

**SUPPLEMENT** to the Solomon Islands Gazette  
Thursday, 23rd September 1999 S.I. No. 37

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(Legal Notice No. 101)

**PROVINCIAL GOVERNMENT ACT**  
(Cap. 118)

**THE PROVINCIAL ASSEMBLIES ELECTION  
REGULATIONS 1986**

In exercise of the powers conferred by section 12(1) of the Provincial Government Act 1997, the Minister makes the following regulations for WESTERN PROVINCE

1. These regulations are called the Provincial Assemblies Election (Amendment) Regulation 1986.
2. Section 12(1) is replaced by the following:-  

No nomination of any candidate shall be valid unless the candidate or any person on his behalf has paid to the Returning Officer before the date of closure of nominations a fee of One thousand dollars either in cash or by a banker's draft issued by a bank licensed under section 16 of the Banking Act.

Made at Honiara this tenth day of August of 1999.

**Hon. Japhet Waipora**  
Minister of Provincial Government & Rural Development

(Legal Notice No. 102)

**WESTERN PROVINCE RESOURCE MANAGEMENT  
(AMENDMENT) ORDINANCE 1999.**

Passed by the Western Provincial Assembly tenth day of March 1999.

This printed impression has been carefully compared by me and with the Ordinance passed by the Western Provincial Assembly and found by me to be the true copy of the said Ordinance.

Eric M. Kikolo  
Clerk to the Western Provincial Assembly

Made under the Common Seal of the Western Provincial Assembly this tenth day of March 1999.

Honourable Clement Base  
Premier of Western Province

**PROVINCIAL GOVERNMENT ACT 1997**

**WESTERN PROVINCE RESOURCE MANAGEMENT  
(AMENDMENT) ORDINANCE 1999**

**AN ORDINANCE** to amend the Western Province Resource Management Ordinance 1995.

Title and Commencement. 1. This Ordinance shall be cited as the Western Province Resource Management (Amendment) Ordinance 1999 and shall come into force upon approval by the Minister pursuant to Section 30 of the Provincial Government Act 1997.

Amendments: to S. 2 of No. 61/95. 2. (a) The Western Province Resource Management Ordinance 1995, is hereby amended by inserting in section 4 in the appropriate alphabetic order the following definitions:

“current customary usage” means the usage of Solomon Islanders obtaining in relation to the matter in question at the time when that question arises, regardless of whether that usage has obtained from time immemorial or any lesser period.

(b) Section 4 of the Western Province Resource Management Ordinance 1995, is hereby further amended by:

- (i) deleting the word 'holding' where it occurs in the definition 'Customary land holding group' and replacing it with the word 'owning', so that the definition reads 'Customary land owning group'.

3. Section 5 of the principal Ordinance is hereby amended to S.5  
by adding immediately after subsection (2) a new subsection  
(3) -

“(3) The Executive or any public officer or provincial employee designated by the Executive, shall as soon as practicable establish and maintain at the Assembly Offices a Register of Policy Statements and Plans on Customary Land, which shall define as accurately as possible the boundaries of each area covered by a Plan or Policy Statement and shall include maps of the area. The said register shall be available for inspection between the hours of 9am and 12 noon and 1pm and 4pm Monday to Friday.”

4. Section 8 of the principal Ordinance is hereby amended to Section 8  
by

- (i) renumbering the existing section as subsection (1) thereof; and
- (ii) delete '\$1,000.00' where it occurs within the renumbered subsection (1) and replacing it with '\$5,000.00'; and
- (iii) by adding thereto immediately after the subsection so renumbered the following subsections (2) and (3) respectively -

“(2) Any body corporate, association or co-operative who breaches any of the provisions of this Part of the Ordinance commits an offence and is liable upon conviction to:

- (i) a fine not exceeding \$50,000; and
- (ii) a penalty not exceeding \$20,000 to be paid to the Provincial Special Fund in accordance with section 21 of this Ordinance.

