



**NATIONAL PARLIAMENT OF
SOLOMON ISLANDS**

**Bills and Legislation
Committee**

Report on the

**Traffic (Amendment)
Bill 2009**

NP-Paper No. 20/2009

Presented on 22 June 2009

National Parliament Office

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1 Introduction

This is the report of the Bills and Legislation Committee on its review of the Traffic (Amendment) Bill 2009 introduced in the House by the Minister for Justice and Legal Affairs. The Bill was submitted to the Speaker through the Clerk to Parliament as required under the *Standing Orders*¹. The Speaker has examined the Bill² and authorised it to be introduced in the current Parliament meeting.

According to government business for the current (10th) meeting of Parliament, the Bill was read the first time on 18 June 2009. It is proposed that the Bill be read the second time on Monday 22 June 2009. On 18 June 2009, the Bills and Legislation Committee considered the Bill and heard evidence from a range of stakeholders. Following its review, the Committee makes this report to Parliament, with recommendations, for the information of Members and for Parliament's consideration.

Terms of Reference

Pursuant to its mandate under the *Standing Orders* the terms of reference of the Committee in this instance is to examine the **Traffic (Amendment) Bill 2009** and to report its observations and recommendations on the Bill to Parliament.

Functions of the Committee

The Bills and Legislation Committee (the Committee) is established under *Standing Order 71*, an Order made pursuant to the *Constitution*³, and has, under that Order has the functions, together with the necessary powers to discharge such, 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;

¹ *Standing Order 44* (1).

² As required by *Standing Order 45* (1).

³ Section 62, *Constitution of Solomon Islands 1978*.

- (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 deems 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.

Membership

The current members of the Bills and Legislation Committee (9th Parliament) are:

Hon. Severino Nuaiasi, MP (Chair)

Hon. Manasseh Sogavare, MP

Hon. Siriako Usa, MP

Hon. Isaac Inoke Tosika, MP

Hon. Augustine Taneko, MP

Hon. Nelson Ne'e, MP

Hon. Japhet Waipora, MP

2 Policy Background

Purpose of the Bill

The policy objectives of the government introducing the **Traffic (Amendment) Bill 2009** may be summarised as follows:

The Bill seeks to amend the Traffic Act for the purpose of ensuring that the functions and powers under that Act are well coordinated, administered and enforced to ensure safety on our roads. The amendment will allow for proper administration and better enforcement of our traffic laws, which will include on-the-spot fines, appointment of enforcement officers and undertaking of prosecutions in the Magistrates' Courts by officers of the Board for minor offences.

The objective of the Bill can be achieved through the establishment of a Road Transport Board. The Board will be responsible for carrying out the functions and powers under the Act for the registration and licensing of motor vehicles and licensing of drivers, including formulation of road transport policies for consideration by Government. The Board will delegate its functions and powers to the Principal Licensing Officer, licensing officers, inspectors and examiners who are currently performing those functions and powers⁴.

Background

During the colonial era, traffic regulation in Solomon Islands initially relied on the *Motor Vehicle Ordinance*⁵. In 1967, the colonial administration replaced that ordinance with a more comprehensive set of rules in the *Traffic Ordinance*⁶. This ordinance was the origins of the current *Traffic Act*⁷. The current Act retains most of the features of its predecessor. The 1967 Ordinance established the office of Principal Licensing Officer with the power to delegate some functions and powers to licensing officers. Such powers included the power to register motor vehicles; grant licences for both vehicles and driving; inspect vehicles; and implement measures to control vehicles for public transportation. That Ordinance also set out basic rules to regulate accidents and traffic. Ultimate authority under that Ordinance vested in the Chief

⁴ See the Explanatory Memorandum attached to the Bill, page 12.

⁵ Chapter 42, Laws of British Solomon Islands Protectorate, 1961 Revision.

⁶ Ordinance No. 5 of 1967.

⁷ Chapter 131, Law of Solomon Islands, 1996 Revision.

