

LAWS OF GUYANA

**MINISTERS, MEMBERS OF THE NATIONAL ASSEMBLY
AND SPECIAL OFFICES (EMOLUMENTS) ACT**

CHAPTER 1:07

Act

7 of 1965

Amended by

6	of	1981	O. 80/1980
			40/2003
			5/2004
			31/2004
			54/2005

Current Authorised Pages

<i>Pages</i>	<i>Authorised</i>
<i>(inclusive)</i>	<i>by L.R.O.</i>
1 – 11	1/2022

LAWS OF GUYANA

2

Cap. 1:07 *Ministers, Members of the National Assembly
and Special Offices (Emoluments)*

Index of Subsidiary Legislation

This Chapter contains no subsidiary legislation.

Note

The following pieces of subsidiary legislation have been excluded:

Ministers, Members of the National Assembly and Special Offices (Emoluments) Order (O. 26/2006)

Ministers, Members of the National Assembly and Special Offices (Emoluments) Order (O. 30/2021)

Note on Revision

Subsidiary legislation and emoluments contained in the Schedule to the Act were under review at the time of this publication and have been omitted.

References to Orders made between the years 1965 to the year 1999 inclusive and which amend the Schedule have been omitted.

CHAPTER 1:07

MINISTERS, MEMBERS OF THE NATIONAL ASSEMBLY AND
SPECIAL OFFICES (EMOLUMENTS) ACT

ARRANGEMENT OF SECTIONS

SECTION

- 1 Short title.
- 2 Salaries and allowances prescribed for the holders of certain offices.
- 3 Provision of residence for the Prime Minister.
- 4 Travelling and subsistence allowances.
- 5 Sums payable under this Act charged on the Consolidated Fund.
- 6 Commencement and suspension of payments.
- 7 Exemptions from income tax.
- 8 Power to amend, alter, vary or replace Schedule.
- 9 Retrospective operation of orders made under section 8.

SCHEDULE—Salaries and allowances prescribed for the holders of certain offices.

7 of 1965

An Act to make provision for the payment of salaries and allowances to Ministers, Members of the National Assembly and the holders of certain other offices.

[14TH DECEMBER, 1964]

Short title.

1. This Act may be cited as the Ministers, Members of the National Assembly and Special Offices (Emoluments) Act.

Salaries and allowances prescribed for the holders of certain offices.

2. (1) Subject to the provisions of this Act, there shall be paid to the persons holding the respective offices specified in the Schedule the salaries and allowances specified therein in respect of the said offices.

LAWS OF GUYANA

4

Cap. 1:07 *Ministers, Members of the National Assembly and Special Offices (Emoluments)*

Schedule.
[16 of 1966A
O. 38/1966A]

(2) The salary provided for under subsection (1) for the Prime Minister, or any other Minister, or a Parliamentary Secretary, or the Speaker or Deputy Speaker of the National Assembly, shall be in lieu of any salary to which any of the persons aforesaid would, but for this subsection, be entitled by virtue of his being a member of the National Assembly.

Provision of
residence for
the Prime
Minister.
[O. 38/1966A]
Schedule.

3. The Prime Minister is entitled to occupy free of rent a fully furnished residence provided by the Government, or in lieu of such occupation to be paid a house allowance of the amount specified in the Schedule.

Travelling and
subsistence
allowances.
Schedule.
[O. 80/1980]

4. (1) There shall be paid to the holder of any office specified in the Schedule travelling and subsistence allowances at such rates and subject to such conditions as may from time to time be prescribed by order of the Minister responsible for finance (hereinafter in this Act referred to as "the Minister").

c.1:01

(2) A member of the National Assembly who has made and subscribed the oath of office under article 167 of the Constitution shall be entitled to travel at the expense of the Government on any transport services operated by the Transport and Harbours Department.

