



B E L I Z E

**Public Service
Regulations
2001**

MINISTRY OF THE PUBLIC SERVICE
BELMOPAN, BELIZE, C.A.



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FOREWORD



As Minister with responsibility for the Public Service, I am pleased to introduce the Public Service Regulations 2001 - the first for the New Millennium. I consider this to be of some significance. The ushering in of a new era signals the advent of a new beginning- a new way of thinking and doing things. Unfortunately, however, remnants of our colonial past still cling to us and this is manifested in the legacy of the Westminster Model of administration that remains our greatest challenge in the Public Service.

An attempt has therefore been made, through the Public Service Regulations 2001, to depart from management practices of an era long gone and to herald in a new public management, one free from rules and regulations that to date constrain rather than support management.

Managerial paradigm shifts are taking place in line with the socio-economic development of our country. **The cheese has Moved!** As Minister with responsibility for the Public Service, I am satisfied with these efforts which have been made to improve on the Public Service Regulations 1997 and in this regard express thanks and appreciation to the Joint Staff Relations Council for the commendable work it did to bring about a set of regulations more conducive to modern management practices.

I am confident that these Regulations will assist managers and supervisors to more effectively cope with the challenges of human resource management and lend to greater overall effectiveness of the Public Service.



JOSE COYE

Minister for the Public Service

PREFACE

His Excellency the Governor General, in accordance with Section 106 (3) of the Constitution, has, on the advice of the Minister responsible for the Public Service, signed into Law the Public Service Regulations 2001. These Revised Regulations are introduced five (5) years after the Public Service Regulations 1997 came into effect.

The Regulations govern the conditions of service of public officers appointed under Sections 106, 110D and 110F of the Constitution. They are, however, not intended to supplant entirely, departmental instructions of a technical nature issued by Heads of Departments, providing such instructions are not inconsistent with these Regulations.

A new feature of the Regulations is the absence of the powers of the Public Services Commission as provided for in Section 106 (1) of the Constitution. Provisions emanating from these powers are embodied in the Public Services Commission Regulations 2001.

The Public Service Regulations 2001 reflect a more modern, decentralized approach to the management of the Public Service. Nevertheless, one is ever mindful of the need for continuous improvement. The revision process will therefore be an ongoing one in keeping with the changing environment. Public officers are encouraged to contribute to the process by making recommendations for further improvements to the Ministry of the Public Service from time to time.



MARIAN McNAB (MS)

*Chief Executive Officer
Ministry of the Public Service*

BELIZE:

PUBLIC SERVICE REGULATIONS, 2001

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BELIZE:

STATUTORY INSTRUMENT

NO. 160 OF 2001

REGULATIONS made by the Governor-General, acting in accordance with the advice of the Minister responsible for the Public Service, given after consultation with recognised groups within the Public Service, in exercise of the powers conferred upon him by section 106 of the Belize Constitution, Chapter 4 of the Laws of Belize, Revised Edition 2000, and all other powers thereunto him enabling.

(Gazetted 17th November, 2001.)

PART I
PRELIMINARY

1. These Regulations may be cited as the

Short title.

PUBLIC SERVICE REGULATIONS, 2001.

2. (1) In these Regulations, unless the context otherwise requires:

Interpretation.

“Commission” means the:-

- (a) Judicial and Legal Services Commission established under section 110E of the Constitution in respect of judicial and legal officers specified in section 110F of the Constitution;
- (b) Security Services Commission established under section 110C of the Constitution, in respect of members of the Belize Defence Force and police officers specified in section 110D of the Constitution;
- (c) Public Services Commission, in respect of public officers **not** referred to in paragraphs (a) and (b) of this definition;

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“Constitution” means the Belize Constitution;

“*Gazette*” means the Belize Government Gazette and includes any supplement thereto;

“Head of Department” –

- (a) means a public officer in charge of the day to day operation of a Department within a Ministry;
- (b) includes the Accounting Officer of the Ministry;

“Government” means the Government of Belize;

“Chief Executive Officer” means the Chief Executive Officer to the Ministry concerned with the matter in issue and includes; in the case of the Ministry of Finance, the Financial Secretary; and in the case of the Attorney General’s Ministry, the Solicitor General;

“public office” means any office of emolument in the Public Service;

“public officer” means a person holding or acting in any public office and the word “officer” shall be construed accordingly;

“public service” means, subject to the provisions of these Regulations, service in a civil capacity in respect of the Government.

(2) For the purposes of these Regulations a:-

- (a) reference to an office in the Public Service shall be construed as including officers on the Governor-General’s personal staff;
- (b) reference to an office in the Public Service shall **not** be construed as including references to the offices of the Prime Minister or other Ministers, Ministers of State, Speaker or Deputy Speaker or member of the House of Representatives, President or Vice-President or Senator, member of the Belize Advisory Council, or member of any Commission established under the Constitution, or the Clerk, Deputy Clerk

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or staff of the National Assembly, or the Ombudsman or the Contractor-General; or

- (c) person shall not be regarded as holding a public office by reason **only** of the fact that he is in receipt of a pension or other like allowance in respect of service under the Government.

(3) In these Regulations, unless the context otherwise requires, a reference to:-

- (a) a Department, includes a reference to a Ministry;
- (b) the masculine gender, includes a reference to the feminine gender, and a reference to the singular includes a reference to the plural;
- (c) any power exercisable by a Commission shall refer to officers appointed under sections 106, 110D and 110F of the Constitution.

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3. (1) Subject to subregulations (2), (3) and (4) below, the provisions of these Regulations shall apply to all public officers.

Application.

(2) These Regulations shall not apply to:-

- (a) an office of a Justice of Appeal;
- (b) an officer to whom section 110B of the Constitution applies;
- (c) an open vote worker to whom the Government (Open Vote) Workers Regulations apply;
- (d) an ambassador or High Commissioner;
- (e) offices to which sections 107, 108 and 109 of the Constitution apply;
- (f) an office of a Justice of the Supreme Court; and

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S.I. 145 of 1992.
S.I. 111 of 1993.
S.I. 37 of 1995.
S.I. 41 of 1997.

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- (g) any other category or class of officers where special Regulations are made in respect of that category or class of officers.

Regulations apply to officers acting in 107 positions.
CAP. 4.

(3) Where an officer appointed under section 106, 110D or 110F of the Constitution is acting in the office of an officer appointed under section 107, 108 or 109 of the Constitution, the provisions of these Regulations shall apply to that officer.

Regulations apply to temporary appointees.

(4) Where a person is temporarily appointed to hold a post on the permanent establishment, the provisions of these Regulations shall apply to that officer, notwithstanding that he shall be holding his office in a temporary capacity.

Affirmation of Secrecy.

4. Every public officer shall, if and when required by his Head of Department, but as far as possible, immediately after joining the Public Service, subscribe to the affirmation of office and secrecy set out in the Schedule to these Regulations.

Schedule.

PART II **APPOINTMENTS AND PROMOTIONS**

Authority for appointments.

5. Permanent appointments in the Public Service shall be made by the:-

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- (a) Security Services Commission in respect of public officers referred to in section 110D of the Constitution;

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- (b) Judicial and Legal Services Commission in respect of public officers referred to in section 110F of the Constitution;

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2 of 2001.

- (c) Public Services Commission in respect of public officers referred to in section 106 of the Constitution.

Qualifications for appointment and promotion.

6. The educational or professional qualifications and other requirements for appointment to permanent posts in the Public Service shall be determined by the Chief Executive Officer, Ministry of the Public Service, after consultation with the appropriate Ministry.

7. When a vacancy occurs in a post, the Chief Executive Officer of the Ministry where the vacancy occurs shall report it to the Chief Executive Officer, Ministry of the Public Service and state his recommendations for filling the post.

Procedure for filling vacancies.

8. Whenever an officer is on leave of absence pending relinquishment of his office:-

Appointment on absence pending relinquishment of post.

- (a) another person may be appointed to that office; and
- (b) that person shall, for the purpose of any function of that office, be deemed to be the sole holder of that office.

9. (1) Where appropriate, the provisions of this Regulation shall apply to a person who is selected from overseas for appointment to a public office in Belize. The term “child” in these Regulations means any children of the officer, including legally adopted children and step-children of the person appointed who are below the age of eighteen years, unmarried and wholly dependent on the person. The term “passage” means a passage by a route approved by the Chief Executive Officer, Ministry of the Public Service, as a normal route which may include journeys necessarily undertaken in any process of trans-shipment.

Overseas appointments; travel arrangements.

(2) The person appointed:-

- (a) shall, in the absence of any arrangements to the contrary, receive passage at the expense of the Government by the most direct and economic route from the country of residence to Belize for the officer, spouse and dependent children, not exceeding four persons in all, if they accompany or follow the person appointed within twelve months of appointment;
- (b) may be required to execute an agreement in the form specified by the Ministry of the Public Service to refund the cost of the passage, including the cost of transporting his baggage and personal effects as provided in paragraph (c) below in certain

Transportation allowances.

