



Belize Public Service Regulations 2014

Ministry of the Public Service
Belmopan, Belize C. A.

FOREWORD



The revision of regulations governing the conditions of service of employees of government is a significant undertaking in any system of public administration. These Regulations are at the heart of human resource management (HRM) and define how public officers are governed. It is therefore critical that these 2014 Regulations find currency with contemporary HRM principles and practices.

It is for these reasons that my Ministry went to extraordinary lengths to produce regulations that will serve the Belize Public Service for the next decade and beyond. The process to revise the Public Service Regulations 2001 commenced in February of 2011. It included the review of several regulations and Acts from other CARICOM countries, from which some regulations were adapted. For the first time, extensive consultations were conducted with public officers at the executive and senior and middle management levels to garner their input into the regulations; and the Public Service Union and the Office of the Solicitor General have been partners in the process from the very beginning. The process has been rigorous and lengthy.

I am pleased that Public Service Regulations 2014 is a reality. It realises one of my Government's promises in its Action Plan 2012- 2017, to "*Complete and introduce Revised Public Service Regulations*". I would like to express thanks and appreciation to all who worked diligently and contributed to its production: the Committee comprised of Public Officers, the Public Service Union and the Office of the Solicitor General; Chief Executive Officers; Heads and Deputy Heads of Department; Administrative and Finance Officers and Administrative Assistants; The National Coordinator, NEMO and the Chief Elections Officer for their contributions to Parts 18 and 19, respectively; the staff of the Ministry of the Public Service; and the Joint Staff Relations Council.

My hope is that these Regulations will be a guiding resource for enhanced human resource management and development in this vital institution called the Belize Public Service.

A handwritten signature in black ink, consisting of several loops and a long horizontal stroke extending to the left.

Senator Charles Gibson
Minister for the Public Service

PREFACE

Belize is one of the few countries in the Commonwealth Caribbean that consistently revises its regulations for the Public Service, for currency and relevance to a constantly changing work environment. The first, post-independence regulations for the Belize Public Service was the General Orders 1982. The use of 'orders' was changed to 'regulations' in 1997, with the promulgation of the Public Service Regulations 1997. These were also the first regulations signed into law by His Excellency the Governor General, in accordance with section 106 (3) of the Constitution. The regulations were revised in 2001 and, thirteen years later, they are replaced by these Public Service Regulations 2014, signed into law by the Governor General on 1 October 2014.

The Public Service Regulations 2014 is a combination of the Services Commissions Regulations 2001 and the Public Service Regulations 2001. This amalgamation was considered a more pragmatic approach to the use of the regulations, and a means of eliminating the inconvenience and confusion experienced by some public officers with the two former documents.

These regulations are a vast improvement on the 2001 regulations, having, for the first time, specific Parts for the administrative and institutional governance of the wider Service, including industrial relations and performance management; an expanded Code of Conduct, enhanced provisions for the discipline, health, safety and welfare, and training and career development of public officers, are among other important features of these regulations.

It is incumbent on public officers to become versed in these regulations. Public officers are therefore encouraged to keep these regulations as a constant companion in the course of their duties and to utilise them as the authority for decision-making.



Marian McNab
Chief Executive Officer

BELIZE:

STATUTORY INSTRUMENT

NO. 59 OF 2014

BELIZE CONSTITUTION (PUBLIC SERVICE) REGULATIONS, 2014

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BELIZE:

STATUTORY INSTRUMENT

NO. 59 OF 2014

REGULATIONS made by the Governor-General acting in accordance with the advice of the Minister responsible for the public service, given after consultation with recognised representatives of the employees and other persons and groups within the public service, in exercise of the powers conferred upon him by section 106 (3) of the Belize Constitution, Chapter 4 of the Substantive Laws of Belize, Revised Edition 2000-2003, and all other powers thereunto him enabling.

(Gazetted 11th October, 2014)

**PART 1
PRELIMINARY**

Citation. 1. These Regulations may be cited as the

BELIZE CONSTITUTION (PUBLIC SERVICE) REGULATIONS, 2014.

