

[Legal Notice No. 42]

TRUTH AND RECONCILIATION COMMISSION ACT 2008  
(Act No. 5 of 2008)

**TRUTH AND RECONCILIATION COMMISSION (TERMS AND  
CONDITIONS OF SERVICE) (NATIONAL COMMISSIONERS)  
REGULATIONS 2009**

IN exercise of the powers conferred upon me by section 21 of the Act, I make these Regulations -

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| <p>1. These Regulations may be cited as the Truth and Reconciliation Commission (Terms and Conditions of Service) (National Commissioners) Regulations 2009, and is deemed to have commenced on the 24th day of April 2009.</p>   | <p>Citation and commencement</p> |
| <p>2. The terms of office of the national commissioners are set out under section 4(1) to (4) of the Act.</p>   | <p>Term and Office</p>           |
| <p>3. The functions of the national commissioners are set out under sections 5(1)(a) to (d), (2) (a) to (d) and (3) (a) to (d) of the Act.</p>  | <p>Duties</p>                    |
| <p>4. (1) The Chairman of the Commission is entitled to an annual taxable salary of \$140,000.00.</p> <p>(2) A national Commissioner other than the Chairman is entitled to an annual taxable salary of \$130,000.00.</p>   | <p>Salary</p>                    |
| <p>5. (1) The national commissioners shall be provided with fully furnished accommodation rented by the Commission in the open housing market as determined by the National Executive Secretary or, in his absence, the Deputy Executive Secretary and approved by the Chairman or, in his absence, the Deputy Chairman of the Commission.</p> <p>(2) Any accommodation rented to any of the commissioners shall not be subject to the 10% withholding tax.</p> <p>(3) Any waiver on rental entitlement shall be subject to the approval of the Commission on recommendation of the Executive Secretary or, in his absence, the Deputy Executive Secretary.</p> | <p>Housing</p>                   |

- Housing allowance 6. If a national commissioner provides his or her own accommodation, the commissioner is entitled to a taxable allowance of \$15,000.00 per month.
- Utilities 7. A national commissioner is entitled to \$2,000.00 per month for the costs of water, gas and electricity provided to the residence of the commissioner, unless the commissioner is residing in a hotel.
- Domestic Staff 8. A national commissioner is entitled to the services of a driver and a domestic employee, subject to terms and conditions of employment approved by the Commission on the recommendation of the National Executive Secretary.
- Vehicle 9. A national commissioner is entitled to the use of an official vehicle approved by the Commission for official and personal use, subject to a provision of \$1,000.00 a fortnight for the cost of fuel to be paid by the Commission.
- Leave 10. (1) A national commissioner is entitled to paid leave at the rate of two days a month including six travelling days' entitlement when taking such leave with the option to convert such leave to cash at the equivalent of his or her daily rate.

(2) The Commission shall meet the cost of passage either by air, sea or land to and from a national commissioner's home village, or that of his or her spouse, when on annual leave.

(3) This entitlement covers a national commissioner, his or her spouse and dependent children (wholly dependent on the national commissioner's living sustenance).

(4) Subject to subregulations (2) and (3), where a national commissioner personally meets the cost of passage, these expenditures shall be fully refunded by the Commission.

(5) A national commissioner may claim a refundable sum of \$3,000.00 where he or she personally meets travel expenses from the port of disembarkation to his or her home village or that of his or her spouse, and back to the port of disembarkation or at his or her home village.

(6) At the end of the period of the contract or when the contract is terminated, the Commission shall meet the following -

- (a) costs of passage and travel expenses including cost of repatriation of a national commissioner, his or her spouse and children to his or her home village, or that of his or her spouse; and
- (b) cost of repatriating the personal effects or belongings (not exceeding 100 cubic meters) of the national commissioner and his or her family.
12. A national commissioner and his or her spouse are entitled to two return air passages within Solomon Islands or outside Solomon Islands where the spouse is from another country. Compassionate leave
13. On official overseas travel, a national commissioner is entitled to a daily allowance of US\$250.00 if the travel is not fully funded by the government of another country or agency. Overseas travel allowances
14. A national commissioner is entitled to travel first class on all official visits overseas. Class of travel
15. A national commissioner is entitled to a daily allowance of \$300.00 including free accommodation on official travel within Solomon Islands. Local travel allowance
16. Any person appointed as national commissioner is entitled to a nontaxable appointment grant of \$10,000.00 on his or her first appointment. Appointment grant
17. (1) A national commissioner is entitled to a taxable clothing allowance of \$10,000.00 when on official overseas travel. Clothing allowance
- (2) This entitlement is granted only once throughout the commissioner's term in office.
18. A national commissioner is entitled to a non-taxable education allowance of \$10,000.00 per annum. Education allowance
19. The Government shall meet the cost of medical treatment, including return airfares, other medical costs, overseas living allowance and transport costs for the commissioner, his or her spouse, or any accompanying relative - Medical Treatment

- (a) in any local public or private clinic or hospital; or
- (b) in any overseas hospital or medical institution once certified by a Chief Consultant of the National Referral Hospital that the commissioner needs medical treatment overseas.

Insurance 20. (1) The Commission shall take out medical insurance cover for a national commissioner.

(2) If the Executive Secretary or Deputy Executive Secretary of the Commission considers it fit to attract such insurance cover such as travelling, the commissioners shall also be entitled to an insurance cover for life and accidents when they are on official duties and activities for the Commission.

Death during 21. Where a national commissioner dies whilst in office, the Government  
incumbency shall pay for all funeral expenses and all other incidental expenses.

Security 22. The Government shall be responsible for providing adequate security for a national commissioner.

DATED AT HONIARA this 8th day of June 2009.

SAM IDURI  
Minister for National Unity Reconciliation & Peace

Honiara, Solomon Islands  
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Solomon Islands Government

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