

# **PUBLIC SERVICE RULES**

**1987 EDITION**



**GOVERNMENT OF GUYANA**

**PUBLISHED BY AUTHORITY**

PUBLIC SERVICE MINISTRY  
GEORGETOWN  
GUYANA  
1987

# **PUBLIC SERVICE RULES**

**1987 EDITION**

Published by the  
**Public Service Ministry**

Printed by GUYANA NATIONAL PRINTERS LIMITED  
1 Public Road, La Penitence, Greater Georgetown.

*PUBLIC SERVICE RULES*  
*Reprint 1987*

*Enclosed is the 1987 reprint of the Public Service Rules — formerly known as Civil Service Rules. The previous editions were issued in 1972 and 1976.*

*The Prime Minister has been assigned responsibility inter alia for Administrative Organisation, Public Service Personnel Administration (including Management Services and Training) other than those for which the Public Service Commission is responsible. The following Rules have accordingly been made by authority of the Prime Minister and take immediate effect.*

*The new binder was chosen to facilitate the insertion of amendments issued by the Public Service Ministry from time to time. Officers inserting such amendments are required to insert their initials and date on the "Record of Amendments" Sheet contained herein.*

*All Administrative and Personnel Officers are required to familiarise themselves thoroughly with the Public Service Rules, 1987 and any amendments or additions thereto which may from time to time be issued. It is the duty of the Permanent Secretary/Head of Department/Regional Executive Officer to ensure that a sufficient number of copies is always on hand to meet the needs of his/her own Ministry/Department/Region.*

*The provisions in these Rules shall apply to all Public Servants, provided that in cases where special laws or regulations are made in regard to a particular category or class of employee, such special regulations shall have precedence over related provisions in these Rules.*

*There are three aspects of the Rules which are not publishable at this time. These are:*

- Discipline (Section G)*
- Sick Leave (a part of Section H)*
- Public Officers (Acting Appointments and Acting Allowances) Rules (Appendix K1)*

*These will be printed and inserted after the major publication of these Rules.*

*This 1987 version supersedes the 1972 and 1976 editions of the Civil Service Rules.*

*Permanent Secretaries, Heads of Departments and Regional Executive Officers are also asked to notify the Permanent Secretary, Public Service Ministry from time to time of any omission from these Rules or any provision in them which may need amendment, in terms referable to the circumstances of the Co-operative Republic of Guyana.*

*J. E. SINCLAIR*

*Permanent Secretary*

*PUBLIC SERVICE MINISTRY*

*1987*



## RECORD OF AMENDMENTS

\* Amendments will be given a consecutive number

\*\* Employees having custody of a "Public Service Rules" booklet are to see that all amendments are inserted and the record below completed. Controlling officers are responsible for seeing that this is done.

Amdt. No.	Inserted (Initials and Date)	Amdt. No.	Inserted (Initials and Date)	Amdt. No.	Inserted (Initials and Date)
1		18		35	
2		19		36	
3		20		37	
4		21		38	
5		22		39	
6		23		40	
7		24		41	
8		25		42	
9		26		43	
10		27		44	
11		28		45	
12		29		46	
13		30		47	
14		31		48	
15		32		49	
16		33		50	
17		34		51	

# CONTENTS

## PUBLIC SERVICE RULES

SECTION A	—	Recruitment, Appointment and Promotion
SECTION B	—	Classification
SECTION C	—	Staff Performance Appraisal
SECTION D	—	Transfers, Secondments, Special Assignments and Releases
SECTION E	—	Training
SECTION F	—	Official Working Hours and Conduct
SECTION G	—	Discipline — To be completed
SECTION H	—	Leave and Holidays
SECTION J	—	Travelling and Subsistence Allowances and Transport Expenses
SECTION K	—	Allowances other than Travelling and Subsistence Allowances
SECTION L	—	Advances
SECTION M	—	Separation and Superannuation Benefits
SECTION N	—	Government Quarters
SECTION O	—	Communication through Mass Media
SECTION P	—	Patents for Inventions made by Public Servants
SECTION Q	—	Relations with Trade Unions/Staff Associations
SECTION R	—	Miscellaneous

APPENDIX — A 1

APPENDIX — K 1

APPENDIX — H 1

APPENDIX — K 2

APPENDIX — J 1

APPENDIX — L 1

APPENDIX — J 2

APPENDIX — Q 1

APPENDIX — J 3

**SECTION A — RECRUITMENT, APPOINT-  
MENT AND PROMOTION**

## SECTION A

### RECRUITMENT, APPOINTMENT AND PROMOTION

- A 1 Definition of 'recruitment', 'appointment' and 'promotion'
- A 2 Authority to recruit and make appointments
- A 3 Age for entry to the Public Service
- A 4 Application for entry to the Public Service
- A 5 Selection for permanent appointment on basis of competitive examination and interview
- A 6 Utilisation of services of Central Recruitment and Manpower Agency
- A 7 Request for temporary employment
- A 8 Employment on contract
- A 9 Recruitment of Guyanese resident abroad
- A10 Date of Appointment
- A11 Medical examination prior to confirmation of appointment
- A12 Probationary periods
- A13 Seniority list to be kept up-to-date
- A14 Determination of seniority
- A15 Filling of vacancies
- A16 Vacancies resulting from retirement
- A17 Filling of vacancies under delegated authority
- A18 Eligibility for appointment of persons from outside the Public Service
- A19 Acting appointments
- A20 Recommendation for acting appointment
- A21 Representations by or on behalf of Public Servant for acting appointment
- A22 Appointment within the particular service
- A23 Application for promotion
- A24 Notification for promotion of Public Servants on leave
- A25 Principle of selection for promotion
- A26 Appointment of non-monthly employee on the monthly basis

## APPENDIX A1

FROM Permanent Secretary/  
Head of Department/  
Regional Executive Officer

REFERENCE NO:

TO Secretary,  
Public Service Commission

SUBJECT: Recommendation for  
acting appointment(s) in the

DATED: .....

1. Title(s) and salary scale(s) of post(s) in respect of which acting appointment(s) is/are requested:—
2. Reasons for acting appointment(s) —
3. Public Servant(s) recommended to act, post(s), salary scale(s) and effective date(s) of acting appointment(s) —
4. Supersession, if any, within the Ministry, Department or Region and reasons therefor —
5. General remarks, if any.

.....  
Permanent Secretary/  
Head of Department/  
Regional Executive Officer

## SECTION A

### RECRUITMENT, APPOINTMENT AND PROMOTION

#### Definition of 'recruitment', 'appointment' and 'promotion'

A1 The terms 'recruitment', 'appointment' and 'promotion' mean:

(a) **Recruitment**

The system for selecting suitably qualified candidates for appointment to vacancies in the Public Service

(b) **Appointment**

The procedure for formalising the employment of persons in specific posts.

(c) **Promotion**

The appointment of staff in higher positions, not necessarily within any particular stream, Ministry, Department or Region.

#### Authority to recruit and make appointments

A2 (1) Under Article 201 (1) of the Constitution of the Co-operative Republic of Guyana, the Public Service Commission has power to make appointments to public offices and to remove and to exercise disciplinary control over persons holding or acting in such offices.

(2) Article 201 (2) of the abovementioned Constitution provides for the Public Service Commission to delegate any of its powers by directions in writing, subject to such conditions as it thinks fit, to any one or more members of the Commission or, with the consent of the Prime Minister, to any Public Servant, or in relation to any office on the staff of the Clerk of the National Assembly, to the Clerk. The Secretary, Public Service Commission will from time to time indicate to Permanent Secretaries/Heads of Departments/Regional Executive Officers the positions in respect of which appointments can be made by them under delegated authority.

(3) Where any power of the Public Service Commission is exercised under Article 201 (2), any person in respect of whom the power was exercised (including a person who has failed to obtain an appointment) may appeal to the Commission from the decision of the person exercising the power and the decision of the Commission on such appeal shall be final, unless otherwise determined by the Public Service Appellate Tribunal.

(4) Under Article 209 of the abovementioned Constitution, the power to appoint persons as teachers and to remove and exercise disciplinary control over persons holding or acting in such offices shall vest in the Teaching Service Commission.

(5) Subject to the provisions of Article 211 (1) of the abovementioned Constitution, the power to make appointments to offices in the Police Force of or above the rank of Inspector, the power to exercise disciplinary control over persons holding or acting in such offices and the

power to remove such persons from office shall vest in the Police Service Commission.

#### **Age for entry to the Public Service**

- A3 Recruitment to the Public Service is open to all Guyanese between the ages of 16 and 40 years and in special circumstances, to non-Guyanese. The upper age limit, however, will not apply to:

- (a) Public Servants in any branch of the Public Service;
- (b) Public Servants on contract;
- (c) persons employed on a temporary or seasonal basis; and
- (d) persons seconded or transferred from other organisations, service which is deemed to be "other public service" or "public service", in terms of Pensions Act (Chapter 27:02). A list of such organisations is published from time to time by the Public Service Ministry.

#### **Application for entry to the Public Service**

- A4 (1) An application for entry to the Public Service must be completed on the prescribed form (PSC No. 31 - Application for Appointment to the Public Service) and addressed to the Secretary, Public Service Commission or the relevant Permanent Secretary/Head of Department/Regional Executive Officer as appropriate in terms of Rule A2.
- (2) "PSC No. 31" form must also be completed by Public Servants when-ever responding to vacancies publicly advertised, except where such positions are deemed to be promotional posts (i.e., positions in the grade below on the basis of seniority and satisfactory Staff Performance Appraisal Reports). In such a case, the prescribed form is "PSC No. 30" (see Rule A23).

#### **Selection for permanent appointment on basis of competitive examination and interview**

- A5 (1) Apart from the requirements of satisfying the basic qualification(s), i.e., job specification(s), stipulated for permanent appointment in the Clerical or Secretarial grades or such other grades as the Public Service Commission may from time to time specify, candidates may also be required to take written competitive examinations, attend interviews and do practical tests, where necessary.
- (2) Any applicant who fails the examination or interview for admission to the Public Service in any year shall, if he/she wishes to be considered again for appointment, re-apply and re-submit himself/herself for the examination and/or interview in any following year, notwithstanding that he/she may have held a temporary appointment in the Public Service in the meantime.
- (3) Any applicant who passes the examination for admission to the Public Service in any year but fails to obtain an appointment shall, if he/she wishes to be considered for appointment, re-apply and re-submit himself/herself for an interview in the following year, but the



Commission may in such case as it shall think fit, waive the requirements of this Rule.

- (4) If more than two years elapse between the date when an applicant passes the examination for admission to the Public Service and the date when he/she re-applies to be considered for an appointment, then the Commission may, as it thinks fit, require the applicant to re-submit himself/herself for the examination and interview.

### **Utilisation of services of Central Recruitment and Manpower Agency**

- A6
- (1) For information on manpower availability, Permanent Secretaries/ Heads of Departments/Regional Executive Officers shall consult the Central Recruitment and Manpower Agency.
  - (2) Permanent Secretaries/Heads of Departments/Regional Executive Officers must, as far as practicable, utilise the services of the nearest Recruitment and Placement Agency in the recruitment of staff not ordinarily furnished by the Public Service Commission, especially those in the unskilled categories.
  - (3) In considering applicants for employment under this Rule, Permanent Secretaries/Heads of Department/Regional Executive Officers must ensure that careful attention is paid to their previous record of employment, if any.
  - (4) Where an applicant was previously employed in the Public Service, a report on his/her work and conduct as well as the reason(s) for separation must be sought from the relevant Permanent Secretary/Head of Department/Regional Executive Officer prior to any offer of employment. Should it be discovered that a successful candidate had given false information in his/her application and/or at the interview, the appointment shall be terminated forthwith.

### **Request for temporary employment**

- A7
- (1) Requests for permission to employ temporary staff shall be addressed to the Permanent Secretary, Public Service Ministry, accompanied by adequate supporting reasons. Such requests should be confined to instances where the work is of a temporary or seasonal nature or so urgent that it is necessary to employ additional staff temporarily.
  - (2) Requests for temporary appointments against substantive vacancies must be sent to the Secretary, Public Service Commission for consideration and approval.

### **Employment on contract**

- A8
- (1) Public Servants in professional and certain other categories may opt for contract appointment.
  - (2) Subject to satisfactory service, a Public Servant on contract will be eligible for a gratuity at the rate of twenty-two and one half per centum (22½%) of basic salary, calculated on the basis of completed



periods of three (3) months' resident service, including approved leave if the gratuity is paid as a lump sum on the final completion of service.

- (3) A Public Servant on contract may at his/her option, receive the gratuity at six (6) monthly intervals calculated on the same basis as at paragraph (2), but in such a case, vacation leave will not count for gratuity purposes.

Before entering into any service agreement, a Permanent Secretary/Head of Department/Regional Executive Officer should seek the concurrence of the Permanent Secretary, Public Service Ministry as to the proposed terms and conditions of the contract.

#### Recruitment of Guyanese resident abroad

- A9 (1) The Public Service Commission shall regularly provide Guyanese Diplomatic Missions/Overseas Representatives with up-dated, information on vacancies which cannot be easily filled locally.
- (2) Candidates for such positions should apply on the prescribed form (as per Rule A4) and furnish all the required information.
- (3) The Public Service Commission shall delegate to Heads of Guyanese Diplomatic Missions/Overseas Representatives the authority to conduct interviews of candidates but shall reserve the right to make appointments.

#### Date of appointment

- A10 (1) The date of appointment to a post in a particular Ministry/Department/Region within the Public Service shall normally be the date on which the Public Servant assumes substantively the duties of the post to which he/she has been appointed.
- (2) If a Public Servant is selected for appointment from outside Guyana, the date of appointment shall be the date specified in the letter of appointment.

#### Medical examination prior to confirmation of appointment

- A11 A candidate selected for permanent appointment in the Public Service shall not be confirmed in his/her appointment unless he/she has been passed as medically fit by the Government Medical Board.

#### Probationary periods

- A12 (1) During their probationary period, Public Servants should be regarded as being under guidance with a view to learning their work and becoming suitable for it. They should be afforded all possible facilities and assistance for acquiring competence in the performance of their duties.
- (2) Shortcomings exhibited by Public Servants on probation should be drawn to their attention, and every assistance should be given them to correct these.

- (3) Probationary periods usually apply to first appointment and are normally of one (1) year's duration. They may be extended upon the recommendation of the relevant Permanent Secretary/Head of Department/Regional Executive Officer.
- (4) Where a Public Servant is to be appointed to a post, the duties of which he/she has already satisfactorily performed whether in an acting or temporary capacity or on secondment for periods of equal or longer duration than the period of probation, the Public Servant shall not be required to serve on probation.
- (5) Where a Public Servant is appointed on probation to a post in which he/she has not acted satisfactorily, the Public Service Commission shall determine the period of probation to be served.
- (6) Where a Public Servant is promoted before he/she has completed the full period of probation in the lower office, the unserved portion of that period of probation shall be deemed to be waived and the Public Servant deemed to be confirmed in that appointment.
- (7) A Permanent Secretary/Head of Department/Regional Executive Officer shall forward to the Public Service Commission in respect of each Public Servant on probation a staff performance appraisal report at the end of his/her probationary period and shall recommend, based on such appraisal report:
  - (a) that the Public Servant be confirmed in his/her appointment; or
  - (b) that the probationary period be extended; or
  - (c) that the Public Servant revert to his/her former post, where applicable; or
  - (d) that the Public Servant's services be terminated.
- (8) A special report must be furnished two (2) months before the completion of the probationary period stating whether or not the Public Servant will be recommended for confirmation in due course, should nothing detrimental to his/her interests occur in the interval.
- (9) Where there has been an extension of a probationary period, the Permanent Secretary/Head of Department/Regional Executive Officer shall submit a report on the Public Servant's progress or otherwise not later than one (1) month prior to the end of the extended period.

#### Seniority list to be kept up-to-date

- A13 (1) The Secretary, Public Service Commission shall keep a proper and up-to-date staff list of all Public Servants setting out their respective seniority in the several grades of the Public Service.

- (2) Permanent Secretaries/Heads of Departments/Regional Executive Officers shall keep similar information on all Public Servants attached to their Ministries/Departments/Regions.

#### **Determination of seniority**

- A14 (1) The seniority of a Public Servant shall be determined by the date of his/her appointment to the particular grade in which he/she is serving.
- (2) The seniority of Public Servants promoted to the same grade on the same date shall be determined by their seniority in their former grade.
- (3) Where Public Servants have entered the Public Service by competitive examination and are appointed to the same grade with effect from the same date, the relative seniority of such employees shall be determined according to their performance in such examination.
- (4) The seniority of a Public Servant who voluntarily resigns from the Public Service and is subsequently re-appointed to it shall be reckoned from the date of his/her re-appointment.
- (5) The Public Service Commission shall determine the seniority of the Public Servant in any case not covered by this Rule.

#### **Filling of Vacancies**

- A15 (1) The Secretary, Public Service Commission shall from time to time, upon receipt of requests from Permanent Secretaries/Heads of Departments/Regional Executive Officers or with the approval of the Permanent Secretary, Public Service Ministry, publicly advertise existing vacancies in Ministries/Departments/Regions.
- (2) Applications in response to vacancy notices of the Public Service Commission Secretariat must be made on the prescribed form "PSC No. 30" or "PSC No. 31" (as appropriate in terms of Rule A4 and A23) and forwarded directly to the Secretary, Public Service Commission. A copy of such application should, at the same time, be submitted to the Permanent Secretary/Head of Department/Regional Executive Officer under whom the employee is serving.

#### **Vacancies resulting from retirement**

- A16 When it is intended to effect an appointment to a vacancy arising as a result of retirement, a Permanent Secretary/Head of Department/Regional Executive Officer shall submit to the Secretary, Public Service Commission, at least four (4) months before the date on which the vacancy will occur, the following information:
- (a) the approved Job Description and Job Specification of the post; and
- (b) a recommendation for filling the impending vacancy, i.e., whether by promotion of a Public Servant or by public advertisement locally and/or overseas.

### **Filling of Vacancies under delegated authority**

- A17 When a vacancy in the categories delegated by the Public Service Commission is to be filled, the Permanent Secretary/Head of Department/Regional Executive Officer concerned shall arrange for the vacancy to be advertised by "Staff Vacancy" circular or public notice, whichever is appropriate. However, this procedure is not necessary in the case of positions which are deemed to be "promotional posts" (see definition in Rule A4).

### **Eligibility for appointment of persons from outside the Public Service**

- A18 In the case of posts where service in the grade below is not a prerequisite for appointment, suitably qualified persons from outside the Public Service may, on application in response to vacancy advertisements, be eligible for consideration.

### **Acting Appointments**

- A19 (1) An "acting appointment" is a temporary assignment to a Public Servant of the duties of another (not lower) position, whether exclusively or in addition to his/her substantive duties. The position in which the Public Servant is acting may be substantively or temporarily vacant.
- (2) An acting appointment must not be regarded as automatic on the occurrence of any vacancy. It will not always be necessary to make such an appointment to a higher post, duties whereof can be distributed amongst other Public Servants of a particular grade in the Ministry/Department/Region concerned.
- (3) A Public Servant who is required to perform higher/additional duties of a position specified in the Schedule to Appendix K1 may, subject to the provisions of Rule A20, be paid an acting allowance in accordance with Rule K1.
- (4) A Public Servant who is required to perform higher duties of a position not specified in the Schedule to Appendix K1 may, with the approval of the Permanent Secretary, Public Service Ministry, be paid a responsibility allowance in accordance with Rule K3.

### **Recommendation for acting appointment**

- A20 (1) The Permanent Secretary/Head of Department/Regional Executive Officer shall submit, well in advance, recommendations for acting appointments to permit their consideration by the Public Service Commission before the dates on which the acting appointments are intended to become effective, but the Commission may waive the provisions of this Rule where the necessity to submit recommendations has been occasioned by sudden illness or other circumstances which the Commission may consider appropriate.

- (2) No Public Servant should be assigned the duties of a higher position in an acting capacity without the prior approval of the Secretary, Public Service Commission. However, should it become necessary for an acting appointment to be made to such a post as a matter of urgency, the Permanent Secretary/Head of Department/Regional Executive Officer concerned shall consult with and obtain the oral approval of the Secretary, Public Service Commission before assigning the duties to any Public Servant. If such approval is given, the recommendation as per paragraph (1) must follow at the earliest opportunity.
- (3) In submitting recommendations for acting appointments to the Public Service Commission, Permanent Secretaries/Heads of Departments/Regional Executive Officers shall state the reasons why Public Servants, if any, are being superseded. The prescribed form is at Appendix A1.

#### Representations by or on behalf of Public Servant for acting appointment

- A21 (1) Where representations have been made by or on behalf of a Public Servant in relation to an acting appointment which requires the approval of the Public Service Commission, the Permanent Secretary/Head of Department/Regional Executive Officer shall forward such representations in their original form, with his/her comments, to the Commission.
- (2) In respect of an acting appointment to be made under delegated authority, the Permanent Secretary/Head of Department/Regional Executive Officer shall give due consideration to the representations made and in the case of an appeal, forward same with his/her comments to the Secretary, Public Service Commission.

#### Appointment within the particular service

- A22 (1) Whenever in the opinion of the Public Service Commission it is possible and in the best interests of the particular service within the Public Service to do so, appointments to vacancies shall be made from within the particular service.
- (2) Where in the opinion of the Commission after considering any recommendations of a Permanent Secretary/Head of Department/Regional Executive Officer, it is impractical or not in the best interests of the Public Service to make an appointment from within the particular service, the Commission may, with or without competition, appoint a person from within the Public Service who is in the opinion of the Commission the most suitable and best qualified.

#### Application for Promotion

- A23 Applications for promotion must be made on the prescribed form (P.S.C. No. 30 — Application for Promotion) and addressed to the Secretary, Public



Service Commission or Permanent Secretary/Head of Department/Regional Executive Officer, as appropriate in terms of Rule A2(2). Where such application is addressed to the Secretary, Public Service Commission, a copy thereof must be forwarded at the same time to the Permanent Secretary/Head of Department/Regional Executive Officer under whom the employee is serving.

#### **Notification for promotion of Public Servants on leave**

- A24 Permanent Secretaries/Heads of Departments/Regional Executive Officers shall ensure that the names of all Public Servants who are on leave but are eligible for promotion to posts advertised by the Public Service Commission are submitted to the Commission for consideration.

#### **Principles of selection for promotion**

- A25 In considering the eligibility of Public Servants for promotion, the Public Service Commission shall take into account the educational qualifications, merit and ability, together with relative efficiency and experience of such employees, and should two or more employees be equally eligible for promotion the Commission shall give consideration to the relative seniority of the employees available for promotion.

#### **Appointment of non-monthly employee on the monthly basis**

- A26 (1) With the exception of part-time cleaners, employees paid at hourly, daily, weekly and fortnightly rates shall be eligible for placement on the monthly basis on condition that they have completed either:
- (a) five continuous and effective years' service, in the case of "approved appointments" (see Rule M32), or
  - (b) seven continuous and effective years' service, in the case of positions not declared as "approved appointments".
- (2) Cleaners employed on a part-time basis, i.e., those who work for less than eight hours per day but who are paid guaranteed wages for six hours per day, qualify for monthly placement after the completion of 10 continuous and effective years' service.

SECTION B - CLASSIFICATION

## **SECTION B**

### **CLASSIFICATION**

- B 1      Definition of 'classification' and related terms**
- B 2      Responsibility for the evaluation and classification of positions**
- B 3      Determination of Job Description and Job Specification**
- B 4      Job Analysis Schedule**
- B 5      Commencing salary upon reclassification/promotion**
- B 6      Redesignation**
- B 7      Salary anomalies**
- B 8      Evaluation of qualifications by National Equivalency Board**
- B 9      Incremental credits on appointment**



## SECTION B

## CLASSIFICATION

## X Definition of "classification" and related terms

- B 1 (1) "Classification" is the systematic placement of positions within a specific occupational group (e.g., Draughting and Designing occupational group, Agricultural Workers occupational group) and specific salary ranges or wage bands, based upon a recognised and accepted model of job evaluation.
- (2) "Reclassification" is the re-assignment of a particular position that has already been assigned to a specific salary range/wage band to a higher or lower salary range/wage band for reasons considered justifiable.
- (3) "Redesignation" is the change of a job title.
- (4) "Job Evaluation" is the careful assessment, for classification/salary purposes, of the main factors related to a position, e.g., the amount of physical and mental effort, the knowledge, skills, abilities and the educational level, training and experience required for the performance of the job.
- (5) "Job Analysis" is the systematic collection (by questionnaire, interview, observation or a combination of these) of essential data concerning a job.

