



Tuvalu

**GENERAL ADMINISTRATIVE (TUVALU  
OVERSEAS MISSION) AMENDMENT  
ORDER 2022**





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# GENERAL ADMINISTRATIVE (TUVALU OVERSEAS MISSION) AMENDMENT ORDER 2022

MADE UNDER SECTION 7 OF THE PUBLIC SERVICE ACT

Commencement [25 March 2022]

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## 1 Citation

This Order may be cited as the General Administrative (Tuvalu Overseas Mission) Amendment Order 2022.

## 2 Purpose

The purpose of this amendment is to recognise the Tuvalu Overseas Mission Policy as administrative orders for the Tuvalu Mission staff.

## 3 Amendment to Order 1.1.5

(1) Order 1.1.5 is amended by numbering the sentence beginning with “General” and ending with “where” as subsection (1).

(2) Paragraphs (1), (2) and (3) are renumbered as paragraphs (a), (b) and (c) respectively.

(3) New subsections (2) and (3) are inserted after paragraph (c) and to be read as follows:

“(2) The Tuvalu Overseas Mission in Chapter 15 shall apply to Tuvalu Mission staff including the Head of Mission and where it is silent, the General Administrative Orders and other relevant laws shall apply.

(3) The Minister may by notice amend the Tuvalu Overseas Mission, upon the approval of the Cabinet.”

#### **4 Amendment to Order 1.2.2**

Order 1.2.2 is amended by adding the definition of ‘diplomats’ after the definition of ‘contract officer’ and before the definition of ‘head of department’ and to be read as follows.

“**Diplomats:** means career and political appointees, not including support staff, who are appointed by the Government to serve at Missions.”

#### **5 Insertion of Chapter 15**

A new chapter is inserted as “Chapter 15 – Tuvalu Overseas Mission” and to be read as follows.

### **“CHAPTER 15 – TUVALU OVERSEAS MISSION**

#### **15.1 PURPOSE**

The purpose is to recognise the Tuvalu Overseas Mission Policy made on 1 December 2021 and to provide guidelines on appointment, privileges and roles and responsibilities of Mission staff.

#### **15.2 MISSION STAFFING REQUIREMENTS**

15.2.1 The minimum staffing requirements for Missions are the Head of Mission, First Secretary, Driver, Housemaid, and Clerical or Executive Officer.

15.2.2 The positions of Driver, Housemaid and Clerical or Executive Officer may be sourced locally at the post country and are to be paid using the salary appropriate to the local condition.

15.2.3 Attaché or Liaison Officers may be designated to each Mission on a non-permanent basis and as approved by the Cabinet.

15.2.3 Mission staffing may be expanded upon the Cabinet’s approval.

15.2.4 Diplomats will be paid according to the Tuvalu Government salary structure or when applicable, the contract of employment.

#### **15.3 APPOINTMENT OF DIPLOMATS**

##### **15.3.1 Political Appointments**

15.3.1.1 Any person may be appointed as a political appointee by the Government.

15.3.1.2 Term of appointment may generally be for three years or where applicable as provided for in the contract of employment and shall be aligned with the Parliamentary term.

15.3.1.3 Government may remove a political appointee as they see fit.

15.3.1.4 Political appointments shall only apply to Heads of Mission.

15.3.1.5 Political appointees may negotiate for a higher salary than the base salary recommended by the Ministry but the cost of living allowance is non-negotiable.

### **15.3.2 Career Appointments**

15.3.2.1 Career appointments may be made within the public service with priorities given to the Department of Foreign Affairs staff and public officers who have undergone diplomatic training or as may be approved by the Cabinet.

15.3.2.2 Career appointees may be seconded to their diplomatic posting upon approval by the Cabinet after consultation with the Public Service Commission.

## **15.4 REMUNERATION**

15.4.1 All diplomats shall sign a contract before departure and will be remunerated at the Mission post salary regardless of their salary in Tuvalu.

15.4.2 If the Head of Mission is appointed from a Secretary position, the Head of Mission's contract supersedes any contract a Secretary may have had with the Government.

15.4.2 All diplomats shall be awarded annual increments for the period they are posted abroad but application for such shall only be made after completion of the posting.

