



**COMMONWEALTH OF THE
BAHAMAS**

GENERAL ORDERS

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CHAPTER I

DEFINITIONS

100. The following terms have the following meanings throughout these General Orders, unless it is otherwise provided or required by the context.

(1) "The Bahamas" means all the territory that is administered by The Government of The Bahamas.

(2) "The Public Service" means The Service of The Crown in a civil capacity in respect of The Government of The Bahamas (including service as a member of the Judicial Service Commission, The Public Service Commission or The Police Service Commission) but, save as may be otherwise expressly provided, does not include service:

(a) on the personal staff of The Governor General, or;

(b) as a Justice of The Supreme Court or as a Justice of The Court of Appeal, or;

(c) in The Ministry of Tourism.

(3) "Public Office" or "Office" means any office of emolument in The Public Service.

(4) "Public officer" or "officer" means:

(a) a person who holds a Pensionable Office within the meaning of any Act relating to the pensions or gratuities of persons employed in The Public Service;

(b) a person employed in The Public Service whose employment is not of a casual nature and whose whole time is employed in The Public Service.

(5) "Government servant" means anyone in whatever capacity and under whatever conditions of service, who is employed by Government.

(6) "The Public Service Commission" or "The Commission" shall be read in those places where it is appropriate, as The Police Service Commission or; The

Judicial & Legal Service Commission.

(7) "Contract officer" means a person employed in The Public Service for a fixed period of time whether or not such employment is renewable on the expiration of such fixed period of time.

(8) "Empowered officer" means a public officer to whom certain powers of appointment and discipline have been delegated by The Governor General.

(9) "Salary" is the remuneration deriving from employment in The Public Service, exclusive of all allowances.

(10) "Vacation leave" is leave with full salary, other than sick leave, maternity leave, study leave, special leave and casual leave.

(11) "Leave of absence" is leave on half-salary.

(12) "Leave year" is a calendar year.

(13) "Office of responsibility" is any post in The Public Service declared by The Governor General by notice in The Gazette to be a post in respect of which allowances shall be payable to a person appointed to discharge the duties of such post.

(14) "Appointment" means:

(a) the conferment of an office of emolument in The Public Service, whether or not subject to subsequent confirmation, upon a person not in The Public Service;

(b) the grant of permanent and pensionable terms of service in a Public Office to a person recruited, and servicing on contract terms of service or in a non-established capacity in a pensionable or non-pensionable office;

(c) the engagement in a Public Office of a person on contract terms of service for a further period of service on the conclusion of this previous period of engagement on contract terms in the same or other Public Office;

(d) the appointment of a public officer to act in any Public Office other than The Office to which he is substantively appointed.

CHAPTER 2

APPOINTMENTS

200. The Public Service Commission (PSC) makes recommendations to The Governor General on the appointment of Public Officers other than those in respect of whom The Governor General delegated his powers of appointment. The functions and powers of The Commission are set out in detail in The Constitution and The Public Service Commission Regulations.

201. **First appointments can be made as follows**

- (1) on probation;
- (2) on contract;
- (3) on temporary terms;
- (4) on hourly, daily, or weekly rates, and part-time.

202. When a post becomes vacant, it may be filled by the appointment of a candidate with the requisite qualifications and experience from within or outside The Service. Normally, the claims of meritorious officers, with adequate qualifications, already in The Service will take precedence, over those persons not in The Service.

203. The procedure for making all appointments in The Public Service is described in The Public Service Commission Regulations.

204. The interest of a Permanent Secretary and Head of Department in securing the appointment of a suitable candidate is acknowledged, and when candidates are interviewed locally they will normally be invited to sit with The Commission.

205. In the case of overseas recruitment The Overseas Development Administration and/or The Crown Agents will be asked to submit details of recommended candidates for consideration by The Local Commission, in consultation with The Permanent Secretary and/or Head of Department.

206. Although all vacancies that are not filled by promotion should be advertised in the public interest and in the interest of The Service, a vacancy may be filled by appointment of a named person, if the above methods have failed to produce results or are inappropriate. But even where the filling of a vacancy is urgent and the Head of Department knows of a suitable candidate, the normal method should be to advertise the post and invite the candidate to apply. Exceptionally then, where appointment of a named person is to be considered The Head of Department must submit P.S.C. Form I in duplicate to The Permanent Secretary

of The Public Service through their Permanent Secretary giving as much detail as possible about the person recommended.

207. The appointment is the responsibility of The Governor General and no Head of Department or any officer in a Department has the authority to respond to any question of the appointment or the terms of the appointment. All such matters must be referred to, and dealt with by, The Permanent Secretary of The Public Service alone, but there will be the fullest measure of consultation between The Permanent Secretary of The Public Service and The Permanent Secretary and/or Head of Department, and the appropriate Commission.

208. The effective date of a first appointment is the date on which a public officer becomes eligible to receive full salary. In the case of officers selected for appointment from outside The Bahamas this will be the date of arrival in The Bahamas. If appointment locally, the date of appointment will be the date the officer assumes duty. The date of assumption of duty is the date of commencement of resident service.

209. No officer who has been dismissed from the Service, whether from a pensionable or a non-pensionable post, may be re-employed in any capacity without prior reference to The Permanent Secretary of The Public Service, who will submit the matter to The Public Service Commission.

210. Any proposal to offer appointment to any person other than a Bahamian must first be referred to The Permanent Secretary of The Public Service, who will seek The Deputy Prime Minister's decision as to whether or not an offer should be made.

211. The offices in respect of which the power to appoint has been delegated are given in The Public Service (Delegation of Powers) Order.

212. Where an empowered officer makes an appointment under the provisions of The Public Service (Delegation of Powers) Order, he must act in accordance with the relevant Public Service Commission Regulations, and the following conditions and restrictions shall apply:

(1) Every appointment shall be made at the minimum of the salary scale or at a salary determined with the agreement of The Public Service Commission.

(2) Even appointments other than a temporary appointment shall be on probation for twelve months, and confirmation of appointments after completion of probation shall in all cases be referred to The Public Service Commission.

(3) Every temporary appointment shall be on a daily, weekly or monthly basis.

(4) All vacancies which are not filled by promotion must be advertised in the

Local Press. Advertisements should be as brief as possible, giving the name of The Department concerned, a statement of qualifications required, and duties to be performed, a salary or salary scale, the address to which applications should be sent, and the closing date for applications to be received.

(5) The Permanent Secretary of The Public Service will arrange for appointments to be Gazette.

213. Where any empowered officer exercises any of the powers delegated to him he shall at once make a report in duplicate to The Permanent Secretary of The Public Service and a copy of such report will be forwarded to The Public Service Commission. For each appointment made the report shall be accompanied by a carefully completed P.S.C. Form 7 and a signed copy of the letter of appointment signifying the officer's acceptance of the offer of appointment.

214. To be eligible for appointment to The Public Service, the candidate must:

(1) possess such minimum educational qualifications as may be prescribed from time to time, and;

(2) except in the case of appointment to the temporary staff, be certified by a Government Medical Officer, to be in sound health, and medically fit for employment in The Service, and;

(3) provide the names of at least three referees, one of which, if the candidate has not previously been in employment, must be the head of the school or college he last attended, or; if he has previously been employed, his last employer.

215. No fee is payable to The Medical Officer for the examination at General Order 214(2).

216. All applications for employment from persons who have served a prison sentence following a criminal conviction must be first referred by The Ministry, or; Department, or; by The Public Service Commission to The Permanent Secretary of The Public Service before any further action to appoint is taken. After obtaining a report from The Department of Social Welfare, The Permanent Secretary of The Public Service will submit it, together with his recommendations to The Deputy Prime Minister and in due course refer the paper to The Public Service Commission. The decision of The Public Service Commission, in the case of an

applicant who may be appointed under delegated powers, will be conveyed to The Permanent Secretary of The Public Service who will inform The Ministry or Department concerned. In other cases The Commission will either proceed to make a recommendation to appoint, or; will inform The Permanent Secretary of The Public Service that The Commission is not prepared to make a recommendation and The Permanent Secretary of The Public Service will inform The Ministry or Department accordingly. Employment of a person with a criminal conviction may only be on temporary terms in the first instance.

217. The Government Medical Officer must state in the certificate made on examination of a candidate for The Service that he has made a complete and thorough examination and that he has inquired into the candidate's family history.

218. Permanent Secretaries will ensure that no salary is paid to a newly-appointed officer until a Medical Certificate has been produced. If the person selected fails to produce a certificate within one month from the date of notification of selection, the appointment may be deemed to be canceled.

219. If an officer is found to be not fit for service, the appointment shall not be proceeded with.

220. If the officer has already passed the prescribed medical examination in respect of any appointment immediately preceding the appointment in question, no further examination will be required.

221. The Permanent Secretary of The Public Service may at any time (and shall, if the officer so requests) call upon an officer to present himself for examination by a Government Medical Officer or by a duly constituted Medical Board, with a view to ascertaining that the officer is physically, and mentally capable of performing the duties of his appointment or those of any office in The Service to which it may be proposed to appoint him.

222. Any fees in respect of examinations carried out under General Order 221 shall, in the absence of any special regulations or arrangement to the contrary be paid by Government.

223. On first appointment an officer is required to notify The Permanent Secretary of The Ministry where he is employed the names and addresses of not more than two relatives, or; friends whom he wishes to be informed in the event of his death or serious illness. Any change in these particulars must be notified promptly to The Permanent Secretary.

Probation

230. The appointment of an officer to The Pensionable Establishment is normally subject to a period of probation for not less than one year nor more than five

years.

231. When an officer is appointed to a pensionable office after service on the non-pensionable establishment in an office in which he has been performing the same or similar duties, the period of his probation in the pensionable post may be reduced, if so recommended by The Public Service Commission, provided there is no break between his non-pensionable and his pensionable service.

232. When an officer is appointed to the pensionable establishment after the satisfactory completion of a period of service on contract, the period of probation in the pensionable post may be reduced if so recommended by The Public Service Commission provided that there is no break between his service on contract and his pensionable service.

233. An officer who is re-appointed after a break in service may be required to undergo a period of probation.

234. The period of probation begins on the date of assumption of duty on probation in the appointment. During the period of probation the officer should be regarded as being on trial with a view to learning his work and being tested as to his suitability for it. He should therefore not only be given all possible facilities for acquiring experience in his duties but should be kept under continual and sympathetic observation and, so far as is practicable, should not be posted where such observation is impossible. It is the responsibility of Heads of Departments to pay special attention to the training of officers on probation. If at any time during the period of probation the officer should exhibit tendencies which render it any way doubtful that he will be suitable for permanent retention, he should at once be warned and given such assistance as may be possible to correct his faults.

235. Heads of Departments will first report to The Permanent Secretary half way through the period of probation, on the conduct and work of officers on probation in their Departments. The second report will be made six weeks before the end of the probationary period.

236. Whenever an empowered officer is required to consider whether a probationer should be confirmed in his appointment, or; serve a further period on probation, or; should not remain in The Public Service, he must observe the procedure laid down in Regulation 28 of The Public Service Commission Regulations.

Contract Appointments

255. Contract appointments are made by formal agreements for a specified period and do not provide for the payment of a pension. Beyond such period, any further employment of the officer concerned must be made the subject of a new

contract, or; an extension of the period of employment in the original contract.

256. The conditions of service of an officer on contract are those provided for in his contract, but he may, during the period of the duration of his contract, benefit from the conditions of service applicable to pensionable officers of equivalent grade, unless it is specifically provided otherwise in these General Orders' or elsewhere.

257. An officer serving on contract who desires re-engagement must, six months before he is due to proceed on leave at the expiry of his current contract, (or; with whatever other period of notice specified in the contract) notify The Permanent Secretary of The Public Service through his Head of Department and Permanent Secretary. In the absence of such notification it will be assumed that the officer does not desire re-engagement. As soon as it can be assumed that an officer on contract does not wish to be re-engaged, The Permanent Secretary of The Public Service will inform The Public Service Commission of the position and inform the officer that he has done so.

258. On receipt of an application for re-engagement The Permanent Secretary will forward it to The Permanent Secretary of The Public Service together with his recommendations. The decision on re-engagement will be conveyed by the appropriate authority to the officer concerned and to The Permanent Secretary of The Ministry where he is employed.

259. Provided re-engagement is completed by the signing of a new contract before the end of the leave granted under the expiring contract, or; the end of the period of the expiring contract if leave has already been taken, service under the new contract will be treated as continuous with service under the former contract.

260. If a re-engaged officer is required to return to duty under his new contract before the expiration of all leave due under his former contract the leave foregone will be treated as deferred leave to be enjoyed under the conditions of the new contract.

261. An officer engaged on contract has no right to expect promotion. Where however, The Public Service Commission considers that a higher post than that held by the officer on contract cannot suitably be filled by promotion of a pensionable officer, he may be selected to fill it.

Temporary Appointments

270. General Orders apply to temporary officers in the same way that they apply to officers on the pensionable establishment.

271. The period of notice of termination of temporary employment that is remunerated on a monthly basis shall be one month, or; there shall be a payment

of one month's salary in lieu of notice made by either the appropriate party or the officer. In the case of employment on a daily or weekly basis the period of notice and payment in lieu of notice shall be one week.

273. Temporary non-pensionable appointments may be on a daily weekly or monthly basis and should not be for more than twelve months. Any temporary appointment which will exceed this period must receive the prior approval of The Permanent Secretary of The Public Service, and this will be given only in very exceptional circumstances.

CHAPTER 3

ACTING APPOINTMENTS AND ALLOWANCES

300. In the case of short absence of less than 14 days there will be, in general, no need for an acting appointment and no acting allowance will be payable. But where the nature of the duties attaching to the office is such as cannot reasonably be expected to be performed by another officer in the same department or there is a statutory requirement that the post be filled, then an acting appointment may be made, regardless of the length of the absence of the substantive holder of the office except that no acting appointment should be made under delegated powers for any period less than 14 days without the prior approval of the Director of Public Personnel.

301. In special circumstances, for example, owing to the length of the absence or to the fact that by law or regulation certain matters can be dealt with only by the officer holding the senior post or an officer acting in that post, an acting appointment may be made.

302. In making acting appointments the claims of all suitable candidates will be considered, and while no claim to act as of right will be recognized every consideration will be given to the record of service and suitability of the officer next in seniority in the department or grade in which the acting appointment is to be made. Recommendations for acting appointments shall state whether or not the person recommended is the senior officer in the department or grade, and where this is not the case, detailed reasons must be given in respect of each person in that same department or grade in preference to whom it is proposed that the person recommended to act should be appointed.

303. The appointment of an officer to act in a post will be made by the Governor-General (except where the power to appoint has been delegated) acting in accordance with recommendations of the Public Service Commission. The procedure that is to be followed is set out in the Public Service Commission Regulations.

304. Any recommendation to the commission for the making of an acting appointment must contain a statement whether or not the officer recommended for acting appointment is in every way qualified to perform all the duties of the office in which he is to act, and also state that the officer recommended to act will assume the full duties and responsibilities of the post in question. An acting appointment may be made only if the officer is capable of, and will in fact perform, all the duties of the post in which he is required to act.

305. When making a recommendation for an acting appointment, Heads of Departments should consider also all the consequential acting appointments that may be required and should recommend or make appointments accordingly.

306. When an acting appointment is approved, the Director of Public Personnel, who must be notified when an acting appointment is made under delegated powers, will arrange to have the appointment gazetted.

307. Where it is expected that the acting appointment may be for an indefinite period, this should be clearly stated on P.S.C Form 3, and Heads of Departments are required to notify the Director of Public Personnel of the date on which the acting appointment ceases.

308. In absence of special circumstances recommendations for acting appointment submitted less than fourteen days in may not be proceeded with an no appointment made.

309. The following powers have been delegated under the Public Service (Delegation of Powers) Order to Permanent Secretaries of Departments integrated within Ministries and to Heads of Departments where the Department is not organized under a Permanent Secretary:

To appoint an of officer to act in an office of responsibility other than the office of Head or Deputy Head of Department within the Ministry or Department with which the empowered officer is concerned, provided that no such appointment shall be made for any period in excess of four weeks, and the officer so appointed shall be the senior officer in the Department in the rank immediately below the rank of the office of responsibility in which he is to act.

311. Where the power to make an acting appointment has not been delegated the Head of Department shall submit his recommendations (through the Permanent Secretary) on P.S.C Form 3 to the Director of public Personnel for transmission by him to the public Service Commission. In those cases where a Head of Department's recommendations, if approved would mean the supersession of an officer or officers, a full statement of the reasons for the proposed supersession must be given by the Head of Department on the reverse of P.S.C Form 3.

312. Heads of Departments having made an acting appointment under delegated powers, must report at once to the Director of Public Personnel if it then becomes apparent that the four week's period will be exceeded.

313. In some circumstances, and particularly where the acting appointment is for a short period, an officer may be authorized in writing to act on behalf of a senior officer for certain specific function, and in this event there will be no need for a gazetted acting appointment.

314. An acting appointment cannot be held to have been made merely by the insertion of provision for the post in the Estimates, and claims for acting allowances in respect of such posts will not necessarily be admitted.

315. An acting allowance will be payable only to an officer who is formally appointed by notice in the Official Gazette to discharge the duties of an office of responsibility in place of, or in addition to, the duties of his substantive post. The rates for acting allowances (and responsibility allowances) are set out in the Public Service Act.

316. An acting allowance will be payable from the date of commencement of his acting appointment to the date immediately preceding the date of its termination (both days inclusive), subject to the provisions of General Orders 317-318.

317. An officer who is drawing acting allowance may continue to draw it while he is on vacation leave not exceeding six days at any one time or twenty four days in the leave year, provided that it has not been necessary to appoint another officer to perform the duties of the post in which he is acting.

318. An officer who, while drawing acting allowance, is incapacitated by illness may receive his acting allowance from the commencement of such incapacity unless it has been necessary to appoint an officer to perform the duties of the temporarily vacant post, in which case the officer so appointed will draw it from the date (inclusive) of his appointment and the first officer will cease to draw it with effect from the same date.

319. Except in the case of vacation leave and sick leave as provided for in General Orders 317 and 318 no officer may draw acting allowance while on leave.

320. An officer appointed to act in another post will be eligible for the allowances attaching to the higher office at the rates prescribed for that office.

CHAPTER 4

SENIORITY

400. Seniority between public officers shall be determined in the first instance by the salary gradings of their post, so that between any two officers, the one holding the post with the higher grading shall be the senior irrespective of the dates of appointment.

401. Seniority shall be determined as follows:

(1) As between officers of the same grade:

(a) by reference to the dates on which they respectively entered that grade;

(b) if any officers entered that same grade on the same day by reference to their seniority on the day immediately preceding that day;

(c) if any officers who entered the same grade on the same day did so by appointment, and not by promotion (excluding promotion from a non-pensionable to a pensionable grade), their seniority relative to each other shall be determined by reference to their respective ages.

(2) As between officers of different grades on the same salary scale or the same flat rate of salary, by reference to the dates on which they respectively entered their grades.

(3) As between officers of different grades on different salary scales, by reference to the maximum point on their salary scales, a flat rate of salary being regarded for this purpose as a salary scale with a maximum point equivalent to the flat rate; provided that when assessing the seniority of a pensionable public officer, service by that officer or any other person in a non-pensionable capacity shall not be taken into account.

402. Officers who transfer from one class of The Public Service to another class, the duties of which are not considered to be cognate, take seniority from the date of their transfer regardless of any previous length of service, and the grading of their former post. The posting of an officer between duty posts in the same grade within a Department shall not be regarded for this purpose as a transfer.

Notwithstanding the provision of General Order 401, The Commission, acting on its discretion, may order that any particular officer shall have seniority over another.

403. When an officer promoted on trial fails to have his promotion made

substantive with effect from the date of his promotion on trial, his seniority will date from the date on which his promotion becomes substantive.

404. Unless otherwise provided, seniority between officers selected for first appointment from outside The Bahamas is determined by the date of arrival in The Bahamas. Where however, two or more persons selected from outside The Bahamas arrive on the same day, seniority between them will be determined by age.

405. Service in a non-pensionable post shall not be taken into account when assessing the seniority of any pensionable officer.

CHAPTER 5

PROMOTIONS

500. All promotions other than those for which provision is made in The Constitution are made by The Governor General acting on the recommendation of The Public Service Commission. The names and commendations of officers who are within the field for promotion and who have the official qualifications, experience and merit will be put before The Public Service Commission by The Permanent Secretary of The Public Service.

501. Permanent Secretaries and Heads of Departments must submit to The Permanent Secretary of The Public Service on the first of April, or; the first of October each year, a list of all vacancies in the Departments, and their recommendations for promotions.

502. Submissions to The Permanent Secretary of The Public Service of lists of candidates for promotion will state any reasons why The Permanent Secretary or Head of Department may consider any candidate to be unsuited to fill the post in question, despite the candidate's possession of the requisite qualifications.

503. Promotion is defined in The Public Service Commission Regulations as conferment upon a person in The Public Service of a public office to which is attached a higher salary or higher salary scale than that attached to the public office to which he was last substantively appointed.

504. Regulation 18 of The Public Service Commission Regulations provide that in considering the claims of persons in The Public Service for promotion, merit and ability shall be taken into account as well as seniority, experience and official qualifications. Recommendations made to The Public Service Commission for promotion must state whether the person recommended is the senior officer in the Department or grade eligible for promotion and, where this is not the case, detailed reasons shall be given in respect of each person in that same Department or grade over whom it is proposed the person recommended should be promoted.

505. In promotions to posts in which the work is of a routine character, seniority shall be allowed more weight than in the case of promotion where greater responsibilities and initiative are involved. For senior posts, merit, experience and ability, assume greater importance than seniority.

506. The consideration governing all promotions should be the advancement of the efficiency of The Public Service.

507. It should be brought to the attention of all public officers that promotion of an officer is not given solely on account of an excellence of performance of the

duties of the present post but also in recognition of an ability to meet satisfactorily the requirements of the higher office.

508. Permanent Secretaries and Heads of Departments must not arouse in the minds of their staff hopes of preferment that are not in their power to fulfill. This applies not only to promotions to a higher office, but also to increases of salary without promotion.

509. Recommendations for promotions will be made to The Permanent Secretary of The Public Service by Permanent Secretaries in consultation with Heads of Departments, or; where there is no Permanent Secretary, by Heads of Departments direct, and should in suitable cases propose a starting salary point in the higher scale which they consider appropriate, having regard to the rule that incremental dates are the first day of the month in which the promotion is made. Recommendations as to starting point should be made on the reverse of P.S.C. Form 2, and should state the officer's existing incremental date.

510. The following information must be available when recommendations for promotion are being considered:

- (1) the date on which the higher office will be vacant;
- (2) the date the officer first performed the duties of the higher office, where this is applicable;
- (3) any reasons for not making the recommendation immediately the higher office fell vacant.

511. When a post falls vacant, the Head of the Department must first decide if it should be filled by the promotion of a serving officer, and if he so decides, P.S.C. Form 2 must be completed and forwarded in duplicated under confidential cover, to The Permanent Secretary of The Ministry, for forwarding to The Permanent Secretary of The Public Service, who will place the recommendation before The Public Service Commission. The Commission will consult The Prime Minister where it is constitutionally bound to do so and will subsequently make a recommendation to The Governor General. If the promotion is made, The Permanent Secretary of The Public Service will notify The Permanent Secretary and the Head of Department and the officer concerned, and will publish the appropriate notice in the Official Gazette. If the promotion is not approved, The Permanent Secretary of The of Public Service will advise The Permanent Secretary and Head of Department accordingly, and the Head of Department will be invited to submit alternative proposals for filling the vacancy.

512. Notwithstanding the provisions of General Orders, it shall be open to The Public Service Commission to recommend to The Governor General such other effective date of promotion as The Commission may determine having regard to

the ability of the officer concerned fully to discharge the duties of the office to which he is promoted, the need to consider questions of seniority and such other circumstances as may seem to The Commission to be relevant.

513. Promotion exercises should be undertaken at regular intervals and a survey made of all officers within the promotion zone. In normal circumstances Permanent Secretaries are expected to foresee the occurrence of vacancies in promotion posts and to make prompt proposals for filling them in such time as will ensure that an officer has been approved for a promotion to a post as soon as it falls vacant, thus obviating difficulties arising from delayed promotions. Where however, the application of the above rules will create irregularities or inequalities an alternative effective date of promotion may be fixed by the appropriate authority. A promotion may be made effective before the date on which an officer actually assumes duty in the new post where:

(1) through no fault of his own he is unable to assume duty in the new post on the approved date of promotion;

(2) to delay his promotion would adversely affect his seniority relative to any other officer promoted at the same time.

