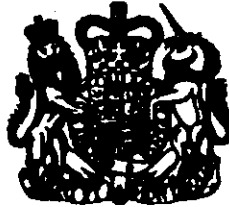


BRITISH SOLOMON ISLANDS PROTECTORATE

NO. 8 OF 1974



Assented to in Her Majesty's name and on Her Majesty's behalf this twenty-fifth day of October 1974.

[L.S.]

D.C.C. LUDDINGTON
Governor

AN ORDINANCE

TO REVISE CERTAIN ORDINANCES BY REMOVING THEREFROM CERTAIN OBSOLETE WORDS AND EXPRESSIONS AND TO MAKE PROVISION INCIDENTAL THERETO AND CONNECTED THEREWITH

[1st November 1974] Date of commencement.

ENACTED by the Governor of the British Solomon Islands Protectorate with the advice and consent of the Legislative Assembly of the British Solomon Islands Protectorate, as follows:—

Short title. 1. This Ordinance may be cited as the Statute Law Revision Ordinance 1974.

Amendment of Ordinances. 2. The Ordinances and subsidiary legislation specified in the first column of the Schedule are hereby amended in the manner and to the extent specified in relation thereto in the second column of the Schedule.

Amendment of local court warrants. 3. Every warrant under the Native Courts Ordinance (which Ordinance is by this Ordinance redesignated the Local Courts Ordinance) establishing a court, or amending a warrant establishing a court, and in either case in force at the commencement of this Ordinance, is hereby amended by substituting –

- (a) for the word “Native” in each case it appears therein, the word “Local”; and
- (b) for the words “native law and custom” in each case they appear therein, the words “law and custom of Islanders”.

Saving. 4. (1) Notwithstanding the provisions of this Ordinance, no reference made to or use of any word or expression substituted by this Ordinance shall invalidate anything done under, in pursuance of or for the purposes of any Ordinance by reason only of such substitution.

(2) Subject to section 2, any reference subsisting at the commencement of this Ordinance, in any Ordinance, to a native court or to a native, shall, except where the context may otherwise require, be construed respectively as a reference to a local court or an Islander.

SCHEDULE

The Interpretation and General Clauses Ordinances. (Cap. 1). In section 4 and the marginal note thereto –

- (a) delete “native” in each case and substitute “Islander”;
- (b) delete “non-native” in subsection (2) and substitute “non-Islander”.

- ✓ In section 10(1)(a) delete "Native" and substitute "Local".
- ✓ In section 12(2)(c) delete "Native" and substitute "Local".
- ✓ In section 95 delete "Native" in each case and substitute "Local".
- ✓ In section 127 delete "Native" in each case and substitute "Local".
- ✓ In paragraph 11(g) of the First Schedule delete "native" and insert "of Islanders" immediately after "customs".
- ✓ Delete "aboriginal natives of any island or islands in the Pacific" in section 17 and "natives" in the marginal note thereto and in each case substitute "Islanders".
- ✓ In the heading delete "NATIVE" and substitute "LOCAL".
- ✓ In the long title delete "NATIVE" and substitute "LOCAL".
- ✓ In section 1 delete "Native" and substitute "Local".
- ✓ In section 2 delete "Native" in each case and substitute "Local".
- ✓ In the heading to Part II delete "NATIVE" and substitute "LOCAL".
- ✓ In section 4 immediately after "this Ordinance" insert "and any other Ordinance", and delete "native affairs in".
- ✓ In section 6(c) delete "native" and substitute "person", and delete "Native" and substitute "Local".
- ✓ In section 6(d) delete "Native" and substitute "Local".
- ✓ In section 6(e) delete "by any native".
- ✓ In section 6(f) delete "native" and substitute "person" in both cases, and delete "Native" and substitute "Local".
- ✓ In section 8 delete "native" and substitute "person".
- ✓ In the heading to Part VIII delete "NATIVES" and substitute "ISLANDERS".
- ✓ In section 35 delete "native" and immediately after "woman" insert "who is an Islander".
- ✓ In section 36 delete "native" and substitute "Islander".
- ✓ In section 38 delete "native" and substitute "person".
- ✓ In the heading delete "NATIVE" and substitute "LOCAL".
- ✓ In the long title delete "NATIVE" and substitute "LOCAL".
- ✓ In section 1 delete "Native" and substitute "Local".
- ✓ In the marginal note to section 2 delete "native" and substitute "local".

