

LAWS OF SOLOMON ISLANDS

[1996 EDITION]

CHAPTER 60

IMMIGRATION

ARRANGEMENT OF SECTIONS

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**CHAPTER 60
IMMIGRATION**

AN ACT TO MAKE PROVISION FOR THE CONTROL OF IMMIGRATION

[29th September 1978]

27 of 1978
9 of 1982
8 of 1986
19 of 1987
20 of 1988
12 of 1989

**PART I
PRELIMINARY**

Short title

1. This Act may be cited as the Immigration Act.

Interpretation

2. In this Act unless the context otherwise requires—

"authorised aerodrome" means any area of land or water designed, equipped or set apart or commonly used for affording facilities for the landing and departure of aircraft, which has been declared by the Minister by notice to be an authorised aerodrome for the purpose of this Act;

"entry" with its grammatical variations means—

- (a) in the case of a person arriving by sea, disembarking in Solomon Islands from the vessel in which he arrives at a port of entry;
- (b) in the case of a person arriving by air at an authorised aerodrome, leaving the precincts of such aerodrome; and
- (c) in the case of a person arriving by air at any place other than an authorised aerodrome, landing in Solomon Islands;

Provided that it shall not include an entry—

- (i) made for the purpose of complying with this Act;
- (ii) expressly or impliedly sanctioned by an immigration officer for the purpose of any inquiry under the provisions of this Act; or

(iii) caused solely by stress of weather or the condition of a ship or aircraft, if all such measures as are reasonably practicable are taken forthwith to notify such entry to an immigration officer or other public officer.

"family" means wife and children under eighteen years of age;

"immigration officer" means an immigration officer appointed under the provisions of section 3 and includes the Principal Immigration Officer;

"Master" means the person for the time being having the charge of a ship or aircraft;

"member of a crew" means any person employed in the working or service of a ship or aircraft;

"permit" includes any kind of permit issued under the provisions of this Act;

"port of entry" means a port as defined in section 2(1) of the Customs and Excise Act;
Cap. 121

"prohibited immigrant" means a person declared to be a prohibited immigrant by section 11;

"research" has the same meaning as in the Research Act;
9 of 1982, s. 6
Cap. 152

"residence" with its grammatical variations means residence in Solomon Islands which is not unlawful under this Act;

"seaman" means an officer or member of the crew of a ship;

"visitor" means a person arriving in Solomon Islands for an intended stay of any period not exceeding three months.

20 of 1988, s. 2

PART II

APPOINTMENT AND POWERS OF IMMIGRATION OFFICERS

Appointment of Principal Immigration Officer and other officers

3.—(1) The Minister may appoint a Principal Immigration Officer and such other immigration officers as he may consider necessary for the proper carrying out of the provisions of this Act.

(2) The Principal Immigration Officer may delegate in writing all or any of his powers, functions or duties under this Act either generally or in any area in Solomon Islands, or for such periods or purposes as he may specify, to any immigration officer, and may at any time revoke or vary any such delegation:

Provided that no such delegation shall be deemed to divest the Principal Immigration Officer of all or any of his powers, functions or duties, and he may, if he thinks fit, exercise and perform such powers, functions and duties, notwithstanding the fact that he has so delegated them.

(3) The Minister may from time to time give to the Principal Immigration Officer directions not inconsistent with the provisions of this Act as to the exercise of any powers, discretions or functions or the performance of any duties under this Act or any regulations made thereunder, and the Principal Immigration Officer and all other immigration officers shall comply with any such directions.

Powers of immigration officers

4.—(1) For the purpose of exercising his powers and functions and carrying out his duties under this Act, an immigration officer may—

(a) without search warrant enter upon or into and search any ship, aircraft or vehicle in Solomon Islands;

(b) interrogate any person who desires to enter Solomon Islands, or any person whom he has reasonable grounds for believing to be a prohibited immigrant, or any person applying for extension of a permit or for exemption, or any person whom he reasonably believes can give material information regarding any such person as aforesaid, and may require any such person to produce such documents in his possession as may be necessary to enable the immigration officer to carry out his duties under this Act;

(c) require any person who desires to enter or leave Solomon Islands to make and sign any prescribed form of declaration unless such person has arrived on the same ship or aircraft which he is preparing to board;

(d) require any person who desires to enter Solomon Islands to submit to be examined by a Government medical officer and to undergo, and to assist in the carrying out of, any test or investigation which such medical officer may require;

(e) require a deposit or bond or other security to be made or given in respect of any person granted a permit and if any person who enters Solomon Islands by virtue of such permit, contravenes or fails to comply with any of the terms and conditions of the permit, or to which it is subject, any immigration officer may, without prejudice to proceedings in respect of any offence thereby committed, forfeit any such deposit or in the name of the Principal Immigration Officer sue and recover the amount secured by any such bond or other security; and any sum so forfeited or recovered shall be paid into the Consolidated Fund.

(2) If any immigration officer or any police officer has reasonable cause to suspect that any person has committed an offence against this Act or that the presence of any person in Solomon Islands is unlawful, and if it appears to him to be necessary to arrest such person immediately in order to secure that the ends of justice or the purposes of this Act shall not be defeated, he may arrest such person without a warrant. The provisions of sections 20, 23 and

24 of the Criminal Procedure Code Act shall apply in such case and for the purpose of such application of the said sections an immigration officer shall be deemed to be a police officer:

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Provided that where the person arrested is a person whom the immigration officer or police officer has reasonable cause to suspect of being a prohibited immigrant and such person is a passenger or seaman on a ship or aircraft, he may, if he consents, be handed over to the custody of the Master of the ship or aircraft until its departure from Solomon Islands.

(3) Any person who—

(a) refuses or fails to answer fully and truthfully any question or inquiry lawfully put to him in the course of interrogation under subsection (1)(b); or

(b) gives any answer which he knows or has reasonable cause to believe to be false or misleading to any such question or inquiry as aforesaid; or

(c) when required to produce any document under subsection (1)(b), refuses or fails to produce within a reasonable time any such document which it is in his power to produce, or produces any document which he knows or has reasonable cause to believe to be false or misleading,

shall be guilty of an offence.

(4) (a) All answers to questions lawfully put in interrogation and all documents produced under subsection (1)(b) shall be admissible in evidence, in all proceedings under or relating to any matter arising under or connected with this Act.

