

REPRINT

RESEARCH ACT (CAP. 152)

As in force at: 9 April 2009

STATUS: CURRENT

For details see Endnotes

**AN ACT TO CONTROL AND ADMINISTER THE CONDUCT OF RESEARCH IN
SOLOMON ISLANDS AND CONNECTED MATTERS**

RESEARCH ACT (CAP. 152)

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RESEARCH ACT (Cap. 152)

As in force at: 9 April 2009

1 Short title

This Act may be cited as the *Research Act*.

2 Interpretation

In this Act:

“Committee” means the Research Applications Committee appointed under section 3;

“Research Officer” means the public officer designated by the Minister to perform the function of the Research Officer under this Act;

“research” means an endeavour to discover new facts by careful search or enquiry, scientific study or critical investigation of a subject:

- (a) which will result in the publication of a report thesis, dissertation, academic article, book or manuscript; or
- (b) with the purpose of making audio-visual recordings for academic or commercial purposes;

“research permit” means a permit issued under section 3.

3 Research permits

- (1) Any person who wishes to enter Solomon Islands to engage in research shall make application in the prescribed form to the Minister for a research permit.
- (2) The Minister shall appoint a Research Applications Committee to consider applications for research permits laid before it by the Research Officer.
- (3) On receipt of an application for a permit the Research Officer shall

convene a meeting of the Committee, which shall consider the application in accordance with such rules as the Minister may provide for the conduct of the Committee's business and:

- (a) refuse the application, or
 - (b) subject to the approval of the appropriate Provincial Assembly and the *Maritime Safety Administration Act 2009* in respect of any vessel intended to carry out any research within a marine area, grant the permit.
- (4) The decision of the Committee shall be communicated by the Research Officer to the Provincial Assembly and to any other person whom the Committee considers ought to be informed of the substance of the application.
- (5) For the purpose of its consideration of an application, the fact that the applicant has previously failed to comply with the conditions of a research permit shall be a material consideration, and the Committee may refuse the application on that ground alone.
- (6) A research permit shall be issued subject to:
- (a) any conditions specified in it; and
 - (b) to such conditions as may be prescribed by the Minister.
- (7) No research permit shall have effect unless the applicant has paid the prescribed fee and deposited the prescribed sum with the Minister as security for his compliance with the terms of the permit.
- (8) A sum deposited as security under subsection (7):
- (a) may be retained by the Minister until the applicant has fulfilled all the conditions of the research permit;
 - (b) may be forfeited to the Government where, in the opinion of the Committee, the applicant has failed to comply with any of the conditions of the research permit.
- (9)
- (a) A prescribed amount of any fee paid under subsection (7) shall

be paid into the general revenues of the Provincial Assembly or Provincial Assemblies in whose area or areas of authority the research is to be conducted.

- (b) The balance of any fee paid under subsection (8) shall be paid into the Consolidated Fund.

4 Exemption

Notwithstanding the provisions of this Act the Minister may by order exempt any person or class of persons from the requirements of section 3.

5 Offences

Any person who engages in research other than in compliance with this Act and any regulations made under this Act shall commit an offence and shall on conviction be liable to a fine of one thousand dollars.

6 Regulations

- (1) The Minister may make such regulations as he thinks fit for the purpose of this Act.
- (2) Regulations made under subsection (1) may provide for the levying of fees and charges and the taking of security.
- (3) Section 62(2) of the *Interpretation and General Provisions Act* shall not apply to regulations made under this section.

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 152 of the Revised Edition of the Laws of Solomon Islands, together with amendments made to the Act since that date.

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LIST OF LEGISLATION

Research Act (Cap. 152)

Constituent legislation: 9 of 1982 (Commenced 1 November 1983)
4 of 1992

Maritime Safety Administration Act 2009 (No. 8 of 2009)

Assent date 8 May 2009
Gazetted 9 April 2009
Commenced 9 April 2009

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LIST OF AMENDMENTS

s 3 amd by Act No. 8 of 2009