

EXECUTIVE COUNCIL

PUBLIC

Title:	Members' Remuneration Ordinance (Amendment) Order 2018
Paper Number:	195/18
Date:	12 December 2018
Responsible Director:	Attorney General
Report Author:	Legislative Drafter
Portfolio Holder:	MLA Roger Spink
Reason for paper:	This paper is submitted to Executive Council: For approval of the draft Order
Publication:	Yes
Previous papers:	145/13 – Members Remuneration 75/17 – Members Remuneration and Allowance Review 2017 75/17A – Addendum to EXCO Report 75/17 126/17 - Members Remuneration (Amendment) Bill 2017
List of Documents:	Appendix - Members Remuneration Ordinance (Amendment) Order 2018

1. Recommendations

1.1 Honourable Members are recommended to approve, subject to the Governor's consultation, the making and publication in the Gazette of the Members' Remuneration Ordinance (Amendment) Order 2018.

1.2 Honourable Members are recommended to authorise the Attorney General to correct any typographical and minor drafting errors found in the Order prior to publication in the Gazette.

2. Additional Budgetary Implications

None

3. Executive Summary

3.1 Honourable Members are asked to approve the draft Order which amends the Schedule to the Members' Remuneration Ordinance 2009 as authorised by section 9 of the Ordinance. The amendment gives effect to the increased cost of providing Members of the Legislative Assembly with a mobile phone package providing 4G accessibility. The current rate of reimbursement for mobile phone services is £25.00 per month; the new rate will be based on the "SURE small package", the price of which is currently set at £30.00 per month. It is proposed that the current amount be increased to £30 accordingly.

4. Background and Links to Islands Plan and Directorate Business Plan/s

4.1 Following the recent improvement by SURE to the mobile network, it was agreed by the Chief Executive and Members of the Assembly that the Falkland Islands Government should support the new 4G service on their allocated work mobiles and that the increased costs of providing the 4G service should be included in the remunerated expenses of Members.

5. Proposals, Options and Reasons for Recommending Relevant Option

5.1 Proposed option:

The preferred option is to amend the Members Remuneration Ordinance 2009 by order so as to give effect to the approved recommendations, as it is the only option that will accomplish this. The proposed order is appended (Appendix).

6. Resource Implications

6.1 Financial Implications

The additional sum of £480 per annum will be found within existing budgets

6.2 Human Resource Implications

None

6.3 Other Resource Implications

None

7. Legal Implications

7.1 Section 9 of the Ordinance authorises the amendment of the Schedule by order. The required amendments to the current legislation are as appended to this document.

7.2 Section 9(2) of the Ordinance provides that before the Governor makes an order amending the Schedule to the Ordinance, the Governor must carry out such consultation of Members as he considers appropriate.

8. Environmental & Sustainability Implications

None

9. Significant Risks

None

10. Consultation

10.1 The Members of the Assembly will be consulted on the draft order by the Governor pursuant to section 9(2) of the Ordinance.

11. Communication

11.1 The Order will be published in the Gazette.

Appendix – Members Remuneration Ordinance (Amendment) Order 2018

SUBSIDIARY LEGISLATION

Members' Remuneration Ordinance (Amendment) Order 2018

S. R. & O. No: of 2018

Made: 2018
Published: 2018
Coming into force: upon publication

I make the following order under section 9(1) of the Members' Remuneration Ordinance 2009 on the advice of the Executive Council.

1. Title

This Order is the Members' Remuneration Ordinance (Amendment) Order 2018.

2. Commencement

This Order comes into force on publication in the Gazette.

3. Amendment of Schedule – Amounts payable to Members

The Schedule to the Members' Remuneration Ordinance 2009 is amended in paragraph 14(1)(e)(i) by omitting "£25" and replacing it with "£30".

Made

2018

N. J. Phillips C.B.E.,
Governor.

EXPLANATORY NOTE
(not part of the order)

This Order amends the Schedule to the Members' Remuneration Ordinance so as to replace "£25" with "£30" in paragraph 14(1)(e)(i). Paragraph 14 provides for the telephone and internet expenses that are payable to Members. The effect of the amendment is to increase the amount payable to Members for mobile telephone service from £25 to £30. The increase is a consequence of increases in charges by the service provider (SURE).