

REPUBLIC OF KIRIBATI
(No. 5 of 1996)

I assent

Beretitent
Assented: 8th January 1996

**AN ACT TO AMEND THE SALARIES AND ALLOWANCES OF MEMBERS OF THE
MANEABA NI MAUNGATABU AND SALARIES TRIBUNAL ACT (CAP. 92A)**

Commencement:
1996

MADE by the Maneaba ni Maungatabu and assented to by the Beretitenti.

Short title and commencement

1. (1) This Act may be cited as the Salaries and Allowances of Members of the Maneaba ni Maungatabu and Salaries Tribunal (Amendment) Act 1996.

(2) This Act shall be deemed to have come into operation on 1 January 1996.

Interpretation

2. In this Act unless the context otherwise requires –

“principal Act” means the Salaries and Allowances of Members of the Maneaba ni Maungatabu and Salaries Tribunal Act (Cap. 92A) (Revised Edition 1995).

Amendment of section 2

3. Section 2 of the principal Act is amended –

(a) by inserting a new definition as follows –

“constituency visit” means a visit of the Beretitenti or a Minister to his home island constituency for the purpose of updating or informing his constituency on any matter decided or determined by the Maneaba ni Maungatabu or of any policy of Government;”

(b) by inserting between the definition of “Member” and “Salaries Tribunal” a new definition as follows –

“official business” means the attendance of a member –

(a) in a meeting, seminar or workshop of the Maneaba ni Maungatabu and the Commonwealth Parliamentary Association;

- (b) in a meeting of a standing or select committee of the Maneaba ni Maungatabu;
- (c) in a ministerial tour of any island in Kiribati other than his island constituency
- (d) in an official function to which a member has been invited to attend in his capacity as a member; or
- (e) in any other activity which is approved by the Cabinet as an official business.”

Amendment of Schedule

4. The Schedule of the principal Act is amended as follows –

- (a) by repealing the figures “13,689” occurring in the second column (Salary) (which relates to the office of the Beretitenti (First Column) and substituting the figures “15,800”.
- (b) by repealing the figures “1884” occurring in the third column (Entertainment allowance) (which relates to the Beretitenti) (First Column) and substituting the figures “1942”.
- (c) by repealing the figures “12900” occurring in the second column (Salary) (which relates to the Kauoman ni Beretijeuti (First Column) and substituting the figures “1500”.
- (d) by repealing the figures “1650” occurring in the third column (Entertainment allowance) (which relates to the Kauoman ni Beretitenti) (First Column) and substituting the figures “1700”.
- (e) by repealing the figures “12,112” occurring in the second column (Salary) (which relates to the office of a Minister (First Column) and substituting the figures “14200”.
- (f) by repealing the figures “11344” occurring in the third column (Entertainment Allowance) (which relates to the office of a Minister) (First Column) and substituting the figures “1600”.
- (g) by repealing the figures “9,153” occurring in the second column (Salary) (which relates to the office of an Elected Member) (First Column) and substituting the figures “11200”.
- (h) by repealing the figures “600” occurring in the third column (Entertainment Allowance) (which relates to the office of an elected member) (First Column) and substituting the figures –

- (a) “720” (for elected ordinary members (South Tarawa and Betio); and
- (b) for ordinary members (for outer islands apart from South Tarawa and Betio).

Amendment of section 4

5. Section 4 of the principal Act is amended –

- (a) in subsection (4) as follows –
 - (i) by repealing the letter “(a)” occurring at the beginning of subsection (4); and
 - (ii) by repealing the word “once” occurring in the first line of subsection (4)(a)(ii) and substituting the word “twice”.
 - (iii) by repealing subsection (4)(b); and
 - (iv) by renumbering subsection (4)(a)(i) and (ii) as “(a)” and “(b)”.
- (b) in subsection (5) –
 - (i) by inserting the words “to attend a meeting of the Maneaba or within Kiribati” between the words “South Tarawa” and “on official business” occurring in the first and second line; and
 - (ii) by repealing the words “once” occurring at the beginning of subsection (5)(b) and substituting the words “twice”.
- (c) in subsection (6) –
 - (i) by repealing the words “one occasion” occurring in subsection (6)(b) and substituting the words “two occasions”.
 - (ii) by adding a new subsection (6)(f) as follows –
 - “(f) to stay or remain on his island constituency for such visit for a period of not more than 10 days;”
- (d) in subsection(7) –
 - (i) by repealing the words “paying or making an official visit to his or her own island constituency” occurring in the first and second line of paragraph (a) and substituting the words “on a constituency visit;

