

ANTIGUA AND BARBUDA
CIVIL SERVICE REGULATIONS

1993, No. 1

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SCHEDULE

ANTIGUA AND BARBUDA
STATUTORY INSTRUMENTS

1993, No.1

**The Civil Service Regulations 1993 made by the Minister under Section 28 of the
Civil Service Act No. 24 of 1984.**

PART I

PRELIMINARY

1. (1) These Regulations may be cited as the Civil Service Regulations, 1993. Short title and commencement.

(2) These Regulations shall be deemed to have come into operation on the 1st day of February, 1993, except for Regulations 67, 68, 69, 70 and 71 which shall come into force at a later date to be prescribed by the Minister by notice in the Gazette and references in these Regulations to the commencement of these Regulations shall be construed accordingly.

2. In these regulations unless the context provides otherwise - "the Act" means the Civil Service Act 1984, (No. 24 of 1984); Interpretation.

"acting appointment" means the temporary conferment upon an officer of an office of emolument;

"appointment" means the conferment of an office of emolument in the civil service upon an officer or any other person;

"child" means a natural child of the officer or legally adopted child of the officer under the age of eighteen years and who is unmarried and dependent on the officer, and "children" shall be read and construed accordingly;

"civil service" means the Civil Service of Antigua and Barbuda established under section 3 of the Act;

"the Commission" means the Public Service Commission established under section 99 of the Constitution;

"the Constitution" means the Constitution of Antigua and Barbuda;

"Department" means a department of any Ministry of the Government;

"Division" means a sectional office of a Ministry;

"form" means a prescribed form in the Schedule issued by the Minister;

"incremental date" means the anniversary of the date of confirmation of a public office upon an officer;

"Medical Board" means a Medical Board constituted in terms of Regulation 31;

"Minister" means the Minister responsible for the civil service;

"office of emolument" means any office shown under a personal emolument sub-head in the current estimates of the Government;

"passages" means expenses of travel by air from or to Antigua and Barbuda and any prescribed travel expense necessarily incurred on the route;

"Permanent Secretary" means the Permanent Secretary for the Ministry to which an officer is attached;

"promotion" means the conferment upon an officer of an office to which is attached a higher salary scale than that attached to the office to which he was last substantively appointed;

"secondment" means the temporary movement of an officer from his substantive office for duty in another office in or out of the civil service with a view of returning him to his substantive office at a later date;

"transfer" includes the conferment whether permanent, on secondment or on promotion of an office upon an officer other than that to which he was last substantively appointed.

.3. These Regulations shall apply to all civil servants except in so far as any part thereof is excluded to the application of an officer in terms of his conditions on appointment.

Application.

4. (I) Every _

(a) Ministry; and

(b) Department or Division

shall obtain and keep a copy of these regulations and other laws relating to the civil service for use in its operations and every officer shall have access to those Regulations.

(2) Every Permanent Secretary and Head of Department shall ensure that a copy of the Regulations kept for the Ministry or Department, as the case may be, is updated in accordance with any amendments that may be made to them.

PART II

RECRUITMENT AND APPOINTMENT

5. The educational or professional qualifications and any other requirements for recruitment into the civil service shall be as directed by the Minister.

Requirements
for recruitment

6 (1) Any person seeking to be recruited into the civil service shall, whether in response to the advertisement of a vacancy or on his own accord, submit his application to -

Recruitment

(a) the Chief Establishment Officer; or

(b) any other authority as may be designated in the Gazette in the case of any department.

(2) Upon receipt of any application under -

(a) paragraph (1) (a), the Chief Establishment Officer shall submit the application to the Commission;

(b) paragraph (1) (b), the relevant authority shall submit the application to the Commission through the Chief Establishment Officer:

Provided that in all cases under paragraphs (a) and (b) the Chief Establishment Office shall make recommendation to the Commission concerning the suitability of the applicant for recruitment into the civil service.

(3) In the exercise of the functions of the Chief Establishment Officer or other authority, as the case may be, in terms of paragraph (I), regard shall be given to the powers and directions of the Commission and the policy of the Government concerning methods of recruitment, including the appointment and procedure of Boards for the selection of candidates to be recruited into the civil service.

Applications for
employment.

7. (I) An application for employment in the civil service shall be in writing in Form P/I and be addressed to the Chief Establishment Officer containing a true statement of the applicant's qualifications.

(2) The Chief Establishment Officer shall forward to the Commission any application received in terms of paragraph (1) which satisfies the requirements of recruitment.

(3) Upon the appointment of an applicant to an office in the civil service, the Commission shall inform the Chief Establishment Officer who shall issue an appointment letter in the Forms P/3 and P/8 to the Permanent Secretary.

(4) Copies of an appointment letter issued in terms of paragraph (3) shall be given by the Chief Establishment Officer to the Accountant General and the Director of the Audit Department.

(5) The Permanent Secretary shall, upon the receipt of any information addressed to him by the Chief Establishment Officer in terms of this regulation inform the person who is appointed or rejected for a post in the Civil Service.

Filling of
Vacancies.

8. Any vacancy occurring in the civil service shall be filled in accordance with any instructions issued to the Commission, under Section 100 (6) of the Constitution, which are in force before the commencement of these Regulations or which are made after these Regulations come into force.

Dates of
appointment

9. The effective date of appointment of an Officer shall be -

(a) in the case of an officer appointed locally, the date he assumes duty;

(b) in the case of an officer recruited from outside Antigua and Barbuda, the date of arrival in Antigua and Barbuda.

PART III

TERMS AND CONDITIONS

10. An officer may be appointed into the civil service on-

(a) permanent terms; or

(b) temporary terms; or

(c) contract terms

Terms of
appointment

11. (1) An officer appointed on contract terms may apply to the Commission through the Chief Establishment Officer, to have his contract converted to permanent terms.

Conversion to
permanent
terms.

(2) An application by an officer in term of paragraph (1) shall be made at least three months before the end of the officers' contract.

(3) If the Commission approves the conversion of an officer's terms from contract to permanent, the officer shall forfeit any claim to gratuity due to him in terms of the contract where the officer's permanent terms are given retroactive effect from the commencement of his contract service.

(4) The Commission may impose any other terms to apply to the officer on appointment in terms of this Regulation.

12. An officer on permanent terms may be seconded by the Commission to a post in or out of the civil service on such terms and conditions as the Commission may stipulate.

Approval of
secondment of
officer.

13. Except as otherwise provided in this Part, an officer on first appointment and on permanent terms shall be required to serve on probation for a period of six months.

Appointment on
probation.

14. Where an officer is appointed on permanent terms after he has satisfactorily performed the duties of an office in an acting or temporary capacity or on secondment or contract, the period of probation may be reduced by the length of service in that office before the new appointment; provided that there was no break between his previous service and the new appointment.

Reduction of
probation
period.

Probation on reappointment.	<p>15. An officer who is re-appointed into the Civil Service whether to the same grade or post, after a break in service may be required to undergo a period of probation for not more than six months.</p>
Re-appointment of dismissed officer.	<p>16. An officer who has been dismissed from the civil service, may be re-appointed in any office in the civil service if the Commission considers that there are exceptional circumstances which justify such appointment.</p>
Termination of appointment during probation.	<p>17. (1) The appointment of an officer on probation may be terminated at any time without notice if the Commission is satisfied that it is undesirable that the officer should continue to hold office.</p> <p>(2) On the termination of an appointment in terms of paragraph (1) the Commission shall not _</p> <p style="padding-left: 40px;">(a) be required to give the officer any reasons for such termination;</p> <p style="padding-left: 40px;">(b) be required to follow the disciplinary procedures stipulated by any legislation.</p>
Confirmation of appointment and oath.	<p>18. (1) If after the period of probation of an officer and on the recommendation of the Permanent Secretary, the Commission is satisfied that the officer's service has been satisfactory in an appraisal report, the Commission shall confirm the officer's appointment and notify him in the prescribed form.</p> <p>(2) If the Commission is not satisfied that the service of an officer on probation has been satisfactory, the Commission may extend the period of probation for a further period of three months not exceeding two extensions.</p> <p>(3) The Permanent Secretary shall ensure that every officer on appointment takes an Oath in the prescribed form before the Chief Establishment Officer or before such other officer as the Chief Establishment Officer may designate.</p>
Medical Report.	<p>19.(1) A person selected for appointment to an office in the civil service shall within three months of selection for appointment and before his appointment is confirmed, be required to undergo and pass a medical examination conducted by a Government Medical Officer.</p>

(2) The Chief Establishment Officer shall give every person selected for appointment to an office in the service, together with a letter of appointment, a medical form in Form PS and P6 which the person selected for appointment shall complete and submit to the Government Medical Officer when presenting himself for medical examination.

