



**NATIONAL PARLIAMENT OF SOLOMON  
ISLANDS**

**BILLS AND LEGISLATION COMMITTEE**

**COMMITTEE REPORT**

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**Report on Honiara City (Amendment) (No. 2) Bill 2023  
(No. 6 of 2023)**



**Presented on 24 July 2023**

**National Parliament Office**





## **COMMITTEE MEMBERS**

The current members of the Bills and Legislation Committee (11<sup>th</sup> Parliament) are:

Hon. John Maneniaru, MP (Chairman)

Hon. Matthew Cooper Wale, MP

Hon. John Deane Kuku, MP

Hon. Rick Nelson Houenipwela, MP

Hon. Peter Kenilorea Jnr, MP

Hon. Lilly Maefai, MP

Hon. Derrick Rawcliff Manuari, MP

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## CHAIR'S FOREWORD



Mr. Speaker,

Pursuant to Standing Orders No. 71 (g) of the National Parliament of Solomon Islands, it is an honour and pleasure for me, Sir, to present the Report of the Bills and Legislation Committee on the Inquiry into the **Honiara City (Amendment) (No. 2) Bill 2023 (No. 6 of 2023)** for laying before Parliament.

A handwritten signature in blue ink, appearing to read 'Maneniaru', written over a horizontal line.

**Hon. John Maneniaru, MP**

Chairman

Bills and Legislation Committee

23 July 2023



## COMMITTEE FUNCTIONS

Standing Order 71 of the National Parliament of Solomon Islands.

There shall be a Standing Select Committee designated the Bills and Legislation Committee whose functions, in addition to the provisions in Orders 50 and 55, shall be to -

- a) examine such matters as may be referred to it by Parliament or the Government;
- b) review all draft legislation prepared for introduction into Parliament;
- c) examine all subsidiary legislation made under any Act so as to ensure compliance with the Acts under which they are made;
- d) monitor all motions adopted by Parliament which require legislative action;
- e) review current or proposed legislative measures to the extent it seems necessary;
- f) examine such other matters in relation to legislation that, in the opinion of the Committee, require examination; and
- g) make a written report to each meeting of Parliament containing the observations and recommendations arising from the Committee's deliberations.





## EXECUTIVE SUMMARY

As mandated under Order 71 (g) of the Parliamentary Standing Orders the Committee conducted hearings into the **Honiara City (Amendment) (No. 2) Bill 2023 (“the Bill”)** in Honiara on Wednesday 12<sup>th</sup> July to Saturday 15<sup>th</sup> July 2023.

The object of the Bill is to amend the *Honiara City Act 1999 (No. 1 of 1999)* to enable effective enforcement of the Act and Ordinances made under the Act. The Bill does this by:

- a) enabling the issue of infringement notices to persons who allegedly commit offences under an Ordinance for the payment of fixed penalties instead of being charged and prosecuted for the offence and a penalty that may be imposed on conviction being imposed on those persons;
- b) providing for the appointment, function and powers of law enforcement officers; and
- c) enabling the City Council to detain persons.

In its scrutiny of the Bill, the Committee noted several important issues in terms of drafting and the administrative aspect of the Bill.

The Committee therefore recommends that;

- 1) Honiara City Council take a stronger enforcement stance on its existing by-laws;
  - a) Consider charging business houses and shop owners that infringe the by-law of 7 meters. Consider issuing notice of closure or cancellation of business licenses to those shop owners that are not adhering to the call to beautify the city in preparation for the 2023 Pacific Games.
  - b) Other relevant HCC by-laws that have bearing on the requirements under the ‘Safe and Green Games Strategic Framework’ are to be enforced strictly.
- 2) the Bill to be amended to allow reasonable time period for installment payment of penalties, considering affordability. The committee further recommends that this be up to a few weeks.
- 3) the Bill is amended to extend the time period a fixed penalty may be paid. This would effectively remove the “on or before 12pm” requirement. This should be consistent with a new timeframe under recommendation 2 above.
- 4) the Bill be amended to give power to set the maximum fixed penalty for offences be given to the City Council (& taken from the Minister).

- 5) the Bill is amended to remove power from Law enforcement officers to receive penalty payments. All penalties must be received at the City Council office.
- 6) that the Bill to be amended to make penalties consistent with other existing laws of Solomon Islands.
- 7) the Bill be amended to remove the Minister as appointing authority for Law enforcement officers. This power should be given to the Clerk.
- 8) the recruitment of law enforcement officers must maintain an ethnic balance from all provinces of the country.
- 9) the Bill be amended to not allow law enforcement officers to be paid a portion of the penalties received from their efforts. They must be paid as all other staff.
- 10) a clean police record is included as a requirement for applicants to become law enforcement officers
- 11) Divisions 4 and 5 to be removed. These are better left with existing institutions in our criminal justice system to deal with. It would not have any adverse effect on the City Council's efforts to achieve its objectives of enforcement.
  - a) Power to establish and manage a detention facility may be abused given the high standards of the United Nations Standard Minimum Rules for the Treatment of Prisoners (the Nelson Mandela Rules).
- 12) however, capacity building training for City Council law enforcement officers must begin in earnest.
- 13) the power to approve offences for prosecution be removed from the Clerk and given to the head of legal department of law or law enforcement department.
- 14) because of the number of amendments recommended to be made to this Bill, and the effect these would have on the structure of the Bill, the Committee further recommends that the Bill be withdrawn in its entirety, and resubmitted with these changes.



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## 1.0 INTRODUCTION

1. This Report presents the findings of the inquiry and the recommendations by the Committee. This Report summarizes the findings and recommendations of the Bills and Legislation Committee ('the Committee') after conducting an inquiry into the **Honiara City (Amendment) (No.2) Bill 2023** ('the Bill') as required by the Standing Orders of the National Parliament of Solomon Islands ('the Standing Orders').
2. The Bill's purpose is to amend the Honiara City Act 1999 (No.1 of 1999) to enable effective enforcement of the Act and Ordinance made under the Act<sup>1</sup>. The Bill does this by: (a) enabling the issue of infringement notices to persons who allegedly commit offences under an Ordinance for the payment of fixed penalties instead of being charged and prosecuted for the offence and a penalty that may be imposed on conviction being imposed on those persons; and (b) providing for the appointment, function and powers of law enforcement officers; and (c) enabling the City Council to detain persons<sup>2</sup>.
3. The Bill's hearings were held over four days in the National Parliament of Solomon Islands, Conference RII, Honiara, from July 12<sup>th</sup> to July 15<sup>th</sup>, 2023.
4. The relevant government ministries and stakeholders listed below were invited and participated in the hearings. On the first day of the hearing, witnesses from the Ministry of Home Affairs, the Honiara City Council, the Correctional Services, the Royal Solomon Islands Police Force, and the Law Reform Commission appeared before the Bills and Legislation Committee ("the Committee"). On the second day, witnesses appeared before the Committee includes the Magistrate, the Taxi Association, and the Mothers Union. The Guadalcanal Provincial Government was the only witness that appeared before the Committee on the third day. It was the Government Service Integration Committee (GSIC) on the last day. Appendix A contains a list of witnesses who came before the Committee, minutes of the proceedings, and a list of submissions received.
5. Other interested stakeholders and individuals were invited to make written submissions.