- (ii) by inserting the words “Subject to subsection 6(d)” at the beginning of paragraph (b); and
- (iii) by repealing the words “official visit to his or her own island constituency” and substituting the words “visit”.

Amendment of section 5

6. Section 5 of the principal Act is amended –

- (a) in subsection (2) by repealing the figures “840” occurring in the second line and substituting the figures “874”; and
- (b) by repealing the whole of subsection (4).

Amendment of section 6

7. Section 6 of the principal Act is amended as follows –

- (a) in subsection (1) by repealing the words “Class B” and substituting the words “Class A”.
- (b) in subsection (3) –
 - (i) by inserting the words “apart from South Tarawa and/or his island constituency” between the words “Kiribati” and “he or she” occurring in the fifth line of subsection (3)(a);
 - (ii) by repealing the figures “45” occurring in the last line of subsection (3)(a) and substituting the figure “15”;
 - (iii) by inserting the words “apart from South Tarawa and/or his island constituency” between the words “Kiribati” and “and” occurring in the fifth line of subsection (3)(b);
 - (iv) in subsection (3)(c) as follows –
 - (aa) by inserting the word “licensed” between the words “in a” and “rest house” occurring in the sixth line;
 - (bb) by repealing the word “not” occurring in subsection (3)(c)(bb); and
 - (cc) by repealing the figures “10” occurring in the fourth line of subsection (3)(c)(bb) and substituting the figures “40”.
 - (v) by adding a new subsection (3)(d), (e) and (f) as follows –

- “(d) If –
- (i) the Beretitenti;
 - (ii) a Minister; and
 - (iii) a Member
 - (aa) travels on official business within Kiribati apart from South Tarawa and/or his island constituency; and
 - (bb) is accompanied by his spouse; and
 - (cc) are accommodated either in a hotel or licensed rest house,

the Beretitenti, a Minister or a member as the case may be shall be entitled to be paid a subsistence allowance of \$40 per day and the spouse shall be entitled to be paid a subsistence allowance of \$20 per day.

- (e) If a member travels to South Tarawa to attend any meeting of the Maneaba ni Maungatabu or other official business and he is accompanied by his spouse subject to section 4(5) such member shall be entitled to be paid a subsistence allowance of \$20 per day and the spouse shall be entitled to be paid a subsistence allowance of \$10 per day.

- (f) If a member referred to in paragraph (d) is accommodated in a licensed rest house and the hotel and licensed rest house charges and expenses exceed that of his and his spouse subsistence allowance entitlement under paragraph (d) then such member and his spouse shall be entitled to be refunded for any amount spent for a licensed rest house or hotel accommodation over and above their subsistence allowance entitlement.”

- (c) in subsection (5) –
- (i) by inserting the word “he is accommodated in a hotel or a licensed rest house” between the words “Christmas Island” and “he or she” in the fifth line of paragraph (a); and
 - (ii) by repealing subparagraphs “(aa)” and “(bb)” of subsection (5)(a) and substituting the words “to have his accommodation and meals paid for by the Government from public funds in an amount not exceeding \$150 per day,”

(iii) by repealing the words “be entitled to one half of the subsistence allowance payable to the Beretitenti, a Minister or a Member whichever is applicable under the circumstances” occurring in the sixth line of subsections 5(b) and substituting the words “also have his accommodation and meals paid for by the Government from public funds in an amount not exceeding \$75 per day.”