(b) Nothing in this subsection shall be construed as rendering any such answer or document inadmissible in evidence in any proceedings in which they would otherwise be admissible.

PART III ENTRY INTO SOLOMON ISLANDS

Duties of Masters of ships, aircraft and passengers

5.—(1) The Master of every ship or aircraft entering Solomon Islands from some place outside Solomon Islands shall—

(a) deliver to the immigration officer a complete list in duplicate of all passengers and seamen on the ship or of all landing passengers or other persons on board the aircraft as the case may be;

(b) not permit any person to disembark from a ship or aircraft until disembarkation has been authorised by the immigration officer;

(c) inform the immigration officer if he knows or has reasonable cause for believing any person to be a prohibited immigrant or a stowaway and prevent such person from disembarking unless authorised by the immigration officer;

(d) prevent, with such reasonable force as may be necessary, the disembarkation from a ship or aircraft of any person—

(i) who has been given into his custody under the proviso to section 4(2); or

(ii) in respect of whom to his knowledge a removal order made under section 13 or a deportation order under the Deportation Act is in force; or

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(iii) in respect of whom he has been notified by the immigration officer that such person is prohibited from landing in Solomon Islands.

(2) Every person entering Solomon Islands by sea or air from any place outside Solomon Islands shall appear before the immigration officer at such time and place as the immigration officer may direct and shall furnish him with such information in such manner as the immigration officer may require or as may be prescribed.

(3) If any Master of a ship or aircraft arriving in Solomon Islands contravenes or fails to comply with any of the provisions of paragraphs (a), (b), (c), or (d) of subsection (1), or furnishes a list of passengers and seamen which he knows or has reasonable cause to believe to be false or misleading, he shall be guilty of an offence against this Act, and if the offence is failure to comply with the provisions of paragraph (b) or paragraph (d) the owner of the ship and any agent of such owner in Solomon Islands shall also be guilty of a similar offence.

(4) The Minister may by order exempt the Master of any ship or the Masters of any class of ships or the Master of any aircraft or any person or group or class of persons from any or all the provisions of this section.

Control of entry into Solomon Islands

6.—(1) No person shall enter Solomon Islands from any place outside Solomon Islands unless—

(a) he is in possession of a valid permit lawfully issued to him under this Act; or

(b) he is exempted from the provisions of this section under section 7.

(2) Subject to the provisions of this Act no person shall remain in Solomon Islands after the expiry or cancellation of a permit.

Persons entitled to enter without a permit

8 of 1986, s. 2

7. Subject to the provisions of this section, a person who satisfies the Principal Immigration Officer that he comes into any of the following categories shall be entitled to enter, reside or work in Solomon Islands from any place outside Solomon Islands without having obtained a permit under this Act—

(a) any citizen of Solomon Islands and his children under the age of 18 years;

(b) until the 7th day of July 1980 any person who is entitled to apply to be registered as a citizen of Solomon Islands under the provisions of section 21(1) of the Constitution and the family of such person under the age of 18 years;

(c) any person who qualifies for citizenship within the terms laid down by section 20(1)(b) of the Constitution;

(d) any person to whom immunities and privileges have been extended in Solomon Islands under the Diplomatic Privileges and Immunities Act or any other Act and the family of such person;

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(e) any person employed in the service of the Government of Solomon Islands or the Government of any country or territory of the Commonwealth entering Solomon Islands in the course of his duty;

(f) the family of any person referred to in paragraph (e);

(g) any other person or class of persons whom the Minister may be order specify;

(h) any serving member of Her Majesty's Forces if the Principal Immigration Officer is satisfied that responsibility for his repatriation has been accepted by the Service concerned;

(i) a student of any age both of whose parents are, or whose only parent is resident in Solomon Islands who is entering Solomon Islands on vacation from or on completion of studies at a University, university college, school or other educational establishment:

Provided that any member of a family (including a student) who is entitled to enter Solomon Islands without a permit under this section and referred to in paragraphs (d), (f) and (i) who wishes to take up gainful employment other than in the service of Government must first comply with section 37 of the Labour Act and in default of so doing, in addition to the penalties prescribed under that section shall be deemed to be a prohibited immigrant in Solomon Islands for the purposes of section 14 of this Act.

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Permit to enter and reside

8.—(1) The Principal Immigration Officer may issue a permit in the prescribed form authorising a person to enter and reside in Solomon Islands subject to the conditions therein appearing provided that—

(a) such person has obtained a work permit from the Commissioner of Labour under section 37 of the Labour Act; or

(b) such person is not the subject of a deportation order under section 5 of the Deportation Act; and

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(c) such person has satisfied the Principal Immigration Officer that his financial status is adequate and the Minister has approved the reasons why the application for a permit under this section is made.

(2) It is a condition of every permit issued under this section that the person authorised shall not engage in research unless the permit states that he may do so.

9 of 1982, s. 6

(3) The Principal Immigration Officer shall not issue a permit to any person under this section, which states he is authorised to engage in research, unless he is satisfied that that person holds a research permit under the Research Act.

9 of 1982, s. 6
Cap. 152

Visitor's permit

9 of 1982, s. 6

12 of 1989, s. 2

9.—(1) The Principal Immigration Officer may issue a visitor's permit in the prescribed form to a visitor if he is satisfied that the visitor has a ticket or other means of travelling from Solomon Islands to some other country which he will be able to enter and for which he has a valid passport or other travel document.

(2) The conditions upon which a visitor's permit may be granted are that he, whilst in Solomon Islands, will not—

(a) behave in a manner prejudicial to peace or good order;

(b) engage in any business, profession or employment, whether for reward or not except with the approval of the Commissioner of Labour;

(c) engage in any religious vocation except with the approval of the Minister; and

(d) engage in research, except in accordance with the conditions of a research permit issued under the Research Act,

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and such permit shall be subject to any other conditions which the Principal Immigration Officer may impose consistent with the provisions of this Act:

Provided that a person to whom a visitor's permit has been issued may, during a period of thirty days immediately following the issue of such permit, notwithstanding the provisions of paragraph (b), engage in any business, profession or employment other than research in the course of duties arising from his normal employment outside Solomon Islands.

(3) A visitor's permit shall, subject to the provisions of this Act, entitle a visitor to remain in Solomon Islands for any period, or periods in the aggregate, not exceeding three months in any period of twelve months:

19 of 1987, s. 2

Provided that the Principal Immigration Officer may extend the period or aggregate periods for a further period or aggregate periods not exceeding three months if he is satisfied that there exist special circumstances justifying the extension.