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<sup>1</sup> Bill, Honiara City (Amendment) (No.2) Bill 2023 Explanatory Memorandum, p.20.

<sup>2</sup> Ibid.



## 2.0 BACKGROUND

- 2.1 In November 2023, Solomon Islands will play host to the Pacific Games. In trying to make it one of the successful games or amongst some of the memorial ones that promotes health, clean environment and safe surroundings, the slogan 'Green and Safe Games' has been adopted.
- 2.2 As such, it is without doubt that the Ministry of Home Affairs (MHA) and the Honiara City Council are important stakeholders in the preparations for the games. "One of the important roles these offices play is to ensure the existing ordinances of Honiara City Council are effective so that enforcement is possible and done appropriately. This establish the purpose to propose the amendments"<sup>3</sup>.
- 2.3 The Safe and Green Games Strategic Framework for the Pacific Games 2023 that was formulated and launched on 3rd March 2023 marked the first significant step towards the Green Games target.
- 2.4 More importantly, for the Green and Safe Games to proceed with its programs and activities, there is an urgent need to review the Honiara City Act of 1999. Thereafter, discussions and consultation meetings commenced between the Ministry of Home Affairs, Honiara City Council and the Attorney Generals Chambers and the Office of the Prime Minister and Cabinet on the way forward<sup>4</sup>.
- 2.5 Honiara City (Amendment) (No.2) Bill 2023 represents a significant and decisive step forward from those pre stakeholders' consultations held.
- 2.6 This Bill is consistent with the government stated policy to review the Honiara City Act of 1999 to enable effective enforcement of the Act and Ordinances made under the Act<sup>5</sup>.

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<sup>3</sup> MHA, Summary Report on Ministry of Home Affairs consultation with stakeholders on the Honiara City (Amendment) (No. 2) Bill 2023, p.1

<sup>4</sup> Ibid

<sup>5</sup> Explanatory Memorandum, Honiara City (Amendment) (No.2) Bill 2023,

### 3.0 GENERAL ISSUES

#### **Lack of wider consultation**

- 3.1 The Committee is disappointed that majority of the stakeholders were not consulted on this bill.

#### **Safe and Green Games Strategic Framework**

- 3.2 The Committee noted that this is the Framework for the 2023 Pacific Games and since accessing it, the Committee sought some insights into how Honiara City Council is performing or tracking on tasks that fall under its ambit.
- 3.3 The Honiara City Council<sup>6</sup> responded by stating they are part of the Safe and Green Games Committee (SGGC) which has been established and endorsed by the Games Organizing Committee, Office of the Prime Ministers and Cabinet and Government Services Integration Committee Members, helps to coordinate between all relevant stakeholders and partners to achieve a common goal which is “a safe and beautiful Honiara for the games and beyond”.

#### **Transports Plan**

- 3.4 The Committee noted the inclusion of a transport plan as one of the key objectives that this Framework will try to address in preparation for the Pacific Games. The Committee is also aware that Honiara City Council is planning to purchase bigger buses to cater for the public as the number of public transport users will increase during the time of the games. Hence, the Committee sought an update on this objective, as traffic congestion will certainly occur during the two weeks of games.
- 3.5 The Honiara City Council<sup>7</sup> stated that as part of their contribution towards this transport plan, they have agreed to purchase six big buses. Honiara City Council is currently in the process of seeking funds to purchase the buses and are in discussions with some of the financial institutions for a loan agreement. Honiara City Council hope to reach a loan agreement soon so that these buses can start working on the road even before the Pacific Games.

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<sup>6</sup> Honiara City Council, written submission, 17 July 2023

<sup>7</sup> Ibid.



- 3.6 The Committee was also informed that the Ministry of Infrastructure Development (MID) is planning to include sea transport like ferries to transport the public along the coast to ease the congestion on our roads.

### **Waste collection and disposal plans**

- 3.7 The Committee noted that there is a waste management and collection plan under the Safe and Green Games Strategic Framework however, generally waste collection in the Honiara City is very poor. The Committee is interested to know how this work is tracking. The Committee is concerned that although there is a proposed legal framework for keeping Honiara City clean during the two weeks for the South Pacific Games but the city will become littered once more after the games.

### **Traffic Strategy**

- 3.8 The committee was concerned about traffic during the PG and what strategy was in place. The committee foresees that traffic will be an issue within the two weeks for the events.
- 3.9 The Government Services Integration Committee (GSIC)<sup>8</sup> informed the Committee that traffic will be normal as it is, except the games strategy in which a plan in place has been forwarded to Ministry of Infrastructure (MID) for logistics and mechanisms. The GSIC held discussions with the Solomon Power Authority and Solomon Islands Ports Authority for support to provide street lights. In terms of mapping the committee will be consultation with MID and tenders have been issued out. This is a challenging for drivers and infrastructure to capture.
- 3.10 The GSIC committee was in consultation with MID and the tender has already been advertised and will be due soon for the marking of road lines.
- 3.11 The GSIC<sup>9</sup> further stated that more vehicles coming into the country to support the games from donors. A Ferry will also be made available to alleviate traffic congestion during that time.

### **Capacity to deliver**

- 3.12 The Committee is very concerned with the capacity to deliver on the priorities outlined in the Safe and Green Games Strategic Framework. The Honiara City Council

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<sup>8</sup> Mr. Bernard Bata'anisia, Chairman, Government Services Integration Committee, oral evidence, 15 July 2023

<sup>9</sup> Ibid.



and responsible line ministries need to increase their capacity to deliver on these important priorities for the SPG.

#### **Timeline to activate the regulations for the spot fines**

- 3.13 The Committee understands that for the spot fines to be initiated and operative, the Minister responsible has to come up with the necessary regulations. There are only four months left before the commencement of the 2023 Pacific Games, hence, the Committee is interested to know how quick those instruments will be ready.
- 3.14 The Honiara City Council<sup>10</sup> stated that currently their senior legal officer is working with the responsible ministry to come up with those regulations to be ready in time.

#### **Beautification Program (Tree Planting & Landscaping)**

- 3.15 The Committee noted the inclusion of a beautification program in this framework . The Committee sought an update on how far Honiara City Council has engaged in such initiative. The Committee is very concerned that there are only few months away from the Pacific Games however, within the Central Business District (CBD) there are still pockets of muddy walk paths areas between some shops and the main road.
- 3.16 The Honiara City Council<sup>11</sup> stated that they had talks with the business houses and shop owners about the need to uphold the Honiara City Council by-law, in which they are responsible to take care of the 7 meters space between them and the main road or other properties. Some have taken the initiative to improve walk paths and some have renovated their shops while others are yet to adhere to the call.

#### **Recommendation 1**

**The Committee recommends that Honiara City Council take a stronger enforcement stance on its existing by-laws;**

**a)Consider charging business houses and shop owners that infringe the by-law of 7 meters. Consider issuing notice of closure or cancellation of business licenses to those shop owners that are not adhering to the call to beautify the city in preparation for the 2023 Pacific Games.**

**b)Other relevant HCC by-laws that have bearing on the requirements under the 'Safe and Green Games Strategic Framework' are to be enforced strictly.**

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<sup>10</sup> Mr.Justus Denni, City Clerk, Honiara City Council, oral evidence, 12 July 2023

<sup>11</sup> Ibid.