514. Promotion may involve transfer from one Department to another, or; from one Ministry to another.

CHAPTER 6

TRANSFERS

600. Transfers are made by The Governor General acting on the recommendation of The Public Service Commission.

601. Transfers shall be dealt with under the procedure for promotion when an increase of emoluments is involved (See Chapter 5) and under the procedure for appointments when there is no immediate increase in emoluments (See Chapter 2).

602. When the normal procedure for carrying out a transfer would involve a delay that is likely to cause serious inconvenience, the Head of Department will report the matter to The Permanent Secretary. The Permanent Secretary will forward the report to The Permanent Secretary of The Public Service who will refer it to The Public Service Commission, and The commission may recommend a transfer without regard to the usual procedure.

603. An officer who wishes to be considered for transfer within The Bahamas, or; who wishes to apply for transfer to a particular post within The Bahamas must apply in writing to The Permanent Secretary of his Ministry, who, after consultation with the Head of the Department where the officer is serving, will transmit the application to The Permanent Secretary of The Public Service with his comments and recommendations.

604. Only for the most exceptional reasons will the simple refusal by an officer of a transfer (with or without promotion) prejudice his prospects of further offers. An officer who receives an offer of transfer is at liberty to determine his acceptance or refusal entirely in the light of his own interests, although it would normally be desirable for him to follow up a refusal with an explanation of his reasons, which would afford some guidance in determining whether any, or what kind of, offer should be made to him at a later date.

605. A Head of Department must, upon transfer, leave a memorandum on any special instructions affecting the Department for the guidance of his successor, and a duplicate of this memorandum should be forwarded to The Permanent Secretary.

606. The provisions of General Order 1647, concerning hand-over, shall apply to any officer who vacates his office on transfer. General Order 607 should be amended to allow for payment of increased disturbance allowances to married and single officers' in the amounts of \$500 and \$250 respectively, provided the transfers are at Government's request from a place of domicile and for periods in excess of six months.

608. The effective date of transfer of an officer is normally the date on which the officer concerned takes up the duties of his new post.

CHAPTER 7

TERMINATIONS

(other than on disciplinary grounds)
AND RE-ENGAGEMENT

General

700. The mandatory retiring age, is 60 years.

701. An officer may retire with the award of pension and/or gratuity before reaching the mandatory retiring age, in the following circumstances:

(1) in the public interest, having regard to the conditions of The Public Service, the usefulness of the officer thereto, and all the other circumstances of the case;

(2) ill health, where the officer is certified to be, incapable by reasons of infirmity of mind or body of discharging the duties of his office and the disability is likely to be permanent;

(3) abolition of office, where an officer's post is no longer required, or if his services are dispensed with in order to facilitate improvements in the organization of his Department, or; on grounds of financial stringency;

(4) on completion of 30 years service in a pensionable office, or; on attaining the age of 55 years.

702. The notice of termination must be advised through The Head of Department to The Permanent Secretary, who will submit it to The Permanent Secretary of The Public Service. By resigning, an officer does not divest himself of any financial obligations to Government, e.g. outstanding debts including undischarged bonds, loans and advances.

703. An officer who desires to resign for reasons which may be temporary is advised, before committing himself, to consult The Permanent Secretary of The Public Service, since it may, in some circumstances, be possible for this pension rights to be preserved.

704. All resignations must be reported to The Permanent Secretary of The Public Service, giving, where possible, the reasons for the resignation.

705. An option, as of right, to take on retirement a reduced pension and a gratuity

is given to every public officer.

706. The computation and authorization of pensions and gratuities are urgent matters of high priority. The Permanent Secretary of The Public Service will ensure that the necessary particulars relating to an officer whose retirement is known to be impending is passed to the Treasury with the least delay so that authority for payment of pension and for gratuity is given before the date of retirement. Where this is not possible, consideration will be given to the payment of an alimentary allowance.

707. The option to take a gratuity and reduced pension shall be exercisable in writing, and if it has been exercised, may be revoked in writing, not later than the day immediately preceding the date of retirement, providing that The Permanent Secretary of The Public Service may allow an officer to exercise the option or revoke any option previously exercised, at any time between that date and the actual date of award.

708. In the event of an officer dying in The Public Service, his Permanent Secretary is responsible for seeing that prompt application is made for any pension or gratuity that may be due.

709. When an officer dies during an extension of leave granted on medical grounds prior to retirement, that leave may be canceled if the adoption of such a course would result in the payment of a larger gratuity to the legal representatives of the deceased officer.

710. If an officer is injured or killed in the performance of duty within The Bahamas, the Head of Department must at once report the full particulars to The Permanent Secretary and to The Permanent Secretary of The Public Service. Failure to do this may result in the loss of entitlement to compensation under the Pensions Legislation.

711. On first appointment from outside The Bahamas an officer is required to notify to The Permanent Secretary of The Ministry where he is employed, or; to the Head of Department if there is no Permanent Secretary, the names and addresses of not more than two relatives, or; friends whom he wishes to be informed in the event of his death or serious illness. Any change in these particulars should be notified promptly to The Permanent Secretary or Head of Department.

Probationary Service

715. The procedure for the termination of probationary appointments is set out in The Public Service Commission Regulations.

716. Termination of an officer's probationary appointment will, subject to the

provisions of P.S.C. Regulation 28, normally be effected by either side by means of a month's notice, or; by payment of a month's salary in lieu of notice, provided that in the case of an individual probationer no alternative condition was laid down at the time of his appointment. Subject to the same provision, he is eligible to receive transport at Government expense to the place from which he was engaged. If he is granted leave for which he has become eligible it should be so arranged as to take place within the period of notice, and, if possible, to expire on the same day as the notice.

717. Unless it was otherwise stated at the time of his appointment in the case of an individual probationer, a probationer who resigns his appointment while on probation will not be eligible for any facilities from Government towards transport from the station at which he has been serving, and may, if he has not served twelve months, be required to refund any expenditure by Government in providing him with free transport facilities to take up his duties.

Pensionable Posts

718. Officers who have been confirmed to the pensionable establishment who fail to give at least one month's notice in writing of an intention to resign, shall pay one month's salary in lieu of notice, or failing this, will be liable to suffer loss of any leave due to them. Where an officer recruited outside The Bahamas, whether he is employed on contract or not, fails to give three months notice in writing of an intention to resign or to pay one month's salary in lieu of notice, he will, in absence of agreement to the contrary, be liable to suffer forfeiture of any passages for which he may be eligible in addition to loss of pay and leave.

Termination (and retention) In The Public Interest

719. The retention of an officer beyond the age at which he may be called upon to retire will be permitted only where there are strong reasons in the public interest. Permanent Secretaries are required to report to The Permanent Secretary of The Public Service on the efficiency of officers in their Ministry and Departments who are approaching a date six months short of retiring age. The report will contain any recommendation that it may be desired to make for the retention of the services of an officer beyond that age. Permanent Secretaries will report at the same time, on any officer who has been permitted to remain in a pensionable post beyond the age of retirement.

720. Retention will be subject to a Medical Certificate from a Government Medical Officer that the officer is fully fit physically and mentally to perform all the duties of his post. It will not be for a longer period than five years beyond the officer's normal retiring age save in very exceptional circumstances. It will be subject to annual presentation of Medical Certificates that the officer continues to be fully fit physically and mentally to perform all the duties of his post.

721. Officers not entitled to pensions may be called upon to retire at the age of 60 years. Retention beyond that age will require the approval of The Permanent Secretary of The Public Service and will be subject to an annual review of the officer's physical and mental fitness to perform all the duties of his post.

722. If a Permanent Secretary or Head of Department considers that an officer serving in his Department should be required to retire from The Public Service on the grounds that, having regard to the conditions of The Public Service, the usefulness of the officer thereto, and all the other circumstances of the case, such termination is desirable in the public interest, he shall report the matter to The Permanent Secretary of The Public Service, in accordance with Regulation 40 of The Public Service Commission Regulations.

723. The Permanent Secretary of The Public Service may obtain (and shall obtain wherever the proposed termination is acknowledged to be motivated by disciplinary reasons) from any public officer under whom the officer in question has served, a report on his work and conduct, and may allow him to consider such report and show cause why he should not be retired from The Public Service.

724. If The Permanent Secretary of The Public Service, after considering the officer's statement and having regard to all the circumstances of the case, is of the opinion that the officer should be retired from The Service in the public interest, he shall forward to The Public Service Commission any report obtained under the preceding General Order and the statement of the officer together with his own recommendation and The Commission will recommend to The Governor General whether or not the officer should be retired.

725. If the Commission recommends that the officer should be retired, The Commission will also recommend whether the officer should be granted a full pension or gratuity for which he is eligible, or; a reduced pension or reduced gratuity, or no pension or no gratuity.

Termination on Grounds of Health

726. If an officer is certified by a Government Medical Officer to be incapable by reason of infirmity of mind or body of discharging his duties efficiently, and if such infirmity is likely to be permanent, he will be required to appear before a Medical Board. If the Board recommends that the officer be invalided from The Service, he will be called upon to retire on the ground of ill health. In the case of an officer who is outside The Bahamas, the initial examination will be made by an approved Medical Practitioner on the authority of The Permanent Secretary of The Public Service.

Termination an Abolition of Office

727. Regulation 26 of The Public Service Commission Regulations provides that where a post which is one of a number of such posts is abolished but one or more such posts remain:

(1) if the post is one in respect of which the power to appoint has been delegated, the empowered officer will decide which of the substantive holders of such post shall have his appointment terminated.

(2) if the post is one in respect of which there is no delegation, The Head of Department must make a report thereon to The Permanent Secretary, who will refer the report to The Permanent Secretary of The Public Service making his recommendations and giving his reasons as to which of the substantive holders of such posts shall have his appointment terminated. The Permanent Secretary of The Public Service will forward this report with his observations thereon to The Public Service Commission and The Commission will make its recommendations to The Governor General.

Termination of Non-Pensionable, or Temporary Service

728. The procedure relating to the retention beyond the age of retirement of officers not entitled to pension is set out in General Order 272.

746. The period of notice of termination of temporary employment that is remunerated on a monthly basis shall be one month or there shall be a payment of one month's salary in lieu of notice made by either the appropriate authority or the officer. In the case of employment on a weekly basis, the period of notice or payment in lieu of notice shall be one week. In the case of employment on a daily basis, notice of termination shall take effect at the end of the day in which it is given.

729. If it appears to a Permanent Secretary or a Head of Department that the appointment of a non-pensionable officer in their Departments should be terminated, he will, in writing, set out the reasons and require the officer to show cause, in writing, why his service should not be terminated. If no reply is received by the empowered officer within two weeks of the delivery of the invitation to show cause, or; if he considers that no adequate cause has been shown:

(1) where disciplinary control has been delegated, the empowered officer may terminate the appointment;

(2) where disciplinary control has not been delegated, the Head of Department will report the case, giving his reasons and forwarding any representations made by the officer, to The Permanent Secretary, who will refer the report to The Permanent Secretary of The Public Service. The Permanent Secretary of The Public Service will send the report with his own recommendations to The Public Service Commission, and The Commission will recommend to The Governor

General whether or not the appointment should be terminated.

730. The provisions of General Order 747 shall not apply in any case which involves the premature termination of contract and the withholding of gratuities, or in any case of a public officer adjudged guilty of a criminal charge in a court.

Termination of Contract

731. Where an officer is serving under a contract which provides for the termination of that contract by notice before the expiry of the period of service stipulated in the contract:

(1) Where the power to terminate the contract lies with The Governor General on the recommendation of The Public Service Commission, and the officer's Head of Department considers that the contract should be terminated, he shall report to The Permanent Secretary accordingly with his reasons. The Permanent Secretary will pass the report to The Permanent Secretary of The Public Service who will add his recommendations and submit it to The Public Service Commission who will make a recommendation to The Governor General.

(2) Where the power to terminate the contract has been delegated, the empowered officer will act accordingly. Provided that where it appears in any case that there is any doubt that under the terms of the contract, the above-mentioned terminations are lawful, the case will be referred to the Attorney General for advice, by The Permanent Secretary of The Public Service in (1) above and by the empowered officer in any other circumstances.

732. Where an officer is serving under a contract which provides for the payment of a gratuity on completion of satisfactory Service, and;

(1) the power to dismiss such officer has not been delegated, the Head of Department shall report the matter to The Permanent Secretary if he thinks no gratuity or part only of such gratuity should be paid, and give his reasons for so proposing. The Permanent Secretary will refer the matter to The Permanent Secretary of The Public Service who will forward the report to The Public Service Commission with his own recommendations, and The Commission will recommend to The Governor General the course to be taken;

(2) where the power to dismiss has been delegated, the empowered officer may refuse to authorize the payment of a gratuity or part thereof.

733. The procedure for claiming a gratuity on the termination of a contract is given in General Order 764.

Re-Engagement

734. The re-engagement of an officer at the termination of his contract is dealt with at General Orders 257 to 260.

735. Any application for employment from a person who has previously voluntarily resigned from The Service must be carefully investigated, and the circumstances that prompted the resignation must be taken into account before a decision about re-engagement is taken. Persons so appointed will be informed that they will be subject to the following conditions:

- (1) that they may have to do a period of probation although they may previously have been confirmed;
- (2) that the period of service before resignation will not count towards Retirement Benefits;
- (3) that the period of service before resignation will not count for seniority.

736. Retired public officers may be re-engaged where:

- (1) the prospects of serving officers are not prejudiced;
- (2) the vacancy cannot otherwise readily be filled;
- (3) the retired officer is in all respects suitable.

737. The re-engagement of pensioners will be on temporary terms, or; on short term contracts. Contracts will normally be entered into only if it is necessary to fill an essential post for which no likely candidate is envisaged for some time to come.

738. An officer on contract may apply for payment of the gratuity stipulated in his contract in respect of a tour and paid leave taken by him after that tour, at the beginning of his next tour. If, however, he signifies his intention not to seek re-engagement, he may receive a gratuity in respect of all previous eligible service for which no gratuity has been paid, on the last day of his final tour, and any balance of gratuity at the end of his leave after his final tour of duty including the gratuity earned during that leave. If he wishes to receive a gratuity on the last day of his final, or; only tour he must request action on the gratuity payable to him to begin not less than three months before the end of his tour.

CHAPTER 8

PERFORMANCE APPRAISAL REPORTS

800. Performance Appraisal reports on staff must be submitted on a prescribed form on the first of January each year in respect of the calendar year immediately preceding, except that Performance Appraisal reports on Teachers should be submitted in respect of each school year instead of each calendar year.

801. Police Officers below the rank of Assistant Superintendent will be reported on every six months.

802. The reporting officer will be the most senior officer in contact with the officer concerned, during the period covered by The Report.

803. Supervisors will complete Part I - V of the report. Parts I, II, III, IV and V are applicable to all employees. Parts III is applicable to Supervisors and Managers only.

804. Permanent Secretaries will report on Heads of Departments and will complete Parts I through V of the report.

805. The Secretary to the Cabinet will report on Permanent Secretaries.

806. Reports on temporary staff are not required.

807. The Public Service Commission may at any time require a Performance Appraisal Report on any officer.

808. Performance Appraisal Reports must be prepared in handwriting, in triplicate in collaboration with the officer. Once completed and signed by the Department Head and The Permanent Secretary, the mustard copy under confidential cover is sent to The Permanent Secretary of The Public Service for onward transmission to The Public Service Commission.

809. The blue copy is to be retained by the Ministry and the white copy forwarded to the Department. Copies of previous reports shall not be referred to when a current report is being written.

810. The substance of any adverse comment on an officer's work, or; conduct included in a report must be conveyed to him in writing by The Permanent Secretary or Head of Department in sympathetic terms and with the object of enabling and encouraging him to overcome his shortcomings. The fact that this action has been taken will be stated in the report itself, together with any written observations the officer has made.

811. It is essential in the general interest of The Service that Performance Appraisal Reports should be detailed and candid. Reporting officers must realize that their own incapability are discernible from the reports that they write on their subordinates. Reporting and countersigning officers must pay careful attention to the instructions on the report forms, particularly the statement that disagreement with the assessments by the reporting officer may be indicated by the counter signing officer.

813. Valedictory letters may be sent to Government servants who retire after long and valuable service. Such letters to Permanent Secretaries and Heads of Departments may be sent at The Governor General's discretion. They may be sent to other senior officers at the discretion of The Permanent Secretary of The Public Service, and in the case of all other officers, the decision in this matter will be taken by The Permanent Secretary or the Head of Department where there is no Permanent Secretary.

In making its decision on applications for special treatment made under General Order 903, The Government will be guided amongst other things by this except from paragraph 2 of Chapter 14 of the Recent Salaries Report.

Finally, since it is Government's Policy to keep open for the Bahamian Public all those opportunities of employment for which they are fitted, it is entirely inappropriate that public officers should compete with the general public for private employment.

(Extract 1969 Salaries Report)

CHAPTER 9

RULES OF CONDUCT

Private Work

900. The duties of a Government servant include the usual duties of the post and any other duties which the Head of his Department, or; The Permanent Secretary as the case may be, may reasonably call upon him to perform. The remuneration of public officers is fixed on the assumption that their whole time is at the disposal of Government, and they are prohibited from engaging either directly, or; indirectly in trade, or; in private professional practice, save where this is permitted by the expressed terms of service, for example, in the case of Consulting Specialists and Out Island District Medical Officers on the staff of The Ministry of Health and National Insurance.

901. No public officer is allowed to take part directly, or; indirectly in the management, or; proceedings of a commercial undertaking, notwithstanding that he may have invested money in such undertaking.

902. The prohibitions stated in General Orders 900 and 901 arise from the need for an officer to devote the whole of his time and attention to The Service of Government and from the need to ensure that an officer's private affairs are not in conflict with, or; do not in any way affect, and may not appear to be in conflict with, or; in any way affect, the performance of his official duties.

903. Exceptions may be made to the prohibitions against the undertaking of private work for remuneration. These exceptions will be made only in special circumstances. Prior written approval must be obtained from The Permanent Secretary of The Public Service and full details of the private work for which permission is sought, together with particulars of the remuneration which is offered, must accompany the application together with the observations of the Head of Department. Approval will be based on exceptional circumstances and on the merits of each case. Relaxation of the rule will be considered where the work is in the public interest and cannot adequately be undertaken by another person not in The Government Service, or; where the work is of an occasional nature and is clearly unconnected with the officer's official duties. The work must be undertaken outside office hours. Failure to obtain the necessary permission beforehand may form the basis of a disciplinary charge.

904. Generally, the permission of The Permanent Secretary of The Public Service will not be given in the case of:

(1) employment which, having regard to the officer's position in The Public Service, might involve a conflict of loyalties, or; interest;

(2) employment which tends adversely to affect an officer's efficiency;

(3) employment which affords an opportunity to use Government Material, or; Machinery, or; can be engaged in during official hours: provided that approval may be given for the use of Government Machinery after official hours, to perform work for voluntary, or; charitable organizations;

(4) employment that is not in keeping with an officer's status and position in The Public Service.

In no case will approval be given for a period of more than a year at a time, and approval will be subject to periodic review to ensure that the private work is not affecting the performance of the officer's duties in The Government Service.

905. Officers are not permitted to undertake work for Public Boards, or; Committees without previously obtaining the sanction of The Permanent Secretary of The Public Service. The officer will be permitted to undertake such work only when he is:

(1) possessed of special knowledge, or; skill which is not otherwise available to the public body, or;

(2) employed in Government work which can with advantage be amalgamated with the work of the public body.

906. If the work of the public body is performed during official hours, the employer will be required to pay a fee and thus payment will be credited to Revenue. In these cases, the officer may receive such payment as The Permanent Secretary of The Public Service may direct, being normally an amount equal to 50% of the fee paid by the public body. Where the fee is less than \$20.00 the officer will normally be entitled to receive payment of the full amount.

907. The amount of remuneration must be paid into the Treasury on deposit until the orders' of The Permanent Secretary of The Public Service as to the share, if any, which may be received by the officer personally, are known.

908. Officers are prohibited from undertaking any private agency in any manner connected with the exercise of their public duties.

909. Unless the express permission of The Permanent Secretary of The Public Service is obtained, officers may not make valuations of property whether for the purpose of estate duty, or; for any other purpose, except on behalf of The Government.

910. No officer may accept any paid employment while on leave without

previously obtaining the express sanction of The Permanent Secretary of The Public Service. Permission will not normally be withheld when an officer is on retirement leave.

911. A public officer is not prohibited from acquiring shares in a company, or; business, or; from investing in any Government Loan and may make Local Investments in Mortgages.

912. No officer is allowed to furnish supplies on account of the public without the sanction of The Deputy Prime Minister.

913. No Government contract may be let to a Government Servant, or; to any partnership of which he is a member (except to a Corporation of which he is a shareholder), or; to any company of which he is a Director, unless he has disclosed fully the measure of his interests in the contract and The Permanent Secretary of The Public Service has given permission for the letting to proceed.

914. No Government servant may accept a directorship, otherwise than with the express permission of The Permanent Secretary of The Public Service, in any company holding a contract with his Department.

915. If an officer, whether or not his whole time is at the disposal of The Government, finds that he has been given official duties whereby he would have knowledge or authority concerning his private investments, it is his duty to report details of such investments to The Permanent Secretary of The Public Service, and he may be required to divest himself of them if it is considered that his private affairs might be brought into real or apparent conflict with his public duties, or; in any way influence him, or appear to influence him, in the discharge of his duties. Similarly, he must report to The Permanent Secretary of The Public Service if he intends to acquire any private interest which might appear to compromise the complete integrity with which he should carry out his official responsibilities.

916. An officer should confidentially consult The Permanent Secretary of The Public Service as regards any investments which may be reasonably open to doubt.

917. The particulars that are to be disclosed are those that relate to any investment or shareholding which the officer may possess in any company carrying on business in The Bahamas, or; any other direct or indirect interest in such company or companies, or; in any local occupation, or; undertaking, whether in a company, or; a private venture.

918. The information disclosed will be treated as confidential. The Permanent Secretary of The Public Service will decide whether the investments or interests

should be retained or the officer should be called upon to divest himself of them.

919. Where it is considered by The Permanent Secretary of The Public Service that the interests in Trade, or; Commerce of an officer's wife conflict, or are likely to conflict, or may seem to conflict with, the efficient and faithful performance of the officer's duties, the officer may be transferred to other duties where such conflict does not exist, unless his wife has in the mean time divested herself of her interests. The restriction in this General Order does not extend to the employment of an officer's wife as a paid employee of Government, or; any private firm.

Giving of Evidence in Court

920. A public officer may not, except as provided in the next two succeeding General Orders give expert evidence in Court in civil cases other than as witness for The Crown. There is no objection to his giving evidence of a nontechnical nature, or; evidence not connected with his official duties.

921. An officer who is requested to give voluntarily in court advice or evidence of a technical nature, in respect of which by virtue of his qualifications and appointment he is regarded as an expert, must obtain permission to do so before complying with the request.

922. An officer who receives a subpoena to give in Court advice, or; evidence of a technical nature, must of course, obey the subpoena.

923. An officer who receives fees in respect of technical advice, or; evidence which he gives in Court must inform The Permanent Secretary of The Public Service. Generally, he will receive a part of the fees not exceeding 50%.

Hours of Work and Attendance

924. The normal hours of work of both indoor and outdoor staff are 40 hours in each week including one hour luncheon break each day Monday to Friday. The actual hours of arrival and departure may be varied to meet departmental requirements, and furthermore, staff may be required to attend on such days and for such hours as are considered necessary for the efficient conduct of public business.

925. An officer may be required by the Head of his Department to work on any Public Holiday, but in such cases the officer will, wherever possible, be compensated by being given time off in lieu unless he receives overtime payment for the duty.

926. Regular and punctual attendance is required of every officer. Working less than the minimum hours laid down, irregular attendance and unauthorized

absences from the place of work will form the basis of disciplinary charges.

927. In each Department an attendance register will be kept in the charge of a senior officer designated by the Head of Department. **All officers, with the exception of those on Scales with minima of \$21,550, or; above and in Scale X3** shall be required to sign the register and record the time of arrival and departure. Five minutes after the due time of arrival in the morning the register will be ruled off and taken to the Head of Department or designated officer and late comers will be required to sign on in the presence of that senior officer. Early departures and extended luncheon periods shall be observed by the senior officer charged with keeping the register and officers will be warned in writing whenever irregular attendance, extended luncheon breaks, or unauthorized absences and disciplinary action may be taken.

