



**STAFF ORDERS  
FOR THE  
PUBLIC SERVICE  
OF SAINT LUCIA**

# STAFF ORDERS

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# CHAPTER I

## *PRELIMINARY*

### **Staff Orders for the Public Service of Saint Lucia**

**1.1** The conditions of service of public officers, rules governing the general conduct of officers and other relevant matters are embodied in these Orders which are cited as “Staff Orders for the Public Service”, and are published under the authority of the Governor-General acting on the advise of the Cabinet.

### **Effective date of introduction**

**1.2** These Orders take effect from 25th August, 1983 and they supersede the General Orders of the Windward Islands made in 1956 and Colonial Regulations.

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### **Orders to be available to all officers**

**1.3** Public officers are required to familiarise themselves thoroughly with the Staff Orders and any amendments and additions thereto which may from time to time be issued. On first appointment all officers shall be provided with a copy of these Orders. It shall be the duty of Permanent Secretaries and Heads of Departments to ensure that copies are available at any time for consultation by all officers under their authority.

### **Application**

**1.4** The provisions of these Orders shall apply to all public officers provided that where special regulations, consequent upon Collective Agreements, are made in regard to a particular category or class of officers, such special regulations shall have precedence over related provisions in these Orders.

### **Government notifications and orders**

**1.5** Public officers are required to acquaint themselves with all Government notifications and orders, whether published in the Government Gazette or conveyed by circular or other means of communication and

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\* Where the revised Staff Orders are silent on any matter relating to the employer’s rights in the hiring, control and discipline of staff, the provisions of the General Orders 1956 and Colonial Regulations will continue to apply.

Permanent Secretaries and Heads of Departments shall be held responsible for the necessary circulation of such publications to their staff.

### **Liability to disciplinary action**

**1.6** Public officers shall be liable to disciplinary action in respect of a breach of any of these Orders.

### **Definitions**

**1.7** In these Orders unless the context otherwise requires : “Employee” means a person other than a public officer employed by the Government of Saint Lucia;

“Office of Emolument” in relation to the definition of “Public Officer” means any pensionable or non-pensionable post;

“Public Officer” or “Officer” means any person holding or acting in any public office;

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

“Service Commission” means the Public Service Commission, the Judicial and Legal Services Commission or any other Service Commission appointed under the Constitution of Saint Lucia;

“Public Service” means the service of the Crown in a Civil capacity which shall include the Police and Fire Service;

“Designated Travelling Officer” means an officer who holds a post which has been designated by the Cabinet of Ministers to be a scheduled travelling post in the Public Service;

“Territory” means any country within the CARICOM grouping.

## **CHAPTER II**

### ***APPOINTMENTS, PROMOTIONS AND TRANSFERS***

#### **Authority for appointments**

**2.1** (1) Save as may otherwise be provided in the Constitution of Saint Lucia or in Regulations made under the Constitution, appointments to the public service including acting and temporary appointments, and promotions shall be made by the appropriate Service Commission.



(2) The employment of persons in the public service without remuneration shall be permitted without the prior authority of the appropriate Service Commission.

### **Effective date of appointment**

**2.2** (1) Subject to the provisions of these Orders the effective date of appointment is the date on which an officer assumes the public office to which he is appointed.

(2) Where an officer has been on probation, the date of appointment shall normally be the date on which he commenced the probationary period.

### **Re-employment of dismissed officer**

**2.3** No officer who has been dismissed from the public service, whether from a pensionable or non-pensionable post, shall be re-employed in any capacity without prior approval of the appropriate Service Commission.

### **Re-employment of resigned officer**

**2.4** When an application for employment is received from an officer who has previously resigned from the public service, the circumstances which led to the resignation shall be investigated before a decision is taken on the application. Such investigation shall include a reference to the Permanent Secretary, Personnel.

### **Re-employment of retired officers**

**2.5** Officers who have retired from the public service of Saint Lucia or any other territory may be re-employed on the authority of the appropriate Service Commission. Such re-employment on temporary terms or on contract shall be made only where —

- (a) the prospects of serving officers are not prejudiced;
- (b) the vacancy cannot otherwise be readily filled; and
- (c) the retired officer is medically fit and in all respects suitable for employment.

### **Eligibility for appointment to the Public Service**

**2.6** To be eligible for permanent and pensionable appointment in the public service a candidate shall —

- (i) be not less than 16 years of age or not more than 45 years of age;
- (ii) possess such educational qualifications as may be prescribed from time to time;
- (iii) be certified by a Government Medical Officer to be in sound health and mentally fit for employment;
- (iv) produce two recent certificates of good character, of which one, if the candidate has not previously been in employment, should be from the Head of the School or College he last attended, or if he has previously been employed, from his last employer.

### **Oath or affirmation of secrecy**

**2.7** On appointment to the public service, every officer whether permanent or temporary shall be required to make and subscribe to the oath or affirmation of secrecy in the approved form (Appendix I).

### **Medical reports**

**2.8** (1) The Government Medical Officer certifying a candidate's fitness for employment shall state in the certificate of fitness that he has made a complete and thorough examination of the candidate and that he has enquired into the medical history of the candidate's family.

(2) No fee is payable for this examination.

(3) If the person selected for appointment fails to produce a certificate within one month of assumption of duty or the Medical Officer certifies the person to be unfit for service the appointment shall be deemed to be terminated.

(4) If an officer has already passed the prescribed medical examination in respect of an earlier appointment immediately preceding his appointment to the Permanent Establishment, a further medical examination may be dispensed with.

### **Further medical reports**

**2.9** An officer, whether or not he is on leave of absence at the time, may be required by the Permanent Secretary, Personnel to present himself for examination by a duly constituted Medical Board with a view to ascertaining whether he is physically and mentally capable of performing the duties of his office or of any other public office to which his appointment is being considered. No fee is payable for this examination.

## **Record of Service**

**2.10** Permanent Secretaries and Heads of Departments are required to maintain a record of service on the prescribed form for all officers in their Ministries and Departments. The record of service should accompany a transferred officer (Appendix II).

### **Probation of non-pensionable officers appointed as pensionable officers**

**2.11** When an officer is appointed to a pensionable officer after non-pensionable service in an office in which he has been performing the same or similar duties, the period of his probation in the pensionable office may, on the authority of the appropriate Service Commission be reduced by the length of his non-pensionable service provided that there is no break between his non-pensionable and pensionable service.

### **Contract appointments**

**2.12** The conditions of service of an officer appointed on contract are those provided in his contract but he shall during the duration of his contract, unless it is specifically provided otherwise, be subject to all changes in conditions of service applicable to officers of equivalent grade who are appointed to permanent, pensionable offices.

### **Seniority as between posts**

**2.13** The relative seniority of different grades of officers in the public service is determined by the salary scale attached to the grade, the grade with the higher maximum salary being the senior. Where the maximum salaries of two grades are the same, the grades with the higher minimum salary will be the senior.

### **Seniority as between officers in the same grade**

**2.14** An officer's seniority is determined by the date of his appointment to the particular grade in which he is serving. Seniority as between officers appointed on probation and subsequently confirmed in their appointment is determined by the date of confirmation. The seniority of officers appointed to the same grade from the same date will be in accordance with the seniority in their former grade and if necessary in each preceding grade.

### **Seniority of officers re-appointed after resignation**

**2.15** The seniority of an officer who has left the public service after resignation and is subsequently re-appointed, shall be determined by the date of his re-appointment.

## **Liability to transfer**

**2.16** Officers are liable for transfer to any post of equivalent grade in the public service.

## **Transfer**

**2.17** (1) A transfer not involving a change in emoluments of an officer, or the grading of his post, shall, where the transfer is: —

(a) between Divisions within a Ministry, be made by a Permanent Secretary;

(b) within a Division be made by the Head of that Division;

provided that all transfers ordered under (a) and (b) above shall be reported forthwith to the Permanent Secretary, Personnel who will notify the Secretary, Public Service Commission.

(2) Any other transfer shall be made by the appropriate Service Commission. Where an officer is transferred under any of the foregoing provisions of this Order, he may lodge a written objection through his head of Department to the Permanent Secretary, Personnel; and such objection shall be transmitted to the Public Service Commission for determination.

## **Application for transfer**

**2.18** An officer who wishes to be considered for transfer within the public service to a post of equivalent grade may apply in writing to the Permanent Secretary, Personnel through his Head of Department and Permanent Secretary.

## **Effective date of promotion**

**2.19** The effective date of a promotion shall be fixed by the appropriate Service Commission. It shall normally be the date upon which an officer who has been selected for promotion assumes the duty of the higher office which has fallen vacant, provided that —

(1) If the promoted officer is on leave at the time the higher office falls vacant and assumes duty therein immediately on his return from leave, the promotion may be made effective from the date on which he assumes duties;

(2) If the promoted officer has been acting continuously (a part from periods of leave) in the higher office or in an office of equivalent grade, prior to his selection for promotion thereto, his promotion may be effective from a date not earlier than the date on which he commenced such continuous acting or the date on which the higher office fell vacant, whichever date is later;

(3) The higher office shall be deemed to have fallen vacant on the date the holder of the office proceeds on pre-retirement leave.

### **Overseas appointments, travel arrangements**

**2.20** The provisions of the Order shall apply to all persons selected from outside Saint Lucia for first appointment to a public office. The term “children” in this Order means the legitimate, illegitimate and legally adopted children of the person appointed who are below the age of nineteen years and who are unmarried, and normally resident with and dependent upon him. The term “passage” means a passage by a route approved by the Ministry of Finance as a normal route in the course of removal. The person appointed will: —

(1) In the absence of any arrangements to the contrary be provided with passages at the expense of the Government of Saint Lucia by the cheapest and most direct route from the country of recruitment to Saint Lucia for himself, his wife and not more than two children if they accompany him or follow him within twelve months of his appointment. The person appointed will be required to execute a passage agreement in the form prescribed in Appendix III to refund the cost of the passages in certain contingencies;

(2) be paid in full salary from the date of embarkation for Saint Lucia;

(3) be granted the following allowances for the transportation of his baggage and personal effects;

(a) OCEAN FREIGHT CHARGES

Not exceeding two shipping tons (or 80 cubic feet) exclusive of the free baggage allowance provided on the tickets issued to the officer and his family;

(b) TRANSPORT

The cost of transporting baggage and personal effects from his house to the place of embarkation and from the place of disembarkation to his destination;

(c) INCIDENTAL EXPENSES

Incidental expenses will be paid in accordance with approved rates for each passage paid by the Government under this Order towards the cost of all incidental expenses including the cost of crating, packing and handling. Government will not be responsible for any expenses incurred on insurances.

(d) **Excess Baggage Expenses**

if the person appointed travels by air, an additional allowance for accompanied baggage not exceeding 10 kilograms in respect of each full fare air ticket provided.

He will be required to submit vouchers in support of claims for the payment of the allowances in respect of (b) and the liability of the Government will be limited to that portion of the baggage falling within the volume limitation set out in (a). No additional allowances will be payable for the transportation of such items as motor cars, motor cycles, wireless sets, radiograms, etc., except as provided for in Order No. 2.20 (3).

**Officers appointed on transfer or secondment**

**2.21** (1) An officer appointed to the Public Service on transfer or secondment from the public service of another CARICOM territory may in addition to the baggage allowance payable under Order No. 2.20 be provided with free transportation for his motor car if it is deemed by the Director of Finance as necessary for the performance of his duties.

(2) An officer who is provided with free transportation for his motor car under the provisions of this Order will not be required to pay import duty on such motor car provided that evidence is produced that import duty has been paid in another territory.

CHAPTER III

*SALARIES AND ACTING ALLOWANCES*

**Salaries to be determined by the House of Assembly**

**3.1** The scales of salary attached to public officers are as provided in the Government's Annual Estimates of Expenditure as approved by the House of Assembly.

**Incremental salary scale**

**3.2** Where the salary of any post is in an incremental scale, subject to the provisions of these Orders, it shall be normal for an officer appointed on a

permanent basis to be paid initially the minimum salary of the scale, and subject to satisfactory service annual increments at the rates provided until the maximum of the scale is reached.

### **Payment of salaries**

**3.3** (1) An officer shall receive the salary of his post from the date upon which he assumes duties of the post.

(2) No salary shall be paid to an officer in respect of any period during which he has been absent from duty without leave unless the appropriate Service Commission directs otherwise.