### **Drainage system**

- 3.17 The Committee raised concerns regarding poor drainage that caused flooded roads with trash. The Committee urged the Government Services Integration Committee during their appearance before the Committee that awareness needs to be raised, and this needs to be addressed in its various capacities before the Pacific Games. The Committee is aware that the public and private sectors have been part of the clean-up campaign based on the cabinet decision that every Friday afternoon public servants clean up. The workforce needs to re-strategize and work with Honiara City Council to assist and align with the work plans to address the issues and ensure collaboration with stakeholders.

### **Clean Up Campaign for 12 Honiara City Council Wards**

- 3.18 The Committee enquired into the cleanup campaign that will be extended to the Honiara City 12 wards.
- 3.19 The Honiara City Council<sup>12</sup> stated that there is a \$6 million allocation for these wards to undertake this cleanup campaign and the payment will be done in five tranches. Honiara City Council has already signed the Memorandum of Understanding (MOU) and they are waiting for the National Hosting Authority (NHA) to give them the first payment which is due this week.

### **Detention centers**

- 3.20 The Committee is aware of the Honiara City Council's proposed detention centers however, is very concerned about the capacity to detain or accommodate the offenders.
- 3.21 The Ministry informed the Committee that they had discussions with the Royal Solomon Islands Police Force (RSIPF) and discussed the practicalities of the enforcement capacity of the Honiara City Council.

### **Power to prescribe fixed penalties**

- 3.22 The Committee is very concerned about the power placed on the Minister to prescribe maximum fixed penalties for a prescribed offence or a class of prescribed offence. One-ended powers should not be given to one person.

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<sup>12</sup> Mr. Justus Denni, City Clerk, Honiara City Council, oral evidence, 12 July 2023.



- 3.23 The committee's concern was that offenses and penalties were not defined, which was worrying. In fact, inside the amendments, the minister has to come back with regulations that define the offences and penalties.

### **Enforcement of Ordinances**

- 3.24 The Royal Solomon Islands Police Force (RSIPF) noted that there are no procedures to monitor and prevent abuse of authority or responsibility by accountable officers. Furthermore, no provision in the Constitution authorizes a different entity, such as Honiara City Council Law Enforcement Officers, to arrest, imprison, and prosecute persons who violate the Act.
- 3.25 The Deputy Commissioner Operations in her written submission state that *“Further to that, the Bill did not provide any provision that will enable the rights of an arrested person to be exercised. To support my argument, I refer you to part III, the general provision under CAP 7, section 10 (1)(2) & section (11)(1)& (2), and section (14). These sections do not provide any provisions empowering a different entity to perform arrest, detention, and prosecution. Only Police Officers are entrusted to arrest, detain and prosecute because of various acts that empower them to do so”*.
- 3.26 The Royal Solomon Islands Police Force further stated that in the case of Police Force officers, there are mechanisms in place to ensure that the Royal Solomon Islands Police Force is held accountable for its acts when executing the law. This is reflected in the Constitution, in particular, sections 120 – 122 and is further emphasized in the Police Act 2013, the Criminal Procedure Code (CAP 7), and Chapter (18) on limitations. These Acts provides for how police officers should act and remain accountable for their actions when they arrest and detain persons. These Acts further provide guidance on Actions and Arbitrations<sup>13</sup>.

### **Capacity to implement the powers**

- 3.27 The Committee is very concerned about the capacity of the law enforcement officers in implementing the functions, powers, and performance leading up to the South Pacific Games (SPG) 2023.
- 3.28 The Correctional Services Solomon Islands<sup>14</sup> submitted that there is a need for law enforcement officers to be trained in the Royal Solomon Islands Police Force and

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<sup>13</sup> Mrs Juanita Matanga, written Submission, 18 July 2023

<sup>14</sup> Mr. Chris Bwekulyi, written submission, 17 July 2023



Correctional Services Solomon Island Public Order Management (POM) to meet critical times and situations. Currently, they are below the expected standard.

- 3.29 In a written submission to the Committee, a highly prominent lawyer<sup>15</sup>, stated that “*while the Bill may have good intentions, I am doubtful that, based on past performance, the Honiara City Council is capable of providing the necessary infrastructure and administrative competence to implement the Bill if it becomes law. We are dealing with a Council that seems to be incapable of having our rubbish collected on a regular basis so it does not give me confidence that the Councils’ employees or contractors will be given wide powers to fine people and detain them*”.

#### **Law enforcement officers**

- 3.30 The Committee raised that there have been complaints that these Honiara City Council law enforcement officers are officers that have been sacked from the royal police force and with this new bill, it does not provide for a criminal background check to be done on these officers before they are recruited. Furthermore, these officers will receive commission on every arrest they make. This may give them an incentive to arrest many offenders whether they have committed an offence or not. The Law enforcement officers also have the power to detain these offenders, however, the Committee is of the view that Honiara City Council may not have the capacity to detain offenders.

#### **Power to search a suspected offender**

- 3.31 The Committee raised the issue of these law enforcement officers having the same powers as a normal police officer to search someone. There is a concern that these officers may abuse their power when searching female offenders.

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<sup>15</sup> Mr. Andrew Radclyffe, written submission, 5 July 2023

## 4.0 CONTENT ISSUES

### Division 2 Infringement notices and fixed penalties

#### Section 55F (3) – Infringement Notice

- 4.1 Section 55F (3) states that;

“The person to whom an infringement notice is given must pay the full amount of the fixed penalty specified in the notice on or before 12 pm on the day on which the infringement notice is given to the person or proceedings for prosecuting the offence in a court be commenced against the person.”

#### Issues with the Section

- 4.2 The Committee noted that “on or before 12 pm” went right through the Bill. The Committee raised that the authorities responsible for the Bill may have missed understood the practicality of the spot fine, especially the affordability aspect. The restrictiveness of the nature of the spot fine or giving an option for installment is like condemning people to go to jail.
- 4.3 The Magistracy<sup>16</sup> also submitted that considering our citizens’ different financial capabilities, this appears to be a very short time to secure funds to pay the full amount of the fixed penalty.
- 4.4 The Guadalcanal Provincial Executive<sup>17</sup> (“the Executive”) strongly oppose that notice and penalty payment must be done “on or before 12 pm” daily. This is not practical and fair for the public and citizens. How can a child or a widow able to pay when he or she has no money. He or she needs time to seek help from parents or relatives.
- 4.5 The Executive<sup>18</sup> strongly, recommend a longer period of time be considered and allow installment payment by the public considering affordability by widows and children.
- 4.6 The Kings Taxi operator<sup>19</sup> in their submission also stated that the timing provided for payment of the penalty on or before 12 pm on the day the notice is given is unrealistic and may not be possible for most offenders. And while this section is merely trying to promote deterrence to the offender it also does not take into account the factual

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<sup>16</sup> Mr. Ricky Rongomea, written submission, 17 July 2023.

<sup>17</sup> Hon. Francis M B Sade, written submission, 17 July 2023.

<sup>18</sup> Ibid.

