

[Legal Notice No. 2]

**CONSTITUTIONAL OFFICES (TERMS AND CONDITIONS OF SERVICE)
(MAGISTRATES) (AMENDMENT) REGULATIONS 2020**

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**CONSTITUTIONAL OFFICES (TERMS AND
CONDITIONS OF SERVICE) ACT
(Cap 84)**

**CONSTITUTIONAL OFFICES (TERMS AND CONDITIONS OF SERVICE)
(MAGISTRATES) (AMENDMENT) REGULATIONS 2020**

In exercise of the powers conferred by section 3 of the *Constitutional Offices (Terms and Conditions of Service) Act* (Cap 84), the Prime Minister makes the following Regulations:

1 Citation

These Regulations may be cited as the *Constitutional Offices (Terms and Conditions of Service) (Magistrates) (Amendment) Regulations 2020*.

2 Amendment of Constitutional Offices (Terms and Conditions of Service) (Magistrates) Regulations 2014

These Regulations amend the *Constitutional Offices (Terms and Conditions of Service) (Magistrates) Regulations 2014* (Gazette No. 88/14, LN No. 76/14) (“**Principal Regulations**”).

3 Regulation 10 amended

- (1) Regulation 10(1)(b) of the Principal Regulations is amended by inserting “; and” after “Schedule”. Regulations is amended by
- (2) Regulation 10 of the Principal Regulations is amended by inserting after subregulation (1)(b):
 - “(c) if the Chief Magistrate does not hold a driver’s licence or is physically unfit to drive, the services of a driver whose wages must be paid by the Government; and
 - (d) a replacement of the official vehicle provided under subregulation (1) (a) at least once every 5 years.”.
- (3) Regulation 10 the Principal Regulations is amended by inserting after subregulation (1):
 - “(1A) When the vehicle that is provided to the Chief Magistrate is replaced in accordance with subregulation (1)(d), the Chief Magistrate has the option to purchase the vehicle at a price determined by the Permanent Secretary of the Ministry responsible for infrastructure.”.
- (4) Regulation 10(2) of the Principal Regulations is amended by omitting “Any other” and substituting “A Magistrate other than the Chief Magistrate”.
- (5) Regulation 10(2)(a) of the Principal Regulations is amended by inserting “and Goods Service Tax” after “duty”.

4 Regulation 18 repealed and substituted

The Principal Regulations are amended by repealing regulation 18 and substituting:

“18 Medical treatment

A Magistrate is entitled to medical treatment and other healthcare services under and in accordance with the healthcare scheme for constitutional post holders and their dependents arranged by the Government.

5 New regulations 21A to 21E

The Principal Regulations are amended by inserting after regulation 21:

“21A Entertainment allowance

The Chief Magistrate is entitled to the annual entertainment allowance specified in the Schedule.

21B Funeral expenses

If a Magistrate dies while in office, the Government must assist in paying

the funeral expenses and expenses incidental to the funeral specified in the funeral expenses policy.

21C Telephone and other communication

The Government must pay:

- (a) once every 3 years, the amount for a mobile handset specified in the Schedule; and
- (b) the monthly communication allowance specified in the Schedule.

21D Long service benefit

A Magistrate is, for each period of 7 years of continuous service completed by the Magistrate, entitled to a long service benefit of 25% of the Magistrate's annual salary paid on the date in each of those 7 years on which the benefit accrues.

21E End of service grant

If a Magistrate's service as Magistrate ends after the Magistrate has completed at least 7 years of service, the Magistrate is entitled to the end of service grant specified in the Schedule."

6 Regulation 23 amended

Regulation 23 of the Principal Regulations is amended:

- (a) by omitting "These Regulations" and substituting "(1) These Regulations"; and
- (b) by omitting "annually" and substituting "every 3 years"; and
- (c) by adding at the end:

"(2) The review must consider whether a Cost of Living Allowance was paid to public servants at any time during the preceding 3 years. If a Cost of Living Allowance was paid, the amount of the Allowance must be taken into account when determining whether to adjust the salary and allowances payable to Magistrates."

7 New regulation 24

The Principal Regulations are amended by inserting after regulation 23:

"24 Schedule

The Schedule to these Regulations sets out the payments made to the various classes of Magistrate under the regulations specified in the first column in the table for the items specified in the second column."

8 Schedule repealed and substituted

The Principal Regulations are amended by repealing the Schedule to the Regulations and substituting:

“SCHEDULE

Reg.	Item	Chief Magistrate	Deputy Chief Magistrate	Principal Magistrate	First Class Magistrate	Second Class Magistrate
5	Fortnightly salary	\$6,300	\$5,494	\$4,931	\$3,616	\$3,415
7	Monthly housing allowance	\$12,000	\$9,000	\$7,000	\$6,000	\$6,000
9	Monthly utilities allowance	\$3,000	\$2,500	\$2,000	\$1,500	\$1,500
10	Monthly fuel allowance	\$2,500	-	-	-	-
10	Monthly vehicle allowance	Vehicle provided by Government	\$3,000	\$2,500	\$2,000	\$2,000
13	Daily travel allowance – outside Solomon Islands	USD\$300	USD\$200	USD\$200	USD\$150	USD\$150
14	Daily travel allowance – within Solomon Islands	\$300	\$200	\$200	\$200	\$200
15	Annual clothing allowance	\$10,000	\$7,500	\$6,000	\$5,000	\$5,000
19	Annual education grant	\$10,000	\$7,500	\$6,000	\$5,000	\$5,000
20	Daily higher duties allowance	\$100	\$100	\$100	\$100	\$100
21	Appointment grant	\$10,000	\$8,000	\$7,000	\$5,000	\$5,000
21A	Annual entertainment allowance	\$10,000	-	-	-	-
21C	Mobile handset	\$5,000	\$3,000	\$3,000	\$2,500	\$2,500
21C	Monthly communication allowance	\$1,000	\$800	\$600	\$500	\$500
21E	End of Service grant	\$150,000	\$100,000	\$75,000	\$50,000	\$50,000

”

Made this sixth day of January 2021.

HON. MANASSEH DAMUKANA SOGAVARE
PRIME MINISTER