(3) An officer who is proceeding on leave outside the territory may receive, prior to embarkation, his salary for the whole of the month in which he leaves the territory.

(4) Salaries shall normally be paid monthly in respect of the calendar month.

**3.4** Except in the case of promotion from a non-pensionable office to a pensionable office, the following shall apply where an officer is promoted to an office carrying salary on an incremental scale :

(1) If immediately prior to his promotion the salary of the officer was less than the minimum of the new office he shall receive the minimum, but if the grant of the next increment in his former office would have brought his salary in that office up to the minimum of the scale of his new office, he shall receive one increment in the new scale of his promotion.

(2) If immediately prior to his promotion the officer's salary was below the maximum of the scale of his office, and was not less than the minimum of the scale of the new office, he shall receive a salary at a point in the new salary scale amounting to one full increment (but not two) higher than his salary in the former office.

(3) If the maximum, or fixed salary of his former office was not less than the minimum of the scale of his new office, and the officer has at the date of his promotion served at that maximum, or fixed salary for a period exceeding one year, he shall, be appointed in the new scale at a point which provides two full increments in that scale.

### **Incremental dates**

**3.5** The incremental date of all officers shall be the first day of the month in which he was appointed or promoted.

## **Grant of increments**

**3.6** Annual incremental shall be paid on the personal certificate of the Permanent Secretary or Head of Department in the Form at Appendix IV.

## **Suspension, deferment and withholding of increments**

**3.7** (1) An officer's increment shall not be suspended, deferred or withheld except by order of the appropriate Service Commission.

(2) Where a Permanent Secretary or Head of Department considers that an officer's increment should be suspended, deferred or withheld he shall —

- (a) notify the officer in writing, at least one month before the date on which the increment is due that he considers that the increment ought not to be granted and the reasons therefor; or
- (b) if he is unable to notify the officer, report the matter to the Permanent Secretary, Personnel who shall refer the case to the appropriate Service Commission.

(3) In making his recommendation for the suspension deferment or withholding of an increment the Permanent Secretary, or Head of Department 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.

- (4) (a) An increment may be suspended for a period not exceeding three months and the payment of the increment at the end of the period of suspension may be from the date on which it became due.
- (b) An increment may be deferred for a period not exceeding six months, including any period for which it has been suspended, and shall be payable from the date on which it is restored.
- (c) Where an increment is withheld the officer is denied of that increment during each subsequent year of his service until the officer reaches the maximum of his scale. Where an increment has been withheld the Commission may at any subsequent increment date grant the officer a special increment which will have the effect of restoring the officer to his proper increment position in the salary scale.



## **Qualifying examination**

**3.8** An officer serving in the Junior Clerk grade shall be required to pass a Qualifying Examination before becoming eligible for promotion to the Senior Clerk grade, provided that an officer who has failed repeatedly to pass the examination whose salary has, for this reason, remained at the maximum of the salary scale for Junior Clerks for a period of three years may, if his conduct, efficiency and industry are certified by his Permanent to have been entirely satisfactory be eligible for promotion to the Senior Clerk grade.

## **Retention of services of promoted officer in former department**

**3.9** Where an officer is promoted to an office in another Ministry or Department arrangements should normally be made whereby he assumes his new duties on the date of his appointment. If however, exceptional circumstances necessitate his retention in his former department beyond his promotion date, he shall be considered to be holding his new office from the date of his appointment to it and seconded to his former department subject to the approval of the Permanent Secretary, Personnel.

## **Acting Appointments**

**3.10** (1) In the case of absence on annual leave or short absence due to illness or other cause, there will be, in general, no need for an acting appointment and no acting allowance will be payable. But where in such cases the nature of the duties attached to the office is such as cannot reasonably be expected to be performed by another officer in the same department, then an acting allowance may be made, regardless of the length of the absence of the substantive holder of the office.

(2) 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.

(3) In making an acting appointment in the temporary absence of the substantive holder of an office the claims of all suitable candidates shall be considered, and while no claim to act as of right will be recognised consideration shall be given to the record of service and suitability of the officer next in seniority in the department in which the acting appointment is to be made.

(4) Permanent Secretaries shall make their recommendations for

acting appointments to the appropriate Service Commission through the Permanent Secretary, Personnel, as far as practicable one month before the vacancy which it is proposed to fill by the acting appointment occ

### **Acting Allowances**

**3.11** (1) An officer duly appointed to act in a higher officer than his own shall, if required to act for a continuous period of twenty-eight days or more be granted, in addition to his substantive salary, an acting allowance calculated on the following basis :

- (i) where the higher office carries a fixed salary, 95% of the difference between the officer's substantive salary and the salary of the higher office;
- (ii) where the higher office carries a higher scale of salary, the difference between the officer's substantive salary and the minimum salary of the higher office;

provided that in both cases the acting allowance shall not be less than the amount of the increment in the salary scale of the higher office.

(2) Where an officer discharges the duties of another office in addition to his own and the two offices are distinct and separate offices in different departments, or do not stand to one another in any immediate relationship of superiority or subordination, the officer shall be paid an acting allowance at the rate of one half of the initial (or fixed) salary of the post in which he is acting.

(3) A duty allowance which is attached to an office is payable to the substantive holder of the office only when he is actually performing the duties of the office. During his absence or incapacity, the acting officer shall draw the allowance : provided that in a case where an acting appointment is necessitated by the absence of the substantive officer on duty outside Saint Lucia or on leave or sick leave for a period of not exceeding ten working days at any one time, the duty allowance shall be payable both to substantive holder and to the acting officer.

(4) The fees, if any, attached to an office may be paid to an acting holder of that office.

### **Acting allowance when acting officer on leave**

**3.12** An officer who is in receipt of an acting allowance may continue to be paid the acting allowance while he is on departmental leave or sick leave not exceeding 12 working days provided that it has not been necessary to

appoint another officer to perform the duties of the post in which he is acting. Except in the case of departmental leave or sick leave as provided for under this Order, no officer may be paid an acting allowance while on leave.

#### **Subsistence and transport allowances payable to acting officers**

**3.13** An officer appointed to act in a higher office will be eligible for subsistence and car allowance at the rate prescribed for the higher office.

## CHAPTER IV

### CONDUCT OF PUBLIC OFFICERS

**4.1** (1) An officer shall discharge the duties assigned to the post to which he is appointed and any other related duties that his Permanent Secretary or Head of Department may, at any time, call upon him to discharge, and such other special duties as he may be called upon to perform in the public interest.

(2) In the discharge of his duties, an officer shall be courteous and polite both to members of staff and the members of the public.

(3) Any act of an officer that is considered to be likely to bring the public service into disrepute must be reported forthwith to the Permanent Secretary, Personnel, by the Permanent Secretary and Head of Department concerned.

#### **Hours of Work**

**4.2** (1) The normal hours of work of public officers are thirty-seven and one half hours in each week as prescribed in Appendix V. Permanent Secretaries and Heads of Departments may require any or all of the staff to work temporarily for longer hours than those prescribed whenever the public interest warrants it.

(2) An officer may be required by his Permanent Secretary or Head of Department to work on any Public Holiday but in such cases the officer will, whenever possible be compensated by being given time off in lieu, unless he receives overtime for the duty.

(3) Works staff, that is technical staff supervising industrial employees or staff employed on outdoor work are required to work a forty

hour week or an eight hour day, the same hours as those of the employees they supervise.

(4) The times of work of the Hospital, Customs, Harbour, Prisons and Post Office Staff will be as set out by the Permanent Secretary responsible for the supervision of the Department concerned; and those of members of the Police Force will be as set out by the Commissioner of Police.

### **Overtime**

**4.3** (1) Officers who are regularly required by circumstances beyond their own control to work outside normal working hours, shall be paid overtime at the prescribed rates.

(2) Overtime shall not be payable to Teaching Staff, the Staff of Boys' Industrial School, Nursing Staff, Police and Prison Officers.

### **Absence from office during working hours**

**4.4** No officer shall absent himself from duty during working hours without the permission of the Permanent Secretary or Head of Department in which he works or such other officer as may be authorised to give such permission.

### **Absence from duty without permission**

**4.5** (1) An officer who absents himself from duty without permission, except in case of illness or other unavoidable circumstances shall render himself liable to disciplinary action.

(2) An officer may not leave the State without permission in writing from his Permanent Secretary or Head of Department provided that such permission shall only be withheld in the public interest.

### **Attendance register**

**4.6** (1) Officers shall be regular and punctual in their attendance. In each Government office an Attendance Register shall be kept in which each officer shall record daily the hour of his arrival at and departure from the office and sign the entry.

(2) The Attendance Register shall be examined at least once a month by a designated senior officer, and officers shall be warned in writing of cases of late coming or irregular attendance. Working less hours than the minimum laid down or irregular attendance may form the basis of disciplinary charges.

## **Private Interest**

**4.7** An officer shall not at any time engage in any private activity which might:

- (i) bring the officer or the Government into disrepute;
- (ii) conflict with his official duties or responsibilities;
- (iii) place him or give the appearance of placing him in a position to use his official position for his private benefit;
- (iv) make him unavailable for reasonable out of hours duties or official commitments;

provided that an officer, who is of the opinion that any private activity upon which he is engaged or in which he has a private pecuniary interest might offend against the provisions of this Order, must declare it fully to the provisions of this Order, must declare it fully to the appropriate Service Commission and must comply with such conditions or restrictions as the appropriate Service Commission after due enquiry, may consider necessary.

## **Work for Public Boards or Committees**

**4.8** Officers are not permitted to undertake paid work for public boards or committees without previously obtaining the sanction of the appropriate Service Commission.

## **Private employment while on leave**

**4.9** Without prior approval of the appropriate Service Commission, no officer shall while on leave, accept any paid employment, which will not normally be withheld when an officer is on leave prior to retirement or resignation.

## **Public officers not to sign public petitions**

**4.10** No officer shall sign or procure signatures to any public petition against the declared policies of the Government.

## **Public officers and the press**

- 4.11** (1) No officer, whether he is on duty or leave of absence, shall :-
- (a) act as editor of any newspaper, magazines or periodical or take part directly or indirectly in the management thereof ; or
  - (b) contribute to, whether anonymous or otherwise, or publish in news-

- paper, magazine or periodical or otherwise cause to be published in any manner, in Saint Lucia or elsewhere, anything which may be reasonably be regarded as of political or administrative nature ; or
- (c) allow himself to be interviewed on questions of public policy, or any matter of a political or administrative nature or on matters affecting the administration or the security of any state or territory ; or
  - (d) speak in public or broadcast in any way on matters which may be reasonably be regarded as of political or administrative nature:

Provided that the provisions of this Order shall not apply to an officer acting in pursuance of his official duties and with the prior permission of the Minister.

Provided also that the statements for publication of factual and technical information may be made by Permanent Secretaries, Heads of Departments and other Senior Officers, if authorised by their Minister.

### **Publication of official documents**

**4.12** Unless authorised by the Minister in writing, no officer shall make public or communicate to the Press or to unauthorised individuals any documents, papers or information which may come into his possession in his official capacity or make private copies of any such document or paper. Every public officer is required to exercise due care and diligence to prevent unauthorised access to or disclosures of such documents and information.

### **Publication of books or articles**

**4.13** Nothing in the preceding two Orders shall be deemed to prevent an officer from publishing in his own name, by writing, speech or broadcast, matters other than that which may reasonably be regarded as of a political or administrative nature, provided that if the publication is a book article or other work, the subject of which is connected with the officer's official duties or those of other officers, the prior consent of the Secretary to the Cabinet is obtained.

### **Public Meetings**

**4.14** No officer shall call public meeting to consider any action of the Government or speak or otherwise actively take part in such meeting. This prohibition extends to appearing on the platform at a public meeting which is convened with the object of considering or discussing a matter which involves the Government or the actions of the Government. It would not normally extend to public meetings of a religious nature.

## **Representation by public officers**

**4.15** No officer may seek to influence any member of the Parliament as a means of bringing his services to official notice especially in connection with appointments, leave, postings, transfers, discipline, promotions or any condition of service, or as a means of furthering his interest in the Government service in any way. The adoption of such methods will render him liable to disciplinary proceeding.

