

SOLOMON ISLANDS
THE MINES AND MINERALS
(AMENDMENT) ACT 2008

(NO. 2 OF 2008)

Passed by the National Parliament this ninth day of April 2008.

This printed impression has been carefully compared by me with the Bill passed by Parliament and found by me to be a true and correct copy of the said Bill.

Florence Naesol (Mrs)
Deputy Clerk to National Parliament

Assented to in Her Majesty's name and on Her Majesty's behalf this fifteenth day of April 2008.

Sir Nathaniel Rahumaea Waena
Governor-General

Date of commencement: see section 1

AN ACT TO AMEND THE MINES AND MINERALS ACT (CAP 42)

ENACTED by the National Parliament of Solomon Islands.

ARRANGEMENT OF SECTIONS

Section:

1. Short title and Commencement
2. Amendment of section 3
3. Amendment of section 7

4. Amendment of section 20

5. Amendment of section 80

Short title and commencement

1. This Act may be cited as the Mines and Minerals (Amendment) Act 2008 and shall come into force on such date as the Minister may appoint by Notice published in the Gazette.

Amendment of section 3

2. Section 3 (Interpretation) of the Mines and Minerals Act (Cap.42) (hereinafter referred to as the "principal Act") is hereby amended –

(a) by inserting after the definition of the word

"alluvial miner" the following –

"associate company" includes parent or holding companies, subsidiary companies, business or joint ventures"

(b) by deleting the full stop that appears at the end of the definition of the word "reconnaissance area" and replacing it with a semicolon (;) and

(c) by inserting after the definition of the word "reconnaissance area" the following –

"tender" means inviting, soliciting or placing on open market, whether domestically or internationally, a land area proposed for reconnaissance, prospecting or mining".

Amendment of section 7

3. Section 7 of the principal Act is hereby amended as follows –

(i) by inserting immediately after paragraph (b) the following-

"(c) to carry out independent and due diligent search and proper assessment of the companies intending to or applying for reconnaissance permit, prospecting licence and mining lease as prescribed;

(d) if necessary, to interview or hold meetings with an applicant for discussing or resolving any relevant matter that the Minister may direct in writing from time to time or the Director deems essential for the board's purposes;"

(ii) by renumbering paragraph (c) as paragraph (e), paragraph (d) as paragraph (f), paragraph (e) as paragraph (g), and paragraph (f) as paragraph (h).

Amendment of section 20

4. Section 20 of the principal Act is hereby amended in the following respects –

(a) by deleting the opening provision of subsection (1) and inserting therefore the following -

"(1) except in cases of tender, each application for a prospecting licence shall be made to the Director in the prescribed form and shall state –

(b) In subsection (4), by deleting the words "the requirements of this section" and substituting therefor the words "the prescribed procedures."

(c) in subsection (5),

(i) by deleting the full stop that appears at the end of paragraph (b) and substituting therefor a semicolon and the word "or" and

(ii) by inserting immediately after paragraph (5)(b) the following paragraph (5)(c) as follows –

"(c) the applicant or an associate company is currently holding three or more prospecting licences over different prospecting areas and has not applied for a mining lease or commenced mining in at least one prospecting area."

Amendment of section 80

5. Section 80 of the principal Act is hereby amended –

(i) by deleting the word "and" at the end of paragraph (u); and

(ii) by inserting immediately after paragraph (u) the following as paragraph (v) –

"(v) prescribing the procedures for tender; and"

(iii) by renumbering paragraph (v) as paragraph (w)"
