

[Legal Notice: 40]

EMERGENCY POWERS ACT

(Cap. 11)

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

**EMERGENCY POWERS (COVID-19) (AUKI AS EMERGENCY ZONE)
(RESTRICTION OF MOVEMENT OF PERSONS, VESSELS AND AIR-
CRAFTS IN AUKI) 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) (Auki as Emergency Zone) (Restriction of Movement of Persons, Vessels and Aircrafts in Auki) 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 for Auki by Legal Notice No. 37 of 2022;

“*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;

“*foreign fishing vessel*” has the same meaning as in section 2(1) of the

Fisheries Management Act 2015;

“**foreign vessel**” means a vessel that is not registered in Solomon Islands or not entitled to fly the Solomon Islands flag;

“**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 which, if not attended to or avoided, may result in serious injury or loss of life to the person or another person;

“**Auki**” 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 red line on the map in Part B of the Schedule;

“**place of residence**”, of a person, means an area or place in Auki 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 the Auki, or of the inland or archipelagic waters within Auki, where the person usually catches fish or harvests other seafood; or
 - (iii) used by the person for ablutions or toileting;

“**vessel**” does not include a foreign vessel that is not a foreign fishing vessel.

4 Restriction of movement of persons

- (1) On and from 6.00 pm on Wednesday 2 February 2022 until 6:00 am on Friday 4 February 2022, a person must not enter or leave Auki.
- (2) On and from 6.00 pm on Wednesday 2 February 2022 until 6:00 am on Friday 4 February 2022, a person in Auki must:
 - (a) remain in Auki; and
 - (b) not leave or be away from his or her place of residence; and
 - (c) when moving around Auki:
 - (i) wear a face mask; and

- (ii) practice social distancing; and
 - (iii) wash his or her hands frequently; and
 - (iv) use hand sanitizer frequently.
- (3) Subparagraph (1) or (2)(a) and (b) does not apply to a person who:
- (a) enters or leaves Auki because of a matter of urgency; or
 - (b) is exempted from complying with this Order under paragraph 6; or
 - (c) is exempted in writing from complying with this Order by the Commissioner of Police.

5 Restriction of movement of vessels and aircrafts

- (1) On and from 6.00 pm on Wednesday 2 February 2022 until 6:00 am on Friday 4 February 2022:
- (a) a vessel must not:
 - (i) enter or leave Auki; or
 - (ii) come alongside or berth at a wharf in Auki; or
 - (iii) go on shore anywhere on the coast of Auki; or
 - (b) an aircraft must not land in or take off from Auki.
- (2) On and from 6.00 pm on Wednesday 2 February 2022 until 6:00 am on Friday 4 February 2022:
- (a) the operator of a vessel must not permit or enable a person on board the vessel to disembark from the vessel and go on shore anywhere on the coast of Auki; or
 - (b) the operator of an aircraft must not permit or enable a person on board the aircraft to disembark from the aircraft into Auki.

6 Exemptions

- (1) An authorised officer is exempted from complying with this Order while carrying out his or her functions, responsibilities or duties as an 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 work functions, responsibilities or duties, or travelling to and from the place where he or she carries out those functions, responsibilities or duties.
- (3) Paragraph 5 does not apply to:
- (a) a vessel or an aircraft operated by an authorised officer or an essential worker while performing his or her functions, responsibilities or duties;

and

- (b) a vessel or an aircraft operated for a purpose (which is not a purpose for an essential service) that has been approved by the Prime Minister in writing.

SCHEDULE
(Paragraph 3)

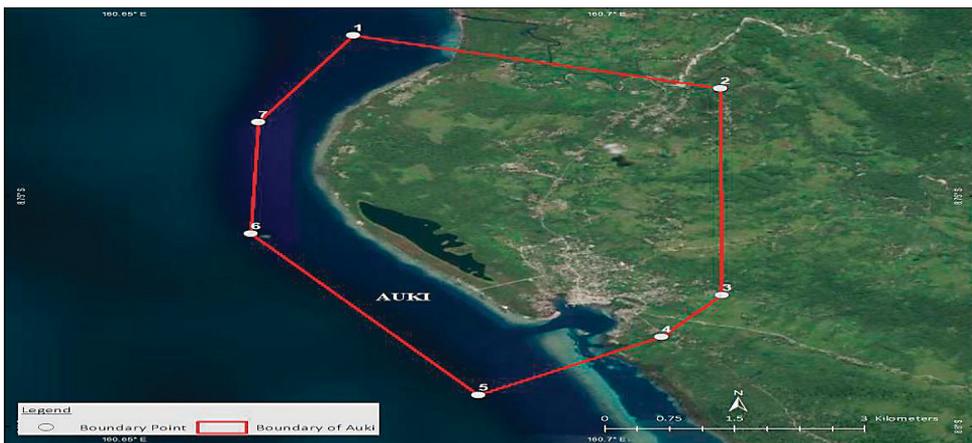
PART A

COORDINATES OF AUKI

Point ID	Latitude	Longitude
1	-8.715114	160.673663
2	-8.726589	160.711760
3	-8.771479	160.711925
4	-8.780522	160.705644
5	-8.793180	160.686627
6	-8.758173	160.663041
7	-8.733960	160.663784

PART B

MAP INDICATING AUKI



Dated this second-day of January 2022.

HON. MANASSEH DAMUKANA SOGAVARE
PRIME MINISTER

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