(4) An immigration officer may cancel a visitor's permit if he is satisfied that the visitor—

(a) is not a person to whom a visitor's permit ought to have been issued;

(b) has become a prohibited immigrant;

(c) has become incapable of supporting himself or his dependants;

(d) has behaved in a manner prejudicial to the peace and good order of Solomon Islands; or

(e) is in breach of any of the conditions of his permit or to which it is subject.

Student's permit

10.—(1) The Principal Immigration Officer may issue a student's permit in the appropriate form for such period as he may think fit to any person who wishes to enter Solomon Islands for the purpose of undergoing education, apprenticeship or technical instruction, and may at his discretion extend such permit for such further periods as he thinks fit:

Provided that if any such permit has been cancelled under the provisions of subsection (3) no extension of such permit nor any new permit shall be issued to the student except with the prior approval of the Minister.

(2) A student's permit shall be subject to the condition that the student does not during his stay in Solomon Islands—

9 of 1982, s. 6

(a) take up employment except as part of his education, apprenticeship or technical instruction, except with the prior approval of the Principal Immigration Officer;

(b) behave in a manner prejudicial to peace, good order, good Government or public morality; or

(c) engage in research without a research permit issued under the Research Act,

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and be subject to such other conditions as may be prescribed.

(3) An immigration officer may cancel a student's permit if he is satisfied that there has been a breach of the conditions subject to which it was granted, or that the person concerned has ceased to be a student.

Prohibited immigrants

11.—(1) Any person who—

(a) is not a person entitled to enter Solomon Islands without a permit under the provisions of section 7; and

(b) is a member of any of the prohibited classes as defined in subsection (2) of this section,

shall be a prohibited immigrant and, save as otherwise hereinafter expressly provided, his presence in Solomon Islands shall be unlawful, notwithstanding any permit he may hold.

(2) The following persons are members of the prohibited classes—

(a) any person who, not being exempt, is not the holder of a valid permit issued or deemed to have been issued under this Act;

(b) any person in respect of whom a deportation order under the Deportation Act or a removal order under this Act is in force;

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(c) any person who at the time of entry into Solomon Islands is unable to show that he has the means of supporting himself and his family and dependants (if any) or who is likely to become a pauper or a charge on the public;

(d) any person—

(i) who refuses to submit to an examination by a Government medical officer after being required to do so under section 4(1)(d) or to undergo, or to assist in the carrying out of any test or investigation which such medical officer may require; or

(ii) who at the time of his entry into Solomon Islands is certified by the Government medical officer to be suffering from a contagious or infectious disease which makes his presence in Solomon Islands dangerous to the community; or

(iii) in respect of whom at the time of his entry into Solomon Islands the Government medical officer certifies that he is suffering from mental disorder or is a mental defective, and that his presence in Solomon Islands would be a danger to the community;

(e) any person who, not having received a free pardon, has been convicted by a court outside Solomon Islands of an offence which, if committed within Solomon Islands is punishable with imprisonment for a term of more than two years and who in respect of such offence has been sentenced to imprisonment for a term of one year or more, or who has been convicted by courts outside Solomon Islands of two or more offences, which if committed within Solomon Islands would have been punishable by imprisonment, and in respect of such convictions has been sentenced to imprisonment for terms amounting in the aggregate to eighteen months or more:

Provided that the Principal Immigration Officer with the prior approval of the Minister in his discretion, in the case of a person whose last sentence of imprisonment expired more than five years before the date upon which he desires to enter Solomon Islands may direct that such person shall be exempted from the provisions of this paragraph and any person in respect of whom such exemption is granted shall not thereafter be held to be a prohibited immigrant by reason only of his having been so convicted and sentenced;

(f) any person who prior to his entry in Solomon Islands or within one year thereafter in consequence of information received from any Government, through official or diplomatic channels, or from any other source deemed by the Minister in his discretion to be reliable, is declared by the Minister in his discretion to be an undesirable immigrant;

(g) any person who is a member of any class or group of persons declared by the Minister by order to be a prohibited class for the purposes of this section;

(h) any member of the family and any dependant of a prohibited immigrant, unless the Minister in his discretion declares that such member of the family or such dependent is not a member of this prohibited class.

(3) The burden of proof that any person is not a prohibited immigrant shall lie upon that person. In any case where an immigration officer refuses to allow any person to enter Solomon Islands on the ground that such person is a prohibited immigrant he shall, if so requested by such person, inform him of the class of prohibited immigrant of which in the opinion of the immigration officer he is a member.

Issue of permits to be discretionary

12. Subject to the provisions of this Act and to any directions issued by the Minister thereunder, the Principal Immigration Officer shall have complete discretion as to the persons to whom permits may be granted under this Act and to the extension of such permits.

Effect of expiration or cancellation of a permit

13. It shall be unlawful for any person to remain in Solomon Islands after the expiration or cancellation of any permit issued or deemed to be issued to or in respect of him under this Act unless he is otherwise entitled or authorised to remain in Solomon Islands under this Act and he shall be deemed to be a prohibited immigrant.

PART IV MISCELLANEOUS

Deportation

14. Any person who is a prohibited immigrant or a member of a prohibited class shall be dealt with in accordance with the procedure for making a deportation order under the provisions of the Deportation Act unless such person voluntarily places himself aboard the first available ship or aircraft leaving Solomon Islands and consents to remain in police custody during the interim.

Proof of documents

15. Every document purporting to be a delegation, order, permit, declaration or cancellation under or in pursuance of the provisions of this Act and to be executed by the Minister, the Principal Immigration Officer or an immigration officer shall be received in evidence and shall without further proof be deemed to have been executed by the Minister, the Principal Immigration Officer or the immigration officer, as the case may be, unless the contrary is shown.

No suit or damages maintainable for things done in good faith under this Act

16. No suit or other legal proceedings for damages shall be instituted in any court of law against the Government or any immigration officer or any other officer of the Government or any other person for or on account of or in respect of any act, matter or thing done or omitted to be done or purported to be done or omitted to be done in good faith in the performance or exercise or intended performance or exercise of any duty or power imposed or conferred by or under this Act; and the provisions of this section shall extend to the protection from liability as aforesaid of any person deputed by delegation under this Act or under any other law for the time being in force to perform or exercise any such duty or power as aforesaid.