Refund of cost of travel in certain contingencies.

contingencies. For the purpose of this Regulation, the term “country of residence” means the country from which the person was recruited;

(c) shall normally be granted the following allowances for transport of baggage and personal effects:-

(i) ocean freight charges up to a maximum cost of one-half ton (500 kg.) weight, exclusive of the baggage allowance provided on the passenger tickets issued to the officer and family;

(ii) the cost of transporting baggage and personal effects from the person’s home to the place of embarkation and from the port of disembarkation to final destination; and

(iii) reasonable expenditure in respect of bill of lading charges, export shipping charges and agency fees. Claims for packing, crating, storage at the point of embarkation and disembarkation and claims for insurance shall not be met by Government.

Claims not to be met by Government.

Signing of bond or contract.

10. Persons appointed from overseas to established posts who have received the entitlement outlined in Regulation 9 above, shall sign a bond or contract to work in the Public Service for a minimum period of two years.

Criteria for appointment and promotion.

11. (1) No officer shall be appointed or promoted to a post for which he is not qualified.

(2) The promotion of officers to fill vacancies shall be approved by the relevant Commission, and the Commission shall base its decision on the following factors in descending order of importance:-

- (a) Performance/Merit;
- (b) Integrity/Professionalism;
- (c) Experience/Employment History.

Clerical examination.

12. (1) Officers in the clerical grade shall be required to sit the clerical examinations.

(2) Officers eligible to sit the clerical promotional examination must be confirmed in their appointment and have been successful in the clerical examination.

Clerical promotional examination.

(3) The clerical promotional examination shall be designed primarily to test the officer's power of expression, his general knowledge of Belize, its system of Government and its problems, and the officer's particular knowledge of Government Departments. Candidates shall be allowed full access to such documents as will help them to acquire the necessary information.

(4) On passing the clerical promotional examination, an officer with a good performance appraisal report from his Head of Department shall be eligible for the award of one increment.

Award of increment for passing clerical promotional examination.

13. To become eligible for promotion to the post of First Class Clerk, an officer shall:-

Promotion to First Class Clerk.

- (a) have been successful in the clerical and clerical promotional examinations;
- (b) have served at least four years as a Second Class Clerk; and
- (c) meet the criteria set out in paragraphs (a) and (b) of subregulation (2) of Regulation 11.

14. (1) An officer may be seconded up to a maximum period of two years to an office or post outside the Public Service. Such secondment, save in exceptional cases, shall not be renewable. The officer shall be governed by the rules and regulations of the receiving organization.

Secondment.

(2) An officer shall continue to pay the usual contribution during the period of his secondment.

(3) Subject to subregulation (4) below, the service of an officer while on secondment shall count for superannuation purposes.

(4) All applications for secondment shall be made by the officer concerned to the Chief Executive Officer, Ministry of the Public

Service. Approval for secondment shall be contingent on the exigencies of the Service.

Salary of officer returning from secondment.

15. An officer who has successfully completed a period of secondment shall normally revert to the point in the salary range of his substantive office, which he would have reached if he had not been seconded.

Vacation leave earned prior to secondment.

16. An officer shall utilize or be paid *in lieu* of all vacation leave earned prior to his departure on secondment.

Record of particulars of officers.

17.(1) Heads of Departments are required to keep written or computer record of the following particulars of officers in their Departments on the assumption of duty of such officers:-

- (a) addresses, telephone numbers, e-mail and any changes thereto;
- (b) next-of-kin and their addresses.

(2) Heads of Departments are responsible for ensuring that records of the service of every officer in their Department are maintained in personal files which may readily be transferred to another Department on the transfer of the officer.

Resignation.

18. (1) An officer wishing to resign:-

- (a) must give at least one month's notice in writing;
- (b) must honour, or make acceptable arrangements to honour, all outstanding debts owing to Government; and
- (c) is entitled to all benefits due to him.

(2) Failure to give adequate notice of intention to resign may result in dismissal.

(3) Heads of Departments are responsible for ensuring that steps are taken to recover all outstanding debts owing to Government.

PART III
CONDUCT OF PUBLIC OFFICERS

19. In accordance with section 121 of the Constitution, all public officers shall conduct themselves in such a way as not to:-

Conduct of
officers gener-
ally.
CAP. 4.

- (a) place themselves in positions in which they have or could have a conflict of interest;
- (b) compromise the fair exercise of their official functions and duties;
- (c) use their office for private gain;
- (d) demean their office or position;
- (e) allow their integrity to be called into question ;nor
- (f) endanger or diminish respect for, or confidence in, the integrity of the Government.

20. All public officers shall therefore:

Standard of
behaviour.

- (a) demonstrate the highest level of professional conduct and personal integrity in the performance of their duties and in serving the public;
- (b) treat everyone, including other public officers, clients and members of the general public with courtesy, respect, fairness and objectivity;
- (c) display a positive attitude and be pro-active in the exercise of their duties; seek to understand and to satisfy the real needs of members of the public; and volunteer information and services as appropriate;
- (d) in the exercise of their official duties, **not** confer any special benefit and/or give preferential treatment to anyone on the basis of any special relationship; and
- (e) render service in a timely, efficient and effective manner.

Substance abuse.

21. (1) The use of alcohol, controlled drugs, intoxicants, narcotics or any other illegal substance is prohibited at the workplace.

(2) Arriving at work under the influence of any of the substances set out in subregulation (1), or using any such substance whilst on duty, is prohibited.

Hours of duty.

22. (1) The hours of attendance at work for the various categories of public officers shall be as determined by the Minister for the Public Service, and the following applies in respect of hours of duty:-

- (a) all officers shall be required to work a minimum of thirty-nine and one-half hours per week;
- (b) no permanent alteration of the determined hours of work of any category of public officers may be effected unless the Minister responsible for the Public Service so approves, but Heads of Departments may require any or all of the staff of their Department to work temporarily for longer hours than those determined whenever the public interest so requires;
- (c) additional hours worked shall be compensated for by overtime for which approval shall be given by the Ministry of Finance, or by appropriate time off *in lieu* of overtime. This Regulation does not apply to officers in the professional Grade of the Service;
- (d) subject to subregulation (2) below, officers shall normally not be required to work on Saturdays, Sundays, Public and Bank Holidays.

(2) Officers working in Departments providing essential services and field staff to certain Departments may be required to work up to forty-five hours per week and up to nine hours in any one day. Where the nature of the officer's work so demands, he may be required to work on weekends and on Public and Bank Holidays.

Absence from work during duty hours.

23. (1) No officer may absent himself from duty during working hours without the permission of the Head of the Department in which he works or such other officer as may be deputed for this purpose by the Head of Department.

(2) An officer who absents himself from duty without permission and without an adequate reason to the satisfaction of the Head of Department may be subject to a deduction from his salary. Aggravated cases could lead to disciplinary action, including dismissal.

(3) The deduction shall be recovered from the officer's salary at the end of the month following that for which the penalty is imposed. It shall be calculated on the basis of the officer's regular hourly rate of pay and shall be in proportion to the salary for the period during which he was absent without permission.

24. (1) An officer shall make every effort to contact his Head of Department in the case of illness or other unavoidable circumstances on the first day of his absence.

**Absence from
duty without
permission.**

(2) An officer who absents himself from duty without permission and without an adequate reason to the satisfaction of the Head of Department, may be subject to a deduction from his salary. Aggravated cases could lead to disciplinary action, including dismissal.

(3) The deduction shall be recovered from the officer's salary at the end of the month following that for which the penalty is imposed. It shall be calculated on the basis of the officer's regular hourly rate of pay and shall be equivalent to the salary for the period during which he was absent without permission.

25. Every officer shall be appraised on a semi-annual basis and a Performance Appraisal Report shall be submitted to the Office of the Services Commission on submission of requests for promotion, acting appointments, or disciplinary action.

**Performance
appraisal report.**

26. (1) Every officer, except those who may be exempted by the Head of Department, shall sign his name in the Attendance Register kept in the Department for this purpose and insert the time of his arrival and departure from duty. The Head of Department shall deputize an officer to examine and initial this Register every day and bring to his notice any case of habitual or frequent unpunctuality or absenteeism on the part of any officer. The Head of Department or such senior officer as he may designate shall examine this Register at least once every month.

**Attendance
register.**

(2) Where exemption from signing the attendance register is granted to an officer, such exemption shall apply to all officers within the same category and not only to the individual officer.

**Strict punctuality
by public officers.**

27. (1) Strict punctuality shall be observed at the workplace. Any officer who is late without an adequate reason to the satisfaction of the Head of Department may be subject to a deduction from his salary.

(2) The deduction shall be recovered from the officer's salary at the end of the month following that for which the penalty is imposed. It shall be calculated on the basis of the officer's regular hourly rate of pay and shall be equivalent to the salary for the period during which he was late.

(3) In addition to the deduction referred to in Regulations 23, 24, and 27 above, an officer may be subject to other additional penalties set out in Regulations made for that purpose from time to time, if the officer's Head of Department recommends the imposition by the Commission of such penalties, due to an officer's persistent late attendance or absenteeism from work.