## **Engagement in political activities**

**4.16** Officers are expressly forbidden from engaging in party political activity at any time such as:

- (a) holding office or taking active part in any political organization;
- (b) engaging in publicly in political controversy or publicly criticizing the policy of the Government or individual Ministries;
- (c) writing letters to the press, publishing books or articles, circulating leaflets or pamphlets or participating in radio or television broadcast on political matters;
- (d) canvassing in support of political parties or in any way publicly supporting or indicating support for any political party or candidate.

## **Engagement in trade union activities**

**4.17** Public officers may be members of a Trade Union and they are entitled to attend private meetings of their union, and to speak and vote at such meetings; provided that the holders of offices mentioned under section 87 (1) of the Constitution such as:

- (i) Secretary to the Cabinet
- (ii) Permanent Secretaries
- (iii) Heads and Deputy Heads of Department of Government
- (iv) Chief Professional Advisor

(v) Holders who are required to reside outside of Saint Lucia, whose functions relate to External Affairs should be excluded from holding leadership positions in general Trade Unions and Associations functioning as general Trade Unions.

## **Acceptance of gifts**

**4.18** Public officers shall not solicit or accept gifts for services rendered in their official capacity .

## **Legal proceedings by officers**

**4.19** Public officers shall not institute civil proceedings in any Court in connection with matters arising out of the discharge of their public duties, or against a Minister, Permanent Secretary or other Public Officer, for anything done in the performance of his duty, unless and until the sanction of the appropriate Service Commission has been obtained.

## **Legal proceedings against public officers**

**4.20** (1) Subject to the provisions of this Order the Government shall, unless advised otherwise by Attorney-General in any particular case, accept responsibility for the defence of officers against whom legal proceedings are threatened or instituted in respects of acts done or liabilities incurred in the execution of their duty.

(2) Where any such legal proceedings are threatened or instituted, the fact thereof shall be reported forthwith to the Attorney-General and no legal or other expenses shall be incurred by the officer against whom the proceedings have been threatened or instituted, or other steps taken in connection with any such proceedings until the directions of the Attorney-General have been received by the officer.

## **Pecuniary embarrassment**

**4.21** Public officers shall be liable to disciplinary action if they continually subject themselves to serious pecuniary embarrassment.

## **Bankruptcy**

**4.22** In the event of an officer filing a petition in bankruptcy and bankruptcy proceedings are taken against him or if he enters into a composition with his creditors under the Bankruptcy Law, or if his action results in serious financial embarrassment on his part, the officer shall immediately notify his Permanent Secretary, thereof who will report the fact to the Personnel Secretary, Personnel.

## **Bankruptcy proceedings to be reported**

**4.23** In every instance of bankruptcy proceedings against a public officer, the officer of the Courts before whom the proceedings are taken shall forthwith report the matter to the Permanent Secretary, Personnel given particulars of the officer's indebtedness. On the conclusion of the



examination the officer of the Court shall furnish a further report to the Permanent Secretary, Personnel showing whether or not the officer's difficulties were occasioned by (a) imprudence or extravagance or (b) unavoidable misfortune or other extenuating circumstances. The Permanent Secretary, Personnel may thereafter take appropriate action in the matter.

### **Judgement Summons**

**4.24** Any public officer who is sued for debt and against whom after an order of payment has been made, a judgement summons is issued will be regarded, in the absence of a reasonable explanation and his failure to pay the debt, as having brought himself within the terms of Order 4.21.

### **Returns by Clerk of Court**

**4.25** The Magistrate or Registrar of the Court shall furnish a report to the Permanent Secretary, Personnel, immediately a judgement summons has been issued against public officer.

### **Misconduct**

**4.26** An officer shall be liable to disciplinary action for any misconduct including general misconduct to the prejudice of discipline or the proper administration of Government business and contravention of specific rules and regulations.

### **Strikes by public officers**

**4.27** Public officers who go on strike except on the summons issued by the recognised Union violate the terms of their employment and render themselves liable to dismissal.

## **CHAPTER V**

### ***CORRESPONDENCE AND FILING BUSINESS***

#### **Disclosure of official information**

**5.1** Public officers and employees are expressly forbidden to give any unauthorized person information relating to the business of the public service. The publication of official documents or information is governed by the provisions of Orders 4.11 and 4.13.

## **Confidential and secret correspondence**

**5.2** Confidential and secret correspondence and documents shall always be kept under lock and key and separate from open correspondence and material.

### **Responsibility of Permanent Secretaries and Heads of Departments for the security of classified documents**

**5.3** (1) Permanent Secretaries and Head of Departments shall ensure that no member of their staff, other than officers authorised to do so, is in a position to handle or read confidential or secret documents.

(2) All correspondence marked “ Secret ” , “ Personal ”, “ Confidential ” or “ In Confidence ” shall be opened by the addressee personally. Permanent Secretaries and Heads of Departments shall themselves be responsible for the security of secret and confidential material that comes into their hands. Permanent Secretaries may arrange for one clerk to be appointed in their Ministry to whom all secret and confidential correspondence will be entrusted.

### **The handling of classified correspondences**

**5.4** (1) All official correspondence addressed “Secret”, envelopes, one inside the other. The inner envelope must be marked “Secret”, “Confidential” or “In Confidence” as the case may be, but the outer one should be folded in such a way that both will not be opened at the same time.

(2) Care must be exercised that secret and confidential papers are not passed about the office and another, except in sealed covers marked “Secret” “Confidential” or “In Confidence”.

### **Decisions affecting an officer personally**

**5.5** Decisions affecting an officer personally shall be conveyed to him in writing. No officer through whose hands such correspondence passes shall communicate any of the contents to any other person or persons, without written instructions from the Permanent Secretaries and Heads of Departments or the Permanent Secretary, Personnel.

### **Copies of official correspondence not to be made**

**5.6** (1) Copies of communications to or from the Government shall not

be conveyed to any person without the authority of a Permanent Secretary or Head of Department. If the orders therein contained are intended to be communicated, they will be embodied in letter addressed to the person concerned.

(2) No officer may take copies of communication and report referring to himself or any other officer and any officer found in unauthorised possession of such documents shall be liable to disciplinary action.

**Official correspondence**

**5.7** Permanent Secretaries shall correspond directly with each other and with the public. Important questions of Principle or of policy may be referred to the Minister concerned, and proposals which involve reference to other Ministries should be fully discussed between the Permanent Secretary and Head of Department concerned before they are referred to the Minister and the fact that this has been done should be stated in the submission. Personnel questions, (other than those which are for determination by the appropriate Service Commission) and Establishment matters that they may be resolved within the terms of these Orders as amended from time to time, may be dealt with by Permanent Secretaries and heads of Departments. Where there is any doubt about the interpretation of Personnel Matters it shall be referred to the Permanent Secretary, Personnel for advice.

**Communications to be answered without delay**

**5.8** (1) All communications, whether from the public or from the Ministries or between a Ministry or Department shall be answered promptly. Where it is not possible for a prompt reply to be sent, an interim acknowledgment may be made, and a reply sent as soon as thereafter as possible.

(2) Communications may, 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, shall be furnished. In every communication, paragraphs shall be numbered consecutively throughout and each page numbered.

**Opinion by law officers**

**5.9** No opinion of the Government law officer may be quoted directly to a private individual. If it is necessary to refer to a legal opinion this should be preceded by the words “The Government is advised that”  
.....

## **The preservation and destruction of official document**

**5.10** The preservation and the destruction of Government documents are regulated by the following and Permanent Secretaries and Heads of Departments are guided accordingly:

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

(2) Any file over five years old, shall bear a direction by an authorised officer in the Ministry that it shall be:

- (a) preserved because of its continuing value to the Government; or
- (b) destroyed at once; or
- (c) destroyed on a stated date if there is no further action.

(3) If a file is retained in accordance with sub-paragraph (2) (a) of this Order, it shall be kept for fifteen years from the date of its creation, and shall be considered by the Government Archivist for destruction or for further retention.

(4) A record shall be kept of all documents and files destroyed and the date on which they were destroyed.

(5) The following shall not be destroyed:—

- (a) Documents required by law or regulations to be preserved;
- (b) Documents of historical or other interest, particularly those relating to the History of Saint Lucia or of the West Indies;
- (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 fifty years old;
- (e) Documents referring to:—
  - (i) policy decisions, precedents, legal opinion and the preparation of legislation;
  - (ii) the evidence of rights and obligations of Government, and claims for compensation not subject to limitations in time;
  - (iii) reports on field trials and experiments;
  - (iv) reports by departmental committees and working parties;
  - (v) organisation and staffing and the personal files of public officers.

## **Court records and documents**

**5.11** The provisions of Order 5.10 do not apply to legal and Judicial Departments, where official documents are subject to special legal provisions.

## **Use of official Stationery**

**5.12** Official stationery shall, on no account, be used for private correspondence or for any purpose do not directly connected with the work of a Ministry or Department. Permanent Secretaries and Heads of Departments are required to ensure that the strictest economy in the use of stationery is exercised in their offices. All orders for stationery should be scrutinised, before they are issued, by a responsible officer deputed for this purpose.

## **Franking of Official correspondence**

**5.13** Official correspondence (including letters, printed matter and miscellaneous packets) which is to transmitted free by the island post, must bear on the envelope or cover, the words "O.H.M.S." and, in the lower left hand corner the signature and official designation of an officer duly authorised to frank official postal packages.

## **Official seal**

**5.14** Impressions of official seals shall not be given to any private person.

## **Official telegrams**

**5.15** Telegrams may be approved for dispatch only by officers authorised by Permanent Secretaries and Heads of Departments. In the interest of economy, the use of telegrams should be avoided wherever possible unless the communication is urgent or a telegraphic reply has been specifically requested.

## **CHAPTER VI**

### *LEAVE, SICK LEAVE ETC.*

#### **(A) LEAVE**

### **Leave**

**6.1** All leave is granted subject to the exigencies of the public service and is computed in working days.

### **Authority for grant of leave**

**6.2** Permanent Secretaries and Heads of Departments are authorised to

grant leave to their staff within the following limits:

- (i) **DEPARTMENTAL LEAVE:** All departmental leave (authority to grant such leave may be delegated by Permanent Secretaries and heads of Departments to senior officers).
- (ii) **Vacation Leave:** up to a period not exceeding a total of absence of 24 working days in a year.
- (iii) **SICK LEAVE ON FULL PAY:**
  - (a) up to 24 working days to officers working a six day week in any one year;
  - (b) up to 20 working days to offices working a five day week in any one year.
- (iv) **MATERNITY LEAVE:** Up to the maximum permitted.

(2) All other leave and leave in excess of the limits prescribed in paragraph (1) of this Order may be granted by the Permanent Secretary, Personnel. In the case of Permanent Secretaries and Heads of Departments, their applications for leave shall be referred to Permanent Secretary, Personnel for approval with the consent of the Minister concerned.

(3) Applications for leave must be submitted on the prescribed forms and copies of applications for vacation leave granted by Permanent Secretaries forwarded to the Permanent Secretary, Personnel for record.

### **Leave not to entail the employment of extra staff except in certain circumstances**

**6.3** As a general rule, Permanent Secretaries and Heads of Departments are expected to reallocate an officer's duties while he is on leave without extra staff. The employment of temporary leave reliefs may be sanctioned only in the case of officers absent on leave for periods exceeding 28 days. Leave reliefs may be however, allowed for shorter periods if the exigencies of the service so require.

### **Cancellation of leave**

**6.4** An officer may be recalled from leave in the exigencies of the services provided that the unexpired portion of leave shall be regarded as deferred leave.

### **Extensions of leave**

**6.5** An officer seeking an extension of leave shall in the absence of exceptional circumstances apply to his Permanent Secretary or Head of Department in sufficient time for a decision on the application to be

communicated to him before the expiry of the leave granted. An application for an extension of leave on the grounds of ill health shall be supported by a medical certificate from a registered medical practitioner.

### **Compulsory leave**

**6.6** An officer may be required by the Permanent Secretary, Personnel to take leave which is due to him. An officer may also be required in the public interest to proceed on leave or to remain on leave after the expiry of leave granted to him, provided that such leave shall not count against leave to be earned in the future.