Secretary although policy making and implementation of the Ordinance were left to the highway authority, that being the Director of Public Works. Police officers were also given extensive powers to ensure compliance with the Ordinance. Pursuant to the Ordinance, the *Traffic (Speed Limits) (Honiara) Order*⁸ was made. The *Traffic Regulations*⁹ were also made to provide detailed guidance on how to implement the Ordinance

The 1967 Ordinance retained its key features over the next decades. Some amendments were made to it but the basic structure remained. In 1968, the *Statute Law (Miscellaneous) Ordinance*¹⁰ amended the *Traffic Ordinance 1967* to increase the number of passengers allowed on public vehicles and to replace the use of the word “tractor” to “trailer”. Another set of amendments were made through the *Traffic (Amendment) Ordinance 1969*¹¹. Under that Ordinance the provision on classes of vehicle for registration was amended so that if a particular vehicle fell under 2 or more classes, the owner was to pay the higher fee only (not both); failing to do so became a new offence. The 1969 amendment also saw the general penalty for infringement repealed; a new definition of what makes a vehicle a public transportation (public service) vehicle; the addition of the power to make and implement measures for controlling the issue of public vehicle licences and use of such vehicles; and the delegation of some regulation making powers (previously all vested in the Chief Secretary) to the highway authority.

No further amendments were made to the principal Ordinance until 1972 when the *Motor Vehicle (Third Party Insurance) Ordinance*¹² was passed. That Ordinance amended the 1967 in two ways. First, it made having a certificate of third party insurance a mandatory prerequisite for issuing a licence. Second, it made failure to insure against third party claims an offence that the Principal Licensing Officer could use to cancel a licence. No further amendments were made prior to independence in 1978. As such, the new country started off with basically the same structure and rules to regulate traffic as those first created in 1967.

⁸ Legal Notice No. 147 of 1967.

⁹ Legal Notice No. 92 of 1968 – this was amended again in 1968, 1970 and 1995.

¹⁰ Ordinance No. 4 of 1968.

¹¹ Ordinance No. 10 of 1969.

¹² Ordinance No. 16 of 1972.

After independence, only two further sets of amendments were made to the original 1967 Ordinance (by then an Act). First, the *Traffic (Amendment) Act* 1987¹³ amended most of the penalty offences under the original Ordinance so that such were increased to reflect the 1980s context. The final amendments were introduced through the *Liquor (Amendment) Act* 1992¹⁴. That Act made consumption of liquor in a vehicle one of the offences that could result in cancellation of a licence. Following this amendment, no other was made until the 1996 revision which made the *Traffic Act* (as amended in 1968, 1969, 1972, 1987 and 1992) Chapter 131 of the revised Laws of Solomon Islands. This is the principal Act that remains in place to date.

As with most other pieces of legislation, the ‘modern’ *Traffic Act* was inherited directly from the colonial era with very little changes. As a result of the structure of the colonial administration for which the original 1967 Ordinance was drafted, the post independence Act was administered under what might be viewed as a rather messy legal framework. The ultimate highway authority is the Permanent Secretary of the Ministry responsible for public works. As such that Ministry deals with vehicle registration and other requirements of the Highway Code, while licensing of drivers falls under the purview of the Ministry of Finance and Treasury. Enforcement is left to the police (Traffic Division). Having these different Ministries and divisions all dealing with traffic laws and rules however has proven inefficient over the last three decades. Traffic regulations by and large have fallen into disuse and enforcement has gradually deteriorated over time.

Attempts by successive governments to improve the administration have been generally ineffective because the legal framework developed in the colonial period is too rigid and takes a piecemeal approach. This of course has led to overlapping functions, overly bureaucratic processes and, in the long run, inefficient administration and implementation of the *Traffic Act*. Thus, as the number of motor vehicles in the country, especially in Honiara, steadily increased, it has become very evident that traffic laws and systems, and enforcement, are grossly inadequate.

It appears that the current government (CNURA) considers traffic as a priority area for immediate improvement. The bill under consideration in this report has thus been

¹³ Act No. 21 of 1987.

