NATIONAL PARLIAMENT OF SOLOMON ISLANDS

BILLS AND LEGISLATION COMMITTEE

ISSUES PAPER

INQUIRY INTO THE CITIZENSHIP (AMENDMENT) BILL 2026

(Bill No. 3 of 2026)

Issued by the Committee on Tuesday 13th October 2026 — Submissions close Monday 19th October 2026

1. PURPOSE OF THIS PAPER

1.1 This paper accompanies the Committee's Terms of Reference for its inquiry into the Citizenship (Amendment) Bill 2026 (**the Bill**). It identifies the main issues the Committee expects to examine and poses questions to assist those wishing to make a submission.

1.2 The paper does not limit the Terms of Reference. The questions are intended to test the Bill from every relevant perspective, and do not indicate any view of the Committee, which has formed none.

2. THE BILL

2.1 The Bill seeks to amend the *Citizenship Act 2018* (**the Act**) to allow the Citizenship Commission (**the Commission**) to revoke the citizenship of a person who became a citizen by application under Part 3 of the Act, where it is satisfied, on reasonable grounds, that the person has engaged in conduct that seriously prejudices the stability, security, defence, public safety or public order of Solomon Islands.

2.2 Citizenship is not to be revoked by reason only that a person lawfully expresses a political opinion, criticises the Government, takes part in parliamentary proceedings, or participates in lawful protest, assembly, association or other democratic processes. The new ground does not apply to citizens by birth or to persons who resumed birth citizenship under section 14(4) of the Act.

2.3 The Bill therefore requires a balance to be struck between the State's responsibility to protect national security and public order, and the security of citizenship status, the fundamental rights and freedoms protected by the Constitution, and procedural fairness.

3. PRINCIPAL QUESTION

> **Does the Bill provide a necessary, effective and proportionate means of protecting national security and public safety, while ensuring that citizenship is not revoked unfairly, arbitrarily, or without adequate legal and procedural safeguards?**

4. ISSUES AND QUESTIONS

Submitters need not address every question, and may raise other matters within the Terms of Reference.

4.1 Need for the Bill [ToR 2.1(a)]

The Committee will wish to understand the nature of the risk the Bill responds to, and why the existing grounds of revocation, criminal law, immigration law and administrative powers are not considered sufficient.

Q1. What conduct or circumstances has given rise to the Bill, and what is the evidence of the risk to national security or public order?

Q2. In what respects are the existing provisions of the Act, the *Penal Code* and immigration law inadequate to respond to that risk?

Q3. Could the objective be achieved by non-legislative or less intrusive means?

4.2 Effectiveness [ToR 2.1(b)]

A power to revoke citizenship must be capable of achieving its protective purpose in practice if it is to be justified.

Q4. How will revocation reduce the risk posed by the person concerned, and what follows if the person cannot be removed from Solomon Islands?

Q5. Is the scope of the proposed ground sufficient to address the risks identified, or does it leave material gaps?

Q6. Are there practical or legal obstacles, including evidence and intelligence constraints, that may prevent the power being used when needed?

Q7. How have comparable powers operated in other Commonwealth jurisdictions, and with what effect?

4.3 The proposed ground of revocation [ToR 2.1(c)]

The ground turns on the expressions "satisfied, on reasonable grounds" and "conduct that seriously prejudices the stability, security, defence, public safety or public order of Solomon Islands", neither of which is defined.

Q8. Are these expressions sufficiently clear for a person to know in advance what conduct may lead to revocation? Should any be defined?

Q9. What kinds of conduct are intended to fall within the ground, and could it apply more widely than intended?

Q10. Is the threshold of "satisfied on reasonable grounds" appropriate for a decision of this gravity, or should revocation require a criminal conviction or other judicial finding?

Q11. Should the ground apply to conduct outside Solomon Islands, before the person became a citizen, or before the Bill commences?

4.4 Lawful democratic participation [ToR 2.1(d)]

Q12. Does the safeguard adequately protect political expression, criticism of Government, parliamentary participation, lawful protest, assembly and association?

Q13. Is the "by reason only" formulation effective where lawful activity is relied upon together with other conduct?

Q14. Does the Bill strike the right balance between protecting lawful participation and responding to conduct that genuinely threatens public order?

4.5 Application to citizens by application [ToR 2.1(e)]

The ground applies only to persons who acquired citizenship by application. Possible justifications include that citizenship conferred by a grant of the State may be withdrawn on conditions, and that revocation of birth citizenship carries greater risk of statelessness. Concerns may arise as to equal treatment among citizens.

