

SUPPLEMENT to the Solomon Islands GazetteMonday 11th March, 2019

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[Legal Notice No. 19]

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RULES 2019****Table of Provisions**

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**PACIFIC GAMES 2023 ACT 2017 ADMINISTRATIVE BODIES
MANAGEMENT RULES 2019**

IN exercise of the powers conferred upon the Minister under section 47 of the *Pacific Games 2023 Act 2017*, the following Rules are made.

1 Citation

These Rules may be cited as the *Pacific Games 2023 Administrative Bodies Management Rules 2019*.

2 Administrative Bodies to act in accordance with these rules

In exercising its powers and functions the Administrative Bodies shall at all times act in accordance with these rules.

3 Sports Fund to be administered in accordance with Act and rules

The Sports Solomon Fund established under Part 3 of the Act shall be administered and managed by the Administrative Bodies in accordance with the provisions of the Act and these Rules.

4 Administrative Bodies to act in good faith

All Administrative Bodies and each member of the Administrative Bodies shall at all times act in good faith and in a manner to be in the interest of the successful staging of the Pacific Games 2023.

5 Powers and duties to be exercised with care, diligence and skill

The Administrative Bodies or any member of such bodies, when exercise powers or performing duties as a member, must at all times exercise care, diligence and skill that a reasonable person would exercise in the circumstances.

6 Ethical standard and good practices

- (1) The Administrative Bodies must at all times maintain ethical standards and ensure that good practices are followed in carrying out its duties.

- (2) In these rules:

“Administrative Bodies” means the Administrative Bodies established under Part 2 of the Act.

“ethical standards” means that a member must not be involved in interests that are competitive with or unethical to the interests of the Administrative Bodies and avoid any personal or business interest dealings that lend the appearance of self-interest or any conflict of interest.

7 **Administrative Bodies to act in accordance with Pacific Games Charter**

- (1) All Administrative Bodies must at all times act in accordance with the Pacific Games Charter and commit themselves to:
- (a) maintaining high standards;
 - (b) maintaining a high level of service quality in providing its services;
 - (c) acting with honesty and integrity; and
 - (d) maintaining transparency and accountability.
- (2) In exercising or managing public money, public property or public resources under its control, the Administrative Bodies must ensure that appropriate appropriate financial management is exercised with the *Public Financial Management Act 2013*, Financial Instructions and all other rules and regulations made under the *Public Financial Management Act 2013* and in accordance with any changes, amendments or special provisions that may be made to facilitate the conduct of the Pacific Games.

8 **Administrative Bodies to ensure that subcommittee members receive proper training**

The Administrative Bodies must, in overseeing any subcommittee, ensure that members of sub committees receive proper training by conducting training programs in which members of the sub committees are made aware of:

- (a) the provisions of the Act, the Games Charter and applicable rules;

- (b) the limits of their delegated authority;
- (c) their respective roles and chain of command and reporting mechanisms;
- (d) the financial management requirements referred to in Rule 7; and
- (e) such other relevant instructions that may be applicable.

9 Any breach of the provisions of the rules by any member of an Administrative Body may subject such member to be dealt with under the Pacific Games 2023 Act 2017 Disciplinary Rules 2019.

MADE IN HONIARA this eighth day of March, 2019.

HON. RICK NELSON HOUENIPWELA, MP
PRIME MINISTER

[Legal Notice No. 20]

PACIFIC GAMES 203 ACT 2017

PACIFIC GAMES 2023 MEETING RULES 2019

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PACIFIC GAMES 2023 MEETING RULES 2019

IN exercise of the powers conferred upon the Minister under sections 8, 17 and 26 as read with section 47 of the *Pacific Games 2023 Act 2017*, the following Rules are made.

1 Citation

These Rules may be cited as the *Pacific Games 2023 Meeting Rules 2019*.

2 Interpretation

In these Rules “Chairperson” shall mean the Chairperson of the Authority and respective Committees appointed under the Act.

3 Rules to apply to all committees

These Rules may subject to such modification as may be appropriate, be adopted and apply to the meetings of the Authority as well as to the meetings of the Facilities Committee, the Organising Committee and all the subcommittees established under the provisions of section 20 of the Act.

