

ANTIGUA AND BARBUDA
PUBLIC SERVICE BOARD OF APPEAL
REGULATIONS, 1999

Arrangement of Regulations

Regulations

1. Short title.
2. Interpretation.
3. Time and manner of lodging appeals.
4. Minister to forward notice of appeal to the Board.
5. Sittings of the Board.
6. Officer entitled to be present and to be represented.
7. No fresh evidence at the hearing.
8. Board to proceed in default of appearance.
9. Notification of decision of Board.
10. Board to order fee to be returned to officer.
11. Exclusion of certain appeals.
12. Appeals against certain excluded.

<p>(3) The notice of appeal shall include an address for service where the officer concerned may readily be contacted, and shall, if possible, include a post office box number or facsimile number.</p> <p>(4) Every appeal to the Board shall be accompanied by a filing fee of One Hundred Dollars (\$100).</p> <p>4. The Minister shall, upon receipt of the notice of appeal, forward the same within seven days to the Establishment Secretary who shall, within seven days of the receipt of the Notice from the Minister forward the same to the Chairman of the Board together with the personal file relating to the officer concerned</p> <p>5. (1) The Board shall sit at such time and in such places as may be convenient for the purpose of hearing any appeal and shall notify the officer in writing of the proposed time and place of the hearing at least seven days in advance thereof.</p> <p>(2) The date and place of the hearing shall be given to the officer at the address for service specified in his notice of appeal, either by registered vote or, where no sufficient postal address or facsimile number has been specified, through the Ministry or department of Government in which the officer is currently serving.</p> <p>(3) Receipt of the notification at such address is deemed to be good service thereof upon the officer in all cases.</p> <p>6. (1) The officer who is appealing against a decision of the – Commission is entitled to be present and to be heard in support of his appeal.</p> <p>(2) The officer is also entitled to be represented by counsel and if the is so represented at the hearing of the appeal his attorney may address the Board instead of the officer.</p> <p>7. Unless by leave of the Board and for good cause shown, no fresh evidence which was not before the Commission upon their consideration of the matter shall be admitted at the hearing of the appeal.</p>	<p>Minister to forward notice of appeal Board</p> <p>Sittings of the Board.</p> <p>Officer entitled to be present and to be represented.</p> <p>No fresh evidence at the hearing.</p>
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<p>8. If the officer fails to appear and it is shown to the satisfaction of the Board that notification of the time and place of hearing has been duly served in accordance with regulation 5, the Board shall proceed with the hearing and determination of the appeal in his absence.</p> <p>9. When the Board has heard and determined an appeal, the Chairman shall within seven days of making the decision communicate the decision reached to the Minister, who shall thereupon inform the officer concerned.</p> <p>10 Where the Board allows an appeal under these Regulations, it may order that the fee payable under regulation 3 shall be returned to officer concerned.</p> <p>11. (1) No appeal shall lie to the Board at the instance of any public officer, who, at the date of the decision of the Commission in respect of which it is sought to appeal, is the substantive holder of an office in the approved salary scale the emoluments of which do not exceed Ten Thousand Dollars (\$10,000).</p> <p>(2) For the purposes of this regulation any officer appointed upon monthly, weekly or hourly rates of pay shall be deemed to be holder of an office the emoluments of which are equal to the annual value of his appointment.</p> <p>12. No appeal shall lie to the Board against any recommendation the imposition upon any officer of any of the following penalties-</p> <p>(a) deferment of increment;</p> <p>(b) withholding of increment; and</p> <p>(c) reprimand.</p> <p>Made this 19th day of April, 1999.</p> <p>Clarence Edwards, Chairman</p> <p>William Archibald King OBE, Member</p> <p>Ruth Limerick, Member</p>	<p>Board to proceed in default of appearance.</p> <p>Notification of decision of Board.</p> <p>Board to order fee to returned to the officer.</p> <p>Exclusion of certain appeals.</p> <p>Appeal against certain penalties excluded.</p>
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Henry Greaux, Member

Henson Barnes OBE, Member

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