**Forbidden
conduct by public
officers.**

28. (1) An officer is forbidden to:-

- (a) engage in any private work for payment or gain which conflicts with his official functions;
- (b) use information and/or any material gained from his official position for private gain;
- (c) exploit the status and privilege of his position for private gain;
- (d) solicit and/or accept payment and/or gift for the performance, or neglect of his official duties;
- (e) conduct private business during working hours and/or on Government property.

**Use of govern-
ment vehicles.**

29. Public Officers are prohibited from using Government vehicles for private purposes.

30. The Financial and Stores Orders, together with the Finance and Audit Act, shall govern the conduct of officers in connection with the receipt, custody and disbursement of public funds and the custody of Government stores and other assets.

**Conduct in financial matters.
CAP. 5**

31. (1) Public officers are forbidden to be editors of newspapers or to take part in the management of newspapers, directly or indirectly. They may not contribute to any media in Belize or elsewhere on questions, which may be regarded as party-politics, though they may contribute articles upon subjects of general interest.

Public officers and the media.

(2) An officer, whether on duty or on leave, shall not allow himself to be interviewed on matters affecting the National Security of Belize.

(3) Statements to the media involving public policy shall not be made by Public officers without prior clearance from the Chief Executive Officer.

32. Subject to the Freedom of Information Act, a public officer shall not, without the approval of the Chief Executive Officer concerned, make public or communicate to the media or cause to be made public or so communicate to the media or to unauthorized individuals any documents, papers or information which may come into his possession in his official capacity, or make private copies of any such documents or papers.

Disclosure of confidential documents.

33. Public officers shall have access to records personally relating to themselves with the prior permission of their Head of Department. The Head of Department may require the public officer to inspect the records in his presence or in the presence of some other senior officer.

Access to personal records.

34. (1) Public officers who may wish to make a representation regarding matters affecting their conditions of service, should do so personally or through their accredited union representatives to their Head of Department and should not directly approach a Member of the National Assembly. Upon receipt of the representation, the Head of Department shall:

Representation from public officers to members of the National Assembly.

- (a) respond within seven days, after date of receipt, where the matter can be dealt with internally; or

- (b) forward such representation to the appropriate authority within seven days, if the matter cannot be dealt with within the Department.

(2) The Head of Department should state in a separate memorandum his own views on the representation made and make definite recommendation as to the merit of the representations.

(3) When the officer has not received a reply within fourteen (14) working days he shall forward a copy of his representation directly to the Chief Executive Officer in his Ministry, the Chief Executive Officer in the Ministry of the Public Service or the relevant Commission, as the case may be.

Engagement in political activities.

35. A Public Officer is expressly forbidden to:

- (a) run for office as a candidate in any National or Municipal election;
- (b) participate actively on behalf of any party or candidate in any National or Municipal election; or
- (c) accept appointment or election, whether paid or unpaid, as an officer of a political party.

Legal proceedings against public officers.

36. (1) Where legal proceedings are instituted against a public officer in respect of any act or omission committed in the performance of his duties, such public officer shall be entitled to the cost of legal assistance if the Director of Public Prosecutions or the Solicitor General advises the Attorney General that it is a proper case for legal assistance and the Attorney General is of the opinion that it is in the public interest for such assistance to be given.

(2) Where proceedings brought against an officer are defended by Government, and the Attorney General considers that it would be advisable to settle such proceedings, the following procedure shall apply:-

- (a) the Attorney General shall recommend to the Financial Secretary the amount for which he considers that efforts should be made to settle such

proceedings and also the amount, if any, which Government should contribute towards such settlement;

- (b) if the officer is requested to contribute towards the settlement and agrees to make the contribution decided upon, he shall so state in writing and, thereupon, the Attorney General may take steps to settle such proceedings; and
- (c) if the officer does not agree to contribute the amount decided upon, Government may refuse to continue to defend him.

(3) Where, as a result of the act of a Public Officer, legal proceedings are successfully brought against the Government and the Government deems it desirable to settle such proceedings out of court, disciplinary action and/or surcharge may, if the circumstances so warrant, be instituted against such officer.

37. Disputes in the Public Service, which may involve or give rise to industrial action, shall be determined in accordance with any law or enactment, which makes provision for the determination of such disputes.

Industrial action.

38. (1) Without prejudice to the laws relating to essential services, if an industrial dispute results in a strike, salaries and wages of officers who go on strike shall not be paid for any day or portion of a day during which they are on strike.

Strikes by public officers.

(2) Without prejudice to the generality of subregulation (1) above:-

- (a) if an officer merely reports for work on any day of a strike but does not work for the day, he shall not receive pay in respect of that day;
- (b) if an officer works for only a part of a day of a strike, he shall not be paid for that period of the day during which his services were withheld.

(3) Any public officer who engages in a strike not arising out of, or not resulting from an industrial dispute with the employer, renders himself liable to disciplinary action, including dismissal.

Officers on leave to report to duty during a strike.

(4) At the commencement of a strike, Heads of Departments shall inform all officers on leave of the existence of the strike and request them to report for duty immediately. Officers who fail to report to work shall, in the absence of satisfactory explanation, be deemed to be in support of the strike and shall not be eligible for pay from the date of the commencement of the strike until such time as they report for duty and commence work, or until the strike is concluded, whichever occurs first. This provision applies to officers on any type of leave except:-

- (a) sick leave;
- (b) maternity leave;
- (c) leave on urgent private affairs;
- (d) special leave;
- (e) study leave;
- (f) leave outside Belize; and
- (g) duty leave.

(5) It is expected that there will be some workers who report for duty and are willing to work but are precluded from doing so because of circumstances beyond their control. These workers will be paid their normal salary.

Officers to be properly attired.

39. Public officers shall be appropriately attired for work in a manner, which demonstrates professionalism decency and a respect for colleagues, clients and members of the general public. Chief Executive Officers are responsible for the enforcement of the Dress Code.

Uniforms.

40. Where, in respect of any function discharged by an officer, it is considered that uniforms are required for organizational reasons and identification purposes, the conditions applicable to the provision of

such uniforms shall be determined from time to time by the respective Head of Department.

41. (1) Public officers shall conduct themselves with decorum while at work so as not to disturb others, and so as to maintain an atmosphere of efficiency and purposefulness at the workplace. In particular, officers shall not engage in loud conversations, sing or play radios above a barely audible level at the workplace. They shall not eat or drink in areas to which the public has access.

Officers to conduct themselves with decorum.

(2) In no circumstances shall items which offend good taste or morals be displayed in a Government Office.

42. A senior public officer, authorized to issue instructions to a junior officer and to compel his obedience, shall *prima facie* be responsible for any act or omission on the part of the junior officer during the course of the junior officer's employment. The senior public officer shall be liable for appropriate punishment for any dereliction of duty on the part of the junior officer working under his control or supervision, unless it can be shown that such act or omission arose through no neglect or fault on the part of the senior officer and that all proper and adequate steps were taken to prevent the occurrence.

Senior public officer responsible for act of junior public officer.

43. (1) Sexual harassment at the work place is forbidden. Public officers who engage in sexual harassment shall be liable to disciplinary action, including dismissal.

Sexual harassment forbidden.

(2) For the purpose of these Regulations, the term "Sexual harassment" has the meaning assigned to it in the Protection Against Sexual Harassment Act. CAP. 107.

PART IV **LEAVE OF ABSENCE**

44. Subject to the exigencies of the Service and to these Regulations, officers shall be entitled to leave, as set out in this Part, as of right.

Public officers entitled to leave as of right.

45.(1) Authority for grant of vacation leave to individual public officers is vested in the Chief Executive Officer, Ministry of the Public Service. General authority is delegated to Chief Executive Officers.

Authority for the grant of leave.

This Regulation does not apply to leave without pay.

Accumulation of leave to be discouraged.

(2) When considering application for vacation leave made by an officer, the Chief Executive Officer shall be guided by the principle that an officer should avail himself of vacation leave annually and that accumulation of leave by an officer is to be discouraged.

Application for leave and leave roster.

46. (1) Officers wishing to apply for vacation leave shall do so at least one month before the date on which they intend to proceed on such leave.

(2) It shall be the responsibility of Heads of Department to ensure that a leave roster is prepared at the beginning of each calendar year.

(3) Applications should, as far as possible, be in conformity with the approved leave roster.

(4) Where an officer applies for vacation leave, but does not give at least one month's notice, such application shall be considered only where it is in conformity with the roster, or where the Head of Department is satisfied that the leave is required on the grounds of urgent private affairs.

Deferment of leave.

47. (1) The granting of vacation leave to an officer may be deferred if it is in the interest of the Service to do so.

(2) Any leave granted under these Regulations may be deferred if it is desirable that an officer returns to duty before the expiration of leave granted. Further accumulation of leave shall, however, be subject to the limits prescribed in these Regulations.

Mandatory leave.

48. (1) It is mandatory that officers take at least fifteen (15) days vacation leave annually in the case of senior officers and ten (10) days vacation leave in the case of junior officers.

(2) Mandatory leave for new entrants to the Service shall be granted after one calendar year of service.

