



# SOLOMON ISLANDS GAZETTE

---

---

NO.58

Wednesday 6<sup>th</sup> May,

2020

---

---

## LEGAL NOTICE

*The following is published as a Supplement to this Gazette:  
[Legal Notice No. 47]*

---

Honiara, Solomon Islands  
Printed under the authority of the  
Solomon Islands Government  
Printed by Pacific Printers Limited.

***SUPPLEMENT*** to the Solomon Islands GazetteWednesday 6<sup>th</sup> May, 2020

S.I. No.33

[Legal Notice No. 47]

**EMERGENCY POWERS (COVID-19 (NO.2) REGULATIONS 2020****Table of provisions**

<b>Part 1</b>	<b>Preliminary Matters .....</b>	<b>1</b>
1	Citation	1
2	Commencement	1
3	Definitions	1
4	Application	4
<b>Part 2</b>	<b>Prime Minister's Power .....</b>	<b>4</b>
5	Prime Minister's power to make Orders	4
6	Quarantine stations	5
7	Mandatory quarantine on entry to Solomon Islands	6
8	Prohibition of entry	8
9	Property may be possessed or acquired for the public interest or COVID-19 related purposes	8
10	Declaration of emergency zones	9
11	Restriction of movement of persons	10
12	Temporary closure of a public place	10
13	Restriction of movement of vessels and aircrafts	11
14	Suspension of access to media outlets	13
15	Power to order release of funds for public safety measures	13
16	Power to suspend trade unions	14
17	National Disaster Council to perform functions and exercise powers	14
18	Powers relating to cessation of business operations	15
<b>Part 3</b>	<b>Authorised officers .....</b>	<b>16</b>
19	Appointment of authorised officers	16
20	Functions of authorised officers	17
21	Powers of authorised officers	17
22	Indemnity from liability	19

<b>Part 4</b>	<b>Other offences.....</b>	<b>20</b>
23	Offence of disseminating rumours and false information	20
24	Offence of deception for committing fraud	20
<b>Part 5</b>	<b>Miscellaneous Matters .....</b>	<b>20</b>
25	Official dissemination of information relating to COVID-19	20
26	Demeanour of public officer in media	21
<b>Part 6</b>	<b>Repeal and savings provisions .....</b>	<b>22</b>
27	Definitions	22
28	Repeal	22
29	Savings provisions	22

**EMERGENCY POWERS ACT  
(CAP. 11)**

**EMERGENCY POWERS (COVID-19 (NO. 2) REGULATIONS 2020**

IN exercise of the powers conferred by section 2 of the *Emergency Powers Act* (Cap. 11), the Governor-General makes the following Regulations:

**Part 1 Preliminary Matters**

**1 Citation**

These Regulations may be cited as the *Emergency Powers (COVID-19 (NO.2) Regulations 2020*.

**2 Commencement**

These Regulations commence on the date they are published in the *Gazette*.

**3 Definitions**

In this Regulations:

“*Act*” means the *Emergency Powers Act* (Cap. 11);

“*authorised officer*” means an authorised officer specified in regulation 19(1) or appointed under regulation 19(2);

“*COVID-19*” means the novel coronavirus capable of causing severe respiratory illness, as defined by the World Health Organisation;

“*COVID-19 related purpose*” includes a purpose for or related to maintaining public health, safety, order and security during the emergency period;

“*emergency period*” means the period during which the *Proclamation Declaring State of Public Emergency* (Legal Notice No.28 of 2020) is in force;

“*emergency zone*” means a place or an area declared to be an emergency zone under regulation 10(1);

“*the Government*” has the same meaning it has in section 16 of the *interpretation and General Provisions Act* (Cap.85);

**“medical officer”** has the same meaning it has in section 16 of the *Interpretation and General Provisions Act* (Cap.85);

**“medical practitioner”** has the same meaning it has in section 16 of the *Interpretation and General Provisions Act* (Cap.85);”  
**“National Disaster Council”** means the National Disaster Council established under section 3 of the National Disaster Council Act (Cap. 148);

**“Order”** means an Order made under these Regulations and published in the *Gazette*;

**“owner”** in relation to property, means the holder of a right or interest in the property;

**“property”:**

(a) means:

