

In case of reply the number and date of this letter should be quoted



ATTORNEY-GENERAL'S DEPARTMENT
P.O. Box MB. 60
Accra

28TH FEBRUARY, 2000

My Ref No. SI-1/95

Your Ref No.

REPUBLIC OF GHANA

Date:

**THE RT. HON. MR. JUSTICE F.D. ANNAN,
SPEAKER OF PARLIAMENT,
CHAIRMAN,
PARLIAMENTARY SERVICE BOARD,
PARLIAMENT HOUSE,
ACCRA.**



Dear Speaker,

**PARLIAMENTARY SERVICE (STAFF) REGULATIONS 1995
(C.I. 11)**

Please find attached, a revised version of the Parliamentary Service (Staff) Regulations.

In carrying out the revision a few changes, not affecting substance, have been made to which your attention is now drawn:

- (a) the negative form of the legislative sentence has been done away with where possible and the positive form used;
- (b) gender neutral drafting has been introduced;
- (c) where appropriate sentences have been shortened;
- (d) in the Regulations, such as regulations 16, 20, 21 or 43, the terms "employee", "member of staff" and "officer" have been used in the original. There does not appear to be any coherent system or particular significance in the use of the three different words to mean the same thing. In order not to depart too much from the wording of the Regulations "employee" has been retained in most cases but "officer" and "member of staff" have been eliminated in some instances. It is suggested that for consistency, "employee" should be used

KENYA NATIONAL ASSEMBLY

Accession: 10014174

Call No: 328/GHA.



throughout the Regulations as there is no definition of any of those terms and the term "employee" is predominantly used in the Regulations;

- (e) in regulation 20 subregulations (9) and (11) of the original Regulations, the use of the discretionary "may" in the context is illogical. It should be "shall". This is reflected in the present draft in subregulations (10) and (12);
- (f) in regulations 22 and 23, the expression "conviction for an offence involving dishonesty" is used. It cannot be both a mere misconduct and a gross misconduct. It should be removed from one of the regulations. But which one?
- (g) *view* In regulation 27, "proceedings" has been substituted in *view* of *autrefois acquit* for "charge" where the word "charge" last appears;
- (h) regulation 28: Why should an employee who has been convicted of an offence involving dishonesty or sentenced to imprisonment for an offence against the Service not "be dismissed from the date of conviction"? The "not" is inconsistent with the intendment of the regulation. It should be deleted;
- (i) three categories of misconduct are specified under regulations 22, 23 and 24 – misconduct, minor misconduct and gross misconduct. Regulation 25 deals with gross misconduct. What is the sanction for a misconduct? And what do we do under regulation 35 for a misconduct?

- (j) Regulation 41(4) refers to "or petition" made to the Board. Nowhere else in that regulation is a reference made to a petition. The presence of the expression "or petition" is thus incongruous and should be removed. Petitions are dealt with in Part III.
- (k) According to regulation 42, a petition includes an appeal against a decision of an officer superior to the petitioner. So, for the purposes of Part III, there is no distinction between an appeal and a petition. This is introducing an unnecessary confusion. Would an appeal against a disciplinary decision be considered as a petition?

Sub-regulation (1) also refers to "officer". Sub-regulation (2) refers to "member of staff". It would be better for the sake of consistency to keep to "member of staff" or better still "employee". There is no objection to the use of "reporting officer" or "receiving officer". That distinction within the context is desirable. It is desirable that regulation 42(1) of the original Regulations be omitted. Its omission will not affect the substance of regulation 42 as a whole. Let us keep petitions to administrative matters and give to appeals their rightful significance as regards disciplinary proceedings and court actions.

In the original regulation 42(14) reference is made to "Service Regulations" which Service Regulations? If the reference is to the present Regulations then the reference should be to "these Regulations".

- (l) Are there employees of the Service who are not Ghanaians? Is the use of the word "Ghanaian" not an anachronism in regulation 44(10)? Should it be retained?

Back again to one old question: Is there a real distinction between "an employee" of the Service and "a member of staff" of the Service? Regulation 44 uses all three terms: "employee", "member of staff", "officer". We shall stick to "employee". It is neater;

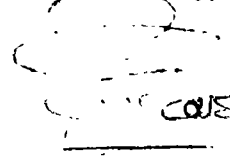
- (m) Is the expression, "Acting allowance" in regulation 51(2) appropriate? The reference is obviously to the appointment not to the allowance which then carries an allowing!
- (n) Why the reference to "the Service of the Council" in regulation 76(2). Which Council is that? The reference is omitted in the attached Regulations.

One last comment. The original Regulations appear to have been issued pursuant to a power granted by section 18 of the Parliamentary Service Act 1993 (Act 460). A look at article 124(5) of the Constitution indicates that the enabling power is conferred by the Constitution and not the Act.

I shall be most grateful for your observations on our comments – or perhaps call me up for discussions?

Warmest regards.

Yours sincerely,



**V.C.R.A.C. CRABBE
COMMISSIONER
STATUTE LAW REVISION**

PARLIAMENTARY SERVICE (STAFF) REGULATIONS, 1995

*(Issued Under Section 18 of the Parliamentary Service Act, 1993 (Act 460)
by Virtue of Article 124 (5))*

PART I – POSTS AND ENTERING THE SERVICE

Creation of Posts

1. (1) The Parliamentary Service Board shall determine and designate all posts in the Service as and when they become necessary.

(2) Where the Clerk considers it necessary that a new post shall be created or an increase in number in an existing post is necessary, the Clerk shall submit to the Board an application for that purpose.

(3) An application made under sub-regulation (2) shall provide the following particulars:

- (a) the title of the post;
- (b) the number of posts to be created, or the number of additional posts to be created if the post is already in existence;
- (c) the salary or salary scale attached or to be attached to the post;
- (d) the reason for the creation of the post or for the increase in the establishment;
- (e) if it is a new post, a statement of the duties and the minimum qualifications required for appointment into the post; and
- (f) whether funds are available for the creation and filling of the post.

Appointing authority

2. The authority to appoint, promote and discipline a [member of staff] of the Service is vested in the Board.

Reporting of vacancies

3. The Clerk shall report a vacancy to the Speaker within one month of the occurrence of the vacancy.

Qualification of candidates

4. (1) Subject to sub-regulation (2), a person who does not possess the prescribed minimum qualifications, or requisite experience, or both, approved for a post shall not be appointed, or in the case of a serving [officer], be promoted to that post.

(2) Where a serving [officer] has, by virtue of the experience and duties of that officer, acquired sufficient knowledge and skill, that officer may in exceptional circumstances be promoted, notwithstanding the lack of the minimum qualifications provided in the Scheme of Service for that post.

Method of filling vacancies

5. (1) Vacancies shall normally be advertised in the national newspapers and the [Government] *Gazette* unless the Board considers that there is a serving officer qualified for the post.