## Responsibility for the evaluation and classification of positions

- B 2 (1) The responsibility for the evaluation and classification of positions lies with the Permanent Secretary, Public Service Ministry.
- (2) In terms of this activity, the Public Service Ministry will:
- (a) advise Ministries/Departments/Regions in respect to pay and classification problems;
  - (b) conduct wages and salaries studies as the basis for establishing pay ranges;
  - (c) evaluate jobs on the basis of certified Job Analysis Schedules submitted by Ministries/Departments/Regions;
  - (d) examine requests for reclassification of positions or initiate action in this regard;
  - (e) approve Job Descriptions and Job Specifications of positions; and
  - (f) examine requests for redesignation of positions.

## Determination of Job Description and Job Specification

- B 3 (1) Before any vacant post can be filled, the Job Description and Job Specification must be approved.
- (2) In cases where approved Job Descriptions and Job Specifications of posts to be filled do not exist, Permanent Secretaries/Heads of Departments/Regional Executive Officers should submit to the Public Service Ministry for approval, the proposed Job Descriptions and Job Specifications. Relevant guidelines are contained in the 'Functional Guide for

Officers in the Wages and Salary Administration Section of the Personnel Division, Public Service Ministry'.

- (3) In preparing proposed Job Specifications, Permanent Secretaries/Heads of Departments/Regional Executive Officers must ensure that those Specifications represent the minimum level of academic, vocational or equivalent training and/or relevant experience explicitly stated in terms of level and duration, necessary for appointment to the respective positions. The proposed Specifications must also bear favourable comparison with those already approved for comparable jobs that are similarly classified. They must also be consistent with higher and lower positions in the same class series. The positions Welder I, Welder II, and Welder III, for example, constitute a class series.
- (4) Where amendments to existing approved Job Descriptions and Job Specifications are sought, the reasons for the proposed variations in duties and/or qualifications must be stated.

#### **Job Analysis Schedule**

- B 4 (1) A comprehensive Job Analysis Schedule should be submitted to the Public Service Ministry in the following cases:
- (a) when the creation of a new position (i.e., one not previously included in the classification plan) is being sought;
  - (b) when the re-evaluation of an existing position is being sought arising out of restructuring of the job.
- (2) A Job Analysis Schedule should accurately reflect the current job requirements of the particular position. It should be prepared in accordance with the 'Functional Guide' referred to at Rule B3(2).

#### **Commencing salary upon reclassification/promotion**

- B 5 A Public Servant who is promoted or whose substantive position has been reclassified shall be paid his/her substantive salary on the date of promotion/reclassification plus either -
- (a) the difference between this amount and the minimum salary of the position to which he/she is promoted/reclassified; or
  - (b) 5% of the latter salary (rounded up to the nearest dollar) whichever is the greater.

#### **Redesignation**

- B 6 Requests for redesignation of positions should be submitted with adequate justification to the Permanent Secretary, Public Service Ministry.

#### **Salary anomalies**

- B 7 Requests for resolving salary anomalies should be submitted with all the relevant details, as specified in the 'Functional Guide' referred to at Rule B3 (2), to the Permanent Secretary, Public Service Ministry.

**Evaluation of qualifications by National Equivalency Board**

- B 8 In order to determine the equivalence of qualifications not already granted official recognition or which need to be re-assessed, Permanent Secretaries/ Heads of Departments/Regional Executive Officers may, after consultation with the Permanent Secretary, Public Service Ministry, seek the advice of the National Equivalency Board.

**Incremental credits on appointment**

- B 9 (1) In requesting that incremental credits be given to a Public Servant appointed to a professional/technical position on the basis of his/her qualifications, training and experience over and above those deemed necessary for appointment to that position, the Permanent Secretary/ Head of Department/Regional Executive Officer must furnish the Permanent Secretary, Public Service Ministry with the following data:
- (a) academic and/or other qualifications;
  - (b) number of years of relevant post-graduate experience;
  - (c) the kind(s) and level(s) of training undergone;
  - (d) the nature, level and number of years of relevant experience prior to present appointment; and
  - (e) supporting documentary evidence in respect of (a), (b), (c) and (d), as the case may be.
- (2) If a case for incremental credit is represented for reason(s) other than those indicated at paragraph (1), the reason(s) therefor must be clearly set out.

**SECTION C — STAFF PERFORMANCE  
APPRAISAL**

## **SECTION C**

### **STAFF PERFORMANCE APPRAISAL**

- C 1      Annual submission of Staff Performance Appraisal Reports to Public Service Commission**
- C 2      Reporting Officers to be guided by own deliberate judgement**
- C 3      Outstanding rating(s)**
- C 4      Adverse rating(s)**
- C 5      Reports to determine eligibility for promotion**

## SECTION C

## STAFF PERFORMANCE APPRAISAL

**Annual submission of Staff Performance Appraisal Reports to Public Service Commission**

- C1 (1) A Permanent Secretary/Head of Department/Regional Executive Officer shall forward to the Secretary, Public Service Commission in each year not later than the anniversary of the date of appointment a staff performance appraisal report in respect of each employee recruited by the Commission, whether such employee holds a permanent appointment, an acting appointment, a temporary appointment or is employed for a specified period.
- (2) Staff performance appraisal reports shall also be prepared on all monthly-paid employees recruited by the Permanent Secretary/Head of Department/Regional Executive Officer in each year not later than the anniversary of the date of appointment of these employees. Such reports would form part of the "confidential" records of the Ministry/Department/Region.
- (3) A staff performance appraisal report shall relate to the period of service during the preceding 12 months, and shall be in such form as may from time to time be prescribed by the Permanent Secretary, Public Service Ministry.

**Reporting officers to be guided by own deliberate judgement**

- C2 (1) In the preparation of a staff performance appraisal report, the Reporting Officers shall be guided by their own deliberate judgement and shall in such report —
- (a) make an unbiased assessment of the employee's performance and conduct over the past 12 months; and
  - (b) give an indication of the future prospects of the employee.
- (2) Detailed guidelines on the completion of a Staff Performance Appraisal Report are set out in "Guidelines to the Merit Increment Scheme, 1986" — a publication of the Public Service Ministry.

**Outstanding rating(s)**

- C3 Upon the completion of a Staff Performance Appraisal Report, outstanding rating(s) must be conveyed in writing to the Reportee. In the case of an employee recruited by the Public Service Commission, the letter must be copied to the Commission.

**Adverse rating(s)**

- C4 (1) When adverse (below average) ratings or comments are included in the staff performance appraisal report, the reportee shall be so informed in writing. In the case of an employee recruited by the Public Service Commission, this must be done before the report is submitted to the Commission.
- (2) In order that an employee may be given every opportunity to correct any shortcomings which he/she might evince during the course of the 12 months' period of service to be reported on, the Permanent Secretary/Head of Department/Regional Executive Officer shall cause the employee to be informed in writing as and when such shortcomings are noticed.
- (3) Where written notice of an adverse report is given to an employee recruited by the Public Service Commission, the employee may, not later than seven days of the receipt of such notification, make representations in writing through the Permanent Secretary/Head of Department/Regional Executive Officer to the Public Service Commission. The Permanent Secretary/Head of Department/Regional Executive Officer should forward the appellant's letter along with his/her comments to the Commission within seven days of the receipt of such representations.

**Reports to determine eligibility for promotion**

- C5 In addition to determining annual awards of increases in pay, staff performance appraisal reports on an employee shall be considered by the Public Service Commission or the Permanent Secretary/Head of Department/Regional Executive Officer, as the case may be, in determining the eligibility of that employee for promotion.

**SECTION D — TRANSFERS,  
SECONDMENTS, SPEC-  
IAL ASSIGNMENTS AND  
RELEASES**



## **SECTION D**

### **TRANSFERS, SECONDMENTS, SPECIAL ASSIGNMENTS AND RELEASES**

- D1 Authority for transfers/secondments
- D2 Application for transfers within the Public Service
- D3 Notice to Public Servant transferred
- D4 Appeal for review of order of transfer
- D5 Transmission of Record of Service and other particulars upon transfer
- D6 Transfers within a Ministry/Department/Region
- D7 Release of Public Servant on special assignment
- D8 Transfers/secondments to Government organisations outside of the "traditional Public Service"

## SECTION D

### TRANSFERS, SECONDMENTS, SPECIAL ASSIGNMENTS AND RELEASES

#### Authority for transfers/secondments

- D 1 The authority for the transfer, secondment or temporary transfer of Public Servants within the Public Service or to Government Agencies outside the "traditional Public Service" vests in the Public Service Commission.

#### Application for transfers within the Public Service

- D 2 (1) A Public Servant requesting a transfer to another Ministry/Department/Region shall submit his/her application to the Secretary, Public Service Commission through his/her Permanent Secretary/Head of Department/Regional Executive Officer. Full reasons in support of the request must be stated by the applicant.
- (2) The Permanent Secretary/Head of Department/Regional Executive Officer shall make such comments and/or recommendations as may be considered necessary, and forward the application promptly to the Secretary, Public Service Commission.

#### Notice to Public Servant transferred

- D 3 (1) Where the Public Service Commission proposes to transfer a Public Servant, the Commission shall, except where the exigencies of the particular service do not permit, make an order of transfer in writing and shall give not less than one month's notice to a Public Servant who is to be transferred.
- (2) A Public Servant in respect of whom an order has been made under Rule D3(1) shall assume his/her duties on transfer whether or not a review of the order of transfer by the Commission is pending.

#### Appeal for review of order of transfer

- D 4 Any representations by a Public Servant for a review of an order under Rule D3(1) shall be submitted in writing to the Permanent Secretary/Head of Department/Regional Executive Officer within seven days of the receipt of notification of the order. The representations in their original form shall then be forwarded together with any comments which the Permanent Secretary/Head of Department/Regional Executive Officer may wish to make thereon to the Public Service Commission.

#### Transmission of Record of Service and other particulars upon transfer

- D 5 (1) Upon issue of the Government Order authorising the transfer of a Public Servant to another Ministry/Department/Region, the Permanent Secretary/Head of Department/Regional Executive Officer of the Ministry/Department/Region from which the Public Servant is being transferred, shall transmit to the other organisation an up-to-date

certified copy of the employee's Record of Service, Leave Particulars and Last Pay Certificate.

- (2) If a Public Servant has been transferred to an organisation, service with which is deemed to be "other public service" or "public service", the Permanent Secretary/Head of Department/Regional Executive Officer shall transmit to that organisation an up-to-date certified copy of the employee's Record of Service. A copy should, at the same time, be sent to the Secretary, Public Service Commission.

#### **Transfers within a Ministry/Department/Region**

- D 6. A Public Servant may, in the interest of the service, be transferred by his/her Permanent Secretary/Head of Department/Regional Executive Officer to any Division, Section or location of the Ministry/Department/Region in which he/she is serving.

#### **Release of Public Servant on special assignment**

- D 7. (1) The assignment of a Public Servant on special duties requires the prior written approval of the Permanent Secretary, Public Service Ministry. A request for such special assignment should contain full particulars of the case including the nature of, reasons for, and the proposed duration of the special assignment. In the case of special assignment to a job involving higher responsibilities, a detailed list of duties and responsibilities must be submitted to the Public Service Ministry so that the level of additional remuneration, if any, may be determined.
- (2) If the urgency of any case does not allow for a written request to be submitted before the commencement of the proposed special assignment, the Permanent Secretary/Head of Department/Regional Executive Officer should obtain the oral approval of the Permanent Secretary, Public Service Ministry before assigning the Public Servant on special duties. A written request should thereafter be promptly submitted.

#### **Transfers/secondments to Government organisations outside of the "traditional Public Service"**

- D 8. (1) Subject to the written approval of the Secretary, Public Service Commission, Public Servants may:
- (a) be transferred/seconded to Public Corporations and other organisations, service with which is deemed to be "other public service" or "public service" in terms of the provisions of the Pensions Act (Chapter 27:02); and
  - (b) be seconded to organisations, service with which is not deemed to be "other public service" or "public service".
- (2) The secondment of a Public Servant to an organisation, service with which is not deemed to be "other public service" or "public service" is on condition that the Public Servant or the organisation concerned makes a pension contribution equivalent to 25% of the employee's 'public service' salary to the Accountant General in terms of Rule M13(2).

- (3) A Public Servant who has not been confirmed in his/her appointment is not eligible for transfer to any of the organisations referred to at paragraph (1), but may, with the approval of the Public Service Commission, be released to take up an appointment with such organisation.
- (4) Except where the conditions of service require otherwise, the secondment of a Public Servant to an organisation, service with which is deemed to be "other public service" or "public service", shall not exceed six months. During this period, it is expected that a decision would be made by the Public Servant whether to accept permanent employment with the organisation to which he/she is seconded or to revert to his/her position in the "traditional public service".
- (5) The effective date of transfer shall be the initial date of secondment.
- (6) In requesting the approval of the Public Service Commission for the transfer/secondment of a Public Servant in terms of this Rule, the Permanent Secretary/Head of Department/Regional Executive Officer shall:
  - (a) submit a copy of the relevant letter of offer of appointment or request for release from the organisation concerned;
  - (b) state whether the Public Servant has contractual obligation to Government (if so, details must be given);
  - (c) send a copy of the request to the Permanent Secretary, Public Service Ministry, who will notify the Public Service Commission as to whether or not there is any objection to the transfer/secondment of the Public Servant to the organisation concerned.

SECTION E — TRAINING

## SECTION E

### TRAINING

- E 1 Responsibility for Training
- E 2 The Manager's Function in Training
- E 3 Training classified as "duty"
- E 4 Nominations for Training Awards
- E 5 Definition of "Trainee"
- E 6 Definition of "Training/Service Agreement"
- E 7 Medical Clearance of candidate
- E 8 Completion of National Service/Orientation
- E 9 Execution of Training/Service Agreement
- E10 Provision of guarantor(s) or collateral security
- E11 Endorsement of Guyana Passport
- E12 Travel arrangements to and from country of study
- E13 Upliftment of Contract Letter by Trainee leaving Guyana
- E14 Expenses for dependants accompanying Trainee overseas
- E15 Luggage expenses
- E16 Flight insurance
- E17 Intransit expenses
- E18 Report of arrival in country of study
- E19 Obligation of Trainee while studying in another country
- E20 Submission of reports/transcripts by overseas University/College
- E21 Termination of Training Awards
- E22 Failure to complete approved programme
- E23 Confirmation of completion date of overseas programme
- E24 Return to Guyana upon completion of overseas programme
- E25 Determination of training expenses and refund of such expenses
- E26 Determination of total cost of training when financed by external sources
- E27 Further training during contractual period of Training/Service Agreement
- E28 Resignation of bonded Trainee
- E29 Refund of training expenses upon dismissal

## SECTION E TRAINING

E1 - E4

### Responsibility for Training

- E1 The Minister charged with the training function is responsible for the development of training policy, the approval of training programmes and the administration of training schemes for the Public Sector.

### The Manager's Function in Training

- E2 Since Staff Development is part of each manager's function, Permanent Secretaries/Heads of Departments/Regional Executive Officers must ensure that this begins with formal and informal induction of new recruits to their Ministries/Departments/Regions. This must be followed by other relevant training at appropriate intervals.

### Training classified as "duty"

- E3 With the approval of the Permanent Secretary of the Ministry responsible for Training, the following types of training may be classified as "duty":

- (a) practical attachment;
- (b) workshop;
- (c) seminar;
- (d) symposium;
- (e) training conference;
- (f) observation tour; and
- (g) short course not exceeding 12 weeks.

The abovementioned approval must be sought before the Public Servant embarks on such training.

### Nominations for Training Awards

- E4 (1) All nominations for training awards must have the sanction of the Permanent Secretary/Head of Department/Regional Executive Officer of the Ministry/Department/Region. In the case of Public Corporations/Companies within the Guystac Group, nominations must have the approval of the Vice-President of Guystac. In the case of other Public Corporations/Companies, nominations must have the support of the Heads of these organisations.
- (2) A nomination for an award must be made on the appropriate form obtainable from the Personnel Divisions of Ministries/Departments/Regions before it is forwarded to the Ministry responsible for Training for processing.

## Definition of "Trainee"

E5-E10

- E5 The term "Trainee" means a Public Servant who is granted a Training Award by the Government of Guyana.

## Definition of "Training/Service Agreement"

- E6 The term "Training/Service Agreement" means an agreement entered into by the Trainee (as defined in Rule E5) and the Government of Guyana to the effect that the Trainee will, upon completion of his/her training programme, serve the Government of Guyana for such period as required under Rule E9.

## Medical Clearance of candidate

- E7 (1) A training award is subject to medical fitness of the candidate as certified by a medical practitioner registered with the Medical Board.
- (2) A medical examination by any private doctor shall normally be at the expense of the candidate.

## Completion of National Service/Orientation

- E8 A Public Servant who is in receipt of a Training Award must satisfactorily complete a period of National Service/Orientation and where necessary, a practical attachment in the relevant area of study, prior to the taking up of the award.

## Execution of Training/Service Agreement

- E9 A Trainee is required to enter into an Agreement with the Government of Guyana to serve on completion of his/her training as follows:

### Duration of Award

### Period of Service

- |                                       |                             |
|---------------------------------------|-----------------------------|
| (a) Up to 12 weeks                    | No service agreement        |
| (b) Over 12 weeks and up to 6 months  | 1 year's continuous service |
| (c) Over 6 months and up to 18 months | 3 years' continuous service |
| (d) Over 18 months                    | 5 years' continuous service |

## Provision of guarantor(s) or collateral security

- E10 A Trainee is required to provide guarantor(s) or collateral security acceptable to the Accountant General. Particulars to be submitted on guarantor(s) are listed in Rule L20.



### Endorsement of Guyana Passport

- E11 Whether in receipt of a local or overseas award, a Trainee is required to have at the beginning of the award a valid Guyana Passport bearing the following endorsement:

"Bearer has contractual obligation to the Government of the Co-operative Republic of Guyana, relating to his/her Training/Education".

### Travel arrangements to and from country of study

- E12 (1) Where a scholarship or training course is tenable in another country, the Government of Guyana is responsible for the travel arrangements and for meeting the Trainee's travelling expenses to and from the country of study based on the cost of air travel by the most direct and economical route and at the student concessionary or tourist rate as applicable.
- (2) All travel arrangements for the Trainee to the country of study, for his/her return to Guyana for vacation assignments, and after the successful completion or termination of the course of study, shall as far as possible be made through Government-owned transport services.

### Upliftment of Contract Letter by Trainee leaving Guyana

- E13 It is the duty of each Trainee leaving Guyana to ensure that he/she receives from the Ministry responsible for Training at least one week before departure date, a letter relating to his/her contract for presentation to Immigration Officers at Timehri International Airport or other port of departure.

### Expenses for dependants accompanying Trainee overseas

- E14 A Trainee granted an overseas award will not be provided with financial assistance to enable his/her spouse and/or child/children to accompany him/her or join him/her on training or for their upkeep or expenses in the country of study.

### Luggage expenses

- E15 In respect of a Trainee's travel arrangements to the country of study, the Ministry responsible for Training shall not be responsible for luggage in excess of the airline's luggage allowance on the outward journey.

### Flight Insurance

- E16 Flight or baggage insurance will be at the Trainee's expense.

### Intransit expenses

- E17 A Trainee who is required to overnight in any country during his/her journey from Guyana to the country of study or vice versa will be paid an appropriate sum to cover intransit expenses.

### Report of arrival in country of study

- E18 A Trainee is required to report his/her arrival in the country of study to the nearest Guyana Office in the country of study and to furnish the Officer-in-charge with his/her name, address and telephone number. This should be done in person, by letter or by telephone, within seven days of arrival.

### Obligation of Trainee while studying in another country

- E19 While studying in another country, a Trainee is expected to:
- (a) obey the laws of that country;
  - (b) show respect for the customs of that country;
  - (c) refrain from engaging in activities which may antagonise the authorities or citizens;
  - (d) show regard for the hospitality of its citizens;
  - (e) change his/her currency at commercial banks, thereby avoiding illegal transactions;
  - (f) inform his/her landlord/landlady when he/she is leaving the premises for any extended period;
  - (g) settle his/her bills and debts before leaving that country; and
  - (h) refrain from engaging in activities inimical to the interests of Guyana.

### Submission of reports/transcripts by overseas university/college

- E20
- (1) At the end of each academic year or each semester as in the case of the United States of America, a Trainee shall arrange for the university/college, where he/she is pursuing studies, to submit to the relevant Guyana Office in the country of study, for onward transmission to the Permanent Secretary of the Ministry responsible for Training (Guyana) a progress report on or transcript of his/her studies.
  - (2) Should there be no Guyana Office in the country of study, the relevant report/transcript should be forwarded directly to the Permanent Secretary of the Ministry responsible for Training (Guyana).
  - (3) Training awards are reviewed annually, and their continuation shall be dependent on satisfactory progress during the Trainee's course of studies.
  - (4) Should progress be unsatisfactory and it is necessary for the Trainee to repeat part of the course, he/she may be allowed to do so, but the Ministry responsible for Training (Guyana) or the Guyana Office in the country of study must be informed prior to the term in which the Trainee is asked to repeat.

- (5) A request for an extension of an overseas training award for reason other than repeating part of the course must be addressed to the Permanent Secretary of the Ministry responsible for Training and must be accompanied by official documentation and adequate reasons.

### **Termination of Training Awards**

- E21 (1) A Trainee's award may be terminated if:
- (a) he/she has given false information to a Government Ministry/Department in connection with his/her award;
  - (b) progress continues to be unsatisfactory;
  - (c) attendance at classes is poor;
  - (d) there are found to be serious discipline problems with him/her;
  - (e) he/she has changed or discontinued courses of study without the authority of the sponsors;
  - (f) he/she has changed institution of study without permission;
  - (g) he/she has been engaged in activities inimical to the interests of Guyana;
  - (h) serious illness is preventing him/her from continuing the programme.
- (2) A Trainee whose award is terminated for any of the reasons given at (a) to (g) of paragraph (1) is liable to refund to the Government of Guyana the total amount expended on his/her training.

### **Failure to complete approved programme**

- E22 A Trainee who fails to complete the approved programme may at the discretion of the Government of Guyana be permitted to discharge his/her contractual obligation by service with the Government of Guyana for the period specified in his/her Training/Service Agreement, provided that the relevant Institution has attested to the fact that he/she had attended the course of studies regularly and pursued such studies diligently and that failure was due to reasons beyond his/her control.

### **Confirmation of completion date of overseas programme**

- E23 Four months prior to the estimated completion date of an overseas programme, a Trainee shall write to the Guyana Office in the country of study confirming his/her completion date. Should there be no Guyana Office in the country of study, the letter should be addressed to the Ministry responsible for Training (Guyana).

### **Return to Guyana upon completion of overseas programme**

- E24 On completion of an overseas programme, a Trainee should return to Guyana at the first available opportunity for travel, and to report to the Ministry

responsible for Training soon after his/her arrival. The contractual period under his/her Training/Service Agreement shall begin the day on which he/she reports officially.

#### **Determination of training expenses and refund of such expenses**

- E25 (1) Any money spent on a Trainee's behalf by the Government of Guyana will be considered part of his/her training expenses for the purposes of the Training/Service Agreement signed between himself/herself and the Government of Guyana.
- (2) In the event of a breach of the Training/Service Agreement, a Trainee will be called upon to refund the cost of his/her training with interest at the prescribed rate.