927A. Public officers on duty should always be neatly and soberly dressed. The normal form of dress for male officers attending office is a jacket and tie. However, during the summer months (April - October) male officers may wear open neck shirts. Highly coloured, or; brightly patterned clothes are not permitted. For important meetings and formal interviews jackets and ties should always be worn.

929. Permanent Secretaries will inform The Permanent Secretary of The Public Service, and Heads of Departments will notify both their Permanent Secretary and The Permanent Secretary of The Public Service, when ever they leave New Providence for any purpose that affects the performance of their official duties.

930. The Government Administrative Officer in Freeport must be informed whenever it is proposed to visit that area, or; take any action there.

931. Officers may be allowed, at the discretion of the Head of their Department, time off to play Cricket or Baseball in matches arranged under the auspices of The Bahamas Cricket Association, or; similar recognised association provided that:

(1) the stipulated number of working hours is not thereby reduced, and;

(2) regard is first paid to the requirements of The Service.

Publications and Public Utterances on Political and Administrative Matters

932. A public officer must in no circumstances become publicly involved in any political controversy, unless he becomes so involved through no fault of his own, for example, in the proper performance of his official duties; and he must have it in mind that publication either orally, or; in writing of any material, whether of direct political interest or relating to the administration of The Government, or; of a Department of Government, or; any matter relating to his official duties, or;

other matters affecting The Public Service, might immediately involve The Public Service in such controversy.

933. Except in pursuance of his official duties therefore and with the permission of The Permanent Secretary of The Public Service, no public officer whether he is on duty, or; on leave, shall:

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

(2) contribute to, whether anonymously, or; otherwise, or publish, in any newspaper, magazine or periodical, or; as a Book, or otherwise publish or cause to be published in any manner, in The Bahamas, or; elsewhere, anything which is connected with his official duties or those of other officers, or; which may reasonably be regarded as of a political or administrative nature, nor may he write on questions of such nature;

(3) speak in public, or; broadcast in any way, on any matter which may reasonably be regarded as of a political or administrative nature; allow himself in any circumstances to be interviewed, or; express any opinion for publication on questions of public policy, or; on any matter of administrative or political nature, or; on matters affecting the administration or security of any state or territory.

934. While an officer may publish or cause to be published, matters relating to subjects of general interest, he may do so in his capacity as a private individual and not as a public servant, and any letter to the press must be headed with his private address and not his official address and must be signed with his name only and not with his name and official position in The Public Service.

935. Nothing in General Orders in this Section of this Chapter shall be deemed to prevent an officer from publishing in his own name, by writing, speech, or; broadcast, matters relating to a subject other than one which can reasonably be regarded as of a political or administrative nature, provided that in so publishing any matter compiled with Government sanction from official records, he gives prominence to a disclaimer of Government responsibility for its accuracy. The prior consent of The Permanent Secretary of The Public Service must be obtained for publication of a book, or; other work, the subject matter of which is connected with the officer's duties, or; those of other officers.

936. If an officer is in any doubt as to whether or not he may publish material, or; cause material to be published or engage in a broadcast, he must seek the prior approval of his Permanent Secretary, or; if there is no Permanent Secretary, of his Head of Department. If The Permanent Secretary or Head of Department proposes to give permission he should record that there is "no official objection to publication." Care must be taken to avoid the implication that publication has official authority, and any such phrase as "publication is approved" should not be

used.

937. If The Permanent Secretary or Head of Department is in doubt as to whether or not permission should be given in any case, he should refer the matter to The Permanent Secretary of The Public Service who may seek a decision from The Deputy Prime Minister.

938. (1) No officer or other Government servant shall, save in the course of his duty, disclose, or; communicate to any person in any manner whatsoever, or; make any copy, or; note of the contents of, any document which is in the possession of The Government unless he has first been permitted so to do in accordance with the provisions of this Order.

(2) An officer or Government servant requiring permission under paragraph (1) of this Order shall apply to The Permanent Secretary, who, save in any case to which the provisions of paragraph (3) of this order apply, may, subject to any instructions either general or special by The Minister, give such permission:

Provided that The Permanent Secretary shall not give any such permission:

(a) for the production in evidence before a Court of any such document, unless he has first obtained the approval of The Secretary to the Cabinet acting in accordance with the instructions of The Prime Minister, or;

(b) in respect of any document which relates to, or; contains any reference to, the decision to employ or dismiss any officer or other Government servant, or; the conduct, or; personal affairs of any such officer or servant, unless he has first obtained the approval of The Permanent Secretary of The Public Service acting in accordance with the instructions of The Prime Minister.

(3) A Permanent Secretary shall not give any such permission in respect of any document, disclosure of which, or of the contents of which, has been requested by any person (including any Government or Governmental Agency) from outside The Bahama Islands, but shall refer any such request to The Permanent Secretary, Ministry of External Affairs, who, subject to any instructions either general, or; special by The Minister, may permit such disclosure to such extent and in such manner as he shall approve, or; refuse to permit such disclosure.

(4) In this Order:

(a) "Document" includes any letter, report, map, plan or design and any record, minute or note of any matter made in writing, in shorthand, by printing, or; on tape, and further includes the transcription of any shorthand note, or; tape recorded matter.

(b) "The Minister", in relation to the public officers specified. in head (i) of sub-

paragraph (c) of this paragraph, means The Prime Minister;

(c) "The Permanent Secretary" means:

(i) as respects applications by officers or other Government servants in The Office of The Governor General, the Judicial Department, the Legal Department and the Audit Department, respectively The Deputy Governor, The Chief Justice, the Attorney General and the Auditor, and;

(ii) as respects applications by officers or other Government servants in any other Ministry or Department, The Permanent Secretary responsible for that Ministry or Department.

939. The normal channel of communication between The Government and the Press is the Information Department. Press reporters who approach officers with requests for interviews must be referred to the Information Officer.

941. No officer is allowed to call a public meeting to consider any action of Government, or; actively to take part in such a meeting.

942. No officer, other than an official of a recognized Union may sign, or; procure signatures to, any petition regarding the actions or proposals of Government.

943. Any breach of the Provisions of this Section, or; those of the Section next following will render the officer concerned liable to instant dismissal.

944. The provisions of the General Orders contained in this Section of this Chapter shall apply not only to an officer but equally to his wife and an officer may be held responsible for the observance of these provisions by his wife. The measure of the officer's responsibility will depend on the circumstances of each case.

945. While it is not the intention of Government to restrain Government servants from joining Trade Unions or participating in their activities, they should take care not to violate the provisions of this Section and the one next succeeding, or; to overstep the bounds of good discipline. Trade Union rights will not absolve them from disciplinary action arising from any infringement of these two sections.

Representations

946 (1) Any Government servant who has any representations to make on any matter relating to The Public Service must in the first instance address them to The Permanent Secretary of The Ministry in which he is employed, or; if there is no Permanent Secretary, to the Head of his Department. If the Head of Department or The Permanent Secretary is unable to settle the matter, he will submit a full report to The Permanent Secretary of The Public Service. If the

matter is dealt with by the Head of Department, or; The Permanent Secretary but not to the satisfaction of The Government servant concerned, the latter may address himself to The Permanent Secretary of The Public Service. He may, however, do this only through the Head of Department or Permanent Secretary, but these senior officers are bound to forward the representation together with their comments to The Permanent Secretary of The Public Service. The Permanent Secretary of The Public Service will, as appropriate, submit the matter to The Governor General, to The Commission, or; to The Deputy Prime Minister, who is constitutionally responsible for terms and conditions of service. The Permanent Secretary of The Public Service will convey the decision to the officer through The Permanent Secretary or Head of Department.

(2) Where the representations are made in writing, they should be addressed under flying seal to The Permanent Secretary and the officer through whom they are channeled must forward them to The Permanent Secretary, together with a covering memorandum in which shall be included any relevant observations.

947. The procedure for appealing against disciplinary proceedings taken by an empowered officer is dealt with in Chapter 11 (Disciplinary Proceedings).

948. General Orders 946 and 947 are without prejudice to the procedure provided for under the Recognition Agreement with The Bahamas Civil Service Union.

Political Activities of Civil Servants

949. The first duty of a public officer is to give his undivided allegiance to the state, i.e. to The Government of the day. In joining The Public Service, a public officer voluntarily enters a profession in which his service to the public will take a nonpolitical form; and whatever may be his political inclination his impartiality in the performance of his duty must be beyond suspicion. It follows therefore that a public officer should not normally take any active part in matters of public, or; political controversy, and particularly if the matter is one with which he is officially concerned.

2. Political activities in The Bahamas may be defined as follows:

- (a) adoption as a candidate for election to The House of Assembly;
- (b) holding office in a party Political Organization;
- (c) speaking in public on matters of national political controversy;
- (d) expressing views on such matters in letters to the Press, or; in Books, Articles or Leaflets, or; by Broad-Casting or on Television, and;

(e) canvassing or distributing Pamphlets, etc... on behalf of a candidate or political party;

This definition of political activities does not deprive an officer of his right to membership of a political party.

3. As regards paragraph 2(a) above where any public officer or employee seeks adoption for election to the House of Assembly, he will, if adopted, be required to resign forthwith from The Public Service.

4. As regards remaining political activities defined in paragraph 2(b), (c), (d), and (e) above, The Public Service may be divided into three groups:

(a) The 'politically restricted' group i.e. the senior public officers particularly those whose duties include advising Ministers, or; who may be serving in a sensitive post, or; in a senior and influential position as defined in paragraph 5(a) below, who are completely debarred from all political activities.

(b) The 'intermediate' group i.e. the large group of Typists, Clerks and Technicians etc... who are eligible for freedom to engage in all political activities, but only if specific permission is granted and subject to conditions which may be imposed.

(c) The 'politically free' group i.e. the unestablished weekly paid employee and equivalent, who are completely free to engage in all political activities.

Those free to engage in political activities, or; those who may be granted permission, may not of course, engage in such activities during official hours of work, or; on official premises, or; in official uniform and such activities must not otherwise interfere with the performance of official duties.

The three groups referred to in paragraph four above require to be clearly defined. Definitions are as follows:

A. Politically Restricted Group

(i) All public officers in scales which start at \$11,100 per annum and above, including officers in Scale I at salaries of \$11,150 per annum and above.

(ii) All public officers serving in any posts in:

(a) The Governor General's Office

(b) The Cabinet Office

- (c) Ministry of Finance
- (d) The Service Commissions
- (e) The House of Assembly
- (f) The Senate
- (g) Parliamentary Registration Department
- (h) Principals and Vice Principals of Schools
- (i) Ministry of Foreign Affairs
- (j) Ministry of The Public Service
- (k) Ministry of National Security
- (iii) All other officers and men in The Royal Bahamas Police Force and The Royal Bahamas Defence Force.

B. Intermediate Group

All public officers not listed in A above appearing in scales which start below \$11,100 per annum. All public officers serving as Teachers, etc... other than Principals and Vice Principals, listed 52 in Scales S10 - S13.

(iii) All public officers serving in unestablished posts the maximum salary of which exceeds the equivalent of \$9,000 per annum. Permission to engage in political activities will not be unreasonably withheld from officers serving in posts in the Intermediate group.

C. Politically Free Group

All officers and employees not included in Group A and B above.

6 . Apart from the foregoing, the character of any Public Service depends entirely on its loyalty, integrity, ability and impartiality. It follows therefore that public officers should maintain a code of reserve in all political matters and that the public airing of an officer's own political views may destroy that impartiality which any Government may expect of its own Public Service. To ensure therefore that standards are upheld, it may be necessary in a case of serious indiscretion, to consider action against the public officer concerned.

CHAPTER 10 PECUNIARY EMBARRASSMENT

1000. The efficiency of a public officer must be regarded as gravely impaired and the value of his services seriously diminished if, from any cause whatever, he becomes financially embarrassed. Heads of Departments are responsible for reporting to The Permanent Secretary of The Ministry, or; to The Permanent Secretary of The Public Service direct where there is no Permanent Secretary, any case in which it appears that an officer is suffering from serious pecuniary embarrassment.

1001. If such embarrassment is caused by imprudence or other reprehensible cause, it will be held to be an offence as affecting the respectability of The Service and the trust worthiness of the individual. The officer concerned will be considered to have forfeited that honourable position in The Service which is necessary to give him a claim to promotion or increments. These benefits will not be permitted to accrue to him again until he has relieved himself from the discredit of his position. In any aggravated case of this description, the officer concerned will be liable to dismissal and the onus will rest on him to show that the circumstances do not justify the imposition of the full penalty.

1002. An officer will be liable to the consequences mentioned in General Order 1001 if he becomes a party to accommodation bills or promissory notes, under whatever plea, whether for his own purposes, or; for another person, and whether resulting in pecuniary embarrassment or not.

1003. If an officer is adjudicated bankrupt or enters into a composition with his creditors, he will, on the fact being known, be suspended from duty and salary and be liable to be dismissed. He may, however, be reinstated if after examination of all the facts and of the schedule prepared by the Court, The Governor General acting on the recommendation of The Public Service Commission, or where the exercise of disciplinary control has been delegated, the empowered officer, is satisfied that the officer's difficulties have been occasioned by unavoidable misfortune, or; other extenuating circumstances, and not by extravagance or culpable improvidence. An officer against whom proceedings have been started with a view to bankruptcy, or who has filed his petition in bankruptcy or entered into a composition with his creditors must as soon as possible inform the Head of Department of the fact. Failure to do so will render the officer liable to summary dismissal without further disciplinary proceedings being necessary. The Head of Department must notify his Permanent Secretary immediately for submission to The Permanent Secretary of The Public Service, where appropriate of any notification received under the provisions of this General Order and at the same time make any recommendations which he thinks fit.

1004. The Registrar, or; any Magistrate, or; Commissioner must report every

case in which proceedings are taken against an officer in bankruptcy and every case in which an officer becomes a judgment debtor, or; has acknowledged any debt in writing, wherever it shall come to their knowledge, to the Head of the Department, or The Permanent Secretary of The Ministry, in which the officer is employed; provided that no judgment debtor need be reported unless seven days have elapsed after judgment and such judgment still remains unsatisfied.

1005. When the fact that an officer has become judgment debtor, or; a party to accommodation bills, or; promissory notes is brought to the notice of The Permanent Secretary, the latter must call upon him to submit a declaration disclosing all his financial liabilities.

1006. An officer against whom a judgment is obtained will at once report the fact to the Head of his Department with a statement of the nature and origin of such judgment, debt or loan, and the proposed arrangements for the repayment thereof. The Head of Department will forward this information to The Permanent Secretary.

1007. In any other case, The Permanent Secretary or Head of Department, if there is no Permanent Secretary, shall take such action as may appear to him to be necessary when an officer becomes peculiarly embarrassed and, if he considers it undesirable that the officer should be retained in The Public Service, he shall in those cases where he has disciplinary powers delegated to him, dismiss the officer, or otherwise, refer the case to The Permanent Secretary of The Public Service with his recommendations for submission, through The Public Service Commission, to The Governor General.

1008. Any officer who becomes so financially involved that he is unable to meet his obligations is required at the earliest possible moment to put a complete statement of the facts of his case before his Head of Department for submission to The Permanent Secretary of The Public Service through The Permanent Secretary of The Ministry.

1009. Any officer who does not immediately on proceedings being taken with a view to bankruptcy, inform his Head of Department of the fact, will, upon its becoming known, be suspended from duty and salary.

1010. The indebtedness of an officer may be taken notice of at any time. In the event of an officer's indebtedness becoming excessive he will render himself liable to disciplinary proceedings.

1011. Even though the circumstances may not warrant the interdiction of an officer from duty, in no case may an officer who is so financially involved that he is unable to meet his obligations continue to be employed on duties involving the handling of Public Money.

1012. No officer shall borrow at interest from, or; make any loan at interest to, any Government servant, or; borrow from, or; lend money to, any Government servant, in return for payment of a larger sum, or; any other valuable consideration whatever, or; shall act as intermediary between any Government servant and a money lender, or; shall take any part in collecting debts on behalf of a money lender. In particular, no officer shall borrow money from a subordinate officer, and no officer shall lend money to a senior officer. Heads of Departments are responsible for reporting to The Permanent Secretary of The Public Service through The Permanent Secretary of The Ministry any officer who is known to be contravening these rules and such an officer will render himself liable to disciplinary action.

1013. If an officer finds himself in financial difficulties he may seek advice on the means of liquidating his indebtedness, in a confidential and private capacity, from The Permanent Secretary of The Public Service. The Permanent Secretary of The Public Service is in a better position to assist officers if they seek his / her advice during a comparatively early stage of indebtedness.

Gifts

1020. Public officers are prohibited from receiving valuable presents (other than ordinary gifts from personal friends) whether in the shape of money, goods, services and other personal benefits, or; in any manner of beneficial transaction, and from giving such presents, or; providing such benefit. This rule applies not only to officers themselves but also to their immediate families, and officers will be held responsible for its observance by their immediate families. It does not apply to cases of remuneration for special services rendered and paid for with the consent of The Government.

1021. The prohibition in General Order 1020 may be relaxed on the occasion of an officer's retirement from the service. In this case, a limitation should be imposed on individual subscriptions and an indication of the value of the presentation which it is proposed to make should be stated.

1022. Money may be subscribed, with the prior approval of The Deputy Prime Minister, with a view to marking public approbation of an officer conduct, or; service, and may be dedicated to objects of public purpose and connected with the name of the officer who has merited such proof of general esteem.

1023. A present given to an officer by the officer, or; representative of a foreign Government, or; a member of a recognized organization in The Bahamas, either official, or; unofficial, which cannot be refused without giving offence, may be accepted, but the fact and the circumstances must at once be reported through The Head of the officer's Department, (or; by the Head of the Department if he is

the recipient) to The Permanent Secretary of The Ministry and to The Permanent Secretary of The Public Service and the recipient shall abide by the instructions of the latter as to the disposal of the gift.

1024. If a bribe, or; a present which is not essentially the ordinary gift of a personal friend, is offered, or; given to an officer, or; his family it should be returned immediately to the donors, with an explanation that the acceptance of such presents is not allowed under regulations'. If the return of a present would cause offence and embarrassment, it must be handed over to the Head of Department, who must report the matter through The Permanent Secretary of the Ministry to The Permanent Secretary of The Public Service with such recommendations as he thinks fit. Heads of Departments who are offered, or; given bribes, or; presents of this nature should immediately, and in any case, inform The Permanent Secretary of The Public Service through The Permanent Secretary of his Department. In no case may an officer dispose of such bribe, or; present by forwarding it to a charitable or other organization, unless approval has been given for it to be disposed of in this manner.

Transaction with Government

1030. Except with the prior sanction of The Permanent Secretary of The Public Service, no officer may sell, or; allow to be sold, his private property to Government.

1031. The hiring of property by public officers to Government is prohibited, except with the prior sanction of The Permanent Secretary of The of Public Service.

1032. Crown Land may be purchased by an officer only with the prior permission of The Permanent Secretary of The Public Service. Each request to purchase will be judged in the light of its own circumstances but the following principles will inform the consideration that is given to such cases:

(1) The purchase of Crown Land by an officer will not be permitted if there is evidence which indicates that he intends by the purchase to engage in some form of business.

(2) A public officer should not, when purchasing Crown Land, have an advantage over, or; be at a disadvantage in relation to, a person outside The Public Service, because of his official position.

(3) An application to purchase Crown Land for the purpose of establishing a homestead in readiness for retirement will normally be approved.

Legal Proceedings

1035. No Government servant may institute any civil action in connection with matters arising out of his official duties without first obtaining the approval of The Permanent Secretary of The Public Service and The Permanent Secretary of The Public Service may require a Government servant not to proceed with a civil action. Leave to proceed will be refused only on grounds of public policy, or; on the grounds that the proposed proceedings would be detrimental to the discipline and good repute of The Service.

1036. If an officer is defamed in the Press, or; at a political meeting, in respect of circumstances connected with his official position, and if The Government is defamed by implication, The Government may have an interest in ensuring that the officer concerned is cleared from the amputations. A criminal prosecution by Government for libel is the exception rather than the rule, but it is open to an officer who has been defamed to take proceedings for defamation (whether libel or slander) and it may be in the interest of Government that he should do so. The officer may however hesitate to incur the expenses involved in legal proceedings especially as he will have to pay a "solicitor and client" bill whether or not he recovers any damages and costs awarded from the defendant. In appropriate cases where legal proceedings are instituted with the approval of The Permanent Secretary of The Public Service, Government will give a prior undertaking to refund the whole, or such part as Government considers reasonable, of the final costs incurred by an officer in instituting and maintaining legal proceedings in defamation cases.

1037. The following procedure will apply in cases where proceedings are instituted against Government servants as a result of their official position, or; of an act done ,or; omitted in the course of their official duties:

(1) When a criminal prosecution or civil action is instituted against a Government servant as a result of his official position, or; because of an act done or omitted in the course of his official duties, he will be at liberty to apply through his Head of Department or his Permanent Secretary for assistance in his defence.

(2) If The Permanent Secretary is satisfied that:

(a) the act was done or omitted in good faith in the execution of the official duties of The Government servant concerned, or;

(b) the charge is malicious and is brought solely on account of the official position which The Government servant holds, and;

(c) it is in the public interest that he should be defended, he will forward the case to The Permanent Secretary of The Public Service for the attention of the

Attorney General and request that arrangements be made for The Government servant's defence.

(3) If The Attorney General is satisfied that it is proper and just to do so, he will, with the consent of The Government servant concerned, arrange for his defence. The cost of his defence will then be met by Government.

(4) If in a civil case in which the defence has been arranged under (3) above, The Government servant loses the case and is condemned in damages, the question of meeting the whole, or; part of the damages from public funds will be considered. If The Government servant is successful in his case, and is awarded costs and/or damages, he will be required to refund to Government the amount of the financial help he received, or; the amount of damages, or; costs recovered, whichever is less.

Miscellaneous

1040. Any act by a public officer which may bring The Service into disrepute must be reported to The Permanent Secretary by the Head of the Department to which the officer in question belongs or is attached.

1041. Misconduct consists of any act contrary either to specific rules or regulations or against the general interests of efficient Public Service. Specific acts of misconduct are set out in this Chapter and in Chapter 9. In addition, disciplinary action can be taken for general misconduct to the prejudice of discipline and the proper administration of Government business, for example, corruption, dishonesty, false claims, the falsification of records or; their suppression, or; failure to keep them, and the like.

1042. Inefficiency cannot be established by a single act of incompetence. Its exact definition must vary with the facts of each case, but it usually consists of a series of acts of omission, incompetence, or; misbehavior, which in themselves are not serious enough to merit proceedings for misconduct, but the cumulative effect of which is to show that a Government servant is not discharging effectively the duties of the office which he holds.

1043. A Government servant who has been, convicted of a criminal offence may be guilty of misconduct. The procedure to be followed in respect of officers convicted of criminal offenses is described in Chapter 11 (Disciplinary Procedure). It is the duty of a Government servant to report to his Head of Department if he has been convicted of any offence.

1044. An officer who absents himself from duty without permission, or; without reasonable cause renders himself liable to be dismissed from The Service. The

onus will rest on him to show that the circumstances do not justify such action being taken.

1045. Every Government servant is prohibited from disclosing to any person except when it is in the interests of Government so to do, any article, note, document or information entrusted to him, or; which comes to his knowledge. Similarly, every Government servant is required to exercise due care and diligence to prevent such knowledge from being so disclosed or communicated.

1046. No Government servant is allowed to take extracts, or; copies of minutes or correspondence for his own purpose, unless such correspondence is addressed to him personally; nor will any Government servant be allowed access to records relating to himself except where a document is sent to him expressly for comment or noting.

1047. Any Government servant who willfully refuses to perform his duties or who willfully omits to perform his duties will be liable to disciplinary action.

1048. If at any time the public funds sustain a loss by reason of the neglect or fault of any officer, or; by his disregard of, or failure to comply with, any provision of General Orders', Financial Instructions, Stores Rules, or departmental instructions, he shall be liable to be surcharged up to the amount of the loss. Any sums due or which may fall due to him by Government may be withheld in satisfaction of such surcharge.

1049. Officers are strictly forbidden to give an impression of any official seal to any private person.

1050. Testimonials may not be issued except, in the case of subordinate Government servants, on the appropriate official form, or in respect of domestic servants. An officer may answer an enquiry from a prospective employer about a person by whom he has been named as a personal referee, or give his confidential opinion of a person, if requested, in connection with that person's admission to an academic institution or course of study.