(3) Where a body corporate, association or co-operative commits an offence under this Ordinance with the consent, participation or connivance of or because of the neglect or omission by an individual, the individual is guilty of the same offence and liable to the same penalties as the body corporate, association or co-operative if at the time of the offence -

- (a) the individual is or was a director, manager, secretary or other senior officer of the body corporate, association or co-operative; or
- (b) the individual is or was purporting to or holding out that individual is such an officer; or
- (c) the individual is or was a member of a body corporate, association or co-operative which is managed by its members."

to S 13 (2) 5. Section 13 subsection (2) of the principal Ordinance is hereby amended by deleting the words 'Form A' and replacing them with the words 'the form set out'.

to S 13 (4) 6. Section 13 subsection (4) of the principal Ordinance is hereby deleted and replaced with the following subsection (4)-

"(4) Upon receipt of the request endorsed with the approval of the Executive the Area Council Secretary shall forthwith cause a copy of the request to be displayed in a conspicuous place in each village within the area affected by the request and also arrange for a public service announcement to be made on the Solomon Islands Broadcasting Corporation. The cost of such announcement to be borne by the Applicants. The Area Council Secretary shall at the time of displaying the request sign it and affix to it the date by which written objections are to be lodged with the Appropriate Committee."

to S 13 (7) 7. Section 13 subsection (7) is hereby deleted and replaced with the following subsection (7) -

“(7) The Objectors shall serve a copy of the notice of objection on the Applicants at their nominated address for service within 7 days of giving the same to the Appropriate Committee. Such persons shall be respondents for the purpose of the objection and entitled to appear and be heard in the Appropriate Committee.”

8. The principal Ordinance is hereby amended by inserting therein immediately after section 13 the following new section 13A - Insertion of new S. 13A

“13A. The Executive or any public officer designated by the Provincial Secretary, shall as soon as practicable establish and maintain at the Assembly Offices a Register of Resource Management Orders. It shall contain a copy of each Resource Management Order together with a map of the area covered by the Resource Management Order. The said Register shall be available for inspection between the hours of 9am and 12 noon and 1pm and 4pm Monday to Friday.”

9. The principal Ordinance is hereby amended by inserting therein immediately after section 14 the following new section as section 14A - Insertion of new S. 14A

“14A.

(1) It is lawful for any authorised officer to make enquiries to ascertain whether any breach of the Resource Management Order has been committed.

(2) Where an authorised officer has reasonable grounds for believing that a breach of the Resource Management Ordinance has been committed, that person may without a warrant:

- (i) stop, board and search any local or foreign vessel, canoe or vehicle which he believes has been used in the commission of that offence
- (ii) seize any species or resource prohibited or protected by the Resource Management Ordinance which he believes has been taken in breach of the Order and return it to its natural habitat forthwith

- (iii) seize any equipment, gear or other substance which he/she believes has been used in the commission of the breach of the Resource Management Order which may be detained pending legal proceedings.
- (iv) A written receipt shall be given for any thing seized under subsection (2) (iii)."

to S 15

10. Section 15 of the principal Ordinance is hereby amended as follows:

- (i) in subsection (2), in paragraph (a) be deleting '\$1,000' and replacing it with 'up to \$5,000.00'
- (ii) by deleting subsection (2) paragraph (c) and by adding immediately after subsection (2) (b) the following new paragraphs as paragraphs (c), (d), (e) and (f) respectively -

"(c) Any body corporate, association or co-operative who breaches any of the provisions of a Resource Order commits an offence and is liable upon conviction to a fine not exceeding \$50,000.00".

"(d) Any body corporate, association or co-operative who is convicted of an offence under this section shall be liable to pay such sum not exceeding \$100,000.00 as the Court deems just to the Executive for payment to the customary land owners by way of restitution for the resource damage caused.

"(e) Where a body corporate, association or co-operative commits an offence under this Ordinance with the consent, participation or connivance of or because of neglect or omission by an individual, the individual is guilty of the same offence and liable to the same penalties as the body corporate, association or co-operative if at the time of the offence -

- (i) the individual is or was a director, manager, secretary or other senior officer of the body corporate, association or co-operative; or

- (ii) the individual is or was purporting to or holding out that individual is such an officer; or
  - (iii) the individual is or was a member of a body corporate, association or co-operative which is managed by its members.
- (f) On receipt of payment under paragraph (b) or (d) of this subsection the Executive shall forthwith pay the restitution to the signatories to the Resource Order request or their administrators or assigns."

11. Section 20 of the principal Ordinance is hereby deleted to S. 20 and replaced with the following section 20 -

"20 (1) Any person in breach of any of the provisions of this Part of the Ordinance commits an offence and shall be liable upon conviction of a fine of up to \$5,000.00 or imprisonment for a term of up to 3 months or to both such fine and imprisonment.

(2) Any body corporate, association or co-operative who breaches any of the provisions of this Part of the Ordinance commits an offence and liable upon conviction to

- (i) a fine not exceeding \$50,000.00; and
- (ii) a penalty not exceeding \$20,000.00 to be paid to the Provincial Special Fund established in accordance with section 21 of this Ordinance.