Interpretation. 2. (1) In these Regulations –

“approved programme of study” means a programme of study approved by the Ministry as a programme of study required for positions within the public service such as the categories of training specified in regulation 183(1) (a) or (b);

“CARICOM national” means a national of a territory that is a member State of the Treaty establishing the Caribbean Community;

CAP. 4. “Chief Executive Officer” means a person who is appointed under section 107 of the Belize Constitution charged with the supervision of a department of government in accordance with section 48 of the Belize Constitution;

CAP. 4. “Commission” means the Public Services Commission established under section 105 of the Belize Constitution;

“immediate family member” means a mother, father, spouse, children, brother or sister;

“in-depth assessment” means an assessment done for the purpose of appointment under regulation 19(2), regulation 20 or for the purpose of promotion under regulation 38(2)(c)(i);

“Medical Board” means the Board as established under regulation 13;

“Minister” means the Minister responsible for public service

“Ministry” means the Ministry responsible for public service

“posting” means a short-term transfer of not more than three months to fill a temporary human resource need in a ministry or department;

“station” means the judicial district where a public officer is assigned for the performance of the duties of his post;

“study leave” means leave which entails a period of absence granted to public officers to pursue an approved programme of study or attachments aimed at improving qualifications and skills that would aid in job efficiency and effectiveness;

“transfer” means the transfer or posting of a public officer from one ministry, department or station to another ministry, department or station;

“transfer on appointment” means the appointment of a public officer to a post at the same level of a different grade in the same ministry or department, or another ministry or department;

“transfer on promotion” means the transfer of a public officer to a post at a higher level of a different grade in the same ministry or department, or another ministry or department.

(2) For the purposes of these Regulations, a reference to an office in the public service shall not be construed as including references to the offices of Prime Minister or other Minister, Minister of State, Speaker or Deputy Speaker or member of the House of Representatives, President or Vice President of the Senate or Senator, members of the Belize Advisory Council, or members of the Commission established under the Belize Constitution, or the Clerk, Deputy Clerk or staff of the National Assembly.

Cap. 4.

Application.

3. (1) Subject to subregulations (2) to (6), the provisions of these Regulations shall apply to all public officers.

(2) These Regulations shall not apply to –

(a) the office of a Justice of Appeal;

(b) a public officer appointed under section 107 of the Belize Constitution;

CAP. 4.

S.I. No. 145/1992
 111/1993
 37/1995
 41/1997
 113/2005

- (c) a public officer to whom the Government (Open Vote) Workers Regulations apply;
- (d) the Director of Public Prosecutions;
- (e) the Auditor General;
- (f) a Justice of the Supreme Court; or
- (g) any other category or class of officers to the extent that another enactment provides specifically for the regulation of that category or class of public officers where special Regulations are made in respect of that category or class of officers.

(3) A Chief Executive Officer shall apply these Regulations in the performance of his functions for which a decision relating to a public officer or any other human resource matter is to be made.

CAP. 4.

(4) Where a public officer who is appointed in accordance with section 106 of the Belize Constitution is acting in an office of another public officer appointed in accordance with section 107 of the Belize Constitution, the provisions of these Regulations shall apply only to the extent that it applies to a Chief Executive Officer for the duration of the period of acting if that public officer is acting for a period of at least fourteen consecutive days.

(5) Notwithstanding subregulation (4), where a penalty of dismissal is recommended against a public officer who is acting as a Chief Executive Officer, the disciplinary procedures set out in regulation 84 shall apply.

(6) Where a person who is not a public officer is temporarily employed under regulation 17 to hold a post on permanent establishment, the provisions of these Regulations shall not apply to that person.

PART 2 ADMINISTRATION AND INSTITUTIONAL

Functions of the
 Ministry of the
 Public Service.

4. (1) The general functions of the Ministry are to administer and direct the public service and to sustain the integrity of the system by which the public service is governed.
- (2) The Ministry shall carry out its functions in such a manner as to –
- (a) promote effectiveness and efficiency;
 - (b) balance the needs of the public service and personal development of public officers;

- (c) continuously improve the work culture; and
- (d) improve the standards of service and quality of service offered, within the public service.

