

***SUPPLEMENT*** to the **Solomon Islands Gazette**

Friday, 30th August 1996

S.I. No. 33

[Legal Notice No. 103]

LOCAL GOVERNMENT ACT  
(CAP. 14)THE LOCAL GOVERNMENT (REGISTRATION OF VOTERS)  
REGULATION

(Section 18)

ORDER FOR ENLARGEMENT OF TIME FOR REGISTRATION  
OF VOTERS FOR GUADALCANAL PROVINCE

IN exercise of the powers conferred by regulation 16 of the Local Government (Registration of Voters) Regulations, I, OLIVER ZAPO, Minister for Home Affairs, do hereby enlarge the period required for the registration and preparation of a Register Voters for Guadalcanal Province for a further 31 days with effect from 21st August 1996.

Dated at Honiara this twentieth day of August 1996.

OLIVER ZAPO  
Minister for Home Affairs

[Legal Notice No. 104]

LOCAL GOVERNMENT ACT  
(CAP 14)THE HONIARA (HAWKERS) (AMENDMENT) BY-LAWS 1996

IN EXERCISE of the powers conferred by Section 50 of th Local Government Act, and in pursuance of a resolution dated the 26th day of April 1996, the Honiara Town Council hereby makes the following By-laws -

1. These By-laws may be cited as the Honiara (Hawkers) Amendment by-laws 1996, and shall come into operation on the date of publication in the Gazette.

2. The Honiara (Hawkers) By-laws are hereby amended as follows -

- (1) By deleting the Figure “ (1)” of by-law 3 (1).
- (2) By deleting by-law 3(2).
- (3) By deleting by law 7(2) and substituting instead the following new by-law.

“ No person shall obstruct, resist or hinder any police officer or any officer of the Council acting in the due exercise of any of his powers under these by-laws, or make any false statement to any police officer or any officer of the Council so acting, or refuse or fail without lawful excuse to produce any license which he is duly required to produce”.

(4) By inserting after by-law 7 the following new by-law as by law 8.

“ Penalties Any person who contravenes or fails to comply with any of these by-laws shall be guilty of an offence and liable to a fine of one hundred dollars and in default of payment to imprisonment for three months”.

Made under the Common Seal of Honiara Town Council at Honiara this 26th day of April 1996.

DAVID MAESUA  
President

Approved this 2nd day of July 1996.

OLIVER ZAPO  
Minister for Home Affairs

Published and exhibited at the Office of the Honiara town Council this 14th day of August 1996.

JOSEPH HASIAU  
Clerk to Honiara Town Council

[Legal Notice No. 105]

LOCAL GOVERNMENT ACT  
(CAP 14)

THE HONIARA (MARKETS) (AMENDMENT) BY-LAWS 1996

IN EXERCISE of the powers conferred by Section 50 of the Local Government Act, and in pursuance of a resolution dated the 26th day of April 1996, the Honiara Town Council hereby makes the following By-laws -

1. These By-laws may be cited as the Honiara (Markets) (Amendment) By-laws 1996, and shall come into operation on the date of publication in the Gazette.

2. The Honiara (Markets) By-laws are hereby amended as follows -

(1) By deleting by-laws 4(1) and substituting instead the following new by-laws -

“Any person who sells or exposes for sale in a public market any goods without having first paid the appropriated market fee prescribed therefore under by-law 4(3) or above the maximum prices prescribed therefore, if any, under by-law 4A(1), shall be guilty of an offence and liable to a fine of one hundred dollars or in default of payment of such fine, to imprisonment for three months”.

(2) By deleting by-law 7(1) and substituting instead the following new by-law.

“Any person who contravenes or fails to comply with any of the provisions of paragraph (2) of this by-law shall be guilty of an offence and liable to a fine of one hundred dollars, or in default of payment of such fine, to imprisonment for three months”.

Made under the Common Seal of Honiara Town Council at Honiara this 26th day of April 1996.

DAVID MAESUA  
President

Approved this 2nd day of July 1996.

OLIVER ZAPO  
Minister for Home Affairs

Published and exhibited at the Office of the Honiara town Council this  
14th day of August 1996.

JOSEPH HASIAU  
Clerk to Honiara Town Council

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[Legal Notice No. 106]

THE MINES AND MINERALS ACT 1990  
(No. 3 of 1990)

THE MINES AND MINERALS REGULATIONS 1996

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THE MINES AND MINERALS ACT 1990  
(No. 3 of 1990)

THE MINES AND MINERALS REGULATIONS 1996

IN exercise of the powers conferred by section 80 of the Mines and Minerals Act, 1990, I, DAVID V. VOUSA, Minister of Energy, Mines and Minerals, do hereby make the following Regulations -

PART I  
PRELIMINARY

1. These Regulations may be cited as the Mines and Minerals Regulations 1996. Citation.
2. In these Regulations unless the context otherwise requires - Interpretation.

“applicant” means an applicant for a permit, licence or mining lease;

“Director” means the Director appointed pursuant to section 5 of the Act;

“holder” means the holder of a permit, licence (other than a gold dealer’s licence) or a mining lease issued under the Act, and includes a transferee, sub-licensee permit holder and every person engaged in working or acting thereunder as manager, agent employee or otherwise in such capacity; and

“Mineral right” means the right to carry out activities pursuant to a permit, licence (other than a gold dealer’s licence) or mining lease issued under the Act.

PART II  
APPLICATION PROCEDURES

3. (1) Any person desiring to possess a mineral right Application for

mineral right.

shall apply in the prescribed form, to the Director who shall on receipt of that application refer it to the Board at its next scheduled meeting.

(2) If an application for a mineral right is made by an agent or other person purporting to act on behalf of the applicant, the Director may require confirmation in writing of the authority under which such agent or other person acts before proceeding to forward such application to the Board.

(3) (a) If any question shall arise as to the actual area comprised in any application for a mineral right, the Director may direct such survey as he deems necessary to be made by or at the expense of the applicant.

(b) All such surveys shall be conducted in such manner as the Director may from time to time prescribe.

(4) The Director shall notify the applicant of the Board's decision with respect to the application and record such decision.

(5) Every application for a renewal of a mineral right shall within reasonable time be made to the Director in writing.

(6) The Director shall on receipt of each application or renewal refer such application to the Board at its next scheduled meeting.

(7) The Director shall notify the applicant of the Board's decision with respect to the application for renewal and record each such decision.

(8) Any application for a mineral right or for the renewal of a mineral right may be amended or withdrawn by the applicant at any time before it has been granted or refused, by written notice to the Director. On receipt of such notice, the Director shall notify the Minister

and the Board.

(9) Application fees are not refundable in the event of withdrawal.

(10) The Board shall consider applications in the order in which they are received.

(11) The Board may authorise the Director to carry out investigations as may be necessary or appropriate to determine whether an applicant has -

(a) complied with the requirements of these Regulations and the Act;

(b) has the necessary financial and technical capacity; and

(c) that the approval of the application would be in the best interest of Solomon Islands.

(12) Where the Board finds that an applicant has not complied with these Regulations or the Act, or that an application is otherwise incomplete or defective, the Director shall notify the applicant. The applicant may amend and re-submit his application within thirty days of such notification.

(13) Where the Board is of the opinion that an application is acceptable, it shall inform the Minister who shall cause consultations to be held with the landowners in the area for which application has been made in accordance with these Regulations.

(14) The Minister, acting on the advice of the Board, shall thereafter take appropriate actions as follows -

- (a) where the application is refused, to notify the applicant of such refusal;
- (b) in the case of a prospecting licence, inform the applicant in writing of his intention to issue a prospecting licence subject to the applicant acquiring surface access rights; or
- (c) in the case of a mining lease, building materials permit, special site right or road access licence, cause negotiations to be conducted with the applicant on matters relating to the terms and conditions of such lease, building materials permit, special site right or road access licence in accordance with the advice of the Board; and on the conclusion of such agreement, issue to the applicant a mining lease, building materials permit, special site right or road access licence on the terms and conditions agreed upon.

(15) Any person who, by any false representation, fraudulent concealment of fact, or collusion, obtains any permit, lease, right or licence, or any interest therein, whether by way of grant, transfer or otherwise, or who by any such means obtains exemption from any of the provisions of the Act or these Regulations shall be liable to forfeiture of his interest in the mining lease, building materials permit, special site right or road access licence.

### PART III MEETINGS WITH LANDOWNERS

Meetings in connection  
with reconnaissance  
permit

4. (1) Where the Director considers that an application for a reconnaissance permit is acceptable, he shall cause meetings or consultations to be held for the reconnaissance purpose in principal villages in the area for which application has been made giving not less than thirty days notice to the persons in such area and to the Provincial Secretary of the relevant province.