<sup>19</sup> Kings Taxi Operator, written submission, 17 July 2023.



possibility that 90% of the possible offenders within the Honiara city most likely will not be able to meet this deadline. This is for financial reasons.

- 4.7 Furthermore, an additional subsection should be included to accommodate for any notices that is given after 12 pm. Any notice given after 12 pm, the person to whom an infringement notice is given should be given an opportunity to pay in full by opening of business hours the following day.

#### **Recommendation 2**

The Committee recommends that the Bill to be amended to allow reasonable time period for installment payment of penalties, considering affordability. The committee further recommends that this be up to a few weeks.

#### **Recommendation 3**

The Committee recommends that the Bill is amended to extend the time period a fixed penalty may be paid. This would effectively remove the “on or before 12pm” requirement. This should be consistent with a new timeframe under recommendation 2 above.

#### **Section 55G (3) (b) (x) – Form and Content of infringement notice**

- 4.8 Section 55G deals with Form and Content of infringement notice. Section 55G (3) (b) (x) (roman numeral ten) provides;

“that payment of the full amount of the fixed penalty is not an admission of having committed the offence.”

#### **Issues with the Section**

- 4.9 The Magistracy<sup>20</sup> submits that this provision could mean that any previous penalties imposed would not be recorded and cannot be used against the same person in any subsequent offending.
- 4.10 The Law Reform Commission<sup>21</sup> is of the view that this provision does not promote a sense of responsibility by the offender towards the breach. Thus, the Commission proposed that section 55G (3) (b) (x) should be removed.

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<sup>20</sup> Mr. Ricky Rongomea, written submission, 17 July 2023.

<sup>21</sup> Mr. Philip Kanairara, Chairman, Law Reform Commission, written Submission, 17 July 2023



- 4.11 The Transparency Solomon Islands<sup>22</sup> submitted that this provision is open to abuse. For example, an offender with deep pockets will continue to get away with breaching the Honiara City Act because he or she can easily afford to pay the full amount. How can the City Council keep track areas that needs to strengthen and improve if this system of "payment in full" deems an alleged commission of an offence as not an admission of committing the offence?

#### **Section 55H – Effect of issue of infringement notice**

- 4.12 Section 55H states that;

Where a person is given an infringement notice, proceedings to prosecute for the offence must not be commenced against the person unless;

- a) The time specified in the infringement notice for payment of the fixed penalty has passed; and
- b) the person failed to pay the full amount of the fixed penalty on or before that time.

#### **Issues with the Section**

- 4.13 The Magistracy<sup>23</sup> raised that the Section is giving the law enforcement officer of the Honiara City Council a discretion to nominate a time period (e.g. a week) in the Infringement notice for payment of the fixed penalty. If that is the intention of this section then it appears to be inconsistent with section 55F. The time period to pay as per section 55H (3) states "on or before 12 pm" on the day on which the infringement notice is given to the person.

#### **Section 55J (1) (3) – Fixed Penalties**

- 4.14 Section 55J (1) provides for the regulation making powers by the Minister to prescribe the maximum fixed penalty for a prescribed offence.

Section 55J (3) (b) (ii) provides;

"The full amount of the fixed penalty must be paid by either to the City Council thought he City Council cashier at the City Council office in cash or non-negotiable check or by full payment being made in cash to law enforcement officer (in which the law enforcement officer will then give payment to the City Council's cashier".

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<sup>22</sup> Transparency Solomon Islands, written submission, 17 July 2023.

<sup>23</sup> Mr. Ricky Rongomea, written submission, 17 July 2023



### **Issues with the Section**

- 4.15 The Committee is very concerned with the powers that are vested on the Minister to make regulations to prescribe maximum fixed penalty for a prescribed offence.
- 4.16 The Committee is of the view that the Minister may have the regulation making powers, however, in the matter of penalties, they ought to be matters for parliament to discuss and make or the City Council for that matter.
- 4.17 The Committee further stated that in a democratic society, such responsibility is given to an elected assembly or parliament. Thus, the Committee is of the view that with such power to make regulations the responsibility should not be with the Minister alone, it has to be subjected to review and prescribed by a full assembly or a council of sorts, if not there will be room for abuse of power.
- 4.18 The Kings Taxi service<sup>24</sup> is of the opinion that allowing full payment in cash to a law enforcement officer will provide a possible avenue for misuse of the penalty fee by the law enforcement officer. Therefore, this sub-section should be removed and payments should be made only directly to the Honiara City Council's cashier.

### **Recommendation 4**

The Committee recommends that the Bill be amended to give power to set the maximum fixed penalty for offences be given to the City Council (& taken from the Minister).

### **Recommendation 5**

The Committee recommends that the Bill is amended to remove power from Law enforcement officers to receive penalty payments. All penalties must be received at the City Council office.

### **Recommendation 6**

The Committee recommends that the Bill to be amended to make penalties consistent with other existing laws of Solomon Islands.

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<sup>24</sup> Kings Taxi Operator, written submission, 17 July 2023.



### **Division 3 Law enforcement officers**

#### **Section 55M (1) (2) (4) –Appointment of Law Enforcement Officers**

4.19 Section 55M (1) provides that;

“The Minister may, acting on the advice of the City Council, appoint a person to be a law enforcement officer of the City Council for the purpose of enforcing this Act or Ordinances”

Section 55M (2) provides that law enforcement officers must be trained.

Section 55M (4) provides;

“if a law enforcement officer is engaged by the City Council by contract, the contract may provide that the law enforcement officer’s remuneration is calculated as a portion of the amount of fixed penalties paid into the City Fund under infringement notices issued by the law enforcement officer”.

#### **Issues with the Sections**

- 4.20 The Committee raised a concern of whether the appointment of law enforcement officers by the Minister is a good scheme. The Committee is also of the view that proper trainings should be given to the Law Enforcement Officers to carry out their job effectively.
- 4.21 The Guadalcanal Provincial Executive<sup>25</sup> is of the view that the appointment by the Minister may be controversial given the discretion at the hands of the Minister and requirement of the full Council to consider appointments. This is very much an administrative function rather a political function. The Executive further states that scrutiny of potential Law Enforcement Officers should be provided for to ensure past criminal records are assessed before consideration for appointment.
- 4.22 In regard to training, the Kings Taxi Operator<sup>26</sup> submits that the Bill should define the term “appropriate training course” and include where training should be undergone. For instance, by Honiara City Council or by an appropriate training institute. This is so that only trained professionals by the right institute may carry out enforcement of HCC’s Ordinances.

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<sup>25</sup> Hon. Francis M B Sade, written submission, 17 July 2023.

<sup>26</sup> Kings Taxi Operator, written submission, 17 July 2023.



- 4.23 The Executive<sup>27</sup> also raised concerns regarding Section 55M (4) that there is a risk of corrupt practices, thus contract should capture or take care of the remuneration of the Law Enforcement Officers. There is a risk that infringement notices could be misused by the Law Enforcement Officers for financial gain. Despite the noble intention to provide incentive and perhaps promote performance based remuneration.
- 4.24 The Law Reform Commission<sup>28</sup> is of the view that the payment of the fine should only be made to the City Council Cashier at the Honiara City Council Office and not to the law enforcement officers.

#### **Recommendation 7**

The Committee recommends that the Bill be amended to remove the Minister as appointing authority for Law enforcement officers. This power should be given to the Clerk.

