

SUPPLEMENT to the Solomon Islands GazetteWednesday 1st April, 2020

S.I. No.30

[Legal Notice No. 36]

**SOLOMON ISLANDS NATIONAL PROVIDENT FUND ACT
(CAP. 109)****SOLOMON ISLANDS NATIONAL PROVIDENT FUND (COVID-19
PANDEMIC) (EXEMPTION) ORDER 2020**

I, Hon. **Harry Kuma**, Minister for Finance and Treasury, under section 50 of the *Solomon Islands National Provident Fund Act* (Cap.109) and with reference to section 30 of the *Interpretation and General Provisions Act* (Cap.85), after consulting with the Board, make the following Order:

1. Citation

This Order may be cited as the *Solomon Islands National Provident Fund (COVID-19 Pandemic) (Exemption) Order 2020*.

2. Commencement

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

3. Purpose

This Order is made in response to the COVID-19 pandemic to:

- (a) provide for exemptions from the provisions of the Act while the Proclamation *Declaring State of Public Emergency* (Legal Notice No. 28 of 2020) declared by the Governor-General is in force; and
- (b) enable a member to whom an exemption referred to in subparagraph (a) applies to withdraw an amount standing to their credit in the Fund in a manner not provided for in the Act.

4. Definition

In this Order:

“COVID-19” means the novel coronavirus capable of causing severe respiratory illness as defined by the World Health Organisation;

“COVID-19 pandemic” means the global outbreak of COVID-19;

“emergency zone” means an emergency zone declared by the Prime Minister by Order under regulation 11(1) of the Emergency Powers (COVID-19) Regulations 2020 (Legal Notice No.29);

“entitled member” means a person aged less than 50 years who:

- (a) is temporarily laid off as a result of the COVID-19 pandemic; or
- (b) on or before 31 December 2019 was not employed in any employment and resides in an emergency zone; or
- (c) was made redundant on or after 1 February 2020 as a result of the COVID-19 pandemic.

5. Meaning of “temporarily laid off”

A person is **“temporarily laid off”** if, because of the COVID-19 pandemic:

- (a) the person is forced to go unpaid leave from the person’s employment; or
- (b) the salary or wages paid to the person has or have been reduced.

6. Exemption for entitled member

An entitled member is exempt from the provisions of the Act.

7. Rules for making payments to entitled member

- (1) If an entitled member is not a person who was made redundant on or after 1 February 2020 as a result of the COVID-19 pandemic, the exemption under paragraph 6 applies subject to the condition that the rules for making payments from the Fund to the entitled member are as follows:
 - (a) the entitled member may withdraw an amount not exceeding 50% of the amount standing to the entitled member's credit in the Fund if the amount standing to the entitled member's credit in the Fund is less than \$5000.00; or
 - (b) the entitled member may withdraw an amount not exceeding \$5000.00 if the amount standing to the entitled member's credit in the Fund is more than \$5000.00.

- (2) If the entitled member was made redundant on or after 1 February 2020 as a result of the COVID-19 pandemic, the exemption under paragraph 6 applies subject to the condition that the rules for making payments from the Fund to the member are as follows:
 - (a) the entitled member may withdraw the whole of the amount standing to the entitled member's credit in the Fund if the amount standing to the entitled member's credit in the Fund is \$10,000.00 or less; or
 - (b) the entitled member may withdraw an amount not exceeding one third of the amount standing to the entitled member's credit in the Fund if the amount standing to the entitled member's credit in the Fund is more than \$10,000.00.

- (c) the entitled member may withdraw an amount not exceeding one third of the amount standing to the entitled member's credit in the Fund if the amount standing to the entitled member's credit in the Fund is more than \$10,000.00.

8. Exemption for members aged 50 years or more

- (1) A member who is aged 50 years or more is exempt from compliance with section 29 of the Act. The exemption under subparagraph (1) applies subject to the condition that the rule for making payments from the Fund to the member is that the member may withdraw 20% of the amount standing to the member's credit in the Fund.

9. Expiry

This Order expires on 30 June 2020.

MADE on this first day of April, 2020.

HON. HARRY KUMA
MINISTER FOR FINANCE AND TREASURY