### **Absence without leave**

**6.7** An officer who absents himself from his duties without leave being granted or who fails to resume duty on the expiry of the leave shall be regarded as absent without permission and shall not be entitled to salary during such absence. All such absences shall be reported to the Permanent Secretary, Personnel and the period of absence may not be set off against any leave eligibility without the approval of the appropriate Service Commission.

### **Leave not due**

**6.8** Where an officer through circumstances beyond his control is compelled to overstay his approved leave, he may either with the approval of the Permanent Secretary, Personnel :-

- (a) have the excess leave deducted from the amount of any deferred leave or leave due in the next leave year;
- (b) refund salary in respect of the days of excess leave taken.

### **Arrangements for the grant of leave**

**6.9** Subjects to the exigencies of the Service, Permanent Secretaries and Heads of Departments shall arrange that officers take departmental leave in the year in which it accrues.

### **Forfeiture of Departmental leave not taken**

**6.10** Any departmental leave due and not taken in a particular year will lapse unless the officer is precluded by the exigencies of the Service from taking such leave. The approval of the Permanent Secretary, Personnel must be obtained for departmental leave not taken to be converted into vacation leave.

## **Eligibility for leave**

**6.11** (1) The rates of leave for which the various grades of officers are eligible are set out in Appendix VI. Where an officer is upgraded to the higher leave earning category he will earn leave at the higher rate with effect from the date of upgrading.

(2) No officer shall be allowed to take vacation leave before he has completed 200 days of service from the date of his appointment except on the grounds of urgent private affairs or serious indisposition.

## **Leave to be granted in respect of service**

**6.12** (1) Except as provided by these Orders, leave will be granted in respect of service. Absences on duty, absences on departmental and sick leave on full salary will count as service.

(2) Leave eligibility will be calculated on the basis of completed months of service in a year, one twelfth of the annual rate of leave to each completed month of service.

## **Address while on leave**

**6.13** Officers proceeding on leave, should report their leave address and changes, to the Permanent Secretary or Head of Department who will inform the Permanent Secretary, Personnel.

## **Leave salary**

**6.14** Where an officer proceeding on leave, wishes to draw his leave salary other than in Saint Lucia he must notify the Accountant-General of his requirement before departure on leave.

## **Leave prior to resignation**

**6.15** (1) An officer or employee, who resigns his appointment after giving the prescribed notice or because of ill health or who is dismissed shall be granted the departmental and accumulated vacation leave, which he has earned. That leave shall not be included as part of the period of notice of termination of service.

(2) The provision contained in (1) of this Order, will not apply to an officer or employee who while on duty, resigns and fails to give the requisite period of notice.



## **Leave without pay**

**6.16** Leave without pay may be granted in exceptional cases.

### **(B) SICK LEAVE**

#### **Circumstances in which sick leave may be granted**

**6.17** An officer or employee may be granted sick leave:

- (i) if he is ill or injured, provided that the illness or injury prevents him from carrying out his duties;
- (ii) if he is confined to a hospital or similar institution for a period of not less than two weeks whilst on vacation leave or otherwise.

#### **Sick leave in excess of two consecutive working days to require production of medical certificate**

**6.18** (1) Sick leave on full pay to cover absence from duty due to illness or injury shall be granted, subject to the provisions of these Orders, without affecting eligibility for departmental or vacation leave. Applications for such leave if it exceeds two consecutive working days shall be supported by a medical certificate.

(2) Sick leave when granted shall be accounted for in working days.

#### **Sick leave granted without production of medical certificate**

**6.19** The total period of sick leave which may be granted for absence not supported by a medical certificate shall not exceed 10 working days in a year (12 working days where an officer works a six day week) and any such absence in excess of that period shall be deemed earned leave.

#### **Maximum amount of sick leave to be granted**

**6.20** An officer may be granted sick leave on full salary up to a maximum period of 124 working days (150 working days for officers who work a six day week) during any period of twelve months ending on the final day of sick leave granted to him. Thereafter, if necessary further extensions of sick leave may be granted, with half salary, subject to a maximum period of 248 working days (300 working days for officers who work a six day week) sick leave in all with full and half salary, combined. If an officer is eligible for vacation leave when sick leave with half pay is granted, such vacation leave may be taken on full salary and the period of sick leave with half salary may be reduced to that extent. Save in

exceptional circumstances and on the advice of a Medical Board, sick leave beyond an aggregate of 248 working' days (300 working days for officers, who work a six day week) may be granted in any period of four years or less without salary, the leave period shall however be counted as service for salary, increments or pension.

### **Sick leave for periods exceeding 3 months subject to Medical Board**

**6.21** All officer may be called upon at any time by the appropriate Service Commission to submit himself for examination by a Medical Officer or a Medical Board. An officer who has been on sick leave for a continuous period of three months, shall, unless specifically exempted on the advice of the Director of Health Services be required by the Permanent Secretary, Personnel to submit himself for an examination by a Medical Board appointed by the Director of Health Services.

### **Sick leave when Medical Board advises discharge on grounds of ill health**

**6.22** If a Medical Board appointed under Order 6.21 advises that an officer is not likely to be fit to return to duty at the end of his sick leave and that he should be retired because of ill health, the Permanent Secretary, Personnel, may grant sick leave on full salary and half salary to the officer up to the maximum period laid down in Order 6.20 until a decision has been made on the recommendation of the Board. Where it is decided to retire the officer prematurely, on the advice of the Medical Board, unless he is engaged, on daily rates of pay, he shall be granted a minimum of two months leave on full salary.

### **Discretionary sick leave**

**6.23** (1) Discretionary sick leave on full pay may be granted, where an officer is suffering from :-

- (a) an injury sustained in the execution of his duties ;or
  - (b) an illness caused by or directly attributable to the nature of his duties.
- (2) Sick leave granted under this Order shall not be taken into account for purposes of counting any other leave to which he is entitled under these Orders.

### **Officers to seek medical advice when unwell or instructed**

**6.24** All officer shall seek medical advice if he is instructed to do so by his Permanent Secretary. If he fails to do so or fails to comply with the medical advice given, he may render himself liable to disciplinary action.

## **Failure to appear before a Medical Board**

**6.25** If for any reason it is decided that an officer needs to be examined by a Medical Board he shall present himself for examination at the place and time instructed and if he fails to do so he will render himself liable to disciplinary action.

## **Maternity leave**

**6.26** A female officer on the permanent establishment shall be granted maternity leave with full pay for a period of six weeks before and six weeks after confinement. She may in addition be granted on request any vacation leave to which she is entitled, immediately after the completion of maternity leave.

## **(C) OTHER FORMS OF LEAVE**

### **Leave on urgent private affairs**

**6.27** An officer may be granted leave on the grounds of urgent private affairs and an application for such leave shall be accompanied by a statement of the reasons for the application. The statement shall, if desired, be treated as confidential.

### **Granting of leave on urgent private affairs**

**6.28** Leave on urgent private affairs shall be granted in accordance with the provision of Staff Order 6.2. The officer may be required to take all leave for which he is eligible. He may be granted, in addition, leave on full salary to bring the total leave granted to 60 working days (72 working days if the officer works a six day week) provided that such additional leave as may be granted will count against his future leave eligibility. If the officer retires, resigns or is discharged before he becomes eligible for leave equal to the additional unearned leave taken, he will refund to the Government the salary he might have been paid during that leave.

### **Special leave to attend sporting and other events**

**6.29** (1) Special leave on full salary may be granted by the Permanent Secretary, Personnel in the following circumstances:

- (a) to enable officers and employees who are selected by the proper authorities to represent Saint Lucia or the West Indies in sports events;
- (b) to enable officers and employees who belong to the Boy Scouts,

Boys' Brigade, the Girl Guides, the Red Cross and similar organisations and are selected by the proper authorities to attend gatherings of a national or international character connected with such organisations ;

- (c) to enable representatives of staff associations and Unions to attend seminars, conferences, workshops in connection with the performance of the aims and objectives of their organisations.

(2) This special leave facility is extended to include officers or employees selected by the proper authorities to represent a State or Inter-State or international side either in an administrative capacity or as a participant.

(3) In such cases special leave shall normally be limited to not more than one calendar month on any occasion or in any year and any leave required over and above this maximum shall be counted as leave without salary; provided that in any special case additional leave on full or half salary may be granted.

### **Special leave in other circumstances**

**6.30** On the recommendation of a Medical Officer endorsed by the Director of Health Services, special leave on full salary is may be granted by the Permanent Secretary, Personnel to an officer to be absent from duty if he suffers from an infectious disease.

### **Study leave**

**6.31** (1) Study leave may be granted to an officer who :-

- (i) is nominated by the Government to attend a course of study;  
or
- (ii) attends course of study at his own request, with the approval of the Government;
- (iii) is personally granted a bursary or other award to follow a course of study approved by Government.

(2) Where an officer is nominated by the Government to attend a course of study the following conditions will apply :-

- (i) Government approved courses are courses for which Government has specifically chosen an officer but not courses of training which an officer selects of his own volition even if those courses were advertised by Government and the officer approved.
- (ii) Approved courses should normally be of not more than two years duration (Certificate, Diploma, Attachment) and only in exceptional cases should they provide for training at degree level.

- (iii) An officer should not forfeit part of his vacation leave towards study leave if he is on a Government approved course as he is regarded as being on duty.
- (iv) An officer on study leave should not earn vacation for any period in excess of one year's leave entitlement.
- (v) An officer may be permitted at the conclusion of a course of study overseas to spend his earned leave abroad provided that he should not be paid allowances in respect of the period while on leave.
- (vi) Effective 1st January, 1979, public officers who were selected by the Government for an approved course of study and considered to be on duty should receive full pay. However, officers who were on training prior to 1st January 1979, and continued on training after that are to be paid full salary as from 1st January 1979, but total salary paid over the entire period of training must not exceed the equivalent of two years full pay.

(3) An officer who receives a bursary or other award to attend a course of study or is otherwise accepted for admission to a course but is not nominated by the Government to attend the course, may apply for approval of his attendance, at the course. If approval is given, the following conditions shall apply:-

- (i) an officer who has been confirmed in a pensionable office shall be granted study leave without pay for the full period of the course;
- (ii) an officer who has not been confirmed in his appointment shall resign his appointment if he wishes to attend the course, provided that in either case, an officer may be granted the full amount of leave for which he is eligible.

## **Agreement**

**6.32** The grant of study leave under Order 6.31 (1) (i) will be subject to the execution of an agreement by the officer who is granted study leave to undertake to remain in the Public Service of Saint Lucia for a prescribed minimum period after the expiry of his leave. The prescribed minimum period shall be:-

- (a) where an officer attends a course of more than three months but less than six months duration - 12 months ;
- (b) where an officer attends a course of more than six months but less than 2 years duration - 2 years;

- (c) where an officer attends a course of more than 2 years but less than 4 years duration - 3 years;
- (d) 4 years and over - 5 years.

The agreement shall take the form of a bond (Appendix VII) with or without sureties. If the officer fail to able by the bond, he or his sureties shall be liable to repay to the Government all or any part of any allowances, fares, passages and salary paid to him during the period of the course as the Director of Finance and Planning may prescribe.

#### **Assistance when granted leave to attend course of training or study**

**6.33** In exceptional cases officers who are granted study leave on half pay or no pay to attend courses of training or study leave abroad may be granted financial assistance in the form of a loan or training allowance in addition to any leave salary payable, at a rate determined in the light of the prevailing circumstances.

#### **Examination Fees**

**6.34** Where an officer is nominated by Government to attend a course of study and is granted leave for that purpose, his tuition and examination fees may, unless such fees are included in any bursary or award which is made to him, be paid by the Government.

### **(D) LEAVE -MISCELLANEOUS PROVISIONS**

#### **Leave Registers and leave accounts**

**6.35** (1) Permanent Secretaries and Heads of Departments are required to maintain Departmental Leave Registers in which leave granted by them shall be recorded.

(2) Permanent Secretaries shall in addition maintain individual leave accounts in the prescribed form in respect of all staff in their Ministry and Departments under their Ministry. When an officer is transferred from one Ministry to another his leave account shall be forwarded to the other Ministry together with his personal file. All earned leave other than departmental leave shall be entered in an officer's leave account.

#### **Death of officer**

**6.36** On the death of an officer cash equivalent of any departmental or vacation leave ,which he has earned shall be paid to his estate.