#### **Determination of total cost of training when financed by external sources**

- E26 The amount spent by a donor Government or technical assistance agency in respect of a training award will be added to any amount paid by the Government of Guyana in connection with the same award, as specified in the Training/Service Agreement. The total amounts expended by the donor Government or technical assistance agency and the Government of Guyana will be the total cost of training.

#### **Further training during contractual period of Training/Service Agreement**

- E27 A Public Servant who has not yet completed the contractual period of a Training/Service Agreement may, on the recommendation of his/her Permanent Secretary/Head of Department/Regional Executive Officer, be granted further training by the Government of Guyana. The Public Servant will, however, be required to complete the contractual period of that Agreement before commencing to serve the contractual period of the other Training/Service Agreement.

#### **Resignation of bonded Trainee**

- E28 (1) A bonded Trainee is expected to complete the relevant service requirement and will not be permitted to resign unless he/she has refunded to the Accountant General in full the training expenses as outlined in Rules E26 and E27.
- (2) Where a letter of resignation is received from a bonded Trainee, the Permanent Secretary/Head of Department/Regional Executive Officer shall immediately bring same to the attention of the Ministry responsible for Training.

#### **Refund of training expenses upon dismissal**

- E29 A Public Servant who is dismissed on account of grave misconduct during the contractual period of a Training/Service Agreement shall normally be required to refund to the Accountant General the entire cost of his/her training.

**SECTION F — OFFICIAL WORKING  
HOURS AND CONDUCT**

**SECTION F**  
**OFFICIAL WORKING HOURS AND CONDUCT**

- F 1      Official working hours
- F 2      General Conduct
- F 3      Courtesy and Politeness
- F 4      Discharge of Duties
- F 5      Punctuality
- F 6      Absence without leave or absence from the country without permission
- F 7      Dress
- F 8      Release of official information
- F 9      Access to confidential records
- F 10     Other employment activities during and outside of official working hours
- F 11     Shares in Local Firms, etc.
- F 12     Acceptance of gifts/rewards
- F 13     Bribery
- F 14     Report of criminal charge
- F 15     Public Servants and the Press
- F 16     Broadcast talks by Public Servants

## SECTION F

## OFFICIAL WORKING HOURS AND CONDUCT

## Official working hours

- F 1 The hours of work of Public Servants are as set out by the Public Service Ministry in circular No. 14/1986 dated 1986-05-28. No variations should be effected unless prior approval is received from the Permanent Secretary, Public Service Ministry.

## General Conduct

- F 2 (1) Public Servants shall conduct themselves at all times in such manner that they do not bring the particular service of which they are members, as well as the Public Service generally, into disrepute.
- (2) Public Servants who commit offences specified in these Rules are liable to disciplinary action as set out in "Section G - Discipline".

## Courtesy and Politeness

- F 3 Public Servants shall not be discourteous or impolite to members of the staff or to members of the public in the discharge of their duties.

## Discharge of duties

- F 4 Public Servants shall discharge the usual duties of the post to which they are appointed and any other related duties that the Permanent Secretary/Head of Department/Regional Executive Officer or other duly authorised officer may at any time call upon them to do.

## Punctuality

- F 5 Public Servants are expected to attend work punctually in compliance with Rule F1. Each Ministry/Department/Region shall keep prescribed time-keeping records to determine the level of punctuality of its staff for the purposes of staff performance appraisal. Disciplinary action will be taken against employees who are habitually unpunctual.

## Absence without leave or absence from the country without permission

- F 6 Public Servants shall not absent themselves from duty without leave or adequate excuse or leave the country without the written permission of the Permanent Secretary/Head of Department/Regional Executive Officer or other duly authorised officer.

## Dress

- F 7 (1) Public Servants not provided with uniforms by Government are expected to dress in a tidy businesslike yet comfortable manner without



any suggestion of either flamboyance or slovenliness. From time to time, the Public Service Ministry may specify dress wear that must not be worn during official working hours as well as appropriate disciplinary action against defaulters.

- (2) The Permanent Secretary, Head of Department or Regional Executive Officer is to ensure that the general standard of dress, especially at public counters, reception desks or wherever members of staff come in contact with the public, is such as to bring credit to the respective agency.

#### **Release of official information**

- F 8 Public Servants are forbidden to divulge official information of a secret or confidential nature where the duties do not require them to do so.

#### **Access to confidential records**

- F 9 (1) Public Servants should not be allowed to have access to confidential records relating personally to themselves.
- (2) Except the prior permission of the Permanent Secretary/Head of Department/Regional Executive Officer has been obtained, Public Servants should not be allowed access to records which have no direct bearing on their official duties.

#### **Other employment activities during and outside of official working hours**

- F10 (1) Though Public Servants are expected to devote full attention and time to their work during official working hours, they may, with the permission of the Permanent Secretary, Public Service Ministry, be engaged in other employment activities of a part-time nature, whether with or without remuneration.
- (2) Public Servants shall not undertake paid employment outside of official working hours unless prior approval is obtained from the Permanent Secretary, Public Service Ministry. Such request will not be favourably considered if such employment is likely to impair the efficiency and usefulness of the Public Servant in his/her job or conflict with the interests of the Government.
- (3) Public Servants are forbidden to render professional services to private persons or firms and accept remuneration without the permission of the Permanent Secretary, Public Service Ministry.

#### **Shares in Local Firms, etc.**

- F11 No Public Servant may hold shares in his/her own name or have any interests in any private company or partnership in Guyana, nor, except in his/her official capacity as a Public Servant, participate in the management of any private or public company in Guyana without the express permission of

the Permanent Secretary, Public Service Ministry. Permission, however, need not be obtained to hold shares in any public company or in any registered co-operative society in Guyana.

### Acceptance of gifts/rewards

**F12** Public Servants are forbidden to receive any gift or reward from any member of the public or group or organisation for official services rendered. However, this is not intended to apply when a Public Servant is offered a gift or reward by:

- (a) a representative of a foreign Government, on the occasion of an official visit to that country;
- (b) a community organisation or social group in appreciation of services rendered by the Public Servant;
- (c) other Public Servants in the particular Ministry/Department/Region on the occasion of his/her birthday, marriage, transfer or retirement.

### Bribery

**F13** Public Servants are forbidden to —

- (a) pay money or give gifts in consideration of favours;
- (b) proffer or accept bribe for special favours.

### Report of criminal charge

**F14** A Public Servant who is charged with a criminal offence shall report the matter forthwith to the Permanent Secretary/Head of Department/Regional Executive Officer, who, in consultation with or on the advice of the Secretary, Public Service Commission, shall determine whether the Public Servant shall be interdicted from duty.

### Public Servants and the Press

**F15** (1) Public Servants are forbidden to be editors of newspapers or directly or indirectly to take part in the management of newspapers. They are also forbidden to contribute to any newspaper in Guyana or elsewhere on questions which can properly be called political or administrative though they may furnish articles upon subjects of general interest.

(2) Statements to the Press involving policy shall not be made by Public Servants without the prior permission of the Minister concerned.

(3) Statements for publication involving factual or technical information may be made by Permanent Secretaries/Heads of Departments and other senior officers if authorised by the Minister concerned.

(4) Whether on duty or on leave of absence, a Public Servant shall not allow himself/herself to be interviewed on questions of public policy

or on matters relating to national security, unless his/her official duties require him/her to do so.

- (5) No Public Servant may, without approval of the Minister concerned, make public or communicate to the Press or cause to be made public or so communicated to the Press or to unauthorised individuals any documents, papers or information which may come into his/her possession in his/her official capacity, or make private copies of any such document or papers.

**Broadcast talks by Public Servants**

- F16 Public Servants are forbidden to give broadcast talks or to engage in any discussion which is being broadcast on any subject which may properly be regarded as of a political or administrative nature without the prior permission of the Minister concerned.

**SECTION H — LEAVE AND HOLIDAYS**

## SECTION H

### LEAVE AND HOLIDAYS

- H 1      Vacation leave and vacation allowance — pensionable employees
- H 2      Qualifying period for new entrant after 1985-01-01
- H 3      Vacation leave and vacation allowance based on preceding year's service
- H 4      Vacation leave to include Sundays and Public Holidays
- H 5      Period 1st — 31st December to be excluded from vacation leave
- H 6      Upliftment of vacation allowance subject to grant of 21 days' vacation leave
- H 7      Movement into higher leave category by virtue of increase in salary
- H 8      Higher leave category conditions to apply when acting or responsibility allowance is being paid
- H 9      Payment in lieu of vacation leave to estate of deceased Public Servant
- H 10     Vacation leave for Public Servants on secondment
- H 11     Vacation throughout Guyana
- H 12     Vacation outside Guyana
- H 13     Vacation leave/vacation allowance upon separation from the Public Service
- H 14     Application for vacation leave
- H 15     Assumption of duty prior to expiration of vacation leave
- H 16     Deferred vacation leave
- H 17     Replacement for Public Servant proceeding on vacation leave
- H 18     Vacation leave not to be utilised towards training award of Government
- H 19     Leaving of private address at the Ministry/Department/Region before commencement of vacation leave
- H 20     Vacation leave — non-pensionable employees
- H 21     Definition of "special leave"
- H 22     Special leave for writing examinations locally
- H 23     Special leave for urgent and unforeseeable private affairs
- H 24     Special leave for training in (i) Reserve, Guyana Defence Force; (ii) Guyana People's Militia
- H 25     Special leave to attend conferences of recognised associations
- H 26     Special leave to attend meetings of recognised Trade Unions/Staff Associations catering for Public Servants

- H 27 Special leave to participate in cultural activities
- H 28 Special leave to represent Guyana or the West Indies in inter-territorial or international sports
- H 29 Special leave to attend training courses or seminars in Trade Union and/or Co-operative Education
- H 30 Special leave for recuperation after hospitalisation
- H 31 Special leave for maternity purposes
- H 32 Special leave on compassionate grounds
- H 33 Special leave on the ground of public interest
- H 34 Special leave on religious grounds
- H 35 Time-off to attend meetings of Local Authorities
- H 36 Time-off to attend Court
- H 37 Record of leave granted
- H 38 Notification of overstay of leave
- H 39 Notification of impending absence from Guyana on duty

## SECTION H

### LEAVE AND HOLIDAYS

#### **Vacation leave and vacation allowance -- pensionable employees**

- H 1 Public Servants on the pensionable establishment are eligible for vacation leave and vacation allowance as set out in Appendix H1. This system of annualised vacation leave was implemented with effect from 1985-01-01, inclusive. The policy relating to Public Servants appointed on the pensionable establishment before 1985-01-01 is set out in Public Service Ministry's circulars No. 13/1985 dated 1985-05-29 and No. 17/1985 dated 1985-08-06.

#### **Qualifying period for new entrant after 1985-01-01**

- H 2 Public Servants appointed on the pensionable establishment after 1985-01-01 will, upon the completion of six calendar months' service, be eligible for vacation leave at the rate of one day for each completed calendar month of service up to a limit of 12 days. Any leave so granted should be deducted from the amount which the employee will earn under the annualised vacation leave system, bearing in mind the principle that such vacation leave is granted in respect of the preceding year's service (see Rule H3). However, proportionate vacation allowance in respect of the year of entry will not be payable until after the completion of 12 calendar months' service.

#### **Vacation leave and vacation allowance based on preceding year's service**

- H 3 Vacation leave and vacation allowance of pensionable employees are based on the preceding year's service and are to be regulated in terms of calendar year.

#### **Vacation leave to include Sundays and Public Holidays**

- H 4 Vacation leave of pensionable employees includes Sundays and Public Holidays. In the case of employees who are now working a five-day work week, vacation leave shall also include Saturdays.

#### **Period 1st - 31st December to be excluded from vacation leave**

- H 5 No vacation leave is to be granted to include the period 1st to 31st December.

#### **Upliftment of Vacation Allowance subject to grant of 21 days' vacation leave**

- H 6 The upliftment of vacation allowance by a pensionable employee is subject to the grant to him/her of a minimum qualifying period of 21 days' annual vacation leave. Alternatively, upliftment will only be possible upon the completion of an aggregate number of days totalling 21 days' annual vaca-



tion leave. Accordingly, when an employee applies for leave, every effort should be made, where possible, to grant the leave in a manner that will permit him/her to enjoy at least 21 days on one occasion. However, where the exigencies of the Service may not permit a very senior officer to proceed on leave in the desired manner in any particular year, the case should be represented to the Public Service Ministry for consideration and approval for him/her to be granted the vacation allowance.

#### **Movement into higher leave category by virtue of increase in salary**

- H 7 A Public Servant who moves into a higher leave category by virtue of an increase in salary will be eligible for vacation leave and vacation allowance in that category from the first day of the year in respect of which he/she first receives the increased salary.

#### **✕ Higher leave category conditions to apply when acting or responsibility allowance is being paid**

- H 8 A Public Servant who continuously performs the duties of one or more higher posts and receives an acting or responsibility allowance or both throughout a calendar year, and whose substantive salary plus the acting or responsibility allowance fall within the salary limits of a higher leave category will be eligible for vacation leave and vacation allowance applicable to the higher leave category in respect of that calendar year.

#### **Payment in lieu of vacation leave to estate of deceased Public Servant**

- H 9 The estate of a Public Servant who dies in service shall be eligible for payment in lieu of vacation leave earned by him/her up to the date of his/her death, and any vacation allowance earned in respect of completed calendar year(s) service given by him/her.

#### **Vacation leave for Public Servants on secondment**

- H10 A Public Servant who is seconded (not with a view to transfer) to any agency, service with which is deemed to be "other public service" or "public service" may choose vacation leave conditions applicable either to his/her substantive post or those applicable to the post to which he/she has been seconded. Such agencies are listed in Public Service Ministry's Circular/Memorandum No. PS:16/0/18 dated 1985-04-04.

#### **Vacation throughout Guyana**

- H11 (1) A Public Servant due for vacation leave and entitled to vacation allowance will be allowed to utilise the allowance for vacation travel throughout Guyana, provided that he/she:
- (a) submits to the Accountant General a detailed itinerary showing the various destinations and the period of stay at each place;

- (b) submits to the Accountant General within one month of the resumption from vacation leave, receipts/bills and other documentation to verify that the vacation allowance was utilised for the purpose for which it was granted.
- (2) The employee concerned must use Government-owned transport services wherever these are available but if he/she has his/her privately-owned vehicle, a fixed mileage allowance based on Scale C travelling rates would be granted. Claims should be submitted for toll gate fees and ferry bridge charges.
- (3) The employee concerned may be granted an advance not exceeding one month's salary in terms of Rule L17, subject to the provisions of a guarantor acceptable to the Accountant General. For particulars required on guarantor, see Rule L20.

#### Vacation outside Guyana

- H12 (1) Permanent Secretaries/Heads of Departments/Regional Executive Officers may grant permission to Public Servants to spend their vacation leave or other short periods of leave of absence outside Guyana, with a copy of the notification being sent to the Accountant General and the Secretary, Public Service Commission. Approval of the Permanent Secretary, Public Service Ministry will, however, be necessary before Permanent Secretaries/Heads of Departments/Regional Executive Officers can proceed on such leave of absence out of the country.
- (2) Public Servants who spend a period exceeding 21 calendar days out of the country shall forfeit their vacation allowance, whereas those who spend 21 calendar days or less out of the country shall invest the allowance in "approved securities", as specified from time to time by the Ministry of Finance.

#### Vacation leave/vacation allowance upon separation from the Public Service

- H13 Upon separation from the Public Service, Public Servants may be granted vacation leave and vacation allowance as follows:

on retirement or termination of service at the initiative of the employer (that is, for economic, structural or technological reasons and reasons other than those of serious misconduct resulting in dismissal)

vacation leave and vacation allowance earned in respect of any full year's service. Proportionate vacation allowance earned in respect of **completed** calendar months' service at date of retirement or termination of service under the circumstances stated opposite.

on transfer to an agency, service with which is deemed to be 'other public service' or 'public service' (such agencies are listed in Public Service Ministry's circular/memorandum No. PS:16/0/18 dated 1985-04-04)

vacation leave and vacation allowance earned in respect of any full year's service and proportionate vacation leave only in respect of completed calendar months' service in the year of resignation.

vacation leave and vacation allowance earned in respect of any full year's service and proportionate vacation leave only in respect of completed calendar months' service in the year of transfer.

(d) on dismissal

— Nil

#### Application for vacation leave

H14 Public Servants should apply to their Permanent Secretaries/Heads of Departments/Regional Executive Officers for vacation leave at least 14 days before the date on which they intend to proceed on such leave. Applications should be in conformity with the approved leave roster prepared at the beginning of each calendar year by Ministries/Departments/Regions. In no circumstances should a Public Servant leave his/her post or hand over his/her duties without prior approval of the application.

#### Assumption of duty prior to expiration of vacation leave

H15 Where a Public Servant applies to return to duty before the expiration of his/her vacation leave in order to suit his/her own convenience, the portion of the leave foregone will not be added to any future vacation leave but will be forfeited.

#### Deferred vacation leave

- H16 (1) Public Servants who have applied for and are required in writing to defer their vacation leave in any calendar year may treat this as deferred leave and add it to the vacation leave for which they are eligible in the following year.
- (2) No Public Servant should be refused the grant of vacation leave on the ground of exigencies of the service in two consecutive years, save in exceptional circumstances with the approval of the Permanent Secretary, Public Service Ministry.

#### Replacement for Public Servant proceeding on vacation leave

H17 In special cases where the duties of a Public Servant proceeding on vacation leave are of such a nature that they cannot be redistributed among the other

staff members, approval should normally be requested at least six weeks in advance for a replacement or acting appointment.

### **Vacation leave not to be utilised towards training award of Government**

- H18 Public Servants in receipt of training awards from the Government of Guyana shall not be required to contribute their vacation leave towards the training effort, regardless of the duration of such training and whether the training sessions are conducted locally and/or overseas.

### **Leaving of private address at the Ministry/Department/Region before commencement of vacation leave**

- H19 Prior to proceeding on vacation leave, a Public Servant must indicate to the Permanent Secretary/Head of Department/Regional Executive Officer a private address to which correspondence may be directed during his/her leave. For this purpose, Guyana Embassies and High Commissions are not considered as private addresses.

### **Vacation leave — non-pensionable (including Open Vote) employees**

- H20 (1) Non-pensionable employees including persons in regular employment who are paid salaries or wages from "open votes", whether paid on a monthly, fortnightly, weekly, daily or hourly basis may be granted 14 days' vacation leave each calendar year. A regular employee is one who shall have been employed for not less than 225 working days in any one year.
- (2) To qualify for vacation leave, a non-pensionable employee must have completed a full "working year" containing not less than 225 "working days". A "working year" means the first 12 month period from the date of employment and thereafter each subsequent calendar year. "Working days" means days for which the worker was paid (Holidays with pay and any paid leave included). Where less than 225 days are worked in each of two consecutive calendar years, these two years may be regarded as one "working year" for the purpose of leave if the number of "working days" in the two years aggregate 225 days or more.
- (3) Vacation leave is not granted to a non-pensionable employee in proportion to the number of days worked (that is, the employee cannot be granted seven days' leave in respect of 113 working days nor one day in respect of 16 working days) except in the case of resignation or retrenchment.
- (4) Vacation leave earned by a non-pensionable employee may be deferred in accordance with Rule H16.

### **Definition of "special leave"**

- H21 "Special leave" means leave granted to a Public Servant under special circumstances, as set out in these Rules. Such leave is not to be charged to the employee's vacation leave entitlement. Special leave without pay may also be referred to as "no pay leave".

### **Special leave for writing examinations locally**

- H22 Special leave with full pay not exceeding seven days in a calendar year may, with the approval of the Permanent Secretary/Head of Department/Regional Executive Officer, be granted to a Public Servant for the purpose of writing examinations locally. Such leave shall normally be confined to the half-day periods during which examinations are being written. The applicant shall furnish satisfactory documentary evidence when applying for such leave.

### **Special leave for urgent and unforeseeable private affairs**

- H23 Special leave with full pay not exceeding seven days in a calendar year may, with the approval of the Permanent Secretary/Head of Department/Regional Executive Officer, be granted to a Public Servant to enable him/her to attend to urgent and unforeseeable private affairs. As such leave is intended to be distinct from vacation leave, the Public Servant must satisfy the appropriate authority that the request is in accordance with the conditions set out above, being required to give reason(s), for the request either in writing or orally.

### **Special leave for training in (i) Reserve, Guyana Defence Force; (ii) Guyana People's Militia**

- H24 (1) Public Servants enlisted in the Reserve, Guyana Defence Force should be released from duty for training when required, as follows.
- (a) when embodied for full-time service; and
  - (b) annually (annual camp or course of instructions in lieu of 10 - 14 days and additional training of up to 12 days).
- (2) During periods of training under (a) of paragraph (1), the employees shall receive either their civil pay or their army pay, whichever is the greater. Those whose civil pay is greater shall be paid, in addition to their military pay (exclusive of allowances, if any), such portion of their civil pay as will bring their total emoluments from public funds up to the total of their civil pay.
- (3) During periods of training under (b) of paragraph (1), the employees shall receive both their civil and military pay.
- (4) The provisions relating to (b) of paragraph (1) will also apply to all employees who are members of the Guyana People's Militia.

### Special leave to attend conferences of recognised associations

- H25 Special leave with full pay not exceeding 12 working days in a calendar year may, with the approval of the Permanent Secretary/Head of Department/Regional Executive Officer, be granted to a Public Servant who has been selected as a delegate to attend conferences of recognised associations.

### Special leave to attend meetings of recognised Trade Unions/Staff Associations catering for Public Servants

- H26 (1) Special leave with full pay not exceeding 12 working days in a calendar year may be granted to Public Servants who hold the offices of President, Secretary, Assistant Secretary, Branch President, Branch Secretary, members of Grievance Committees, members of the Central Executive and Shop Steward in recognised Trade Unions/Staff Associations catering for Public Servants for the following purposes:
- (a) attending ordinary, emergency or special meetings and delegates' conferences, and
  - (b) dealing with matters of an industrial relations nature.
- (2) The facility is not applicable to the Shop Steward in the Transport and Harbours Department (where adequate arrangements are in force for those functions to be carried out by sectional Union Officials).
- (3) The leave is to be granted on the following conditions:
- (a) each Union/Association should submit to the Permanent Secretary/Head of Department/Regional Executive Officer concerned, a list of names of Public Servants in the Ministry/Department/Region who are office bearers in the Organisation's Executive body and those who hold offices such as Branch Secretary and Shop Steward, to whom special leave (or time-off) should be granted. Any changes in the list(s) should be notified as soon as possible after such changes occur;
  - (b) an application for the grant of special leave (or time-off) on behalf of the Public Servants involved should be made to the Permanent Secretary/Head of Department/Regional Executive Officer concerned by the Secretary of the particular Union/Association well in advance, normally not less than three days before the date for which special leave (or time-off) is required; and
  - (c) the Public Servant concerned should not leave his/her post before the approval of the Permanent Secretary/Head of Department/Regional Executive Officer or other duly authorised officer is obtained. However, in emergencies such as Executive meetings summoned in an emergency, or the occurrence of disputes requiring urgent investigation by Union Officials, applications



for special leave (or time-off) may be granted by the Supervisor of the Public Servant concerned; such approval in respect of monthly paid employees only, to be reported immediately to the Permanent Secretary/Head of Department/Regional Executive Officer.

- (4) For the purpose of this Rule, "time-off" involving absence from duty for half a day or longer will be regarded as special leave.

#### **Special Leave to participate in cultural activities**

- H27 Special leave with full pay not exceeding 12 working days in a calendar year may, with the approval of the Permanent Secretary/Head of Department/Regional Executive Officer, be granted to a Public Servant who has been selected by the appropriate national authorities to participate in cultural activities, e.g., music, art, dance, drama, poetry.

#### **Special leave to represent Guyana or the West Indies in inter-territorial or international sports**

- H28 Special leave with full pay may, with the approval of the Permanent Secretary/Head of Department/Regional Executive Officer, be granted to a Public Servant who has been selected by the appropriate national authorities to represent Guyana or the West Indies in inter-territorial or international sports.

