

OFFICE OF THE PUBLIC SOLICITOR

INTRODUCTION AND KEY FINDINGS

The Public Solicitors Office is a Government instrumentality set up to provide certain legal services to the citizens of Vanuatu, particularly to ensure that the legal services as outlined in the Constitution of the Republic of Vanuatu are discharged fairly within Vanuatu, and is governed according to The Constitution of the Republic of Vanuatu and the Public Solicitors Act [CAP177].

Article 5 (2) of the Constitution states that

5(2) "Protection of the law shall include the following:-

a) Everyone charged with an offence shall have a fair hearing, within a reasonable time, by an independent court and be afforded a lawyer if it is a serious offence"

Article 56 of the Constitution states that

56 "The function of the Public Solicitor is to provide legal assistance to needy persons."

Section 5(2) of the PSO Act provides that the term "needy person" is to be:

"interpreted in relation to each particular case and, without limiting the generality of this expression, account shall be taken of the means of the person to meet the probable cost of obtaining alternative legal assistance, the availability of such assistance and the hardship which might result to the person if compelled to obtain legal assistance other than by the Public Solicitor."

This is the Expenditure Report for Quarter One of 2019 for the Office of the Public Solicitor.

SUMMARY OF KEY FINDINGS

Area	Finding
Budget Management and Planning	Analysis shows that the office of the Public Solicitor (OPS) had an allocated 2019 annual budget of VT72,805,978. The OPS had already spent 19.9 percent of the annual budget and with that current rate of spending, it is most likely that the OPS will not be able to spend all its budget by the end of the year.
Activity and Cost Centre Management and Planning	The Office of the Public Solicitor have only one cost center (Cost center 13AA) and the budget was underspent by 6.7 percent of its first quarter budget or by VT1.1 million.
Payroll Budget Management and Planning	The first quarter budget for payroll for 2019 was VT13,243,206 and the total expenditure was VT12,308,849. The OPS had underspent on its payroll budget by 7.1 percent or by VT934,357 in the first quarter of the year.
Operation Budget Management and Planning	The first quarter budget for operation for 2019 was VT2,319,315 and total expenditure was VT2,203,213. The OPS had underspent on its operation budget by 5 percent or by VT116,102 in the first quarter of the year.
	Major expenditure items in the first quarter were permanent wages VT11 million and housing allowances VT692,070.

Detailed Charts of Accounts In Payroll Expenditure Management and Planning	<p>Total expenses of unbudgeted items for the first quarter of 2019 was VT826,617. This is about VT2 million less than the first quarter of 2018. Major unbudgeted expenses was from housing allowances VT692,070.</p> <p>The total underspent for the first quarter of 2019 was VT761,236. This is VT296,026 more than in 2018 in the same period. Major underspent expense items was from permanent wages VT733,848.</p>
Detailed Chart of Accounts in Operation Expenditure Management and Planning	<p>Major expenditure items in the first quarter were vehicle replacement VT3,043,478 and building repairs VT722,747.</p> <p>Total expenses of unbudgeted items in the first quarter of 2019 was VT747,864. This is a about VT5.7 million less than in 2018 in the same period. Major unbudgeted expenses items were from stationaries VT235,202, equipment repairs VT114,705 and court cost VT102,001.</p> <p>Total underspent in the first quarter of 2019 was VT747.864. This is about VT5.7 million less than in 2018 in the same period. Major underspent expenses items were electricity VT189,696, printing VT106,890 and vehicle fuel VT104,480.</p>
Asset Management	The OPS had only spent VT18,722 on asset in this quarter against a budget of VT101,247.
Virements	No virement processed in the first quarter of 2019 nor in the past three years in the same period.
Imprest Management	At the end of the first quarter of 2019, the OPS have VT10,000 outstanding imprest to reitre.