### **Leave to count as pensionable service**

**6.37** Leave granted on full or half pay counts as pensionable service. Leave granted ,without pay does not break continuity of pensionable service but it counts as pensionable service only when granted on grounds of public policy.

### **No pay leave to be discounted**

**6.38** Leave without pay in excess of three months will not count for purposes of increment.

### **Return to Duty to be reported**

**6.39** The resumption of duty by all officers after leave other than departmental leave shall be reported in writing by the Permanent Secretary, or Head of Department to the Permanent Secretary, Personnel, Accountant-General and Director of Audit.

### **Medical Officer to make a report in certain circumstances**

**6.40** Permanent Secretaries shall initiate disciplinary proceedings against an officer with the approval of the appropriate Commission, if a Government Medical Officer reports to him the situations listed in this Order :-

- (i) that the officer has refused to carry out or is neglecting to carry out the medical advice given;
- (ii) that the illness of an officer has been caused by his own negligence or misconduct;
- (iii) that the officer is feigning ill-health.

### **Absence from Duty on grounds of sickness**

**6.41** Absence from duty on ground of sickness caused by an officer's misconduct or negligence shall be counted as leave with or without pay.

## CHAPTER VII

### *ADVANCES, SUBSISTENCE, TRAVELLING AND OTHER ALLOWANCES*

#### ADVANCES

##### **Advance General**

**7.1** An officer may, with the sanction of the Ministry of Finance, receive advances from public funds for the purposes and on the conditions set forth in Orders 7.2 -7.9 following. Where such an advance is not specifically provided in these Orders, an advance be made in exceptional circumstances with the prior sanction of the Ministry of Finance. In each case of such advance the conditions of security interest and the mode of repayment should be settled before granting it.

##### **Advance of Salary**

**7.2** (1) An officer \who is appointed to the permanent and pensionable establishment may obtain an interest-free advance of (a) one month's gross salary when going on leave for a period not less than thirty days leave and (b) two months gross salary for a period not less than sixty days leave.

(2) Advances shall be recoverable as follows:

- (i) an advance under paragraph (1) (a) in not more than six equal monthly instalments ;
- (ii) under paragraph (1) (b) twelve equal monthly instalments starting not later than the month following in which the officer resumes duty.

(3) An officer shall apply for advances under this Order to the Ministry of Finance through their Permanent Secretary provided that an advance under this Order will not be made more than one month before the officer goes on leave.

##### **Advances for Medical expenses**

**7.3** If an officer or his immediate family (which expression shall mean his wife and children who have not attained the age of 19 years, or who are under full time education) requires medical, dental or ophthalmic treatment which is not available in Saint Lucia or a change of climate -for reasons of health, and has not sufficient private means to meet the necessary expenditure, he may be granted an advance from public funds without interest on furnishing adequate security to the satisfaction of the Director of



Finance and Planning and subject to the following conditions :-

- (i) a medical certificate shall be obtained from a Government Medical Officer certifying the need for a change of climate or the necessity for treatment that is not available in Saint Lucia;
- (ii) except in special circumstances, the amount of the advance shall be limited to three months gross salary of the officer, or the expenditure actually necessary in connection with the proposed journey and treatment whichever is less;
- (iii) the advance shall be repaid by not more than eighteen equal monthly installments commencing not later than the end of the month following that in which the officer returns to duty in the case of the officer at the end of the month following that in which the advance was received in the case of a member of his family.

### **Advance to purchase motor vehicles**

**7.4 (1)** Officers who are designated travelling officers may be granted an advance for the purchase of a motor car. Applications should be submitted to the Ministry of Finance through the officer's Permanent Secretary.

**(2)** Designated travelling officers shall be eligible for such allowance as may be determined by the Government from time to time.

**(3)** No advance may be made to an officer;

**(i)** while any portion of a previous advance made to him for this purpose remains outstanding; or

**(ii)** within a period of four years of the grant of a previous similar advance to him.

Provided that the Director of Finance and Planning, may in his discretion and for good cause, waive (1) above or reduce the period of four years in any particular case.

**(4)** The advance will be secured by an Agreement entered into with the Accountant-General which will provide inter alia for the non-disposal by sale, mortgage or removal from Saint Lucia of the motor car purchased until the whole advance has been repaid together with such interest as may be due and payable.

**(5)** Where a car is repossessed, for whatever reason, and sold the repayment of any balance of principal and interest outstanding shall be a first charge on the proceeds. If the sum realized from the sale is insufficient

to meet this charge, the officer shall be required to repay forthwith the balance still outstanding.

(6) Until the advance has been repaid in full, the officer will be required to insure the motor car comprehensively against accidents, fire, theft, and unlimited third party risks for an amount not less than the sum advanced or remaining unpaid from the advanced and to assign the insurance policy to the Accountant-General.

(7) If a second-hand car is to be purchased, a certificate must be furnished from the officer in charge of the Government Mechanical Workshop as to its present condition and market value and as to its suitability for the particular use intended for it.

(8) The advance together with interest at a rate approved by the Government will be recovered from the officer's salary by such monthly installments as may be determined from time to time or in the case of officers on contract the advance shall be recovered in equal monthly installment within the tenure of the contract. The first repayment will be recovered from the month next after in which the advance is made.

#### **Advances to officers travelling on duty**

**7.5** An officer travelling on duty to another country will be allowed to draw an interest free advance in anticipation of subsistence allowance. The advance may not exceed the total amount that would be drawn by that officer at the authorised rate payable to him for the period he is expected to be out of the State.

The advance is recoverable in full immediately the officer returns to the State and no advance shall be drawn while any portion of a previous similar advance is outstanding.

#### **Allowance for local study expenses**

**7.6** Subject to the approval of the Training Committee, an advance may be made to an officer to enable him to pursue a course of study in Saint Lucia. In such a case, an advance may also be made to enable the officer to purchase necessary books. The total of advances made under this Order shall not exceed three months salary of the officer or the actual cost of fees, books, etc. of the course, whichever is less. Before an advance is paid under this Order collateral security must be provided to the satisfaction of the Director of Finance and Planning. The advance shall be recoverable if

not more than eighteen monthly installments commencing from the month following the one in which the advance is made.

### **Advances for Overseas study expenses**

**7.7** An officer undertaking an approved course may be granted an advance on the same conditions as for local study advances laid down in the proceeding Order except that the limit to the advance will be six months salary and the limit to the period of repayment will be 36 months commencing from the month following the resumption of duty.

### **Limitation to the total of Personal Advances**

**7.8** The total advance made to any one officer must be limited to such an amount that the monthly repayment does not exceed one half of his monthly emoluments.

### **Loans**

**7.9** Any applications for loans for any purpose which may be received from public officers should be regarded in the same light as applications for advances and dealt with in like manner and in accordance with the procedure laid down for dealing with applications for advances.

### **Subsistence allowance on duty**

**7.10** The repayment of subsistence allowances is intended to ensure that an officer who is required to travel on duty outside of Saint Lucia who is absent on duty from his station over-night shall not be out of pocket as a result. Subsistence allowance are therefore calculated to meet only the additional expenditure which an officer when travelling on duty away from home is obliged to incur over and above the expense which he would otherwise normally incur at home.

### **Claim for Subsistence Allowance**

**7.11** An officer will submit his claims for Subsistence to his Head of Department for certification. The officer will also certify as correct any receipted bills which are attached to the claim. Heads of Departments are required to satisfy themselves personally that details of the claims are correct, that the journey was made in the public interest and that it was completed without delay.

The claim will be attached to payment voucher and forwarded to the

Accountant-General for payment. Permanent Secretaries and Heads of Departments will certify their own subsistence claims.

### **Rates of nightly subsistence payable in respect of journeys within Saint Lucia**

**7.12** An officer who is absent overnight from his station on duty in Saint Lucia will be eligible for subsistence allowance at the prescribed rates.

### **Basis upon which allowance is calculated**

**7.13** For purpose of subsistence allowance, an officer's salary shall include acting allowances which he might be drawing consequent upon his being appointed to act in a higher office.

### **Subsistence allowance when on duty outside the Territory**

**7.14** Officers who are required to travel on duty outside the State to attend at Conferences, meetings, official functions or on training will receive subsistence at the prescribed rates.

## **TRAVELLING ALLOWANCE**

### **Travelling expenses in connection with duties outside the Territory**

**7.15** Travelling expenses incurred by officers while on official duty outside the Territory which are directly connected with such duty may be reimbursed on application.

### **Travelling Officers**

**7.16** Officers eligible for regular or commuted car allowances shall be holders of travelling posts.

### **Mileage Allowance**

**7.17** An officer not eligible for car allowance will receive an occasional mileage allowance in respect of travelling under-taken with the prior approval of his Permanent Secretary or Head of Department in his own car on official duties.

### **Rates of payment of car and mileage**

**7.18** (1) The rates of regular and commuted car allowances and occasional mileage shall be as prescribed by Cabinet from time to time.

(2) The payment of car allowances shall be dependent upon the officer concerned maintaining the car in respect of which the allowance is paid, in a road worthy condition and using it for official travelling. It shall be in the discretion of the Director of Finance and Planning to authorise the continuation of the allowance during any period when the car is temporarily not roadworthy.

### **Travelling between home and place of work**

**7.19** No mileage allowance shall be paid for journey between an officer's home and his office; provided that an officer may, on the certificate of his Permanent Secretary be eligible to draw such allowance in respect of an emergency journey between his home and his normal place of work if he is required by the Permanent Secretary to return to his place of work outside his normal working hours.

### **Mileage records and mileage allowance claims**

**7.20** (1) Officers in receipt of mileage allowance are required to keep a daily record of their journeys on duty. This record must show the dates, places visited and actual mileage. Heads of department will be responsible for ensuring that proper records are kept.

(2) Claims for the payment of mileage allowance must be submitted in the prescribed form monthly within three days of the end of the month in which the expenditure was incurred, together with a certified statement of places visited, dates, distances travelled and the nature of the duty performed. Responsibility for the correctness of the claim will rest on the officer making the claim.

### **Continuation of allowances when an officer is removed from travelling duties**

**7.21** (1) When an officer in receipt of a regular or commuted car allowance is transferred permanently to a post in which he would not be entitled to such allowance, for a period not exceeding six months provided he maintains the car for his use during that period.

(2) When the officer in receipt of a regular or a commuted car allowance is appointed to act in a post in which a smaller allowance is attached, he will be paid the allowance attached to his substantive post for a period of six months. Provided that he maintains the car for his use during that period.

## **Continuation of allowance on leave**

**7.22** A regular or commuted car allowance shall be payable at the full rate during leave including sick leave.

## **TRANSFER ALLOWANCE**

### **Removal of baggage on transfer**

**7.23** Whenever the transfer of an officer from one station to another involves the conveyance of the officer's baggage including furniture and household effects, the Head of the Department should make a request to the Permanent Secretary, who will then arrange for the transportation of the officer's baggage to his new station. If damage to baggage occurs during transit, such damage may be assessed and the value of the damage reimbursed to the officer concerned provided that no reimbursement will be made if the cause of damage is due to faulty packing. Where Government is unable to provide transportation, transportation expenses shall be provided to the officer for the transfer of his family and household effects.

## **CHAPTER VIII**

### *QUARTERS, FURNITURE ETC*

#### **Free quarters**

**8.1** The quarters listed in Appendix VIII are free quarters. Such quarters will normally be unfurnished and if furniture is provided by the Government, a furniture rental will be charged.

#### **Reduced rent quarters**

**8.2** The quarters listed in Appendix IX are reduced rent quarters. An officer occupying reduced rent quarters is required to pay half the assessed rental up to a maximum of 10% of his salary. The quarters will normally be unfurnished and if furniture is provided by the Government a furniture rental may be charged.

#### **Full rent quarters**

**8.3** (1) Other quarters which may be quarters owned or rented by the Government shall be termed full rent quarters.

(2) An officer occupying full rent quarters shall be charged the

assessed rental up to a maximum of 20% of his salary. If the quarters are furnished a furniture rental will be payable in addition.

### **Furniture**

**8.4** Basic furniture may be provided on the scale laid down in Appendix X and at the rental of 12% per annum of the cost of the furniture or of the assessed value in the case of used furniture. Variation to the scale may be made only with the authority of Cabinet. Furniture in a quarter will be replaced when deemed unserviceable by Permanent Secretary, Personnel.

