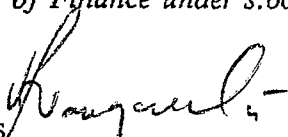



# CIVIL AVIATION (AMENDMENT) BILL 2009

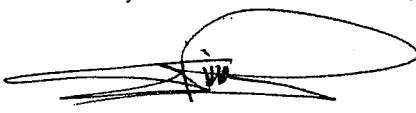
(NAME OF BILL)

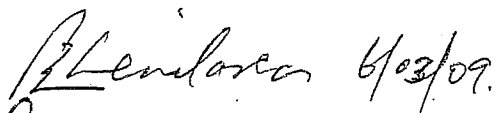
(NO. 4 OF 2009)

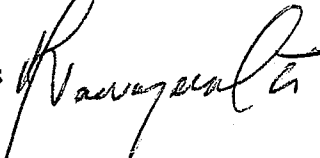
CONTENTS: Bill  
Objects and Reasons  
Notice of Presentation  
Covering letter from Minister to Clerk to Parliament  
(Authorisation from Minister of Finance under s.60 of Constitution)


FROM: Attorney General's Chambers 

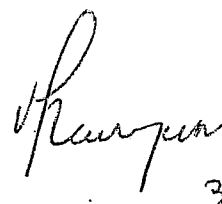
TO: Minister    
(for signing Objects & Reasons, Notice of Presentation and covering letter to Clerk)


TO: Minister of Finance   5/3/09  
(for signing of letter to Clerk signifying Cabinet approval under s.60 of Constitution)

TO: Clerk to National Parliament  
(for certificate by Speaker)  6/03/09

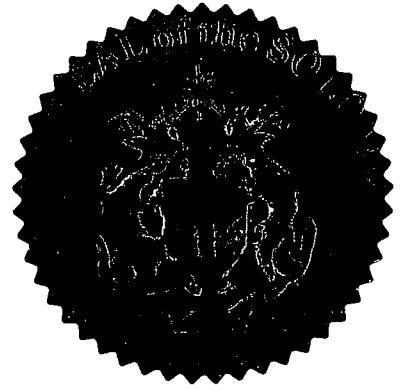
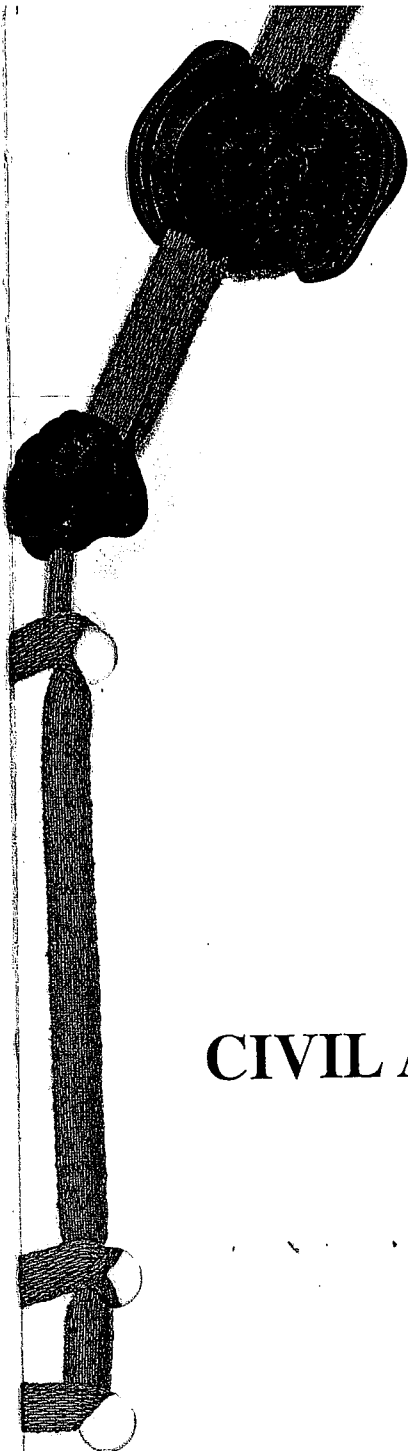
TO: Attorney General's Chambers  
(for printing)  6/03/09