(3) Where a body corporate, association or co-operative commits an offence under this Ordinance with the consent, participation or connivance of or because of neglect or omission by an individual, the individual is guilty of the same offence and liable to the same penalties as the body corporate, association or co-operative is at the time of the offence -

- (i) the individual is or was a director, manager, secretary or other senior officer of the body corporate, association or co-operative; or

- (ii) the individual is or was purporting to or holding out that individual is such an officer; or
- (iii) the individual is or was a member of a body corporate, association, co-operative which is managed by its members."

Insertion of  
new section  
21

12. The principal Ordinance is hereby amended by inserting therein immediately after section 20 the following new section 21 -

"21(1) In accordance with Part VI 'Special Funds' of the Western Province Financial Management Ordinance 1984, the Executive shall set up a Special Fund to be called the Resource Management Fund ("the Fund").

(2) Rules made in respect of the Fund in accordance with section 37 of the Western Province Financial Management Ordinance shall include provisions that the Fund must be applied

- (i) for the administration of this Ordinance
- (ii) for any survey of other work undertaken for the purposes of managing marine, wildlife and forest resources of the Province
- (iii) for the establishment and maintenance of Public Registers of both Plans and Policy Statements, and of Resource Management Orders,
- (iv) for public awareness programmes and publications relating to the management of marine, wildlife and forest resources of the Province.

Insertion of  
new Part V,  
Enforcement  
S 21.

13. The principal Ordinance is hereby amended by inserting therein immediately after section 21 the following new Part as Part V -

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PART V  
ENFORCEMENT

**22. Powers of authorised officers.**

For the purposes of ascertaining whether there is or has been any contravention of the provisions of this Ordinance, any authorised officer may:

(1) at all reasonable hours enter any establishment and premises, other than a premises used exclusively as a dwelling house;

(2) stop, board and search any foreign or local vessel or canoe within the waters of the Western Province;

(3) stop and search any vehicle transporting or reasonably suspected of transporting any prohibited or protected species or products thereof;

(4) make such examination and inquiry as may appear necessary to him concerning any premises, establishment, vessel or vehicle in relation to which any of the powers conferred by this section have been or may be exercised and take samples of any prohibited or protected species found therein;

(5) require any person to produce his licence or his authority if it appears to the authorised officer that such person is doing any act for which a licence or other authority is required under this Ordinance and take copies of such licence or other authority.

**23. Powers of authorised officers without a warrant.**

(1) Where an authorised officer has reasonable grounds for believing that an offence against the provisions of this Ordinance has been committed, he may without a warrant:

(a) stop, board, search any local or foreign vessel, canoe or vehicle which he believes has been used in the commission of that offence or in relation to which he believes such offence has been committed;

(b) search the packages belonging to any person, whether in their personal possession or found within any premises, vehicle, vessel or canoe;

- (c) arrest any person whom he believes has committed such an offence, and if the authorised officer making such arrest is not a police officer, he shall unnecessary delay, hand over such person to a police officer or in the absence of a police officer, shall take such person to the nearest police station;
- (d) seize any equipment, gear explosive, poison or other noxious substance which he believes has been used, carried, possessed or controlled in the commission of such offence;
- (e) seize any species of Forest, Wildlife or Marine Resource, or product thereof, which he believes to have been taken in contravention of this Ordinance.

(2) The authorised officer concerned shall give a written receipt for anything seized under subsection (1) to the person from whom the seizure is made.

(3) Anything seized under subsection (1) (d) may be detained pending the outcome of any legal proceedings under this Ordinance.

(4) Any species of Forest, Wildlife or Marine resource, or product thereof, seized under subsection (1) (e) may be returned to its natural habitat forthwith where that is considered by the authorised officer to be necessary for its survival, or may otherwise be detained pending the outcome of any legal proceedings under this Ordinance.

**24. Wilful obstruction.**

Any person who wilfully obstructs, assaults or threatens with violence an authorised officer in the exercise of his powers shall be guilty of an offence and liable upon conviction to a fine not exceeding \$1,000.00 and/or imprisonment for up to 3 months.

**25. Failure to comply with enquiry.**

Any person who fails to comply with any lawful enquiry made by any authorised officer under this Ordinance, shall be guilty of an offence and shall be liable upon conviction to a fine not exceeding \$500.00

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**26. Identificaiton of authorised officers.**

Any authorised officer acting in the exercise of his powers under his powers under this Ordinance shall, on demand, produce such document of identification or other evidence as may be reasonably sufficient to show that he is an authorised officer for the purposes of this Ordinance.

**27. Non - liability of authorised officers.**

No authorised officer shall be personally liable in respect of any act done by him in good faith in the execution or purported execution of his powers and duties under this Ordinance.

