and National Public Health authorities in identifying and/or dealing with serious health problems.
- (e) Encourage advise and/or assist communities on the establishment and maintenance of water supplies and sanitation systems in conjunction with the Rural Water Supply authority and the Public Health authority.
- (f) Employ if it deems appropriate village health aids.
- (g) Assist Provincial and National Health authorities in their efforts to eradicate malaria

and other mosquito borne diseases.

(h) Encourage the participation of communities in sporting activities, youth projects and other community projects.

5. NATURAL RESOURCES AND DEVELOPMENT

(a) Encourage the establishment of small business and enterprises and co-operatives.

(b) Formulate policies, provide information and make recommendations on land and marine use and physical and economic development including but not limited to transportation, agriculture, forest, fisheries, mining and commerce.

(c) Formulate a policy on tourism and plan and assess, regulate and monitor tourism development projects.

(d) Formulate policies, provide information and make recommendations on conservation and the environment and encourage the implementation of local conservation strategies.

6. LAW AND ORDER

(a) Ensure that Area Constables and Police Officers are familiar with Area Council by-laws and Provincial Ordinances,

(b) Encourage the prompt and proper enforcement of all laws.

(c) Discourage nuisances.

(d) Endeavour to defuse tribal and local conflicts for the benefit of all residents.

(Note: Schedule II Clause 6(e) repealed as from 2S June 1991 by 52(c) Western Province Area Council (Amendment) Ordinance 1991. Schedule II Clause 6(e) formerly read: "(c) Employ if it deems appropriate Area Constables"]

(e) Employ if it deems appropriate Village Organisers.

(g) Ensure that births and deaths are properly and promptly registered in accordance with the Births and Deaths (Registration) Act 1988 and that Act is properly enforced.

SCHEDULE III STANDING ORDERS

ARRANGEMENT OF CLAUSES

1. President
2. Quorum

3. Notice
4. Agenda
5. Papas
6. Resolutions
7. Declarations of Interest
8. Minutes
9. By-laws
10. Committees
11. The Common Seal
12. Amendments

STANDING ORDERS

Even Area Council must discharge its functions, carry out its duties, exercise its powers and conduct its affairs in accordance with these Standing Orders,

1. President

(1)(1) At the first Area Council meeting following an election (not a by-election) Elected Members must by secret ballot as described in clauses 1(1)(2) - 1(1)(6) inclusive, elect a President from among the Elected Members by a majority vote.

(1)(2) The Secretary must call for oral nominations from the Elected Members.

(1)(3) The persons nominated must be asked whether they accept or decline the nomination.

(1)(4) After a reasonable opportunity has been given to the elected Members to make oral nominations the Secretary must declare that the time for nominations is closed and he or she must read out to the meeting the names of those who have accepted nomination.

(1)(5) The Secretary must distribute one blank ballot paper to each Elected Member and inform the Elected Members that they must each write the name of the nominee for whom he or she wishes to vote on that paper, fold it and place it in the box or container provided by the Secretary for that purpose.

(1)(6) The Secretary must immediately count the Ballot papers and declare to the meeting the name of the person elected to be President.

(1)(7) In the event that only one person is nominated for President the Secretary must declare that person to be President and no ballot is required.

[Note: Standing Order 1(1) amended as from 28 June 1991 by 5.2(d) Western Province Area Council (Amendment) Ordinance 1~1. Standing Order 1(1) formerly read: "At the first Area Council Meeting following an election (not a by-election) Elected Members must by secret ballot elect a President from among the Elected members by a Majority

vote"]

(2) Subject only to Sub-section 18(3)(a) the President determines the time and place or meetings of the Area Council.

[Note: Standing Order 1(2) amended as from 28 June 191 by S.2(e) Western Province Area Council (Amendment) Ordinance 1991. Standing Order 1(2) fortnightly read "The President determines the time and place of meetings of the Area Council."]

(3) The President must preside at the meetings of the Area Council at which he is present.

(4) The President must keep order at meetings.

