

[Legal Notice No. 72]

**CONSTITUTIONAL OFFICES (TERMS AND CONDITIONS OF  
SERVICE) (CHIEF JUSTICE) REGULATIONS 2015**

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**CONSTITUTIONAL OFFICES (TERMS AND CONDITIONS  
OF SERVICE) (CHIEF JUSTICE) REGULATIONS 2015**

**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) (Chief Justice) Regulations 2015*.

**2. Interpretation**

(1) In these Regulations

“child”, of the Chief Justice, means a child of the Chief Justice who is under 21 years of age and who is living with and financially dependent on the Chief Justice.

(2) 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 Chief Justice is as specified in section 80 of the Constitution.

**4. Functions**

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

**5. Salary**

The Chief Justice is entitled to the fortnightly salary specified in the Schedule.

**6. NPF contributions**

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

**7. Housing**

- (1) The Chief Justice is entitled:
  - (a) to be provided with an official residence free of rent; or
  - (b) at the option of the Chief Justice, to be paid the monthly housing allowance specified in the Schedule.
- (2) The Chief Justice may elect to receive up to 4 years of the housing allowance in advance for the purpose of purchasing a residence.
- (3) If the Chief Justice receives an advance on the housing allowance:
  - (a) subregulation (1) does not apply for the period of the advance; and
  - (b) the Chief Justice is not entitled to receive any increase in the allowance that is made during the period of the advance.
- (4) If the Chief Justice receives an advance on the housing allowance and the Chief Justice ceases to hold office before the end of the period of the advance, the outstanding amount of the advance is a debt due and payable by the Chief Justice to the Government.

**8. Security**

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

**9. Utilities**

The Government must either:

- (a) at the option of the Chief Justice, pay the Chief Justice the monthly utilities allowance specified in the Schedule; or
- (b) pay the cost of water, gas, telephone, and electricity provided to the Chief Justice's official residence, and the cost of a mobile phone, up to a total amount each month not exceeding the monthly utilities allowance.

**10. Domestic staff**

The Government must pay the wages for the services of a driver and 2 domestic employees for the Chief Justice's official residence.

**11. Vehicle**

- (1) The Chief Justice is entitled:
  - (a) to be provided with 2 vehicles of a type compatible with the safety and security of the Chief Justice and his or her family; or
  - (b) to be paid the monthly vehicle allowance specified in the Schedule per vehicle for 2 vehicles; or
  - (c) to be provided with 1 vehicle as mentioned in paragraph (a) and the monthly vehicle allowance specified in the Schedule for 1 vehicle.
- (2) The Government must replace each vehicle provided under subregulation (1) at least once every 5 years.
- (3) The Government must give the Chief Justice the option to purchase the replaced vehicle at a price determined by the Permanent Secretary of the Ministry responsible for infrastructure.

- (4) If the Chief Justice elects to receive a monthly vehicle allowance, the Chief Justice may elect to receive up to 4 years of the vehicle allowance in advance for the purpose of purchasing a vehicle.
- (5) If the Chief Justice elects to receive an advance on the vehicle allowance for a vehicle:
  - (a) subregulation (1) does not apply in relation to the vehicle for the period of the advance; and
  - (b) the Chief Justice is not entitled to receive any increase in the monthly vehicle allowance that is made during the period of the advance.
- (6) If the Chief Justice receives an advance on the vehicle allowance and the Chief Justice ceases to hold office before the end of the period of the advance, the outstanding amount of the advance is a debt due and payable by the Chief Justice to the Government.
- (7) The Chief Justice is entitled to be paid the monthly fuel allowance specified in the Schedule per vehicle for 2 vehicles.

## **12. Leave**

- (1) The 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 Chief Justice is entitled to long service leave for 90 consecutive days for every 5 years of continuous service.

**13. Transport on leave**

(1) The Chief Justice, his or her spouse and any child of the Chief Justice 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 90 days long service leave.

(2) In this regulation;

*“relevant place of domicile”* means

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

**14. Compassionate leave travel**

The Chief Justice is entitled to 2 return air or sea passages from Honiara to another place 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 Chief Justice is entitled:
  - (a) to the daily overseas travel allowance specified in the Schedule; and
  - (b) to have transport and accommodation provided.
- (2) If the Chief Justice is accompanied by his or her spouse on official travel outside Solomon Islands, the spouse is entitled to the daily overseas travel allowance.
- (3) If the travel allowance of the Chief Justice or his or her spouse is funded by a source other than the Government and the amount paid for each day is less than the daily overseas travel allowance, the Government must pay the difference between the amount paid and the daily overseas travel allowance.

