

SUPPLEMENT to the Solomon Islands Gazette

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CONSTITUTION OF SOLOMON ISLANDS

**MEMBERS OF PARLIAMENT (ENTITLEMENTS)(AMENDMENT)
REGULATIONS 2009**

IN exercise of the powers conferred upon it by section 69B (2) of the Constitution, the Parliamentary (Entitlements) Commission makes these Regulations -

Citation and
Commencement

1. These Regulations may be cited as the Members of Parliament (Entitlements) (Amendment) Regulations 2009 and are deemed to have come into force on 1st April 2009.

Regulation 9
Amended

2. The Principal Regulations are amended in Regulation 9 -

- (a) in subregulation (2) by inserting "Touring" after "Constituency"
- (b) in subsection (3)(b) by revoking paragraph (i) and substituting the following paragraph -

"(i) A Member shall be entitled to draw upon funds in relation to the financial allocation for the purpose of this paragraph, an amount not exceeding \$150,000.00 per annum for the purposes of meeting various constituency projects, social commitments and any other items deemed as necessary by the Member.
The Member must complete the application form as specified under Appendix D and submit it to the Clerk of Parliament who will forward such application to the Parliamentary Accounts Office for payment."

3. The Principal Regulations are amended in regulation 10 - Regulation 10 amended
- (a) by inserting the following paragraph -
- “(IA) When a Member of Parliament ceases to hold any of the positions as ascribed in regulation 10(I)(A), his or her salary including all entitlements accorded to him or her by virtue of holding any of the positions shall also cease and his or her salary and entitlements shall revert to as being an ordinary Member of Parliament.” and
- (b) in subregulation (4) by deleting “\$200” in line 2 and substituting “\$300”, and by inserting, “including when Parliament sits on a Saturday, Sunday or holiday.” after “day.” in line 4.
- (c) by inserting the following new paragraph.
- “(6) All allowances (other than salary) for the Members of Parliament must be tax exempted unless expressly stated to be taxable.”
4. The Principal Regulations are amended in regulation 11A - Regulation 11A amended
- (a) in subregulation (1) by deleting “7” and substituting “9” in line 3; and
- (b) by inserting the following paragraph -
- “(5) The spouse of a Member of Parliament is entitled to a terminal grant as specified in item 9 of Appendix A, subject to all the conditions specified in subregulation 1, 2, 3 and 4.”
5. The Principal Regulations are amended in regulation 11C - Regulation 11C amended
- (a) in subregulation (1)
- (i) by deleting “30%” in line 3 and substituting “50%”; and
- (ii) by inserting “or more” after “twelve years” in line 2;

- (b) in subregulation (2)
 - (i) by deleting “40% in line 3 and substituting “60%”; and
 - (ii) by inserting “or more” after “twelve years” in line 2;
- (c) in subregulation (3) by deleting “45%” in line 3 and substituting “65%”; and
- (d) in subregulation (4)
 - (i) by deleting “more than” before “sixteen years” in line 2;
 - (ii) by inserting “ or more” after “sixteen years” in line 2;
 - (iii) by deleting “50%” in line 3 and substituting “70”;

Prime Minister's
Pension

6. The Principal Regulations are amended by inserting after regulation 11D the following new regulation -

“Pension for Prime Minister “11E (1) A Member of Parliament who had held the post of Prime Minister for any period of time, having been duly elected under Schedule 2 of the Constitution shall be entitled to a life pension.

(2) Where a Prime Minister to whom a pension is payable is re-elected to Parliament, the pension shall cease to be payable during the period in which such person is a Member of Parliament, a Minister or a Prime Minister.

(3) A Prime Minister's pension shall be at an annual rate of sixty (60%) of the current salary payable to the current incumbent.

(4) Where a person dies while he is the Prime Minister or while he is entitled to receive a Prime Minister's pension leaves -

- (a) a surviving spouse but no entitled child;
or
- (b) a surviving and any entitled child;

the widow shall, be paid a pension at an annual rate of 40% of the current salary payable to the incumbent Prime Minister.

