

THE RESEARCH BILL 1982

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Objects and Reasons
Notice of Presentation
Covering letter to Clerk to National Parliament

FROM: 4/3 *[Signature]* Attorney General

TO: 4/3 *[Signature]* Minister of Education, Training & Cultural Affairs
(for signing Objects and Reasons, Notice of Presentation
and covering letter to Clerk)

TO: 2/7/82 *[Signature]* Clerk to National Parliament
(for ~~signature~~ certificate by Speaker)

TO: *[Signature]* Attorney General's Chambers
(for printing)

TO: *[Signature]* Clerk to National Parliament
(for reference during 1st, 2nd and 3rd Readings)
Date passed: 28/7/82 Act No: 9

TO: *[Signature]* Attorney General's Chambers
(for checking before Assent) 19/8/82

TO: Governor General *[Signature]*
(for Assent) Governor General 19/8/82

TO: Clerk to National Parliament
for distribution: 2 copies AG's Chambers (1 copy Printery
after title page has been reset)
1 copy - Ministry EC & CA
1 copy - Parliament Office

SOLOMON ISLANDS



THE RESEARCH ACT 1982

ARRANGEMENT OF SECTIONS

SECTION

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THE RESEARCH ACT 1982

NO 9 OF 1982

Passed by the National Parliament this twenty-eighth day of July 1982.

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.

A handwritten signature in dark ink, appearing to be 'F. Fa'amaea'.

Festus Fa'amaea

Clerk to the National Parliament

Assented to in Her Majesty's name and on Her Majesty's behalf this 19th day of August 1982.

A handwritten signature in dark ink, appearing to be 'B. Devesi'.

B Devesi

Governor-General

Date of commencement: see section 1

AN ACT to control and administer the conduct of research in Solomon Islands and connected matters.

ENACTED by the National Parliament of Solomon Islands.

Short title.

1. (1) This Act may be cited as the Research Act 1982.
- (2) This Act shall come into force on a date appointed by the Minister by notice in the Gazette.

Inter-pretation.

2. In this Act -
 - “Committee” means the Research Application Committee appointed under section 3;
 - “Research Officer” means the public officer designated by the Minister to perform the functions of the Research Officer under this Act;
 - “research” means an endeavour to discover new facts by careful search or enquiry, scientific study or critical investigation of a subject -
 - (a) which will result in the publication of a report, thesis, dissertation, academic article, book or manuscript; or
 - (b) with the purpose of making audio-visual recordings for academic or commercial purposes;
 - “research permit” means a permit issued under section 3.

Research permits.

3. (1) Any person who wishes to enter Solomon Islands to engage in research shall make application in the prescribed form to the Minister for a research permit.
- (2) The Minister shall appoint a Research Applications Committee to consider applications for research permits laid before it by the Research Officer.
- (3) On receipt of an application for a permit the Research Officer shall convene a meeting of the Committee, which shall consider the application in accordance with such rules as the Minister may provide for the conduct of the Committee's business and -
 - (a) refuse the application, or
 - (b) subject to the approval of the appropriate Provincial Assembly, grant the permit.
- (4) The decision of the Committee shall be communicated by the Research Officer to the Provincial Assembly and to any other person whom the Committee considers ought to be informed of the substance of the application.
- (5) For the purpose of its consideration of an application, the fact that the applicant has previously failed to comply with the conditions of a research permit shall be a material consideration, and the Committee may refuse the application on that ground alone.

- (6) A research permit shall be issued subject to -
 - (a) any conditions specified in it; and
 - (b) to such conditions as may be prescribed by the Minister.
- (7) No research permit shall have effect unless the applicant has paid the prescribed fee and deposited the prescribed sum with the Minister as security for his compliance with the terms of the permit.

- (8) A sum deposited as security under subsection (7) -
 - (a) may be retained by the Minister until the applicant has fulfilled all the conditions of the research permit;
 - (b) may be forfeited to the Government where, in the opinion of the Committee, the applicant has failed to comply with any of the conditions of the research permit.

(9)(a) A prescribed amount of any fee paid under subsection (7) shall be paid into the general revenues of the Provincial Assembly or Provincial Assemblies in whose area or areas of authority the research is to be conducted.

(b) The balance of any fee paid under subsection (8) shall be paid into the Consolidated Fund.

4. Any person who engages in research other than in compliance with this Act and any regulations made under this Act shall commit an offence and shall on conviction be liable to a fine of \$1000.

Offences.

5. (1) The Minister may make such regulations as he thinks fit for the purpose of this Act.

Regulations.

(2) Regulations made under subsection (1) may provide for the levying of fees and charges and the taking of security.

(3) Section 56(2) of the Interpretation and General Provisions Act 1978 shall not apply to regulations made under this section.

6. The Immigration Act 1978 is amended -

Amendments
to the
Immigration
Act 1978.

- (a) in section 2 by the addition of the following definition -
"research" has the same meaning as in the Research Act 1982;
- (b) in section 8 -
 - (i) by numbering the existing provision (1), and
 - (ii) by adding the following subsections -
“(2) It is a condition of every permit issued under this section that the person authorised

shall not engage in research unless the permit states that he may do so.

(3) The Principal Immigration Officer shall not issue a permit to any person under this section, which states he is authorised to engage in research, unless he is satisfied that that person holds a research permit under the Research Act 1982.”;

(c) in section 9(2) -

(i) in paragraph (d) for “with the approval of the Minister” substitute “in accordance with the conditions of a research permit under the Research Act 1982”; and

(ii) in the proviso by inserting after the words “profession or employment” the words “other than research”;

(d) in section 10(2)(b) -

(i) by deleting the final comma and inserting in its place “; or”; and

(ii) by adding the following new paragraph -

“(c) engage in research without a research permit issued under the Research Act 1982.”.

