



**NATIONAL PARLIAMENT OF SOLOMON  
ISLANDS**

**BILLS AND LEGISLATION COMMITTEE**

**COMMITTEE REPORT**

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**Report on the Education Bill 2023 (No. 7 of 2023)**



**NP-Paper No.30 of 2023**

**Presented on 2 October 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

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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 **Education Bill 2023** (No. 7 of 2023) for laying before Parliament.

A handwritten signature in black ink, which appears to read 'John Maneniaru'. The signature is written over a horizontal line.

Hon. John Maneniaru, MP

Chairman

Bills and Legislation Committee

2<sup>nd</sup> October 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

The Committee conducted an inquiry into the **Education Bill 2023 (No. 7 of 2023)** as mandated under Standing Order 71 (g) of the Parliamentary Standing Orders. During the inquiry, the Committee conducted hearings in Honiara on Thursday 31<sup>st</sup> August, Tuesday 2<sup>nd</sup> September to Thursday 7<sup>th</sup> September, and Monday 11<sup>th</sup> September to Thursday 14<sup>th</sup> September 2023.

The Committee is grateful to the Ministry of Education for funding the provincial Education Authority representatives to appear before it.

The Education Bill 2023 proposes a new comprehensive education legislative framework to achieve reform of the education sector and make improvements in early childhood, primary and secondary education.

The Bill's object is to develop a strong and accountable education system for the benefit of the children of Solomon Islands. To achieve its objective, the Bill:

- establishes common goals and guiding principles for those who share responsibility for early childhood, primary and secondary education;
- establishes the Solomon Islands Education Board (to replace the National Education Board) to provide advice at the national level;
- requires Provincial Education Boards to provide advice and coordination at the provincial level;
- provides for the Permanent Secretary to issue Administrative Instructions relating to early childhood, primary or secondary education;
- clarifies responsibilities for the operation of schools and ECE centers, including for the employment and management of teachers and leaders;
- require school boards to be established for schools;
- outlines the responsibilities of principals and supervisors;
- provides for the registration of teachers, education providers, schools and ECE centers;
- introduces compulsory education and provides for certain standards to be met in the provision for early childhood, primary and secondary education;
- confers powers on the Permanent Secretary to facilitate the administration of the Act;
- provides a mechanism for review of certain decisions of an education provider or the Permanent Secretary;

- provides for the following range of subordinate instruments to cover the detail and allow for flexibility:
  - Regulations made by the Minister
  - An Education Funding Code (for financial controls) issued by the Minister
  - Learning frameworks and a scheme of secondary education certificates approved by the Minister
  - Administrative Instructions issued by the Permanent Secretary.
- Provides for an integrated system for the making of employment and registration decisions overseen by the Teaching Service Commission, ensuring that education providers, the Permanent Secretary and Commission all have the powers they need to perform their respective functions under the Bill effectively.

In its scrutiny of the Bill, the Committee noted a number of issues that are discussed in detail in this report. Members would be well served by reading the report in its entirety.

The Committee welcomes the reform proposals contained in this Bill and commends the Education Bill 2023 to the House.

The Committee makes fifty three (53) recommendations as follows;

#### **Recommendation 1**

The Committee recommends that the Ministry of Education explore the establishment of a Teacher Training College to be managed by churches and fully funded by the government.

#### **Recommendation 2**

The Committee recommends that the Bill be amended to impose an obligation on the School, Education Provider and ministry to ensure that the right of a child is upheld, including by ensuring school fees are not an excuse for absence from classroom.

#### **Recommendation 3**

The Committee recommends that the ministry, in collaboration with SINU, increase its investments and efforts in developing school leadership targeted at senior teachers, based on best international practice.

#### **Recommendation 4**

The Committee recommends that the ministry create standardised weekly reporting mechanism to be used in all schools to monitor teacher attendance/absenteeism by school management and Education Providers. And that repeat absentee teachers are disciplined at the earliest opportunity to arrest the problem. That these are clearly spelt out in the Administrative Instructions.



#### Recommendation 5

The Committee recommends that the ministry invite bids from outside/regional service providers to compete with SINU for the provision of Professional Development programmes for teachers.

#### Recommendation 6

The Committee recommends that the ministry clarify the end age for compulsory education to assist all stakeholders in rights and obligations imposed on them.

#### Recommendation 7

The Committee recommends that the government consider making basic education free from year 1 to 12. That such a policy should not preclude parent/community contributions to the running of schools. But that it would remove any impediments to a child's school attendance.

#### Recommendation 8

The Committee recommends that the ministry carry out a study on student discipline in schools to better understand what strategies work best at mitigating such problems. That a minimum set of rules should be imposed by the ministry that is applicable to all schools. Education Providers may impose further rules as they deem fit.

#### Recommendation 9

The Committee recommends that the register of teachers is updated in real time as decisions are taken on a case by case basis on the registration or removal of teachers, as the case may be.

#### Recommendation 10

The Committee recommends that the registration process for teachers be made efficient and statutory time limits are placed to require decisions to be made within a reasonable time.

#### Recommendation 11

The Committee recommends that the Bill be amended to give governance powers and functions to the Solomon Islands Education Board in the registration and removal of registration of Education Providers, Schools, and teachers.



#### Recommendation 12

The Committee recommends that government increase teacher remuneration and benefits to match those of public servants.

#### Recommendation 13

The Committee recommends that the Bill be amended to allow home schooling to continue and to provide mechanisms for its regulation. This is a serious gap in the Bill.

#### Recommendation 14

The Committee recommends that the Bill be amended to create Boards for non-state Education Providers to exercise governance oversight.

#### Recommendation 15

The Committee recommends that the ministry, in collaboration with the ministry of reconciliation and SICA, carry out a study to provide guidance to Education Providers and schools as to how national identity and unity are to be taught and promoted.

#### Recommendation 16

The Committee recommends that the Bill be amended to replace 'Education Provider' with Education Authority' wherever it appears.

#### Recommendation 17

The Committee recommends that Christian instruction be made a core subject in the Solomon Islands curriculum up to year 12, with exemptions for non-Christians.

#### Recommendation 18

The Committee recommends that care be taken in granting Education Provider registration to protect Christian character of our nation

#### Recommendation 19

The Committee recommends that the ministry take a pragmatic approach to ensure that teaching positions are filled, rather than vacancies are imposed by the enforcement of the relevant provision of the Bill.

#### Recommendation 20

The Committee recommends that the definition of 'language of instruction' be amended to become "the oral language used by the teacher in teaching and the written learning materials presented to the students in the classroom. Language of Instruction does not include the oral or written language used by students".<sup>1</sup>

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<sup>1</sup> Part 1, Clause 3– Interpretation: "Provincial Education Minister"



#### Recommendation 21

The Committee recommends that the definition of "school" in Part 1 clause 3 have an additional clause to reinforce this, something like: Part 1 clause 3 "(c) For the purposes of the Act, "school" does not include facilities used to provide non-formal remedial education to school aged students who are either under-achieving or under-served by the formal system, as long as the education program does not represent itself as providing the equivalent of primary or secondary education".<sup>2</sup>

#### Recommendation 22

The Committee recommends that clause 10 sub clause 2 (b) be amended by omitting the word "absolute" and replace with "with or without".<sup>3</sup>

#### Recommendation 23

The Committee recommends that the limit of 6 years be replaced with no restriction on the number of years a person serve on the SI Education Board.<sup>4</sup>

#### Recommendation 24

The Committee recommends that all declarations of interests for the Solomon Islands Education Board, Provincial Education Boards, & Education Provider Boards be published online, for maximum transparency.<sup>5</sup>

#### Recommendation 25

The Committee recommends that the Bill be amended to ensure that the ministry include Board allowances in its grant scheme to Provincial Education Boards, Education Provider Boards, & School Boards, otherwise they will be ineffective.<sup>6</sup>

#### Recommendation 26

The Committee recommends that the Bill be amended to remove an "individual" as eligible to being an Education Provider.<sup>7</sup>

#### Recommendation 27

The Committee recommends that the ministry proceed immediately to establish an Independent Board to exercise governance over the two government schools KGV I & Waimapuru.<sup>8</sup>

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<sup>2</sup> Rec 21, Clause 3 (c)–Interpretation: "School"

<sup>3</sup> Rec 22, Clause 10 (2) (b)

<sup>4</sup> Rec 23, Clause 12 (2) (b)

<sup>5</sup> Rec 24, Clause 14 (4)

<sup>6</sup> Rec 25, Clause 30

<sup>7</sup> Rec 26, Clause 25 (1) (a) (b) (c)

<sup>8</sup> Rec 27, Clause 25 (2) (a) (i)



#### Recommendation 28

The Committee notes the lack of resources with Education Providers, and therefore urges the ministry to meet all costs required to ensure teacher welfare & professional development, rather than leaving it to Education Providers.<sup>9</sup>

#### Recommendation 29

The Committee recommends that Regulations/Administrative Instructions clarify the distinction between a Head of School and a Principal of a school in relation to their powers and functions in school management.<sup>10</sup>

#### Recommendation 30

The Committee recommends that the Bill be amended to reduce the penalty in 34(2) (b) to 5,000 penalty units and maximum imprisonment term of 6 months. Further that exemption is made for the unavoidable situation where a vacancy could not be filled for an extended period of time.<sup>11</sup>

#### Recommendation 31

The Committee recommends that a review be carried out to determine changes to the powers and functions of the Teaching Service commission and the proposed Solomon Islands Education Board, with a view to giving greater governance powers to the Solomon Islands Education Board in the matter of registration of Education Providers, Schools, & teachers.<sup>12</sup>

#### Recommendation 32

The Committee recommends that documents required by Regulations under Clause 37(d) include Police clearance and character references pertaining to the moral good standing of the applicant.<sup>13</sup>

#### Recommendation 33

The Committee recommends that penalty in Clause 41(5) (b) be reduced to a maximum of 10,000.<sup>14</sup>

#### Recommendation 34

The Committee recommends that Clause 42(2) be deleted.<sup>15</sup>

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<sup>9</sup> Rec 28, Clause 26 (c) (d) (h)

<sup>10</sup> Rec 29, Clause 33

<sup>11</sup> Rec 30, Clause 34

<sup>12</sup> Rec 31, Clause 35

<sup>13</sup> Rec 32, Clause 37

<sup>14</sup> Rec 33, Clause 41 (1) (c)

<sup>15</sup> Rec 34, Clause 42



#### Recommendation 35

The Committee recommends that the Bill provide for clear guidelines for the liquidation process and not only in regulation to safe guard provision of education services and ensure that there is no conflict on school assets.<sup>16</sup>

#### Recommendation 36

The Committee recommends that the ministry, in close collaboration with the ministry of Lands, devise a strategy to acquire all land occupied by schools throughout the country, over an extended period of time. And that for new applications for registration of schools, a condition is imposed to require all contesting landholding groups with claims over land that the school is situated in to sign a prescribed form confirming their consent.<sup>17</sup>

#### Recommendation 37

The Committee recommends that Clause 55(3)(b) be amended to give the Permanent Secretary discretion to decide applications for registration of schools or ECE centres, and that such a decision may then be appealed to the Minister. The current wording of Clause 55(3) (b) allows the Minister to interfere with the PS's decision making and leaves no room for appeal or review.<sup>18</sup>

#### Recommendation 38

The Committee recommends that in the face of our population growth, coupled with the government's general lack of resources, the implementation of Clause 56(2)(b) must be with a duty of care so as not to impede the expansion in the number of classroom spaces.<sup>19</sup>

#### Recommendation 39

The Committee recommends that it should be permissible under Clause 57(1) (d) to register a combined school with campuses at different places, and the Committee urges the ministry to allow this.<sup>20</sup>

#### Recommendation 40

The Committee recommends that Regulations prescribe that schools in villages continue to operate during deaths, funerals, and other cultural events, to minimize unnecessary closure of schools and loss of schooling time.<sup>21</sup>

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<sup>16</sup> Rec 35, Clauses 49, 50, 51

<sup>17</sup> Rec 36, Clause 49, 50, 51

<sup>18</sup> Rec 37, Clause 55

<sup>19</sup> Rec 38, Clause 56

<sup>20</sup> Rec 39, Clause 57

<sup>21</sup> Rec 40, Clause 60 (1) (a) (b)



#### Recommendation 41

The Committee recommends that Regulations provide guidance to school leaders on grounds for temporary closure of schools.<sup>22</sup>

#### Recommendation 42

The Committee recommends that the ministry issue guidelines, in the Administrative Instructions, for the means-testing of parents/students for support.<sup>23</sup>

#### Recommendation 43

The Committee recommends that proper policy is crafted to cater for the need to fast track gifted students through the education system without regard to their age.<sup>24</sup>

#### Recommendation 44

The Committee recommends that Clause 65 sub clause 2 be amended to remove the word "must endeavor", and "Standard English will be the only language of instruction from the start of secondary education onward, except in non-English language subjects" be added at the end of the Clause.<sup>25</sup>

#### Recommendation 45

The Committee recommends that the government to work closely with the Ministry of Education and Human Resources Development to provide funds for water and sanitation for all schools in the country.<sup>26</sup>

#### Recommendation 46

The Committee recommends that Clause 68(1) be amended to remove the requirement to share school facilities as a condition for registration of an Education Provider or school.<sup>27</sup>

#### Recommendation 47

The Committee recommends that a standard form be prescribed in the Regulations to obtain the consent of a landowner to a school being erected on his/her land, stipulating her rights and obligations.<sup>28</sup>

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<sup>22</sup> Rec 41, Clause 60 (1) (a) (b)

<sup>23</sup> Rec 42, Clause 61 (2) (3) (b)

<sup>24</sup> Rec 43, Clause 63 (1)

<sup>25</sup> Rec 44, Clause 65 (2)

<sup>26</sup> Rec 45, Clause 67 (1) (b)

<sup>27</sup> Rec 46, Clause 68 (1)

<sup>28</sup> Rec 47, Clause 69, (2) (4)



#### Recommendation 48

The Committee recommends that Regulations prescribe statutory time limits for the appointment of a teacher, specifying the number of days relevant documentation is to be processed at the Education Provider level and the number of days at the Ministry of Education, and those at the Teaching Service Commission. This will eliminate inefficiency and remove corrupt practice that drives delays in teacher appointments.<sup>29</sup>

#### Recommendation 49

The Committee recommends that Regulations prescribe a mechanism for regular dialogue between SINTA and the Ministry on teacher welfare and remuneration issues, covering repatriation, inspection, supernumerary, welfare such as health, housing, insurance, transport, etc.<sup>30</sup>

#### Recommendation 50

The Committee recommends that all teachers, other than school leaders, be in line with the appointments as in the Public Service.<sup>31</sup>

#### Recommendation 51

The Committee recommends that Clause 78 be amended to state that this provision is subject to the relevant labour law governing rights of workers to collective industrial action.<sup>32</sup>

#### Recommendation 52

The Committee recommends that Regulations prescribe a mechanism for the transfer to another Education Provider of schools under an Education Provider that has been deregistered.<sup>33</sup>

#### Recommendation 53

The Committee recommends that the Bill be amended in Clause 107 by replacing '1,000' with '10,000' Penalty Units to reflect the gravity of the offence of false representation.<sup>34</sup>

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<sup>29</sup> Rec 48, Clause 70 (2)

<sup>30</sup> Rec 49, Clause 72 (1) (d)

<sup>31</sup> Rec 50, Clause 73 (1)

<sup>32</sup> Rec 51, Clause 78

<sup>33</sup> Rec 52, Clause 102

<sup>34</sup> Rec 53, Clause 107

## CONTENTS

COMMITTEE MEMBERS.....	2
CHAIR'S FOREWORD .....	3
COMMITTEE FUNCTIONS.....	4
EXECUTIVE SUMMARY .....	5
1.0 INTRODUCTION.....	15
2.0 BACKGROUND .....	16
3.0 GENERAL ISSUES .....	18
4.0 CONTENT ISSUES .....	31
5.0 APPENDICES .....	72



## 1.0 INTRODUCTION

1. As required under the Standing Orders of the National Parliament of Solomon Islands ('the Standing Orders'), the Bills and Legislation Committee ('the Committee') conducted an inquiry into the **Education Bill 2023** ('the Bill'). This Report presents the findings of that inquiry and the recommendations by the Committee.
2. The hearings on the Bill were only held at the National Parliament of Solomon Islands, Conference Room II, Honiara on Thursday 31<sup>st</sup> August, Tuesday 2<sup>nd</sup> September to Thursday 7<sup>th</sup> September, and Monday 11<sup>th</sup> September to Thursday 14<sup>th</sup> September 2023.
3. Relevant stakeholders<sup>35</sup> including the sponsoring ministry were invited by the Committee to the hearings in Honiara. They presented their opinions and make submissions on the contents, policy matters and intentions of the Bill. The List of witnesses who appeared before the Committee, the minutes of the proceedings, and list of submissions received are contained in Appendix 1, 2 & 3.
4. Other relevant stakeholders that were on schedule to appear before the Committee but did not manage, submitted their inputs by way of Written Submissions.

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<sup>35</sup> See Appendix 1,2 & 3



## 2.0 BACKGROUND

- 2.1 Education system in the Solomon Islands was formally introduced by the early Missions and the Protectorate prior to 1978 Independence.<sup>36</sup> The formal education was formally recognised in 1978 by the Education Act (Cap 69).
- 2.2 Modern Education was first introduced by Christian missions in the mid-1860s, this is when thousands of Solomon Islanders were taken overseas and trained to read and write. Secondly, the introduction of education followed after the establishment of mission's stations or villages.<sup>37</sup> Those in the villages were taught the skills of reading, writing and arithmetic in the mission schools. Some of these schools continued until the Solomon Islands become protectorate.<sup>38</sup>
- 2.3 The Protectorate education system was the basis for the implementation of the new education system ("education system") adopted in the Solomon Islands since 1978. This education system was first introduced by some education elites during the pre-independence period. These elites have developed a policy that provided direction and set the stage for the drafting of a new Education Act (Cap 69) that came into effect during the country's independence.<sup>39</sup> However, the issues that prompted the Education Act (Cap 69) were limited, limiting the scope of the Act. The existing Education Act (Cap 69) create the structure and legal foundation for education in the Solomon Islands more than 30 years ago.
- 2.4 It has been determined that the Education Act (Cap 69) needs to be reviewed in order to consider both the present-day demands and long-term goals of the Solomon Islands' population as education in the country advances in the twenty-first century.<sup>40</sup>
- 2.5 Since 2015, the Ministry have undertaken an on-going consultations extensively, as well as producing numerous drafts and feedback on the draft reports.
- 2.6 There are significant fundamental reasons prompting the need to pursue a new Education Bill.<sup>41</sup> The Education Act was deemed to be outdated and too narrow in scope and lacked clear and robust systems that need to be in place for good management.<sup>42</sup> The need for the new Education Bill is to address weaknesses in the current legislative framework (Education Act

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<sup>36</sup> Final Education Act Review Report 2013, Submission #1

<sup>37</sup> Ibid

<sup>38</sup> Ibid

<sup>39</sup> Education White paper, May 2015, MEHRD, Submission #2

<sup>40</sup> Ibid

<sup>41</sup> Ibid

<sup>42</sup> Ibid



1978), including lack of certainty and detail applicable to a modern education sector.<sup>43</sup> The new Bill will also create an environment that will facilitate improvements in the following areas: access and inclusion for students; funding and administration of the education sector; coordination of education between provinces; contributions from education providers; operations of schools and early childhood centres.

- 2.7 A review committee made up of reputable Solomon Islanders with vast expertise was established to oversee the process, and both financial and human resources were made available to support the Review committee. Hon. Dick Ha'amori, a former minister, officially initiated the review on July 11, 2013. By December 2013, the task force's report had been completed. This report served as the foundation for the draft that the ministry had at the time and served as the basis for the white paper that was introduced in Parliament on August 28th, 2015.<sup>44</sup>

### **Consultations on the Bill**

- 2.8 The consultations on the Bill were done in two parts. The first part was the review of the Education Act 1978 (Cap 69). A review team was appointed and engaged, and conducted numerous face to face consultation. A range of stakeholders, both in Honiara and selected provinces were consulted including Provincial Secretaries of Temotu Province, Isabel Province, Makira Province, Malaita Province, Honiara City Council, Chief Education Officers, Provincial Education Offices within Temotu, Isabel, Makira, Malaita, Honiara City Council and Guadalcanal; Education Directors of Private Education Authorities, School Principals, Deputy Principals/Head Teachers, Senior Teachers and Class Teachers; Solomon Islands National Teacher's Association, Government ministries and agencies; Head of Departments of Ministry of Education; and, Parents and students throughout the provinces consulted.
- 2.9 The second part of the review involves the Draft Education Bill. Each key draft produced and copies were given to the relevant stakeholder during the consultations whereby feedback was obtained to inform further drafting of the Bill.
- 2.10 The Bills and the Legislation Committee have conducted its hearing on this Bill at the National Parliament of Solomon Islands. See Appendix 1 for the witnesses and stakeholders enquired.

