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[Legal Notice No. 76]

**CONSTITUTIONAL OFFICES (TERMS AND CONDITIONS
OF SERVICE) (MAGISTRATES) REGULATIONS 2014**

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**CONSTITUTIONAL OFFICES (TERMS AND CONDITIONS OF SERVICE)
(MAGISTRATES) REGULATIONS 2014**

IN exercise of the powers conferred by section 3 of the Constitutional Offices (Terms and Conditions of Service) Act (Cap. 84), I make these Regulations –

1. Citation

These Regulations may be cited as the Constitutional Offices (Terms and Conditions of Service) (Magistrates) Regulations 2014.

2. Currency of amounts

Unless otherwise specified, if an amount is expressed in dollars in these Regulations, the dollars are Solomon Islands dollars.

3. Terms of office

A Magistrate holds office until he or she attains the age of 55 years unless the term is extended or varied by the Judicial and Legal Service Commission.

4. Functions

The functions of a Magistrate are those prescribed in Part IV of the Magistrates' Courts Act (Cap. 20).

5. Salary

A Magistrate is entitled to a fortnightly salary at the rate specified in the Schedule.

6. NPF contributions

A Magistrate must make contributions to the Solomon Islands National Provident Fund as required under the National Provident Fund Act (Cap. 109).

7. Housing

A Magistrate is entitled to:

- (a) be provided with an official residence free of rent; or
- (b) if no suitable accommodation is available, a monthly housing allowance at the rate specified in the Schedule.

8. Security

The Government is responsible for providing adequate security at the official residence of a Magistrate.

9. Utilities

A Magistrate is entitled to a monthly utilities allowance at the rate specified in the Schedule.

10. Vehicle

(1) The Chief Magistrate is entitled to:

- (a) be provided with an official vehicle; and
- (b) a monthly fuel allowance at the rate specified in the Schedule

(2) Any other Magistrate is entitled to:

- (a) purchase a vehicle exempt from duty; and
- (b) a monthly vehicle allowance at the rate specified in the Schedule.

11. Leave

- (1) A Magistrate is entitled annual leave at the rate of 3.5 days each month (42 days each year) for every year of service.
- (2) Annual leave must be taken during the year of service in which it accrues.
- (3) A Magistrate is entitled to long service leave for 60 consecutive days to be taken after the completion of 5 years of continuous service.

12. Transport on leave

- (1) A Magistrate, his or her spouse and any child of the Magistrate or spouse under the age of 18 years are each entitled to one free return air or sea passage from Honiara to a relevant place of domicile for each entitlement of 42 days annual leave or 60 days long service leave.
- (2) In this regulation –
“relevant place of domicile” means:
 - (a) the Magistrate’s place of domicile; or
 - (b) if the Magistrate’s spouse is not a citizen of Solomon Islands, the spouse’s place of domicile.

13. Overseas travel allowance

While on official travel outside Solomon Islands, a Magistrate is entitled:

- (a) to a daily travel allowance at the rate specified in the Schedule; and
- (b) to have transport and accommodation provided.

14. Local travel allowance

While on official travel within Solomon Islands, a Magistrate is entitled:

- (a) to a daily travel allowance at the rate specified in the Schedule; and
- (b) to have transport and accommodation provided.

15. Clothing allowance

A Magistrate is entitled to an annual clothing allowance at the rate specified in the Schedule.

16. Loan guarantee

A Magistrate is eligible for a Government guaranteed loan not exceeding his or her annual salary.

17. Baggage allowance

A Magistrate is entitled to the baggage allowance prescribed for public officers in the General Orders.

18. Medical treatment

A Magistrate is entitled to medical treatment in accordance with the terms prescribed for public officers in the General Orders.

19. Education grant

A Magistrate is entitled to an annual education grant at the rate specified in the Schedule.

20. Higher duties

A Magistrate is entitled to the daily allowance at the rate specified in the Schedule whenever he or she is required to perform the duties of a higher public office.

21. Appointment grant

A Magistrate is entitled to an appointment grant at the rate specified in the Schedule on his or her first appointment as Magistrate.