#### **Special leave to attend training courses for seminars in Trade Union and/or Co-operative Education**

- H29 Special leave with full pay not exceeding one month (31 days) in a calendar year may, with the approval of the Permanent Secretary/Head of Department/Regional Executive Officer, be granted to a Public Servant to attend training courses in Trade Union and/or Co-operative Education and other disciplines as may be approved from time to time by the Permanent Secretary, Public Service Ministry.

#### **Special leave for recuperation after hospitalisation**

- H30 A Public Servant who has been hospitalised to undergo a surgical operation or to be treated for some serious ailment and who has been recommended for further leave on discharge for the purpose of recuperation may, with the approval of the Secretary, Public Service Commission, be granted up to a maximum of one month (31 days) special leave with full pay in a calendar year. This period is not to be charged against any leave which the Public Servant may normally be granted on medical grounds.



### **Special leave for maternity purposes**

- H31 (1) A female employee who has not less than one year's service may be granted maternity leave as follows:
- (a) thirteen weeks' special leave on part salary (i.e., the difference between substantive salary and National Insurance Scheme maternity benefits). Such leave may commence not earlier than six weeks before the week of confinement, but may be taken in majority after confinement; and
  - (b) in addition to the special leave at (1) above and without producing a medical certificate in respect of illness caused by some complication of or unconnected with her pregnancy and/or confinement, such special leave as she may request without pay, but not exceeding three weeks on any one occasion.
- (2) In a case where an employee has less than one year's service, the period of maternity leave shall be without pay.
- (3) There is no restriction to the number of occasions on which maternity leave may be granted to a female employee, whether married or not.
- (4) Maternity leave granted in any year shall not preclude the employee from enjoying vacation leave in the same year.
- (5) Permanent Secretaries/Heads of Departments/Regional Executive Officers are asked to note that an employee who is granted maternity leave in accordance with this Rule will not qualify for full salary in any circumstances during the 13-week period of leave whether the employee is eligible for the payment of National Insurance benefits or not. Only part salary shall be payable.

### **Special leave on compassionate grounds**

- H32 Special leave on compassionate grounds, with or without full pay, may be granted to a Public Servant with the approval of the Permanent Secretary, Public Service Ministry.

### **Special leave on the ground of public interest**

- H33 Special leave with full pay on the ground of public interest may, with the approval of the Permanent Secretary, Public Service Ministry, be granted to a Public Servant upon the recommendation of the Permanent Secretary/Head of Department/Regional Executive Officer.

### **Special leave on religious grounds**

- H34 Special leave without pay on religious grounds may, with the approval of the Permanent Secretary/Head of Department/Regional Executive Officer, be granted to a Public Servant who is of the belief that he/she must not work on any particular day in the work week.

### **Time-off to attend meetings of Local Authorities**

- H35 Public Servants who are members of Local Authorities and who occasionally are required to attend to Council matters during official working hours may, with the approval of the Permanent Secretary/Head of Department/Regional Executive Officer, be granted time-off for this purpose. The applicant is required to produce valid documentary evidence that he/she is required to attend such meetings.

### **Time-off to attend Court**

- H36 (1) A Public Servant who is required to attend court as a witness on behalf of the state shall be granted appropriate time-off by the Permanent Secretary/Head of Department/Regional Executive Officer or other duly authorised officer.
- (2) Time-off is not granted to enable a Public Servant to attend court as a witness for the defence or as a defendant in a civil or criminal matter. Such absences from duty should be covered by vacation or no-pay leave.

### **Record of leave granted**

- H37 Permanent Secretaries/Heads of Departments/Regional Executive Officers shall cause to be kept in their Ministries/Departments/Regions a permanent and central record of all leave - vacation, special, sick - granted to staff in their respective organisations.

### **Notification of overstay of leave**

- H38 (1) When a Public Servant due to return to duty has failed to do so, the Permanent Secretary/Head of Department/Regional Executive Officer shall submit an appropriate report to:
- (a) Permanent Secretary, Public Service Ministry; and
  - (b) Secretary, Public Service Commission.
- (2) A Public Servant who fails to return to duty at the proper time without justifiable excuse is liable to disciplinary action.

### **Notification of impending absence from Guyana on duty**

- H39 Permanent Secretaries/Heads of Departments/Regional Executive Officers must notify the Permanent Secretary, Public Service Ministry of the name and post of any Public Servant who will be absent from Guyana on duty, whether as a member of, or officer to, an official delegation or otherwise. Such notification should be submitted prior to the employee's departure and should be copied to:
- (a) Permanent Secretary, Office of the Prime Minister; and
  - (b) Secretary, Public Service Commission.

**ANNUAL ENTITLEMENT OF  
VACATION LEAVE AND VACATION ALLOWANCES  
TO PENSIONABLE EMPLOYEES**

LEAVE CATEGORY	VACATION LEAVE PER YEAR	VACATION ALLOWANCE PER YEAR
A — Salary from \$1,374.45 per month	42 days	\$1,733.00
B — Salary from \$975.97 per month to \$1,374.44 per month	35 days	\$ 825.00
C — Salary from \$768.07 per month to \$975.96 per month	35 days	\$ 525.00
D — Salary from \$624.85 per month to \$768.06 per month	28 days	\$ 375.00
E — Salary under \$624.85 per month	21 days	\$ 80.00

NOTE: The abovementioned qualifying salary limits (effective from 1986-01-01) are in respect of leave to be taken in 1987. These rates are subject to change whenever salaries are revised throughout the Public Service. The qualifying salary limits which were effective from 1985-01-01, i.e., the date of implementation of the annualised vacation leave system, are set out in Public Service Ministry's circular No. 2/1986 dated 1986-01-14.

~~SECTION~~ J — TRAVELLING AND  
SUBSISTENCE  
ALLOWANCES AND  
TRANSPORT EXPENSES

## SECTION J

### TRAVELLING AND SUBSISTENCE ALLOWANCES AND TRANSPORT EXPENSES

- J 1 Definition of "fixed commuted travelling allowance"
- J 2 Motor car travelling allowances
- J 3 Motor cycle/auto cycle/bicycle travelling allowances
- J 4 Occasional travelling by Public Servant authorised to use motor cycle/  
auto cycle/bicycle
- J 5 Use of auto cycle instead of bicycle
- J 6 Rate of travelling allowance when acting in higher post
- J 7 Payment of travelling allowance during short periods of absence
- J 8 Payment of travelling allowance on transfer or change in appointment
- J 9 Home to office travelling
- J10 Travelling allowance — Magistrates
- J11 Travelling allowance — members of Statutory and Ad Hoc Boards,  
Committees and similar bodies
- J12 Chauffeur Allowance
- J13 Horse allowance
- J14 Motor Boat Allowance
- J15 Submission of travelling claims
- J16 Half-yearly returns of mileage travelled
- J17 Definition of "subsistence allowance"
- J18 Rates of subsistence and out-of-pocket allowances
- J19 Out-of-pocket allowance to Public Servants attending approved resi-  
dential courses
- J20 Additional allowance for field or camp conditions
- J21 Subsistence, camp and field conditions allowances to Public Servant  
in receipt of station allowance
- J22 Payment of actual reasonable expenses for meals and lodging in lieu of  
subsistence allowance
- J23 Subsistence allowance in cases of temporary assignment of duties away  
from base
- J24 Subsistence allowance in cases of transfer at short notice
- J25 Subsistence allowance for travelling within district
- J26 Calculation of subsistence allowance
- J27 Payment for travelling time outside of official working hours

J28	Allowance payable to Public Servants attending External Conferences
J29	Submission of subsistence claims
J30	Definition of "transport expenses"
J31	Economy in mode of conveyance
J32	Use of official transport
J33	Use of hire cars and departmental vehicles
J34	Hire of privately-owned launches
J35	Reimbursement of steamer fares and toll charges
J36	Reimbursement of removal expenses on transfer or upon change of residence
J37	Definition of "actual reasonable expenses"
J38	Expenses additional to those normally payable for removal expenses
J39	Submission of claims for transport expenses
J40	Internal scheduled flights
J41	Charter Flights

## SECTION J

J1-J2

### TRAVELLING AND SUBSISTENCE ALLOWANCES AND TRANSPORT EXPENSES

#### Definition of "fixed commuted travelling allowance"

- J 1 A fixed commuted travelling allowance means an allowance payable to a Public Servant for the upkeep of a motor car, motor cycle, auto cycle, bicycle or other means of transport owned by him/her or at his/her full disposal, and used in the performance of his/her official duties. The payment of such allowance to any category of employee is subject to the prior approval of the Permanent Secretary, Public Service Ministry.

#### Motor car travelling allowances

- J 2 (1) A Scale 'A' travelling allowance, which comprises a fixed commuted allowance per month and a mileage rate (see rates at Appendix J1) is payable to Public Servants who travel extensively by motor car in the performance of their official duties. Payment of this allowance is subject to the employee's position being listed by the Permanent Secretary, Public Service Ministry in circulars issued from time to time as one qualifying for payment of such allowance at either the Scale 'A' upper or Scale 'A' lower rate. It is the duty of Permanent Secretaries/Heads of Departments/Regional Executive Officers to ensure that the rate of allowance paid in each case accords with the allowance approved by the Public Service Ministry and not simply in accordance with the engine capacity (cc) of an officer's car.
- (2) A Scale 'B' travelling allowance is a mileage rate allowance (see rate at Appendix J1) payable to Public Servants who own motor cars and who are permitted by their Permanent Secretaries/Heads of Departments/Regional Executive Officers to use them on official business as the need arises.
- (3) A Scale 'C' travelling allowance, which comprises a fixed commuted allowance per month and a mileage rate (see rates at Appendix J1) is payable to Public Servants who are expected to keep cars for official use but who do not travel extensively. Payment of this allowance is subject to the employee's position being listed by the Permanent Secretary, Public Service Ministry in circulars issued from time to time as one qualifying for payment of such allowance.
- (4) Permanent Secretaries/Heads of Departments/Regional Executive Officers shall be paid a special fixed allowance, as quantified at Appendix J1, in cases where such officers are not already in receipt of a higher rate of allowance or the facility of a State car. This allowance is intended to cater for all travelling needs in the Greater Georgetown area together with an amount of approximately 100 miles per month outside of this area. Where the nature of the duties of some Permanent Secretaries/Heads of Departments require travelling in excess of this ceiling, Ministerial/Departmental transport should be used where available. In cases where such an arrangement may not be possible or practicable, a request may be made to the Permanent Secretary, Public Service Ministry for the particular officer to receive a Scale 'C' travelling allowance instead.



### Motor cycle/auto cycle/bicycle travelling allowances

- J 3 (1) The payment of travelling allowance to Public Servants for continuous official use of their motor cycles or auto cycles is subject to the prior approval of the Permanent Secretary, Public Service Ministry. The approved rates are specified at Appendix J1.
- (2) Public Servants who use their bicycles in the performance of their official duties may, with the approval of their Permanent Secretary/Head of Department/Regional Executive Officer, be paid a fixed commuted travelling allowance at the rate specified at Appendix J1.

### Occasional travelling by Public Servant authorised to use motor cycle/auto cycle/bicycle

- J 4 Fixed commuted travelling allowances for the use of motor cycles, auto cycles and bicycles will not normally be paid to Public Servants who travel less than 150 miles per month on duty. However, Public Servants who travel occasionally on duty and are authorised to use their own motor cycles, auto cycles or bicycles for this purpose will be paid allowances at the mileage rates set out in Appendix J1.

### Use of auto cycle instead of bicycle

- J 5 A Public Servant who is eligible for the payment of a bicycle allowance, as a condition of service, for the use of such vehicle in the performance of his/her official duties, but who is required to travel more than 9 miles per day excluding home to office travelling may, with the approval of the Permanent Secretary, Public Service Ministry:
- (a) be permitted to use his/her auto cycle and be paid an auto cycle allowance;
  - (b) be granted an advance to purchase an auto cycle or to repair such vehicle.

### Rate of travelling allowance when acting in higher post

- J 6 A Public Servant who is appointed to act in a higher post shall be eligible for travelling allowance applicable to the higher post on condition that the criteria for payment of such allowance are satisfied.

### Payment of travelling allowance during short periods of absence

- J 7 Travelling allowances are authorised in respect of posts and not individuals. Where the duties of the post in respect of which an allowance is granted are not performed, the allowance shall not be claimed for such periods. The allowance may however be paid in cases of:
- (a) sick leave for a continuous period not exceeding 31 days in any calendar year;
  - (b) recuperative leave not exceeding 31 days in any calendar year;
  - (c) deferred annual leave earned prior to 1984-12-31, not exceeding 31 days in any calendar year;
  - (d) annual vacation leave (i.e., leave earned from 1985-01-01, onwards) not exceeding 42 days in any calendar year;
  - (e) deferred annual vacation leave to a maximum of 42 days in any calendar year; and

- (f) absence from the country on a duty assignment. Attendance at short courses of training and/or seminars which is classified as "duty" in terms of Rule E3 are covered by this sub-paragraph.

#### **Payment of travelling allowance on transfer or change in appointment**

- J 8 (1) A Public Servant who is transferred from a position, to which is attached a fixed commuted travelling allowance, to one in respect of which such an allowance is not payable, or is payable at a reduced rate, may continue to receive the commuted allowance attached to the post from which he/she was transferred for a period not exceeding three months, or to the date on which he/she sells the vehicle, whichever is earlier.
- (2) Where as a result of a change in his/her appointment, a Public Servant in receipt of a fixed commuted travelling allowance will no longer be eligible to receive it, the Permanent Secretary, Public Service Ministry may authorise the continued payment of the allowance beyond the three months' limit as specified in paragraph (1), in the special circumstances of any particular case.

#### **Home to office travelling**

- J 9 A Public Servant is not eligible for payment of travelling allowance for journeys between his/her home and office except in cases where such journeys are made outside of official working hours and the Permanent Secretary/Head of Department/Regional Executive Officer certifies that it was necessary for each journey to be undertaken in the public interest. This principle, however, does not apply in the case of an officer in receipt of a Scale 'C' travelling allowance travelling within the boundaries of Greater Georgetown or New Amsterdam, if the officer is based there.

#### **Travelling allowance — Magistrates**

- J10 (1) Magistrates assigned to Courts (in country districts only) where facilities for eating lunch are not available and which courts are situated eight miles or less from their residences will be paid a mileage allowance in addition to the allowance for travelling on duty, for a distance not exceeding 16 miles daily in respect of one return trip (Court to residence) for actual travelling done during the luncheon adjournment of courts.
- (2) Magistrates assigned to Courts (in country districts only) which are situated more than eight miles from their residences will be paid subsistence allowance in accordance with Rule J25.

#### **Travelling allowance — members of Statutory and Ad Hoc Boards, Committees and similar bodies**

- J11 (1) Members of Statutory and 'Ad Hoc' Boards and Committees, Wages Councils and similar bodies (including Public Servants who are not in receipt of fixed commuted travelling allowances in respect of their substantive duties) who use their own motor cars for travelling on the business of such bodies will be paid travelling allowances at the Scale 'B' rate (prescribed at Appendix J1) for such travelling.

- (2) Members of Public Boards and Committees who do not own motor cars shall be reimbursed the reasonable cost of fares on occasions when they attend meetings of, or execute business related to, their respective Boards or Committees.

- (3) Persons to whom paragraphs (1) and (2) apply will also be eligible for subsistence allowance in terms of Rule J17.

#### **Chauffeur Allowance**

- J12 Public Servants who are required to be mobile in the performance of their official duties and who, it is considered, should be free from the mental exertion of driving their motor cars may, with the approval of the Permanent Secretary, Public Service Ministry, be paid a Chauffeur Allowance at the rate prescribed from time to time.

#### **Horse Allowance**

- J13 A Public Servant such as a Ranger, who uses a horse in the performance of his/her official duties may, with the approval of the Permanent Secretary, Public Service Ministry, be granted an allowance at the rate prescribed from time to time.

#### **Motor boat Allowance**

- J14 Public Servants in riverain areas who use their motor boats in the performance of their official duties may, with the approval of the Permanent Secretary, Public Service Ministry, be granted an allowance at the rate prescribed from time to time.

#### **Submission of travelling claims**

- J15 (1) Public Servants eligible for travelling allowances in respect of the use of their own cars, motor cycles, auto cycles, motor boats, bicycles are required to submit claims monthly on the prescribed form i.e., General No. 25 (Revised).
- (2) Public Servants who are in receipt of travelling allowances, who may, on occasion, use Government vehicles in the execution of their official duties, are precluded from including such mileage in their travelling claims.

#### **Half-yearly Returns of mileage travelled**

- J16 The fixing of the mileage ceiling in respect of each travelling position in a Ministry/Department/Region is the responsibility of the Permanent Secretary/Head of Department/Regional Executive Officer, who is required to submit twice annually to the Permanent Secretary, Public Service Ministry, within three weeks of 30th April and 31st October each year, a Return (on the prescribed form) showing the ceiling allocated to each post and the monthly mileage covered over the preceding six months by the Public Servants holding these posts. In addition, a Return showing the ceilings allocated each post should be forwarded to the Accountant General and Auditor General not later than 15th January each year.

### Definition of "subsistence allowance"

- J17 "Subsistence Allowance" is an expense allowance payable to Public Servants who are required to work for short periods away from their base and who as a consequence have to incur expenditure for lodging and meals.

### Rates of subsistence and out-of-pocket allowances

- J18 The rates for lodging and meals as well as for out-of-pocket allowance are set out in Appendix J2. The out-of-pocket allowance, however, is payable per night only when sleeping away from home is involved.

### Out-of-pocket allowance to Public Servants attending approved residential courses

- J19 Public Servants who attend approved residential courses in institutions where lodging and meals are provided are not entitled to payment of subsistence allowance. However, an out-of-pocket allowance at the rate specified in Appendix J2 is payable for each night they are required to sleep away from home.

### Additional allowance for field or camp conditions

- J20 (1) In addition to subsistence (lodging and meals) and out-of-pocket allowance, a Public Servant who is required to work and live under field or camp conditions shall be entitled to an additional allowance as set out in Appendix J2.
- (2) Field and camp conditions are defined as:
- (a) **Field conditions:**  
Where Public Servants are required to do surveys (e.g., forest, geological) or any other official duties in an area in which there is no Government Rest House or hotel which in the opinion of the Permanent Secretary/Head of Department/Regional Executive Officer should be used as a base of operations.
- (b) **Camp conditions:**  
Where Public Servants are required to do surveys (e.g., forest, geological) or any other official duties in an area in which there is no Government Rest House or hotel, where they are remote from built-up areas, and are required to live under canvas, in rest shelters, or logies, which may be available in such areas.

### Subsistence, camp and field conditions allowances to Public Servant in receipt of station allowance

- J21 In cases where the conditions set out in Rule J20 apply to an employee in receipt of a station allowance, the employee may be paid field or camp conditions allowance in addition to the subsistence and out-of-pocket allowances under the Rules governing the payment of these allowances, for travelling within or without the limits of his/her district, notwithstanding that he/she is being paid a station allowance.

**Payment of actual reasonable expenses for meals and lodging in lieu of subsistence allowance**

- J22 (1) A Public Servant assigned duties away from base may, in lieu of subsistence allowance, be reimbursed actual reasonable expenses in respect of meals and lodging, subject to the presentation of valid receipts and/or bills, or honour certificates where receipts or bills are not normally provided. In this regard, the facilities of Regional Rest/Guest Houses must first be utilised by Public Servants. Only where these are not available, recourse may be had to hotels and/or private accommodation. It is the duty of Permanent Secretaries/Heads of Departments/Regional Executive Officers to ensure that officers falling under their control not only seek prior approval for each trip to be undertaken, but also that the mode of travel and places of accommodation are approved with a view to effecting economy in costs.
- (2) In addition to actual reasonable expenses, the Public Servant will be eligible for the payment of out-of-pocket allowance for each night he/she sleeps away from home in terms of Rule J18.

**Subsistence allowance in cases of temporary assignment of duties away from base**

- J23 A Public Servant who is temporarily assigned duties away from base may be paid subsistence allowance (lodging and meals) at the prescribed rates (see Appendix J2) for a period of up to four (4) months, on the authority of the Permanent Secretary/Head of Department/Regional Executive Officer. Out-of-pocket allowance is not payable. For periods in excess of four months, the prior approval of the Permanent Secretary, Public Service Ministry must be obtained.

**Subsistence allowance in cases of transfer at short notice**

- J24 A Public Servant who is transferred with less than one month's notice and who is required to change residence as a consequence shall be eligible for the payment of subsistence allowance (lodging and meals) for a period of two months from the date of transfer, or until accommodation is found, whichever is earlier. Out-of-pocket allowance is not payable.

**Subsistence allowance for travelling within district**

- J25 District officers shall be paid subsistence allowance for absences from their base for six hours or more, when travelling within the limits of their districts, even though sleeping away from their homes is not involved, subject to the usual certificate from their Supervisors as to the necessity for the prolonged absence. Where the officer has no Supervisor, an honour certificate must be given.

### Calculation of subsistence allowance

J26 For the purpose of the calculating of subsistence allowance:

- (a) an absence of six hours or more and up to twelve hours will count as one-half ( $\frac{1}{2}$ ) of a day;
- (b) an absence of over 12 hours and up to 24 hours will count as a full day, provided that in cases where a Public Servant is required to sleep away from home, the full day shall be allowed even though the absence may not be more than 12 hours;
- (c) every hour in excess of the first 24 hours will be counted as one twenty-fourth ( $\frac{1}{24}$ ) of a day (i.e., on a proportionate basis).

### Payment for travelling time outside of official working hours

- J27 (1) A Public Servant normally eligible for overtime who is paid subsistence allowance as a result of a temporary posting away from his/her base will not be paid overtime in respect of time spent in transit from his/her place of temporary assignment. However, the Public Servant who does not qualify for subsistence allowance because he/she does not spend a minimum of six hours away from his/her base should, in addition to normal pay, be paid half his/her normal hourly rate for travelling time outside of his/her normal official working hours.
- (2) Public Servants who are required to travel officially during their normal working hours shall be paid their normal wage/salary in respect of the travelling time.

### Allowance payable to Public Servants attending External Conferences

J28 Public Servants travelling on duty to attend Conferences held outside of Guyana shall be paid:

- (a) actual hotel expenses (lodging and meals only),
- (b) reasonable transport expenses on duty; and
- (c) an out-of-pocket allowance at the rate prescribed from time to time.

### Submission of subsistence claims

J29 All claims for subsistence allowance shall be made on the prescribed form, i.e., General No. 4 (Revised), and shall be accompanied by the relevant supporting certificates and documents specified at Rule J22 (1).

### Definition of "transport expenses"

J30 "Transport expenses" are expenses incurred by a Public Servant for travelling on official duty.



### **Economy in mode of conveyance**

- J31 Public Servants travelling on duty shall be reimbursed the cost actually incurred up to the limit provided for in these Rules. The governing principle in determining itinerary and mode of conveyance shall be economy to the Public Service. Expensive means of transport may be authorised only when it is in the public interest that a journey be completed in the shortest possible time. In this connection, Permanent Secretaries/Heads of Departments/Regional Executive Officers should ensure that employees travelling on duty utilise Government Transport Services as far as possible.

### **Use of official transport**

- J32 Official transport where provided shall not be used by Public Servants for private purposes.

### **Use of hire cars and departmental vehicles**

- J33 A Public Servant who is required to travel officially by hire car or departmental vehicle shall complete the prescribed form (i.e., General No. 85) which should be signed by the Permanent Secretary/Head of Department/Regional Executive Officer or other duly authorised officer. To avoid excessive charges for waiting time, the Public Servant should ensure that periods of waiting are as short as possible. On completion of the journey the form shall be surrendered to the chauffeur of the vehicle.

### **Hire of privately-owned launches**

- J34 The authority for the hire of privately-owned launches for official purposes shall rest with the Permanent Secretary/Head of Department/Regional Executive Officer who should approve such hire only where he/she is satisfied that the launch services of other Ministries/Departments/Regions are not available.

### **Reimbursement of steamer fares and toll charges**

- J35 A Public Servant travelling on duty, who is required to transport his/her vehicle by steamer shall be reimbursed the cost of such transportation at the ordinary tariff rates. Expenses incurred for toll charges (highway/bridge) shall also be refunded.