### **Allocation of Government quarters**

**8.5** (1) The allocation of Government quarters to entitled quarters shall be the responsibility of the Housing Committee. An officer who refuses a quarter so allocated shall bear the full cost of providing himself with housing.

(2) If a Government quarter assigned to a particular officer is for any reason left unoccupied by the officer ordinarily entitled to occupy it, it may be allocated temporarily to another officer by the Housing Committee.

(3) An officer allocated Government quarters shall continue to pay rent for such quarters while on leave unless he vacates the quarters or the quarters are occupied temporarily by another officer with the approval of the Housing Committee.

### **Sharing of quarters**

**8.6** Officers sharing Government quarters shall be required to share the assessed rental of the quarters but in no case shall such officer be required to pay more than 10% of salary as rent. The assessed rental of any furniture provided by the Government will be shared equally. Government quarters may not be shared, however, without the approval of the Permanent Secretary, Personnel.

### **Payment of rent**

**8.7** Any rent due from an officer in respect of Government quarters or furniture allocated to him will be deducted from his salary at the end of each month in arrears. Rental is payable from the date on which an officer takes over Government quarters to the date immediately preceding the date on which he hands them over, both date inclusive.

## **Duties of Permanent Secretary/Personnel**

**8.8** The Permanent Secretary, Personnel will be responsible for —

- (a) maintaining inventories of all Government furniture and fittings taken over by officers;
- (b) the custody of the keys of all unoccupied government quarters;
- (c) taking over Government quarters vacated by officers and furniture returned by them for handing over Government quarters and furniture which are allocated to officers;
- (d) reporting to the Accountant-General the occupancy and vacation of all Government quarters, together with their assessed rental;
- (e) maintaining up to date records of the assessed rentals of all reduced rent and full rent quarters.

## **Handing over and taking over of Government quarters and furniture**

**8.9** The custody of Government quarters and furniture shall be with the Permanent Secretary, Personnel. An incoming occupant of quarters must acknowledge receipt of the quarters and all articles of Government furniture and equipment therein by signing the inventory; an out-going occupant must hand over the keys of the quarters he is vacating and all articles of Government furniture and equipment as per inventory to the Permanent Secretary, Personnel or to an officer authorised by him who will check and sign the inventory in acknowledgment of their surrender. An officer provided with Government quarters must give at least one month's notice to the Permanent Secretary, Personnel before he intends to surrender it.

## **Officer's liability for deficiencies or damaged**

**8.10** An officer occupying Government quarters shall be liable for the cost of making good any deficiency, damage or neglect discovered during his occupancy or at the time he hands over the quarters.

## **Responsibilities of officer for Government quarters**

**8.11** (1) An officer is required to take reasonable care of the Government quarters and its fixtures and all articles of Government furniture allocated to him. An officer allocated Government quarters is prohibited from altering



the structure of the fixtures. If any alteration is desired, he should make an application to the Permanent Secretary, Personnel. All defects shall be reported promptly by the officer.

(2) An officer is also responsible for maintaining the grounds of Government quarters in reasonable conditions. If the grounds are neglected, the Housing Committee may direct the officer to restore them to a neat and orderly state and if the direction is not complied with within such period as may be allowed the Housing Committee may request the Chief Engineer, Ministry of Communications and Works, to effect the desired improvement at the expense of the officer concerned.

### **Quarters for members of officer's family only**

**8.12** Government quarters are intended for the accommodation of officers, their wives, children and dependent relatives only. No part of any Government quarters may be sublet or occupied by another family unit, whether relatives or friends, without the formal permission of the Permanent Secretary, Personnel.

### **Termination**

**8.13** The Housing Committee may terminate the tenancy of a house at any time by giving three month's notice to the occupant.

### **Hotel Bills**

**8.14** An officer who is entitled to occupy Government quarters and who is required to stay temporarily in a hotel pending the allocation of housing or pending departure upon termination of service will have his hotel bills paid by the Government in respect of board and lodging, service charges and tax subject to the terms to be determined by Government from time to time.

## **CHAPTER IX**

### ***RESIGNATION, RETIREMENT, AND TERMINAL BENEFITS***

### **Resignation**

**9.1** (1) An officer appointed on probation or appointed otherwise than on contract to a non-pensionable post may resign his post after giving not less than one month's notice in writing to the appropriate authority.

(2) An officer who has been confirmed may resign after giving not less than one month's notice in writing to the appropriate authorities.

(3) An officer appointed on contract shall resign his appointment only on the terms of his contract.

(4) Notwithstanding the provisions in paragraphs (1) and (2) of this Order, an officer other than an officer appointed on contract may resign his appointment at any time after paying to the Government one month's salary in lieu of notice.

(5) All resignations shall be reported immediately to the Permanent Secretary, Personnel, the Accountant-General and the Director of Audit.

### **Reasons for refusal of resignation**

**9.2** The appropriate authority may refuse to accept the request for resignation:

- (a) if it is conditional; or
- (b) if the officer does not intend to complete a period of service for which he is bound; or
- (c) if disciplinary proceedings against the officer are contemplated or are pending; or
- (d) if the officer is indebted to the Government.

### **Compulsory retirement age**

**9.3** An officer, whether holding a pensionable post, shall retire on attaining the age of 55 years; provided that in exceptional circumstances and in the public interest an officer may be permitted by the appropriate Service Commission to remain in service beyond 55 years, but in no case beyond the age of sixty years.

### **Return of officers who attained the age of compulsory retirement**

**9.4** (1) Permanent Secretaries shall forward to the Permanent Secretary, Personnel each year a return of all officers serving in their Ministry and/or Department who have attained or will attain the age of 55 yrs before the end of the succeeding year. The return shall be submitted by the Permanent Secretary, Personnel, to the appropriate Service Commission.

(2) In each case it shall be stated whether or not there are any special grounds for departing from the general rule.

### **Retirement on Medical grounds**

**9.5** If an officer is reported by a Government Medical Officer to be incapable by reason of infirmity of mind or body of discharging efficiently the duties of his office and such infirmity is likely to be permanent, his case

shall be referred to the Permanent Secretary, Personnel who may require the officer to appear before a Medical Board appointed by the Director of Health Services. The recommendations of the Medical Board shall be referred, on the prescribed form, Appendix XI to the appropriate Service Commission. If the officer is on leave of absence outside the State, the initial examination may be made by an approved medical practitioner of the place where he stays, with the consent of the Permanent Secretary, Personnel.

### **Retirement pensions and gratuities**

**9.6** (1) All claims to pension, gratuity and other retiring allowances shall be made on the prescribed form Appendix XII and shall be submitted to the Accountant-General as soon as a decision has been taken regarding an officer's retirement. The form shall be properly and correctly prepared in the Ministry of the officer and submitted with all the necessary supporting documents to Permanent Secretary, Personnel for verification and thereafter to the Accountant-General and the Director of Audit.

(2) The submission of pension and gratuity papers shall not be delayed beyond the date of retirement. When the date of retirement has been reached the Ministry concerned should advise the Accountant-General of changes, if any in the particulars submitted in the original report. The Accountant-General shall prepare a Last Pay Account which will be forwarded to the Director of Audit for verification.

(3) When an officer is transferred to another territory a statement of his aggregate pensionable emoluments shall be prepared by his Permanent Secretary and the Accountant. General and forwarded after verification by the Director of Audit through the Permanent Secretary , Personnel to the Government of the territory concerned as soon as possible after the transfer.

(4) In cases where it is not possible to locate the necessary records in relation to an officer's service, his pension shall be determined through collateral evidence by declarations by one or more reliable persons attesting to the continuity of service. The status of the declarant should be stated and he should also give the source of his knowledge of the facts given in the declaration.

### **Evidence of age**

**9.7** The officer's birth certificate shall be furnished as evidence of his

age. Where this is not possible a declaration by the officer himself or any other reliable person may be submitted.

### **Option to take on retirement a reduced pension and gratuity**

**9.8** If a pensionable officer whose pension is governed by the Pensions Act (No. 9 of 1967) desires to receive a reduced pension and gratuity in place of his full earned pension he shall give his option thereto in accordance with Regulation 25 (2) thereof.

### **Pensionable service in other territories**

**9.9** The apportionment of the pension of an officer who has served more than one territory is determined by the ratio between aggregate pensionable emoluments calculated at the rate of retirement.

### **Service before sixteenth birthday not to count for pension**

**9.10** An officer's service before he attains his sixteenth birthday will not be counted as pensionable service although it may count towards the ten year qualifying service for an Award under the Pensions Act.

### **Death of an officer in the public service**

**9.11** In the event of the death of a serving officer, the Permanent Secretary of his Ministry shall be responsible for ensuring the prompt payment of gratuity which may be due to the deceased, to his legal representatives.

### **Marriage gratuity**

**9.12** (1) Where a female officer having been in public service under the Government of Saint Lucia for not less than five years, is confirmed in a pensionable office, retires and she is not eligible for the grant of any pension or otherwise eligible for gratuity under the provisions of Pensions Regulations she may be granted a marriage gratuity on production of satisfactory evidence of marriage within six months after her retirement or such longer period as Cabinet may in any particular case allow.

(2) A married female officer whose domestic responsibilities interfere with the discharge of her official duties may be called upon to retire in which case she will be eligible to receive the marriage gratuity for which she is eligible. Provided that in such a case the officer must be warned in good time that her retirement is contemplated and given an opportunity to reply to charges of less efficiency.

## CHAPTER X

### *MISCELLANEOUS*

#### **Channels of communication**

**10.1** (1) An officer who wishes to make representations relating to his conditions of service or any other matter of public nature shall first address his Permanent Secretary through his supervising officer and his Head of Department. If he is not satisfied by the reply, he may write to the Permanent Secretary, Personnel through his Head of Department and Permanent Secretary who shall forward the communication without undue delay under intimation to the officer. In every such case the Permanent Secretary shall give in a separate memorandum his own views on the representation made and forward this with the communications.

(2) The Permanent Secretary, Personnel shall address his reply to the officer through the same channels.

(3) Representations from technical officers shall be referred through the supervising officer to the Chief Technical Officer in the first instance.

(4) Representations received other than through the correct channel shall be returned unanswered to the officer through his Permanent Secretary.

#### **Petitions**

**10.2** A petition is a formal reference to ultimate authority for special consideration of a matter affecting a public officer personally. If representations made in accordance with Order 10.1 are not successful and if they are not concerned with a matter which is the proper subject of an appeal in accordance with the provisions of the Regulations of the appropriate Service Commission an officer may, if he so wishes, submit a formal petition to the Titular Head of the Civil Service.

#### **A PETITION**

(1) shall be submitted through the petitioner's Head of Department, the Permanent Secretary of his Ministry and the Permanent Secretary, Personnel to the Head of the Civil Service providing sufficient copies to enable each officer through whom it is forwarded to return one copy. A

petition must be forwarded without delay together with the forwarding officer's commitments:

(2) shall bear the signature and the address of the petitioner;

(3) which —

(a) does not comply with (1) above; or

(b) is illegible; or

(c) worded in abusive or improper language; or

(d) merely repeats the substance of a previous petition without introducing new matters, shall not be entertained, but in the case of (c) above may serve as a basis for disciplinary action.

(4) shall conclude by stating concisely the nature of the redress sought;

(5) which exceeds in length two pages of foolscap shall also include a summary of the reasons adduced in support of the redress sought;

(6) submitted more than six months after the decision complained of has been given, shall be accompanied by satisfactory reasons for the delay.

### **Annual confidential report**

**10.3** (1) A confidential report on all officers shall be prepared annually in the prescribed form and submitted during the month of January. Such reports shall relate to the twelve months ended on the preceeding 31st of December.

(2) Reports on Heads of Divisions shall be made by the Permanent Secretary of the Ministry concerned. Reports on other officers shall be made by their Supervisor, and /or the Head of Division/Department and the Permanent Secretary.

(3) Confidential reports shall be transmitted in duplicate on the prescribed form (Appendix XIII) to the Permanent Secretary, Personnel who will forward one copy to the Secretary of the appropriate Service Commission.

## **Reports to be submitted at other times**

**10.4** Reports on officers during their probationary service shall be submitted in accordance with the provisions of the Public Service Commission Regulations. When there are special reasons, confidential reports on officers may be submitted at any time. The Permanent Secretary, Personnel may also call for special confidential reports on officers.