(3) The Government Medical Officer who examines an officer selected for appointment, shall send to the Chief Medical Officer a report in Form P/6 of the examination of the officer together with the form referred to in paragraph (2).

(4) The Chief Medical Officer shall on receipt of the report and the form referred to in paragraphs (2) and (3) submit them to the Chief Establishment Officer.

Other medical
Report

20. (1) Where the Commission considers at any time that an officer is not medically fit to perform his duties, the Commission may require the officer to submit to a medical examination by a Medical Board constituted by the Chief Medical Officer.

Promotion.

(2) Where an officer has been on sick leave for a continuous period of three months he shall be required to submit to a medical examination by a Medical Board constituted by the Chief Medical Officer.

Seniority of
posts.

21. In the selection of officers for promotion, preference shall be given to their qualifications, experience and merit: provided that where the officers under consideration have equal qualifications, experience and merit, regard may be given to their seniority.

Seniority
between officers
in the same
grade.

22. (1) The grade of an office shall be senior to another grade where the maximum salary attached to it is higher than the maximum salary attached to the other.

(2) Where the maximum salaries of two grades are similar the grade with the higher minimum salary shall be the senior.

23. (1) The most senior officer in a grade shall be the officer with the earliest date of appointment to that grade.

(2) Where two or more officers are promoted to the same grade from the same date, the most senior amongst them shall be the one who was the most senior in their former grades.

(3) The effective date of assessing the seniority of an officer who leaves the service and is re-appointed shall be of the date of his re-appointment.

(4) Notwithstanding the provisions of this regulation, the Commission may determine the seniority of an officer where any special circumstances arise.

Seniority on transfer.

24. The seniority of an officer who is transferred shall,

(a) in the case of a transfer on promotion, be reckoned from the date of appointment to the new post;

(b) where the scale of the salary attached to the former post of the officer is the same as the new post to which the officer is transferred, be reckoned from the date the officer assumed the duties of his last post before transfer.

Secondment.

25. (1) An officer on secondment in the civil service shall draw the full remuneration of the post to which he is seconded and shall be eligible to increments if any, normally payable in such post.

(2) An officer on secondment to a post outside the civil service shall be considered as remaining on the establishment of the civil service of Antigua and Barbuda and shall be eligible for promotion.

(3) An officer on secondment shall be eligible for the leave applicable to an office to which he is seconded and while on such leave during secondment he shall be paid the salary of that office which he occupies on secondment.

Acting appointments .

26. (1) The Commission may appoint an officer to act in any office where-

(a) the office is vacant for a continuous period longer than one month; or

(b) in the case of an office in which the duties are stipulated by law and which is vacant, for any period;

(c) in any other case, the Commission considers it necessary .

(2) The head of department shall, where possible, make recommendation for an acting appointment to the Chief Establishment Officer through the Permanent Secretary at least one month before the vacancy occurs.

(3) An officer who is appointed by the Commission to act in a vacant office shall be paid an acting allowance, while acting in that office and performing the duties of the office.

27. (1) The Commission may require an officer to act in an office for a specific period in order to determine his suitability for promotion to that office and such acting appointment shall be made for a minimum period of six months in the first instance and may be extended for three-monthly periods up to a maximum period of one year; provided that if the officer is not promoted and his acting appointment is not extended he shall revert to his substantive appointment.

Acting
appointment on
promotion.

(2) If after the period of acting in the office in terms of paragraph (1), the officer is found to be unsuitable for promotion, he shall revert to his substantive appointment or grade.

PART IV

RESIGNATION, TERMINATION AND RETIREMENT

28. (1) An officer appointed on permanent terms shall give at least three month's notice of his intention to resign.

Notice of
resignation.

(2) An officer appointed on temporary terms shall give at least one month's notice of his intention to resign.

(3) An officer appointed on contract shall if he intends to resign give notice of his intention in accordance with the terms of his contract.

(4) The period of notice given by any officer in terms of this regulation shall not include any period of leave for which the officer is eligible.

(5) The service of an officer shall be terminated on such terms and conditions as the Commission directs if the officer seeks to resign without giving notice in terms of this regulation.

29. An officer shall on resignation forfeit all the rights and privileges of his office except those to which he is entitled after resignation as provided in these regulations or as may be stipulated by the Commission.

Rights on
resignation

Notification on retirement age,.

30. (1) A Permanent Secretary shall notify the Chief Establishment Officer of any officer in his Ministry who is due to reach the mandatory retirement age.

(2) Notification made in terms of this regulation shall be given at least twelve months before the officer reaches the retirement age.

Termination on grounds of ill health.

31. (1) Where an officer is certified by a Government Medical Officer to be incapable, by reason of infirmity of mind or body, of discharging his duties effectively and if such infirmity is likely to be of an indefinite or permanent duration, the Officer shall be required to appear before a Medical Board constituted by the Chief Medical Officer.

(2) A Medical Board constituted in terms of Paragraph (I) shall consist of the following -

(a) the Chief Medical Officer who shall be the chairman of the Board;

(b) a medical doctor who certified the illness of the officer;

(c) a psychiatrist doctor in the case of an officer with mental health problems or any other medical doctor in the case of any other health problems.

(3) If after assessing an officer's health in terms of paragraph (1) the Medical Board recommends that the officer's services be terminated on the basis of his health, the officer shall be required by the Commission to retire.

Notification of injury or death of officer.

32. (1) A Permanent Secretary shall as soon as possible notify the Chief Establishment Officer of any officer in his Ministry who is injured or who dies in the performance of his duty.

(2) The Permanent Secretary shall cause an inquiry to be made into the circumstances of the injury or death of the officer and shall make recommendation to the Chief Establishment Officer of any action to be taken.

Cap. 210,.

(3) An officer who is injured in the Course of his duty may be compensated in accordance with the Pensions Act or any other manner considered appropriate by the Government based on the circumstances.

33. (1) The Chief Establishment Officer may authorise a Permanent Secretary to issue a certificate of Service in Form Pill to an officer leaving the civil service who requests such certificate.

Certificate of service.

(2) Where an officer is dismissed for any misconduct or failure in the performance of his duties, a certificate issued in terms of paragraph (1) shall state those facts.

(3) No officer may give a certificate of character or testimonial to an officer who is serving under him.

34. Every Permanent Secretary shall keep in respect of every officer in his Ministry a record of the names and addresses of not more than two relatives or friend whom the officer wishes to be notified in the event of his death or serious illness.

Next of kin.

35. The Commission may require an officer to give evidence before it or any duly appointed committee concerning any matter which is under their consideration and may in the exercise of that function require the production of any official document relating to the matter.

Representations to the Commission.

PART V

DUTIES AND HOURS OF WORK

36. (1) The duties of an officer shall be the usual duties of the office to which he is appointed and such other duties as the Permanent Secretary or a superior officer acting on behalf of the Permanent Secretary may reasonably require him to perform.

Duties.

(2) An officer who refuses or omits to perform his duties shall be liable to disciplinary action.

37. The hours of work for every officer shall be thirty six hours a week and shall, except where varied in terms of paragraph (2) or regulation 38 be as follows -

Hours of work.

(a) Monday to Thursday: 8.00 a.m. to 4.30 p.m., one hour being allowed for lunch between the hours of 12.00 pm and 1.00 p.m.; and

(b) Friday: 8.00a.m.to 3.00p.m.one hour being allowed for lunch between the hours of 1200 p.m. 1.00 p.m.

(2) Subject to paragraph (3) and regulation 38 the hours of work may be varied by a Permanent Secretary or Head of Department to comply with Ministerial or Departmental requirements.