### **Reimbursement of removal expenses on transfer or upon change of residence**

- J36 (1) A Public Servant who is transferred (not at his/her own request or as a result of disciplinary action) from one location to another, or is required, in the interest of the Public Service, to change his/her residence, shall be reimbursed actual reasonable expenses (as defined in Rule J37), including subsistence allowance while he/she is actually in transit. Similar payment shall also apply in respect of a prior visit to the new location.
- (2) A Public Servant who is transferred at his/her own request or as a result of disciplinary action, is required to meet the entire cost of the transfer



expenses. The Permanent Secretary, Public Service Ministry may authorise a waiver of this requirement in the special circumstances of any particular case.

#### **Definition of "actual reasonable expenses"**

- J37 The term "actual reasonable expenses" in Rule J36 shall include the transport expenses for the Public Servant, his/her spouse and children and not more than two domestic helpers, provided they travel with the Public Servant or follow within six months of the date of his/her transfer. The following charges are also refundable by the Ministry/Department/Region to which the Public Servant is being transferred:

- (i) portage and conveyance of baggage from home to the new residence. Government-owned lorry facilities should be used, whenever available;
- (ii) handling charges en route;
- (iii) freight by air, steamer, or lorry; and
- (iv) bagging and wrapping expenses (see Appendix J3). This item must be shown separately on the claim.

#### **Expenses additional to those normally payable for removal expenses**

- J38 Approval to incur expenditure additional to that which is normally payable for removal, e.g., payment of subsistence allowance where housing accommodation is not immediately available, must be sought from the Permanent Secretary, Public Service Ministry before the transfer or removal of a Public Servant is effected.

#### **Submission of claims for transport expenses**

- J39 All claims for transport expenses shall be made on the prescribed form, i.e., General No. 4 (Revised), and shall be accompanied by the relevant supporting certificates and documents.

#### **Internal scheduled flights**

- J40 The use by Public Servants of internal scheduled air services shall be at the discretion of Permanent Secretaries/Heads of Departments/Regional Executive Officers. The latter should satisfy themselves that the use of such service is justified in the public interest.

#### **Charter Flights**

- J41 (1) No charter flight for official travelling should be arranged unless the Permanent Secretary/Head of Department/Regional Executive Officer of the Ministry/Department/Region concerned is satisfied that in the public interest the journey should be undertaken and that it cannot be effected by other means at less cost to Government.
- (2) When a charter flight is being arranged, the Ministry/Department/Region sponsoring the flight shall endeavour to have the spare seats and/or accommodation utilised by other Ministries/Departments/Regions and/or members of the public on payment.

- (3) All applications by Ministries/Departments/Regions for charter of aircraft to make special flights shall be addressed to the Permanent Secretary, Ministry of Transport and shall include full particulars concerning the flight and the number and names of Public Servants travelling.

## RATES OF VEHICULAR TRAVELLING ALLOWANCES

## I MOTOR CAR ALLOWANCES

## (a) Scale "A" Rates

- (i) Scale "A" Upper — Payable to Public Servants who travel extensively and who hold posts which require the use of motor cars 1400cc and over

A fixed commuted allowance of \$658.00 per month plus a mileage allowance of 78c. per mile.

- (ii) Scale "A" Lower — Payable to Public Servants who travel extensively and who hold posts which require the use of motor cars under 1400cc

A fixed commuted allowance of \$536.00 per month plus a mileage allowance of 69c. per mile.

- (b) Scale "B" Rate — Payable to Public Servants who travel occasionally  
A mileage allowance of \$2.09 per mile regardless of engine capacity.

- (c) Scale "C" Rate — Payable to Public Servants who are expected to keep cars for official use but who do not travel extensively  
A fixed commuted allowance of \$418.00 per month plus a mileage allowance of \$2.09 per mile for all travelling done outside the boundaries of Greater Georgetown or New Amsterdam (if the officer is based there). For the purposes of this Rule, the Greater Georgetown and New Amsterdam areas are as follows:

**Greater Georgetown**

On the North — By the Atlantic Ocean;

On the East — By the eastern boundary of the Company Path on the eastern side of Plantation Cummings Lodge (West of Ogle Air-strip Road);

On the South — By the southern boundary of Agricola (north of Eccles Bridge); and

On the West — By the right bank of the Demerara River.

**New Amsterdam**

On the North — By the Canje River;

On the East — By the eastern boundaries of Smythfield Mount Sinai and Overwinning;

On the South — By common boundaries between Overwinning, Providence and Glasgow with New Doe Park and Doe Park; and

On the West — Partly by the western boundary of Glasgow and partly by the Berbice River.

- (d) Special Fixed Allowance for Permanent Secretaries/Heads of Departments  
A special fixed allowance of \$625.00 per month to Permanent Secretaries and Heads of Departments, in cases where such officers are not already in receipt of a higher rate of allowance or the facility of a State car.

## II MOTOR CYCLE ALLOWANCES

- (i) Payable to Public Servants who hold posts which require the use of motor cycles 250cc and over  
A fixed commuted allowance of \$180.00 per month plus a mileage allowance of 35c. per mile.
- (ii) Payable to Public Servants who hold posts which require the use of motor cycles over 65cc but under 250cc  
A fixed commuted allowance of \$175.00 per month plus a mileage allowance of 27c. per mile.

## III AUTO CYCLE ALLOWANCE

A fixed commuted allowance of \$116.00 per month plus a mileage allowance of 22c. per mile.

## IV BICYCLE ALLOWANCE

A fixed commuted allowance of \$40.00 per month.

## V FOR OCCASIONAL TRAVELLING BY MOTOR CYCLES, AUTO CYCLES AND BICYCLES

- |                 |   |               |
|-----------------|---|---------------|
| (i) Motor cycle | — | 51c. per mile |
| (ii) Auto cycle | — | 28c. per mile |
| (iii) Bicycle   | — | 18c. per mile |

## APPENDIX J 2

### RATES OF SUBSISTENCE, OUT-OF-POCKET, CAMP AND FIELD CONDITIONS ALLOWANCES

Circumstances/Conditions	Rates of Payment
(i) Absence from base for one day (24 hours) and over	\$40.00 (Lodging) plus \$40.00 (Meals) plus \$5.00 (Out-of-pocket)
(ii) Absence from base for over 12 and up to 24 hours involving sleeping away from home	\$40.00 (Lodging) plus \$40.00 (Meals) plus \$5.00 (Out-of-pocket)
(iii) Absence from base for over 12 and up to 24 hours not involving sleeping away from home	\$40.00 (Meals)
(iv) Absence from base for a minimum of 6 hours and up to 12 hours	\$20.00 (Meals)
(v) Temporary posting in terms of Public Service Rule J23 or transfer in accord- ance with Public Service Rule J24	\$40.00 (Lodging) plus \$40.00 (Meals)
(vi) Work carried out under camp conditions	\$40.00 (Meals) plus \$5.00 (Out-of-pocket) plus \$10.00 (Camp)
(vii) Work carried out under field conditions	\$40.00 (Meals) plus \$5.00 (Out-of-pocket) plus \$5.00 (Field)

## APPENDIX J 3

### Amount allowed for Bagging and Wrapping Expenses

- (1) Where Public Servant is transferred within the coastal belt  
A sum not exceeding \$50.00
- (2) Where Public Servant is transferred to or from an Interior District  
A sum not exceeding \$100.00

**SECTION K — ALLOWANCES OTHER  
THAN TRAVELLING AND  
SUBSISTENCE  
ALLOWANCES**

## SECTION K

### ALLOWANCES OTHER THAN TRAVELLING AND SUBSISTENCE ALLOWANCES

- K 1 Acting Allowance
- K 2 Duty Allowance
- K 3 Responsibility Allowance
- K 4 House Allowance
- K 5 Standby Allowance
- K 6 Overtime Allowance
- K 7 Meal Allowance
- K 8 Risk Allowance
- K 9 Allowance in lieu of consultation and/or private practice
- K10 Uniform Allowance
- K11 Telephone Allowance
- K12 Tax-free non-pensionable Duty Allowance
- K13 Station Allowance



## SECTION K

### ALLOWANCES OTHER THAN TRAVELLING AND SUBSISTENCE ALLOWANCES

#### Acting Allowance

- K1 An acting allowance is an allowance payable to a Public Servant in terms of the Public Officers (Acting Appointments and Acting Allowances) Rules as reproduced at Appendix K1.

#### Duty Allowance

- K2 (1) A Public Servant who is required to perform additional work temporarily attached to the position which he/she holds may, with the approval of the Permanent Secretary, Public Service Ministry, be paid a duty allowance.
- (2) A Public Servant who discharges the duties of another post in addition to his/her own, but is not entitled to an acting allowance in terms of Rule K1 may, with the approval of the Permanent Secretary, Public Service Ministry, be paid a duty allowance.
- (3) A Public Servant who is in receipt of a duty allowance shall continue to receive the allowance for a period not exceeding 14 working days from the date of commencement of any period of sick leave unless it is necessary to assign the same functions which necessitated payment of the allowance to another Public Servant before the expiration of that period. In such a case, the latter Public Servant shall, if entitled to receive duty allowance, receive it from the date of his/her assignment and payment of the allowance to the Public Servant on sick leave shall cease from that date.
- (4) The same principle in paragraph (3) shall apply when a Public Servant in receipt of a duty allowance is granted annual vacation leave.

#### Responsibility Allowance

- K3 (1) A Public Servant who performs for a continuous period of not less than 21 days the duties of a post involving substantially higher responsibilities than those attached to his/her substantive position may, with the approval of the Permanent Secretary, Public Service Ministry, be paid a responsibility allowance. Payment of the allowance will be made only in cases where provision does not exist for payment of an acting allowance.
- (2) Except where specific provision is made to the contrary, the amount of the responsibility allowance will be determined on the basis of the same principle used to determine the amount of an acting allowance.
- (3) Requests for payment of responsibility allowance must be made on the prescribed form as contained in the 'Functional Guide for Officers in the Wages and Salary Administration Section of the Personnel Division, Public Service Ministry'.

- (4) A Public Servant who is in receipt of a responsibility allowance shall continue to receive the allowance for a period not exceeding 14 working days from the date of commencement of any period of sick leave, unless it is necessary to assign the same functions which necessitated payment of the allowance to another Public Servant before the expiration of that period. In such a case, the latter Public Servant shall, if entitled to receive a responsibility allowance, receive it from the date of performance of the higher duties and payment of the allowance to the Public Servant on sick leave will cease from that date.
- (5) The same principle in paragraph (4) shall apply when a Public Servant in receipt of a responsibility allowance is granted annual vacation leave.

#### House Allowance

- K4 (1) A Public Servant who is entitled as a condition of service to free Government quarters, but for whom quarters are not available, shall be paid a house allowance at the rate prescribed from time to time by the Permanent Secretary, Public Service Ministry, and shall continue to receive same during any period of vacation leave or special duty in Guyana or overseas.
- (2) A Public Servant in receipt of a house allowance may, with the approval of the Permanent Secretary, Public Service Ministry, continue to receive the allowance during a period of interdiction from duty.

#### Standby Allowance

- K5 A Public Servant who is required by the nature of his/her work to be on call for duty at short notice at anytime outside of his/her normal working hours may, with the prior approval of the Permanent Secretary, Public Service Ministry, be paid a standby allowance at the rate prescribed from time to time.

#### Overtime Allowance

- K6 (1) Overtime work should not be undertaken unless a Permanent Secretary/Head of Department/Regional Executive Officer certifies that such work cannot be done during normal official hours, and that it is necessary to do so in the public interest. However, where the work involves clerical or supervisory staff, the prior approval of the Permanent Secretary, Public Service Ministry must be obtained for the payment of overtime.
- (2) A request to the Permanent Secretary, Public Service Ministry to undertake overtime work and to pay overtime must be made well in advance of the commencement of such work and should contain the following:
- (a) a statement of particulars of the work to be done;
  - (b) a plan of the work as well as the number and categories of staff to be involved in the work;
  - (c) the reason(s) for the arrears of work (if any);

- (d) proposed duration of overtime exercise; and
  - (e) arrangements for control.
- (3) Requests involving accounting work will not be favourably considered unless they are supported by the Accountant General. However, in cases where the overtime work is not less than two hours per day and the Public Servants concerned agree to do the work on a voluntary basis, a snack allowance may be paid at the rate prescribed from time to time by the Permanent Secretary, Public Service Ministry. This allowance is not to be confused with the "meal allowance" mentioned in Rule K7.

#### **Meal Allowance**

- K7 Public Servants entitled to meals as a condition of service may, with the approval of the Permanent Secretary, Public Service Ministry, be paid an allowance in lieu of meals at the rate prescribed from time to time.

#### **Risk Allowance**

- K8 Public Servants whose official duties require them to be exposed to circumstances hazardous to life may, with the approval of the Permanent Secretary, Public Service Ministry, be paid a risk allowance at the rate prescribed from time to time.

#### **Allowance in lieu of consultation and/or private practice**

- K9 Public Servants holding certain professional positions may, with the approval of the Permanent Secretary, Public Service Ministry, be granted a pensionable allowance in lieu of consultation and/or private practice at the rate prescribed from time to time, subject to such terms and conditions as may be specified.

#### **Uniform Allowance**

- K10 Public Servants who, on the authority of the Permanent Secretary, Public Service Ministry, are granted free uniforms as a condition of service may, in lieu of such uniforms, be paid a uniform allowance at the rate prescribed from time to time.

#### **Telephone Allowance**

- K11 A Public Servant who holds a position, the duties and responsibilities of which require that he/she should be reached at home at any time after official working hours to deal with emergencies or to give immediate attention to matters relating to the work of his/her Ministry/Department/Region may, with the approval of the Permanent Secretary, Public Service Ministry, be provided with a residential telephone (at Government's expense), a telephone allowance in respect of rental and an approved number of metered units per month. Where the Public Servant already has a telephone, Government will pay the allowance in relation to that instrument.

### **Tax-free non-pensionable Duty Allowance**

K12 (1) The tax-free non-pensionable duty allowance already approved in respect of certain categories of Professional and Technical Staff, is payable to the eligible Public Servant during his/her absence on leave as follows:

- (a) vacation leave;
- (b) not exceeding 28 days' sick leave per annum;
- (c) 31 days' special leave for recuperative purposes;
- (d) extensions of sick leave charged against vacation leave; and
- (e) maternity leave on part salary as provided for in Rule H31.

(2) Other conditions under which the allowance is payable are:

(a) **Appointment**

A Public Servant who is appointed to a position which attracts this allowance either on the pensionable or non-pensionable establishment (whether on probation or not), should be paid the allowance provided that he/she holds the full qualifications stipulated in the Job Specification.

(b) **Secondment (inter-Ministry)**

A Public Servant whose substantive position attracts the payment of this allowance should continue to receive it while on secondment in a similar capacity to another Ministry/Department/Region.

(c) **Interdiction from Duty**

A Public Servant in receipt of a tax-free non-pensionable duty allowance in his/her substantive post should, during a period of interdiction from duty, be paid a part of the allowance proportionate to the portion of salary he/she is receiving.

(d) **Special Assignment**

A Public Servant in receipt of a tax-free non-pensionable duty allowance in his/her substantive post should continue to receive it when placed on special assignment with the approval of the Public Service Ministry.

(e) **Acting**

(i) Where a Public Servant whose substantive position attracts the allowance is required to act against a position which does not attract it, he/she should continue to be paid the allowance attached to his/her substantive post;

(ii) Where both a Public Servant's substantive post and a higher post in which he/she is acting attract the allowance, the Public Servant should be paid the allowance attached to his/her substantive post plus the difference between this and the allowance attached to the higher position if he/she is qualified for appointment to the higher position, or 75% of such difference if not so qualified;

- (iii) Where a Public Servant whose substantive position does not attract the allowance is acting in a higher position which attracts the allowance, he/she shall, if qualified for appointment to the higher position, be eligible for the full allowance attached to the higher post;
  - (iv) Where a Public Servant whose substantive position does not attract the allowance is acting in a higher position which attracts it, but is not qualified for appointment to the latter position, no allowance is payable.
- (3) The allowance is not payable in the following circumstances:
- (a) extensions of leave for study purposes;
  - (b) extensions of sick leave, except as provided for in paragraph 1(d);
  - (c) leave without pay.

### Station Allowance

- K13 (1) Public Servants serving in posts in the interior and river districts and in the North West District may be granted a station allowance, at the rates prescribed from time to time by the Permanent Secretary, Public Service Ministry, to assist in meeting the appreciably higher cost of living in those areas, as specified in Appendix K2.
- (2) Public Servants in receipt of a station allowance may, in addition, be paid a basic subsistence and out-of-pocket allowance in accordance with the Rules governing the payment of subsistence allowances as set out in Appendix J2.

## AREAS ATTRACTING PAYMENT OF STATION ALLOWANCE

## CATEGORY A

- (i ) Rupununi District;
- (ii ) Upper Mazaruni Amerindian District;
- (iii) Baramiŋa and the Settlements on the Barama River, North West District;
- (iv) the following areas of Mazaruni Potaro District:
  - (a) South of 72 miles Bartica-Potaro Road;
  - (b) Along Issano Branch Road;
  - (c) Along Mazaruni River and tributaries from Issano to Paeima Falls;
  - (d) In the Mazaruni-Potaro areas not elsewhere stated;
- (v ) the following area of Pomeroon District: Akawini River from Kwiniballi to its source.

## CATEGORY B

- (i) The following areas of North West District:
  - (a) Kaituma River from the mouth of the Sebai River to its source;
  - (b) Matthews' Ridge;
  - (c) Barima River from Koriabo to its source;
  - (d) Waini River from the mouth of the Barama River to its source;
  - (e) Aruka River from Aruau River to its source;
  - (f) North West Amerindian District (Moruca).
- (ii) Bartica, Mazaruni Prison and Dock and those areas around Bartica, the inhabitants of which have to purchase their rations at Bartica.
- (iii) Linden, Kwakwani and Ituni.

## CATEGORY C

- (i ) North West District (except the areas listed above);
- (ii ) Pomeroon District (excluding Akawini);
- (iii) Charity on the Essequibo Coast;
- (iv) Corentyne River above Crabwood Creek;
- (v ) Berbice River above Mara;
- (vi) the Canje River above New Forest;
- (vii) the Demerara River above Timehri;

## APPENDIX K2 (Cont'd)

- (viii) all that area south of a line joining Timehri on the Demerara River and a point opposite Mara on the Berbice River;
- (ix) Essequibo River above Makouria, except those areas around Bartica, the inhabitants of which have to purchase their rations at Bartica.

### RATES OF STATION ALLOWANCE

Category	Monthly Rate
A	\$85.00
B	\$70.00
C	\$57.00



SECTION L — ADVANCES

## SECTION L

### ADVANCES

- L 1 General requirements for the grant of Advances
- L 2 Authority to approve payment of Advances
- L 3 Advance to purchase motor car or other motorised vehicle
- L 4 Advance to purchase bicycle
- L 5 Application for Advance to purchase second hand motor vehicle or bicycle
- L 6 Insurance of vehicles
- L 7 Motor Vehicle Advance to Probationers
- L 8 Advance to purchase other than approved type of vehicle
- L 9 Misapplication of Advance to purchase vehicle
- L10 Disposal of vehicle purchased with an Advance
- L11 Obligation to use vehicle purchased with an Advance
- L12 Advance to repair motor vehicle
- L13 Advance to purchase protective clothing
- L14 Advance to purchase furniture and related household effects
- L15 Advance to purchase horse, saddle and bridle
- L16 Advance on gratuity prior to retirement
- L17 Leave Advance
- L18 Personal Advance
- L19 Advance from Imprest
- L20 Provision of guarantor/s or collateral security
- L21 Limit of Advance and ability to repay
- L22 Proof of proper use of Advance granted to purchase vehicle or other essential item
- L23 Repayment of Advances and intervals between Advances
- L24 Application for Advance when the interval since last Advance has not expired

## SECTION L

### ADVANCES

#### General requirements for the grant of Advances

- L1 For the efficient performance of their official duties, Public Servants may, subject to certain specified conditions, be granted advances (i.e., loans) to purchase:
- (a) means of transport in cases where they are required to be mobile; and
  - (b) goods and services considered necessary.

#### Authority to approve payment of Advances

- L2 Officers authorised to approve payment of the various types of advances are as follows:

- |   |   |
|---|---|
| <ul style="list-style-type: none"> <li>— Advance to purchase motor car/motor cycle/ auto cycle</li> </ul> | <ul style="list-style-type: none"> <li>(i) Accountant General — in cases where the post is listed in the schedule of positions attracting commuted travelling allowances as circularised by Public Service Ministry from time to time;</li> </ul> |
| <ul style="list-style-type: none"> <li>— Advance to purchase bicycle</li> </ul>                           | <ul style="list-style-type: none"> <li>(ii) Permanent Secretary, Public Service Ministry — in cases where the post is not listed in the abovementioned schedule.</li> </ul>   |
| <ul style="list-style-type: none"> <li>— Advance to repair motor car</li> </ul>                           | <ul style="list-style-type: none"> <li>Accountant General</li> </ul>  |
| <ul style="list-style-type: none"> <li>— Advance to purchase protective clothing</li> </ul>               | <ul style="list-style-type: none"> <li>Accountant General</li> </ul>  |
| <ul style="list-style-type: none"> <li>— Advance to purchase furniture</li> </ul>                         | <ul style="list-style-type: none"> <li>Permanent Secretary/Head of Department/Regional Executive Officer</li> </ul>   |
| <ul style="list-style-type: none"> <li>— Advance to purchase horse, saddle and bridle</li> </ul>          | <ul style="list-style-type: none"> <li>Permanent Secretary, Public Service Ministry</li> </ul>  |
| <ul style="list-style-type: none"> <li>— Advance on gratuity</li> </ul>                                   | <ul style="list-style-type: none"> <li>Permanent Secretary, Public Service Ministry</li> </ul>  |
| <ul style="list-style-type: none"> <li>— Leave Advance</li> </ul>   | <ul style="list-style-type: none"> <li>Secretary, Public Service Commission</li> </ul>  |
| <ul style="list-style-type: none"> <li>— Personal Advance (in special cases)</li> </ul>                   | <ul style="list-style-type: none"> <li>Permanent Secretary/Head of Department/Regional Executive Officer</li> </ul>   |
| <ul style="list-style-type: none"> <li>— Advance from Imprest (for official purpose only)</li> </ul>      | <ul style="list-style-type: none"> <li>Permanent Secretary, Public Service Ministry</li> </ul>  |
|   | <ul style="list-style-type: none"> <li>Permanent Secretary/Head of Department/Regional Executive Officer</li> </ul>   |

an advance to purchase a motor cycle instead), provided that such other type of vehicle is considered adequate to meet the travelling needs of his/her post.

### **Misapplication of Advance to purchase vehicle**

- L 9 A Public Servant who is granted an advance for the purchase of one type of vehicle and applies the advance to purchase another type (e.g., Public Servant granted an advance to purchase a motor cycle purchases a motor car) shall be called upon to repay the advance immediately and may also be subject to disciplinary action.

### **Disposal of vehicle purchased with an Advance**

- L10 (1) A Public Servant who has received an advance for the purchase of a motor vehicle or other form of transport shall not dispose of such vehicle unless:
- (a) the prior approval of the Permanent Secretary, Public Service Ministry has been obtained; or
  - (b) the advance has been fully repaid.
- (2) Where a vehicle was purchased free of duty and with a remission of a portion of the purchase tax, a Public Servant who wishes to sell the vehicle without paying assessed duty and purchase tax, must sell to another Public Servant who is eligible for a similar facility or to any of the following Government Agencies:
- (a) Plant Maintenance and Hire Division;
  - (b) Guyana Stores Limited (Garage Division);
  - (c) Guyana National Trading Corporation (Automotive Division).
- (3) In the case of sale of a vehicle that was purchased free of duty and with a remission of a portion of the purchase tax to a party other than those specified in paragraph (2), immediate arrangements must be made for the Comptroller of Customs and Excise and the Licence Revenue Officer to assess the amount of duty and purchase tax, respectively, which the Public Servant has to pay on the vehicle.