1051. The Government Administrative Officer in Freeport must be informed whenever it is proposed to visit that area or take any action there.

1052. The driving of Government vehicles and plant by a Government servant is strictly prohibited except under the special circumstances detailed in this General Order. Government vehicles and equipment are not insured, and an accident to a vehicle or piece of equipment when being driven or operated by an unauthorized Government servant may result in that person being financially responsible for any damage which occurs, and for third party risks as well. A Government servant may be authorized to drive Government vehicles, or; operate plant only if;

(a) the act was done or omitted in good faith in the execution of the official duties of The Government servant concerned, or;

(b) the charge is malicious and is brought solely on account of the official position which The Government servant holds, and;

(c) it is in the public interest that he should be defended, he will forward the case to The Permanent Secretary of The Public Service for the attention of the Attorney General and request that arrangements be made for The Government servant's defence.

(1) he holds a valid driving license, where this is necessary, and;

(2) he is specially engaged for the purpose, or;

(3) he is covered by sanction from The Permanent Secretary of The Public Service, a Permanent Secretary, a Head of Department or Out Island Commissioner, or;

(4) there is an emergency, such as the sudden absence, or; incapacity of an official driver, or; an unexpected journey for which no official driver is available, and he has not had the opportunity to obtain the sanction required under (3) above. He must report the circumstances in writing immediately on completion of the journey, to the officer who would normally authorize the journey in question.

1053. The driving of a Government vehicle without a valid driving license is a disciplinary offence.

1054. It is a serious offence also, unlawfully to carry passengers for payment in Government vehicles.

1055. Heads of Departments must ensure that the provisions of General Orders 1052 to 1054 are brought to the attention of all members of their staff, and it should be explained that failure to observe these requirements may result in dismissal from The Service.

CHAPTER 11

DISCIPLINARY PROCEDURE DISCIPLINARY POWERS

1100. The power to exercise disciplinary control over persons holding, or; acting in any public office is vested in The Governor General acting in accordance with The Public Service Commission.

1101. Any case not covered by the General Orders in this Chapter or the Regulations contained in The Public Service Commission Regulations, must be reported to the Permanent Secretary of The Public Service, who will refer to The Public Service Commission for direction on procedure.

1102. The following powers have been delegated by The Governor General to Permanent Secretaries, and in the case of Departments that have not been integrated within Ministries, to Heads of Departments:

(1) to remove any non-pensionable officer from any office specified in Part I of the First Schedule to The Public Service (Delegation of Powers) Order, and to exercise disciplinary control over any such officer holding such office, save in any case where the officer has been convicted on the same facts of a criminal offence;

(2) to grant, defer, or; withhold an increment of any officer serving in any such office.

1103. Whenever an officer exercises any of the powers delegated to him as in General Order 1102, he must without delay, make a report in duplicate to the Permanent Secretary of The Public Service and a copy of such report will be forwarded to The Public Service Commission.

1104. The power to require any officer to retire in the public interest is not delegated.

1105. The Governor General, acting on the recommendation of The Public Service Commission, may resume the exercise of any of the powers delegated as in General Order 1102.

1106. Where, in accordance with The Public Service Commission Regulations and The Public Service (Delegation of Powers) Order, a Head of Department authorizes or recommends to the Permanent Secretary or the Permanent Secretary of The Public Service disciplinary proceedings against an officer, he must inform The Public Service Commission of the action authorized or recommended, and he must ensure that The Commission is kept informed at each stage of the proceedings. Notwithstanding any delegation of powers, The Commission may, at its discretion, initiate disciplinary proceedings or discontinue

them.

Preliminary Action

1110. All acts of misconduct (defined in General Order 1041) by public officers shall be dealt with in accordance with the provisions of The Public Service Commission Regulations and in accordance with the procedure laid down in this Chapter as soon as possible after the time of their occurrence. The value of disciplinary action is largely lost unless the correct procedure is followed exactly and unless such action is taken without delay at all stages. The attention of all officers concerned in disciplinary action is drawn to the particular importance of dealing with the very minimum of delay with all papers referred to them or initiated by them in disciplinary cases.

1111. It is the duty of every supervising officer as soon as he observes any fault, or; short coming in a public officer subordinate to him, to give that person oral notice of the fault, or; shortcoming and bring it to the attention of the Head of Department.

1112. As soon as it comes to the notice of the Head of Department that the work or behaviour of an officer in his Department is unsatisfactory, but he does not consider that the unsatisfactory work, or; behaviour clearly amounts to misconduct, he shall inform the officer, in writing, of the details of the fault, or; shortcoming, and require him to remedy it.

1113. Similarly, if it is proposed to terminate an officer's appointment for inefficiency, he must be warned of his failings and given an opportunity to improve or to offer an explanation of his failure to perform his duties efficiently.

1114. After considering such written representation as the officer may make, the Head of Department will decide whether:

(1) the officer has exculpated himself, in which case the Head of Department will so inform him, or;

(2) the officer has not exculpated himself, but no immediate punishment is warranted, in which case the Head of Department will issue an appropriate formal written warning, and require the officer to acknowledge its receipt in writing, or;

(3) the officer has not exculpated himself, and appears to deserve some punishment, in which case disciplinary proceedings will be instituted.

Interdiction

1120. It is the duty of a supervising officer who becomes aware of the

misconduct of an officer subordinate to him to report it to his Head of Department, who shall investigate the matter, and if circumstances warrant, bring the matter to the attention of his Permanent Secretary.

1121. Where a Permanent Secretary or Head of Department who is empowered to dismiss an officer considers that the interests of The Public Service require that such officer should cease to exercise the powers and functions of his office, he may, in accordance with Regulation 37(l) of The Public Service Commission Regulations', interdict him from the exercise of those powers and functions. It is desirable that letters of interdiction should take the form given at Appendix B.

1122. If an officer is one in respect of whom the power of dismissal is not delegated, the Permanent Secretary will report the matter to the Permanent Secretary of The Public Service with his recommendations, and the Permanent Secretary of The Public Service in exercise of the powers delegated to him by The Governor General may or may not interdict.

1123. An officer who is interdicted, will receive such emoluments not being less than one half, as the appropriate authority at General Order 1121 or 1122 shall think fit:

provided that an officer adjudged by a Court to be guilty of a criminal charge serious enough to warrant dismissal will receive such emoluments, if any, as The Public Service Commission shall think fit, with effect from the date of such judgement;

provided also that if the judgement of guilty is quashed on appeal by any Court, the emoluments withheld from the officer shall forthwith be restored to him.

1124. An officer under interdiction may not leave The Bahamas without the permission of the officer that interdicted him, or; of any superior officer having authority over the interdicted officer.

1125. Pending a decision as to interdiction, the officer may, if it is considered necessary in the public interest, be prohibited by the Permanent Secretary or by the Head of Department, where there is no post of Permanent Secretary, from carrying on his duties, but he may not be deprived of any portion of his emoluments.

1127. An officer who has been interdicted must keep his Department informed of the address at which instructions to him can be delivered; if he fails to comply, within twenty-four hours, with instructions delivered to such address he will be regarded as absent from duty without permission.

Penalties

1132. If on completion of proceedings instituted for the dismissal of an officer, the authority empowered to dismiss him is of the opinion that the officer does not deserve dismissal but that the proceedings disclose grounds for removing him on account of general inefficiency in the performance of his duties, he may, recommend his removal from The Public Service on such grounds.

1133. A public officer who is dismissed forfeits all rights to retiring benefits and is not entitled to leave, or; free transport facilities.

1134. An officer whose appointment is terminated for in-efficiency is eligible for such retiring benefits as may be permitted under The Pensions Legislation. The retiring benefits for such officers may "be either reduced, or; withheld with the approval of The Public Service Commission. Such officers will be eligible for leave and transport facilities as if they had retired.

1135. The payment of all non-pensionable allowances is conditional upon the efficient performance of duties, and in any case in which no other disciplinary action is considered appropriate, The Governor General, acting in accordance with the recommendations of The Public Service Commission, or; any officer exercising delegated powers, may withhold, or; withdraw any such allowance in respect of any officer whose performance of his duties is found to be unsatisfactory.

1136. Action for reduction in rank, or; reduction in salary may be taken for any cause, where a decision is taken to apply a lesser penalty than dismissal, and in particular for in-efficiency.

1137. The penalty that may be imposed and the procedure that is to be followed, in the case of an officer absent from duty without leave, is stated at Regulation 49 of The Public Service Commission Regulations and at General Order 1644.

1138. In making a recommendation for the deferment, or; withholding of an increment, the Head of Department and Permanent Secretary shall take into account the gravity of the original misconduct, or; dereliction of duty, if any, and the nature of the officer's subsequent behaviour, or his present degree of efficiency, and they shall bear in mind that:

(1) "deferment" is to be applied when, for any reason it is thought desirable to reserve judgment and allow for reformation, or otherwise; it is in the nature of a warning and provides the opportunity for the Head of Department and the Permanent Secretary to reach a conclusion whether or not the officer has fully qualified himself for his increment. If the increment is granted, it is granted retrospectively from the date on which it originally became due.

(2) "withholding" is what a deferment becomes if it is decided that the increment should not be granted with effect from the date it originally became due. Where an increment has been withheld for a period of less than one year, the person concerned shall be entitled to draw the increased salary as from the day following the close of the period for which the increment has been withheld, and shall be eligible for a further increment on the next incremental date. Where the increment has been withheld for a year, the person concerned shall be eligible for one increment, and no more on the next incremental date.

1139. If a Head of Department is of the opinion that an increment for an officer in his Department should be deferred, or; withheld on the ground of unsatisfactory service during the previous year, or; for failure to pass a prescribed examination, or; he considers that an increment for an officer in his Department that has been deferred, or; withheld should be granted, he must inform the officer concerned and make a confidential report to the Permanent Secretary giving his reasons and action shall be taken as in Regulation 50 of The Public Service Commission Regulations.

1140. Provisions for the grant and resumption of increments following deferment, or; withholding are at General Orders to 1235 to 1237.

1141. Where there are proceedings on a criminal charge 1145. When a preliminary investigation, or; a disciplinary inquiry discloses that an offence against any Law may have been committed by an officer, the empowered officer shall act in accordance with Regulation 32 of The Public Service Commission Regulations.

1146. In any case where criminal proceedings are instituted against an officer, proceedings for his dismissal on any grounds involved in the criminal charge shall not be taken until the conclusion of the criminal proceedings and the determination of any appeal there from. (Regulation 33, Public Service Commission Regulations).

1147. An officer who is acquitted of a criminal charge in any Court shall not be dismissed, or; otherwise punished on any charge upon which he has been acquitted, but he may nonetheless be dismissed, or; otherwise punished on any other charges arising out of his conduct in the matter, unless the charges raise substantially the same issues as those on which he has been acquitted. (Regulation 34, Public Service Commission Regulations).

1148. If an officer is adjudged guilty of a criminal charge in a Court the Head of Department shall bring the matter to the notice of the Permanent Secretary who shall report it to the Permanent Secretary of The Public Service. The Permanent Secretary of The Public Service will invite the officer concerned to make any representations he desires in mitigation of the offence, and will forward the report with his recommendations as to penalty and a copy of the charge or charges and

of the judgement (and the proceedings of the Court if available) to The Public Service Commission and further action will be taken in accordance with the provisions of Regulation 46 of The Public Service Commission Regulations.

1149. An officer who is adjudged by a Court to be guilty of a criminal charge serious enough to warrant dismissal from The Service shall receive such emoluments, if any, as The Public Service Commission shall think fit, with effect from the date of such judgement. If the judgement of guilty is quashed on appeal by any Court, the emoluments withheld from the officer shall forthwith be restored to him. (Regulation 38 Public Service Commission Regulations).

Disciplinary Proceedings

1155. Proceedings against public officers are set out in detail in Regulations 41 to 47 of The Public Service Commission Regulations 1966.

1156. An officer in respect of whom a disciplinary inquiry is to be held is entitled in accordance with Regulation 35 of The Public Service Commission Regulations' to receive a free copy of any documentary evidence relied on for the purpose of the inquiry, or; to be allowed access to it. He may also be given a copy of the evidence (including documents tendered in evidence), after the inquiry is closed; on payment of ten cents for each document tendered in evidence, and a charge of five cents for every hundred words after the first hundred words of the record of evidence for a copy of that record, provided that, no copies of official documents other than those which may be given in evidence at the inquiry, and no recorded reasons for decisions shall be issued to him.

Where disciplinary control has not been delegated - charges warranting dismissal

1157. If an empowered officer considers it necessary to institute proceedings against one of his officers, in respect of whom disciplinary control has not been delegated, on the grounds of misconduct, which if proved would justify dismissal from The Public Service, he will arrange a preliminary investigation, as necessary, and report the facts to the Permanent Secretary of The Public Service.

1158. If he considers that charges should be framed against the officer, the Permanent Secretary of The Public Service will consult the Attorney General, and forward to the officer a statement of the charges preferred against him and, where necessary, a brief statement of the particulars of the allegation upon which each charge is based, and he will call upon the officer to state in writing within a specified time, any grounds upon which he relies to exculpate himself.

1159. If the officer does not reply to the charge in the time stated, or if, in the opinion of the Permanent Secretary of The Public Service, he fails to exculpate

himself, The Governor General may arrange for a Committee to be appointed to inquire into the matter.

1160. The Committee will invite the officer, or; it may require him, to appear before it to defend himself.

1161. An accused officer will have the opportunity to be present and to put questions on his own behalf to any witnesses that are examined by the Committee.

1162. No documentary evidence will be used against an accused officer unless he has been previously given a copy thereof or allowed access thereto.

1163. The Committee may permit the Permanent Secretary (or the Head of Department) or the accused officer to be represented by a public officer or by a Union official or by a Legal Practitioner. If the Committee permits one party to be represented by a Legal Practitioner it will permit the other party to be represented likewise.

1164. The decision on each charge will be communicated to the officer concerned, but not the reasons for the decision.

1165. Where the facts giving rise to any charge made against an officer under General Orders 1155 to 1157 are admitted by that officer in writing, the procedure to be followed is set out in Regulation 47 of The Public Service Commission Regulations.

Where disciplinary control has been delegated - charges warranting dismissal

1170. If an empowered officer considers it necessary to institute proceedings against one of his officers, in respect of whom disciplinary control has been delegated, on grounds of misconduct which if proved would warrant dismissal from The Public Service, he must:

- (1) arrange such preliminary investigation as he may deem to be necessary;
- (2) forward to the officer concerned a written statement of the charges made against him;
- (3) call upon him to state in writing, within a reasonable specified time, any grounds upon which he relies to exculpate himself.

1171. If the accused officer does not avail himself of the opportunity, or; if in the opinion of the empowered officer he fails to exculpate himself, then the empowered officer may dismiss the accused officer, or; impose such lesser

penalty as he considers appropriate.

Where disciplinary control has not been delegated - charges warranting penalty less than dismissal

1175. If an empowered officer considers it necessary to institute disciplinary proceedings against one of his officers in respect of whom disciplinary control has not been delegated, on grounds of misconduct that are in his view not serious enough to warrant dismissal, he must investigate the matter as he thinks proper, or; ask the Permanent Secretary of The Public Service to arrange an investigation. In either case, the accused officer must be informed of the whole case against him and be provided with an adequate opportunity of making his defence.

1176. If as a result of the investigation referred to in General Order 1175 the empowered officer is of the opinion that the allegation is proved, he must report the case to the Permanent Secretary of The Public Service with his recommendation and the Permanent Secretary of The Public Service will forward the report, with his recommendation as to the penalty, to The Public Service Commission.

1177. The Permanent Secretary of The Public Service will convey to the officer the decision on each charge, but will not give the reasons for the decisions.

1178. If at any stage during disciplinary proceedings it appears to the Permanent Secretary of The Public Service that the offence if proved would justify dismissal, or; he considers that the offence if proved would more suitably call for proceedings for the retirement of the officer from The Service on the grounds of public interest, the proceedings will be discontinued and the procedure in General Orders 1157 to 1164, or; in General Order 1190, as the case require, shall be followed.

1179. Where the facts giving rise to any charge made against an officer under General Orders 1175 to 1178 are admitted by that officer in writing, the procedure to be followed is that set out in Regulation 47 of The Public Service Commission Regulations.

Where disciplinary control has been delegated - charges warranting penalty less than dismissal

1185. If an empowered officer considers it necessary to institute disciplinary proceedings against one of his officers in respect of whom disciplinary control has been delegated, on grounds of misconduct that are in his view not serious enough to warrant dismissal, he must investigate the matter as he thinks proper; but so that the accused officer shall be entitled to know the whole case against

him and shall have an adequate opportunity of making his defence.

1186. If as a result of the investigation referred to in General Order 1185 the empowered officer is of the opinion that the allegation is proved he shall inflict such penalty authorized under The Public Service Commission Regulations, other than dismissal, as he thinks in the circumstances to be proper.

1187. The decision on each charge preferred against the officer shall be communicated to him by the empowered officer, but the reasons for the decisions will not be given.

1188. If, at any stage during disciplinary proceedings it appears to the empowered officer that the offence, if proved, would justify dismissal, or; he considers that the offence, if proved, would more suitably call for proceedings for the retirement of the officer from The Service on the grounds of public interest, the proceedings will be discontinued, and the procedures in General Orders 1170 and 1171, or; in General Order 1190 shall be followed.

Proceeding for retirement in the public interest

1190. The procedure for retiring an officer in the public interest as a disciplinary measure is set out in detail in Regulation 45 of The Public Service Commission Regulations and at General Orders 728 to 731.

Appeals

1195. An officer, other than an officer on hourly or daily rates of pay, or; who has completed less than 52 weeks continuous service on weekly rates, may appeal under Regulation 36 of The Public Service Commission Regulations to The Governor General through The Public Service Commission, against a penalty imposed by an empowered officer as a result of disciplinary proceedings. The Commission will make a recommendation to The Governor General in relation to the appeal.

1196. No appeal will be entertained unless it is received within one month of the date the decision was addressed to the officer, but The Commission may entertain an appeal out of time if, in the opinion of The Commission the circumstances warrant it.

1197. Only one such appeal is allowed, but a second appeal within one year of the date the decision appealed against was addressed to the officer, may be admitted if The Commission is satisfied that the second appeal contains new and material facts which might have affected a former decision, and if adequate reasons are given for the nondisclosure of such facts at an earlier date.

1198. When a decision is addressed to an officer; he will be informed that an

appeal may be lodged within one month thereafter, but the decision will not be invalidated if the right of appeal is not communicated to him.

CHAPTER 12

SALARIES

1200. The salaries payable to all public officers are contained in the annual approved estimates of revenue and expenditure.

1201. The provisions concerning acting allowances are given in Chapter 3.

1202. Full salary will be paid to a public officer with effect from the date of arrival in The Bahamas on first appointment.

1204. An officer who is appointed to The Service of another Government or body, on transfer or secondment, will receive salary from The Bahamas Government up to and including the date preceding the date on which he begins his journey to take up his new appointment, if he does not take leave before taking up the appointment, or; up to and including the date on which his leave expires, if he does take such leave.

1205. An officer on promotion will receive the salary of his new appointment from the date upon which he assumes the duties of the new post.

1206. No salary will be paid to an officer in respect of any period during which he has been absent from duty without leave.

1207. Except where there is statutory provision, salary or pension due to a deceased public officer, or; pensioner may be paid to such person or persons as The Permanent Secretary of The Public Service may consider entitled thereto without requiring the production of letters testamentary, or; letters of administration.

1208. Salaries will be paid two days before the last working day of the month. When this day falls on a Saturday, or; a Monday, payment will be made on the preceding Thursday, or; Friday. In the month of December, salaries, pensions, etc... shall be paid on dates to be determined by the Treasurer.

Increments

1220. Every person appointed to a post in The Public Service will enter the appropriate scale of salary at the bottom of the scale unless The Governor General upon the recommendation of The Public Service Commission approves of such person entering such scale at any higher incremental point.

1221. Except where otherwise provided by Law, the incremental date of every officer shall be the first day of the month in which he was appointed next following completion of not less than 11 months, or; more than 12 months service

in the scale of salary to which he is appointed, unless The Governor General, acting on the recommendation of The Public Service Commission, shall in any case otherwise determine.

1222. A recommendation whether to grant, defer, or; withhold an increment of an officer will be submitted to the appropriate Service Commission, except that in the case of officers serving in the offices specified in The Public Service (delegation of powers) Order, the power to grant defer, or; withhold increments is delegated to Permanent Secretaries of Departments integrated within Ministries, and to Heads of Departments where the Department is not organized under a Permanent Secretary.

1223. The procedure in relation to officers in respect of whom the power to grant, defer, or; withhold increments is not delegated, is as follows:

(1) four weeks before the incremental date the Head of Department will complete the increments schedule and report (P.S.C. Form 5) and submit them to The Permanent Secretary for forwarding, with any observations that The Permanent Secretary may wish to make to The Permanent Secretary of The Public Service. The Permanent Secretary of The Public Service will add his/her own comment, and submit the papers to The Public Service Commission.

(2) the P.S.C. Form 5 must show, in respect of each officer included, the Head of Department its assessment of the officer's efficiency, official conduct, and attendance.

(3) where it is proposed to defer, or; withhold an increment, the reasons must be given, and must be communicated to the officer. Only one copy of this report is required. The Permanent Secretary of The Public Service will notify the decision to The Permanent Secretary or Head of Department.

(3) all D and E markings on P.S.C. Form 5 must be accompanied by an explanatory statement.

1224. An increment schedule and report will not be regarded as a mere formality, and the Head of Department and The Permanent Secretary will recognize their responsibility for the accuracy of the statements in any schedule and report that they submit. The grant of an increment is in no way to be treated as automatic.

1225. An officer must earn the increment by satisfactory conduct, and by discharging his duties with efficiency, diligence and fidelity. Unpunctuality, or; a poor record of attendance shall be sufficient reason to defer, or; withhold an increment, and Heads of Departments must draw attention to any failings of officers in their Department, even those included in the schedule for the grant of increments.

1226. The withholding of an increment is not an appropriate penalty for a particular dereliction of duty where the officer qualifies for an increment in other respects. For a particular shortcoming the usual disciplinary measure such as reprimand should be used.

1227. Where the decision on increments has not been delegated and the Head of Department or The Permanent Secretary is unable to certify that the officer has performed his duties with efficiency, diligence and fidelity, he will notify the officer of this in writing and obtain his acknowledgement and report accordingly to The Public Service Commission through The Permanent Secretary of The Public Service that the grant of the increment be deferred, or; withheld.

1228. An officer appointed or promoted to a post on probation is eligible if, it is not otherwise provided for an increment after his first year service is subject to a certificate in the requisite terms.

1229. If for any reason such as his recent assumption of the post or recent return from long leave, the Head of Department is not in a position to advise The Permanent Secretary in the matter of an increment certificate, he must delegate The Deputy Head or another senior officer who is in a position to do so.

1230. If an officer's increment falls due while he is absent from The Bahamas, the Head of Department or The Permanent Secretary will make his recommendation in the normal way, and if the increment is approved, the usual procedure will be followed. the Treasury will issue any necessary instruction regarding payment of the increment to The Crown Agents if the officer is on leave in the United Kingdom, or; to The Government through which salary is being paid.

1231. If an officer possesses or acquires such special qualifications as, in the opinion of The Public Service Commission, justifies his being advanced in the salary scale in which he is employed to an incremental point in such scale above the incremental point at which he is then serving, whether or not such advancement would take the officer beyond an efficiency bar, The Commission may advance such officer in such scale to such incremental point.

1232. Increments beyond an efficiency bar will not be granted until the officer concerned has satisfied the appropriate Service Commission that he has reached that degree of efficiency and responsibility in the performance of his duties as will meet the requirements of the efficiency bar test. Officers due to undergo efficiency bar tests must not be included in the schedule for the granting of increments. A separate list, in duplicate, of such officers must be submitted to The Permanent Secretary of The Public Service for forwarding to The Public Service Commission, with observations, at least a month before the incremental date of the officers concerned.

1233. Where the award of an increment has been deferred the increment may be granted as from the incremental date in which case the arrears due may be paid to the officer concerned.

1234. Where an increment has been withheld for a period of less than one year the officer concerned shall be entitled to draw the increased salary as from the day following the close of the period on which the increment has been withheld and shall be eligible for a further increment on the next incremental date.

1235. Where an increment has been withheld for a year the officer concerned shall be eligible for one increment and no more on the next incremental date.