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<sup>43</sup> Final Education Act Review Report 2013, Submission #1

<sup>44</sup> Ibid



### **3.0 GENERAL ISSUES**

#### **Core Business of government**

- 3.1 The Committee raised the need to be clear on what the core business of government in the education sector is. This would also clarify what should the government not do and leave the rest of the society to do, whether it is private, non-state sector and so forth. The core business of the government in terms of education sector could be the need for planning, legislative framework, standards, certification, discipline, and social protection in all of these systems. Furthermore the need for inspections to make sure that the system is working and those animating it are compliant or meet those standards. Whilst looking at these responsibilities, the question naturally arises as to which of the above could be farmed out to non-state actors so that government, given its resource constraints, can focus on the strategic and core responsibilities that cannot be outsourced.

#### **Decentralization/Federal System**

- 3.2 The Committee noted that the state federal system consultation has now come to its conclusion. The core of that reform is for decentralization of governance and decision making. The Committee noted that the governance structure and hierarchy in the Bill is the cabinet, the Minister, the Permanent Secretary, the Solomon Islands Education Board, and the Provincial Education Board. Looking at all of these, the Committee raised concerns regarding the ministry's position on the decentralization of the governance administration aspect of the whole education system since it seemed that the current legal framework does not capture that. The Committee is of the view that the issue of decentralization and federal governing system was not considered during the consultation process and so the provisions in the Bill and the policy choices that have been made reflect this. This also means that future amendments are also anticipated should the federal system of governance be adopted.
- 3.3 The Ministry<sup>45</sup> informed the Committee that amendments will come later once the federal system of government is adopted. The legal framework as it is now will set the pace in developing the amendments in the near future once the federal system of governance comes into place.

#### **Student learning environment**

- 3.4 The Committee stated that the success of the education system comes down to two persons only and that is the teacher that stands in front of the classroom and the student that sits and learns. The Committee also stated that creating a space and the environment that both are eager to come to everyday to learn and interact is something that the child will really benefit from. Furthermore, the Committee raised that creating a good learning environment and resourcing

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<sup>45</sup> Dr Franco Rodie, Permanent Secretary, MEHRD



is very important to ensure that the teaching and learning experience for the teacher and student is great.

- 3.5 The Committee is also of the view that teachers welfare is a critical motivation for good performance in classroom, coupled with the adequate teaching resources would provide the learning environment for success in the education system.
- 3.6 In light of the issues raised, the Committee is of the view that this is something that is lacking in our education system and want to know how the ministry or the relevant bodies make sure that this leaning environment is enjoyable and both the teacher and student are eager to come to the class the next day. What is the systematic setup that gives a teacher and student that opportunity? This is the core business of the government.
- 3.7 The Ministry<sup>46</sup> acknowledged the concerns raised and agreed that student learning environment is critically important. The second goal of the education reform focuses on access to quality education. Some of the projects that have been undertaken are the curriculum project and teacher professional development project which is made available to teachers to support them in addressing the issues raised and this project will be rolled out over the next 10 to 15 years. The other important aspect of the equation is the trainings offered at the Solomon Islands National University for teachers will be reviewed to align with the reforms the ministry is implementing to address the issue of quality education and good learning environment.

### **Teacher training**

- 3.8 The Committee was concerned that the content, pedagogy and values taught at SINU School of Education may not meet the needs of modern Solomon Islands society. This was a question put to both the Ministry of Education and SINU. Both agreed that significant gaps remain. SINU Vice Chancellor even went further to suggest that perhaps teacher training be taken over by another institution run by the churches. The Committee sees this as an important policy option to consider.

### **Recommendation 1**

**The Committee recommends that the Ministry of Education explore the establishment of a Teacher Training College to be managed by churches and fully funded by the government.**

### **Compulsory education**

- 3.9 The Committee noted that one of the important issues raised in the Bill is the right of children aged 6 years and older to be in school. It is an offence when that right is infringed, and the coressponding penalty is imposed on the parent. However, given the economic circumstances

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<sup>46</sup> Dr Franco Rodie, Permanent Secretary, MEHRD



in Solomon Islands, the Committee is very concerned about the capacity of parents to meet school fees and other education related costs for their children. It seems the Bill imposes the requirement on the parent but does not impose a corresponding obligation on the government and other key stakeholders to ensure the child's right to education is upheld.

- 3.10 The Committee also noted that making education compulsory creates a right to education and those rights come with liabilities on education providers. Hence, education providers must ensure that space and resources are made available to the student so that the experience is enjoyable and true learning is happening in it, and it is resourced, so that the child could fulfill his learning potential.
- 3.11 Furthermore, the Committee noted that penalties will be imposed on the parents who do not send their children to school
- 3.12 The Ministry<sup>47</sup> informed the Committee that the policy that they came up with in terms of compulsory education is to ensure that the state take responsibility of every individual in terms of the education that they should receive. The ministry is also aware of the struggles faced by parents due to different socio-economic factors and they are looking into ways under the ministry's function to step in in terms of grants and what is available to them.
- 3.13 In his written submission<sup>48</sup> to the Committee, Timothy Matzke, a witness, holds the same view as the Committee whereby he states that compulsory education is a positive step forward in this nation, bringing our legislation in line with best practices around the world. In our context, particularly at this time, it also creates additional complications which must be noted. While compulsory enrolment and attendance are positive steps forward in SI education, the government must recognize that until education is completely free, there will be a certain percentage of parents who will decline to enroll their children with the stated reason that they do not have the money for school fees. This will continue to be the reality, even after the passage of this Bill.

#### **Recommendation 2**

**The Committee recommends that the Bill be amended to impose an obligation on the School, Education Provider and ministry to ensure that the right of a child is upheld, including by ensuring school fees are not an excuse for absence from classroom.**

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<sup>47</sup> Dr Franco Rodie, Permanent Secretary, MEHRD, oral evidence

<sup>48</sup> Timothy Matzke, Solomon Islands Translation Advisory Group, written submission, 1 September 2023



### **Good leadership**

- 3.14 The Committee noted that the top performing schools stand out because of good leadership. The schools with the best leaders functioned very well. Their governance is good, and classroom performance is really high.

#### **Recommendation 3**

The Committee recommends that the ministry, in collaboration with SINU, increase its investments and efforts in developing school leadership targeted at senior teachers, based on best international practice.

### **Teacher absenteeism**

- 3.15 The Committee also raised concerns regarding the ongoing issue of teacher absenteeism and how it should be addressed. The Committee is concerned that the distance between the Teaching Service Commission (TSC) and the teacher who is teaching in the classroom is too far, too long, and too grey. The Committee is of the view that there needs to be some close relationship between TSC and the teachers in the sense that there must be some repercussions on teachers from being absent. The TSC or the relevant bodies need to improve in how they are dealing with teacher absenteeism. There are teachers that are never in the classroom for an adequate length of time and suffer no consequences and it degrades the overall system.
- 3.16 The Ministry<sup>49</sup> informed the Committee that teacher absenteeism is a chronic issue in the country. It is an issue that has been flagged out in the policy and definitely in this new Bill. The Bill has provided for education providers and schools to deal with this issue at the school level and reprimand teachers who intentionally absent from classes without good reasons. Mechanisms for a fair justice system which allows for investigation and with the results, a final decision will be channeled through the teaching service commission as this is the practice now. However, with the new proposal in the Bill, some powers are given to the education providers and the school principals so that they can act immediately in such circumstances.

#### **Recommendation 4**

The Committee recommends that the ministry create a standardised weekly reporting mechanism to be used in all schools to monitor teacher attendance/absenteeism by school management and Education Providers. And that repeat absentee teachers are disciplined at the earliest opportunity to arrest the problem. That these are clearly spelt out in the Administrative Instructions.

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<sup>49</sup> Dr Franco Rodie, Permanent Secretary, MEHRD



### **Teacher professional development project**

- 3.17 The Committee enquired into continuing teacher professional development.
- 3.18 The Ministry<sup>50</sup> informed the Committee that the ministry developed a professional development framework and plan and it is outsourced to Solomon Islands National University School of education.
- 3.19 The Committee pointed out that having the ministry facilitate the trainings is worrying since they do not have the capacity to deliver it.
- 3.20 The Ministry<sup>51</sup> informed the Committee that the professional development is not a core function of the ministry but rather designed the Professional Development framework and outsourced it to professional organization such as the Solomon Islands National University.

#### **Recommendation 5**

The Committee recommends that the ministry invite bids from outside/regional service providers to compete with SINU for the provision of Professional Development programmes for teachers.

### **End age for compulsory education**

- 3.21 The Committee was interested to know whether the ministry in its policy formation has considered the end age for compulsory education. The Committee also asked the ministry to provide the data on over age students.
- 3.22 The Ministry<sup>52</sup> informed the Committee that that has not been considered although it is an important issue and so that will be factored in the regulations.

#### **Recommendation 6**

The Committee recommends that the ministry clarify the end age for compulsory education to assist all stakeholders in rights and obligations imposed on them.

### **Free Education**

- 3.23 The Committee appreciates the policy direction on the compulsory education, however stated that certain levels of the education should be free. Having a free education that is fully funded by government should be considered.

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<sup>50</sup> Dr Franco Rodie, Permanent Secretary, MEHRD

<sup>51</sup> Ibid

<sup>52</sup> Ibid



- 3.24 The Ministry<sup>53</sup> informed the Committee that the ministry has the basic school fee policy or fee-free basic education policy. Some studies need to be done on government funding for the basic education level, the costs that the government will foot. Studies have shown that other pacific countries like Fiji have shouldered all costs for year 7 to year 13 and for Samoa, its free education up to year 9 although it is not totally free since maintenance fees are paid by the parents.
- 3.25 The Committee recommends that this is the direction the ministry should look at and follow.

#### **Recommendation 7**

The Committee recommends that the government consider making basic education free from year 1 to 12. That such a policy should preclude parent/community contributions to the running of schools. But that it would remove any impediments to a child's school attendance.

#### **Offences and Penalties**

- 3.26 The Committee noted that there are offences and penalties outlined in the Bill for lack of compliance with the compulsory school age. The Committee is very concerned that it is good to impose duty on the parent, but there must be some duty on the government, the education authorities, and the school. The duty must balance the two sides so that the child must reach the school. The duty should not only be put on the parent. In the village context, some parents are not bothered to send their kids to school especially girls. Hence, the schools ought to have duty of care in that catchment or maybe the chiefs should take leadership in persuading the parents to send their kids to school. This area needs to be proactive and empowering the chiefs is one way that this issue can be addressed.

#### **School discipline**

- 3.27 The Committee is very concerned with the student discipline in schools. It is very obvious that discipline is lacking in many schools in the country. A good example is chewing of betel nut and smoking by students. These practices should not be allowed in schools and any student who is in breach of school rules should be disciplined.

#### **Recommendation 8**

The Committee recommends that the ministry carry out a study on student discipline in schools to better understand what strategies work best at mitigating such problems. That a minimum set of rules should be imposed by the ministry that is applicable to all schools. Education Providers may impose further rules as they deem fit.

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<sup>53</sup> Dr Franco Rodie, Permanent Secretary, MEHRD



## Registration

- 3.28 The Committee enquired into the registration of teachers and if this is the current practice, and noted that there are registers of teachers, schools, ECE centers and of education providers.
- 3.29 The Ministry<sup>54</sup> informed the Committee that the last registration of teachers was carried in 2019. The ministry further stated that they are currently working on it and hopeful to compile all register of teachers in the country very soon.
- 3.30 The Committee is concerned that the register of teachers is so out date.

## Recommendation 9

The Committee recommends that the register of teachers is updated in real time as decisions are taken on a case by case basis on the registration or removal of teachers, as the case may be.

- 3.31 Mr. Jackson Meke<sup>55</sup> also suggested that the sole responsibility to register school not be given to only one person because by doing so this leaves room for abuse of power to take place.
- 3.32 King George Sixth School Principal<sup>56</sup> also stated that *"the problem that we have is that we do not have a pool of teachers to support the issue of the shortage of teachers in the country. Currently, those teachers that used to fill those vacant posts are not fully qualified and once this bill is passed they will no longer be eligible to be registered and teach"*.
- 3.33 St. John School Principal stated that *"getting a teacher registered is a major problem in the Solomon Islands teaching profession. We have instances where teachers become frustrated about the teacher registration process. The process involves a teacher's provisional registration passing through three different bodies. And if the teacher is lucky enough to have his or her provisional registration completed and submitted, the time it takes for the teaching service division to process the provisional registration also takes a very long time"*<sup>57</sup>.
- 3.34 She further stated that under the current legislative framework, there are no guidelines to determine the knowledge and qualities of a prospective teacher. The only requirement is for a prospective teacher to attend a teacher's college and complete the required course. There are also no age restrictions for prospective teachers meaning, any person regardless of age can undergo teacher training and become a teacher regardless of age or past professional experiences<sup>58</sup>. In the region you must follow a specific, 'teacher pathway' to be a school

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<sup>54</sup> Dr Franco Rodie, Permanent Secretary, MEHRD

<sup>55</sup> Education secretary, Catholic Education Authority

<sup>56</sup> Lionel Kakai, Principal, KGVl, Daily Hansard Transcript, p. 5

<sup>57</sup> Rhoda Brown, Principal, written submission

<sup>58</sup> Ibid



teacher. This path determines the training (development of quality, skills, behavior, and content) a prospective teacher is required to undergo<sup>59</sup>.

- 3.35 It was also noted the lack of a provision for professional standards that teachers' performance and behaviors will be measured against. They suggest that teachers need to go through a leadership program before being registered. Leadership endowed with wisdom is necessary to motivate schools through these times where there is an increasing need for schools to exist in functional communities<sup>60</sup>.
- 3.36 The Law Reform Commission<sup>61</sup> also noted that in parts 4, 5, and 6 of the Bill, the Permanent Secretary (PS) is responsible for approving the registration of teachers, education providers, and schools. The Commission, however, is of the opinion that the Solomon Islands education board should be responsible for receiving applications and for approving the registration of teachers, education providers, and schools. Doing so will avoid placing too much power on one official (PS) but places the power to make such decisions on a collective body.

#### **Recommendation 10**

The Committee recommends that the registration process for teachers be made efficient and statutory time limits are placed to require decisions to be made within a reasonable time.

#### **Recommendation 11**

The Committee recommends that the Bill be amended to give governance powers and functions to the Solomon Islands Education Board in the registration and removal of registration of Education Providers, Schools, and teachers.

#### **Teachers' employment schemes, remuneration, and entitlements**

- 3.37 Most of the witnesses who have appeared before the Committee expressed that teacher's salary, conditions and welfare must be considered. This issue has never been properly addressed.
- 3.38 St. Johns School Principal stated that housing is not provided to most teachers in Honiara and there is no teacher rental scheme for teachers as is the case of public servants who have a

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<sup>59</sup> Rhoda Brown, Principal, written submission

<sup>60</sup> Ibid

<sup>61</sup> Philip Kanairara, Law Reform Commission, written Submission



public servant Rental scheme. Also, teachers receive leave passages for annual leave at the end of the year, however, it is not properly arranged.<sup>62</sup>

#### Recommendation 12

The Committee recommends that government increase teacher remuneration and benefits to match those of public servants.

#### Home schooling

3.39 The Committee enquired into home schooling and whether the ministry has considered it during its policy deliberations. The Committee is concerned that it will be outlawed by the Bill.

3.40 The Ministry<sup>63</sup> informed the Committee that the current Bill does not recognise home schooling at ECE levels unless it is to do with ECE center. This is the same for primary and secondary levels. In terms of policy, home schooling is recognised. It is an important undertaking. The Permanent Secretary in his submission stated that,

*"In terms of policy, we recognise home schooling. It is an important undertaking especially when pandemic struck. .... But we need to formalise that and I do not think we have gone deep enough in terms of the mechanisms and the systems that we need to establish because what they are going to learn in home schools in whatever qualification they are going to end up with, it has to be channeled through the ministry so that we can formally recognise those."*

3.41 The Committee is of the view that the ministry needs to have these mechanisms established to regulate home schooling.

3.42 In his written submission<sup>64</sup> to the Committee, Timothy Matzke also raises the issue of home schooling. He states that,

*" This is a growing global phenomenon and should somehow be covered in the Act. Do parents have the right to educate their children at home? If so, what role does government have in this education? If not, why not? Given the extended family structures common in Solomon Islands, the question could also apply to close relatives either living in the home, or next door. There are a number of expatriate residents who are homeschooling their children. Can they continue to do so if they become dual citizens? Given that the Act imposes penalties for non-compliance with the compulsory education requirement, these issues should be considered".*

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<sup>62</sup> Rhoda Brown, Principal, written submission

<sup>63</sup> Dr Franco Rodie, Permanent Secretary, MEHRD, oral evidence

<sup>64</sup> Timothy Matzke, Solomon Islands Translation Advisory Group, submission, 1 September 2023



### Recommendation 13

The Committee recommends that the Bill be amended to allow home schooling to continue and to provide mechanisms for its regulation. This is a serious gap in the Bill.

### Education provider to have an advisory board

- 3.43 Mr. Jackson Meke<sup>65</sup> is of the opinion that the education provider must have an advisory board to assist the education provider which in this case, the Permanent Secretary. He is also concerned that the Bill does not cater for special needs students thus, recommends that education provider has an advisory board and must be captured in the administrative instructions and regulation.

### Recommendation 14

The Committee recommends that the Bill be amended to create Boards for non-state Education Providers to exercise governance oversight.

### Education as a tool for unifying our Nation

- 3.44 St. Joseph's Tenaru School Principal<sup>66</sup> stated that currently instead of unifying our nation, our Education system has further fragmented our society. It is subdividing our society instead of bringing everyone as one. However, no provision will address that problem and unify everyone through education.
- 3.45 St. Josephs Tenaru School Principal<sup>67</sup> further stated that, *"if we are concerned about unity and keeping the Solomon Islands as a united state nation, culturally speaking, we are already very fragmented. What is the agent that should bring us together? I think education can But how can we make sure that the education system becomes that unifying force or agent that will bring the Solomon Islands together? I think it can. Many other countries have done that"*.

### Recommendation 15

The Committee recommends that the ministry, in collaboration with the ministry of reconciliation and SICA, carry out a study to provide guidance to Education Providers and schools as to how national identity and unity are to be taught and promoted.

### That Provincial Education Coordinating Officer

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<sup>65</sup> Education Secretary, Catholic Education Authority

<sup>66</sup> Abraham Hirua, Principal, Daily Hansard Transcript, p.17

<sup>67</sup> Ibid.



- 3.46 The Central Province Government Representative<sup>68</sup> mentioned that the Bill should also include a provision for the establishment of the Provincial Education Coordinating Officer. The Officer will coordinate and link the Provincial Education Authority and the Ministry of Education. The focus of this Bill is more on Education provider and less on coordination between the Ministry of Education and Human Resources Development oversight functions between the Ministry and the Province.

#### **Distinction between Education Authority and Education Provider**

- 3.47 The Central Provincial Education Authority<sup>69</sup> expressed concern that there should be a distinction between 'Education Provider' and 'Education Authority'. Individual schools are technically education providers, but not necessarily education authorities. Under the existing Education Act, the Ministry of Education and Human Resources can be regarded as the Education Provider as well. There should be clear distinction between the Education Provider and the Regulator. Moreover, there should also be distinction between Education Provider and the Regulator. The Standard with the Provincial Government obviously is empowered through the Administration Instructions (AIs) and delegations of functions and powers under the Bill. Hence, there is a need for the delegation of powers and functions within the current Bill as well. Accordingly the Administration Instructions (AIs) also capture certain aspects that AI will apply to.

