

[Legal Notice: 63]

EMERGENCY POWERS ACT

(Cap. 11)

EMERGENCY POWERS (COVID-19) (NO. 3) REGULATIONS 2021

EMERGENCY POWERS (COVID-19) (SOLOMON ISLANDS PAPUA NEW GUINEA BORDER) (RESTRICTION OF MOVEMENT OF PERSONS AND VESSELS IN CHOISEUL BAY) ORDER 2022

I, Hon. Manasseh Damukana Sogavare, Prime Minister, under regulations 15 and 17 of the *Emergency Powers (COVID-19) (No. 3) Regulations 2021* (Legal Notice No. 318 of 2021), make the following Order:

1 Citation

This Order may be cited as the *Emergency Powers (COVID-19) (Solomon Islands Papua New Guinea Border) (Restriction of Movement of Persons and Vessels in Choiseul Bay) Order 2022*.

2 Commencement

This Order commences on the day it is published in the *Gazette*.

3 Definitions In this Order:

“*Choiseul Bay Area*” means the area in the emergency zone that is:

- (a) bounded by a line with the coordinates specified in Part A of the Schedule; and
- (b) indicated by the line on the map in Part B of the Schedule;

“*emergency zone*” means the emergency zone declared for Solomon Islands and Papua New Guinea Border by Legal Notice No. 113 of 2020;

“*essential service*”:

- (a) has the meaning of “essential service” given in section 2(7)(a) of the *Essential Services Act* (Cap. 12); or
- (b) means any other service the interruption of which could endanger human life, destroy property or cause serious injury to persons or property, including police, correctional services, biosecurity, national disaster and emergency;

“*essential worker*” means:

- (a) a person employed or engaged in carrying out functions, duties or responsibilities in an essential service; or

- (b) a person who the Prime Minister specifies in writing is an essential worker for the purposes of this Order;

“*matter of urgency*” in respect of a person, means a matter that is urgent for any of the following reasons:

- (a) to access immediate medical assistance or treatment for the person;
- (b) to assist another person to access immediate medical assistance or treatment;
- (c) to attend to or avoid an emergency or any other situation which, if not attended to or avoided, may result in serious injury or loss of life to the person or another person;

“*place of residence*”, of a person, means an area or place in Choiseul Bay where the person resides, regularly stays or is temporarily accommodated, and includes:

- (a) a building or other habitable structure or a yard to a building or structure; or
- (b) a vessel; or
- (c) an area or place that is:
 - (i) a garden where the person usually grows or harvests food; or
 - (ii) an area of the coastline of Choiseul Bay, or of the inland or archipelagic waters within Choiseul Bay, where the person usually catches fish or harvests other seafood; or
 - (iii) used by the person for ablutions or toileting;

“*vessel*” means any ship, boat or craft used for travelling by water.

4 Restriction of movement of persons

- (1) On and from 12:00 pm on Friday 11th February 2022 until 12.00 pm on Monday 14th February 2022, a person must not enter or leave Choiseul Bay.
- (2) On and from 12:00 pm on Friday 11th February 2022 until 12.00 pm on Monday 14th February 2022, a person in Choiseul Bay must:
 - (a) remain in his or her place of residence; and
 - (b) not leave or be away from his or her place of residence; and
 - (c) when moving around in Choiseul Bay:
 - (i) wear a face mask; and
 - (ii) practice social distancing; and
 - (iii) wash his or her hands frequently; and
 - (iv) use hand sanitizer frequently.
- (3) Subparagraph (1) or (2)(a) and (b) does not apply to a person who:

- (a) enters or leaves Choiseul Bay because of a matter of urgency; or
- (b) is exempted from complying with this Order under paragraph 6; or
- (c) is exempted in writing from complying with this Order by the Commissioner of Police.

5 Restriction of movement of vessels

- (1) On and from 12:00 pm on Friday 11th February 2022 until 12.00 pm on Monday 14th February 2022:
 - (a) a vessel must not:
 - (i) enter or leave Choiseul Bay; or
 - (ii) come alongside or berth at a wharf in Choiseul Bay; or
 - (iii) go on shore anywhere on the coast of Choiseul Bay.
- (2) On and from 12:00 pm on Friday 11th February 2022 until 12.00 pm on Monday 14th February 2022, the operator of a vessel must not permit or enable a person on board the vessel to disembark from the vessel and go on shore anywhere on the coast of Choiseul Bay.

6 Exemptions

- (1) An authorised officer is exempted from complying with this Order while carrying out his or her functions, responsibilities or duties as an authorised officer, or travelling to and from the place where he or she carries out those functions, responsibilities or duties.
- (2) An essential worker is exempted from complying with this Order while carrying out his or her work functions, responsibilities or duties, or travelling to and from the place where he or she carries out those functions, responsibilities or duties.
- (3) Paragraph 5 does not apply to:
 - (a) a vessel operated by an authorised officer or an essential worker while performing his or her functions, responsibilities or duties;
 - (b) a vessel operated for a purpose (which is not a purpose for an essential service) that has been approved by the Prime Minister in writing.

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SCHEDULE
(Paragraph 3)

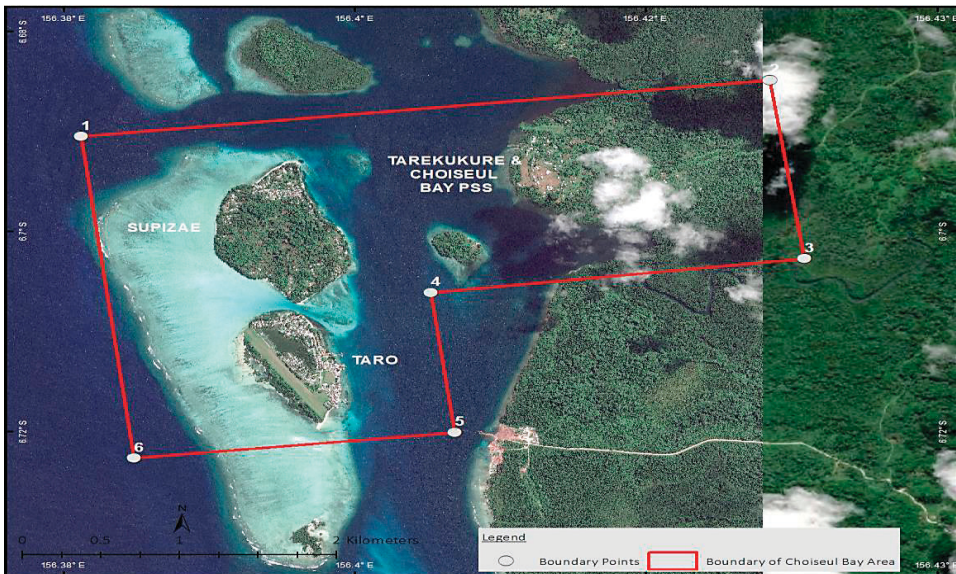
PART A

COORDINATES OF CHOISEUL BAY

Point ID	Latitude	Longitude
1	-6.692097	156.384300
2	-6.687374	156.423740
3	-6.702247	156.425738
4	-6.705071	156.404329
5	-6.716713	156.405710
6	-6.718883	156.387359

PART B

MAP INDICATING CHOISEUL BAY



Dated this eleventh-day of February 2022.

HON. MANASSEH DAMUKANA SOGAVARE
PRIME MINISTER

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