(i) land; or

(ii) a building or other structure, or part of a building or other structure; or

(iii) a vehicle; and

(b) includes an interest or right in property;

**“public assembly”** means an assembly of not more than the number of individuals specified as constituting a public assembly in an Order made under regulation 10;

**“public place”** has the same meaning it has in section 16 of the *Interpretation and General Provisions Act* (Cap.85);

**“public procession”** means an assembly at a public place of not more than the number of individuals specified as constituting a public procession in an Order made under regulation 10 who are moving together, whether by foot or otherwise;

**“public safety measure”** means a measure for the public interest or a COVID-19 related purpose;

**“quarantine period”** has the meaning it has in regulation 7;

**“quarantine station”** means a property declared to be a quarantine station under regulation 6;

**“quarantined person”** means a person who is quarantine at a quarantine station under regulation 7(1)(a);

**“the public interest”** means the interest of the public:

- (a) to be protected from the importation or spread of COVID-19; or
- (b) to be adequately informed or warned of the nature, symptoms and treatment of COVID-19; or
- (c) to be treated for any symptoms of COVID-19; or
- (d) in the recovery of the national economy from adverse effects (whether direct or indirect) caused by the global outbreak of COVID-19; or
- (e) to receive assistance through projects approved by the Cabinet to boost the social and economic development of Solomon Islands; or
- (f) to have minimal disruption during the global outbreak of COVID-19 to services provided by the Government;

**“vehicle”** includes an aircraft or a vessel;

**“vessel”**.

- (a) means a vessel used for any of the following purposes:
  - (i) carrying cargo;
  - (ii) commercial fishing;
  - (iii) commercial recreation for example a cruise liner, pleasure craft, super yacht, or any other such vessel;

- (iv) bunkering;
  - (v) carrying ore or fuel;
  - (vi) logging;
  - (vii) any other commercial or scientific purposes; and
- (b) includes a vessel that is less than 10 metres long.

#### **4 Application**

- (1) These Regulations apply in the whole of Solomon Islands.
- (2) In accordance with section 2(b) of the Act, these Regulations only have effect during the emergency period.
- (3) Despite subregulation (2), a contract entered into under regulation 9(2) continues to have effect until it is discharged by performance.
- (4) In accordance with section 4(2) of the Act, in the event of an inconsistency arising between a provision of these Regulations and any other law, these Regulations prevail.

### **Part 2 Prime Minister's Power**

#### **5 Prime Minister's power to make Orders**

- (1) The Prime Minister may make Orders, under and in accordance with these Regulations, for the public interest or for a COVID-19 related purposes.
- (2) The Orders the Prime Minister may make are to:
  - (a) declare property to be a quarantine station in accordance with regulation 6(1); or
  - (b) exempt a person or a class of persons from the requirement to be quarantined under regulation 7(2) in accordance with that subregulation; or
  - (c) prohibit the entry of a person or a class of persons into Solomon Islands in accordance with regulation 8(1); or



- (d) take possession of or acquire property in accordance with regulation 9; or
- (e) declare a place or an area to be an emergency zone in accordance with regulation 10; or
- (f) restrict the movement of a person, or a class of persons, for the maintenance of public health, safety, order and security in an emergency zone in accordance with regulation 11; or
- (g) temporarily close a public place in accordance with regulation 12; or
- (h) in accordance with regulation 13:
  - (i) restrict the movement of a vessel, aircraft, class of vessels or aircraft, or the crew of a vessel, aircraft or class of vessels or aircrafts, into, within and out of Solomon Islands; or
  - (ii) provide for exemptions from the restriction; or
- (i) suspend access to media outlets in accordance with regulation 14; or
- (j) order in accordance with regulation 15 the release of special funds provided for under other laws of Solomon Islands to implement public safety measures; or
- (k) suspend trade unions in accordance with regulation 16; or
- (j) give directions to the National Disaster Council in accordance with regulation 17 for taking measures and executing its operations for the public interest; or
- (m) provide for the cessation of a business in accordance with regulation 18.

## **6 Quarantine Stations**

- (1) The Prime Minister may, by Order, declare a property to be a quarantine station for any of the following purposes:

- (a) to accommodate a quarantined person;
  - (b) to test a quarantined person for COVID-19 during the quarantine period;
  - (c) to provide for the safety or wellbeing of a quarantined person during the quarantine period.
- (2) The Order must specify the purpose for declaring the quarantine station.
- (3) A person must not enter a quarantine station unless the person is:
- (a) an authorised officer; or
  - (b) a quarantined person.
- (4) A person who contravenes subregulation (3) commits an offence.