**28. Destroying of evidence.**

Any person who destroys any species or product thereof, or any equipment, gear, explosive, poison, noxious substance or any other thing whatsoever with the intent to avoid the seizure of the said substance or thing, or the detection of any offence under this Ordinance, shall be guilty of an offence and liable to a fine not exceeding one thousand (\$1,000.00) dollars.

**29. Power of forfeiture.**

Where any person is convicted of an offence under this Ordinance, the court may, in addition to any other penalty it may impose, order that any species, product thereof, equipment, gear or other substance used in the commission of such offence or in respect of which such offence has been committed, or the proceeds of sale of such species or product thereof or equipment, gear or other substance used in the commission of such offence, shall be disposed of in such manner as the Court may direct.

30. For the purposes of this Part of the Ordinance, any reference to the word 'person' means any person, persons, body corporate, association, co-operative and any other body of persons."

14. Schedule 1 of the principal Ordinance is hereby amended as follows: to Schedule 1

- (a) in Part A by
  - (i) inserting the words 'of the following' between the words 'Any' and 'live'.
  - (ii) by adding to the list of prohibited marine resource 'Holothuria scabra, sandfish'

- (iii) by adding to the list of prohibited marine resource 'Oyster shell of the genus Pinctada'
  - (iv) by adding to the list prohibited marine resources 'All turtles of whatever species'.
  - (v) by adding to the list of prohibited marine resources 'Any female crayfish of what ever species which is carrying eggs externally or from which the eggs have been removed'.
  - (vi) by adding to the list of prohibited marine resources 'Any coconut crab of whatever species which is carrying eggs or from which eggs have been removed'.
- (b) in Part B by
- (i) deleting the word 'marine' and replacing or with the word 'wildlife'.
  - (ii) inserting the words 'of the following' between the words 'Any' and 'live'.
- (c) in Part C by inserting the words 'of the following' between the words 'Any' and 'live'.

to Schedule 2 15. Schedule 2 of the principal Ordinance is hereby amended as follows:

- (a) in Part A
- (i) by deleting from the list contained therein 'Holothuria scabra, sandfish 8cm dry (min)'
  - (ii) by adding to the list contained therein 'Panulirus, crayfish 8cm (min) carapace length when measured along the midline from immediately behind the rostral horn to the rear edge of the carapace.'

- (iii) by adding to the list contained therein  
'Birgus latro, coconut crab 9cm (min)  
when measured along the carapace from  
immediately behind the rostral horn to the  
rear edge of the carapace in the mid-line'.
- (iv) by adding to the list contained therein  
'Any trochus shell 8cm (min) 12cm (max)  
measured across the base.'
- (b) in Part C by adding to the list contained therein  
'Turtle nests or eggs, of whatever species, June,  
July, August, November, December, January.'

16. Schedule 3 of the principal Ordinance is hereby amended by adding immediately after paragraph 5 the following paragraph (6) - to Schedule 3

“(6) The address for correspondence with and service of any notices on the applicants is:.....”

Enacted by the Western Provincial Assembly this tenth day of March 1999.

\_\_\_\_\_  
Clerk to Western Provincial Assembly

Assented to by the Hon. Minister of Provincial Government this eighteenth day of August 1999.

\_\_\_\_\_  
Minister of Provincial Government

(Legal Notice No. 103)

**WESTERN PROVINCE BUILDING (AMENDMENT)  
ORDINANCE 1999**

Passed by the Western Provincial Assembly tenth day of March 1999.

This printed impression has been carefully compared by me and with the Ordinance passed by the Western Provincial Assembly and found by me to be true copy of the said Ordinance.

Eric M. Kikolo  
Clerk to the Western Provincial Assembly

Made under the Common Seal of the Western Provincial Assembly this tenth day of March 1999.

Honourable Clement Base  
Premier of Western Province

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(Legal Notice No. 104)

**PROVINCIAL GOVERNMENT ACT 1997**

**WESTERN PROVINCE BUILDING (AMENDMENT)  
ORDINANCE 1999**

AN ORDINANCE to amend the Western Province Building Ordinance 1991.

1. Title and Commencement - This Ordinance shall be cited as the Western Province Building (Amendment) Ordinance 1999 and shall come into force upon approval by the Minister pursuant to Section 32 of the Provincial Government Act 1997.
  2. Amendment to Schedule 1 - The Western Province Ordinance 1991, is hereby amended by repealing Schedule 1 and substituting therefore the following Schedule 1;
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SCHEDULE 1  
WESTERN PROVINCE BUILDING ORDINANCE 1991  
APPLICATION FOR A BUILDING PERMIT

To be submitted to: The Secretary  
Western Province Town and Country  
Planning Board  
P O Box 36  
Gizo

PART A

Building Location Details:

Lot No:..... Parcel No:.....

