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SOLOMON ISLANDS GAZETTE

NO. 182

Wednesday 1st June

2022

EXTRA-ORDINARY GAZETTE

LEGAL NOTICE

The following is published as a Supplement to this Gazette:
[Legal Notice No. 184]

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EMERGENCY POWERS ACT

(Cap. 11)

EMERGENCY POWERS (COVID-19) (AMENDMENT) REGULATIONS 2022

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

1 Citation

These Regulations may be cited as the *Emergency Powers (COVID-19) (Amendment) Regulations 2022*.

2 Commencement

These Regulations commence on 1 June 2022.

3 Amendment of Emergency Powers (COVID-19) Regulations 2022

These Regulations amend the *Emergency Powers (COVID-19) Regulations 2022* (Legal Notice No. 112 of 2022) (“*Principal Regulations*”).

4 **Regulation 3 amended**

Regulation 3 of the Principal Regulations is amended:

- (a) by omitting the definitions of “*COVID-19 affected country or territory*” and “*COVID-19 free country or territory*”; and
- (b) in the definition of “*quarantine*”, by omitting from paragraph (b) “71” and substituting “72”; and
- (c) in the definition of “*quarantine period*”, by omitting “28(1), 29 to 31, or 35 to 37” and substituting “28(1) or (2), 29, 35 or 37”; and
- (d) in the definition of “*quarantined person*”, by omitting “28(1), 29 to 31, or 35 to 37” from paragraph (a) and substituting “28(1) or (2), 29, 35 or 37(1)(a)”.

5 **Regulation 10 amended**

Regulation 10 of the Principal Regulations is amended by omitting subregulation (2) and substituting:

- “(2) In addition, the Prime Minister may, by Order, exempt a person or class of persons who arrives in Solomon Islands on a vessel from being quarantined at a quarantine station for the quarantine period, or from being home quarantined for the home quarantine period, if:
- (a) the person or each person belonging to the class of persons, and every other person on board the vessel:
 - (i) (if testing for COVID-19 was available to the person) was tested for the presence of COVID-19 within the 72-hour period immediately before the person embarked onto the vessel and tested non-infectious or negative for COVID-19 for the test; and
 - (ii) did not disembark from the vessel before disembarking at the vessel’s port of entry into Solomon Islands; and
 - (b) no other person embarked onto the vessel between the vessel’s departure from the country or territory where the person or each person belonging to the class of persons embarked onto the vessel and the vessel’s arrival in the port of entry into Solomon Islands; and
 - (c) a period of at least 6 days has passed since the day on which the vessel departed from the country or territory where the person or each person belonging to the class of persons embarked onto the vessel; and
 - (d) the person or each person belonging to the class of persons is, immediately before disembarking from the vessel in Solomon Islands, tested for the presence of COVID-19 and tested non-infectious or negative for COVID-19 for the test.”.

6 **Regulation 26 amended**

Regulation 26 of the Principal Regulations is amended by omitting the definitions of “*being in a COVID-19 affected country or territory*” and “*being in a COVID-19 free country or territory*”.

7 **Regulation 28 amended**

Regulation 28 of the Principal Regulations is amended:

- (a) by omitting from subregulation (1)(a) “29(4) or (5), 30(4), 31(5) or (6), 35(3) or 36(3)” and substituting “29(4) or 35(3)”; and
- (b) by omitting from subregulation (1)(b) “29(4) or (5), 30(5), 31(5) or (6), 35(5) or 36(5)” and substituting “29(4) or 35(5)”; and
- (c) by omitting from subregulation (2)(a), “29(4) or (5), 30(4), 31(5) or (6), 35(3) or 36(3)” and substituting “29(4) or 35(3)”; and
- (d) by omitting from subregulation (2)(b) “29(4) or (5), 30(5), 31(5) or (6), 35(5) or 36(5)” and substituting “29(4) or 35(5)”.

8 **Regulation 29 amended**

Regulation 29 of the Principal Regulations is amended:

- (a) by omitting subregulations (1) and (2); and
- (b) by omitting from subregulation (3) “The person” and substituting “A person”; and
- (c) by omitting subregulations (4) and (5) and substituting:

“(4) The person must:

- (a) on entering Solomon Islands, be quarantined or home quarantined for the period ending 6 days from the day the person enters Solomon Islands; and
- (b) while quarantined or home quarantined, be tested for COVID-19:
 - (i) if the person was not tested for COVID-19 in accordance with subregulation (3)(b), once by a PCR test as soon as practicable after entering Solomon Islands, and must test non-infectious for COVID-19 for the test; and
 - (ii) once by a PCR test on the fifth day of the quarantine period, and must test non-infectious for COVID-19 for the test.”.