#### **Recommendation 16**

**The Committee recommends that the Bill be amended to replace 'Education Provider' with 'Education Authority' wherever it appears.**

#### **3.48 That Decline in Christian education quality**

- 3.49 The Committee is concerned about the state of Christian instruction in our schools. Christian education plays a major role in national identity, unity and character development and the government must support it.
- 3.50 Mr. Eddie Gideon<sup>70</sup> stated that the Permanent Secretary (PS) plays an important role when approving any institutions thus, is concerned that the power the PS has to approve or reject an application for registration of school is concerning. For example, if the PS is not a Christian then it leaves room for the registration of other religion schools to register because the Bill is too vague in terms of which religion is allowed to register their schools.

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<sup>68</sup> Alan Sale, Province Rep, Central Islands Province

<sup>69</sup> Andrew Kaifina, Chief Education Officer, Central Islands Province, oral evidence

<sup>70</sup> Education Director, SSEC Education Authority, oral evidence



- 3.51 Mr. Billy Leta<sup>71</sup> also agrees that there is missing of religious activities in schools. Activities such as girl guides, prayer groups, path finder etc. And currently to revive these activities is difficult.

#### **Recommendation 17**

The Committee recommends that Christian instruction be made a core subject in the Solomon Islands curriculum up to year 12, with exemptions for non-Christians.

#### **Recommendation 18**

The Committee recommends that care be taken in granting Education Provider registration to protect Christian character of our nation

#### **Limitations in the Bill**

- 3.52 The Solomon Islands Tertiary Education and Skills Authority (SITESA) Chief Executive Officer<sup>72</sup> expressed in her submissions during the hearing that there are some limitations in the Bill whereby there is no mention of tertiary education skills training in Solomon Islands. She further expressed that while the Bill covers early childhood education, primary education, and secondary education, there is no provision for post-secondary education. The inclusion of tertiary education is essential to comprehensively cover the entire education system, ensuring the Bill accurately represents the Ministry of Education's responsibility.
- 3.53 The Committee noted this is a deliberate policy choice in the Bill.

#### **Assessments**

- 3.54 The Committee is concerned that School-Based-Assessments is not really effective in identifying the strengths and weaknesses of students in the learning journey. The committee is of the view that our education system would benefit by having more external exams at a number of points from years 1 to 12. External exams help develop student confidence and ability to compete. They also help to provide comparative data on the performance of our students and education system to international benchmarks.
- 3.55 Marara School<sup>73</sup> is of the view that there is need to revive the National Secondary Entrance Exams. The current system of assessment creates low academic performance and weak-minded students as apparent in their contribution in the secondary sector. This type of system also creates low work performance by teachers.

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<sup>71</sup> Education Director, SDA Education Authority, oral evidence

<sup>72</sup> Constance Nasi, Chief Executive Officer, SITESA

<sup>73</sup> James Mepobu, Principal, Marara School, written submission



- 3.56 Marara School<sup>74</sup> further suggested that as part of achieving quality education, any grades who do not complete the subjects' syllabuses in a year should not advance or progress to the next level. This is to encourage teachers to work faithfully to complete the syllabus.
- 3.57 St. Nicholas School Student<sup>75</sup> further stated that, "I have been through that, and it is true about students now their performance is low because maybe they do not come through the Education system when they are in grade six; so when they come and experience it in form three, they do not have the experience, and confidence within themselves to do this examination, that is why it affects their academic level thank you".

#### **Untrained teachers**

- 3.58 The Committee noted that there will be no longer untrained teachers by end of next year, all teachers must be registered by then. There are penalties in place to punish those that are unregistered. However, most of the provinces who have appeared before the Committee expressed that these penalties will not overcome this issue by end of next year. Most Education Authorities still see a shortage of qualified teachers and prefer to fill teaching positions in their schools than have them vacant. The Committee notes this as a practical problem in the current situation.

#### **Recommendation 19**

The Committee recommends that the ministry take a pragmatic approach to ensure that teaching positions are filled, rather than vacancies are imposed by the enforcement of the relevant provision of the Bill.

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<sup>74</sup> James Mepobu, Principal, Marara School, written submission

<sup>75</sup> Elizabeth Lulumani, Student, St Nicholas School, oral evidence



## 4.0 CONTENT ISSUES

### PART 1: Preliminary Matters

#### Clause 3 – Interpretation

##### “Approved scheme of secondary education certificates”

- 4.1 *“Approved scheme of secondary education certificates” means the scheme of secondary education certificates approved by the Minister under section 64.*

##### **Issues with the proposed definition:**

- 4.2 The Committee sought clarification on the definition of “approved scheme of secondary education certificates”.
- 4.3 The Ministry<sup>76</sup> informed the Committee that the approved scheme of secondary education certificates is a scheme in which the ministry would correctly offer certificates at all levels of secondary education. With the current scheme of leavers certificates, there is Form 3 Leaver certificate, and at the Form 5 level there is the Solomon Islands School Certificate, and then Form 6 has the Form 6 National Certificate. What the Bill is trying to do here is to come up with a scheme which can allow to determine the certificates and the improvement in terms of certification and this is in line with what is already in the national qualification framework.

##### “Misconduct” (f)

- 4.4 *“Misconduct” (f) means contravening: (i) this Act, the Regulations, the Administrative Instructions or repealed provisions; or (ii) conditions of registration as a teacher under this Act or the repealed provisions;*

##### **Issues with the proposed definition:**

- 4.5 The Committee sought clarity on why going back or mentioning the repealed provisions in the current Act. The Committee would like to know for how long this provision will be in effect after this Bill is enacted as an Act of Parliament.
- 4.6 The legal draftsman<sup>77</sup> stated that the definition applies only to actions that happened before but not the actual offence itself.

##### “Misconduct” (g)

- 4.7 *“Misconduct” (g) means other misconduct while in employment as a teacher or leader;*

##### **Issues with the proposed definition:**

- 4.8 The Committee sought clarity on what it means by other misconducts while in employment as a teacher or leader. The Committee raised concerns regarding the use of “other

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<sup>76</sup> Dr Franco Rodie, Permanent Secretary, MEHRD

<sup>77</sup> Dr Mulitalo Lalotoa, Legal Draftsman, Attorney Generals Chamber



misconducts” since it opens up for possibility of maybe arbitrary where could other misconduct be. The Committee is therefore, of the view that this provision of “other misconduct” should be omitted.

- 4.9 The Ministry<sup>78</sup> informed the Committee that these other misconducts are determined by the Permanent Secretary in instructions that are provided for under the administrative instructions particularly for teachers and school leaders. Hence, this provision may allow for other misconducts that are not spelt out in the administrative instructions. Other misconducts may also be catered for in the regulations or maybe determined by the Education Authorities.

**“Provincial Education Minister”**

- 4.10 ***“Provincial Education Minister”*** means:

- a) *for a province established by section 3 of the Provincial Government Act 1997, the Provincial Minister appointed under that Act who has responsibility for early childhood, primary and secondary education in the province or, if there is no such Minister, the Provincial Executive of the province; or*
- b) *for Honiara City, Honiara City Council or, if a member of the Council has responsibility for early childhood, primary and secondary education in Honiara City, that member;*

**Issues with the proposed definition;**

- 4.11 The Committee is of the view that this area needs to be given more thought. It would be great to have the provinces a little bit more proactive in the education sector, especially dealing with issues of access to quality education. The province should take responsibility or ownership in managing their schools and as well as the community high schools. The current setting is really the seconded staffs from the ministry are managing the provincial schools. The Committee stated that if the burden is placed on the provinces to deal with the planning, there will be big improvements since they are closer to the community and they see the gaps that need to be addressed.

**“Provincial Secretary”**

- 4.12 ***“Provincial Secretary”*** means:

*(b) for Honiara City, Honiara City Council*

**Issues with the proposed definition;**

- 4.13 The Committee recommends that this paragraph be amendment to read as *“(b) for Honiara City, Honiara City Clerk”* and not Honiara City Council.

**“Secondary Education”**

- 4.14 ***“Secondary education”*** means education after primary education at year levels prescribed by the Regulations as secondary education.

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<sup>78</sup> Dr Franco Rodie, Permanent Secretary, MEHRD



- 4.15 The Committee is of the view that the secondary education should be prescribed in the Act rather than leaving it to the regulations.

#### **Interpretation of Language of Instruction**

- 4.16 In his written submission<sup>79</sup> to the Committee, Mr Timothy Matzke suggested that there should be more clarity in the Bill, on the meaning of Language of Instruction. He therefore, proposed that such a definition be included in Part 1 clause 3 of the Bill; something like the following: *"Language of Instruction" – the oral language used by the teacher in teaching and the written learning materials presented to the students in the classroom. Language of Instruction does not include the oral or written language used by students.*

#### **Recommendation 20**

The Committee recommends that the definition of 'language of instruction' be amended to become "the oral language used by the teacher in teaching and the written learning materials presented to the students in the classroom. Language of Instruction does not include the oral or written language used by students".

#### **Inclusion of non-formal education**

- 4.17 Mr Timothy Matzke further submitted in his written submission<sup>80</sup> that the Bill acknowledge the value that non-formal education adds to the development of our nation's children and youth. It is important that the Bill allows space for this sector to continue to serve the nation. He therefore, recommended that the definition of "school" in Part 1 clause 3 have an additional clause to reinforce this, something like: *Part 1 clause 3 "(c) For the purposes of the Act, "school" does not include facilities used to provide non-formal remedial education to school aged students who are either under-achieving or under-served by the formal system, as long as the education program does not represent itself as providing the equivalent of primary or secondary education".* Without this clarification, communities and NGOs might hesitate to start non-formal education programs for fear that a lack of registration might cause them to violate the Act. This addition encourages and makes clear that non-formal, community based education is allowed and supported by the Act.

#### **Recommendation 21**

The Committee recommends that the definition of "school" in Part 1 clause 3 have an additional clause to reinforce this, something like: *Part 1 clause 3 "(c) For the purposes of the Act, "school" does not include facilities used to provide non-formal remedial education to school aged students who are either under-achieving or under-served by the formal system, as long as the education program does not represent itself as providing the equivalent of primary or secondary education".*

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<sup>79</sup> Timothy Matzke, Solomon Islands Translation Advisory Group, written submission, 1 September 2023

<sup>80</sup> Ibid



### **Part 3: Governance and Administration**

#### **Clause 6 –Shared Responsibility**

4.18 Clause 6 sets out the bodies that share responsibility for early childhood, primary and secondary education, namely;

- The government
- The Teaching Service Commission
- The Solomon Islands Education Board
- Provincial Education Boards
- Education providers
- School boards
- Teachers and leaders
- Families and communities

#### **Issues with the proposed clause:**

4.19 Mr. Eddie Gideon<sup>81</sup> is of the opinion that churches are missing in clause 6 of the Bill thus, he stated that churches play an important role in the development of children and should be included in clause 6.

#### **Clause 9 – Education Funding Code**

4.20 Clause 9 requires the Minister to publish an Education Funding Code in the Gazette setting out principles and rules for funding. This is the equivalent of the Grants Code under section 38 of the current Education Act (Cap. 69). The Permanent Secretary may make the code available on a Government Internet site.

#### **Issues with the proposed clause:**

4.21 The Committee enquired into how the funding code will work and how will that interface with the Finance Management Act and various regulations that come under it.

4.22 The Legal Draftsperson<sup>82</sup> stated that the funding code is guided by the Public Finance Management Act.

4.23 Mr. Jackson Meke<sup>83</sup> also raised that there should be flexibility for education provider to assist with funding for their operations. He further stated that the Bill does not clearly state how the funds will be channeled.

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<sup>81</sup> Education Director, SSEC Education Authority

<sup>82</sup> Dr Lalotoa Mulitalo, Legal Draftsperson, Attorney Generals Chamber

<sup>83</sup> Education Secretary, Catholic Education Authority



- 4.24 The Committee was not furnished with copies of draft Regulations, Administrative Instructions and the Funding Code to benefit from an overview of all issues addressed by these reforms.

#### **Clause 10–Delegation by Minister**

- 4.25 Clause 10 (2) (b) states – *A delegation: may be absolute or conditional; and*

#### **Issues with the proposed clause:**

- 4.26 The Committee sought clarification on clause 10 sub clause 2(b) especially on what does it mean to be absolute.
- 4.27 The Legal Draftsperson<sup>84</sup> stated that the word “absolute” mean it can be done, must be done, mandatory or there are conditions to it.
- 4.28 The Committee is of the view that the choice of word “absolute” should be amended and replaced with the word “with or without”.

#### **Recommendation 22**

The Committee recommends that clause 10 sub clause 2 (b) be amended by omitting the word “absolute” and replace with “with or without”.

#### **Clause 12 - Membership of Solomon Islands Education Board;**

- 4.29 Clause 12 (1) (b) states; *‘up to 6 other members appointed by the Minister (“appointed members”)’.*

#### **Issues with the proposed Clause:**

- 4.30 The Committee noted that the Bill reduces the membership of the Board from the current 10 to 6. The Committee enquired into the policy choice for reducing the number to 6 members only.
- 4.31 The Ministry<sup>85</sup> responded by stating that, *‘the reason is that, we want to make it more effective in terms of the caliber of people who should be in this board. It is quite often that some people that came to attend those meetings seems to be silent all the time and so that is one of the reasons to reduce it. What we are saying, is that, we need somebody who is proactive’.*
- 4.32 The Rennell and Bellona Provincial Education Authority<sup>86</sup> also expressed concern that Solomon Islands Education Board members should be fairly representing all the Education providers in the country. The Board member is the highest body in this Bill in terms of education in our country. The membership states that the Permanent Secretary and the minister will only appoint six members as the member of the Board. The Six members is

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<sup>84</sup> Dr Lalotoa Mulitalo, Legal Draftsperson, Attorney Generals Chamber

<sup>85</sup> Dr Franco Rodie, Permanent Secretary, MEHRD, oral evidence

<sup>86</sup> Philip Tekiou, Principal, Renbel Education Authority



appointed then it's not really representative. In his evidence, the Chief Education Officer of Rennell and Bellona further expressed that;

*"So we see that for this six, if it is truly appointed, it will not really well represent the education providers around the country. In the sense that these education providers will exceed this six board members. But the biggest education providers are the provinces."*<sup>87</sup>

The Committee noted the objective of making the SI Education Board more effective takes precedence in the Bill to representation by Education Providers.

#### **Clause 12 (2) (b)**

- 4.33 Clause 12 (2) (b) states; *'there are an equal number of men and women members'*.

#### **Issues with that proposed Clause:**

- 4.34 The Committee noted the emphasis this clause has on gender equality in the appointment of the board members, and applauds it. However, the Committee is of the view that we must not take political correctness must not usurp the need for expertise and competence on the Board.

#### **Clause 12 (7)**

- 4.35 Clause 12 (7) states; *'The maximum period for which a person may continuously hold office as an appointed member is 6 years'*.

#### **Issues with that proposed Clause:**

- 4.36 The Committee is of the view that the maximum period of 6 years as proposed is too short. The education sector does need longevity, hence the need to retain proactive expertise and maintain consistency. The Committee is of the view that this provision should be silent.

4.37

#### **Recommendation 23**

The Committee recommends that the limit of 6 years be replaced with no restriction on the number of years a person serve on the SI Education Board.

- 4.38 **Clause 13 – Procedures of Solomon Islands Education Board;**

- 4.39 Clause 13 deals with the procedures of the Board. There must be at least two meetings in each year.

#### **Issues with that proposed Clause:**

- 4.40 Generally for this clause, the Committee is of the view that such procedures should be on the regulations and not in the Bill. It will be more flexible to have this provisions in the regulations

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<sup>87</sup> Philip Tekiou, Principal, Renbel Education Authority



so that from time to time when changes are needed to be made there is no need to take amendments to parliament.

**Clause 14 - Conflict of interest – members of Solomon Islands Education Board;**

- 4.41 Clause 14 (4) states, *"The disclosure must be noted in the records of the Solomon Islands Education Board"*

**Issues with that proposed Clause:**

- 4.42 The Committee noted and applauded the inclusion of such a clause in the recent Bills that come before the Parliament. However, this clause does not specify further how it is going to be administered, especially when it comes to the declaration of the member's interest and so it raises the question of whether such disclosure will be made public or not.
- 4.43 It is the view of the Committee that, this clause should further state that the declaration of interest of the members be published. The ideal situation is if you look into top governance, they should be published. You know when the member declares it, it just comes online.

**Recommendation 24**

The Committee recommends that all declarations of interests for the Solomon Islands Education Board, Provincial Education Boards, & Education Provider Boards be published online, for maximum transparency.

**Clause 18 – Membership and procedures of Provincial Education Boards;**

- 4.44 Clause 18 (1) states, *"The membership and procedures of a Provincial Education Board must be determined by written agreement between the Minister and the Provincial Executive of the province"*.

**Issues with that proposed Clause:**

- 4.45 The Committee noted the proposal here for a written agreement to be made between the Minister and the Provincial Executive of the province to be made. The Committee is of the view that it would have been administratively more efficient to just make an agreement between the minister and the premier on behalf of the executive. The premier may take it to the executive for information.

- 4.46 **Recommendation**

- 4.47 **That the Bill be amended in Clause 18(1) to replace "Provincial Executive" with Provincial Premier"**

**Clause 19 – Conflict of interest – members of Provincial Education Boards;**

- 4.48 Clause 19 (3) (b) states, *"the interest is of a kind exempted from the requirement for disclosure by the Regulations"*.

**Issues with that proposed Clause:**



4.49 The Committee is of the view that it is a poor choice that we are looking for categories to exempt. The Committee is of the view that if a member is in doubt about whether their interests are a conflict or a potential conflict of interest, they should be encouraged to declare them for the purpose of greater disclosure and transparency.

4.50 As it is proposed now, the committee envisages that you are opening the system to vulnerability and that is a weakness. Maximum disclosure is preferable and ought to be the rule.

**Clause 19 (4)**

4.51 Clause 19 (4) states; *"The disclosure must be noted in the records of the Education Board"*.

**Issues with that proposed Clause:**

4.52 The Committee shares the same view on clause 14 (4), this clause should further state that the declaration of interest of the members of the Provincial Education Board should be published. This is to improve the governance of the board.

**Clause 20 –No payment from Government to members of Provincial Education Boards**

4.53 Clause 20 provides that a member of a Provincial Education Board is not entitled to any remuneration, allowance or payment from Government. It is up to a provincial government to make decisions about whether it wants to provide allowances to, or pay the expenses of, members.

**Issues with the proposed clause:**

4.54 The Chief Education Officer of Renbel expressed concern that there is no payment from the government to members of provincial education Board as stated in the Bill. There is also no payment from the Government to Members of Provincial Education Board in terms of remuneration, or sitting allowances, or any other payments. In his evidence, he stated that,

4.55 *"I think this is just the same as the old Act, where the support for Provincial Education Boards was just like what is still here; where the responsibility was given to the Provincial Executive. They decide whether they can also support this or not? It does have anything that say they must; and according to what we have experienced, this is one of the cause of Provincial Education Board did not function well in our Provincial Authorities, or inside our Provinces; because when there is not support, no anything to mobilize the people, then how will this important body that also needed to support the other stakeholders of education will function?"<sup>88</sup>*

4.56 The Bill should support the Provincial Education Board in terms of remuneration and financial support from the National Government.

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<sup>88</sup> Mr. Philip Tekiou, Principal (Ag), New Place PSS, Daily Handsard Transcripts



#### Recommendation 25

The Committee recommends that the Bill be amended to ensure that the ministry include Board allowances in its grant scheme to Provincial Education Boards, Education Provider Boards, & School Boards, otherwise they will be ineffective.

#### Clause 25 – Education Providers;

- 4.57 Clause 25 (1) states, 'Early childhood, primary or secondary education may be provided by:
- (a) the Government; or
  - (b) a Provincial Executive (as authorized by the Provincial Government Act 1997); or
  - (c) a church, faith, non-government organization or other body or *individual*.
- 4.58 Clause 25 (2) (a) states, 'A reference in this Act to an "*education provider*" is a reference to the following:
- (a) for education provided by the Government,
  - (i) 'the Permanent Secretary is the education provider; or'

#### **Issues with the proposed Clause:**

- 4.59 During the hearings, St. Josephs Tenaru School Principal<sup>89</sup> is of the view that the Government is not supporting the ECE training enough. He stated that,
- "I still see that our education system is still messy and it is not structured properly to come out and bring out this question of what is the end of education. What is the end product of education? What is the purpose of education in the Solomon Islands?"*
- 4.60 The Committee understands that currently, the Permanent Secretary is acting as an education provider on behalf of the Government to two Government secondary schools, namely; King George Sixth School and Waimapuru School. The Committee is of the view that the Permanent Secretary should no longer be an education provider and at the same time the education regulator and so calls for the review of that policy choice.

