

(Legal Notice No. 178)

**LEADERSHIP CODE (FURTHER PROVISIONS)
ACT 1999.**

(No. 1 of 1999)

NOTICE OF COMMENCEMENT

IN exercise of the powers conferred by section 1 of the Leadership Code (Further Provisions) Act 1999, I, Rev. Leslie Boseto, Minister of Home and Cultural Affairs, do hereby appoint the fourth day of January 2000 as the date on which the aforesaid Act shall come into operation.

Dated at Honiara this twenty-first day of December 1999.

REV. LESLIE BOSETO
Minister of Home and Cultural Affairs

(Legal Notice No. 179)

**THE LEADERSHIP CODE (FURTHER PROVISIONS)
ACT 1999.**

THE LEADERSHIP CODE COMMISSION RULES 2000

IN exercise of the powers conferred by section 25 of the Leadership Code (Further Provisions) Act 1999, the Leadership Code Commission hereby makes the following rules -

- | | |
|--|--|
| Citation and commencement | 1. These Rules may be cited as the Leadership Code Commission Rules 2000 and shall come into operation on 4th January 2000. |
| Classification of cases | 2. For the purposes of these Rules, all cases before the Commission shall be classified into three main categories, as follows:- <ul style="list-style-type: none"> (a) cases dealing with complaints and allegations of mis-conduct in office by Leaders, made to the Commission by any source whatsoever or which come to its knowledge. (b) cases relating to failure by Leaders to submit statements or furnish information in terms on Part II of the Act; (c) cases relating to non-compliance with orders of the Commission. |
| Preparation of cases and holding of meeting etc. | 3. (1) The Secretary shall be responsible for the preparation, in consultation with the Chairman, of cases for consideration by the Commission. <p>(2) Meeting of the Commission shall be held at such times and places as the Secretary shall specify on the direction of the Chairman.</p> <p>(3) Where it is so agreed by the members of the Commission that any business of the Commission may be</p> |
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despatched by circulation of papers, the Secretary shall circulate papers to the members of the Commission who may signify their decision in writing addressed to the Secretary.

(4) The Secretary shall record the minutes of the meetings, including the decision reached by circulation of papers.

4. (1) All cases dealing with complaints or allegations of misconduct in office by Leaders, made to the Commission by any source whatsoever or which come to its knowledge shall, in the first instance, be laid before the Commission under section 23 of the Act for consideration as to whether or not any such cases should be investigated into.

Disposal of cases of complaints etc.

(2) Upon the receipt from an Investigation Officer of a report of his findings on an investigation of any case referred to him under section 23 of the Act, the Commission shall consider the report and decide on the course of action to be taken in accordance with section 24 of the Act.

(3) Where the Commission decides under section 24(2) of the Act to refer any case for determination to the High Court, the Legal Officer shall represent the Commission at the proceedings in the High Court.

5. A case relating to a failure by a Leader to submit a statement or furnish information in terms of Part II of the Act shall be laid before the Commission by the Secretary, together with a summary report on the Leader, for consideration under section 23 of the Act. After consideration of the case, the Commission shall decide on the course of action to be taken under section 24 of the Act.

Disposal of cases of failure by Leaders to submit statement etc.

6. Every case relating to non-compliance with an order of the Commission by a person shall be submitted by the Legal Officer, together with a copy of the relevant order, to the Commission for its consideration. Where the Commission deems it necessary that the offender should be dealt with for failing to comply with the order of the Commission, it may decide on the course of action to be followed in accordance with section 28 or 29 of the Act.

Disposal of cases of non-compliance with orders of Commission

Made at Honiara this twenty-first day of December 1999.

Chairman
Leadership Code Commission

(Legal Notice No. 180)

**THE LEADERSHIP CODE (FURTHER PROVISIONS)
ACT 1999
(No. 1 of 1999)**

**THE LEADERSHIP CODE (FURTHER PROVISIONS)
REGULATIONS 2000**

ARRANGEMENT TO REGULATIONS

REGULATION

- 1 CITATION AND COMMENCEMENT
- 2 CHAIRMAN AND DEPUTY CHAIRMAN OF
NOMINATING COMMITTEE
- 3 DELEGATION OF COMMISSION'S POWER OF
INVESTIGATION TO INVESTIGATING OFFICERS
- 4 STATEMENTS OF ASSETS ETC. BY LEADERS
- 5 APPLICATION FOR APPROVAL TO HOLD SHARES
AND OTHER INTERESTS
- 6 APPLICATION BY LEADER TO PERMIT
RELEVANT COMPANY TO SEEK INTEREST IN
ANY GOVERNMENT CONTRACT
- 7 COMPLAINTS TO BE IN WRITING
- 8 PROCEEDING OF THE COMMISSION
- 9 POWER OF ENTRY
- 10 LEADERS TO ADVISE COMMISSION ON CHANGE
OF ADDRESSES ETC
- 11 SERVICE OF SUMMONS ETC.

