



**THE CONSTITUTION
(AMENDMENT) (NO. 2) BILL 2009
(NO. 11 of 2009)**



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**A
BILL
Entitled**

AN ACT OF PARLIAMENT TO ALTER THE CONSTITUTION

ENACTED by the National Parliament of Solomon Islands.

THE CONSTITUTION (AMENDMENT) BILL 2008

Short title and
commencement

1. This Act may be cited as the Constitution (Amendment) (No.2) Act 2009, and commences on the date it is published in the *Gazette*.

Section 54
amended

2. Section 54 of the Constitution is amended –

- (a) in subsection (1), by deleting “thirty” and “fifty” and substituting “fifty” and “seventy”, respectively; and
- (b) by repealing subsection (2) and substituting the following subsection –

“(2) The Constituency Boundaries Commission shall –

- (a) not later than ten years after the last review, review the number and boundaries of constituencies whenever it considers such review to be desirable; and
- (b) make recommendations to Parliament for alterations in the number and boundaries of constituencies.”.

CONSTITUTION (AMENDMENT) (NO.2) BILL 2009

OBJECTS AND REASONS

The object of this Bill is to alter the Constitution to increase the minimum and the maximum number of constituencies for elections of members of Parliament.

EXPLANATORY MEMORANDUM

Clause 1 provides for the short title and commencement. It will commence on the date of publication in the *Gazette*.

Clause 2 amends section 54 of the Constitution to increase the minimum and the maximum number of constituencies in respect of the number of members of the National Parliament. It also repeals and re-enacts subsection 54(2) of the Constitution which refers to the first determination of boundaries immediately after the commencement of the Constitution on 7 July 1978. The proposed subsection (2) deals with the current functions of the Constituency Boundaries Commission to review the number and boundaries of constituencies and to make recommendations to Parliament.

SECTION 54 OF THE CONSTITUTION

Constituencies

"54.-(1) For the purpose of the election of members of Parliament, Solomon Islands shall be divided into such number of constituencies, being not less than thirty five and not more than fifty seven, and each constituency shall have such boundaries, as may be prescribed by Parliament by resolution on a recommendation of the Constituency Boundaries Commission in accordance with subsection (4) of this section.

“(2) The Constituency Boundaries Commission shall –

- (a) not later than 10 years after the last review, review the number and boundaries of constituencies whenever it considers such review to be desirable; and
- (b) make recommendations to Parliament for alterations in the number and boundaries of constituencies.”

(2) ~~The Constituency Boundaries Commission shall make recommendations to Parliament with respect to the number and boundaries of constituencies as soon as practicable after the commencement of this Constitution, and thereafter the Commission may review the number and boundaries of the constituencies whenever they consider this to be desirable and shall do so not later than ten years after they last reviewed them, and may make recommendations to Parliament for alterations in the number and boundaries of the constituencies.~~

“(2) The Constituency Boundaries Commission shall –

- (a) not later than 10 years after the last review, review the number and boundaries of constituencies whenever it considers such review to be desirable; and
- (b) make recommendations to Parliament for alterations in the number and boundaries of constituencies.”.

(3) *In making recommendations under the preceding subsection, the Constituency Boundaries Commission shall have regard to the principle that the number of inhabitants of each constituency shall be as nearly equal as is reasonably practicable:*

Provided that the Commission may depart from the foregoing principle to such extent as they consider expedient in order to take account of the distribution of the population, the means of communication, and ethnic affiliations.

(4) *Parliament may, by resolution, approve or reject the recommendations of the Constituency Boundaries Commission but may not vary them; and, if so approved, the recommendations shall have effect as from the next dissolution of Parliament.”.*

Voting requirements

Section 54 falls under Chapter VI of the Constitution, therefore the amendment to that section will require the votes of not less than two-thirds of all the members of Parliament as stipulated by section 61(3) of the Constitution.

PRIME MINISTER

Honiara, Solomon Islands
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