#### Recommendation 26

The Committee recommends that the Bill be amended to remove an "*individual*" as eligible to being an Education Provider.

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<sup>89</sup> Abraham Hirua, Principal, Daily Hansard Transcript



#### Recommendation 27

The Committee recommends that the ministry proceed immediately to establish an Independent Board to exercise governance over the two government schools KGVI & Waimapuru.

#### Clause 26 –General responsibilities of education providers;

- 4.61 Clause 26 (c) (ii) states *that an education provider has the following responsibilities: to ensure that arrangements are in place for counseling to be available to students as appropriate;*
- 4.62 Clause 26 (d) states, *to employ teachers and leaders and make adequate provisions for their health, safety, and welfare;*
- 4.63 Clause 26 (e) states, *to manage, or oversee the management of, the performance of teachers and leaders and the taking of appropriate action to deal with absences, misconduct, and unsatisfactory performance;*
- 4.64 Clause 26 (h) states, *'to provide or facilitate training for staff of the education provider, and, for a school, the members of the school board, to enable them to perform their functions properly;'*

#### Issues with the proposed clause:

- 4.65 During the hearing, Betikama School<sup>90</sup> is of the view that clause 26 (c) (ii) needs more clarity on this clause. We just want to see that there is a clear, intentional, and structured way that services can be provided in our schools for our students. To support their well-being, not just general well-being but learning support services which we need to strengthen in our schools. One of which is pastoral care and religious instruction.
- 4.66 St. Nicolas School<sup>91</sup> is of the view that the education providers should empower the counseling process made available in schools as well.
- 4.67 St. Nicholas School<sup>92</sup> further stated that this clause 26 (d) should give further details on what is presented there. The school suggests that the education providers should further elaborate on the provisions provided for health, safety, and welfare. Regarding clause 26 (e), St. Nicholas school is of the view that this clause is about quality assurance. However, they suggest that there should be an additional provision that can be particularly assertive to the education provider.
- 4.68 The Chungwah school rep<sup>93</sup> when appearing before the Committee also submitted that training of teachers is very important, therefore, the education provider must ensure proper training for teachers.

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<sup>90</sup> Hellen Rigo, Secondary school teacher, Daily Hansard Transcript, p.3

<sup>91</sup> Peter Meta, Principal, St Nicholas School, oral evidence

<sup>92</sup> Ibid

<sup>93</sup> Hellen Ruhasia, Chungwah School, oral evidence



#### **Recommendation 28**

The Committee notes the lack of resources with Education Providers, and therefore urges the ministry to meet all costs required to ensure teacher welfare & professional development, rather than leaving it to Education Providers.

#### **Clause 32 – Allowances and other payments for school board members**

- 4.69 *Clause 32 provides that a school board members is not entitled to remunerations, allowance or other payment from the Government. An education provider is not to pay a member of a school board remuneration or an allowance for attending meetings of the board, but may pay a travelling or subsistence allowance, or reimburse expenses. This is aimed at ensuring that school boards have members who are volunteers interested in supporting the operation of the school.*

#### **Issues with the proposed clause:**

- 4.70 Marara School Principal<sup>94</sup> suggests that there should be two new sub-clauses added under this clause. The proposed new sub clauses to provide for the following;
1. *The School Administration to pay board members food, transport, and sitting allowance for attending BOM meetings.*
  2. *The board Chairman or the Vice Chairman should be given allowance by the school administration when requested by the Principal to resolve issues and when on SDP implementation engagement.*
  3. *Chairman of Bishop Epalle stated that without allowances Boards do not function, it is the reality on the ground. This is an additional cost pressure that is included in school fees.*

#### **Part 4: Registration of Teachers**

#### **Clause 33 –Principals and Supervisors**

- 4.71 Clause 33 sets out the responsibilities of the principal of a school or supervisor of ECE center for the day-to-day management of the operations of the school or ECE center and for leading professional improvement at the school or ECE center.

#### **Issues with the proposed clause:**

- 4.72 The Temotu Provincial Education Authority mentioned that the use of Principal now refers to the Head teacher and it is not in the Bill. This could mean that the principal also refers to

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<sup>94</sup> James Mepobu, Principal, written submission



the Head Teacher of the Primary School. There should be clarification on the use of the word Principal in this context.

#### **Recommendation 29**

The Committee recommends that Regulations/Administrative Instructions clarify the distinction between a Head of School and a Principal of a school in relation to their powers and functions in school management.

#### **Clause 34 – Offences relating to requirement for teachers to be registered;**

4.73 Clause (34) (2) states, *A person commits an offence if:*

*(a) the person employs an individual as a teacher in a school; and*

*(b) the individual employed is not registered as a teacher. Maximum penalty: 50,000 penalty units or 5 years imprisonment, or both.*

#### **Issues with the proposed Clause:**

4.74 Given the current context of qualified teacher supply to the education system, the Committee is of the view that the penalties are quite excessive. If there is deliberate abuse of course then this may be a good deterrent to put in; but if it is not abused, then merely responding to a need then the Committee is of the view that this is too punitive to jump straight to 50,000 penalty units, or five years is a fairly serious penalty.

#### **Recommendation 30**

The Committee recommends that the Bill be amended to reduce the penalty in 34(2) (b) to 5,000 penalty units and maximum imprisonment term of 6 months. Further that exemption is made for the unavoidable situation where a vacancy could not be filled for an extended period of time.

#### **Clause 35 – Application for Registration as Teacher;**

4.75 Clause 35 deals with the offences relating to requirements for teachers to be registered.

#### **Issues with the proposed Clause:**

4.76 The Committee noted the Permanent Secretary's involvement in the registration process as the registrar. However, the Committee is of the view that the registration of teachers be decided by a board not an individual. Should that board be the Teaching Service Commission or the Solomon Islands Education Board? The Committee errs on the side of the SI Education Board.

4.77 The Committee is of the view that the Ministry must review the mandate of the Teaching Service Commission given this new clause in the Bill.



### Recommendation 31

The Committee recommends that a review be carried out to determine changes to the powers and functions of the Teaching Service commission and the proposed Solomon Islands Education Board, with a view to giving greater governance powers to the Solomon Islands Education Board in the matter of registration of Education Providers, Schools, & teachers.

4.78 That Clause 36 - Determination by Permanent Secretary of application for registration as a teacher;

4.79 Clause 36 deals with the mechanisms of the Permanent Secretary making a decision on an application

#### **Issues with the proposed Clause:**

4.80 The Committee is of the view that the Permanent Secretary will be overloaded with work given the proposal that he will be responsible for doing the registration, deregistration and discipline of teachers at the same. The Committee is of the view that this is too much work for the Permanent Secretary himself and questioned whether the Permanent Secretary will deliver accordingly given that too many tasks being placed on him throughout the Bill.

#### **Clause 37 – Eligibility for full registration as a teacher**

4.81 Clause 37 states, *'a person is eligible for full registration as a teacher only if the person:*

- a) is fit and proper person to be registered as a teacher; and*
- b) has qualifications in teaching or education prescribed by the Regulations; and*
- c) has successfully completed a period of experience as a teacher as prescribed by the Regulations; and*
- d) has provided to the Permanent Secretary the documents or other evidence prescribed by the Regulations'.*

#### **Issues with the proposed clause:**

4.82 Marara School Principal<sup>95</sup> suggested that upholding Christian virtues should be one of the eligibility criteria for registering of teachers.

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<sup>95</sup> James Mepobu, Principal, Marara CHS, written submission



### **Recommendation 32**

The Committee recommends that documents required by Regulations under Clause 37(d) include Police clearance and character references pertaining to the moral good standing of the applicant.

### **Clause 41 – Conditions of Registration as Teacher:**

4.83 Clause 41 (1) (c) states, *Registration of a person as a teacher is subject to the following conditions:*

*(c) the person must, within 21 days after being dismissed from any employment in response to allegations of improper conduct relating to a child or other misconduct, or resigning from employment following allegations of improper conduct relating to a child or other misconduct, inform the Permanent Secretary by written notice of the circumstances of the dismissal or resignation;*

#### **Issues with the proposed Clause:**

4.84 The Committee is of the view that unexplained absenteeism be included as one of the conditions for deregistration. This is to effectively address teacher absenteeism.

4.85 Clause 41 (5) (b) states, *A person registered as a teacher commits an offence if the person contravenes a condition of the person's registration that*

*(b) imposes a restriction on the practice of teaching by the person.*

*Maximum penalty: 50,000 penalty units.*

#### **Issues with the proposed Clause:**

4.86 The Committee is of the view that the penalty proposed in this clause is excessive and beyond the affordability of teachers. Deterrence is important, but penalties must be realistic and affordable in our economy. The Committee is of the view that the penalty be reduced. The Committee noted that 50,000 penalty is a maximum penalty.

### **Recommendation 33**

The Committee recommends that penalty in Clause 41(5) (b) be reduced to a maximum of 10,000.

### **Clause 42 – Certificate of registration as Teacher:**

4.87 Clause 42 (2) states, *A person registered as a teacher commits an offence if the person fails or refuses, without reasonable excuse, to return the person's certificate of registration to the Permanent Secretary in accordance with a written request of the Permanent Secretary.*

*Maximum penalty: 30,000 penalty units.*



**Issues with this proposed Clause:**

- 4.88 The Committee is of the view that this clause be omitted. There is no need for it as Clause 42(2) takes care of these things you need. It is in their interest to apply and give you all of that and then it is on the register. Does it matter whether they give you back a copy of the certificate you issue in the first place, it does not.

**Recommendation 34**

**The Committee recommends that Clause 42(2) be deleted.**

**Clause 43 – Register of Teachers;**

- 4.89 Clause 43 (5) states, *The Permanent Secretary may correct an error in the register without giving notice to any person.*

**Issue with this proposed Clause:**

- 4.90 The Committee is of the view that the registrant should be notified of the error by the Permanent Secretary. There should at least be an electronic notification; so if you are correcting something on the register, that register will appear online as correction and they can check it.

**Part 5: Registration of Education Providers**

**Clause 47 – Eligibility for registration as education provider;**

- 4.91 Clause 47 (1) (b) states, *if the person has the capacity (including financial capacity), or has made or proposes to make appropriate arrangements, to satisfy:*

**Issues with this Clause:**

- 4.92 The Committee is of the view that there should a strict criteria and conditions in place for registration as an education provider and that individuals should be barred from becoming an Education Provider. The Committee stated that they do not want the proliferation of individuals being registered as education providers and what may appear as an employment thing only. Additionally, this will allow for them to wait and depend on the Minister to provide education provider grants to keep them going. There is no capacity for the management of an education and learning center.

- 4.93 **Clause 49 – Conditions of registration as education provider;**

- 4.94 Clause 49 provides for conditions of registration of an education provider.

**Issue with proposed Clause:**

- 4.95 The Committee is of the view that the ministry must be mindful of the kind of education providers who wish to register, especially the cargo cult groups. Solomon Islands is a



Christian country and the character of our nation and society is what we want to protect. The Committee is very concerned on this issue.

#### **Clause 49, 50, 51 – Registration of education providers**

4.96 These three clauses provide for the registration of education providers.

#### **Issues with the proposed Clauses:**

4.97 The Committee is concerned about the liquidations process of the Education provider. For example, in the event where they incurred some liabilities what would happen? It would seem this is not provided for in the Bill.

4.98 The Ministry<sup>96</sup> stated that division 5, section 67 and 68 provides rules for such occurrences and ensuring that these facilities can be constructed for schools however, there is nothing on liquidation in the Bill but may come in the policies by the Ministry.

4.99 The Committee is concerned that if the education provider does not comply with the conditions of registration, are there any provisions in the Bill for the Permanent Secretary (PS) to deal with that education provider?

4.100 The Ministry<sup>97</sup> stated that there are conditions where the education provider can be de-registered. Part 10 deals with cancelation of education providers.

4.101 The Committee is also concerned with what happens when education provider does not provide a suitable study environment for students. The committee is of the view that when it comes to individual education providers, it will pose more issues especially as most schools are situated on customary lands.

4.102 Therefore the Committee is of the opinion that the Bill should provide for such occurrences and not only in the policy or regulations. The Committee emphasized this issue because they have been cases where schools had to be closed down or relocated because of land disputes. Thus, there needs to be polices in place to deal with such situations.

#### **Recommendation 35**

The Committee recommends that the Bill provide for clear guidelines for the liquidation process and not only in regulation to safe guard provision of education services and ensure that there is no conflict on school assets.

#### **Recommendation 36**

The Committee recommends that the ministry, in close collaboration with the ministry of Lands, devise a strategy to acquire all land occupied by schools throughout the country, over an extended period of time. And that for new applications for registration of schools,

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<sup>96</sup> Dr Franco Rodie, Permanent Secretary, MERHD

<sup>97</sup> Ibid



a condition is imposed to require all contesting landholding groups with claims over land that the school is situated in to sign a prescribed form confirming their consent.

- 4.103 The Ministry<sup>98</sup> stated that section 102 provides for the closing of schools to provide some measures that can be taken so a decision can be made on these properties. Section 115 also provides that compliance notices can be issued by the permanent secretary. Clause 25 further provides that if the school is a church school or early childhood education provider it must appoint a person or a body corporate to operate the school so that Permanent Secretary (PS) will have someone to deal directly with.

#### **Part 6: Registration of schools and ECE centers**

##### **Clause 52 – Requirement for registration of school or ECE center**

- 4.104 Clause 52 makes it an offence to operate, or cause or permit another to operate, a school or ECE center unless it is included in the register of schools and ECE centers.

##### **Issues with the clause:**

- 4.105 When appearing before the Committee, Mr. Billy Leta<sup>99</sup> raised a concern that some schools currently in operation are not registered because they are extension schools. He stated that currently there are at least 24 extension schools under the SDA education authority.
- 4.106 The Committee noted the Ministry's desire that all so-called extension or satellite schools be registered.

##### **Clause 55 – Role of Provincial Education Board in determining application:**

- 4.107 Clause 55(1)(a) states; *'the Permanent Secretary must:*
- (a) *provide a copy of an application for registration of a school or ece center to the Provincial Education Board of the province in which the school or ece center is proposed to be located; and*
- 4.108 Clause 55(3) states; *'if the Provincial Education Board makes a submission recommending refusal of an application for registration of a school or ECE center:*
- (a) *it must give written reason for its recommendation; and*
  - (b) *the Permanent Secretary must refuse the application unless the Minister approves the granting of the application.*

##### **Issues with the proposed Clauses:**

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<sup>98</sup> Dr Franco Rodie, Permanent Secretary, MERHD

<sup>99</sup> Education Director, Seventh Day Education Authority



- 4.109 The Committee enquired into clause 55(1) on the process for the registration of church schools.
- 4.110 The Ministry<sup>100</sup> stated that the current practice is for schools to launch their application through the education office at the provinces and it comes to the Ministry of Education or they can launch the application straight to the Ministry.
- 4.111 The Committee is also concerned with clause 55(3) on the Permanent Secretary having to refuse applications. The Committee enquired into why the Permanent Secretary would want to be placed in such situation, the Committee is concerned that the Permanent Secretary does not have room to review and go against such decisions. The Committee is of the view that the PS should have the freedom to make decisions on such facts.
- 4.112 The Ministry<sup>101</sup> stated that it will depend on the submission, unless it is a serious issue the ministry would definitely seek advice on why there is no approval.
- 4.113 The Committee is also concerned that registration of education providers does not have a period for expiration date. The Committee also questioned whether the registration requirement also apply to home schools.
- 4.114 The Ministry<sup>102</sup> stated that currently it is not catered for in the Bill but can be considered for future amendments.
- 4.115 The Committee asked whether extension schools will be seen as part of mother schools and therefore, also have to be under the compliance criteria for the registration.
- 4.116 The Ministry<sup>103</sup> stated that due to distance schools often asks to have extension schools but going forward there is a plan to stop extension schools and for them to become stand-alone schools.

#### **Recommendation 37**

The Committee recommends that Clause 55(3)(b) be amended to give the Permanent Secretary discretion to decide applications for registration of schools or ECE centers, and that such a decision may then be appealed to the Minister. The current wording of Clause 55(3) (b) allows the Minister to interfere with the PS's decision making and leaves no room for appeal or review.

#### **Clause 56 – Matters to be considered for registration of school or ece center**

- 4.117 Clause 56(2) states; *'in determining an application for registration of school or ECE center, the Permanent Secretary must have regard to the following matters:*
- (a) *the demand or potential demand for enrolment at the school or ECE center;*

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<sup>100</sup> Dr Franco Rodie, Permanent Secretary, MERHD.

<sup>101</sup> Ibid

<sup>102</sup> Ibid

<sup>103</sup> Ibid



(b) *whether funds will be available to support and operate the school or ECE center;*

**Issues with the proposed Clause:**

- 4.118 The Committee is concerned that this provision will have a culling effect on the growth of schools or ECE centers. Communities have been the driving force behind meeting the access goal is creating classroom spaces for our students. They have been able to do this with little money to start with. This requirement will make it very difficult to establish new schools and ECE centers.
- 4.119 The Ministry<sup>104</sup> stated that currently there is no fixed criteria used so some of the conditions set are important. For example, a minimum amount is set for schools to operate but for some communities they do not have a fixed amount they just achieve that through fundraising etc. Furthermore, due to the demand for these schools the Ministry was not strict in that aspect but going forward it will definitely enforce a fixed amount and guide them with minimum requirement for example schools will have to have a title for the land before building any school facilities.
- 4.120 The Committee raised concern regarding clause 56(2) (i) stated above, it questioned whether this clause means parents have to clearly state where the child will be going after ece.
- 4.121 The Ministry<sup>105</sup> stated that this will be provided in the administrative instructions, the first one focuses on ece and its pathway but the Ministry encourages that when applying for ece parent must clearly state which pre-primary year (PPY) the child will be attending after ece.

**Recommendation 38**

The Committee recommends that in the face of our population growth, coupled with the government's general lack of resources, the implementation of Clause 56(2)(b) must be with a duty of care so as not to impede the expansion in the number of classroom spaces.

**Clause 57 – Conditions of registration of school or ECE center**

- 4.122 Clause 57(1)(d) states; *'Registration of a school or ECE center is subject to the following conditions:*  
*d) the school or ECE center must not be combined with another school or ECE center without that combination being registered as a school or ECE center;*

**Issues with the proposed Clauses:**

- 4.123 The Committee enquired into clause 57 (1) (d)

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<sup>104</sup> Dr Franco Rodie, Permanent Secretary, MERHD.

<sup>104</sup> Ibid

<sup>105</sup> Ibid



- 4.124 The Legal Draftsperson<sup>106</sup> stated that the clause means the combined entity needs to be registered, so two schools can be combined and come under one registration but must be in the same area.

#### **Recommendation 39**

The Committee recommends that it should be permissible under Clause 57(1) (d) to register a combined school with campuses at different places, and the Committee urges the ministry to allow this.

### **Part 7: Provision of education and facilities**

#### **Clause 60 – Terms, days and hours of education at schools and ECE centers**

- 4.125 Clause 60(1)(a) (b) states; *‘the Permanent Secretary must, for each calendar year:*
- (a) *determine the terms, days and hours for the provision of education at schools and ECE centers;*  
*or*
  - (b) *determine rules that education providers must apply to determine the terms, days and hours for the provision of education at their schools and ECE centers.*

#### **Issues with the proposed Clauses:**

- 4.126 The Committee is of the view that 10 weeks per terms may be short and that students need to be in school longer to have better grades.
- 4.127 The Ministry<sup>107</sup> stated that the number of days for schooling is not important, what is important is whether the teachers are doing at their work.

#### **Recommendation 40**

The Committee recommends that Regulations prescribe that schools in villages continue to operate during deaths, funerals, and other cultural events, to minimize unnecessary closure of schools and loss of schooling time.

