



**THE INTERPRETATION AND
GENERAL PROVISIONS
(AMENDMENT) ACT 1986**

NO. 9 OF 1986



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Passed by the National Parliament this third day of July 1986.

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.

M Tuhaika
Clerk to the National Parliament

Assented to in Her Majesty's name and on Her Majesty's behalf this eighth day of July 1986.

B Devesi
Governor-General

Date of commencement: date of publication in the Gazette.

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AN ACT to amend the Interpretation and General Provisions Act 1978.

ENACTED by the National Parliament of Solomon Islands.

THE INTERPRETATION AND GENERAL PROVISIONS
(AMENDMENT) ACT 1986

ARRANGEMENT OF SECTIONS

Section:

- 1. Short title.
- 2. Amendment of section 5 of Act No. 20 of 1978.
- 3. Amendment of section 16.
- 4. Repeal and replacement of section 24A.
- 5. Amendment of section 25.
- 6. Insertion of new sections 32A, 32B and 32C.

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1. This Act may be cited as the Interpretation and General Provisions (Amendment) Act 1986.

Short title.

2. Section 5 of the Interpretation and General Provisions Act (hereinafter referred to as the principal Act) is hereby amended by inserting therein the following new subsection -

Amendment of section 5 of Act. No. 20 of 1978.

“(3) Where any Act is divided into Parts, Titles, or other divisions, the fact and particulars of such division shall with or without express mention thereof in any Act be taken notice of in all courts and for all other purposes whatsoever.”.

3. Section 16 of the principal Act is hereby amended as follows -

Amendment of section 16.

(a) by deleting therefrom the meaning assigned to the word “the Gazette” and substituting therefore the following new meaning -

“means the Solomon Islands Gazette published by order of the Government and includes any supplements thereto and any Gazette Extraordinary so published”; and

(b) by inserting therein in proper alphabetical sequence the following new definitions -

“ “Local court” means the courts established by the Chief Justice under the Local Courts Act;

“legal notice” means any announcement of a legal character made by or with the authority of the Government in the Gazette;

“Gazette notice” means any announcement not of a legal character nor subsidiary legislation made by or with the authority of the Government in the Gazette;

“Ordinances” mean laws made for a province by a Provincial Assembly under PART IV of the Provincial Government Act, applicable only to a particular province;

“publication means -

(a) all written and printed matter;

(b) any record, tape, wire, perforated roll, cinematograph film or images or other contrivance by means of which any word or ideas may be mechanically electronically, or electrically produced, reproduced, represented, or conveyed;

- (c) anything whether of a similar nature to that described in paragraph (b) of this definition or not, containing any visible representation, or by its form, shape, or in any manner, capable of producing, reproducing, representing, or conveying words or ideas; and
- (d) every copy and reproduction of a publication as defined in paragraphs (a), (b) or (c) of this definition;

“principal Act” when used in by amending Act means the written law which the amending Act seeks to amend and includes all subsequent amendments made to that written law;

“regulations” includes rules, bye-laws, proclamations, orders, schemes, notifications, directions, notices, and forms;

“subject to affirmative resolution” when used in relation to regulations shall mean that those regulations are not to come into operation unless and until affirmed by the National Parliament;

“subject to negative resolution” when used in relation to any regulations shall mean that those regulations as soon as may be after they are made, are to be laid before the National Parliament, to which the provisions of subsection (2) of section 56 of the Interpretation and General Provisions Act shall apply.”.

Repeal and replacement of section 24A.

4. Section 24A of the principal Act is hereby repealed and the following new section substituted therefor -

“Reprint of written laws. 24A. (1) The Governor-General may, in authorising the reprint or preparation of any revised edition of any written law confer on the person so authorised all powers that are exercisable by a Commissioner under the Revision of Laws Act.

(2) Where any Act is revised it shall be lawful for the Government Printer with the authority of the Governor-General to print copies of the Act with the necessary additions, omissions, substitutions and amendments effected under subsection (1), and such copies shall be deemed to be authentic copies of the Act from the date the revised edition is brought into force.”.

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5. Section 25 of the principal Act is hereby amended as follows -

Amendment of section 25.

- (a) by renumbering that section as subsection (1) thereof, and
- (b) by inserting immediately thereafter the following new subsection as subsection (2) thereof -

“(2) Where any Act confers any powers or imposes a duty on the holder of any public office as such, then the power may be exercised and the duty shall be performed by the holder for the time being of that public office or by any person duly appointed to act for him.”.

6. The principal Act is hereby amended by inserting therein the following new sections -

Insertion of new 32A, 32B and 32C.

“Power to make public instruments and perform acts.

32A. Where any act confers power upon any person to make, grant, or issue any regulations or instruments, or to do anything for the purpose of the Act, such power shall include power -

- (a) to amend or suspend such regulation or instrument;
- (b) to substitute another regulation or instrument for the one already made, issued or approved;
- (c) to withdraw approval of any regulation or instrument so approved and
- (d) to declare the date of coming into operation, and the period of operation, of any such regulation or instrument.

Power to relate back to appointment

32B. Any appointment made under the provisions of any Act may be declared to have effect as from the date upon which the person appointed in fact began to exercise the powers and perform the duties of the appointment, not being a date earlier than the commencement of the Act under which the appointment is made.

Exercise of powers of appointment to public office.

32C. Notwithstanding anything to the contrary in any act, where under the provisions of such Act, any appointment to any public office is to be made, such appointment shall be made by the Public Service Commission in accordance with the Constitution.”.