- (5) the surviving spouse mentioned in subregulation (4) is entitled to receive pension under this regulation, even if she remarries.
- (6) Any pension payable under these Regulations -
- (a) shall be charged on and paid out of the Consolidated Fund;
 - (b) shall be tax free; and
 - (c) shall be paid fortnightly.
- (7). Any pension payable under these Regulations shall not -
- (a) be assignable or transferrable except for the purpose of satisfying a debt due to the government or an order of any court for the payment of periodical, sums or money towards the maintenance of the spouse, and a child being a minor or the person to whom the pension is payable; or
 - (b) be liable to be attached, sequestered or levied upon for or in respect of any debt or claim whatever except a debt due to the government or any sum recoverable pursuant to such order of any court as is mentioned in paragraph (a).
- (8) A Prime Minister upon retirement shall be entitled to any of the following according to his preference -
- (a) the Government shall acquire a reasonable land for the Prime Minister and shall finance the construction of a reasonable house and shall pay for the utilities thereafter (water, electricity and gas); or
 - (b) where the Prime Minister upon retirement has opted to reside in his private residence, he shall be entitled to the utilities as specified in (a) and to a tax free monthly rental supplement at the rate equivalent to that of a Minister.
- (9) A Prime Minister on retirement shall be provided with an official vehicle for use in connection with his normal duties.
- (10) A Prime Minister on retirement shall be entitled to medical treatment equivalent to the one prescribed for Members of Parliament in Part VII.

(11) Where a Prime Minister whilst on retirement is assigned to undertake any assignment on behalf of Solomon Islands, he shall be entitled to travel business class and shall also be entitled to subsistence allowance (overseas) rates paid to Ministers when he undertakes assignments on behalf of Solomon Islands Government."

- Regulation 13 amended 7. The Principal Regulations are amended in Regulation 13(1) by deleting "\$50,000" in line 2 and substituting "\$100,000".
- Regulation 18 amended 8. The Principal Regulations are amended in Regulation 18 -
- (a) in subregulation (1) by inserting "and for each consecutive term served after first elected." after "Parliament" in line 3;
- (b) in subregulation (1) by deleting "\$25,000" and substituting "\$100,000" in line 3; and
- (c) in subregulation (2) by removing "." at the end of the paragraph and inserting. "only when the Member is not re-elected into Parliament."
- New paragraph Regulations 35 9. The Principal Regulations are amended in regulation 35 by inserting the following paragraph -
- "(7) Ordinary Members of Parliament who are appointed as Members to the Standing Select committees and Special Select Committees are entitled to subsistence allowance in regulation 10(4) and rental supplementation payable to Members when attending Parliament meetings in regulation 35(2), only when such Committees are in session".
- New paragraph Regulations 42 10. The Principal Regulations are amended in regulation 42 -
- (a) in subregulation (4) by adding the following sentence after "Development." in line 4 -
- "Upon approval, the payment must be made to the Ministry of Finance within thirty (30) days and upon failure to purchase the vehicle in full.;
- (b) in subregulation (7) by deleting "\$3000.00" in line 2 and substituting "\$7000".
- (c) in subregulation (8) by deleting "\$3,000.00" in line 2 and substituting "\$6,000.00"

- Regulations 53 amended
11. The Principal Regulations are amended in regulation 53 -
- (a) by revoking subregulation (1);
 - (b) by deleting subregulations (2) and (3) and substituting "(1)" and "(2)" and forming Regulation 54.
- Amendments to Appendix A
12. The Principal Regulations are amended in Appendix A -
- (a) by inserting "LN 23/2008" as the latest legal notice after 'LN 162/2007'.
 - (b) in A. 7 by inserting "TOURING" after "CONSTITUENCY"
 - (c) in A. 7 by deleting "\$16,000" for Zone 1 and substituting "\$19,200";
 - (d) in A. 7 by deleting "\$15,800" for Zone 2 and substituting "\$18,960";
 - (e) in A. 7 by deleting "\$15,600" for Zone 3 and substituting "\$18,720";
 - (f) in a. 7 by deleting "\$15,400" for Zone 4 and substituting "\$18,480";
 - (g) in A. 7 by deleting "\$12,200" for Zone 5 and substitution "\$14,640".
 - (h) in item 9 of Appendix 9 by inserting the following -
 - (a) "All spouses of Members of Parliament" under the column on the left; and
 - (b) "\$50,000" under the corresponding column on the right."

DATED AT HONIARA this 6th day of July 2009

DANNY PHILIP
 INTERIM CHAIRMAN
 MEMBERS OF PARLIAMENT (ENTITLEMENTS) COMMISSION

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