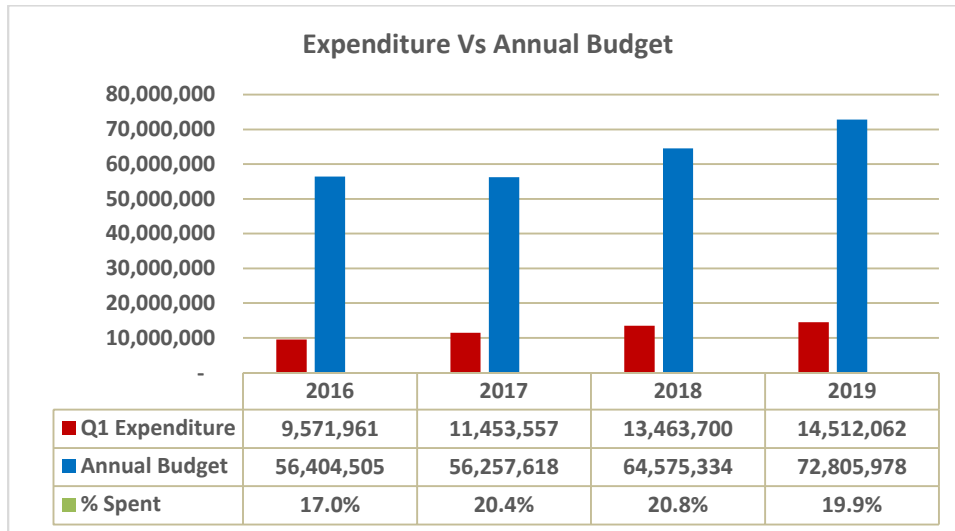
FINANCIAL MANAGEMENT ASSESSMENT

1. BUDGET PERFORMANCE

1.1 Overall Budget Management and Planning

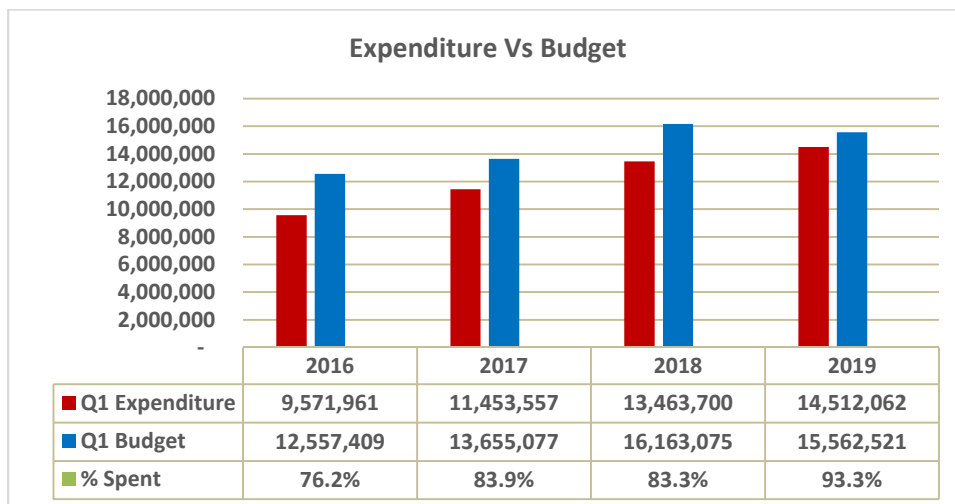
Analysis shows that the office of the Public Solicitor (OPS) had an allocated 2019 annual budget of VT72,805,978. The OPS had already spent 19.9 percent of the annual budget and with that current rate of spending, it is most likely that the OPS will not be able to spend all its budget by the end of the year.

Figure 1: Expenditure Vs Budget



The above graph shows the expenditures in quarter one against the annual budget for 2019 and the past three years in the same period.

Figure 2: Quarter one Expenses Vs Quarter one Budget



The graph above shows the expenditures in the first quarter against the first quarter budget allocations for 2019 and the past three years in the same period. The budget had decreased by VT600,554 and expenditure had increased by around VT1 million compared to 2018.

1.2 Activity and Cost center management and planning

The Office of the Public Solicitor have only one cost center (Cost center 13AA) and the budget was underspent by 6.7 percent of its first quarter budget or by VT1.1 million.