(3) An officer who is required to work more than thirty six hours a week or on a public holiday shall be granted either time off or over-time payment in lieu of additional hours worked.

Officer may be required to attend when necessary.

38. A Permanent Secretary or Head of Department may require the attendance to duty of an officer on such days and for such hours as he considers necessary for the efficient conduct of public business.

Officers not to leave office without permission.

39. (1) Officers shall not leave their offices during walking hours without the permission of the Permanent Secretary or Head of Department or other appropriate officer authorized to grant leave of absence.

(2) An officer who absents himself from duty without the appropriate permission shall be liable to disciplinary action.

Attendance register.

40. (1) Every officer shall ensure that he is regular and punctual in his attendance to duty.

(2) Every Government Office shall keep an attendance register.

(3) Except an officer exempted by the Permanent Secretary, every officer shall sign the register kept under paragraph (2) on arrival and departure from the office.

(4) Disciplinary action may be taken against an officer who does not attend to his work regularly and who is often punctual.

Permission to leave Antigua and Barbuda.

41. (1) Before leaving Antigua and Barbuda an officer not referred to in paragraph (2) and (3) shall obtain the approval of the Head of Department or Division.

(2) Before leaving Antigua and Barbuda a Head of Department or Division shall obtain the approval of the Permanent Secretary.

(3) Before leaving Antigua and Barbuda a Permanent Secretary shall obtain the consent of his respective Minister and the approval of the Chief Establishment Officer.

(4) An officer who is absent from Antigua and Barbuda without approval in terms of this regulation may be summarily dismissed.

PART VI

CONDUCT OF OFFICERS

42. (1) No officer may work for a Public Board or Public Committee without the prior approval of the Commission.

Work on public boards or committee.

(2) Where the Commission approves in terms of paragraph (1), the Public Board or Public Committee may be required to pay a fee approved by the Commission.

(3) Where the work done by an officer in terms of this regulation is performed during the duty hours of the civil service, any fee paid under paragraph (2) shall be paid into the Government Revenue.

(4) Where the work done by an officer in terms of this regulation is performed outside the duty hours of the civil service the fee may be paid to the officer concerned.

43. (1) In this regulation "private work" means work which is not carried out for the Government and which is carried out by an officer for his personal gain outside Government duties and includes engagement in commercial and agricultural activities.

Private work.

(2) A public officer who seeks to carry out or carries out private work shall comply with the provisions of paragraphs (3) and (4).

(3) An officer who carries out private work shall ensure that

(a) the private work is not carried on during the hours of work stipulated in regulation 37;

(b) the private work does not bring the officer or the Government into disrepute or hinder, conflict with or in any way affect his duties;

(c) the private work does not require the officer to use his official position to obtain a private benefit.

(4) Every officer shall on appointment and at any time after appointment, inform the Commission of his private work he carries out and if the Commission considers that such work is a contravention of this regulation, the Commission may _

(a) direct the officer to discontinue the work;

(b) impose such conditions on the officer as are necessary to ensure that the private work done by the officer is not in contravention of these regulations.

Investment not to conflict with duties.

44. Where the Commission finds that any private investment held by an officer would interfere or conflict in any way with his duties to the service, the Commission may direct that the officer divest himself of such investment.

Public officers and the press.

45. (1) Without derogation from the provision of section 10 of the Act and subject to paragraph (2), an officer shall not-

(a) act as editor of any newspaper, magazine or periodical or take part directly or indirectly in the management thereof; or

(b) contribute to, whether anonymously or otherwise, or publish in any newspaper, magazine or periodical or otherwise cause to be published in any manner, in Antigua and Barbuda or elsewhere, anything which may reasonably be regarded as being of a political or administrative nature;

(c) accept to be interviewed by any person on questions of public policy or on any matter of a political or administrative nature or on matters affecting the administration or the security of any state or territory; or

(d) speak in public or broadcast in any way on matters which maybe reasonably be regarded as of a political or administrative nature.

(2) The provisions of paragraph (1) shall not apply to

(a) an officer acting in the pursuance of his official duties and with prior permission of the Commission;

(b) statements for publications of factual and technical information made by a Permanent Secretary, Head of Department or other senior officer authorised by the Commission.

Publication of official documents.

46. (1) An officer shall not, without the written approval or the Permanent Secretary (who shall consult the Minister responsible for the Ministry to which the officer is attached), make public or communicate to the public or to any unauthorised person any

document, paper or information which comes into his possession in his official capacity, or make private copies of any such documents or papers.

(2) Every officer shall ensure that they exercise due care and diligence to prevent unauthorised access to or disclosures of official documents and information and any officer who fails to exercise such care and diligence may face disciplinary action.

47. No officer may call a public meeting or actively take part in a meeting to consider any action of the Government; provided that this shall not apply to the participation of officers in any public service association in the discussion of their terms and conditions of service.

48. No officer shall sign or procure signatures to any public petition or public protest regarding the actions or proposals of the Government.

49. (1) An officer shall not-

(a) have legal custody of any document filed in his office or any other document of the Government; or

(b) disclose or produce any public document in Court without the permission of the Permanent Secretary.

(2) Every officer who seeks to give expert evidence in a court of law on any matter connected with his official duties shall obtain the permission of his Permanent Secretary and in the case of a Permanent Secretary his Minister.

(3) An officer who is served with a subpoena to give evidence in a court of law shall comply with the subpoena only after informing the Permanent Secretary, or in the case of a Permanent Secretary, his Minister.

50. (1) Subject to paragraph (2) of this regulation, an officer may-

(a) join any political party and subscribe 10 its funds;

(b) attend private political meetings of any political party and speak at such meetings:

(c) if eligible, vote at an election to Parliament or to a Local Government body.

Public meeting.

Public petitions.

Evidence in Court.

Participation in political activities.

(2) An officer shall not -

(a) hold office in a political party or be nominated or accept a nomination as a candidate for a political party for the purpose of being elected to the House of Representatives or local Government body;

(b) or participate in any selection process for the nomination of a person to represent a political party as a candidate in any elections to the House of Representatives or Local Government body;

(c) speak or vote or take part actively in a public political meeting;

(d) participate on behalf of any party or candidate, or act as an agent or subagent or canvas at elections to Parliament or to a Local Government body;

(e) address the electorate at elections to Parliament or to a Local Government body as a candidate for such elections;

unless he has first resigned from a civil service appointment he holds.

Membership of
trade union.

51. (1) An officer may join a trade union and vote, speak at or attend its private meetings.

(2) No officer may hold office in a trade union, vote, speak at or actively participate in a trade union public meeting other than a public service staff association.

(3) In paragraph (2), "trade union" excludes a public service staff association.

Representations.

52. (1) An officer may make representations regarding his conditions personally or through an accredited association through the Permanent Secretary to the Chief Establishment Officer.

(2) An officer shall not seek the influence of a Member of Parliament or any other person with regard to his conditions of service for furthering the officers interests in the Civil Service.

(3) An officer who intends to make representations to the Commission regarding his appointment, promotion or transfer shall make such representation through the Permanent Secretary and the Chief Establishment Officer.

53. (1) No officer or member of his family may solicit for or accept a gift or a bribe whether in the form of money or in kind where such gift or bribe is for the purpose of influencing the officer in the performance of his duties or in his omission to do any of his duties.

Prohibition of acceptance of gift and bribes.

(2) The provisions of this regulation -

(a) shall not apply in the case of gifts given to an officer by the civil service or its members in their private capacity with the approval of the Commission, in appreciation of the officer's conduct or services in his dedication to the objects of the public interest;

(b) may be waived by the Commission in the case of gifts, to an officer on retirement in appreciation for services, during his period of employment

Bankruptcy.

54. An officer -

(a) who files a petition for bankruptcy; or

(b) against whom bankruptcy proceedings are filed; or

(c) who enters into a composition with his creditors;

under the Bankruptcy Act, shall immediately notify his Permanent Secretary and Head of Department

Cap. 19.

55. No officer may have access to official records or documents relating to him, his services or conduct, except where the correspondence has been sent to him expressly for comment or noting.