(5) The decision of the President on a point of order is final.

(6) The President must appoint an Elected Member of the Area Council to be Vice Resident.

(7) In the absence of the Resident the Vice President must:

(a) Preside at meetings N the Area Council.

(b) Perform all duties and exercise all the powers of the President.

(8) The President may resign as President by giving 30 days notice in writing:

(a) to the Vice President

(b) to the Provincial Secretary.

(9) Any Elected Member may move a motion of no confidence in the President but notice of such motion must be given in writing to every Member of the Area Council and to the Provincial Secretary no less than???? motion being put to the meeting. Such notice must specify the grounds upon which the motion is based.

(10) Upon the resignation of the President or upon the termination of the office of President subsequent to the passing of a motion of no confidence the office of Vice President automatically becomes vacant.

(11) Upon the resignation of the President or upon the termination of the office of President subsequent to the passing of a motion of no confidence the Elected Members of the Area Council must elect a new President by secret ballot from the Elected Members by a majority vote. The newly elected President must then appoint a new Vice President.

(12) The President is entitled to order the removal from a meeting of a Member who behaves in a disorderly manner or constantly disobeys orders from the President. Such

Member is not allowed to return to the Meeting unless a-written apology is handed to the -President and read to the Meeting.

2. Quorum - (1) The quorum of an Area Council is as follows:

- (a) Where the elected membership of an-Area Council is Where the elected membership of an Area Council is no more than 8 the quorum is 4 Elected Members:.
- (b) Where the elected membership of an Area Council is more than 8 but less than 12 the quorum is 6 Elected Members.
- (c) Where the elected membership of an Area Council is more than 12 the quorum is 10 Elected Members.

(2) No business can be conducted at an Area Council meeting if a quorum of Elected Members is not present in person.

(3) If a quorum is present, no proceedings of an Area Council and no action taken in pursuance of those proceedings are invalid by reason of any vacancy amongst the Members or the absence of any Member from the meeting. –

3. Notice

(1) Subject only to Standing Order 10(5) no meeting of an Area Council can be held unless a notice setting out the time and date and place of the meeting is mailed or delivered to each Member no less than 14 days prior to the date of the meeting. The Secretary may in addition to the written notice, inform Members of the time, date and place of a meeting of the Area Council by service message on the radio or by such other method of communication as the Secretary considers appropriate.

(2) A copy of the notice convening a meeting of an Area Council must be mailed or delivered to the Provincial Secretary no loss than 14 days prior to the date of the meeting.

(3) An extraordinary meeting of an Area Council pursuant to Section 22(4) of the Ordinance must be convened as soon as practicable and the notice provisions of Standing Order 3(1) do not apply. The Secretary must use his or her best endeavours to notify every Member of the Area Council by whatever means the Secretary considers appropriate of the time, date and place of the extraordinary meeting of the Area Council.

(4) Subject to compliance with Standing Order 3(1), a meeting of an Area Council is duly convened and the proceedings of a meeting of an Area Council art valid notwithstanding that a Member has failed to receive notice of the meeting.

4. Agenda (1) an agenda for each meeting of an Area Council must be prepared and read to the Area Council at the commencement of the meeting. The Secretary must use his or

her best endeavours to circulate the agenda to the Members of the Area Council prior to each meeting.

5. Papers- (I) A Member of an Area Council may submit In writing to the Area Council a Paper as defined in the Ordinance,

(2) Every Paper must include a formal resolution to be put to the meeting at the conclusion of discussion of the Paper

(3) A Member must arrange sufficient copies of the Paper to enable every Member of the Area Council to receive a copy.

(4) Unless a Member is unable to attend a meeting of the Area Council for some valid reason, every Paper must be presented to the Area Council by the Member responsible for that Paper in person.

(5) At the conclusion of the discussion of the Paper, the Member responsible for the Paper must move that the Resolution be put to the meeting by the President.

(6) If a Member is unable to attend a meeting of an Area Council for some valid reason and the President or a majority of Members consider that the subject matter of the Members Paper demands urgent consideration, the President is entitled to present the Paper and at the conclusion of discussion of the Paper to move that the Resolution be put to the meeting.