Compulsory leave.

49. When an officer is about to reach his maximum leave entitlement, the Head of Department shall request the officer to take leave.

50. An officer on leave seeking an extension of such leave shall, in the absence of exceptional circumstances, apply in sufficient time to allow a reply to be received before the expiration of the original period of leave granted.

Extension of leave.

51. Heads of Department are expected to make every effort to arrange for performance of an officer's duties while that officer is on leave for fourteen (14) consecutive days without extra cost to Government.

Leave not to entail extra staff.

52. (1) Officers applying for leave on the grounds of urgent private affairs must satisfy the person authorized to grant such leave that the leave is unavoidable. This may be done confidentially if necessary.

Leave on urgent private affairs.

(2) Such leave, if approved, shall be deducted from the officer's leave entitlement.

53. An officer who is retiring from the Public Service may be paid salary *in lieu* of all vacation leave earned prior to the effective date of his retirement.

Payment *in lieu* of leave prior to retirement.

54. An officer who resigns from the Public Service may be paid salary *in lieu* of all vacation leave earned prior to the effective date of resignation.

Payment *in lieu* of leave prior to resignation.

55. An officer who is dismissed from the Public Service or whose services are terminated on disciplinary grounds may be paid salary *in lieu* of all vacation leave earned prior to the effective date of dismissal or termination.

Payment *in lieu* of leave prior to dismissal or termination.

56. Vacation leave shall be granted on full salary at the rate of:-

Vacation leave entitlement.

- (a) 30 working days per year to any officer who holds a post on Pay Scale 9 or above; and
- (b) 20 working days per year to any officer who holds a post below Pay Scale 9.

57.(1) In calculating leave under Regulation 56 above, any broken period of a month is taken into account, for example, where a

Methods of calculating leave days.

senior officer has served for 2 years 3 months 17 days he shall be eligible to leave calculated as follows:-

2 years 3 months = 27 months at 30 days per year

$$1. \quad \frac{27}{1} \times \frac{30}{12} = 67.5$$

17 days at 30 days per year

$$2. \quad \frac{17}{30} \times \frac{30}{12} = \frac{1.4}{68.9}$$

TOTAL LEAVE DAYS DUE = 69

(2) Where a junior officer has served for 2 years 3 months 17 days he shall be eligible to leave calculated as follows:-

2 years 3 months = 27 months at 20 days per year

$$1. \quad \frac{27}{1} \times \frac{20}{12} = 45$$

17 days at 20 days per year

$$2. \quad \frac{17}{30} \times \frac{20}{12} = \frac{.94}{45.94}$$

TOTAL LEAVE DAYS DUE = 46

Periods during which leave is not earned.

58. Officers shall not earn vacation leave while on:-

- (a) study leave exceeding twelve weeks;
- (b) sick leave exceeding sixteen calendar days;
- (c) suspension from duty;
- (d) secondment;
- (e) leave without pay;

(f) vacation leave in excess of 30 working days;

(g) maternity leave.

59. Officers shall not be granted vacation leave until they have served for six consecutive months from the date of first appointment, except on the grounds of urgent private affairs.

Minimum service for vacation leave.

60. Officers who earn thirty working days vacation leave per year may accumulate up to a maximum of seventy days; officers who earn twenty days vacation leave per year may accumulate leave up to a maximum of fifty days.

Maximum accumulable leave.

61. In the event of the death of an officer there shall be paid to his legal representative or beneficiary, a sum equivalent to the salary that the officer would have received had he been granted all vacation leave to his credit, at the date of death. Payment should be at the rates prevailing at the date of death.

Payment of leave eligibility on death of officer.

62. (1) A Head of Department may grant sick leave to officers in his Department, up to sixteen days with full pay in any one calendar year.

Sick leave entitlement.

(2) Sick leave for more than one day on any occasion shall not be granted without a medical certificate.

(3) No more than six days paid sick leave without a medical certificate shall be allowed in any one calendar year.

63. (1) An officer who has exhausted his sick leave entitlement in any one year and requires further sick leave for a period of ten (10) days or less shall be required to utilize vacation leave.

Sick leave in excess of entitlement to be treated as vacation leave.

(2) If the officer has exhausted all vacation leave, the leave shall be treated as leave without pay.

64. (1) Should the protracted illness of the officer necessitate his continuous absence beyond his normal sick leave eligibility, application accompanied by the relevant medical evidence, shall be made to the Chief Executive Officer, Ministry of the Public Service who may grant extended sick leave up to a maximum of 180 days on full pay.

Extended sick leave.

Sick leave on half pay.

(2) If the illness of the officer exceeds 180 days, the question of his fitness for further service shall be taken up with the Director of Health Services. On substantial evidence from a Medical Board that full recovery and return to duty is probable, the officer may be granted extension of sick leave up to a further 180 days on half pay.

Sick leave contingent on prognosis.

(3) Sick leave applied for under subregulation (1) above shall be granted only on receipt of a prognosis by the Director of Health Services, of the officer's eventual recovery and return to duty.

Retirement on medical grounds.

(4) If the illness of the officer exceeds 360 days, the officer shall be retired from the Public Service on medical grounds.

Sick leave for use in case of illness of spouse or children.

65. Sick leave provided for in Regulation 62 may be used by officers in the case of illness of their spouse or children up to a maximum of five (5) calendar days per year.

Officers frequently absent on sick leave may appear before a Medical Board.

66. Where an officer has been frequently absent on sick leave, a Head of Department may, at any time, request the Director of Health Services to advise on the nature of the officer's illness or whether the officer should appear before a Medical Board to consider his fitness to continue in Service.

Submission to medical examination.

67. An officer who is required to undergo a medical examination shall submit himself to be examined by a Medical Board at such time and place as directed.

Sick leave during vacation leave.

68. If an officer falls ill while on vacation leave, and he produces satisfactory medical evidence to his Head of Department, he shall be credited with vacation leave equivalent to the number of days not utilized as vacation leave due to illness.

Maternity leave.

69. (1) All female public officers are entitled to the grant of maternity leave.

(2) All applications for maternity leave shall be:

(a) submitted at least ten weeks prior to the officer's expected date of delivery; and

(b) accompanied by Social Security forms MB and SM2.

(3) An officer who fails to observe the requirement of this Regulation and who applies for maternity leave after the date of delivery shall be subject to disciplinary action.

(4) An officer may take vacation leave which is due to her at the expiration of her maternity leave.

(5) Maternity leave shall not be considered as sick leave and sick leave shall not be granted as a substitute for maternity leave.

Sick leave not a substitute for maternity leave.

(6) Sick leave shall be granted to run consecutive to maternity leave on the basis of a medical certificate.

70. A public officer is entitled to a total of twelve weeks maternity leave which shall be on full pay. Maternity leave shall be granted as follows:-

Maternity leave entitlement.

- (a) six weeks before expected date of confinement on full pay;
- (b) six weeks after the expected date of confinement on full pay;
- (c) the six weeks before and the six weeks after the date of confinement shall be mandatory.

71. An officer who has completed less than one hundred and fifty (150) days service and requires maternity leave shall be granted leave without pay. Such leave shall not be considered as “service” for pension purposes.

Maternity leave without pay.

72. Fathers may be granted paternity leave up to five (5) calendar days at the time of the birth of their child. The grant of this leave will be based on the presentation of the certificate of birth.

Paternity leave.

73. In the event of the death of the mother before the expiration of the post natal leave, the father of the child shall be entitled to take leave of a duration equal to the unexpired portion of the post natal maternity leave.

Post natal leave on death of mother of child.

Special leave.

74. (1) Special leave on full salary up to one month in any one year, may be granted by the Head of Department for purposes as he may deem to be in the public interest such as:-

- (a) to enable officers who belong to the Belize Defence Force to attend Annual Training;
- (b) to enable officers who are selected by the proper authorities to represent Belize in international sporting and cultural events; and
- (c) to enable officers selected by recognized Unions or Associations to attend training courses or conferences.

Special leave in other circumstances.

(2) The Chief Executive Officer, Ministry of the Public Service may grant special leave in other instances to enable officers to do such things which are considered to be in the Public and National interests.

Time off in interest of the Union.

(3) A Head of Department may grant time off to an employee appointed by the recognized Union to represent its interest.

Leave without pay.

75. Authority for the grant of leave without pay is vested in the Chief Executive Officer, Ministry of the Public Service, and the following principles shall apply:-

- (a) such leave shall be granted up to a maximum of ninety days subject to renewal in special circumstances; and
- (b) such leave shall not be considered as “service” for pension purposes.

Duty leave.

76. Chief Executive Officers may grant duty leave to officers who have to be away on official duty.

Compassionate leave.

77. A Head of Department shall grant compassionate leave to an officer up to three days on the death of an immediate family member (i.e. mother, father, spouse, children, brother or sister). Such leave shall not be charged against an officer’s earned leave.

PART V
TRAINING AND CAREER DEVELOPMENT

78. The general direction of training policy for the Public Service, including the types and levels of training, is hereby vested in the Minister responsible for the Public Service.

Training policy for the Public Service.