Sums payable
under this Act
charged on the
Consolidated
Fund.
[O. 38/1966A]

5. The sums payable under this Act are hereby charged on the Consolidated Fund.

Commence-
ment and
suspension of
payments.
[O. 38/1966A
O. 80/1980]

6. (1) The payments to which any member of the National Assembly may be entitled by virtue of this Act shall be made with effect from the date on which the member was declared elected to the National Assembly, and

LAWS OF GUYANA

Ministers, Members of the National Assembly and Special Offices (Emoluments) **Cap. 1:07**

5

6 of 1981] where a person is appointed to be a Minister or Parliamentary Secretary, or the Minority Leader, or is elected to be the Speaker or the Deputy Speaker of the National Assembly, the appropriate payments shall be made to him as a Minister or Parliamentary Secretary or the Minority Leader or as Speaker or Deputy Speaker of the National Assembly with effect from the date on which he commences to hold such office.

c.1:01 (2) No payment shall be made under this Act to a member of the National Assembly in relation to his office as such a member with respect to any period during which he is required by the Constitution to cease to perform his functions as such a member or is suspended from the exercise of such functions in pursuance of any Standing Order for the regulation and conduct of the proceedings of the National Assembly.

c. 1:01 (3) Where a member of the National Assembly fails to make and subscribe the oath of office required by article 167 of the Constitution on the date of the first sitting of the National Assembly after his election, no payment shall be made under this Act to the member in relation to his office as such member with respect to the period commencing on the date of the first sitting of the National Assembly and ending on the day immediately preceding the date on which he makes and subscribes the oath unless his failure to make and subscribe the oath is for a reason approved, by resolution, by the National Assembly.

Exemptions
from income
tax.
c. 81:01 7. Notwithstanding anything to the contrary in the Income Tax Act, income tax shall not be payable in respect of—

- (a) the value of any residence occupied by the Prime Minister or any

LAWS OF GUYANA

6

Cap. 1:07 *Ministers, Members of the National Assembly and Special Offices (Emoluments)*

allowance paid to the Prime Minister in lieu of such occupation under section 3;

- (b) any allowance paid to the holder of any office specified in the Schedule, under section 2 or 4 which but for this section would be liable to tax under the Income Tax Act.

c. 81:01

Power to amend, alter, vary or replace Schedule.

8.(1) The Minister may, from time to time, by order, amend, alter or vary the Schedule or substitute a new Schedule in place thereof.

(2) Any order made under this section shall be laid before the National Assembly within fourteen days after it is made, and if the Assembly, within the period of thirty days beginning with the day on which any such order is laid before it, resolves that the order be annulled it shall be thereby annulled and the order so annulled shall thenceforth become void and of no effect but without prejudice to the validity of anything previously done under the order or to the making of a new order.

(3) For the purposes of subsection (2), in reckoning any period of days, no account shall be taken of any time during which Parliament is dissolved or prorogued or during which the National Assembly is adjourned for more than seven days.

Retrospective operation of orders made under section 4 or 8.

9. Subject to section 6(1), any order made under section 4 or 8 may contain provision authorising the payment of any allowance or salary from a date earlier than the date on which the order is made.

LAWS OF GUYANA

*Ministers, Members of the National Assembly
and Special Offices (Emoluments)*

Cap. 1:07

7

ss. 2, 3.
[6 of 1981]

SCHEDULE

O. 40 of 2003
O. 5 of 2004
O. 31 of 2004
O. 54 of 2005
O. 55 of 2005
O. 28 of 2009]

1. The persons holding the respective offices specified hereunder shall be paid salaries at the respective rates specified hereunder in respect of the said offices:

Prime Minister.....	\$ 1,242, 000 per annum
Every Vice- President (other than the Prime Minister.....	
Senior Minister (as so designated by the Prime Minister for the purposes of Act).....	\$1,059,840 per annum
Every other Minister (other than a Minister of State).....	\$927,360 per annum
Minister of State	Vacant
Attorney General (whether or not he is Minister).....	Same as the Chancellor
Parliamentary Secretary.....	\$432,000 per annum
Speaker of the National Assembly.....	\$1,059,840 per annum
Deputy Speaker of the National Assembly.....	\$336.432 per annum
Minority Leader	\$927,360 per annum
Every other Member of the National Assembly.....	\$248, 400 per annum

c. 22:03

Provided that where any such other Member of the National Assembly had served as a legislator for the period prescribed by section 10(1)(e) of the Pensions (President, Parliamentary and Special Offices) Act and where, if he had ceased to be a legislator at the end of that period, his pension—

LAWS OF GUYANA

8

Cap. 1:07 *Ministers, Members of the National Assembly and Special Offices (Emoluments)*

- (a) computed at the rate provided for in section 10 of that Act, if he has not received any payment under section 9(8) thereof;
- (b) computed at the rate provided for in section 12 (1) of that Act, if he has received any payment under section 9(8) thereof,

would have exceeded his salary as such Member of the National Assembly, he shall in addition to such salary be paid a sum equivalent to the difference between such salary and such pension.