Appeals

17.—(1) Any person aggrieved by a decision of an immigration officer under the provisions of this Act may appeal therefrom by petition in writing to the Minister who may in his discretion uphold, vary or revoke such decision:

Provided that no such appeal shall lie from decisions made by an immigration officer acting in accordance with the directions of, or instructions given in respect of any particular case by, the Minister.

(2) The Principal Immigration Officer may grant to any person, not being a prohibited immigrant, and to any member of his family, who intends to appeal to the Minister under the provisions of subsection (1) or who seeks to take action available to him before a court, to obtain redress against the decision of an immigration officer, an interim permit allowing him to enter or to remain in Solomon Islands pending the determination of such appeal or action:

Provided that any such appeal or action is lodged or commenced within fourteen days of such decision.

(3) No permit shall be granted under this section unless the Principal Immigration Officer is satisfied that the person concerned is unlikely to become a charge on the public during the currency of the permit. Any such permit may be cancelled by the Principal Immigration Officer if the person concerned appears likely to become a charge on the public or if the appeal or action is not prosecuted within such period of fourteen days, and if not cancelled, shall expire on the giving of a decision of the Minister.

Offences and penalties

18.—(1) Any person who—

(a) for the purpose of obtaining for himself or for any other person or of assisting any other person to obtain any permit, exemption or other advantage under this Act or with intent to deceive any immigration officer, makes any oral declaration or makes or causes or omits to make or cause to be made any statutory declaration, return, statement, application or other writing which he knows or has reasonable cause to believe to be false or misleading; or

(b) otherwise than with the authority of the Principal Immigration Officer (the burden of proof whereof shall be upon the accused person) alters, or wilfully defaces, any permit made under or in pursuance of the provisions of this Act, or any official or certified copy of any such permit; or

(c) resists, hinders or obstructs any immigration officer or other officer or person in the lawful execution of his duty, or in the lawful exercise of his powers, under this Act; or

(d) knowingly misleads or attempts to mislead any immigration officer in relation to any matter material to the performance or exercise by any immigration officer of any duty, function, power or discretion under this Act; or

(e) unlawfully uses or without lawful authority (the burden of proof whereof shall be upon the accused person) has in his possession any forged or unlawfully altered permit or other document issued or purported to have been issued under this Act or any forged or unlawfully altered birth certificate, marriage certificate or other document purporting to establish age, status or identity; or

(f) knowingly uses or has in his possession any unlawfully issued or otherwise irregular permit or other document issued or purported to have been issued under this Act; or

(g) refuses or fails to submit to a medical examination, or to undergo or assist in carrying out any test or investigation in connection with a medical examination when so required under section 4(1)(d); or

(h) having arrived in Solomon Islands or is about to depart therefrom as a passenger by sea or air from any place outside Solomon Islands fails to appear before an immigration officer as directed by him; or

(i) unlawfully enters or is unlawfully present within Solomon Islands in contravention of the provisions of this Act; or

(j) refuses or fails to comply with any notice issued to him under the provisions of this Act or any regulations made thereunder, with which he is required by this Act or such regulations to comply; or

(k) refuses or fails to comply with any lawful term or condition subject to which any permit is or has been issued to him under this Act and with which he is required by this Act to comply; or

(l) not being a person exempt under the provisions of section 7 nor the holder of a permit to do so, engages in any business, profession or employment, whether for reward or not or engages in any religious vocation without the approval of the Principal Immigration Officer or under the proviso to section 9(2); or

(m) employs or continues to employ any person who is neither exempt under the provisions of section 7 nor the holder of a permit to work; or

(n) harbours or assists any person whom he knows or has reasonable cause to believe to be a person whose presence in Solomon Islands is unlawful; or

(o) uses any certificate, permit or exemption issued to or in respect of any other person as if it had been issued to or in respect of himself; or

(p) gives, sells, lends or parts with possession of any certificate, permit or exemption in order that, or intending or knowing or having reasonable cause to believe that, it may be used in contravention of the provisions of paragraph (o) of this subsection,

shall be guilty of an offence.

(2) For the purposes of any proceedings for an offence under paragraph (a) of subsection (1), any declaration, return, statement, application or other writing to which that paragraph relates shall be deemed to have been made, or, as the case may be, the causing thereof to be made shall be deemed to have been done, at the time and place at which the same was received by the officer or person to whom it was addressed.

(3) Any person convicted of an offence against the provisions of this Act for which no penalty is specified shall be liable to a fine not exceeding one thousand dollars or to imprisonment for three years or to both such fine and such imprisonment.

(4) Where any person is convicted of an offence under paragraph (a) of subsection (1) the court may, in addition to any penalty imposed for such offence, cancel any permit which was issued in consequence of such false declaration, return or statement as is mentioned in that paragraph.

(5) Where any person is convicted of an offence under this section the Minister may, in addition to any penalty imposed by any court for such an offence, cancel his permit.

Regulations

19. The Minister may make regulations prescribing anything which may be prescribed under the provisions of this Act and for the better carrying out of the purposes and provisions thereof.

CHAPTER 60 IMMIGRATION

NOTICE DECLARING AUTHORISED AERODROMES

LN 64/1978

(Section 2)

[29th September 1978]

**THE AREAS OF LAND SPECIFIED IN THE SCHEDULE ARE HEREBY
DECLARED TO BE AUTHORISED AERODROMES FOR THE PURPOSES OF THE
ACT.**

SCHEDULE

Honiara (Henderson) Aerodrome—

The area of land situate at Lunga in the island of Guadalcanal commonly known as Henderson Airfield, which area is delineated on Plan Number 2238 deposited in the office of the Commissioner of Lands, Honiara and thereon edged green.

Munda Aerodrome—

The area of land situate near Munda Point in the island of New Georgia, which area is delineated on Plan Number 2215 deposited in the office of the Commissioner of Lands, Honiara and thereon edged green.

Gizo (Nusatupe) Aerodrome—

The area of land situate on Nusatupe island, Gizo, which area is delineated on Plan Number 1743 deposited in the office of the Commissioner of Lands, Honiara and thereon edged red.

Graciosa Bay (Luova) Aerodrome—

The area of land situate at Graciosa Bay in the island of Santa Cruz, which area is delineated on Plan Number 1744 deposited in the office of the Commissioner of Lands, Honiara and thereon edged red.