79. (1) The Chief Executive Officer, Ministry of the Public Service, may grant study leave to an officer where the training is considered to be of benefit to the Public Service.

Authority for the grant of study leave.

(2) Only officers confirmed in their appointment shall be considered for study leave.

80. Officers who have served the Government for a period of less than two (2) years shall not normally be eligible for the grant of study leave.

Minimum period of service for study leave.

81. Study leave shall not be approved to an officer to pursue training at a level equivalent to a qualification already possessed by the officer.

Non-approval of study leave.

82. (1) An officer may be granted study leave on full pay where the course of training is:-

Study leave on full pay.

- (a) approved by the Government;
- (b) on a full time basis; and
- (c) for a duration of not more than one year.

(2) Where the course is of a longer duration, maintenance allowance in accordance with Regulation 103 shall be paid together with the appropriate allowances.

83. (1) It is mandatory that all officers, who are granted study leave, sign a bond with the Ministry of the Public Service to serve on completion of their training.

Training agreement.

(2) No bond shall be required in the case of:-

(a) training for less than six calendar months duration;

(b) grant of study without pay.

Duration of service required by bond.

(3) The duration of service required by the bond shall vary depending on the duration of the course of training in accordance with the following table:

<u>Duration of course</u>	<u>Period</u>
(a) less than six calendar months	nil
(b) six calendar months to less than one year	one calendar year
(c) one academic year to less than two academic years	two calendar years
(d) two academic years to less than three academic years	three calendar years
(e) three academic years to less than four academic years	four calendar years
(f) four academic years and over	length of study computed in calendar years.

Amount of bond.

(4) The amount of an officer's bond shall be the estimated cost of his training, including the salary and allowances payable during the period of training. The total amount of such expenditure shall be the extent of an officer's indebtedness, and the bond shall be secured.

Officer to resume duty on termination or suspension of training.

(5) If the training is terminated or suspended, or if the officer abandons the training for any reason whatsoever, the officer shall immediately resume duty and shall serve the Government for a period for which he enjoyed the benefit of the training.

(6) If the officer fails to complete the requisite amount of years in the service of the Government, he shall pay to the Government the sum of money which is proportionate to the period of service for which he is in default.

Payment to Government for failure to complete requisite amount of years in Government service.

84. An officer, after successful completion of an approved course of study, shall normally be required to fulfil the requirements of his bond before study leave to pursue a further course of study can be approved.

Fulfillment of bond prior to further study leave.

85. Extension of study leave may be granted if it is considered that such a grant is in the interest of the Service. Any application for extension of study leave must be accompanied by:-

Extension of study leave.

- (a) a letter of support from the officer's Ministry; and
- (b) evidence from the institution of learning of the need and reason for the extension.

86. (a) The Chief Executive Officer, Ministry of the Public Service, may grant leave without pay, for the purpose of training, to an officer who, on his own initiative, gains entry to or is registered as a student at an institution of learning and whose course of training is not based primarily on the needs of the Public Service. Such approval is subject to the exigencies of the Service.

Study leave without pay.

- (b) such leave shall not be considered as "service" for pension purposes.

87. Where an officer wishes to undertake an approved course of study at an approved tertiary institution, that would require his absence from duty for two working days per week, the following shall apply:-

Part-time study leave up to two days per week.

- (a) the officer shall forward his application to the Chief Executive Officer, Ministry of the Public Service, accompanied by a letter of support from his Head of Department, and a letter of acceptance from the institution of learning;
- (b) study leave may be granted only in cases where:-

- (i) the course of study would be of benefit to the Public Service; and
- (ii) evening or weekend classes are not available for the particular course.

Study leave for more than two days per week.

88. Where an officer wishes to undertake a course of study, at an approved tertiary institution, that would require his absence from duty for three or more days per week, the officer shall be required to utilize full time study leave.

In-service training programmes.

89. (1) The Chief Executive Officer, Ministry of the Public Service, shall notify each Ministry of all in-service training programmes organized and managed by the Department of Management Services to be conducted during the following year, and invite nominations of officers for such training.

(2) The Chief Executive Officer, Ministry of the Public Service, may select officers for training in the horizontal grades (i.e., accounting, secretarial, clerical and administrative grades).

Annual report from institution of learning.

90. An annual report from the institution of learning shall be submitted on behalf of an officer on study leave to ensure that the officer is making good use of the leave granted to him and is pursuing with success the course of training for which leave has been approved.

Obligations while on training.

91. (1) Officers to whom study leave has been approved shall be required to:-

- (a) devote their whole time to the course of training;
- (b) sit for any examination and to write such papers or reports as may be required by the training authorities; and
- (c) resume duty or take up employment in the Public Service immediately after the completion of the course of training, or at the expiry of any vacation or other leave which may have been granted to them.

(2) Officers who complete their course of training prior to the expected completion date and who fail to resume duty immediately, providing vacation or other leave has not been approved, will be subject to disciplinary action.

Failure to resume duty upon completion of studies subject to disciplinary action.

92. (1) Every officer shall, within a reasonable time after successful completion of his course of study, submit a copy of his final report, dissertation, thesis, etc. to his Chief Executive Officer and another to the Chief Archivist. The reasonable cost for said copies shall be borne by the Government.

Officers to submit copies of final reports, etc.

(2) Every officer who has been the recipient of formal training may be requested to disseminate the knowledge and skills acquired.

Officers to disseminate knowledge and skills acquired.

93. The Chief Executive Officer, Ministry of the Public Service, may suspend or terminate study leave if:-

Suspension or termination of study leave.

- (a) report of the officer's work or conduct on the course is unsatisfactory;
- (b) the officer, without reasonable excuse, fails to pass a prescribed examination within the time fixed by the authorities of the institution which he may be attending;
- (c) the officer engages in any activity which is detrimental to his progress in the course of study prescribed to him;
- (d) the officer becomes unfit to complete his studies owing to illness;
- (e) the officer fails to reply to correspondence or to keep the Head of Department informed of his whereabouts; and
- (f) the officer is convicted on criminal charges, in or outside Belize.

94. Offers of training awards from international or other organizations shall be dealt with on a service basis and not on an *ad hoc* or individual basis.

Training awards.

Penalty for termination.

95. An officer who prematurely terminates his course of training without prior approval from the Chief Executive Officer, Ministry of the Public Service, shall be required to pay the Government a sum of money equal to the commitments he received prior to the premature termination, and any other amounts actually spent by the Government in connection with his training.

Assistance for correspondence courses.

96.(1) An officer shall be eligible for financial assistance up to a maximum of three thousand dollars (\$3,000) from Government for a correspondence course training; provided that approval is obtained before the officer attempts such course of training. Approval shall be granted where the training is of value to the Public Service and shall be subject to the availability of funds.

Nature of financial assistance.

(2) (i) The nature of the financial assistance shall be in respect of tuition and cost of books and materials for the course. One half of the cost, up to a maximum of one thousand five hundred dollars (\$1,500) shall be paid to the officer after approval of his application.

(ii) If the officer successfully completes the course of training, he shall be reimbursed for the remaining costs of the course up to a maximum of one thousand five hundred dollars (\$1,500).

(iii) If the officer does not successfully complete the course, he shall be required to refund the grant.

(4) An officer who receives financial assistance for a correspondence course shall submit a report at the end of each year indicating his progress on the course. If the Chief Executive Officer, is not satisfied that an officer is pursuing his course diligently, the officer may be required to repay the Government the amount spent on his training.

Training at local institutions.

97. Officers who attend an approved course of training at a local institution shall be eligible for a tuition grant, subject to the availability of funds.

Non-refundable expenses for self-initiated training.

98. A public officer, who on his own initiative applies for and is approved study leave to pursue a self-funded course of study, shall not be considered *post facto*, for a refund or grant for any portion of the expenditure incurred for the training.

99. Heads of Department are required to follow the guidelines shown in the First Schedule of these Regulations whenever they are recommending officers for study leave.

Guidelines for study leave. First Schedule.

100. (1) A scholarship holder shall be provided with half the cost of travel, to the place of study, for the spouse and unmarried children below the age of eighteen years, up to a maximum of four passages if they accompany him abroad within a period of one year. Full cost of travel shall be provided from the place of study to Belize.

Paid travel costs.

(2) Such assistance will be given only in cases where the family remains with the officer abroad for the full period of study.

(3) No such assistance shall be given if the scholarship-holder shall be absent from the country for less than two (2) academic years.

(4) The passages, which shall be arranged by Government shall be by air at economy rates. Reimbursement towards the cost of overland fares to reach the port of embarkation and transportation of baggage shall be made in accordance with the provisions of Regulation 9.

101. An officer, on return from study leave, is entitled to the grant of a normal increment for each successful year of study.

Grant of normal increment on return to duty.

102. An officer who is promoted immediately on his return from study leave shall receive salary in accordance with Regulations 101 and 109.

Grant of increments on promotion immediately on return from study leave.

103. Maintenance allowance may be payable to officers who are on an approved course of training and are not in receipt of their salary during the period of their training. Officers shall receive a monthly maintenance allowance at a rate of eighty percent of their salary.

