

SUPPLEMENT to the Solomon Islands Gazette

Wednesday 3rd November, 2004

S.I. No. 51

[Legal Notice No. 172]

PRICE CONTROL ACT
(Cap. 64)**THE PRICE CONTROL (APPLICATION TO GOODS AND RESTRICTION OF PRICES) (AMENDMENT) (NO.9) ORDER 2004.**

IN exercise of the powers conferred by sections 4 and 6 of the Price Control Act, and after consultations with the Prices Advisory Committee, I, WALTON NAEZON, Minister of Commerce, Employment and Trade, do hereby make the following Order -

1. This Order may be cited as the Price Control (Application to Goods and Restriction of Prices) (Amendment) (No.9) Order 2004 and shall come into operation on 1 November 2004.
2. Schedule 3 to the Price Control (Application to Goods and Restriction of Prices) Order 1987* is hereby amended by deleting serial No.13 thereof and substituting therefor the following -

"13 PETROLEUM PRODUCTS

	WHOLESALE	RETAIL
	(maximum price in cents per litre)	(maximum price in cents per litre)
(a) Petroleum Motor Spirit		
- (PMS)	339.67	415.6
(b) Distillate		
-(ADO)	349.93	427.4

(c)	Kerosene	-(KERO)	346.47	(maximum percentage mark - up)
				- cost into store plus 15% for sales of packaged product.
				- cost into store plus 20% for break-bulk sales."

Dated at Honiara this thirtieth day of October, 2004.

WALTON NAEZON
Minister of Commerce, Employment and Trade

*L.N.No.47/87 p.104

[Legal Notice No. 173]

PASSENGER LEVY ORDINANCE

PROVINCIAL GOVERNMENT ACT 1997

**THE MAKIRA ULAWA PROVINCE PASSENGER LEVY
ORDINANCE 2001**

**An Ordinance to provide for the collection of passenger levies in the Makira
Ulawa Province.**

ENACTED by the Makira Ulawa Provincial Assembly

ARRANGEMENT OF SECTIONS

SECTIONS

1. Title and Commencement
2. Interpretation
3. Passenger Levy
4. Notice to Collect and Decrease/Increase Levy
5. Collection and Remittance
6. Offences
7. Regulations

Title and
Commencement

1. This Ordinance shall be cited as the Makira Ulawa Province Passenger Levy Ordinance 2001 and shall come into force upon the approval by the Minister in accordance with Section 30(2) of the Provincial Government Act 1997.



2. In this Ordinance except where the context otherwise requires:

“Assembly” means the Makira Ulawa Provincial Assembly.

“Company/ies” means any shipping company/ies or any charterer of a ship which engages in carrying of passengers within and to and from Makira Ulawa Province.

“Minister” means the Minister of Provincial Government and Rural Development.

“Provincial Secretary” means the Provincial Secretary of Makira Ulawa Province.

“Provincial Principal Accountant” means the Provincial Principal Accountant of Makira Ulawa Province.

“Passenger Levy” means the rate defined and imposed by Section 3.1 subject to variations as may have been agreed to by the Assembly under Section 3.2.

Passenger Levy

- 3.1 Every person travelling on a ship within Makira Ulawa Province shall be liable to pay a levy of two dollars (\$2.00) per head and every person travelling to or from another province shall be liable to pay in addition to his/her normal seafare a passenger levy of four dollars (\$4.00) per head.

- 3.2 The Assembly may increase or decrease the levy by regulation.
4. The Provincial Secretary shall give one (1) months notice to companies to collect levies and for any increase or decrease approved pursuant to Section 3.2. Notice to Collect Air
Decrease/ Increase
Levy
- 5.1 All Shipping companies operating within or between Makira Ulawa Province and any other province shall collect in addition to the normal seafare charged, a passenger levy as stipulated under Section 3.1 of this Ordinance. Collection and
Remittance
- 5.2 Each company shall retain levies collected in its Bank accounts and shall remit to the Provincial Principal Accountant not later than the 15th day of each month the total amount of levies collected during the last proceeding month.
- 5.3 Any company which fails to comply with Sections 5.1 and 5.2 hereof shall be liable to pay to the Provincial Principal Accountant a penalty of twenty dollars (\$20.00) per day in addition to unpaid levies for each day such failure continues after the due date for payment specified in Section 5.2 hereof.
- 5.4 Each monthly remittance shall be accompanied by copies of respective passenger lists showing which passengers have paid the levy.
- 5.5 Shipping companies which charter its ship(s) to a charterer shall collect the levy from the charterer and shall also collect copies of the passenger list from the charterer and shall submit these to the province as specified in Section 5.2 of this Ordinance.
- 6.1 Any person who fails, or refuses to pay or assists someone not to pay the levy is guilty of an offence and is liable to a fine not exceeding \$500.00 or four (4) months imprisonment or to both such fine and imprisonment. Offences
- 6.2 Any company which:
- (a) Fails or refuses to collect the levy; or
 - (b) Fails to remit to the Provincial Principal Accountant such levies as required under Section 5.2; or
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- (c) Fails to accompany each remittance with a passenger list as required under Section 5.4; or
- (d) Fails to pay a penalty as required under Section 5.3 is guilty of an offence and is liable to a fine not exceeding \$10,000.00.

7. The Executive may make Rules, Regulations or Orders as are expedient Regulations to carry out the provisions of this Ordinance.

Passed by the Makira Ulawa Provincial Assembly.

This nineteenth day of December, 2001.

.....
Clerk to Assembly

Assented to by the Ministry of Provincial Government and Constituency Development.

This eleventh day of October, 2004.