(2) Where an advertisement is made pursuant to sub-regulation (1), the advertisement shall state

- (a) the designation of the post;
- (b) the duties attached to the post;
- (c) the minimum qualifications required for entry into the post;
- (d) the salary or salary scale attached to the post; and
- (e) the last date for receipt of applications.

3) As soon as possible after the receipt of applications for appointment, the Clerk shall cause to be prepared a short list of the candidates who prima facie qualify for appointment to the post, and submit the list to the Board.

Selection Committee

6. (1) On receipt of the short list, the Board or the chairman acting in that behalf shall, as soon as possible, appoint a Selection Committee to interview the candidates on the short list and to submit to the Board a recommendation as to which of the candidates in the Committee's opinion may be appointed to fill the vacancy in the post.

(2) Notwithstanding sub-regulation (1), the Board may conduct the interview itself and select the candidates.

Appointment of convicted persons.

7. A person who has been convicted of an offence involving dishonesty or fraud or who has been dismissed from public service because of dishonesty or fraud shall not be appointed to a post in the Service.

Full-time appointment

8. Except where otherwise specifically stated, all appointments in the Service shall be full-time and additional remuneration for activities outside the scope of the appointment may only be accepted with the permission of the Clerk.

Contract appointment

9. (1) An appointment on contract may be made by the Board to posts in the Service as determined by the Board but a contract employment shall not operate against the promotion of a serving employee.

(2) A contract appointment shall not exceed two years in the first instance.

Acting appointments

10. (1) Where an employee is assigned temporarily by the Board in writing to a post higher than the substantive post of that employee the assignment shall be known as an acting appointment.

(2) An employee shall not be required to act in a post two grades or more higher than the substantive post of that employee.

(3) The Board may exclude the application of this regulation to any class of posts.

Letter of appointment

11. A letter of appointment shall explain in detail the terms on which the appointment is offered and also request the applicant to indicate acceptance or otherwise of the appointment if necessary within a time specified in the letter of appointment.

Medical examination

12. Appointment to a post in the Service other than contract appointment is subject to evidence of satisfactory health on a medical certificate issued from a government hospital or clinic and received by the Clerk on behalf of the Board.

Declaration of personal records

13. (1) On first appointment an employee shall give personal particulars on the Standard Form which shall be inserted in the personal file of that employee.

(2) The particulars under sub-regulation (1) shall include

- (a) the true age of the employee verified by a birth certificate where available;
- (b) the home town of the employee;
- (c) whether the employee has previously been employed by any other institution or by the Government of Ghana and if so, why the employee left that employment;
- (d) whether the employee has ever been convicted of a criminal offence;
- (e) the name of the employee's spouse;

- (f) the name and address of the employee's next of kin;
- (g) the names of the parents of the employee;
- (h) the names of children of the employee.

(2) The concealment of any of these facts or any intentional false statement constitutes sufficient grounds for non-employment or for subsequent termination of employment.

Effective date of appointments

14. The effective date of an appointment of a person to a post in the Service shall, unless the Board otherwise directs,

- (a) be the date of the assumption of duty in the Service in the case of a person recruited from outside the Service; or
- (b) in the case of a serving employee, be the first day of the month next following the date of the decision of the Board to appoint that serving employee except where the date of the decision is the first day of month in which case it shall be that date.

Probation period

15. (1) A newly appointed person shall serve a probation period of one year unless the Board, on the advice of the Clerk, reduces it; however a reduction shall not exceed three months, and in case of reduction, an increment shall not be granted after the first twelve months of service.

(2) Three months before the expiry of the probationary period, the Board shall consider whether on the expiry of the probationary period the appointment should be confirmed or a further probationary period not exceeding six months should be served or the employee's appointment should be terminated and take action accordingly.

(3) The Board may, at any time, and for a good reason made known to the employee where possible, terminate the appointment of an employee who is on probation.

- (4) Where the termination is not due to misconduct the employee
 - (a) shall receive three calendar months' notice or three months pay in lieu of notice, and
 - (b) shall be granted earned leave and be paid the normal transport allowance to the home town of the employee.

Salaries and increment

16. (1) The Board shall lay down the terms and conditions of service which shall include the salary structure, and the scheme of service applicable to posts in the Service.

(2) Salaries paid to employees shall be in accordance with the salary scales approved for the Service.

(3) Where an employee is wrongly graded or placed on a wrong point on a salary scale, the Clerk shall cause the error to be corrected as soon as practicable, and the arrears that may be due to the employee shall be paid to that employee.

(4) Where there has been an overpayment, the Clerk may, take reasonable steps to recover the amount.

(5) Annual increment shall be granted to an employee up to the end of the appropriate scale provided the employee has not been advised in writing two months before the end of the salary year that the increment would be withheld for stated reasons.

(6) An employee who has completed twelve months continuous satisfactory service shall be eligible for annual salary increment.

Seniority

17. Seniority among employees under the same salary conditions may be determined by the effective dates of appointment to their current posts; but

- (a) if the dates coincide in the case of appointment on promotion, then seniority may be determined by the effective dates of their previous appointments;

- (b) if the dates of their previous appointments coincide then by their dates of births;
- (c) if their dates of birth coincide then by the alphabetical order of the surnames.

Promotions

18. (1) Promotions shall not be made as a matter of course but strictly on merit.

(2) In considering a promotion, the following factors shall be taken into account:

- (a) efficiency;
- (b) requisite qualifications;
- (c) seniority;
- (d) experience;
- (e) sense of responsibility;
- (f) initiative;
- (g) power of leadership;
- (h) power of expression;
- (i) relations with staff;
- (j) co-operation with members of administration;
- (k) general attitude to work of the Service, that is, resourcefulness, willingness to undertake other assignments in times of crisis, quality of independent action in taking decision, power of leadership; and
- (l) general conduct.

Annual appraisal report

19. (1) The reporting officer shall submit in respect of each employee an annual report which shall be discussed with that employee before submission.

(2) The employee concerned shall be permitted to read and comment in writing on the report.

(3) An appraisal form for the Service shall be provided for this purpose.

PART II – CODE OF CONDUCT AND DISCIPLINARY MATTERS

Code of conduct

20. (1) An employee shall show loyalty to the State, Parliament and the Service.

(2) An employee shall discharge diligently all duties and tasks allocated to that employee with the aim of achieving the objectives of the Service as a whole.

(3) In the course of the discharge of the duties of office, an employee

(a) shall not receive presents in any form which may have the effect of influencing the decisions of that employee;

(b) shall not receive any compensation or reward for the performance of an official duty;

(c) may not give a present to any other employee which may influence that other employee in matters in which that employee is interested.

(4) This regulation on code of conduct applies not only to the individual and friends but also to the dependants and family and the employee will be held responsible for its observance by the dependants and family of the employee.