## **Confidential reports to be shown to officer reported on**

**10.5** (1) Confidential reports on an officer's performance shall be discussed with the officer before it is forwarded to the Permanent Secretary of his Ministry and the Permanent Secretary, Personnel.

(2) If an officer's work has been unsatisfactory in any respect, and it is felt that he is capable of improvement, he shall be warned before his confidential report is written. A copy of the warning letter and of any reply which the officer has made shall be forwarded to the Permanent Secretary, Personnel at the time the annual confidential report on the officer submitted.

## **Death of an officer to be reported immediately**

**10.6** Permanent Secretaries and Heads of Departments shall report immediately to the Permanent Secretary, Personnel, the death of an officer.

## **Next of Kin**

**10.7** On first appointment, an officer is required to notify the Permanent Secretary, Personnel, of the names and addresses of not more than two relatives or friends whom he would wish to be informed in the event of his death or serious illness. Any change in those particulars should be notified promptly to the Permanent Secretary, Personnel.

## **Injury to an officer**

**10.8** If an officer is killed or injured as a result of an accident while he is on duty, an immediate investigation shall be made. The Permanent Secretary shall ask for the appointment of a Board of Enquiry to investigate the circumstances of the accident. The Board shall be appointed by the Permanent Secretary, Personnel. The Board's report shall be sent to the Permanent Secretary, Personnel without undue delay.

### **Loss of or damage to private property**

**10.9** An officer shall not normally be entitled to compensation in respect of losses of, or damage, to private property incurred through fire, theft, riots, or other causes, in the course of duties, but in special cases the grant of compensation may be made as an act of grace.

### **Upkeep of public buildings**

**10.10** (1) Permanent Secretaries and Heads of Departments are not responsible for ensuring that all public buildings under their charge:—

- (a) are equipped, where necessary, with extinguishers and that arrangements are made for the periodical examination of such equipment and supply of refills; and
- (b) are, as far as practicable, hurricane proof, and that all doors, windows etc., are made secure on notification of a hurricane warning.

(2) Unless otherwise expressly stated, the responsibility for maintaining all Government buildings is invested in the Ministry of Communications and Works.

### **Occupation of public building by departments**

**10.11** (1) Permanent Secretaries and Heads of Departments are required to keep a register of all keys to buildings. Officers to whom keys are issued for retention will be required to acknowledge the receipt of keys by signature in the register. Duplicates of keys must not be kept in the office of the buildings for which they are used. Permanent Secretaries and Heads of Departments must ensure that keys of offices and buildings are handled only by responsible officers. Any loss of keys must be reported at once to the Permanent Secretary.

(2) 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 expenses incurred by the Government in its replacement or in furnishing new locks and keys.



(3) The Accountant-General shall keep all duplicate keys of safes in the Treasury vault and maintain a record of all safe and officers to whom the safe keys are issued. Officers to whom the safe keys are issued are personally responsible for their security and shall report losses immediately to the Accountant-General.

APPENDIX I

(Staff Order No. 2.7)

**OATH OF OFFICE AND SECRECY**

I, ..... solemnly swear that I will faithfully and honestly fulfil the duties that devolve upon me by reason of my employment in the Civil Service and that I will not, without due authority in that behalf, in any manner whatsoever, publish or communicate any facts or information being facts or expressions of opinion based on such facts that come to my knowledge by reason of such employment. So help me God !

**AFFIRMATION OF OFFICE AND SECRECY**

I, ..... solemnly affirm and declare that I will faithfully and honestly fulfil the duties that devolve upon me by reason of my employment in the Civil Service and that I will not without due authority in that behalf, in any manner whatsoever publish or communicate any facts or information being facts or expressions of opinion based on such facts that come to my knowledge by reason of such employment.

APPENDIX II

(Staff Order No. 2.10)

PERSONAL RECORD

Name of Officer .....(Married/Single)

Date of Birth .....

Date of entry into the Service ..... Post .....  
Date of

Permanent Appointment	Post	Salary Scale	Rate Per Annum	Remarks

APPENDIX III

(Staff Order No. 2.20)

PASSAGE AGREEMENT

Agreement made this .....day of ..... one thousand nine hundred and .....

Between .....  
(hereinafter called the “person engaged”) of .....  
of the one part and the undersigned .....  
for and on behalf of the Government of Saint Lucia (hereinafter called the Government) of the other part.

Whereas the person engaged has been selected for appointment as ..... in the public service of Saint Lucia and shall be provided with a passage to Saint Lucia for himself and his wife and not more than two of his children, provided that they either accompany him to Saint Lucia or proceed to join him within twelve months of his departure from the place of recruitment, and upon satisfactory completion of a tour of service with a free passage back to the place of recruitment for himself and for his wife and not more than two of his children provided that he claims and avail himself of such return passage within one month.

Now the person engaged in consideration of these premises, hereby agrees that should he fail to proceed to Saint Lucia as and when directed, or within the period of three years from the date of his arrival in Saint Lucia either quit Saint Lucia without leave or leave the service of the Government, to be dismissed or removed from his appointment in consequence of misconduct, he will refund and repay to the Government the amount paid for his passage to Saint Lucia and for the passage to Saint Lucia of any member or members of his family.

And the person engaged hereby also agrees that, for the purpose of this Agreement, the amount paid for his passage and the passage of any member of his family shall be deemed to mean the total cost to Government of transporting the person engaged and his family from the place of recruitment to Saint Lucia.

Provided always that nothing herein contained shall bind or oblige the person engaged to repay the aforesaid passage money if at the time he shall leave the service of the Government of Saint Lucia as aforesaid, it shall be certified by a duly qualified Medical Officer employed by the Government that the person is unable from bodily or mental infirmity not due to his own fault, negligence or misconduct to continue in the performance of his duty.

Witness our hands the day and year above written.

SIGNED by the said ..... (Sign over Stamp)  
in the presence of.

Signature .....

(of the address .....

witness) Occupation .....

SIGNED by .....  
(on behalf of the Government of Saint Lucia)

In the presence of .....

APPENDIX IV  
(Staff order No. 3.6)

No. P.F .....

SAINT LUCIA

-----  
**INCREMENT CERTIFICATE**

*(To be submitted in triplicate)*

Name of Officer .....

Grade of Officer .....

Date of appointment to present grade or office .....

salary scale \$ by \$

to \$ *(Salary now drawn)* \$

Increment due on .....

*I certify that the above-named Officer has discharged his duties with efficiency, diligence and fidelity, and I approve his/her increment.*

*Permanent Secretary/Head of Department*

*See other side for Regulations on the subject of increments.*

When the salary of an officer is on an incremental scale, the holder shall not be entitled to draw any increment as of right, but only by sanction of the Permanent Secretary or Head of Department. In the case of an officer (not being the head of a department) a certificate should be required from the head of his department that he has discharged his duties with efficiency, diligence and fidelity.

Except as otherwise provided an officer's incremental date shall be the date on which he takes up his appointment in the State.

Except in the case of promotion from a non-pensionable to a pensionable office, the following rules shall apply when an officer is promoted in the ordinary course in the State in which he is serving to an office carrying salary on an incremental scale:—

(i) If immediately prior to his promotion the salary of the officer was less than the minimum of the new office, he shall receive the minimum; but if he was qualifying for increment in his former office and had already earned such an amount of increment as would bring his salary up to the minimum of the scale of his new office then any balance of the increment in his former scale shall, subject to rule (iv), be taken into account in fixing the date of his first increment in his new scale.

(ii) If the salary was not less than the minimum of the new office he shall, subject to rules (iii) and (iv), continue to receive his existing salary until by length of service at his new incremental rate he has earned such an amount of increment as will bring him to the next higher incremental step in his new scale. But, if he was qualifying for increment in his former office, the date of increment in his new scale shall, subject to rule (iv), be advanced proportionately even though it may mean the immediate grant of one increment and the advancement of the normal date for a further increment.

(iii) If the maximum (or fixed) salary of his former office was not less than the minimum of his new office and he has at the date of his promotion served at that salary for a period exceeding one year, then one-half of such excess period shall, subject to rule (iv), count towards an increment in his new scale, but in no case shall he be given more than one increment on this account.

(iv) If his former office was one to which no duty, seniority or similar non-pensionable allowance was attached and he is promoted to an office carrying such an allowance, he shall serve for a full incremental period in the new office before becoming eligible for an increment.

The term “salary” in this Regulation shall include any personal or other allowance which is payable in money and which ranks as a pensionable emolument.



## APPENDIX V

(Staff Order No. 4.2)

### OFFICE HOURS IN GOVERNMENT OFFICES

#### OFFICES

Offices in which a 5 day working week applies	Mondays — Fridays	8.00 a.m. - 12.30 p.m. 1:30 p.m. - 4:30 p.m.
Offices in which a 6 day working week applies	Mondays — Fridays	8:15 a.m. - 12:00 p.m. 1:00 p.m. - 4:00 p.m.
Saturdays		8:00 a.m. - 11:45 a.m.

Appendix VI  
(Staff Order No. 6.11)

Leave Table  
Entitle in working days by grade and years in service

Grade	1 - 3		4 - 7		8 - 10		Over 10 years	
	Entitle.	Dept.	Entitle.	Dept.	Entitle.	Dept.	Entitle.	Dept.
21	23	17	27	20	30	22	33	25
20		6		7		8		8
19								
18								
17								
16								
15	21	16	25	19	28	21	30	22
14		5		6		7		8
13								
12								
11								
10								
9	18	14	22	17	25	19	28	21
8		4		5		6		7
7								
6								
5	16	12	20	15	23	17	26	19
4		4		5		6		7
3								
2								
1								

APPENDIX VII

(Staff Order No. 6.32)

**AGREEMENT TO REMAIN IN THE PUBLIC SERVICE OF SAINT LUCIA**  
SAINT LUCIA

Know all men by these presents that we .....  
of Castries in the State of Saint Lucia (hereinafter referred to as “the  
Grantee”), ..... of .....in the  
State of Saint lucia (hereinafter referred as “the Second Surety”) and  
.....  
in the State of Saint lucia (hereinafter referred as “the second Surety”) are  
Jointly and Severally Bound into the Government of Saint Lucia (hereinaf-  
ter referred to as “the Government”) acting herein and represented by the  
Director of Finance and Planning in the sum of .....  
Dollars (\$ .....) good and lawful money of Saint Lucia to be paid  
into the Treasury of the Government for which payment well and truly to be  
made we bind ourselves and each of us for the whole our heirs, executors  
and administrators jointly and severally firmly by these presents signed the  
..... the ..... day of .....  
one thousand nine hundred and .....

Whereas the Saint Lucia Government in .....  
has granted a scholarship to the grantee to pursue a .....  
course of study in ..... at the .....  
leading to .....

And Whereas it is mutually agreed that acceptance of this scholarship  
must be accompanied by —

- (a) the obligation on the part of the Grantee to serve the State for a  
given period of years in the Public Service or Commerce;
- (b) a penalty for withdrawal from the course without reasonable cause  
not arising from neglect by or fault of the Grantee and without the  
approval of the Government.

It is HEREBY FURTHER AGREED between the parties:

(a) that in consideration for the grant of the scholarships, the Grantee shall, on completion of the course of study in..... return forthwith to Saint Lucia and therewith accept appointment to any post offered to him by the Government suitable to the course of study undertaken, and shall faithfully and diligently serve in such appointment for a consecutive period of not less than..... (.....) years, to be computed as commencing from the date of such appointment;

(b) that the Grantee shall be liable to pay the sum of ..... to the Government should he fail to complete the course through neglect of his studies, misconduct or any other unreasonable cause.

NOW THE ABOVE WRITTEN OBLIGATION is conditioned to be void in case the Grantee shall return to Saint Lucia and serve the Government a aforesaid or in case the grantee and/or Sureties should pay into the Government Treasury the sum of .....(\$.....)

SIGNED, SEALED AND DELIVERED  
by the within named  
in the presence of : .....

SIGNED, SEALED AND DELIVERED  
by the within named  
in the presence of : .....