¹⁴ Act No. 6 of 1992.

introduced with view to overhaul the traffic sector of governance through legal reform and administrative restructuring. The bill attempts to do this by first consolidating all administrative functions under one central authority, a Road Transport Board, and, where necessary, delegates functions. The bill hopes to ensure that enforcement (including prosecution) is tidied up. The bill therefore seeks to make the most significant amendments to the traffic sector since 1967. Ultimately, this bill aims to discard the colonial structure and replace it with one that is centralised and one which is perhaps in line with modern approaches to traffic management and administration in neighbouring countries.

3 Review of the Bill

In its review of the Traffic (Amendment) Bill 2009, the Committee considered secondary materials and also heard from certain key witnesses.

Secondary Material

In order to review the bill in its proper context, the Committee received briefings from the Committee Secretariat on the history of traffic laws based on relevant laws enacted between 1967 and 1996. The Committee also received briefings on traffic laws in other jurisdictions, including Australia and Fiji.

Public Hearing

On Thursday 18 June 2009 the Committee held a public hearing with the view to hear from relevant officials of the Ministry concerned and key stakeholders. The following witnesses appeared before the Committee at the hearing:

- Permanent Secretary, Ministry of Police, National Security and Correctional Services;
- Permanent Secretary, Ministry of Infrastructure Development;
- Legal Draftsman; and

- Representatives of the Ministry of Finance and Treasury, Traffic Division, Honiara City Council and the Chamber of Commerce.

A complete list of witnesses who appeared at the hearing is annexed as **Appendix 2**.

4 Issues Arising

From its preliminary research and evidence gathered at the public hearing the Committee identified a number of issues arising from its review of the Traffic (Amendment) Bill 2009. These are considered in this Chapter, together with responses from witnesses and, where necessary, recommendations of the Committee on a specific issue.

Consultation

At the outset the Committee notes that there was wide consultation prior to drafting the bill, amongst the Ministries and other authorities involved but not necessarily more broadly. Although the Honiara City Council, the Solomon Islands Chamber of Commerce and Industry and public transport vehicle associations are to be represented in the new Board, it is unclear whether these bodies were consulted at all. At the hearing there was very little contribution from representatives of these bodies. The Committee is concerned that such a major shift from the current structure may have been finalised at the ministerial level but without adequate consultation on how it will actually be implemented by bodies involved. It seems that consultations on practical solutions are left until the Board is established. While the Committee acknowledges that a bill cannot delve into the details of traffic regulation a common understanding amongst all stakeholders should have been reached before a bill is introduced in Parliament. This of course should include road users (drivers and passengers). Now that the bill is before Parliament, the Committee suggests that the Board, on establishment, undertakes, as one of its first tasks, public awareness to ensure that road users know how they will be affected by the new rules under the bill.

Financial Implications

As with any other government bill, the Committee was also interested in what financial implications implementation of the Bill would have on public funds. At the hearing, the Committee queried the witnesses on the Ministry's assessment of likely costs.

The officers informed the Committee that initially, the bill will require reliance on public officers from the Ministries currently involved. The Committee was further informed that the bill will naturally result in additional costs relating to allowances of the Board and logistical support to implementation of the bill. The officers however could not give any estimate of the likely additional costs to the government and the taxpayer.

The Committee notes that public funds for service delivery are extremely stretched and will become more so in the next year or two. In this environment the Committee believes that it is incumbent on the government to outline the financial implications of all policy proposals and proposed bills that come before this Committee.

Policy Rationale for the new Board

The Committee was also interested in the policy rationale for the composition of the proposed Road Transport Board (the Board). In response, officers of the two Ministries involved explained that the intention is to have a centralised authority that has representatives from all major stakeholders.

While the Committee acknowledges the wisdom behind centralising a fragmented system, the question remains whether a Board, with members who hold other positions in the Public Service and other bodies, is adequate to address the traffic concerns of the country. It appears that the proposed Board will not necessarily be a sufficiently independent authority operating as a corporate body with its own staff and enforcement officers. While functions and powers seem to be centralised on paper, it would seem that the Board will continue to rely on police officers and other public officers. These staff and officers will obviously prioritise their normal duties so there is a danger that tasks delegated by the Board take second place. How the Board is

supposed to work therefore does not appear to change the current situation in the practical sense.