Table 1: Cost centers budget and expenditures

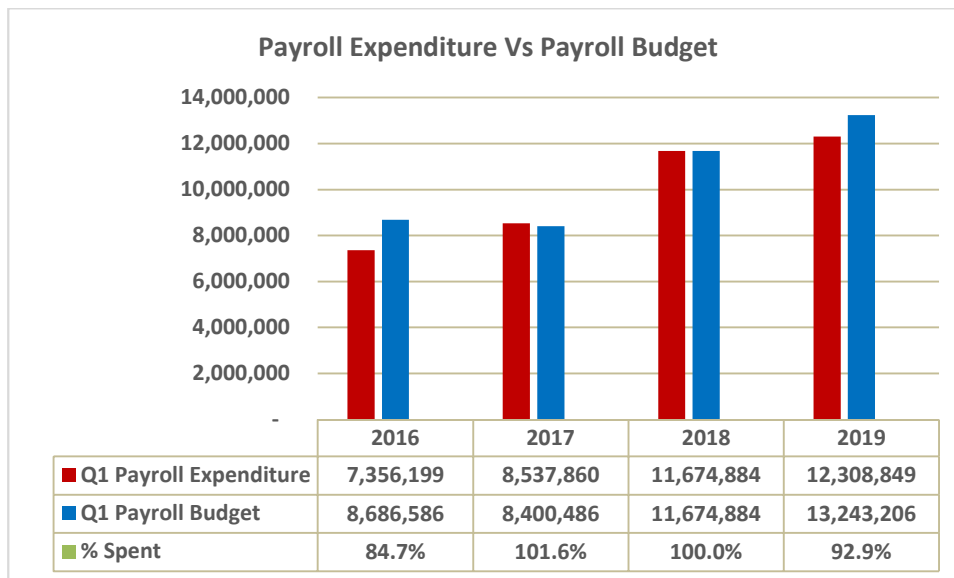
Account	Description	Actual	Commitment	Total	Budget	Under/(Over)
13AA	Office Administration					
	Personnel Expenses	12,308,849	-	12,308,849	13,243,206	934,357
	Operating Expenses	(1,173,456)	3,376,669	2,203,213	2,319,315	116,102
13AA	Office Administration	11,135,393	3,376,669	14,512,062	15,562,521	1,050,459
	Total Expenditure	11,135,393	3,376,669	14,512,062	15,562,521	1,050,459

Source: Department of Finance & Treasury

1.3. Payroll Budget Management and Planning

The first quarter budget for payroll for 2019 was VT13,243,206 and the total expenditure was VT12,308,849. The OPS had underspent on its payroll budget by 7.1 percent or by VT934,357 in the first quarter of the year.

Figure 3: Payroll Expenditure Vs Payroll Budget



The above graph shows payroll expenditure versus payroll budget for the first quarter of 2019 and in the same period in the past three years.

1.4 Detailed Chart of account in Payroll Expenditures Management and Planning.

The table below shows the payroll expenses by chart of accounts from 2016 to 2019 in the first quarter of the year. The highlighted yellow are expenses against no allocated budget, the highlighted green are overspent chart of accounts.

Table 2: Payroll Chart of accounts 2016-2019

Account	Description	2016 Expense	2016 Budget	2017 Expense	2017 Budget	2018 Expense	2018 Budget	2019 Expense	2019 Budget	% Spent
	Personnel Expenses									
8AAA	Acting Allowances			-	14,646	-	34,635	48,720	-	
8AAB	Responsibility Allowance	5,476	-			-	7,644			
8AAF	Family Allowance	70,527	112,183	-	101,022			85,827	-	
8AAH	Housing Allowances	501,133	847,061	-	830,841			692,070	-	
8AAO	Other Allowances	800	8,180	5,000	-					
8AAP	Home Island Passage Allowances	92,302	200,996	110,137	176,031	-	150,000			
8AAS	Special Allowances	-	9,535							
8ASP	Provident Fund	260,080	293,789	323,955	284,370	449,052	352,338	443,516	470,904	94.2%
8AWC	Contract Wages					-	272,931			
8AWP	Permanent Wages	6,425,881	7,214,842	8,098,768	6,993,576	11,225,832	8,493,267	11,038,716	11,772,564	93.8%
PAYR	Payroll expenses	-	-	-	-	-	2,364,069	-	999,738	0.0%
	Personnel Expenses	7,356,199	8,686,586	8,537,860	8,400,486	11,674,884	11,674,884	12,308,849	13,243,206	92.9%