## **15.5 TENURE AND ROTATION OF POSTING**

15.5.1 All diplomats shall be generally assigned to a Mission for a term of 3 years or in accordance with their terms of contract.

15.5.2 Heads of Mission may be extended for another full term upon the approval of the Cabinet.

15.5.3 All diplomats, excluding the Heads of Mission, may return to Tuvalu upon completion of their 3 year term.

15.5.4 Upon arriving in Tuvalu, generally a minimum of 3 years should be served before diplomats may be eligible to be re-posted to Missions.

15.5.5 Notwithstanding order 15.5.3, Mission staff may remain in their post longer than their 3 year term in extenuating circumstances and upon the approval of the Cabinet.

## **15.6 PRIVILEGES FOR MISSION STAFF**

### **15.6.1 Cost of Living Adjustment (COLA)**

15.6.1.1 All diplomats are entitled to a cost of living allowance during their term.

15.6.1.2 COLA shall be calculated as base salary multiplied by the post index for the city in which diplomats are serving their foreign posting with consideration given to the local conditions at the post.

### **15.6.2 Hardship Allowances**

15.6.2.1 All Mission may apply for hardship allowances to the Secretary for the Ministry concerned with Foreign Affairs with approval given by the Cabinet.

15.6.2.2 A hardship allowance will be applied when pandemics, civil unrest, or other emergencies affect a post city.

### **15.6.3 Housing and Utilities Allowances**

15.6.3.1 All diplomats are entitled to housing and utilities allowances.

15.6.3.2. All Heads of Mission are entitled to a housemaid.

15.6.3.3 All diplomats except the Heads of Mission will have the Tuvalu Government's housing subsidy rent deducted from their salary to recoup cost to the Government.

### **15.6.4 Child Allowances**

15.6.4.1 The Government will subsidise the health and education costs for children of diplomats.

15.6.4.2 The Government will only subsidise costs for 3 immediate dependants below 18 years of age.

15.6.4.3 Notwithstanding order 15.6.4.2, diplomats may apply to the Secretary responsible for Foreign Affairs to allow Government to subsidise more than 3 immediate dependants.

15.6.4.4 Approval for order 15.6.4.3 is to be given by the Cabinet.

### **15.6.5 Health Allowances**

All diplomats and their spouses are entitled to health allowances.

### **15.6.6 Phone/Internet Allowances**

All diplomats are entitled to allowances that provide free access to mobile phones and internet plans that facilitate their work and ability to rapidly respond to diplomatic matters.

### **15.6.7 Clothing Allowances**

All diplomats are entitled to clothing allowances.

### **15.6.8 Home Leave Allowances**

15.6.8.1 All diplomats are entitled to home leave allowances once during their 3-year term.

15.6.8.2 Aside from one home leave, diplomats may take annual leave in their post countries as outlined in their contract, but the Government will generally only pay for home leave.

### **15.6.9 Relocation and Repatriation Allowances**

Diplomats are eligible for a relocation and repatriation allowance equivalent to one 20-foot container to be shipped back from their post to Funafuti.

### **15.6.10 Establishment Allowances**

Diplomats are eligible for a one-off Establishment Allowance equivalent to AU\$2,000 or as may be stipulated in their contract of employment when they first travel to a new post city to cover incidental costs required to begin their lives in the post city.

### **15.6.11 Vehicle Allowances**

15.6.11.1 Heads of Mission may be entitled to a vehicle to be provided by the Government for official and personal use.

15.6.11.2 Every Mission must have 1 vehicle paid for by the Government.

15.6.11.3 The Government may purchase additional vehicles for a Mission on a needs basis.

#### **15.6.12 Taxation**

Diplomatic allowances and privileges shall be tax free.

### **15.7 REPORTING AND PREVAILING LAW**

#### **15.7.1 Reporting**

15.7.1.1 Every Head of Mission shall report to the Secretary for the Ministry concerned with Foreign Affairs.

15.7.1.2 Within Missions, diplomats and all other staff report to their direct superior as outlined in their contract (a staff member's superior will typically be the diplomat/staff member directly above them) and the Head of Mission.”

#### **15.7.2 Prevailing Law**

In circumstances where a diplomat's contract of employment conflicts with the GAO or any other enactment, the employment contract shall prevail.