(d) by adding a new section (5)(c) as follows –

“(c) If –

(i) the Beretitenti

(ii) a Minister; or

(iii) a Member

(aa) travels on official business to Christmas Island; and

(bb) he is accompanied by his spouse; and

(cc) they are not accommodated in a hotel,

the Beretitenti, a Minister and a Member, as the case may be shall be entitled to be paid a subsistence allowance of \$20 per day and the spouse shall be entitled to be paid a subsistence allowance of \$10 per day.”

(e) in subsection (6), by repealing the whole of subsection (6) and substituting a new subsection as follows –

“(6) Any member appointed to a Standing or Select Committee shall be deemed to have been entitled to be paid a subsistence allowance of \$45 for each day during the period 1 October 1994 to 31 December 1995 on which the member attended a standing or select committee meeting and for which he or she was entitled to claim a subsistence allowance of \$15 per day under section 6 of this Act prior to this amendment.”

(f) by adding to section 6 a new subsection (7) as follows –

“(7) If a member –

(a) is also a member of a Standing Committee of the Maneaba; and

(b) occupies a Government or Housing Corporation dwelling house during a meeting of such standing committee such member shall be entitled to a housing subsidy paid by the Government to the Housing Corporation on the same terms as applicable to a public officer who is a Kiribati citizen.”

- (c) This subsection does not apply to such member who occupies a dwelling house not being a Government or a Housing Corporation dwelling house”

Insertion of new section 6A

8. The principal Act is amended by inserting a new section 6A as follows –

“Dissolution of the Maneaba and subsistence allowance

6A. (1) When the Maneaba ni Maungatabu stands dissolved pursuant to section 78 of the Constitution –

- (a) the Beretitenti;
- (b) a Minister; and
- (c) a Member

attending a meeting of the Maneaba ni Maungatabu during which a motion to dissolve the Maneaba has been passed by the Maneaba shall be entitled to be paid a subsistence allowance of \$20 per day commencing on the day the Maneaba ni Maungatabu is dissolved until such time as and when transport is available for them to return to their respective home island constituency.

(2) If a person referred to in subsection (1) is accompanied by his spouse as provided by section 4(5) when the Maneaba is dissolved such spouse shall also be entitled to be paid a subsistence allowance of \$10 per day commencing on the day the Maneaba is dissolved until such time as and when transport is available for him to return to his home island constituency.

(3) This section does not apply to a member from the electoral district of Tarawa Teinainano and Betio unless such member is a Minister responsible for the Ministry of the Line and Phoenix in which case he shall be entitled to be paid such subsistence allowance payable under this section.”

Amendment of section 8

9. Section 8 of the principal Act is amended in subsection (1) by repealing “the full stop” at the end of the said subsection (1) and substituting the words “rent free.”.

Amendment of section 9

10. Section 9 of the principal Act is amended as follows –

- (a) in subsection (1) by repealing “the full stop” at the end of the said subsection and substituting the words “rent free.”.

- (b) in subsection (2) by repealing paragraph “(a)” and “(b)” and substituting the following words –

“entitled to free furnishing not lower than the furnishing scale of an “A” or “B” grade Government dwelling house.”

Amendment of section 11

- 11.** Section 11 of the principal Act is amended in subsection (1) by repealing the words “on the same basis as a public officer” and substituting the words “of \$600”.

Amendment of section 12

- 12.** Section 12 of the principal Act is amended in (2) by repealing the words “100 calls or \$50” occurring in the second line and substituting the words “600 calls or \$260.”

Insertion of new section 12A

- 13.** The principal Act is amended by inserting a new section 12A between sections 12 and 13 as follows –

“Transport of body of deceased member, etc. to be provided

12A. (1) Where a member dies in the course of his attendance of a meeting of the Maneaba ni Maungatabu or performing other official business within Kiribati as a member away from his home island constituency then in such event the Government shall provide a free transport for the return of the body of such member to his home island constituency.

(2) Where a transport is provided by the Government under subsection (1) a member of the family or a next of kin of such deceased member shall be entitled to accompany the body of such member on the transport provided.”

