

# REPRINT

## **GOVERNORS-GENERAL (PENSIONS AND BENEFITS) ACT 2007**

**As in force at: 9 November 2012**

<b>STATUS:</b>	<b>CURRENT</b>
For details see Endnotes	

**AN ACT TO PROVIDE PENSIONS AND OTHER BENEFITS FOR PERSONS WHO CEASE TO HOLD THE OFFICE OF GOVERNOR-GENERAL AND FOR THEIR WIDOWS AND CHILDREN AND TO PROVIDE FOR MATTERS INCIDENTAL TO THE FOREGOING OR CONNECTED THEREWITH.**

# GOVERNORS-GENERAL (PENSIONS AND BENEFITS) ACT 2007

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# **GOVERNORS-GENERAL (PENSIONS AND BENEFITS) ACT 2007**

**As in force at: 9 November 2012**

## **1 Short title Commencement**

This Act may be cited as the *Governors-General (Pensions and Benefits) Act 2007*, and shall come into operation on such date as the Minister may appoint by notice published in the *Gazette*.

## **2 Interpretation**

In this Act “**Governor-General**” means any person who has held the post of Governor-General for a period of not less than one year, having been duly appointed by the Head of State pursuant to the provisions of section 27 of the *Constitution*, but does not include a person who has been removed from the office under subsection (3) of the section.

## **3 Governor-General’s right to pension, etc.**

Every person who having held the office of Governor-General on or after the 7th day of July, 1978, ceases at any time after such appointment to be Governor-General shall be paid a pension under this Act with effect from the date on which he ceases to be Governor-General and subject to section 4 such pension shall continue to be paid during the lifetime of that person.

## **4 Right to pension to cease**

Where a Governor-General to whom a pension is payable is appointed to any other public office, the pension shall cease to be payable during the period in which such person holds such public office.

## **5 Rate of Pension**

A Governor-General’s pension shall be at an annual rate of sixty per cent of the current salary payable to the incumbent.

**6****Widows Pension**

- (1) Where a person dies while he is the Governor-General or while he is entitled to receive a Governor-General's pension leaves:
  - (a) a widow but no entitled child; or
  - (b) a widow and entitled children by such widow only; the widow shall, be paid a pension at an annual rate of 40% of the pension receivable by the pensioner at the time of his death.
- (2) A widow mentioned in subsection (1) shall not be entitled to receive a pension under this section, if she remarries.
- (3) If the Minister is satisfied that the widow of a Governor-General while receiving a pension under this section, deserted or abandoned, or failed to maintain or assist in maintaining so far as her means allow an entitled child whom she is bound to maintain, the Minister may cause to be paid to such child, until such child ceases to be an entitled child, such portion of the pension of the widow.

**7****Sources and method of payment of pension**

Any pension payable under this Act:

- (a) shall be charged on and paid out of the Consolidated Fund; and
- (b) shall be paid fortnightly.

**8****Protection of pension**

Any pension payable under this Act shall not:

- (a) be assignable or transferable except for the purpose of satisfying a debt due to the government or an order of any court for the payment of periodical, sums of money towards the maintenance of the spouse, and a child being a minor of the person to whom the pension is payable; or
- (b) be liable to be attached, sequestered or levied upon for or in respect of any debt or claim whatever except a debt due to the government or any sum recoverable pursuant to such order of any court as is mentioned in paragraph (a).

**9**

## **Terminal grant or ex-gratia payment**

- (1) A Governor-General who ceases or has ceased to hold office shall be paid a terminal grant or ex-gratia payment of \$75,000.00 or such greater sum, equivalent to and payable to a Prime Minister under the current Parliamentary Entitlements Commission Regulations for each term of office he has served.
- (2) The spouse of a Governor-General shall also be qualified to receive an ex-gratia payment equivalent to fifty percent of the payment received by the Governor-General pursuant to subsection (1).

**10**

## **Official residence**

- (1) A Governor-General on retirement shall be provided with an official residence free of rent and the cost of water, gas and electricity shall be paid for by the Government.
- (2) If no official residence is provided in accordance with subsection (1), a Governor-General on retirement shall be entitled to a monthly housing allowance at a rate equivalent to the upper limit of the range prescribed or determined from time to time by the Members of Parliamentary (Entitlements) Commission in respect of Cabinet Ministers irrespective of whether the Governor-General lives in his own house.

**11**

## **Official vehicle**

- (1) A Governor-General on retirement shall be provided with an official vehicle for use in connection with his normal duties.
- (2) If no official vehicle is provided in accordance with subsection (1), a Governor-General on retirement shall be entitled to a monthly transport allowance at a rate determined or prescribed from time to time by the Members of Parliamentary (Entitlements) Commission in respect of Cabinet Ministers irrespective of whether the Governor-General owns a private vehicle.
- (3) Where a Governor-General is provided with an official vehicle in accordance with subsection (1), the cost of fuel, maintenance or running costs shall be met by the Government.

**11A      Entitlements under section 10 and 11 to continue**

The entitlements or benefits granted to a Governor-General on retirement under sections 10 and 11 shall continue to be enjoyed by the surviving spouse of the Governor-General after his or her death unless such surviving spouse remarries, in which event such entitlement or benefit shall cease.

**12      Medical treatment**

A Governor-General on retirement shall be entitled to medical treatment free of charge. This entitlement or benefit shall continue to be enjoyed by the surviving spouse of the Governor-General after his or her death unless such surviving spouse remarries, in which event such entitlement or benefit shall cease.

**13      National representation**

Where a Governor-General whilst on retirement is assigned to undertake any assignment on behalf of Solomon Islands, he shall be entitled to receive protocols, courtesies and benefits, as may be appropriate.

## ENDNOTES

### 1 KEY

amd = amended	Pt = Part
Ch = Chapter	rem = remainder
Div = Division	renum = renumbered
exp = expires/expired	rep = repealed
GN = Gazette Notice	Sch = Schedule
hdg = heading	Sdiv = Subdivision
ins = inserted	SIG = Solomon Islands Gazette
It = long title	st = short title
LN = Legal Notice	sub = substituted
nc = not commenced	

### 2 LIST OF LEGISLATION

#### **Governors-General (Pensions and Benefits) Act 2007 (No. 3 of 2007)**

Assent date	7 March 2007
Gazetted	9 March 2007
Commenced	27 April 2007*
[*Note: the commencement date has been validated by s39 of the Legislation Amendment, Repeal and Validation Act 2023]	

#### **Governors-General (Pensions and Benefits) (Amendment) Act 2012 (No. 5 of 2012)**

Assent date	5 November 2012
Gazetted	9 November 2012
Commenced	9 November 2012

### 3 LIST OF AMENDMENTS

s 10	amd by Act No. 5 of 2012
s 11	amd by Act No. 5 of 2012
s 11A	ins by Act No. 5 of 2012
s 12	sub by Act No. 5 of 2012