.....
Minister of Provincial Government and Constituency Development

[Legal Notice No. 174]

THE PROVINCIAL GOVERNMENT ACT 1997

THE MAKIRA ULAWA PROVINCE BASIC RATE ORDINANCE 2001

AN

ORDINANCE

TO

PROVIDE FOR THE LEVYING AND COLLECTION OF

BASIC RATES IN THE PROVINCE

ENACTED BY THE MAKIRA ULAWA PROVINCIAL ASSEMBLY

ARRANGEMENT OF SECTIONS

SECTIONS:

PART ONE	PRELIMINARY
1.	Short Title and Commencement
2.	Interpretation
3.	Repeal of Basic Rate Enactments
PART TWO	BASIC RATE
4.	Basic Rate
5.	Rating Notice
6.	Rate Collectors
7.	Collection of Basic Rate by Employer
8.	Offences
PART THREE	MISCELLANEOUS
9.	Regulations
10.	Limitation Period
11.	Reduction or Remission of Rates

[Legal Notice No. 175]

PART ONE**PRELIMINARY**

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|---------------------------------|---|
| Short Title and Commencement | 1. This Ordinance may be cited as the Makira Ulawa Province Basic Rates Ordinance 2001 and shall come into force upon the approval by the Minister in accordance with Section 30 (2) of the Provincial Government Act 1997. |
| Interpretation | 2. In this Ordinance except where the context requires otherwise: <p style="margin-left: 20px;">“Act” means the Provincial Government Act.
 “Assembly” means Makira Ulawa Provincial Assembly.
 “Basic Rate” means the rate defined and imposed by Section 4.
 “Employer” includes a public body, company, association co-operative, Provincial Government and the Solomon Islands Government.
 “Executive” means Makira Ulawa Provincial Executive.
 “Financial Year” means twelve months ending on the 31st March.
 “Rate Collectors” means the persons appointed by the Makira Ulawa Provincial Government to collect rates in accordance with Section 6.
 “Resident” means any person who lives in Makira Ulawa Province and includes a person temporarily living in the Province.
 “Treasury” means the treasury division of the Makira Ulawa Provincial Government.</p> |
| Repeal of Basic Rate Enactments | 3.1 Subject to Section 3.2, the Basic Rate provisions prescribed in Part VIII of the Local Government Act 1964, the Local Government (Basic Rate) Regulations as amended, the Local Government (Exemptions from Basic Rates) Regulations, the Makira Ulawa Province Council (Amendment) Ordinance 1989 Section 7 and Schedule 6 and the Makira Ulawa Council Financial (Amendment) Instruction 1989 Schedule 2 are hereby repealed. |
| | 3.2 The repeals made by section 3.1 do not excuse any person who is or has been liable for payment of basic rate in accordance with those enactments from payment of that basic rate or any part of it. |
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[Legal Notice No. 176]

PART TWO

BASIC RATE

- 4.1 Every resident who at 1st April in any financial year - Basi Rate
- (a) has attained the age of eighteen (18) years, and
 - (b) is not exempted under Section 4.4 is liable to pay the basic rate set in the schedules.
- 4.2 The basic rate becomes payable on the 1st April in each year.
- 4.3 The basic rate must be paid by the 30th September in each year.
- 4.4 The following persons are exempt from payment of the basic rate:
- (a) Residents over sixty (60) years of age
 - (b) Full time bona fide students
 - (c) Residents who submit a certificate to Treasury signed by a Medical Practitioner registered under the Medical and Dental Practitioner Act or by a nurse registered under the Nurses and Midwives Act certifying that the person named in the certificate is unable to work or incapable of work by reason of that person suffering from a disease or illness or mental or physical disability continues for a period exceeding three (3) months in a financial year.
 - (d) Prisoners.
 - (e) Women who are not working in a paid employment.
- 4.5 A person shall, upon demand being made by an authorised person, provide such information as is necessary to enable Treasury to ascertain whether that person is liable to pay basic rate.
- 4.6 Any person liable to pay basic rate who fails to pay basic rate or part of it prior to 30th September in any year is liable to pay to Treasury in addition to basic rate a penalty of ten dollars (\$10.00).
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- 4.7 The basic rate and the penalty imposed by Section 4.6 and the legal costs and disbursements incurred in enforcing payment of basic rate and penalty are recoverable as a civil debt in the Magistrates Courts.
- Rating Notice** 5.1 Treasury must publish a notice prior to 1st April each year setting out:
- (a) The amount(s) of basic rate for the financial year commencing 1st April next following;
 - (b) who is liable to pay basic rate;
 - (c) who is liable to pay basic rate;
 - (d) the time and place for payment of basic rate;
 - (e) the consequence of non payment or late payment of the basic rate.
- 5.2 Treasury must arrange for copies of the Notice described in Section 5.1 to be sent to every employer and posted on public notice boards in villages and townships in Makira Ulawa Province and at every administrative headquarters and substation.
- 5.3 Failure to publish, send or post the notice or copies of the notice described in Section 5.1 does not affect or derogate from the liability of residents to pay the basic rate or the requirement that the employers deduct the basic rate in accordance with Section 7.
- Rate Collectors** 6.1 The Executive must appoint in writing suitable persons to collect basic rate and any other rates or fees specified by the Executive in the letter of appointment.
- 6.2 Rate collectors may be public officers, Provincial employee or private contractors.
- 6.3 The letter of appointment must specify the area from which the rate collector is to collect rates.
- 6.4 The letter of appointment is identification that the person named in the letter is authorised to collect rates on behalf of the Treasury.
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6.5 A rate collector shall, upon demand, produce and show the letter of appointment to any person from whom the rate collector is demanding payment of rates.