- (5) An employee of staff shall not
- (a) employ for private purposes, the services of other government officers or employees during hours of duty;
 - (b) make use of materials, stores or apparatus which are the property of the State, except with the approval of the head of the department.
- (6) A service which may involve the use of government property may be rendered by an employee within the official working hours for the convenience of members of the public including any other employee, in return for a charge to be paid into the Consolidated Fund.
- (7) An employee shall not act as agent for a member of the public or receive a payment from public funds on behalf of a member of the public.
- (8) An employee shall not engage in business or a commercial undertaking and on appointment shall declare to the Board the interest of the employee in any business or commercial undertaking.
- (9) Where after appointment and in the course of duty an employee wishes to undertake any business, that employee shall first obtain clearance from the Clerk.
- (10) An employee shall not leave the office during office hours without permission; and an employee leaving the office shall inform a responsible officer where that employee can be located for recall in an emergency.
- (11) An employee who is absent from duty on grounds of ill-health without being certified by a medical officer as unfit for duty is liable to be regarded as absent without leave and appropriate disciplinary action may be taken against that employee.
- (12) An employee shall not leave Ghana without permission from the Clerk.

(13) Official correspondence or records or copies of them shall not be shown or produced or communicated to a person not entitled to the disclosure without the express authorisation from the head of department.

(14) Where in the opinion of an employee the contents of any correspondence or records are prejudicial to the interests of the Service and the people of Ghana, that employee shall draw the attention of the Clerk to them; and the Clerk shall study the records involved and initiate the appropriate action.

Oath of Secrecy

21. An employee shall subscribe to the Oath of Secrecy as provided in Schedule 1.

Discipline

22. An act amounting to any of the following offences constitutes misconduct:

- (a) failure or refusal to perform a lawful duty;
- (b) contravention of standing instructions;
- (c) disobedience;
- (d) dishonesty, for example, stealing, fraud, forgery, receiving of stolen property;
- [(e) conviction for an offence involving dishonesty;]
- (f) falsehood;
- (g) drunkenness on duty;
- (h) insubordination;
- (i) dereliction of duty;
- (j) absence without leave;
- (k) use of the Service's property without permission.

Gross misconduct

23. An act involving any of the following offences constitutes an act of gross misconduct:

- (a) insubordination;
- (b) dishonesty;
- (c) dereliction of duty;
- [(d) conviction for an offence involving dishonesty;]
- (e) repetition of a minor misconduct for which an employee has been found guilty on more than three previous occasions within a year;
- (f) breach of declaration of secrecy.

Minor misconduct

24. An act committed by an employee and amounting to any of the offences referred to in regulation 22 but not included in the offences referred to in regulation 23 shall be considered to be an act amounting to a minor misconduct.

Major and minor penalties

25. The following are the penalties which may be imposed in disciplinary proceedings:

- (a) for gross misconduct,
 - (i) dismissal; or
 - (ii) termination of appointment; or
 - (iii) reduction in grade, but the Board may impose any of the penalties prescribed by paragraph (b) of this regulation for a first offence;

- (b) for minor misconduct,
 - (i) deferment of increment;
 - (ii) stoppage of increment;
 - (iii) suspension from duty with loss of pay;or
 - (iii) reprimand or warning.

Criminal prosecution

26. Where criminal proceedings are pending, disciplinary action shall be suspended but the employee concerned may be interdicted by the Board.

Disciplinary action after acquittal

27. The acquittal of an employee of a criminal charge shall not by itself prevent the employee from being punished under these Regulations, unless the issue raised in the charge in the disciplinary proceedings is in substance the same as that raised and resolved in the court or tribunal in the criminal proceedings.

Conviction for dishonest offence

28. An employee convicted of an offence involving dishonesty or sentenced to imprisonment for an offence against the Service shall [not] be dismissed from the date of conviction.

Non-payment of salary on conviction

29. An employee convicted of an offence involving dishonesty or sentenced to imprisonment for an offence against the Service shall not be paid any emoluments from the date of the judgment pending the decision of the Board.

Interdiction or suspension

30. (1) Where, subject to this Part, the Board considers that the interests of the Service requires that an employee should cease immediately to perform the duties of office, the Board may either interdict or suspend the employee in exceptional circumstances from duty if proceedings for a suspected gross misconduct are being taken or if criminal proceedings are being instituted against that employee.

(2) Where, in the opinion of the Clerk, a period of forty-eight hours will elapse before the decision of the Board is received, the Clerk may order an interdiction or suspension with loss of pay and report the facts immediately to the Board stating the reasons for the action taken and the Board may ratify the order or cancel the order of the Clerk.

Payment of salary on interdiction

31. An employee interdicted from duty under regulation 30 shall, with effect from the date of the interdiction and subject to sub-regulation (2) of regulation 30, be paid fifty per cent of the salary to which the employee is entitled after all deductions have been made from it.

Payment of forfeited portion of salary

32. Where an employee who has been interdicted or suspended

- (a) is acquitted of the charges, and
- (b) is not dismissed as a result of disciplinary proceedings against that employee,

the portion of the salary withheld shall be paid to that employee.

Absence without leave

33. (1) Subject to sub-regulation (2), an employee who is absent from duty without permission or reasonable cause shall forfeit pay for the period during which the employee is absent.

(2) In addition to the penalty prescribed under sub-regulation (1), but without prejudice to the taking of disciplinary proceedings in respect of absence from duty without permission or reasonable cause, where an employee is absent from duty without permission or reasonable cause for a period exceeding ten consecutive working days the employee may be considered to have vacated post and the Board may declare that post vacant.

Penalties involving increment

34. (1) An employee's increment may be suspended, withheld, stopped or deferred as a penalty for a minor misconduct of which the employee has been found guilty.

(2) Withholding or stopping of an increment means stopping payment of increment for a specified period and does not affect an incremental date.

(3) Suspension of an increment means the stopping of payment of an increment pending the outcome of some disciplinary or criminal proceedings, or other enquiry which may result in the withholding or deferment of an increment.

(4) Where at the end of any disciplinary proceedings or enquiry the Board is satisfied that a case has not been made justifying the withholding or deferment of the increment, the Board shall restore the increment with effect from the date of its suspension.

(5) Deferment of an increment means the changing of the incremental date and it is the severest of the three forms of penalties concerning increment. For instance, if an employee's increment is deferred from 1st April to 1st October, the penalty implies that the employee shall not receive an increment for the six months from 1st April to 30th September and that the new incremental date shall be 1st October.

(6) Notwithstanding anything contained in this regulation, the imposition of a penalty withholding or stopping, suspension or deferment of an increment or its restoration shall be notified to the employee concerned and to the accountant responsible for the payment of the employee's salary.

Disciplinary proceedings

35. (1) Formal disciplinary proceedings shall be instituted in all cases of gross misconduct.

(2) Summary proceedings shall be instituted in all cases of minor misconduct.