(3) The Ministry, in the performance of its functions under subregulations (1) and (2) shall –

- (a) serve as secretariat to the Commission;
- (b) develop and maintain a system of classification of the positions in the public service and ensure that the system is observed;
- (c) determine eligibility criteria for appointment and promotion to posts in the horizontal and technical grades;
- (d) fix and keep under review, in collaboration with the Ministry responsible for Finance, the salaries and allowances payable to public officers;
- (e) review terms and conditions of service and make recommendations to the Minister in respect of those terms and conditions;
- (f) advise the Ministry responsible for Finance on the creation, re-grading and abolishment of posts;
- (g) formulate and maintain a quality assurance policy as well as other policies and strategies to ensure the administration of these Regulations;
- (h) formulate policies and procedures for career and human resource management and development through a consultative process with the recognised representatives of public officers, other persons or groups;
- (i) administer, promote, encourage and facilitate in-service and other training programmes;
- (j) promote efficient and courteous service to the public;
- (k) promote efficient use of human resources;
- (l) conduct management audits;
- (m) compile and disseminate human resource information and policy decisions;

- (n) maintain an integrated human resource management information system of personnel records to aid in planning and decision-making;
- (o) conduct human resource and training needs assessments, diagnose constraints and opportunities for development and advancement, establish areas of priorities based on the findings and take appropriate actions to satisfy those needs and priorities;
- (p) coordinate government scholarship programmes with the human resource needs of the public service in collaboration with the Ministry responsible for Education;
- (q) ensure the maintenance of a safe, healthful and productive working environment for public officers;
- (r) promote high levels of performance and productivity, set work standards, develop results-oriented job descriptions and techniques that contribute to high morale, motivation and job satisfaction amongst public officers in the framework and guidance of the ISO 9000:2008 series of total quality management;
- (s) review policy, legislation, administrative directives and collective bargaining agreements in respect of the public service to make recommendations to the Minister;
- (t) collaborate with the Ministry responsible for Finance to develop and administer policies in relation to the payment of allowances and rental of buildings;
- (u) monitor and assess performance of administrative officers and other administrative personnel;
- (v) collaborate with the Ministry responsible for Finance and Treasury Department to monitor and assess the performance of finance officers;
- (w) assign staff to ministries and departments on principle that immediate family members are not recruited or assigned to the same ministry or department unless such a situation cannot be avoided, and the Chief Executive Officer ensures that professional conduct is maintained;
- (x) assign staff to special duties;
- (y) establish mentorship programmes in the public service;

- CAP. 4.
- (z) establish procedures for dealing with the recognised representatives or with public officers as required by the Belize Constitution, or any Regulations made thereunder, in respect of –
- (i) the classification of posts;
 - (ii) grievances;
 - (iii) salaries and allowances; and
 - (iv) the terms and conditions of employment.
- Chief Executive Officers or heads of department.
5. (1) The responsibility of a Chief Executive Officer shall include the –
- (a) efficient utilization and training of staff;
 - (b) maintenance of discipline;
 - (c) promotion of sound industrial relations; and
 - (d) proper use and care of public property.
- (2) A Chief Executive Officer or head of department shall exercise authority fairly, rationally and consistent with sound human resource management practices.
- (3) A head of department who is found to be negligent, abusive or vindictive shall be subject to disciplinary proceedings in accordance with regulation 83.
- (4) The head of a department shall be accountable to the Chief Executive Officer for the actions of that department.
- Internal communications.
6. A Chief Executive Officer shall –
- (a) establish procedures and provide the means to encourage and facilitate open communication within the department and across departments; and
 - (b) take every opportunity to use modern information and communication technology consistent with government policy.
- Staff meetings.
7. A Chief Executive Officer shall hold –
- (a) general staff meetings at least twice per year to communicate and review the strategic direction, major challenges and the goals and objectives of the Ministry and departments under his supervision; and
 - (b) regular meetings with relevant staff to communicate new developments in the department and review the department's performance against established goals and objectives.
- Responsibilities of Chief Executive Officers.
8. (1) A Chief Executive Officer, by example and other appropriate means, shall –