(7) No member is permitted to submit to any one Area Council meeting more than 6 papers.

[Note: Standing Order 5(7) inserted as from 28 June 1991 by Western Province Area Council (Amendment) Ordinance 1991.]

6. Resolutions

(1) A Resolution of an Area Council is passed by a majority of the votes of the Elected Members present in person.

(2) In the event of an equal division of votes on any Resolution, the President must make a deciding vote.

(3) The President must determine acceptance or rejection of a Resolution by hearing the collective voices of the Elected Members saying 'Aye' or 'No'.

(4) Any Elected Member may demand that the President put the Resolution again. The President must then ask the Elected Members to vote on that Resolution by a show of hands.

(5) The President must declare to the meeting the result of a vote on a Resolution.

(6) A written record of every Resolution of an Area Council must be kept in a separate book, file or register and filed in date order.

7. Declaration

An Elected Member must declare to an Area Council any personal or financial interest he or she has in any Paper or matter before the Area Council at the commencement of discussion of that Paper or matter and such Member is not entitled to vote on a resolution relating to that Paper or matter unless that Member has the prior consent of the majority of the Elected Members.

8. Minutes

(1) Proper and full Minutes of the Proceedings of every meeting of an Area Council must be written.

After every meeting of an Area Council a?? must be circulated:

- (a) To every Member of the Area Council
- (b) To the Provincial Secretary
- (c) To every Invited Adviser who had attended that meeting.

(3) A copy of the Minutes of every meeting of the Area Council must be filed in a Minute Book or file or register kept solely for that purpose.

9. Bylaws

(1) A bylaw must be presented to a meeting of an Area Council as a Paper. -

(2) A bylaw must be expressed to be subject to the approval of the Executive.

(3) If a bylaw is passed by an Area Council then the bylaw must be submitted to the Provincial Secretary for approval in respect of the drafting of the bylaw and its legality.

(4) If the Provincial Secretary approves the bylaw the bylaw must be submitted to the Executive for approval.

(5) The Provincial Secretary and/or the Executive are entitled to refer a bylaw back to the Area Council for amendment and the amended bylaw must then be resubmitted to the Provincial Secretary for approval and to the Executive.

(6) The Executive may either approve or refuse to approve the bylaw.

(7) A bylaw does not come into force until it has been approved by the Executive.

(8) A copy of every bylaw approved by the Executive must be posted on every public notice board within the boundaries of authority of the Area Council within 14 days of its approval by the Executive and must remain on such notice board for???? days.

(9) An Area Council must use its best endeavours, whether by education programmes, public meetings, radio messages Or by whatever other means it thinks appropriate, to bring a bylaw to the notice of the residents and to explain the meaning of the bylaw to the residents.

(10) A copy of every bylaw must be forwarded:

(a) to every Area Constable

(b) to every Police Station

(c) to every Local Court or appropriate Court Registry - within the boundaries of authority of the Area Council.

10. Committees

(1) An Area Council may appoint one or more committees for any special or general purpose which a majority of the Members of an Area Council consider would be better dealt with by means of a committee.

(2) The President must appoint the Chairman of that committee and the President may appoint him or herself as Chairman. The number of members, the members and the terms of reference of the committee and all other relevant matters must be decided by the Area Council and confirmed in writing to the committee.

(3) A committee must report to the Area Council on its proceedings within the time specified by the Area Council or within such further time *as* the Area Council may agree.

(4) A committee is entitled to regulate its own procedure.

(5) Should the President receive a written request from the Executive to urgently consider a matter and, due to such urgency it is impracticable to convene a full meeting of the Area Council in accordance with Standing Order 3(1), the President must appoint a committee to consider that urgent matter. The President must be Chairman of that committee and the committee must include one elected Member from each Ward unless that is impossible due to the absence from Western Province of the Members of a Ward or due to the ill health of the Members of a Ward..