By way of contrast, the Committee notes that in other countries an independent authority with permanent heads and staff (including enforcement officers) exclusively handles traffic. An example is Fiji's Land Transport Authority (LTA) established under the *Land Transport Act 1998* (Fiji). The LTA comprises a Chief Executive Office/Permanent Secretary and Management Board but has its own corporate and management structure with distinct departments for licensing, permits, inspections, prosecution and so forth. If the proposed Board is to be based in the Ministry of Infrastructure Development and draws from the Traffic Division of the Solomon Islands Police Force and the Ministry of Police, National Security and Correctional Services, there is a risk of the Board's administration and operations being subsumed by the wider responsibilities of the Ministry, and its approach still fragmented.

In the Committee's view, a Board might not be able to progressively administer the bill and it may turn out that the current departments are called upon more and more to undertake operations. Having a Board comprising eight members therefore runs the risk of being ineffective in carrying out its intended functions. The Committee notes that there are a number of boards in the Solomon Islands that are bottle-necks to administration and which are essentially defunct. On the basis of these concerns, the Committee thus recommends that the Ministry ensures that the new Board is sufficiently independent and has appropriate resources in terms of office, staff and Board members. If this requires secondment or direct transfer from the police and Public Service, this should be facilitated administratively or under regulations to be made under the bill once enacted.

Role of Local Authorities

The Committee notes that under the bill, the ultimate Highway Authority, which is currently the Permanent Secretary of the Ministry of Infrastructure Development, is to be replaced by the Board¹⁵. The Board has the power to declare another body as a

¹⁵ Clause 2 of the bill: new definition of "highway authority".
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highway authority for a specific area¹⁶. Clause 8 seeks to make consequential amendments to section 83 of the principal Act to reflect having the Board as the Highway Authority but in so doing, the amended section 83 is likely to create confusion. Under that section a highway authority so declared by the Minister has the power to make and enforce traffic orders, provided that if that highway authority wishes to make traffic orders in respect of areas outside its jurisdiction it must consult the relevant *local authority*.

The distinction between a highway authority and a local authority is clear under the principal Act because it would involve an appointed highway authority respecting the jurisdiction of a local authority (e.g., city council or provincial government). However, if the Board becomes the Highway Authority, there may be confusion because the Board would effectively become the ultimate *national* highway authority. Viewed from that angle, the role of local authorities such as the Honiara City Council and provincial governments in traffic regulation should be clarified in order that there is no conflict or overlap between these governments and the Board.

Infringement Notices

The Committee also considered Clause 6 of the bill which seeks to introduce the use of infringement notices. The Committee appreciates that this is a practice that is common in other countries and accordingly welcomes the initiative taken by the Ministry in charge of the bill. Under the arrangements if an infringement notice is issued and the alleged offender wishes to accept the fixed penalty (a percentage of the maximum penalty if the offence is prosecuted successfully), he or she must pay later at the Magistrates' Court. If, on the other hand, the alleged offender disputes the enforcement officer's decision, the latter will file the notice with the same court and it becomes a summons for the alleged offender to appear before the court.

The Committee however has two concerns regarding the introduction of such notices. First, the Committee wonders how the use of infringement notices will play out in practice given the mentality of Solomon Islanders. If one recalls, on-the-spot fine was introduced to discourage littering in Honiara in the 1990s but it failed for many reasons, including the wantok system and misuse of fines collected by enforcers. In

¹⁶ Clause 4 of the bill: see proposed section 3 (5).
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response to this concern, the witnesses at the hearing explained that only notices will be issued on the spot (with fixed fines) but not actual payment of such fines.

The Committee accepts this explanation as practical and transparent but is still concerned that the culture of bribery and wantok system that continue to plague the country might sabotage the good intention behind this new system of fines. Examples of these include paying an officer not to issue a notice; or an officer turns a blind eye to infringement by a relative. It should be noted that the use of this system of fines in other countries is supported by well respected and ethical enforcement agencies; coupled with a general respect for laws by citizens. These are some of the underlying assumptions that underlie the proposed system which may not necessarily hold true in Solomon Islands at this point in time.