(2) At such meetings, the Director shall explain -

(a) the application and the permit;

(b) the rights of the reconnaissance permit holder under the Act;

(c) that the holder of a reconnaissance permit shall have no right to enter any land to carry out reconnaissance without the prior consent of the landowners;

(d) reconnaissance, prospecting and mining operations, their environmental implications and the relevant legislation and agreements in connection therewith;

(e) the application procedures and landowner consultation requirements before a prospecting licence or a mining lease may be issued;

(f) the rights of the landowners to receive fees and rentals in payment for surface access rights and to receive compensation for damage; and

(g) the landowner trust account system and reporting requirements.

(3) The names of the person attending shall be recorded and minutes shall be kept of all such meetings by the Director or his representative.

5. (1) Where the Board considers that an application for a prospecting licence is in order, the Director shall, before a letter of intent is sent, transmit a copy of the application to the Provincial Secretary of the relevant province depicting the area for which application is made.

Meetings in  
connection with  
prospecting licence.

(2) After considering the application under subregulation (1), the Director shall, within thirty days thereof, convene meetings in principal villages in the area for which the application is made.

(3) At such meetings, the application shall be explained by the applicant or his representative, and the Director or his representative shall explain to the landowners -

(a) the proposed prospecting and prospective mining operations, their environmental implications and the legislative requirements in connection therewith;

(b) the application procedures and landowner consultation requirements before a prospecting licence may be issued;

(c) that the holder of a prospecting licence shall have no right to enter any land to carry out prospecting without the prior consent of the landowners;

(d) the rights of the landowners to receive fees and rentals in payment for surface access rights and to receive compensation for damages; and

(e) the landowner trust account system and reporting requirements.

(4) Any person who claims to be a landowner of the area, in respect of which the application is made shall, within thirty days after the meetings, file with the Minister his objection to the granting of the permit, licence or lease.

(5) Where it appears to the Director that further meetings is necessary he shall in consultation with the landowners or the applicant hold further meetings.

who shall cause a copy to be sent to the Attorney General for the latter's comment. Such agreement shall not be executed until at least thirty days after the date of such submission.

10. (1) Upon the Board's approval of the mineral right, the Director shall give not less than thirty days notice to the landowners in the prospecting or mining area, to appoint representatives to a landowners' Prospecting and Mining Coordinating Committee hereinafter referred to as the "Committee" to represent the landowners' interests and to act as a liaison body between the holder, the Central Government and Provincial Government. The members of the committee shall keep the landowners in the area fully informed of the holder's operations.

Landowners' representative to the Committee.

- (2) The Committee shall consist of -
- (a) The Director or his representative;
  - (b) the Provincial Secretary of the relevant province,
  - (c) a representative of the Environmental Division of the Ministry of Forest, Environment and Conservation for the time being responsible for environment;
  - (d) the Member of Parliament representing the area who shall be an ex-officio member;
  - (e) a representative of the Central Bank;
  - (f) a representative of the Foreign Investment Division of the Ministry of Commerce, Industries and Employment for the time being responsible for foreign investment; and
  - (g) representatives from the landowners appointed pursuant to subregulation (1).

(6) The Director shall not send a letter of intent to issue a prospecting licence unless thirty days has expired after such meetings.

(7) The names of the persons attending the meetings shall be recorded and minutes thereof shall be kept by the Director or his representative.

Meetings in  
connection with mining  
lease.

6. (1) Where the Board considers that an application for a mining lease is in order, (unless the applicant has previously acquired all the surface access rights necessary for mining) it shall inform the applicant in writing of the intention to issue a mining lease pending the acquisition of surface rights, and transmit a copy of the application to the Provincial Secretary of the relevant province.

(2) After considering the application under subregulation (1), the Director shall within thirty days thereof, convene meetings in principal villages in the area in respect of which the application is made.

Consultation before  
renewals.

7. The provisions of this Part in relation to consultation with the landowners in respect of any reconnaissance permit, prospecting licence or mining lease, shall apply mutatis mutandis, to any application for renewal of such permit, licence or lease.

Director or representa-  
tive to be present at  
meetings with  
landowners.

8. No applicant for or holder of a mineral right, or representative, shall hold meetings with landowners for the purpose of negotiating or acquiring surface access rights for prospecting or mining unless the Director or his representative, is present.

Agreement between  
holders and landowners  
for surface rights.

9. (1) Each agreement between an applicant or a holder and a landowner for surface rights shall be in writing, and shall indicate accurately the area to which the agreement pertains.

(2) Prior to the execution of any such agreement, the applicant or holder shall submit a draft of the agreement to the Director



taking any action to suspend or terminate any mineral right.

#### PART IV

#### DEPOSITS, GUARANTEES AND PERFORMANCE BONDS

13. (1) Every holder of a reconnaissance permit, prospecting licence, mining lease, building materials permit, or special site right or road access licence shall, deposit a specified sum in an interest bearing account in a bank in Solomon Islands, or post a guarantee or bond in such form, such amounts, for such period, and with such bank, insurance company or guarantor as shall be approved by the Minister for the due performance of his obligations in accordance with the provisions of the licence or lease.

Permit holder to  
provide deposit  
bond or guarantee.

(2) The deposit, guarantee or bond may be released in part from time to time by the Minister, on the advice of the Board in accordance with the performance of such obligations by the holder.

(3) The balance in the deposit account shall be refunded to the holder, or the bond or guarantee duly cancelled, upon the certification of the Minister, on the advice of the Board that the holder has duly fulfilled such obligations.

#### PART V

#### REMOVAL AND TESTING OF SAMPLES

14. (1) Before making any borehole or drill hole, a holder shall furnish the particulars of the location and such additional information as the Director may require.

Borehole drilling,  
sampling, recording  
and curating.

(2) Where a core is obtained, it shall be labelled in such manner that its origin can be readily determined, photographed, and be kept in core boxes or in such other manner, as the Director may direct.

(3) Samples of other materials obtained in drilling shall be

(3) The Chairman of the Committee shall be the Director or his representative and the Secretary of the Committee shall be appointed by the Director.

(4) The members of the committee shall be entitled to be paid travelling and subsistence allowances, where appropriate and in accordance with applicable government rates.

(5) Representatives of the holder shall be invited to attend meetings of the committee where appropriate.

(6) Representatives of the holder's employees in the area shall be invited to attend meetings of the Committee where appropriate.

(7) The names of the persons attending shall be recorded and minutes shall be kept of all meetings of the Committee by the Secretary.

Director to send  
copy of reports.

11. The Director shall send copies of all reports received from a holder to the committee.

Director to inform  
Committee

12. (1) The Director shall notify the committee of the receipt of any application for -

- (a) the renewal of any mineral right;
- (b) the relinquishment of any area; and
- (c) the surrender of any mineral right.

(2) Neither the Minister nor the Director shall take any action with respect thereto without first meeting for consultation with the Prospecting and Mining Coordinating Committee.

(3) The Minister shall notify the relevant committee before

labelled and preserved as aforesaid.

(4) All cores and samples preserved as aforesaid shall at all times be available for inspection by the Director or his authorised representative, and samples may be taken by the Director for purposes of assay or other treatment.

15. (1) All samples obtained in the course of reconnaissance and prospecting shall be the property of the government of Solomon Islands and shall not be removed from the vicinity where they were obtained nor disposed of by a holder without the written consent of the Director.

Provision of  
samples and  
results to the  
government.

(2) The Director may in his discretion authorise the removal of such quantity of samples as he shall determine to be reasonable and necessary for the purposes of sampling and assaying.

(3) The Director may require the holder to deliver to him a part of each such sample, appropriately labelled.

(4) The holder shall submit to the Director copies of the results of all tests and analysis performed on such core, samples and minerals.

(5) The Director may impose such additional conditions on the removal of samples for the purpose of sampling and assaying as he may in writing determine.

(6) Any money realised by a holder from the dispositions of any such samples shall be paid forthwith to the Director to be deposited in the special fund established in accordance with the provisions of the Act.

PART VI  
CONDUCT OF ACTIVITIES

Establishment of  
boundaries.

16. The boundary markers of any area covered by a mining lease, building materials permit, special site right and road access licence shall be established, maintained and protected from loss or damage by the holder thereof, who shall keep such markers and the boundary lines reasonably clear so as to enable such markers and boundary lines to be readily found and followed.

Restriction of  
prospecting and  
mining.

17. (1) Subject to subregulation (2) no prospecting or mining shall be carried out within a distance of twenty five metres from a place of burial, tambu or other site of traditional significance, and one hundred metres from any village, occupied house or building.