6.6 A rate collector shall carry out the following duties:

- (a) regularly forward to Treasury the names of all residents liable to pay basic rate in the area assigned to that rate collector;
- (b) collect basic rate from every resident liable to pay basic rate in the area assigned to that rate collector;
- (c) collect any other rates or fees specified in the letter of appointment of the rate collector;
- (d) write and deliver a receipt to every person from whom rates are collected;
- (e) promptly and regularly:

Either: Deposit the rates collected into the Provincial bank account and forward a copy of each bank deposit slip and the duplicate copies of issued receipts to Treasury OR Deliver in person to Treasury or an appointed representative of Treasury the amount of rates collected and the duplicate copies of the issued receipts;

- (f) prior to 31st October in each year compile and forward to Treasury a list of all persons who have failed to pay basic rate or other rates or fees before 30th September;
 - (g) do any other act or thing required by Treasury and/or the Executive relating to the implementation and enforcement of this Ordinance or any other Provincial Ordinance imposing rates or fees.
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- Collection of Basic
Rate by
Employers
- 7.1 Every employer must prior to 30th April in each year compile and forward to Treasury a list of the names of all resident employees of that employer as at 1st April of that year.
- 7.2 Every employer who fails to comply with Section 7.1 is liable to pay to Treasury a penalty of \$5.00 per day for each day such failure continues after 30th April.
- 7.3 Every employer must prior to 30th September each year:
- (a) deduct from the salary or wages of every resident employee basic rate;
 - (b) promptly remit to Treasury the amount of basic rate collected;
 - (c) compile and forward a list of the names of the resident employees from whose salary or wages the basic rate was collected.
- 7.4 Every employer who fails to comply with Section 7.3(a) is liable to pay a penalty of \$10.00 in respect of each resident employee from whose salary or wages the employer fails to deduct basic rate.
- 7.5 Every employer who fails to comply with Section 7.3(b) is liable to pay to Treasury a penalty of \$20.00 per day for each day such failure continues after 30th September.
- 7.6 Every employer who fails to comply with Section 7.3(c) is liable to pay to Treasury a penalty of \$10.00 per day for each day such failure continues after 30th September.
- Offences
- 8.1 Any rate collector who:
- (a) fails to promptly pay to Treasury rates collected by that rate collector;
 - (b) demands from any person an amount in excess of the prescribed rates;
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- (c) Knowingly or recklessly renders:
 - (i) a false return of the list of persons liable to pay basic rates;
 - (ii) a false return to the amount of the rates collected;
 - (iii) a false return to the persons who have paid rates is guilty of an offence and is liable to a fine not exceeding \$500.00 or six months imprisonment or to both such fine and imprisonment.

8.2 Any person who:

- (a) refuses to give the information required by Section 4.5;
 - (b) wilfully misleads or gives false information to avoid liability or reduce the amount of liability for basic rate;
 - (c) without authority of Treasury or the Executive collects or attempts to collect rates;
 - (d) incites or assists any person:
 - (i) to refuse to pay any rates;
 - (ii) to give false information, commits an offence and is liable on conviction of a fine not exceeding \$500.00 or to six months imprisonment or to such fine and imprisonment.
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[Legal Notice No. 177]

PART THREE**MISCELLANEOUS**

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|---|-----|---|
| Regulations | 9. | The Executive may make such rules, regulations or orders as are necessary or expedient to carry out the objectives and provisions of this Ordinance. |
| Limitation
Period | 10. | No demand can be made to any person for payment of any rate or penalty and no proceedings for recovery of any rate or penalty from any person imposed by this Ordinance can be commenced after the expiry of three (3) years from the date when such rate become payable. |
| Reduction or
Remission of
Basic Rates | 11. | The Executive is entitled to reduce or remit the amount of rates payable by a person on account of the special circumstances of that person or persons or for some other valid reason as the Executive thinks fit. The Executive must inform the person or persons liable to pay rates and the rate collector in writing of such reduction or remission of rates. |

SCHEDULE ONE

Gross Salary/Wages Per Annum		Annual Amount of Basic Rate
Under \$1,000.00		\$15
\$1,000	-	\$1,999
\$2,000	-	\$2,999
\$3,000	-	\$3,999
\$4,000	-	\$4,999
\$5,000	-	\$5,999
\$6,000	-	\$6,999
\$7,000	-	\$7,999
\$8,000	-	\$8,999
\$9,000	-	\$9,000
\$10,000	-	\$10,999
\$11,000	-	\$11,999
\$12,000	-	\$12,999
\$13,000	-	\$13,999
\$14,000	-	\$14,999

\$15,000	-	\$15,999	\$240
\$16,000	-	\$16,999	\$255
\$17,000	-	\$17,999	\$270
\$18,000	-	\$18,999	\$285
\$19,000	-	\$19,999	\$300
\$20,000	-	\$20,999	\$315
\$21,000	-	\$21,999	\$330
\$22,000	-	\$22,999	\$345
\$23,000	-	\$23,999	\$360
\$24,000	-	\$24,999	\$375
\$25,000	-	\$25,999	\$390
\$26,000 and above	-		\$404

SCHEDULE TWO

Every unemployed resident liable to pay basic rate under Section 4.1 (a) of this Ordinance shall pay \$10.00 basic rate for each financial year.

Passed by the Makira Ulawa Provincial Assembly this 6th day of April 2001.

.....
Clerk to the Assembly

Assented to by the Minister of Provincial Government and Constituency Development this eleventh day of October, 2004.

.....
Minister for Provincial Government and Constituency Development

[Legal Notice No. 178]

**THE PROVINCIAL GOVERNMENT ACT
(No. 7 of 1997)**

**THE MAKIRA ULAWA PROVINCE BUSINESS LICENCE
ORDINANCE 2001**

AN ORDINANCE to revise the laws relating to the licensing of professions,

trades and businesses operating within Makira Ulawa Province; and to repeal the Makira Province Business Licence Ordinance 1984; and to repeal the Makira Ulawa Province Business Licence (Amendment) Ordinance 1988.