- (a) promote and comply with public service values and the code of conduct of public officers;
 - (b) maintain the highest standards of integrity and ensure that public officers observe the code of conduct;
 - (c) observe and promote public service employment policies and practices;
 - (d) contribute to and foster leadership in the public service;
 - (e) promote the efficiency and effectiveness of the department;
 - (f) promote equal treatment of all public officers;
 - (g) be knowledgeable of the operating environment and mandate; and
 - (h) foster team spirit and cohesion.
- (2) A Chief Executive Officer shall –
- (a) inquire into alleged breaches of the code of conduct and report findings and recommendations to the Ministry;
 - (b) facilitate continuous improvement in human resource management;
 - (c) co-ordinate or support training and career development opportunities;
 - (d) ensure that financial considerations are taken into account at all stages of formulating and executing policy decisions;
 - (e) ensure the delivery of quality service and in so doing collaborate with other heads of department and other stakeholders;
 - (f) ensure that work is well-defined and organized;
 - (g) provide effective leadership, giving clear and consistent direction;
 - (h) discuss performance expectations and assessment criteria with staff;
 - (i) provide to, and solicit regular feedback from staff and the public;
 - (j) perform the functions specified in the various Parts of these Regulations; and
 - (k) perform any other functions established by the Ministry.

PART 3
MEDICAL EXAMINATION AND MEDICAL BOARD

Medical
examination on
appointment.

9. (1) Prior to an appointment, a public officer shall take the medical examination that is carried out by a medical officer of the Ministry responsible for Health.

CAP. 103.

(2) For the purpose of maintaining a workplace in the public service that is free from substance abuse, which includes the possession, use or sale of controlled drugs or the unlawful use or misuse of alcohol or prescription drugs, the medical examination under subregulation (1) may, subject to subregulation (4), include a test for use of any substance classified as controlled drugs in the Misuse of Drugs Act.

(3) Where medical examination indicates that the health of a public officer may adversely affect the public office, the public officer's performance, or his medical fitness to perform duties, he shall not be eligible for appointment.

(4) For the purpose of subregulation (2), where the medical examination includes a drug test, the Ministry shall, on employment, notify the person –

- (a) of its intention to test for use of controlled drugs prior to appointment;
- (b) of the specific type of drug testing that will be carried out;
- (c) that the offer of appointment is conditional upon completion of a drug test with a negative result in the use of controlled drug; and
- (d) that the same testing programme is implemented for all public officers.

(5) For the purpose of this regulation and regulation 10, the Chief Executive Officer shall request the Director of Health Services to appoint a medical officer to conduct the medical examination.

Medical
examination of
public officers.

10. (1) A public officer may be subject to a medical examination which includes a drug test by a medical officer of the Ministry responsible for Health in order to ascertain whether he is physically or mentally fit to perform the duties of his post.

(2) The public officer may, at his own expense, have another medical practitioner present at a medical examination for consultative purposes and that medical practitioner shall neither be a member of the Medical Board nor have any say in the findings.

(3) The Ministry responsible for Health shall submit the medical officer's report of the medical examination under subregulation (1) to the Ministry or Commission, as the case may be, as soon as possible.

(4) Upon examination and consideration of the report, the Ministry or the Commission, as the case may be, shall inform the public officer as soon as practicable of its decision.

Recruitment
from overseas.

11. (1) A person recruited for employment from outside of Belize shall be required to submit to a medical examination, which shall include a test for the use of controlled drugs, performed by a licensed medical practitioner in the country where he is residing, before taking up his employment in Belize.

(2) The agency representing the Government shall arrange for a licensed medical practitioner to perform the medical examination, and submit a report of the medical examination to that agency for submission to the Ministry.

(3) The Ministry shall coordinate with the Ministry responsible for Foreign Affairs to assist in identifying and communicating with the agency representing the Government.

Public officer
to submit for
medical
examination.

12. (1) A public officer who is required to undergo a medical examination shall submit himself to be examined at such time and place as directed by the Chief Executive Officer or head of department.

(2) Where a public officer refuses to undergo medical examination as required under this Part, the public officer shall be liable to disciplinary procedures in accordance with regulation 83.

Medical
Board.

13. (1) Where a request is made under subregulation (3)(a) and the Director of Health Services has determined, he may from time to time appoint a Medical Board for the purpose of conducting medical examinations of public officers as required under these Regulations.

(2) The Medical Board shall be comprised of not less than three medical officers appointed by the Director of Health Services from among the medical officers of the Ministry responsible for Health having technical or special knowledge necessary for the purpose of conducting the medical examinations.