11. Common Seal

The President or Vice President must keep the common seal of the Area Council in safe custody. -The common seal can only be used by resolution of the Area Council.. Every instrument to which the seal is affixed???? the President or Vice President and by the Secretary or Treasurer or by some other member authorised by resolution of the Area Council.

12. Amendments

These standing orders may only be amended by the Executive by subsidiary legislation.

SCHEDULE IV AREA COUNCIL FINANCIAL REGULATIONS

ARRANGEMENT OF CLAUSES

1. Estimates and Budgets
2. Revenue
3. Expenditure
4. Banking
5. Financial inspections
6. Requisitions for Goods and Services
7. Area Council Property
8. Borrowing and Guarantees
9. Delegation.
10. Stationery

AREA COUNCIL FINANCIAL REGULATIONS

ESTIMATES AND BUDGET

Annual Estimates

1.1.1 In consultation with the Provincial Treasurer, the Treasurer must prepare an Annual Estimates of **Revenue** and Expenditure. - -

1.1.2 The Annual Estimates must be in the font, prescribed in Appendix A.

1.1.3 The Annual Estimate of Revenue must slate the expected source of Revenue and the anticipated amount **to** be collected from each source.

1.1.4 The Annual Estimate of Expenditure must state the use or purpose for which the Revenue is to be applied and the maximum amount to be allocated to that use or purpose.

The Annual Estimates must be submitted to Area Council for??? meeting held prior to the commencement of?? year

1.3. When the Annual Estimates are approved by the Area Council they must be submitted to the Executive for approval.

1.3.2 The Executive may:

(a) Approve the Annual Estimates

(b) Amend the Annual Estimates and resubmit them to the Area Council for approval.

(c) Disapprove the Annual Estimates in which case the Executive must consult with the Area Council to prepare Annual Estimates which have the approval of both the Area Council and the Executive.

1.4 When the Annual Estimates are approved by the Executive they become the Budget of the Area Council for the next following financial year and the Budget comes into force on the first day of that financial year PROVIDED HOWEVER that if negotiations on the Annual Estimates continue into a financial year then the Annual Estimates become the Budget for that year and the Budget comes into force on the day the Annual Estimates are approved by the Executive.

1.5 The Area Council is not permitted to expend any Area Council funds in a financial year until the Budget for that financial year is in force.

1.6.1 In the event of an urgent need for expenditure for which no provision is made in the Budget, the Area Council may make application to the Executive for a supplementary provision of funds.

1.6.2 The application must be in writing and signed by the President and Treasurer.

1.6.3 The Executive may approve, amend or refuse such application

1.6.4 The Area Council must not commit any expenditure of such supplementary funds until the Executive has approved the application.

REVENUE

Sources of Revenue

2.1 An Area Council has the following Revenue:

(a) ?? of basic rate collected within the area of authority the Area Council as is determined by the Assembly, together with any penalty thereon.

(b) Fees, charges or rates collected within the area of authority of the Area

Council under the authority of by-laws of that Area Council.

(c) Any revenue as may be determined by the Executive from time to time.

(d) Any revenue as may be determined, by the Solomon Islands Government from time to time which revenue may include funds for development projects within the area of authority of the Area Council channelled through the Provincial Development Unit.

(e) Any revenue payable under any Act of Parliament or other enactment.

2.2 The Treasurer is the only person authorised to receive monies payable to the Area Council.

2.3.1 The Treasurer must issue receipts for all monies received.

2.3.2 Every receipt must be in the form prescribed in Appendix B, written in ink and completed in triplicate.

2.3.3 A receipt must not be altered. An error must be rectified by cancellation of the receipt and the completion of a new receipt.

2.3.4 The original of a receipt must be given to the payer of the monies.

2.3.5 The first copy of the receipt must be attached to the monthly Cash Book Sheet.

2.3.6 The second copy of the receipt must be kept in the Receipt Book.

2.3.7 Receipts must be used in strict numerical order.

Procedure relating to expenditure

3.1 The Area Council must not expend any funds unless there is provision for such expenditure in the Budget or a supplementary appropriation approval.