Procedure for formal proceedings

36. In all formal proceedings,

- (a) the Board shall cause a preliminary enquiry to be held into the conduct of the employee during which the employee shall be called upon to be heard;
- (b) after the preliminary enquiry, the Board shall, if it decides that the employee should be charged with an offence, frame charges against the employee and appoint as an enquiry officer a senior employee, who is of a grade higher than the grade of the employee to hold an enquiry into the charge, but where there is no competent senior employee to serve as enquiry officer the Board may appoint one of its members to serve as enquiry officer under this Regulation;
- (c) documentary evidence shall not be introduced during the proceedings of the disciplinary enquiry, unless the employee has been given a reasonable opportunity before to study the contents of the document; and if in the course of the enquiry fresh documents are introduced in evidence, the enquiry shall be adjourned to allow either the accused employee, or the enquiry officer to study the document;
- (d) where an employee pleads guilty to an offence under these Regulations, the enquiry officer shall record the plea of guilty and report to the Board;

- (e) the employee shall be permitted to be present at the enquiry, and is entitled to be heard in defence, and if absent without reasonable excuse, then at the discretion of the enquiry officer, the enquiry may proceed without the employee.
- (f) the employee shall be allowed to tender any document in defence, cross-examine witnesses and call witnesses for the defence and the enquiry officer shall, so far as practicable, also make available to the employee any requested relevant official document at any stage of the proceedings;
- (g) the enquiry officer shall not be bound to make available to the employee a document which that officer considers to be confidential or restricted;
- (h) full record of the evidence shall be kept in writing;
- (i) on completion of the enquiry, the enquiry officer shall submit to the Board a record of the evidence including the documents tendered in evidence and the findings of the enquiry as to whether the charge has been proved, together with a brief statement of the reasons for the findings;
- (j) on receipt of the report of the enquiry officer the Board shall consider the findings, and if is satisfied that the charge is established it shall, subject to regulation 25, decide what penalty should be imposed;
- (k) the Board shall, as soon as practicable cause the employee to be informed in writing as to whether the charge is established, and what penalty has been imposed;
- (l) if found guilty, the employee shall be informed of the right of appeal under regulation 41.

Summary proceedings

37. (1) Where the Board decides to institute disciplinary proceedings against an employee for a minor offence, the Board shall cause a written statement of the charge to be served on the employee who shall be called upon to answer the charge in writing.

(2) Upon submission by the employee of the reply to the charge, the Board may then take a decision on the matter, subject to regulation 25.

(3) If in the course of or on completion of a case involving a minor offence the Board is of the view that a major penalty may have to be imposed, the Board shall at once suspend the summary proceedings and cause formal proceedings to be instituted against the employee in accordance with regulation 36.

Criminal conviction of employee for other offences

38. (1) If an employee is charged by the police with an offence involving dishonesty committed against a person or an organisation other than the Service, the Board shall, on being informed of the matter by any other competent authority or person, interdict the employee in accordance with regulation 30.

(2) When an employee is charged by the police with a criminal offence other than one of a dishonest nature, the Board shall, on being informed of it, and subject to regulation 28, consider the circumstances of the alleged offence and if satisfied that the alleged offence is likely to bring disrepute to the Service interdict the employee.

(3) If convicted of the charge, in the circumstances stated in sub-regulation (1), the employee shall be dismissed summarily by the Board with effect from the date of the conviction.

(4) If at the time of conviction of the charge in the circumstances stated in sub-regulation (2), the employee is on interdiction, the Board shall, subject to regulations 28 and 29, cause the employee to be called upon in writing to give reasons for continuing in the Service or otherwise punished for having brought the Service into disrepute, and the employee shall reply within fourteen days of the receipt of the notice.

(5) If an employee who has been directed under sub-regulation (4) to give reasons does not reply by the date specified, the Board may assume that the employee has no representations to make.

(6) Subject to regulation 28, if an employee convicted of an offence referred to in sub-regulation (2) is not already on interdiction, the Board shall, subject to regulation 29, address to the employee a letter of reprimand in serious terms and containing a warning that a repetition of the offence may earn the employee a more severe punishment, but where the employee is sentenced to imprisonment or is sentenced to imprisonment as an alternative to a fine and has elected to serve the imprisonment, the employee shall be dismissed.

(7) On receipt of an employee's reply in answer to a direction under sub-regulation (4), the Board may, subject to regulation 25, impose the appropriate penalty prescribed by that regulation.

(8) Notwithstanding anything contained in this regulation, the Board shall, after conviction of an employee, suspend further action of the matter where the employee has given notice of appeal.

(9) Where notice of appeal of a conviction is given an employee who is on interdiction, shall continue to remain on interdiction until the appeal is disposed of, and if the appeal authority upholds the conviction, the Board shall proceed in accordance with sub-regulation (3) or (4) of this regulation.

(10) If an employee is acquitted of the charges either at first instance or on an appeal the Board shall proceed in accordance with the procedure provided in regulation 27.

Private use of Service property

39. Subject to these Regulations an employee shall not make private use of a property of the Service unless otherwise authorised by a competent authority.

Private business

40. (1) An employee shall not without permission in writing of the Board carry on a private business for reward.

(2) An employee shall not carry on or engage in an activity which the Board has declared to be contrary to the interests of the Service.

Appeals against disciplinary decisions

41. (1) An employee who is dissatisfied with a disciplinary decision taken against that employee may, subject to this regulation, appeal against the decision to the Board within twenty-eight working days after the decision has been communicated to that employee, unless the Board extends the time for appeal.

(2) Where an appeal is lodged under sub-regulation (1), the Board shall appoint a committee consisting of at least three members, excluding the complainant, if a member of the Board, for a review of its previous decision.

(3) Only one appeal may be made under this regulation and fresh evidence may be heard on the appeal if this includes material which if it had been produced at the hearing could have affected the decision.

(4) After considering an appeal [or petition] the Board may confirm, reverse or modify the decision appealed [or petitioned] against.

PART III – PETITIONS

Petitions

42. [(1) A petition includes an appeal against a decision of an officer superior to the petitioner.]

(1) An employee who is aggrieved by an administrative matter may petition the head of department of that employee.

(2) A petition shall be submitted through the petitioner's immediate superior who shall on receipt, promptly acknowledge receipt.

(3) The petition shall be forwarded immediately by the receiving officer to the Clerk with a report indicating

(a) the material allegations made in the petition, and the redress asked for;

- (b) the actual facts of the case as ascertained by the reporting officer ; and
- (c) reference to any previous and connected petitions of which the petitioner has knowledge.

(5) The reporting officer may comment in writing on the subject matter of the petition, and shall conclude with a recommendation of the answer which should be given to the petitioner.

(6) Where a petition is adjudged frivolous or without adequate grounds the petitioner may be so informed officially and the fact may be recorded in the Service Record Card of the petitioner.

(7) A petition submitted otherwise than in accordance with this regulation shall be returned to the petitioner.