(3) For the purpose of subregulation (1) –

- (a) the Chief Executive Officer of the Ministry shall request the Director of Health Services to appoint a Medical Board to examine the public officer;
- (b) the Medical Board shall examine the public officer and submit a report of findings as soon as practicable to the Director of Health Services;
- (c) the Director of Health Services shall, under confidential cover, submit the report pursuant to paragraph (b), with comments if necessary, to the Chief Executive Officer of the Ministry.

PART 4
APPOINTMENT

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| Nationality requirements. | <p>14. (1) Only suitably qualified Belizeans or CARICOM nationals shall be eligible for permanent appointment to the public service.</p> <p>(2) If extensive recruitment activities do not yield a suitably qualified Belizean or CARICOM national, then other persons may be considered for employment on a contractual basis.</p> |
| Oath of confidentiality. | <p>15. (1) The Ministry, upon employment of any person, shall administer an oath of confidentiality.</p> <p>(2) The oath of confidentiality shall be in the form set out in <i>Schedule 1</i>.</p> |
| Schedule 1. | |
| Procedure for filling vacancies. | <p>16. Whenever a vacancy occurs, the ministry where the vacancy occurs shall report to the Chief Executive Officer of the Ministry, the existence of a vacancy and state his recommendations for filling that vacancy in accordance with Ministry's selection and recruitment manual.</p> |
| Temporary relieving public officers. | <p>17. (1) The Ministry responsible for Finance, on the recommendation of the Ministry, may approve the temporary employment of a person for a specific period of time against a permanent post to which a public officer is appointed.</p> <p>(2) A temporary employment under subregulation (1) shall –</p> <p style="margin-left: 40px;">(a) occur during a period of absence of the public officer who holds the permanent post; and</p> <p style="margin-left: 40px;">(b) be governed by the Government (Open Vote) Workers Regulations.</p> |
| S.I. No. 145 of 1992
111 of 1993
37 of 1995
41 of 1997.
Act No. 40 of 2001. | |
| Qualifications for appointment. | <p>18. The educational or professional qualifications and other requirements for appointment to permanent posts in the public service shall be determined by the Chief Executive Officer of the Ministry, after consultation with the appropriate ministry.</p> |
| Factors for Considerations for appointment. | <p>19. (1) In the performance of its functions relating to appointment of a public officer, the Commission in making determinations for appointment shall consider –</p> <p style="margin-left: 40px;">(a) the public officer's medical fitness to perform duties;</p> <p style="margin-left: 40px;">(b) the public officer's educational qualifications;</p> <p style="margin-left: 40px;">(c) any special course of training undertaken;</p> <p style="margin-left: 40px;">(d) any letters of commendation in respect of special work done;</p> |

- (e) the public officer’s capabilities with respect to the duties of the vacant post;
- (f) any specific recommendation of the Chief Executive Officer;
- (g) previous employment;
- (h) the police certificate of conduct or vetting report in essential services or special circumstances; and
- (i) any additional information which the Commission may require.

(2) The Chief Executive Officer shall submit to the Commission in respect of each public officer to be considered for appointment –

- (a) the certified copies of certificate of educational qualifications;
- (b) police certificate of conduct or vetting report in essential services or special circumstances;
- (c) a certified copy of social security card issued under the Social Security Act;
- (d) letters of recommendation;
- (e) copy of medical report;
- (f) job description and requirements; and
- (g) report from the Interpol check on non-national, if applicable.

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Appointment
etc. of temporary
public officers.

20. (1) Where a person is employed on a temporary basis against a vacant post, subject to subregulation (2) he shall be appointed within six months of employment if his performance is satisfactory.

(2) For the purpose of subregulation (1), the head of department shall conduct an in-depth assessment of the public officer’s performance at the end of the first three months and that assessment shall be considered in the determination of appointment to a vacant post.

(3) Where an in-depth assessment shows that the service of a public officer employed on a temporary basis is unsatisfactory, the Commission may terminate the employment of that public officer.

Tenure of office
of public officers.
CAP. 30, CAP. 4.