Efficiency Bars

1240. An efficiency bar which occurs at an intermediate point in a salary scale is a bar over which advancement is dependent upon qualifications, efficiency and general suitability for advancement. Efficiency bars occur at those points marked "(Bar)" in salary scales.

1241. Subject to the provisions of General Orders 1232 and 1233 no increment of salary beyond an efficiency bar shall be granted until the officer concerned has satisfied The Public Service Commission that he has reached a sufficient degree of efficiency and responsibility in the performance of his duties. The procedure to be observed where an officer due for an increment is at the efficiency bar as given at General Order 1233.

1242. Six months before an officer is due to reach an efficiency bar, the Head of his Department must give preliminary consideration as to whether or not the officer may be considered fit to proceed beyond the bar. This period is necessary in order that ample warning may be conveyed to an officer who is thought to be below standard so as to give him a chance to improve before he actually reaches the bar. If the Head of Department considers that an officer is below standard, he must at this stage warn him in writing of the fact and draw attention to any shortcomings.

1243. Officers who are within three months of their efficiency bar may be required to sit an examination conducted by The Public Service Commission and to be interviewed by that body.

1244. The following subjects may be prescribed for the efficiency bar examination:

(1) General Orders,

(2) Financial Instructions,

- (3) Stores Rules,
- (4) Machinery of Government,
- (5) Current events,
- (6) Accuracy with figures.

The examinees command of the English language will be judged by his use of it in making his written answers to the questions on the above subjects.

Advances

1250. An officer may, with the sanction of The Permanent Secretary of The Public Service, receive an advance under the provisions of The Public Service (vehicles) Regulations, for the purchase of a motor vehicle, where he must undertake travelling in the course of his official duties which can be most advantageously and economically done by means of personally owned transport. Applications for advances must be submitted through the Head of Department to The Permanent Secretary for transmission, with recommendations, to The Permanent Secretary of The Public Service.

1251. Such a loan will bear interest at 8% per annum and shall be repaid by the officer concerned over a period not exceeding three years by way of monthly deductions from salary, or; otherwise as may be agreed between him and the Treasurer.

1252. Where the vehicle is not essential for the performance of official duties, The Permanent Secretary of The Public Service will submit the case to The Deputy Prime Minister for a ruling as to whether or not a loan from The Public Officers Loan Fund can be recommended to the Treasurer.

1253. Advances from The Public Officers Loan Fund bear interest at 8% per annum, and must be repaid within two years by monthly deductions from salary, or; by some other arrangement agreed with the Treasurer. Such loans are not made to temporary officers.

1254. The rules governing the amounts that may be advanced under the foregoing General Orders in this Section are set out at **Appendix C.**

1255. Every officer to whom a loan is granted for the purchase of a motor vehicle shall, as a condition thereof, insure the motor vehicle concerned comprehensively with an insurer approved by The Governor General in an amount at least equal to the amount of the loan as from the date of purchase, and shall keep the vehicle so insured until the loan is repaid in full.

1256. An officer may be subject to the approval of The Permanent Secretary of The Public Service, receive an advance of salary to be repaid in accordance with such terms as may be agreed in order to:

(1) provide for himself, or; for his immediate family, medical, dental or ophthalmic treatment, if he has not sufficient private means to meet the necessary expenditure;

(2) purchase spectacles, dentures or hearing aid;

(3) secure financing for official travel for which payment of subsistence allowance is anticipated.

1257. An advance received under General Order 1256 (3) must be accounted for by a claim for subsistence within twenty-one days of the return from absence on duty.

1258. The Permanent Secretary of The Public Service may, if special circumstances warrant it, grant an advance of one months salary repayable in six installments. Deferment of the deductions will not normally be allowed.

1258 (A). The Permanent Secretary of The Public Service may grant an advance not exceeding two months salary on first appointment, repayable in six installments.

1259. Advances of salary, other than those specified in this Chapter, will only be granted in very exceptional cases with the prior approval of The Minister for Finance and approval will be limited to circumstances of serious illness, or; unforeseen domestic calamity, or; where the officer can show that he could not reasonably have been expected to make prior provision for the expenditure with which he is faced.

1260. An advance in salary for any purpose will not be made unless any advance already made for a similar purpose has been repaid.

Fees

1265. References are made in Chapter 9 to the conditions governing the earning of fees by officers in The Public Service.

1266. Whether or not fees that an officer receives, other than the fees of office, form part of his pensionable emoluments, they are required to be paid into the Treasury, and the amount to which the officer is entitled will then be issued to him monthly on a proper Voucher.

1267. Fees of any office are payable in full to the officer actually carrying on the

duties of the office.

Overtime

1270. The normal hours of work are 40 in each week, including one hour luncheon break each day Monday to Friday.

1271. Payment of overtime to public officers will be made only in respect of hours worked in excess of 40 in any one week.

1272 Unless specifically, and in each case approved, overtime payments may be made to Government servants who are remunerated on the series of salary scales which start below \$20,450. Officers on the X-3 scale or an other scales above \$20,450 who are not eligible for payment of overtime may be granted casual leave at the rate of ten (10) working days a year subject to the exigencies of The Service. Casual leave may not be added to vacation leave, or; half pay leave; nor may it be accumulated.

1273. The liability of Government servants to work overtime, and the fact that they work overtime, will be recognized by overtime payment as follows:

(i) for attendance on Sundays, Public Holidays, and on any night between the hours of 10.00 p.m. and 6.00 a.m. the rate of double time for actual hours worked.

(ii) for attendance on ordinary working days between the hours of 6.00 a.m. and 10.00 p.m. and outside the regular working hours at the rate of time and a half.

1274. Fractions of an hour overtime will be aggregated over a period of a month, and on aggregation overtime will be payable for a fraction of an hour as if it were a full hour, and where an officer returns to duty, or; is called out for duty for overtime work for part of an hour only, a full hour's rate will be payable.

1275. No Government servants, qualified for overtime payments, shall receive such payments in respect of periods in excess of thirty-five hours in any one month unless they are authorized by The Permanent Secretary of The Public Service. Such payments will not normally be approved unless they relate to periods worked in connection with an emergency.

1276. On the days listed in Appendix D and on any other day declared from time to time to be a public holiday all public offices will close, except that those offices that must provide an immediate service to the public on the day following Good Friday shall remain open on that day during the usual hours.

1277. Officers who are required to work on a public holiday, or; other day when Government Offices are closed will normally be given a day off in lieu thereof.

The day off will normally be granted within one month following the holiday, and will be decided having regard to the exigencies of The Service.

1278. Government servants engaged on essential services only, who are required to work on a Public Holiday may be remunerated at the rate of a day's pay, plus double pay for actual hours worked, and will receive no day off in lieu.

CHAPTER 13

PENSIONS

GRATUITIES AND DEPENDENTS BENEFITS GENERAL

1300. The General Orders contained in this Chapter are based on the provisions of The Pensions Act, and The Public Service Act.

1301. In the event of an officer dying in The Public Service, his Permanent Secretary is responsible for seeing that prompt application is made for any pension or gratuity that may be due.

Pensions and the right to commute

1305. In accordance with the provisions of The Pensions Act, an officer holding a pensionable office in The Service of The Bahamas is eligible on his retirement to be granted by The Governor General a pension at the rate of 1-720th of his pensionable emoluments in respect of each completed month of his pensionable service, if he has been in The Public Service of The Bahamas for at least five years.

1306. An officer to whom a pension is granted may choose to receive instead of the pension calculated on the basis set out in General Order 1305, a pension at the rate of 3/4th's of such a pension together with a gratuity equal to ten times the amount of the reduction so made in the pension.

1307. The option stated in General Order 1306 is exercisable not later than the day preceding the date of retirement, and an option once made may be revoked upon, or; before that day.

1308. A pension granted on the basis set out in General Order 1305 shall not exceed 2/3rds of the officer's highest pensionable emoluments at any time while in The Service of The Bahamas.

1309. There exists no absolute right to benefits by way of pension and gratuity, and they will be granted only in consideration of good and faithful service, and they will be withheld, or; reduced where the officer has been found guilty of disgraceful conduct, or; of gross dereliction of duty, or; has been found indebted to The Government for any Public Money which has come to his hands either legally or illegally.

1310. Where an officer has had Public Service in one or more of the administrations scheduled in The Pensions Act, and the aggregate service would

have qualified him for a pension if it had been wholly service in The Bahamas, he may, on retirement, be granted in respect of his service in The Bahamas a pension of such an amount that shall bear the same proportion to the pension for which he would have been eligible had his service been wholly in The Bahamas, as the aggregate amounts of his pensionable emoluments in The Bahamas bear to the aggregate amounts of his pensionable emoluments throughout his service in the Scheduled Administrations.

1311. Where an officer has had Public Service elsewhere than under any of the scheduled administrations, and his aggregate service would have qualified him for a pension under the Law of The Bahamas if it had been wholly service in The Bahamas, he may on retirement be granted in respect of his service in The Bahamas, a pension equal to the pension for which he would have been eligible in accordance with General Order 1305 if there had been no qualifying period and if he had no other Public Service.

1312. The Governor General may grant a pension or gratuity in the following special circumstances:

(1) where an officer who has not completed a period of service that would entitle him to a pension is compelled to leave The Service because of severe bodily injury, occasioned through no fault of his own, in the discharge of his public duty a gratuity not exceeding three months pay for every two years of service, or; a pension not exceeding 10/60th's of his annual salary;

(2) where an officer who, because of infirmity of mind or body, leaves The Service before the completion of a period which would entitle him to a pension such amount of gratuity as The Governor General may think proper, but not to exceed the amount of one month's pay for each year of service;

(3) where an officer who has completed the period of service which would qualify him to receive a pension in accordance with General Order 1305, is compelled to leave The service in consequence of the abolition of his office a temporary pension at the rate of 1-720th part of his salary for each completed month of his pensionable service, subject to the condition that he shall be liable to be recalled to The Public Service: provided that if the officer is not qualified for other employment, or; there is no reason to expect that he can shortly be re-employed in The Service, the pension may be granted free of the above mentioned condition;

(4) where an officer who has not completed the period of service which would qualify him for a pension, is compelled to leave The Service in consequence of the abolition of his office a gratuity not exceeding three months salary for every completed two years of pensionable service;

(5) where an officer's service is terminated in the public interests, and a pension,

gratuity, or; other allowance cannot otherwise be granted to him such pension, gratuity, or; other allowance as The Governor General thinks just and proper, not exceeding the amount for which the officer would be eligible if he were suffering from some infirmity of mind or body likely to be permanent.

1313. In the case of a re-employed Pensioner The Governor General may either reduce the remuneration in view of the pension the officer is receiving, or; order that the pension shall cease, and that when the officer subsequently retires a pension shall be granted on the basis that all his service in The Bahamas had been continuous, and account shall be taken of the pensionable emoluments the officer was receiving on his previous or final retirement whichever are the greater: provided that if the previous award included a gratuity, the gratuity payable on final retirement shall be reduced by the amount of the former gratuity.

Gratuity on death of officer or employee in service 1325. When any public officer dies in The Public Service it shall be lawful for The Governor to grant to his legal personal representative's gratuity of an amount equal to the pensionable emoluments of such officer at the date of his death. Provided that where any payment is made by The Government in respect of the death of such an officer; as aforesaid under the amount of any gratuity granted under the provisions of any Law relating to workmen's compensation the amount of any gratuity granted under the provision of this section shall be reduced by the amount of such payment.

Gratuity on completion of Contract Service

1335. A contract officer employed for a continuous period of not less than two years in The Service of The Bahamas shall upon satisfactory completion of that contract service be entitled to receive a gratuity equal to 15% of the salary that he has received in respect of such service: provided that this amount will be abated by the amount of any contribution that The Government may have made during the contract service in order to preserve pension or superannuating rights which may have accrued to the officer in The service of any previous employer.

Re-employed Pensioner

1337. The re-engagement of an officer who has retired on pension can only be on temporary terms, and an ex-gratia gratuity will not be awarded to re-employed Pensioners in respect of the period of their re-employment.

CHAPTER 14

SUBSISTENCE ALLOWANCES SHORT-TERM DUTY JOURNEY

1400. The payment of a subsistence allowance is intended to ensure that an officer who is required to travel on duty shall not be out of pocket as a result, but that, on the other hand, no officer shall derive any pecuniary benefit from travelling on duty. Subsistence allowances are therefore calculated to meet only the additional expenditure which an officer when travelling on duty away from his permanent station is obliged to incur over and above the expenses which he would otherwise normally incur at home. Subsistence allowance is meant to cover the cost of accommodation and three meals a day at a good, but not luxurious, hotel. The standard should be commensurate with the status of the officer concerned.

1401. Claims for subsistence allowance must be submitted to the Head of Department for certification. Heads of Departments are required to satisfy themselves personally that claims are in order and reasonable and that the claimant was actually travelling on duty during the period covered by the claim. After he has certified and approved the claim, it should be attached to a payment Voucher and sent to the Treasury, via The Permanent Secretary of The Ministry, for payment. Heads of Departments who are required to travel on duty will complete a claim and have it certified and approved by The Permanent Secretary and forwarded to the Treasury for payment, accompanied by a payment Voucher.

1402. The rates of subsistence allowances are set out in Appendix E. The standard rates of subsistence allowance may be paid in advance of duty travel but Heads of Departments and/or Permanent Secretaries must satisfy themselves personally that officers receiving such payments in advance are actually required to travel on duty and are not privately accommodated during the period covered by the advanced payment. Travel, and the Vouchers submitted for such payments must be properly authorized.

1403. For journeys to destinations other than those shown in Appendix E, actual expenses will be paid, provided that they are reasonable and supported by receipts.

1404. Flat rates have been laid down for the most common destinations to save both the officer and the Treasury the trouble of detailed accounting, but officers will need to support their claims with receipted hotel bills as evidence that they were not privately accommodated.

1405. If in exceptional circumstances an officer is unavoidably put to an expense greater than the amount of subsistence allowance, consideration will be given to

reimbursing him his actual reasonable expenses.

1406. If an officer travels with a senior officer who is entitled to a higher rate of subsistence allowance, and it is necessary in the public interest that they stay in the same accommodation, consideration will be given to paying the junior officer the higher rate of subsistence allowance, but prior approval must be obtained from The Permanent Secretary of The Public Service.

1407. Fares, long distance official telephone calls, portage charges, and other reasonable expenses, may be claimed in addition to subsistence allowance.

1408. Daily subsistence rates may be paid for the first 28 nights of an officer's absence on duty; but, if the duty journey lasts longer than 28 nights, special arrangements with The Permanent Secretary of The Public Service must be made in advance of the journey on arrival in The Bahamas to take up duty.

On arrival in the Bahamas to take up duty

1409. An officer arriving in The Bahamas to take up duty may be allowed the rates of subsistence set out in Appendix F, if he lives in a hotel, for such time not exceeding 8 nights until he finds accommodation. If he lives in a hotel, reservations will be made by Government. An officer accommodated otherwise than in a hotel will receive half of the rates outlined in Appendix F.

1410. The period on subsistence rates stated in General Order 1409 may be extended only in exceptional circumstances.

1411. Claims for subsistence allowance in respect of the settling in period of officers taking up duty in The Bahamas must be accompanied by receipted bills.

During training course and scholarships

1415. The rates of subsistence payable to officers attending training courses overseas are given at Appendix F.

1416. The subsistence rates are intended to cover board, lodging, personal maintenance, and incidental expenses. Separate payments will be made to cover fares, tuition, examination fees, books and other expenses directly appertaining to the training course.

1417. Payment of subsistence allowances is normally made as from the date the officer arrives in the Country in which the course is held, but not from a date more than one week before the commencement of the course. Payment will cease on the day after the last day of the course.

1418. Special arrangements are made for officers who are awarded

scholarships. Such officers will not receive subsistence allowances.

1419. Arrangements for payment under General Orders 1415 to 1418 will be made in the country in which the course or scholarship is being taken.

General

1425. All claims must be submitted to the Head of Department as soon as possible after the expenditure has been incurred.

1426. Items (except trivial ones) unaccompanied by receipts must be supported by the following declaration:

I certify that these charges have been incurred solely upon The Public Service, receipts being unobtainable because

.....
.....
.....
.....

1427. An advance received in anticipation of the payment of subsistence allowance must be accounted for within twenty-one days of the return from absence on duty. A statement of such advances must be recorded on the claim for subsistence. Claims for subsistence will not be passed for payment unless a statement is included therein, and any advances made will be deducted from the claim. If no advance of subsistence allowance has been drawn, a statement to this effect should be made. No advance will be made unless all previous advances have been accounted for.

Transport Allowances

1430. Officers who are required to travel for the performance of their duties and who use their private cars for this purpose will be eligible for a commuted transport allowance calculated on the basis of the average mileage run on official duty over a period of at least three months and determined in accordance with the rates at Appendix G.

1431. The eligibility of an officer for an allowance in respect of the use of his car for official purposes will be established on an application to his Head of Department, to be forwarded certified by The Permanent Secretary to The Permanent Secretary of The Public Service.

1432. Casual mileage allowance at the rate indicated in Appendix G may be paid to any officer who does a small mileage not qualifying for a commuted allowance.

1433. No allowance shall be paid for journeys between an officer's home and his office during working hours. An officer may, on the recommendation of his Head of Department, draw occasional allowance in respect of any extraordinary journey between his home and his normal place of work if he is required by his Head of Department to return to his place of work outside the normal hours.

1434. When an officer proceeds directly from his home to a place of work other than his office, or; normal place of work he shall be eligible (whether or not he subsequently proceeds from that place to his office, or; normal place of work) for an allowance for such mileage as is in excess of the mileage normally covered in his journey from his home to his office, or; normal place of work. The normal place of work of an officer shall, where necessary, be decided by The Permanent Secretary of his Ministry or the Head of his Department.

1435. Officers not in receipt of regular transport allowance, who need to hire motor transport for a journey on official business, may claim refund of the authorized, charge for hire.

1436. Officers in receipt of transport allowances are required to keep a daily record of their journeys on duty. This record must show the dates, places visited and actual mileage. Permanent Secretaries (or Head of Department where there is no Permanent Secretary) will be responsible for seeing that proper records are kept, and that all mileage done is necessary for the proper performance of the officer's duties. Officers must not be allowed to achieve unnecessary mileage to qualify for a larger allowance or to have a rate fixed at a certain figure and then habitually do less mileage. All travelling on duty must be kept under constant review; proposed changes in allowance holders and official mileage rates must be approved by The Permanent Secretary of The Public Service, and there must be a strict control over casual mileage performed.

1437. Commuted allowances may continue to be paid during periods of vacation leave not exceeding one month, so long as no other officer acts in the post of the absent officer.

1438. Claims for payment of mileage allowance must be submitted monthly to the Treasury, within three days of the end of the month in which the expenditure was incurred, together with a certificate from The Permanent Secretary or Head of Department. Claims not submitted within two months will be disallowed unless there is valid reason for the delay.

1439. As an alternative to the arrangements set out in General Orders 1430 to 1438, an officer may, with the approval of The Deputy Prime Minister expressed through The Permanent Secretary of The Public Service, be granted the use of a

Government motor car, or; Government motor scooter in connection with his official duties, and also for domestic and private purposes.

1440. The charge in respect of the private and domestic use of a Government motor car is B\$42.86 a month and for a Government motor scooter, B\$7.14, recoverable by deduction from the salary of the officer concerned.

1441. No person, other than the officer concerned may drive a Government vehicle that is made available in accordance with General Order 1439, and such a vehicle will not be permitted to ply for hire.

CHAPTER 15

VACATION LEAVE, LEAVE OF ABSENCE, SICK LEAVE MATERNITY LEAVE

Vacation Leave and Leave of Absence

1500. Section 20(l) of The Employment Act makes provision for the award of vacation leave to all employees but, the granting of vacation leave and half pay leave during specific periods must be subject to the exigencies of The Service.

1501. A week's leave shall be a period of five (5) working days; a day's leave means a working day's leave. The period of any vacation leave granted shall be extended by one (1) day for each public holiday that occurs during that vacation. Days off in lieu of holidays shall be granted to officers who are required to perform shift duty on Public Holidays and such days would normally be added to approved vacation leave.

1502. Vacation leave to be taken within, or; outside The Bahamas, may be granted on the following scales:

Salary points amendment effective 1st July 2006

- (a) In the case of an officer whose salary is \$29,700 per annum or above; five (5) weeks a year
- (b) Officers earning \$20,500 to \$29,699 per annum; four (4) weeks a year
- (c) Officers earning \$10,700 to \$20,499 per annum; three (3) weeks a year
- (d) Officers on the Permanent and Pensionable Establishment who serve continuously for at least seven (7) years four (4) weeks a year

Please note that the salary point of \$20,450 for General Orders 927, 1272 and 1624A remains unchanged.

1503. Leave of absence on half pay may be granted on the same scale and in respect of the same period as vacation leave.

1504. Vacation leave may be accumulated in respect of any period not exceeding three (3) years. Leave of absence (on half (1/2) pay) may be accumulated in respect of any period not exceeding six (6) years. The total amount of accumulated vacation leave and leave of absence which may be taken together at any one time shall not exceed twenty-four (24) weeks. Only in very exceptional circumstances, and with the express permission of The Deputy Prime Minister, shall any officer be allowed to exceed the maximum accumulation of leave allowed in this General Order. Accordingly, the following

maximum amounts of leave may be accumulated:

Scale	Maximum eligibility for Vacation Leave (3 Years)	Maximum eligibility for Leave of Absence on half pay (6 Years)
\$29,700 p.a, or; above	15 weeks (5 weeks p.a)	30 weeks (5 weeks on half pay p.a)
\$20,500 to \$29,699 p.a	12 weeks (4 weeks p.a)	24 weeks (4 weeks on half pay p.a)
\$10,700 to \$20,499 p.a	9 weeks (3 weeks p.a)	18 weeks (3 weeks on half pay p.a)

1505. Vacation leave, or; half (1/2) pay leave will not normally be granted to any officer who has not currently completed one (1) year of continuous services, but if an officer leaves The Public Service before completing one (1) year of continuous service but having completed not less than thirty days (30) of continuous service, he will be eligible for vacation pay at the rate of 4% of the wages paid during his period of continuous service.

1506. Service for leave begins on the date on which an officer takes up the duties of the office to which he is appointed, and on completion of each period of twelve (12) months after that date he will be regarded as having earned the leave eligibility laid down in the Chapter. If an officer proceeding on vacation leave wishes to draw salary in advance for the period of vacation leave, he may do so provided that the advance will be in respect of leave earned for one (1) year only.

1507. Vacation leave and half pay (1/2) leave may be granted by the Permanent Secretary; but applications for leave for Heads of Departments and their Deputies should be approved only after consultation with the Minister. Applications for leave for Permanent Secretaries should be sent to the Permanent Secretary of The Public Service with a note of The Minister's concurrence. Leave for Permanent Secretaries and for Deputy Heads of Departments which have no Minister will be approved only after consultation with The Deputy Prime Minister; and applications must therefore be made in sufficient time to allow for this.

1508. In all circumstances applications for leave must be made in sufficient time to enable arrangements to be made for carrying out the duties of the absent officer.

1509. An officer who absents himself from his station, or; his duties without leave, or; who, without an acceptable excuse fails to resume duty when he is due to do so, will be regarded as absent without permission and without pay. A period of absence may not be set off against any leave eligibility. It is the duty of the Head of Department to report to his Permanent Secretary the failure of an officer to report for duty after leave, or; the absence of any officer from duty without permission.

1510. An officer must report for duty in Nassau, or; such other place as may be notified to him, not later than the day immediately following the last day of his leave. If he is unable to report for duty by that date, he must apply for such extension of leave as may be necessary. He must give as much notice as possible to the Secretary of State at The Commonwealth Office, if the leave is being spent in the United Kingdom, or; to the Head of his Department if the leave is being spent elsewhere. An extension of leave in these circumstances may be granted on full salary, half salary, or without salary in accordance with The General Orders set forth in this Chapter.

1511. An authorized extension of leave will be deducted from the accumulated leave, if any, due to an officer at the time the extension is granted until such leave is exhausted. An officer on leave who wishes to apply for an extension thereof, must address his application to the Head of Department. Any application for an extension of leave on the ground of ill health must be supported by a Medical Certificate.

1512. If an officer is granted, or; takes more annual leave than the maximum of his eligibility, he will either:

(1) have the excess leave taken, deducted from the amount of leave due in the next leave year or, if this is not possible:

(2) be required to refund salary in respect of the days of excess leave taken, and have the days treated as leave without pay for pension or gratuity purposes.