Name of Land Title Holder:.....

1. Applicants Details
  - 1.1 Name of Applicant:.....
  - 1.2 Postal Address of Applicant:.....
  - 1.3 Phone Contacts:..... (Home)..... (Work)
2. Type of building work for which Permit is required:  
(delete as appropriate)
  - 2.1 New permanent building
  - 2.2 Temporary Building
  - 2.3 Building in traditional post and leaf thatch style construction
  - 2.4 Minor/Major alterations to a building under construction  
(Permit No.:.....)
  - 2.5 Minor/Major alterations to existing building (Note:  
'Minor' means where cost below \$1000)
  - 2.6 Erection of fencing
  - 2.7 Erection of chimney
  - 2.8 Installation of boiler
  - 2.9 Other (s), please specify .....
3. Type of building (as defined in the Ordinance)  
(delete as appropriate)

- 3.1 Domestic building
- 3.2 Public building
- 3.3 Warehouse building
  
- 4. Purpose or use to which building is to be put.  
.....  
.....  
.....
  
- 5. Name and Address of Architect or Draftsman  
.....  
.....
  
- 6. Name and Address of building work supervisor  
.....  
.....
  
- 7. Estimate of time for construction of the building or completion of the building work  
.....  
.....
  
- 8. Estimate of cost of the building work:  
\$.....
  
- 9. Has application for Planning Permission been lodged?  
Yes/No
  
- 10. Has approval been granted.  
Yes/No
  
- 11. If yes, give reference number:  
.....

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PART B  
FOR OFFICIAL USE ONLY

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This Application form is submitted to the Secretary of the Western Province Town and Country Planning Board (the Physical Planning Officer).

The Building and Site Plans pertaining to the Application are attached.



Each of the under noted officers is requested, on receipt of this form, to carefully examine the plans and to comment thereon in the space provided.

After making comments each officer is requested to pass this form and the plans to the next officer for comment.

Once all officers listed below have completed this part of the form, the form is to be returned to the Secretary of the Western Province Town and Country Planning Board, for determination by the Board.

REGISTER No. OF PLAN: .....  
DATE OF REGISTRATION: .....

1. Comments by Physical Planning Officer.

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(additional comments/conditions - see attached sheet)

..... Date: .....  
Physical Planning Officer  
Western Province/Noro Town Council

2. Comments by Building Inspector.

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(additional comments/conditions - see attached sheet)

..... Date: .....  
Building Inspector  
Western Province/Noro Town Council

3. Comments by Environmental Health Inspector.

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(additional comments/conditions - see attached sheet)

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

Environmental Health Inspector  
 Western Province/Noro Town Council

4. Decision of Board.

Approved/Not Approved/Plans Withheld

.....  
 Secretary, WPT & CPB.

Date: .....

Note: If approved please proceed to issue of Building Permit, by two authorised officers, in the form prescribed in Schedule 2 to the Ordinance.”

Enacted by the Western Provincial Assembly this tenth day of March 1999.

\_\_\_\_\_  
 Clerk to Western Provincial Assembly

Assented to by the Honourable Minister of Provincial Government this twentieth day of August 1999.

\_\_\_\_\_  
 Minister of Provincial Government

(Legal Notice No. 105)

**SIMBO MEGAPODE AREA MANAGEMENT  
(AMENDMENT) ORDINANCED 1999**

Passed by the Western Provincial Assembly tenth day of March 1999.

This printed impression has been carefully compared by me and with the Ordinance passed by the Western Provincial Assembly and found by me to be the true copy of the said Ordinance.

Eric M. Kikolo  
Clerk to the Western Provincial Assembly

Made under the Common Seal of the Western Provincial Assembly this tenth day of March 1999.

Honourable Clement Base  
Premier of Western Province

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(Legal Notice No. 106)

**PROVINCIAL GOVERNMENT ACT 1997  
SIMBO MEGAPODE AREA MANAGEMENT  
(AMENDMENT) ORDINANCE 1999**

AN ORDINANCE to amend the Simbo Megapode Area Management Ordinance 1990.

1. This Ordinance shall be cited as the Simbo Megapode Area Management (Amendment) Ordinance 1999 and shall come into force upon approval by the Minister pursuant to Section 30 of the Provincial Government Act 1997.