21. A public officer may hold office for an indeterminate period in accordance with the provisions of the Pensions Act, the Belize Constitution and these Regulations.

Probationary
service.

22. (1) Upon appointment to the public service, a public officer shall be required to serve a probationary period of one year.

(2) During the probationary service period under subregulation (1), the head of department shall ensure that the public officer –

- (a) is given an opportunity to learn the work and be evaluated for suitability;
- (b) is afforded facilities to gain work experience;
- (c) is subjected to continual, effective and considerate supervision;
- (d) so far as the exigencies of the service permit, is assigned to duty where observation and supervision is possible;
- (e) is informed in writing of any tendencies identified which renders confirmation of appointment doubtful;
- (f) is offered assistance to correct the tendencies identified under paragraph (e); and
- (g) is informed of disciplinary proceedings under Part 10, which is also applicable during the probationary service.

(3) The Chief Executive Officer, as soon as possible, after the first six months of probationary service, shall submit the mid-year performance appraisal report to the Ministry.

(4) The Chief Executive Officer, as soon as possible, after the second six months of probationary service, shall submit the end-of-year performance appraisal report to the Ministry.

Appointment
to post not yet
relinquished.

23. Whenever a public officer is on leave of absence pending relinquishment of his post, another public officer may be appointed to that post and that other public officer shall be deemed to be the sole holder of that post.

Acting
Appointment.

24. (1) The Commission shall not allow a public officer who is appointed to act in a vacant post, to act for more than one year if that public officer meets the criteria under regulation 38 for promotion to that vacant post.

(2) The Commission may appoint a public officer to act in a post that is not vacant and for which he is qualified, for a specified period.

(3) Where more than one public officer is eligible for appointment to act in a post, such public officers may be rotated to act during the period of acting.

Confirmation or termination of appointment.

25. Where, on the basis of the end-of-year performance appraisal report, the public officer's performance is –

- (a) satisfactory, the Commission shall confirm his appointment with effect from the date of appointment; or
- (b) unsatisfactory, the Commission shall terminate his appointment.

Determination of seniority.

26. (1) The public officer in the post with a higher salary scale shall be senior to a public officer in a post with a lower salary scale.

(2) Where public officers are on the same salary scale, seniority shall be determined by the date of appointment to a particular grade.

(3) For the purpose of subregulation (2), a public officer shall be considered to be of equal seniority as other public officers appointed to the same grade within six months of the date of appointment.

Consent to transfer on appointment.

27. A public officer shall not be subject to transfer on appointment without his written consent.

Disqualification from employment.

28. (1) The following persons shall not be eligible for re-employment in the public service –

- (a) a person who has retired on medical grounds;
- (b) a person who has been dismissed; or

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- (c) a person who is receiving a pension pursuant to the Pensions Act.

(2) Notwithstanding subregulation (1) (c), where the Ministry is satisfied that –

- (a) a chronic shortage of human resource of a technical or professional field exists; and
- (b) no public officer currently serving would be denied an opportunity for advancement to a higher post,

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- (3) a person who is receiving a pension under the Pensions Act may be considered for re-employment on a contract basis.

**PART 5
ORIENTATION**

New public officers.

29. (1) A Chief Executive Officer or head of department, as the case may be, shall conduct orientation for new public officers during the public officers' first week of employment.

- (2) An orientation under subregulation (1) includes –
- (a) an overview of the public service;
 - (b) an overview of the Ministry, its departments, its structure, values, strategic direction, goals and objectives;
 - (c) an introduction to staff and management team;
 - (d) a description of benefits and services available to public officers;
 - (e) a detailed job description, performance agreement and how the job description and performance agreement fit into the overall plan for the ministry;
 - (f) an introduction to procedural and operational desk manuals;
 - (g) a general statement of expectations;
 - (h) information on logistical issues;
 - (i) a set of regulations and codes applicable to the post;
 - (j) information on any recognised representative body;
 - (k) an overview of the disaster preparedness and management plan;
 - (l) an overview of election management duties; and
 - (m) an opportunity for questions.

Public officer's information and record of service.