#### **Recommendation 8**

The Committee recommends that the recruitment of law enforcement officers must maintain an ethnic balance from all provinces of the country.

#### **Recommendation 9**

The Committee recommends that the Bill be amended to not allow law enforcement officers to be paid a portion of the penalties received from their efforts. They must be paid as all other staff.

#### **Recommendation 10**

The Committee recommends that a clean police record is included as a requirement for applicants to become law enforcement officers

### **Section 55N – Functions and powers of Law Enforcement Officers**

- 4.25 Section 55N provides for the functions of the law enforcement officers to enforce the Act and Ordinances.

#### **Issues with the Section**

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<sup>27</sup> Hon. Francis M B Sade, written submission, 17 July 2023.

<sup>28</sup> Mr. Philip Kanairara, Chairman, Law Reform Commission, written Submission, 17 July 2023



- 4.26 The Committee stated that the functions and powers of the law enforcement officers are similar to those of the police officers. The Committee noted that the proposed section gives the Honiara City Council law enforcement officers the same powers as a normal police officer has to make an arrest. Though the last part of Section 55N states that the procedures for arresting and detaining a person under this section must comply with the Criminal Procedure Act. The Committee is concerned that this should not be taken lightly since these powers are only given to police officers after they pass a certain level of training. However, the proposed section provides that law enforcement officers will be given this same power without achieving any level of training. For example, with the power to search and enter, a normal police officer cannot search and enter without a search warrant issued by the magistrate. These Honiara City Council law enforcement officers on the other hand are given the power to do so without any need to get clearance to do the search.
- 4.27 The Executive<sup>29</sup> also shares the same concern about the legality of law enforcement officers' carrying out search warrants and therefore is of the view that Search Warrants is better remain with the Royal Solomon Islands Police Force (RSIPF) and current legal procedures should be used in carrying out search warrants. This is the role of the RSIPF.

#### **Section 55O (1) – Law enforcement officer to make a report**

- 4.28 Section 55O (1) provides;
- “a law enforcement officer must, for each day he or she is on duty, make a written report to the City Clerk on the performance of the law enforcement officer's function during the day exercise of the law enforcement officer's powers in the course of doing so”.
- 4.29 The Law Reform Commission<sup>30</sup> is of the view that a law enforcement officer on a daily basis should report to the Head of the Law Enforcement Unit. Then the Law Enforcement Officers will write a report about the performance of his or her Unit for the week.

### **Division 4 Detention of persons**

#### **Section 55R (1) (a) (b) – Detention of persons**

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<sup>29</sup> Hon. Francis M B Sade, written submission, 17 July 2023.

<sup>30</sup> Mr. Philip Kanairara, Chairman, Law Reform Commission, written Submission, 17 July 2023



- 4.30 Section 55R (1) (a) provides for detention of person aged 18 years and above following arrest.

Section 55R (1) (b) provides for establishment of facilities for detaining persons.

#### **Issues with the Section**

- 4.31 The Magistrates submits that *"Section 55R (1) (a) needs to clearly specify how long the law enforcement officers will detain offenders. This is bad practice and data around the globe shows that detention of suspects for longer period without being charge will result in an arbitrary detention and other implications of their constitutional rights. Not only that, but will lead to false confessions of the offence as well"*.
- 4.32 The Committee concurs with the Magistrate's submission in regard to the time period for the detention and is of the view that detention should be for a few hours and not overnight.
- 4.33 The Committee was concerned that the use of the word "may" in Section 55R (1) (b) gives discretionary to the Honiara City Council on whether to establish or not to establish detention facilities. Additionally, this detention area must meet the minimum standard of the United Nations standard rule for treatment of prisoners. The Committee is of the view that these standards are very high and that the City Council may not have the capacity to meet those standards. Thus, though this provision protects detainees although it can become a liability for the City Council as well.

#### **Recommendation 11**

The Committee recommends that Divisions 4 and 5 to be removed. These are better left with existing institutions in our criminal justice system to deal with. It would not have any adverse effect on the City Council's efforts to achieve its objectives of enforcement.

a) Power to establish and manage a detention facility may be abused given the high standards of the United Nations Standard Minimum Rules for the Treatment of Prisoners (the Nelson Mandela Rules).

#### **Recommendation 12**

The Committee recommends that however, capacity building training for City Council law enforcement officers must begin in earnest.

### **Section 55T (1) – Visit and inspections of detention facilities**

4.34 Section 55T (1) provides;

“(1) in this section:

Visitor means:

- a) the Minister or person authorized in writing by the Ombudsman; or
- b) a judge or Magistrate; or
- c) the Ombudsman or authorized in writing by the Ombudsman; or
- d) an official of the International Committee of the Red Cross.

4.35 Section 55T (3) provides that when visiting the facilities, the visitor;

- a) must inquire into treatment, behavior and conditions of the persons detained at the facilities and
- b) may not interfere with or give instructions about the control or management of the persons detained.

### **Issues with the Section**

- 4.36 The Committee raised concerns regarding the definition of the term visitor. The Committee is of the view that it is too constricted and should be broadened to include Faith-based groups, family members of the detainee, lawyers and medical officers.
- 4.37 The Magistracy<sup>31</sup> is of the view that Section 55T (3) should be expanded to include the nature of the visitations of these groups rather than confining it to making enquiries into the treatment, behavior and conditions of the detainees’ mechanisms. That should be encouraged in the Bill.

### **Division 5 Prosecution of offences etc**

#### **Section 55U – Approval to prosecute**

4.38 Section 55U provides;

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<sup>31</sup> Mr. Ricky Rongomea, written submission, 17 July 2023.



“An offence under an Ordinance may not be prosecuted under this Division unless the City Clerk has approved it”.

### **Issues with the Section**

- 4.39 The Committee noted that Section 55U provides that the decision to proceed with the prosecution is at the discretion of the Clerk to the City Council, the same power that is currently vested on the Director for Public Prosecution (DPP). The Committee is concerned that the Clerk can be easily swayed by political pressure. The question now is; should this power be given to the Clerk or remain with the normal prosecution procedure.
- 4.40 The Magistracy<sup>32</sup> is of the view that it is important to specify in that proposed Section that the approval given by the City Clerk to prosecute must be in writing to safeguard the legality of the prosecution. It gives validity and safeguards the authorization to prosecute. Therefore, it is suggested that the proposed Section should explicitly provide that approval to prosecute must be in writing.

### **Recommendation 13**

The Committee recommends that the power to approve offences for prosecution be removed from the Clerk and given to the head of legal department of law or law enforcement department.

### **Section 68B (2) Protection of officers etc from liability**

- 4.41 Section 68B (2) provides;

A person is not civilly or criminally liable for an act done or omitted to be done by the person in good faith in the exercise or purported exercise of power of performance or purposed performance of a function under this Act of an Ordinance.

### **Issues with the Section**

- 4.42 The Committee is of the view that if someone has committed a crime or committed to do something whether it be in good or bad faith why use the term Purported at all. Furthermore, how can one be sure that this action was done in good faith but sub-clause 3 states that whether it is done on bad or good faith he/she is still liable?