Source: Department of Finance & Treasury

Major Expenditure Items

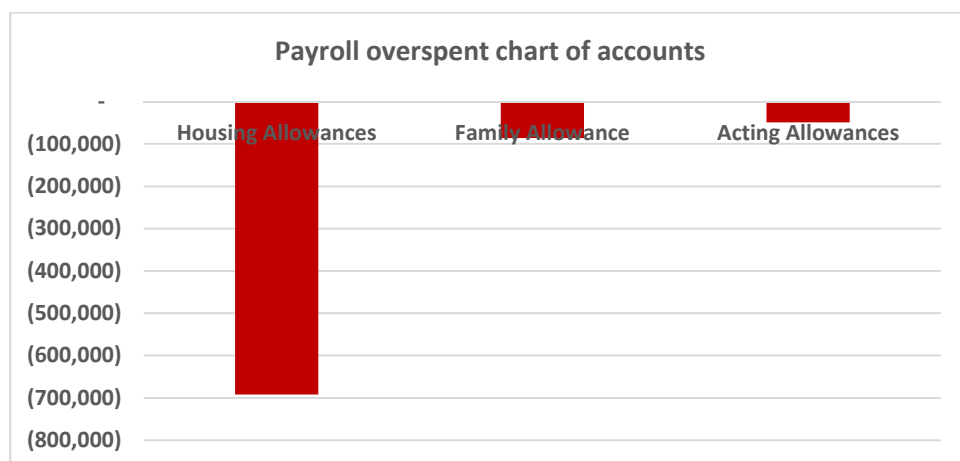
Major expenditure items in the first quarter were permanent wages VT11 million and housing allowances VT692,070.

Overspent chart of accounts

Total expenses of unbudgeted items for the first quarter of 2019 was VT826,617. This is about VT2 million less than the first quarter of 2018. Major unbudgeted expenses was from housing allowances VT692,070.

OPS needs to allocate budget for acting, family and housing allowances in the future and reduce budget from other chart of accounts that are underspent.

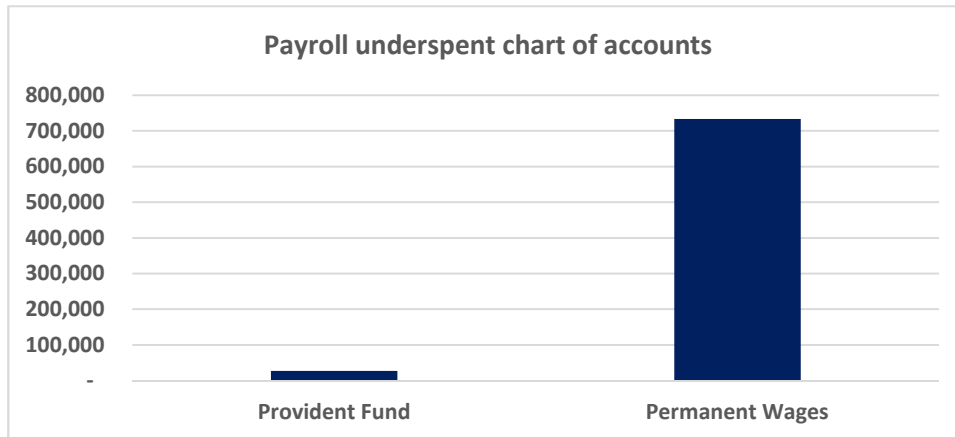
Figure 4: Payroll overspent chart of accounts



Underspent chart of accounts

The total underspent for the first quarter of 2019 was VT761,236. This is VT296,026 more than in 2018 in the same period. Major underspent expense items was from permanent wages VT733,848.