**16. Overseas travel class**

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

**17. Local travel allowance**

- (1) While on official travel within Solomon Islands, the Chief Justice is entitled:
  - (a) to the daily local travel allowance specified in the Schedule; and
  - (b) to have transport and accommodation provided.
- (2) If the Chief Justice is accompanied by his or her spouse on official travel within Solomon Islands, the spouse is entitled to the daily local travel allowance.

**18. Clothing allowance**

The Chief Justice is entitled to the annual clothing allowance specified in the Schedule.

**19. Baggage allowance**

The Chief Justice is entitled to the baggage allowance prescribed for public officers in the General Orders made under the *Public Service Act* (Cap.92).

**20. Entertainment allowance**

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

**21. Medical treatment**

- (1) The Chief Justice, his or her spouse and any child of the Chief Justice are each entitled to medical examination and treatment in accordance with the terms prescribed for public officers in the General Orders made under the *Public Service Act* (Cap.92).
- (2) The Chief Justice, his or her spouse and any child of the Chief Justice are each entitled to receive medical examination and treatment outside Solomon Islands at the expense of the Government if a medical practitioner engaged by the Ministry responsible for health certifies that the examination or treatment:
  - (a) is necessary; and
  - (b) is not available in Solomon Islands.

**22. Funeral expenses**

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

**23. Education allowance**

The Chief Justice is entitled to the annual education allowance specified in the Schedule.

**24. Higher duties**

The Chief Justice is entitled to the daily higher duties allowance specified in the Schedule whenever he or she is required to perform the duties of an office specified opposite the allowance.

**25. Appointment grant**

The Chief Justice is entitled to the appointment grant specified in the Schedule on his or her first appointment as Chief Justice.



**26. Long Service benefit**

- (1) On completing 7 years of continuous service, the Chief Justice is entitled to a long service benefit of 25% of his or her annual salary as at the date the benefit accrues for each year of service.
- (2) At the end of each year of continuous service after 7 years of continuous service, the Chief Justice is entitled to a long service benefit of 25% of his or her annual salary as at the date the benefit accrues.

**27. Gratuity**

The Chief Justice is entitled to a gratuity at the end of each completed year of service of 10% of his or her annual salary as at the date the Chief Justice completes the year of service.

**28. Termination grant**

At the end of the Chief Justice's term of office, the Chief Justice is entitled to the termination grant specified in the Schedule.

**29. Other benefits**

The 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 inconsistent with and not dealt with by these Regulations.

**30. Schedule**

The Schedule has effect.

**31. Review of Regulations**

These Regulations must be reviewed annually to determine whether it is appropriate to make an adjustment to the rates of salary and allowances for the Chief Justice.

**32. Repeal**

The following regulations are repealed:

- (a) Constitutional Offices (Terms and Conditions of Service) (Chief Justice) Regulations 2010 (LN 77 of 2010);
- (b) Constitutional Offices (Terms and Conditions of Service) (Chief Justice) (Amendment) Regulations 2013 (LN 99 of 2013).

**MADE AT HONIARA** this tenth day of August, 2015.

HON. MANASSEH DAMUKANA SOGAVARE  
PRIME MINISTER

## SCHEDULE

## AMOUNTS PAYABLE TO CHIEF JUSTICE

regulation 30

<b>Regulation</b>	<b>Description</b>	<b>Amount</b>
5	Fortnightly salary	\$8,076.92
7	Monthly housing allowance	\$18,000
9	Monthly utilities allowance	\$6,000
11	Monthly vehicle allowance	\$6,000
11	Monthly fuel allowance	\$3,600
16	Daily overseas travel allowance	US\$360
17	Daily local travel allowance	\$480
18	Annual clothing allowance	\$14,400
20	Annual entertainment allowance	\$11,400
23	Annual education allowance	\$14,400
24	Daily higher duties allowance	
	• Governor-General	\$50
	• Judge of the Court of Appeal	the daily sitting fee for a Judge of the Court of Appeal
25	Appointment grant	\$14,400
28	Termination grant	\$480,000