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<sup>32</sup> Mr. Ricky Rongomea, written submission, 17 July 2023.

- 4.43 The Law Reform Commission<sup>33</sup> concurs, stating that when this term is used, it gives a new meaning thus, should be omitted. Furthermore, the Commission questioned the need for sub-sections 2 and 3 thus, is of the opinion that section 2 is enough and the term “purported” be omitted.

#### **Clause 9 – Schedule 7 Form of infringement Notice**

- 4.44 Clause 9 inserts new Schedule 7 to prescribe the form of the infringement notice.

#### **Issues with clause 9**

- 4.45 The Law Reform Commission<sup>34</sup> states that the form for infringement notice needs to be revised to correct errors in the form.
- 4.46 The Law Reform Commission<sup>35</sup> further suggests that for proper editing of the form, there is need for proper helping verb, and correct form of verbs are inserted or used properly in the form. For example, insert the helping verb “is” before the verb given. Furthermore, in relation to Driver’s license add the article “the” before infringement notice and correct verb form to “given”.

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<sup>33</sup> Mr. Philip Kanairara, Chairman, Law Reform Commission, written Submission, 17 July 2023

<sup>34</sup> Mr. Philip Kanairara, Chairman, Law Reform Commission, written Submission, 17 July 2023

<sup>35</sup> Ibid.



## 5.0 CONCLUSION

- 5.1 The Committee understands that for the Green and Safe Games to proceed with its programs and activities, relevant legislations ought to be amended and so is the current Bill. However, other significant areas which are mentioned in this report were not captured in the Bill.
- 5.2 The Committee strongly states that any law that might impede on the rights of the citizens must not be rushed but go through careful consideration.
- 5.3 Therefore, the Honiara City (Amendment) (No. 2) Bill 2023 be withdrawn for further work and to include the points that have been raised in this report.

## 6.0 RECOMMENDATIONS

The Committee, following its scrutiny of the Bill, makes the following recommendations:

### Recommendation 1

The Committee recommends that Honiara City Council take a stronger enforcement stance on its existing by-laws;

a) Consider charging business houses and shop owners that infringe the by-law of 7 meters. Consider issuing notice of closure or cancellation of business licenses to those shop owners that are not adhering to the call to beautify the city in preparation for the 2023 Pacific Games.

b) Other relevant HCC by-laws that have bearing on the requirements under the 'Safe and Green Games Strategic Framework' are to be enforced strictly.

### Recommendation 2

The Committee recommends that the Bill to be amended to allow reasonable time period for installment payment of penalties, considering affordability. The committee further recommends that this be up to a few weeks.

### Recommendation 3

The Committee recommends that the Bill is amended to extend the time period a fixed penalty may be paid. This would effectively remove the "on or before 12pm" requirement. This should be consistent with a new timeframe under recommendation 2 above.

### Recommendation 4

The Committee recommends that the Bill be amended to give power to set the maximum fixed penalty for offences be given to the City Council (& taken from the Minister).

### Recommendation 5

The Committee recommends that the Bill is amended to remove power from Law enforcement officers to receive penalty payments. All penalties must be received at the City Council office.



#### Recommendation 6

The Committee recommends that the Bill to be amended to make penalties consistent with other existing laws of Solomon Islands.

#### Recommendation 7

The Committee recommends that the Bill be amended to remove the Minister as appointing authority for Law enforcement officers. This power should be given to the Clerk.

#### Recommendation 8

The Committee recommends that the recruitment of law enforcement officers must maintain an ethnic balance from all provinces of the country.

#### Recommendation 9

The Committee recommends that the Bill be amended to not allow law enforcement officers to be paid a portion of the penalties received from their efforts. They must be paid as all other staff.

#### Recommendation 10

The Committee recommends that a clean police record is included as a requirement for applicants to become law enforcement officers

#### Recommendation 11

The Committee recommends that Divisions 4 and 5 to be removed. These are better left with existing institutions in our criminal justice system to deal with. It would not have any adverse effect on the City Council's efforts to achieve its objectives of enforcement.

a) Power to establish and manage a detention facility may be abused given the high standards of the United Nations Standard Minimum Rules for the Treatment of Prisoners (the Nelson Mandela Rules).

#### Recommendation 12

The Committee recommends that however, capacity building training for City Council law enforcement officers must begin in earnest.



#### Recommendation 13

The Committee recommends that the power to approve offences for prosecution be removed from the Clerk and given to the head of legal department of law or law enforcement department.

#### Recommendation 14

The Committee recommends that because of the number of amendments recommended to be made to this Bill, and the effect these would have on the structure of the Bill, the Committee further recommends that the Bill be withdrawn in its entirety, and resubmitted with these changes.

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END OF REPORT



## 7.0 APPENDICES

### Appendix 1: Witnesses

Date	Name	Position & Organisation
<b>Wed 12<sup>th</sup> July 2023</b> 09:53 am – 11:00 am	Mr. Jeffrey Sade Deve	Permanent Secretary – MHA
	Dr. Lalotoa Mulitalo	Legislative Drafting Adviser – LDD, AG's Chamber
	Ms. Ha'a . H,	Senior Legal, AGC -LDD
11:07 am – 12:33 am	Mr. Justus Denni	City Clerk - HCC
	Mr. George Bogese	HoD Waste Management - HCC
	Mr. Robert Madeo	HoD Law Enforcement – HCC
	Mr. William McNichol	Legal Officer – HCC
2:05 pm – 2:42 pm	Mrs. Juanita Matanga	Deputy Commissioner - RSIPF
	Mr. Chris Bwekulyi	Deputy Commissioner - CSSI
	Mrs. Catherine Kere	Correctional Officer - CSSI
	Mr. Robert Gada	Correctional Officer - CSSI
2:44 pm – 3:41 pm	Mr. Phillip Kanairara	Chairman – Law Reform Commission (LRC)
<b>Thurs 13<sup>th</sup> July 2023</b> 09:51am – 11: 43 am	Mr. Ricky Iomea	Deputy Chief Magistrate, Magistracy
	Mr. Augustine Aulanga	Principal Magistrate, Magistracy
11:46 am – 12:02 pm	Mr. Bernard Bataniasia	Chairman, GSIC
12: 10 am – 1:24 pm	Mrs. Rosemary Sahu,	Provincial Mothers Union President
	Mrs. Sandra T. Rollands,	Provincial Mothers Union Vice President
	Mrs. Gwen Koke,	DOCM Vice President
	Mrs. Minnie Kiriau	GFS Coordinator
	Mrs. Rose Kapini	Action & Outreach Officer
	Mrs. Maedy Harutaiasi	Literature Coordinator
	Mrs. Emily Pengalo	Adult Literacy Coordinator
	Mr. Jimmy Tavo	Taxi Fleet Manager, Kings Fleet
	Mr. Michael Dick	Taxi Manager, Professional Fleets
	Mr. Eddie Pitaboe	Driver, Kings & Professional Fleet
<b>Friday 14<sup>th</sup> July 2023</b> 09:35 am – 10:49 am	Hon. Francis Sade	Premier, Guadalcanal Province
	Hon. Rose Tala	Minister of Youth and Sports, Guadalcanal Province
	Hon. Danny Besaa	Minister, MPA, Guadalcanal Province
	Hon. Andrew Tahisihaka	Minister of Finance
	Mr. Maesac Suia	Provincial Secretary, Guadalcanal Province
<b>Saturday 15<sup>th</sup> July 2023</b>	Mr. Bernard Bataniasia	Chairman, GSIC
	Mr. Leonard Ofainu'u	DSPM Corporate