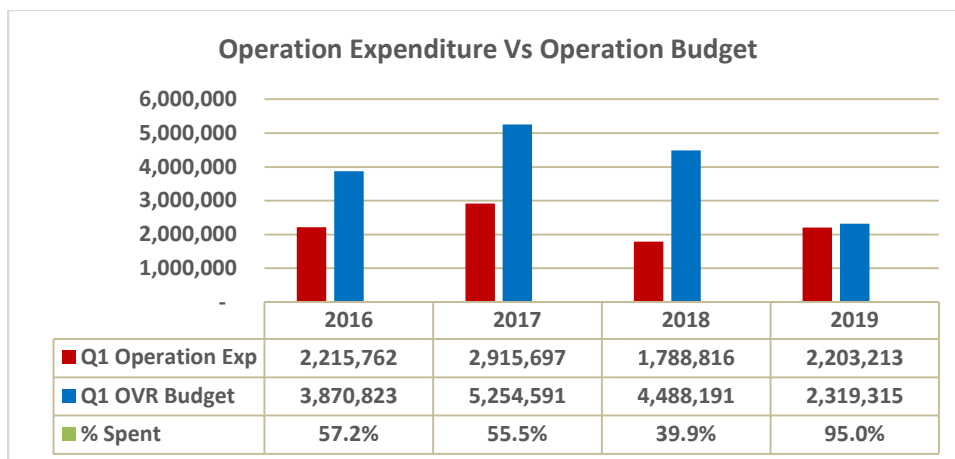
Figure 5: Payroll underspent chart of accounts



1.5. Operation Budget Management and Planning

The first quarter budget for operation for 2019 was VT2,319,315 and total expenditure was VT2,203,213. The OPS had underspent on its operation budget by 5 percent or by VT116,102 in the first quarter of the year.

Figure 6: Operation Expenditure Vs Operation Budget



The above graph shows operation expenditure versus operation budget in the first quarter of 2019 and for the same period in the past three years.

1.6 Detailed Chart of Accounts in Operation Expenditure Management and Planning.

Below is the table detailing the expenses and budget for all chart of accounts in the operation from 2016 to 2019 in the first quarter of the year. The highlighted yellow are expenses against no allocated budget, the highlighted green are overspent chart of accounts.

Table 3: Operation Chart of accounts 2016-2019

Account	Description	2016 Expense	2016 Budget	2017 Expense	2017 Budget	2018 Expense	2018 Budget	2019 Expense	2019 Budget	% Spent
	Operating Expenses									
8CAB	Subsistence Allowances	462,000	433,500	108,000	690,000	288,000	630,000	342,000	324,993	105.2%
8CEC	Consultants Fees	-	30,000	-	30,000	(50,000)	36,000			
8CEM	Software Maintenance Fees	-	30,000	-	30,000	(100,000)	30,000			
8CET	Other Fees	-	15,000	-	6,000	-	6,000			
8CFV	Vehicles Fuel	266,483	178,500	161,064	214,401	(6,070)	280,002	96,520	201,000	48.0%
8CGM	Mail Carriage Freight	-	3,000							
8CGO	Other Charges - Freight	-	3,000	4,444	6,000	-	-			
8CGR	Transport - Freight	-	15,000	20,000	15,000	58,747	60,000	41,849	17,496	239.2%
8CGS	Storage - Freight			6,675	-					
8CHL	Local Medical Treatment	-	6,000	-	15,000	-	45,000			
8CIB	Boat Hire	5,000	-	-	150,000	-	60,000			
8CIE	Equipment Hire	-	60,000	-	30,000	-	15,000			
8CIF	Facilities Hire	-	1,500	-	15,000	-	9,000			
8CJO	Office Cleaning	41,483	60,000	91,547	75,000	87,953	75,000	-	19,752	0.0%
8CKD	Advertising - Communications	-	15,000	-	15,000	-	21,000			
8CKP	Postage - Communications	-	15,000	-	15,000	-	12,000	-	3,750	0.0%
8CKR	Printing - Communications	5,777	75,000	479,955	120,000	49,794	135,000	9,360	116,250	8.1%
8CKS	Stationery - Communications	201,416	210,000	198,233	240,000	(1,213,119)	240,000	435,206	200,004	217.6%
8CKT	Telephone / Fax - Communications	(10,000)	118,200	160,000	114,000	(159,998)	96,000	110,861	62,502	177.4%
8CMG	General - Materials							32,948	-	
8CMO	Office - Materials	7,195	15,000	18,911	15,000	(442,120)	15,000	20,862	12,501	166.9%
8CNO	Office Rental	533,332	413,331	159,999	576,000	156,519	192,000	156,520	159,747	98.0%
8COC	Court Costs	-	300,000	-	390,000	-	300,000	127,000	24,999	508.0%
8COI	Incidentals	11,777	36,135	61,536	45,000	1,739	33,000	3,113	12,501	24.9%
8COP	Official Entertainment	8,595	21,000	15,093	30,000	14,790	30,000	-	24,999	0.0%
8COT	Termination Payment	-	60,000	-	105,000	-	105,000			
8COU	Uniforms	-	22,500	-	18,000	-	15,000			
8CRB	Buildings Repairs & Maintenance	498	150,000	95,192	240,000	722,747	143,700	34,568	49,998	69.1%
8CRE	Equipment Repairs & Maintenance	154,621	45,000	47,289	60,000	68,328	75,000	174,705	60,000	291.2%
8CRM	Maintenance Contrac	-	110,400	-	105,000	-	96,000	-	22,575	0.0%