(2) Where it is necessary that prospecting or mining has to be carried out in any of the areas aforesaid specified above, the holder of a mineral right shall meet all costs that are reasonably needed for the repair of any damage or relocation of any village, as the case may be.

Adherence to  
good mining  
practice.

18. In the exercise of mineral rights, holders shall carry out operations with due diligence, efficiency and economy and in accordance with good technical and engineering practises generally used in the mining industry so as to -

- (a) conserve and avoid the waste of the mineral deposits of Solomon Islands;
- (b) result in minimum ecological damage or destruction;
- (c) control the flow and prevent the escape of contaminants, tailings and other matters produced in the course of such operations;

- (d) prevent avoidable damage to trees, crops, buildings and other structures;
- (e) avoid any action which could endanger the health or safety of persons; and
- (f) avoid harm to fresh water, marine and animal life.

19. (1) When the Director is of the opinion that any of the conditions specified in regulation 18 has been breached or is likely to be breached, he shall, in writing require the holder to take such measures to avoid such breach and to clean up and to repair any such damage and destruction to the maximum reasonable extent.

Control of mining  
waste, damage  
and destruction.

(2) If a holder fails to take such necessary measures as specified in regulation 18, clean up or repair such damage or destruction, as the case may be, the Director, after giving the holder reasonable notice in the circumstances, may take any action or may execute work which he considers necessary in the circumstances, and the costs and expenses of such work shall be borne by the holder.

20. (1) Every holder shall notify the Director in writing as reasonably as possible, in the event of any emergency, major accident or death or injury to persons.

Obligations of  
mineral right holder  
with respect to  
accidents.

(2) A holder shall be liable for any loss suffered or damage arising out of his wrongful or negligent acts or omissions and those of its contractors or employees in the conduct of activities under a mineral right.

(3) A holder shall indemnify the government, its employees and agents against all claims and liabilities arising out of any loss, damage, death or injury occasioned by any act or omission of the holder, its contractors or employees in the conduct of operations under a mineral right.

(4) No holder shall be liable for an unavoidable delay or failure to perform any of his obligations under a mineral right due to any event or conditions which the holder could not reasonably be expected to prevent or control, provided that the condition was not caused by negligence or by a failure to observe good mining industry practice.

(5) Every holder shall give notice to the Director describing such an event as soon as possible, and similarly give notice of the restoration of normal conditions and take all reasonable measures to remove his inability to perform and comply with the terms and conditions of his mineral right.

Under expenditure  
in prospecting.

21. In the event that the holder of a prospecting licence spends less than the amount of the annual minimum direct expenditure commitment specified in his work programme, other than due to an event beyond his reasonable control which could not have been foreseen or avoided, the amount not so spent shall be a debt due to government recoverable in any court of competent jurisdiction, and shall be paid into the Mineral Prospecting Fund to be used for prospecting by the government.

## PART VII

### PAYMENT OF FEES AND RENTALS

Application and  
other fees.

22. Application and other fees paid by applicants or holders to the Director shall be in the amounts prescribed in the Schedule. The Director in consultation with the Board may vary the fee from time to time by publication in the Gazette.

Rentals and  
access fees for  
government  
owned land.

23. (1) Rentals, access fees and payment for damage to land owned by the government shall be paid by a holder to the Director in accordance with the rates pursuant to agreement between the holder and the government. The Director in consultation with the Board may vary the fees from time to time by publication in the Gazette.

(2) Where land or rights to land have been compulsorily

acquired, rentals, surface access fees and payment for damage shall be paid by a holder to the Commissioner of Lands who shall issue a receipt therefor and shall keep a record of each payment and notify the Director of all payments received within fifteen days following the end of each calendar quarter.

24. (1) All rental payments shall be made yearly in advance, without demand on or before the 31st day of December in each year provided that -

Payments of rentals.

(a) on the issuance of any mineral right, all rental payments in respect of the current year shall be paid by the holder within ten days of the date of issuance; and

(b) in any case where the mineral right commences after the 1st day of January in any year, the Director may remit on pro-rata basis the portion of the rent payable in respect of the expired portion of the rent payable in respect of the expired portion of that year not exceeding 50%.

25. Payments for damages shall be made to the Director within sixty days of the date of assessment by the Director.

Payment for damage.

26. All fees, rentals and other amounts payable to the government by a holder pursuant to this Part may, without prejudice to any other remedies, whether civil or criminal, be recovered by the Director by deduction from any sum whatsoever deposited by a holder owing such royalties, fees or rentals, and by proceeding against any land, guarantee or other security provided by or for any such holder.

Deductions from rentals and proceedings against security.

27. The Director shall record each payment made to him by a holder pursuant to this Part and shall issue a receipt therefor to the holder.

Recording and receipts.

28. (1) The Director shall pay all application and renewal fees listed in the Schedule to these Regulations received by him and

Payments by the Director and

Commissioner of  
Lands.

payments made to him by a holder pursuant to regulation 23 to the Mineral Prospecting Fund to be used for prospecting by the government.

(2) The Director shall pay all other amounts received by him pursuant to this Part to the Treasury as part of the general revenue of Solomon Islands.

(3) Where land or rights to land have been compulsorily acquired by the Commissioner of Lands shall establish a trust account in a licensed bank in Solomon Islands for landowners of each area of land so acquired.

(4) The Commissioner of Lands shall pay all rentals, surface access fees and payment for damage received by him pursuant to regulation 23 (2), into the appropriate trust account.

#### PART VIII

#### PAYMENT OF FEES, RENTALS AND DAMAGES TO LANDOWNERS

Landowners'  
trust account.

29. (1) The Director shall establish a trust account in a licensed bank in Solomon Islands for the landowners in each reconnaissance, prospecting and mining area.

(2) The landowners in each area with the approval of the Director shall appoint two or more trustees for each such trust account.

(3) No person may be appointed a trustee for more than three accounts.

(4) Each bank shall send a copy of each monthly statement for each such trust account to the Director.

Landowner  
damages, access

30. (1) Payment for damage, access fees and rentals shall be paid within sixty days of the date of notification of the holder by the



Director.

(2) The Director shall record each such payment and issue a receipt in respect of each payment to the holder.

31. The Director shall pay into the appropriate landowners trust account, all amounts received by him pursuant to this Part, and notify the trustee of the relevant trust account of each such deposit.

32. Payment for damage payable pursuant to agreements with landowners shall be paid by a holder to the landowner concerned against a receipt, and the holder shall promptly send a copy of such receipt to the Director, who shall keep a record of all such payments.

33. (1) Each holder shall send a statement of all payments made pursuant to this Part to the Director, the Provincial Secretary of the province concerned, and to the trustees of each landowner trust account, within sixty days after the end of each year.

(2) Each statement shall be accompanied by a certificate from the holder's independent auditors certifying that all payments have been properly made in accordance with the relevant agreements.

#### PART IX ALLUVIAL MINER'S PERMIT

34. (1) An alluvial miner's permit shall state the holder's -

- (a) date of birth
- (b) nationality
- (c) occupation
- (d) address of place of business; and
- (e) such other information as the Director may specify.

(2) The holder of an alluvial miner's permit or member of an alluvial miner's group shall not mine more than two metres below the

fees and rentals  
to be paid to  
the Director.

Payments by the  
Director into  
trust accounts.

Payments for  
damage.

Annual  
Statements.

Alluvial Miner's  
Permit.

surface of the ground without the prior written consent of the Director.

(3) Any holder who fails to produce his alluvial miner's permit, or any person who fails to produce his membership card in an alluvial miner's group, at the request of any authorised person shall be guilty of an offence and upon conviction before a magistrate shall be liable to a fine not exceeding five hundred dollars or, in default of payment, to imprisonment not exceeding two months.

#### PART X

#### BUILDING MATERIALS PERMIT

Regulation  
regarding  
building materials  
Permit.

35. (1) A building materials permit shall be valid for a period not exceeding ten years but may be renewed for an additional period not exceeding five years.

(2) A copy of each building materials permit, when issued, shall be transmitted by the Director to the Provincial Secretary of the province containing the area covered by the permit.

(3) A landowner may extract building stone, limestone, sand or gravel from his land for his own or community use in an amount not exceeding ten cubic metres per month without a building materials permit.

(4) The Minister may on application by a landowner, and where he thinks fit vary this amount.

#### PART XI

#### BOOKS AND RECORDS

Maintenance of  
records.

36. (1) Every holder shall keep in such form as the Director may prescribe, and maintain at his principal place of business in Solomon Islands, complete and accurate financial and technical books of accounts and records of all activities conducted pursuant to a mineral

right.

