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**PROVINCIAL ASSEMBLIES MEMBERS SALARIES AND
ENTITLEMENTS (AMENDMENT) AWARDS 2010**

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**PROVINCIAL GOVERNMENT ACT 1997
(NO. 7 of 1997)**

**PROVINCIAL ASSEMBLIES MEMBERS SALARIES AND
ENTITLEMENTS AWARDS 2010**

IN exercise of the powers conferred by section 25 of Provincial Government Act 1997, the Members of Parliament Entitlements Commission in consultation with the Minister of Provincial Government, makes these Awards –

PART 1 - PRELIMINARY

Citation and commencement 1. These Awards may be cited as the Provincial Assemblies Members Salaries and Entitlements Awards 2010 and are deemed to have commenced on 1st January 2010.

Definition 2. In these Awards –
“member” means a Premier, Deputy Premier, Executive member, Deputy Speaker or a member of a Provincial Assembly.

PART 2 - SALARY AND ALLOWANCES

Source of funds 3. (1) Any amount payable under these Awards is to be paid from the Consolidated Fund unless otherwise specified.

(2) The level of salaries and the rate of allowances and grants are set out in the Schedule.

Salaries 4. A member is entitled to the salaries set out in the Schedule.

Overseas allowances 5. (1) A member, when travelling overseas on official Provincial duty, is entitled to an overseas outfit allowance set out in the Schedule to be paid once during the life of the assembly.

(2) A member is entitled to the daily overseas subsistence allowance set out in the Schedule when travelling on an official visit approved by the Permanent Secretary of the Ministry responsible for Provincial Government, irrespective of whether the visit is funded by the host country or agency.

Subsistence allowances 6. (1) Except for ward tours, a member is entitled to daily local subsistence allowances when travelling within Solomon Islands organised by the provincial Government or at the National Government's invitation.

(2) If any other member, other than the Premier, is the Head of Delegation, then the Head of delegation is entitled to a separate rate but not both.

(3) Local subsistence allowance is not payable to Executive members residing in provincial centres, at the Government's expenses, whilst attending normal executive meetings.

7. A member may apply for salary advance provided that such advance shall not exceed one month's salary and shall not be approved unless all previous advance has been repaid and such repayment have been recorded in the books of account. Salary advance

8. (1) A member is entitled to the following travelling expenses – Travelling Expenses
- (a) travelling expenses incurred by the member while travelling from or to his home village to the provincial centre for the purpose of attending any provincial assembly meeting paid from provincial funds, (the expenses include the spouse of the member and four children under the age of eighteen);
 - (b) executive member who resides at the provincial centre during the life time of an assembly, is entitled to travel to his home village twice each calendar year and in an emergency (illness needing immediate medical treatment, or sudden death) accompanied by the spouse, and up to four dependent children under the age of eighteen, and the expenses incurred shall be paid from provincial funds;
 - (c) executive member residing in urban areas other than Provincial Centres is entitled to land transport while engaged in official provincial business;
 - (d) duty travel anywhere within Solomon Islands on official business will be met from Provincial Funds for the member and such travel will be in the most suitable economic manner available.
 - (e) duty travel anywhere outside Solomon Islands on official business will be met from Provincial Funds for the member and such travel will be in the most suitable economic manner available.

9. (1) An executive member, who resides at the provincial headquarter during the lifetime of an assembly, is entitled to rent free accommodation of at least class IV type house, and that benefit shall be taxable. Accommodation

(2) An executive member who resides in his own house within the boundaries of the Provincial Headquarters is entitled to a monthly housing allowance.

(3) An executive member who resides in rural areas (no within the boundaries of the Provincial Headquarters) is not entitled to housing allowance.

Premier's
privileges

10. (1) A premier is entitled to all benefits accorded to a member of the Executive Committee or of the Assembly.
- (2) A premier shall be provided with free electricity, gas and water while in office under provincial assembly expenses.
- (3) A Premier shall be provided transport paid from provincial funds for the purpose of attending public functions in his official role as premier.
- (4) A Premier is entitled to have a domestic servant and a gardener at his official residence at provincial headquarters while he is in office, paid from provincial funds.
- (5) A Premier residing in an urban area, other than at the provincial headquarters, where an official vehicle and a driver is appropriate and where such privilege is fitting for a holder of such an office to have, is entitled to a vehicle and a driver provided under provincial funds.

PART 3 - OTHER GRANTS

Ward grant

11. A member is entitled to an annual ward grant during the life of a Provincial Assembly paid out of the Consolidated Fund, (no other touring allowance or travelling expenses will be paid in respect of ward touring).

Terminal Grant

12. (1) A member who has served for a period of twelve months is entitled to a terminal grant.
- (2) This payment shall be made at the end of the life of an assembly and shall not be advanced.
- (3) Subject to subparagraphs (1) and (4), if a member dies whilst in office, his terminal grant or any part thereof, shall be paid to the surviving spouse or the oldest surviving child or personal representative of the deceased.
- (4) A member who has served for less than twelve months is only entitled to draw one-sixth of the full terminal grant of the life of the Assembly.
- (5) Any outstanding debts, owing to the Government or Assembly shall be deducted from the terminal grant before payment is made to the member under this paragraph.

Ex gratia

13. (1) A member who has served two consecutive terms or more in any one or more provincial assemblies is entitled to an *ex-gratia* payment.

Pension

14. A member who has served in a Provincial Assembly for two or more consecutive terms is entitled to a life pension.

Revocation

15. The Provincial Assemblies Members Salaries and Entitlements Awards 2009 (L/N.34/09) are revoked.

(4) The managers shall ensure that the designated betel nut markets open and close at the permitted hours.

4. (1) A person who – Offence

- (a) sells betel nut in any public place other than a designated betel nut market;
- (b) chews or spits betel nut in any public place; or
- (c) discards betel waste in any public place,

commits an offence and is liable upon conviction to a fine not exceeding 100 penalty unit.

(2) A manager who allows or a person who sells betel nut from a designated betel nut market outside of the permitted hours commits an offence and is liable upon conviction to a fine of 50 penalty units or to an imprisonment term of 3 days or to both such fine and imprisonment.

5. Any person may bring a complaint under this Ordinance to the Police and shall comply with the procedures laid down in section 76 of the Criminal Procedure Code (Cap. 7). Complaints

6. (1) The Police may remove or order the immediate removal of any betel nut market, shed or structure (whether permanent or temporary) that is not designated under section. Police Powers

(2) The police may remove any person who sells betel nut from a designated betel nut market outside of the permitted hours.

Passed by the Malaita Provincial Assembly this third day of March, 2010.

MATTHEW MAEFAI
Clerk to Assembly

With the Assent of the Minister this twenty-seventh day of April, 2010.

MANASSEH MAELANGA
Minister for Provincial Government

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