

[Legal Notice: 12]

EMERGENCY POWERS ACT

(Cap. 11)

EMERGENCY POWERS (COVID-19) (NO. 3) REGULATIONS 2021

EMERGENCY POWERS (COVID-19) (RESTRICTION OF MOVEMENT OF PERSONS AND VESSELS IN ONTONG JAVA) ORDER 2022

I, Hon. Manasseh Damukana Sogavare, Prime Minister, under regulations 15 and 17 of the *Emergency Powers (COVID-19) (No. 3) Regulations 2021* (Legal Notice No. 318 of 2021), make the following Order:

1 Citation

This Order may be cited as the *Emergency Powers (COVID-19) (Restriction of Movement of Persons and Vessels in Ontong Java) Order 2022*.

2 Commencement

This Order commences on the day it is published in the *Gazette*.

3 Definitions

In this Order:

“**emergency zone**” means the emergency zone declared by paragraph 4 of the *Emergency Powers (COVID-19) (Emergency Zone) (Solomon Islands and Papua New Guinea Border) Order 2020* (Legal Notice No. 113 of 2020);

“**essential service**”:

- (a) has the meaning of “essential service” given in section 2(7)(a) of the *Essential Services Act* (Cap. 12); or
- (b) means any other service the interruption of which could endanger human life, destroy property or cause serious injury to persons or property, including police, correctional services, biosecurity, national disaster and emergency;

“**essential worker**” means:

- (a) a person employed or engaged in carrying out functions, duties or responsibilities in an essential service; or
- (b) a person who the Prime Minister specifies in writing is an essential worker for the purposes of this Order;

“**matter of urgency**” in respect of a person, means a matter that is urgent for any of the following reasons:

- (a) to access immediate medical assistance or treatment for the person;
- (b) to assist another person to access immediate medical assistance or treatment;
- (c) to attend to or avoid an emergency or any other situation (including community transmission of COVID-19) which, if not attended to or avoided, may result in serious injury, illness or loss of life to the person or another person;

“***Ontong Java***” means the area in the emergency zone that is:

- (a) bounded by a line with the coordinates specified in Part A of the Schedule; and
- (b) indicated by the white line on the map in Part B of the Schedule;

“***place of residence***”, of a person in Ontong Java, means an area or place in Ontong Java where the person resides, regularly stays or is temporarily accommodated, and includes:

- (a) a building or other habitable structure or a yard to a building or structure;
or
- (b) a vessel; or
- (c) an area or place that is:
 - (i) a garden where the person usually grows or harvests food; or
 - (ii) an area of the coastline of Ontong Java, or of the inland or archipelagic waters within Ontong Java, where the person usually catches fish or harvests other seafood; or
 - (iii) used by the person for urination or defecation.

4 Restriction of movement of persons

- (1) On and from 6.00 pm on Wednesday 19 January 2022 until this Order is revoked, a person must not enter or leave Ontong Java.
- (2) On and from 6.00 pm on Wednesday 19 January 2022 until this Order is revoked, a person in Ontong Java must:
 - (a) if the person’s place of residence is in Pelau or Luaniua:
 - (i) be at Pelau or Luaniua and remain there; and
 - (ii) not leave or be away from Pelau or Luaniua; and
 - (iii) when moving about Pelau or Luaniua:
 - (A) wear a face mask; and
 - (B) practice social distancing; and
 - (C) wash his or her hands frequently; and
 - (D) use hand sanitizer frequently; or
 - (b) if the person’s place of residence is not in Pelau or Luaniua:

- (i) be at the person's place of residence and remain there; and
 - (ii) not leave or be away from the person's place of residence; or
 - (c) if a person is in quarantine, the person must remain in quarantine, and must not leave quarantine for any reason (and paragraph 3(a) or (b) does not apply to the person) unless authorised to do so by an authorised officer.
- (3) Subparagraphs (1) and (2) do not apply if a person:
- (a) enters or leaves Ontong Java because of a matter of urgency; or
 - (b) enters or leaves Pelau or Luaniua, or his or her place of residence because of a matter of urgency; or
 - (c) is exempted from complying with this Order under paragraph 6; or
 - (d) is exempted in writing from complying with this Order by the Commissioner of Police.

5 Restriction of movement of vessels and aircraft

- (1) On and from 6.00 pm on Wednesday 19 January 2022 until this Order is revoked:
- (a) a vessel must not:
 - (i) enter or leave Ontong Java; or
 - (ii) come alongside or berth at a wharf in Ontong Java; or
 - (iii) go on shore anywhere on the coast of a village in Ontong Java; or
 - (b) an aircraft must not land in or take off from Ontong Java.
- (2) On and from 6.00 pm on Wednesday 19 January 2022 until this Order is revoked:
- (a) the operator of a vessel must not permit or enable a person on board the vessel to disembark from the vessel and go ashore anywhere on Ontong Java; or
 - (b) the operator of an aircraft must not permit or enable a person on board the aircraft to disembark from the aircraft into Ontong Java.
- (3) Subparagraphs (1) and (2) do not apply to a vessel or aircraft operated by an authorised officer or an essential worker while performing his or her functions, responsibilities or duties.

6 Exemptions etc.

- (1) An authorised officer is exempted from complying with this Order while carrying out his or her functions, responsibilities or duties as authorised officer, or travelling to and from the place where he or she carries out those functions, responsibilities or duties.

- (2) An essential worker is exempted from complying with this Order while carrying out his or her functions, responsibilities or duties, or travelling to and from his or her place of work.

SCHEDULE
(Paragraph 3)

PART A
Coordinates for Ontong Java

Point Identification	Latitude	Longitude
1	-4.840933	158.730359
2	-4.751393	160.480280
3	-5.848333	160.492756
4	-5.868846	158.739144

PART B
Map of Ontong Java



Dated this nineteenth-day of January 2022.

HON. MANASSEH DAMUKANA SOGAVARE
PRIME MINISTER

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