Title and  
Commence-  
ment

2. (a) The Simbo Megapode Area Management Ordinance 1990 (hereinafter referred to as 'the Principal Ordinance'), is hereby amended as follows:

Amendments:  
to S. 2 of No.  
99/90

- (i) By inserting in the appropriate alphabetical order the following new definition - "Authorised Officer" means any Police Officer, Village Organiser, Warden, Office Bearer of the Simbo Megapode Management Committee or Office Bearer of a subcommittee thereof or an officer of

the Environment and Conservation division of the Ministry of Natural Resources.”

- (ii) In the definition of “closed seasons” by deleting the words “1st August” and substituting therefor the words “1st July”.
- (iii) In the definition of “field” by deleting the words “area in and around each of the villages as herein defined” and replacing them with the words “areas known as Ove, Buna, Popou - Lavata, Mamanugini, Bope, Matindingi, Kerere, Vavo and Mizanga”.
- (iv) In the definition of “resident” by deleting the words “in one of the villages as here in defined” and replacing them with the words “on the islands of Simbo or Nusa - Simbo;”
- (v) In the definition of “Simbo Megapode Management Area” by deleting the words “the villages as herein defined and”
- (vi) By inserting in the appropriate alphabetical order the following new definition - “Simbo Megapode Management Committee or ‘SMMC’ means the Committee established under Section 5(2)(c) of this Ordinance.
- (vii) By deleting the definition entitled “Villages”.

3. Section 3 of the principal Ordinance is hereby amended as follows:

- (a) In subsection (1) by deleting the words “within the Simbo Megapode Management Area”.
- (b) In subsection 2
  - (i) By deleting subsection (2) paragraph (b) and replacing it with the following new paragraph - “Work in, dig for, take or harvest from a field any Megapode egg, on any day, except Thursday, and on that

day not before 10.00 hours (10.00am) or after 17.00 hours (5pm);”

- (ii) In paragraph (c) insert between the words ‘harvest’ and ‘any’ the words “from a field”.
  - (iii) In paragraph (d) insert between the words ‘bush’ and ‘in’ the following punctuation marks and words-”, except Sago Palm or Bamboo,”.
  - (iv) In paragraph (e) delete the word ‘Bury’ and replace it with the word ‘Burn’.
  - (v) Insert a new paragraph (f) as follows: “(f) Cause any damage to or interfere with a Megapode House (known locally as ‘Lape House’) which does not belong to them;”
  - (vi) Insert a new paragraph (g) as follows: “(g) Cause any damage to, deface or interfere with any property of the Simbo Megapode Management Committee.”
- (c) By inserting a new subsection (4) as follows: “(4) For the purposes of any proceedings under this Ordinance for an offence under Section 3 (2) (b) and (c) where it is proved that a person (other than an Authorised Officer) has been found with in a field outside of permitted hours or inside of the closed season, it shall be presumed, unless the contrary is proved, that the person is there to dig, take or harvest Megapode eggs.”
- (d) By deleting subsection (4) and replacing it with the new subsection (5) as follows: “(5) (a) All residents and field owners must keep dogs under control and must use their best efforts to reduce or eradicate the dog population.

Without limiting the generality of subsection (5) (a)  
 (b) Where any cat or dog is found inside a field, or is found to have injured or killed any Megapode bird, whether the bird is inside a field or not then the owner of the cat or dog shall be guilty of an offence and liable to a fine in accordance with Section 4.

- (c) Where that same cat or dog is found inside a field or is found to have injured or killed any

Megapode bird, whether inside a field or not, on a second occasion, then that cat or dog may be destroyed by an Authorised Officer."

to Section 4 4. Section 4 of the Principal Ordinance is hereby deleted and replaced with the following new Section 4:

4. Offences - (1) Any person who contravenes the provisions of Section 3(2)(a), (b), (d), (e), (f) or (g) or Section 3(5) is guilty of an offence and liable to an "on the spot fine" of \$50.00 such sum to be paid to the SMMC within 14 days of the date of the offence. The "on the spot fine" shall be reduced to \$30.00 if payment is made within 24 hours.

(2) Any person who contravenes the provisions of Section 3(2)(c) or Section 3(3) is guilty of an offence and liable to an "on the spot fine" of \$100.00 such sum to be paid to the SMMC within 14 days of the date of the offence. The "on the spot fine" shall be reduced to \$50.00 if payment is made within 24 hours.

(3) "On the spot" fines may be recovered by the SMMC as a civil debt.

(4) Where a person denies contravening the provisions of Section 3(2)(a), (b), (d), (e), (f), or (g) or Section 3(5) such person may be charged under this Ordinance and upon conviction shall be liable to (a) a fine not exceeding \$200.00 or in default of payment to imprisonment not exceeding three (3) months; and (b) an order for compensation not exceeding \$400.00 to be made to the SMMC.