TO: Clerk to National Parliament  
(for reference during 1st, 2nd and 3rd Readings)  
(Date passed 23/3/09..... Act No. 5/09.)  23/3/09

TO: Attorney General's Chambers  
(for checking before Assent) Act NO. 5/09  31/03/09

TO: Governor-General  
(for Assent)  07/05/09

TO: Clerk to National Parliament  
(for distribution: 1 copy Attorney General's Chambers  
1 copy Ministry  
1 copy Parliament Office  
1 copy Registrar of the High Court)



**CIVIL AVIATION (AMENDMENT)  
ACT 2009**

**(NO. 5 of 2009)**



**CIVIL AVIATION (AMENDMENT)  
ACT 2009**

**(NO. 5 of 2009)**

*ASSESSED by the National Parliament this twenty-third day of March 2009.*

*This printed impression has been carefully compared by me with the Bill passed by Parliament and found by me to be a true and correct copy of the said Bill.*

*Pasi Sanga (Mrs)  
Speaker to National Parliament*

*SENTED to in Her Majesty's name and on Her Majesty's behalf this eighth day  
May 2009.*

*Nathaniel Rahumaea Waena  
Governor-General*

*Effective date of commencement: (see section 1)*

## CIVIL AVIATION (AMENDMENT) ACT 2009

Citation and commencement

1. This Act may be cited as the Civil Aviation (Amendment) Act 2009 and commences on the same date of commencement of the Civil Aviation Act 2008 (Act No. 7 of 2008).

New Division added

2. The Civil Aviation Act 2008 is amended by adding the following Division 5 to Part II –

### *“Division 5 - Aviation Special Fund*

“Establishment and source of Fund

Cap.47

28A. The Aviation Special Fund (“Fund”), established under section 24A of the Civil Aviation Act shall continue as such under this section, as a special Fund pursuant to section 100(2) of the Constitution, into which shall be paid –

- (a) any money appropriated by Parliament for such purposes;
- (b) any prescribed air navigation fees paid in respect of aircraft of a prescribed class that operate within the airspace above the territory of Solomon Islands; and
- (c) money from other sources received on behalf of the Fund, whether by way of donation or under any other written law.

“Control and management of the Fund

28B. (1) The Authority shall control and manage the Fund, subject to any directions given under subsection (2) which the Authority shall comply with.

(2) Subject to section 28C, the Minister of Finance may give written directions on the control and management of the Fund to the Authority, including –

- (a) the manner in which payments from the money held in the Fund are to be made; and
- (b) the purposes for which the money held in the Fund may be expended.

“Purp Fund

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28C. (1) The Fund is established for the purposes of operating, developing and maintaining aviation infrastructure and facilities in Solomon Islands in accordance with international safety standards, and shall only be expended for such purposes, including one or more of the following purposes –

- (a) development and maintenance of landside or airside infrastructure and facilities of airports;
- (b) development and maintenance of any other aviation infrastructure and facilities not referred to in paragraph (a) that are necessary for the operation of aviation;
- (c) payment of financial obligations under international service agreements and other contracts relating to the operation of aviation;
- (d) payment of membership fees to national, regional and international aviation bodies;
- (e) development and training of human resources in accordance with international safety standards;
- (f) any other purposes authorised, in writing, by the Minister for Finance.

(2) In this section –

‘airside infrastructure and facilities’ means infrastructure and facilities on the part of an airport where members of the public who are not travelling on a plane are not authorised to access;

‘landside infrastructure and facilities’ means infrastructure and facilities on the part of an airport where members of the public who are not travelling on a plane are authorised to access.

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28D. (1) Sections 5(3), 21(2) and 38(1)(a)(v) and (2)(a) of the Public Finance and Audit Act apply to the Fund, as if it were a Special Fund under those sections.

Honiara, Solomon Islands  
Printed under the authority of the  
Solomon Islands Government

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