Maximum penalty: 10,000 penalty units or imprisonment for 5 years, or both.

## **7 Mandatory quarantine on entry to Solomon Islands**

- (1) A person who enters Solomon Islands must:
- (a) immediately on entering Solomon Islands, be quarantined at a quarantine station for the period of 14 days commencing from the day the person enters Solomon Islands (*“quarantine period”*); and
  - (b) comply with the Government’s quarantine procedures.
- (2) The Prime Minister may, by Order, exempt a person or a class of persons from being quarantined for the quarantine period if:
- (a) the person or class of persons enters Solomon Islands to:
    - (i) assist in the construction of quarantine stations; or
    - (ii) provide expertise assistance in relation to isolation units for purposes of quarantine; or
    - (iii) provide expertise assistance in relation to testing for or treatment of COVID-19; or

- (iv) provide any other such assistance necessary to the public interest; or
  - (b) the person or class of persons is needed to assist in an emergency or other dangerous circumstance threatening life or property.
- (3) The Order under subregulation (2) may impose conditions for preventing the transmission of COVID-19 by a person exempted from being quarantine period.
- (4) A quarantined person may only leave the quarantine station:
  - (a) on the person's quarantine period ending; or
  - (b) if a medical officer certifies in writing that:
    - (i) the person is in need of urgent medical condition; and
    - (ii) that urgent medical condition can only be attended to at a hospital; or
  - (c) if the authorised officer in charge of the quarantine station certifies in writing that the quarantine station is not a safe or secure location for the person; or
  - (d) if the Prime Minister exempts the person under subregulation (2) from being quarantined for the quarantine period.
- (5) Subject to subregulation (6), a person must leave a quarantine station in accordance with the Government's quarantine procedures.
- (6) A person who leaves a quarantine station:
  - (a) under subregulation (4)(b), must immediately return to the quarantine station following the medical treatment if the person's quarantine period has not ended; or
  - (b) under subregulation (4)(c), must be immediately taken to another quarantine station.

- (7) A person who contravenes this regulation commits an offence.

Maximum penalty: 10,000 penalty units or imprisonment for 5 years, or both.

- (8) In this regulation, “*quarantined*” means to be:

- (a) accommodated in isolation from any other person; and
- (b) prohibited from any physical contact with another person apart from an authorised officer.

## **8 Prohibition or entry**

- (1) The Prime Minister may, by Order, prohibit a person or a class of persons from entering into Solomon Islands during the emergency period.

- (2) The Prime Minister may, by Order, specify a person or a class of persons who may enter Solomon Islands to carry out a humanitarian purpose despite the prohibition.

- (3) A person who contravenes the Order commits an offence.

Maximum penalty: 10,000 penalty units or imprisonment for 5 years, or both.

- (4) In this regulation, “*humanitarian purpose*” means a purpose relating to:

- (a) a food shortage; or
- (b) providing medical supplies, assistance or treatment; or
- (c) any other matter relating to the public interest in Solomon Islands; or
- (d) the security, peace and order of Solomon Islands; or
- (e) an emergency or other dangerous circumstance threatening life or property.

**9 Property may be possessed or acquired for the public interest of COVID-19 related purposes**

- (1) The Prime Minister may, by Order, take possession of or acquire property for use for the public interest or a COVID-19 related purpose.
- (2) Prior to the making of an order under subregulation (1), the Prime Minister and the owner of the property must enter into an agreement that sets out the terms and conditions of the possession or acquisition.
- (3) The agreement:
  - (a) must be in writing; and
  - (b) must specify how the property will be used and any works that are likely to be carried out on the property or that will otherwise affect the property; and
  - (c) must provide for reasonable compensation in accordance with section 8(1)(c)(i) of the Constitution; and
  - (d) must provide, in a manner that accords with section 8(1)(c)(ii) of the Constitution, for the owner's right of access to the High Court to determine questions relating to the owner's interests and rights in the property, the legality of the requisition or taking possession of the property and the reasonableness of the compensation; and
  - (e) may make provisions for the safety, security and preservation of the property while it is used for the public interest or COVID-19 related purpose.
- (4) The owner of property who fails to enter into an agreement setting out the terms and conditions of the possession or acquisition of the property in accordance with subregulation (2) and (3) commits an offence.