(5) Where a person denies contravening the provisions of Section 3(2)(c) or Section 3(3), such person may be charged under this Ordinance and upon conviction shall be liable to (a) a fine not exceeding \$400.00 or in default of payment to imprisonment not exceeding six (6) months; and (b) an order for compensation not exceeding \$800.00 to be made to the SMMC.

(6) The penalties prescribed in Section 4(1), 4(2), 4(4) and 4(5) are applicable in respect of each and every occasion a person contravenes the provisions of the Sections.

(7) Where an offence is committed under this Ordinance by a young person between the ages of 9 and 14 years (inclusive), any penalty therefor shall be liable to be paid by the lawful guardian or person responsible for that young person.

- (8) (a) On the spot fines may only be imposed by two authorised officers. (b) The Authorised Officer concerned shall give a written receipt for any 'on the spot fine' which is paid."

5. Section 5 of the Principal Ordinance is hereby amended by (a) renumbering the existing subsection (3) as subsection (4) and by replacing the fullstop at the end of the subsection with a comma and adding the words "and/or to the Provincial Secretary." at the end thereof. to S 5

(b) inserting the following new subsection (3):- "(3) Where a Simbo Megapode Management Committee is formed in accordance with Section 5(2)(c) of this Ordinance the Committee shall adopt a Constitution which shall regulate the structure, functions and procedures of the SMMC, and the SMMC must thereafter carry out its functions, duties and procedures in accordance with the provisions of that Constitution."

6. Section of the principal Ordinance is hereby amended by (a) in subsection 2 Paragraph (1) by deleting the words "villages" and replacing them with the words "field or fields."

(b) deleting subsection (3) and replacing it with the following new subsection (3):- "(3) It is lawful for any authorised officer to make enquiries to ascertain whether any breach of this Ordinance is being or has been committed and to enforce this Ordinance."

7. Section 7, subsection (2) of the Principal Ordinance is hereby amended by inserting between the words 'to' and 'a' the punctuation and words "or take access across,". to S 7

Enacted by the Western Provincial Assembly this tenth day of March 1999.

\_\_\_\_\_  
Clerk to Western Provincial Assembly

Assented to by the Hon. Minister of Provincial Government this eighteen day of August 1999

\_\_\_\_\_  
Minister of Provincial Government

(Legal Notice No. 107)

## PROVINCIAL GOVERNMENT ACT 1997

WESTERN PROVINCE BUSINESS LICENCE  
ORDINANCE 1995

to S 5

WESTERN PROVINCE BUSINESS LICENCE  
(AMENDMENT) REGULATIONS 1999

Made by the Provincial Executive on the first day of March 1999  
and approved by the Western Provincial Assembly.

.....  
Hon. Clement Base  
Premier

In exercise of the powers conferred by Section 16 of the Western Provincial Executive makes the following Regulations to amend the Western Province Business Licence Regulations 1996.

to S 7

1. These Regulations shall be cited as the Western Province Business Licence (Amendment) Regulations 1999 and shall come into force on the day of approval by the Western Provincial Assembly.

2. The Western Province Business Licence Regulations 1996 are hereby amended by inserting in Schedule H in the appropriate alphabetic order the following item

“Fish Farming and/or Ranching of Fish      \$150”

3. The Western Province Business licence Regulations 1995 are hereby further amended by deleting from Schedule H the following items:

“Liquor Sales”      \$1,000.00”

“Money Lending      \$250.00”



(Legal Notice No. 108)

PROVINCIAL GOVERNMENT ACT 1997

WESTERN PROVINCE BUSINESS LICENCE  
(AMENDMENT) ORDINANCE 1999

AN ORDINANCE to amend the Western Province Business Licence Ordinance 1995.

1. This Ordinance shall be cited as the Western Province Licence (Amendment) Ordinance 1999 and shall come into force upon approval by the Minister pursuant to Section 30 of the Provincial Government Act 1997.

2. (a) The Western Province Business Licence Ordinance 1995, is hereby amended by inserting in section 2 in the appropriate alphabetic order the following definition:

“ “Fish Farming/and or Ranching of Fish” means the catching of fish, and breeding them in an enclosed area for commercial purposes.”

(b) Section 2 of the Western Province Business Licence Ordinance 1995, is hereby further amended by:

(i) deleting the definition “Liquor Sales”

(ii) deleting the definition “Money Lending”,

Enacted by the Western Provincial Assembly this tenth day of March 1999.

