



Government of Solomon Islands

MEMORANDUM OF UNDERSTANDING

BETWEEN

THE ROYAL SOLOMON ISLANDS POLICE FORCE

AND

THE MINISTRY OF FINANCE AND TREASURY

Parties

1. The parties to this Memorandum of Understanding (MoU) are the Royal Solomon Islands Police Force (RSIPF) and the Ministry of Finance and Treasury (MoFT).

The RSIPF is the primary law enforcement agency of Solomon Islands. The objective of the RSIPF is to assist the Solomon Islands community by enforcing the law, protecting property and maintaining civil order in a manner that is accountable, lawful, fair, transparent and responsive.

2. The MoFT is responsible for facilitating the provision of sound advice on monetary, budget and fiscal policy to the Solomon Island Government. The core tasks of the Ministry include financial reporting, revenue collection, border protection, government payments, preparing and managing the annual recurrent budget. Ministry services include the implementation of good governance practice.

Duration

3. This MoU operates until either party terminates it or both parties agree to replace it.
4. The Commissioner of the RSIPF and the Permanent Secretary of MoFT will discuss the effectiveness of the MoU in regular meetings or through exchange of correspondence.

Purpose

5. This MoU is intended to:
 - Facilitate the collaborative investigation of crime related matters through the sharing of resources, provision of information and use of subject matter expertise in both Agencies;
 - Facilitate the collaborative investigation of allegations of corrupt, criminal and or seriously improper conduct to the extent permitted by relevant legislation;
 - Facilitate the exchange of information about crime related matters to the extent permitted by relevant legislation, so that information received by either party can be dealt with, effectively and efficiently, by the most appropriate agency;
 - Facilitate the exchange of relevant information to the extent permitted by relevant legislation, where both the agencies are considering the same issues or facts;
 - Ensure that information handling and investigation activities of the RSIPF and MoFT are not duplicated unnecessarily and are complementary; and

- Ensure that information provided to one party about the other party are handled in accordance with the principles stated in this MoU;

Contact arrangements

6. The contact persons for the purposes of this MoU are the Commissioner, RSIPF and the Permanent Secretary of MoFT, or such other officers as are delegated by the Commissioner, RSIPF and the Permanent Secretary of MoFT.

Information

7. The guiding principles are:
 - Both the RSIPF and the MoFT have important responsibilities in protecting the interests of the Solomon Islands community,
 - Instances will arise in which an issue falls within the jurisdiction of both bodies, and
 - Unnecessary duplication of investigation activity or overlap in inquiries should be avoided, especially where there is unlikely to be a different outcome arising from dual investigations.
8. If either the Commissioner of the RSIPF or the Permanent Secretary of MoFT receives information that could be more effectively or appropriately dealt with by the other party, the parties will consult with a view to transferring the information.
9. If either the RSIPF or the MoFT receives information that covers issues under the responsibilities of both agencies, the agency receiving the information will:
 - Identify the issues relevant to each agency and, if practicable, split the information to allow each agency to investigate the matters under their area of responsibility, and
 - Consult with the other agency and provide advice on which is the appropriate agency to handle the information, or
 - Where appropriate or required, institute a joint investigation.
10. The Permanent Secretary of MoFT acknowledges that it may be appropriate for the RSIPF to investigate a matter that falls within the jurisdiction of the MoFT, if the matter can more appropriately and effectively be handled by the RSIPF. The RSIPF may consult as appropriate with the MoFT in handling the information, including advising the Permanent Secretary of MoFT of the outcome of any investigation conducted by the RSIPF.

11. As appropriate, the RSIPF and MoFT may consult each other in relation to matters where the other party has a specific expertise or qualification that is relevant to an investigation.
12. The RSIPF may refer matters that are in the MoFT jurisdiction to the MoFT for action where, after consultation between the two agencies, it is decided that such a referral will lead to the matter being dealt with more expeditiously and effectively with a view to combating corruption.
13. If one party becomes aware during an investigation that the other party is also considering information about the same matter, then the first party will advise the other.
14. The RSIPF and the MoFT agree to consult prior to informing another Solomon Islands agency about an issue which is being investigated by the RSIPF or the MoFT, of the fact of the investigation. This is subject to the disclosure by the agency being in accordance with the laws governing that agency.
15. Joint investigations may be conducted between the RSIPF and the MoFT. The scope and procedures for any joint investigation undertaken, including the delegation of any legislative powers to staff of either agency, will as far as practicable be agreed at the start of the investigation.

Information about each other

16. Both agencies are committed to accountability and transparency in conducting their work, and acknowledge that each can be the subject of investigation by the other in accordance with the legislation administered by the other agency. Equally, both agencies respect each other's specific roles, areas of expertise, and decisions concerning priorities and resource allocation.
17. Where one party receives information about the other agency, and there is a discretion as to whether to investigate the matter, the agency in exercising that discretion will take into account the following factors:
 - Whether the subject matter of the information is within the other agency's areas of statutory responsibility, or
 - Whether investigation of the issues raised by the information relates to the expertise of the other agency.

Other investigations

18. If either party begins an investigation or inquiry into a matter that is not otherwise covered by this MoU, and the matter is within the expertise or interest of the other agency, then the investigating agency will advise the other agency of the investigation to the extent permitted by the relevant legislation governing both agencies.

General

19. The RSIPF and the MoFT agree that their officers should work together to share information and experience in relation to their respective roles. Each agency will keep the other informed of recent developments that may be of interest to the other, within the scope of this MoU, and to the extent permitted by the relevant legislation governing both agencies.
20. Both agencies will include reference to their respective roles, wherever appropriate, in commenting on Solomon Islands Government accountability arrangements.
21. Each agency will consult the other during the drafting of sections of their annual reports, or other publications, which are of mutual interest.
22. Each agency will assist the other, wherever possible, in the distribution of general material to target audiences and the community generally about how to provide information concerning corruption related issues.



Frank Prendergast
Commissioner
RSIPF

3 / 8 /2016



Harry Kuma
Permanent Secretary
MoFT

3 / 8 /2016