

[Legal Notice No. 86]

**ISABEL PROVINCE GARDEN PERMIT ORDINANCE 1984**

**AN ORDINANCE**

**TO PERMIT AND REGULATE THE MAKING OF GARDENS  
ON PROVINCIAL LAND**

**ENACTED BY THE ISABEL PROVINCIAL ASSEMBLY AND  
ASSENTED BY THE MINISTER OF HOME AFFAIRS, ISABEL  
AND CENTRAL**

**ARRANGEMENT OF SECTIONS**

1. Title and Commencement
2. Interpretation
3. Permit Required
4. Area of Application
5. Size of Garden
6. Factors for Issuance of Garden Permit
7. Duration of Permit
8. Permit Fee
9. Notice of Legislation
10. Subsidiary Legislation

Schedule 1 - Areas of Application

Schedule 2 - Fees

1. This Ordinance shall be cited as the Garden Permit Ordinance 1984. This Ordinance shall come into effect after gazetting following approval by the Provincial Assembly and assent by the Minister in accordance with section 32 of the Provincial Government Act of 1981.

Title and  
Commence-  
ment.

2. As used in this Ordinance, the following definitions apply:

“garden permit” is that permission to use provincial land for the purpose of making a garden for the purpose of growing food crops for personal use and includes the right to clear the land and do other things necessary to grow the food.

“office of the Premier” means the Premier or his delegate.

“provincial land” means land where the title is held by the Province.

Interpre-  
tation.

- Permit Required.** 3. Any person who desires to make a garden on provincial land must first obtain a permit. The person requesting permission to make a garden on provincial land shall apply for a permit. Such application shall be made to the Office of the Premier.
- Area of Application.** 4. A permit shall be required to make garden on any provincial land ~~as~~ set forth in Schedule 1. The Assembly may amend the Schedule from time to time.
- Size of Garden.** 5. No person may obtain a permit for more than one acre of land.
- Factors for Issuance of Garden Permit.** 6. The Office of the Premier shall seek to permit people to make gardens on Provincial land in a manner that does not hinder Provincial development or cause the loss of garden produce.  
The Office of the Premier shall review provincial development plans prior to the issuance of a garden permit.  
An applicant shall be made aware of any relevant development plans prior to obtaining a garden permit.
- Duration of Permit.** 7. Provincial development plans shall be considered in the duration of the garden permit, but otherwise the permit may be for any term of months.
- Permit Fee.** 8. The fee, if any, for a permit shall be as set out in Schedule 2. The Assembly may amend the Schedule from time to time.
- Notice of Termination.** 9. The Province shall provide the permit holder with one month's advance notice of the termination of the permit. In addition, the Province shall give one week's notice to the permit holder that development will begin and as such destroy the garden. This will give the person a chance to remove his garden produce.
- Subsidiary Legislation.** 10. The Provincial Executive shall have the authority to make orders or regulations that may be necessary, consistent with ordinance, to effectively carry out this ordinance. Any subsidiary legislation shall be made in accordance with the constitutional rules.

**SCHEDULE 1**

**Areas of Application**

1. Buala Provincial Headquarters

**SCHEDULE 2**

**Garden Permit Fees \$1.00 per year**

Approved by the Isabel Provincial Assembly this nineteenth day of June 1984.

Seal of the Province

Clerk to the Assembly      Date: 19/6/84

Speaker to the Assembly      Date: 17/7/84

Premier of Isabel Province      Date: 17/7/84

Assented to by the Minister, pursuant to sections 32 and 34 of the Act, after finding that this Ordinance relates to matters within the legislative competence of the Assembly and that it does not conflict with the policy of the Solomon Islands Government as a whole.

**MICHAEL EVO**

Minister of Home Affairs - Isabel & Central

Date: 6/9/84