The second concern that the Committee has relates to prosecution of alleged offenders who opt not to pay the fixed fine and instead wait to defend themselves in court. While the process appears straightforward on paper, the Committee is very much aware of the limitations of the Magistrates' Court in terms of magistrates and the huge backlog of cases already clogging the court system. The Committee is of the view that hundreds of infringements could easily occur in Honiara in just one day. If all those involved choose to go to court particularly if it known that the matter is unlikely to be dealt with for some considerable time, it is quite likely that the Magistrates' Court will suddenly find itself faced with thousands of traffic cases to dispose of on a weekly basis. The courts may therefore lack the resources and time to deal with this problem.

In view of the two concerns raised above, the Committee recommends that the proposed Board urgently formulate further administrative guidelines to resolve such concerns. This may also involve a stricter vetting of any officers who are assigned to assist with implementation of the bill. Attitudes and mentalities may be dealt with through increased efforts in awareness and further training and education of the public. Perhaps the Magistrates' Court should also be asked to suggest ways to avoid a sudden and large influx of traffic cases in years to come.

Enforcement of Offences and Control Measures

The Committee also considered how different measures under the principal Act (if amended by the bill) will be enforced.

Enforcing offences

On the enforcement of offences, the Committee is sceptical that simply introducing new offences will change anything. The question is: what is the point of creating new offences and systems for imposing fines when most of the offences under the principal Act have never been enforced in full in the last 30 years or more? Offences such as not wearing seat belts, overloading, littering from moving vehicles (including spitting beetle-nut juice while on the road) and carrying containers without safety belts (semi-trailers), to name a few, are committed everyday without any repercussion. Adding new offences would, in the Committee's view, do very little to resolve this issue.

When this issue was put to witnesses, officers advised the Committee that failure to enforce traffic offences fully has always been due to lack of manpower (enforcement officers) and logistical support such as vehicles and motor cycles. While the Committee acknowledges the accuracy of this explanation and the plight facing enforcement of traffic offences, it fails to see how the bill will improve the current situation. Too much hope is placed in the Board – i.e., to make policies to deal with these problems – but with no concrete plans on how to do that in the practical sense. The Committee suggests that instead of creating new offences, enforcement should receive adequate attention in terms of funding (this is discussed further below).

In addition, the proposed Board could set up driving schools that offer basic training on road safety and rules to potential drivers at a young age. The aim would be to instil in potential road users (at an early stage) a strong sense of responsibility in terms of using roads safely. There should thus be a shift from the current situation where drivers are issued licences merely because they know how to drive but without any comprehensive assessment of their appreciation and application of road safety rules.

Growth in the number of vehicles

The Committee further notes that one of the key reasons why regulating traffic is getting more difficult is the fact that each year the total number of vehicles on the road is increasing. Given the size of Honiara and other urban centres, it may soon reach the stage where there are more vehicles than the roads are capable of supporting. The Committee strongly believes that enforcement of traffic rules will remain very difficult to manage (in terms of resources and logistics) until measures are put into place to control the number of vehicles registered and permitted to be used. One way of doing this is to formulate measures to control importation of second-hand vehicles. This might require the proposed Board to liaise with other relevant authorities that deal with importation with view to develop a practical system for vetting and control of imported vehicles.

Unlawful Possession of Government Vehicle

The bill introduces a new offence under Part VI of the principal Act, that being the offence of ‘unlawful possession of Government vehicle’ (Clause 5). The Committee was informed during the hearing that this amendment was included to deal with ongoing cases where former public officers refused to return government vehicles after their appointment or contract are terminated. The amendment however is wide enough to extend to persons other than public officers who might, for whatever reason, garage and use a government vehicle without authority.

The Committee acknowledges that section 59 of the principal Act already makes it an offence to take a vehicle without authorisation, and, as such, the proposed clause 59A is simply a more specific example of unauthorised possession of a type of vehicle (government owned). The Committee however feel that perhaps some clarification be made on how this new offence will apply to Members of Parliament who are entitled to government vehicles when holding certain offices (e.g., Ministers).