09:40 am – 11:07 am	Mr. George Bogese Mr. Cameron Ngatulu Mr. Abednigo Maeohu	Director Waste Management Manager, GSIC Deputy Director Waste Management
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## Appendix 2: Minutes of Proceedings



NATIONAL PARLIAMENT OF SOLOMON ISLANDS

BILLS AND LEGISLATION COMMITTEE

P.O. Box G19,  
Honiara.  
Tel: 28520/23424.  
Fax: 24272

### Minutes of Proceeding

Committee Hearing into the Honiara City (Amendment) (No.2) Bill 2023 (No.6 of 2023)

Day 1/2023

Wednesday 12<sup>th</sup> July 2023, CRIL, Parliament Building, 09:53 AM

#### 1. Members Present

Hon. John Maneniaru, MP- Chairman  
Hon. Matthew Wale, MP  
Hon. Rick Houenipwela, MP

#### 2. Apologies

Hon. John Dean Kuku, MP  
Hon. Peter Kenilorea Jnr, MP  
Hon. Derrick Manu'ari, MP  
Hon. Silas Vaqara Tausinga, MP  
Hon. Lilly Maefai, MP

#### 3. Secretary

Ms. Ivory Iruha'a

#### 4. Secretariat



Ms. Salome Pilumate, Committee Secretary  
Ms. Cordney Wale, Committee Secretary  
Mr. Wilson Orisi, Committee Secretary  
Mr. Whitmon Tabiru, Committee Secretary  
Ms. Sherilyn Ragoso, Hansard Reporter  
Mr. Richard. , Hansard Reporter  
Mrs. Hazel Fafale, Hansard Reporter  
Mr. Philemon Loe, Media Officer  
Mr. Pamentha Golo, IT Support Officer

**5. Prayer**

The MP for Small Malaita, Hon. Rick Houenipwela said the opening prayer

**6. Welcome/ Opening remarks**

The Chairman of the Bills and Legislation Committee (BLC) welcomed members of the committee, witnesses, committee secretariat and supporting staff. Then said his opening remarks. The Chairman informed witnesses of the Parliamentary privileges.

**7. Inquiry into the Honiara City (Amendment) (No.2) Bill 2023 (No.6 of 2023)**

The Hearing proper commenced and the following witnesses from the Ministry of Home Affairs and Attorney General's Chamber – Legal Drafter were admitted.

**Hearing 1 Witnesses**

- i. Mr. Jeffery Sade Deve, PS
- ii. Dr. Lalotoa Mulitalo, Legislative Drafting Adviser - LDD
- iii. Ms. Ha'a . H, Senior Legal, AGC -LDD

The witnesses made their presentations before the Committee.

The Committee questioned the witnesses based on evidences presented. Discussion ensued. Evidence concluded and witnesses withdrew.

*Hearings suspends at 11:00 am.*

The Hearing proper resumed at 11:07am and the following witnesses from the Honiara City Council were admitted:

### Hearing 2 Witnesses

- i. Mr. Justus Denni, City Clerk
- ii. Mr. George Bogese, HoD for Waste Management
- iii. Mr. Robert Madeo, HoD for Law Enforcement
- iv. Mr. William McNichol, Legal officer

The witnesses made their presentations before the Committee.

The Committee questioned the witnesses based on evidences presented. Discussion ensued. Evidence concluded and witnesses withdrew.

*Hearings suspends for lunch at 12:33 pm.*

The Hearing proper resumed at 2:05 pm and the following witnesses from the Ministry of Police, National Security and Correctional Services were admitted:

### Hearing 3 Witnesses

- i. Mrs. Juanita Matanga, Deputy Commissioner - RSIPF
- ii. Mr. Chris Bwekulyi, Deputy Commissioner – CSSI
- iii. Mrs. Catherine Kere, Correctional Officer
- iv. Mr. Robert Gada, Correctional Officer

The witnesses made their presentations before the Committee.

The Committee questioned the witnesses based on evidences presented. Discussion ensued. Evidence concluded and witnesses withdrew.

*Hearings suspends at 2:42 pm.*

The Hearing proper resumed at 2:44 pm and the following witnesses from the Law Reform Commission were admitted:

### Hearing 4 Witnesses

- i. Mr. Phillip Kanairara, Chairman

The witnesses made their presentations before the Committee.

The Committee questioned the witnesses based on evidences presented. Discussion ensued. Evidence concluded and witnesses withdrew.



## **8. Adjournment**

The hearing adjourned at 3:41 pm

## **Day 2/2023**

Thursday 13th July, CRII, Parliament Building, 09:51 AM

### **1. Members Present**

Hon. John Maneniaru, MP- Chairman  
Hon. Matthew Wale, MP  
Hon. John Dean Kuku, MP  
Hon. Rick Houenipwela, MP

### **2. Apologies**

Hon. Silas Vaqara Tausinga, MP  
Hon. Derrick Manu'ari, MP  
Hon. Peter Kenilorea Jnr, MP  
Hon. Rick Houenipwela, MP  
Hon. Lilly Maefai, MP

### **3. Secretary**

Ms. Ivory Iruha'a

### **4. Secretariat**

Ms. Salome Pilumate, Committee Secretary  
Ms. Cordney Wale, Committee Secretary  
Mr. Whitmon Tabiru, Committee Secretary  
Mr. Wilson Orisi, Committee Secretary  
Mr. Greg Kinimete, Hansard Officer  
Ms. Sherilyn Ragoso, Hansard Officer  
Mr. Pamentha Golo, ICT Officer

### **5. Prayer**

The Leader of Opposition, Hon. Matthew Wale said the opening prayer

## **6. Welcome/ Opening remarks**

The Chairman of the BLC welcomes members of the committee, witnesses, committee secretariat and supporting staff and then said his opening remarks. The Chair informs the witnesses of the Parliamentary privileges.

## **7. Inquiry into the Honiara City (Amendment) (No.2) Bill 2023 (No.6 of 2023)**

The Hearing proper commenced and the following witnesses from the Magistrate Court were admitted:

### Hearing 5 Witnesses

- i. Mr. Ricky Iomea, Deputy Chief Magistrate
- ii. Mr. Augustine Aulanga, Principal Magistrate

The witnesses made their opening presentation before the Committee.

The Committee questioned the witnesses based on evidences presented. Discussion ensued. Evidence concluded and witnesses withdrew.

*Hearing suspends at 11:43 am*

The Hearing proper resumed at 11:46 am and the following witnesses from the Government Services Committee (GSIC), OPMC were admitted:

### Hearing 6 Witnesses

- i. Mr. Bernard Bataniasia (*will appear in the next hearing*)

The witnesses made their presentations before the Committee.

The Committee questioned the witnesses based on evidences presented. Discussion ensued. Evidence concluded and witnesses withdrew.