30. (1) A Chief Executive Officer or head of department, as the case may be, shall in relation to each public officer, maintain where applicable, a certified copy of the following document or information –

- (a) current address and contact information;
- (b) name and contact information for next-of-kin;
- (c) social security card;

- (d) birth certificate;
- (e) copy of proof of citizenship;
- (f) marriage certificate;
- (g) divorce decree;
- (h) marital status and beneficiary form;
- (i) oath of confidentiality required by regulation 15; and
- (j) record of service.

(2) The Chief Executive Officer or a head of department, as the case may be, shall forward the information received pursuant to subregulation (1) to the Ministry.

(3) The record of service pursuant to subregulation (1) shall be maintained in personal files which may readily be forwarded to another ministry or department on the transfer of the public officer.

Update of marital status and beneficiary.

31. A public officer shall declare any changes to his marital status or beneficiary to the Chief Executive Officer of the ministry in which he is serving to facilitate the processing of any benefits provided for under these Regulations.

Hours of duty, etc.

32. (1) Subject to subregulation (2), the Minister shall determine the minimum hours of attendance at work for the various grades of public officers.

(2) Public officers are required to work a minimum of thirty-nine and one-half hours per week.

(3) A Chief Executive Officer or head of department may require any member of staff of his Department to work temporarily for longer hours than those determined whenever the public interest so requires but no permanent alteration of the determined hours of work of any grade of public officers may be effected unless the Minister so approves.

(4) Compensation for additional hours worked pursuant to subregulation (3) shall be –

- (a) time off *in lieu* of overtime; or
- (b) payment of overtime for which prior approval is given by the Ministry responsible for Finance.

(5) Notwithstanding subregulation (2), public officers of a department, which provides essential services or public officers who undertake field work may be required to –

- (a) work up to forty-five hours per week or up to nine hours in any one day; or
- (b) work on weekends or public and bank holidays where the nature of the work so demands.

(6) For the purpose of subregulation (4), “time off in lieu” means the granting of leave to a public officer in place of payment for overtime worked.

(7) Subregulation (4) shall not apply to heads of department.

(8) If the nature of the work demands that a public officer work on weekends instead of weekdays or a combination of weekdays and weekends, but the hours of work do not exceed forty-five hours, that public officer shall not be entitled to compensation for overtime.

(9) The Minister may determine the posts for the various grades of public officers required to undertake field work or to whom subregulation (8) applies.

Attendance registers.

33. (1) A public officer shall evidence his time of arrival at and departure from work by one of the following means –

- (a) attendance register;
- (b) mechanical or electronic applications; or
- (c) other methods approved by the Ministry.

(2) Notwithstanding subregulation (1), the Chief Executive Officer or head of department may exempt certain categories of public officers from evidencing his time of arrival and departure from work.

(3) The Chief Executive Officer or head of department, as the case may be, shall bring to a public officer’s notice any case of habitual unpunctuality or absenteeism during a specific month.

Strict punctuality and attendance.

34. (1) A public officer shall observe strict punctuality at the workplace.

(2) The Chief Executive Officer or head of department may –

- (a) deduct an amount from a public officer’s salary in accordance with subregulation (3) for any period of late attendance without reasonable excuse; or
- (b) address the matter of late attendance against that public officer in accordance with regulation 83.

(3) Deductions under subregulation 2(a) shall be calculated for every late period, the rate of pay proportionate to the salary the public officer would have received for that late period.

Access to personal records.

35. (1) Public officers shall have access to their personal records in the presence of a senior public officer.

(2) Where a public officer desires to copy any correspondence from his personal records, that public officer shall first request from the Chief Executive Officer or head of department, approval to make copies.

Public officers to be properly attired.

36. (1) Public officers shall be attired for work in a manner which demonstrates professionalism, decency and respect for colleagues, clients and members of the public.

(2) Chief Executive Officers or heads of department are responsible for the enforcement of any dress code which is developed by the Ministry for implementation.

Uniforms.

37. Where, in respect of any function discharged by a public officer, it is considered that uniforms are necessary for organizational reasons or for protective and identification purposes, the conditions applicable to the provision of such uniforms shall be determined from time to time by the respective Chief Executive Officer in consultation with the Ministry responsible for Finance.

PART 6 PROMOTION

Factors of consideration for promotion.

38. (1) A public officer shall not be promoted to a post for which he is not qualified.