1A. In the proviso to paragraph 1 “legislator” has the same meaning as in section 2 of the Pensions (President, Parliamentary and Special Offices) Act.

c. 27:03

2. The persons holding the respective offices specified hereunder shall be paid duty allowances at the respective rates specified hereunder in respect of the said offices—

Prime Minister.....	\$ 12,000 per annum
Every Vice- President (other than the Prime Minister.....	Vacant
Senior Minister.....	\$9,000 per annum
Every other Minister (other than a Minister of State).....	\$6,000 per annum
Minister of State	Vacant Attorney General (if not Minister).....
\$24,000 per annum Parliamentary Secretary.....	
\$3,000 per annum Speaker of the National Assembly.....	\$9,600 per annum
Minority Leader	\$6,000 per annum
Government Chief Whip	\$6,000 per annum

LAWS OF GUYANA

*Ministers, Members of the National Assembly
and Special Offices (Emoluments)* **Cap. 1:07**

9

Opposition Chief Whip	\$6,000 per annum
Every other Member of the Nat Assembly.....	\$1,800 per annum

3. The persons holding the respective offices specified hereunder shall be paid entertainment allowances at the respective rates specified hereunder in respect of the said offices—

Prime Minister.....	\$ 12,000 per annum
Every Vice-President (other than the Prime Minister.....	Vacant
Senior Minister.....	\$6,000 per annum
Every other Minister Speaker of the National Assembly.....	\$6,000 per annum
Attorney General (if he is not a Minister).....	\$24,000 per annum
.....	
Minority Leader	\$6,000 per annum

4. (a) The Prime Minister is entitled to occupy free of rent a furnished residence provided by the Government, or in lieu thereof, to be paid a house allowance of \$25,000 per month.

(b) The Deputy Prime Minister is entitled to occupy free of rent a furnished residence provided by the Government, or in lieu thereof, he is entitled to be paid a house allowance of \$25,000 per month.

LAWS OF GUYANA

10

Cap. 1:07 *Ministers, Members of the National Assembly
and Special Offices (Emoluments)*

(c) A Senior Minister is entitled to occupy free of rent a furnished residence provided by the Government, or in lieu thereof, he is entitled to be paid a house allowance of \$25,000 per month.

(d) The Attorney-General (if he is not a Senior Minister) is entitled to occupy free of rent a furnished residence provided by the Government, or in lieu thereof, he is entitled to be paid a house allowance of \$25,000 per month.

5. If the office of Speaker of the National Assembly is vacant the Deputy Speaker shall, in lieu thereof, be paid the salary and allowances prescribed under this Act in respect of the office of Speaker of the National Assembly.

6. There shall be paid to every Minister, the Attorney-General and every Parliamentary Secretary an allowance to be paid by him as a gratuity to his chauffeur calculated at the rate of twenty-two and one half per cent of the basic salary (determined by the Minister responsible for finance) paid to the chauffeur for each completed month of employment, payable either at intervals of six months or at the termination of the employment of the chauffeur except that no such allowance shall be paid unless the Minister, the Attorney-General or the Parliamentary Secretary, as the case may be, certifies that the chauffeur has discharged his duties satisfactorily.

7. In addition to the other specified allowances mentioned in the Schedule to the Act there shall, with effect from the 1st January, 2004, be paid to –

(a) every member of the National Assembly –

LAWS OF GUYANA

*Ministers, Members of the National Assembly
and Special Offices (Emoluments)*

Cap. 1:07

11

-
- (i) who is a member of a Parliamentary Sessional Committee, a tax free allowance of \$20,000 per month (regardless of the number of committees of which he is a member);
 - (ii) who is a Chairman or Deputy Chairman of a Parliamentary Sessional Committee, a tax free allowance of \$25,000 per month (regardless of the number of committees of which he is Chairman or Deputy Chairman.
- (b) who is elected to represent a Geographic Constituency an allowance of \$15,000 per month.
-