

SUPPLEMENT to the Solomon Islands GazetteFriday 27th August, 2010

S.I. No.49

[Legal Notice No. 77]

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

[CAP. 84]

**CONSTITUTIONAL OFFICES (TERMS AND CONDITIONS
OF SERVICE) (CHIEF JUSTICE) REGULATIONS 2010**

IN exercise of the powers conferred upon me by section 3 of the Act, I make these Regulations.

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| Citation, etc | <p>1. (1) These Regulations may be cited as the Constitutional Offices (Terms and Conditions of Service) (Chief Justice) Regulations 2010 and are deemed to have commenced on 1 July 2010.</p> <p>(2) The Constitutional Offices (Terms and Conditions of Service) (Chief Justice) Regulations (Legal Notice No. 143 of 1990) are revoked. Any existing benefit or allowance shall continue as if the benefit or allowance continues to apply and accrue under these Regulations despite the revocation under this subregulation.</p> |
| Term of office | <p>2. The term of office of the Chief Justice shall be subject to section 80 of the Constitution.</p> |
| Duties | <p>3. The duties of the Chief Justice are those prescribed under Part II of Chapter VII of the Constitution.</p> |
| Salary | <p>4. The Chief Justice shall be paid a taxable fortnightly salary at the rate set out in the Schedule.</p> |
| NPF contribution | <p>5. The Chief Justice shall make contributions to the National Provident Fund as required under the provisions of the Solomon Islands National Provident Fund Act (Cap. 109).</p> |

- Housing **6.** The Chief Justice shall be provided with an official residence free of rent or in the absence of a rent free accommodation and at the option of the Chief Justice, he shall be paid a housing allowance at the rate set out in the Schedule.¹
- Utilities **7.** The cost of water, gas, telephone² (including mobile phone) and electricity provided to the Chief Justice's official residence shall be charged to public funds and be paid for by the Government, or at the option of the Chief Justice, he shall be paid a monthly utilities allowance at the rate set out in the Schedule.³
- Domestic staff **8.** The wages payable for the services of a driver, one security guard and two domestic employees shall be charged to public funds and paid for by the Government.
- Vehicle entitlement **9.** (1) The Chief Justice shall be provided with two vehicles⁴ free of charge and shall also receive a monthly fuel allowance at the rate set out in the Schedule.⁵
- (2) The Chief Justice is entitled to purchase one Government vehicles allocated to him when he retires or resigns as Chief Justice.
- (3) The Chief Justice shall –
- (a) within 30 days before effective date of retirement or resignation, give written notice of his intention to the Minister responsible for Finance for his approval on the recommendations of the Permanent Secretaries mention in paragraph (b)(iii) to (v); and

¹Amended in 2006 - LN 2/06

²Amended in 2005 - LN 1/05

³Amended in 2006 - LN 2/06

⁴Amended in 2005 - LN 1/05

⁵Amended in 2006 - LN 2/06

- (b) send a copy of the notice to the following –
- (i) the Minister responsible for Justice;
 - (ii) the Minister responsible for Infrastructure Development;
 - (iii) the Secretary to the Prime Minister;
 - (iv) the Permanent Secretary for Finance and Treasury; and
 - (v) the Permanent Secretary for Infrastructure Development.

(4) When the purchase of the vehicle is approved, the Chief Justice shall settle the payment, including the costs of transfer of the vehicle to him with the Ministry responsible for of Finance within fifteen days from the effective date of retirement or resignation.

(5) If the vehicle is not purchased under this regulation, the Permanent Secretary for Infrastructure and Development shall retrieve the vehicle.

- 10.** (1) The Chief Justice is entitled to the following leave Leave entitlement
- entitlement.
- (a) annual leave: leave at the rate of three and half days a month (forty-two working days a year) for every year of service, which shall be taken during the year in which it accrues;
 - (b) long service leave: 60 consecutive days to be taken after the completion of continuous five years of service.