1513. Any vacation leave, or; leave of absence due in any period of three (3) years, or; six (6) years respectively and not taken within those periods, will be forfeited unless the officer is precluded from taking any or all of his leave before its expiry due to the exigencies of The Service. The approval of the Permanent Secretary of The Public Service must be obtained for the leave not taken to be deferred, and taken in the year next following the expiry of the leave period.

1514. Leave, other than sick leave and maternity leave, is granted subject to the

exigencies of The Public Service, and an officer is not entitled to any form of compensation if, in the interests of The Service, it proves impossible to allow him to take the full amount of leave for which he is eligible. An officer on leave may be recalled at any time; in that event he would be able to take the unexpired portion of leave later, and if he is recalled from overseas, he may be provided with free return passages for himself and his family, depending upon the circumstances of his recall.

1515. In the event of an officer who has accumulated the maximum amount of leave allowed, applying for but not being granted the leave for which he is eligible within three (3) months of the receipt of such application, such officer shall be eligible for additional leave in respect of the period for which his leave is delayed.

1516. An officer may be required to take leave after any period of three (3) years continuous service without leave, and if he declines without a reasonable excuse to take leave when called upon to do so his acquired eligibility for leave shall lapse.

1517. An officer applying for leave with the intention of retiring will receive any vacation leave for which he is eligible. His salary will in such case cease and his pension commence when his retirement is sanctioned. Such an officer will not be granted leave of absence save in exceptional circumstances.

1518. Leave shall not be included as a part of the period of notice of termination of service either by the officer, or; by The Government, but an officer on the pensionable establishment who, while on duty, gives notice of his intention to leave The Service, may be granted any vacation leave that is due to him if the notice he gives allows reasonable time for arrangements to be made for the performance of his duties after his resignation, or; his proceeding on a final leave.

1519. An officer who, while on duty, resigns from The Service and fails to serve the requisite period of notice, or; who is paid salary in lieu of notice, will forfeit any leave that he has earned. An officer resigning from The Service will not be granted any leave of absence.

1520. Notwithstanding the provisions of General Order 1519, an officer who resigns without giving the requisite notice may be granted ex-gratia leave on the authority of the Permanent Secretary of The Public Service, if:

- (1) the officer is obliged to resign in order to pursue advance studies for which he has not been able to obtain Government assistance;
- (2) the officer is compelled to resign because of illness of his wife, or; any other member of his family and it is necessary for him to be near the person taken ill;
- (3) the officer would have proceeded on leave during which he would have given

the necessary notice, but is certified by his Permanent Secretary to have been prevented from so doing by the exigencies of The Service.

No officer who resigns his appointment in order to take an appointment outside The Public Service will be eligible for ex-gratia leave.

1521. If an officer retires during a leave of absence without having originally given notice of his intention to do so, the date at which his salary will cease will be determined according to the circumstances of the case.

1522. The following procedure should be followed in the case of an officer proceeding to the United Kingdom on leave, who wishes to draw his salary while he is there. When the leave has been approved, a leave and Last Pay Certificate will be prepared in quadruplicate in the office of the Permanent Secretary of The Public Service and sent to the officer for the addition of specimen signatures and his address in the United Kingdom. The certificate will go through The Permanent Secretary and the Head of Department for noting, and then to the Treasury for completion, and return to the Permanent Secretary of The Public Service. One copy of the completed certificate will be sent to The Crown Agents, one to the Treasury, one copy will be given to the officer, and one will be retained by the Permanent Secretary of The Public Service.

1523. An officer proceeding on leave to the United Kingdom is required to report his arrival by letter to The Crown Agents for Overseas Governments and Administrations as soon as possible after the date of his arrival in the United Kingdom, giving an address at which communications can reach him with the minimum of delay. He must also report any change of address while in the United Kingdom and, as soon as his return passage is arranged, he must notify The Crown Agents of the date of his departure.

1524. An officer proceeding on leave outside The Bahamas will be required to inform his Permanent Secretary, before leaving The Bahamas, of the address at which communications can reach him with a minimum of delay, and he must report all changes of address promptly during his absence. He will also be required to make arrangements with the Treasury before proceeding on leave for payment of his salary during his absence. Permanent Secretaries proceeding on leave will notify their leave address to the Permanent Secretary of The Public Service.

1525. An officer proceeding on leave within The Bahamas must, notify to his Permanent Secretary, the address at which the may be reached.

1526. An officer who has drawn salary outside The Bahamas during his leave is required to have his leave and Last Pay Certificate completed by the last paying officer, indicating the date up to which he last drew salary. The certificate must be forwarded to the Treasury by the officer on his resumption of duty, in order

that salary payments may be resumed.

1527. An officer on leave outside The Bahamas who seeks an extension of leave must, apply to his Permanent Secretary or Head of Department in writing by Air Mail, giving full reasons for the application and allowing fourteen (14) days for due consideration to be afforded his request, and for the transmission of his application and reply to it by Air Mail. Unless there are exceptional circumstances, the cost of any Telegram which may be necessitated by an officer's delayed application for extension of leave, will be charged to him.

1528. The vacation leave that is to be taken within the year in which it accrues may be taken in one period, or; in a series of periods according to the requirements of The Service.

1529. Where an officer is granted leave for a fixed period in excess of six (6) days, he may not forego any part of that leave and resume his duties before its expiration, without the permission of the Head of his Department.

1530. Heads of Departments are required to prepare leave rosters of their staff in the last quarter of a leave year in respect of leave to be granted during the following leave year. An officer must inform his Head of Department before the 1st October each year, of the date when, subject to the exigencies of The Service, he would like to take any period of leave in excess of six (6) days during the following leave year. The Head of Department, will inform such officers in his Department before the 1st January, when it will be convenient for them to take leave in the year in questions Heads of Departments must inform their Permanent Secretaries of all leave in excess of six (6) consecutive days to be taken in a forthcoming leave year.

1531. The extent of leave for which an officer is eligible will be determined by the salary that he is drawing at the date on which he proceeds on leave.

1532. In the case of an officer stationed in Nassau, leave will begin on the date from which it is granted.

1533. In the case of an officer stationed in an Out Island, leave will begin on the date of his arrival in Nassau, if leave is to be spent there, provided he travels there direct and without undue delay. If his leave is to be spent in another Out Island, leave begins from the date of his leaving the Out island where he is serving providing his departure is not unduly delayed.

1534. An officer proceeding on leave from an Out Island must report to the head of his Department, in writing, the date of his departure from the Out Island where he is stationed, if his leave is to be spent on another Out Island, or; otherwise, the date of his arrival in Nassau.

1535. If an officer is going on leave outside The Bahamas, and he is unavoidably detained in Nassau prior to his departure, he shall perform such duties there as the Head of his Department may require.

1536. Where an officer is going on leave outside The Bahamas the leave will begin on the date of his departure from The Bahamas, provided no undue delay occurs between the date of his handing over to his relief and the date of departure.

1537. Wherever any leave eligibility falls to be calculated up to the date of an event it shall be reckoned up to and including the month in which the event occurs and any eligibility for a fraction of a day leave shall be disregarded.

1538. An officer on leave on full salary, or; half salary shall be entitled to any personal allowance, or; rental allowance to which he was entitled immediately before proceeding on leave, but he shall not be entitled to draw any fees or other allowances attached to his office.

1539. The General Orders contained in Chapters 15 and 16 shall apply as appropriate to Government servants on hourly, daily or weekly rates of pay. The vacation leave eligibility of such employees whose employment is of a casual nature, but whose whole time is employed in The Public Service, is two (2) weeks per annum, and after seven (7) years service, three (3) weeks per annum and will be extended by one (1) day for each public holiday that occurs during that period of vacation.

1540. Part time staff are eligible for paid leave as follows, providing they work at least twenty (20) hours a week:

(1) Monthly paid staff vacation leave of two (2) weeks a year; normally this leave should be taken every year, but exceptionally, the Head of Department may permit accumulation over a period not exceeding three (3) years;

(2) Hourly and weekly paid staff half the rates applicable in the case of such staff who work full time (General Order 1539).

These staff are not eligible for leave during the first year of service. They may, however, be granted leave without pay at the discretion of the Permanent Secretary.

1541. Contract officers will not be granted leave of absence at the end of their contract. They may be required to take their vacation leave before the third anniversary of their contract, providing the leave extends at least until that date.

1542. All applications for leave without pay for full time staff must be referred to

the Permanent Secretary of The Public Service.

Sick Leave

1560 (A). An officer who is prevented by illness from performing his duties at his place of work and who is not on leave must in every instance report the fact immediately to the Head of his Department, by telephone if possible; and within forty-eight (48) hours he must cause to be delivered to the Head of Department a Medical Certificate of incapacity for work, signed and dated by a Government Medical Officer, or; a Registered Medical Practitioner, certifying if such is the case, an incapacity for work for a period longer than two (2) working days, and stating the probable duration of the incapacity.

(B) A Medical Certificate of incapacity for work must be furnished in respect of each week of absence due to ill health except under the following conditions:

(i) when an incapacitated officer is confined to The Princess Margaret Hospital, or; another Government Hospital, a Government Medical Officer, or; Registered Medical Practitioner may issue a certificate to cover twenty-eight days of expected hospitalization.

(ii) when a public officer finds it necessary to apply for extended sick leave (i.e. leave on part salary) after all available full salary leave has been enjoyed, a certificate may be issued or countersigned by a Government Medical Consultant for up to twenty-eight (28) days at one time.

(iii) when a female public officer applies for sick leave for maternity reasons, a certificate may be issued by a Government Medical Officer, or; a Registered Medical Practitioner for a period not exceeding twenty-eight (28) days.

(C) If the absence from duty has lasted for two (2) days or less, the officer must immediately upon his return to duty furnish the Head of his Department with a written note explaining his absence.

1561. Heads of Departments may grant up to two (2) working days sick leave on any one occasion without the submission of a Medical Certificate up to an aggregate of six (6) working days in a calendar year. Any leave taken under this Order will be deducted from the total sick leave eligibility.

1561(A). In calculating periods of sick leave and determining when an officer will resume duty, Saturdays, Sundays and public holidays falling within a period of sick leave, will count as days of sick leave but, will not, be deducted from the total amount of sick leave eligibility of twenty (20) working days per annum.

1562 If an officer's absence from duty is not explained by him within twenty-four

(24) hours, his Department will take steps to ascertain the cause of absence.

1563. Sick leave may be granted with full salary up to a maximum period of twenty (20) working days (4 weeks) during a calendar year. All applications for sick leave must be sent to the Permanent Secretary of the Ministry where the officer is employed. The authority to grant sick leave to officers below the rank of Deputy Head of the Department is vested in the Permanent Secretary. All application for sick leave for Deputy Heads of the Department and above will be received by the Permanent Secretary of The Public Service and the application for sick leave in excess of three (3) months on 7/8's pay must be referred to the Permanent Secretary of The Public Service with supporting medical evidence.

1566. An officer must seek medical advice when he is unwell, or; when he is instructed to do so by his Department. If he fails to do so, or; to comply with the medical advice so given, he may render himself liable to disciplinary action.

1567. An officer may at any time be required to submit himself for medical examination by a Medical Board.

1568. If it is decided that an officer should be examined by a Medical Board, he must present himself for examination at the place and time instructed and if he fails to do so he will render himself liable to be treated as having been absent without permission. He must afterwards comply with the recommendations of The Board, which will supersede medical advice already given to him by a Government Medical Officer, or; Private Practitioner. The Medical Board will consider any previous Medical Report on the officer by a Medical Practitioner.

1569. Whenever an officer falls ill so as to be physically unable to present himself for medical examination, the circumstances and his where abouts must be reported by his Department to the nearest Government Medical Officer.

1570. If an examination results in the officer being admitted to hospital as in-patient, The Government Medical Officer will so inform the officer's Department. When it is officially reported that an officer is so ill as to be unable to present himself for medical examination, a Government Medical Officer will, as appropriate, arrange for the officer to be brought to the hospital for examination and treatment, or; he will visit the officer to examine and treat him.

1571. On any of the occasions listed in this General Order, a Government Medical Officer will report the circumstances to the officer's Head of Department:

(1) when an officer refuses to carry out, or; in the opinion of The Government Medical Officer, is neglecting to carry out the medical advice he has given;

(2) when in the opinion of the Medical Officer an officer is feigning ill health;

(3) when in the opinion of the Medical Officer an officer's illness has been caused by his own fault, or; neglect.

1572. Absences from duty owing to sickness caused by an officer's own misconduct, or; negligence will be counted as vacation leave. Such absence may form the basis of a disciplinary charge, and must be reported immediately by the Head of Department, to the Permanent Secretary of The Public Service through the Permanent Secretary of the Ministry.

1573. After an officer has exhausted the sick leave eligibility of twenty (20) working days and provided there is a reasonable prospect of eventual recovery, supported by Medical Certificates, another period of further sick leave on 7/8's salary may be granted up to a maximum of five (5) months. Officers may elect for the award of any accumulated vacation leave, before applying for extended sick leave on 7/8's pay.

1574. In the event of more than six (6) months on sick leave, additional sick leave on half pay may be granted up to a maximum of a further six (6) months.

1575. Any officer who exhausts his entire eligibility for sick leave on full and half salary will be Medically Boarded for the purpose of invaliding out of The Service. Sick leave eligibility cannot be accumulated.

1575 (A). Where an officer is on extended sick leave at the end of a calendar year, he will not be eligible for the four (4) weeks full pay sick leave in respect of the ensuing year unless and until he first returns to active duty.

1576. An officer on sick leave shall not be entitled as of right to any salary, personal allowance, or; rental allowance. The grant of sick leave may carry, full pay, half pay, or; any proportion of pay, and the full amount of personal allowances and rental allowance, or; part thereof.

1577. Medical Certificates must be submitted to the Permanent Secretary of The Public Service through the Head of Department Permanent Secretary, and the Chief Medical Officer, throughout the period of extended sick leave.

1578. An officer who falls ill while on vacation leave will be eligible for sick leave with effect from the beginning of the certificated incapacity. He will not, however, be permitted, if he is within The Bahamas, to take further vacation leave unless he first resumes duty on the termination of the sick leave.

1579. If a Medical Board recommends that an officer be required to leave The Service on the ground of ill health, he will be granted all the vacation leave due to him, or; two months leave on full salary, whichever is the greater amount, with effect from the date on which the Medical Board makes the recommendation.

The officer will leave The Public Service on the expiry of such leave.

1580 The General Orders' contained in Chapters' 15 and 16 shall apply, as appropriate, to Government servants on hourly, daily, and weekly rates of pay. The sick leave eligibility of such employees whose employment is of a casual nature and whose whole time is employed in The Public Service is, however, at the following rates:

(1) During the first three (3) years of service, one (1) week a year.

(2) After three (3) years service, two (2) weeks a year.

(3) After five (5) years service three (3) weeks a year, and further sick leave, up to a maximum of six (6) months, on three (3) quarters pay, the first three (3) to be approved by the Permanent Secretary, the later three approved by the Permanent Secretary of The Public Service in special cases, and particularly where an employee has been injured in the course of his employment.

1581. Part-time staff are eligible for paid sick leave as follows, provided they work at least twenty (20) hours a week:

(1) Monthly paid staff, two (2) weeks a year, with a grant of further sick leave depending on the individual case;

(2) Hourly and weekly paid staff half the rate accorded to such staff working full-time (General Order 1580). These staff will however, not be granted extended sick leave as provided under General Order 1580, and they will not be eligible for sick leaving during the first year of service.

Maternity Leave

1582. The Permanent Secretary of The Public Service must inform the Treasurer and the Auditor of all leave granted by him on other than full salary 114

MATERNITY LEAVE 1585.

1586. A pregnant officer with five (5) years service, or; more, may be granted half pay leave in addition to the maternity leave of twelve (12) weeks plus, the full pay vacation leave mentioned in General Order 1585, but not so that the total period away from work would exceed sixteen (16) weeks; i.e. if less than four (4) weeks vacation leave are available the officer may enjoy vacation and half pay leave up to a total of four (4) weeks in addition to the twelve (12) weeks maternity leave. This is without prejudice to General Order 1590.

1587. Maternity leave **with-pay** will not be granted more than once in three (3) years nor will it normally be granted before an officer has served for one (1) year.

1588. The application for maternity leave should be forwarded by the officer to the Permanent Secretary through the Head of Department three (3) months before the expected date of confinement and must be accompanied by a Medical Certificate stating that the officer is pregnant and requires leave and giving the expected date of confinement. Whereby reason of geographical, or; other circumstances beyond the officer's control she is unable to produce such certificate, she may produce such other evidence as she considers to be reasonable proof of her entitlement to maternity leave.

1589. Leave associated with illness during the first twenty-four (24) weeks of pregnancy will be considered as gynecological and therefore sick leave rather than maternity leave. Applications for leave under this General Order must be supported by Medical Certificates.

1590. An employee who, after confinement, suffers any illness arising out of such confinement shall be granted, in addition to the maternity leave to which she is entitled, such additional leave **without pay** not exceeding six (6) weeks as a Medical Practitioner recommends.

1591. If an officer dies during the period of the maternity leave awarded in General Orders 1585, the guardian of the child shall be paid salary for any unused maternity leave due to the officer.

CHAPTER 16

STUDY LEAVE, SPECIAL LEAVE AND GENERAL PROVISIONS

Study Leave

1600. Officers may be required to discharge any duty, or; to attend any course of instruction during their leave. Such a period of duty, or; instruction will not count as part of the period of leave and allowances may be granted to cover necessary out-of-pocket expenses.

1601. When an officer is required by The Government to undertake a course of training or study in the interest of The Public Service, he will be granted study leave on full salary and this will not count against his vacation leave, or; leave of absence eligibility. As a rule, such a course of training, or; study might be expected to last up to about six months, but should it be a longer course, the officer may be granted additional leave on full pay up to a maximum of twelve months in all to enable him to complete the course: provided that, exceptionally, and with the express permission of The Deputy Prime Minister, additional leave for such a course may be granted with full pay beyond the period of twelve months.

1602. When an officer undertakes, with the approval of The Government, a course of study that may be in his own interest and in the general interest but is not expressly and directly in the interest of The Public Service, he will be required to utilize for this purpose the whole of the accumulated vacation leave and leave of absence for which he is eligible, and at the expiry of this leave he may, in order to complete the course, be granted an extension of leave with out pay provided that his certified progress is acceptable to The Government.

1603. When study leave in the interest of The Public Service is granted for a period of six months, or; more, the officer shall enter into a Bond, with satisfactory sureties, in such sum as Government may specify in the Bond, to return to The Bahamas on the completion of his course and to serve The Government for a period of not less than three years.

1604. On the completion of the course, the officer may enjoy the balance of his leave as recreation, and if he is required to return to duty before the expiry of the balance of the leave he will be permitted to carry forward the unexpired balance.

1605. The officer may be required to furnish, at such periods as may be prescribed, certificates from the appropriate authority of the institution at which

he is pursuing the course of study in proof of his regular attendance and of his diligence and energy in his studies. If from such reports it is evident that the officer has abandoned the course, or; his progress is so unsatisfactory that it would be in the public interest so to do, the remaining period of the study leave shall be canceled and such cancellation shall take effect when the officer is so notified in writing, or; on a date two weeks after the date of decision, whichever is the earlier.

1606. An officer who undertakes an approved course of study by correspondence, in the interest of The Public Service, leading to an examination by a recognized body at the completion of the course may be granted study leave on full pay for the period of the examination and for up to a maximum period of two weeks immediately prior to the examination.

Special Leave

1620. Leave may be granted, or; extended by Permanent Secretaries on the ground of public policy as far as it relates to Orders' 1624, 1625 and 1626. Such leave will be full salary for a maximum period of up to six (6) days within an officer's leave year. All other requests for leave pay under Orders 1624, 1625, and 1626 in excess of six (6) consecutive days in an officer's leave year may be submitted to The Permanent Secretary of The Public Service for consideration:

1621. Compassionate special leave with pay may be granted by Permanent Secretaries on the grounds of urgent personal affairs (In circumstances such as accident, deaths and serious illness of immediate family and emergencies caused by fire, or; flooding etc...) up to maximum of 6 days per year. Applications for the grant of such leave must be accompanied by a statement of the reasons for the application, which will be treated as confidential.

1622. Applications for the grant of compassionate special leave on the grounds of urgent private affairs may be considered and approved by other officers delegated by Permanent Secretaries to perform the function such as Heads of Departments and Principals of schools. No more than two days of such leave may be granted in any one month by the Head of Department, or; Principal.

1623. If the special leave for which an officer is eligible (as outlined in General Orders 1621-162'2) is not sufficient for the purpose, he may be granted vacation leave. If he has no leave due him, he may be granted leave without salary on the grounds of urgent personal affairs. Notification of the award of such unpaid leave should be submitted to The Department of Public Service.

1624. An officer may be granted leave in addition to vacation leave for the purpose of taking part in a sporting event of international significance, the length of which will be determined by taking into account the number of days required for the actual sporting event and the number of days required for travelling to and

from the place arranged for the sporting event. Any extra days will be deducted from vacation leave.

1624(A). Officers in the X3 Scale or above on salary scales which start at \$20,450 per annum are not eligible for payment of overtime may subject to the exigencies of The Service be granted casual leave at the rate of ten working days a year. Casual leave may not be added to vacation leave, or; half pay leave; nor may it be accumulated.

1625. An officer who is an official of a registered Trade Union may be granted leave, in addition to vacation leave, to attend to important Trade Union business up to a maximum of six days within a leave year. Any further leave taken for this purpose shall be deducted from vacation leave, or; will be treated as leave without pay if no further vacation leave is due. For the purpose of calculating retiring benefits any such leave without pay will be treated as having been granted on the ground of public policy.

1626. Special leave up to twelve days a year in addition to vacation leave may be granted to an officer for the purpose of attending any Conference of the Federation of Civil Service Associations, or; other recognized bodies if such officer is a member of the Civil Service Association of The Bahamas and has been nominated by such Association to attend such Conference.

1627. Members of Philanthropic Organizations such as Scouts and Girl Guides, the Federation of Youth Clubs and The Red Cross may be granted special leave without pay to attend Conferences and Leadership Courses held by their organization.

1628. An officer may be granted leave on full salary to take an examination for the shortest period required to enable him to reach the appointed place, take the examination and return to his post:

(1) in addition to vacation leave, with travelling at Government expense if the examination is one which he is required by the conditions of his appointment to pass, or; has a direct bearing on his current duties and is likely to qualify him for further advancement in The Service, or;

(2) as part of vacation leave and without his travelling paid by Government, for other examinations and in cases where he has failed at three attempts a particular examination to which (1) above implies.

1629. Special leave with full salary will be granted to officers who are members of The Defence Force, or; Police Reserve to enable them to attend annual training. Such leave will not be counted against vacation leave.

General

1640. The rates of leave and the conditions governing the grant of leave apply to all monthly paid officers whether on the pensionable establishment or on temporary terms of service, except that in the case of Teachers, and officers on contract, agreement or secondment, special conditions may apply under their terms of service.

1641. Leave granted on full salary or half salary counts as pensionable service and as qualifying service for pension purposes. Leave granted without salary does not break continuity of pensionable service, but it counts as pensionable service only when granted on grounds of public policy. Study leave and any continuous leave in excess of twenty-four days does not count as part of any qualifying period for leave.

1642. Leave without pay will not count for purposes of increment unless it is granted on the grounds of urgent private affairs.

1643. An officer on leave without salary shall not be entitled to receive any emoluments whatsoever.

1644. Where a public officer is absent from duty without leave, or; a reasonable excuse:

(1) for a period not exceeding seven days, and;

(2) cannot be traced within a period of fourteen days of commencement of such absence, or;

(3) it traces no reply to a charge absence of leave is received from the officer within ten days after the dispatch of the charge to him, then;

(a) in the case of an officer in respect of whom disciplinary control has been delegated, the empowered officer may summarily dismiss him;

(b) in any other case, the Head of Department shall report the matter to The Permanent Secretary, who shall refer the matter to The Permanent Secretary of The Public Service, and then will inform The Public Service Commission. The Commission will then make its recommendation to The Governor General.

1645. Leave must as far as possible be so arranged that the employment of extra staff is unnecessary. Extra staff will be employed only where there is long leave, and where The Permanent Secretary considers it essential to engage a substitute.

1646. When an officer proceeding on leave, or; transfer is responsible for cash,

stores or furniture, the procedure laid down in Financial Instructions and Stores Rules will be followed. Except as provided therein, any officer leaving his/her post without obtaining the necessary certificate from his successor will be liable for any deficiency which may subsequently be discovered.

