



HONIARA CITY (AMENDMENT) ACT 2023

(NO. 1 OF 2023)





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PASSED by the National Parliament this 4th day of May 2023.

(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 Bill)

A handwritten signature in black ink, appearing to read "David Kusilifu".

David Kusilifu
Clerk to National Parliament

ASSENTED to in His Majesty's name and on His Majesty's behalf this 17th day of May 2023.

A handwritten signature in black ink, appearing to read "Sir David Vunagi".

Sir David Vunagi
Governor-General

Date of Commencement: see section 2.

AN ACT TO AMEND THE HONIARA CITY ACT 1999

ENACTED BY THE NATIONAL PARLIAMENT OF SOLOMON ISLANDS

HONIARA CITY (AMENDMENT) ACT 2023

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HONIARA CITY (AMENDMENT) ACT 2023

1 Short title

This Act may be cited as the *Honiara City (Amendment) Act 2023*.

2 Commencement

This Act commences on the day appointed by the Minister by notice in the *Gazette*.

3 Amendment of Honiara City Act 1999

This Act amends the *Honiara City Act 1999* (No. 2 of 1999) ("**Principal Act**").

4 Section 2 amended

Section 2 of the Principal Act is amended by inserting after the definition of "Deputy Mayor":

"Electoral Commission" means the Electoral Commission established by section 57 of the Constitution;"

5 Section 6 amended

Section 6 of the Principal Act is amended:

(a) by omitting from subsection (3) "subsection (4)" and substituting "subsections (3A) and (4) and section 9"; and

(b) by inserting after subsection (3):

"(3A) Subject to section 9, the first ordinary election of members of the City Council held after the commencement of the *Honiara City (Amendment) Act 2023*:

(a) must be held on a date in 2024 fixed by the Minister, acting on the advice of the Electoral Commission, by notice published in the *Gazette*; and

(b) must not be held after 30 April 2024."

6 Section 10 amended

Section 10 of the Principal Act is amended by omitting subsection (2) and substituting:

- “(2) The date of the election must:
- (a) be fixed by the Minister, acting on the advice of the Electoral Commission, by notice published in the Gazette; and
 - (b) be no later than 3 months after the vacancy comes to the notice of the Minister.”.

7 Section 17 repealed and substituted

The Principal Act is amended by repealing section 17 and substituting:

“17 Right to be an elector

A person is entitled to be registered as a voter in elections of members of the City Council if the person:

- (a) is entitled to be registered under section 55(1) of the Constitution; and
- (b) is not disqualified from being registered as such under section 55(2) or (3) of the Constitution.”.

Note to section 17.

The following note is to be inserted into the Principal Act after section 17:

“Note to section 17.

Under section 55(1) of the Constitution, a person is entitled to be registered if the person is a citizen of Solomon Islands who is at least 18 years of age. However, section 55(2) and (3) limit the entitlement to registration. Section 55(2) stipulates that a person cannot be registered in more than one constituency, and cannot be registered in any constituency in which the person is not ordinarily resident. In addition, there are circumstances outlined in section 55(3) in which a person will be disqualified from registration entirely, mostly related to criminal offences and sentences.”.

17A Functions of Electoral Commission relating to ordinary elections

The Electoral Commission, in performing its functions under section 12 of the *Electoral Act 2018*, must carry out the registration of voters and the conduct of elections for the members of the City Council.”.

8 Section 18 amended

Section 18(1) of the Principal Act is amended by omitting “Minister” and substituting “Minister, acting on the advice of the Electoral Commission,”.

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