ENACTED by the Provincial Assembly of Makira Ulawa Province.

ARRANGEMENT OF SECTIONS

SECTION

1. Title and Commencement
2. Interpretation
3. Activities and businesses to be licenced
4. Eligibility for grant of licence
5. Application for and issue of licence
6. Store licence not to authorise hawking
7. Application for and issue of licence for mining, prospecting, timber exporting and timber felling
8. Powers of authorised person
9. Transfer of licence
10. Limited effect of licence
11. Other Ordinance not derogated
12. Duplicate licences
13. Fees
14. Regulations
15. Repeal and savings

[Legal Notice No. 179]

**THE PROVINCIAL GOVERNMENT ACT
(No.7 of 1997)**

**THE MAKIRA ULAWA PROVINCE BUSINESS LICENCE
ORDINANCE 2001**

Under the powers conferred by Section 30 of the Provincial Government Act 1997, the Makira Ulawa Provincial Assembly makes the following Ordinance:-

1. This Ordinance shall be cited as the Makira Ulawa Province Business Licence Ordinance 2001 and shall come into force on the day assented to by the Minister pursuant to Section 30 of the Provincial Government Act 1997.

Title and
Commencement

2. In this Ordinance except where the context otherwise requires:-

Interpretation

“air transport service” means the business of providing transportation services by aeroplane whether for passengers or freight;

“Assembly” means the Makira Ulawa Provincial Assembly;

“bakery” means the business of baking or manufacturing bread, biscuits, rolls, tarts, cakes, confection or any other pastry or bakery product for consumption by persons not residing on the premises where such baking or manufacturing takes place.

“banking” means any business which requires a licence under Section 3 of the Banking Act 1976 (Chapter 48);

“broadcasting service” means the business of transmitting by radio any message or other matter, for information, education or entertainment of the public, whether within or outside the Solomon Islands;

“business” means any activity or service operated or undertaken by a person for payment of any kind but does not include:

- (1) any activity or service undertaken by an employee in the course of his duties; or
- (2) any activity which is established and conducted wholly for one or more of the following purposes:

- (a) charitable
- (b) participation in or support of athletics, sports or games or culture activities;
- (c) purposes not described in the foregoing sub-paragraphs and not being for private gain or commercially undertaken and in which all proceeds above actual costs are applied for the said purposes;

“butchery” means the business of storing, preparing and selling meat, not including fish;

“cement factory” means the business of making cement for sale;

“cinema” means the business of showing films and is a business which requires a theatre licence in accordance with Section 4 of the Cinematograph Act (Chapter 137) but does not include the Showing of video tapes

“cocoa buying” means the business of purchasing for resale cocoa beans or pods whether or not processed;

“coconut processing” means the business of making any products from coconuts for local or export sale;

“communication service” means the business involving the provision of communication through telephones, faxes, radios, electronic mail, internet, newspapers etc. on fee charges;

“consultancy service” means the business of providing advice or assistance on any matter other than a legal matter;

“copra buying” means the business of buying copra which requires a licence in accordance with Section 4 of the Commodities Export Marketing Authority Act (Chapter 36);

“copra exporting” means the business of buying and exporting copra;

“copra processing” means the business of making any product from copra for either local or export sale;

“crocodile dealing” means the business of buying and exporting crocodile skins;

“diving service” means the business involving the provision of facilities and/or the hiring out of equipment to persons for scuba diving or snorkeling for recreational purposes;

“dry coconut buying” means the business of buying for resale, dry coconuts collected by someone other than the purchaser whether or not such coconuts are processed or partly processed at the time of resale;

“electrical service” means the business of installing, repairing, maintaining or removing any electricity plant, fittings or apparatus but does not include services performed by the Solomon Islands Electricity Authority;

“engineering service” means the business of making any machinery or installing, repairing or maintaining any machine, vehicle or out board motor but does not include ship repairing.

“engineering works” means the business of building or repairing structures (other than buildings) and any other kind of construction works including but not limited to, water tanks, walls, roads, bridges, wharves, town water supplies and sewerage works;

“equipment rental” means the business of offering machinery or equipment for hire;

“Executive” means the Makira Ulawa Provincial Executive;

“export sales” means sales for use or resale outside the Solomon Islands;

“filming” means the business of making photographs, video tapes or movies for commercial reproduction;

“fishing commercially” means the business of operating one or more fishing vessel and is a business which requires a licence in accordance with Section 14 of the Fisheries Act 1998 (No.8 of 1998);

“fish exporting” means the business of exporting fish from a base inside Makira Ulawa Province;

“fish farming” means the business of farming fish in any reef within the

jurisdiction of Makira Ulawa Province and the business of farming freshwater fish such as prawns, eel and telapia for sale;

“fish market” means the business of storing, preparing, selling of fish and other seafoods, including the occasional sale of fish or other seafoods by Solomon Islands citizens in urban centres;

“fish processing” means any business operated on land of preserving or preparing fish or producing any substance or article from fish by any method;

“furniture shop” means the business of making or manufacturing or selling assembled and finished chairs, tables, desks, sofas or couches, shelves or any other furnishings for household or commercial use;

“gas sales” means any business organization which store LP gas products or other types of gases for sale.