8CRV	Vehicles Repairs & Maintenance	94,067	93,000	393,795	150,000	(706,614)	210,000	123,826	75,000	165.1%
8CTL	Local Travel	87,468	390,000	121,585	600,000	296,249	510,000	191,319	250,002	76.5%
8CUE	Electricity Utilities	7,289	349,998	139,355	420,000	32,435	300,000	60,303	249,999	24.1%
8CUW	Water Utilities	-	17,500	-	25,000	-	12,500	-	5,001	0.0%
8CWL	Local Workshops	-	15,000	-	9,000	-	9,000	-	-	-
8CZV	Value Added Tax	176,185	336,759	304,761	506,190	303,694	451,989	256,479	324,999	78.9%
8EEA	Equipment - Additional General	13,244	66,000	-	15,000	-	60,000	-	24,999	0.0%
8EEC	Equipment - Computer	106,666	72,000	188,434	60,000	(352,274)	75,000	(32,948)	37,500	-87.9%
8EEP	Equipment - Photocopiers	-	-	45,611	-	-	60,000	18,722	24,999	74.9%
8EER	Equipment - Replacement General	-	73,500	94,218	75,000	134,782	30,000	-	12,501	0.0%
8EET	Equipment - Computer Software Purchases	-	-	-	-	(444,444)	-	-	-	-
8EFO	Furniture - Office Furniture	42,666	15,000	-	30,000	4,200	15,000	-	1,248	0.0%
8EVR	Vehicle - Replacement	-	-	-	-	3,043,478	-	-	-	-
OVER	Overhead expenses	-	-	-	-	-	-	-	-	-
	Operating Expenses	2,215,762	3,870,823	2,915,697	5,254,591	1,788,816	4,488,191	2,203,213	2,319,315	95.0%