SCHEDULE

THE LEADERSHIP CODE (FURTHER PROVISIONS)
ACT 1999

(No. 1 of 1999)

THE LEADERSHIP CODE (FURTHER PROVISIONS)
REGULATIONS 2000

IN exercise of the powers conferred by section 38 of the Leadership Code (Further Provisions) Act 1999, the Minister, acting on the advice of the Commission, hereby makes the following regulations:-

1. These Regulations may be cited as the Leadership Code (Further Provisions) Regulations 2000 and shall come into operation on 4th January 2000.

Citation and commencement

2. (1) The Prime Minister and the Leader of the Opposition shall be the Chairman and Deputy Chairman respectively of the Nominating Committee established by section 4 of the Act.

Chairman and Deputy Chairman of Nominating Committee

(2) The quorum of the Committee shall be three members.

3. (1) The Commission may, by instrument in writing under the hand of the Chairman, delegate to any officer or employees of the Commission, whether generally or specifically, its power of directing and conducting and investigation of any complaint or allegation of misconduct in office which is made or comes to its knowledge.

Delegation of Commission's power of investigation to Investigating Officers

(2) Every officer or employees to whom the Commission's power of investigation is delegated under paragraph (1) (hereinafter referred to as an "Investigating Officer") shall be provided with an identity card bearing the following -

- (a) the name of the officer or employees;
- (b) a recent passport-sized photograph of the holder affixed thereto;

(c) the holder's signature; and

(d) the signature of the Chairman.

(3) An identity card issued to an Investigating Officer under paragraph (3) is the property of the Commission.

Cap. 26

(4) Any unauthorized person found in possession of an identity card issued by the Commission under paragraph (2) shall be guilty of an offence under the Penal Code.

(5) Upon the completion of an investigation, an Investigating Officer shall submit to the Commission a report of his findings for its determination.

Statements of
assets etc. by
Leaders

4. (1) The statement which a Leader is required under the Act to submit to the Commission within three months of his becoming a Leader shall be in Form LC:1 set out in the Schedule hereto.

(2) Every subsequent statement which a Leader is required under the Act to submit to the Commission at intervals not exceeding two years shall be in Form LC:1 set out in the Schedule hereto.

(3) Whenever at any time between the submission of a statement of assets and the date on which the subsequent statement is due, a Leader or his spouse or any of his children acquires any assets or receives any gift, the Leader shall inform the Commission of the acquisition of the assets or the receipt of the gift. The Commission shall thereupon cause the Register of Leaders' Interests to be amended accordingly.

(4) There shall be attached to every LC:1 Form issued by the Commission to Leaders a note containing guideline as to -

(a) the period to be covered by the statements referred to in paragraphs (1) and (2); and

(b) the date and time when the completed forms have to be returned to the Commission; and

(c) any other matters that may help the Leader to fill the form.

(5) All correspondence from the Commission to a Leader in respect of statements on Form LC:1 and matters connected therewith, shall be deemed to be duly received by the Leader if the correspondence is mailed to the last known address of the Leader.

5. An application under section 12(2) of the Act for the written approval of the Commission permitting a Leader or his spouse or any of his children to hold shares, or any other investment or any position or any other financial interest in any company, corporation or any unincorporated association shall be in Form LC:2 set out in the Schedule hereto.

6. An application by a Leader under section 14(2) of the Act for the written permission of the Commission permitting any corporation or local company in which the Leader or his spouse or any of his children has a controlling interest, to seek, accept or hold any beneficial interest in any contract concluded with the Solomon Islands Government shall be made in Form LC:3 set out in the Schedule.

Application by Leader to permit relevant company to seek interest in any Government contract

7. A complaint made by a person to the Commission under section 23(1) of the Act concerning any alleged or suspected misconduct in office of a Leader shall be in writing, giving the name of the Leader, his occupation, the place where such misconduct in office was committed and the date, if known, where the act of misconduct took place.

Complaints to be in writing

8. (1) Where the Commission proceeds to hold an inquiry into a case of alleged misconduct in office against a Leader whose conduct or affairs had been the subject of investigation, the Commission shall after enumerating the charges made against the Leader, give him sixty days to reply to such charges.