1647. A Head of Department who is proceeding on long leave must leave a memorandum on any special instructions affecting the Department for the guidance of his successor, and a duplicate of this memorandum should be forwarded to The Permanent Secretary.

1648. An officer shall not engage in any work, or; business for gain whilst he is on leave, without the prior approval of The Permanent Secretary of The Public Service.

CHAPTER 17

PASSAGES

1700. Nothing in this Chapter shall give any officer a right to free passages, passage grants, or; other privileges.

1701. Passages and passage grants are provided solely for:

- (1) public officer travelling on duty;
- (2) officers appointed from outside The Bahamas, and;
- (3) officers travelling to attend courses of training, or; to take up scholarships, if The Bahamas Government is responsible for payment of their travelling expenses.

In the case of categories (2) and (3) and subject to General Order 1710 below, passages, or; passage grants are provided for officers, their wives and up to two children aged eighteen years or under, who are unmarried and dependent upon the officer.

N.B. If a child who has been provided with a free outward passage, or; passage grant, reaches the age of nineteen during the period of the officer's service in The Bahamas, a return passage or passage grant may be provided for such a child if the child is still unmarried and dependent on the officer.

1702. Passages will normally be provided by air, and air passages will be at the following rates: Economy, Tourist, or; whatever title is applied to the next lower class of travel below "First Class" on the route in question.

1703. Officers on first appointment from abroad and at the end of contract may elect to travel either by sea, or; by an indirect route, provided, that Government's contribution (passage grant) shall be limited to the cost of Economy Air Passage by the most direct route in accordance with General Order 1702. The actual charge for any excess baggage within the limits provided under General Order 1715, may only be claimed on production of receipted accounts on first appointment and final departure at the end of an officer's service.

1704. Otherwise than in General Order 1703 Passages by sea will be provided only for certified health reasons. If an officer wishes to travel by sea for other

reasons, Government's contribution (passage grant) towards the cost of the sea passage and transportation of baggage shall be limited to the cost of air passages by the most direct route in accordance with General Order 1702.

1705. Passages and passage grants are provided for officers appointed from outside The Bahamas only:

- (1) on first appointment under General Order 1706;
- (2) on satisfactory completion of contract under General Order 1706;
- (3) on retirement under General Order 1719;
- (4) in the case of death during service under General Order 1720.

1706. Passages are provided for officers appointed from abroad only from the country in which the officer was appointed to The Bahamas and return. If on completion of his contract, an officer proceeds to some place other than the country from which he was appointed, then Government will pay passage charges not exceeding the cost of passage by the most direct air route to the country in which he was appointed.

1707. The booking of passages for officers appointed from abroad must be arranged through the office of The Permanent Secretary of The Public Service. Payment for passages will be made direct to the company concerned and not to the officer. In the case of officers eligible for free passages from the United Kingdom, The Crown Agents will be requested to make the bookings.

1708. An officer appointed from abroad may arrange his own return passage if he so desires, in which case payment will be made from public funds to the airline, or; shipping agent of passage charges not exceeding the cost of the officer's passage travelling by the most direct air route.

1709. Where an officer is appointed from abroad but in a country other than the United Kingdom, the amounts payable under General Orders 1702 and 1708 will be determined by The Permanent Secretary of The Public Service on the same principles as set out above, i.e. the actual cost of direct air passages to and from The Bahamas.

1710. (i) Locally recruited officers are not entitled to passages and passage grants in the same circumstances as officers appointed from abroad.

1711. (ii) The entitlement of all public officers travelling on duty, or; on attachments, or; training courses who are eligible for passages under General Order 1701 shall be Economy Class Air. There may however, be exceptional circumstances when senior officers travelling as Government representatives

ought to travel first class, so as not to embarrass either the officer, or; The Government; but, if such circumstances appear likely to arise, prior permission must be obtained from The Permanent Secretary of The Public Service for the officer to travel first class.

(iii) The passage entitlement of officers travelling on duty shall not include family passages.

(iv) Officers on attachments, or; training courses shall be eligible for passages or passage grants for their wives and up to two children the same as officers on recruitment provided that the training course, or; attachment is of not less than 12 months duration, or; has not less than 12 months to run.

1711. The provisions of this Chapter apply to male and female officers alike, except that in the case of a woman officer with a child or children, a child shall be deemed to be dependent on her only if the father of the child is dead, or; the woman officer is divorced from the father and has been awarded the legal custody of the child and in either event she has not remarried.

1712. An officer recruited from abroad may be allowed by The Permanent Secretary of The Public Service to surrender all the passages of his entitled children and to devote the savings towards the cost of extra return passages for himself and his wife during a period of engagement. If an officer is allowed to do this, he will not be allowed to enjoy any passages in respect of his children. Savings in respect of children's passages will be computed on the basis of the fare which would have been paid for their air passages by the most direct route.

On First Appointment

1714. In the case of an officer on first appointment who is recruited from outside The Bahamas, free air passages, including the reasonable cost of transport to the point of embarkation, will be provided for the officer and also for his wife and not more than two children, as defined in General Order 1701, providing that they accompany him, or; join him in The Bahamas within twelve months of his appointment, and that they make The Bahamas their place of domicile. If it is necessary to break the journey, any reasonable expenses necessarily incurred in respect of board and lodging will be refunded on the presentation of receipted bills, and also any necessary taxi fares between the airport and the hotel.

1715. Officers who are entitled to free passages on first appointment, or; on final departure are also eligible for reimbursement of the actual cost of transportation of heavy baggage, but baggage allowance will be paid only on production of receipts whether the officer travels by air or sea and subject to the following maxima:

- (i) \$200 for each officer travelling to, or; from Europe, America or West Africa, or;
- (ii) \$300 for each officer travelling to, or; from East Africa, Asia or Australia, and;
- (iii) \$100 each for the officer's wife, and for not more than 2 children over 12 years old.

The baggage allowance is paid on first appointment and final departure at the end of an officer's service.

N.B. "Final Departure" mean departure at the end of an officer's service, not contract, in The Bahamas.

1716. Within the above limits an officer may use his discretion as to what items of household furniture and effects are included, but no additional payments will be made to cover the transport of cars, motor cycles, boats, etc...

1717. In the case of transfer within The Bahamas, an officer will be provided with:

- (1) free transport for himself, for his family, for their household and personal effects, and for their heavy baggage.
- (2) free transport for his motor car, or; motor cycle, if either is necessary for the execution of his duties.
- (3) free transport for not more than two servants accompanying him on transfer, providing that he would be responsible for the return passage of any such servant in all circumstances other than those on his retransfer back to the original station.

1718. In the case of transfer to the service of another country of the British Commonwealth, free passages will be provided for the officer and his family either to the United Kingdom, or; to the country in which he was appointed. or; at the officer's option a passage grant not exceeding the cost of air passages to the United Kingdom provided that he proceeds thither for the purpose of taking leave due to him under the terms of his engagement in The Bahamas before taking up his new appointment on retirement and on death during service.

1719. Officers eligible under General Order 1701(2) who leave the country on retirement, or; on pre-retirement leave will be eligible for passages or passage grants and for baggage allowances, provided that they intend to reside elsewhere and give up permanent residence in The Bahamas.

1720. If an officer who is eligible under General Order 1701(2) dies whilst in The Service, air passages will be provided for his widow and his children aged eighteen years, or; under who are unmarried and who are dependent upon him,

to the place where the officer was originally recruited, or; else to the country of domicile, or; the birthplace of the widow, provided that the removal take place within six months of the officer's death. Should the widow and the children leave The Bahamas within this period to reside elsewhere, she will be provided with a passage grant not exceeding the cost of the air passages to the place where the officer was originally recruited.

1721. In the circumstances envisaged in General Order 1720 widows will be eligible for reimbursement of the entire cost of surface transportation of their personal and household effects, including such incidental charges as port dues, wharfage, dock and cartage charges, clearance charges and agency fees, customs attendance and carriage to the ultimate destination as well as the actual freight to the destination but excluding all insurance charges.

1722. In appropriate circumstances allowances as in General Order 1721 will be paid to the administrators of a deceased officer's estate, when his personal effects are transported to his home country.

CHAPTER 18

REPRESENTATIONS, APPEALS AND PETITIONS

1800. The rules relating to representations by Government servants on matters connected with their conditions of service are given at General Order 946.

1801. An officer may appeal to The Governor General through The Public Service Commission against any decision in any disciplinary proceedings taken against him by an empowered officer. The procedure for appeal is laid down at Regulation 36 of The Public Service Commission Regulations and at Regulation 5 of The Public Service (Delegation of Powers) Order and is described in General Orders 1195 to 1198.

1802. A petition is a formal reference to ultimate authority for special consideration of a matter affecting a Government servant personally. If representations made in accordance with General Order 1800 are not successful and they are not concerned with a matter which is the proper subject of an appeal in accordance with General Order 1801 it is open to him to submit a formal petition to The Governor General in accordance with the rules set out at General Order 1803, or; in accordance with the procedure set out in any recognition agreement with a recognized Union.

1803. The following rules must be observed in preparing, presenting and handling petitions:

(1) A petition must be submitted through the petitioner's Head of Department and The Permanent Secretary of his Ministry, to The Permanent Secretary of The Public Service providing sufficient copies to enable each officer through whom it passes to retain one copy. A petition must be forwarded without delay, together with any comments it is desired to make. Copies of petitions sent direct will be ignored.

(2) A petition must bear the signature, or; independently attested mark, and the address of the petitioner. When written by a person other than the petitioner, the signature and address of the writer must be included.

(3) When a person submits a petition above his own signature, (as a petitioner, not merely as a letter writer) on behalf of another person, or; persons, the petition should contain a statement that he has been asked to write on behalf of the other

person or persons.

(4) A petition which:

(a) does not comply with these rules, or;

(b) deals with a case in which legal remedies are still open, or;

(c) is illegible, or; worded in abusive, or; improper language, or;

(d) merely repeats the substance of a previous petition without introducing new matter, will not be entertained.

(5) A petition should conclude by stating concisely the nature of the redress sought, and a petition which exceeds in length two pages of foolscap must also include a summary of the reasons adduced in support of the redress sought.

(6) When a petition is submitted more than six months after the decision complained of has been given, the petitioner must explain the reason for the delay. Failure to give an adequate explanation will materially weaken the petitioner's case.

1804. An ex-Government servant may also send a petition in accordance with these rules on matters relating to his conditions of employment as a Government servant, or; his conditions as a pensioner of Government.

CHAPTER 19 CORRESPONDENCE AND PUBLIC BUSINESS

Security of Official Documents

1900. Government servants are strictly forbidden to give any person information relating to the business of The Public Service otherwise, than in the course of their duty.

1901. There are three security classifications. These are, in the order of their importance:

Top Secret / Secret / Confidential

1902. The classification "Top Secret" or "Secret" will be employed whenever a document is of such a nature that it is undesirable that its existence, or; contents should be known other than to those senior officers those duties make this knowledge essential.

1903. The classification "Confidential" will be used where any information, or; material requires security protection but does not require the special precaution mentioned in General Order 1902 (.e.g. papers dealing with the consideration of Government Policy, certain personnel matters including disciplinary recommendations, and any matter of knowledge which is to be restricted entirely to Government officers).

1904. Any staff matter that is not of a nature to warrant the classification of "Confidential" must be regarded and marked "In Confidence." Such matters must receive the treatment that accords with the sense of the term "In Confidence" and files and papers relating to such matters must travel under sealed cover.

1905. Confidential and secret correspondence, or; documents must always be kept separate from open correspondence and material, and must be kept under lock and key. No reference to facts contained in confidential or secret correspondence shall be made in any open correspondence.

1906. It is the responsibility of Permanent Secretaries and Heads of Departments to ensure that no member of their staffs, other than officers designated for the purpose, shall be in a position to handle, or; see confidential or secret documents.

1907. All correspondence marked "Top Secret", "Secret" or "Confidential" must be opened by Permanent Secretaries and Heads of Departments personally. Heads of Departments shall themselves be responsible for the security of secret and confidential material that comes into their hands. One clerk must be appointed in each Ministry or Department to whom all secret and confidential work must be entrusted.

1908. All secret documents must be enclosed in two envelopes, one inside the other. The inner envelope must be marked "Secret" or "Top Secret", as the case may be, and addressed to the officer by name, and the outer envelope must bear only the official address and title. The inner envelope should be folded rather smaller than the other, so that both will not be opened at once.

1909. Care must be exercised that secret and confidential papers do not pass about the office, or; between one office and another, except in sealed covers properly marked.

1910. All officers are responsible for the security of any classified documents held in their custody.

1911. Documents received from other officers must not be declassified, or; downgraded without the approval of the originating office.

1912. Decisions affecting an officer personally shall be conveyed to him in writing. No officer through whose hands such correspondence passes may communicate any of the contents to any person or persons without instructions from The Permanent Secretary of The Public Service, the Financial Secretary, The Permanent Secretary of The Ministry, or the Head of Department, according to the circumstances and the content of the correspondence.

1913. Copies of communication from Government must not be conveyed to any private person without the permission of a responsible senior officer. If the orders therein contained are intended to be communicated, they will be embodied in a letter addressed to the person concerned.

1914. When it is necessary to make use of an opinion of a member of the Attorney General's Chambers it must not be quoted as such, and it must not be quoted that it is the opinion, or; advice of that person. The addressee should be informed that the Ministry or Department is advised in a certain sense, giving only a paraphrase of the advice. There should be no quotation and care must be taken that the exact sense of the advice is not altered by the paraphrase. The sense of these rules shall be observed also when it is necessary to refer to decisions of the Cabinet.

1915. No officers may take copies of communications and reports referring to themselves, and any officer found in possession of such information which has

not been given to him by due authority, but which has passed through his hands in the course of his duties may be charged with an offence against discipline.

1916. Officers are strictly forbidden to give "an impression" of any official seal to any private person; the use of such seals must be strictly confined to official requirements.

1917. In any case where there is prima facie evidence of a breach of the foregoing security rules, the officer concerned shall be immediately suspended from the performance of his duties pending an investigation of the circumstances of the case.

Security of Officers

1920. Anyone appointed to hold public office in The Bahamas may be required to give security for the proper and faithful discharge of his duties, and he may be called upon to submit as such security any guarantee society established and carrying on business in Great Britain, Northern Ireland, the Dominion of Canada, or; within The Bahamas.

1921. Government will pay all premiums, which become due and payable to an approved guarantee society entering into any bond on behalf of a public officer.

1922. An officer in respect of whom a bond is executed by a guarantee society will be, bound by the conditions imposed upon him as if he had himself entered into the bond correspondence with The Ministry of The Public Service and The Public Service Commission.

1923. All staff matters, except those expressly delegated to Permanent Secretaries (or Heads of Departments where there is no Permanent Secretary) and those matters which come clearly within well defined rules such as General Orders', Establishment Circulars and Rulings of General Application, are to be referred to The Permanent Secretary of The Public Service. Where necessary, and as appropriate, The Permanent Secretary of The Public Service will refer cases to The Deputy Prime Minister, who is The Minister responsible for establishment matters, or; to The Public Service Commission. Training matters only may be referred directly to the Deputy Director of The Public Service (Training), if that is more convenient.

1924. Correspondence to The Permanent Secretary of The Public Service and the Director of Training should normally come from The Permanent Secretary of The Ministry concerned, but in those Departments which do not come under a Permanent Secretary (for example, the Legal and Judicial Departments), it should come from the Head of Department. The correct channel of approach from Ministries to The Public Service Commission is via The Permanent Secretary of The Public Service. It is normally unnecessary for carbon copies of

correspondence to be addressed to The Public Service Commission, because The Commission receives the original correspondence for action on the relevant Department of Public Service file.

1924 (A). An individual should address himself on staff matters to his immediate superior officer. But, if an individual asks for his representation to be passed on to his Head of Department, or; to his Permanent Secretary, or; to The Permanent Secretary of The Public Service, this must be done through the appropriate channels, which are as follows: Officers within a Department should refer matters to the Head of Department; the Head of Department in turn should refer matters to The Permanent Secretary; and, if necessary, The Permanent Secretary should refer to The Permanent Secretary of The Public Service, or; the Director of Training. It is for The Permanent Secretary to decide whether or not he writes a separate letter, or; memorandum to The Permanent Secretary of The Public Service, or; Director of Training, or; simply endorses the paper prepared by the Head of Department, so long as it is clear what The Permanent Secretary's views on the matter. It is important that The Permanent Secretary make a firm recommendation on all matters referred to The Ministry of The Public Service.

1924 (B). Correspondence from The Ministry of The Public Service will always be addressed to The Permanent Secretary or to an individual "through" his Permanent Secretary. If the officer concerned serves in a Department (as opposed to a Ministry Headquarters), The Ministry of The Public Service and the Director of Training will enclose an extra copy of his Memorandum, or letter to be passed to the Head of Department concerned. In matters concerned with Finance, such as: wages, salaries, allowances, etc., The Permanent Secretary of The Public Service, or the Director of Training will send a copy of his paper direct to The Treasurer.

Conduct of Business

1925. Personnel questions, (other than those which are for determination by The Public Service Commission, and establishment matters that may be resolved within the terms of these General Orders amended from time to time, will be dealt with by The Permanent Secretary in each Ministry (or the Head of Department if there is no post of Permanent Secretary), except that personnel matters that have a service wide implication and establishment matters that raise a question of interpretation, or; intention of any provision of General Orders, or; suggest a departure from existing policy, or; the establishment of a novel principle, or; a new provision, or; define an issue that may have repercussions throughout The Service, shall be referred to The Permanent Secretary of The Public Service.

1926. Where proposals concern more than one Ministry, it will usually be necessary for a draft to be sent to the other Ministry or Ministries for their concurrence, or; for their views. However, discussions between senior officers, between Ministry and Ministry, and between Ministry and Department, shall be

resorted to freely in order that the business at hand may be conducted expeditiously and a conclusion reached with the minimum of delay. The fact that this had been done must be made clear in the correspondence and a note shall be made in the files of the issues raised, the considerations that have been taken into account, the opinions expressed and the reasons for those opinions, and the conclusions arrived at.

1927. When a Minister grants an official interview to a Head of Department or to any other departmental officer a record of the interview will be made by the officer and submitted to The Ministry for confirmation. Records should be kept as short as possible and will normally be limited to the decisions taken. They should be submitted in duplicate, typed on one side of the paper only and transmitted under "Confidential" cover. Conversations with a Minister on official matters must not be quoted in official correspondence unless a record of such conversations, made at the time they took place, has been submitted for written confirmation.

1928. Officers answering telephone calls must immediately identify themselves.

1929. Any matter which can properly be disposed of by telephone, or; interview should not form the subject of correspondence. The action taken and any decision reached should be recorded on the appropriate file.

1930. Heads of Departments are, however, responsible for seeing 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.

1931. Subordinate officers desiring to make representations to The Governor General, to The Permanent Secretary, Ministry of The Public Service, or; to their Permanent Secretary, should do so through the head of Department. Generally, an officer will communicate officially with a senior officer of another Ministry, Department or Section, only through his own senior officer.

1932. All official correspondence should be couched in a tone of courtesy with careful avoidance of any expression of personal feelings, and should be as concise as possible. The language should be as simple as is consistent with courtesy.

1933. Heads of Departments must not send to their Permanent Secretary the letters they may receive from their subordinates, or; others when they can embody all the necessary information so received in their own minutes and reports. This does not, however, apply to letters on important matters; and it is to be borne in mind that the Head of Department is bound to forward to his Permanent Secretary any letter which he may be requested by a subordinate officer so to forward (unless couched in improper or insulting language), accompanying it with his own remarks.

1934. All incoming mail must be seen and initialed by a Head of Department or other senior officer, immediately upon receipt. In a large Department it may be necessary for incoming mail to be sorted according to subject and seen by the officer in charge of the Section concerned.

1935. All communications, whether from The Public, or; from other Ministries, or; between a Ministry and its Departments, must be answered with least possible delay. Where it is not possible for a prompt reply to be sent, an interim acknowledgement must be made and a reply sent as soon thereafter as possible.

1936. When a reminder is received it will be the responsibility of the senior officer receiving incoming mail to call for the relevant files and personally ascertain why the matter has not already been dealt with.

1937. All mail remaining unfiled 48 hours after receipt must be shown to a senior officer who will then give instructions in writing how it should be dealt with, i.e., filed in a temporary file, or; held for a further 48 hours.

1938. Correspondence and files must not be put in any place, such as cupboards, or; drawers, where they may be overlooked.

1939. Any authority of law, regulation, or; standing decision on any point submitted for consideration must be quoted in the submission, and Permanent Secretaries and Heads of Departments will personally satisfy themselves as to the accuracy of such references.

1940. Any disregard of any particular of the procedure laid down in General Orders 1925 to 1938 will be dealt with as a breach of discipline and the officer dealt with accordingly.

Correspondence and filing

1950. The subject of which a communications treats must be briefly stated as a heading to it, and a reference must be quoted.

1951. In all cases in which a communication relates to a matter which has formed the subject of previous correspondence the previous reference must be quoted.

1952. Communications within Ministries and Departments must be as concise as possible, but must in every case be so full and detailed as to obviate the necessity for a reference to the sender for further information.

1953. Communications within the administration shall be addressed to The Permanent Secretary of The Ministry, or; where there is no Permanent Secretary, to the Head of Department, and as far as possible, be confined to a single subject. Where it is found to be essential that more than one subject is dealt with

in one communication, additional copies, according to the number of subjects, must be furnished. In every communication, paragraphs must be numbered consecutively throughout and each page must be numbered. Enclosures must be noted in the margin.

1954. Letters to members of the Judiciary in their official capacities, and to non-official persons, must be couched in formal style. All official letters must be signed by, or; on behalf of The Permanent Secretary or the Head of Department, and in all cases Permanent Secretaries and Heads of Departments are responsible for the contents of all official correspondence that is sent from their offices.

1955. Where it is obvious or probable that a copy of correspondence will need to be sent to another Department or Ministry or some other authority such correspondence must be submitted with as many copies as may be necessary.

1956. When reference is made to any particular provision in the estimates of revenue and expenditure, the head and sub-head under which the provision is made must be quoted not only by number but also by description.

1957. Heads of Departments requiring advice on legal questions should address The Permanent Secretaries of their Ministries and not the law officers. Provided always that the Commissioner of Police may address the law officers direct on matters concerning criminal cases.

1958. Only the Permanent Secretaries of Ministries and Heads of Departments may address The Permanent Secretary of The Public Service direct. Ordinarily, an officer will not directly address the Head of a Department other than his own, he should raise the subject through the Head of his own Department.

1959. Files should not be passed to another Ministry or Department except on instructions contained therein. Marginal notes are not to be made on a file by an officer to whom it has been referred; no uninvited criticism should be made by any third party on minutes addressed by one officer to another, other than to correct errors of fact.

1960. All officers before sending an official Telegram must satisfy themselves that it is restricted to official business and that it contains as few words as possible consistent with clarity and intelligibility. Mere auxiliary words which can obviously be filled in by the addressee must be omitted, and reference numbers and dates of connected correspondence must not be inserted unless such particulars enable the sender to shorten the Telegram in other respects.

1961. In each Department there shall be kept a Precedent Book in which shall be entered, from time to time, all instructions given by The Governor General, a Minister, or; Permanent Secretary or Head of Department for the guidance of

officers. The book should be carefully indexed to facilitate reference to it.

Destruction of Documents

1970. The preservation and the destruction of Government Documents are regulated by the following rules:

1) No correspondence or document shall be considered for destruction before it is five years old.

2) Any file that is put away after having been marked closed, shall bear a direction by a senior officer in the Ministry responsible for the subject that it shall be brought up for a first review on a specified date after the period of mandatory retention formally agreed with the Archivist; at which even the file will subsequently be scheduled for:

(a) a period of further retention;

(b) destruction on a certain date, or; after a certain period;

(c) preservation, in part, or; whole, in the Archives.

(3) If a file is retained in accordance with (2)(a) it shall be kept for fifteen years from the date of its closure, and shall then be considered for destruction, or; for further retention, by The Permanent Secretary of The Ministry concerned with the subject, acting conjointly (or in on junction / collaboration) with the Archivist who under the Public Records Act and Regulations made, under that Act, has overall, responsibility for the coordination and supervision of all activities in connection with the destruction and preservation of Public Documents.

(c) documents relating to land and the ownership thereof, and to the value of land and property, especially Crown Lands;

(d) documents that are more than a hundred years old, unless they are of a routine nature.

