

PROVINCIAL GOVERNMENT ACT 1997

(No. 7 of 1997)

**Caretaker (Guidelines for Temotu Provincial Government)
Administration Order**

I Hon. Rollen Seleso, Minister for Provincial Government and Institutional Strengthening, under section 47(1) of the *Provincial Government Act 1997*, makes the following Order:

1 Citation

This Order may be cited as the *Caretaker (Guidelines for Temotu Provincial Government) Administration Order*.

2 Caretaker Administration

The following guidelines are necessary for the administration of Temotu Provincial Government during the period of 1 January 2024 to 16 April 2024:

- (a) The caretaker mode is necessitated by the fact that the outgoing Executives are no longer Members of the Provincial Assembly, and they may not be held accountable for any decisions they may take from the time of dissolution of the Assembly to the election of the new Executive.
- (b) There would be a Caretaker Executive from the 1st day of January 2024 until the eve of the election of the new members in Temotu Province.
- (c) The Caretaker Executive Government shall be led by, Hon. Clay Forau Soalaoi, who will perform the role of Caretaker Premier and be supported by the Provincial Secretary of Temotu Province, Mr Alan Agassi.
- (d) The Caretaker Executive shall comprise of executive members before the date of dissolution, who will perform similar portfolio responsibility but, on a caretaker, and or non-active basis only.
- (e) The care taker Executive shall be paid normal wages only with no additional allowance as per the Provincial Assembly Members Salary and Allowances Determination (PAMSAD).
- (f) The Provincial Secretary and his officers shall work on a Contingency Warrant covering the period 1st April 2024 to 31st July 2024 as required by the *Financial Management Ordinance 2018*, section 18 and 19 and shall be signed by the Minister for Finance and Treasury.
- (g) During this period, the Provincial Secretary supported by the administration shall ensure that the Service delivery of the Province shall continue uninterrupted.
- (h) The Contingency Warrant for a period of four months is prepared and submitted to the Ministry of Provincial Government and Institutional Strengthening by the 10th day of March 2024 for signing by the Minister for Finance and Treasury for application from 1st April 2024 to 31st July 2024.
- (i) The main provincial budget is prepared covering the period 1st August 2024 to 31st March 2025 and it shall be tabled in the Assembly for appropriation not later than 15th July 2024.
- (j) The current revised budgets shall be expended as approved by the provincial assembly in its latest revision in 2023. The spending is expected to be within the appropriated bill assented to by the Minister of Provincial Government and Institutional Strengthening after the budget revisions.
- (k) The administration is not an elected body and thus it should not and cannot assume the role of either the executive or the assembly as

provided for in section 36 (1) and (2) of *Provincial Government Act 1997*.

- (1) Chart of accounts for the provincial budget confirmed and approved by the assembly at the committee of supplies should be applied accordingly with zero deviations until the new assembly is elected to convene a meeting to come up with new budget for the period 1st August 2024 to 31st March 2025.
- (m) The Administration cannot spend any additional revenue that may be generated by the revenue division over and above the current approved revenue projection unless it is appropriated by the Provincial Assembly as required by section 13 (1) of the *Financial Management Ordinance 2018*.
- (n) Any donated funds or transfers paid into the provincial accounts are provincial funds and if they were not included in the appropriation bill, they must not be expended until there is Assembly appropriation for that fund (Section 3 Part 1 of 2018 FMO).
- (o) Budget heads that are already exhausted should not be further overspent until a new budget is passed or the contingency Warrant takes place.
- (p) There shall be no virements from 1st January 2024 to 31st March 2024
- (q) Capital development project implementation shall continue as approved in the annual revised budget until August 2024. The contingency warrant should not alter the development budget allocations.
- (r) Since variations lead to virements, which would require executive and assembly decisions, the Administration should not apply any variation until the Members of Provincial Assembly are elected, this will ensure adherence to *Financial Management Ordinance 2018*, sections 9(3), 15, 16 and 17.
- (s) During the months of caretaker mode, the Provincial Administration shall continue to endorse critical positions for recruitment with the support of the caretaker Premier.
- (t) The Caretaker Executive shall not make any personal payments or settle any more personal bills for the executive.
- (u) The expenditure incurred before the 31st of December 2023 by the outgoing Executive should be settled since it was incurred at a qualifying period.
- (v) No new bills from the outgoing Executive and the assembly should be paid by the administration as of 31st December 2023.
- (w) The Provincial Tender Board shall continue to issue contracts and award tenders for continuation of the implementation of PCDF and

other capital development projects.

- (x) All Members of the Provincial Assembly ceased to be members of the WDC from the dissolution of the Provincial Assemblies by 3pt of December 2023.
- (y) Bills passed by the outgoing assembly (before 31st December 2023) that are assented to by the Minister remain valid and should be implemented.
- (z) The fortnightly briefing by the Provincial Accounting Specialists that are presented to the Premier/Executive should now be presented to the Provincial Secretary and the Caretaker Premier until the new Premier is constituted.
- (aa) Monthly report of the Provincial Treasurer should be submitted to the Provincial Secretary and the Caretaker Premier until the new Premier is constituted to ensure the Provincial Government meets the minimum conditions on reporting.
- (bb) Any Caretaker Executive member who wishes to contest the 2024 National General Election may resign by submitting a month's notice to the Speaker.
- (cc) If the Speaker wishes to contest the provincial elections or National General elections, he should notify the Caretaker Premier and the Minister of Provincial Government and Institutional Strengthening.
- (dd) Executive members who wish to contest may make a submission to the Speaker in advance.

Dated this fifteenth-day of January 2024.

HON. ROLLEN SELESO
MINISTER FOR PROVINCIAL GOVERNMENT
AND INSTITUTIONAL STRENGTHENING