3.2.1 Every payment must be supported by a payment voucher in the form prescribed in Appendix C.

3.2.2 Every payment voucher must be signed by the Secretary and countersigned or marked by the payee.

3.2.3 A payment voucher must not be altered. An error must be council Lv cancellation of the payment voucher and completion of a new payment voucher.

3.2.4 The first copy of the payment voucher must be delivered to the payee.

3.2.5 The second copy of the payment voucher must be kept in the Payment Voucher Book.

3.3.1 The Cash Book must be in the form prescribed in Appendix D.

3.3.2 The Secretary must sign the original pages of the Cash Book.

3.3.3 Each Cash Book sheet must be supported by the first copy of every receipt and the original of every payment voucher.

3.3.4 The Cash Book must always be kept up to date and ready for inspection at any time.

BANKING

Bank Accounts and Banking

4.1.1 The Treasurer must open and keep a Savings Account or accounts in the name of the Area Council with a Trading Bank operating within and having an agency in the area of authority of the Area Council.

4.1.2 If no trading Bank operates or has an agency within the area of authority of an Area Council the Treasurer must open and keep open a Savings Account or Accounts in the name of the Area Council with a Trading Bank operating in Gizo.

4.2.1 Subject only to Section 24 [?] of the Ordinance, the signatories to the bank accounts are the President, Treasurer and Secretary.

4.2.2 Two signatories must sign all cheques and other banking papers and documents.

4.3 The Treasurer must promptly pay all monies received into the Area Council Bank Account

4.4 The Treasurer may retain at the Area Council Headquarters sufficient cash to meet the daily requirements of the Area Council for a period not exceeding one month; In fixing the amount to be retained the Treasurer must take into account the facilities or lack of facilities for keeping the cash safe.

4.5 Should there be no banking agency within the area of authority of an Area Council then

(a) The Secretary or Treasurer must visit Gizo at regular intervals to do the banking.

(b) The provisions of Regulation 4.4 are waived to take into account the fact that greater amounts of cash must be retained in Area Council Headquarters.

- (c) The Area Council must use its best endeavours to provide good safekeeping facilities for cash.

FINANCIAL INSPECTIONS

Production of Financial Records

5.1 The following accounting records must be produced or sent to the Provincial Treasurer for inspection upon demand:

- (a) Unused receipts
- (b) The original and first copies of cancelled receipts
- (c) The original and first copies of cancelled Payment Vouchers
- (d) The Cash Book
- (e) Any other financial records

5.2 Upon demand by the Provincial Treasurer the Treasurer must be in the presence of the Provincial Treasurer:

- (a) Count and agree the cash held with the current page of the Cash Book.
- (b) Check the last completed Cash Book sheet against the copies of the receipts and the original Payment Vouchers.
- (c) Check all unused receipts and payment vouchers
- (d) Check the entry of any cash remitted by the Provincial Treasurer onto the current Cash book Sheet.

5.3.1 The Provincial Treasurer must sign the fixed copy of the Cash book Sheet to acknowledge receipt of the original of the Cash Book Sheet.

5.3.2 The Provincial Treasurer must give a receipt for all financial records or documentation retained by the Provincial Treasurer.

5.4 The Treasurer must upon demand by the Provincial Treasurer appear in person at the Provincial Offices in Gizo to discuss any aspect of the financial management of the Area Council,

6 Should the Area Council wish to purchase goods or services through the agency of the Provincial Treasurer:

(a) Requisitions for such goods and services must be submitted to the Provincial Treasurer in the form prescribed in Appendix F, such form to signed by the Treasurer and the Secretary????

(b) The original and first copy of each requisition must be sent to the Provincial Treasurer.

(c) The Provincial Treasurer must retain the original requisition to support payment from the Provincial???

(d) ??? requisition must be returned to Treasurer with a debit note demanding payment from the Area Council for the goods or services.