Access to personal records.

56. Every officer in the civil service shall ensure that, whenever possible, he trains and instructs a junior officer working in his Department.

Training of other officers.

PART VII

SALARIES AND ALLOWANCES

57. (1) The salary of an officer shall be in accordance with the grade to which the officer is appointed and which is specified on his appointment or at any other time.

Salaries.

(2) The general rates of pay of each grade shall be as specified by the Minister in a Remuneration Order.

(3) In this regulation "grade" means grade as specified in the First Schedule to the Act.

Salary on appointment.

58. Except as otherwise provided in these Regulations, the commencement salary to be paid to an officer on first appointment shall be the minimum of the salary range applicable to the office to which he is appointed.

Salary on promotion.

59. In the case of the promotion of an officer -

(a) where the actual salary which the officer was receiving in the lower post immediately prior to promotion, was less than the minimum salary of the higher post, then, the officer shall on promotion be paid the maximum salary of the higher post; provided always that when the additional amount due to the officer is less than the value of one increment in the salary scale of the lower post, he shall move up to the next higher point in the salary range;

(b) where the actual salary which the officer was receiving in the lower post immediately prior to promotion was the same as the minimum salary of the higher post, then the officer's salary on promotion shall be adjusted to the next incremental point in the salary scale of the higher post;

(c) where the actual salary which the officer was receiving in the lower post immediately prior to promotion was more than the minimum salary of the higher post, then the officer's salary on promotion shall be adjusted to the next incremental point in the higher salary scale immediately above his salary.

Date of promotion to new or vacant office.

60. The date of appointment of an officer who is promoted to a new office or vacant office shall be the date on which the officer assumes duty in that office after his promotion.

Payment of salary.

61. An officer may arrange to have his salary paid into a Bank in Antigua and Barbuda on notification to the Treasury on Form P/13.

Salary of officer proceeding on leave.

62. An officer who is proceeding on leave outside Antigua and Barbuda, may receive his salary in advance for the month in which he proceeds on leave provided that the period of leave extends beyond the end of the particular month for which payment is made.

63. (1) An officer appointed to act under regulation 26, in a post with a salary scale which is higher than that of his substantive post shall be paid an acting allowance on the following basis -

Allowance on acting appointment.

(a) where he is not required to discharge the duties of his substantive post while acting in the higher appointment, for the period of his acting appointment:-

(i) if the actual salary he is drawing in his substantive post is less than the minimum salary of the office in which he is appointed to act, he shall receive an acting allowance equal to the difference between his actual salary and the minimum salary of the highest post;

(ii) if the actual salary he is drawing in his substantive office is equal to the minimum salary of the office in which he is appointed to act, he shall receive an acting allowance equal to the difference between his actual salary and the salary equal to one increment above the minimum salary of the higher post;

(iii) if the actual salary he is drawing in his substantive office is greater than the minimum salary of the higher office, he shall receive an acting allowance equal to the difference between his actual salary and the salary equal to one increment above his actual salary in the higher office;

(b) where he discharges the duties of another office, in addition to his own:-

(i) where his office and the office in which he acts are distinct and separate offices in different departments, the officer shall be paid half the initial emoluments of the office in which he is acting and the whole of the emoluments of his substantive office;

(ii) in any other case, the officer shall be paid on acting allowance in accordance with paragraph (a).

(2) An acting allowance shall not be paid to an officer in respect of any period during which the officer who holds an L acting appointment is on leave.

(3) Upon reverting to his substantive post after the termination of his acting appointment, the officer shall be paid the salary in his substantive office which he would have received had he not been given an acting appointment in a higher post.

Duty allowance.

64. (1) An officer who performs the duties of an office to which a duty allowance is payable, shall receive the duty allowance when performing the duties of the office.

(2) An acting officer appointed to perform the duties of an office to which a duty allowance is payable shall receive the duty allowance of that office when performing the duties of that office.

(3) Where the acting appointment, to an office to which a duty allowance is payable, is made when the substantive officer is on duty outside Antigua and Barbuda or is on sick leave for a period of not more than fourteen day at a time, the duty allowance may be paid to both the substantive holder and to the acting officer.

Acting allowances to medical officer.

65. (1) Where a Senior Medical Officer is required to perform the duties of a District Medical Officer in addition to his own, the Senior Medical Officer shall receive an acting allowance equal to what a District Medical Officer would receive when performing the duties of another District Medical Officer.

(2) Where two Medical Officers are appointed to jointly carry out the duties of a vacant post, they shall receive an equal share of the acting allowance payable.

Appraisal reports.

66. (1) The Permanent Secretary shall furnish an annual appraisal report to the Chief Establishment Officer on every officer in Form P/9.

(2) The Permanent Secretary shall furnish an appraisal report to the Chief Establishment Officer on an officer who completes an acting appointment in his Ministry,

(3) The Permanent Secretary or Head of Division shall inform officer of any adverse comments made on the officer in an appraisal report.

(4) An officer shall be shown a copy of his appraisal report which he shall sign and return to his Permanent Secretary or Head L of Division.

(5) If an officer's work has been unsatisfactory in any respect, and it is felt that he is capable of improvement he shall be warned before the report is submitted and such warning shall be copied to the Chief Establishment Officer at the time the appraisal report is submitted.

67. Every officer shall receive an increment in the salary scale of his office on his incremental date if he obtains an incremental certificate in terms of Regulation 71.

Eligibility for increments ,

68. (1) Unless otherwise provided for, an officer's incremental date shall be the anniversary date of his first appointment or promotion to his grade; provided that in cases where an officer's appointment or promotion is effective from the date of his assumption of duty, his incremental date shall be the anniversary date of his assumption of duty.

Incremental date.

(2) An officer who is transferred from one office to another office carrying the same salary range shall retain the incremental date of the office from which he was transferred.

(3) In this regulation, "anniversary date" means-

(a) the first day of the month in which an officer was appointed when appointed on or before the 15th day of that month; or

(b) the first day of the month next following the month in which the officer was appointed if appointed after the 15th day of the month.

69. An officer may receive incremental credit -

Incremental credit for qualifications and experience.

(a) for any recognised qualification above the minimum qualifications specified for a particular post in accordance with the policy directions issued in terms of section 100 (6) of the Constitution;

(b) in the case of a University Graduate, professional or technical officer, for any experience III accordance with the policy directions issued in terms of section 100 (6) of the Constitution.

70. The Chief Establishment Officer shall be responsible for the grant of increments; provided that he may delegate his authority to a Permanent Secretary.

Grant of increments

Increment certificate.

71. (1) Upon approval of an increment, the Chief Establishment Officer or the Permanent Secretary as the case may be, shall certify the incremental report on the officer for the period for which an increment has been approved and has been forwarded to the Commission.

(2) The certification in terms of paragraph (1) shall be issued as an incremental certificate in the Form P/14 issued in triplicate of which -

(a) the first copy shall be attached to the monthly pay sheet and sent to the Treasury;

(b) the second copy shall be sent to the Establishment Department; and

(c) the third copy shall be kept on record in the Ministry or Department where the officer works.

(3) The Accountant General may withhold the payment of an increment to an officer in the absence of the incremental certificate.

(4) In approving an officer's increment, the Chief Establishment Officer or Permanent Secretary, as the case may be, shall take into account the recommendation of the Officer's immediate superior officer and the Divisional Head; provided that where an officer has worked in another Ministry or Division during the period under review, the report of the Permanent Secretary or Divisional Head of that Ministry or Division shall also be taken into account.

(5) Where a Permanent Secretary is unable to approve or recommend the award of an increment, he shall report the matter to the Chief Establishment Officer giving detailed reasons and any recommendation on the matter.

Advance on salary.

72. (1) An officer may on application to the Financial Secretary through the Permanent Secretary be granted an advance on salary.

(2) The advance on salary to any officer shall be approved by the Financial Secretary who shall determine -

(a) the amount to be advanced to an officer based on the salary of the officer;

- (b) the method of repayment by the officer of the advance;
- (c) any interest to be paid by an officer receiving such award; and
- (d) the method of recovery of the advance in the event of failure of repayment by the officer.