“gold dealer” means the business of buying or selling or dealing in gold and is a business which requires a licence in accordance with Section 55 of the Mines and Minerals Act (Chapter 42);

“hardware shop” means the business of buying for resale hardware items and does not include either retail or wholesale shops;

“hawking” means the business of carrying goods, excluding foods or fish, for sale, barter or exchange by any person at a place where he does not usually reside or carry on business, but does not include wholesalers;

“housing construction” means the business of building or repairing buildings, but does not include casual building or repairing of buildings by traditional agreement;

“legal service” means the business of providing any advice or assistance on any law or legal matter;

“liquor sales” means the business of providing liquor for sale and is a

business which requires a licence in accordance with Section 4 of the Liquor Act (Chapter 144);

“logging contractors” means the business involving contractors other than the licensee in timber felling for export;

“log purchasing” means the business of buying logs to be processed for either local or export sale;

“marine resources sales” means the business in which marine shells (such as trochus, black lip, gold lip, green snails, sea cucumber or shark fin etc.) are sold or purchased for either local or export sale;

“mining” means the business of reconnaissance, prospecting and mining of minerals and mineral substances as defined in Section 3 of the Mines and Minerals Act (Chapter 42) and is a business which requires a licence or permit, in accordance with the following sections of the Mines and Minerals Act (Chapter 42):-

- | | | | |
|-------|------------|---|----------------------------|
| (i) | Section 13 | - | reconnaissance permit |
| (ii) | Section 19 | - | prospecting licence |
| (iii) | Section 26 | - | prospector's rights |
| (iv) | Section 30 | - | mining lease |
| (v) | Section 50 | - | alluvial miner's permit |
| (vi) | Section 64 | - | building materials permit; |

“Minister” means the Minister of Provincial Government;

“money lending” means the business of lending money and also includes banking;

“person” means any person, persons, company or other group, association or co-operative, or statutory authority, but does not include any Government department or the Executive;

“petroleum sales” means any business in which petroleum products such as oil, kerosene, fuel for internal combustion engines (such as outboard motors, automobiles, tractors or trucks etc.) are sold,

excluding propane (LP) or natural gas.

“petroleum storage” means the holding or storing of petroleum products such as oil, kerosene or fuel for internal combustion engines (such as outboard motors, automobiles, tractors or trucks etc.) or other petroleum products here such holding or keeping is for purposes of non-commercial use or sale or profit, excluding propane (LP), or natural gas;

“plumbing service” means the business of installing, repairing, maintaining or removing water pipes in any building or on or under any land;

“policies of the Province” means those policies approved by the Executive, from time to time governing functions, services and Development within Makira Ulawa Province;

“postal service” means the business of selling postal service items but does not include postal agencies;

“premises” means any structure, building or part thereof together with the land on which the same is situated and any adjoining land used in connection therewith;

“radio repair service” means the business of building, repairing, or maintaining any electronic device including but not limited to radios, video or tape cassette recorders;

“research” means the business of acquiring information, samples or knowledge as part of scholarly pursuits;

“restaurant” means the business of preparing and selling meals and beverages, by table service, for consumption by persons not residing on the premises where such preparation or sale takes place;

“resthouse” means the business of providing sleeping accommodation and/or meals to the general public;

“retail store” means any business in which merchandise, goods, or commodities are stocked and sold, or offered for sale to the general public;

“road transport service” means the business of providing transportation services by any road vehicle whether for passengers or freight;

“rice purchasing” (dry or unprocessed) means the business of buying rice to be processed for either local or export sale;

“rural” means any business which is not urban;

“sawmill” means any mechanically powered plant, machinery, or equipment for converting unmilled timber into milled timber (includes sawn timber, wood particles, wood pulp and veneer produced in a sawmill);

“sea transport service” means the business of providing transportation services for passengers by boat or canoe and includes offering any boat or canoe for hire;

“ship building” means the business of building, repairing or maintaining of any ship, boat or canoe but does not include any wooden canoe;

“shipping trade service” means the carrying on of the business of employing a ship to carry, receive, and/or deliver cargo or goods, and/or the sale or purchase of cargo or goods, within the authority of the Assembly;

“snack bar” means the business of preparing and selling fast food and non-alcoholic beverages for consumption by persons not residing on the premises where such preparation or sale takes place;

“spice and vegetable and fruit sales” means the business in which spices (such as tumeric, chilli or ginger etc.) or other vegetables and fruit are sold or purchased for export sale;

“stationary shop” means the business of buying for resale stationary items and does not include either retail nor wholesale shops;

“stevedore service” means that activity in which persons are provide, by hire or direct employment, to load or unload ships;

“timber exporting” means the business of exporting logs which require a licence in accordance with the Forest Resources and Timber Utilisation Act (Chapter 90);

“tailor” means the business of making clothes for sale;

“tourist resort” means the business involving the provision to tourists of various services and facilities such as accommodation, restaurant, recreations, transportation, retail stores, under a single administration and permanent staff.

“urban” refers to any business whose premises are situated, wholly or in part, within the boundaries of the Provincial Centre, Kirakira, Huro and Kaonasugu Commercial Centres;

“used clothing sales” means the business in which second-hand or used clothes are resale for profit;

“video” means the business of showing video tapes and the business of hiring out video cassette players and video cassette (tapes);

“wholesale store” means any business in which merchandise, goods or commodities are stocked and sold or offered for sale to businesses or entities other than the general public;

“wildlife collection” means the business of purchasing or selling of any non domestic animal, reptile or insect for export;

“wood processing” means the business of making products out of wood, but does not include traditional carvings;

Activities and
Businesses to be
Licensed.

3. (1) Any person, company or other entity who, within the authority of the Assembly, carries on any activity or business listed in the schedule to this Ordinance, save under and in accordance with the terms and conditions of a valid licence issued under this Ordinance shall be guilty of an offence and on conviction liable

- (a) in the case of mining, prospecting, timber exporting or timber felling, to a fine not exceeding fifty thousand dollars (\$50,000.00) and in default of payment, to imprisonment for a period not exceeding one year and the amount of the fee recoverable shall be recoverable as a civil debt;
- (b) in all other cases to a fine not exceeding five thousand dollars (\$5,000.00) and in default of payment to imprisonment for a period not exceeding for weeks and the amount of the fee recoverable shall be recoverable as a civil debt.
- (2) Not proceedings under this Ordinance shall be commenced against any person (except a licence for mining, prospecting, timber exporting or timber felling) who, having held a licence which expired on the 31st day of March, shall have obtained a new licence not later than the 31st day of the next succeeding month.