The Local Government Ordinance. (Cap. 14).

The Births, Marriages and Deaths Registration Ordinance. (Cap. 43).

The Native Administration Ordinance. (Cap. 45).

The Native Courts Ordinance. (Cap. 46).

In section 2(1) –

- (a) delete “native” in both cases and substitute “local”; and
- (b) delete “natives” and substitute “Islanders”.

In section 2(2) delete “native” and substitute “local”.

In the marginal note to section 3 delete “Native” and substitute “Local”.

In section 3 and the proviso thereto delete “native court” in each case and substitute “local court”, and delete “native law or customs” and substitute “law or customs of Islanders”.

In section 4 delete “native” and substitute “local”.

In section 5 delete “native” and substitute “local”.

In the marginal note to section 6 delete “native” and substitute “local”.

In section 6 –

- (a) delete “native” and substitute “local”; and
- (b) delete “natives” and substitute “Islanders”.

In section 7 delete “native court” and substitute “local court”, and delete “native” in both cases and substitute “Islander”.

In section 8 delete “native” in both cases and substitute “local”.

In section 9 delete “native” and substitute “local”.

In section 10 –

- (a) delete “native court” and substitute “local court”; and
- (b) delete “native law and custom” and substitute “law and custom of Islanders”.

In section 11 and in the marginal note thereto delete “native” and substitute “local”.

In section 12 –

- (a) delete “native law or custom” in both cases and substitute “the law or custom of Islanders”; and
- (b) delete “native court” and substitute “local court”.

In section 13(1) delete “native” and substitute “local”.

In section 13(2) delete “native” and substitute “local”.

In section 14 delete “native” and substitute “local”.

In section 15 delete “native court” and substitute “local court” and delete “native” and substitute “custom”.

In section 18 delete “native” and substitute “local”.

In section 19 delete “native” and substitute “local”.

- ✓ In section 20 and in the marginal note thereto delete "native" and substitute "local".
- ✓ In section 21 delete "native" in each case and substitute "local".
- ✓ In section 22 delete "native" and substitute "local".
- ✓ In section 23 delete "native" in each case and substitute "local".
- ✓ In section 24 delete "native" and substitute "local".

- ✓ In the title delete "NATIVE" and substitute "LOCAL".
- ✓ In paragraph 1 delete "Native" and substitute "Local".
- ✓ In paragraph 2 delete "native" and substitute "local".
- ✓ In paragraph 3 delete "native" and substitute "local".
- ✓ In the Schedule delete "Native" and substitute "Local".

The Native Courts (Criminal Jurisdiction) Order. (Cap. 46, Sub. Leg. p. 1584).

- ✓ In the title delete "NATIVE" and substitute "LOCAL".
- ✓ In rule 1 delete "Native" and substitute "Local".
- ✓ In rule 2 delete "native" in both cases and substitute "local".
- ✓ In rule 3 delete "native" and substitute "local".
- ✓ In rule 4 delete "native" in each case and substitute "local".
- ✓ In rule 5 delete "native" and substitute "local".
- ✓ In rule 6 delete "native" and substitute "local".

The Native Courts (Fees in Civil Cases) Rules. (Cap. 46, Sub. Leg. p. 1585).

- ✓ In the heading delete "NATIVE" and substitute "ISLANDERS".
- ✓ In the long title delete "NATIVE" and substitute "ISLANDERS".
- ✓ In section 1 delete "Native" and substitute "Islanders".
- ✓ In section 4 delete "natives" and substitute "Islanders" and delete "native custom" and substitute "the custom of Islanders".
- ✓ In section 5(2)(a) delete "natives" and substitute "Islanders".
- ✓ In section 5(2)(c) delete "Native" and substitute "Islanders".
- ✓ In section 10(2) delete "Any native" and substitute "Any Islander", and delete "a native" and substitute "an Islander".
- ✓ In section 10(3) and in the proviso thereto delete "native" in each case and substitute "Islander".
- ✓ In section 11(1) delete "natives" and substitute "Islanders".
- ✓ In section 11(2) delete "native" and substitute "Islanders".

The Native Marriage Ordinance. (Cap. 47).

