



**TRUTH AND RECONCILIATION
COMMISSION (AMENDMENT)
BILL 2009**

(BILL NO. 26 OF 2009)



**TRUTH AND RECONCILIATION
COMMISSION (AMENDMENT) BILL 2009**

(BILL NO. 26 OF 2009)

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BILL

Entitled

AN ACT TO AMEND THE TRUTH AND RECONCILIATION COMMISSION
ACT 2008

ENACTED by the National Parliament of Solomon Islands.

**TRUTH AND RECONCILIATION COMMISSION
(AMENDMENT) BILL 2009**

Short title and
commencement

1. This Act may be cited as the Truth and Reconciliation Commission (Amendment) Act 2009, and commences on the date it is published in the *Gazette*.

Amendment to
section 4

2. Section 4 of the principal Act is amended –

- (a) in subsection (1), by deleting “within fourteen days of the appointment of its members” and substituting “on a date appointed by the Minister, by notice in *Gazette* (whether a retrospective or retroactive date)”;
- (b) in subsection (2), by deleting “three months” and substituting “up to seven months”.

Savings

3. For the avoidance of doubt, the appointment of the commencement date of the operations of the Commission or the extension of the preparatory period under this Act does not affect the validity of anything previously done by the Commission after the appointment of the commissioners or by the Commission or any person during the preparatory period extended under this Act.

**TRUTH AND RECONCILIATION COMMISSION
(AMENDMENT) BILL 2009**

OBJECTS AND REASONS

The objects of this Bill are –

- (a) to allow the Minister to fix the commencement of the operations of the Commission by notice in the *Gazette*; and
- (b) to extend the preparatory period of the Commission from three months to up to seven months.

The delay in appointing the two overseas commissioners necessitated the need to extend the commencement of the operations of the Commission and preparatory period.

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**MINISTER FOR NATIONAL UNITY, RECONCILIATION
AND PEACE**

EXPLANATORY MEMORANDUM

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

Clause 2 amends section 4 of the principal Act to empower the Minister to fix the commencement of the operations of the Commission and to increase the preparatory period of the Commission from three months to up to seven months.

Clause 3 provides for a saving provision to cover acts done by the Commission before the new commencement date of its operations and acts done during the extended preparatory period.

SECTION 4 OF THE PRINCIPAL ACT

Duration of Commission

4. (1) The Commission shall commence operations on a date appointed by the Minister, by notice in Gazette (whether a retrospective or retroactive date) ~~within fourteen days of the appointment of its members~~ and shall, subject to the provisions of subsection (2), operate for one year, provided that for good cause shown, the Prime Minister may by Order published in the Gazette, extend the term of the Commission for a further period, not exceeding one year.

(2) Before the commencement of the period of one year specified in subsection (1), the Commission shall have a preparatory period of ~~three months~~ up to seven months during which it may undertake all tasks necessary to ensure that it is able to work effectively from the commencement of its operations.

(3) The tasks to be undertaken during the preparatory period shall include procuring of office space, preparing a budget, securing funds for the Commission, hiring staff, discussing questions of methodology, designing and undertaking a public education campaign on the purposes and procedures of the Commission, designing and putting in place a database, undertaking preliminary background research, collecting supporting materials for its investigations and prioritizing its work.

(4) Both during the preparatory period and after it commences operations, the Commission shall endeavour to inform the public of its existence and the purposes of its work, and, where appropriate, shall invite all interested parties who may wish to do so, to make statements or submit information to the Commission.

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**MINISTER FOR NATIONAL UNITY, RECONCILIATION
 AND PEACE**