Note to regulation 8:

The heading to regulation 29 changes to “Vaccination, testing and quarantine of person entering Solomon Islands”.

9 **Regulations 30 and 31 repealed**

Regulations 30 and 31 of the Principal Regulations are repealed.

10 Regulation 33 amended

Regulation 33 is amended:

- (a) in subsection (1), in the definition of “*person*”:
 - (i) by omitting from paragraph (b) “Government.” and substituting “Government; or”; and
 - (ii) by inserting after paragraph (b):
 - “(c) enters Solomon Islands from a country where the person was for the 28-day period immediately before the person began travelling to Solomon Islands and where there was not vaccine available to the person to become vaccinated against COVID-19.”.
- (b) by omitting subregulation (2) and substituting:
 - “(2) The Prime Minister may, by Order, waive compliance by the person with regulation 29(3)(a) or (b).”.

Note to section 10.

The heading to regulation 33 of the Principal Regulations changes to “Waiver of compliance by certain persons with regulation 29”.

11 Regulation 34 amended

Regulation 34 of the Principal Regulations is amended by omitting subregulations (1) or (2) and substituting:

- “(2) The Prime Minister may, by Order, if satisfied that there are extraordinary circumstances that require a citizen to return to Solomon Islands urgently, waive compliance by the citizen with regulation 29(3)(a) or (b).”.

Note to section 11.

The heading to regulation 34 of the Principal Regulations changes to “Waiver of compliance by certain citizens with regulation 29”.

12 Regulations 35 and 36 repealed and substituted

The Principal Regulations are amended by repealing regulations 35 and 36 and substituting:

“35 Quarantine and testing of person to whom regulation 33 or 34 waiver applies

- (1) In this regulation:
 - “*person*” means a person entering Solomon Islands to whom a waiver under regulation 33 or 34 applies.
- (2) This regulation specifies the quarantine, home quarantine and testing requirements for the person.
- (3) On entering Solomon Islands, the person must immediately be quarantined or

home quarantined for the period ending 6 days from the day the person enters Solomon Islands.

- (4) If the waiver waived compliance by the person with regulation 29(3)(a), the person must:
 - (a) be given one dose of a vaccine as soon as practicable after entering Solomon Islands; and
 - (b) be given the number of additional doses of that vaccine required for the person to get primary vaccination against COVID-19 on or about the date or dates advised by an authorised officer when the person is given the dose of the vaccine under paragraph (a); and
 - (c) be given a vaccination certificate verifying the date each dose of the vaccine was given to the person and the name and batch number of each dose.
- (5) While quarantined or home quarantined, the person must be tested for COVID-19 once by a PCR test on the fifth day of the quarantine or home quarantine period, and must test non-infectious for COVID-19 for the test.
- (6) A person who contravenes this regulation commits an offence.
Maximum penalty: 15,000 penalty units or imprisonment for 5 years, or both”.

13 Regulation 37 amended

Regulations 37 of the Principal Regulations is amended:

- (a) by omitting from subregulation (1)(a) “29 to 31 or 35 or 36” and substituting “29 or 35”; and
- (b) by omitting from subregulation (1)(b) “29 to 31 or 35 or 36” and substituting “29 or 35”.

14 Regulation 38 amended

Regulation 38(2) of the Principal Regulations is amended by omitting “29 to 31, 35, 36 and 37” and substituting “29, 35 and 37”.

15 Regulation 39 amended

Regulation 39 is amended:

- (a) by omitting from subregulation (2)(a) “29 to 31, 35, 36 and 37” and substituting “29, 35 and 37”; and
- (b) by omitting from subregulation (3)(a) “29 to 31, 35, 36 and 37” and substituting “29, 35 and 37”.

16 Regulation 40 amended

Regulation 40 is amended:

- (a) by omitting from subregulation (1) “28 to 31 or 35 or 36” and substituting 28, 29 or 35”; and
- (b) by omitting from subregulation (2)(d) “29 to 31, 35, 36 or 37” and substituting “29, 35 or 37”.

Made this first-day of June 2022.

HON. PATTESON OTI
ACTING GOVERNOR-GENERAL