73. (1) The Minister may, by Remuneration Order, authorise the payment of any allowance specifying therein the rate of pay of such allowance, the category of officers that may be paid the allowance and the nature of the allowance.

Other allowances.

(2) Allowance payable in terms of paragraph (1) shall include

- (a) subsistence allowance;
- (b) transport allowance;
- (c) cashiers allowance;
- (d) transfer allowance;
- (e) overtime allowance;
- (f) technical allowance;
- (g) duty allowance;
- (h) travelling allowance;
- (i) on-call allowance; and
- (j) personal allowance.

PART VIII

AMENITIES

74. (1) The Minister may direct the officers that may be granted the occupation of institutional quarters or rent free quarters.

Provision of Quarters.

(2) An officer who is granted the occupation of institutional quarters or rent free quarters and fails to occupy them without any reasonable cause shall not be granted any allowance in lieu of the occupation of those institutional or rent free quarters, as the case may be.

(3) In these regulations -

"rent free quarters" includes premises rented by the Government and granted to an officer in proximity to the officer's place of work;

"official quarters" includes rent free quarters and institutional quarters.

Assessed rent of quarters.

75. (1) Where an officer is not qualified in terms of regulation 74 (1) to occupy institutional or official quarters but continues to occupy them during any period of his service, such officer shall pay the assessed rent of the quarters.

(2) The assessed rent of the quarters paid in terms of paragraph (1) shall be the rent approved by the Minister or the rent stipulated in the contract of an officer on contract.

Occupation of quarters during leave.

76. (1) An officer who is normally in occupation of institutional quarters shall be regarded as being in occupation during any period of leave spent away from his place of work.

(2) An officer who pays rent for official quarters shall continue paying the rent during any period when the officer vacates the quarters while on leave.

(3) No officer shall permit the occupation of official quarters by any other person during leave without the consent of the Chief Establishment Officer.

(4) An officer shall not sublet any official quarters which he occupies in terms of this section.

Liability for damage of official quarters.

77. An officer who occupies official quarters shall be responsible for any damage due to neglect -

(a) of such quarters or grounds of the quarters; and

(b) or loss of any fixtures or furniture which belongs to the Government or to the owner of the quarters.

Uniform and protection clothing.

78. (1) The categories of officers who are required to wear uniforms, the colour and materials to be used, the description and number of items of and frequency of issue shall be as directed by the Minister.

(2) An officer shall wear a uniform only when on duty or when proceeding to or from duty.

(3) An officer who appears in public with a uniform shall ensure that he wears it in its entirety.

(4) All uniforms issued to officers shall remain the property of the Government and every person to whom a uniform is issued shall be responsible for the care and return of the uniform to the Permanent Secretary on the termination of his employment or upon being required to return the uniform.

(5) On return of a uniform, the person who returns the uniform on completion of services may be liable to make good any damage to the uniform otherwise than by fair wear and tear.

(6) The categories of workers who shall be eligible for protective clothing, the description, number of items and frequency of issue shall be as may be directed by the Minister and the provisions of paragraphs (2) and (3) as regards the conditions on grant of uniforms, shall apply on the grant of protective clothing.

79. (1) On the recruitment of an officer from outside Antigua and Barbuda, the Government shall pay such hotel expenses for the officer on arrival in Antigua and Barbuda as are approved by the Chief Establishment Officer while he is securing accommodation for himself, for -

Hotel expenses
on appointment

(a) a period not exceeding 7 days in the case of a single officer or a married officer who is not accompanied by his family; and

(b) a period not exceeding 14 days in the case of a married officer who is accompanied by his family.

(2) An officer who is entitled to a refund of hotel expenses under paragraph (1) shall not be entitled to receive a subsistence allowance in addition to the refund of hotel expenses.

(3) An officer recruited on contract from outside Antigua and Barbuda and who remains in a hotel after the expiry of the period specified in paragraph (1) shall contribute towards the hotel expenses as follows -

(a) in the case of accommodation, he shall pay the same per centum of his salary as he is required to pay for house rent in terms of his contract;

(b) in the case of boarding, he shall pay fifteen percent of his salary for himself and an additional fifteen percent of his salary in respect of board for his wife and children, if any accompanying him.

(4) An officer on contract who is accommodated in a hotel upon recruitment shall be required to pay for any expenses he incurs in the hotel on any laundry services and consumption of alcoholic drinks.

Provision of telephone.

80. The Minister shall direct the officers that may be provided with a telephone to be paid for only in respect of local calls by the Government at a full or half rate.

PART IX

LEAVE

Leave.

81. In these regulations, unless the context otherwise provides,

"leave" includes -

(a) vacation leave; (b) sick leave;

(c) duty leave;

(d) study leave;

(e) maternity leave;

(j) special leave;

(g) leave without pay; and

(h) compassionate leave.

Grant of leave.

82. (I) The Chief Establishment Officer shall, subject to any directions of the Minister authorise the grant of any leave to any officer.

(2) The Chief Establishment Officer may delegate his authority to a Permanent Secretary or Head of Department to grant leave to any category of officers, subject to such conditions as the Chief Establishment Officer may specify.

(3) If in the opinion of the Chief Establishment Officer it is in the public interest for an officer who is due to take leave to remain on duty, he may require the officer to defer his leave.

(4) An officer on leave may be recalled to duty at any time, if in the opinion of the Chief Establishment Officer it is in the public interest for the officer to be on duty.

(5) An officer who is required to defer his leave in terms of paragraph (3) or to return to duty in terms of paragraph (4) shall not be financially compensated provided that the officer may take the unexpired portion of his leave at any future time.

(6) In this Regulation "public interest" means that the exigencies of the civil service require the officer to be on duty at the time.

83. A Permanent Secretary shall consult the Minister of the Ministry for which he is responsible before applying for leave.

Leave for Permanent Secretary.

84. (I) Any absence of an officer from duty for a full working day or more shall be recorded in the Ministry or Department where the officer works and the records of such absences of all officers in the Ministry or Department taken in one month shall be submitted in a summarised form to the Establishment Department

Leave records.

(2) Details of leave granted and any leave taken shall be recorded on a Leave Record Form in the Establishment Department and in every Ministry where the officer works; provided that on transfer, the leave record of the Ministry relating to the officer being transferred shall be forwarded to the Ministry where the officer is transferred.

85. (1) The Commission may, if it is in the public interest, require an officer to take special leave at any time or to remain on leave at the expiration of any leave which has been granted to the officer; provided that the Commission shall inform the officer of any reasons why he is required to go on special leave.

Officer may be required to take leave.

(2) Any special leave given under this regulation shall be for a period of three months in the first instance which may be extended for three months over an aggregate period of not more than one year for the whole special leave.

(3) In this Regulation "public interest" means that the continued exercise of his duties by the officer is prejudicial to the interest, of the Government

Leave not to entail extra staff

86. Where an officer is on leave, the Permanent Secretary or Head of Division may require any officer in the same Ministry or Division to perform duties of the officer on leave without any additional remuneration to the officer.

Leave in consideration of increments.

87. Leave shall constitute part of the qualifying service in the accumulation of increments in the following cases -

- (a) vacation leave;
- (b) duty leave;
- (c) special leave taken in terms of Regulation 117;
- (d) study leave for a maximum of up to three years;
- (e) sick leave not exceeding 12 months;
- (f) maternity leave;
- (g) compassionate leave; and
- (h) leave without pay for up to 3 months in one year.

Calculation of leave.

88. Saturdays, Sundays and public holidays shall be considered in the calculation of leave other than vacation leave.

Vacation

89. (1) Every application for vacation leave shall be in the form P/18.

(2) Except in the case of contract officers and teachers every officer shall accumulate vacation leave annually in accordance with their grade or salary as stipulated in Part 11 of the Schedule.

(3) Except in the case of a contract officer, an officer shall not be granted vacation leave before he completes 12 consecutive months of resident service from the date of first appointment

(4) Every officer shall take at least one third of his vacation leave earned in anyone year, and may defer two thirds of his vacation leave earned in one year for a future time.