SIGNED, SEALED AND DELIVERED  
by the within named  
in the presence of : .....  
on the behalf of the Government of Saint Lucia

.....  
*Director of Finance and Planning*

## APPENDIX VIII

(Staff Order No. 8.1)

### **RENT FREE QUARTERS**

1. Governor-General's Residence
2. Prime Minister's Residence
3. Judge's Residence
4. Doctor's Quarters — Dennery and Malgretoute
5. Head Master's Quarters — Massade
6. Quarters in Districts for District Health Nurses
7. Quarters in Districts for Agricultural Officers
8. Superintendent's Quarters — Malgretoute

## APPENDIX IX

(Staff Order No. 8.2)

### **REDUCED RENT QUARTERS**

1. The Matron's Quarters at the Victoria Hospital
2. Quarters in Districts for Agricultural Officers
3. Quarters in Districts for Teachers
4. Quarters for Peace Corps Volunteers
5. Quarters for Public Officers assigned to Out-Districts
6. Quarters attached to Gros Islet Police Station

## APPENDIX X

(Staff Order No. 8.4)

### BASIC FURNITURE FOR GOVERNMENT QUARTERS

Kitchen	One Refrigerator One four burner gas stove Built in cupboards
Living and Dining Room	One sofa and two arm chairs (1-3 piece settee) Two coffee tables Two occasional tables One side board One book shelf One dining table and six chairs
Bedroom No. 1	One double bed and mattress and two single beds and mattresses Two bedside tables One dressing table One dressing table stool One wardrobe movable or (built in) One chest of drawers
Bedroom No. 2	Two single beds and mattresses Two bedside tables One dressing table One dressing table stool One wardrobe movable or (built in) One chest of drawers
Bedroom No. 3	One single bed and mattress One bedside table One chest of drawers

APPENDIX XI

(Staff Order No. 6.22)

SAINT LUCIA

**PROCEEDING OF A MEDICAL BOARD**

assembled at ..... on the .....  
for the purpose of examining and reporting upon the present state of  
health of

(a) Name of Officer in full.      (a) .....

(b) Rank.                              (b) .....

Present Dr.....

MEMBERS { Dr .....  
                  { Dr .....

The Board, having assembled, proceed to examine the above-named officer and find that:-

The Board, recommended that :-

(c) The signature of each officer composing the Board must be affixed.

(c) Signatures { .....  
                          { .....  
                          { .....

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Note:— If the Board considers that an officer is incapable, on physical or mental grounds, of rendering further efficient service in the Colony, it should be so expressly stated in the findings, and a telegram or urgent notification should immediately be sent to this effect to the Head of the officer's department.

APPENDIX XII  
(Staff Orders No. 9.6)  
SAINT LUCIA

**Public Service Pension/Gratuity Form**

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PARTICULARS are required to be furnished in reference to Persons recommended for Superannuation Compensation, Compassionate Allowances, or gratuities on retirement.

*(In filling up this form attention must be given to the Pensions Act 1967 (No. 9 of 1967) of Saint Lucia, and the Regulations made thereunder) See page 4.*

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1. Name of Applicant .....
2. Grade or Office .....
3. Recommendation for ..... of .....
4. Date of Birth ..... Age last Birthday.....
5. Service in years and months .....
6. Salary or wages .....
7. Emoluments .....
- Total amount of salary or wages and emoluments on which Superannuation &c., is claimed .....
8. Cause of retirement .....
9. Dates of commencement and termination of the several appointments held by Applicant, with their emoluments, distinguishing salary from other allowances, and specifying such allowances.



Title of Appointments or Grade	Date of Commencement	Date of Termination	Salary	Allowances	Nature of Allowances &c.

10. Whether each of the Appointments held by the Applicant has been on the fixed establishment of the State.
11. Where the duties of the several offices or situations held since the Applicant entered the Civil Service have been such as to require that the holder should give his whole time to the public service.
12. Whether holding any other public appointment, or receiving or claiming to receive any public money by compensation, half-pay or otherwise.
13. If any kind of pension or other allowance has been commuted under the Imperial Pensions Commutation Acts 1869 and 1871, the annual amount of pension or allowance so commuted and the date of Commutation should be inserted.

Year	Period of Absence		Number of Days	Cause of Absence
19.....	From	To		
19.....	“	“		
19.....	“	“		
19.....	“	“		
19.....	“	“		
19.....	“	“		
19.....	“	“		
19.....	“	“		
19.....	“	“		

14. Date of cessation of duty

15. Date of cessation of salary

16. Date from which, inclusively, pension will commence.

17. Statement if the circumstances warrant it, that the Applicant “has discharged his duties with diligence and fidelity, to the satisfaction of the Head Officer or Officers of his department”, to be signed by any two of such Head Officers, if there shall be more than one, or by such Head Officer, if there shall be but one, together with, “such a statement as will exhibit the merit, and value, and labour of the services of the person recommended, embracing as long a period of his public service as can be authentically stated”, and observations as to special services, “suspension, reprimand, &c.”, with full particulars of any injuries received on duty, or other claims or matters for consideration.

18. Computation of the pension, &c.

If this Paper of Particulars and the Certificates connected with it be not sent in original, the copies must be only attested.

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**Head 3.** State the description of Allowance for which the Applicant is recommended, viz., Superannuation Compensation, Compassionate Allowance, or Gratuity, and its amount. In the case of persons claiming an addition to their pensions, in respect of Professional or other special qualifications, this should be stated. See Pensions Act 1967, No. 9 of 1967.

**Head 5.** If the service has been interrupted by one or more breaks, the word “broken” should be added before or after the number of years and months, and the causes, dates and circumstances of the break or breaks should be stated under heading. See Pensions regulations, Clause 15.

**Head 6.** If the person retiring has been in receipt of the same Salary, or in the class from which he retires for the 1 year immediately before the date of his retirement, the actual annual rate of Salary or Wages at that date should be inserted, preceded by the word “actual”. In other cases the average annual amount of Salary or Wages for 3 years preceding the amount date of retirement should be inserted preceded by the word “average”, but if the whole period of service is less than 3 years then the average for the whole period should be inserted. See Pensions Act 1967, (No. 9 of 1967), Regulation 18.

**Head 7.** A separate statement should be inserted of the average Annual Value, for the 3 years immediately preceding retirement of each emolument (exclusive of salary or wages) which is claimed to be included in the calculation of the Pension or gratuity.

Whenever the value of a house or House Allowance, so ascertained, exceeds one sixth of the salary and other emoluments which count for Pension purposes, it is to be reduced to one-sixth of that amount.

**Head 8.** Pension Emoluments should be distinguished from those not Pensionable by a star or other indication. Colonial Office Regulation 193. See Section 6 of Pensions Act 1967, (No. 9 of 1967).

As to “broken service”, see Head 5.

**Head 9.** Acting Service in a pensionable office will, when continuous with permanent employment be allowed to reckon as service for pension, provided the period of such acting service has not been taken into account as part of the officer’s service in another State.

APPENDIX XIII  
(STAFF ORDERS 10.3)  
GOVERNMENT OF SAINT LUCIA

**PERFORMANCE APPRAISAL FORM**

**SECTION A**

1. Name of Employee \_\_\_\_\_  
2. Ministry/Department \_\_\_\_\_ 3. Section/ Division \_\_\_\_\_  
4. Date of first entry into Gov't Service \_\_\_\_\_ 5. Present Post \_\_\_\_\_  
6. Grade \_\_\_\_\_ 7. Date Appointed to Present Post \_\_\_\_\_  
8. Period covered by Appraisal \_\_\_\_\_ 9. Date of Appraisal \_\_\_\_\_  
10. Name of Supervisor \_\_\_\_\_ 11. Post of Supervisor \_\_\_\_\_

**Section B**

*Duties: (please provide below a summary of the duties which were assigned to the officer during the period under review which are different from those set out in the approved Job Description for the post and also, include details of acting appointments to a higher office or the assignment of supervisory responsibilities).*

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*Results: (Please indicate the work results expected from the officer. N.B. the results should be reasonable and measurable and should have been explained to the officer).*

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# SECTION C

## 1. Performance Factors

**Quantity of Work:** Consider the quality of acceptable work accomplished and the promptness in completing assignments.

Higher 7 6 5 4 3 2 1 Lower

**Quality of Work:** Consider accuracy, thoroughness, and presentation of work, and ability to make successful recommendations and the capacity for sound analysis in the performance duties.

Higher 7 6 5 4 3 2 1 Lower

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### 2. Performance Indicators

**Job Knowledge:** Consider the employee's understanding of the job and of the Department's functions and objectives as well as his/her grasp of the principles, methods, processes and procedures used.

Higher 7 6 5 4 3 2 1 Lower

**Initiative:** Consider the level of creativity and self-reliance, the ability to originate ideas and actions, the degree of supervision required and the display of ingenuity in effectively fulfilling the duties of the post.

Higher 7 6 5 4 3 2 1 Lower

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**Responsibility:** Consider the officer's willingness to accept the responsibilities and authority of the post and to take actions and make decisions effectively on matters associated with the duties of the post.

Higher 7 6 5 4 3 2 1 Lower

**Judgement:** Consider the officer's demonstrated ability to analyze situations, define issues, weigh alternatives, arrive at logical conclusions and adopt appropriate solutions.

Higher 7 6 5 4 3 2 1 Lower

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**Contacts with Public:** Consider the officer's demonstrated ability to effectively relate to the public in the performance of the duties associated with the post.

Higher 7 6 5 4 3 2 1 Lower

**Level of Co-operation:** Consider the officer's demonstrated ability to effectively interact with other officers in the work place and to co-operate in carrying out the work programme of the Ministry/ Department.

Higher 7 6 5 4 3 2 1 Lower

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**Depenability:** Consider the ability of the officer to meet the demands and requirements of the job even in difficult and unusual situations and to make effective use of working time.

Higher 7 6 5 4 3 2 1 Lower

## Section D

1. Comment on the employee's strengths in relation to the various aspects of the job.

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2. Comment on the employee's limitations in relation to the various aspects of the job.

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3. (a) Is any action being taken to help the employee improve his/her performance?

Yes

No

(b) If yes, please specify. If no, recommended training and action to be taken.

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4. How long have you been a Supervisor or have had this present level of Supervisory responsibility?

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5. How many people do you supervise?

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## SECTION E

Career Planning (to be completed by employee)

1. Education and Training: (Please indicate any orientation programmes/academic or special qualifications/training attended/undertaken/gained during the period of the appraisal).

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2. (a) Do you enjoy your present job? Yes  No   
 (b) Give reasons for your answer.

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3. What are your career aspirations?

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## SECTION F

1. Each employee's performance appraisal must be discussed privately with the employee by the immediate supervisor. The supervisor must discuss both the employee's strengths and weakness as revealed by the performance appraisal, as well as a means of improving the shortcomings.

2. Performance Appraisal Score Matrix

No.	Evaluation Factors/ Indicator	Degree						
		7	6	5	4	3	2	1
1.	Quantity of Work	28	24	20	16	12	8	4
2.	Quantity of Work	28	24	20	16	12	8	4
3.	Job Knowledge	21	18	15	12	9	6	3
4.	Initiative	14	12	10	8	6	4	2
5.	Responsibility	14	12	10	8	6	4	2
6.	Judgement	14	12	10	8	6	4	2
7.	Contacts with Public	14	12	10	8	6	4	2
8.	Level of Co-operation	14	12	10	8	6	4	2
9.	Dependability	14	12	10	8	6	4	2

3. Overall Performance Rating: (please tick appropriate score)

- 161-147  **Outstanding:** Exceptional in ability, capacity and performance.
- 146 -132  **Very Good:** Very effective.
- 131-117  **Good:** Competent and conscientious.
- 116-102  **Satisfactory:** Average performance with some shortcomings but will improve with experience and training
- 101-87  **Not Quite Satisfactory:** Below average performance.
- Below 87  **Unsatisfactory:** Definitely not up to the required to the standard

## Section G

Received by Employee:

Discussed with Employee:

\_\_\_\_\_  
Signature (Employee)

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature (Supervisor)

\_\_\_\_\_  
Date

\* Supervisor's Comments:

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\* Employee's Comments:

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Permanent Secretary/ Head of Department's Comments:

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Permanent Secretary's/  
Head of Department's Signature

Date

**N.B. Employee must return form to Supervisor within 3 working days of receipt of Appraisal Form.**

\* AN EXTRA SHEET CAN BE ATTACHED.