Maintenance allowance.

104.(1) An officer who successfully completes an approved course of training abroad lasting not less than two academic years, and resumes duty immediately after completion of training (or after approved leave), shall be eligible for a resettlement grant at the prescribed rate.

Resettlement grant.

(2) The grant shall not be awarded in cases where the officer resumes duty after having been unsuccessful in his examinations.

PART VI
SALARIES, ALLOWANCES AND FINANCIAL BENEFITS

Salaries for public officers.

105. The salaries attached to public offices are and shall be as specified in circulars and Regulations, which may from time to time be issued or made for that purpose.

Officers to receive salary at minimum scale.

106. (1) Where the salary of any post is scalar, subject to the provisions of these Regulations, it shall be normal for an officer appointed to a post to be paid initially the minimum salary of the scale and for his salary to be increased by annual increments, subject to performance, at the rate provided in the scale until he reaches the maximum salary.

(2) In special circumstances, appointments may be made at a salary higher than the minimum salary of the scale of the recruiting grade.

Incremental date.

107.(1) The incremental date shall be the first day of a month if an officer's date of appointment or promotion falls within the first to the fifteenth day of the month. An officer whose date of appointment or promotion is after the fifteenth day of the month shall have his incremental date on the first day of the following month.

Increment for continuous temporary service.

(2) Subject to any specific conditions of appointment, continuous temporary service for a year on the part of an officer who is qualified for appointment in a post to which an annual scalar salary is attached shall, subject to satisfactory performance, qualify such officer for the grant of an increment to his salary.

Performance appraisal determining factor for increments.

108. The outcome of the performance appraisal of an officer shall be the determining factor for the granting or withholding of an increment to him.

Salary payable on promotion.

109. (1) An officer, on promotion, shall receive a salary the minimum salary of the post to which he is being promoted; provided that the difference between his salary and the minimum of the higher post is not less than two increments on the higher scale.

(2) On promotion, an officer's incremental date shall change in accordance with Regulation 107(1) above.

110. The grant of increments for the various types of qualifications shall be as outlined in the Second Schedule to these Regulations.

**Increments for qualifications.
Second Schedule.**

111. An officer whose service has been outstanding may be granted a merit award by the Merit Awards Committee, in accordance with the approved policy.

Merit awards.

112. When an officer is promoted or transferred on appointment to a post in another Department, arrangements shall be made whereby he can assume his new duties on the date of his appointment. If, however, exceptional circumstances necessitate his retention in his old Department beyond his promotion date, he shall be regarded as holding his new office as from the date his appointment was approved.

Retention of services of an officer in former Department.

113. If the salary of an officer's post is revised, the officer shall enter the new scale at a salary which corresponds to the salary he had reached in the old scale, subject to the condition that where the salary of the officer is not reflected on the new scale, he shall enter the new scale at the next highest point to his existing salary. In this case the officer's incremental date shall remain unchanged.

Salary conversion on revision of an officer's post.

114. (1) The payment of an acting allowance shall be approved if an officer is required to act for a period of more than fourteen (14) consecutive days.

Acting allowance.

(2) The amount of acting allowance payable shall be the full difference between the salary which the officer is receiving in his substantive post and the minimum salary of the post in which he is acting.

(3) Where the salary of the officer appointed to act is more than the minimum of the post in which he is acting, an acting allowance of not less than two increments on the higher scale shall be paid.

115. An officer recruited from abroad shall be entitled to a once-and-for-all relocation allowance of six hundred dollars (\$600) for a single officer and nine hundred dollars (\$900) for an officer accompanied by his family.

Relocation allowance.

116. (1) An officer recruited from abroad shall be entitled to a monthly Housing Allowance equivalent to thirty percent of his basic salary for the life of his contract.

Housing allowance.

(2) A locally recruited officer, on transfer from his station, shall be entitled to a monthly housing allowance equivalent to ten per cent of his basic salary for a period of six months only.

(3) An officer shall not be eligible for housing allowance at the station in which he is recruited.

Subsistence and meal allowances. Third Schedule.

117.(1) Subsistence allowance and meal allowance shall be payable in accordance with the provisions of this Regulation and an officer wishing to claim such an allowance shall do so on the form prescribed in the Third Schedule of these Regulations. Subsistence or meal allowance shall be computed as follows:-

- (a) where the period of absence exceeds five hours but does not exceed nine hours, a meal allowance equivalent of $\frac{2}{3}$ of a full day's subsistence shall be paid:

Provided that where an officer's absence does not exceed five hours but covers the lunch period, a meal allowance of $\frac{1}{3}$ of a day's subsistence shall be paid;

- (b) where the period of absence exceeds nine hours, a full day's subsistence allowance shall be paid; and
- (c) where an officer is required to perform duty in a tourism-oriented town or village, a higher rate of subsistence to be specified by the Financial Secretary, shall be paid.

(2) Where an officer on duty is away from his station for more than twenty-four hours, the payment of subsistence allowance or, as the case may be, meal allowance, for the period of absence in excess of twenty-four hours shall be calculated on a *pro rata* basis as set out in subregulation (1) above.

Allowance for absence of more than 30 days.

(3) Absence of more than thirty calendar days shall be governed by Regulation 119.

Bush allowance. Fourth Schedule.

118. Officers holding posts listed in the Fourth Schedule, when engaged in operations in the bush requiring them to camp away from

headquarters, shall receive an allowance at the rate approved by the Ministry of Finance.

119.(1) An officer, who of necessity is required to be away from his station for more than thirty consecutive days, shall receive subsistence allowance as provided for in Regulation 117 for the initial thirty-day period. The officer shall, thereafter, become eligible for receipt of a commuted subsistence allowance beyond the thirty-day period at the rate approved by the Ministry of Finance.

**Commuted
subsistence
allowance.**

(2) Whenever it is necessary for an officer to be away from his station for more than thirty days, the question of payment of commuted subsistence allowance beyond the initial thirty-day period shall be cleared by the Accounting Officer of the Department with the Financial Secretary.

(3) The payment of a commuted subsistence allowance shall only be considered on the grounds that:-

- (a) approval of commuted subsistence allowance is sought **beforehand**;
- (b) payment of the allowance is to be made only in cases of **temporary** assignments or postings;
- (c) the period of such temporary assignment or posting is stated in making the submission for the allowance;
- (d) in any case the payment of the allowance will normally be for not more than **three** months, subject to extension in exceptional cases to six months; and
- (e) the quantum of the commuted subsistence allowance shall not be less than fifty percent of the monthly rate.

120. Where a public officer on duty is required to sleep away from his station, he shall be entitled to receive from his Ministry, a reimbursement of all hotel or lodging expenses occasioned thereby. Such reimbursement shall be in accordance with circulars, which may from time to time be issued by the Ministry of Finance.

**Reimbursement
of lodging
expenses.**

Allowance in respect of traveling on duty abroad.

121. Subsistence and other allowances which may be paid to officers, for travel on duty overseas, shall be approved by the Ministry of Finance and shall be in accordance with circulars which may from time to time be issued by the Ministry of Finance for that purpose.

Reimbursement of traveling expenses.

122. Officers attending overseas conferences or travelling on other duty abroad may be reimbursed, on production of receipts, their reasonable hotel expenses in respect of room and necessary travelling expenses.

Warm clothing allowance.

123. (1) A warm clothing allowance at a prescribed rate shall be payable to an officer who is required to proceed to a temperate or frigid country or region, for purposes of duty or study.

(2) A warm clothing allowance shall not normally be payable to an officer who has already received it within a period of less than two years after his return from a previous course of study or duty abroad.

Travel allowance.

124. A travel allowance not exceeding the prescribed rate may be paid to an officer for necessary travel and in transit expenses in connection with a required duty or study abroad. This allowance shall be in addition to the allowances referred to in Regulations 121 and 122 above.

Mileage allowance.

125. A public officer, who uses his private motor vehicle or motorcycle on approved official travel outside his station, shall be entitled to mileage allowance at the rates prescribed by the Ministry of Finance.

Motor vehicle maintenance allowance.

126. A maintenance allowance at the prescribed rates shall be paid to officers who use their personal motor vehicles, motorcycles or bicycles on a regular basis in discharging the duties of their offices.

Transfer grant.

127. Public officers shall be entitled to a transfer grant at the prescribed rate, before assumption of duty at their new station, to assist with costs incurred when relocating from one station to another, provided that the tour of duty is for not less than two (2) years.

Officers not eligible for transfer grant.

128. The following officers shall not be eligible for a transfer grant:-

- (a) officers who request and are approved transfers at their convenience; and

- (b) officers who request and are approved transfers on appointment to other posts in other locations.

PART VII **ADVANCES**

129.(1) An advance may be approved to an officer, on application to the Financial Secretary, for the following purposes:-

Advances.

- (a) where the officer is proceeding on or returning from vacation leave or is being transferred from one station to another. The advance shall be limited to the equivalent of one month's salary and shall be repaid in not more than four equal monthly instalments; except in exceptional circumstances when the period of repayment may be extended;
- (b) for the purchase of household items;
- (c) for the purchase of an approved means of transportation considered appropriate to the duties of the officer's post; and
- (d) for medical or maternity purposes.