AREA COUNCIL PROPERTY

Property

7.1 The Treasurer must maintain a register of all property owned by an Area Council.

7.2 The Treasurer must report to the Area Council any loss or damage to Area Council property and all Area Council property which is worn out or no longer able to be efficiently or satisfactorily used.

Disposal of property

7.3.1 The Area Council must authorise and give instructions concerning the disposal of any Area Council property.

7.3.2 The Area Council must always use its best endeavours to obtain the best possible price (if any) upon the disposal of Area Council property.

7.3.3 No Member of an Area Council and no employees of an Area Council is entitled to purchase or receive Area Council property without the prior consent in writing of the Executive. To give such consent the Executive must be satisfied that the member or the employee is, if appropriate, paying the fair market value of such property.

7.3.4 The proceeds from any disposal of Area Council property must be paid to the Treasurer.

Loan of property

7.4.1 The Area Council must not lend any Area Council property to any person, company, co-operative, association of other body of persons unless:

(a) The Area Council consents to such loan

(b) The borrower agrees to pay the Area Council upon demand????

(i) ? any damage caused to the property by the borrower or by any other person whilst such property was on loan, to the borrower.

(ii) Payment for any repairs required to the property arising from the use of the property by the borrower.

7.4.2 The Area Council may charge a fee for the loan of any Area Council property and impose such other terms and conditions as it thinks fit.

7.4.3 The Secretary or Treasurer must keep a record of all property loaned, such record to include:

(a) The name of the borrower;

(b) The address of the borrower;

(c) The period for which the property is loaned; A description of the property including its condition or state of repair;

(e) Any charge imposed for the loan; (0 Any other terms and conditions of the loan.

MISCELLANEOUS

Borrowing and Guarantees

8. An Area Council is not entitled or permitted to:

(a) take out any loans or borrow any funds without the prior written approval of the Executive.

(b) Guarantee payment of any monies.

Delegation

9. The Provincial Secretary may delegate to any member of the Treasury Division of Western Province or to any other Senior Provincial Officer the duties of the Provincial Treasurer under these Regulations.

Stationery

10. All forms prescribed by these Regulations and Cash Books, Receipt Books and Payment Voucher Books must be ordered and purchased by an Area Council from the Government Printing Office,

APPENDIX A

AREA COUNCIL

Estimate for the year I July 199 to 30 June 199

SURPLUS, beginning of the year \$

REVENUE

Head	Subhead	Description

TOTAL REVENUE

EXPENDITURES

Head	Subhead	Description

TOTAL EXPENDITURES

SURPLUS, end of the year \$

PASSED by Resolution of ... Area Council the
day of 199 —

President
Area Council

ASSENTED to by the Western Provincial Executive the day
of 199...

Pro
Western

APPENDIX B

WESTERN PROVINCE

Date
No.

Area Council

Receipt Voucher

Received From
the sum of

(in

words) in respect of:

Allocation: Head

Treasurer

Subhead

Distribution: Original - Payer

First copy - Provincial Treasurer

Second copy - Receipt Book

— APPENDIX C

WESTERN PROVINCE

Date:

No:

AREA COUNCIL

PAYMENT VOUCHER

Allocation: Head Subhead

For Goods/Services: \$

Gross Pay

Authority Deductions

Net Pay

I certify and approve that funds are available in the above allocation and that the goods and services received/rendered are an authorised expenditure

Secretary or Treasurer

Date

Goods/Services received by:

Distribution: Original - Provincial Treasurer Duplicate - Payee
Triplicate - In Book

APPENDIX D

WESTERN PROVINCE
AREA COUNCIL
CASH BOOK

Prepared by Date
Checked by Date Month of

Date Particulars Head/Subhead Receipt Number Payment Number Amt Balance

Balance

APPENDIX E

WESTERN PROVINCE
AREA COUNCIL No

REQUISITION

We request Western Province to pay for the following goods/services

on behalf of Area Council.

Head/Subhead Description Estimate *Cost*

We agree to deposit into Western Province current account the cost of the above upon receipt of debit note.

Area Council Secretary: