



**IN THE CENTRAL MAGISTRATES' COURT)
OF SOLOMON ISLANDS AT HONIARA)
(Criminal Jurisdiction)**

Criminal Case No. 680 of 2021

REGINA

-v-

STENETTE SALE FARISI

&

PATTESON BEUKA

Date of plea: September 14, 2021
Date of hearing: September 14, 2021
Date of sentence: September 21, 2021

*Iete Tebakota for the Police Prosecution
Defendant in person*

SENTENCE

1. Mr. Farisi, and Beuka appeared before this court today on a count of Driving Unlicensed Motor Vehicle contrary to section 7 (1) of the Road and Transport Act (Cap. 131), and Permitting Unlicensed Motor Vehicle. They entered guilty plea to the specific charge, and a criminal conviction was thereby entered.
2. Mr. Farisi had used the motor vehicle on the date of offence, purposely to convey it to a mechanic. It was agreed that the defendants deliberately flouted the traffic law of this nation. They did not obtain a permit from the Traffic Department, but decided to drive it instead. Eventually, they were caught, charged and brought to court. They accepted their wrong and asked for court's indulgence to impose a fine that should reflect their unique circumstance.
3. I must say that, clearly, one, if not, both of them knew of the traffic law and procedure to request a permit before driving or using a motor vehicle on a public road. This is not an ordinary procedure placed in our laws, but it is one that would safeguard our other road users and pedestrians of the foreseeable harm it would entail, if the vehicle encountered mechanical fault or breakdown. Vehicles do not have a life in perpetuity (forever), hence, the need to obtain a permit before using it on a public road.
4. In this present case, I agree that they had made a wrong decision to drive it on the date of offence, and the owner for permitting it as well. However, given the fact that it was

not used as a public transport, nor was carrying a passenger, and unclear facts of the distance it travelled, I would calmly place it on the lower end of the tariff.

5. Accordingly, having also considered their guilty pleas and both being first-offenders with clean criminal history, and weighing with the seriousness of the offence plus the intrinsic facts of this case, I will impose fine sentence for both of them today.

Sentence orders

6. The defendants are sentenced to fine penalties as follows:
- (i) Using Unlicensed Motor Vehicle (**Stenette Sale Farisi**) - **\$800-00.**
 - (ii) Permitting Unlicensed Motor Vehicle (**Patterson Beuka**) - **\$800.00.**
 - (iii) Fine must be paid by **8th October 2021 at 4:30pm.** A sufficient time considering the financial impacts and effects of covid-19.
 - (iv) In default of payment, 40 days' imprisonment.
 - (v) Conviction is entered.
 - (vi) Right of appeal applies within 14 days.
 - (vii) Order accordingly.

THE COURT

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MR. LEONARD B. CHITE
Principal Magistrate
Central Magistrates Court