Under the *Members of Parliament (Entitlements) Commission (Amendment) Regulations 2008* (PER 2008), a Member who is entitled to a government vehicle while in office has a *right of first offer to purchase* that vehicle when he vacates

office¹⁷. Given that the PER 2008, by virtue of the *Constitution*¹⁸, is the only written law that deals exclusively with Members' entitlements – including how a Member ceases to be entitled to a particular entitlement – the Attorney-General or the Minister should explain to the House at Committee Stage how the new offence will fit into the entitlements system set out in the PER 2008.

Use of Revenue Collected

Perhaps the main concern of the Committee is in regards to revenue that is expected to be collected from licenses and other fees under the *Traffic Act* as amended by the bill. The Committee was informed at the hearing that while the original intention was to put such revenue into a separate fund or the National Transport Fund and use the same towards implementation of the Act, the Ministry of Finance and Treasury did not accept this proposal. As such, any revenue collected will go back to the Consolidated Fund.

The Committee is of the view that allowing such revenue to go back to the Consolidated Fund will handicap the Board from fulfilling the aspirations of the Act (as amended). As indicated earlier, implementing the Act will require manpower and logistical support. Depending on various Ministries, departments and the police force for these, however, changes nothing from its current state. For this reason, the Committee strongly believes that all revenue collected by the Board should be paid into a separate fund that the Board could use to undertake its functions.

Part of that fund could also go directly to maintaining public roads. The Committee understands that until 2007 repair and maintenance of roads in Honiara was the responsibility of the Honiara City Council. However, in that year, the responsibility was reverted to the Ministry of Infrastructure Development. Giving this responsibility to a Ministry (national level) which draws from the Consolidated Fund is perhaps the reason why road maintenance is not as progressive as it could be. The Committee therefore recommends that this responsibility be given back to the City Council and that it be funded from the separate (traffic revenue) fund. This fund should therefore

¹⁷ Regulation 42 (4), *Members of Parliament (Entitlements) Commission (Amendment) Regulations* 2008.

¹⁸ Section 69C, *Constitution of Solomon Islands* 1978.
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be used by the Board (resources and logistical support) and the City Council (road maintenance).

5 Recommendations

The Committee has reviewed the bill and recommends that the government monitor matters raised in this report, in terms of assessing its implementation and effectiveness in achieving its important objectives, and report to Parliament 12 months after the commencement of the Act, and in particular recommends:

1. Following establishment of the Board, it should undertake a public awareness campaign for road users on the impact of the new rules under the bill;
2. At Committee Stage, the Minister should outline the financial implications of the bill;
3. The proposed Board is administratively set up as an independent authority with a permanent office, members and staff;
4. The role of local authorities such as the Honiara City Council and provincial governments in traffic regulation are clarified that so that there is no conflict or overlap between these governments and the Board;
5. The proposed Board urgently formulate further administrative guidelines to deal with the risks associated with on-the-spot fines;
6. The Board establish driving schools to provide basic training on road safety and rules to potential drivers at a young age;
7. The Board, in consultation with relevant authorities, formulate measures to control importation of second-hand vehicles and the growth of vehicles in general;

8. The Attorney-General explains at Committee Stage how the new offence of unlawful possession of government vehicles sits with the entitlements system set out in the PER 2008; and
9. Revenue collected under the Act and bill be kept in a separate fund and used by the Board to implement the Act (as amended), and by the City Council to maintain and repair public roads.



Hon. Severino Nuaiasi

Chairman

Bills and Legislation Committee

22 June 2009

Appendix 1: Formal Minutes



BILLS AND LEGISLATION COMMITTEE

NATIONAL PARLIAMENT OF SOLOMON ISLANDS

Minutes of Proceedings Meeting No. 15

Thursday 18 June 2009, Conference Room 2, Parliament House, 2:30pm

1. Members Present

Hon. Severino Nuaiasi, (Chair) MP
Hon. Manasseh Sogavare, MP
Hon. Isaac Inoke Tosika, MP
Hon. Augustine Taneko, MP
Hon. Japhet Waipora, MP

Apologies:

Hon. Siriako Usa, MP
Hon. Nelson Ne'e, MP

Secretariat:

Mr. Stanley Hanu, Committee Secretariat
Mr. David Luta Kusilifu, Committee Secretariat
Mr. John Taupongi, Committee Secretariat (Legal)

Witnesses:

Mr. Henry Pika, Permanent Secretary, Ministry of Police, National Security and Correctional Services.