#### **Recommendation 41**

The Committee recommends that Regulations provide guidance to school leaders on grounds for temporary closure of schools

#### **Clause 61 – Compulsory enrolment and attendance at school**

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<sup>106</sup> Dr Lalotoa Mulitalo, Legal Draftsperson, Attorney Generals Chamber

<sup>107</sup> Dr Franco Rodie, Permanent Secretary, MERHD



4.128 Clause 61(2) states; *'the Permanent Secretary may issue a written notice to a parent of a child of compulsory school age to take specified action to ensure that the child is enrolled in, and attends, a school:*

4.129 Clause 61(3) (b) states; *'the child is not attending school in accordance with the notice'.*

*Maximum penalty: for a first offence, 2000 penalty units; and for a subsequent offence, whether or not relating to the same child of the parent, 5000 penalty units.*

**Issues with the proposed Clauses:**

4.130 The Committee doubts that there are any parents who would willfully deprive their children of schooling and is therefore concerned with the penalty for parents who are unable to put their children in school due to financial difficulty. Thus, the Committee questioned whether there is any way these parents can be assisted.

4.131 The Committee appreciates the need for deterrence against wilfully withholding a child from attending school, however, it sees the irony in penalizing a parent who may be genuinely unable to afford school fees.

4.132 The Ministry<sup>108</sup> agreed that implementation of compulsory education is going to be a challenge especially with regards to school fees. With regards to the penalty there is an exemption to the rule. This rule is mainly for those parents that intentionally withhold their children from attending school.

4.133 The Committee sees the need for a means-testing mechanism to support students who are genuinely in need. Such testing should be based in schools management.

**Recommendation 42**

**The Committee recommends that the ministry issue guidelines, in the Administrative Instructions, for the means-testing of parents/students for support.**

**Clause 62– Method of enrolment**

4.134 Clause 62 states: *'if required by the principle of the school or supervisor of the ECE center, the parent must provide evidence of:*

*The age of the child; and*

*The family name of the child; and*

*The person's parental relationship to the child.*

*'this section does not entitle a child to be enrolled in a particular school or ECE center'.*

**Issues with the proposed Clause:**

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<sup>108</sup> Dr Franco Rodie, Permanent Secretary, MERHD



- 4.135 The Legal Draftsperson<sup>109</sup> state that the Bill does not require the child to be enrolled in a certain school there is flexibility. With regards to clause 62(3) she Stated that that clause does add something to the Bill, it ensures that students are free to enroll in any other schools if there is no space in particular school they wish to enroll in.
- 4.136 The Ministry<sup>110</sup> further added that from a policy perspective education providers are not obliged to enroll students. Schools are often selective in their sections so clause 62(3) ensures that there is option to enroll in another school.
- 4.137 The Committee is concerned that schools are capable of selecting students' unfairly but it also understands that this might also be a solution to avoid overcrowding in school. Therefore, added that a section in the Bill should be added to ensure that principles takes in students if there is space in the school and reject them only when there is no space. This will also help control the ratio of teacher to students.
- 4.138 The Committee is greatly concerned with the overcrowding of schools and suggests that clause 62 on the method of enrollment must clearly state that principles must not accept students if the school is already full.
- 4.139 The Ministry<sup>111</sup> agrees that this clause 64 needs to be strengthened to undertake the Committees suggestion to not accept students more students if there is no more space in the school. He further stated that it will be added in the administration instructions to enable principles to say no to accept more students when there is no more space.

#### **Clause 63– Learning frameworks**

- 4.140 Clause 63(1) states; *'the Minister must approve a learning framework for early childhood education and for each year of primary and secondary education.*

#### **Issues with the proposed Clauses:**

- 4.141 The Committee raised the question on whether international curriculums such as General Certificate of Secondary Education (GCSE) will be registered as an approved learning framework. The Committee notes Accelerated Christian Education (ACE) Curriculum is also widely used in schools in Solomon Islands.
- 4.142 The Ministry<sup>112</sup> stated that in the past there was in place the national curriculum Statement which provides competitive standards, the values and attitudes students need to learn. He further stated that each level of school will have their own syllabus for other curriculum. Early Childhood Education (ECE) and Pre Primary Year (PPY) all will have different syllabus. There is also provision in the national teaching framework all alternative curriculum must be

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<sup>109</sup> Dr Lalotoa Mulitalo, Legal Draftsperson, Attorney Generals Chamber

<sup>110</sup> Dr Franco Rodie, Permanent Secretary, MERHD

<sup>111</sup> Ibid

<sup>112</sup> Ibid



registered. Unfortunately there is no provision for curriculum registration in the Bill but it provides for the curriculum framework.

4.143 The Committee also raised concern regarding gifted children and it is of the view that the current curriculum system penalizes such gifted students, holding them back by requiring them to remain in the same class with everyone else.

4.144 The Ministry<sup>113</sup> Stated that unfortunately that is not provided for in the Bill but it is a development the Ministry will be considering moving forward. The Legal Draftsperson<sup>114</sup> added that explanatory memorandum provides for this where two programs can be made available for gifted students.

#### **Recommendation 43**

**The Committee recommends that proper policy is crafted to cater for the need to fast track gifted students through the education system without regard to their age.**

#### **Clause 65 (2) – Language of instruction**

4.145 Clause 65 states;

*(1) The local vernacular, Pidgin, English or sign language should be used individually or in combination to facilitate learning according to the need of the students’.*

*(2) A teacher **must endeavor** to use English as the principle language of instruction from the year level of primary education (or, if the Regulation prescribe some other year level, from that year level onwards).*

#### **Issues with the proposed Clauses:**

4.146 The Committee questioned whether normal schools would be able to register special needs children or will they have to be sent to a special needs school and will special needs facilities be provided for in schools.

4.147 The Ministry<sup>115</sup> stated that this is something that the Ministry would like to see happening in the future for example, a child who is blind but can still see clearly with glasses can be registered in a normal school. With regards to special needs facilities in schools, the ministry will be looking to construct such facilities for students in such situations. Furthermore, it is also working on training teachers in sign language to teach in schools.

4.148 The Committee raised concern regarding multi-lingual learning (MLE) and it is of the view that year 1 to 4 students would be best suited for MLE studies.

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<sup>113</sup> Dr Franco Rodie, Permanent Secretary, MERHD

<sup>114</sup> Dr Lalotoa Mulitalo, Legal Draftsperson, Attorney Generals Chamber

<sup>115</sup> Dr Franco Rodie, Permanent Secretary, MERHD.



- 4.149 The Ministry<sup>116</sup> stated that the ministry will monitor language in schools, he further stated that it will be using the vernacular education policy that recommends the use of vernacular instruction from ECE to year 3. He also stressed the importance of language transition and when students are taught in their language, they learn better. The Ministry however, wants teachers to speak in English when teaching from year 4 onwards.
- 4.150 The Committee agrees with the ministry on that point, it is of the view that pidgin ruins students English speaking and reading skill thus, stress that pressure be put on local vernacular. The Committee also see the need for students to learn their local language as well as English.
- 4.151 The Committee emphasized that pidgin should be discouraged in schools, it ruins local vernacular and English. Hence, the Committee is of the view that 65(2) does not make English compulsory during classes.
- 4.152 Solomon Islands Teachers Association (SINTA)<sup>117</sup> holds the view that the usage of the word, 'must' in that clause can be used by anyone to court, especially when the teachers are not delivering lessons in English. The Solomon Islands has used the epitome of colonialism, the English language, to yoke teachers in the country. A teacher not speaking English can be taken to court for defiance of the law if not careful in its management. SINTA further stated that, *"here teacher recognition hinges on speaking English, which is a superfluous demand and superably discriminatory when compared to other public sector jobs"*<sup>118</sup>.
- 4.153 On the other hand, in a written submission<sup>119</sup> to the Committee, Timothy Matzke is of the view that Clause 65(2) be returned to its original wording as in the 2020 version draft of the Bill. It supports a growing body of evidence from around the world on the importance of using children's home language as the language of initial learning in school and is also in line with recent policy and experience in the Solomon Islands.
- 4.154 In his written submission<sup>120</sup>, Timothy Matzke recommended deleting the words 'must endeavour to' in Clause 65 sub clause 2. Teachers should not just be encouraged to comply, but be required to comply. He further recommends the following be added to the end of the Clause, *"Standard English will be the only language of instruction from the start of secondary education onward, except in non-English language subjects"*<sup>121</sup>.
- 4.155 He further stated that, *"It is important to establish a high standard of English teaching in secondary education if students are to attain English mastery. If the primary system has laid a good educational foundation for learning in*

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<sup>116</sup> Ibid

<sup>117</sup> Robert Lafisi, General Secretary, Solomon Islands National Teachers Association, written submission.

<sup>118</sup> Robert Lafisi, General Secretary, Solomon Islands National Teachers Association, written submission

<sup>119</sup> Timothy Matzke, Solomon Islands Translation Advisory Group, written submission, 1 September 2023

<sup>120</sup> Ibid

<sup>121</sup> Ibid



*children's home language and built upon that foundation with a well-planned and implemented transition to English, the use of English as the only language of instruction in secondary should be both possible and desirable. Teachers should not be mixing Solomon Islands Pijin with their English at this level"*<sup>122</sup>.

#### **Recommendation 44**

The Committee recommends that Clause 65 sub clause 2 be amended to remove the word "must endeavor", and "Standard English will be the only language of instruction from the start of secondary education onward, except in non-English language subjects" be added at the end of the Clause.

#### **Clause 66– Religious instruction and pastoral care**

4.156 Clause 66 states;

1. *'Offering religious instruction and pastoral care to students of a school is important.*
2. *'Religious instruction in the denomination or sect or particular faith that is predominant amongst parents of students at a school, or in various forms of religious instruction, should be offered to students.*
3. *'At the Government or provincial school, arrangements must be in place for parents to be able to exempt their children from particular religious instruction.*

#### **Issues with the proposed Clauses:**

- 4.157 The Committee questioned who determines which faith or denomination predominates in a particular catchment where the school is established.
- 4.158 The Ministry<sup>123</sup> stated that when it comes to church schools the denomination is determined by the church that owns the school but if it is a government school, it depends on the students and which region they are from.
- 4.159 The Committee is also concerned with what would happen if an education provider would want to run a circular institution.
- 4.160 The Ministry<sup>124</sup> stated that such situations cannot be predicted but such religious activities will not be accepted because the education authority will have much say in terms of such extracurricular activities that are related to religious instructions.
- 4.161 The Committee emphasized clause 66(3) and is concerned that this clause gives way for any form of religion to come into schools. How will the Ministry deal with that?

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<sup>122</sup> Timothy Matzke, Solomon Islands Translation Advisory Group, written submission, 1 September 2023

<sup>123</sup> Dr Franco Rodie, Permanent Secretary, MERHD

<sup>124</sup> Ibid



- 4.162 The Ministry<sup>125</sup> stated that in the case of government, the arrangement is that there is no particular denomination or church that is dominant, and that is why church heads are invited to come and provide that instruction.
- 4.163 The Committee also understands that the constitution gives fundamental rights to freedom of worship and freedom of consciousness. The Constitution grants and protects those rights. The Committee sought views the views from various school representative around the town.
- 4.164 St. Joseph Tenaru School<sup>126</sup> responded to the issue around the teaching of Christian education in schools and states that, *"I feel that a lot of our provincial high school students are missing out on a very important education process, learning, or knowledge. And again, it comes back to what we value as a nation—what do we see as the core of this nation? If we see that Christianity or the values of morality are not good, then yes, throw them away"*.
- 4.165 St. Joseph Tenaru School<sup>127</sup> further states that, *"I ask the question of why we are giving different education to provincial school students and different education to church schools. And probably other education providers who do not have the same belief or do not share the same belief that we do. Our country will continue to divide and subdivide further and further down, and that is my fear"*.

#### **Clause 67– Minimum infrastructure obligation**

- 4.166 Clause 67 states; (1) *It is the condition of the registration of the school or ECE center that the school or ECE center:*
- a) *must be reasonably clean, safe and secure; and*
  - b) *must have an adequate supply of clean running water; and*
  - c) *must have sufficient toilet and bathroom facilities for students and teachers (in working order and with doors that can be shut for privacy and safety)*

#### **Issues with the proposed Clauses:**

- 4.167 The Committee is concerned that in clause 67 (1) (b), schools must have adequate supply of clean running water. The Committee is concerned that lot of schools do not have piped running water and those schools would have to be deregistered if they cannot fix that problem. This would be a significant problem.
- 4.168 The Committee is of the opinion that it is important that government work closely with the Ministry of Education to provide the funds to do this or perhaps through Water, Sanitation and Hygiene (WASH) program of the Ministry of Health.

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<sup>125</sup> Ibid

<sup>126</sup> Abraham Hirua, Principal, Daily Hansard Transcript, p.29

<sup>127</sup> Ibid



- 4.169 The Ministry<sup>128</sup> stated that Clause 2(a) (b) (1, 2, and 3) would be able to commit the government or the education providers to do something about this so that there is improvement of the WASH facilities including supply water that should be in the school.

#### **Recommendation 45**

The Committee recommends that the government to work closely with the Ministry of Education and Human Resources Development to provide funds for water and sanitation for all schools in the country.

#### **Clause 68– Community use of school facilities**

- 4.170 Clause 68(1) states; *'it is a condition of the registration of an education provider of a school for which Government funding is provided that the school must be made available for reasonable use by other organizations and people, including providers of adult and community education, at any reasonable time when it is not being used for the purposed of the school.*

#### **Issues with the proposed Clauses:**

- 4.171 The Committee is concerned that there might be misuse or abuse of school facilities.
- 4.172 The Ministry<sup>129</sup> stated that they take note of the concern raised by the committee however, this sharing at the village level with those facilities and buildings is ongoing. For instance, when a particular youth group decides to do something, they are allowed to use the school facilities as the venue to talk about health, youth life, Christianity, and so forth. So there should be some measures taken by the school community or the school in particular so that as part of the measure.
- 4.173 The Committee therefore, is of the opinion that this should be given to the school administration for this purpose rather than enshrining it in the law itself. So that there may be something to make reference to, otherwise, it will be difficult for the school administration to control. The committee further raised concern regarding church schools, it is understandable for public to use government school facilities but for private church schools this will not be tolerated.
- 4.174 The Ministry<sup>130</sup> stated that this is specified in the Bill because the bill has already outlined the penalty units for such situations. He also stated that the education provider and this principal administration will allow or deny the request based on the request.

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<sup>128</sup> Dr Franco Rodie, Permanent Secretary, MERHD.

<sup>129</sup> Dr Franco Rodie, Permanent Secretary, MERHD

<sup>130</sup> Ibid



- 4.175 The Committee further raised the issue of how that clause was written, the way it is worded makes it a condition for registration. Thus, the Committee recommended a change here to take out the condition so that it is not a condition but a subject to be dealt with at the discretion of the principal clearly stated as such. Thus, the committee is of the view that this should be made an Administrative matter.

#### **Recommendation 46**

The Committee recommends that Clause 68(1) be amended to remove the requirement to share school facilities as a condition for registration of an Education Provider or school.

#### **Clause 69 – Offences on school or ECE center premises**

- 4.176 Clause 69 (2) states; *‘a person who is not a student of the school or ECE center commits an offense if the person behaves in an offensive or disorderly way on education premises. Maximum penalty: 10,000 penalty units 12 months imprisonment, or both.’*

#### **Issues with the proposed clause:**

- 4.177 Solomon Islands National Teachers Association (SINTA)<sup>131</sup> is of the view that this clause does not capture students who can also cause offenses in schools compared to outsiders or non-students mentioned. The way it is worded, teachers will not be protected from student assaults. In this regard, teachers are not immune to students’ violence against them, and the school has been empowered to be a 'student illegal activities breeding ground and haven, free from the punishment of the law.

- 4.178 Clause 69 (4) states; *‘in this section:*

*‘education premises’ means land (including a building or structure on the land) on which there is a registered school or registered ece.*

#### **Issues with the proposed Clauses:**

- 4.179 The Committee is concerned that most of the schools are on customary land so if the land owner trespasses on school grounds which is technically on his own land, what would that be like?
- 4.180 The Legal Draftsperson<sup>132</sup> stated that obviously, there will be some discussion between the land owner and the school informing the school that he/she would occasionally come into school premises to check on his/her land.

#### **Committee recommendation;**

- 4.181 The Committee therefore, recommends that a MOU is attached to the application during application process for school registration. That ought to be a condition and it must be

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<sup>131</sup> Robert Lafisi, General Secretary, Solomon Islands National Teachers Association, written submission.

<sup>132</sup> Dr Lalotoa Mulitalo, Legal Draftsperson, Attorney Generals Chamber.



explained clearly to the land owner and so they know what was the reasonable time for the inspection or access.

#### **Recommendation 47**

The Committee recommends that a standard form be prescribed in the Regulations to obtain the consent of a landowner to a school being erected on his/her land, stipulating her rights and obligations.

### **Part 8: Management of teaching profession**

#### **Clause 70– Employment by education provider**

- 4.182 Clause 70 (2) states; *‘an education provider must, after making a decision affecting the appointment of a school teacher, inform the teaching service commission of the decision in the manner requested by the teaching service commission’.*
- 4.183 The Committee enquired into the actual role of the teaching service commission in regard to this proposed clause.
- 4.184 The Ministry<sup>133</sup> stated that in terms of clause 71 (1), the education provider or authority is the employer of teachers especially in terms of its channel of communication for approving. For example, in sub-clause (2), the regulations of the teaching service commission has not been changed nor its powers and functions of the teaching service as outlined in Sections 116(a) and 116(b) of the constitution. However, under this Bill, power has been given to education providers and school administration so that they can deliver a decision at their level to quickly address this issue.
- 4.185 The Committee also raised concern regarding appointment of teachers that churches should continue to be able to appoint teachers of their faith.

#### **Recommendation 48**

The Committee recommends that Regulations prescribe statutory time limits for the appointment of a teacher, specifying the number of days relevant documentation is to be processed at the Education Provider level and the number of days at the Ministry of Education, and those at the Teaching Service Commission. This will eliminate inefficiency and remove corrupt practice that drives delays in teacher appointments.

#### **Clause 72- Salary, Leave and other employment conditions**

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<sup>133</sup> Dr Franco Rodie, Permanent Secretary, MERHD.



- 4.186 Clause 72 (1) (d) states, *“The Regulations may provide for other matters relating to the employment of teachers and leaders in schools or ECE centers, including matters relating to the following:*
- (i) *permissible deductions from salary;*
  - (ii) *(ii) the basis of engagement;*
  - (iii) *(iii) temporary acting positions;*
  - (iv) *(iv) promotion or an increase in salary; (v) transfer;*
  - (v) *(vi) resignation;*
  - (vi) *(vii) termination of employment*
- 4.187 Solomon Islands National Teachers Association (SINTA)<sup>134</sup> is of the view that there is no room for negotiation in the contract. Teachers should be provided with negotiation avenues over their working conditions with Education Providers and MEHRD respectively.
- 4.188 Marara School<sup>135</sup> suggested that the salary structure of the teachers needs to be increased to cater to the cost of living. According to them, the current salary structure is adequate and insufficient. The school also suggested that urban school teachers need allowance on their salary to meet house rentals, water bills, electricity bills, and transportation. It is further suggested that the leave package for teachers must be consistent with the public servant leave package. Teachers should be given equal treatment as public servants. If public servants during leave can travel by plane, teachers too must be treated equally.
- 4.189 The Committee is concerned that the Bill essentially undermines collective bargaining by SINTA on behalf of teachers. If this was a deliberate policy choice, it is regrettable.

#### **Recommendation 49**

The Committee recommends that Regulations prescribe a mechanism for regular dialogue between SINTA and the Ministry on teacher welfare and remuneration issues, covering repatriation, inspection, supernumerary, welfare such as health, housing, insurance, transport, etc.

#### **Clause 73– Relationship with other sources of employment conditions**

- 4.190 Clause 73 (1) states; *‘the conditions of employment set out in the regulations and administrative instructions apply to teacher or leader in a school or ECE center unless the terms of a particular employment contract provide for different conditions that are more advantageous to the teacher or leader’.*

<sup>134</sup> Robert Lafisi, General Secretary, Solomon Islands National Teachers Association, written submission.