### **Obligation to use vehicle purchased with an Advance**

- L11 A Public Servant to whom an advance has been granted to purchase a vehicle and who is in receipt of a commuted travelling allowance must use such vehicle in the performance of his/her official duties. The Public Servant will not be permitted to use hired transport at Government's expense unless his/her own vehicle is temporarily unusable.

### **Advance to repair motor vehicle**

- L12 A Public Servant who is eligible for an advance to purchase a motor car, motor cycle or auto cycle may, with the approval of the Accountant General, be granted an advance for the repair of such vehicle, as specified in Appendix L1, subject to the following conditions:
- (a) the advance is for effecting extensive repairs, but not for repairs to a vehicle damaged as a result of accident, howsoever caused;

- (b) the submission from any of the authorised Government Agencies listed in Rule L5 (2), of
  - (i) a statement of the repair to be done and an estimate of the cost; and
  - (ii) a certificate as to the likely economic life of the vehicle following repairs;
- (c) the submission to the Accountant General, within three (3) months from the date the advance was uplifted, of relevant receipts, as well as a certificate from the authorised agency from which the estimate was obtained, that the work has been satisfactorily completed and that the cost bears relation to the original estimate;
- (d) the recipient of the advance shall not dispose of the vehicle unless:—
  - (i) prior approval of the Permanent Secretary, Public Service Ministry has been obtained; or
  - (ii) the advance has been fully repaid;
- (e) in respect of motor cars and motor cycles, the first such advance is to be made not less than five (5) years after the Public Servant has received an advance to purchase a vehicle or has been granted duty-free concessions when purchasing a motor car or motor cycle with his/her own funds. Advances to effect repairs again may thereafter be granted at intervals of not less than three (3) years; and—
- (f) in respect of auto cycles, the first such advance is to be made not less than four (4) years after the Public Servant has received an advance to purchase the vehicle, and thereafter, at intervals of not less than two (2) years to effect repairs again.

#### **Advance to purchase protective clothing**

- L13 A Public Servant whose official duties warrant the use of protective clothing (e.g., for use in inclement weather) may, with the approval of his/her Permanent Secretary/Head of Department/Regional Executive Officer, be granted an advance as specified in Appendix L1 to purchase such clothing. The advance is not granted to Public Servants whose services are of a temporary nature or who are due to retire within one year.

#### **Advance to purchase furniture and related household effects**

- L14 A Public Servant who has been transferred in the interest of the Service and who immediately before his/her transfer was living in conditions where he/she did not have to provide furniture and related household effects for himself/herself may, with the approval of the Permanent Secretary, Public Service Ministry, be granted an advance to purchase such items. The advance is limited to the net cost of the articles purchased up to a maximum of three (3) months' salary, repayable as set out in Appendix L 1.

#### **Advance to purchase horse, saddle and bridle**

- L15 A Public Servant who is required in the performance of his/her official duties to be mobile in areas which are unsuitable for motorised transport may, with

the approval of the Permanent Secretary, Public Service Ministry, be granted an advance as specified in Appendix LI to purchase a horse, saddle and bridle.

#### **Advance on gratuity prior to retirement**

- L16 (1) A Public Servant who is entitled to opt for a reduced pension (or reduced annual allowance) and gratuity on retirement, may be advanced three-fourths ( $\frac{3}{4}$ ) of the estimated gratuity within a period of one (1) year before the date of his/her retirement on pension (or annual allowance) when this date has been approved by the Public Service Commission or Permanent Secretary/Head of Department/Regional Executive Officer as the case may be. This shall apply to Public Servants, including Public Servants whom it is intended to re-employ after their retirement on pension (or annual allowance), who are retiring voluntarily or compulsorily at any age, provided it is an age at which they have qualified for a pension (or an annual allowance).
- (2) The three-fourths ( $\frac{3}{4}$ ) limit shall be reduced by the amount of the Public Servant's estimated indebtedness to Government at the date of the upliftment of the advance.

#### **Leave Advance**

- L17 A Public Servant who spends his/her vacation leave and vacation allowance for travel in Guyana may, with the approval of his/her Permanent Secretary/Head of Department/Regional Executive Officer, be granted an advance not exceeding one month's salary, repayable as set out in Appendix LI. Deductions from salary shall commence in the month following that in which the employee resumes duty.

#### **Personal Advance**

- L18 A Public Servant may, in special circumstances and with the approval of the Permanent Secretary, Public Service Ministry, be granted a personal advance, repayable as set out in Appendix LI.

#### **Advance from Imprest**

- L19 (1) A Public Servant may, with the approval of his/her Permanent Secretary/Head of Department/Regional Executive Officer, be granted an advance from the Imprest of the Ministry/Department/Region to meet travelling, subsistence or removal expenses or for other official purposes considered necessary in the public interest.
- (2) A Public Servant who has been granted an advance from Imprest is required to clear the advance promptly by the submission to the Accounts Section of his/her Ministry/Department/Region of relevant vouchers and receipts/bills and by refunding at the same time any unexpended balance on the advance.
- (3) The grant to Public Servants of personal advances from Imprest is prohibited.

### **Provision of guarantor/s or collateral security**

- L20 (1) Public Servants with 15 years or more of pensionable service are not required to produce collateral security, or provide guarantors for any advance granted them or sureties to study leave agreements in respect of extension of leave.
- (2) In seeking the approval of the Accountant General for the acceptance of a suitable guarantor, the following particulars must be submitted by the relevant Ministry/Department/Region:
1. **Public Servant guaranteeing Advance**
    - (a) substantive position;
    - (b) salary range, gross salary, salary deductions and net salary;
    - (c) years of pensionable service (an up-to-date certified copy of Record of Service must be attached);
    - (d) years of service remaining prior to retirement;
    - (e) indebtedness to Government; and
    - (f) the loans already guaranteed, stating the names of the persons, date, amount and the current balance.

Only Public Servants with ten (10) years or more of pensionable service or with ten (10) years or more of service qualifying for an annual allowance or gratuity, as the case may be, will be considered as guarantors.

2. **Private person guaranteeing Advance**

- (a) full name;
  - (b) home and business address,
  - (c) occupation; and
  - (d) security which is being lodged or assigned, giving particulars of the security; transport being lodged as security must be accompanied by a current valuation of the property, and if encumbered, by a certificate showing to what extent.

### **Limit of Advance and ability to repay**

- L21 (1) The total amount which a Public Servant will normally be allowed to have outstanding against him/her at any one time in respect of loans from Government will be limited to one (1) year's salary. Exceptions to this Rule may be made in respect of Public Servants who have been granted loans for the purchase of motor vehicles as provided for in Rule L3.
- (2) If the purchase price of the vehicle or other essential item is more than the approved advance, the difference must first be paid into the Treasury. Upon the payment of that amount, a cheque for the total purchase price would be forwarded to the agency from which the item is being bought.



- (3) The Public Servant who is seeking an advance from the Treasury must satisfy the Accountant General as to his/her ability to repay the advance without undue personal hardship.

**Proof of proper use of Advance granted to purchase vehicle or other essential item**

L22 A Public Servant in receipt of an advance from the Treasury to purchase a vehicle or other essential item is required to:

- (a) submit to the Accountant General the vendor's receipt for the amount paid, within one (1) month from the date the advance was uplifted. (In the case of an advance for the purchase of a motor vehicle, the certificates of registration and insurance and the revenue licence must be submitted by hand either personally or through the Permanent Secretary/Head of Department/Regional Executive Officer; and
- (b) refund any unexpended balance of the advance immediately.

**Repayment of Advances and intervals between Advances**

- L23 (1) Deductions from salary towards repayment of an advance shall commence in the month following that in which the advance is made. In the case of Leave Advance, please refer to Rule L17.
- (2) The repayment periods for advances and the specified intervals between advances are set out in Appendix LI. These are subject to change, as may be required.
- (3) Permanent Secretaries/Heads of Departments/Regional Executive Officers shall, in accordance with Financial Regulations, ensure that adequate arrangements are made for repayment of all advances granted to Public Servants attached to their Ministries/Departments/Regions and that no salary is subsequently paid unless such arrangements have been made and are complied with.
- (4) Deductions from salary towards repayment of an advance may be suspended in special circumstances with the approval of the Accountant General and the consent of the guarantor(s), where applicable. Repayment shall recommence in the month following resumption of duty.

**Application for Advance when the interval since last Advance has not expired**

- L24 Where the stipulated interval between advances has not elapsed, an application for a new advance with full supporting reasons may be favourably considered by the Permanent Secretary, Public Service Ministry.

## PARTICULARS OF VARIOUS TYPES OF ADVANCES

Rule	Type of Advance	Limit of Advance	Repayment Period	Interval
L 3	Motor car (over 1400cc)	Actual cost of not more than \$30,100.00 plus the cost of the first year's revenue licence and insurance	6 years	4 years
L 3	Motor car (1400cc and under)	Actual cost or not more than \$25,000.00 plus the cost of the first year's revenue licence and insurance	6 years	4 years
L 3	Motor cycle	Actual cost of not more than \$10,500.00 plus the cost of the first year's revenue licence and insurance	6 years	4 years
L 3	Auto cycle	Actual cost or not more than \$6,000.00 plus the cost of the first year's revenue licence and insurance	5 years	3 years
L 3	Bicycle (new)	Actual cost or not more than \$1,000.00	3 years	3 years
L 3	Bicycle (second hand)	Actual cost or not more than \$650.00	2 years	3 years
L12	Repair of motor car	Actual cost or not more than \$9,700.00	3 years	2 years
L12	Repair of motor cycle	Actual cost or not more than \$4,050.00	3 years	3 years
L12	Repair of auto cycle	Actual cost or not more than \$2,300.00	3 years	2 years
L13	Protective clothing	Actual cost or not more than \$300.00	1 year*	3 years
L14	Furniture and related household effects	Actual cost or not more than three (3) months' salary	2 years	—
L15	Horse, saddle and bridle	Actual cost or not more than \$2,000.00	5 years	4 years
L16	Personal	Subject to discretion	As determined in each case	—
L17	Leave	Not more than one (1) month's salary	2 years	—

\*Deductions shall be as follows:

Weekly paid employee — \$6.00 per week

Monthly paid employee — \$25.00 per month

**SECTION M — SEPARATION AND  
SUPERANNUATION  
BENEFITS**

## SECTION M

### SEPARATION AND SUPERANNUATION BENEFITS

- M 1 Definition of "separation" and "superannuation benefits"
- M 2 Compulsory and voluntary retirement
- M 3 Retirement on medical grounds
- M 4 Retirement in the public interest
- M 5 Termination of appointment on abolition of post or for facilitating improvement in the organisation of a Ministry/Department/Region
- M 6 Authority for grant of superannuation benefits in cases of separation for reasons other than (1) statutory age for retirement (ii) death
- M 7 Resignation and superannuation benefits
- M 8 Dismissal and superannuation benefits
- M 9 Termination of employment in the public interest and superannuation benefits

### PENSIONABLE EMPLOYEES

- M10 Payment of superannuation benefits to pensionable employees
- M11 Definition of "pensionable office"
- M12 Determination of "pensionable service "
- M13 Retention of pensionable service with organisations, service with which is deemed to be "other public service" or "public service"
- M14 Eligibility for pension and gratuity
- M15 Calculation of pension and gratuity
- M16 Additional pension on abolition of office or compulsory retirement to facilitate improvements in the organisation
- M17 Gratuity on abolition of office when service is less than 10 years
- M18 Additional pension on retirement through injury
- M19 Pension to dependants of pensionable employee killed on duty
- M20 Liability of pensioners under age 50 to take further employment in the Public Service
- M21 Disregarding of interruption in service for superannuation purposes
- M22 Non-pensionable service (including open vote service) which precedes pensionable service, to count for superannuation purposes

- M 23 Counting of service on secondment or temporary transfer from pensionable to non-pensionable office
- M 24 Counting of service in relation to no-pay leave
- M 25 Treatment of service of employee transferred from pensionable to non-pensionable office
- M 26 Gratuity to female pensionable employee upon resignation on ground of marriage
- M 27 Gratuity where pensionable employee dies in the service or after retirement
- M 28 Submission of superannuation papers upon retirement of pensionable employee at age 55
- M 29 Submission of superannuation papers upon separation for reasons other than attainment of age 55
- M 30 Post-retirement service of former pensionable employee

#### NON-PENSIONABLE EMPLOYEES

- M 31 Payment of superannuation benefits to non-pensionable (including Open Vote) employees
- M 32 Definition of "approved appointment"
- M 33 Definition of "annual allowance"
- M 34 Option for reduced annual allowance and gratuity
- M 35 Gratuity to employee holding an "approved appointment"
- M 36 Gratuity to employee not holding an "approved appointment"
- M 37 Gratuity in respect of services of deceased non-pensionable employee
- M 38 Payment of annual allowance/gratuity upon retirement on account of ill health or in the public interest
- M 39 Superannuation benefits to part-time employees
- M 40 Submission of superannuation papers upon retirement of non-pensionable employee at age 60
- M 41 Submission of superannuation papers upon separation for reasons other than attainment of age 60
- M 42 Avoidance of delays in superannuation payments by keeping of up-to-date Records of Service
- M 43 Claim to service for superannuation purposes
- M 44 Continuation of employment beyond age 60 for superannuation purposes
- M 45 Post-retirement service of former non-pensionable employee

## SECTION M

### SEPARATION AND SUPERANNUATION BENEFITS

#### Definition of "separation" and "superannuation benefits"

- M 1 (1) "Separation" means the cessation of employment of a Public Servant with the approval of the Public Service Commission or Permanent Secretary/Head of Department/Regional Executive Officer, as may be appropriate, for any of the following reasons:
- (a) dismissal or removal in consequence of disciplinary proceedings;
  - (b) compulsory retirement;
  - (c) voluntary retirement;
  - (d) retirement on medical grounds;
  - (e) retirement or termination of employment in the public interest;
  - (f) termination of appointment on abolition of post or for facilitating improvement in the organisation of a Ministry/Department/Region;
  - (g) resignation either with or without benefits payable under any written law providing for the grant of pensions, gratuities or compensation;
  - (h) abolition or expiry of the post;
  - (i) where the post itself is of a temporary nature and is no longer necessary;
  - (j) during or on the expiry of a probationary period;
  - (k) transfer to a post outside of the Public Service;
  - (l) death.
- (2) "Superannuation benefits" means the pension and/or gratuity or annual allowance granted in terms of prevailing legal provisions to an employee upon separation from the Public Service.

#### Compulsory and voluntary retirement

- M 2 A Public Servant who is appointed to a permanent pensionable post —
- (a) shall retire on attaining the age of 55 years, unless his/her services are continued at the request of the Government;
  - (b) may at any time after he/she attains the age of 50 years and before attaining the age of 55 years apply to the Public Service Commission for permission to retire and shall in his/her application state the grounds on which it is based.

### Retirement on medical grounds

- M 3 (1) Whenever it is considered necessary for a Public Servant to be examined with a view to ascertaining whether or not he/she should be retired on grounds of ill health, the Permanent Secretary/Head of Department/Regional Executive Officer shall make arrangements for the medical board examination and shall make available to the Medical Board medical certificates tendered by the employee over the last preceding three years.
- (2) A Public Servant who is medically boarded in accordance with Rule M3 (1) and found unfit for further service shall, unless there is a challenge to the finding of the Medical Board's report, not be allowed to remain on duty after receipt of the Medical Board's report, and shall be granted such vacation leave and deferred vacation leave for which he/she is eligible.
- (3) If the Public Servant has no leave to his/her credit he/she shall be given one month's notice of termination of his/her appointment on medical grounds or one month's salary in lieu thereof.

### Retirement in the public interest

- M 4 (1) Where it is represented to the Public Service Commission or the Commission considers it desirable in the public interest that any employee should be required to retire on grounds which cannot suitably be dealt with under any of these Rules, it shall call for a full report on the employee from the Permanent Secretary/Head of Department/Regional Executive Officer in which he/she is serving and shall take into account the employee's previous record during the last preceding ten years.
- (2) If, after considering such report and such record and giving the employee an opportunity of submitting a reply to the grounds on which his/her retirement is contemplated, and having regard to the conditions of the particular service in which the Public Servant is employed, the usefulness of the employee thereto, and all the other circumstances of the case, the Commission is satisfied that it is desirable in the public interest so to do, it shall require the employee to retire on such date as the Commission shall determine, and he/she shall be retired accordingly.

### Termination of appointment on abolition of office or for facilitating improvement in the organisation of a Ministry/Department/Region

- M 5 (1) Where a post, being one of a number of like posts has been abolished but one or more than one such post remains, the Permanent Secretary/Head of Department/Regional Executive Officer shall make a report thereon to the Public Service Commission and shall recommend with his/her reasons therefor, which employee shall be retired or removed from the Public Service in consequence of such abolition.



- (2) Where it is necessary to retire or remove a Public Servant from the Public Service for the purpose of facilitating improvement in the organisation of a Ministry/Department/Region in order to effect greater efficiency or economy, the Permanent Secretary/Head of Department/Regional Executive Officer shall make a report thereon to the Commission and shall recommend with his/her reasons therefor, which employee shall be retired or removed from the Public Service in consequence of such re-organisation.
- (3) Where the Permanent Secretary/Head of Department/Regional Executive Officer makes any recommendations under Rule M5(1) or (2), he/she shall, at the same time, notify the Public Servant concerned in writing of his/her recommendations, and such employee may, within seven days of the receipt of the notification, make representations thereon.
- (4) Notwithstanding Rule M5(1) or (2), and after consideration of the representations of the employee, the Commission may, instead of retiring or removing the employee from the Public Service, transfer the employee concerned to another post not lower in status than that which he/she held.

**Authority for grant of superannuation benefits in cases of separation for reasons other than (i) statutory age for retirement (ii) death**

- M 6** Subject to the provisions of Rule M29, the payment of superannuation benefits to pensionable employees upon separation for reasons other than attainment of the statutory age for retirement and death requires the approval of the Minister responsible for the Public Service. Similar approval is also required in the case of non-pensionable employees, as outlined in Rule M41.

**Resignation and superannuation benefits**

- M 7 (1)** A Public Servant recruited by the Public Service Commission who wishes to resign shall give to the Commission through the Permanent Secretary/Head of Department/Regional Executive Officer notice in writing in duplicate of his/her intention at least one month before the date on which he/she wishes to relinquish his/her appointment, but the Commission may waive this requirement of notice in whole or in part if it thinks fit.
- (2) A Public Servant is not entitled to withdraw his/her notice of resignation after such resignation becomes effective, but the Public Service Commission may accept a withdrawal of the resignation if tendered in writing at any time before the effective date of the resignation.
  - (3) Except in special circumstances and with the approval of the Minister responsible for the Public Service, an employee who resigns from the Public Service forfeits all claims to superannuation benefits.

- (4) Nothing in this Rule shall preclude an employee who has resigned from receiving benefits under any contributory pension scheme which may be introduced in the Public Service.

#### **Dismissal and superannuation benefits**

- M 8 (1) An employee who is dismissed from the Public Service forfeits all claims to superannuation benefits.
- (2) Nothing in this Rule shall preclude an employee who has been dismissed from receiving benefits under any contributory pension scheme which may be introduced in the Public Service.

#### **Termination of employment in the public interest and superannuation benefits**

- M 9 An employee whose employment is terminated in the public interest may be granted superannuation benefits as outlined in Rule M29 or M41, as the case may be.

### **SUPERANNUATION BENEFITS — PENSIONABLE EMPLOYEES**

#### **Payment of superannuation benefits to pensionable employees**

- M10 (1) The grant of superannuation benefits to pensionable employees is regulated by the Pensions Act (Chapter 27:02) as amended from time to time.
- (2) Under the Pensions Act, an employee holding a pensionable office and eligible to receive superannuation benefits, may be granted upon retirement from the Public Service:
- (a) a full pension; or
  - (b) a reduced pension and gratuity; or
  - (c) a gratuity only.

#### **Definition of "pensionable office"**

- M11 "Pensionable office" means:

- (a) in respect of service in Guyana, an office which has been declared to be pensionable by the Minister responsible for the Public Service, with the approval of the National Assembly;
- (b) in respect of "other public service", an office which has been declared to be a pensionable office under the law or regulations in force in such service.

#### **Determination of "pensionable service"**

- M12 "Pensionable service" is service in one or more pensionable office(s) in which an employee has been confirmed. Such service commences from the date an employee begins to draw salary from public funds to the date of his/her separation from the Public Service, but shall not include service given while under the age of 18 years.

**Retention of pensionable service with organisations, service with which is deemed to be "other public service" or "public service"**

- M13 (1) In accordance with Section 5 and Regulation 21 of the Pensions Act (Chapter 27:02), employees holding pensionable positions shall maintain their pensionable service given prior to transfer to organisations, service with which is deemed to be "other public service" or "public service". Such organisations are listed in Public Service Ministry's Circular/Memorandum No. PS: 16/0/18 dated 1985-04-04.
- (2) In the case of secondment to an organisation, service with which is not deemed to be "other public service", the employee or the organisation to which he/she is seconded is required to make a pension contribution equivalent to twenty-five percent (25%) of the employee's "public service" salary to the Accountant General to maintain the pensionability of the employee.

**Eligibility for pension and gratuity**

- M14 (1) To qualify for pension under the Pensions Act, an employee must, at the date of retirement, have held for not less than 10 years a pensionable office in which he/she had been confirmed, subject to the provisions of Rule M12.
- (2) Pension, gratuity or other allowance will be granted only if an employee retires in one of the following circumstances:
- (a) on or after attaining the age of 55 years or, in special cases with the approval of the Minister responsible for the Public Service on or after attaining the age of 50 years or, in special cases, retirement by the appropriate Service Commission after attaining the age of 50 years, or in the case of transfer to "another public service", on or after attaining the age at which an employee is permitted by the law or regulations of the service in which he/she is last employed to retire on pension or gratuity, or on or after attaining the age of 55 years, whichever is earlier; or
  - (b) on the abolition of his/her office; or
  - (c) on compulsory retirement for the purpose of facilitating improvement in the organisation of the department to which the employee belongs, by which greater efficiency or economy can be effected; or
  - (d) on medical evidence to the satisfaction of the Minister responsible for the Public Service, that the employee is incapable by reason of some infirmity of mind or body of discharging the duties of his/her office, and that such infirmity is likely to be permanent; or
  - (e) on the termination of employment in the public interest, except that where a pension, gratuity or other allowance cannot otherwise be granted under the Pensions Act, the Minister responsible for the Public Service may, if he/she thinks fit, grant such pen-

sion, gratuity or other allowance as he/she thinks just and proper, not exceeding that for which the employee would be eligible upon retirement on the grounds stated at (b) or (c) of this paragraph.

#### Calculation of pension and gratuity

- M15 (1) An employee eligible to receive a pension upon retirement may be granted such pension calculated at the rate of one six-hundredth ( $1/600$ ) of his/her annual pensionable emoluments for each complete month of service up to a limit of two-thirds ( $2/3$ ) of his/her highest pensionable emoluments.
- (2) If the employee has held the same office for a period of three (3) years immediately preceding the date of his/her retirement, the full final annual pensionable emoluments shall be used in computing his/her pension and/or gratuity. In other cases, the average annual pensionable emoluments over such period of three years shall be used.
- (3) An employee eligible for pension upon retirement may exercise the option to receive, in lieu thereof, a pension calculated at the rate of three-fourths ( $3/4$ ) of such pension, together with a gratuity equal to twelve-and-one-half ( $12\frac{1}{2}$ ) times the amount by which the pension is reduced. An option shall be exercised or revoked by notice in writing addressed to the Secretary, Public Service Commission and shall be deemed to have been exercised or revoked on the date on which such notice is received.
- (4) An employee otherwise qualified for a pension who upon retirement has not completed a minimum of 10 years' pensionable service may, in accordance with Regulation 4 of the Pensions Act, be granted a gratuity equal to five times the annual pension which would have been payable had there been no qualifying period.
- (5) The pension, gratuity or other allowance of an employee who retires on the ground of ill health with pensionable service of 10 years or more but less than 20 years shall, in accordance with the proviso to Section 8 of the Pensions Act, be computed as if the employee had 20 years' pensionable service prior to retirement.