Balalai Aerodrome—

The area of land situate on Balalai island, which area is delineated on Plan Number 1751 deposited in the office of the Commissioner of Lands, Honiara and thereon edged red.

THE IMMIGRATION (MASTERS' DUTIES) (EXEMPTION) ORDER

LN 62/1978

(Section 5(4))

[29th September 1978]

1. This Order may be cited as the Immigration (Masters' Duties) (Exemption) Order.
2. The Masters of—

(a) naval ships and military aircraft of all nationalities, authorised to visit Solomon Islands; and

(b) cruise ships visiting Solomon Islands, that is to say ships primarily engaged in carrying passengers which visit Solomon Islands in the course of a cruise,

are hereby exempted from the provisions of section 5(1)(a) of the Immigration Act:

Provided that this exemption shall not in any case apply to or in relation to any person who remains or intends to remain in Solomon Islands after the departure of the ship or aircraft in which that person arrives.

THE IMMIGRATION (ENTRY PERMITS) (EXEMPTION) ORDER

LN 63/1978

(Section 7(g))

[29th September 1978]

1. This Order may be cited as the Immigration (Entry Permits) (Exemption) Order.
2. The following classes of persons may enter Solomon Islands without a permit, that is to say—

(a) dependent children under the age of eighteen years of any person resident in Solomon Islands, not otherwise entitled to enter Solomon Islands without a permit;

(b) transit passengers in possession of confirmed onward bookings by air or by sea who do not remain in Solomon Islands for more than seven days; and

(c) persons who, having entered, leave Solomon Islands in the ship in which they arrived provided the duration of their stay is not in excess of two days and further provided that such persons are accommodated on board the ships in which they arrive throughout the period of their stay in Solomon Islands.

**THE IMMIGRATION (ENTRY AND RESIDENCE PERMITS) GOVERNMENT
EMPLOYEES' SPOUSES (EXEMPTION) ORDER**

LN 7/1987

(Section 7(g))

[20th February 1987]

1. This Order may be cited as the Immigration (Entry and Residence Permits) Government Employees' Spouses (Exemption) Order.

2. The spouse of any person employed in the service of the Government is entitled to enter and reside in Solomon Islands without having to obtain entry and residence permit under the Immigration Act.

THE IMMIGRATION (FEES AND FORMS) REGULATIONS

LN 65/1978
LN 61/1980
LN 48/1982
LN 60/1986
LN 33/1987
LN 94/1988
LN 152/1990
LN 119/1991
LN 71/1995
LN 107/1995

(Section 19)

[29th September 1978]

1. These Regulations may be cited as the Immigration (Fees and Forms) Regulations.
2. Every person applying for a permit to enter and reside in Solomon Islands shall complete and sign an application therefor in Form 1 in the First Schedule to these Regulations and forward the same to the Principal Immigration Officer in Honiara.
3. A permit to enter and reside in Solomon Islands shall be in Form 2 in the First Schedule.
4. A student's permit shall be in Form 3 in the First Schedule.
- 5.—(1) A visitor's permit shall be stamped in the visitor's passport or other travel document in Form 4 in the First Schedule, or otherwise issued in Form 5 in the said Schedule.

LN 94/1988

(2) A visitor who wishes to apply for an extension of the period of validity of his visitor's permit may make application in Form 1A in the First Schedule and forward the application to the Principal Immigration Officer.

LN 94/1988

(3) Where an extension is granted to a visitor pursuant to an application made under paragraph (2), the visitor's permit shall be stamped in the manner set out in Form 4A in the First Schedule.

LN 94/1988
6. A transit stamp in respect of any transit passenger permitted to enter without a permit under Section 7(g) of the Act shall be in Form 6 in the First Schedule.

7. Every person entering Solomon Islands shall complete a disembarkation card in Form 7 in the said First Schedule and deliver it to an immigration officer on arrival, or hand it to a member of the crew of the ship or aircraft in which the person is travelling for such purpose.

8. Every person departing from Solomon Islands shall complete an embarkation card in Form 8 in the First Schedule and deliver it to an immigration officer or to the agent of the ship or aircraft in which the person is travelling, prior to the person's departure.

9. An exemption stamp in respect of persons entitled to enter without a permit, under Section 7(b) of the Act shall be in Form 9 in the First Schedule.

LN 94/1988

10. Any immigration officer requiring a bond under section 4(1)(e) of the Act, may require it to be executed in Form 10 in the First Schedule.

11.— (a) Any person being or having been lawfully within the Solomon Islands and who proposes to leave or has left Solomon Islands temporarily may make application to the Principal Immigration Officer for a re-entry permit and such application shall be made in Form 11 in the First Schedule or in such other form as the Principal Immigration Officer may require.

(b) So far as is practicable a re-entry permit shall be in Form 12 in the First Schedule and shall be endorsed upon the holder's passport or other travel document.

(c) The normal period of validity of a re-entry permit shall be the anticipated period of absence from Solomon Islands but shall not in any case exceed two years from the date of issue.

12. Notwithstanding the other provisions of these Regulations, the Principal Immigration Officer may give a permit in such form and upon such application as he may deem fit.

13. There shall be paid in respect of the several matters specified in the first column of the Second Schedule to these Regulations, the fees specified in relation thereto in the second column of that Schedule provided that the Minister may waive any fee in any particular case.

FIRST SCHEDULE

FORM 1

IMM.1

IMMIGRATION ACT

APPLICATION FOR A PERMIT TO ENTER AND RESIDE IN SOLOMON ISLANDS

THIS FORM WHEN COMPLETED IS TO BE SENT WITH THE FEE OF \$10.00 TO:—

THE PRINCIPAL IMMIGRATION OFFICER,
IMMIGRATION DIVISION,
POLICE HEADQUARTERS,

HONIARA, S.I.

Each person applying for a permit to enter and reside must make a separate application, except that children under 18 years of age may be included in the application by a parent or guardian.

The applicant should not leave for the Solomon Islands until notification is received that the application has been approved.

I(full name)

of(full postal address)

do hereby make application for a permit to enter and reside in Solomon Islands.