(8) Copies of a petition sent direct to the appointing authority shall be treated as having been sent for information only.

(9) Where a petitioner has previously been in government service and where the substance of the petition refers to that service, the petitioner shall comply with the rules applicable to serving officers.

(10) A petition shall bear the signature and the address of the petitioner and when written by a person other than the petitioner, the petition shall bear the signature and address of the writer.

(11) A petition submitted on behalf of another person shall not be entertained unless the writer attaches to the petition the authority upon which the petition is written on behalf of the petitioner.

(12) A petition which

- (a) does not comply with the instructions of the Service on petitions, or
- (b) deals with cases in which legal proceedings are pending, or
- (c) is illegible, unintelligible or worded in abusive or improper language,

Is liable to be returned by the officer to whom it is first submitted.

(13) A petitioner dissatisfied with the decision of the head of department or section may petition the Clerk.

(14) The petitioner may further petition the Board

(a) if dissatisfied with the decision of the Clerk, or

(b) if the Clerk is the subject matter of the petition.

(15) Where the petition is in respect of an appeal against an order made in disciplinary proceedings by the Clerk or an officer exercising powers of disciplinary control, the petition shall be submitted within the time limit prescribed in the [Service Regulations.]

(16) A petition shall not be entertained if

(a) the petitioner has unreasonably delayed its submission, or

(b) a previous petition to the same authority has been rejected, unless the second petition is submitted within a year of that decision and shows new and material facts, and gives adequate reasons for their absence from the first petition.

PART IV – HOURS OF DUTY, VACATION, LEAVE AND TRAINING

Hours of Work

43. (1) The hours of duty of employees in the Service shall be determined by the Board except that an employee shall work for a minimum of thirty-five and a maximum of forty-five hours a week.

(2) Except where regulated by statute or where permission has been given by the Board, the hours of attendance at office are,

Monday to Friday	8.00 a.m.	-	12.30 p.m.
	1.30 p.m.	-	5.00 p.m.

(3) An attendance register shall be kept in every department.

(4) Subject to sub-regulation (6) an employee shall enter that employee's name on a daily basis and shall place against it the hour of arrival and departure from the office.

(5) The attendance register shall be examined and initialled weekly by an officer delegated by the head of department.

(6) The Clerk shall direct the grade of employee to which sub-regulations (3), (4) and (5) shall apply.

Annual vacation leave

44. (1) Employees in the Service are entitled to vacation leave in respect of each calendar year as provided in the Schedule 2.

(2) Permission to go on vacation leave is subject to the exigencies of the Service and does not include Saturdays, Sundays or public holidays.

(3) Vacation leave shall not be commuted for cash payment except with the permission of the Board.

(4) Vacation leave shall be granted by the Clerk who may delegate this power to specified officers.

(5) Application for vacation leave shall be made in writing and addressed to the Clerk not later than seven days prior to the day the leave is intended to commence.

(6) Subject to the exigencies of the Service, vacation leave may be taken by instalments during a leave year.

(7) An employee may be recalled to duty from vacation leave.

(8) Where an employee is recalled from vacation leave, subject to the exigencies of the Service, the remainder of the employee's leave, in the case of leave under this regulation shall be deferred to some other date during the vacation leave year or a subsequent leave year.

(9) Where an employee in the course of vacation leave voluntarily returns to duty before the expiration of that leave the employee may forfeit the remainder of the leave at the discretion of the Clerk.

(10) A [Ghanaian] employee who wishes to spend vacation leave outside Ghana at the expense of that employee shall obtain permission from the Clerk prior to departure.

(11) Where an employee is abroad either on a course, duty or conference, the Clerk may grant that employee annual vacation leave to be spent at that place if

- (a) additional expenditure is not thereby incurred on passages or allowances, and
- (b) a report which that employee concerned is required to submit will not be unduly delayed.

(12) Where an employee has spent more than the proportionate leave for which the employee is eligible the number of excess days spent shall be deducted from the employee's annual leave for the subsequent leave year irrespective of the employee's legibility for full or proportionate annual leave.

(13) An employee who, on leaving the Service has not earned sufficient vacation leave for the purposes of sub-regulation (10) shall be required to refund the salary drawn in respect of the excess period and excess days shall be treated as leave without pay.

(14) Where the vacation leave rate changes during a leave year, the amount of vacation leave for which an employee will be eligible during that leave year will be the total of the proportionate vacation leave appropriate to a completed month's service at the lower rate and the proportionate leave appropriate to a complete month's service at the higher rate.

(15) For the purposes of sub-regulation (14) and provided the service is continuous, a part of a month, to which the higher leave rate applies will count a complete month at that rate.

(16) Before going on vacation leave an employee shall notify in writing that employee's leave address to the officer in charge of personnel matters.

(17) The Clerk shall, for each year,

- (a) prepare in advance the annual vacation leave roster of all the employees of the Service, and
- (b) notify by the first of January each year, all employees of their entitlement and the dates for taking their respective vacation leave.

(18) An employee who is in the Service at the beginning of the leave year and who has not received the notification by 31st March may apply to the Clerk before 1st July indicating when the employee wants to proceed on vacation leave.

(19) An employee who joins the Service during the leave year may apply to the Clerk for leave in time for that employee to be granted all eligible leave before the end of the leave year which application shall, if possible be made one month before the officer proceeds on leave.

Casual leave and special leave

45. (1) Subject to the exigencies of the Service, casual leave of up to a maximum of ten days in each leave year may be granted to an employee at the request of the employee but the leave may only be taken after the employee has exhausted all vacation leave granted under regulation 44.

(2) Special leave on full pay may be granted by the Board to an employee for the promotion of the interests of the Service.

(3) Special leave either on full pay or otherwise may also be granted in other circumstances which the Board considers expedient.

Sick leave

46. (1) The Clerk and medical officers shall ensure that an employee is not excused from duty when it is not warranted by the state of health of the employee.

(2) An employee may be granted vacation leave on medical grounds, where the application is supported by a certificate from a medical officer.

- (3) An employee placed on sick list
 - (a) shall be regarded as absent on sick leave if, not being on vacation leave, the employee is absent from duty through ill-health duly certified and not caused by the employee's own default;
 - (b) shall take the remainder of that employee's earned leave if any and on the expiry of all vacation leave, that employee shall be regarded as being on sick leave if that employee is prevented by ill-health, duly certified, from returning to duty at the end of that employee's vacation leave.
- (4) The maximum period of sick leave, which may be granted on full salary is up to six months and half salary for another six months and any period of sick leave in excess of these periods shall be without salary.
- (5) Where the illness is not due to the fault of the employee, the period an employee is on sick leave without pay shall be reckoned for incremental purposes.
- (6) Sick leave without pay shall not constitute a break in service.
- (7) The Clerk may grant an employee sick leave up to three months on the recommendation of a medical officer.
- (8) If after the three months the employee is still unfit to resume duty, the Clerk shall request the nearest Government medical authority to convene a medical board to consider whether there is any reasonable prospect of eventual recovery or whether the employee should be invalided from the Service.
- (9) Where the medical board considers that there is a reasonable prospect of the employee's eventual recovery, it may recommend the grant of further sick leave for three months.
- (10) At the expiry of the further sick leave, the Clerk shall again request the nearest Government medical authority to convene a medical board in accordance with sub-regulation (8).