- (2) Such financial books of accounts shall properly record -
  - (a) all costs incurred in carrying out such activities;
  - (b) all revenues received from such activities;
  - (c) all payments made to any person resident in Solomon Islands in cash, in kind, or in anything of value; and
  - (d) such other information as the Director may require in writing from time to time.
  
- (3) Such records shall include a registry of the names and addresses and periods of employment of all persons and firms employed by the holder, and any contractor in connection with activities in the area covered by the mineral right.
  
- (4) Such technical records shall include in the case of a mining lease -
  - (a) copies of all maps, profiles, diagrams, charts, and geological reports, including interpretations;
  - (b) the locations, inclinations, azimuths, diameters and depths of all holes drilled;
  - (c) the locations and types of all samples collected;
  - (d) detailed geological logs of all holes drilled;
  - (e) the results of all chemical, physical, and mineralogical tests and analysis;

- (f) colour photographs of all borehole core;
- (g) accurate plans showing the workings and the position of shafts, buildings and other improvements, erected, effected or made by the holder;
- (h) a general plan of all underground workings to a scale not greater than 1:250 and not less than 1:1000;
- (i) an assay plan corrected at least once in every three months showing on vertical and horizontal projections of the mine workings and the position and values of all samples assayed during the course of such workings; and
- (j) plans showing the detailed geology of the mine and indicating specifically all major rock types and their boundaries and all veins and lodes, faults, and areas of mineralisation.

Cancellation of mineral right for failure to maintain record.

37. In the event of the failure or neglect of the holder of a mineral right to keep to the satisfaction of the Director the documents specified in regulation 39 the mineral right shall be liable to cancellation.

## PART XII REPORTS

Provision of quarterly reports by reconnaissance permit holder.

38. Every holder of a reconnaissance permit shall submit a report to the Director in such form as he may prescribe, not later than thirty days from the end of each calendar quarter during which the holder has conducted any activities under such permit -

- (a) summarising such activities;
- (b) reporting the results of any photo geological, geophysical or geochemical surveys; and

- (c) such other information as the Director may require.

39. (1) Every holder of a prospecting licence shall submit a report to the Director in such form as he may prescribe, not later than thirty days of the end of each calendar quarter during which activities are carried out under such licence -

Provision of  
quarterly reports  
by prospecting  
licence holder.

- (a) summarising such activities and the expenditure thereon during such quarter;
- (b) reporting any minerals discovered;
- (c) reporting the results of any surveys conducted;
- (d) reporting the number of boreholes and the number of metres drilled during such quarter;
- (e) the results of any mineral analysis made;
- (f) the results of any geological mapping;
- (g) the number of persons employed; and
- (h) such other information as the Director may require.

(2) All such reports on prospecting activities shall be accompanied by copies of all photographs, borehole logs, maps, profiles, diagrams, charts and geological reports, including interpretations, prepared by or for the holder during that calendar quarter.

40. Every holder of a mining lease shall, not later than the fifteenth day of each month, submit a report to the Director in such form as he may prescribe, reporting for the previous months -

Provision of  
monthly reports  
by mining  
lease holder.

- (a) the quantity of overburden and other material removed for site preparation during mining operations;
- (b) the quantity of ore, concentrate or other material produced;
- (c) the quantity of ore or concentrate or other material sold and the percentage of metal in the ore, and the revenue received therefrom;
- (e) the number of employees by category;
- (f) a general report on mining activities;
- (g) a report on any accidents or injuries which occurred and the number of shifts lost as a consequence thereof;
- (h) an explanation of the cause of each such accident;
- (i) an estimate of any damage caused to landowners' property during the period; and
- (j) such other information as the Director may require.

(2) The report for the last calendar quarter in each year shall have attached to it copies of the mining plans at the end of the year showing the development for that year and copies of the geological and assay plans and sections.

Provision of  
Annual reports for  
building materials  
permit holder.

41. Every holder of a building materials permit shall submit an annual report to the Director in such form as he may prescribe, not later than thirty days from the end of each year.

PART XIII  
INSPECTION

42. The Director, and any person authorised in writing by him, may at any time inspect any area covered by a mineral right and any buildings, installations, machinery and other improvements erected, effected or made thereon, to ensure compliance with the terms and conditions of such mineral rights and these Regulations.

Inspection of  
buildings and  
installations, etc.

43. (1) The Director and any person authorised in writing by him, may at all reasonable times inspect a holder's financial and technical books of accounts and records and all documents related thereto of its activities pursuant to a mineral right and may take extracts therefrom and make copies of any part thereof.

Inspection of  
technical and  
financial records.

(2) The Director and all such persons shall keep all information obtained thereby confidential, except as otherwise required by law and in connection with any legal proceedings.

PART XIV

ASSIGNMENT, TRANSFER AND ENCUMBRANCE OF A MINERAL RIGHT

44. (1) No assignment, transfer or encumbrance of a mineral right shall be made without the prior consent in writing of the Director.

Assignment,  
transfer and  
encumbrance  
of a mineral  
right.

(2) Applications for such consent shall be made in writing to the Director.

(3) The Director shall notify the Minister of the receipt of each application in respect of a mineral right and refer each application to the Board at its next scheduled meeting.

(4) Before making any decision with respect to such an application, the Director shall cause consultations to be held with the landowners concerned, and the provisions of Part III of these

Regulations shall apply mutatis mutandis to such consultations.

(5) The Director shall notify the applicant of the Board's decision with respect to the application.

(6) No assignment, transfer or encumbrance of a mineral right shall be effected until such consent has been recorded in the Mineral Rights Registry.

(7) No holder shall dispose of any interest in a mining lease which would have effect of changing the control of the holder, without the prior written consent of the Director.

#### PART XIV

#### RELINQUISHMENT AND SURRENDER OF A MINERAL RIGHT

Relinquishment  
of mineral right.

45. (1) A holder may, by notice in writing to the Director relinquish part of any area subject to a mineral right provided such part is not less than 25% of the total area covered by the right and that the shape of the part to be surrendered is rectangular in form, with one side not greater than twice that of another, unless the Director shall otherwise approve.

Abandonment  
of mines.

46. (1) Before a mine or any part of a mine is closed down or rendered inaccessible, all plans and records required to be kept under the provisions of these Regulations shall be brought up to date and, within three months after the closing down or abandonment of such mine, or, three months after the cessation of operations on such mine, copies of all such plans and records, together with all calculation books and survey notebooks kept by the holder of the mining lease, shall be sent by such holder to the Director.

(2) All the information contained in any plans or records required to be sent to the Director under the provisions of paragraph (1) shall become the property of the government, which shall have the right



to publish or otherwise use such information in any manner that it sees fit.

(3) Any holder of a mining lease who fails to comply with the provisions of paragraph (1) shall be guilty of an offence and liable upon conviction to a fine not exceeding two hundred and fifty thousand dollars.

47. The following requirements shall, unless otherwise instructed by the Director in writing, apply to all excavations which any persons is required under the provisions of the Act to fill up or secure in a permanent manner -

Making good  
of damage  
and securing  
sites after  
relinquishment.

- (a) all prospecting pits and trenches shall be filled up;
- (b) all shafts shall be filled up or capped with reinforced concrete and marked by monument or shall be surrounded by substantial fences of a height adequate to secure the safety of persons and livestock;
- (c) all steep faces in alluvial or detrital workings shall be broken down sufficiently to be safe;
- (d) all water furrows shall be filled up; and
- (e) all steep faces in rocks shall be surrounded by substantial fences.

48. If, upon termination or abandonment for any reasons whatsoever of a mineral right, the holder is in default of payment of any rents, fees, royalties or other payments and continues in such default for a period of more than thirty days, the Director may sell some or all of the plants, buildings or to the fixtures of the holder situated on the area covered by the mineral right and deduct from the proceeds thereof all amounts remaining due and unpaid at the date of such sale, together with all

Sale of  
plant in default  
payment of fees,  
royalties, etc.

costs, charges and expenses incurred thereby, and thereafter pay the remainder, if any, of such proceeds to the holder.

Removal of  
plant, buildings,  
etc. on  
relinquishment.

49. (1) Upon the termination or abandonment of a mineral right, the holder may, if he has paid all rents, fees, royalties and other payments required to be made by him under the provisions of these Regulations and the Act, at any time within four months after the date of such termination or abandonment, remove or interfere with any supports in any mine.

(2) If any such plant, buildings or other fixtures are not removed within such time, or within such extended time as the Director in writing may allow, they shall be deemed to have been abandoned by such holder and to have become the property of the government to be dealt with or disposed of in any manner whatsoever provided that -

(a) the holder is not also the owner of the land upon which such plant, buildings or other fixtures are erected; and

(b) the Director may require that the holder remove any such property and, should the holder not do so, cause any such property to be removed at the owner's expense.

