

[Legal Notice No. 97]

## **FISHERIES ADVISORY COUNCIL REGULATIONS 2019**

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## FISHERIES ADVISORY COUNCIL REGULATIONS 2019

IN exercise of the powers conferred by section 12 of the *Fisheries and Management Act 2015*, I make the following Regulations:

### 1 Citation

These Regulations may be cited as the *Fisheries Advisory Council Regulations 2019*.

### 2 Commencement

These Regulations commence on the date of publication in the *Gazette*.

### 3 Definitions

In these Regulations:

“*Council*” means the Fisheries Advisory Council established under the Act.

### 4 Membership of Council

The Council consists of the following members:

- (a) a representative from the Attorney Generals Chambers;
- (b) a representative from the ministry responsible for finance;
- (c) a representative from the ministry responsible for environment, climate change, disaster management and meteorology;
- (d) the following members appointed by the Minister:
  - (i) a Chairperson;
  - (ii) a person nominated to represent indigenous fishing communities;
  - (iii) a person nominated to represent the tuna fishing industry;

- (iv) a person nominated to represent regional fisheries organisation;
- (v) a person nominated to represent non-government fisheries organisation.

## **5 Appointment Period**

- (1) An appointed member of the Council holds office for 3 years as specified in the instrument of appointment.
- (2) A person may be re-appointed as an appointed member for a further single term of 3 years, served either consecutively or after a break in service.

## **6 Allowance**

- (1) A member of the Council must be paid an allowance of \$700 for each meeting.
- (2) The Minister must review the allowance once every 3 years period.

## **7 Meetings**

- (1) The Chairperson may call a meeting on a quarterly basis and whenever necessary.
- (2) The Chairperson must preside at all meetings of the Council, and in his or her absence, the members present must elect a person to preside at that meeting.
- (3) A decision at a meeting of the Council is determined by the majority vote of Council members present and voting.
- (4) If there is an equality of votes, the member presiding at the meeting has a casting vote.

## **8 Record of Minutes**

The Secretary must keep accurate and detailed minutes of Board meetings.

**9 Disclosure of interest**

- (1) Any member of the Council who has a direct or indirect interest in the agenda for discussion before the Council, must disclose the nature of his or her interest at a Council meeting as soon as practicable.
- (2) The disclosure must be recorded in the Council's minutes.
- (3) The member must not, while having that interest:
  - (a) take part in any deliberation or decision of the Council relating to the matter in question; or
  - (b) form part of the quorum of the Council in any deliberation or decision of the Council relating to that matter.

**10 Procedure**

- (1) The quorum for a meeting of the Council is 5 members.
- (2) The Secretary must prepare the terms of reference in consultation with the heads of each division within the Ministry.
- (3) The terms of reference must include the following matters:
  - (a) resource management plans;
  - (b) fisheries development plans;
- (4) When preparing the terms of reference, the following must be considered:
  - (a) the Ministry's policies in general; and
  - (b) the Council's advocacy role to the government on matters important to the Ministry.
- (5) A member of the Council may submit an agenda item to the Secretary 48 hours before a meeting.

**11 Miscellaneous**

The Ministry must meet the cost of transport, per diem and accommodation for Council members residing outside of Honiara to attend meetings.

Dated this twentieth day of November, 2019.

HON. NESTOR GIRO  
MINISTER FOR FISHERIES AND MARINE RESOURCES