Leave without pay

47. Leave without pay may be granted at the discretion of the Board on an application made

- (a) by an employee through the Clerk, or
- (b) by the Clerk directly to the Board.

Training

48. The Board shall, upon the recommendation of the Clerk, make appropriate arrangements for the provision of the requisite training for the employees in the Service as would ensure the maintenance at all times of a high standard of efficiency.

Study leave

49. (1) Subject to regulation 48, an employee may be granted study leave by the Board, on a recommendation by the Clerk, after two years continuous service, or after any shorter continuous period, as the Board may think fit, for an approved academic or practical attachment training course in a similar organisation, or a university institution, or an approved institution within or outside Ghana.

(2) Selection for training awards shall be guided by the needs of the Service and the career development of the employee.

(3) The training awards shall specify the purposes of the award, whether they are intended

- (a) to qualify the employee for immediate promotion, if so, to what grade, or
- (b) to enhance the prospects of eventual promotion to a higher grade, and if so what grade, or
- (c) to enhance the employee's efficiency in the present grade.

(4) The timing and duration of a study leave shall depend on the exigencies of the Service and the terms and conditions including extension of time shall be spelt out by the Board at the time of the award.

- (5) An employee granted study leave or sent on a training course
- (a) shall give an undertaking before leaving for the training or course to return to the Service; and
 - (b) shall be bonded to serve the Service for at least two years immediately the study leave or training is completed; and
 - (c) shall refund all the costs borne by the Board or the Government or any award received under the sponsorship of the Board plus interest at the current bank rate at the time of the refund if the employee fails to honour the bond.

(6) An employee who travels from abroad to assume duty, after a course of not less than one year, is entitled on arrival, to ten working days resettlement leave which shall commence immediately following disembarkation.

(7) An employee should report on arrival as soon as possible to the Clerk either verbally or by telephone after disembarkation.

Financial aid or private studies

50. An employee on a course of private studies relevant to the objectives and purposes of the Service, may, at the discretion of the Board, and on the production of sufficient evidence of the studies, be given financial aid approved by the Board to enable the employee undertake and complete the course on the condition that the employee continues to remain in the employment of the Service for two years after the completion of the course.

PART V - ALLOWANCES AND ADVANCES

Acting allowance

51. (1) Acting allowance shall be paid in all cases where an employee is required to perform the duties of a higher rated position for a continuous period of not less than six weeks in an acting capacity.

(2) An acting appointment shall carry with it an allowance equal to the difference between the acting employee's salary and that of the initial point of salary scale attached to the highest post in which the employee is acting together with any other allowances and benefits attached to the higher post.

Duty allowance

52. An employee is entitled to thirty per cent of that employee's basic salary as a monthly duty allowance.

Out of Station Allowance

53. (1) A senior employee who as a result of the exigencies of the Service has to spend the night away from Parliament House shall be provided with hotel accommodation by the Service.

(2) Where accommodation is provided by virtue of sub-regulation (1), the employee is not entitled to subsistence allowance.

(3) Subject to the conditions specified in sub-regulation (1), rates payable for subsistence allowance shall be determined by the Board.

(4) For the purposes of sub-regulation (1), hotel accommodation includes the provision of bed, breakfast, lunch and dinner, excluding drinks, supported by the relevant receipts.

Outfit Warm Clothing

54. An employee proceeding overseas on official assignments in the nature of a conference, study tour, or on scholarship, is entitled to outfit or warm clothing allowance as approved by the Board.

Housing allowance

55. (1) Subject to this Part, housing allowance shall be paid to employees of the Service at the rate of twenty per cent of their gross monthly salaries.

(2) Where subsidised accommodation is provided by the Service to an employee, or where an employee is residing in a Government bungalow, housing allowance shall not be paid while that employee lives in that accommodation.

(3) An employee living in accommodation provided by the Service, shall pay rent at the rate determined by the Board.

(4) An employee living in a Government bungalow, shall pay the rent specified by the Government.

Vehicle maintenance allowance

56. An employee who uses that employee's personal vehicles for official duties shall be paid the vehicle maintenance allowance approved by the Board.

Fuel allowance

57. A senior employee who has a personal means of transport is entitled to forty gallons of fuel per month or its equivalent in cash.

Utility allowance

58. Utility allowance in respect of electricity, telephone, gas and water shall be paid to the Clerk, Deputy Clerks, Principal Assistant Clerks and Senior Assistant Clerks, and other officers in analogous grades.

Risk allowance

59. An employee shall be paid twenty per cent of basic monthly salary as risk allowance.

Commuted mileage allowance

60. (1) Where the nature of the duties of an employee with personal means of transport necessitates excessive journeys outside sixteen kilometres radius from the office, that employee is eligible for commuted mileage allowance which shall be fifty percent of the monthly car

maintenance allowance to which that employee is entitled and which shall be approved by the Board.

(2) An employee, residing outside sixteen kilometres radius is eligible for commuted mileage allowance.

(3) An employee offered accommodation by the Service within sixteen kilometres radius and who refuses it is not eligible for commuted mileage allowance.

Mileage allowance

61. An employee with means of transport shall be paid the mileage allowance approved by the Board.

Baggage allowance

62. (1) Where an entitled employee travels within Ghana by rail or road
- (a) on assumption of duty on first appointment, or on grounds of redundancy, or
 - (b) on retirement, termination or on ill-health supported by qualified medical advice, or
 - (c) on resignation after five years continuous service with the Service,

that employee shall be provided free transport by the Service or cash in lieu agreed to by the Board to the home town of the employee.

(2) Sub-regulation (1) does not apply to an employee who fails to apply for baggage allowance after three months from the date of entitlement.

Domestic servant allowance

63. The Clerk, Deputy and Principal Assistant Clerks and analogous grades are entitled to domestic servants allowance at a maximum point to scale A.15.

Overtime allowance

64. An employee who is adjudged by the Clerk to have done overtime shall be paid overtime allowance at the rates approved by the Board.

Clothing allowance

65. An employee shall receive annually a clothing allowance for the purchase of two pairs of the prescribed uniform to enable the employee maintain the dignity of Parliament.

Salary advance

66. The Clerk may, subject to ratification by the Board, grant an employee a salary advance of up to two months gross salary to be repaid, without interest, over a period of twelve months.

Advance to purchase or repair means of transport

67. (1) The Board may grant an advance to an employee to purchase a means of transport or to repair a means of transport at rates approved by the Board.