#### Additional pension on abolition of office or compulsory retirement to facilitate improvements in the organisation

- M16 (1) A pensionable employee who is retired in consequence of the abolition of his/her office, or compulsorily to facilitate improvements in the organisation to which he/she belongs, by which greater efficiency or economy can be effected may, in accordance with Regulations 12 and 13 of the Pensions Act, be granted in addition to normal pension,

an additional pension based on the number of sixtieths of his/her pensionable emoluments, as follows:

- (a) not less than twenty (20) years' service— eight-sixtieths
  - (b) seventeen (17) years' service — seven-sixtieths
  - (c) fifteen (15) years' service — six-sixtieths
  - (d) twelve (12) years' service — five-sixtieths
  - (e) ten (10) years' service — four-sixtieths
- (2) The total pension granted in accordance with paragraph (1) shall not exceed two-thirds (2/3) of the employee's pensionable emoluments at the date of retirement or the pension for which he/she would have been eligible had he/she retired at the age of 55 years, having received normal progressions of salary for which he/she would have been eligible by that date.

#### **Gratuity on abolition of office when service is less than 10 years**

- M17 A pensionable employee who is retired in circumstances stated in Rule M16(1), whose length of service does not qualify him/her for a pension, may be granted a special gratuity not exceeding one-eighth (1/8) of a month's pensionable emoluments for each complete month of service, in accordance with Regulation 14 of the Pensions Act.

#### **Additional pension on retirement through injury**

- M18 (1) A pensionable employee who is retired on account of injury sustained in the discharge of his/her duty and not through his/her own default, and whose injury is specifically attributable to the nature of his/her duty, may be granted an additional pension depending upon the extent of impairment, as laid down in Regulation 15 of the Pensions Act.
- (2) Where less than 10 years' service has been completed, the employee may be granted, in addition to the pension provided under paragraph (1), a pension in lieu of gratuity, in accordance with Rule M15(1).

#### **Pension to dependants of pensionable employee killed on duty**

- M19 Where a pensionable employee dies as a result of injuries received in the actual discharge of his/her duty without his/her own default and on account of circumstances specifically attributable to the nature of his/her duty, the President may grant a pension or pensions to his/her dependants as set out at Section 22 of the Pensions Act, apart from the normal death gratuity payable to the legal personal representative of the estate.

### Liability of pensioners under age 50 to take further employment in the Public Service

- M20 (1) A pensioner who has not yet attained the age of 50 years but who is physically fit for service, may be called upon to accept, in lieu of his/her pension, an office in the Public Service not less in value than the office which he/she held at the date of retirement, in terms of Section 15 of the Pensions Act.
- (2) If the pensioner declines to accept the office for which he/she has been selected by the Public Service Commission, the payment of his/her pension may be suspended until he/she has attained the age of 50 years.
- (3) Should the pensioner be appointed to another office in the Public Service the payment of his/her pension may, if the President thinks fit, be suspended during the period of his/her re-employment.

### Disregarding of interruption in service for superannuation purposes

- M21 (1) Any interruption in service caused by:
- (i) temporary suspension of employment not arising from misconduct; or
  - (ii) voluntary resignation followed by re-employment in the Public Service at anytime thereafter,
- shall be disregarded for the purpose of the computation of superannuation benefits. The approval of the Minister responsible for the Public Service shall, however, be obtained in all cases involving voluntary resignation.
- (2) When a request is made by an employee for the disregarding of any interruption in his/her service as at paragraph (1), the relevant Ministry/ Department/Region shall submit to the Permanent Secretary, Public Service Ministry:
- (a) a memorandum giving full particulars of the case; and
  - (b) an up-to-date **certified** copy of the employee's Record of Service covering the entire period of his/her service.
- (3) The Record of Service stipulated in paragraph (2) must be signed by an officer not below the level of Principal Assistant Secretary.

### Non-pensionable service (including open vote service) which precedes pensionable service, to count for superannuation purposes

- M22 (1) Where unbroken non-pensionable service (including open vote service) immediately precedes pensionable service, such service shall count in full for superannuation benefits in accordance with Regulation 10(1) of the Pensions Act.



- (2) For the purpose of paragraph (1), the number of working days in each calendar year during any period of non-pensionable service shall, in the case of employees paid on a daily, weekly or fortnightly basis, be not less than 302 days (Regulation 6 (4) of the Pensions Act, refers).

### **Counting of service on secondment or temporary transfer from pensionable to non-pensionable office**

- M23 The service of an employee on secondment or temporary transfer from a pensionable to a non-pensionable office shall count as pensionable service in the computation of his/her superannuation benefits, unless the President shall in any case otherwise decide.

### **Counting of service in relation to no-pay leave**

- M24 In terms of Regulation 7(f) of the Pensions Act, no-pay leave or leave on part salary granted to a pensionable employee, totalling not more than 60 days in the aggregate, shall be taken into account as pensionable service in the computation of his/her superannuation benefits.

### **Treatment of service of employee transferred from pensionable to non-pensionable office**

- M25 An employee who has been transferred from a pensionable to a non-pensionable office will be entitled either:
- to have his/her service in the non-pensionable office count as pensionable, but in the computation of his/her superannuation benefits, the salary which he/she was in receipt of immediately prior to the transfer will be used; or
  - to have his/her service in the pensionable office count as non-pensionable and to receive the resulting benefits accordingly, if it is to his/her advantage.

### **Gratuity to female pensionable employee upon resignation on ground of marriage**

- M26 An unmarried female pensionable employee in service on or before 1976-12-30 (date of enactment of the Pensions Amendment Act No. 12/1976), who has held a pensionable office (in which she is confirmed) for not less than five years, and who resigns on the ground of marriage may, in accordance with Regulation 18 of the Pensions Act, be granted on production of satisfactory evidence of marriage within six months of her resignation, a gratuity not exceeding one-twelfth (1/12) of a month's pensionable emoluments for each complete month of pensionable service, or one year's pensionable emoluments, whichever is the lesser.

### **Gratuity where pensionable employee dies in the service or after retirement**

- M27 (1) Where a Public Servant holding a pensionable office, who is not on probation or agreement, or who is holding a non-pensionable office (in which he/she has been confirmed), dies while in the Public Service, the legal personal representative of his/her estate may, in accordance with



Section 21 of the Pensions Act, be granted a gratuity not exceeding one year's pensionable salary or his/her commuted pension gratuity, whichever is the greater.

- (2) Where a retired employee to whom a pension, gratuity or other allowance has been granted, dies after retirement, and the sums paid or payable at his/her death on account of any pension, gratuity or other allowance are less than the amount of the annual pensionable emoluments drawn at the date of his/her retirement, the legal personal representative of his/her estate may be granted a gratuity equal to the difference.

#### **Submission of superannuation papers upon retirement of pensionable employee at age 55**

- M28 Where a pensionable employee is being retired upon attainment of age 55, the relevant Ministry/Department/Region shall submit to the Secretary, Public Service Commission not later than six months prior to the approved date of his/her retirement, the appropriate superannuation papers, in quadruplicate. Copy of the covering memorandum should be sent at the same time to the Accountant General and the Auditor General. Thereafter, the Permanent Secretary/Head of Department/Regional Executive Officer shall pursue the matter to ensure that it is finalised before the effective date of retirement.

#### **Submission of superannuation papers upon separation for reasons other than attainment of age 55**

##### **"Termination of service in the public interest"**

- M29 (1) The termination of a pensionable employee's service in the public interest requires the prior approval of the Public Service Commission. If the certificate at Page 18 of the prescribed superannuation form is signed by the Permanent Secretary/Head of Department/Regional Executive Officer attesting that the employee performed his/her duties with diligence and fidelity, the employee would be eligible for full benefits, in which case a superannuation request should be submitted as outlined in Rule M28. However, if the certificate cannot be signed by the Permanent Secretary/Head of Department/Regional Executive Officer, the superannuation papers should be submitted to the Accountant General, with a request that an unaudited computation of the superannuation benefits be made and sent to the Permanent Secretary, Public Service Ministry, to whom a copy of the request should be forwarded. At the same time, the number and relationship of the employee's dependants together with an up-to-date certified copy of the employee's Record of Service should be forwarded to the Permanent Secretary, Public Service Ministry, to facilitate consideration of the quantum of benefits to be granted in terms of Section 9 of the Pensions Act.

### “Retirement on Medical Grounds”

- (2) Where a pensionable employee has been found unfit for further service by a Government Medical Board, the original Medical Board Report attesting to his/her unfitness for further service (as endorsed by the Chief Medical Officer) shall be submitted to the Permanent Secretary, Public Service Ministry along with an up-to-date certified copy of the employee's Record of Service for consideration by the Minister responsible for the Public Service, of the grant of superannuation benefits in accordance with Section 8(d) of the Pensions Act. If the recommendation is approved, a superannuation request should be submitted as outlined in Rule M28 after the Public Service Commission's approval of the employee's retirement,

### “Voluntary Retirement”

- (3) Requests made in accordance with Section 8(a) of the Pensions Act for voluntary retirement of a pensionable employee on or after attainment of age 50 shall be submitted to the Permanent Secretary, Public Service Ministry for consideration by the Minister responsible for the Public Service, with the following particulars:

- (a) the reason(s) for the request outlining the special circumstances;
- (b) a recommendation from the Permanent Secretary/Head of Department/Regional Executive Officer; and
- (c) an up-to-date certified copy of the employee's Record of Service.

If the request is approved, the superannuation papers should be submitted as outlined in Rule M28 after the Public Service Commission's approval of the employee's retirement.

### “Abolition of office or compulsory retirement”

- (4) In the case of termination of service of a pensionable employee on the ground of abolition of office or compulsory retirement, the prior approval of the Public Service Commission should be obtained for the retirement of the employee before the submission of a superannuation request.

### Post-retirement service of former pensionable employee

- M30 Pensionable employees who retire at their normal retirement age of 55 years and are re-employed for seven years or more, shall be superannuated for their entire post-retirement service, regardless of whether the re-employment extends beyond the age of 65 years. The post-retirement service shall be regarded as service in an “approved appointment” (see definition at Rule M32) for the purposes of computation and payment of additional superannuation benefits.

## SUPERANNUATION BENEFITS -- NON-PENSIONABLE EMPLOYEES

### Payment of superannuation benefits to non-pensionable (including Open Vote) employees

- M31 (1) The payment of superannuation benefits to non-pensionable employees is regulated by:
- (a) Legislative Council Resolution No. L11 dated 1951-07-06;
  - (b) Legislative Council Resolution No. LVI dated 1957-05-08; and
  - (c) Legislative Council Resolution No. XXXIII dated 1974-05-08.
- (2) In terms of the abovenamed resolutions which are embodied in Public Service Ministry's Circular No. 4/1985 dated 1985-02-03, a non-pensionable employee on retirement may be granted an annual allowance or a reduced annual allowance plus gratuity or a gratuity only, having regard to his/her length of service, and whether he/she held an "approved appointment" in terms of Rules M32 and M33.
- (3) An annual allowance and/or gratuity will be paid only in respect of service after the age of 18 years, on the following grounds:
- (a) compulsory retirement at the age of 60 years, or thereafter in special cases;
  - (b) voluntary retirement on or after the age of 55 years;
  - (c) retirement on account of ill health;
  - (d) retirement on account of abolition of office; and
  - (e) retirement in the public interest.
- (4) In the case of retirement on account of ill health or in the public interest, the approval of the Minister responsible for the Public Service is required for the payment of superannuation benefits. (See Rule M38).

### Definition of "approved appointment"

- M32 An "approved appointment" is one declared as such by Parliament. Positions that have so far been declared as "approved appointments" are shown in the Annual Estimates of Expenditure.

### Definition of "annual allowance"

- M33 (1) An "annual allowance" means an allowance representing superannuation benefits payable to a non-pensionable employee who, at the date of his/her retirement, held an "approved appointment", and who served in one or more "approved appointments" for a minimum of 302 days in each year of a period of at least 20 continuous years immediately preceding the date of his/her retirement. With the approval of the Minister responsible for the Public Service, an annual allowance may be paid for a shorter period in the special circumstances of any particular case.

- (2) The rate of annual allowance shall be two-thirds (2/3) of the normal pension payable under the Pensions Act to a pensionable employee.

**Option for reduced annual allowance and gratuity**

- M34 (1) An employee to whom an annual allowance has been granted may, at his/her option, be paid instead, an allowance at the rate of three-fourths (¾) of such allowance, together with a gratuity equal to twelve-and-one-half (12½) times the amount by which the annual allowance is reduced.
- (2) An option shall be exercised or revoked by notice in writing addressed to the Accountant General and shall be deemed to have been exercised or revoked on the date on which such notice is received.

**Gratuity to employee holding an "approved appointment"**

- M35 (1) An employee who retires from an "approved appointment" after serving for at least seven (7) continuous and effective years and who has less than 20 continuous and effective years' service in an "approved appointment" shall be eligible for a gratuity calculated at the rate of one-eighteenth (1/18) of a month's pay for each complete month of service.
- (2) In the case of a non-monthly employee, the number of working days in any calendar year to constitute one (1) year's effective service in terms of paragraph (1) will be taken as 302 days, including Public Holidays and days on paid leave, but not Sundays. Where a year's service is 225 days or over 225 but less than 302 days, or where two (2) consecutive years' service of less than 225 days in each year aggregate 225 days or more, the one twenty-sixth (1/26) constant shall apply in respect of such year(s).

**Gratuity to employee not holding an "approved appointment"**

- M36 (1) An employee not holding an "approved appointment" who retires after rendering at least seven (7) continuous and effective years' service will be eligible for a gratuity calculated at the rate of one twenty-sixth (1/26) of a year's pay for each effective year of service, limited to a maximum equivalent to the amount payable in respect of thirty-three and one-third (33 1/3) years' service.
- (2) In the case of a non-monthly employee, the number of working days in any calendar year to constitute one (1) effective year's service in terms of paragraph (1) will be taken as 225 days, including Public Holidays and days on paid leave, but not Sundays. Where any portion of the employee's service is less than 225 in each of any two (2) consecutive calendar years, such service shall constitute one (1) effective year's service, if aggregating 225 days or more.

**Gratuity in respect of services of deceased non-pensionable employee**

- M37 The legal personal representative of the estate of a non-pensionable employee who dies in service after qualifying for (a) an annual allowance or (b) a gratuity, will be eligible for a gratuity equal to the amount which would have

been payable to the employee in respect of service up to the date of his/her death, limited to a maximum of thirty-three and one-third (33 1/3) years' service.

**Payment of annual allowance/gratuity upon retirement on account of ill health or in the public interest**

- M38 At the discretion of the Minister responsible for the Public Service, an annual allowance or gratuity may be granted to a non-pensionable employee who is retired on account of ill health or in the public interest, in terms of Rule M31(4), subject to such reduction in the case of retirement in the public interest as may be considered just and proper in any particular case.

**Superannuation benefits to part-time employees**

- M39 Part-time employees shall be eligible for superannuation benefits on the same basis as full-time employees.

**Submission of superannuation papers upon retirement of non-pensionable employee at age 60**

- M40 Where a non-pensionable employee is being retired upon attainment of age 60, the Permanent Secretary/Head of Department/Regional Executive Officer shall submit to the Accountant General not later than six (6) months prior to the scheduled date of retirement, a superannuation request along with three (3) up-to-date certified copies of the employee's Record of Service. Copies of such request should be copied to the Secretary, Public Service Commission and Auditor General. Thereafter, the Permanent Secretary/Head of Department/Regional Executive Officer shall pursue the matter to ensure that it is finalised before the effective date of retirement.

**Submission of superannuation papers upon separation for reasons other than attainment of age 60**

**"Termination of employment in the public interest"**

- M41 (1) Where the employment of a non-pensionable employee is terminated in the public interest, the Permanent Secretary/Head of Department/Regional Executive Officer shall:
- (a) submit the employee's superannuation papers under cover of a memorandum addressed to the Accountant General, copied to the Permanent Secretary, Public Service Ministry, with a request that an unaudited computation of the superannuation benefits be forwarded to the Permanent Secretary, Public Service Ministry;
  - (b) inform the Permanent Secretary, Public Service Ministry at the same time of the number of the employee's dependents and their relationships to the employee and forward an up-to-date certified copy of the employee's Record of Service to facilitate consideration of the reduction, if any, to be made from his/her superannuation benefits. If the request is approved, the superannuation papers should be submitted as outlined in Rule M40 after the employee's date of retirement has been determined by his/her Per-

manent Secretary/Head of Department/Regional Executive Officer.

**"Retirement on account of ill health"**

- (2) Where a non-pensionable employee has been found unfit for further service by a Government Medical Board, the Permanent Secretary/Head of Department/Regional Executive Officer shall submit to the Permanent Secretary, Public Service Ministry for consideration by the Minister responsible for the Public Service of the grant of superannuation benefits, the original Medical Board Report attesting to the employee's unfitness for further service and an up-to-date certified copy of his/her Record of Service. If the request is approved, the superannuation papers should be submitted as outlined in Rule M40, after the employee's date of retirement has been determined by his/her Permanent Secretary/Head of Department/Regional Executive Officer. However, the employee who is 55 years or over may be allowed to retire voluntarily in accordance with Rule M31 (3)(b).

**"Voluntary retirement"**

- (3) Requests for voluntary retirement of a non-pensionable employee on or after attainment of age 55 shall be submitted to the Permanent Secretary, Public Service Ministry for consideration by the Minister responsible for the Public Service, with the following particulars:
- (a) the reason(s) for the request outlining the special circumstances;
  - (b) a recommendation from the Permanent Secretary/Head of Department/Regional Executive Officer; and
  - (c) an up-to-date certified copy of the employee's Record of Service.

If the request is approved, the superannuation papers should be submitted as outlined in Rule M40, after the employee's date of retirement has been determined by his/her Permanent Secretary/Head of Department/Regional Executive Officer.

**"Termination of service on abolition of post"**

- (4) In the case of termination of service of a non-pensionable employee on abolition of post, a superannuation request should be submitted to the Accountant General by his/her Permanent Secretary/Head of Department/Regional Executive Officer as outlined in Rule M40 without reference to the Public Service Ministry.

**Avoidance of delays in superannuation payments by keeping of up-to-date Records of Service**

M42 In order to avoid delays in the grant of superannuation benefits to retiring employees caused by inaccurate or unavailable Records of Service, each Ministry/Department/Region should ensure that:

- (a) there is a Record of Service for each employee;
- (b) all Records of Service are kept up-to-date; and
- (c) the particulars on the Record of Service of all fortnightly, weekly,



daily or hourly paid employees include the actual number of days worked during each year, including Public Holidays and days on paid leave, but not Sundays.

#### **Claim to service for superannuation purposes**

- M43 (1) Where there is no official record of any part of an employee's service, the Secretary, Public Service Commission may, on being satisfied beyond all reasonable doubt that such service was given, approve of such service being admitted for the purpose of superannuation benefits.
- (2) Supporting evidence of an employee's service shall take the form of two (2) honour certificates given by two (2) responsible persons in respect of each year of the period in question, attesting that the employee completed not less than 225 days or 302 days, as the case may be. (See Rules M35 and M36). The honour certificate shall also include the job title of the employee and the attestors during the relevant periods.
- (3) In forwarding honour certificates, as per paragraph (2), to the Secretary Public Service Commission, the Permanent Secretary/Head of Department/Regional Executive Officer shall also submit up-to-date certified copies of the Records of Service of the claimant and the attestors.

#### **Continuation of employment beyond age 60 for superannuation purposes**

M44 A non-pensionable employee who is not qualified for an annual allowance or gratuity on reaching the age of 60 years may, with the approval of the Permanent Secretary, Public Service Ministry, be allowed to continue in employment until such time that he/she becomes eligible for either an annual allowance or gratuity, on condition that:

- (a) the employee is not retained in employment beyond the end of the year in which he/she attains the age of 65 years; and
- (b) a medical certificate from a Government Medical Officer or other registered medical practitioner attesting to the employee's physical fitness for continued employment is submitted on an annual basis.

#### **Post-retirement service of former non-pensionable employee**

M45 Non-pensionable employees who retire at their normal retirement age of 60 years and are re-employed for seven (7) years or more, shall be superannuated for their entire post-retirement service, regardless of whether the re-employment period extends beyond the date on which the employee attains the age of 65 years.



**SECTION N — GOVERNMENT  
QUARTERS**

## SECTION N

### GOVERNMENT QUARTERS

- N 1 Construction, repair, maintenance and allocation of Government quarters
- N 2 Allocation of Government quarters as a condition of service
- N 3 Allocation of rent-paid Government quarters
- N 4 Initial occupation of Government quarters
- N 5 Vacating of Government quarters
- N 6 Care of Government quarters, furniture, and fixtures and maintenance of grounds
- N 7 Subletting of Government quarters
- N 8 Inspection and renovation of Government quarters
- N 9 Damage to Government quarters
- N10 Inventory of furniture in Government quarters
- N11 Occupancy of Government quarters, free of rent, in special cases
- N12 Increase of rental in certain cases

## SECTION N

## GOVERNMENT QUARTERS

**Construction, repair, maintenance and allocation of Government quarters**

- N1 (1) The responsibility for the construction, repair and maintenance of Government quarters and for the allocation of such quarters to Public Servants is as follows:
- (a) Georgetown (Region 4)  
Ministry of Works
  - (b) All areas with the exception of Georgetown (Region 4)  
The relevant Regional Democratic Council
- (2) Government quarters shall be allocated to Public Servants on the basis of need and not status, as determined by the Permanent Secretary, Ministry of Works or the relevant Regional Democratic Council, as the case may be, hereinafter referred to as "the competent authority".

**Allocation of Government quarters as a condition of service**

- N2 (1) Government quarters provided to Public Servants as a condition of service (e.g., in the case of hospital staff where presence in a hospital compound may be required on a continuous basis) shall be free of rent.
- (2) In lieu of quarters, a house allowance may, with the approval of the Permanent Secretary, Public Service Ministry, be granted to a Public Servant who is entitled to free quarters but for whom quarters are not available.

**Allocation of rent-paid Government quarters**

- N3 (1) Public Servants not entitled to rent-free Government quarters who are allocated quarters shall pay rental as quantified from time to time by the Permanent Secretary, Public Service Ministry. In furnished quarters, rental is also payable on the furniture.
- (2) Public Servants using part of rent-paid Government quarters as office shall be granted a rebate on rent as quantified from time to time by the Permanent Secretary, Public Service Ministry.

**Initial occupation of Government quarters**

- N4 (1) A Public Servant who is allocated Government quarters must take occupation of same within one calendar month from the date of notification of the allocation. Failure to do so within the specified time and without good reason may result in the Public Servant being required to refund the salaries/wages of any caretaker employed over any extended period.

- (2) On taking over the quarters, the new occupant must:
- (a) be presented by the competent authority with an inventory of furniture and/or a statement certifying the condition of the quarters and furniture;
  - (b) report immediately to the competent authority any deficiency or damage observed; and
  - (c) sign a copy of the inventory of furniture (see Rule N10) and/or the statement certifying the condition of the quarters and furniture, and deliver same to the competent authority.

#### **Vacating of Government quarters**

- N5 (1) A Public Servant in occupation of Government quarters must notify the competent authority of his/her intention to vacate such quarters by giving at least one month's notice. Failure to do so shall result in his/her liability to pay one month's rent in lieu of notice.
- (2) Before departing from the area, the previous occupant must:
- (a) hand over the keys to the competent authority after the latter has examined the quarters and furniture; and
  - (b) execute and sign with the competent authority a handing-over statement on the prescribed form.