*Hearings suspends at 12:02 pm.*

The Hearing proper resumed at 12:10 pm and the following witnesses from the Provincial Mothers Union and Transport Providers were admitted:

### Hearing 7 Witnesses

- i. Mrs. Rosemary Sahu, Provincial Mothers Union President



- ii. Mrs. Sandra T. Rollands, Provincial Mothers Union Vice President
- iii. Mrs. Gwen Koke, DOCM Vice President
- iv. Mrs. Minnie Kiriau, GFS Coordinator
- v. Mrs. Rose Kapini, Action & Outreach Officer
- vi. Mrs. Maedy Harutaiasi, Literature Coordinator
- vii. Mrs. Emily Pengalo, Adult Literacy Coordinator
- viii. Mr. Jimmy Tavo, Taxi Fleet Manager, Kings Fleet
- ix. Mr. Michael Dick, Taxi Manager, Professional Fleets
- x. Mr. Eddie Pitaboe, Driver, Kings & Professional Fleet

The witnesses made their presentations before the Committee.

The Committee questioned the witnesses based on evidences presented. Discussion ensued. Evidence concluded and witnesses withdrew.

## **8. Adjournment**

The hearing adjourned at 1:24 pm

### **Day 3/2023**

Friday 14<sup>th</sup> July 2023, CRII, Parliament Building, 09:35 AM

#### **1. Members Present**

Hon. John Maneniaru, MP- Chairman  
 Hon. Matthew Wale, MP  
 Hon. John Dean Kuku, MP  
 Hon. Rick Houenipwela, MP

#### **2. Apologies**

Hon. Rick Houenipwela, MP  
 Hon. Peter Kenilorea Jnr, MP  
 Hon. Derrick Manu'ari, MP  
 Hon. Silas Vaqara Tausinga, MP  
 Hon. Lilly Maefai, MP

#### **3. Secretary**

Ms. Ivory Iruha'a

#### **4. Secretariat**

Ms. Salome Pilumate, Committee Secretary  
Ms. Cordney Wale, Committee Secretary  
Mr. Wilson Orisi, Committee Secretary  
Ms. Monica Sekonga, Senior Admin Officer-Committees  
Ms. Theresa Nori, Hansard Officer  
Mr. Richard Ngatulu, Hansard Officer  
Mr. Pamentha Golo, IT Support Officer

#### **5. Prayer**

The Hon. Rose Tala, MPA said the opening prayer.

#### **6. Welcome/ Opening remarks**

The Chairman of the Bills and Legislation Committee (BLC) welcomed members of the committee, witnesses, committee secretariat and supporting staff. Then said his opening remarks. The Chairman informed witnesses of the Parliamentary privileges.

#### **7. Inquiry into the Honiara City (Amendment) (No.2) Bill 2023 (No.6 of 2023)**

The Hearing proper commenced and the following witnesses from the Guadalcanal Province were admitted.

#### **Hearing 8 Witnesses**

- i. Hon. Francis Sade, Premier, Guadalcanal Province
- ii. Hon. Rose Tala, Minister of Youth and Sports, Guadalcanal Province
- iii. Hon. Danny Besa, Minister, Guadalcanal Province
- iv. Hon. Andrew Tahisihaka, Minister of Finance
- v. Mr. Maesac Suia, Provincial Secretary, Guadalcanal Province

The witnesses made their presentations before the Committee.

The Committee questioned the witnesses based on evidences presented. Discussion ensued. Evidence concluded and witnesses withdrew.

#### **8. Adjournment**

The hearing adjourned at 10:49 am



**Day 4/2023**

Saturday 15<sup>th</sup> July 2023, CRII, Parliament Building, 09:40 AM

**1. Members Present**

Hon. John Maneniaru, MP- Chairman  
Hon. Matthew Wale, MP  
Hon. Rick Houenipwela, MP

**2. Apologies**

Hon. John Dean Kuku, MP  
Hon. Peter Kenilorea Jnr, MP  
Hon. Derrick Manu'ari, MP  
Hon. Silas Vaqara Tausinga, MP  
Hon. Lilly Maefai, MP

**3. Secretary**

Ms. Ivory Iruha'a

**4. Secretariat**

Ms. Salome Pilumate, Committee Secretary  
Ms. Cordney Wale, Committee Secretary  
Mr. Wilson Orisi, Committee Secretary  
Mr. Whitmon Tabiru, Committee Secretary  
Ms. Theresa Nori, Hansard Officer  
Mr. Boniface Supa, Director Information Services  
Mr. Sunjay Dhari, IT Support Officer

**5. Prayer**

The MP for Small Malaita, Hon. Rick Houenipwela said the opening prayer.

**6. Welcome/ Opening remarks**

The Chairman of the Bills and Legislation Committee (BLC) welcomed members of the committee, witnesses, committee secretariat and supporting staff. Then said his opening remarks. The Chairman informed witnesses of the Parliamentary privileges.

**7. Inquiry into the Honiara City (Amendment) (No.2) Bill 2023 (No.6 of 2023)**

The Hearing proper commenced and the following witnesses from the Government Services Integrated Committee (GSIC) were admitted.

**Hearing 9 Witnesses**

- i. Mr. Bernard Bataniasia, Chairman
- ii. Mr. Leonard Ofainu'u, DSPM Corporate
- iii. Mr. George Bogese, Director Waste Management
- iv. Mr. Cameron Ngatulu, Manager, GSIC
- v. Mr. Abednigo Maeohu, Deputy Director Waste Management

The witnesses made their presentations before the Committee.

The Committee questioned the witnesses based on evidences presented. Discussion ensued. Evidence concluded and witnesses withdrew.

**8. Adjournment**

The hearing adjourned at 11:07 am



## Appendix 3: Submissions

No	Author
1.	Andrew Radclyffe - Submissions on the Honiara City (Amendment) (No 2) Bill 2023
2.	TSI - Submission to the Parliamentary Bills and Legislation Committee on the Honiara City (Amendment) (No.2) Bill 2023
3.	CSSI – The Honiara City (Amendment) (No.2) Bill 2023
4.	MHA – Safe and Green Games Strategic Framework for Pacific Games 2023, 22 November 2022
5.	MHA – Summary Report on Ministry of Home Affairs consultation with stakeholders on the Honiara City (Amendment) (No.2) Bill 2023
6.	HCC – Submission to the Honiara City (Amendment) (No.2) Bill 2023
7.	LRC – The LRC views on the Honiara City (Amendment) (No.2) Bill 2023
8.	TSI - Part 2.2 of TSI Submission on the Honiara City (Amendment) (No. 2) Bill 2023.
9.	PMU – Submission to Bills and Legislation Committee points to justify Honiara City (Amendment) (No.2) Bill 2023
10.	CSSI – Additional submission on the Honiara City (Amendment) (No.2) Bill 2023
11.	Magistrate - Magistracy submission before the Bills and Legislation Committee on the Honiara City (Amendment) (No.2) Bill 2023.
12.	RSIPF - Comments on the Honiara City (Amendment) (No.2) Bill 2023
13.	GSIC – Safe and Green Games Strategic Framework Plan update report (Cross reference document)
14.	GPG – GPG written submission on Honiara City (Amendment) (No.2) Bill 2023
15.	Taxi Associations – Submission on the Honiara City (Amendment) (No.2) Bill 2023