11. (1) The Chief Justice and the spouse and any child shall be Passages provided with free air or sea passages, as appropriate, from Honiara when proceeding on annual leave or long service leave to his place of domicile and return passages to Honiara.

(2) In this regulation –

‘child’ means a son or daughter under 18 years of the Chief Justice, and includes a child under the age of 18 years and living with and cared for by and dependent on the Chief Justice or a son or daughter or child under the age of 21 who is living with and cared for and dependent on the Chief Justice;

‘place of domicile’ includes place of domicile of his spouse outside Solomon Islands, if the spouse is not a citizen of Solomon Islands.

Overseas
travel
allowance

12. (1) The Chief Justice is entitled on official overseas travel to a daily allowance –

- (a) if the travel is not externally funded, at the full rate set out in the Schedule, otherwise is entitled to the difference if the external fund is less than the full rate; or
- (b) if the travel is externally funded, at the rate of one-fifth of the full rate set out in the Schedule.

(2) Where the spouse of the Chief Justice accompanies him on an official overseas visit, the spouse is entitled to claim subsistence allowance at the rate payable to the Chief Justice under subregulation (1).

Class of
travel
(overseas
visits)

13. (1) The Chief Justice is entitled to travel first class on all official visits overseas.

(2) The spouse of the Chief Justice is entitled to travel first class on all overseas visits provided she accompanies the Chief Justice on such visits.

- 14.** The Chief Justice is entitled to a daily allowance at the rate set out in the Schedule whilst on official travel within Solomon Islands. Local travel allowance
- 15.** The person appointed as Chief Justice is entitled on his first appointment to an appointment grant at the rate set out in the Schedule. Appointment grant
- 16.** The Chief Justice shall be paid an annual clothing allowance at the rate set out in the Schedule.⁶ Clothing allowance
- 17.** The Chief Justice shall be entitled to an annual entertainment allowance at the rate set out in the Schedule. Entertainment allowance
- 18.** (1) The Chief Justice shall be entitled to medical treatment in accordance with the terms set out from time to time for public officers. Medical treatment
- (2) The Chief Justice is entitled in exceptional circumstances to receive medical examination or treatment at full Government expenses outside the country on the advice and recommendation of the Chief Consultant of the Ministry of Health and Medical Services.
- 19.** The Chief Justice shall be eligible for a Government-guaranteed loan, the maximum amount which shall not exceed his annual basic salary. Personal loan guarantee
- 20.** A baggage allowance as prescribed in General Orders shall be payable to the Chief Justice. Baggage allowance
- 21.** Where the Chief Justice dies whilst in office the Government shall pay all funeral expenses and all other expenses incidental thereto. Death during incumbency
- 22.** The Chief Justice shall be entitled to all other benefits available to public officers under the General Orders or other regulations which are not covered under these Regulations. Miscellaneous benefits

⁶Amended in 2006 - LN 2/06

SCHEDULE
(Regulation 27)

| Regulation | Subject | Rate (\$) |
|------------|---------------------------------|-------------------------|
| 4 | Fortnight salary | 5,961.54 |
| 6 | Monthly housing allowance | 10,000.00 |
| 7 | Monthly utilities allowance | 3,900.00 |
| 9 | Monthly fuel allowance | 2,000.00 |
| 12 | Daily overseas travel allowance | US\$300.00 |
| 14 | Daily local travel allowance | 250.00 ⁸ |
| 15 | Appointment grant | 10,000.00 ⁹ |
| 16 | Annual clothing allowance | 10,000.00 ¹⁰ |
| 17 | Annual entertainment allowance | 10,000.00 |
| 25 | Annual education allowance | 10,000.00 |
| 26 | Daily higher duty allowance | 50.00 |

MADE AT HONIARA this thirtieth day of July, 2010.

DR. DEREK SIKUA
PRIME MINISTER

⁸LN 2/06

⁹LN 2/06

¹⁰LN/2/06

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