(6) Documents that, as a rule, must be kept, are those referring to policy decisions, precedents, legal opinion and the preparation of legislation; to evidences of rights and obligations of Government, and claims for compensation not subject to time limit; to reports on field trails and experiments; to Departmental Committees and working parties deliberations; to organization and staffing and the Curricula Vitae of public officers.

1971. An officer in each Ministry and Department should be nominated to constantly survey and regularly destroy useless documents, to weed files and to

report his activity, at stated intervals, to a designated senior officer.

1972. The provisions of General Orders 1970 and 1971 do not apply to Legal and Judicial Departments and the Department of the Registrar General.

Stationary and Postage

1980. Official stationery must, on no account, be used for private correspondence, or; for any purpose not directly connected with the work of the Ministry or Department. Permanent Secretaries will ensure that the strictest economy in the use of stationery is exercised in all Departments of their Ministries.

All orders for stationery must be scrutinized, before they are issued, by a responsible officer deputed for this purpose.

1981. Unpaid, or; under paid letters, or; postal packets from private parties should generally not be accepted. If they are accepted as being official, the postage need not be paid; but if they are returned to the Post Office with an intimation written thereon by the Head of the Department to whom they are addressed, that the letters have not been accepted officially, they will be returned to the sender.

1982. Official correspondence is exempt from charge for redirection and shall be forwarded by air mail if it was received by that means.

1983. Telegrams and Saving Rams may only be authorized for dispatch

Signing the Visitors Book at Government House

1990. Senior officers are required to note that it is customary to sign the Visitor's Book at Government House on the following occasions:

- (1) on the occasion of the Official Celebration of the Birthday of The Sovereign;
- (2) on first arrival in The Bahamas;
- (3) on departure from The Bahamas for more than a month, when the letters P.P.C. should be inscribed after the name;
- (4) on return to The Bahamas after an absence of more than a month.

The Visitor's Book is a convenient means by which those who wish to do so may formally pay their respects to the Queen's Representative. To write one's name in the Book is the equivalent of paying a call. The Book is also a convenient means by which persons may indicate whether they wish to be received at

Government House. The Visitors Book is available for signature every day, from 7:00 a.m. to 7:00 p.m.

CHAPTER 20

HOUSING

2000. For the Purpose of the General Orders in this Chapter:

(1)"Government Housing" accommodation or "Housing" or accommodation includes every private dwelling and apartment owned, or; leased by The Government for the purpose of providing living accommodation for public officers and their families, but does not include Government House or any other accommodation provided for the use of The Governor General.

(2)"Public Utility" includes Water, Sewerage, Electricity and Telephone Services.

2001. The statutory provisions governing the housing of public officers who are not entitled to free quarters are contained in The Public Service (Housing Accommodation) Regulations.

1964. The Regulations provide that any public officer occupying Government housing accommodation shall pay to the Treasury:

(1) an annual charge, based on the economic rental of the accommodation, but not exceeding the maximum charges given at Appendix J;

(2) a charge corresponding to the total cost borne by the Treasury for provision of Public Utilities supplied to the accommodation.

2002. The provisions stated at General Order 2001 (2) will not apply to an officer who assumes personal responsibility for the payment of charges for public utilities supplied to any accommodation and for which the Treasury is not liable.

2003. Any charge payable by an officer under General Order 2001 may be recovered monthly by the Treasury by deduction from the officer's salary.

2004. The officer in charge of housing is an officer in the Ministry of Works, who is responsible for the maintenance of the accommodation and has the custody of the keys thereof.

2005. If an officer's duties necessitate his being available at any hour of the day

or night, he may be required to live in specific Government accommodation in the vicinity of his place of work.

2006. Where furniture and equipment is provided it will be in keeping with the official status of the officer concerned.

2007. An officer allocated Government accommodation is responsible for taking reasonable care of all articles of Government furniture and fixtures included therein, for the cleanliness of the accommodation including the domestic servants' quarter's, and for the proper maintenance of the garden and precincts.

2008. An officer allocated Government accommodation is prohibited from altering the structure, or; fixtures. If any alteration is desired, application must be made to the officer responsible for maintenance who will arrange for the alterations if they are approved.

2009. Government furniture in Government accommodation, belongs to the accommodation to which it has been issued, and no articles of furniture, or; equipment may be interchanged between housing accommodations, or; between accommodation and offices, without the prior sanction of the officer responsible for the maintenance of the accommodation.

2010. No charge is made for electric fittings, etcetera, in a house when handed over to an occupant, but any extra fittings, etcetera, must be paid for by the occupant unless it can be shown to the satisfaction of the Ministry of Works that the extra fittings are necessary. Except where shades are part of the actual fixture they will not be supplied free of charge to occupiers of Government accommodation. Tenants are responsible for the replacement of electric light globes, the first supply only being charged to Government.

2011. An inventory of the furniture and equipment will be made by the Ministry of Works at least once in each year.

2012. All defects in Government accommodation must be promptly reported by the occupier to the Ministry of Works, and all necessary repairs will be undertaken by that Ministry. Defects in the water services must be reported immediately by telephone to that Ministry and any defect in the electric installations must be reported at once to the office of the electricity service.

2013. Government housing is intended for the accommodation of officers, their wives, children and dependent relatives only. No part of any Government accommodation may be regularly occupied by other relations, or; friends without the permission of The Permanent Secretary of the Ministry in which the officer is employed.

2014. Where voluntarily two or more officers share the accommodation allotted to

one, rent will be recovered at the prescribed rate on the salary of the highest paid officer among them. If an officer to whom free accommodation is allotted shares with one or more officers who are not entitled to free accommodation the rent payable by the latter officer, or officers will be determined by The Permanent Secretary of The Public Service.

2015. The Government may terminate the tenancy of a house, or; apartment at any time by giving one month's notice to the occupant. An officer occupying Government housing cannot, except with the approval of The Permanent Secretary of his Ministry, terminate his tenancy, unless he can make an arrangement for the accommodation to be taken over by another officer. Normally, rent continues to be payable during periods when the officer may not be in actual occupation, for example, while he is on leave, and rent only ceases to be payable when the officer finally surrenders occupation and the accommodation can be allocated permanently to another officer.

2016. If accommodation allotted to a particular officer is for any reason left unoccupied by the officer ordinarily entitled to occupy it, it may, with the approval of The Permanent Secretary of the officer's Ministry, be occupied temporarily by another officer: provided that an officer on leave, or; on duty, or; on a course of instruction outside The Bahamas for a period not exceeding four months may retain his accommodation if he is returning to the same post.

2017. If Government housing accommodation is not required by any officer it may be rented to any suitable applicant.

2018. Government accommodation must be taken over from and handed over to the officer in charge of accommodation. An incoming occupant of furnished, or; partly furnished accommodation must acknowledge receipt of the accommodation and all articles of Government furniture and equipment therein by signing the inventory; and an outgoing occupant must hand over the keys to the accommodation he is vacating to the officer in charge of accommodation and remain responsible for the accommodation and all articles of Government furniture and equipment therein until he obtains the signature of the officer in charge of accommodation to the inventory in acknowledgement of its surrender. An officer provided with Government accommodation must give at least a week's notice to the officer in charge of accommodation that he wishes it to be taken over.

2019. Unless an officer, at the time he takes over Government accommodation, identifies himself by reporting any deficiency, or; damage to the officer in charge of accommodation, it will be assumed that he received the accommodation and all articles of furniture and equipment belonging thereto in good condition and, he will be liable for the cost of making good any deficiency, damage, or; neglect discovered during his occupancy, or; at any time he hands over the

accommodation.

2020. Rent is payable from the date on which an officer takes over Government accommodation to the date immediately preceding that on which he hands it over, both dates inclusive. An officer will be assumed to have taken over Government accommodation not later than three working days from the date of the allocation notice, or; from the date on which the housing is declared available for occupation by the officer in charge of accommodation, whichever is appropriate. At the time of taking or handing over accommodation, a form recording the particulars will be prepared by the officer in charge of accommodation and will be countersigned by the incoming, or; outgoing occupant. The Ministry or Department is responsible for notifying to the Treasury the rent and the date upon which the deductions should start.

2021. If an officer who is entitled to Government housing cannot allocate such accommodation, The Government will accommodate the officer and his family in an hotel, and pay to him a subsistence allowance at the rates which are appropriate under Appendix F.

2022. Once accommodation is allocated to an officer drawing subsistence allowance, he will cease to be eligible for the allowance when three working days have elapsed after the accommodation becomes available.

CHAPTER 21

OFFICIAL PREMISES AND EQUIPMENT

2100. Heads of Departments are responsible for ensuring that all public buildings under their charge are:

(1) equipped, where necessary, with Fire Extinguishers and, that arrangements are made for the periodical examination of such equipment and, the supply of refills, and;

(2) as far as practicable, hurricane proof and, that all doors, windows, etcetera are made secure on notification of a Hurricane Warning.

2101. Heads of Departments are responsible for allocating to an officer in each division of the Department the duty of periodically inspecting the public buildings which are in the charge of the Head of Division, and reporting to the Deputy Head of Department any defects, or; damage that he observes, or; which are at any time brought to his notice.

2102. The responsibility for maintaining all Government buildings is vested in the Ministry of Works whose duty it is to repair all damage to property chargeable to Public Funds including that which occurs through fault, or; neglect on the part of the authorized occupier.

2103. Heads of Departments will ensure that arrangements are made in every Government building in their charge for the proper cleansing of the woodwork, the removal of dirt and cobwebs from the walls, ceiling, or; roof, the cleaning of glass windows, the oiling of locks and bolts, the sweeping and the dusting and, for maintaining in neat and orderly condition all out buildings and the grounds, or; compound.

2104. Before or immediately after any Government building is occupied an officer designated by the Permanent Secretary or Head of Department of the Ministry or Department concerned will, call for the keys of the building and report to the Public Works Department any defect, or; damage.

2105. Officers entrusted with Government keys are personally responsible for

their adequate care. The loss of any key in circumstances suggesting negligence by the officer concerned will render him personally liable for any expense incurred by The Government in replacing same, or; in furnishing new locks and keys.

2106. Heads of Departments are required to keep a register of all keys to buildings and offices under their control, and all officers to whom keys are issued for retention are required to acknowledge the receipt of keys by signature in the register. Duplicates of keys must not be kept in the offices, or; buildings for which they are used. Heads of Departments must ensure that keys of offices and buildings are handled only by responsible officers. Loss of keys must be reported at once to the Head of Department.

2107. No repairs, alterations, additions, or; improvements to official premises may be undertaken at the public cost without the authority of the Director of Public Works, or; his authorised Deputy.

2108. Where repairs, alterations, additions, or; improvements to official premises are desired, the Permanent Secretary of the Ministry concerned (or the Head of Department if there is no post of Permanent Secretary) will apply to the Ministry of Works stating the requirements in detail and fully explaining the necessity or desirability of the proposed work.

2109. As soon as possible after the estimates have been approved Heads of Departments must notify the Permanent Secretaries of their requirements of new items of furniture and equipment, or; of necessary repairs to furniture and equipment, in their offices. Indents for equipment will be submitted where necessary. Each item of furniture must be shown separately, together with the estimated cost of the item or repairs. In the case of new items, it must also be stated whether or not they are additional to items on the inventory and, if so, the purpose for which they are required. If the new items are required as replacements, the Head of Department must certify that the items which they are to replace are of no further use.

2110. It is the duty of officers who use Typewriters, Accounting Machines, Adding and Calculating Machines, to ensure that they are kept properly cleaned, oiled and in good working condition, and to report promptly the need for any repairs to these machines.

CHAPTER 22

PROPERTY COMPENSATION

2200. No officer shall be entitled to claim compensation in respect of losses, or; of damage to private property incurred through: fire, theft, riot, or; otherwise, in the course of his service, but in special cases, a grant of compensation may be made as an act of grace.

2201. Cases of loss, or; damage arising through exceptional circumstances will be considered on their merits by The Permanent Secretary of The Public Service, but, even if compensation is approved, it will, as a rule, be given only in respect of articles actually and conventionally necessary at the place of the loss, or; damage when it occurred and, the amount of the grant in the case of loss, will as a rule be, limited to 2/3rds of the value of such articles.

2202. No grant shall, however, be made in respect of loss, or; damage which in the opinion of The Permanent Secretary of The Public Service was due to negligence for which the officer was responsible, or; which could reasonably have been covered by insurance.

2203. If a motor vehicle of a Government servant, whilst being used for official duties, is damaged as the direct result of civil disturbances, Government will accept responsibility for such damage. For the purpose of this General Order alone, use for official duties shall be deemed to include journeys between house and office.

2204. In submitting any claim for compensation, the Head of the Department where the claimant officer is employed:

(1) must certify either from corroborative evidence or personal knowledge that, he is satisfied that the loss or damage occurred in the execution of duty by the officer concerned;

(2) must certify that reasonable precautions were taken by the officer concerned to avoid such loss or damage;

(3) must, in the case of a damaged article, which shall be produced by the officer

suffering the damage, inspect such articles;

(4) must certify in each case, whether repair, or; replacement of the article is necessary and, that the amount claimed is a fair valuation either to repair the damage, or; to restore the loss article

CHAPTER 23

INJURIES IN THE COURSE OF EMPLOYMENT

2300. Any Government servant who sustains an injury in the course of his employment, whether or not it may be regarded as arising out of his employment must: report the circumstances of the occurrence, the nature of the injury and, the name of the Doctor, or Nurse who attended him, to his Head of Division who will send a brief written report to the Head of his Department. the Head of Department will be responsible for obtaining a report of any medical treatment that may have been provided at the time of the injury or later it may be necessary for the officer to be medically examined at some later date.

2301. Every Head of Division and, where appropriate, Head of Department, is required to keep an Injury Book as a facility for immediately entering in a permanent record particulars of all injuries that are reported.

2302. It must be brought to the attention of all members of the staff that, it is in their interest to report at once, any injury they sustain while on duty no matter how trivial the injury may appear to be.

CHAPTER 24

STAFF SUGGESTIONS SCHEME

2400. All Government Servants will be reminded from time to time that, it is open to them to contribute to the efficiency of The Public Service by suggesting improvements in organization and procedures, in particular in those procedures with which they are immediately concerned.

2401. Suggestions should be made in writing and, sent direct to the Head of the Department. All suggestions will be acknowledged and, they will all be considered by a Staff Suggestions Committee that will meet regularly.

2402. Where suggestions are not adopted, a brief statement of the reasons therefore will be sent to the officer responsible for the suggestion.

2403. Where suggestions are accepted and, put into effect a brief reference to the suggestion and its adoption and, the name of the officer who made the suggestion will be published and, the officer's personal record will be noted.

2404. The design and use of forms are particularly capable of improvement as the result of suggestions made by members of the staff who, use them in the conduct of day-to-day public business.

APPENDIX A.

THE FILING SYSTEM IN THE PUBLIC SERVICE

1. Type of File - "The Book" type of file is to be used. This means that papers are inserted in a cover, chronologically, like pages in a book from left to right. Each side of paper written on will be given a page number (except in the case of lengthy attachments, the pages of which have their own numbers) and, the papers will be known as "pages". Correspondence between officials of the same Department will be on Minute Sheets but, the Minute Sheets will become pages in the book, in the same way as other papers. When correspondence is inserted, a line should be drawn under any reference to another page and that page number inserted alongside the reference.

2. Titles - Files should be intelligently titled to ensure that it is plain what pages should go into the file and, what should not. Titles should be unambiguous, mutually exclusive and, the principle of "one file, one subject" should be observed. The whole of that subject should go into the file. Where a paper is of interest to more than one file, a copy of it should be put on the other files with clear cross referencing. "Miscellaneous" files should never be used.

When a new subject develops in a file and, pages have to be removed to a new, or; existing file, the pages in the original file should not be renumbered, unless, it is a very small file, since failure to alter cross references can cause confusion. The normal procedure should be for a small piece of paper to be inserted in place of the pages removed and, recording "Pages 20-25 removed to pages 5-10 in File No..... on(Subject)" and, initiated and dated by the officer removing the pages concerned.

3. Classification and Reference Numbers of Files - It is necessary to evolve a system of classification of papers, or; to put it more simply, grouping like with like. The various parts of the classification will have an identifying number, or; letter which together will make up the reference number of the file.

The system of classification and numbering most suitable to our needs is a three part number reference. The first part will represent The Government Department,

the second a broad group of the work of that Department and, the third a detailed aspect of the work.

4. The three parts of the reference number - should be arrived at thus:

(1) First Part - Department

Each Department will be known by a three letter abbreviation of its title. To ensure uniformity, a list of the abbreviations to be used is given at the end of this Appendix.

(2) Second Part - Group

The work of most Departments will fall into several reasonably well defined main groups, or; categories. These groups must be described by a word or in most cases, a group of words or a phrase. The correct description of the groups is the key to the success of the whole filing system.

(a) The word or phrase describing the group should not be so broad or all embracing that anything could go into it. The descriptions must be mutually exclusive and not overlap one another.

(b) Each Department should have its own names for groups. It is advisable not to use the classification of another Department, since, work has a different emphasis in different Departments.

(c) No system is completely fool proof and, quite reasonable options will present themselves. It is therefore necessary to weigh up which is the best course to take.

(d) If the file title does not fall into an existing group naturally, a new group should be created. There is no limit to the number, or; the size of groups. A group can have as few as one file in it, or it can have thirty, or forty, or; more. The group will be given a number and, this will form the middle part of the reference. Each Department will compile its own list of group numbers.

(3) Third Part - File

Each file within the group will be allocated a number. If there is a policy file on the subject, it is preferable, but, not essential, that it should be Number 1 (or 01) in the group.

5. Personal Files

The reference numbering of personal files can be simplified. It will still be necessary to have the Departmental Code Letters as, the first part of the

reference, as personal files may be opened in more than The Department. After the Departmental Code, each file can be allotted a number prefixed by P. P. (Personal File) as a file is opened for an officer.

6. Appearance

The file cover will be of stout buff card-board or manila, with a gusset. The name of the Government Department should be printed at the top. The "third" or "back" cover should not be used except for (a) drafts, (b) a pocket, (e.g. for maps or booklets) or (c) spare copies of papers in the file, (which should be removed at regular intervals when no longer required). Pins and paper clips should always be removed.

7. Movements of Files

All movements of files should be written either on the front cover in the space provided, or; in bold lettering on the last page of the file, e.g. "P.A." (Put away), or "B.U." (Bring up). Ministries and Departments may adopt either system. Registry clerks must initial and date any "B.U." thus certifying that, the instruction has been noted. It is important to remember that, it is the last entry on the last page on the file that is the operative minute, whether it is a recommendation minute upwards on a letter, or; on a separate Minute Sheet, or; an instruction downwards.

A "P.A." or a "B.U." at the end of action can be a vitally important entry. No officer should make a file "P.A." or "B.U." unless, he has verified that all action on the file has been completed, not merely the action immediately undertaken, because there may be some other subject uncompleted in the file. All entries "P.A." or "B.U." must be initialled by the officer making it.

8. Temporary Files

If a file is not readily available, a temporary cover may be used but, it is essential for it to have a distinctive appearance and, for the papers to be connected with the main file as soon as possible.

9. Records

The object of records is to identify papers so that they can be found easily without relying on memory. The dangers are that too many records will be kept, thus wasting time, or; that too few will be kept so that identification is difficult. A worse danger is that records will be kept badly and, will be unreliable and misleading.

10. Records of Files

(a) Files other than Personal:

There should be two card indices:

(i) a Subject Index - which will show the main, or; subsidiary subject at the top, the full title of the file and, its number. It will probably be necessary to have more than one "subject card" for each file;

(ii) a Numerical Record - on which the movement of the file will be recorded.

(b) Personal Files:

One card index only is necessary. The cards will show the name of the officer and the number of the file and, will be kept in alphabetical order. All movements of the file can be shown on this card.

11. Cards should always be kept in their main place - the information on the card should tell you all you want to know. It leads to confusion to remove the cards into special "transit" or "B.U." boxes.

12. B.U. Diary

A diary should be kept for the purpose of ensuring that files are brought up on the necessary date. The number of the file should be shown in the appropriate space for the date the file is needed. The Registry Clerk should go through the diary every morning. Files for "B.U." should also be kept in the normal filing cabinets. It leads to confusion to keep them in separate places.

13. Records of In-Coming Correspondence

Most larger Departments will need to keep a record of incoming correspondence. A single record only need be kept in book form. The book or register will show:

(1) date of paper

(2) from whom

(3) type (Letter, Memorandum, Telegram, etc...)

(4) subject (which should be an intelligent precis of the matter dealt with)

(5) reference

(6) date received

(7) file number

(8) action

14. Records of Out-Going Correspondence

It is not necessary to keep a record of all outgoing correspondence. A simple record of important outgoing correspondence should be kept of items needing a receipt, for example, papers with a security classification and, packets containing items of value. The record will be in the form of a Duplicate Receipt Book and, will allow space for a signature by the Messenger taking the papers and, for a signature by the recipient. The top copy of the receipt will be detached and be sent with the papers. The duplicate will remain in the book. When the top copy is received back in the originating office, the duplicate will be marked accordingly. The top copy can be retained for a short while until all question of doubt is resolved (for example, the letter has been answered) and, then destroyed.

15. All old files should be reviewed for the following Purposes

- (1) renumbering if necessary;
- (2) to make sure titles are accurate;
- (3) to make sure the contents are relevant.

All files should be reviewed from time to time in order to dispose of papers and files that are no longer required.

APPENDIX B

MODEL NOTIFICATION OF INTERDICTION - WHERE POWER TO INTERDICT IS DELEGATED

In accordance with Regulation 37(l) of The Public Service Commission Regulations, and in the exercise of powers delegated to me under The Public Service (Delegation of Powers) Order, I hereby interdict you from the exercise of the powers and functions of your office with effect from..... , on the grounds that proceedings for your dismissal are being taken or "(proceedings for your dismissal are about to be taken" or "criminal proceedings are being instituted against you.)"

During the period of interdiction you will receive reduced emoluments of

APPENDIX C

LIMITS ON LOANS TO OFFICERS TO BUY CARS

SALARY		LOAN AMOUNT
January 2006	July 2006	
\$12,300 - \$15,500	\$12,900 - \$16,100	\$5,500
\$15,550 - \$19,100	\$16,150 - \$19,700	\$6,500
\$19,150 - \$27,000	\$19,750 - \$27,600	\$7,500
\$27,050 and above	\$27,650 and above	\$8,800

Permanent Secretary of The Public Service.

APPENDIX D

PUBLIC HOLIDAYS

New Year's Day
Good Friday
Easter Monday
Whit Monday
Labour Day

Independence Day
Emancipation Day
Discovery Day
Christmas Day
Boxing Day

APPENDIX E
SUBSISTENCE ALLOWANCES FOR DUTY TRAVEL

Officers who travel within The Commonwealth of The Bahamas shall be paid a daily allowance of fifty dollars (\$50.00) per day. Eighty dollars (\$80.00) per day will be paid for overseas travel. This is intended to cover meals, laundry and all sundry expenses except housing and transportation.

APPENDIX F
SUBSISTENCE ALLOWANCES ON ARRIVAL IN THE BAHAMAS
TO TAKE UP DUTY

Accommodation in a hotel, normally for not more than 8 nights:

	15th April to 14th December, inclusive:	15th December to 14th April, inclusive:
	B\$ per night	B\$ per night
For an officer only	20	30
For an officer and his wife	30	40
For each child requiring a bed	15	15
For each child in a crib	10	10

N.B. Allowance should be payable for no more than two dependent children under 18 years.

**APPENDIX G
TRANSPORT ALLOWANCES**

The commute allowances payable at a flat rate per month, according to the average mileage run on official duty is determine as follows:

(a) Casual Mileage:

The casual mileage rate for small mileage (i.e. mileage less than 100 miles) has been increased from 30 cents to 45 cents.

(b) Commuted Mileage:

Mileage	Present Monthly Rates	New Monthly Rates
100 - 149	\$36.00	\$54.00
150 - 199		\$60.00
200 - 249	\$44.00	\$66.00
250 - 299		\$72.00
300 - 349	\$52.00	\$78.00
350 - 399		\$84.00
400 - 449	\$60.00	\$90.00
450 - 499		\$96.00
500 - 549	\$68.00	\$102.00
550 - 599		\$108.00
600 - 649	\$76.00	\$114.00
650 - 699		\$120.00
700 - 749	\$84.00	\$126.00

750 - 799		\$132.00
over 800	\$92.00	\$138.00