Proceedings of the Commission

(2) An explanation made by the Leader in reply to the charges made against him under paragraph (1) shall be made to the Commission in writing.

(3) Upon receipt of a reply tendered under paragraph (2), the Commission shall proceed and deliberate on the facts with the evidence, which it has obtained and shall make its determination in accordance with section 24(1) or (2) of the Act.

(4) Evidence before the Commission shall include documents containing written statements on form LC:4 set out in the Schedule hereto.

(5) Any witness may be summoned to produce documents without being summoned to give evidence, his personal attendance being dispensed with by the Commission.

(6) A witness having been summoned to appear before the Commission shall be required to answer questions relevant to the inquiry.

Power of entry

9. (1) Subject to the provisions of paragraph (2), a member of the Commission or an Investigating Officer may, at any reasonable time during the day, enter into or upon any land, building or premises over which the Leader who is the subject of an investigation has control or where he conducts his business, for the purposes of carrying out any investigation that is within the jurisdiction of the Commission.

(2) Before entering into or upon any land, building or premises pursuant to paragraph (1), the member of the Commission or the Investigating Officer shall give at least twenty-four hours notice to the person in charge of the land, building or premises.

Leaders to advise Commission on change of addresses etc.

10. (1) Whenever, after the submission of the first statement under section 8 of the Act a change is made or occurs in any of the following particulars in respect of a Leader or his spouse or any of his children, that is to say -

- (a) the home or official address;
- (b) the office or position held;
- (c) marital status; or
- (d) the birth of a child,

the Leader shall, within twenty-eight days of such change, send by registered post or deliver to the Commission a notice in writing specifying the nature and date of the change.

(2) On receipt the notice referred to in paragraph (1), the Commission shall cause to be made such change or deletion in the Register of Leader's Interests.

11. (1) Every summons or notice issued by the Commission under the Act or these Regulations shall be in writing, in duplicate, signed by the Chairman or a Commissioner.

Service of summons, etc.

(2) Every summons or notice shall be directed to the person summoned or noticed and shall be served personally on him by an officer of the Commission by delivering or tendering to him at his usual residence or place of work one of the duplicates of the summons or notice.

(3) Where the person summoned or noticed cannot by the exercise of due diligence be found, the summons or notice may be served by leaving one of the duplicates for him with some adult member of his household or with his employer.

(4) A summons to a defendant shall be in Form LC:5, and a summons to a witness shall be in Form LC:6, set out in the Schedule hereto.

SCHEDULE

**SOLOMON ISLANDS
GOVERNMENT**

FORM LC:1

STRICTLY CONFIDENTIAL

Property of the Leadership Code Commission

Leadership Code (Further Provisions) Regulations 2000
(Regulation 4)

Disclosure of Financial Affairs
(To be completed by all Leaders)

1. Surname: Christian Names:
 2. Home Address: Official Address:
 3. Office or Position Held:
 4. Marital Status:
(Please tick appropriate box)
-

- (a) Married (b) Single (c) Widowed
 (d) Divorced

If married, please complete Form LC: 1A in respect of spouse and each child below age of 18 years. If widow, widowed or divorced complete in respect of each child below the age of 18 years.

5. Is this your first disclosure? If yes, the period referred to is the preceding 3 months. If no, period since the last statement of disclosure.
 (Please tick appropriate box.)
 Yes No

6. Are you a Director of any Company or Corporation, or Advisor to any Company or Corporation? (Please tick appropriate box.)
 Yes No If yes, give:

NAME OF COMPANY /CORPORATION	REGIS TERED ADDRESS	POSITION HELD	ANNUAL RE-MUNE RATION

7. Do you hold shares, securities or interests held by a nominee or loan charged upon any company or corporation?
 Yes No
 If yes, give:

NAME OF COMPANY/ CORPORATION	REGISTERED ADDRESS	DETAILS OF SECURITIES OR LOANS

8. INCOME, ASSETS AND GIFTS:

Give details of Income, Assets and Gifts received during the period covered by this statement. Give only general particulars in respect of income, gifts or assets involving amounts of less than \$500.00, and the approximate values. Gifts received from spouse or children, or offered in connection with a custom ceremony of gifts to the value of \$100.00 or less need not be included.

