



REPUBLIC OF NAURU

JUDICIAL OFFICERS CONDITIONS OF SERVICE, SALARIES AND ALLOWANCES REGULATIONS 2020

SL No. 23 of 2020

Notified: 24th July 2020

Table of Contents

1	Citation	2
2	Commencement	2
3	Objective	2
4	Interpretation	2
5	Salary of the Chief Justice	2
6	Salary of Supreme Court Judge	2
7	Salary of Justice of Appeal	2
8	When salary payable	2
9	Other allowances	3
10	Travel	3
11	Accommodation	3
12	Transport	3
13	Medical	4
14	Leave	4
15	Telecommunication	4
16	Allowances not taxable	4
17	Employment and services tax	4
18	Repeal	4
19	Transition	4
	SCHEDULE 1	5
	SCHEDULE 2	6
	SCHEDULE 3	7

Cabinet makes the following Regulations under *Section 2* of the *Statutory Salaries Act 1974*:

1 Citation

These Regulations may be cited as the *Judicial Officers Conditions of Service, Salaries and Allowances Regulations 2020*.

2 Commencement

These Regulations come into effect on 1 August 2020.

3 Objective

The objective of these Regulations is to prescribe the conditions of service, salaries and allowances of:

- (a) the Chief Justice;
- (b) the Judges of the Supreme Court; and
- (c) the Justices of Appeal of the Nauru Court of Appeal.

4 Interpretation

'Judicial Officer' means the Chief Justice, a Supreme Court Judge and a Justice of Appeal;

'month' means a calendar month beginning on any day of a named month and ending:

- (a) at the end of the day before the corresponding day of the next named month;
or
- (b) if there is no corresponding day, at the end of the next named month.

5 Salary of the Chief Justice

- (1) The salary of the Chief Justice is fixed and set out in Schedule 1.
- (2) The Chief Justice shall receive the salary in subregulation (1) when he or she sits in the Nauru Court of Appeal.

6 Salary of Supreme Court Judge

The salary of a Supreme Court Judge is fixed and set out in Schedule 1.

7 Salary of Justice of Appeal

The salary of a Justice of Appeal is fixed and set out in Schedule 1.

8 When salary payable

- (1) Where the employment of a Judicial Officer is on a full time basis, requiring him or her to be present in the Republic, he or she shall be paid an annual salary of an aggregate of 12 months salary fixed and set out in Schedule 1.

- (2) Where the employment of a Judicial Officer is on a circuit or for a specific cause or matter, he or she shall be paid a salary for the period he or she is in the Republic commencing from the date of arrival to the date of departure.
- (3) For the purposes of subregulation (2), the salary of the Judicial Officer shall:
 - (a) be paid on a monthly basis or part thereof depending on the period of his or her presence in the Republic; and
 - (b) include Saturdays, Sundays and Public Holidays.

9 Other allowances

- (1) A Judicial Officer shall be paid a non-accountable subsistence allowance per month or part thereof for the period of his or her presence in the Republic as set out in Schedule 2.
- (2) The Chief Justice shall be provided with a reimbursable entertainment allowance to be fixed by the Cabinet.

10 Travel

- (1) Subject to the availability of flight and a seat, a Judicial Officer shall be entitled to a business class return airfare from his or her place of residence to the Republic.
- (2) Where a Judicial Officer is required to travel on official travel, he or she shall be entitled to a business class return airfare.
- (3) The spouse of the Chief Justice may accompany him or her to the Republic or on official travel on a business class return airfare.
- (4) Where a Judicial Officer travels on official travel, he or she:
 - (a) shall be paid a per diem as set out in Schedule 2; and
 - (b) is not eligible to be paid any salary unless he or she is employed on a full-time basis.

11 Accommodation

A furnished paid for accommodation shall be provided to the Judicial Officer by the Republic.

12 Transport

- (1) A Judicial Officer shall be provided with transport and a driver.
- (2) A Judicial Officer has unlimited use of the vehicle during the period of his or her presence in the Republic.

13 Medical

A Judicial Officer is entitled without charge for any medical treatment available at the Republic of Nauru hospital.

14 Leave

(1) Where a Judicial Officer is employed on a full-time basis, he or she shall be entitled to the following leave:

(a) recreation leave of 20 working days;

(b) sick leave of 10 working days;

(c) special leave of 3 working days; and

(d) any other leave contained in the Contract of Employment or as the Cabinet may approve.

(2) A Judicial Officer who is employed on a full time basis may take leave of absence from the Republic during a judicial vacation.

15 Telecommunication

A Judicial Officer shall be provided with an official phone number and internet facility as set out in Schedule 3.

16 Allowances not taxable

The allowances and other benefits of a Judicial Officer are not taxable income.

17 Employment and services tax

The salary of a Judicial Officer shall be subject to the provisions of the *Employment and Services Tax Act 2014*.

18 Repeal

The *Judicial Salaries Regulations 1980* are hereby repealed.

19 Transition

(1) These Regulations shall not apply to an existing contract of employment of any Judicial Officer until the date of expiry of such contract, when it is deemed to have come to an end.

(2) A Judicial Officer may be re-appointed under a new contract of employment on the terms and conditions prescribed in these Regulations, once a contract is deemed to have come to an end under subregulation (1).

SCHEDULE 1

[Regulations 5, 6 and 7]

GROSS SALARY OF JUDICIAL OFFICER

Judicial Officer	Gross salary per month
Chief Justice	\$30,000.00
Justice of Appeal	\$27,000.00
Judge of the Supreme Court	\$25,000.00

SCHEDULE 2

[Regulations 9 and 10]

OTHER ALLOWANCES OF JUDICIAL OFFICER

Judicial Officer	Non- accountable Allowance per month	Per diem for official travel
Chief Justice	\$1,200.00	At the rate provided for in the Republic of Nauru travel allowance (per diem) for official travel on behalf of the Republic.
Justice of Appeal	\$1,200.00	At the rate provided for a Judge in the Republic of Nauru travel allowance (per diem) for official travel on behalf of the Republic at the rate.
Judge of the Supreme Court	\$1,200.00	At the rate provided for in the Republic of Nauru travel allowance (per diem) for official travel on behalf of the Republic.

SCHEDULE 3

[Regulations 11, 12 and 15]

The Judicial Officers are entitled to the following benefits:

- (a) fully paid and furnished accommodation;
- (b) official vehicle and driver [unlimited use]; and
- (c) a sim card with 50GB data per month.