



**THE INTERPRETATION AND  
GENERAL PROVISIONS  
(VALIDATION AND INDEMNITY)  
BILL 2005**





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PROVISIONS (VALIDATION AND INDEMNITY)  
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**A  
BILL  
Entitled**

**AN ACT** TO VALIDATE AND CONFIRM ALL ACTS DONE IN GOOD FAITH BETWEEN THE 1ST DAY OF APRIL 1996, AND THE COMMENCEMENT OF THIS ACT IN THE PURPORTED EXERCISE OF THE JURISDICTION CONFERRED ON CERTAIN PERSONS UNDER SUBSIDIARY LEGISLATION MADE UNDER ANY ACT OF PARLIAMENT.

WHEREAS section 61 of the Interpretation and General Provisions Act requires that all subsidiary legislation made shall be published in the Gazette:

AND WHEREAS further section 62 of the said Act requires that all subsidiary legislation made under an Act shall be laid before Parliament:

AND WHEREAS the provisions of the aforesaid sections of the Act were not strictly complied with, especially since the compilation and publication of the Revised Edition of the Laws of Solomon Islands, which contained all subsidiary legislation in force in Solomon Islands on the 1<sup>st</sup> day of March 1996:

AND WHEREAS under the erroneous impression that the subsidiary legislation was validly made, certain persons in good faith exercised certain functions and powers:

AND WHEREAS it is desirable to validate and confirm all acts done in good faith by certain persons in the purported exercise of certain functions and powers conferred upon them by the said subsidiary legislation.

NOW THEREFORE BE IT ENACTED by the National Parliament of Solomon Islands.

Short title

1. This Act may be cited as the Interpretation and General Provisions (Validation and Indemnity) Act 2005.

Cap 85  
validation and  
indemnity

2. Notwithstanding the provisions of sections 61 and 62 of the Interpretation and General Provisions Act, all acts done in good faith between the 1st day of April 1996 and the commencement of this Act, by any persons in the purported exercise of the jurisdiction and powers conferred upon, and vested in them, are hereby declared to have been validly, properly and lawfully done and are hereby confirmed; and the aforesaid persons are hereby freed, discharged and indemnified from and against all consequences whatsoever, by reason of any default in complying with the requirement of the aforesaid sections, and those requirements shall be deemed to have been duly complied with as if the Regulations had been laid before Parliament and published in the Gazette.

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**Objects and Reasons**

The Interpretation and General Provisions Act (Cap.85) makes provisions for the interpretation of laws and certain general provisions with regard to laws enacted by Parliament.

Part X which deals with subsidiary legislation requires that all subsidiary legislation be published in the Gazette and that such legislation be laid before Parliament.

This requirement has not been strictly complied with in the recent past due to various reasons. However, the non-compliance had been regularized by the publication of the revised edition which contains all subsidiary legislation made up to 1st March, 1996. Since 1996 and more recently during the period 1998 - to date there has been a marked increase in non-compliance, mainly due to financial constraints, and the state of the Solomon Islands Printers Ltd, the printer authorised to print on behalf of the Government.

The non-compliance may give rise to legal challenge at some point in time. It is, therefore, considered that measures be taken to rectify the situation.

This Bill, therefore, seeks to validate all subsidiary legislation that have not complied with sections 61 and 62 of the Act.

  
PRIME MINISTER