(a) Details of Income: (S 8(1)(d) of the Act)

INCOME	PERIOD FROM TO	SOURCE

(b) DETAILS OF GIFTS: (S. 8(1)(f) of the Act)

DATE	NATURE OF GIFT	FROM WHOM	NATURE OF DONORS/BUSINESS

(c) DETAILS OF ASSETS: (S. 8 (1)(g) of the Act)

DATE	NATURE OF ASSETS	FROM WHOM ACQUIRED	VALUE

(d) DETAILS OF ALL BUSINESS TRANSACTIONS INVOLVING A SUM OF \$1,000.00 OR MORE (S. 8(1)(e) of the Act)



DATE	AMOUNT	WITH WHOM TRANSACTION	DETAILS OF TRANS ACTION

9. Declaration:

I have read the above and solemnly declare that the information given in the form is true to the best of my knowledge.

Signed: Witness:
Date: Date:

10. Return completed form to:

The Office of the Leadership Code Commission
P O Box 552
Honiara

STRICTLY CONFIDENTIAL

Property of the Leadership Code Commission

Leadership Code (Further Provisions) Regulations 2000
(Regulation 4)

Disclosure of Financial Affairs

(To be completed for Spouse and each Child below the age of 18 years)

1. SURNAME: CHRISTIAN NAME:

2. Is your spouse/child a Director or Advisor of any Company or Corporation?

Yes No If yes, give:

NAME OF COMPANY CORPORATION	REGISTERED ADDRESS	POSITION HELD	ANNUAL REMUNERATION

3. Does your spouse/child hold shares, securities or interests held by a nominee or loan charged upon any Company or Corporation? (Please tick appropriate box.)

Yes No If yes, give:

NAME OF COMPANY /CORPORATION	REGISTERED ADDRESS	DETAILS OF SHARES, SECURI- TIES OR LOANS

4. Income, Assets and Gifts

Give details of Income, Assets and Gifts received during the period of this statement by your spouse/child. Give only general particulars in respect of incomes, assets or gifts, involving amounts of less than \$500.00 and the approximate values. Gifts received by your spouse/child from yourself, or from each other, or offered in connection with a custom ceremony of gifts to the value of \$100.00 or less need not be included.

(a) Details of Income: (Section 8(1)(d) of the Act)

INCOME	PERIOD FROM TO	SOURCE
From employment Salary		
Other 1		
2		
3		
4		
5		

(b) Details of Assets: (Section 8(1)(g) of the Act)

DATE	NATURES OF ASSETS	FROM WHOM ACQUIRED	VALUE

(c) Details of Gifts: (Section 9(1)(f) of the Act)

DATE	NATURE OF GIFT	FROM WHOM	NATURE OF DONORS/ BUSINESS

(d) Details of business transactions involving a sum of \$1,000.00 or more.
(Section 8(1)(e) of the Act)

DATE	AMOUNT	WITH WHOM	DETAILS OF TRANSACTION

5. DECLARATION

I have read the above and solemnly declare that the information given in the form is true to the best of my knowledge.

Signed:..... Signature of:..... Witness:.....
Spouse/Child

Date:..... Date:..... Date:.....

6. Return completed form to:

The Office of the Leadership Code Commission
P O Box 552
Honiara.

FORM LC:2

**Leadership Code (Further Provisions) Regulations 2000
(Regulation 5)**

**APPLICATION FOR APPROVAL TO HOLD
DIRECTORSHIP/OR PURCHASE SHARES**

I of
Name of Applicant Address

Hereby request on behalf of -

- (a) myself () Tick where applicable)
- (b) spouse () " " "
- (c) children under () " " "
18 years.

written approval of the Leadership Code Commission to hold
directorship/or purchase shares in the following
investment/company(ies):-

1. Name of company/investment:

- (a)
- (b)
- (c)

2. Is the company registered with the Investment Board?

7. You are required to disclose below the financial status of the company in which you intend to hold directorship/or purchase shares:

- (a) What is the registered capital?
.....
- (b) What is the subscribed or issued capital?
.....
- (c) What is the paid-up capital?
.....

8. Give below the means of funding your shares:

- (a) How are your shares funded?
.....
- (b) If your shares were purchased through or from borrowed money then state:-
 - (i) the name and address of that Bank, Company, financial institution or individual.
 - (ii) Your security(ies) for the loan
.....
 - (iii) the loan repayment arrangements
\$..... per month
/fortnight.
 - (iv) your share certificate number is
.....
(attach a copy)

9. Please list below the number and value of the shares, to be held by each shareholder, including yourself, your spouse or your children under eighteen years of age.

NAME OF SHARE-HOLDERS	NUMBER OF SHARES	VALUE OF SHARES	SOLOMON ISLANDS CITIZENS
.....	Yes () No ()
.....	Yes () No ()
.....	Yes () No ()
.....	Yes () No ()

Note: If the Company is a public company or there are numerous shareholders please list only those who have (will have) effective control.

