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THE EMERGENCY POWERS ACT  
(Cap. 11)

THE EMERGENCY POWERS (ISLAND OF GUADALCANAL)  
REGULATIONS 1999

ARRANGEMENT OF REGULATIONS

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THE EMERGENCY POWERS ACT  
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IN exercise of the powers conferred upon me by section 2 of the Emergency Powers Act, I, SIR MOSES PUIBANGARA PITAKAKA, Knight Grand Cross of the Most Distinguished Order of Saint Michael and Saint George, Governor-General and Commander-in-Chief of Solomon Islands, do hereby make the following regulations-

- Citation
1. These Regulations may be cited as the Emergency Powers (Island of Guadalcanal) Regulations 1999, and shall apply to the whole of the Island of Guadalcanal.
2. (1) Any police officer or other authorised officer may, notwithstanding anything to the contrary in any other law, and without warrant-
    - (a) arrest any person who commits or is suspected of having committed an offence;
    - (b) enter and search any premises;
    - (c) stop and search any individual vehicle, vessel or aircraft;
 or
    - (d) seize any document or thing, connected with or concerned in or reasonably suspected of being connected with or concerned in any unlawful activity.
- Powers of arrest and search, ect.
- (2) Any person who obstructs or hinders any police officer or other authorised officer lawfully exercising any power conferred upon him by or under subregulation (1), shall be guilty of an offence and on conviction be liable to imprisonment for six months.
- Unlawful searches.
3. Any person who without lawful authority-
    - (a) conducts or causes to be conducted in any public way a search of any person or vehicle;
    - (b) lays down in any public way any obstruction to any vehicle;
 or
    - (c) in any public place displays any writing or drawing with intent or which is likely to cause fear, annoyance or danger to any person,
 is guilty of an offence and on conviction be liable to imprisonment for six months.

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| <p>4. Any person who pollutes, obstructs or damages any aqueduct, dam, pipe, pump, watercourse or fountain is guilty of an offence and on conviction liable to imprisonment for one year.</p>  | <p>Damage to water course, etc.</p>      |
| <p>5. Where the Prime Minister has reason to believe or suspect that any person is connected with or concerned in the commission of any unlawful activity, he may make an Order in writing imposing on such person such prohibitions or restrictions as may be specified in such Order in respect of-</p> <p>(a) his movements outside such place of residence;</p> <p>(b) his travel within or outside Solomon Islands; or</p> <p>(c) his activities whether in relation to any organisation, association or body of persons of which such person is a member or otherwise,</p> <p>and may require such person to notify his movements to such authority in such manner and at such times as may be specified in the Order.</p> | <p>Restriction of movement</p>           |
| <p>6. Notwithstanding the provisions of any other law to the contrary, the Prime Minister may where he has reason to believe that any non-national is engaged in any criminal or unlawful activity make an order for the immediate deportation of such person.</p>   | <p>Deportation</p>                       |
| <p>7. (1) Notwithstanding the provisions of any other law, a person arrested for an offence pursuant to these regulations or other law may be kept in custody for a period not exceeding seventy-two hours, pending the making of a detention order under subregulation (2).</p> <p>(2) Where the Prime Minister has reason to believe that a person kept in custody pursuant to subregulation (1) is connected with or concerned in any unlawful activity, the Prime Minister may order that such person be detained in such place and subject to such conditions as may be determined by the Prime Minister.</p>   | <p>Detention orders</p>                  |
| <p>8. Any person who by words either spoken or intended to be read or by visible representations or otherwise causes or intends to cause the commission of acts of violence, racial or communal disharmony or feelings of ill-will or hostility between different communities shall be guilty of an offence and liable on conviction to imprisonment for six months.</p>   | <p>Spreading of rumours and offence.</p> |
| <p>9. (1) Where the Prime Minister considers it necessary to do so for the maintenance of public order and security in any area, he may, by Order published in the Gazette, direct that subject to such exemptions as may be made by that Order, no person shall in such area between such hours as may be specified in the Order, be on any public road or other public ground or the sea shore except under the authority of a written permit granted by such person as specified in the Order.</p> <p>(2) If any person contravenes an Order made under this section, he shall be guilty of an offence and liable on conviction to a fine of two</p>  | <p>Curfew.</p>                           |

hundred dollars or to imprisonment for one month.

Requisitioning  
of property.

10. (1) Where the Prime Minister considers that the taking of possession or requisitioning of any vehicle, building or vessel is necessary in the public interest, he may by Order authorise any person named in the Order to do so subject to such conditions specified therein.

(2) Where any property is taken possession of or requisitioned pursuant to subregulation (1), the owner of such property shall be paid reasonable compensation.

Protection  
in respect of  
acts done in  
good faith

11. No civil suit or criminal prosecution shall be brought against a police officer or other authorised officer for any act or omission committed or done in good faith in carrying out his duties during the period of public emergency.

Essential  
services.

12. Notwithstanding the provisions of any other law, where any person employed in an essential service -

(a) without reasonable excuse absents himself from work; or

(b) fails or refuses to carry out or render any service entrusted to him, such person shall be deemed to be in breach of his contract of service and liable to be charged for misconduct.

Forfeiture.

13. Where any person is convicted of any offence under these Regulations-

(a) any property found on the person at the time of the commission of the offence; or

(b) any property that has been used in the commission of the offence, shall be forfeited to the State.

Processions  
or public  
assemblies  
prohibited

14. (1) During the continuance in force of these regulations, no procession or public assembly may be collected, convened, formed or held in any road, street, square or other public thoroughfare or in any place to which the public has access.

(2) Any person taking part in a procession or public assembly which is prohibited under subregulation (1) shall be guilty of an offence and liable on conviction to a fine of five hundred dollars or imprisonment for six months.

Ma... Honiara this seventeenth day of June 1999

SIR MOSES PUIBANGARA PITAKAKA  
Governor General

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