Maximum penalty: 10,000 penalty units or imprisonment for 2 years, or both.

## 10 Declaration of emergency zones

- (1) The Prime Minister may, by Order, declare a place or an area to be an emergency zone.
- (2) The Order made under subregulation (1) may specify:
  - (a) the maximum number of individuals that constitute a public assembly or public procession in the emergency zone; or
  - (b) the extent to which a social gathering may be prohibited at a place in the emergency zone that is not a public place; or
  - (c) any other measure necessary in the public interest to regulate a public assembly or public procession in the emergency zone.
- (3) A person who contravenes the Order commits an offence.
 

Maximum penalty: 10,000 penalty or imprisonment for 5 years, or both.
- (4) In this regulation, a “*social gathering*” means a gathering of individuals for:
  - (a) any event of a personal, familiar, cultural, religious or societal significance; or
  - (b) any other event where individuals gather and are organised to constitute a public assembly or public procession.

## 11 Restriction of movement of persons

- (1) The Prime Minister may, by Order, restrict the movement of a person, or a class of persons, for the maintenance of public health, safety, order and security in an emergency zone.
- (2) The Order must specify:
  - (a) the extent to which the person’s movement is restricted; and
  - (b) the time of day during which the person’s movement is restricted; and
  - (c) the duration of the restriction of the person’s movement.

- (3) A person commits an offence if the person contravenes the Order.

Maximum penalty: 10,000 penalty units or imprisonment for 5 years, or both.

## **12 Temporary closure of a public place**

- (1) The Prime Minister may, by Order:

- (a) temporarily close a public place; or
- (b) direct an authorised officer to remove or destroy property in a public place that:
  - (i) is unlawfully located on the public place; or
  - (ii) poses an immediate threat or risk to the public interest; or
  - (iii) attracts a public assembly or public procession.

- (2) While a public place is temporarily closed by an Order under subregulation (1)(a), a person must not:

- (a) enter and remain in the public place; or
- (b) if the person owns or operates a business that is conducted on or from premises in the public place, open and conduct the business on or from those premises.

- (3) A person commits an offence if the person contravenes subregulation (2).

Maximum penalty: 10,000 penalty units or imprisonment for 5 years, or both

- (4) A person does not commit an offence under subregulation (3) if the person enters and remains on the public place:

- (a) to provide lawful security of the place; or
- (b) in accordance with written authorisation of the Prime Minister to do so.

**13 Restriction of movement of vessels and aircrafts**

- (1) The Prime Minister may, by Order:
  - (a) restrict the movement into, within or out of Solomon Islands of:
    - (i) a vessel or a class of vessels; or
    - (ii) an aircraft or a class of aircraft; or
    - (iii) the crew of a vessel, aircraft or class of vessels or aircraft; or
  - (b) prescribe procedures or measures to restrict the movement of the vessel, aircraft, class or vessels or aircraft or crew, into, within or out of Solomon Islands; or
  - (c) subject to subregulation (2), prescribed procedures or measures for exempting a vessel or aircraft, or its crew, from compliance with a restriction imposed on its movement, including the following:
    - (i) establishing a committee to receive, consider and determine applications for the exemption of a vessel or aircraft from the restriction;
    - (ii) prescribing procedures or measures for making an application to the committee for an exemption;
    - (iii) providing that the committee's decision to exempt or not exempt a vessel or aircraft is final, and no rule of law applies to give a person affected by the decision a right of appeal against the decision or the right to apply for any reconsideration or review of the decision.
- (2) An exemption from compliance with a restriction:
  - (a) must be in writing; and
  - (b) may impose conditions for preventing the transmission of COVID-19.



- (3) if a vessel or aircraft is moving into, within or out of Solomon Islands in contravention of the Order, each of the following persons commits an offence:
- (a) the owner of the vessel or aircraft;
  - (b) the operator of the vessel or aircraft;
  - (c) the charterer of the vessel or aircraft;
  - (d) the owner of cargo carried on the vessel or aircraft.