Source: Department of Finance & Treasury

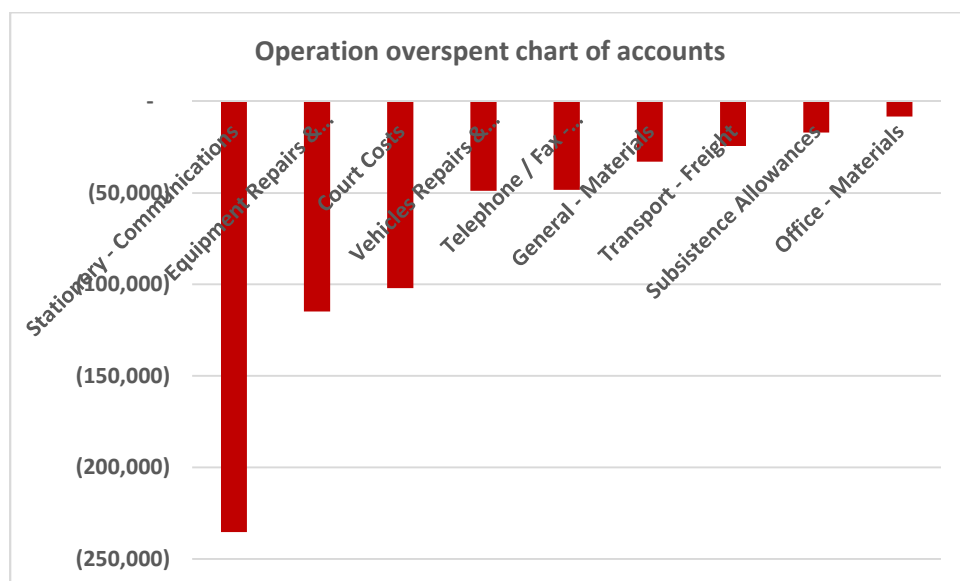
Major Expenditure Items

Major expenditure items in the first quarter were vehicle replacement VT3,043,478 and building repairs VT722,747.

Overspent chart of accounts

Total expenses of unbudgeted items in the first quarter of 2019 was VT747,864. This is about VT5.7 million less than in 2018 in the same period. Major unbudgeted expenses items were from stationaries VT235,202, equipment repairs VT114,705 and court cost VT102,001.

Figure 7: Operation overspent chart of accounts

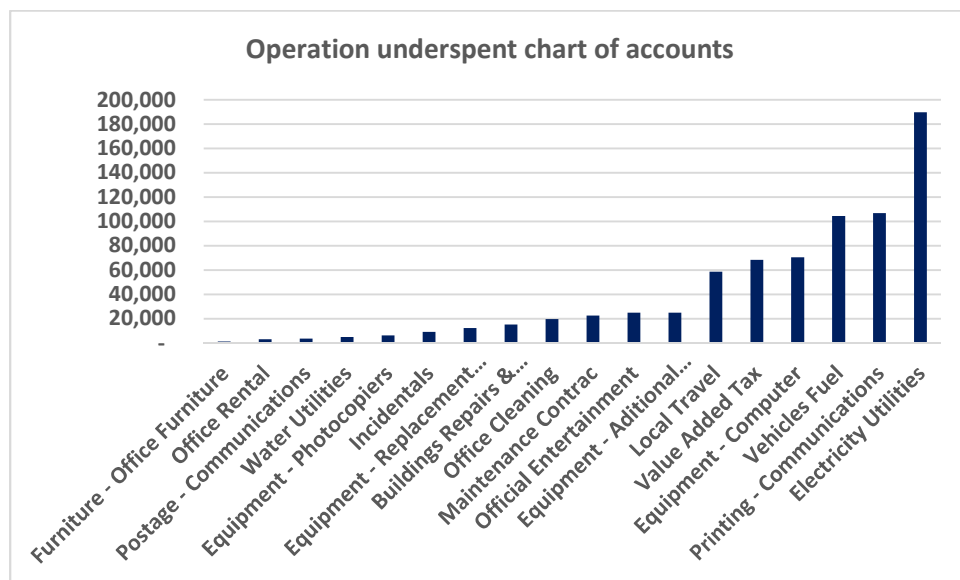


Underspent chart of accounts

Total underspent in the first quarter of 2019 was VT747.864. This is about VT5.7 million less than in 2018 in the same period. Major underspent expenses items were electricity VT189,696, printing VT106,890 and vehicle fuel VT104,480.

OPS had significantly improved in overspending and underspending on chart of accounts compared to the same period in 2018.

Figure 8: Operation underspent chart of accounts



ASSET MANAGEMENT

The OPS had only spent VT18,722 on asset in this quarter against a budget of VT101,247.

VIREMENT

No virement was processed in the first quarter of 2019 nor in the past three years in the same period.

IMPREST MANAGEMENT

At the end of the first quarter of 2019, the OPS have VT10,000 outstanding imprest to reitre.

Table 4: Outstanding imprest as of the end of quarter one 2019.

Department/ Section	Amount Advanced	Amount Paid	Amount Outstanding
OPS	10,000	-	10,000
Total	10,000	-	10,000