#### **Care of Government quarters, furniture, and fixtures and maintenance of grounds**

- N6 (1) Public Servants in occupation of Government quarters are responsible for ensuring that the building and everything appertaining thereto, including refrigerators, bathrooms and stoves, within or without the building and grounds are kept in a clean and sanitary condition.
- (2) All Public Servants who occupy Government quarters, whether in a permanent or acting capacity, are required to keep the grounds attached to them clean and tidy at their own expense. Where, however, a Public Servant occupies an excessively large compound, i.e., 4,000 square feet ( $372.1\text{m}^2$ ) and over and no other approved arrangements exist for its maintenance and/or beneficial utilisation, the competent authority shall arrange for it to be maintained at an acceptable standard.

#### **Subletting of Government quarters**

- N7 No Public Servant shall sublet any Government quarters or land or any part thereof.

#### **Inspection and renovation of Government quarters**

- N8 (1) A Public Servant in occupation of Government quarters shall allow any person authorised by the competent authority to inspect the building or execute any repairs and/or painting required thereto, at any time

during daylight provided that reasonable notice is given of the intention to inspect or undertake any such works.

- (2) A Public Servant who is required to vacate rent-paid Government quarters to permit repairs and/or painting, shall not be charged rent during the period of his/her non-occupancy of the quarters.
- (3) A Public Servant entitled to rent-free Government quarters as a condition of service who is required to vacate such quarters for repairs and/or painting and has incurred additional expenditure thereby, may be paid an allowance as quantified by the Permanent Secretary, Public Service Ministry.

### Damage to Government quarters

- N9 When any Government quarters, furniture or fixtures attached thereto have been damaged, and in the opinion of the competent authority, the damage is due to carelessness or negligence on the part of the occupier or his/her agents, an account for the cost of repairing such damage shall be rendered to the occupier through the Head of his/her Ministry/Department/Region who will be responsible for the collection of the amount due.

### Inventory of furniture in Government quarters

- N10 An inventory of furniture shall be kept on the prescribed form (i.e., General 82) in a safe and conspicuous place in each Government quarters and be updated from time to time. All furniture are part of the quarters and articles are not to be removed from the building to which they are allocated without the prior approval of the competent authority.

### Occupancy of Government quarters, free of rent, in special cases

- N11 (1) A Public Servant who by virtue of an acting appointment occupies rent-paid Government quarters but in view of the evident shortness of the period finds it imprudent to vacate his/her former quarters (whether rental or private) may, with the prior approval of the Permanent Secretary, Public Service Ministry, be allowed to occupy quarters provided for him/her in his/her acting capacity free of rent for a period not exceeding six calendar months.
- (2) Should a Public Servant die while in occupation of Government quarters, the bereaved relative(s) may be permitted, on compassionate grounds, to retain occupancy free of rent for a period not exceeding two calendar months.
  - (3) Upon retirement, a Public Servant in occupation of Government quarters shall vacate quarters not later than one calendar month from the approved date.
  - (4) Upon resignation, termination of employment in the public interest or dismissal, a Public Servant in occupation of Government quarters shall vacate such quarters not later than one week from the approved date.

- (5) Extensions in respect of paragraphs (3) and (4) above may, on compassionate grounds, be granted by the competent authority.

**Increase of Rental in certain cases**

- N12 (1) A Public Servant in occupation of rent-paid Government quarters is liable for the payment of increased rent as from the effective date of any increase of his/her salary if he/she is not already paying the maximum rent. Where a salary increase is retroactive, the occupant shall be paid only the difference between the arrears of salary and the arrears of rent payable.
- (2) When the rent for Government quarters is calculated as a fixed percentage of a Public Servant's substantive salary, an acting allowance shall be taken into account in the calculation of rent.

**SECTION O — COMMUNICATION  
THROUGH MASS  
MEDIA**



## SECTION O

### COMMUNICATION THROUGH MASS MEDIA

- O1 Release of Information
- O2 Announcements
- O3 Identification of "Media Liaison Officer"

**SECTION O****COMMUNICATION THROUGH MASS MEDIA****Release of Information**

- 01 The final preparation and issue of all information about Government activities through mass media are the responsibility of the Ministry of Information. All Ministries/Departments/Regions should arrange for their information and publicity needs to be brought to the attention of the Ministry of Information for appropriate action.

**Announcements**

- 02 (1) Ministries/Departments/Regions wishing to make announcements must first consult with the Ministry of Information before doing so.
- (2) Announcements on a major subject involving policy decisions must first be scrutinised by the Minister concerned before submission to the Ministry of Information.

**Identification of Media Liaison Officer**

- 03 Every Permanent Secretary/Head of Department/Regional Executive Officer shall identify an employee within his/her organisation who will be responsible for the release of information and who shall be designated "Media Liaison Officer". In a large organisation where a Public Relations Unit does not exist and where there are many Departments/Sections, more than one employee may be so designated and assigned this function. The names of all Media Liaison Officers and the addresses at which they can be located must be submitted to the Ministry of Information, the Guyana News Agency, the Guyana National Newspapers Limited, and the Guyana Broadcasting Corporation.

**SECTION P — PATENTS FOR  
INVENTIONS MADE  
BY PUBLIC SERVANTS**

## SECTION P

### PATENTS FOR INVENTIONS MADE BY PUBLIC SERVANTS

- P 1      Application for provisional protection
- P 2      Controlling rights
- P 3      Procedure when Public Servant is allowed controlling rights
- P 4      Procedure when Public Servant is not allowed controlling rights
- P 5      Modification of original decision by Government
- P 6      Granting of full rights
- P 7      Appointment of Awards Committee
- P 8      Right of Public Servant to appear before Committee
- P 9      Expenses incurred by Public Servant

## SECTION P

## PATENTS FOR INVENTIONS MADE BY PUBLIC SERVANTS

**Application for Provisional Protection**

- P 1 (1) A Public Servant who has made an invention may.
- (a) at his/her own expense; or
  - (b) at the expense of the Government, if so required by the Cabinet lodge an application for provisional protection with the Registrar of Patents and at the same time, send a copy of the application to the Cabinet through his/her Permanent Secretary/Head of Department/Regional Executive Officer.
- (2) The Cabinet shall decide as expeditiously as possible whether the invention shall be regarded as secret, and the decision shall be forthwith communicated to the Permanent Secretary/Head of Department/Regional Executive Officer for the information of the Public Servant.

**Controlling Rights**

- P 2 (1) As soon as practicable, the Cabinet shall decide whether or not the Public Servant shall be allowed controlling rights in the patent, and the decision shall be communicated to the Permanent Secretary/Head of Department/Regional Executive Officer for the information of the Public Servant.
- (2) Pending the decision of the Cabinet as to such controlling rights, all rights in the invention shall be deemed to belong to and to be held in trust for the Government.

**Procedure when Public Servant is allowed controlling rights**

- P 3 If the Cabinet decides that the Public Servant shall be allowed controlling rights in the patent, the following provisions shall apply:
- (i) the Public Servant shall, subject to the provisions of Rule P2, be responsible for all expenditure in taking out the patent;
  - (ii) the Cabinet may attach to its decision such conditions as are deemed fit and, in particular, may reserve to the Government a right to a share of any commercial proceeds or both such rights;
  - (iii) A Public Servant may, whether or not any rights are reserved under paragraph (ii) of this Rule, apply to the Awards Committee as constituted under Rule P 7 (hereinafter referred to as "the Committee") through his/her Permanent Secretary/Head of Department/Regional Executive Officer for an award in respect of his/her invention; and
  - (iv) the question whether an award shall be made, the amount thereof, and if a share of commercial proceeds is reserved to the Government, the amount of such share shall be determined by the Cabinet after investigation by the Committee.

### **Procedure when Public Servant is not allowed controlling rights**

- P 4 If the Cabinet decides that the Public Servant shall not be allowed controlling rights in the patent, the following provisions shall apply:
- (i) the Public Servant shall assign all his/her rights in the invention to the Government;
  - (ii) the Government shall be responsible for all expenditure in taking out the patent;
  - (iii) the Cabinet shall decide whether or not the Public Servant shall be allowed a share of any commercial proceeds;
  - (iv) the Public Servant may, whether or not he/she is allowed a share in the commercial proceeds, apply to the Committee through his/her Permanent Secretary/Head of Department/Regional Executive Officer for an award in respect of his/her invention; and
  - (v) the question whether an award shall be made, the amount thereof, and if the Cabinet decides that the Public Servant shall be allowed a share in the commercial proceeds, the amount of such share shall be determined by the Cabinet after investigation by the Committee.

### **Modification of original decision by Government**

- P 5 In the event of a material change taking place in the circumstances which existed at the time when an award or allocation of commercial proceeds was made, the original decision may be modified by the Cabinet after further investigation by the Committee, provided that, in any such modification of the original decision, the amount of an award which has been paid shall not be reduced.

### **Granting of full rights**

- P 6 A Public Servant whose invention is in all respect alien to the nature of his/her employment in the Public Service shall normally be granted the full rights in such invention.

### **Appointment of Awards Committee**

- P 7 There shall be constituted, for the purpose of these Rules, an Awards Committee which shall consist of a judicial or legal officer appointed by the Prime Minister as Chairman, and representatives of organisations as the Prime Minister may from time to time appoint.

### **Right of Public Servant to appear before Committee**

- P 8 A Public Servant shall be entitled at his/her own expense to appear personally before the Committee or to be represented in such manner as the Committee may approve.

### **Expenses incurred by Public Servant**

- P 9 In fixing the amount of any award or of the share of any commercial proceeds reserved to the Government under Rule P 3(iv) or allowed to the Public Servant under Rule P 4(v), as the case may be, any reasonable expenses to which a Public Servant may have been put in connection with his/her invention shall be taken into account.

**SECTION Q — RELATIONS WITH  
TRADE UNIONS/STAFF  
ASSOCIATIONS**



**SECTION Q**  
**RELATIONS WITH TRADE UNIONS/STAFF ASSOCIATIONS**

- Q1 Right of Public Servants to belong to Trade Unions/Staff Associations
- Q2 Ministries/Departments/Regions to co-operate with recognised Trade Unions/Staff Associations
- Q3 Meetings between representatives of Ministries/Departments/Regions and recognised Trade Unions/Staff Associations
- Q4 Check-off of union dues/agency fees
- Q5 Grievance Procedure
- Q6 Distribution of Circulars to recognised Trade Unions/Staff Associations
- Q7 Secondment of Public Servant to recognised Trade Union/Staff Association on a full-time basis
- Q8 Recognition of new Trade Unions/Staff Associations

## SECTION Q

## RELATIONS WITH TRADE UNIONS/STAFF ASSOCIATIONS

**Right of Public Servants to belong to Trade Unions/Staff Associations**

- Q1 Subject to the provisions of Article 147(2) of the Constitution of the Co-operative Republic of Guyana, Public Servants have the right to assemble freely and associate with other persons and to form or belong to Trade Unions or Staff Associations for the protection of their interests.

**Ministries/Departments/Regions to co-operate with recognised Trade Unions/Staff Associations**

- Q2 Permanent Secretaries/Heads of Departments/Regional Executive Officers shall treat courteously with officials and representatives of recognised Trade Unions and Staff Associations and provided the efficient operation of the Ministry/Department/Region concerned is not impaired, shall:
- furnish them with information relevant to issues represented and which it is possible to disclose without detriment to the public interest; and
  - afford them such facilities as may be appropriate in order to enable them to carry out their functions promptly and efficiently.

**Meetings between representatives of Ministries/Departments/Regions and recognised Trade Unions/Staff Associations**

- Q3
- (1) In terms of the agreements for the avoidance and settlement of disputes, Permanent Secretaries/Heads of Departments/Regional Executive Officers shall hold discussions with the recognised Trade Unions/Staff Associations to discuss grievances and other matters of mutual interest.
  - (2) Permanent Secretaries/Heads of Departments/Regional Executive Officers should also arrange to hold regular periodical meetings with the Branch Executives of the Unions/Associations operating in their Ministries/Departments/Regions to discuss grievances and other matters of mutual interest.

**Check-off of union dues/agency fees**

- Q4
- (1) On the submission by Public Servants of authorisations for the check-off of union dues in favour of the recognised Trade Unions/Staff Associations, Permanent Secretaries/Heads of Departments/Regional Executive Officers shall arrange for the prescribed amounts to be deducted regularly from the salaries/wages of the employees concerned and promptly remitted to the respective agencies.
  - (2) Permanent Secretaries/Heads of Departments/Regional Executive Officers shall ensure that deductions of agency fees equivalent to

union dues are made from the salaries/wages of all full-time Public Servants (including those temporarily employed, on probation, or on contract) who are not members of the recognised Trade Unions/Staff Associations, and that such deductions are promptly remitted to the recognised Trade Unions/Staff Associations. However, in keeping with the Agency Shop Agreement made on 1976-07-29, no deduction for Agency Fees must be made from the salary/wages of a Public Servant recruited before 1976-03-01.

#### Grievance Procedure

- Q5 (1) Permanent Secretaries/Heads of Departments/Regional Executive Officers shall observe the procedures set out in the respective "Grievance Procedure" Agreements made between the Government and recognised Trade Unions/Staff Associations.
- (2) A copy of the "Grievance Procedure" made between the Government and the Guyana Public Service Union is at Appendix Q1.

#### Distribution of Circulars to recognised Trade Unions/Staff Associations

- Q6 Permanent Secretaries/Heads of Departments/Regional Executive Officers shall ensure that the relevant recognised Trade Unions/Staff Associations within the Public Service are supplied with copies of all Circulars issued by their Ministries/Departments/Regions dealing with or having any bearing on conditions of service of Public Servants.

#### Secondment of Public Servant to recognised Trade Union/Staff Association on a full-time basis

- Q7 (1) Where a recognised Trade Union/Staff Association representing staff in the Public Service requests the service of a Public Servant on a full-time basis, that officer may, subject to the exigencies of the Public Service, be seconded to the Ministry responsible for "Labour" to be placed on special assignment with the Union/Association on the understanding that the Union/Association refunds to Government the gross amount representing the employee's salary plus any allowances for which he/she would normally be eligible but are no longer payable by Government.
- (2) Further to (1), the Public Servant continues to be paid his/her salary each month by the Ministry/Department/Region from which he/she was seconded, for the purpose of maintaining the continuity of his/her public service. The normal deductions such as PAYE, N.D.S., Union Dues, Dependents' Pensions Fund, repayment of any Government advances, etc., should be made monthly and the monies deducted remitted to the respective agencies. The Union/Association therefore refunds to the Ministry/Department/Region the gross amount of the salary which the Public Servant receives during the intervening period.

- (3) Public Servants who are seconded in terms of (1) above, and are eligible for the grant of advances to purchase means of transport by virtue of the posts held in the Public Service, may be permitted to enjoy the duty-free concession to purchase motor vehicles with loans made available to them by the Union/Association. A Public Servant granted such a loan will enter into private arrangements with the Union/Association concerned for the repayment of the loan.
- (4) Requests in the above connection should be addressed to the Permanent Secretary, Public Service Ministry, and in the case of (1) should be carbon-copied to the Secretary, Public Service Commission as well as the Permanent Secretary, Head of Department or Regional Executive Officer under whom the employee is serving.

#### **Recognition of new Trade Unions/Staff Associations**

Q8

Permanent Secretaries/Heads of Departments/Regional Executive Officers shall consult with the Public Service Ministry before entering discussions with any new Trade Union/Staff Association on the question of recognition. They shall also ensure that a representative of the abovementioned Ministry is invited to relevant meetings with the Trade Union/Staff Association concerned.

**MEMORANDUM OF AGREEMENT**

between

**THE GUYANA PUBLIC SERVICE UNION**  
(hereinafter referred to as the Union)

and

**THE PUBLIC SERVICE MINISTRY**  
(hereinafter referred to as the Ministry)

for

**THE AVOIDANCE AND SETTLEMENT OF DISPUTES**

**1 Notification of Office Bearers and Committee Members of Union**

The Union shall within fourteen (14) days of the holding of its Biennial or Annual Elections of Office-Bearers notify the Permanent Secretaries of the Public Service Ministry and the respective Ministries, of the names of members of the Executive and General Council and the Officers of the Branches in respect of which they have been elected to serve.

Any changes that may be made from time to time in the holders of the various posts in the Union and its Branches shall be notified to the Permanent Secretaries concerned and copied to the Permanent Secretary, Public Service Ministry as soon as possible, thereafter.

**2 Notification of Personnel of Grievance Committee**

The Union shall notify the Permanent Secretary of the Public Service Ministry and all Permanent Secretaries, of the composition of the Grievance Committees of the Union and its Branches. Any changes in the personnel of these Committees shall be notified to the respective Permanent Secretaries and the Permanent Secretary, Public Service Ministry, as soon as possible, but in any event, not less than seven (7) days prior to the new personnel participating in any representations to the particular Ministry.

**3 Representation Procedure**

When any question relating to conditions of service, excluding matters which fall under the purview of the Public Service Commission, which may give rise to a dispute, is raised by or on behalf of any member of the Union the following procedure shall be observed:—

**Stage I**

A member, individually or accompanied by not more than one, or in the case of group representation not more than two members of the Branch Grievance

## APPENDIX Q 1 (Cont'd)

Committee, may approach the Supervisor/Sectional Head in the first instance with a view to avoiding a dispute or settling a matter in dispute. The Supervisor/Sectional Head shall endeavour to do all he possibly can to effect a satisfactory settlement within two (2) working days.

### Stage II

Failing a settlement at Stage I the member and/or his Branch Grievance Committee may approach the Head of the Personnel Unit of the particular Ministry/Department for a settlement. The Head of the Personnel Unit shall endeavour to meet the member and/or his Branch Grievance Committee as early as possible, but within two (2) working days in an effort to effect a settlement.

### Stage III

Failing a settlement at Stage II, the Branch Secretary and/or the General Secretary of the Union may request, in writing, a meeting with the Permanent Secretary/Department Head who shall endeavour to hold such a meeting as soon as possible, but within five (5) working days in an effort to bring about a satisfactory settlement of the matter.

### Stage IV

Failing a settlement at Stage III, the Grievance Committee of the Union may then refer the matter to the Permanent Secretary of the Public Service Ministry in writing. The Permanent Secretary, Public Service Ministry shall endeavour to meet the Grievance Committee of the Union as soon as possible, but within two weeks, for the purpose of discussing the matter or matters in dispute, and shall endeavour to effect a satisfactory settlement with all despatch.

### Stage V

Failing a settlement at Stage IV, the matter may be referred by either side within fourteen (14) working days to the Ministry of Labour for conciliation.

### Stage VI

Failing settlement at Stage V, the matter may be referred by either side within fourteen (14) days to arbitration. The Arbitration Panel shall consist of one member nominated by the Public Service Ministry, one member nominated by the Union and a Chairman agreed upon by the Public Service Ministry and Union. In the event of the parties failing to reach agreement, the Chairman shall be nominated by the Minister of Labour. Any award by the Tribunal shall be final and binding.

- 4 During the stages of negotiations outlined in the representation procedure set out in Clause 3 above, there shall be no lockout by the Ministry concerned nor any strike, stoppage of work whether of a partial or a general

## APPENDIX Q 1 (Cont'd)

character by the Union, refusal to work, slow down or retarding of production on the part of the Union, nor shall there be any reduction of the normal level of output by the members of the Union.

- 5 During a dispute or stoppage of work, the Union shall make every effort to prevent the intimidation of employees who are willing to work.

6 **General Question**

Either the Public Service Ministry or the Public Service Union may request a joint Conference between the representatives of the Union and the Public Service Ministry to discuss any matter affecting the general conditions of employment (including rates of pay) which is not being dealt with under Clause 3, and which in the opinion of the parties is of sufficient importance to be dealt with under this Clause; and such Conference shall be held without unreasonable delay.

7 **General Policy**

On matters of general policy the Executive Council of the Union shall have the right to meet the Permanent Secretary of the Public Service Ministry within ten (10) days of receipt of a request in writing for such a meeting. None of the above clauses shall be interpreted to preclude the right of either the Ministry or the Union to make use of any existing or future national arbitral or other industrial machinery that may be legally established from time to time.



**SECTION R — MISCELLANEOUS**

SECTION R  
MISCELLANEOUS

- R 1      Honorarium for work in special cases
- R 2      Cost of legal assistance to Public Servants charged with criminal offences arising out of the performance of their official duties
- R 3      Payment of salaries/wages while on attachment to Guyana National Service/Developers' Course
- R 4      Guarantee for Payment of Hospital Expenses
- R 5      Accommodation at Regional Rest/Guest Houses when travelling on official duty
- R 6      Compensation for loss of or damage to private property in special cases

Handwritten notes and markings:

- A circled "3" with a checkmark.
- A circled "13" with a checkmark.
- Handwritten numbers "25" and "13" above the circled "13".
- A small "29" written below the circled "3".

## SECTION R MISCELLANEOUS

### Honorarium for work in special cases

- R1 A Public Servant who is required to undertake additional work involving both special duties or responsibilities and considerable work outside of official hours and who is not normally eligible for payment of overtime may, with the approval of the Permanent Secretary, Public Service Ministry, be granted an honorarium.

### Cost of legal assistance to Public Servants charged with criminal offences arising out of the performance of their official duties

- R2 (1) The reimbursement of legal expenses to Public Servants charged with criminal offences arising out of the performance of their official duties is subject to the approval of the Solicitor General.
- (2) Government will only consider reimbursing a Public Servant with the reasonable costs incurred by him/her in his/her defence in any such case after the trial has been completed. Reimbursement of such expenses will normally be allowed only in cases where the defendant was free of blame and was acquitted.

### Payment of salaries/wages while on attachment to Guyana National Service/Developers' Course

- R3 (1) During periods of attachment to the Pioneer Corps, Guyana National Service or Developers' Course, Public Servants shall continue to be paid their salaries/wages by the Ministries/Departments/Regions in which they had been employed immediately prior to such attachment.
- (2) Public Servants sponsored by Government who are pursuing part-time Diploma courses at the University of Guyana shall, whilst performing their required National Service continue to be paid, in addition to their salaries/wages as per paragraph (1), acting, responsibility and fixed commuted travelling allowances, if they were in receipt of such immediately prior to proceeding on National Service.

### Guarantee for payment of Hospital Expenses

- R4 The guarantee to be given by Public Servants for payment of hospital expenses by deductions from their salaries/wages must be certified by their Permanent Secretary/Head of Department/Regional Executive Officer or other duly authorised officer as follows:

"This certifies that Cde. ....  
is employed by this Ministry/Department/Region, and deductions from his/her salary/wages requested by the Hospital Administrator/Permanent Secretary, Ministry of Health in settlement of his/her account will be made".

.....  
Permanent Secretary/Head of  
Department/Regional Executive Officer

### Accommodation at Regional Rest/Guest Houses when travelling on official duty

- R5 (1) Public Servants travelling within Guyana in the performance of their official duties which necessitate their sleeping away from home are required to utilise the facilities provided at Regional Rest/Guest Houses. Where such accommodation cannot be provided, Public Servants may seek accommodation at hotels or private residences. Claims for actual reasonable expenses for meals and lodging may be approved by Permanent Secretaries/Heads of Departments/Regional Executive Officers in terms of Rule J22.
- (2) Public Servants accommodated at Regional Rest/Guest Houses are expected to comply with all the rules relating to their operation. Failure to do so may result in disciplinary action being taken against the employee(s) concerned.

### Compensation for loss of or damage to private property in special cases

- R6 (1) As insurance of personal effects is possible, Public Servants will not normally be entitled to compensation for loss of or damage to private property through fire, theft or otherwise. Cases of loss or damage arising through special circumstances will be considered on their merits by the Permanent Secretary, Public Service Ministry, but even if compensation is granted, it will, as a rule, be given only in respect of articles actually or conventionally necessary at the time and place of the loss when it occurred.
- (2) In representing such matter to the Public Service Ministry, Permanent Secretaries/Heads of Departments/Regional Executive Officers shall submit the following:

- (a) a list of the articles for which compensation is claimed and the circumstances surrounding the loss or damage. Statements from two eye-witnesses should be attached, if possible; and
- (b) bill(s)/receipt(s) stating the original cost and the date(s) of purchase of the article(s) or in the event of the unavailability of such document(s), an honour certificate with the foregoing information, endorsed by two senior Public Servants.