4. No person shall be granted a business licence and no business licence shall be renewed, unless the business complies with all laws and policies of Makira Ulawa Province.

Eligibility

5. (1) Except for licences for mining, prospecting, timber exporting or timber felling, upon application therefore and payment of the appropriate fee the authorised employee of the Province may issue the appropriate licence, subject, in the case of first applications, to the approval of the Executive.

Application for
issue of licence

(2) Every such licence shall specify the premises in which the business shall be carried on the name of the licence.

(3) Every such licence shall be valid until the 31st day of March following its issue and shall thereupon expire.

(4) Half year licences shall be issued during the period commencing the 1st day of October in any year to the 31st December of that same year and shall expire on the 31st day of March the following year, the period being the last six months of the financial year.

(5) Licences issued during the period from the 1st day of January in any year for the period to the 31st March of that same year shall be calculated on a pro-rate basis.

Store Licence
to authorise
hawking

6. A store licence shall not authorise the carrying on of the business of a store on any premises other than the one specified in the Licence nor shall it authorise the hawking of goods.

Application for and
issue of licence for
mining, prospecting,
timber exporting and
timber Felling

7. (1) Any application for permission to operate the business of mining, prospecting, timber exporting, timber felling and any business specified by subsidiary legislation shall be made to the Executive by submitting a copy of the prescribed form.

- (2) The person submitting such application shall;
- (a) include on the prescribed form all particulars required to be supplied thereby; and
 - (b) supply such further particulars as may be required by the Executive to enable it to determine that the business to be operated complies with the law and policies of Makira Ulawa Province.

(3) The Executive upon being satisfied that the business applied for complies with the laws and policies of Makira Ulawa Province may grant approval for a business licence to be issued.

(4) Any applicant shall be advised in writing of the decision of the Executive and upon payment of the prescribed fee the Provincial Principal Accountant or any authorised employee shall issue to the applicant a business licence in accordance with the prescribed form.

Powers of
authorised
person

8. (1) A police officer, or any authorised person in uniform on proper delegation of his authority, may reasonably require any person carrying out or assisting in any activity or business subject to this Ordinance to produce a business licence.

(2) Any person referred to above in sub-paragraph (1) who, without reasonable excuse, fails to produce a licence upon request by an authorised person pursuant to sub-paragraph (1) of this section, may be guilty of an offence and liable to a fine not exceeding twenty five dollars (\$25.00), or in default of

payment, imprisonment for a period not exceeding two weeks.

(3) Where an authorised person has reasonable grounds for believing that an offence against the provisions of this Ordinance has been committed, in relation to licences for mining, prospecting, timber exporting or timber felling, he may 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 without unnecessary delay hand over such person to a police officer or in the absence of a police officer, shall take the person to the nearest police station;

(4) In this section "authorised person" means a person authorised by the Executive in writing to enforce this Ordinance.

9. A licence (except for licence for mining, prospecting, timber exporting or timber felling) may, upon payment of the appropriate fee be endorsed by an authorised employee of the Province, so as to transfer the licence to any other person or to permit the heretofore licensed business to operate upon different premises other than those premises recited in the original application.

Transfer
of licence

10. No licence issued under this Ordinance, in respect of any business, shall authorise the carrying on of any other business.

Limited effect
of licence

11. The provisions of this Ordinance shall be in addition to and not in derogation of any other Ordinances.

Other
Ordinance

12. Any holder of a licence issued under this Ordinance whose licence has been lost or destroyed may, on payment of the prescribed Fee, obtain a duplicate licence.

Duplicate
licences

13. The fees for any business licence, duplicate licence, or transfer of licence shall be determined by the Executive.

Fees

14. The Executive may make such Orders and Regulations as appear to them necessary expedient for carrying the objects and provisions of this Ordinance into effect.

Regulations

15. (1) The Makira Province Business Licence Ordinance 1984 and the

Repeal and
Savings

Makira Ulawa Province Business Licence (Amendment) Ordinance 1988 and the regulations and schedules made under them (hereinafter referred to as the "repealed Ordinance") are hereby repealed.

(2) Notwithstanding such repeal, from and after the date of coming into operation of this Ordinances any license granted under the repealed Ordinances shall continue to be valid for the period stipulated therein.

ENACTED BY THE MAKIRA ULAWA PROVINCIAL ASSEMBLY this
twentieth Day of December 2001

.....
Clerk to the Makira Ulawa Provincial Assembly

[Legal Notice No. 180]

ASSENTED TO BY THE HONOURABLE MINISTER OF PROVINCIAL
GOVERNMENT AND CONSTITUENCY DEVELOPMENT

THIS ELEVENTH DAY OF OCTOBER, 2004.