(2) In all cases, the period of repayment shall be set by the Financial Secretary.

130. All advances shall carry a nominal service charge, to be determined by the Ministry of Finance, recoverable at the time of issue of the advance.

Nominal service charge on advances.

131. Officers in receipt of an advance to purchase a motor vehicle shall be required to produce the following:-

Requirements on approval of motor vehicle advance.

- (a) a receipt to show that the money was used for the purpose for which it was advanced; and
- (b) a Bill of Sale on demand.

132. Advances may be granted for any purpose not elsewhere provided for, which the Financial Secretary considers to be in the pub-

Other advances.

lic interest. The terms of repayment shall be prescribed in each particular case.

Grounds for refusal of advance application.

133. Applications for advances may be refused where:-

- (a) the amount of money required is greater than what the officer can reasonably be expected to repay within the prescribed time;
- (b) a similar advance was last approved within the prescribed repayment period in the case of motor vehicles; and
- (c) a previous advance has not been fully repaid; or
- (d) an officer has previously failed to meet the conditions of an advance.

Repayment of advances.

134.(1) Repayment of all advances shall be made by monthly deductions from the officer's salary at source unless otherwise authorized in writing by the Financial Secretary. The Head of Department, in which an officer is serving at the time an advance is authorized, is responsible for ensuring that a proper record of the advance is kept and that repayments are being regularly deducted.

(2) In the event of the officer being transferred to another department, particulars of the outstanding balance and rate of repayment shall be sent to the Head of the receiving Department who thereafter shall assume responsibility for ensuring regular payment.

Vehicles not to be sold or disposed of without permission.

135. A vehicle, on which any part of an advance remains outstanding, may not be removed from Belize, sold or disposed of in any way without the prior written consent of the Financial Secretary.

Advance not to be granted within three years of previous advance.

136. An advance for the purchase of a vehicle shall not be approved within three years of the grant of a previous advance for a similar purpose, save in exceptional circumstances such as destruction of the vehicle by accident. Such an advance shall be granted based on the merits of each case.

137. An officer, prior to leaving the Service, shall be required to repay any outstanding sum due to the Government as follows:-

Repayment of debt when officers leave the Service.

- (a) salary and/or payment *in lieu* of vacation leave due to the officer shall be applied towards settlement of the outstanding balance; and
- (b) any remaining balance shall be recovered:-
 - (i) from benefits due;
 - (ii) through written agreement with the Accountant General; or
 - (iii) through legal action.

PART VIII **MISCELLANEOUS**

Residential Quarters

138. Public officers may occupy official residential quarters where available.

Occupation of official quarters is subject to availability.

139.(1) Officers provided with official residential quarters shall be permitted to continue in occupation of such quarters during their tenure in that station.

Occupation of official quarters.

(2) Officers, prior to retirement or termination of appointment, shall vacate official residential quarters within one month after the date of retirement or termination.

140. When an officer is transferred or dies while officially occupying residential quarters, the officer's family may be permitted, by the Head of Department, to continue occupying the quarters for a period not exceeding three months from the date of such transfer or death.

Transfer or death of officer occupying official quarters.

141. Officers who occupy official residential quarters shall be required to keep such quarters and the surrounding area in a clean, tidy and sanitary condition at their own expense. Before vacating the quar-

Quarters to be kept clean.

ters, officers shall ensure that the quarters are in a clean and sanitary condition.

No alterations by occupiers of quarters.

142. Occupiers of official residential quarters shall neither make structural alterations nor install electrical fittings or lighting equipment without the approval of the Head of Department. This Regulation shall apply also to any addition, alteration or modification of any existing installation.

In the event of damage, officers to make good such damage.

143. When official residential quarters, furniture, electrical appliances, fixtures or the grounds have been damaged, and such damage, in the opinion of the Head of Department, is due to carelessness or negligence on the part of the occupier, an account of the charges for making good such damages shall be rendered to the occupier by the Head of Department concerned and the amount of such account shall be paid by the occupier to Government.

Yearly reports on buildings.

144. The Chief Executive Officer in the Ministry of Works shall forward to the Financial Secretary yearly reports on the condition of all Government buildings.

Certificate of service.

145. Any public officer, on leaving the Public Service, if he so desires, may obtain a formal certificate of service from the Chief Executive Officer, Ministry of the Public Service.

Disaster Management

Disaster preparedness.

146.(1) Chief Executive Officers shall ensure that an adequate emergency plan, including simulations and training, is developed, circulated and undertaken throughout Ministries and Departments under their control. The emergency plan should be in a standard format, as determined by the National Emergency Management Organization (NEMO). Such an emergency plan should cover the following threats and hazards:-

- (a) hurricanes;
- (b) floods;
- (c) bomb threats;
- (d) earthquakes;

- (e) fires; and
- (f) civil disorders.

(2) The plan should include the following measures:-

- (a) activating the emergency plan during and outside of normal working hours;
- (b) ensuring security of equipment, records and classified documents prior to, during and following the emergency event;
- (c) ensuring continuity of Government activity prior to, during and following the emergency event;
- (d) ensuring continuity of communications with district staff during and following the emergency event; and
- (e) ensuring emergency attendance to injured employees.

(3) As a precaution against hurricanes, Chief Executive Officers and Heads of Departments should ensure that all public buildings under their charge are:-

- (a) made hurricane resistant; and
- (b) secured on the announcement of hurricane warning.

147. (1) Heads of Departments shall ensure that all members of staff are conversant with the disaster plan, procedures for their Departments and their assigned responsibilities.

Disaster Coordinator.

(2) An officer shall be designated as the Disaster Coordinator for each Ministry. He shall not be below the level of Administrative Officer III or equivalent.

(3) The Disaster Coordinator for the Ministry shall be responsible, to the Chief Executive Officer for that Ministry, for developing and implementing the disaster plan for the Ministry.

(4) Participation in Disaster Preparedness Management is mandatory for all public officers. Failure to participate can lead to disciplinary action.

Stationery

Purchase of stationery.

148.(1) Stationery and supplies shall be purchased from the most economic sources. Every effort shall be made to minimize wastage in Departments. Wherever possible, Departments shall reproduce forms, etc., for use in such Departments. Forms, which are common to all Departments shall be available on requisition from the Government Printery.

(2) Requisition for printed forms and books must be submitted to the Government Printer on memorandum or order forms.

Care of stationery.

149. All stationery shall be carefully put away and its use, which must be confined to the Public Service only, shall be closely supervised by the Head of Department. It shall be placed under the custody of the Finance Officer who shall be responsible for its safekeeping and distribution to ensure economy in usage.

Use of Telephone

Answering of telephone calls.

150. Public officers must be pleasant and courteous in answering the telephone and shall state their Ministry or Department so that the caller knows at once to whom he is speaking.

Avoidance of correspondence.

151. Any matter, which can properly be disposed of by telephone or an interview should not be the subject of correspondence. However, the action taken and any decision reached should be recorded on the appropriate file.

Use of telephone.

152.(1) Chief Executive Officers and Heads of Departments are responsible for ensuring that due economy is exercised in the use of the telephone and in particular that it is not used by officers for their private affairs except in cases of real necessity.

(2) Where it is alleged that an officer has abused the use of the telephone he shall be given an opportunity to exculpate himself. If the

Chief Executive Officer and Head of Department are not satisfied with the explanation given, he may subject the officer to a surcharge.

153. Telephone calls from public officers to addresses abroad shall have the prior approval of their Chief Executive Officers and Heads of Departments who should be absolutely satisfied that it would not be possible to expeditiously deal with the matter by airmail letter, e-mail or facsimile.

Prior permission for overseas communications.

Correspondence Between Departments

154. All letters, minutes, reports and returns must be dated, numbered (where appropriate) and signed in full, with the official designation of the officer signing being added. Plans and other attachments must be signed and dated and bear a numerical reference to the documents (if any) which they accompany.

Identification of correspondence.

155. Each communication should be confined as far as possible to a single subject.

Single subject communication.

156. Memoranda between Departments shall clearly indicate the official designation of their origin, addresses, and subject matter. All formal and informal commencements and conclusions included in ordinary letters should be dispensed with.

Correspondence between Departments.

Government Gazette and Other Documents

157. All *Gazettes*, Acts and other printed matter, which have been or may be issued from time to time to Heads of Departments, shall be carefully bound. Officers are expected to make themselves acquainted with notices published in the *Gazette* and Acts, etc., affecting their duties. The fact that special notification or instructions have not been received from the Ministries shall not be accepted as an excuse for inattention to notices in the *Gazette*. Publication of any matter in the *Gazette* shall be sufficient notice to every Department of the facts published therein.

Officers to acquaint themselves with Gazettes, Acts, etc.

158.(1) *Gazette* matters of a legal or semi-legal nature shall be submitted to the Attorney General's Ministry for vetting before being forwarded for publication.

Vetting of legal matters by the Attorney General's Ministry.