I submit the following particulars concerning myself:

1. (a) Passport number:

(b) Place and date of issue:

(c) Valid until:

2. Place and date of birth:

3. (a) Present nationality (country of which citizen or subject):

(b) Previous nationality (if any):

(c) Reason for and date of change:

4. Parents:

(a) Father

(b) Mother

5. (a) Marital state (Single, Married, Divorced or Widowed):

(b) (If married) full name of husband:

or

Full name and maiden name of wife:

6. Children under 18 years of age accompanying applicant:

NAME	DATE OF BIRTH	SEX
------	---------------	-----

7. Racial Origin (e.g. European, Asian, Polynesian):

8. Personal Description:
- Complexion Sex
- Colour of Hair Colour of eyes
- Height feet inches. Weight
9. Last country of permanent residence: (Permanent residence means residence for 12 months or longer)
10. (a) Occupation at time of application:
- (b) Name and address of employer:
11. Proposed date of departure for Solomon Islands:
12. Intended occupation, name of employer (if any) and place of proposed residence in Solomon Islands:
13. Name and address of not more than two friends or relatives, if any, who are resident in Solomon Islands:
1.
2.
14. If previously resident in Solomon Islands, give place of residence and dates of arrival and departure:
15. Have you ever been deported from or refused entry to Solomon Islands, or other Commonwealth country?
16. Have you ever been convicted of any offence before any court?
If so, state in which court the offence of which you were found guilty and the sentence: (if you have not been convicted in your country of any offence, you are required to produce a declaration under oath to that effect, such declaration should be certified by the Criminal Records Division of the district or state of your country.)
- LN 94/1988*
17. Have you ever been a patient in a mental hospital or home? If so give full particulars:

*I declare that the particulars set out in this application are true and correct in every respect and that the photograph affixed hereto is a true likeness of me.

Date

Signature of Applicant

Signed by the applicant in my presence at

Applicant to

affix photograph
here

on

Signature of Witness to Declaration

**NOTE: THIS APPLICATION WILL NOT BE CONSIDERED UNLESS ALL QUESTIONS
HAVE BEEN ANSWERED FULLY.**

*Under Section 18 of the Immigration Act misleading or false information is punishable by a fine of one thousand dollars or imprisonment for three years or to both such fine and imprisonment and may also result in cancellation of any permit in pursuance of this application.

LN 94/1988

FORM 1A

Reg. 5(2)

APPLICATION FOR EXTENSION OF VISITOR'S PERMIT

APPLICATION NO:

FULL NAME:

DATE OF BIRTH:

PLACE OF BIRTH:

NATIONALITY:

OCCUPATION:

PASSPORT NO: PLACE OF ISSUE:

DATE OF EXPIRY:

ADDRESS WHILE IN SOLOMON ISLANDS:

ADDRESS OVERSEAS:

DATE ENTERED SOLOMON ISLANDS: DATE OF EXPIRY OF PRESENT PERMIT:

PURPOSE OF VISIT:

REASON(S) FOR APPLICATION FOR EXTENSION:

PERIOD OF EXTENSION APPLYING FOR:

ONWARD/RETURN (AIRLINE OR OTHERS) TICKET VALID UNTIL:

DO YOU HAVE SUFFICIENT FUNDS TO SUSTAIN YOU FOR THE PERIOD OF
EXTENSION? (GIVE DETAILS OF THE FUNDS):

FORM 3

THE IMMIGRATION ACT

Reg. 4 No.

**STUDENT'S
PERMIT TO ENTER AND RESIDE
IN SOLOMON ISLANDS**

Permission to enter and reside in Solomon Islands is hereby granted to

Subject to the provisions of the Immigration Act and Regulations and to compliance with the following conditions:—

1. That security in the sum of \$ be deposited, or a Security Bond for that sum be lodged by (Name and address)
2. This permit will expire on unless previously renewed.
- *3. That the Permit Holder engage only in training for the following occupation or profession:—
- *4. That on arrival in Solomon Islands he/she will be trained by and will forthwith report to the Principal Immigration Officer if such training ceases.
- *5. That he/she will not change his/her place of training without prior written consent of the Principal Immigration Officer.

*(Other conditions)

*

Honiara,
Solomon Islands 19

Signature of Permit Holder for Principal Immigration Officer

*The Principal Immigration Officer may strike out all or any of these conditions and may add others

NOTE: Application for renewal must be made in writing at least two months before the expiry date. Under the Immigration Act it is unlawful for a person to remain in Solomon Islands after expiration of his/her permit.

FORM 4

Reg. 5

**SOLOMON ISLANDS
VISITORS PERMIT**

Subject to the Immigration Act
enter and remain until

Permitted to

.....

HONIARA: Date of Entry
.....Immigration Officer.

The holder of this permit is not to engage in any
employment without the written sanction of the
Commissioner of Labour.

FORM 4A

LN 94/1988
Reg. 5(3)

SOLOMON ISLANDS

This visitor's permit has been extend to:

.....

Immigration Officer
Station.....

Date

FORM 5

Reg. 5

**SOLOMON ISLANDS
VISITORS PERMIT**

No.

Subject to the provisions of the Immigration Act, 1978 and Regulations and to conditions set
out below.

Name:
is hereby permitted to enter and reside in Solomon Islands until

CONDITIONS*

Port of Entry:

Issuing Officer:

Date:

*Contravention of any condition is punishable by a maximum fine of one thousand dollars and may also result in the cancellation of this Permit.

FORM 6

Reg. 6

**SOLOMON ISLANDS
IMMIGRATION
TRANSIT PASS**

.....
VALID FOR SEVEN
DAYS

HONIARA

.....Imm. Officer

FORM 7

LN 94/1988
Reg. 7

**SOLOMON ISLANDS
IMMIGRATION ACT
DISEMBARKATION CARD**

(All passengers must complete and sign this card)

Surname: Mr/Mrs/Miss:

Other name(s) in full:

Ship or flight No:

Final Destination:

Passport No:

Nationality:

Date of birth: Sex: (tick) Male/Female

Present Address:

Address in Solomon Islands:

Purpose of travel: (tick the appropriate box)

Returning Intending
Resident resident Visitor

Visitors only; Purpose of visit: (tick the appropriate box)

Business/conference Holiday/vacation
Visiting friends/relatives Other purpose (state)

Intended length of stay (No. of nights):

Date: Signature:

FORM 8

Reg. 8

**SOLOMON ISLANDS
THE IMMIGRATION ACT**

EMBARKATION CARD

(All Passengers must complete Part I and sign this card)

PART I.

(To be completed by all passengers)

SURNAME: Mr/Mrs/Miss:
(in block letters)

OTHER NAMES IN FULL:
(in block letters)

Date of arrival in Solomons:

Final destination:

Nationality (as given in passport)

Passport No:

Place of issue:

Intended length of stay abroad:

PART II.