(5) An officer who fails to take one third of his vacation leave during one year, shall forfeit that portion of the one third of his vacation leave he shall not have taken except where he is required to remain on duty due to the exigencies of the civil service when he requested to take that vacation leave.

Deferred vacation leave

90. An officer who owing to the exigencies of the civil service is required to defer his vacation may be granted such deferred vacation leave together with any vacation leave due to him at a future time.

<p>91. Notwithstanding any provision in these Regulations, the maximum period of vacation leave that may be granted to an officer at any time during a calendar year shall not exceed three calendar months; provided that an officer retiring from the civil service or whose contract has expired may be granted accumulated leave not exceeding six calendar months in anyone calendar year.</p>	<p>Maximum vacation leave</p>
<p>92. Teachers shall be deemed to take vacation leave during school holidays; provided that after every seven year period of service a teacher may be granted additional leave not exceeding one school term subject to the exigencies of the civil service.</p>	<p>Vacation leave for teachers.</p>
<p>93. An officer who obtains duty or study leave may be granted vacation leave he has accumulated before or after the course of study.</p>	<p>Deferred leave before or after duty or study leave.</p>
<p>94. (1) An officer shall accumulate vacation leave only in respect of on the job service and any period of leave not in excess of the periods referred to in paragraph (2).</p>	<p>Service considered in accumulating vacation leave.</p>
<p>(2) An officer shall accumulate vacation leave for any period of leave not in excess of -</p>	
<p>(a) one month of vacation leave; (b) six months of sick leave;</p>	
<p>(c) one month of study leave; and</p>	
<p>(d) three months of duty leave;</p>	
<p>in anyone year and any period of leave taken by an officer in excess of the periods specified in sub-paragraphs (a) to (d) shall not be considered in the accumulation of his vacation leave for that year.</p>	
<p>95. Where an officer falls ill while on vacation leave, the period of illness shall be considered as part of his vacation leave.</p>	<p>Officer falling ill on vacation leave</p>
<p>(2) Where an officer completes his period of vacation leave but he is unable to return to work on the grounds of his being ill, the officer may be granted sick leave for the period after his vacation when he is ill.</p>	
<p>96. (1). An officer who is about to resign from the civil service may prior to resignation and following the required period of notice, be granted any vacation leave due to him not exceeding three months.</p>	<p>Leave prior to retirement or resignation</p>

(2) An officer who is about to retire from the civil service may, prior to retirement, be granted any vacation leave due to him not exceeding six months.

Leave prior to termination of services and dismissal

97. (1) Subject to paragraph (2), an officer whose services have been terminated may be granted any vacation leave due to him prior to the date of termination of his services.

(2) An officer who is dismissed from the civil service or whose services are terminated on disciplinary grounds shall not be granted vacation leave.

Leave to contract officers.

98. (1) Unless his terms of contract provide otherwise, an officer on contract shall obtain vacation leave in accordance with these regulations.

(2) An officer on contract shall take any vacation leave due to him within the period of his contract unless he is required to remain on duty where the exigencies of the civil service require.

(3) An officer on contract who is required to remain on duty due to the exigencies of the civil service shall not forfeit any vacation leave.

Notification of leave address.

99. An officer allowed to spend his leave outside Antigua and Barbuda shall notify the Chief Establishment Officer through his Permanent Secretary, before proceeding on leave, of an address or any changes in the address at which he can be contacted during the leave.

Payment of salary on leave.

100. An officer who intends to spend his leave outside of Antigua, and Barbuda shall, prior to his departure from Antigua and Barbuda make arrangements with the Treasury through his Permanent Secretary for the method of the payment of his salary during his absence.

Return from leave.

101. (1) An officer who is granted leave shall return to his duties at the expiry of his leave unless he obtains prior approval to extend the leave.

(2) If an officer fails to return to his duties at the expiry of his leave without the prior approval of the Chief Establishment Officer, no salary shall be paid to him for the days which elapse after the expiry unless the Chief Establishment Officer is satisfied that there was good reason for the officer's failure to return to his duties.

102. (1) Except where illness is caused by an officer's misconduct or where his negligence is a contributory factor to his illness, an officer may be granted sick leave in terms of these regulations for a period of 2 days.

Sick leave.

(2) If the absence from duty of an officer on such leave is caused by his misconduct or negligence, such absence shall be considered as part of his vacation leave and may form the basis of a disciplinary charge.

103. (1) An officer who is absent from duty on account of sickness for more than two days, may be granted sick leave where -

Medical certificate required for sick leave over 2 days

(a) he produces and submits to the Permanent Secretary or Head of Division a medical certificate dated and signed by a Medical Practitioner certifying that the officer was sick for that period; and

(b) the Permanent Secretary or Head of Division, as the Case may be, is satisfied with the authenticity of the medical certificate and that the officer was sick.

(2) Where the Permanent Secretary or Head of Division is not satisfied from the medical certificate that the officer should be given sick leave for the period of the officers absence, the days of absence of the officer shall be deducted from any vacation leave due to him.

(3) The Permanent Secretary or Head of Division shall inform the Chief Establishment Officer monthly of the officers who have been on sick leave and tile period they have been on sick leave.

(4) A medical certificate issued in terms of paragraph (1) shall be accepted only -

(a) if issued in Antigua and Barbuda, it is issued by a duly registered medical practitioner;

(b) if issued from outside Antigua and Barbuda it is issued by a medical practitioner duly registered by a Medical Association recognised by the Chief Medical Officer.

(5) A medical certificate which is not issued by the person referred to in paragraph (4) shall not be accepted as proof of the officer having been sick for that period.

Sick leave on full salary.

104. The Chief Establishment Officer may grant sick leave with full salary -

(a) in the case of a contract officer, up to a maximum period of 30 days during all period of twelve months;

(b) in the case of other officers, up to a maximum period of six months during any period of twelve months;

provided that in all cases the application is supported by a medical certificate certifying the sickness of the officer and there is reasonable prospect of eventual recovery of the officer.

Sick leave on half salary

105. (1) An officer other than a contract officer, may be granted sick leave in excess of six months in any period of twelve months, for any period not exceeding twelve months only on half pay and on the production of a medical certificate produced in the terms of regulation 104.

(2) An officer who has been on sick leave with full pay and is not entitled to any additional sick leave with pay, may be granted any vacation leave due to him; provided that all the period of sick leave together with the vacation leave does not exceed a continuous period of twelve months.

(3) In the calculation of the period of sick leave which is not over a continuous period, a period of sick leave over -

(a) six months shall be construed as leave over 183 days; (b) twelve months shall be construed as leave over 365 days;

inclusive of Saturdays, Sundays and public holidays occurring during that period.

Leave without pay.

106. (1) An officer may be granted sick leave in excess of an aggregate of twelve months in any period of four years where the Commission considers that exceptional circumstances exist.

(2) The Commission may grant an extension of sick leave in excess of the period referred to in paragraph (1) either on half salary or without salary to an officer.

107. (1) The Commission may at any time require an officer to submit himself for examination by a medical practitioner or medical board designated by the Chief Medical Officer.

Officer to go on medical examination.

(2) An officer who has been on sick leave for a continuous period of three months, shall be required to submit himself for examination by a medical board and any subsequent examination may be required after consideration of the first report of the medical board.

108. An officer who has been granted sick leave may on the recommendation of a Government Medical Officer or a medical board be allowed to depart from Antigua and Barbuda either for purposes of recuperation after serious illness or to seek medical or surgical attention not available in Antigua and Barbuda.

Sick leave outside Antigua and Barbuda.

109. The Commission may grant duty leave to an officer who obtains a scholarship II) study a course or to go on training for purposes of improving his qualifications in terms of the conditions stipulated in regulation 110.

Duty leave

110. (1) Duty leave may be granted for any period not exceeding three years.

Conditions for grant of duty leave

(2) An officer granted duty leave shall receive his full salary for the duration of the leave.

(3) An officer who is granted duty leave for any period not less than six months shall be required to enter into an agreement in accordance with regulation 134.

(4) The promotion of an officer who has been granted duty leave shall not be as of right; provided that such officer may be considered for promotion if a suitable vacancy occurs and the officer is considered by the Commission to have given satisfactory service.