<sup>135</sup> James Mepobu, Principal, Marara School, written submission



- 4.191 The Committee requested clarification on Clause 73(1) which says '*unless the terms of a particular employment contract provide for different conditions*', so it anticipates a teacher having to possibly be remunerated under two different contracts. Thus, the Committee questioned what situation is anticipated.
- 4.192 The Ministry<sup>136</sup> stated that this is to do with relations with other sources of employment conditions, so currently there is one education provider or authority who has come to the Ministry to say that they do not need grants from the government, nor do they want their teachers to be paid through the payroll. Thus, confirming that they are financially independent to avoid double dipping.
- 4.193 The Committee however, is of the view that from a policy angle, the Ministry should be open to the possibility, that a school like St Nicholas or Florence Young or Epalle can pay the teacher a topup from their own funding sources at the school. They are struggling to get Form 5, 6 and 7 Math or Physics teachers and the only way to get that would be to incentivise the highly qualified science and mathematics teachers and they should be able to do that.
- 4.194 All teacher witnesses who appeared before the Committee expressed frustration at the 3 year contracts they were required to sign. They all saw it as too short and the contracts have removed certainty of tenure from the profession.
- 4.195 Therefore, the Committee recommends that it be made possible that these contracts of teachers are contracted to the provider or to the school, and then the provider allocate them to schools. Therefore, the provider can move them between their own schools but the contractors have a long contracts which is a 10 year contract.
- 4.196 The Ministry<sup>137</sup> stated that they are going to look at it and implement. So, if there is a need to change to extend the contractor period and if there is enough evidence of chances that the Ministry should be able to extend.
- 4.197 Also on Clause 73, the Solomon Islands Teachers Association<sup>138</sup> is of the view that this clause will no longer make the teaching profession a permanent job. It deniably forfeited teachers and the teaching career from being a permanent job. It further states that this clause fetches more benefit to the employer in disguise than the employee, exclusively; (a) to dislocate the employee (teacher) from service wherever it wants to, and (b) To abate conditions of the contract, should the teacher not accept, she/he can be pushed out and substituted immediately by one who assents to the offer.

#### **Recommendation 50**

**The Committee recommends that all teachers, other than school leaders, be in line with the appointments as in the Public Service.**

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<sup>136</sup> Dr Franco Rodie, Permanent Secretary, MEHRD, Oral Evidence.

<sup>137</sup> Dr Franco Rodie, Permanent Secretary, MEHRD, Oral evidence

<sup>138</sup> Robert Lafisi, General Secretary, Solomon Islands National Teachers Association, written submission.



**Clause 78– Reduction in remuneration for unauthorized absence or failure to perform duties**

- 4.198 Clause 78 (2) states; *'if, in consequence or furtherance of industrial action, a teacher or leader refuse or fails to carry out duties that the teacher or leader has been lawfully instructed to perform, the education provider may, as the employer of the teacher or leader, direct that the teacher or leader not be paid remuneration for any day (or part of a day) on which the teacher or leader refuses or fails to carry out their duties'*
- 4.199 Clause 78 (3) states; *'A direction under subsection (2) is effective to prevent payment of remuneration to a teacher or leader even though, on any day (or part of a day) to which the direction relates, the teacher or leader performs some (but not all) of the duties that the teacher or leader has been lawfully instructed to perform'*.

**Issues with the proposed clauses:**

- 4.200 The Committee questioned the Ministry regarding clause 78(2), on the consequence of the furtherance of industrial actions, or strike, as it is called by Solomon Islands Teachers Association (SINTA). Thus, if teachers refuse or fail to carry out duties, their pay will be cut. So in terms of this strike action, will it not allow SINTA to organize for teachers?
- 4.201 The Legal Draftsperson<sup>139</sup> stated that as it is said in 78 (2), it is to do with industrial action. So if the service provider has asked to continue the duties but the teacher does not agree, then yes it is the education provider who will be directed to a teacher who is not paid.
- 4.202 The Committee however, raised that this would clash with workers' rights under the Labour law; and if SINTA has complied with all the procedures, or processes under the Labour law such industrial action would be totally reasonable. Where it is unreasonable, then a provision like 78(2) would make sense.
- 4.203 The Committee is also of the view that Part 8 of the Bill itself strikes the core of SINTA. The way the Bill is structured is that it is meant to decentralize the management of teachers. So in that sense, the Education Authorities will now employ and manage teachers, therefore your current roles will be undermined as a collective body.

**Recommendation 51**

The Committee recommends that Clause 78 be amended to state that this provision is subject to the relevant labour law governing rights of workers to collective industrial action.

**Clause 79– Powers of education provider to take action against teacher or leader**

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<sup>139</sup> Dr Mulitalo, Legal Draftsperson, Attorney Generals Chamber



- 4.204 Clause 79 (1) states; *'An education provider may, by written notice to a teacher or leader employed by the education provider, terminate the employment of the teacher or leader on any of the following grounds:*
- a) physical or mental incapacity to perform duties satisfactorily;*
  - b) unsatisfactory performance of duties;*
  - c) misconduct.*

**Issues with the proposed clause:**

- 4.205 The Committee raised a question regarding this clause on the grounds to terminate the employment of the teacher or leader and whether the grounds to terminate is based on inspections report or report from principle or school board.
- 4.206 The Ministry<sup>140</sup> stated it could be from both from Inspectors and Principals.
- 4.207 Mr. James Bosamata<sup>141</sup> further added that it also depends on the geography of the different provinces. For example, Malaita has a lot of schools, the inspectors may have big challenges visiting all schools. For the smaller provinces that do not have many schools, the inspectors might have better chance of visiting the schools.
- 4.208 The Committee therefore, recommends that the bigger the education authorities must have more inspectors and the smaller ones have less.
- 4.209 The Committee raised concern regarding clause 79, the Committee questioned when that teacher is terminated are they being terminated from teaching or from that provider.
- 4.210 The Ministry<sup>142</sup> stated that from a policy perspective, that is what it means—Termination from the EP or education authority. But that decision will also end up at the teaching service commission, which will confirm that he or she is terminated. So based on the seriousness of those offenses, this particular teacher will be deregistered.
- 4.211 Solomon Islands National Teachers Association (SINTA)<sup>143</sup> is of the view that teachers in this case are not going to be protected against the contraventions. It has been noted that teachers were often victims of maladministration by Education Authorities (EAs) without accountability. The notion is that EAs who mistreated teachers must face penalties for their actions.
- 4.212 SINTA<sup>144</sup> is also of the view that teachers had better be represented by a third party such as SINTA during arbitration and conciliation exercises regarding their issues.

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<sup>140</sup> Dr Franco Rodie, Permanent Secretary, MEHRD.

<sup>141</sup> Deputy Secretary Strategy, MERHD

<sup>142</sup> Dr Franco Rodie, Permanent Secretary, MEHRD

<sup>143</sup> Robert Lafisi, General Secretary, Solomon Islands National Teachers Association, written submission

<sup>144</sup> Ibid



#### Clause 84– interpretation

- 4.213 Clause 84 defines leader as ; *“Leader includes a person who is or has been employed as a leader, whether or not the person is or has been registered as a teacher under this Act or the repealed provisions:*
- 4.214 The Committee questioned the Ministry on Clause 84, on the definition of the leader. The Committee seeks clarification on this clause.
- 4.215 The Ministry<sup>145</sup> stated that ‘leader’ is defined in the beginning but for matters such as capacity and performance or conducts and investigations into the misconduct. It will then include a person who was a teacher, employed as a leader or not.
- 4.216 The Ministry<sup>146</sup> is of the view that it is referring to the leadership role that a person does at the school. So it would be referring to a school principal or subject department head.

#### Clause 85– Investigation into capacity, performance or conduct

- 4.217 Clause 85 (1) states; *‘The Permanent Secretary may, at the request of an education provider made in accordance with the Administrative Instructions or the Permanent Secretary’s own initiative, investigate:*
- 4.218 *Whether a person’s capacity to perform duties as a teacher or leader is seriously impaired by illness or disability affecting the person’s behavior or competence as a teacher or leader; or*
- 4.219 The Committee also asked if when it comes to investigations of a teacher or leader, that role cannot be carried out by anyone else other than the permanent secretary.
- 4.220 The Ministry<sup>147</sup> stated that it could be done by the Education Provider (EP) but if there is a need to seek support from the permanent secretary or if there are information relating to a subject or leader who has received complain then the permanent secretary may be able to initiate that investigation.
- 4.221 The Committee also questioned the powers of the Education Provider and the Permanent Secretary as the registrar of teachers. What their role is during such investigations.
- 4.222 The Ministry<sup>148</sup> stated that another way of looking at this is that the PS may be responsible for matters relating to registration, but EPs can deal with employment issues.
- 4.223 However, that does not mean that all the issues pertaining to employment will be dealt with by the EP only. When requested by the ministry it can provide that support.

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<sup>145</sup> Dr Franco Rodie, Permanent Secretary, MEHRD

<sup>146</sup> Ibid

<sup>147</sup> Dr Franco Rodie, Permanent Secretary, MEHRD.

<sup>148</sup> Ibid.



- 4.224 The Committee is concerned that there might be a conflict of interest on the Permanent Secretary in both investigation teacher misconduct whilst being also the Registrar of Teachers.

**Clause 93 – Constitutional powers**

- 4.225 Clause 3 (1) states; *‘Section 116B of the Constitution powers to make appointments of school teachers including power to confirm appointments and to remove and to exercise control over school teachers.*

**Issues with the proposed clause:**

- 4.226 The Committee commented that 93(1) where it talks about the Constitutional powers under 116(b). The court decision on that is categorially clear of the meaning of appointments under the teaching service commission, so that it leaves no room whatsoever for an activist teaching service commission.
- 4.227 The Legal Draftsperson<sup>149</sup> concurred that clause 93(1) leaves no room for an activist teaching service commission. So, that sets the precedent for any other matter that follows will have to be in line with that.
- 4.228 The Committee questioned whether the confirmation by the Commission has to be in written form.
- 4.229 The Legal Draftsperson<sup>150</sup> agreed that the power to confirm appointments will be in a written form.

**Clause 94 –Right to review by Teaching Service Commission**

- 4.230 Clause 94 provides a teacher or leader with a right of review by the Teaching Service Commission of certain employment decisions made by an education provider and of registration decisions made by the Permanent Secretary.

**Issues with the proposed clause:**

- 4.231 The Committee raised concern regarding the actual role of the teaching service commission.
- 4.232 The Committee is of the view that the section 116(b) of the Constitution seems to be fairly general and broad so if there is an activist Teaching Service Commission, they might feel that this actually limits their powers under the Constitution.
- 4.233 The Legal Draftsperson<sup>151</sup> stated that the provision will not limit their powers. It is only for the use of this Division so the only place that it is used at is in clause 94. Thus, if the teaching service commission would be limited by (b) and went on to inquire into those matters they will be advised accordingly.

**Clause 95- Referral and Review Conducted:**

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<sup>149</sup> Dr Mulitalo, Legal Draftsperson, Attorney Generals Chamber

<sup>150</sup> Ibid

<sup>151</sup> Ibid



- 4.234 Clause 95 applies to such review and to a referral of a matter to the Teaching Service Commission by an education provider or by the Permanent Secretary. The clause sets out a timeframe and rules for the conduct of the referral or review.

**Issues with the proposed clause:**

- 4.235 The Committee sought further clarification on any referral matter on the basis of evidence information provided to the Teaching Service Commission, and whether there will be a need for appearance by the teachers or whoever that allegation is laid against.
- 4.236 In response, the Ministry<sup>152</sup> of Education indicated that it will depend very much on the teaching service Commission on which mode they will use.

*"Either through the evidence or report that is compiled and submitted for decision making by the TSC or if they wish to call the person so that they can do interview, it is up to the Teaching Service Commission. But it will be considered as referral case for that Commission."*<sup>153</sup>

**Clause 95 Sub clause 6**

- 4.237 Clause 95 (6 ) provided that; *the parties to a referral or review are not to be legally represented, but nothing prevents the teacher or leader concerned from being assisted by an industrial association or a person other than a legal practitioner in representing the teacher's or leader's case.*

**Issues with the proposed clause:**

- 4.238 The Committee note that it is a policy direction for the Barr legal representation as expressly provided for under Clause 95 (6) under this Bill.
- 4.239 The Ministry<sup>154</sup> informed the Committee they do not have past experience of legal representation especially on matters that the Teaching Service Commission had already made a final decision on.

**Clause 96: Determination of Referral or Review**

- 4.240 Clause 96 (5) states, A decision on a referral or review by the Teaching Service Commission is not subject to further review.

**Issues of the proposed clause:**

- 4.241 The Committee noted that the decision of the Teaching Service Commission is not subject to any further review.
- 4.242 According to the Ministry's evidence before the Committee, highlighted that;

*"That means that when our review is conducted with a view to determine whether decision subject to is lawful and even if it is lawful, whether it is harsh, unjust or unreasonable, that decision can be arrived*

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<sup>152</sup> Dr Franco Rodie, Permanent Secretary, MEHRD

<sup>153</sup> Dr Franco Rodie, Permanent Secretary, MEHRD

<sup>154</sup> Ibid



*at the Teaching Service Commission level and so we are of the view that sufficient evidence will be used therefore, the judiciary might be just and there might no need for taking it to another level.*"<sup>155</sup>

- 4.243 Therefore, when the Teachers Service Commission made its final decision, they already had sufficient evidence to prove their decision and therefore, no need to take their decision for further review to any higher tribunal for example, High Court. Apart from that, in her evidence, the Legal Draftsperson also highlighted that;

*"There are provision in other laws says that this not subjected to further review. In reality even if we have provisions in law, there are other laws that say exactly this, especially when it comes to tribunals. But this is a constitutional institution in relating to education. So there decisions is seen as the highest level for education. So this is like the respect also given to it that they have the final say in education matters."*<sup>156</sup>

#### **Clause 97 – Administrative Assistance and Delegation**

- 4.244 Clause 97 (3) states that *the Teaching Service Commission may, subject to such conditions as it thinks fit delegate any of its powers under this Division by directions in writing to any member of the Commission or to any public officer or to any provincial government officer.*

#### **Issues with the proposed clause:**

- 4.245 The Committee noted that the Teaching Service Commission is supported by the Secretariat to the Teaching Service Commission.
- 4.246 The Ministry<sup>157</sup> informed the Committee that the Teaching Service Commission can delegate their powers to any person they see fit. Particularly, to the Teaching Service Division, the Permanent Secretary and further down to any public officer and to any Provincial Government officer. This is also subject to Section 116(B) 2 of the Solomon Islands Constitution.
- 4.247 However, this excludes the disciplinary matters. The Teaching Service Commission investigated and made decision on all disciplinary matters.

### **Part 10: Cancellation of registration of education provider, school or ECE center**

#### **Clause 98- Dismissal of School Board**

- 4.248 Clause 98 empowers the Permanent Secretary to dismiss a school if satisfied..."

#### **Issues with the clause:**

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<sup>155</sup> Ibid

<sup>156</sup> Dr Mulitalo, Legal Draftsperson, Attorney Generals Chamber

<sup>157</sup> Dr Franco Rodie, Permanent Secretary, MEHRD



4.249 The Ministry<sup>158</sup> informed the Committee that the School Board has the power to terminate any Board member who acted outside the School Board's administrative instructions. That decision to fire a Board member could be made with by the Education Provider (EP).

4.250 The administration instruction for running a school board provides the conditions under which a board member may be fired.

**Issues with the proposed clause:**

4.251 Since lack of financial accountability is usually grounds for dismissal of a school board, the Committee is of the view that those who are appointed as bursar of the school to go through capacity development in basic accounting, make financial decisions and record keeping so that they can understand their role.

4.252 The Committee is also of the view that all schools have a bursar; although a school business teacher may undertake the responsibility.

**Clause 98 (5) – Dismissal of school board**

4.253 Clause 98(5) states; the Permanent Secretary must also consult with the relevant Provincial Education Board before dismissing a school Board.

**Issues with the proposed clause:**

4.254 The Committee noted that the permanent Secretary has the power to dismiss the School Board. However, it has to ensure that the Permanent Secretary consults with the School Board before it made its decision to dismiss the school board.

**Clause 99- Cancellation of Registration of Education Provider**

**Clause 99 (4)**

4.255 Clause 99 (4) provides grounds for the cancellation of the registration of an education provider if the Permanent Secretary is satisfied that the education provider has ceased to operate any schools or ECE centers.

**Issues with the proposed clause:**

4.256 The Committee urges the ministry to resort to deregistration of an Education Provider as a matter of last resort, after all other avenues for addressing the issues have been exhausted.

4.257 The committee noted the Clause 99 and clause 102 are relevant, clause 102 provided for the procedure for the cancellation of the registration.

**Clause 99 (10)**

**Issues with the proposed clause:**

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<sup>158</sup> Ibid



- 4.258 Clause 99 (10) provides that if the registration of an education provider is cancelled, the registration of each school and ECE centre of the education provider that has not been transferred to another education provider or taken over under section 102 is also cancelled.
- 4.259 The Committee is of the view that a transition period should be provided in the Bill, so that when the registration license of the school is cancelled, the school can be transferred to another education provider to take it on.
- 4.260 The Committee also proposed that when the registration of the School is cancelled, the Government can be given the opportunity to take over as the new Education Provider rather than completely closing down the School with immediate effect.
- 4.261 The Committee noted that there is no obligation on the Provincial Education Authority and the Ministry to intervene in situation where the school is closed, similarly there is no obligation to agree to transfer the school to another Education authority.
- 4.262 It is recommended that the Ministry of Education provide for the transition period in situation where there is no agreement reached to transfer the school to another Education Authority.

**Clause 102 –Action to Avoid closure of School or ECE center**

- 4.263 Clause 102 *empowers the Minister, or a Provincial Executive acting with the approval of the Minister, to agree to take over the operation of a school or ECE center to avoid it closing (including through cancellation of registration) on a temporary or permanent basis. If the arrangement is permanent, the school or ECE center will become a government or provincial school or ECE center.*

**Issues with the proposed clause:**

- 4.264 The Committee expressed concern that there is no transition period provided in the Bill to provide for the transfer of the school and whose obligation is to make all possible arrangement for the transfer.
- 4.265 It is recommended that the Ministry of Education provide for the transition period in situation where there is no agreement reached to transfer the school to another Education Authority.

**Recommendation 52**

The Committee recommends that Regulations prescribe a mechanism for the transfer to another Education Provider of schools under an Education Provider that has been deregistered.

**Clause 102 (2) (b)**



- 4.266 Clause 102 (2) (b) states; for a non-government school or ECE center, by the Provincial Executive, acting with the written approval of the Minister, by agreement between the Provincial Executive and the education provider of the school.

**Issues with the proposed clause:**

- 4.267 The Committee note that clause 102(2) (b) has provided for the transfer of school through the approval of the Minister and the agreement between the Provincial Executive and the Education Provider. The agreement will allow the former school that was cancelled to be given another chance to perform or to assume its role as an Education provider.
- 4.268 The agreement will allow for the smooth transition at the school which the former education provider.
- 4.269 The Committee express concern that sub-Clause 6 can be removed, since Clause 102 (2) b) already provided that the Minister is already obligated under the Provincial Executive, and who is also obligated to take over, whether temporary or permanently.
- 4.270 The Committee also mention that the Education provider should be registered as a legal entity.
- 4.271 The Committee also recommends that an independent authority should be created to run King George Sixth and Waimapuru NSS. This will lessen more burden of responsibility on the Permanent secretary just like under this Bill.
- 4.272 The Ministry acknowledge the idea, and stated that they have received a lot of complains.  
*"The Ministry should be seen as a regulatory body and that two school that we have should be run by any responsible authority that we identify."*<sup>159</sup>
- 4.273 The Ministry should be seen as a regulatory body and that two school that we have should be run by any responsible authority that we identify.

**Part 11: Enforcement and Emergency Powers**

**Clause 104 – Information from Commissioner of Police relevant to teachers or education providers.**

- 4.274 Clause 104 (1) states–*This section applies to information relevant to the question of whether a person is a fit and proper person to be, or to continue to be, registered as a teacher or an education Provider.*

**Issues with the proposed clause:**

- 4.275 The Committee seek clarification on the intention of the Clause 104(1) whether it also means that Education Provider Board Members will now be subject to a due diligence checks to make sure that they do not have a criminal conviction. The Ministry expressed that;

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<sup>159</sup> Dr Franco Rodie, Permanent Secretary, MEHRD



*"Now the decision of police clearance become a norm. That is one of the requirements that we would like to emphasize on teachers who want to become teachers and teach our children have to go through that clearance"*<sup>160</sup>. The Committee is pleased with this initiative to improve leadership and governance generally.

#### **Clause 107 – Authorized officers**

- 4.276 The Committee noted that the authorized officer may be appointed to carry out enforcement and emergency powers, information gathering and sharing. From time to time, those officers could be utilized so that they could also collection information. Authorized officers are established for specific tasks, as determined by the Permanent Secretary. It is clearly provided under Clause 108.