(3) The Director may then require the restoration of the surface of the land to the extent feasible.

## PART XVI RECORDING PROCEDURES

Recording of  
applications for  
mineral rights.

50. (1) The Director shall maintain a Mineral Rights Registry at his office which shall be open to the public during normal business hours.

(2) Every application for a mineral right shall be recorded in the Mineral Rights Registry and assigned a file number.

(3) Every such file shall record each action taken with respect to that application and shall include inter alia -

- (a) the name and address of the applicant and his agent;
- (b) the area and minerals applied for;
- (c) the date of receipt of the application;
- (d) the date of notification to the Minister;
- (e) the dates of consultation with landowners;
- (f) the date of reference to the Board;
- (g) the decision of the Board with respect to the application and the date thereof;
- (h) the date of notification to the Minister of the Board's decision;
- (i) the decision of the Minister and the date thereof;
- (j) the date of notification of the decision to the applicant;
- (k) the date of receipt of any amendments by the applicant to the application; and
- (l) the date of any withdrawal of an application.

51. The Director shall keep the following record in the Mineral Rights Registry for each mineral right holder -

- (a) the name and address of the holder and that of agent;

Recording of  
mineral  
rights.

(b) the date on which the mineral right was issued and the date of its expiry;

(c) the consecutive number assigned to the particular mineral right in the Mineral Rights Registry;

(d) the mineral and a description of the area subject to mineral right in accordance with the Universal Transverse Mercator Grid -

(i) or in the case of a mining lease the area covered by the lease, together with the plan based on a survey by a surveyor registered under the Lands Survey Act, and of such scale and accuracy as may be prescribed; or

(ii) in the case of an alluvial miner's permit, the area described in the permit and the names and addresses of the landowners in that area.

(e) the date of the application for assignment or transfer of a mineral right;

(f) the date of any assignment or transfer or encumbrance of the mineral right or any release thereof;

(g) the date of any application for renewal of the mineral right;

(h) the date of any renewal of any mineral right and the date of its expiry;

(i) the date of relinquishment of any area subject to the mineral right and a description thereof as provided in subparagraph (d); and

(j) the date of any surrender of a mineral right.

52. No information regarding a mineral right shall be recorded until the document granting that right has been fully executed and has become effective.

Information not  
to be recorded.

53. The Director shall keep confidential all other information concerning an area subject to a mineral right in accordance with section 27 (9) and (10) of the Act, provided that the Director may use any information in general and statistical reports on minerals and mining in Solomon Islands, in connection with any legal proceedings, and as may otherwise be required by law.

Confidentiality of  
information.

54. For the purpose of the issue of duplicate copies of lost or destroyed documents relating to any mineral right, the following provisions shall apply -

Duplicate copies  
of documents.

(a) the application for the duplicate copy shall state the full particulars of the lost or destroyed document and shall be accompanied by a statutory declaration by the applicant stating the facts of the case to the best of his knowledge and belief, and

(b) the Director shall, if the loss is proved to his satisfaction, issue to the applicant a copy of such document; and

the copy shall be a true copy of the original and shall bear the following endorsement -

"Duplicate copy, issued this                      day of                      19  
In lieu of the original which has been lost (or destroyed)

Director of Geology"

PART XVII  
GOLD DEALER'S LICENCE

- Premises for gold dealing. 55. (1) Prior to issuing a licence the Director shall satisfy himself that such an applicant maintains an office or place of business in Solomon Islands, suitable for gold dealing.
- (2) Each gold dealer's premises shall be described in his licence or endorsed thereon.
- Performance bond or guarantee. 56. Every holder of a gold dealer's licence, upon receipt of such licence shall deposit a sum of money as may be specified by the Director in an interest bearing account in a bank in Solomon Islands, or post a guarantee or performance bond in such form, in such amount, from such bank, insurance company or other institution as shall be satisfactory to the Board for the due performance of his obligations in accordance with the provisions of these Regulations and the Act.
- Identification of premises. 57. A licensed gold dealer shall affix in a conspicuous place on the outside of or at the side of the outer door of his business premises, his full name and the words "LICENCED GOLD DEALER" in capital letters at least 5cm in height and to be plainly visible and legible.
- Dealing permitted only within licensed premises. 58. No licensed gold dealer shall buy, offer to buy, sell, offer or expose for sale, deal in or receive by way of barter, pledge or otherwise or view or request any person to sell or in any way dispose of any gold elsewhere other than in the premises described in his licence or endorsed thereon.
- Inducements illegal. 59. No licensed gold dealer shall in any manner induce or attempt to induce any person to enter his premises for the purpose of viewing or entering into any transactions in respect of the purchase or sale of gold.
- Production of 60. Every holder of a gold dealer's licence shall submit a report to

the Director not later than thirty days after the end of each calendar quarter, in such form as the Director may prescribe, summarising all entries made in his registry and records relating to the use of gold and to all holdings, purchases, sales, import and export of gold including items manufactured from gold, in that calendar quarter.

quarterly reports  
by gold dealers.

61. (1) A gold dealer's premises, balance and register may be inspected at any time during regular business hours by the Director or any person authorised by him in writing. Any such person may test the balance for accuracy and take extracts from and make copies of any part of the register.

Inspection of  
premises and  
equipment.

(2) Any dealer who obstructs any such inspection shall be guilty of an offence and upon conviction be liable to a fine not exceeding one thousand dollars or, in default of payment, to imprisonment for a term not exceeding six months.

62. The Director shall keep confidential, the specific information obtained from gold dealer licence holders, but may release to the public general statistical information relating to gold production, sales and exports.

Confidentiality  
of information.

63. The Director, or any public officer designated for that purpose by the Director, or any police officer, may, without warrant -

Rights of  
search and entry.

(a) search or cause to be searched any vehicle, vessel or aircraft where he has reasonable grounds to believe that gold is being or may be conveyed in contravention of these Regulations and the Act; or

(b) enter upon and examine any place or premises and force access to or open any premises, vehicle, package or container which is locked, if the keys thereto are not produced upon his demand, where he has reasonable grounds to believe that gold may be found in contravention of these Regulations

and the Act; and

(c) search or cause to be searched any person whom he has reasonable grounds to believe has gold hidden in his person or in his possession in contravention of these Regulations and the Act:

Provided that any such search shall be exercised with due regard to privacy, and that no female shall be searched by any person other than a female.

Cancellation  
of licence.

64. The Minister may cancel any gold dealer's licence on the advice of the Board, if, after inquiry, he is satisfied that the holder is not a fit and proper person to hold a gold dealer's licence, by notice in writing to such dealer, as from the date of such notice.

Penalty.

65. Any holder of a gold dealer's licence who contravenes any provision of these Regulations, shall be guilty of an offence and be liable upon conviction to a fine not exceeding five thousand dollars or, in default of payment to imprisonment for a term not exceeding six months and in the case of a continuing offence to a further fine not exceeding one thousand dollars for each day during which the offence continues after the conviction thereof.

#### PART XVIII NOTICES

Service of  
notices.

66. All notices shall be in writing and served by hand, or sent by telex, telefax or registered mail and for the purposes of these Regulations if -

(a) delivery is by hand shall be effective when made;

(b) delivery is by telefax, shall be effective when the "answer back" appears on the sender's telex machine;



(c) delivery is by telefax, shall be effective when the "Transmit Confirmation Report" confirming the transmission to the receiver's published telefax number is received by the transmitter;

(d) delivery is by registered post, shall be effective on the 10th day after the day of posting by pre-paid registered post, unless the contrary is proved by the addressee.

67. (1) A person commits an offence if he -

Offences and  
Penalties.

(a) fails, neglects or refuses to allow or provide all reasonable facilities and assistance to an authorised officer;

(b) fails, neglects or refuses to comply with any direction given under these Regulations;

(c) obstructs, hinders or delays an authorised officer in the performance of his duties under these Regulations;

(d) conducts reconnaissance, prospecting or mining without being a holder of the appropriate mineral rights;

(e) conducts reconnaissance, prospecting or mining otherwise than in accordance with the provisions of these Regulations;

(f) in making application for any permit, licence, lease or membership card in an alluvial miner's group, or any renewal thereof, knowingly makes any statement which is false or misleading in any material particular;

(g) in any report, return or affidavit submitted in pursuance of the provisions of these Regulations, knowingly includes any

information which is false or misleading in any material particular;

(h) fails to notify the Director in pursuance of the provisions of these Regulations;

(i) removes, destroys or disposes of any mineral, core or sample contrary to the provisions of these Regulations;

(j) exports any minerals in contravention of these Regulations;

(k) erects any building or other structure in contravention of these Regulations;

(l) removes any buildings, fixed machinery or other movable property contrary to the provisions of these Regulations;

(m) places or deposits, or is accessory to the placing or depositing of, any mineral in any place with intent to mislead any other person as to the mineral possibilities of such place;

(n) mingles or causes to be mingled with any sample of ore any substance which will enhance the value or in any way change the nature of such ore with intent to cheat, deceive or defraud;

or

(o) being engaged in the business of milling, leaching, sampling, concentrating, reducing, assaying, transporting, buying, selling or otherwise dealing in ores, metals or minerals, keeps or uses any false or fraudulent scales or weights for weighing such ores, metals or minerals or uses any false or fraudulent assay scales or weights or enriched fluxes used for

ascertaining the assay value of minerals, knowing them to be false or fraudulent.