- In section 11(3) delete "native" and substitute "Islanders".
 - In section 11(4) delete "native" and substitute "Islanders".
 - In section 14 delete "native" in both cases it appears in the first line and substitute "Islander", and delete "native custom" in both cases and substitute "the custom of Islanders".
 - In the marginal note to section 18 delete "native".
 - In section 18(1) delete "natives" and substitute "Islanders" and delete "native custom" and substitute "the custom of Islanders".
 - In section 19(2) delete "native custom" and substitute "the custom of Islanders".
 - In Form A in the First Schedule delete "NATIVE" in the heading and substitute "ISLANDERS".
 - In Form B in the First Schedule delete "NATIVE" in the heading and substitute "ISLANDERS".
 - In Form C in the First Schedule delete "NATIVE" in the heading and substitute "ISLANDERS".
 - In Form D in the First Schedule delete "NATIVE" in the heading and substitute "ISLANDERS" and in the body thereof delete "Native" and substitute "Islanders".
 - In Form E in the First Schedule delete "NATIVE" in the heading and substitute "ISLANDERS".
 - In Form F in the First Schedule delete "NATIVE" in the heading and substitute "ISLANDERS" and in the body thereof delete "Native" and "native" in each case.
 - In the Second Schedule delete "NATIVE" in the heading and substitute "ISLANDERS".
- The Native Divorce Ordinance. (Cap. 48).**
- In the heading delete "NATIVE" and substitute "ISLANDERS".
 - In the long title delete "NATIVES" and substitute "ISLANDERS".
 - In section 1 delete "Native" and substitute "Islanders".
 - In section 2 delete "Native" and substitute "Islanders".
 - In section 3 -
 - (a) delete "natives" and substitute "Islanders";
 - (b) delete "native custom marriage" and substitute "marriage by the custom of Islanders";
 - (c) delete "Native" and substitute "Islanders"; and
 - (d) delete "a native" and substitute "an Islander".

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In the marginal note to section 4 delete "native".

In section 4 -

- (a) delete "natives" and substitute "Islanders";
- (b) delete "native custom" in both cases and substitute "the custom of Islanders"; and
- (c) delete "Native" and substitute "Islanders".

In each of the headings of the forms in the First Schedule delete "NATIVE" and substitute "ISLANDERS".

In section 2(1) -

- (a) in the definition of "native court" delete "native" and substitute "local", and delete "Native" and substitute "Local"; and
- (b) in the definition of "Solomon Islander" delete "a native" and substitute "an Islander".

The Land and Titles Ordinance. (Cap. 93).

In section 83(4) delete "native" and substitute "local".

In section 190(4) delete "native" in both cases and substitute "local".

In section 190(6) delete "Native" and substitute "Local", and delete "native" and substitute "local".

In section 190(7) delete "Native" and substitute "Local".

In section 231 delete "native" in each case and substitute "local".

In section 232(2) delete "native" and substitute "local".

In section 239(8) delete "native" in each case and substitute "local".

In section 31 delete "native" and substitute "local", and delete "Native" and substitute "Local".

The Public Health Ordinance 1970. (No. 2 of 1970).

In section 2 in the definition of "court" delete "Native" and substitute "Local", and delete "native" and substitute "local".

The Affiliation, Separation and Maintenance Ordinance 1971. (No. 8 of 1971).

In section 16 delete "native" and substitute "local".

In section 17 delete "native" in each case and substitute "local".

The Land and Titles (Amendment) Ordinance 1972. (No. 18 of 1972).

In the long title delete "NATIVE" and substitute "LOCAL".

In section 1 delete "Native" and substitute "Local".

The Native Courts (Amendment) Ordinance 1974. (No. 1 of 1974).

- In section 2 delete "Native" and substitute "Local", and delete "native" in each case and substitute "local".
- In section 3 delete "Native" and substitute "Local", and delete "native" in both cases and substitute "local".

- The Native Courts (Amendment) (No.2) Ordinance 1974. (No.6 of 1974).
- In the long title delete "NATIVE" and substitute "LOCAL".
 - In section 1 delete "Native" and substitute "Local".
 - In section 2(1) delete "Native" and substitute "Local", and delete "native" and substitute "local".
 - In section 2(2) delete "Native" and substitute "Local".
 - In section 3 delete "Native" and substitute "Local".

Passed by the British Solomon Islands Legislative Assembly this sixteenth day of October one thousand nine hundred and seventy-four.

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

L.O. POZNANSKI
Clerk of the Legislative Assembly