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LEGAL NOTICE

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ELECTORAL REGULATIONS 2018

IN exercise of the powers conferred by section 136 of the Electoral Act 2018, the Electoral Commission makes the following Regulations:

PART 1 PRELIMINARY MATTERS**1 Citation**

These Regulations may be cited as the Electoral Regulations 2018.

2 Commencement

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

PART 2 REGISTRATION OF ELECTORS**Division 1 Registration generally****3 New registration before general election**

- (1) This regulation applies to a registration period set under section 31(1)(a) of the Act (that is, a period set before a general election).
- (2) For section 33 of the Act, an elector may be registered once only during the registration period.
- (3) If an elector applies for registration more than once during the registration period, the first application that is approved prevails over all subsequent applications.

4 Changes to registration before general election

- (1) This regulation applies to a registration period set under section 31(1)(a) of the Act (that is, a period set before a general election).
- (2) For section 34 of the Act, an elector may transfer his or her registration from one constituency to another once only during the registration period.

- (3) If an elector applies to transfer his or her registration more than once during the registration period, the first application that is approved prevails over all subsequent applications.

5 Publication of provisional list of electors

In addition to the requirements of section 35 of the Act, the Electoral Office must publish each provisional list of electors on its website.

6 Publication of list of objections

In addition to the requirements of section 41 of the Act.

- (a) the Electoral Office must publish each list of objections on its website; and
- (a) the list of objections published under section 41 and under this regulation must include the grounds for each objection.

Division 2 Conduct of public inquiries

7 How summons must be issued

For section 44 of the Act, a summons for a person to appear or produce a document must:

- (a) be given in the approved form; and
- (b) be served by an electoral official by:
 - (i) personally handing the summons to the person; or
 - (ii) leaving the summons, clearly addressed to the person, at the person's place of residence, employment or business with another person apparently over the age of 16.

8 How evidence may be given

- (1) For section 44 of the Act, evidence at a public inquiry into an objection may be given:
 - (a) orally, under oath or affirmation; or
 - (b) in writing, by statutory declaration
- (2) An oath or affirmation must:
 - (a) be taken or made in the approved form; and
 - (b) be administered by the officer conducting the inquiry
- (3) A statutory declaration must be made:
 - (a) in the approved form; and
 - (b) before a person listed in Schedule 1
- (4) The rules of evidence do not apply to evidence given at a public inquiry

9 Criteria for deciding objection

- (1) For section 46 of the Act, a revising officer must consider the following when deciding an objection:
 - (a) whether the grounds for the objection have been clearly set out by the person objecting;
 - (b) whether any documentary evidence provided supports the omission or inclusion of a person on the provisional list of electors;
 - (c) whether the oral evidence provided (with or without additional documentary evidence) supports the omission or inclusion of a person on the provisional list of electors.

- (2) The documentary evidence the revising officer may consider to decide an objection includes, but is not limited to, the following:
 - (a) property titles and leases;
 - (b) utility bills;
 - (c) statutory declaration, including declarations evidencing a person's employment or attendance at an educational institution;
 - (d) a certificate of a person's birth, death or baptism
- (3) To avoid doubt, this regulation does not require documentary evidence to be produced in order for an objection to be decided.

PART 3 MISCELLANEOUS MATTERS

10 Prescribed fees

The Schedule prescribes the fees payable for the matters specified in it.

**SCHEDULE 1 PERSONS BEFORE WHOM STATUTORY
DECLARATION MAY BE MADE**

Regulation 8(3)(b)

An electoral official

A Judge, Magistrate or Justice of a local court

A Clerk or Registrar of a court

A Commissioner for Oaths

A police officer

A person who, under a law of Solomon Islands, is currently licensed or registered to practise as any of the following:

- a legal practitioner
- a teacher
- a doctor
- a nurse

A public officer (for example, an officer of a government Ministry)

A provincial government officer

A minister of religion registered under section 2 of the *Births, Marriages and Deaths Registration Act* (Cap. 169)

SCHEDULE 2 PRESCRIBED FEES

Regulation 10

Description	Fee
Hard copy of all or part of provisional or final list of electors	\$4 per page
Electronic copy of all or part of provisional or final list of electors (only available on storage device issued by Electoral Commission)	\$60 per storage device + \$1 per page

MADE IN HONIARA eighteenth day of October, 2018.

CHAIRPERSON
ELECTORAL COMMISSION

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