#### **Issues with the proposed clause:**

- 4.277 The Committee indicated that the penalty of 1,000 Penalty Units for false representation is low and should be increased. This is because an authorizing officer has a lot of delegated powers from the Permanent Secretary, and if someone falsely representing, they should be severely punished.

#### **Recommendation 53**

The Committee recommends that the Bill be amended in Clause 107 by replacing '1,000' with '10,000' Penalty Units to reflect the gravity of the offence of false representation.

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END OF REPORT

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<sup>160</sup> Dr Franco Rodie, Permanent Secretary, MEHRD



## 5.0 APPENDICES

### Appendix 1: Witnesses

Date	Name	Position & Organisation
Thurs 31 <sup>st</sup> Sept, 2023  9:38 am – 12: 16 pm	Dr. Franco Rodie Dr. Lalotoa Mulitalo Mr. Coldrine Kolae Mr. James Bosamata Mrs. Linda Wate Mr. Christopher Sakiri Ms. Ha'a Hauirae	Permanent Secretary – MEHRD
		Acting Legal Drafter, AG's Chamber
		Deputy Secretary – Corporate MEHRD
		Deputy Secretary – Support MEHRD
		Deputy Secretary – Teaching MEHRD
		Deputy Secretary – EA, MEHRD
		Chief Legal Drafter, AG Chambers
2:25 pm – 4 :26 pm	Dr. Franco Rodie Dr. Lalotoa Mulitalo Mr. Coldrine Kolae Mr. James Bosamata Mrs. Linda Wate Mr. Christopher Sakiri Ms. Ha'a Hauirae	Permanent Secretary – MEHRD
		Acting Legal Drafter, AG's Chamber
		Deputy Secretary – Corporate MEHRD
		Deputy Secretary – Support MEHRD
		Deputy Secretary – Teaching MEHRD
		Deputy Secretary – EA, MEHRD
		Chief Legal Drafter, AG Chambers
Tuesday 5 <sup>th</sup> Sept, 2023  10:08 am – 12: 29 pm	Dr. Franco Rodie Dr. Lalotoa Mulitalo Mr. Coldrine Kolae Mr. James Bosamata Ms. Ha'a Hauirae	Permanent Secretary – MEHRD
		Acting Legal Drafter, AG's Chamber
		Deputy Secretary – Corporate MEHRD
		Deputy Secretary – Support MEHRD
		Chief Legal Drafter, AG Chambers
2: 07 pm – 4 :26 pm	Dr. Franco Rodie Dr. Lalotoa Mulitalo Mr. Coldrine Kolae Mr. James Bosamata Ms. Ha'a Hauirae	Permanent Secretary – MEHRD
		Acting Legal Drafter, AG's Chamber
		Deputy Secretary – Corporate MEHRD
		Deputy Secretary – Support MEHRD
		Chief Legal Drafter, AG Chambers
Wednesday 6 <sup>th</sup> Sept 2023  9 : 44 am – 12:30 pm	Dr. Franco Rodie Dr. Lalotoa Mulitalo Mr. Coldrine Kolae Mr. James Bosamata Ms. Ha'a Hauirae	Permanent Secretary – MEHRD
		Acting Legal Drafter, AG's Chamber
		Deputy Secretary – Corporate MEHRD
		Deputy Secretary – Support MEHRD
		Chief Legal Drafter, AG Chambers
2: 20 pm – 4:30 pm	Dr. Franco Rodie Dr. Lalotoa Mulitalo Mr. Coldrine Kolae	Permanent Secretary – MEHRD
		Acting Legal Drafter, AG's Chamber
		Deputy Secretary – Corporate MEHRD



	Mr. James Bosamata Ms. Ha'a Haurae	Deputy Secretary – Support MEHRD Chief Legal Drafter, AG Chambers
<b>Thursday 7<sup>th</sup> Sept, 2023</b>  <b>10: 12 am – 12: 00 pm</b>	Dr. Franco Rodie Dr. Lalotoa Mulitalo Mr. Coldrine Kolae Mr. James Bosamata Ms. Ha'a Haurae	Permanent Secretary – MEHRD Acting Legal Drafter, AG's Chamber Deputy Secretary – Corporate MEHRD Deputy Secretary – Support MEHRD Chief Legal Drafter, AG Chambers
<b>Monday 11<sup>th</sup> Sept, 2023</b>  <b>9: 58 am – 11: 15 am</b>	Mr. Philip Kanairara	Chairman- Law Reform Commission (LRC)
<b>11: 15 am – 12: 16 pm</b>	Mr. Judson Leafasia  Mr. Fox Qwaina  Mr. James Memua  Mr. Joseph Pitakia Ms. Judith. D. Pule	Solomon Islands Education Board Member, TALEA/ EA Solomon Islands Education Board Member, NEB Member Education Secretary, ACOM, EA, NEB Member Chairman, SDA, Teaching Education Board Secretary Interim - MEHRD
<b>12:16 pm – 3 : 59pm</b>	Mrs. Andy Tosasai, Mr. Frank Robolite'e Mr. Ray Menia, Mr. Moffat Luza Mr. John Baiabe Ms. Reachel Menvi Mr. Philip Rockson Mr. James Lalawa Mr. Rex Kiko Ms. Lucy Lubu	President, SINTA Vic President, SINTA Honiara Chairman, SINTA Chairman, Central, SINTA Chairman – Rennell/Bellona, SINTA Assistant General Secretary, SINTA Malaita Branch Member, SINTA Industrial Relation Officer, SINTA National Treasurer, SINTA Women's Wings, SINTA
<b>Tuesday 12<sup>th</sup> Sept, 2023</b>  <b>9: 46 am – 1 : 11 PM</b>	Mrs. Rhoda Brown Leingale Revd. Peter Meta Mr. Bevan Tutuo Mr. Lionel Kakai Mr. Abraham Hihiru Mr. James Mepobu Mr. Leslie Fono, Mr. Gabriel Karahu,	Principal St. John School Principal St. Nicholas Anglican Collage Principal Betikama Adventist Collage Principal King George School Principal, St. Josephs Tenaru School Principal, Marara CHC Deputy Principal, St. Nicholas Collage Deputy Head Teacher, Marara CHC



	Mr. John Loft, Mr. Marson Keniano Mr. Charles Qalotaba	Careers Master, St. Joseph's Tenaru School
		Head Teacher, St. John School
	Mrs. Hellen Ripo	Head of Department, Science, St. Nicholas Anglican Collage
	Mr. Jeoffrey Poea	HOD, Mathematics Betikama Adventist College
	Mrs. Lucy Labu	HOD Science, St. Joseph School
	Miss. Elizabeth Lulumani	HOD, Maths, Marara CHC
	Mr. Reim Bird	Form 6 Arts students, St. Nicholas Anglican College
	Ms. Rhoda Pitia	Form 6 Arts students, St. Nicholas Anglican College
	Ms. Mary Keniuna	Teacher, St. John School
	Mrs. Caroline Matangani	Teacher, St. John School
		Secondary teacher, St. Nicholas, Anglican College,
	Mr. Joseph Lapoe	Biology/ Acting Science, Betikama Adventist College,
	Mr. Edwin Taimwane	Teacher, St. Joseph School Tenaru
	Mr. Kingsly Waitaa	C/T Marara CHS
	Mrs. Kathrine Kalea	Senior Teacher, Marara CHS
	Mr. Daniel Donoa	Chairman, (SBOM) Marara CHS
	Mr. Gad Sauruku	Board Member, St. John's school
	Mr. Silas Wanebeni	Parent, Betikama Adventist College
2.25pm -4.44pm	Mr Patrick Toiraena	W/Provincial Secretary, Western Province
	Mr Allan Siale	Provincial Rep, CPG/CPEA
	Mr. Elvis Kikolo	Education Inspector, HCC
	Mr. Andrew Kaifina	CEO, CPG/CPEA
	Mr. Samuel Pavabule	Chief Education Officer-W/Province
	Mr. James Ivo Tugumana	Chief Education Officer, Isabel EA
	Mr. Elision Mane	Chief Education Officer, HCC
	Mr. Gilber Tabihau	Chief Education Officer, Makira EA
	Hon. Hugo Manegegegu	Minister of Education, Isabel EA
	Hon. Gordon Zebo	Minister of Education, W/Province
	Ho. James Galini	MPA, CPG
	Rev. Griffith Hebala	Principal, Isabel EA
	Mr. Edward Porowaki	Principal, Makira EA
	Mr. Richard Hiva	Principal, W/Province
	Mr. Pilip Ika	Principal, HCC
	Mr. Thomas Waro	Head Teacher, Makira EA
	Mrs. Betty Tora	



	Mr. Cecil Keni Mr. Vira Lupaqeto Mr. David Kikolo Mrs. Annie Takeli Ms. Margaret Manele	Head Teacher, Makira EA
		Head Teacher, Isabel EA
		Head Teacher, W/Province
		DHT McMahon CHS, CPEA
		Head Teacher, HCC
		Senior Secondary Teacher, McMahon CHS, CPEA
<b>Wednesday 13<sup>th</sup> September, 2023</b>  <b>10am- 12.26pm</b>	Mr. Elvis Kekegolo Mr. Albert Kaipua Mr. Addie Siarani Mr. Peter Chaniel Mr. Paul Kona Mr. Nickson Lanoli Mrs. Roselyn Menapi Mr. Alick Bebesia Mr. Philip Tekiou Mr. Paul Tetuha Mr. Lawrence Mengipla Mr. Alex Isu	Provincial Secretary (Ag), Temotu Province
		CEO, Rennell and Bellona EA
		CEO, Malaita EA
		Supervising CEO, Temotu EA
		Chairman, Malaita Province
		V/ Chair, LPSS, TPG
		Principal, Lata CHS
		Principal, Aligegeo PSS,
		Malaita EA
		Principal(Ag)New Place PSS, Rennell/Bellona EA
		Head Teacher, Vanua Primary School
		Head Teacher, Lata CHS
		Head Teacher, Malaita Provinces
<b>2.10pm – 4: 00 pm</b>	Prof, Transform Aqorau Dr. Patricia Rodie DR. Tess Martin Mr. John. L. Sisiolo Mrs. Constance Nasi Mr. John Iromea, Mr. Goldie John Lusi Mr. Welchman Puhi	Vice - Chancellor
		Dean – FEH
		AVI executive Mentor, DFAT/AVI
		Head of School, FEH
		CE, SITESA
		Director NSD, SITESA
		Director NDD, SITESA
		Sup Director, SPP, SITESA
<b>4: 11 pm – 4: 43 pm</b>	Mr. Paul White	Chairman board, BSCS
<b>Thursday 14<sup>th</sup> Sept, 2023</b>	Mr. Billy Leta, Mr. Jackson, Mr. Eddie	Education Director, SDA EA
		Education Secretary ( Ag), Catholic EA
		Gideon, Education Director, SSEC EA



9: 52 am – 11: 50 am	Mr. Celystia Pentani	Secondary Social Studies, Teacher, Chinese Authority
	Mrs. Hellen Ruhasia	Deputy Primary Teacher, Chung Wah Chinese Authority
11: 55 am – 12: 34 pm	Mr. Timothy Matzke	Literacy and Education Consultant)
	Mrs. Martha Matzke	Literacy Specialist, SITAG
12: 35 pm – 1: 00 pm	Mr. Joseph Pitakia,	Chairman, NEB
	Mr. Judson Leafasia	Member, NEB
	Ms. Judith D. Pule	Board Secretary Interim, MEHRD

## Minutes of Proceedings



NATIONAL PARLIAMENT OF SOLOMON ISLANDS

BILLS & LEGISLATION COMMITTEE

P.O. Box G19,  
Honiara.

Tel:  
28520/23424.  
Fax: 24272

## Minutes of Proceedings

### Committee Hearing into the Education Bill 2023 (No.7 of 2023)

Day 1 /2023

Thursday 31<sup>st</sup> August 2023, CR II, Parliament House 09:38 am

#### 1. Members Present

Hon. John Maneniaru, MP – Chairman

Hon Matthew Wale, MP

Hon. Lily Maefai, MP

#### Absent/Apology

Hon. John Deane Kuku, MP

Hon. Rick Houenipwela, MP

Hon. Peter Kenilorea Jr, MP

Hon. Silas Tausinga, MP

Hon. Derrick Manu'ari, MP

#### Secretariat



Ms. Ivory Iruha'a, Committee Secretary  
Ms. Salome Pilumate, Committee Secretary  
Mr. Wilson Orisi, Committee Secretary  
Mr. Whitmon Tabiru, Committee Secretary  
Ms. Cordney Wale, Committee Secretary  
Ms. Monica Sekonga, Senior Admin - Committees  
Ms. Hazel Fafale, Hansard Reporter  
Mr. Philemon Loe, Principal Media Officer  
Mr. Pamentha Golo, ICT Officer

## **2. Prayer**

The Legal Drafter (Ag), Dr. Lalotoa said the opening prayer.

## **3. Welcome and Opening Remarks**

The Chairman of the Bills and Legislation Committee, made his opening remarks. The Chair informed the witnesses of the Parliamentary privileges.

## **4. Inquiry into the Education Bill 2023 (No.7 of 2023)**

The Hearing proper commenced and the following witnesses from the Ministry of Education, Human Resources Development (MEHRD) and Attorney General's Chamber were admitted:

### **Hearing 1 Witnesses**

- i. Dr. Franco Rodie, PS, MEHRD
- ii. Dr. Lalotoa Mulitalo, Legal Drafter (Ag), AG Chamber
- iii. Mr. Coldrine Kolae, DS Cooperate, MEHRD
- iv. Mr. James Bosamata, DSS, MEHRD
- v. Mrs. Linda Wate, DS T & L, MEHRD
- vi. Mr. Christopher Sakiri, DS EA, MEHRD
- vii. Ms. Ha'a Hauirae, Chief Legal Drafter, AG Chambers

The witness made their presentations before the committee.

The committee questioned the witness based on the evidences presented.

The examination concluded.

*Hearing suspends for lunch at 12:16 pm*



The Hearing proper resumed at 2:25 pm and the following witnesses from the Ministry of Education, Human Resources Development (MEHRD) and Attorney General's Chamber were admitted:

**Hearing 2 Witnesses**

- i. Dr. Franco Rodie, PS, MEHRD
- ii. Dr. Lalotoa Mulitalo, Legal Drafter (Ag), AG Chamber
- iii. Mr. Coldrine Kolae, DS Cooperate, MEHRD
- iv. Mr. James Bosamata, DSS , MEHRD
- v. Mrs. Linda Wate, DST & L
- vi. Mr. Christopher Sakiri, DSEA
- viii. Ms. Ha'a Hauirae, Chief Legal Drafter, AG Chambers

The witnesses made their presentations before the committee.

The committee questioned the witnesses based on the evidences presented.

The examination concluded

**5. Closing prayer**

Closing prayer said by the MP for Aoke/Langalanga and Leader of the Opposition Group, Hon. Matthew Wale

**6. Adjournment:**

The committee adjourned hearing at 4:26pm

**7. Documents Tabled**

- i. MEHRD PowerPoint presentation

**Day 2 /2023**

**Tuesday 5<sup>th</sup> September 2023, CR II, Parliament House 10:08 am**

**1. Members Present**

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



**Absent/Apologies**

Hon. Peter Kenilorea (Jnr), MP

Hon. Lilly Maefai, MP

Hon. Silas Tausinga, MP

Hon. Derrick Manu'ari, MP

**Secretariat**

Ms. Ivory Iruha'a, Committee Secretary

Mr. Whitmon Tabiru, Committee Secretary

Ms. Cordney Wale, Committee Secretary

Ms. Monica Sekonga, Senior Admin - Committees

Ms. Richard Ngatulu, Hansard Reporter

Mr. Philemon Loe, Principal Media Officer

Mr. Pamentha Golo, ICT Officer

**2. Opening prayer**

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

**3. Welcome and Opening Remarks**

The Chairman of the Bills and Legislation Committee, made his opening remarks. The Chair informed the witnesses of the Parliamentary privileges.

**4. Inquiry into the Education Bill 2023 (No.7 of 2023)**

The Hearing proper commenced and the following witnesses from the Ministry of Education, Human Resources Development (MEHRD) and Attorney General's Chamber were admitted:

**Hearing 3 Witnesses**

- i. Dr. Franco Rodie, PS MEHRD
- ii. Dr. Lalotoa Mulitalo, Legal drafts lady (Ag) AGC
- iii. Mr. Coldrine Kolae, DSC MEHRD
- iv. Mr. James Bosamata, DSS MEHRD
- v. Ms. Ha'a Hauirae, CLD, AGC

The witness made their presentations before the committee.

The committee questioned the witness based on the evidences presented.

The examination concluded.



*Hearing suspends at 12:29 pm until 2:00 pm*

The Hearing proper resumed at 2:07 pm and the Committee continued with the clause by clause discussion and the following witnesses from the Ministry of Education, Human Resources Development (MEHRD) and Attorney General's Chamber were admitted:

**Hearing 4 Witnesses**

- i. Dr. Franco Rodie, PS MEHRD
- ii. Dr. Lalotoa Mulitalo, Legal drafts lady (Ag) AGC
- iii. Mr. Coldrine Kolae, DSC MEHRD
- iv. Mr. James Bosamata, DSS MEHRD
- v. Ms. Ha'a Haurae, CLD, AGC

The witnesses made their presentations before the committee.

The committee questioned the witnesses based on the evidences presented.

The examination concluded.

**5. Adjournment:**

The committee adjourned hearing at 4:26 pm.

**6. Documents Tabled**

None

**Day 3/ 2023**

**Wednesday 6<sup>th</sup> September 2023, CR II, Parliament House, 9:44 am**

**1. Members Present**

Hon. John Maneniaru, MP – Chairman

Hon. Matthew Wale, MP

Hon. Rick Houenipwela, MP

**Absent/Apologies**

Hon. John Dean Kuku, MP

Hon. Peter Kenilorea (Jnr), MP

Hon. Lilly Maefai, MP



Hon. Silas Tausinga, MP  
Hon. Derrick Manu'ari, MP

**Secretariat**

Ms. Ivory Iruha'a, Committee Secretary  
Mr. Whitmon Tabiru, Committee Secretary  
Ms. Cordney Wale, Committee Secretary  
Mr. Wilson Orisi, Committee Secretary  
Ms. Monica Sekonga, Senior Admin Officer - Committees  
Ms. Theresa Nori, Hansard Reporter  
Ms. Sherilyn Ragoso, Hansard Reporter  
Mr. Philemon Loe, Principal Media Officer  
Mr. Pamentha Golo, ICT Officer

2. Opening prayer said by the Chairman for BLC and MP for West Are'Are, Hon. John Maneniaru.

**3. Welcome and Opening Remarks**

The Chairman of the Bills and Legislation Committee, made his opening remarks. The Chair informed the witnesses of the Parliamentary privileges.

**3. Inquiry into the Education Bill 2023 (No.7 of 2023)**

The Hearing proper commenced and the clause by clause review continued and the following witnesses from the Ministry of Education and Human Resource Development (MERHD) and Attorney General's Office were admitted:

**Hearing 5 Witnesses**

- i. Dr. Franco Rodie, PS MERD
- ii. Dr. Lalotoa Mulitalo, Legal drafts lady (Ag) AGC
- iii. Mr. Coldrine Kolae, DSC MERD
- iv. Mr. James Bosamata, DSS MERD
- v. Ms. Ha'a Haurae, CLD, AGC

The clause by clause discussion continued.

The committee questioned the witnesses based on the remaining clauses of the Bill.

The examination concluded.

*Hearing suspends for lunch at 12:30 pm*



The Hearing proper resumed at 2.20pm and the following witnesses from the Committee continued with the clause by clause discussion and the following witnesses from the Ministry of Education, Human Resources Development (MEHRD) and Attorney General's Chamber were admitted:

#### **Hearing 6 Witnesses**

- i. Dr. Franco Rodie, PS MERD
- ii. Dr. Lalotoa Mulitalo, Legal drafts lady (Ag) AGC
- iii. Mr. James Bosamata, DSS MERD
- iv. Ms. Ha'a Haurae, CLD, AGC

The witness's made their presentations before the committee.  
The committee questioned the witnesses based on the evidences presented.  
The examination concluded.