(To be completed by all passengers leaving Solomon Islands for the first time)

Country of birth:

Date of birth:

Permanent address:

Date: Signature:

NOTE: Details of accompanying children under 16 years of age must be given on the back of this card.

Accompanying children under 16 years of age included on your passport:—

NAME	DATE OF BIRTH	SEX
------	---------------	-----

FOR OFFICIAL USE ONLY

Port:

Remarks:—

Date:

Signed:
(Immigration Officer)

FORM 9

LN 94/1988
Reg. 9

SOLOMON ISLANDS

EXEMPTION STAMP

Entitled to enter Solomon Islands without a permit under section 7 of the Immigration Act.

This exemption is valid until

.....

.....
Principal Immigration Officer

Date:

FORM 10

Reg. 10

SOLOMON ISLANDS

THE IMMIGRATION ACT BOND

KNOW ALL MEN by these presents that we acknowledge ourselves jointly and severally bound unto the Principal Immigration Officer for the time being in and for Solomon Islands in the sum of to be paid to the said Principal Immigration Officer for the time being for which payment we bind ourselves and each of us, the whole, our and each of our heirs, executors and administrators, firmly by these presents.

Sealed with our Seals

Dated the day of One thousand nine hundred and

L.S.

L.S.

WHEREAS

has been permitted to enter and reside in Solomon Islands upon and subject to the conditions contained (inter alia) in a certain Permit bearing date
the day of 19 , and numbered

NOW THE CONDITION of the above-written obligation is that if the said shall keep observe and comply with each and every one of the conditions contained in the said Permit and with the provisions of the law relating to immigration for the time being in force in Solomon Islands then this Bond shall be void and of no effect otherwise the same shall stand and remain in full force and effect.

Signed, sealed and)
delivered by the)
above-mentioned)

In the presence of:

Name of witness

Address of witness

Occupation of witness

Signed, sealed and)
delivered by the)
above-mentioned)

In the presence of:

Name of witness

Address of witness

Occupation of witness

FORM 11.

Reg. 11(a)

APPLICATION FOR A RE-ENTRY PERMIT
(All particulars to be completed in block capitals)

PARTICULARS

1. Full names of applicant: Mr/Mrs/Miss
2. Address:
3. Date of first arrival in Solomon Islands
4. Date of anticipated return to Solomon Islands
5. Passport No. Date and place of issue

Date:

Signature of applicant

FOR OFFICIAL USE ONLY

Re-entry permit No. Valid until

Issued:

REMARKS:

Date:

for Principal Immigration Officer

NOTES

1. The normal period for which a re-entry permit is issued is the expected period of absence but in no case will the validity be for more than two years.
2. A re-entry permit is stamped only in a valid passport which must accompany this application.
3. If the applicant's presence in the Solomon is subject to his being employed by a specified employer, this application must be accompanied by a letter from his employer stating that the applicant's departure is authorised and that he will be returning to the same employment.

FORM 12

Reg. 11(b)

SOLOMON ISLANDS

RE-ENTRY PERMIT

(Issued subject to the provisions of the Immigration Act)

Valid until

Date of issue

.....
for Principal Immigration Officer

SECOND SCHEDULE

LN 71/1995
LN 107/1995

(Reg. 13)

First Column Matter for which fee payable	Second Column Fees Payable
On application for a permit to enter and reside under section 8.	\$200.00
On issue of a permit to enter and reside under section 8, for each month.	\$50.00
On application for a student permit under section 10.	\$130.00
On issue of a student permit under section 10.	\$30.00
On issue of a replacement permit under section 8.	\$200.00

On issue of a replacement permit under section 10.	\$130.00
On application for renewal/extension of a permit under section 8.	\$180.00
On issue for renewal/extension of a permit under section 8, for each month.	\$30.00
On application for renewal/extension of a permit under section 10.	\$80.00
On issue for renewal/extension of a student permit under section 10, for each month.	\$20.00
On application for a conversion of a permit under section 9 to a permit under section 8.	\$300.00
On application for conversion of a permit under section 9 to a permit under section 10.	\$250.00
On application for amendment or variation of an existing permit.	\$100.00
On application for extension for a permit under the proviso to section 9, for each month.	\$30.00
On application for a permit under section 17.	\$60.00
On issue of a permit under section 17, for each month.	\$40.00
On application for single re-entry permit under regulation 11.	\$110.00
On application for a multiple re-entry permit under regulation 11.	\$180.00
On application for a permit under section 8, for spouses of Solomon Islands citizens.	\$100.00
On issue of a permit under section 8 for spouses of Solomon Islands citizens.	\$10.00
For an appeal lodged under section 17.	\$300.00
On application for renewal/extension of permit under section 8, for foreign spouses of Solomon Islands citizens.	\$80.00
On issue of renewal/extension of permit under section 8 for foreign spouses of Solomon Islands citizens for each month.	\$5.00
On application for addition of particulars of child/children on any existing permit issued under sections 8 and 10.	\$40.00

THE IMMIGRATION (YACHT) REGULATIONS

LN 16/1990

(Section 19)

[2nd February 1990]

Short title

1. These Regulations may be cited as the Immigration (Yacht) Regulations.

Definitions

2. In these Regulations, the expression—

"alien" means a person other than a person who falls within the categories of persons set out in paragraphs (a) to (i) of section 7 of the Act;

"immigration officer" means an immigration officer boarding the yacht;

"Master" means the person for the time being in charge of the yacht.

Particulars to be supplied on arrival of yacht

3. The Master of a yacht entering Solomon Islands shall, as soon as reasonably practicable after the arrival of the yacht at a port of entry, furnish the immigration officer with the particulars required in forms 1 and 2 of the Schedule by completing the forms and delivering them to the immigration officer.

Taking new crew on board a yacht

4. The Master of a yacht entering Solomon Islands shall not, while the yacht is in Solomon Islands, employ or accept any alien as a member of the crew, or as a passenger, on board the yacht unless the Master—

(a) has given to the Immigration Officer a notice specifying the particulars required in Part A of form 3 of the Schedule; and

(b) has made before the immigration Officer the undertaking set out in Part B of form 3 of the Schedule.