Mr. John Taaru, Permanent Secretary, Ministry of Infrastructure Development.

Mr. Rupeni Nawaqakuta, Legal Draftsman, Attorney-General's Chamber.

Inspector Maxwell Saelea, Acting Director of Traffic Division, and officers.

Mr. Wayne Hart, Clerk to Honiara City Council.

Mr. Casper Chite, Licensing Officer, Ministry of Finance and Treasury.

Mr. Paul Amao, General-Secretary, Solomon Islands Chamber of Commerce and Industry

In attendance:

Ms. Joanna Kenilorea & Mr. Anthony Makamba, Officers, Attorney-General's Chamber.

2. Deliberation on Issues and Questions for the Public Hearing

The Chair and Members thanked the Secretariat for the preparatory work for the Public Hearing.

The Committee Secretariat briefed the Committee.

3. Hearing into the Traffic (Amendment) Bill 2009

The Chair welcomed the witnesses and thanked them for their attendance.

The Chair opened the hearing and asked the witnesses to introduce themselves and make any opening statements.

The witnesses made their opening statements to their position on the Bill.

The Legal draftsman provided an overview of the Bill.

The Committee questioned the witnesses.

Evidence Concluded.

4. Close

The Chair thanked the witnesses for their attendance. Hon. Tosika closed the Committee's deliberations with a word of prayer.

Meeting closed at 4:30 pm.

Appendix 2: Witnesses

Witnesses who appeared before the Bills and Legislation Committee on 18 June 2009 were:

1. **Mr. Henry Pika**, Permanent Secretary, Ministry of Police, National Security and Correctional Services.
2. **Mr. John Taaru**, Permanent Secretary, Ministry of Infrastructure Development.
3. **Mr. Rupeni Nawaqakuta**, Legal Draftsman, Attorney-General's Chamber.
4. **Ms. Joanna Kenilorea & Mr. Anthony Makamba**, Officers, Attorney-General's Chamber.
5. **Inspector Maxwell Saelea**, Acting Director of Traffic Division, and officers.
6. **Mr. Wayne Hart**, Clerk to Honiara City Council.
7. **Mr. Casper Chite**, Licensing Officer, Ministry of Finance and Treasury.
8. **Mr. Paul Amao**, General-Secretary, Solomon Islands Chamber of Commerce and Industry

Appendix 3: Formal Minutes



BILLS AND LEGISLATION COMMITTEE

NATIONAL PARLIAMENT OF SOLOMON ISLANDS

Minutes of Proceedings Meeting No. 16

Monday 22 June 2009, Conference Room 2, Parliament House, 9:45am

Members Present

Hon. Severino Nuaiasi, (Chair) MP
Hon. Manasseh Sogavare, MP
Hon. Isaac Inoke Tosika, MP
Hon. Augustine Taneko, MP
Hon. Japhet Waipora, MP

Apologies:

Hon. Siriako Usa, MP
Hon. Nelson Ne'e, MP

Secretariat:

Mr. David Luta Kusilifu, Committee Secretariat
Mr. John Taupongi, Committee Secretariat (Legal)

In attendance:

Mr. Warren Cahill, Project Manager

5. Prayer

Hon. Taneko said the opening prayer.

6. Chair's welcome and opening Remarks

The Chair welcomed and thanked the members for their attendance, offered apologies on behalf of members who were unable to attend and delivered his opening remarks.

7. Chair's Report on the Traffic (amendment) Bill 2009

The Chair tabled his draft report, which having been previously circulated, was taken as being read a first time.

According to Standing Order 72 (8) the Chair proposed the question 'That the Chair's report be read a second time page by page.' Question put and passed.

The Committee deliberated and sought advice and briefings on relevant matters from the Secretariat staff.

Consideration of the report concluded.

The Committee resolved on motion of Honourable Taneko that the report be the report of the Committee to Parliament.

8. Close

Hon. Tosika said the closing Prayer and the Meeting ended at 10:20am.