

[Legal Notice No. 76]

**CONSTITUTIONAL OFFICES (TERMS AND CONDITIONS
OF SERVICE) ACT
(CAP. 84)**

**CONSTITUTIONAL OFFICES (TERMS AND CONDITIONS OF
SERVICE) (PUISNE JUDGES) REGULATIONS 2010**

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

- Citation, etc **1.** (1) These Regulations may be cited as the Constitutional Offices (Terms and Conditions of Service) (Puisne Judges) Regulations 2010 and are deemed to have commenced on 1 July 2010.
- (2) The Constitutional Offices (Terms and Conditions of Service) (Puisne Judge) Regulations (Legal Notice No.142 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.
- Term of office **2.** The term of office of a Puisne Judge shall be subject to section 80 of the Constitution.
- Duties **3.** The functions of a Puisne Judge are those prescribed under Part II of Chapter VII of the Constitution.
- Salary **4.** A Puisne Judge shall be paid a fortnightly taxable salary at the rate set out in the Schedule.
- NPF contributions **5.** A Puisne Judge shall make contributions to the National Provident Fund as required under the provisions of the Solomon Islands National Provident Fund Act (Cap. 109).

6. A Puisne Judge shall be provided with an official residence free of Housing rent or in the absence of rent free accommodation and at the opinion of the Judge; he shall receive a housing allowance at the rate set out in the Schedule.²

7. The cost of water, gas, telephone³ (including mobile phone) and electricity provided to the official residence of a Puisne Judge shall be charged to public funds and be paid for by the Government, or at the option of the Judge, he shall be paid a monthly utilities allowance at the rate set out in the Schedule.³

8. The wages payable for the services of a driver, a security guard and a domestic employee shall be charged to public funds and be paid for by the Government.^{Domestic staff}

9. (1) A Puisne Judge shall be provided with a vehicle free of charge and shall also receive a monthly fuel allowance at the rate set out in the Schedule.^{Vehicle entitlement}

(2) A Puisne Judge is entitled to purchase the Government vehicle allocated to him when he retires or resigns as Puisne Judge.

(3) A Puisne Judge shall –

(a) within 30 days before the effective date of retirement or resignation, give written notice of his intention to the Minister responsible for Finance for approval on the recommendations of the Permanent Secretaries mention in paragraph (b)(iii) to (v); and of his intention to purchase the vehicle; and

(b) send a copy of the notice to the following –

(i) the Minister responsible for Justice;

(ii) the Minister responsible for Infrastructure Development;

¹ Amended in 2006 LN2/06

² Amended in 2005 LN2/05

³ Amended in 2006 LN2/06

⁴ Amended in 2006 LN2/06

- (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, a Puisne Judge shall settle the payment, including the costs of transfer of the vehicle to him with the Ministry responsible for 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.

- ave entitle-
ment
- 10.** (1) A Puisne Judge is entitled to the following leave entitlement –
- (a) annual 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: 30 consecutive days to be taken after the completion of continuous five years of service.

Passages

11. (1) A Puisne Judge and the spouse and any child shall be provided with free air or sea passages, as appropriate, from Honiara 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 Puisne Judge, and includes a child under the age of 18 years and living with and cared for by and dependent on the Puisne Judge or a son or daughter or child under the age of 21 who is living with and cared for and dependent on the Puisne Judge;

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

- 12.** A Puisne Judge shall be entitled to two return trips either by sea or air within Solomon Islands on compassionate leave per annum. Compassionate leave
- 13.** (1) A Puisne Judge shall be entitled on official overseas travel to a daily allowance – Overseas travel
- (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 a Puisne Judge accompanies him on an official overseas visit, the spouse shall be entitled to claim subsistence allowance at the rate payable to the Puisne Judge under subregulation(1).
- 14.** (1) A Puisne Judge shall be entitled to travel first class on all official visit overseas. Overseas travel allowance
- (2) The spouse of a Puisne Judge shall be entitled to travel first class on all official visits overseas when accompanying the Puisne Judge on such visits.
- 15.** A Puisne Judge shall be entitled to a daily allowance at the rate set out in the Schedule whilst on official travel within Solomon Islands. Local travel allowance
- 16.** The person appointed as a Puisne Judge shall be entitled on his first appointment to an appointment grant at the rate set out in the Schedule. Appointment grant
- 17.** (1) A Puisne Judge shall be paid an annual clothing allowance at the rate set out in the Schedule. Clothing allowance
- 18.** A Puisne Judge shall be entitled to a non-acquitable entertainment allowance at the rate set out in the Schedule. Entertainment allowance

- Medical treatment
- 19.** (1) A Puisne Judge shall be entitled to medical treatment in accordance with the terms set out from time to time for public officers.
- (2) A Puisne Judge 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.
- Personal loan guarantee
- 20.** A Puisne Judge shall be eligible for a Government-guaranteed loan, the maximum amount which shall not exceed his annual basic salary.
- Baggage allowance
- 21.** A Puisne Judge shall be entitled to baggage allowance as prescribed by General Orders.
- Death during incumbency
- 22.** Where a Puisne Judge dies whilst in office, the Government shall pay for all funeral expenses and all other expenses incidental thereto.
- Miscellaneous benefits
- 23.** A Puisne Judge shall be entitled to all other benefits available to public officer under the General Orders or other regulations which are not covered under these Regulations.
- Security
- 24.** The Government shall be responsible for providing adequate security at the residence of a Puisne Judge.
- Education allowance
- 25.** A Puisne Judge shall receive an annual education grant at the rate set out in the Schedule.
- Higher duties allowance
- 26.** A Puisne Judge shall be entitled to a daily non-taxable allowance for performing duties of other high public offices at the rate set out in the Schedule.
- Schedule of salary and allowances
- 27.** (1) The Schedule sets out the salary and other allowances payable to a Puisne Judge under these Regulations.
- (2) The salaries, allowances, entitlements and other costs associated with these Regulations are payable from the budget of the Ministry responsible for the Judiciary.
- Review of Regulations
- 28.** These Regulations shall be reviewed, including the rates of salaries and allowances, in at least once every three years or earlier where circumstances require.

⁶ Amended in 2006 - LN2/06

SCHEDULE
(Regulation 27)

Regulation	Subject	Rate (\$)
4	Fortnight salary	5,384.62
6	Monthly housing allowance	10,000.00
7	Monthly utilities allowance	3,000.00
9	Monthly fuel allowance	1,500.00
13	Daily overseas travel allowance	US\$250.00
15	Daily local travel allowance	210.007
16	Appointment grant	10,000.008
17	Annual clothing allowance	10,000.009
18	Annual entertainment allowance	7,500.00
25	Annual education allowance	10,000.00
26	Daily higher duty allowance	40.00

DATED AT HONIARA this thirtieth day of July, 2010.

DR DEREK SIKUA
PRIME MINISTER

⁷ L.N2/05

⁸ L.N2/06

⁹ L.N2/06

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