Transfer of crew from one yacht to another

5. The Master of a yacht entering Solomon Islands shall not, while the yacht is in Solomon Islands, require or allow a member of the crew of the yacht or a passenger on board the yacht to be transferred to, or to be employed as a member of the crew of, another yacht unless the Master has given to the Immigration Officer a notice on form 4 of the Schedule.

Termination of employment of crew member

6. Except as provided for in regulation 5, the Master of a yacht entering Solomon Islands shall not, while the yacht is in Solomon Islands, require or allow a member of the crew of, or a passenger on board, the yacht to cease to be a member of the crew or a passenger, as the case may be, unless the Master—

(a) gives to the Immigration Officer a notice in form 5 of the Schedule; and

(b) produces to the satisfaction of the immigration officer evidence showing that the member of the crew or the passenger has in his possession a valid ship or airline tick entitling him to depart from Solomon Islands not later than 2 weeks after he ceases to be a member of the crew or passenger, as the case may be.

Particulars to be supplied before departure

7. The Master of a yacht entering Solomon Islands shall, not later than 3 days before the vessel departs from Solomon Islands, furnish the immigration officer with the particulars required by form 6 of the Schedule by completing the form and delivering it to the immigration officer.

Offence and penalty

8. The Master of a yacht who contravenes regulations 3, 4, 5, 6 or 7 is guilty of an offence and liable to a fine of \$100.00 or to imprisonment for 3 months or to both such fine and imprisonment.

SCHEDULE

SOLOMON ISLANDS

[COAT OF ARMS]

Form 1
(Regulation 3)

MINISTRY OF COMMERCE AND PRIMARY INDUSTRIES

PARTICULARS TO BE SUPPLIED BY MASTER OF YACHT UPON ARRIVAL IN SOLOMON ISLANDS

This statement must be completed in duplicate by the Master of the yacht and should be handed in to the Immigration Officer boarding the yacht.

Name of Yacht Last Port of Call

Next Port
of Call

(Regulation 3)

**PARTICULARS RELATING TO YACHT TO BE SUPPLIED BY
MASTER OF YACHT UPON ARRIVAL IN SOLOMON ISLANDS**

1. Name of Yacht:
2. Port Registered:
3. Registered No.:
4. Nationality:
5. Owner's Name:
6. Owner's Residential Address:
7. Master's Name:
8. Length of Yacht:
9. Beam:
10. Colour of Hull:
11. Colour of Deck:
12. Type:
13. Rig:
14. Type of Mast/Colour:
15. Type of Radio Equipment:
16. Radio Call Sign:
17. Number of Previous Visits to Solomon Islands:
18. Previous Name(s) of Yacht:
19. Previous Owner(s):
20. Remarks:

Date: Sgd.

Master

SOLOMON ISLANDS

[COAT OF ARMS]

MINISTRY OF COMMERCE AND PRIMARY INDUSTRIES

Form 3
(Regulation 4)

PART A

NOTICE OF YACHT CREW MEMBER/PASSENGER RECRUITED IN SOLOMON ISLANDS

1. Name of Yacht:
2. Master of Yacht:
 - (a) Name and overseas address:
 - (b) Nationality:
 - (c) Passport No:
3. Person recruited:—
 - (a) Name and overseas address:
 - (b) Nationality:
 - (c) Passport No.:
 - (d) Place and Date of Birth:
 - (e) Date entered Solomon Islands:
 - (f) Reason for entry into Solomon Islands:

PART B

UNDERTAKING BY MASTER OF YACHT

I, (a) , Master of (b) ,
having employed/accepted* Mr/Miss/Mrs* (c)
as a member of the crew/passenger on board* my yacht (b)
on (d) , do hereby undertake—

1. to be fully responsible for the maintenance and welfare of the said Mr/Miss/Mrs* (c) while he/she is in Solomon Islands;
2. to be responsible for his/her* repatriation from Solomon Islands should it become necessary; and
3. not to allow him/her* to disembark from the yacht unless he/she* has been cleared and permitted by the immigration officer to disembark.

Date: Sgd:

Master

- (a) Insert name of Master.
- (b) Insert name of yacht.
- (c) Insert name of the person recruited.
- (d) Insert date of recruitment.

*Cross out whichever is applicable.

SOLOMON ISLANDS

[COAT OF ARMS]

MINISTRY OF COMMERCE AND PRIMARY INDUSTRIES

Form 4
(Regulation 5)

**NOTICE OF TRANSFER OF CREW/PASSENGER TO
ANOTHER YACHT**

1. Person transferred:

Name:

Occupation:

Overseas address:

Nationality:

Passport No.:

Place of birth:

Date of birth:

2. Yacht from which transfer is made

Name of yacht:

Name of Master:

Nationality of Master:

Master's Passport No.:

Date Yacht entered Solomon Islands:

3. Reason(s) for transfer:
4. Name of yacht to which transfer is made:

Date: Sgd

Master

SOLOMON ISLANDS

[COAT OF ARMS]

MINISTRY OF COMMERCE AND PRIMARY INDUSTRIES

Form 5
(Regulation 6)

**NOTICE OF TERMINATION OF CREW MEMBER
OR PASSENGER**

1. Person terminated as crew member/passenger:

Name:

Overseas address:

Nationality:

Passport No.:

Place of birth:

Date of birth:
2. Reason for termination:
3. Yacht on which the person was a crew member/passenger:

Name of yacht:

Name of Master:

Nationality of Master:

Master's Passport No.:

4. Person terminated intends to leave Solomon Islands on
(date) by ship/airline
to (name of country leaving for).

5. The Particulars of the ship/airline ticket:

Ticket/No.:

Name of ship/airline:

Ticket issued by:

Ticket issued at:

Date: Sgd:

Master

SOLOMON ISLANDS

[COAT OF ARMS]

MINISTRY OF COMMERCE AND PRIMARY INDUSTRIES

Form 6
(Regulation 7)

**PARTICULARS TO BE SUPPLIED BY MASTER BEFORE DEPARTURE OF
YACHT**

1. Name of Yacht:
2. Port of Entry:
3. Port of Departure:
4. Date and Time of Departure:
5. Next Port of Call outside Solomon Islands:
6. A total of persons as listed below are travelling in this yacht.

Name	Date of Birth	Nationality	Passport No.
------	---------------	-------------	--------------

(Use reverse if necessary)

Name:

Master

Sgd:

Date:

N.B. No yacht is allowed to call at any other island once it has given outward clearance by Immigration Officers.