\_\_\_\_\_  
Clerk to Western Provincial Assembly

Assented to by the Hon. Minister of Provincial Government this eighteen day of August 1999.

\_\_\_\_\_  
Minister of Provincial Government

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(Legal Notice No. 109)

WESTERN PROVINCE BUSINESS LICENCED  
(AMENDMENT) ORDINANCE 1999.

Passed by the Western Provincial Assembly tenth day of March  
1999.

This printed impression has been carefully compared by me and  
with the Ordinance passed by the Western Provincial Assembly  
and found by me to be the true copy of the said Ordinance.

Eric M. Kikolo  
Clerk to the Western Provincial Assembly

Made under the Common Seal of the Western Provincial  
Assembly this tenth day of March 1999.

Honourable Clement Base  
Premier of Western Province

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(Legal Notice No. 110)

THE LIQUOR (WESTERN PROVINCE AMENDMENT OF  
SCHEDULE A) ORDER 1999.

Passed by the Western Provincial Assembly tenth day of March  
1999.

This printed impression has been carefully compared by me and  
with the Ordinance passed by the Western Provincial Assembly  
and found by me to be the true copy of the said Ordinance.

Eric M. Kikolo  
Clerk to the Western Provincial Assembly

Made under the Common Seal of the Western Provincial  
Assembly this tenth day of March.

Honourable Clement Base  
Premier of Western Province

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(Legal Notice No. 111)

THE LIQUOR ACT  
(CAP. 144)  
THE LIQUOR (WESTERN PROVINCE AMEND-  
MENT OF SCHEDULE A) ORDER 1999

IN exercise of the powers conferred by Section 94 of the Liquor Act, Section 26 (4) of the Provincial Government Act 1997 and Section 5 of the Western Provincial Devolution Order No.1 of 1983, the Western Provincial Assembly makes the following Order-

1. This Order may be cited as The Liquor (Western Province Amendment of Schedule A) Order 1999
2. The Liquor Act is amended by:

Repealing Schedules A as made under The Liquor (Western Province Amendment of Schedules A and C) Order 1989 being LN 50/90, and the repeat Order published in the Gazette under LN 125/90, and by substituting the new Schedule A attached here-to

SCHEDULE A  
(Section 3 (3))

ANNUAL FEES

(With Proportionate reduction for lesser periods of not less than (3) months in the case of licences other than Club licences, Occasional Licences and Temporary Licences.)

On issue of Retail Full Licence	\$
(a) in respect of premises situated in a town areas	1,500.00
(b) in respect of premises situated outside town areas	750.00
On issue of Retail Beer Licence	
(a) in respect of premises situated in the town area	1,050.00
(b) in respect of premises situated outside town areas	525.00

On issue of Wholesale Licence	\$
(a) in respect of the first premises	900.00
(b) in respect of each additional premises	120.00
On issue of packet Licence	1,200.00
On issue of Temporary Packet Licence	270.00
On issue of Publican's Full Licence	
(a) In respect of premises situated in a town area	1,500.00
(b) In respect of premises situated outside town areas	1,200.00
On issue of Occasional Full Licence	150.00 plus 50.00 per day or part thereof
On issue of Occasional Beer Licence	100.00 plus 50.00 per day or part thereof
On grant of extension of hours for Publican's or Restaurant Licence	270.00
On Transfer of Retail or Publican's Licence	270.00
On Removal of Retail or Publican's Licence	270.00
On issue of Restaurant Licence	
(a) in respect of premises situated in a town area	1000.00
(b) in respect of premises situated outside town area	600.00
On issue of Residential Licence	
(a) in respect of premises situated in a town area	600.00
(b) in respect of premises situated outside town areas	350.00
On issue of Residentail and Restaurant Licence	
(a) in respect of premises situated in a town area	1,200.00
(b) in respect of premises situated outside town areas.	700.00

On issue of Club Full Licence	1,000 plus \$7.50 for each member and \$1.50 for each temporary member of the Club during the year preceding the issue of the Licence.
On issue of Club Licence	800.00 plus \$7.50 for each member and \$1.50 for each temporary member of the Club during the year preceding the issue of the Licence.
ON an assurance under Section 21 that a Licence will be granted	A fee equal to 25% of the fee for the licence in respect of which the assurance is sought.
On issue of a duplicate licence	\$60.00

Passed by the Western Provincial Assembly this tenth day of March 1999.

\_\_\_\_\_  
Clerk to Western Provincial Assembly

Assented to by the Hon. Minister for Provincial Government this eighteen day of August 1999

\_\_\_\_\_  
Minister of Provincial Government

Honiara, Solomon Islands  
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