# REPUBLIC OF VANUATU

# CONSOLIDATION OF THE FRENCH AND ENGLISH TEXTS OF THE LAWS OF VANUATU ACT [CAP 295]

## Approval of the English Text of the Parliament (Members' Expenses And Allowances) Consolidation Edition 2022 Order No. 99 of 2022

In exercise of the powers conferred on me by subsection 9(1) of the Consolidation of the French and English Texts of the Laws of Vanuatu Act [CAP 295], I, the Honourable ESMON SIMON, Minister of Justice and Community Services, make the following Order:

**1 Approval of the English Text of the Parliament (Members' Expenses and Allowances) Consolidation Edition 2022**

The English Text of the Parliament (Members' Expenses and Allowances) Consolidation Edition 2022 is approved.

**2 Appointed day**

The appointed day for the coming into operation of the Parliament (Members' Expenses and Allowances) Consolidation Edition 2022 is the day on which this Order is made.

**3 Commencement**

This Order commences on the day on which it is made.

**Made at Port Vila this 31st day of May, 2022.**

REPUBLIC OF VANUATU Ministry of Justice & Community Service MINISTER Ministère de la Justice et services du Communauté

**Honourable ESMON ESAI SIMON**
**Minister of Justice and Community Services**

Commencement: 1 July 1980

# CHAPTER 109

# PARLIAMENT (MEMBERS' EXPENSES AND ALLOWANCES)

JR 12 of 1980
Act 12 of 1983
Act 14 of 1984
Act 39 of 1984
Act 38 of 1985
Act 11 of 1987
Act 36 of 1989
Act 24 of 1993
Act 26 of 1998
Act 11 of 2000
Act 4 of 2005
Act 44 of 2006
Act 24 of 2008
Act 33 of 2010
Act 5 of 2012
Act 45 of 2017
Act 2 of 2020
Act 20 of 2021

**ARRANGEMENT OF SECTIONS**

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2. Overseas travelling expenses
3. Responsibility allowance and Member of Parliament allocation
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# PARLIAMENT (MEMBERS' EXPENSES AND ALLOWANCES)

**To provide for expenses and allowances payable to Members of Parliament.**

**1. Travelling expenses**

(1) The return travelling expenses of Members of Parliament by the most direct route to attend sessions of Parliament or to attend meetings of any Committee of Parliament shall be paid in full.

(2) The Clerk of Parliament, unless requested not to, shall make all necessary travel arrangements including payment of fares. If a Member makes his own travel arrangements, those fares incurred by him in compliance with subsection (1) shall be refunded to him by the Clerk of Parliament on production of the appropriate documents showing his expenditure.

**2. Overseas travelling expenses**

Any Member sent upon a mission overseas at the request of Parliament shall receive reimbursement of his necessary travelling expenses and payment of a daily allowance at such rate as shall be agreed by the Speaker of Parliament and the Minister responsible for finance.

**3. Responsibility allowance and Member of Parliament allocation**

(1) A Member of Parliament (including the Speaker, Prime Minister and Ministers) is entitled to:

(a) an annual responsibility allowance in accordance with the Grades set out in the table below:

| **Minimum** | **Midpoint** | **Maximum** |
|---|---|---|
| 1 | 2 | 3 |
| VT5,324,100 | VT5,650,500 | VT5,989,600 |

;and

(b) a Member of Parliament allocation of up to and not more than VT3,000,000 per annum.

(2) Subject to the availability of funds from the Government, the Parliamentary Committee on Privilege, Integrity, Ethics and Parliamentary Rights is to determine when the Grades set out in the table in paragraph (a) are to be paid and determine the rate of the Member of Parliament allocation.

(3) The Member of Parliament allocation is to be excluded from any calculation relating to the payment of:

(a) contributions to the Vanuatu National Provident Fund; and

(b) gratuity.

**3A. Responsibility allowance**

(1) A Member of Parliament is entitled to be paid in arrears his or her responsibility allowances from the date on which he or she is elected.

(2) To avoid doubt, the date on which the Member of Parliament is elected is the polling day for the relevant election.