(2) Any person found guilty of an offence under subregulation (1) (d), (g), (j), (m), (n) and (o) shall upon first conviction be liable to a fine not exceeding ten thousand dollars or imprisonment for a term not exceeding twelve months or to both such fine and imprisonment.

(3) Any person found guilty of a second or subsequent offence under subregulation (1) (d), (g), (j), (m), (n), (o), shall upon conviction be liable to a fine not exceeding twenty thousand dollars or imprisonment for a term not exceeding two years or to both such fine and imprisonment.

(4) Any person found guilty of an offence under subregulation (1)(e) shall on conviction be liable to a fine not exceeding twenty thousand dollars or to imprisonment for a term not exceeding two years or to both such fine or imprisonment.

(5) Any person found guilty of an offence other than an offence specified in paragraphs (2) or (4) of this regulation shall be liable upon first conviction to a fine not exceeding six months.

(6) Any person guilty of second or subsequent offence other than an offence specified in paragraphs (2) or (4) of this regulation shall be liable upon conviction to a fine not exceeding ten thousand dollars or in default of payment to imprisonment for a term not exceeding one year.

#### PART XIX APPEALS

68. (1) Any holder may appeal to the Minister against a decision of the Director on the grounds that it is unreasonable, arbitrary or

Appeals.

capricious by filing a notice in writing, specifying the basis for such claim, within ten days of any such decision.

(2) Upon receipt of such notice, the Minister shall consider such an appeal and may question any person under oath and examine whatever books and records he may consider relevant in the circumstances.

(3) The Minister's decision shall be made as expeditiously as possible in the circumstances and shall be communicated to the holder in writing. The Minister shall give the reasons for his decision.

(4) Any holder may appeal to the High Court of Solomon Islands against a decision of the Minister suspending a mineral right for more than 90 days, or cancelling any permit licence or lease, on the grounds that the decision is unreasonable arbitrary or capricious.

Made at Honiara this    day of    1996.

DAVID V. VOUZA  
Minister of Energy, Mines and Minerals

SOLOMON ISLANDS



**Application for a Mineral Right**  
(Regulation 3, Mines and Minerals Regulation 1996)

- i.e. RECONNAISSANCE PERMIT
- PROSPECTING LICENCE
- MINING LEASE
- SPECIAL SITE RIGHT
- BUILDING MATERIALS PERMIT
- ROAD ACCESS LICENCE
- (Delete as necessary)

To: DIRECTOR OF GEOLOGY  
HONIARA, SOLOMON ISLANDS

1. Name/s of applicant/s	Residence or Registered office	Signature/s and seal (if a company)	Shares/ Authorised Issued Capital
.....	.....	.....	.....
.....	.....	.....	.....
.....	.....	.....	.....
.....	.....	.....	.....
.....	.....	.....	.....

- 2. Name of accredited agent, if any .....
- 3. Address in Solomon Islands at which notices may be served .....
- .....
- 4. Approximate area .....
- 5. Mineral/s to be prospected/mined or number of Prospecting Licence/Mining Lease in respect of which a Special Site Right or Road Access Licence is required (delete as necessary) .....
- .....
- 6. Province .....

7. Island .....

8. Security of compliance: Banker's guarantee.....

Cash .....

9. Purpose for which special site right is required. Give full details. (Applicable only in the case of application for a special site right).

.....

10. Length of term desired .....

Fees paid herewith -

Filing fee \$ .....

Preparation fee \$ .....

Deposit \$ .....

Reconnaissance Permit/  
Prospecting Licence) fee for .....years \$ .....

First year's rent for: M.L.) \$ .....

B.M.P)

S.S.R.)

R.A.L)

-----  
\$

=====

I attach, signed by me -

(a) In the case of Reconnaissance Permit/Prospecting Licence a plan showing the approximate position of all roads, paths, fences, dwellings, crops or other improvements within the boundaries or within one hundred metres of the area applied for.

(b) In the case of a Mining Lease/Building Materials Permit/Special Site Right/Road Access Licence, a plan showing the area of surface which it is desired to occupy and use for the purpose of mining.

Dated at .....this .....day of .....19 .....

.....  
Signature of Applicant or Agent

Received at .....hrs. on .....day of ..... 19 .....

G.T.R. No: .....

.....  
Signature of Receiving Officer

(TO BE SUBMITTED IN DUPLICATE)

FORM 2

SOLOMON ISLANDS



**RECONNAISSANCE PERMIT**

(Regulation 3, Mines and Minerals Regulation 1996)

No: .....

The exclusive right, subject of the provisions of the Mines and Minerals Act 1990 and all regulations made thereunder now in force or which may come into force during the continuance of this reconnaissance permit, is hereby granted to:

Name/s of Holder	Address	Share or issued capital
.....	.....	.....
.....	.....	.....
.....	.....	.....
.....	.....	.....

To prospect for the minerals mentioned in the First Schedule hereto, within the area of land described in the Second Schedule hereto for a term from the ..... day of ..... 19....., until the ..... day of ..... 19....., subject to the special conditions in the Third Schedule hereto.

Dated at Honiara this .....day of ..... 19.....

.....  
Director of Geology  
Ministry of Energy, Mines and Minerals.  
-----

**FIRST SCHEDULE**  
(Minerals which may be prospected on the area the subject of this permit)

.....  
.....  
-----

**SECOND SCHEDULE**  
(Situation and description of the area the subject of this permit)

.....  
.....  
-----

**THIRD SCHEDULE**  
(Special Conditions)

.....  
.....  
-----

(TO BE PRODUCED IN TRIPLICATE)

FORM 3

SOLOMON ISLANDS



**PROSPECTING LICENCE**  
(Regulation 3, Mines and Minerals Regulation 1996)

No: .....

The exclusive right, subject of the provisions of the Mines and Minerals Act 1990 and all regulations made thereunder now in force or which may come into force during the continuance of this prospecting licence or any extension thereof is hereby granted to:

Name/s of Holder/s	Address	Share or issued capital
.....	.....	.....
.....	.....	.....
.....	.....	.....



.....  
.....  
To prospect for the minerals mentioned in the First Schedule hereto, within the area of land described in the Second Schedule hereto for a term from the ..... day of ..... 19....., until the ..... day of ..... 19....., subject to the special conditions in the Third Schedule hereto.

Dated at Honiara this ..... day of ..... 19.....

.....  
Director of Geology  
Ministry of Energy, Mines and Minerals.  
.....

FIRST SCHEDULE  
(Minerals which may be prospected on the area the subject of this licence)

.....  
.....  
.....

SECOND SCHEDULE  
(Situation and description of the area the subject of this licence)

.....  
.....  
.....

THIRD SCHEDULE  
(Special Conditions)

.....  
.....

(TO BE PRODUCED IN TRIPLICATE)

.....

SOLOMON ISLANDS



**MINING LEASE**

(Regulation 3, Mines and Minerals Regulation 1996)

No: .....

Name of Mine: .....

THIS LEASE MADE BETWEEN the Director of Geology, Ministry of Energy,  
Mines and Minerals, hereinafter called the lessor of the one part,  
AND

Name	Address	Share or issued capital
.....	.....	.....
.....	.....	.....
.....	.....	.....
.....	.....	.....

hereinafter called the lessee of the other part, WITNESSES that in consideration of the payments and agreements hereinafter contained and subject to the provisions of the Mines and Minerals Act 1990, and all regulations made thereunder now in force or which may come into force during the continuance of this lease or any extension thereof and subject also to the special conditions in the First Schedule hereto, the lessor leases to the lessee THAT PIECE OR PARCEL OF LAND situated in the

Province of ..... in the island of.....

and containing ..... more or less as shown

in the attached plan, for the purpose of mining for the minerals specified in the

Second Schedule hereto:

To have and hold the said land for the term from the..... day of .....  
....., 19....., until the ..... day of ..... , 19 .....

