

A SICHE player passes out the ball from three SOSA players in their rugby match last Saturday at Lawson Tama. SICHE won 31-5. More on sports pages.

PM cautioned over leasing of Anuha

3" INO UETERI-TAASI

An Australian, John Smith, who claims he has power of attorney over Anuha, has cautioned Prime Minister Bartholomew Ulufa'alu over

sub-leasing of the island to Islands Hotel Ltd. In a letter to Ulufa'alu titled 'Illegal dealings of Anuha Island' and dated April 25, Smith said he believed the prime min-

ister may not have been aware of the illegal dealing which undoubtedly contravenes the laws of Solomon Islands.

Smith told Ulufa'alu: "You would no doubt agree with me

that the duration and terms of my Power as Attorney of Father Pule and Pule family have never been varied either in Solomon Islands nor anywhere else."

Smith said it was disturbing

and embarrassing to note that the Ulufa'alu government and respective authorities are in the process of issuing a lease and further consent to the re-development of Anuha without estab-

lishing beyond a reasonable doubt the legitimate ownership and assignees of the real property.

Smith said, however, without seeking legal advice it is hard to know.

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edge that in these circumstances, Anuha is untouchable until and unless "I approve any dealings on the property or vary the terms of my appointment to relegate my authority to a member of the Pule family or any party." "This is simple common law," he added.

Smith said assessing all information received so far in the matter, "I would sincerely conclude that you as the prime minister of the sovereign state of Solomon Islands may not be aware of or may have been given a very poor legal opinion of the dealings now legitimised and executed by the lands department on Anuha.

Smith added that as a friend of Solomon Islands and as someone who has deep respect of the people of Solomon Islands and its laws, it saddens him to learn that elements in the present government could be also insincere and stoop to gutter tactic to deny a citizen of Solomon Islands and him as an investor their legitimate rights and moral obligation to one another.

Smith said he would be for-

given, if he formed an opinion, that such legal and economic advice concluded in this case by whoever they may be, is out of ignorance of the law, or purposely disguised to bring embarrassment to the Solomon Islands Government and substantial losses to the would-be developers.

Smith reminded the prime minister of his recent press release sent to the latter's office early this month.

In this release, Smith said he believed that with "...political, economic and social opinion and advice advocates that Solomon Islands has never in its history enjoyed a very reputable and open government like the present one as a result of this 'investor confidence' the economy generated has put Solomon Islands in an unprecedented era of economic and social revival."

Smith asked Ulufa'alu to seek clarification and second legal opinion on this matter and make appropriate measures to avoid any embarrassing and costly situation to parties presently involved in the extension or is-

sue of a new lease for Anuha. Smith told Ulufa'alu that he has reached very advanced stages into discussions with the Pule family, Central Province Assembly and people in Solomon Islands regarding the best tourism concept they believe ideal and guarantees maximum benefit to the land owners in a participatory share holding scenario.

Smith told Ulufa'alu that to remind government ministries concerned of the importance in safeguarding the legitimate basic rights of a citizen of a democratic state like Solomon Islands.

In this regard, Smith added, the explicit wishes and vision of the late Fr Pule during those trying times when he was unservedly and freely within the law of this country, appointed Smith as his irrevocable attorney through a legal document.

Smith said this document was prepared, attested and sealed as a legal instrument under the requirement of the laws of this country by a very reputable and senior member of the legal profession and admitted into the

Bar of the Courts here. Smith said in recognition of this legality of the document the Solomon Islands Government, through the Attorney General Chambers, had two days immediately after the execution of the document, collected full duty for the same and affixed a Government stamp as proof to that effect.

Smith told Ulufa'alu to uphold the integrity of his government and curtail the attempts of certain elements that wish to tarnish the present government's image through this alleged illegal dealing to issue a new lease on Anuha without his knowledge or consent.

"If this were allowed to go unchallenged then your efforts to regain dignity and investor confidence in the Solomon Islands Government during your tenure as prime minister would surely be washed," said Smith.

Smith said that after Ulufa'alu became the prime minister last year, they both discussed Anuha.

Smith said: "I still hold dear your assurance to me during our telephone conversation that you

would do everything within your power and fair judgment to amicably settle this very prolonged saga that unfortunately your predecessors and their respective governments have not been able to reach a precise and diplomatic solution."

Smith told the Solomon Islands prime minister that his intention in this letter was not to unnecessarily rewind the origin and events of the last ten years so far as Anuha is concerned in the context of his reciprocal moral and legal obligation to and with the late Fr Pule and Pule family.

"I would be failing in my moral and legal duty as unlimited and irrevocable attorney of the Pule family in being complicit with the latest development in the Solomon Islands tourism industry allegedly involving the redevelopment of Anuha Island," he said.

To this effect, Smith added, he has been reliably informed by the Pule family and friends in Solomon Islands that a lease would be issued by the government to Islands Hotels Ltd to redevelop Anuha.

The tourism office in Honiara said that they have almost completed preparations for the signing of the sub-lease Anuha Islands in Central Province by the Government and Islands Hotel Ltd.

Islands Hotels Ltd will carry on a big tourism development there Chief Tourism Officer Robert Gereia said since they did not recognize Smith's power of attorney because it has no legal ground, "we have decided to go ahead to allow the island to be developed."

But this power of attorney which this paper has a copy of has the Solomon Islands government letter head on it, signed on January 5, 1988 by Fr Pule and John Smith in the presence of the Commissioner of Oaths. This document also carries paid stamp.

Besides a typed irrevocable authority, Fr Pule also has this authority in his own handwriting on the same document. *Solomon Star* could not get Prime Minister Ulufa'alu yesterday to comment on Smith's letter of caution on the development of Anuha Island.