(2) Notices and other matters for publication in the *Gazette* shall be delivered to the Government Printer no later than 4:00 p.m. on Wednesday. Any material forwarded after that time shall be held over for publication in the following week's issue of the *Gazette*, except in urgent or special cases, the publication of which will be left to the discretion of the Government Printer.

Other Matters

Funeral grant payable on death of officer.

159.(1) When an officer dies in the Service, the beneficiary of the officer shall receive a funeral grant of one thousand dollars (\$1,000.00).

(2) The grant shall be payable from the Ministry in which the officer was serving at the time of his death.

Official seals or stamps.

160. Official seals and stamps shall be kept secured and not be supplied to private persons.

Franking stamp.

161. Public officers shall not make use of any stamp for franking letters, or frank letters without the authority of the Head of Department, and are required to keep such devices under lock and key, except when in actual use.

Circulars.

162. Circulars should be initialled by the officers of the Department in which they are received and should be kept bound together in a "Circular Book" which should be indexed. Chief Executive Officers and Heads of Departments shall communicate instructions conveyed by circulars to all members of their staff.

Copyright and royalties.

163. Any works produced by public officers as part of the duties for which they are engaged shall result in the copyright in respect of such works being vested in the Government. Any such work required for the use of the Public Service shall produce no financial benefits to the author, but the author may be allowed the royalties that might arise from sale of any such work outside of the Public Service or outside Belize.

Safety equipment and clothing.

164.(1) Public Officers required to work under hazardous circumstances shall be provided with appropriate safety equipment and clothing which shall be the property of the Government.

(2) Officers provided with such equipment and clothing shall be required to wear and use such equipment and clothing whilst discharging their duties.

165. Field workers and office assistants shall be provided with inclement weather gear, which shall be the property of the Government.

Inclement weather gear.

166. Where damage or loss occurs to Government property purchased under Regulations 164 and 165, and where such damage or loss is proved to be the result of an officer's negligence, such officer shall be subject to a surcharge.

Surcharge in case of damage or loss.

167.(1) The Public Service Regulations 1996 are hereby repealed.

Repeals and commencement. S.I. 153 of 1996.

(2) These Regulations shall come into force on the 15th day of November, 2001.

MADE by the Governor-General this 15th day of November, 2001.



(COLVILLE N. YOUNG)
Governor-General

FIRST SCHEDULE
[Regulation 99]

SELECTION CRITERIA FOR TRAINING IN THE PUBLIC SERVICE

1. **Relevance To Needs**

- (i) The training being requested must be relevant to the Department's development needs and the officer's career intentions.
- (ii) Proposed training programmes should be designed to improve the technical, analytical, managerial and decision-making skills of individuals displaying potential for development.

2. **Academic Eligibility**

- (i) Nominees for a proposed training programme must possess the requisite academic qualifications that will enable acceptance into tertiary level institutions.
- (ii) Mature officers who may not possess the requisite academic qualifications must obtain acceptance into the institutions.

3. **Overall Performance**

Nominees should have above average performance records, display positive job attitudes and proficiency in the use of language.

4. **Age**

Officers being nominated for training should normally not be more than forty years old by the end of the proposed training programme and be physically and mentally capable of undertaking the course of studies.

SECOND SCHEDULE**[Regulation 110]****INCREMENT FOR QUALIFICATIONS****1. Certificate Courses**

A public officer who has pursued an approved course of studies, the minimum of which is one academic year, and at the end of which a certificate is awarded will be eligible for the award of one additional increment.

2. Diploma Courses

A public officer who has pursued an approved course of studies, the minimum of which is two academic years, and at the end of which a diploma is awarded, will be eligible for the award of two additional increments.

3. Bachelors Degree

(i) A public officer who has pursued an approved course of studies at the end of which a first degree is awarded will be eligible for the award of three additional increments. This applies to those persons who acquire additional qualification but remain in their substantive post. Where the superior qualification is required for promotion, the officer will be elevated to the higher scale and the matter of placement on the scale will be dealt with in accordance with Regulation 109 (1).

(ii) The above does not, however, apply to persons who graduate with a diploma, degree or certificate, which they intend to use in order to gain admission to another course of studies in the same or a related field of study.

4. Masters Degree

(i) A public officer who was approved study leave to pursue a Masters Degree will be eligible for the award of two additional increments on successful completion.

(ii) A public officer who was approved study leave to pursue a First Degree but who returns with a Masters Degree will be eligible for the award of four additional increments.

5. **Doctorate Degree**

- (i) A public officer who holds a Masters Degree and on approved study acquires a Ph.D., will be eligible for the award of three additional increments.
- (ii) A public officer who was approved study leave to pursue a course of studies leading to a Masters Degree and who returns with a Ph.D., will be eligible for the award of four additional increments.

6. **Effective Date of Award of Increments**

All increments will be awarded with effect from the date of expiration of study leave and with the approval of the Chief Executive Officer, Ministry of the Public Service.

7. **Qualification Not Eligible for Award of Increments**

- (i) Where an officer successfully completes a course of training for which a degree, diploma or certificate was awarded and for which the officer received additional increments(s) and subsequently successfully completes an equivalent or lower level course, the officer shall not be entitled to additional increment(s) for such equivalent or lower qualification.
- (ii) Where an officer obtains the required qualification for his current post after the fact, no additional increment(s) shall be awarded.

THIRD SCHEDULE

CLAIM FOR SUBSISTENCE ALLOWANCE, MEAL ALLOWANCE AND MILEAGE ALLOWANCE

An officer wishing to claim a subsistence allowance, meal allowance or mileage allowance shall do so in the form prescribed below or as nearly thereto as possible:

NAME: _____ MILES TRAVELLED: _____

OFFICE: _____ TIME SPENT AWAY FROM STATION: _____

STATION: _____ MEANS OF CONVEYANCE USED (VEHICLE NO.): _____

DATE & TIME OF LEAVING STATION: _____ NATURE OF OFFICIAL DUTIES PERFORMED: _____

PLACES VISITED (EN ROUTE) IF ANY: _____

FINAL DESTINATION: _____ NUMBER OF HOURS/DAYS CLAIMED: _____

DATE & TIME RETURN TO STATION: _____ RATE OF SUBSISTENCE/ MILEAGE/MEAL ALLOWANCE: _____

INCIDENTAL EXPENSES, IF ANY: _____

TOTAL AMOUNT CLAIMED: _____
(SHOW MILEAGE, SUBSISTENCE AND MEAL ALLOWANCE AND OTHER EXPENSES SEPARATELY)

DATE: _____

SIGNATURE AND DESIGNATION OF CLAIMANT: _____

APPROVED BY: _____
(SIGNATURE) (DESIGNATION)

FOURTH SCHEDULE**BUSH ALLOWANCE**

List of posts for which special bush allowance is payable.

ARCHAEOLOGY

Archaeological Commissioner
Deputy Archaeological Commissioner
Archaeologist
Archaeological Assistant

FORESTRY

Principal Forest Officer
Forest Officers
Forest Rangers
Forest Guards

LANDS AND SURVEYS

Principal Surveyor
Senior Surveyor
Surveyor
Principal Lands Officer
Lands Officer
Assistant Lands Officer
Lands Inspector

GEOLOGY

Geologist
Micropaleontologist
Geological Draughtsman
Mineral Surveyor
Geoscientist

EXPLANATORY NOTES

THESE NOTES DO NOT FORM PART OF THESE REGULATIONS AND ARE ONLY INTENDED TO EXPLAIN THE IMPORT OF THE REGULATIONS

1. All public officers are required to familiarize themselves with these Regulations and any amendments or additions thereto which may from time to time be issued. It is the duty of the Head of Department to ensure that a sufficient number of copies is always on hand to meet the needs of his own Department.
2. All new entrants to the Public Service will be provided with a copy of the Public Service Regulations. Those copies issued to public officers for use in their official duties are not to be regarded as the property of any individual officer. Heads of Departments should therefore ensure that the officer who is in possession of any official copy of these Regulations surrenders it in the event of his transfer to another Department or his retirement or resignation from the Service. Copies of these Regulations are available for sale from the Government Printery.
3. Public officers are required to make themselves acquainted with all Government notifications and regulations, whether published in the Government Gazette or conveyed by circular or any other means of communication, and Heads of Departments shall be held responsible for seeing that this is done.
4. Subject to the provisions of Section 106 (3) of the Constitution, the Governor General, acting in accordance with the advice of the Minister or Ministers responsible for the Public Service, given after consultation with the recognized representatives of the employees or with other persons or groups within the Public Service as may be considered appropriate, may make regulations on any matter relating to:-
 - (a) the formulation of schemes for recruitment to the Public Service;
 - (b) the determination of a code of conduct for public officers;
 - (c) the fixing of salaries and privileges;
 - (d) the principles governing the promotion and transfer of public officers;
 - (e) measures to ensure discipline, and to govern the dismissal and retirement of public officers, including the procedures to be followed;

- (f) the procedure for delegation of authority by and to public officers; and
- (g) generally for the management and control of the Public Service.