In witness thereof the parties have hereunto set their hands and seals this

..... day of ....., 19 .....

.....  
Witness

.....  
Director of Geology  
Ministry of Energy, Mines and Minerals.

I hereby accept the terms of the above lease.

.....  
Lessee

.....  
Witness

-----

FIRST SCHEDULE  
(Minerals which may be mined for on the area the subject of this lease)

.....  
.....  
-----

SECOND SCHEDULE  
(Situation and description of the area the subject of this lease)

.....  
.....  
-----

THIRD SCHEDULE  
(Special Conditions)

.....  
.....

(TO BE PRODUCED IN TRIPLICATE)

-----

SOLOMON ISLANDS



**BUILDING MATERIALS PERMIT**  
(Regulation 3, Mines and Minerals Regulation 1996)

No: .....

The exclusive right, subject of the provisions of the Mines and Minerals Act 1990 and all regulations made thereunder now in force or which may come into force during the continuance of this permit or any extension thereof is hereby granted to:

Name/s of Holder/s	Address	Share or issued capital
.....	.....	.....
.....	.....	.....
.....	.....	.....
.....	.....	.....

To mine for building materials mentioned in the First Schedule hereto, within the area of land described in the Second Schedule hereto for a term from the..... day of ..... 19....., until the ..... day of ..... 19....., subject to the special conditions in the Third Schedule hereto.

Dated at Honiara this ..... day of ..... 19.....

.....  
Director of Geology  
Ministry of Energy, Mines and Minerals.

**FIRST SCHEDULE**

(Building materials which may be mined for on the area the subject of this permit)

.....  
.....

**SECOND SCHEDULE**

(Situation and description of the area the subject of this permit)

.....  
.....

THIRD SCHEDULE  
(Special Conditions)

.....  
.....

(TO BE PRODUCED IN TRIPLICATE)

FORM 6

SOLOMON ISLANDS



**SPECIAL SITE RIGHT**

(Regulation 3, Mines and Minerals Regulation 1996)

No: .....

Attached to: P.L.)  
M.L.)  
B.M.P.)

No: .....

The Director of Geology, being of the opinion that the land the subject of this right situated in the Province of ..... in the island of ..... as more particularly shown in the plan attached hereto, is not required for mining purposes and that the grant of this right will not interfere prejudicially with the prospecting and mining operations, hereby grants to:

Name	Address
.....	.....
.....	.....
.....	.....
.....	.....
.....	.....
.....	.....
.....	.....
.....	.....

this Special Site Right in respect of the said land, authorising the holder to use the said land as

.....  
(hereinafter state whether water right, passageway, machine site, furnace site, site for the deposit or treatment of tailings, for tramway, aerial ropeway or conveyor belt, or otherwise the case may be).

This right is granted for a term from the ..... day of ..... 19 ..... until the ..... day of ..... 19 ....., subject to the payment of an annual fee of \$ ..... payable half yearly in advance and subject to the terms, conditions, reservations and provisions set out in the Mines and Minerals Act 1990, and all regulations made thereunder now in force or which may come into force during the continuance of this right or any extension thereof, and also to such additional terms, conditions, reservations and provisions as are specified in the schedule hereto.

Dated at Honiara this ..... day of ..... 19.....

.....  
Director of Geology  
Ministry of Energy, Mines and Minerals

SCHEDULE

I/We hereby accept this Special Site Right on the terms and conditions herein mentioned.

Date .....  
Holder

(TO BE PRODUCED IN TRIPLICATE)

SOLOMON ISLANDS



**ROAD ACCESS LICENCE**  
(Regulation 3, Mines and Minerals Regulation 1996)

No: .....

Attached to: P.L.)  
M.L.) No: .....  
B.M.P.)

The right, subject to the provisions of the Mines and Minerals Act 1990 and all regulations made thereunder now in force or which may come into force during the continuance of this road access licence or any extension whereof is hereby granted to:

Name	Address
.....	.....
.....	.....
.....	.....
.....	.....
.....	.....
.....	.....
.....	.....
.....	.....
.....	.....
.....	.....

to construct and use and maintain a road for the purpose of obtaining access to the mineral right above cited within the area of land in the province of ..... in the island of ..... more particularly described in the plan attached hereto, for a term from the ..... day of ..... 19....., until the ..... day of ..... 19....., subject also to the special conditions in the Schedule hereto.

.....  
Director of Geology  
Ministry of Energy, Mines and Minerals  
.....

SCHEDULE

I/We hereby accept this Road Access Licence on the terms and conditions herein mentioned.

Date.....  
Holder

(TO BE PRODUCED IN TRIPLICATE)

FORM 8

SOLOMON ISLANDS



**APPLICATION FOR ALLUVIAL MINER'S PERMIT**  
(Regulation 3, Mines and Minerals Regulation 1996)

To: The Director of Geology, Ministry of Energy, Mines and Minerals.

1. Name of applicant .....
2. Nationality .....
3. Date and place of birth .....
4. Occupation .....
5. Address in Solomon Islands .....
6. In which place in Solomon Islands do you intend to mine .....
7. Serial number and date of issue of previous permit (if any) .....



- 8. For which minerals do you intend to mine? .....
- 9. Has landowner's permission been obtained? .....
- 10. Do you understand that it is an offence to dispose of any minerals obtained by you from mining carried out under an Alluvial Miner's Permit except by selling it to a licenced gold dealer?  
.....

I hereby declare that the above particulars to be true and I agree not to give away, barter or otherwise dispose of any gold I may mine except by sale to a licenced gold dealer.

Date.....

Signature or thumb print of applicant

G.T.R. No: .....

Witnessed by .....

(TO BE SUBMITTED IN DUPLICATE)

FORM 9

SOLOMON ISLANDS



**ALLUVIAL MINER'S PERMIT**

(Regulation 3, Mines and Minerals Regulation 1996)

No: .....

Permission is hereby given to .....(family name) .....

(other names) of ..... to mine for .....

in the Province of .....on the island of.....,

Solomon Islands.

Name of land affected .....

It is a condition of this permit that only alluvial materials may be treated and open cast or underground workings are prohibited. All gold and silver won must be sold to a licenced Gold Dealer.

Valid until .....



I, ....., licensed gold-dealer whose registered address of  
business is at .....

do hereby certify that the foregoing is true and correct statement of all transactions of  
my bank or of all my transactions in gold during the month of .....19.....

Witness: Signature of Licensee .....  
Address and Description.....  
Date .....

(TO BE SUBMITTED IN DUPLICATE)

FORM 11

SOLOMON ISLANDS



**APPLICATION FOR A GOLD DEALER'S LICENCE**  
(Regulation 3, Mines and Minerals Regulation 1996)

To: Director of Geology, Ministry of Energy, Mines and Minerals

I hereby apply for a Gold Dealer's Licence.

Name in full .....

Address in Solomon Islands .....

Present Business .....

Proposed place of business as a gold dealer .....

.....

.....  
Signature of Applicant

Received at ..... hrs. on ..... day of ....., 19.....

G.T.R. No: .....

.....  
Signature of Receiving Officer

(TO BE SUBMITTED IN DUPLICATE)

FORM 12

SOLOMON ISLANDS



**GOLD DEALER'S LICENCE**  
(Regulation 55, Mines and Minerals Regulation 1996)

I, ..... (Director of Geology, Ministry of Energy, Mines and Minerals) being satisfied that .....  
is a fit and proper person to be a licenced gold dealer do hereby licence the said person to carry on business as a gold dealer under the provisions of the Miines and Minerals Act 1990 and all regulations made thereunder, at .....  
.....in the premises occupied by him and situated at .....  
.....and at no other place, until the 31 day of December, 19..... and no longer.

Given under my hand at .....this .....  
day of ....., 19.....

.....  
Director of Geology  
Ministry of Energy, Mines and Minerals

(TO BE PRODUCED IN TRIPLICATE)

FORM 13

SOLOMON ISLANDS



**APPLICATION FOR A GOLD DEALER'S LICENCE BY AN INCORPORATED BANK.**

(Regulation 55, Mines and Minerals Regulation 1996)

To: Director of Geology, Ministry of Energy, Mines and Minerals

I, .....being the Manager of .....  
an incorporated bank carrying on business at its head office at .....  
.....do hereby make application for a Gold Dealer's Licence  
to deal in gold at branches described in the Schedule hereto, under the provisions of  
the Mines and Minerals Act 1990 and the regulations thereunder, in the name of the  
said bank until the 31 day of December, 19.....