Maximum penalty: 1,000,000 penalty units or imprisonment for 20 years, or both.

#### **14 Suspension of access to media outlets**

- (1) The Prime Minister may, by Order, suspended access to a media outlet if information or material relating to COVID-19 in Solomon Islands published, disseminated or otherwise transmitted to another person by the media outlet has the potential to:
- (a) grossly mislead the public; or
  - (b) incite the spread of false news or reports causing public alarm, anxiety or disaffection; or
  - (c) incite acts in a manner prejudicial to the public safety or to the peace and good order of any part of Solomon Islands; or
  - (d) incite hatred or contempt of any person or any class of persons.
- (2) The Order may prescribed procedures and measures for suspending access to the media outlet.
- (3) In this regulation, ***“media outlet”***:
- (a) means the outlet, means or source by or from which a person is able to obtain, read, listen to or watch information; and
  - (b) includes social media and other outlets available on the internet or other electronic devices by or through the use of which information is transmitted.

## 15 Power to order release of funds for public safety measures

- (1) The Prime Minister may, by Order, order the release of funds provided for under other laws of Solomon Islands for implementing a public safety measures, including any of the following:
- (a) the repatriation of public officers or members of the public from Honiara to their village of origin; or
  - (b) the construction, establishment, operation and management of quarantine stations; or
  - (c) the awareness and dissemination of information relating to COVID-19; or
  - (d) the purchase of medical supplies and equipment for authorised officers and the public; or
  - (e) treatment of persons who have contracted COVID-19; or
  - (f) the enforcement of these Regulations; or
  - (g) any other measure considered necessary for the public interest or a COVID-19 related purpose by the Prime Minister.
- (2) The Prime Minister must:
- (a) keep an updated record of any funds released under subregulation (1); and
  - (b) prepared a report on the acquitted and use of the funds and table the report before Parliament at the next sitting of Parliament after the Order is made.
- (3) In this regulation:
- “funds”** included special funds within the meaning of section 100(2) of the Constitution;
- “Honiara”** has the same meaning it has in section 2 of the *Planning and Development Act* (Cap. 154);
- “village of origin”** means village of origin whether by birth, marriage, tribal affiliation or usual residence.

**16 Power to suspend trade unions**

- (1) The Prime Minister may, by Order, suspend the operation of a trade union during the emergency period if satisfied that doing so is necessarily for the public interest or a COVID-19 related purpose.
- (2) A trade union who contravenes an Order made under subregulation (1) may be de-registered with immediate effect.
- (3) In this regulation, “*trade union*” has the same meaning it has in section 2(1) of the *Trade Unions Act* (Cap.76).

**17 National Disaster Council to perform functions and exercise powers**

- (1) During the emergency period, the National Disaster Council must perform its functions and exercise its powers under the National Disaster Council Act (Cap. 148), and take safety measures and execute disaster operations, as if an Order were made and in force under section 12 of that Act.
- (2) The Prime Minister may give directions in writing to the National Disaster Council for taking measures and executing its operations for the public interest.

**18 Powers relating to cessation of business operations**

- (1) The Prime Minister may, by Order, cancel the registration, licence, permit or any other authorisation that a person who owns or operates a business is required under a law to have to be able to conduct the business in Solomon Islands if, during the emergency period:
  - (a) in conducting the business, the person contravenes an Order made under the *Price Control Act* (Cap. 64); or
  - (b) the person conducts the business in a public place that is temporarily closed under regulation 12; or
  - (c) the business is conducted in a manner that otherwise contravenes these Regulations or an Order or any other law.
- (2) On the Order taking effect:
  - (a) the registration, licence, permit or other authorisation for conducting the business is cancelled and has no effect; and

- (b) the person must cease conducting the business.
- (3) A person who contravenes subregulation (2)(b) commits an offence.
 

Maximum penalty:	1,000,000 penalty units or imprisonment for 20 years, or both.
------------------	--
- (4) In this regulation, “**registration, licence, permit or other authorisation**” includes:
  - (a) registration of business activities under the *Foreign Investment Act 2005*; and
  - (b) registration of a business name under the *Business Names Act 2014*; and
  - (c) a licence or permit for conducting a business issued by the Honiara City Council or a provincial government.

