

[Legal Notice No. 228]

IMMIGRATION (AMENDMENT) REGULATIONS 2022**Table of provisions**

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IMMIGRATION ACT 2012

(Act No. 3 of 2012)

IMMIGRATION (AMENDMENT) REGULATIONS 2022

I, Hon. Frederick Kologeto, Minister for Commerce, Industry, Labour and Immigration, under section 93 of the *Immigration Act 2012*, make the following Regulations:

1 Citation

These Regulations may be cited as the *Immigration (Amendment) Regulations 2022*.

2 Commencement

These Regulations commence on the day appointed by the Minister by notice published in the *Gazette*.

3 Amendment of Immigration Regulations

These Regulations amend the *Immigration Regulations 2013* (Legal Notice No. 110 of 2013) (“*Principal Regulations*”).

4 Regulation 2 amended

Regulation 2 of the Principal Regulations is amended by inserting after the definition of “*primary visa holder*”:

“*public health risk*” means something that is likely to be harmful to human health or contribute to disease or an infectious condition in humans;”.

5 New Part 2A

The Principal Regulations are amended by inserting after regulation 5:

“PART 2A PRESCRIBED ENTRY REQUIREMENTS FOR PUBLIC HEALTH RISKS

Division 1 Preliminary matters for Part 2A

5A Purpose of Part 2A

- (1) This Part prescribes entry requirements for the purposes of section 6(2) of the Act.
- (2) For the avoidance of doubt, the entry requirements prescribed in this Part are in addition to those prescribed in Part 2.

5B Interpretation of Part 2A

- (1) In this Part:

“*PCR test*” means a polymerase chain reaction test, or a quantitative polymerase chain reaction test, for COVID-19;

“*RAT test*” means a rapid antigen test for COVID-19;

“*travelling*”:

- (a) means making a journey from a place where the person making the journey has been for more than 8 hours to a place where the person will be for more than 8 hours; and
- (b) includes being in transit for 8 hours or less while travelling; and

- (c) to avoid doubt, does not include a break in the journey for more than 8 hours;

“*vaccine*” means:

- (a) a vaccine approved by the World Health Organisation as a vaccine that produces immunity and protects against COVID-19; or
- (b) a vaccine approved by Cabinet, on the recommendation of the National Medicines and Therapeutics Committee of the Solomon Islands, for use in Solomon Islands against COVID-19; or
- (c) any other vaccine approved by a Government of another country for use in that country against COVID-19;

“*vaccinated against COVID-19*”, of a person, means having been given:

- (a) the number of doses of a vaccine prescribed by WHO to give primary vaccination, and produce immunity, against COVID-19; and
- (b) periodical booster doses of a vaccine;

“*vaccination certificate*”, of a person, means a vaccination certificate verifying the person has been given one or more doses of a vaccine, which specifies at least the following:

- (a) the full name of the person;
 - (b) the dates when the person is given each dose of a vaccine;
 - (c) the name and batch number of each dose of a vaccine given to the person;
 - (d) either the signature of the person who administered each dose of the vaccine or identification of the body or authority which was responsible for administering each dose of the vaccine.
- (2) A reference in this Part to testing a person for COVID-19 without specifying the kind of test required, is a reference to the kind of test for COVID-19 the Government requires the person to take (whether a PCR test, a RAT test or another kind of test).

Division 2 Prescribed entry requirements for COVID-19

5C COVID-19 vaccination and testing entry requirements

Subject to regulation 5D, the following are prescribed entry requirements for a person arriving in Solomon Islands:

- (a) if the person has attained the age of 12 years of age, the person must:
 - (i) be vaccinated against COVID-19; and

- (ii) have a vaccination certificate; and
- (iii) present the vaccination certificate to an immigration officer on arriving in Solomon Islands;
- (b) if testing for COVID-19 is available to the person before travelling to Solomon Islands, the person:
 - (i) must be tested for COVID-19 once by a PCR test within either:
 - (A) the 72-hour period immediately before the person enters Solomon Islands, and must have tested non-infectious for COVID-19 for the test; or
 - (B) the longer period determined by the Ministry of Health and Medical Services on grounds relating to the circumstances of the person’s travel to Solomon Islands and notified to the person at least 14 days before the person begins travelling to Solomon Islands, and must have tested non-infectious for COVID-19 for the test; and
 - (ii) must present documentary evidence that the person tested non-infectious for COVID-19 for the test to an immigration officer on arriving in Solomon Islands.

5D COVID-19 vaccination and testing entry requirements for certain persons

- (1) In this regulation:

“*person*” means:

- (a) a person arriving in Solomon Islands who:
 - (i) has attained at least 18 years of age; and
 - (ii) will enter Solomon Islands:
 - (A) as an official of the Government of Solomon Islands, the government of another country, or an international or multilateral organisation in the course of performing his or her duties to carry out the business of the government or organisation; or
 - (B) for the purpose of undertaking and completing a national project that is a priority for the Government; or
 - (C) from a country where the person was for the 28-day period immediately before the person began travelling to Solomon Islands and where there was no vaccine available to the person to become vaccinated against COVID-19; or

- (b) a citizen of Solomon Islands arriving in Solomon Islands about whom the Ministry of Health and Medical Services has specified in writing that there are extraordinary circumstances that require the citizen to return urgently to the Solomon Islands.
- (2) The following are prescribed entry requirements for the person:
- (a) before the person begins travelling to Solomon Islands, the person must have received from the Ministry of Health and Medical Services a notice in writing that the person is not required to comply with regulation 5C;
 - (b) the person must present the written notice to an immigration officer on arriving in Solomon Islands.

Division 3 Prescribed entry requirements for other public health risks

5E Compliance with requirements notified by travel advisory

If a travel advisory issued by the Ministry of Health and Medical Services imposes requirements for preventing the importation of a public health risk into Solomon Islands by persons who enter Solomon Islands, the following are prescribed entry requirements for each person arriving in Solomon Islands after the advisory is issued:

- (a) the person must have complied with the requirements imposed by the travel advisory before the person begins travelling to Solomon Islands; and
- (b) the person must present documentary evidence of the person's compliance with those requirements to an immigration officer on arriving in Solomon Islands."

Made this eighteenth-day of August 2022.

HON. FREDERICK KOLOGETO
MINISTER FOR COMMERCE, INDUSTRY, LABOUR AND IMMIGRATION

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