111. The Commission may grant study leave to an officer(a) who has served in the civil service whether on permanent or temporary terms for a period of at least four years; and

Study leave.

(b) who fulfils the conditions for grant of study leave in terms of regulation 112.

Conditions for grant of study leave.

112. (1) An officer may be granted study leave where he obtains a course or is given a scholarship and the Commission considers that the officer's attendance of the course or scholarship is in the best interest of the civil service and the officer is the most suitable and eligible to undertake it.

(2) An officer who is granted study leave may be required to utilise, while on his course or scholarship, half of the vacation leave due him in addition to study leave as provided hereunder to enable him to complete the course or scholarship -

(a) study leave due to him on full pay for a period not exceeding 6 months;

(b) study leave due to him on half pay for a period not exceeding 12 months; and

(c) study leave without pay for a period required to complete the course of study or scholarship.

(3) The officer may on the completion of the course or scholarship be granted the balance of any vacation leave due to him or defer such vacation leave to be taken at a future time.

(4) An officer who undertakes a course of study by correspondence approved by the Commission leading to an examination by a body recognised by the Commission, may be granted study leave in accordance with these regulations; provided that such leave shall not be in excess of six months with or without pay.

Maternity leave

113. Subject to the provisions of regulation 114 or 115, an officer who is pregnant and has been in the service for at least six continuous months shall be entitled to maternity leave.

Conditions on grant of maternity leave.

114. (1) Applications for maternity leave shall be forwarded by the officer concerned to the Head of her Department at least three months before the estimated date of confinement and should be accompanied by a medical certificate stating that the officer is pregnant, and requires maternity leave giving the estimated date of confinement.

(2) Maternity leave shall be granted for a period of thirteen weeks with full pay.

(3) An officer who has, any period of vacation leave due to her on the date on which she is granted maternity leave, may on application be allowed to take such vacation leave which is due to her.

(4) Maternity leave shall not be considered as sick leave and sick leave shall not be granted as substitute for maternity leave; provided that sick leave may be granted to run consecutively with maternity leave on production of satisfactory medical evidence that the sickness did not result from the pregnancy.

(5) The period of maternity leave granted to an officer may include any period the officer is on confinement during pregnancy or after the pregnancy.

115. (1) Where any teacher is granted maternity leave, and the maternity leave falls in any part of the school holidays, any part of the school holidays falling within the maternity leave shall not be considered as part of the maternity leave.

Maternity leave for teachers.

(2) A teacher who is on maternity leave shall not be granted additional leave on full pay during any school holidays falling within the period of maternity leave in lieu of leave on half pay.

116. A person substituting in any duty on temporary terms for an officer shall not obtain maternity leave provided that she may be re-employed on notification of her availability for work after the end of her pregnancy; provided further that any person employed for at least one year on temporary terms may be granted maternity leave in terms of regulations 113 to 115.

"Non-entitlement for maternity leave

117. (1) An officer may be granted special leave where the Chief Establishment Officer on the recommendation of the Permanent Secretary, considers that it is in the public interest for such officer to go on special leave.

Conditions of grant of special leave.

(2) For the purposes of paragraph (1) "public interest" means a purpose which is directly for the benefit of the public if the officer -

(a) requires the special leave to participate in a national sporting event;

(b) during the period of the special leave intends to attend as a delegate at a social, religious or educational conference of a recognised National Association or Trade Union; or

(c) during the period of the special leave intends to sit for an examination which is recognised as necessary for the advancement of the officer's knowledge in the exercise of his duties.

(3) Special leave granted in terms of this Regulation shall be granted with pay.

(4) Special leave granted in terms of paragraphs (2) (b) and (c) shall be granted for a period not exceeding 14 days in one year.

(5) Special leave granted in terms of paragraph (2) (a) shall be granted for such period as is determined by the Minister.

PART X

PASSAGES

Passages on first appointment.

118. (1) An officer who is selected from overseas for first appointment Civil service in Antigua and Barbuda shall, Unless there is contrary agreement, receive passages from the Government to travel from his country of residence to Antigua and Barbuda for himself, spouse and children who accompany him or join him in Antigua and Barbuda within twelve months of his arrival and intend to reside in Antigua and Barbuda for at least twelve months after their arrival.

(2) The provisions of paragraph (1) shall apply to a citizen of Antigua and Barbuda who is recruited from overseas on first appointment; provided that such citizen shall enter into an agreement to serve for a minimum of 3 years or to refund the costs of recruiting him or a portion of those costs commensurate with the period which the officer serves.

Passages on recall from leave.

119. An officer who is outside Antigua and Barbuda on leave from leave, other than sick leave and is recalled to duty in Antigua and

Barbuda shall be refunded the cost of the one way passages and that of his wife or child who travelled with him from the place where he is spending the leave to Antigua and Barbuda; provided that in the case of an officer whose passages were paid for by the Government such officer shall be given a one way ticket.

Leave passages.

120. (1) An officer on a scale equal 10 or higher than that of an Assistant Secretary with 20 years of service, may be granted return leave passages from Antigua and Barbuda to London for himself and his spouse, if she accompanies him or travels to London within one month of his travel.

(2) An officer on a scale equal to or higher than that of a Senior Executive Officer with 15 years of service, may be granted return leave passage~ from Antigua and Barbuda to New York, for himself and his spouse, if she accompanies him or travels to New York within one month of his travel.

(3) An officer who opts to take leave passage to New York after 15 years of service shall not thereafter obtain leave passages to London after 20 years of service during the remaining period of service.

(4) An officer who completes 10 years of service after obtaining leave passages in terms of paragraph (1) and (2) as the case may be, may be granted leave passages to the same destination to which he originally travelled to in term of paragraph (1 or (2), as the Case may be.

(5) An officer who opts to travel to a destination other than that mentioned in paragraph (1) or (2), may be granted the fare equal to or less than the fare required for travelling to the destination which he would have gone to in terms of this regulation.

121. Where an officer and his spouse arc both entitled to leave passages in terms of regulation 120, each in his or her own right, and they travel together in the first instance on the leave passage of the officer first becoming entitled, and the other spouse wishes to obtain his own leave passage subsequently, he shall complete a period of service, commencing from the date of travel with the first spouse, equivalent to the minimum qualifying period being 15 or 20 years as the case may be.

Leave passages for officer and spouse in the service.

122. Any air passages paid for by the Government shall be booked only with the approval of the Chief Establishment Officer and shall be -

Booking of air passages.

(a) by tourist or economy class;

(b) by direct route from or to Antigua and Barbuda.

PART XI

RETIREMENT BENEFITS

123. The award of pensions and gratuities shall be as stipulated in the law relating to Pension for the time being in force.

Pension laws.

Option for gratuity to give notice

124. An officer who opts to receive gratuity and reduced pension on his retirement may inform the Chief Establishment Officer within a month of notification of retirement.

Computation of pension or gratuity

125. (1) The Permanent Secretary shall ensure that the pension or gratuity of an officer attached to his Ministry whose retirement from the civil service is almost due, is processed and treated with priority.

(2) An officer whose retirement takes effect before his retirement benefits are paid shall be given an alimentary allowance from the date of retirement and such allowance shall be deducted from the retirement benefits paid to the officer.

Statutory declaration as proof of service.

126. (I) Where no records are available to prove the continuity or period of service of an officer in the determination of his retirement benefits, a Statutory Declaration attested to by two senior officers as proof of the record of service of the officer may be submitted.

(2) Any Statutory Declaration attested to in terms of paragraph (I) shall state the source of the facts contained therein.

Production of certificates.

127. An officer may be required to produce ___

(a) a birth certificate; or

(b) a statutory declaration as proof of the officers age attested by a senior officer; or

(c) a probate of will or letters of administration; or (d) a marriage certificate;

for proof of any of the facts contained therein in the determination of any benefit due to the officer.

PART XII

CORRESPONDENCE

Procedure for communication.

128. (1) All correspondence -

(a) requiring consideration by the Commissions shall be forwarded through the Chief Establishment Officer;

(b) to the Minister, shall be forwarded to the Chief Establishment Officer.