22. Other benefits

A Magistrate is entitled to all other benefits available to a public officer under the General Orders or regulations made under the Public Service Act (Cap. 92) that are not dealt with by these Regulations.

23. Review of regulations

These regulations must be reviewed annually to determine whether or not it is appropriate to make an adjustment to the rates of salary and allowances for Magistrates.

SCHEDULE

Regulation	Item	Chief Magistrate	Deputy Chief Magistrate	Principal Magistrate	Magistrate First Class	Magistrate Second Class
4	Fortnight salary	5,250.00	4,578.15	4,109.48	3,013.29	2,845.55
6	Monthly housing allowance	10,000	5,000	5,000	5,000	5,000
8	Monthly utilities allowance	2,700	1,300	1,300	1,300	1,300
9	Monthly fuel allowance	2,000	-	-	-	-
9	Monthly vehicle allowance	-	2000	2000	2000	2000
13	Daily travel allowance - within Solomon Islands	250	150	150	150	150
12	Daily travel allowance - outside Solomon Islands	USD250	USD150	USD150	USD150	USD150
14	Annual clothing allowance	10,000	5,000	5,000	5,000	5,000
20	Appointment grant	10,000	5,000	5,000	3,000	3,000
18	Annual education allowance	5,000	5,000	5,000	5,000	5000
19	Daily higher duty	50	50	50	50	50

MADE AT HONIARA this twentieth-eighth day of August, 2014.

HON. GORDON DARCY LILO
PRIME MINISTER

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

[Legal Notice No. 77]

**CONSTITUTIONAL OFFICES (TERMS AND CONDITIONS OF
SERVICE) (DEPUTY CHIEF JUSTICE) REGULATIONS 2014**

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**CONSTITUTIONAL OFFICES (TERMS AND CONDITIONS OF SERVICE)
(DEPUTY CHIEF JUSTICE) REGULATIONS 2014**

IN exercise of the powers conferred by section 3 of the *Constitutional Offices (Terms and Conditions of Service) Act* (Cap. 84), I make these Regulations –

1. Citation

These Regulations may be cited as the *Constitutional Offices (Terms and Conditions of Service) (Deputy Chief Justice) Regulations 2014*.

2. Currency of amounts

Unless otherwise specified, if an amount is expressed in dollars in these Regulations, the dollars are Solomon Islands dollars .

3. Term of office

The term of office of the Deputy Chief Justice is as specified in section 80 of the Constitution.

4. Functions

The functions of the Deputy Chief Justice are those prescribed under Part II of Chapter VII of the Constitution.

5. Salary

The Deputy Chief Justice is entitled to a fortnightly salary of rate of \$5,855.77.

6. NPF contributions

The Deputy Chief Justice must make contributions to the Solomon Islands National Provident Fund as required under the *National Provident Fund Act* (Cap. 109).

7. Housing

The Deputy Chief Justice is entitled to:

- (a) be provided with an official residence free of rent; or
- (b) at the option of the Deputy Chief Justice, be paid a monthly housing allowance of \$12,000.

8. Security

The Government is responsible for providing adequate security at the official residence of the Deputy Chief Justice.

9. Utilities

The Government must either:

- (a) pay the cost of water, gas, telephone, and electricity provided to the Deputy Chief Justice's official residence, and the cost of a mobile phone, up to a total amount of \$3,100.00 each month; or
- (b) pay the Deputy Chief Justice a monthly utilities allowance of \$3,100.00.

10. Domestic staff

The Government must pay the wages for the services of a driver, a security guard and a domestic employee for the Deputy Chief Justice's official residence at the rate applicable to a person employed at Level 2 on the public service scale.

11. Vehicle

(1) The Deputy Chief Justice is entitled to:

- (a) be provided with an official vehicle of a type compatible with the safety and security of the Deputy Chief Justice and his or her family; and

(b) a monthly fuel allowance of \$2,000.

- (2) The Government must replace the vehicle at least every 5 years.
- (3) The Government must give the Deputy Chief Justice the option to purchase the replaced vehicle at a price determined by the Permanent Secretary of the Ministry responsible for infrastructure.