Q15. Is the distinction between citizens by application and citizens by birth justified?

Q16. Is the distinction consistent with the Constitution, including its protection from discrimination?

Q17. Should the duration of a person's citizenship, or their connection to Solomon Islands, be relevant?

4.6 Fair process, review and remedies [ToR 2.1(f)]

Revocation decisions may rely on security-sensitive information. The Committee will consider how the need to protect such information can be reconciled with the person's right to know and answer the case against them.

Q18. What notice, disclosure and opportunity to be heard should a person receive, and should legal representation be available?

Q19. How should security-sensitive information be protected while preserving fairness to the person concerned?

Q20. Should the Commission be required to give written reasons?

Q21. What right of appeal or review should exist, and should revocation take effect before an appeal is determined?

Q22. How will the new ground interact with the existing procedures under section 26 of the Act, and what are the consequences of revocation for the person's family and residence?

4.7 The Citizenship Commission [ToR 2.1(g)]

Q23. How will revocation matters be initiated, investigated and brought before the Commission, and by whom?

Q24. Is the Commission sufficiently independent, and protected from improper influence, to exercise the power?

Q25. Does the Commission have the expertise, procedures and resources to evaluate security information and make consistent decisions?

Q26. What oversight and reporting to Parliament should apply to the use of the power?

4.8 Statelessness [ToR 2.1(h)]

Q27. How will it be established, before revocation, that the person holds another nationality and will not be left stateless?

Q28. Who should bear the burden of proof on this question, and to what standard?

Q29. How should disputes about a person's other nationality be resolved?

4.9 Constitutional, legal and international matters [ToR 2.1(i)]

Q30. Is the Bill consistent with the Constitution, including the provisions on citizenship and on fundamental rights and freedoms?

Q31. Is the Bill consistent with the principles of natural justice and the rule of law?

Q32. Is the Bill consistent with the international obligations of Solomon Islands, including on the rights of the child and the principle that no person should be arbitrarily deprived of nationality?

4.10 Consultation [ToR 2.1(j)]

Q33. Who was consulted in developing the Bill, and were the views of citizens by application, the legal profession, civil society, churches and provincial stakeholders sought?

Q34. Is further consultation needed before the Bill proceeds?

4.11 Financial and administrative implications [ToR 2.1(k)]

Q35. What is the basis of the estimated implementation cost of approximately SB$6.2 million advised to the Committee?

Q36. What staffing, systems and legal resources will be required, and has funding been assessed by the Ministry of Finance and Treasury and provided for?

4.12 Drafting and technical matters [ToR 2.1(l)]

Q37. Are the commencement, application and transitional provisions adequate?

Q38. Are any matters left to regulations that should be in the Bill itself?

Q39. What amendments, if any, would improve the Bill?

5. INFORMATION REQUESTED FROM GOVERNMENT

5.1 The Committee will request the responsible Ministry to provide, by Monday 19th October 2026:

(a) a statement of the policy rationale for the Bill and the evidence relied upon;

(b) the Explanatory Memorandum;

(c) any consultation report and Regulatory Impact Assessment;

(d) the legal advice on the Bill's constitutionality, or a summary where privilege is maintained;

(e) the proposed procedures and guidelines for exercising the new power;

(f) information on the Commission's composition, capacity and resources; and

(g) the costing of the Bill and its basis.

Classified or security-sensitive material may be provided to the Committee on a confidential basis and, if necessary, considered in camera.

6. MAKING A SUBMISSION

6.1 Submissions should be made in writing by Monday 19 October 2026 to **The Chairman, Bills and Legislation Committee, National Parliament of Solomon Islands, P.O. Box G19, Honiara**; or alternatively, submissions can be sent by email to the Committee Secretariat at: **ComSec@parliament.gov.sb.**

They may be made in English or Solomon Islands Pijin.

6.2 Once accepted by the Committee, a submission is protected by parliamentary privilege and will ordinarily be published. A submitter who wishes all or part of a submission to be kept confidential should say so clearly, with reasons.

6.3 Submitters may be invited to give oral evidence at a hearing.

6.4 Indicative timetable: submissions close **Monday 19th October 2026;** public hearings on **Wednesday 21st October 2026–Friday 23rd October 2026**; report to Parliament **Friday 13th November 2026.**