(2) The Clerk is the authority responsible for recommending advances under this regulation.

Housing loan

68. A senior employee may be granted a housing loan not exceeding thirty times the annual gross salary of that employee.

Special advance

69. (1) The Board may grant a special advance to an employee for any sufficient or appropriate reason assigned by the employee, which advance shall be interest-free and shall be recovered in twelve equal monthly instalments by way of deductions at source from the salary of that employee.

(2) The first instalment shall be deducted from the employee's salary for the month next following the date on which the special advance was given.

Limitation for advances

70. Except with the prior approval in writing of the Board, an advance shall not be made to an employee which will result in the total monthly refund by the employee of all advances exceeding forty percent of the employee's gross monthly salary.

PART VI – MEDICAL FACILITIES AND SICK LEAVE

Prevention to work by illness

71. (1) An employee who is prevented by illness from performing the duties of office shall immediately inform the head of department of the illness and report to a medical officer.

(2) The employee shall submit a medical certificate issued by the medical officer for the purposes of sub-regulation (1).

(3) An employee who wishes to obtain free medical attention for the spouse and family of the employee shall obtain a sick report form from the Clerk which shall be presented to the Medical Officer by the person seeking treatment.

(4) The Clerk or an employee authorised by the Clerk may excuse an employee from duty on grounds of ill-health for a period not exceeding forty-eight hours at any given time or not exceeding a maximum of seven days a year.

(5) Where it becomes necessary to exceed the maximum period of sick leave provided for in sub-regulation (4), the employee may be required to appear before a medical officer or a medical board, or to seek medical advice when absent from duty; and a failure to comply with the instructions to do so may be a cause for disciplinary proceedings.

(6) A medical report from a medical officer shall be issued whenever an employee is

- (a) excused from duty;
- (b) placed on light duty;
- (c) fit to resume duty;
- (d) admitted to hospital (the date when the patient should return to duty will be stated); or
- (e) required to attend hospital as an out-patient.

(7) The medical officer shall report direct under confidential cover to the appropriate head of department whether the employee is refusing or neglecting to carry out the medical advice that has been given.

(8) Documents relating to the state of health of an employee are confidential documents and shall be treated as confidential.

Medical expenses

72. (1) Free medical attention, including attention at Government assisted mission hospitals, shall be provided for the employees of the Service, trainees and their families.

(2) Government dental surgeons shall give free attendance to all employees of the Service , trainees, and to their families who require dental operations as extractions, plastic fittings, road fillings and dressings.

(3) Where a Government dental surgeon is not readily available, a claim on account of expenses incurred by an employee in respect of the fees of a private dentist in Ghana shall be paid by the Service where

- (a) the claim is supported by the certificate of a medical officer that dental attention is a matter of urgency;
- (b) a medical officer has specified the dentist whom the employee should see for treatment; and
- (c) the fees are in respect of attendance which would normally be provided free.

Refund of medical expenses incurred abroad

73. The Board in consultation with the Minister of Health may recommend the refund of medical expenses, excluding charges for maintenance, recalculated at Ghana rates, incurred by an employee outside Ghana, where

- (a) the illness was not due to the negligence or default of the employee;
- (b) the employee has shown reasonable diligence, expedition and economy in obtaining medical attention while the employee was travelling; or
- (c) the illness had arisen as a direct result of the travelling abroad of the employee.

Treatment abroad

74. Where an employee falls sick and there are not in Ghana facilities to diagnose the disease or for its proper treatment, on the recommendation of a medical board consisting of three persons two of whom are medical specialists, the employee shall be sent for treatment abroad at Government expense.

Seriously ill employees

75. (1) Where an employee is placed on the dangerously ill or seriously ill list the medical officer responsible for the patient shall immediately report the fact by the fastest means possible to the head of department.

(2) The head of department shall be responsible for informing the employee's relatives and shall duly inform the officer in charge of personnel matters in the Service.

Medical Board

76. (1) If at the end of the period of full pay for sick leave under these Regulations, the employee has not recovered and returned to duty the employee shall be granted further sick leave on half-pay.

(2) If the employee has not recovered by the end of the half-pay period, that employee shall be referred to a medical board which shall ascertain whether there is any reasonable prospect or eventual recovery or whether the employee should be invalidated from the Service.

(3) If the medical board considers there is a reasonable prospect of the employee's eventual recovery it may recommend the granting of a further sick leave for two months.

(4) At the expiry of the period of the further sick leave, the employee shall again be referred to a medical board.

(5) Further references to a medical board shall be made as appropriate until a medical board has recommended that the employee should be boarded out of the Service.

(6) The Clerk shall convey to the employee the findings of the medical board.

Maternity leave

77. (1) A female employee who has served the probation period is, on becoming pregnant, entitled to be granted three months' maternity leave on full pay.

(2) Six weeks of the three months may be taken before confinement on production of a certificate signed by an approved medical practitioner stating that the confinement is expected to take place within six weeks after the date of the certificate.

(3) Maternity leave granted under sub-regulation (1) shall be in addition to any other leave.

(4) Maternity leave shall count towards increment and retiring awards.

(5) A female employee on returning to duty after maternity leave, will be given the opportunity to go home each day after six hours of duty, for a maximum of nine months, to nurse her baby.

(6) A female employee shall not be dismissed on the ground that she is pregnant or on any other ground during the period when she is on maternity leave.

PART VII - MISCELLANEOUS PROVISIONS

Leaving the Service

78. (1) The appointment of a senior employee may be terminated
- (a) by the Board giving three months' written notice to the employee, or
 - (b) by paying the employee three months' salary in lieu of the notice, or
 - (c) by the senior employee giving the Board three month's written notice.

(2) The appointment of a junior employee may be terminated by either party giving the other one month's written notice or in the case of the Board paying to the employee one month's salary in lieu of notice.

(3) An employee on contract terms may leave the Service in accordance with the terms of the appointment.

(4) Sub-regulations (1) and (2) shall have effect subject to the other provisions of these Regulation and, unless the Board otherwise directs, shall not apply to an employee against whom criminal or disciplinary proceedings are pending or about to be commenced.

(5) An employee shall retire on reaching the compulsory retiring age of sixty years but may retire voluntarily on reaching the age of forty-five years.

Long service award scheme

79. (1) The Service shall have a long service award scheme for its employees in accordance with rules decided upon by the Board.

(2) Payment of long service award shall be made, at the rates determined by the Board,

(a) for fifteen years service; or

(b) for twenty years' service.

(3) The payment shall be made once in the working life of an employee.

(4) On leaving the Service under any circumstances, a Certificate of Service shall be awarded stating the true reason for the departure from the Service.

Handing over procedure

80. (1) The following rules shall be observed where an employee hands over the duties of office to another employee taking over those duties.