10. Do you hold any shares in trust for or on behalf of another person or company?

() Yes

() No

11. If "Yes" write the name of the true beneficiary (person) on whose behalf you hold the shares.

NAME OF BENEFICIARY (OWNER)

.....

12. What present business ventures and commercial activities does the company presently engage in? (Please include any other registered trade names under which business activities are conducted).

.....

13. What new business ventures or commercial activities is the company likely to become involved with in the future?

.....

14. Please explain why you believe there is no reasonable likelihood that you could have a conflict of interest between your financial interest in this company/partnership and the duties of your public office.

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

Signed:..... Date:.....

FORM LC:3

**Leadership Code (Further Provisions) Regulations 2000
(Regulation 6)**

Application by Leader for Permission Allowing Company in which he has Controlling Interest to seek a Contract with the Solomon Islands Government.

I of
(Name of Leader) (Address)

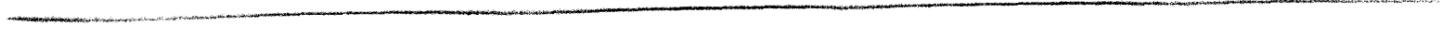
hereby request the Leadership Code Commission to grant permission to

..... of to seek, accept or hold a (Name of (Address) Relevant Company)

beneficial interest in a contract with the Solomon Islands Government -

- 1. Nature of the Contract
- 2. Value of Contract
- 3. Duration of the Contract
- 4. Name and designation of SIG Agent responsible for the contract

.....
.....



Given under the hand of
Chairman/Commissioner this day of
20.....

Signed:

Served by me on the within named
..... On the day of
20..... at o'clock in the
noon at

Signed:

FORM LC:6

LEADERSHIP CODE COMMISSION (Further Provisions)
Regulations 2000

(Regulation 11(4))

SUMMONS TO WITNESS

TO: OF

You are hereby summoned to appear before the Leadership Code
Commission at on day of
..... 20 at
of the clock in the Noon to give evi-
dence in a confidential matter relating:

Furthermore, you are hereby required to bring with you any/fol-
lowing files or documents relating to the matter.

Given under the hand of
Chairman/Commissioner this day of
..... 20
At o'clock in noon at
.....

Signed:

Dated at Honiara this twenty-first day of December, 1999.

REV. LESLIE BOSETO
Minister of Home and Cultural Affairs

(Legal Notice No. 181)

THE MAGISTRATES COURTS ACT
(Cap. 20)

**THE MAGISTRATES COURTS (INCREASE INCIVIL
JURISDICTION ORDER 1999)**

IN EXERCISE of the powers conferred on me by section 26 of the Magistrate Courts Act, **I SIR (GILBERT) JOHN BPATIST MURIA**, Chief Justice of the High Court of Solomon Islands hereby make the following Order:-

1. This Order may be cited as the Magistrates Courts (increase in Civil Jurisdiction) Order 1999.
 2. Barnabas Upwe is hereby invested with jurisdiction to hear the Civil Case No. 21 of 1997 between **KENNY LEONG** Plaintiff and **MALCOM MAEFILIA** Defendant in the Malaita Magistrate Court, in respect of a Civil claim for repossession of Chainsaw with a value of about \$5,000.00
-

Dated at Honiara this eighth day of November, 1999.

G B J MURIA
Chief Justice

(Legal Notice No. 182)

THE LIQUOR ACT
(Cap. 144)

**THE BANNING AND RESTRICTIONS ON THE SALE
OF LIQUOR (HONIARA CITY) ORDER 1999**

IN exercise of the powers conferred by section 82(1) of the Liquor Act, I, REV. LESLIE BOSETO, Minister of Home and Cultural Affairs, do hereby make the following Order -

1. This Order may be cited as the Banning and Restrictions on the Sale of Liquor (Honiara) Order 1999.
2. During the continuance of this Order, the Minister hereby -
 - (a) Bans the sale of Liquor on the following days -
 - (i) Saturday, 25th December 1999
 - (ii) Friday, 31st December 1999
 - (iii) Saturday, 1st January 2000; and
 - (b) Restricts the sale of liquor from 12:00 noon to 6:00 pm on the following days -
 - (i) Monday, 27th December 1999
 - (ii) Tuesday, 28th December 1999
 - (iii) Wednesday, 29th December 1999
 - (iv) Thursday, 30th December 1999
 - (v) Monday, 3rd January 2000.

3. This Order shall apply throughout Honiara City.

Dated this twenty-third day of December 1999.

REV. LESLIE BOSETO
Minister of Home and Cultural Affairs

Honiara, Solomon Islands
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Solomon Islands Government

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