4 Convening meetings

(1) The Chairpersons of the respective Committees shall convene meetings of the Committees as stipulated in the provisions of the Act.

(2) The Chairperson of the Committees may, however, call meetings as and when necessary.

(3) The frequency of meetings of subcommittees shall be as stated in the Terms of Reference issued to such sub committees.

5 Notice of Meetings

(1) The Secretary of a Committee shall give reasonable notice of the meeting. The notice shall specify the venue, date, time and the agenda for the meeting: Provided that a meeting may be called at a shorter notice in order to discuss, or resolve any urgent matter that may arise.

(2) The accidental omission to give notice of a meeting or non-receipt of notice of a meeting by a member shall not invalidate the proceedings of a meeting provided that a quorum was present at the meeting.

6 Quorum at meetings

- (1) The quorum for any meeting shall be a simple majority of the total number of members.
- (2) No business at a meeting may be transacted if a quorum is not present.
- (3) All members of a Committee shall have one vote each.
- (4) Where the voting is equal, the Chairperson or the person presiding shall in addition to the original vote have a casting vote.

7 Committee decisions

- (1) A decision of the Committee is passed if it is agreed to by all members present without dissent, or if a majority of votes cast are in favour of it.
- (2) A member present at a meeting is presumed to have agreed to, and to have voted in favour of a decision unless such member expressly dissents from, or votes against the decision at the meeting.
- (3) The decision of the chairperson on procedural matters shall be final and conclusive.
- (4) When there is no established procedure the Chairperson may, with the concurrence of the Committee by consensus, agree on a procedure to be adopted.

8 Keeping of Minutes

- (1) The Chairperson must ensure that minutes of meetings are kept of all proceedings at meetings in writing by the Secretary.
- (2) The Chairperson must ensure that the minutes of each meeting are reviewed and approved and such approvals recorded.

9 Voting

- (1) The voting at a meeting shall be by show of hands.
- (2) Where it is agreed by a majority of members of a Committee that any business of a Committee may be despatched by circulation of papers, the Secretary of such Committee shall circulate papers to all members of the Committee who may signify their decision in writing addressed to the Secretary.
- (3) If a member requests in writing addressed to the Secretary, a meeting to discuss any business so circulated, the decision of the Committee shall not be reached until such a meeting has been held.
- (4) A decision may be reached as a result of circulation of papers notwithstanding that a member does not respond if a majority of the members concur in the decision.
- (5) Where any member fails without reasonable cause to attend three consecutive meetings, such member shall be removed from office or be disciplined.

10 Presiding at meetings

In the absence of the Chairperson or Deputy Chairperson, any members present may nominate a member to preside at the meeting and such nominated member shall exercise the powers vested in the Chairperson.

11 Disclosure of interest

The provisions in the Act relating to disclosure of interest set-out in sections 9, 18, and 27 of the Act shall apply to meetings of all Committees established by virtue of the provisions of the Act.

MADE IN HONIARA this eighth day of March, 2019.

HON. RICK NELSON HOUENIPWELA, MP
PRIME MINISTER

[Legal Notice No. 21]

PACIFIC GAMES 2023 ACT 2017

PACIFIC GAMES 2023 DISCIPLINARY RULES 2019

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PACIFIC GAMES 2023 ACT 2017 DISCIPLINARY RULES 2019

IN exercise of the powers conferred upon the Minister under section 47 of the *Pacific Games 2023 Act 2017*, the following Rules are made.

1 Citation

These Rules may be cited as the Pacific Games 2023 Disciplinary Rules 2019.

2 Interpretation

In these Rules:

“misconduct” means any act contrary to any provisions of the Pacific Games 2023 Act 2017 and includes any act in contravention of any rules, regulations or instructions made under any Act applicable to such administrative body.

“officer” means a member of an administrative body and other persons referred to in rule 3.

3 Application

These Rules apply to all members of the respective Administrative Bodies established under Part 2 of the *Pacific Games 2023 Act 2017*, and all staff and employees of the administrative bodies.

4 Officers to act responsibly

It is the responsibility of all officers to act at all times in good faith in the course of the performance of their duties.

