



## ST. CHRISTOPHER AND NEVIS

### CHAPTER 22.14

## SALARIES REVIEW COMMISSION ACT

### Revised Edition

showing the law as at 31 December 2009

This is a revised edition of the law, prepared by the Law Revision Commissioner under the authority of the Law Revision Act, Cap. 1.03.

This edition contains a consolidation of the following laws—

### SALARIES REVIEW COMMISSION ACT

Act 21 of 2005 ... in force 29th September 2005

Page

3



**CHAPTER 22.14**  
**SALARIES REVIEW COMMISSION ACT**

ARRANGEMENT OF SECTIONS

PART I

PRELIMINARY

1. Short title
2. Interpretation

PART II

ESTABLISHMENT AND FUNCTIONS OF THE COMMISSION

3. Constitution of the Commission
4. Functions of the Commission
5. Qualifications, tenure of office, etc.
6. Oath of office
7. Delegation of functions by the Commission

PART III

GENERAL PROVISIONS

8. Remuneration of members of Commission
  9. Staff
- SCHEDULE: Oath (or Affirmation) of Office



## CHAPTER 22.14

### SALARIES REVIEW COMMISSION ACT

AN ACT TO PROVIDE FOR THE ESTABLISHMENT OF A SALARIES REVIEW COMMISSION AND ITS FUNCTIONS; AND TO PROVIDE FOR RELATED OR INCIDENTAL MATTERS.

#### PART I

##### PRELIMINARY

#### **Short title.**

1. This Act may be cited as the Salaries Review Commission Act.

#### **Interpretation.**

2. In this Act, unless the context otherwise requires—

“Commission” means the Salaries Review Commission established by section 3 of this Act.

#### PART II

##### ESTABLISHMENT AND FUNCTIONS OF THE COMMISSION

#### **Constitution of the Commission.**

3. (1) There is established a Commission to be known as the Salaries Review Commission, which Commission shall consist of a Chairperson and four other members.

(2) The members of the Commission shall be appointed by the Governor-General after consultation with the Prime Minister and the Leader of the Opposition, and in making the appointments consideration shall be given to the members' experience in government (whether legislative or executive), the private sector, the trade union movement and the law.

(3) The members of the Commission shall hold office in accordance with the provisions of section 5 of this Act.

#### **Functions of the Commission.**

4. (1) The Commission shall, every three years, with the approval of the Governor-General, review the salaries and other conditions of service of the Governor-General, members of Parliament, including the Speaker of the House, the Deputy Speaker of the House, Prime Minister, Attorney General, Ministers of Government, and Parliamentary Secretaries also referred to as Minister of State, the leader of the Opposition, and the holders of such offices as may be prescribed and make recommendations to the Government accordingly.

(2) The report of the Commission concerning any review of salaries or other conditions of service, or both, shall be submitted to the Governor-General who shall forward a copy of the report to the Prime Minister for presentation to the Cabinet and

for laying, as soon as possible after presentation to the Cabinet, on the table of the National Assembly.

(3) Subject to subsection (4), the Commission shall also, whenever it reviews the salaries and other conditions of service of persons referred to in subsection (1), review the pension benefits payable to persons who are qualified to receive such benefits under the Governor-General's Pensions Act, the Speaker's Pensions Act, the Premier's and Prime Minister's Pensions Act and the Legislators Pensions Act."

(4) The persons referred to in subsection (3) shall receive the same percentage rate of increase in their benefits as that recommended or made payable to persons referred to in subsection (1).

#### **Qualifications, tenure of office, etc.**

5. (1) A person who—

- (a) is a member of the National Assembly; or
- (b) holds or is acting in any public office or has held any public office within the period of three years preceding his proposed appointment,

shall not qualify for membership of the Commission.

(2) A person who has held office or acted as a member of the Commission or any other Commission shall not, within a period of three years commencing with the date on which he or she last held or acted in such an office, be eligible for appointment to any public office.

(3) The office of a member of the Commission shall become vacant—

- (a) upon the expiration of five years from the date of his or her appointment or such shorter period, not being less than three years, as may be specified at the time of his or her appointment;
- (b) where, with his or her consent, he or she is nominated for election to the National Assembly or where he or she is appointed a Senator.

(4) A member of the Commission may be removed from office by the Governor-General, acting in his or her discretion, for inability to discharge the functions of his or her functions, whether arising from infirmity of mind or body or any other cause, or for misbehaviour.

#### **Oath of office.**

6. A member of the Commission shall, before entering upon the duties of his or her office, take and subscribe to the oath of office, set out in the Schedule to this Act, before the Governor-General or a person appointed by the Governor-General.

#### **Delegation of functions by the Commission.**

7. The Commission may, with the approval of the Prime Minister, and subject to such conditions as the Commission may think fit, delegate any of its functions to any of its members or to such person as the Governor-General may specify.

PART III

GENERAL PROVISIONS

**Remuneration of members of Commission.**

**8.** (1) Members of the Commission shall be paid such remuneration as the Minister responsible for Finance, with the approval of Cabinet, may determine.

(2) Moneys payable to members of the Commission shall be paid out of the Consolidated Fund.

**Staff.**

**9.** Members of the Commission shall be provided with such employees as are necessary for the Commission to discharge its functions under this Act, and such employees shall be civil servants.

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**SCHEDULE**

**OATH (OR AFFIRMATION) OF OFFICE**

I,....., do swear (or solemnly affirm that I will honour, uphold and preserve the Constitution of Saint Christopher and Nevis and the law, that I will conscientiously, impartially and to the best of my ability discharge my duties as.....and do right to all manner of people without fear or favour, affection or ill-will

**So help me God.** (to be omitted in affirmation)

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