(2) In addition to handing over all papers, books, stores, and any other documents, the employee handing over

(a) shall give a detailed statement as regards all matters affecting the duties of office, and

(b) shall note down particulars of any question likely to cause difficulty as well as any matter requiring special attention for the guidance of the employee taking over.

(3) Where after an employee has left, it is found that the handing over had not been properly and systematically done as regards the handing over of special books, the Board's properties and other documents or otherwise, that employee may be recalled at that employee's own expense.

(4) Where the employee handing over is responsible for cash, furniture, stocks, and other property, the employee taking over shall sign the relevant inventory and books.

(5) An employee is personally liable for any loss of the Board's property which cannot be traced owing to that employee's failure to comply with these Regulations.

(6) An employee handing over shall leave to the employee taking over the keys to all safes, cupboards, lockers and desks in which records and documents of the Board are kept to enable the employee taking over to gain access to them.

Death of employee

81. (1) On the death of an employee, who has served the probation period, the Service shall donate one year's salary to the next of kin as nominated by the employee.

(2) The Service shall provide a coffin and shroud and transport to convey the dead body to the place of burial.

(3) The spouse and dependants of the deceased employee,

(a) shall be provided with appropriate transport to convey them to their home-town in Ghana or

(b) shall be paid an appropriate transport allowance in lieu of transportation.

(4) The Service shall provide transport and allow a reasonable number of employees to convey the deceased to the place of burial.

(5) The spouse and the dependants of a deceased employee shall be allowed to live in the house or other accommodation provided by the Service which the deceased was occupying at the time of death for up to a period of six months from the date of death and the rent due for occupying the house by dependants shall be borne by the Service.

(6) A deceased employee's salary payment shall cease at the end of the month in which the employee dies.

(7) The earned leave of a deceased employee shall be commuted into cash.

(8) In cases of death where a staff has not exhausted the entitlements to six months' sick leave on full pay, an ex-gratia grant of up to six months' full salary shall be paid.

(9) In cases of death where an employee has exhausted the entitlements to six months sick leave on full pay, and is on half pay, an ex-gratia of up to six months salary at half rate shall be paid.

(10) Where the ex-gratia grant under regulation (8) or (9) is less than three months' salary, the Board may, consider what payment shall be made.

(11) Final salary and ex-gratia grant of a deceased employee shall be paid,

- (a) to the immediate dependants that is to say, the spouse and children; but
- (b) in the absence of the spouse and children the entitlements go to the persons whose names appear on the employee's nomination form; and
- (c) in the absence of (a) and (b) of this sub-regulation the entitlements shall go to the family.

Welfare fund

82. The Service shall recognise the establishment of a Staff Welfare Fund, details of which shall be provided in the rules governing the Fund.

Pension and Social Security

83. Except where an employee is on pension pursuant to an existing law, the employees of the Service shall contribute to and be subject to the Social Security Law 1991 (P.N.D.C.L. 247)

Staff meetings

84. (1) The Clerk shall hold monthly staff meetings to discuss the programmes, productivity and other matters of interest to employees of the Service.

(2) The Clerk shall ensure that the meetings provide a platform for educating the employees on Government policies and objectives.

(3) Record of the proceedings of meetings shall be made and preserved and copies shall be lodged with the Board.

Interpretation

85. In these Regulations, unless the context otherwise requires,

"Board" means the Parliamentary Service Board established by clause (2) of article 124 of the Constitution;

" Clerk" means the Clerk of Parliament.

"employee" includes a person in the employment of the Service, an officer and a member of staff of the Service;

"family" means husband or wife and the children who have not attained the age of eighteen years of the husband or wife up to a maximum of four children.

"medical officer" means a registered and recognised government doctor or dentist or registered and recognised government herbalist.

["Scheme" means the Scheme of service established under regulation]

"Service" means the Parliamentary Service established by article 124 of the Constitution.

Schedule 2

(Regulation 44 (1))

Annual Vacation Leave

Officer	No. of days
Clerk	
.....
.....

Date of *Gazette* notification: 22nd February, 1995

PARLIAMENTARY SERVICE (STAFF) REGULATIONS, 1995

*(Issued Under Section 18 of the Parliamentary Service Act, 1993 (Act 460)
by Virtue of Article 124 (5))*

ARRANGEMENTS OF REGULATIONS

PART I - POSTS AND ENTERING THE SERVICE

Regulations

1. Creation of Posts
2. Appointing authority
3. Reporting of vacancies
4. Qualification of candidates
5. Method of filling vacancies
6. Selection committee
7. Appointment of convicted persons
8. Full-time appointment
9. Contract appointment
10. Acting appointment
11. Letter of appointment
12. Medical examination
13. Declaration of personal records
14. Effective date of appointment

15. Probation period
16. Salaries and increment
17. Seniority
18. Promotions
19. Annual appraisal report

PART II – CODE OF CONDUCT AND DISCIPLINARY MATTERS

20. Code of conduct
21. Oath of secrecy
22. Discipline
23. Gross misconduct
24. Minor misconduct
25. Major and minor penalties
26. Criminal prosecution
27. Disciplinary action after acquittal
28. Conviction for dishonest offence
29. Non-payment of salary on conviction
30. Interdiction or suspension
31. Payment of salary on interdiction
32. Payment of forfeited portion of salary
33. Absence without leave
34. Penalties involving increment

35. Disciplinary proceedings
36. Procedure for formal proceedings
37. Summary proceedings
38. Criminal conviction of employee for other offences
39. Private use of Service property
40. Private business
41. Appeals against disciplinary decisions

PART III - PETITIONS

42. Petitions

PART IV - HOURS OF DUTY, VACATION, LEAVE AND TRAINING

43. Hours of work
44. Annual vacation leave
45. Casual leave and special leave
46. Sick leave
47. Leave without pay
48. Training
49. Study leave
50. Financial aid or private studies

PART V - ALLOWANCES AND ADVANCES

51. Acting allowance
52. Duty allowance
53. Out of Station allowance
54. Outfit warm clothing
55. Housing allowance
56. Vehicle maintenance allowance
57. Fuel allowance
58. Utility allowance
59. Risk allowance
60. Commuted mileage allowance
61. Mileage allowance
62. Baggage allowance
63. Domestic servant allowance
64. Overtime allowance
65. Clothing allowance
66. Salary advance
67. Advance to purchase or repair means of Transport
68. Housing loan
69. Special advance
70. Limitation for advances

PART VI – MEDICAL FACILITIES

- 71. Prevention to work by illness
- 72. Medical expenses
- 73. Refund of medical expenses incurred abroad
- 74. Treatment abroad
- 75. Seriously ill employees
- 76. Medical Board
- 77. Maternity leave

PART VII – MISCELLANEOUS PROVISIONS

- 78. Leaving the Service
- 79. Long Service award scheme
- 80. Handing over procedure
- 81. Death of Employee
- 82. Welfare fund
- 83. Pension and Social Security
- 84. Staff meetings
- 85. Interpretation