(2) Any correspondence by an officer to

(a) the Commission;

(b) the Chief Establishment Officer; or

(c) any person or authority the Government;

on the officer's conditions of service or on any other matter of public policy shall be forwarded to the Permanent Secretary of the Ministry where the officer is attached.

(3) The Permanent Secretary shall ensure that all correspondence sent out of the Ministry are secured in suitable bags or cases and locked before transmission.

129. (1) The Permanent Secretary shall ensure that he acknowledges as soon as possible any correspondence addressed to the Ministry by any person.

Acknowledgement
and reply to
correspondences"

(2) Subject to paragraph (3), in the reply to any correspondence made to the Ministry, the Permanent Secretary may authorise or delegate any officer in his Ministry to reply to any correspondence and the Permanent Secretary shall specify any recommendation or direction to be taken by the officer.

(3) The Permanent Secretary shall not delegate his powers of correspondence on any matter from the Ministry to the Commission.

130. The Minister may from time to time issue directions relating to the handling of secret and confidential correspondences.

Classified
Correspondence.

131. (1) All official correspondence posted by the Government shall bear the superscription "ON ANTIGUA AND BARBUDA GOVERNMENT SERVICE" and shall be franked by the impression of the official franking stamp on the face of the envelope or package.

Postage.

(2) An officer who is entrusted with a franking stamp shall ensure that it is used for an authorised purpose only.

PART XIII

TRAINING COURSES

Grant of training awards.

132. (1) The Minister or the Commission may from time to time designate training programmes and training schemes for the benefit of officers.

(2) The Commission, shall select any officer to attend a training programme or course and may require the officer to pass a medical examination as to his physical fitness before attending the programme or course.

Leave and passage for officer to attend training.

133. An officer who is selected to attend a course of training may be given -

(a) duty leave in terms of regulation 109;

(b) passages to 311d from the place of training.

Officer granted duty leave to execute agreement.

134. (1) An officer who is granted duty leave for any period not less than six months shall enter into an agreement to remain in the service for such a period as is stipulated in the agreement after the expiration of the duty leave.

(2) The agreement made in terms of paragraph (1) may take the form of a bond in default of which the officer or his sureties would be liable to pay the Government such sum as may be assessed by the Minister.

Obligations of officer on study leave, duty leave and course.

135. (1) An officer on duty leave or study leave may be required to furnish at such periods as may be stipulated by the Minister, a certificate from the appropriate authority of the institution at which he pursues the course of study, a report of his regular attendance and of his diligence to his studies.

(2) An officer awarded a course of training shall -

(a) devote himself to all the academic requirements of the course of training;

(b) sit for any examination that may be set or write such papers or report as may be required by the training authority;

(c) resume duty without delay after the completion of the course of study, unless an extension of leave is granted.

136. (1) A scholarship or other training course award may be suspended or terminated where -

Suspension or termination of training course.

(a) reports on the officer's works or conduct on the course are unsatisfactory;

(b) the officer fails without reasonable excuse to pass a prescribed examination within the time fixed by the authorities of the institution which he is attending;

(e) the officer engages in any occupation which is detrimental to his progress in the course of studies prescribed for him;

(d) the officer becomes unfit to complete his studies owing to illness or is absent from his studies for more than six months owing to illness.

(2) An officer whose scholarship or training award is suspended or terminated in terms of paragraph (1) shall resume duty immediately.

PART XIV

GENERAL

137. (1) No officer shall obtain compensation in respect of loss or damage of his private property incurred through fire, theft, riot or otherwise incurred in the course of his service; provided that in exceptional circumstances the Chief Establishment Officer may authorise compensation to an officer for such loss or damage where the officer's loss or damage is considered to be for the consolation of the officer and where such loss or damage was not in any way due to the officer's negligence or which the officer could reasonably have covered by insurance.

Loss of private property.

(2) An officer who claims compensation shall forward the claim to the Chief Establishment Officer through the Permanent Secretary who shall -

(a) certify that the article was lost or damaged in the execution of duty by the officer concerned;

(b) certify that reasonable precaution was taken by the officer concerned to avoid such loss or damage;

(c) certify that he has inspected the article in case of a damaged article that is produced by the officer seeking compensation;

(d) certify whether repair or the replacement of the article is necessary and whether the amount claimed is a fair valuation to repair the damage or to restore the article.

Purchases from officers.

138. No purchase of an article for the Government may be made from an officer without the authority of the Minister and approved valuation of the article by the Ministry of Finance.

Driving of Government vehicle.

139. (1) No Government vehicle may be driven by a person who is not in the employment of the Government and who is not authorised by the Permanent Secretary to drive the specific vehicle.

(2) No person may be authorised to drive a Government vehicle unless he holds a valid driving licence in respect of the type that he is to drive and in terms of the law relating to Motor Traffic Control.

Copyright and royalties.

140. (1) The copyright of any book, article or other document produced by an officer in relation to the performance of his duties in the civil service shall be vested in the Crown.

(2) Any financial benefits derived from the sale of a book, article or other document referred to in paragraph (1) shall be vested in the Government; provided that the author of the book, article or other document may with the authorisation of the Commission be allowed part or all of the royalties that may be derived from the sale of such book, article or other document.

Annotation of Laws of Antigua and Barbuda.

141. Every Permanent Secretary shall ensure that the volumes of the Laws of Antigua and Barbuda of the respective Ministry are updated in accordance with any amendments that may be made to them.

Safe keeping of keys and official seal.

142. Every Permanent Secretary shall ensure that -

(a) a register of all keys to the building where the Ministry is housed is properly kept showing the person retaining the keys and my duplicate;

(h) the loss of any key is reported immediately and where necessary the person responsible meets any expenditure resulting from the loss;

(c) the official seal is used only for authorised purposes.

143. (1) An officer who-

(a) contravenes any direction of the Permanent Secretary, Chief Establishment Officer or Commission given in term of these regulations;

(b) contravenes the provisions of Parts V and VI of these regulations;

may be subject to disciplinary action.

(2) An officer who causes damage to the property of the Government by his act, omission or neglect, shall be liable to deduction from his salary to make good the damage arising from his act, omission or neglect and otherwise subject to disciplinary action.

144. The General Orders as amended which related to the Civil Service made by the Governor for the Civil Service of Antigua and Barbuda and came into force on 1st July, 1956 shall as from the date of commencement of these regulations cease to have effect.

Liability for violation of regulations.

General orders cease to have effect.

SCHEDULE

PART I

FORMS FOR USE WITH REGULATIONS (Regulation 2)

Notes: The following forms for use with the Regulations are issued by the Minister and are listed below for reference.

Form No.

1. Form P/1 - Application for Employment in the Civil Service.
2. Form P/2 - Personal Record Form.
3. Form P/3 - Appointment Form (1).
4. Form P/4 - Appointment Form (2).

5. Form P/5 _ Medical examination of candidate for appointment to the Service.
6. Form P/6 - Report on medical examination of candidate for appointment to the Service.
7. Form P/7 - Confirmation of appointment on passing medical examination.
- S. Form PIS - Information of Appointment to Treasury.
9. Form P/9 - Annual Confidential Report (1).
10. Form P/10 - Annual Confidential Report (2). 11. Form Pill - Certificate of Service.
12. Form Pill - Notification of Next of Kin.
13. Form P/13 - Authorisation to pay Salary into Bank.
14. Form P/14 - Increment Certificate.
15. Form P/16- Claim for subsistence and travelling expense.
16. Form P/17 - Advances on account of subsistence.
17. Form P/18 - Application for Vacation Leave.
18. Form P/19 - Leave and Last Pay Certificate.

PART II

(Regulation 89 (2))

ACCUMULATION OF VACATION LEAVE

Grade or Salary	Days of Entitlement
An officer whose grade or who receives a Salary equal to or higher than that received by a Senior Executive Officer	27 days per year
An Officer whose grade or who receives a salary equal to or higher than that received by a Junior Clerk but less than that received by a Senior Executive Officer	21 days per year
An Officer who receives a salary less than that of a Junior Clerk	15 days per year

Made this 15th day of December, 1992.

C.M. O'Mard,
Minister responsible for the
Civil service.

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