I am an "authorised dealer" for the purpose of the **Exchange Control Ordinance (Cap. 84)** and I have been granted permission by the **High Commissioner** under the **provisions of section 1(1) of that Ordinance** to buy gold in Solomon Islands from persons other than an authorised dealer, as that term is

defined in the **Exchange Control Ordinance.**

SCHEDULE

Place where branch is established

Full Name of Manager


Signature of Applicant

Received at .....hrs. on .....day of .....19.....

G.T.R. No: .....

Signature of Receiving Officer

(TO BE SUBMITTED IN DUPLICATE)

FORM 14

SOLOMON ISLANDS



**GOLD DEALER'S LICENCE FOR AN INCORPORATED BANK**  
(Regulation 55, Mines and Minerals Regulation 1996)

I, ..... being the Director of Geology, Ministry of Energy,  
Mines and Minerals, Honiara, do hereby grant to .....

an incorporated bank carrying on business at its head office at .....

a licence to deal in gold at the branches described in the schedule hereto, under the  
provisions of the Mines and Minerals Act 1990 and any regulations made

thereunder, until 31 December 19..... and no longer.

Date: .....

.....  
Director of Geology  
Ministry of Energy, Mines and  
Minerals

SCHEDULE

List of places where such branches of the bank are established and full names of present managers thereof.

Name of Branch	Full Name of Manager

(TO BE PRODUCED IN TRIPLICATE)

FORM 15

SOLOMON ISLANDS



**Application form for the export of gold by a non gold-dealer.**  
(Regulation 55, Mines and Minerals Regulation 1996)

To: The Director of Geology, Ministry of Energy, Mines and Minerals

1. Applicant's Name .....
2. Date and place of birth .....
3. Nationality .....
4. Occupation .....
5. Address in Solomon Islands .....
6. Name and Gold Dealer's Licence No. of the gold-dealer in which the gold was bought .....
7. Purpose of export .....

- 8. Amount of gold to be exported (in grams) .....
- 9. Carrier details and final destination.....  
.....

Date: ..... Signature of applicant

G.T.R. No. .... Signature of Receiving Officer

(TO BE SUBMITTED IN DUPLICATE)

FORM 16

SOLOMON ISLANDS



**Certificate of Approval of Gold Export by an Unlicensed Gold Dealer**  
(Regulation 55, Mines and Minerals Regulation 1996)

No: .....

I, .....being Director of Geology, Ministry of Energy, Mines and Minerals do hereby grant ..... the exclusive right to export .....grams of gold (and silver) to .....in accordance with the provisions of the Mines and Minerals Act 1990 and any regulations made thereunder.

Date: .....  
.....  
Director of Geology  
Ministry of Energy, Mines and Minerals

(TO BE PRODUCED IN TRIPLICATED)



SOLOMON ISLANDS



**ANNUAL GOLD EXPORT, 19 .....**  
(Regulation 60, Mines and Minerals regulation 1996)

(TO BE PRODUCED IN DUPLICATE)

Gold Dealer	Date payable at mint	Lot No.	Raw Gold weight received at mint of raw gold (g)	Finex 100 raw fine of raw gold	GOLD				SILVER				Gross Metal \$	Metal Value \$	Metal Value \$ c	
					Assay %	Fine weight, g	Rate \$/g	Value \$ c	Assay g	Fine weight, g	Rate \$/g	Value \$ c				

SCHEDULE  
(Regulation 22, Mines and Minerals Regulation 1996)

SCALE OF FEES AND DEPOSITS

- |    |  |        |
|----|--|--------|
| 1. | Alluvial miner's permit  | \$30   |
| 2. | Filing application for mineral right   | \$80   |
| 3. | Reconnaissance Permit:   |        |
|    | a. Preparation (including plans)   | \$100  |
|    | b. The annual fee shall be \$50 for each square kilometre or part thereof;   |        |
|    | c. Damage deposit  | \$2000 |
| 4. | Prospecting Licence:   |        |
|    | a. Preparation (including plans)   | \$100  |
|    | b. The annual fee for an area of less than 20 square kilometres-   |        |
|    | (i) where the applicant has not held a reconnaissance permit in respect of that area and has satisfied the Director that there are unusual circumstances warranting the granting of a prospecting licence, shall be such fee as may be determined by the Director;                               |        |
|    | (ii) where the applicant has previously held a reconnaissance permit in respect of that area, shall be \$150 for each 100 hectares or part thereof for the first year and in each subsequent year a fee of \$50 for each 50 hectares or part thereof in excess of the fee for the previous year; |        |
|    | c. The annual fee for an area in excess of 20 square kilometres shall be-  |        |
|    | (i) for the first year, \$2000 plus \$40 for each square kilometre or part thereof in excess of 20 square kilometres;  |        |
|    | (ii) for the second year \$3500 plus \$50 for each square kilometre or part thereof in excess of 20 square kilometres;   |        |
|    | (iii) for the third year, \$5,000 plus \$70 for each square kilometre or part thereof in excess of 20 square kilometres;   |        |
|    | (iv) for the fourth year, \$6,500 plus \$90 for each square kilometre or part thereof in excess of 20 square kilometres;   |        |
|    | (v) for each subsequent year a fee 25% more than the fee for   |        |

the previous year plus for each square kilometre in excess of 20 square kilometres-

in the fifth year, \$50, and in each subsequent year, \$20 more than the previous year;

- |                               |  |          |
|-------------------------------|--|----------|
| d.                            | Damage deposit   | \$10,000 |
| 5. Mining Lease:              |  |          |
| a.                            | Preparation (including plans)                                | \$100    |
| b.                            | The rental shall be determined by the Commissioner of Lands. |          |
| c.                            | Damage deposit shall be determined by the Director.          |          |
| 6. Special Site Right:        |  |          |
| a.                            | Preparation (including plans)                                | \$100    |
| b.                            | The rental shall be determined by the Commissioner of lands. |          |
| c.                            | Damage deposit shall be determined by the Director           |          |
| 7. Road Access Licence:       |  |          |
| a.                            | Preparation (including plans)                                | \$100    |
| b.                            | The rental shall be determined by the Commissioner of Lands. |          |
| 8. Building Materials Permit: |  |          |
| a.                            | Preparation (including plans)                                | \$100    |
| b.                            | The rental shall be determined by the Commissioner of Lands. |          |
| c.                            | Damage deposit shall be determined by the Director.          |          |

All rents shall be paid yearly in advance and without demand on the 31st day of December in each year:

Provided that-

- (a) on the commencement of a mineral right all the rent payable for the then current year rental period shall be paid by the holder on the notification of the grant of such tenement; and
  - (b) where a mineral right commences or expires during a year rental period the Director may waive or remit a proportionate part of the rent payable for that year rental period.
- |     |   |       |
|-----|---|-------|
| 9.  | Extension of mineral right (including plans)  | \$100 |
| 10. | Filing application for the approval of the transfer or other dealing in a mineral right | \$80  |

- |   |        |
|---|--------|
| 11. Registration of tribute agreement   | \$50   |
| 12. Duplicate or certified copy of mineral right  | \$50   |
| 13. Duplicate or certified copy of any document other than a mining tenement up to 5 pages ( additional pages 50 cents each)              | \$60   |
| 14. Examination of registers  | \$50   |
| 15. Filing agreement for compensation   | \$80   |
| 16. Gold dealer's licence (personal) or renewal thereof   | \$2000 |
| 17. Gold dealer's licence to an incorporated bank -   |        |
| (i) in respect of one branch  | \$500  |
| (ii) in respect of each additional branch   | \$250  |
| 18. Appeals against the Board's decision on -   |        |
| (i) application for the following permits, licences or lease shall be -   |        |
| (a) Reconnaissance Permit   | \$500  |
| (b) Prospecting Licence   | \$2000 |
| (c) Mining Lease  | \$4000 |
| (d) Building Materials Permit   | \$1000 |
| (e) Special Site Right  | \$500  |
| (f) Alluvial Miner's Permit   | \$20   |
| (g) Road Access Licence   | \$500  |
| (h) Gold Dealer's Licence   | \$500  |
| (ii) application for extension, variation, suspension, cancellation or termination of the following permits, licences or lease shall be - |        |
| (a) Reconnaissance Permit   | \$700  |
| (b) Prospecting Licence   | \$3000 |
| (c) Mining Lease  | \$5000 |
| (d) Building Materials Permit   | \$2000 |
| (e) Special Site Right  | \$700  |
| (f) Alluvial Miner's Permit   | \$30   |
| (g) Road Access Licence   | \$700  |
| (h) Gold Dealer's Licence   | \$700  |
| (iii) Other applications shall be determined by the Director from time to time.   |        |

Dated at Honiara this 28<sup>th</sup> day of August 1996

*David V. Vouza*  
DAVID V. VOUZA

Minister for Energy, Mines and Minerals