### **Part 3            Authorised officers**

#### **19            Appointment of authorised officers**

- (1) The following persons are authorised officers:
  - (a) a medical officer or medical practitioner;
  - (b) a nurse as defined in section 3 of the *Nursing Council Act* (Cap. 104);
  - (c) a health worker as defined in section 2 of the *Health Workers Act* (Cap. 101);
  - (d) an immigration officer as defined in section 2 of the *Immigration Act 2012*;
  - (e) an officer as defined in section 2 of the *Customs and Excise Act* (Cap. 121);
  - (f) a biosecurity officer as defined in section 2 of the *Biosecurity Act 2013*;

- (g) an officer as defined in section 3 of the Quarantine Act (Cap.106);
  - (h) a police officer as defined in section 2 of the *Police Act 2013*;
  - (i) the Chairman of the National Disaster Council;
  - (j) each of the following officers who work at the National Disaster Management Office established under section 7 of the *National Disaster Council Act* (Cap. 148);
    - (i) Director of the National Disaster Management Office;
    - (ii) Deputy Director of the National Disaster Management Officer;
    - (iii) Chief of Operations of the National Disaster Management Officer;
    - (iv) a chairperson of a committee of the National Disaster Management Office.
- (2) The Prime Minister may, by Order, appoint other persons to be authorised officers for the effective implementation of these Regulations.

## **20 Functions of authorised officers**

An authorised officer has the following functions:

- (a) to manage, monitor or provide security for quarantine stations or emergency zones;
- (b) to facilitate the quarantine of persons under regulation 7;
- (c) to enforce Orders made under these Regulations;
- (d) to ensure the lawful, safe and orderly movement of persons, vessels and aircrafts into, within and from Solomon Islands;
- (e) to inform, or disseminate information to, the public regarding the prevention, management, monitoring or treatment of COVID-19.

**21 Powers of authorised officers**

- (1) Subject to subregulations (2) and (3), for performing his or her functions, an authorised officer has the following powers:
  - (a) stop and search a person;
  - (b) stop a vehicle;
  - (c) enter and search premises or a vehicle;
  - (d) detain or arrest a person;
  - (e) take necessary steps and use reasonable force as may appear to him or her to be necessary to:
    - (i) stop and search a person; or
    - (ii) stop a vehicle; or
    - (iii) enter and search premises or a vehicle; or
    - (iv) detain or arrest a person; or
  - (f) seize anything found on a person, or on premises or a vehicle, which the authorised officer has reason to suspect is or was being used or is intended to be used for:
    - (i) committing an offence under these Regulations or under an Order; or
    - (ii) any purpose, or in any way, prejudicial to the public health, safety, order or security or the public interest; or
  - (g) give directions to a person; or
  - (h) require a person to:
    - (i) comply with a direction given under paragraph (g); or
    - (ii) answer the authorised officer's questions; or

- (iii) give to the authorised person specified information or an article in the person's possession; or
  - (iv) produce the information or article referred to in subparagraph (iii) at a specified place and time.
- (2) An Authorised person:
- (a) may, without a warrant, search, question, detain or arrest a person, and continue investigating the case against the person for 72 hours after detaining or arresting the person, without either applying for a warrant or bringing the person before the Magistrate's Court; and
  - (b) after the period of 72 hours referred to in paragraph (a) ends, must not exercise a power under subregulation (1) unless the authorised person does so in accordance with a warrant obtained from a Magistrate.
- (3) Subject to subregulation (2):
- (a) the procedures for detaining or arresting a person under this regulation must comply with the Criminal Procedure Code (Cap. 7) or the *Police Act 2013*, as the case requires; and
  - (b) the procedures for investigating, inquiring into, holding a committal for or trying an offence for which the person is detained or arrested, must comply with the *Criminal Procedure Code* (Cap.7).
- (4) A person commits an offence if the person:
- (a) assaults, obstructs, hinders or resists an authorised officer carrying out his or her duties; or
  - (b) uses any threatening, abusive or defamatory language to or about an authorised officer; or
  - (c) aids or incites any other person to assault, obstruct, hinder or resist an authorised officer carrying out his or her duties; or
  - (d) if required by an authorised officer to give or produce information under subregulation (1)(h):

- (i) gives or produces false information; or
- (ii) fails to comply with the requirement.