**4. Subsistence, sitting and touring allowances**

(1) Subject to the provisions of this subsection, Members of Parliament (other than the Speaker and Ministers) shall be paid a subsistence allowance at the rate of VT 5,000 for each day of the session when Parliament or a committee thereof sits.

When a member arrives in Port Vila a day before the commencement of the session, he shall be paid an additional allowance of VT 5,000 for that day.

When Parliament is in session the allowance shall also be paid for Saturdays, Sundays and public holidays notwithstanding that Parliament may stand adjourned on those days.

A deduction of VT 5,000 shall be made from the allowance payable to a Member under this subsection, for each day a Member is absent from a sitting of Parliament or a committee thereof. And when such absence is on a Friday, a deduction of VT 5,000 shall also be made for each of the Saturday and the Sunday if an allowance is otherwise payable. And where such absence is on a day before a public holiday or holidays a deduction of VT 5,000 shall be made for each such day or days, as the case may be, if an allowance is otherwise payable.

(2) A Member of Parliament (including the Speaker, the Prime Minister and Ministers) is entitled to a sitting allowance at the rate of VT7,500 for each sitting of, Parliament or any of its Committee.

(3) A sitting allowance must not be paid to a Member of Parliament unless such Member actually attends the sitting of Parliament or the sitting of any of its Committee.

**4A. Touring Allowance**

A Member of Parliament (including the Speaker, Prime Minister and Ministers) is entitled to a touring allowance of VT 1,605,000 per annum.

**4B. Accommodation entitlement**

(1) A Member of Parliament (other than the Speaker, Prime Minister, any Ministers and the Leader of Opposition) is entitled to a reasonably affordable rented apartment for the duration of a session of Parliament.

(2) In the event that the entitlement under subsection (1) is not available, the Member of Parliament is to be paid VT7,500 per day to meet his or her accommodation for the duration of a session of Parliament.

(3) A Member or Chairperson of a Parliamentary Committee (other than the Prime Minister, any Ministers and the Leader of Opposition), is entitled to be paid VT 7,500 per day to meet his or her accommodation for the duration of the meetings of such Committee.

**4C. Ceasing of take home pay entitlements**

(1) A Member of Parliament (including the Speaker, Prime Minister and Ministers) is not entitled to any form of take home pay entitlements as from the date on which this Act commences.

(2) For the purposes of this section:

"take home pay entitlements" includes all of the following allowances:

(a) child, family, spouse allowances; and

(b) cost of living allowance; and

(c) entertainment allowance; and

(d) fuel allowance; and

(e) housing allowances; and

(f) telephone allowance.

**5. Persons entitled to receive allowance**

Where a Member of Parliament ceases to be a Member for any cause the Member or, in the case of death of the Member, the person or persons who the Clerk is satisfied are entitled to receive the allowance shall be paid a sum representing the amount of allowance unpaid up to the date of cessation of membership calculated on a pro rata basis.

**6. Gratuity**

A person who, after the commencement of this Act, ceases to be a Member of Parliament shall be entitled to receive a gratuity at the rate of the monthly allowance specified in section 3, multiplied by three (3), for each year during which he was a Member of the Parliament and pro rata for each uncompleted year.

**6A. Increase in total amount of gratuity**

A Member of Parliament is to receive a 25% increase on the total amount of gratuity payable under section 6.

**6B. Review of section 6A**

The increase under section 6A may only be reviewed by Parliament after a period of 5 years from the date on which this Act takes effect.

***Table of Amendments (since the Revised Edition 1988)***

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|---|---|
| *3* | *Substituted by Act 45 of 2017* |
| *3(1)* | *Amended by Acts 24 of 1993, 11 of 2000, 4 of 2005, 33 of 2010, 5 of 2012* |
| *3A* | *Inserted by Act 2 of 2020* |
| *4(1)* | *Amended by Act 26 of 1998* |
| *4(2) and (3)* | *Substituted by Act 45 of 2017* |
| *4(3)* | *Amended by Acts 26 of 1998, 44 of 2006* |
| *4A – 4C* | *Inserted by Act 45 of 2017* |
| *4B(3)* | *Inserted by Act 20 of 2021* |
| *6* | *Substituted by Act 36 of 1989* |
| *6A & 6B* | *Inserted by Act 24 of 2008* |