#### **4. Adjournment:**

The committee adjourned hearing at 4:30 pm

#### **5. Documents Tabled**

None

**Day 4/ 2023**

**Thursday 7<sup>th</sup> September 2023, CR II, Parliament House 10:12 am**

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

Hon John Maneniaru, MP  
Hon. Matthew Cooper Wale MP  
Hon. Rick Houenipwela, MP

#### **Absent/ Apologies**

Hon. Lilly Maefai, MP  
Hon. Peter Kenilorea (Jnr), MP  
Hon. Silas Vagara Tausinga, MP  
Hon. John Dean Kuku, MP  
Hon. Derrick Manu'arii, MP

**Secretariat**

Mr. Ivory Iruha'a, Committee Secretary  
Ms. Monica Sekonga, Senior Administration Officer  
Mr. Greg Kinimete, Hansard Reporter  
Mr. Lawrence Scott, Media Officer  
Mr. Philemon Loe, Media Officer  
Mr. Pamantha Golo, ICT Officer

## **2. Prayer**

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

## **3. Welcome and Opening Remarks**

The Chairman of the Bills and Legislation Committee, made his opening remarks. The Chair informed the witnesses of the Parliamentary privileges.

## **4. Inquiry into the Education Bill 2023 (No.7 of 2023)**

The Hearing proper commenced and the following witnesses from the Ministry of Education, Human Resources Development (MEHRD) and Attorney General's Chamber were admitted:

### **Hearing 7 Witnesses**

- i. Dr. Franco Rodie, PS MEHRD
- ii. Dr. Lalotoa Mulitalo, Legal drafts lady (Ag) AGC
- iii. Mr. Coldrine Kolae, DSC MEHRD
- iv. Mr. James Bosamata, DSS MEHRD
- v. Ms. Ha'a Hauriee, CLD, AGC

The witnesses made their presentation before the Committee.  
The Committee questioned the witnesses based on the evidence presented.  
The examination concluded.

## **5. Closing prayer**

Closing prayer said by Dr. Franco Rodie, PS MERHD.

## **6. Adjournment:**

The committee adjourned hearing at 12:00 pm

## **7. Documents Table**

None

Day 5/ 2023



Monday 11<sup>th</sup> September 2023, CR II, Parliament House 9:58 am

**1. Members Present**

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

**Absent/Apologies**

Hon. Lily Maefai, MP  
Hon. Peter Kenilorea Jr, MP  
Hon. Silas Tausinga, MP  
Hon. Derrick Manu'ari, MP

**Secretariat**

Ms. Ivory Iruha'a, Committee Secretary  
Ms. Cordney Wale, Committee Secretary  
Mr. Whitmon Tabiru, Committee Secretary  
Ms. Monica Sekonga, Senior Admin Officer  
Mr. Lawrence Scott, Media Officer  
Mr. Richard Ngatulu, Hansard Reporter  
Mr. Pamentha Golo, ICT Officer

Chair call meeting to order at 9: 58 am

**2. Prayer**

The Chairman for Law Reform Commission Philip Kanairara said the opening prayer.

**3. Welcome and Opening Remarks**

The Chairman of the Bills and Legislation Committee, made his opening remarks. The Chair informed the witnesses of the Parliamentary privileges.

**4. Inquiry into the Education Bill 2023 (No.7 of 2023)**

The Hearing proper commenced and the witness from the Law Reform Commission (LRC) was admitted:

**Hearing 8 Witnesses**

- i. Mr. Philip Kanairara

The witness made his presentation before the Committee.

The Committee questioned the witness based on the evidence presented.

The examination concluded.

*Hearing Suspended at 11:15 am*

The Hearing proper resumed at 11:18 am and the following witnesses from the National Education Board (NEB) were admitted:

**Hearing 9 Witnesses**

- i. Mr. Judson Leafasia, Solomon Islands Education Board (SIEB) member, TALEA/EA
- ii. Mr. Fox Qwaina, SIEB member, NEB Member
- iii. Mr. James Memua, E.S – ACOM EA, NEB Member
- iv. Mr. Joseph. Pitakia, Chairman, SDA – Teacher Authority
- v. Ms. Judith D. Pule, Solomon Islands Board Secretary Interim, MEHRD

The witnesses made their presentation before the Committee.

The Committee questioned the witnesses based on the evidence presented.

The examination concluded.

*Hearing Suspended for lunch at 12:16 pm*

The Hearing proper resumed at 2:16pm and the following witnesses from the Solomon Islands National Teachers Association (SINTA) were admitted:

**Hearing 10 Witnesses**

- i. Mrs. Andy Tosasai, President, SINTA
- ii. Mr. Frank Robolite'e, Vice President, SINTA
- iii. Mr. Ray Menia, Honiara Chairman, SINTA
- iv. Mr. Moffat Luza, Chairman – Central, SINTA
- v. Mr. John Baiabe, Chairman – Rennell/Bellona, SINTA
- vi. Ms. Rachel Menvi, Assistant General Secretary, SINTA
- vii. Mr. Philip Rockson, Member – Malaita Branch, SINTA
- viii. Mr. James Lalawa, Industrial Relations Officer, SINTA
- ix. Mr. Rex Kiko, National Treasurer, SINTA
- x. Ms. Lucy Labu, Women's Wing, SINTA

**5. Closing Prayer**

No closing Prayer

**6. Adjournment:**



The committee adjourned hearing at 3:59pm

#### **7. Documents Table**

None

**Day 6/ 2023**

**Tuesday 12<sup>th</sup> September 2023, CR II, Parliament House 9:46 am**

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

Hon. John Maneniaru, Chairman

Hon Matthew Wale, MP

Hon. Rick Houenipwela, MP

#### **Absent/Apologies**

Hon. Derrick Rawcliff Manu'ari, MP

Hon. Peter Kenilorea Jnr, MP

Hon. Lilly Maefai, MP

Hon. John Dean Kuku, MP

Hon. Silas Tausinga, MP

#### **Secretariat**

Ms. Ivory Iruha'a, Committee Secretary

Mr. Wilson Orisi, Committee Secretary

Mr. Whitmon Tabiru, Committee Secretary

Ms. Cordney M Wale, Committee Secretary

Ms. Monica Sekonga, Senior Admin Officer

Mr. Theresa Nori, Hansard Reporter

Ms. Sherolyn Ragoso, Hansard Reporter

Ms. Lawrence Scott, Media Officer

Mr. Philemon Loe, Media Officer

Mr. Pamentha Golo, ICT Officer

#### **2. Prayer**

The opening Prayer was said by the Principal for King George Secondary School

#### **3. Welcome and Opening Remarks**

The Chairman of the Bills and Legislation Committee, made his opening remarks. The Chair informed the witnesses of the Parliamentary privileges.

#### **4. Inquiry into the Education Bill 2023 (No.7 of 2023)**

The Hearing proper commenced and the following witnesses from the ECE, Primary and Secondary School Reps were admitted:

##### **Hearing 11 Witnesses**

- i. Mrs. Rhoda Brown Leingale, Principal, St. John School
- ii. Revd. Peter Meta, Principal, St. Nicholas Anglican College
- iii. Mr. Bevan Tutuo, Principal, Betikama Adventist College
- iv. Mr. Lionel Kakai, Principal, King George School
- v. Mr. Abraham Hihiru, Principal, St. Josephs Tenaru School
- vi. Mr. James Mepobu, Principal, Marara CHS
- vii. Mr. Leslie Fono, Deputy Principal, St. Nicholas Collage
- viii. Mr. Gabriel Karahu, Deputy Head Teacher, Marara CHS
- ix. Mr. John Loft, Careers Master, St. Joseph's Tenaru School
- x. Mr. Marson Keniano, Head Teacher, St. John School
- xi. Mr. Charles Qalotaba, Head of Department, Science, St. Nicholas Anglican College
- xii. Mrs. Hellen Ripo, HOD, Mathematics, Betikama Adventist College
- xiii. Mr. Jeoffrey Poea, HOD Science, St. Josephs School
- xiv. Mrs. Lucy Labu, HOD, Maths, Marara CHS
- xv. Miss. Elizabeth Lulumani, Form 6Arts Student, St. Nicholas Anglican College
- xvi. Mr. Reim Bird, Form 6 Arts Student, St. Nicholas Anglican College
- xvii. Ms. Rhoda Pitia, Teacher, St. John School
- xviii. Ms. Mary Keniuna, Teacher, St. John School
- xix. Mrs. Carolyn Matangani, Secondary Teacher, St. Nicholas Anglican College
- xx. Mr. Joseph Lapoe, Biology/Ag Science, Betikama Adventist College
- xxi. Mr. Edwin Taimwane, Teacher, St. Josephs School
- xxii. Mr. Kinsley Waita, C/T, Marara CHS
- xxiii. Mrs. Katherine Kalea, Senior Teacher, Marara CHS
- xxiv. Mr. Daniel Donoa, Chairman (SBOM), Marara CHS
- xxv. Mr. Gad Sauruku, Board Member, St. John School
- xxvi. Mr. Silas Wanebeni, Parent, Betikama Adventist College

The witnesses made their presentation before the Committee.

The Committee questioned the witnesses based on the evidence presented.

The examination concluded.



*Hearing Suspended for lunch at 1:11 pm*

The Hearing proper resumed at 2:25 pm and the following witnesses from the Provincial Education Authorities (Western, Central, HCC, Makira & Isabel Province) were admitted:

**Hearing 12 Witnesses**

- i. Mr. Patrick Toiraena, Provincial Secretary, W/Province
- ii. Mr. Alan Siale, Province Rep, CPG/ CPEA
- iii. Mr. Elvis Kikolo, Education Inspector, HCC
- iv. Mr. Andrew Kaifina, CEO, CPG/CPEA
- v. Mr. Samuel Pavabule, Chief Education Officer, W/ Province
- vi. Mr. James Evo Tugumana, Chief Education Officer, Isabel EA
- vii. Mr. Ellison Mane, Chief Education Officer, HCC
- viii. Mr. Gilbert Tabihau, Chief Education Officer, Makira EA
- ix. Hon. Hugo Manegegu, Minister of Education, Isabel EA
- x. Hon. Gordon Zebo, Minister of Education, W/ Province
- xi. Hon. James Galini, MPA, CPG
- xii. Rev. Griffith Hebala, School Principal, Isabel EA
- xiii. Mr. Edward Poroaki, School Principal, Makira EA
- xiv. Mr. Richard Hiva, School Principal, W/ Province
- xv. Mr. Philip Ika, Principal, HCC
- xvi. Mr. Thomas Waro, Head Teacher, Makira EA
- xvii. Mrs. Betty Tora, Head Teacher, Makira EA
- xviii. Mr. Cecil Keni, Head Teacher, Isabel EA
- xix. Mr. Virah Lupaqeto, Head Teacher, W/ Province
- xx. Mr. David Kikolo, DHT, McMahan CHS, CPEA
- xxi. Mrs. Annie Takeli, Head Teacher, HCC
- xxii. Ms. Margret Manele, Senior Teacher Secondary, McMahan CHS, CPG

The witnesses made their presentation before the Committee.

The Committee questioned the witnesses based on the evidence presented.

The examination concluded.

**5. Closing Prayer**

Fr. Griffith Hebala, School Principal, Isabel EA said the opening prayer.

**6. Adjournment:**

The committee concluded hearing at 4:44 pm

**7. Documents Table**

- I. St. John School Presentation,

## II. Marara CHS School Presentation

**Day 7/ 2023**

**Wednesday 13<sup>th</sup> September 2023, CR II, Parliament House 10:00am**

### **1. Members Present**

Hon. John Maneniaru, MP  
Hon. Matthew Wale, MP, Chairman (Ag)  
Hon. John Deane Kuku, MP  
Hon. Rick Houenipwela, MP

### **Absent/ Apologies**

Hon. Peter Kenilorea Jnr, MP  
Hon. Lily Maefai, MP  
Hon. Silas Tausinga, MP  
Hon. Derrick Manu'ari, MP

### **Secretariat**

Mr. Ivory Iruha'a, Committee Secretary  
Mr. Wilson Orisi, Committee Secretary  
Ms. Monica Sekonga, Senior Admin Officer - Committees  
Mr. Gregory Kinimete, Hansard Reporter  
Ms. Hazel Fafale, Hansard Reporter  
Mr. Lawrence Scott, Media Officer  
Mr. Pamentha Golo, ICT, Officer

### **2. Prayer**

The member for Small Malaita Constituency, Hon. Rick Hou said the opening prayer.

### **3. Welcome and Opening Remarks**

The Chairman of the Bills and Legislation Committee, made his opening remarks. The Chair informed the witnesses of the Parliamentary privileges and welcome witnesses from Temotu, Malaita and Renell and Bellona Province.

### **4. Inquiry into the Education Bill 2023 (No.7 of 2023)**

The Hearing proper commenced and the following witnesses from the Provincial Education Authorities (Malaita, Temotu & Rennell/ Bellona) were admitted:

#### **Hearing 13 Witnesses**

- i. Mr.Elvis Kekegolo, Provincial Secretary (Ag), Temotu Province



- ii. Mr. Albert Kaipua, CEO, Renell and Bellona EA
- iii. Mr. Addie Siarani, CEO, Malaita EA
- iv. Mr. Peter Chaniel, Supervising CEO, Temotu EA
- v. Mr. Paul Kona, Chairman, Malaita Province
- vi. Mr. Nickson Lanoli, V/ Chair, LPSS, TPG
- vii. Mrs. Roselyn Menapi, Principal, Lata CHS
- viii. Mr. Alick Bebesia, Principal, Aligegeo PSS, Malaita EA
- ix. Mr. Philip Tekiou, Principal ( Ag) New Place PSS, Renell/Bellona EA
- x. Mr. Paul Tetuha, Head Teacher, Vanua Primary School
- xi. Mr. Lawrence Mengipla, Head Teacher, Lata CHS
- xii. Mr. Alex Isu, Head Teacher, Malaita Provinces

The witnesses made their presentation before the Committee.

The Committee questioned the witnesses based on the evidence presented.

The examination concluded.

*Hearing suspends at 12:26 pm*

The Hearing proper resumed at 2:10 pm and the following witnesses from the Solomon Islands National University and SITE SA were admitted:

#### Hearing 14 Witnesses

- i. Prof, Transform Aqorau, Vice - Chancellor
- ii. Dr. Patricia Rodie, Dean – FEH
- iii. DR. Tess Martin, AVI executive Mentor, DFAT/AVI
- iv. Mr. John. L. Sisiolo, Head of School, FEH
- v. Mrs. Constance Nasi, CE, SITE SA
- vi. Mr. John Iromea, Director NSD, SITE SA
- vii. Mr. Goldie John Lusi, Director NDD, SITE SA
- viii. Mr. Welchman Puh, Sup Director, SPP, SITE SA

The witnesses made their presentation before the Committee.

The Committee questioned the witnesses based on the evidence presented.

The examination concluded.

*Hearing Suspended at 4:00 pm*

The Hearing proper resumed at 4:11 pm and the witness from the School Boards were admitted:

#### Hearing 15 Witnesses

- i. Mr. Paul White, Chairman board, BSCS

The witnesses made their presentation before the Committee.

The Committee questioned the witnesses based on the evidence presented.

The Chairman thank all witnesses for their attendance, the examination concluded.

### **Adjournment:**

The committee concluded hearing at 4:43 pm

## **5. Documents Tabled During Hearings**

- I. SINU – Presentation
- II. SITESA - Presentation

**Day 8/ 2023**

**Thursday 14<sup>th</sup> September 2023, CR II, Parliament House 9: 52am**

### **1. Members Present**

Hon. John Maneniaru, MP, Chairman

Hon. Matthew Wale, MP,

Hon. Rick Houenipwela, MP

### **Absent/ Apologies**

Hon. Peter Kenilorea, MP

Hon. Lily Maefai, MP

Hon. John Deane Kuku, MP

Hon. Silas Tausinga, MP

Hon. Derrick Manu'ari, MP

### **Secretariat**

Mr. Ivory Iruha'a, Committee Secretary

Mr. Wilson Orisi, Committee Secretary

Mr. Whitmon Tabiru, Committee Secretary

Ms. Cordney Wale, Committee Secretary

Ms. Monica Sekonga, Senior Admin Officer – Committees

Ms. Sherolyn Ragoso, Hansard Reporter

Mr. Lawrence Scott, Media Officer

Mr. Pamentha Golo, ICT, Officer

## **2. Prayer**



The Member of Parliament for Aoke Langalanga Constituency, Hon. Matthew Wale said the opening prayer.

### **3. Welcome and Opening Remarks**

The Chairman of the Bills and Legislation Committee, made his opening remarks. The Chair informed the witnesses of the Parliamentary privileges.

### **4. Inquiry into the Education Bill 2023 (No.7 of 2023)**

The Hearing proper commenced and the following witnesses from the Chung Wah EA and Church Schools Education Authority were admitted:

#### **Hearing 16 Witnesses**

- i. Mr. Billy Leta, Education Director, SDAEA
- ii. Mr. Jackson, Education Secretary ( Ag), Catholic EA
- iii. Mr. Eddie Gideon, Education Director, SSEC EA
- iv. Mr. Celystia Pentani, Secondary Social Studies, Teacher, Chinese Authority
- v. Mrs. Hellen Ruhasia, Deputy Primary Teacher, Chung Wah Chinese Authority

The witnesses made their presentation before the Committee.

The Committee questioned the witnesses based on the evidence presented.

The examination concluded.

*Hearing suspends at 11:50 am*

The Hearing proper resumed at 11:55 am and the following witnesses from the Solomon Islands Translation Advisory Group (SITAG) were admitted:

#### **Hearing 17 Witnesses**

- i. Mr. Timothy Matzke, Literacy and Education Consultant)
- ii. Mrs. Martha Matzke, Literacy Specialist, SITAG

The witnesses made their presentation before the Committee. The Committee questioned the witnesses based on the evidence presented.

The examination concluded.

*Hearing Suspended at 12: 34 pm*

The Hearing proper resumed at 12:35 pm and the following witnesses from the National Education Board (NEB) were admitted:

#### **Hearing 18 Witnesses**

- i. Mr. Joseph Pitakia, Chairman, NEB
- ii. Mr. Judson Leafasia, Member, NEB
- iii. Ms. Judith D. Pule, Board Secretary Interim, MEHRD

The witnesses made their presentation before the Committee.  
The Committee questioned the witnesses based on the evidence presented.  
The Chairman thank all witnesses for their attendance, the examination concluded.

#### **5. Adjournment:**

The committee concluded hearing at 1: 00 pm

#### **6. Documents Tabled During Hearings**

None

### **Appendix 3: Submissions**

#### **Tabled Documents**

No	Author
1.	1 MEHRD – The Education Bill Project 2013 - 2023
2.	PSC – Submission on “The Education Bill 2023”
3.	Marara School – NPSI BLC Hearing into the Education Bill 2023. Submission on the Education Bill 2023
4.	St. John School – Presentation on the Education Bill 2023
5.	SINU – Implication of Education Act 2023 (once enacted) to Teacher Education.
6.	SITESA – Education Bill 2023
7.	Education Board – National Education Board Submission to the Bills and Legislation Committee on the Education Bill 2023.

#### **Other Submissions**

No	Author
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1. MEHRD – Education Act Review 2013: FINAL REVIEW REPORT, December 2013
  2. MEHRD – Education White Paper
  3. MEHRD – Education Strategic Framework 2016-2030
  4. MEHRD – Solomon Islands National Education Action Plan 2022-2026
  5. MEHRD – Submission on Education Sector Reform
  6. MEHRD – BLC Generic Template: General information on the Education Bill 2023
  7. Education Bill 2023 Explanatory Memorandum
  8. St. Joseph’s Tenaru School – Personal thoughts/comments on the proposed Education laws
  9. SINTA – Submission to BLC on the new Education Bill 2023
  10. Maonga Viability Institute – Education Bill 2023 submission contribution
  11. SINTA – SINTA’s 2<sup>nd</sup> submission to BLC on the new Education Bill 2023
  12. National Education Board (NEB) – Submission: Inquiry into the Education Bill 2023
  13. SITAG – Education Bill submission 2023
  14. Bishop Eppalle School – Submission, Our ref: Education Bill 2023
  15. Bishop Eppalle School – Submission, Notes for meeting on Education Bill
  16. Chung Wah School – Education Bill 2023 Presentation from Cung Wah School comments and questions on few sections on the Bill