Maximum penalty: 10,000 penalty units or imprisonment for 5 years, or both.

- (5) In addition to the penalty of a fine or imprisonment under subregulation (4), if the person is not a citizen of Solomon Islands, the person may be deported immediately on the next available flight.

## **22 Indemnity from liability**

An authorised officer is not civilly or criminally liable for an act done or omission made in good faith and without negligence in exercising the authorised officer's powers and performing the authorised officer's functions under these Regulations.

## **Part 4 Other offences**

### **23 Offence of disseminating rumours and false information**

A person commits an offence if, during the emergency period, the person:

- (a) maliciously fabricates or knowingly disseminates or publishes, whether by writing or by word of mouth, online or otherwise, any false news or report that is likely to create or foster public alarm, public anxiety or disaffection or to produce public detriment; or
- (b) acts or is acting in a manner prejudicial to the public safety or to the peace and good order of any part of Solomon Islands; or
- (c) endeavours to disturb, or disturbs, the public peace by inciting hatred or contempt of any class of persons.

### **24 Offence of deception for committing fraud**

- (1) A person commits an offence if, during the emergency period, the person engages in deception or other dishonest conduct with the intent to obtain money, property or other benefit from another person by giving that other person the impression that he or she would be giving the money, property or benefit for a public safety measure.

Maximum penalty: 10,000 penalty units or imprisonment for 5 years, or both.



- (2) In this regulation, “*deception or other dishonest conduct*” includes using an assumed name or identity.

**Part 5            Miscellaneous Matters**

**25            Official dissemination of information relating to COVID-19**

- (1) The Ministry of Health and Medical Services is the official authority for disseminating information relating to COVID-19 to the public on behalf of the Government.
- (2) The Ministry of Health and Medical Services must daily keep the public informed of information relating to COVID-19 through media accessible by the public including by:
- (a) radio broadcast; or
  - (b) a newspaper of wide circulation in Solomon Islands; or
  - (c) website that is current and daily updated.
- (3) Any other Government Ministry, department or agency may disseminate information relating to COVID-19 on their online media outlet or media outlet.
- (4) Any information disseminated under subregulation (3) must, prior to such dissemination, be verified with the Ministry of Health and Medical Services.
- (5) A person commits an offence if the person misrepresents information as information disseminated by the Ministry of Health and Medical Services:
- (a) disseminated under subregulation (1) and (2); or
  - (b) verified under subregulation (4).

Maximum penalty:        5,000 penalty units or imprisonment  
for 1 year.

**26            Demeanour of public officer in media**

- (1) A person who is a public officer must not publish any information or statement in the media that:

- (a) is contradictory to information on or relating to COVID-19 published by the Government;
- (b) is:
  - (i) inflammatory against the Government; and
  - (ii) incites hatred or contempt against the Government which may result in acts prejudicial to the public safety, peace and good order of any part of Solomon Islands.
- (2) A public officer who does not comply with subregulation (1) must be terminated with immediate effect.

**Part 6 Repeat and savings provisions**

**27 Definitions**

In this Part:

*“commencement”* means the commencement of these Regulations;

*“decision or action taken under the repealed Regulations”* includes a decision or action taken under an Order made under the repealed Regulations;

*“repealed Regulations”* means the Regulations repealed under regulation 28.

**28 Repeal**

The Emergency Powers (COVID-19) Regulations 2020 (Legal Notice No.29 of 2020) are repealed.

**29 Savings provisions**

On the commencement:

- (a) each Order made under the repealed Regulations:
  - (i) continues in force as if it were an Order made under these Regulations; and
  - (ii) has effect in accordance with and subject to these Regulations; and

- (b) an emergency zone or a quarantine station declared under the repealed Regulations continues to have effect subject to these Regulations as if it had been declared under and in accordance with these Regulations; and
- (c) an authorised officer holding office under the repealed Regulations continues to hold office under and subject to these Regulations; and
- (d) a decision made or action taken under the repealed Regulations continues to have effect subject to these Regulations as if it were made or taken under and in accordance with these Regulations.

MADE AT HONIARA this fifth day of May, 2020.

SIR DAVID VUNAGI  
GOVERNOR-GENERAL

Honiara, Solomon Islands  
Printed under the authority of the  
Solomon Islands Government  
Printed by Pacific Printers Limited.