5 Reporting of misconduct

It is the responsibility of all officers to report immediately suspected acts of misconduct committed by any officer to the Chairperson of the respective administrative bodies or committees.

6 Procedure of reporting

- (1) Reports of misconduct may either be made in writing or orally. When an act of misconduct is made orally, the complaint must be reduced to writing and forwarded to the respective Chairperson of the relevant administrative body.
- (2) On receipt of a report of misconduct the Chairperson must conduct necessary inquiries and submit a report to the Chairperson of the National Hosting Authority.

7 Contents of report

The report must give:

- (a) the facts of the case:-
- (b) whether or not it is considered that there has been misconduct;
- (c) the terms of the disciplinary charge, if there has been misconduct; and
- (d) all relevant documents.

8 Action by Authority

On receipt of the report the Chairperson of the Authority may make such further inquiries as he or she may think necessary, and if the Chairperson considers that there has been misconduct inform the officer concerned in writing of the charge.

9 Right to respond to charge

The officer shall be given not less than seven days to respond to the charge.

10 Criminal offence

Where it is revealed or suspected from the report that the officer has in the course of his or her duties committed a criminal offence, the police shall be informed immediately.

11 Punishments for misconduct

Where the Chairperson of the Authority is satisfied that any act of misconduct warrants punishment, the Chairperson of the Authority shall at his or her discretion impose any of the following punishments.

- (a) in the case of a minor act of misconduct:
 - (i) issue a letter of warning;
 - (ii) reprimand; or
 - (iii) severe reprimand; and
- (b) in the case of more serious act of misconduct suspend or dismiss the officer from such officer's post and inform the Permanent Secretary of the Ministry that is responsible for the administration of the Pacific Games 2023.

- 12 These disciplinary rules shall not preclude the Authority establishing other standards of business conduct.

MADE IN HONIARA this eighth day of March, 2019.

HON. RICK NELSON HOUENIPWELA, MP
PRIME MINISTER

[Legal Notice No. 22]

PACIFIC GAMES 2023 ACT 2017

PACIFIC GAMES 2023 PROCUREMENT INSTRUCTIONS 2019

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PACIFIC GAMES 2023 PROCUREMENT INSTRUCTIONS 2019

IN exercise of the powers conferred upon the Minister under section 46 and as read with section 47 of the *Pacific Games 2023 Act 2017*, the following instructions are made.

1 Citation

These Instructions may be cited as the Pacific Games 2023 Procurement Instructions 2019.

2 Planning and prioritising

The Authority shall be responsible for planning and prioritising procurement activities to ensure maximum value.

3 Procurement activities to ensure prudent spending

All procurement activities shall be conducted in a way or manner that ensure prudent spending.

4 Procurement Activity

Procurement activity must not:

- (a) undermine competitive purchasing;
- (b) give unfair advantage to any bidder;
- (c) falsify a quotation to a bidder; or
- (d) apportion a procurement transaction into parts in order to avoid fair bidding or procurement instructions.

5 Procurement bidding process

- (1) The Authority must
 - (a) ensure that procurement notices are published in the newspaper and other media outlets;
 - (b) invite bids, submission, set minimum bidding periods and that bidding documents are available to bidders in reasonable time;

- (c) ensure that proper bid opening and bid evaluation processes are conducted in a transparent and fair manner; and
 - (d) publish the bid award in the newspapers;
- (2) In addition to the above requirements the Authority must develop annual procurement plans and maintain procurement source documents to support the appropriateness of payments made.

6 Procurement procedures and policies

The procurement procedures and policies set out in these Instructions shall be applicable and extend to all procurement processes carried out for the purposes of the Games by the Organising Committee and the Facilities Committee as it applies to the Authority.

7 Accounts to be managed by Accountable and Accounting Officers

The Accountable and Accounting Officer appointed under rule 12 of the Pacific Games 2023 Sports Solomon Special Fund Rules 2019 shall:

- (a) manage, use and account for all resources under his or her custody with high degree of care in the prescribed manner;
- (b) record all stores and property under his or her custody in proper books of accounts and maintain a register in the prescribed format; and
- (c) comply with the prescribed procedure relating to the handling of resources in terms of requisition, ordering, accounting, custody, and disposal.