MINISTER OF PROVINCIAL GOVERNMENT AND CONSTITUENCY
DEVELOPMENT

SCHEDULE

1.	Air Transport Service	-	\$2,250.00
2.	Bakery	- Rural	\$ 60.00
		- Urban	\$ 150.00
3.	Banking	-	\$2,250.00
4.	Broad Casting Service	-	\$ 750.00
5.	Butchery	-	\$ 150.00
6.	Cement Factor	-	\$1,500.00
7.	Cinema	-	\$ 200.00
8.	Cocoa Buying - Wet unprocessed beans -	-	\$ 50.00

- Dry unprocessed beans
- (local) - \$ 150.00
- Dry processed beans (Export) - \$5,000.00

9.	Coconut Processing	-	\$ 300.00
10.	Communication Service	-	\$2,000.00
11.	Consultancy Service	-	\$ 450.00
12.	Copra Buying	-	\$ 500.00
13.	Copra Exporting	-	\$2,500.00
14.	Copra Processing (Export)	-	\$1,000.00
	(Local)	-	\$ 100.00
15.	Crocodile Dealing	-	\$ 150.00
16.	Diving Service	-	\$ 150.00
17.	Dry Coconut Buying	-	\$ 53.00
18.	Electrical Service	-	\$ 300.00
19.	Engineering Service	-	\$ 375.00
20.	Engineering Works	-	\$ 300.00
21.	Equipment Rental	-	\$ 150.00
22.	Filming	-	\$1,500.00
23.	Fishing Commercial	-	\$2,000.00
24.	Fish Exporting	-	\$7,500.00
25.	Commercial Fish Farming	-	\$1,000.00
26.	Fish Market - Rural	-	\$ 60.00
	- Urban	-	\$ 150.00
27.	Fish Processing	-	\$1,500.00
28.	Furniture Shop	-	\$ 750.00
29.	Gas Sales - Urban	-	\$ 200.00
	- Rural	-	\$ 100.00
30.	Gold Dealer	-	\$ 750.00
31.	Hardware Shop	-	\$ 400.00
32.	Hawking	-	\$ 90.00
33.	Housing Construction	-	\$ 300.00
34.	Legal Services	-	\$ 300.00
35.	Liquor Sales - Retail full licence	-	\$3,750.00
	- Retail beer licence	-	\$3,000.00
36.	Logging Contractors	-	\$20.00.00
37.	Log Purchasing - Export	-	\$1,000.00
	- Local	-	\$ 500.00

38.	Marine Resources Sales - Export	-	\$5,000.00
	- Local	-	\$ 150.00
39.	Mining (i) Prospectors Rights	-	\$ 120.00
	(ii) Prospecting Licence	-	\$2,250.00
	(iii) Special Prospecting Licence	-	\$ 1,950.00
	(iv) Alluvia Miners Permit	-	\$ 135.00
	(v) Reconnaissance Permit	-	\$ 2,500.00
	(vi) Minning Permit	-	\$ 135.00
	(vii) Minning Lease	-	\$10,500.00
	(viii) Building Materials Permit	-	\$ 100.00
40.	Money Leading	-	\$ 60.00
41.	Petroleum Sales	-	\$ 120.00
42.	Petroleum Storage	-	\$ 150.00
43.	Plumbing Service	-	\$ 100.00
44.	Postal Service	-	\$ 100.00
45.	Radio Repair Service	-	\$ 120.00
46.	Research	-	\$ 750.00
47.	Restaurant	-	\$ 750.00
48.	Rest House - Rural	-	\$ 225.00
	- Urban	-	\$ 600.00
49.	Retail Store - Rural	-	\$ 120.00
	- Urban	-	\$ 600.00
50.	Road Transport Service	-	\$ 150.00
51.	Rice Purchasing - Export	-	\$ 5,000.00
	- Local	-	\$ 200.00
52.	Sawmill - Export	-	\$ 5,000.00
	- Local	-	\$ 1,000.00
53.	Sea Transport Service	-	\$ 45.00
54.	Ship Building	-	\$ 600.00
55.	Shipping Trade Service	-	\$ 2,000.00
56.	Snack Bar - Rural	-	\$ 75.00
	- Urban	-	\$ 200.00
57.	Spice and Vegetable, Fruit Sales	-	\$ 1,500.00
58.	Stationary Shop	-	\$ 400.00
59.	Stevedore Service	-	\$ 500.00

60.	Timber Exporting	-	\$40,000.00
61.	Timber Felling	-	\$ 300.00
62.	Tailor	-	\$ 150.00
63.	Tourist Resort	-	\$ 300.00
64.	Used Clothing Sales - Rural	-	\$ 40.00
	- Urban	-	\$ 120.00
65.	Video	-	\$ 188.00
66.	Wholesale Store - Rural	-	\$ 200.00
	- Urban	-	\$ 750.00
67.	Wild Life Collection	-	\$ 3,000.00
68.	Wood Processing	-	\$ 1,500.00

[Legal Notice No. 181]

**PROVINCIAL GOVERNMENT ACT 1997 AND MAKIRA ULAWA
PROVINCE FINANCIAL MANAGEMENT ORDINANCE 1983**

**THE MAKIRA ULAWA PROVINCE SPECIAL FUNDS FOR KIRAKIRA
WATER SUPPLY ORDINANCE 2003**

**AN ORDINANCE TO CREATE A SPECIAL FUNDS ACCOUNT FOR
THE REVENUE AND EXPENDITURE ASSOCIATED WITH
MAINTAINING THE KIRAKIRA WATER SUPPLY SYSTEM**

**ENACTED BY THE PROVINCIAL ASSEMBLY OF MAKIRA ULAWA
PROVINCE**

ARRANGEMENT OF SECTIONS

SECTIONS:

EXPLANATORY NOTE

PART 1: PRELIMINARY

1. Citation and Commencement

PART II: SPECIAL FUNDS

2. Aim and purpose
3. Sources of Revenue
4. Allowed Expenditure
5. Accounting Officer

EXPLANATORY NOTE

The European Union is planning to fund the establishment of a new water supply system for Kirakira. To make this system sustainable in the long term, a Water Tax will be charged when the new system begins operating, as the Makira Ulawa Province Kirakira Water Supply Tax Ordinance 2003 sets out. The revenue received from this Water Tax will go into a Special Funds account, established under this Ordinance. The funds in the Special Funds for Kirakira water supply account will be used solely for the purposes of maintenance and any necessary repair of the Kirakira water supply system, as is set out in this Ordinance. It should be noted that the Solomon Islands Water Authority has no presence in Makira Ulawa Province. The Makira Ulawa Province Financial Management Ordinance 1983 (Part 6) sets out the requirements for creating Special Funds.