SALARIES AND ALLOWANCES OF MEMBERS OF THE MANEABA NI MAUNGATABU AND SALARIES TRIBUNAL (AMENDMENT) ACT 1996

EXPLANATORY MEMORANDUM

1. This Act seeks to incorporate in the Salaries and Allowances of Members of the Maneaba ni Maungatabu Act some of the changes to the salaries and allowances of the members which the Maneaba Members Salaries Tribunal had suggested together with other changes which the Government had also considered appropriate to be so incorporated as well.
2. It will be seen therefore that following the suggestions of the Maneaba Members Salaries Tribunal and the Cabinet the following changes are recommended –
 - (a) that the term “constituency visit” be defined properly to reflect what a constituency visit means in terms of what the Government understands to mean namely that it is an official visit of the Beretitenti or a Minister to his home island constituency, etc. (Section 2).
 - (b) that the word of the term “official business” be properly explained in terms of the members of the Maneaba’s activity throughout Kiribati as members and the meaning which is now given to the term reflects that attempt to do so. (See section 2).
 - (c) Section 4 seeks to increase the salaries and allowances of members of Parliament as recommended by the Salaries Tribunal but in doing so the Cabinet realises that the responsibility and demand placed on a Minister as a member of the Cabinet and as a Minister of Government is considerably much higher if not painful more than that of an ordinary member of Parliament. Consequently the reward of a Minister and that of a member in terms of the salaries and allowances have to be differentiated. Thus the Beretitenti and Ministers’ salaries and allowances are accordingly recommended to be higher than those of ordinary members of the Maneaba ni Maungatabu as set out in section 4.
 - (d) Section 5 seeks to allow the Beretitenti and a Minister and a member to have their spouse accompanying them twice a year when travelling within Kiribati for any official business or to South Tarawa.
 - (e) Section 6 seeks to increase the car allowance of a Minister to \$874 per year.
 - (f) Section 7 seeks to change the words “Class B” to that of “Class A” in section 6 as in reality it appears that all the members of Parliament are entitled to be classified as being in Class A rather than being in level 5 in Class B as members entitled to be classified as in Class B receiving practically the same amount of subsistence allowance as that of Class A.

On the other hand if the Beretitenti, a Minister or a member travels on official business within Kiribati and he is accommodated in a hotel or rest house he is entitled to be paid a subsistence allowance of \$40 per day and if accompanied by his spouse on such occasion the spouse shall be entitled to be paid a subsistence allowance of \$20 per day. (Section 7(3)(d)).

But if a member travels to South Tarawa to attend any meeting of the Maneaba or other official business then such member is entitled to be paid a subsistence allowance of \$20 per day and the spouse \$10 per day. (Section 7(v)).

- (g) If the Beretitenti, a Minister or a member travels on official business to Kiritimati Island and he is accommodated in a hotel or rest house then the Beretitenti, a Minister or a member shall be entitled to have his accommodation and meals paid for by the Government from public funds and the same applies to the spouse if accompanying him. But if they stay elsewhere apart from the hotel then the amount payable is \$20 for the member and \$10 for the spouse. (section 7(c) and (d)).
- (h) Section 7(e) allows members of select committees etc to claim \$45 for subsistence allowance instead of \$15 which is payable after a period of thirty days operation as now authorised by section 6(6).
- (i) Section 8 entitles a member and spouse if accompanying him to be paid subsistence allowance of \$20 and \$10 respectively when Parliament is dissolved.
- (j) Sections 9 and 10 allows the Kauoman ni Beretitenti and ministers to be accommodated in Government house rent-free.
- (k) Section 11 seeks to increase the clothing allowance of a member to \$600.
- (l) Section 12 seeks to increase the telephone allowance of a member from 100 to that of 600 calls per year.
- (m) Section (deceased member entitlement) obliges the Government to provide a free transport for the body of a member who dies during the course of a meeting of the Maneaba or other official business in which the deceased has been engaged.

Michael N. Takabwebwe
Attorney General
20 December 1995