12. Leave

- (1) The Deputy Chief Justice is entitled to annual leave at the rate of 3.5 days each month (42 days each year) for every year of service.
- (2) Annual leave must be taken during the year of service in which it accrues.
- (3) The Deputy Chief Justice is entitled to long service leave for 60 consecutive days to be taken after the completion of 5 years of continuous service.

13. Transport on leave

- (1) The Deputy Chief Justice, his or her spouse and any child of the Deputy Chief Justice or spouse under the age of 18 years are each entitled to one free return air or sea passage from Honiara to arelevant place of domicile for each entitlement of 42 days annual leave or 60 days long service leave.

- (2) In this regulation –

“relevant place of domicile” means:

- (a) the Deputy Chief Justice’s place of domicile; or
- (b) if the Deputy Chief Justice’s spouse is not a citizen of Solomon Islands, the spouse’s place of domicile.

14. Compassionate leave travel

The Deputy Chief Justice is entitled to 2 return air or sea passages within Solomon Islands each year if required for the purpose of compassionate leave.

15. Overseas travel allowance

- (1) While on official travel outside Solomon Islands, the Deputy Chief Justice is entitled:
 - (a) to a daily travel allowance of USD\$250; and
 - (b) to have transport and accommodation provided.
- (2) If the Deputy Chief Justice is accompanied by his or her spouse on official travel outside Solomon Islands, the spouse is entitled to a travel allowance at the rate of USD\$250 per day.
- (3) If the travel allowance of the Deputy Chief Justice or his or her spouse is funded by a source other than the Government and the amount paid is less than USD\$250, the Government must pay the difference between the amount paid and USD\$250.

16. Overseas travel class

- (1) The Deputy Chief Justice is entitled to first class air travel (where available) on all official travel outside Solomon Islands.
- (2) If the Deputy Chief Justice is accompanied by his or her spouse on official travel outside Solomon Islands, the spouse is entitled to first class air travel (where available).

17. Local travel allowance

While on official travel within Solomon Islands, the Deputy Chief Justice is entitled:

- (a) to a daily travel allowance of \$350; and
- (b) to have transport and accommodation provided.

18. Clothing allowance

The Deputy Chief Justice is entitled to an annual clothing allowance of \$10,000.

19. Loan guarantee

The Deputy Chief Justice is eligible for a Government guaranteed loan not exceeding his or her annual salary.

20. Baggage allowance

The Deputy Chief Justice is entitled to the baggage allowance prescribed for public officers in the General Orders.

21. Entertainment allowance

The Deputy Chief Justice is entitled to an annual entertainment allowance of \$7,500.

22. Medical treatment

- (1) The Deputy Chief Justice is entitled to medical treatment in accordance with the terms prescribed for public officers in the General Orders.
- (2) The Deputy Chief Justice is entitled, in exceptional circumstances, to receive medical examination or treatment outside Solomon Islands on the advice and recommendation of medical practitioner engaged by the Ministry responsible for health.

23. Funeral expenses

If the Deputy Chief Justice dies while in office, the Government must pay all funeral expenses and any expenses to the funeral.

24. Education grant

The Deputy Chief Justice is entitled to an annual education grant of \$10,000.

25. Higher duties

- (1) The Deputy Chief Justice is entitled to a daily allowance of \$200 whenever he or she is required to perform the duties of the Governor-General.
- (2) The Deputy Chief Justice is entitled to a daily allowance of \$50 whenever he or she is required to perform the duties of the Chief Justice.

26. Appointment grant

The Deputy Chief Justice is entitled to an appointment grant of \$10,000 on his or her first appointment as Deputy Chief Justice.

27. Long Service benefit

At the end of a Deputy Chief Justice's term of office, the Deputy Chief Justice is entitled to a long service benefit of 25% of his or her annual salary multiplied by the number of years served in office.

28. Other benefits

The Deputy Chief Justice is entitled to all other benefits available to a public officer under the General Orders or regulations made under the Public Service Act (Cap. 92) that are not dealt with by these Regulations.

29. Review of regulations

These regulations must be reviewed annually to determine whether or not it is appropriate to make an adjustment to the rates of salary and allowances for the Deputy Chief Justice.

MADE IN HONIARA this twentieth-eighth day of August, 2014.

HON. GORDON DARCY LILO
PRIME MINISTER



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