PART I
PRELIMINARYCitation and
Commencement

1. This Ordinance may be cited as the Makira Ulawa Province Special Funds for Kirakira Water Supply Ordinance 2003 and will come into operation when assented to by the Minister for Provincial Government in accordance with section 30 of the Provincial Government Act 1997 and when the new water supply system is in full operation in Kirakira.

PART II

CREATION OF SPECIAL FUNDS

Aim and purpose of
Special Funds

2. The aim and the purpose of the Special Funds for Kirakira water supply is to ensure that the new water supply system in Kirakira is maintained to a good standard in the long term, by ensuring that funds are available for any necessary maintenance or repair of the Kirakira water supply system.

Sources of revenue

3. All taxes collected under the Makira Ulawa Province Kirakira Water Supply Tax Ordinance 2003 will be directed to the Special Funds for Kirakira water supply.

4. Special Funds for Kirakira water supply may be used to pay for any costs, whether costs associated with personnel or materials, associated with any necessary maintenance and repair of the Kirakira water supply system. The Special Funds for Kirakira water supply will not be used to establish connections to the Kirakira water supply system to new businesses and residences within Kirakira; these costs are to be met by residences and businesses, as is set out in section 5 of the Makira Ulawa Province Water Supply Tax Ordinance 2003.

Allowed expenditure

5. In accordance with section 29(2)(c) of the Makira Ulawa Province Financial Management Ordinance 1983 the Provincial Treasurer is appointed as the accounting officer for the Special Funds for Kirakira Water Supply.

Accounting
Officer

Passed by the Makira Ulawa Provincial Assembly this sixteenth day of May, 2003.

This printed impression has been carefully compared by me against the ordinance passed by the Makira Ulawa Provincial Assembly and is found by me to be a true and correct copy of the said Ordinance.

.....
Donald Basi
Clerk to the Makira Ulawa Provincial Assembly

Assented to by the Honourable Minister for Provincial Government and Constituency Development

This eleventh day of October, 2004.

.....
Minister for Provincial Government and Constituency Development

[Legal Notice No. 182]

PROVINCIAL GOVERNMENT ACT 1997

**THE MAKIRA ULAWA PROVINCE KIRAKIRA WATER SUPPLY TAX
ORDINANCE 2003**

**AN ORDINANCE TO AUTHORISE THE CHARGING OF A TAX ON
RESIDENTS AND BUSINESSES OF KIRAKIRA FOR WATER SUPPLY**

**ENACTED BY THE PROVINCIAL ASSEMBLY OF MAKIRA ULAWA
PROVINCE**

ARRANGEMENT OF SECTIONS

SECTION:

EXPLANATORY NOTE

PART I: PRELIMINARY

1. Citation and Commencement

PART II: WATER TAX

2. Water Tax for Residents
3. Water Tax for Businesses
4. Powers of Provincial Treasurer

**PART III: CONNECTION COSTS FOR NEWLY DEVELOPED DWELLINGS
AND BUSINESSES**

5. Connection costs for new connection

EXPLANATORY NOTE

The European Union is planning to fund the establishment of a new water supply system for Kirakira. To make this system sustainable in the long term, a Water Tax will be charged by Makira Ulawa Provincial Government when the new system begins operating, as this Ordinance sets out. The revenue received from this Water Tax will go into a Special Funds account, established under the Makira Ulawa Province Special Funds for Kirakira Water Supply Ordinance 2003. The funds in the Special Funds for Kirakira Water Supply account will be used solely for the purposes of maintenance and any necessary repair of the Kirakira water supply system, as is set out in the Makira Ulawa Province Special Funds for Kirakira Water Supply Ordinance 2003. It should be noted that the Solomon Islands Water Authority has no presence in Makira Ulawa Province.

PART I

PRELIMINARY

1. This Ordinance may be cited as the Makira Ulawa Province Kirakira Water Supply Tax Ordinance 2003 and will come into operation when assented to by the Minister for Provincial Government in accordance with section 30 of the Provincial Government Act 1997 and when the new water supply system is in full operation in Kirakira.

Citation and
Commencement

PART II

WATER TAX FOR KIRAKIRA RESIDENTS AND BUSINESSES

2. For every residence in Kirakira, a monthly tax of ten dollars (\$10.00) will be charged for water supply or such other sum as the Executive of Makira Ulawa Province may in its absolute discretion fix from time to time.

Water Tax for
Residents

3. For every business in Kirakira, a monthly tax of twenty dollars (\$20.00) will be charged for water supply or such other sum as the Executive of Makira Ulawa Province may in its absolute discretion fix from time to time.

Water Tax for
Businesses

4. If so required in connection with the proper collection of the Water Tax, the Provincial Treasurer of Makira Ulawa Province will have the right to collect any unpaid debts on behalf of Provincial Government and to recover such debts in a Court of law of necessary.

Powers of
Provincial
Treasurer

5. Any new residence or business that is developed in Kirakira after the new water supply system has come into operation, will be required to pay for the costs of connecting their residence or business to the mains water supply. They will be required to reimburse Makira Ulawa Provincial Government for the costs of materials and labour used to establish such a connection between their property and the mains.

Connection costs
for new connections

Passed by the Makira Ulawa Provincial Assembly this thirteenth day of May 2003.

This printed impression has been carefully compared by me against the ordinance passed by the Makira Ulawa Provincial Assembly and is found by me to be a true and correct copy of the said Ordinance.

.....
Donald Basi
Clerk to the Makira Ulawa Provincial Assembly

Assented to by the Honourable Minister for Provincial Government and Constituency Development this 11th day of October 2004.

.....
Minister of Provincial Government and Constituency Development

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