8 Instructions to comply with other legislation

- (1) These instructions shall not be construed as overriding the Authority's requirements to comply with:
 - (a) the provisions of the rules and regulations made under Part 9 of the Public Financial Management Act 2013;

- (b) the Solomon Islands Government's Internal Financial Instructions 2014;
 - (c) the Solomon Islands Government Procurement and Contract Administration Manual 2013; and
 - (d) Financial Instructions Chapter 7 Supply Chain Management.
- (2) The provisions referred to above may be adopted with modifications as necessary for the Pacific Games.

9 Games Tender Board

- (1) The subcommittee appointed by the Authority under section 12 of the Act to assess tender bids shall be the Games Tender Board to assess and consider tender bids in accordance with procurement procedures and policies as set out in these instructions.
- (2) In performing the functions as set out in paragraph (1), the Games Tender Board shall ensure that such practices are consistent with Central Tender Board practices and in compliance with the provisions of instruction 8.

MADE IN HONIARA this eighth day of March, 2019.

HON. RICK NELSON HOUENIPWELA, MP
PRIME MINISTER

[Legal Notice No. 23]

PACIFIC GAMES 2023 ACT 2017

**PACIFIC GAMES 2023 SPORTS SOLOMON (SPECIAL)
FUND RULES 2019**

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**PACIFIC GAMES 2023 SPORTS SOLOMON (SPECIAL)
FUND RULES 2019**

IN exercise of the powers conferred upon the Minister under section 30 as read with section 47 of the *Pacific Games 2023 Act 2027*, the following Rules are made.

1 Citation

These Rules may be cited as the Pacific Games 2023 Solomon Sports (Special) Fund Rules 2019.

2 Purpose

The purpose of the Fund established under section 30 of the Act is as set out in section 31.

3 Financial Reporting Requirements

The Authority must strictly conform to the financial reporting requirements as stipulated in section 11 of the Act.

4 Monies to be received

All monies received by the Authority pursuant to section 32 of the Act must be receipted and deposited in a recognised licensed bank designated by the Government by the Accounting Officers.

5 Withdrawal of funds

Any monies withdrawn from the Fund must be for purposes authorised under section 33 of the Act.

6 Authorised signatories

- (1) The Authority must nominate the Chairperson or, in his or her absence, the Deputy Chairperson and two other persons, as authorised signatories to sign cheques and effect withdrawals.
- (2) The two other persons appointed as co-signatories, shall be the Accountable Officer and the Accounting Officer appointed under rule 12.
- (3) The Chairperson and the Accountable Officer shall be compulsory signatories for purposes of these rules.

7 Investigations

- (1) Where the Authority is informed or becomes aware of any alleged misuse of funds, it must promptly initiate an investigation by appointing a competent person recommended by the Auditor General to carry out an investigation and submit a report within a reasonable time, which shall not exceed 3 months.
- (2) Where an investigation is being carried out in terms of sub rule (1), the person who is the subject of the investigation must be suspended from his or her duties.

8 Investigation in case of fraud or other criminal act

Where the report alleges that there has been a suspected fraud, misappropriation, forgery or other likely criminal act, the Authority shall take immediate action to inform the Police to carry out an investigation.

9 Financial plans and budget preparation

The Authority, for the purposes of better administering the financial plans and budget preparation, must employ a qualified experienced personnel.

10 Accounts portfolio to comply with accounting practices and other legislation

The Authority, must at all times, ensure that in managing the accounts portfolio, it:

- (a) adheres to internationally accepted good accounting practices; and
- (b) ensure that it complies with the provisions of the Public Financial Management Act, its regulations and the Financial Instructions.

11 Prescribed Forms compatible with prescribed government forms

The Authority, in prescribing forms in relation to requisitions and payment vouchers, must ensure that such forms are compatible and in keeping with prescribed government forms.

12 Accountable and Accounting Officer

The Authority shall, in consultation with the Ministry responsible for Finance, appoint from the Secretariat, an officer to be the Accountable Officer, and another to be the Accounting Officer.

MADE IN HONIARA this eighth day of March, 2019.

HON. RICK NELSON HOUENIPWELA, MP
PRIME MINISTER