(2) The Commission, in considering the promotion of a public officer to fill a vacancy, shall base its decision, in descending order of importance, on the following –

(a) in relation to academic qualifications –

(i) the educational qualifications and any special qualifications of that public officer; and

(ii) the result of special courses of training, which he may have undergone;

(b) in relation to performance and merit –

(i) the grades and comments made in the performance appraisal report of that public officer; and

(ii) any letters of commendation for special work done by that public officer;

- (c) in relation to integrity and professionalism –
 - (i) an in-depth assessment made by the Chief Executive Officer or head of department as the case may be; and
 - (ii) the public officer’s capability to function efficiently in the post which he is seeking to fill;
 - (d) in relation to experience and employment history –
 - (i) the employment history of that public officer; and
 - (ii) the general fitness of that public officer;
 - (e) the level of seniority of the public officer compared to other public officers in the hierarchy; and
 - (f) any other report or information which the Commission may require.
- (3) A public officer in the clerical grade shall pass the clerical examinations prior to promotion.

Consent to transfer on promotion.

39. A public officer shall not be subject to transfer on promotion without his written consent.

PART 7
CODE OF CONDUCT

General Conduct.

40. (1) A public officer shall not conduct himself in any manner that would bring the public service into disrepute.
- (2) All public officers shall –
- (a) demonstrate the highest level of professional conduct and personal integrity in the performance of their duties and shall not willfully refuse, or willfully omit, to perform those duties;
 - (b) treat other public officers, clients and members of the public with courtesy, respect, fairness and objectivity;
 - (c) display a positive attitude and be pro-active in the exercise of their duties;
 - (d) seek to understand and to volunteer information and service so as to satisfy the real needs of members of the public; and

- (e) render service in a timely, efficient and effective manner and shall not confer any special benefit or give preferential treatment to anyone on the basis of any special relationship.

Conflict of interest and other prohibited conduct.

41. (1) A public officer shall not place himself in a position in which a conflict of interest may arise or a position which could compromise, or reasonably be said to compromise the job performance or office of that public officer.

(2) A public officer shall not –

- (a) engage in any private activity that would compromise the fair exercise of his duties;
- (b) use for private gain any information or material which comes to his knowledge by virtue of his position or placement;
- (c) exploit for private gain the status and privilege of his position or placement;
- (d) solicit or accept payment or any other consideration relating to the performance or neglect of his duties;
- (e) conduct private business on government premises; and
- (f) engage in transactions on behalf of the Government of Belize where an unfair advantage is given to family members or members of staff, or an organization in which family members or members of staff have a vested interest.

Bribery.

42. (1) A public officer who is offered a bribe for the performance or neglect of his duties shall immediately inform his supervisor, in writing, and that supervisor shall notify the Chief Executive Officer or head of department.

(2) The Chief Executive Officer or head of department shall cause the matter to be reported to the police.

Personal indebtedness.

43. A public officer shall not incur personal indebtedness to the extent that it compromises his job performance or brings the public service into disrepute.

Bankruptcy. CAP. 244.

44. A public officer against whom bankruptcy proceedings have been taken under the Bankruptcy Act or who becomes insolvent or who has been declared a bankrupt shall within seven days of the declaration, report that fact to the Chief Executive Officer or head of department.

Acceptance of gifts.

45. A public officer may accept on behalf of the Government of Belize, gifts offered by –

- (a) a representative of a foreign government on the occasion of an official visit to that country; or
- (b) an organization where the gift represents the work or achievement of that organization.

Responsibility for actions.

46. (1) Where a senior public officer is authorized to give instructions or compel obedience from a junior public officer, that senior public officer, *prima facie*, shall be responsible for any act or omission on the part of the junior public officer.

(2) Subject to subregulation (1) any disciplinary action for dereliction of duties shall be instituted against the senior public officer unless that senior public officer can show that the act or omission was not caused by his neglect or fault and that he took reasonable steps to prevent the act or omission.

Confidentiality.

47. (1) By virtue of regulation 16 a public officer shall not, without the approval of the Chief Executive Officer or head of department –

- (a) make public or cause to be made public;
- (b) communicate or cause communication to the media or any other unauthorized persons; or
- (c) make private copies of,

any documents, papers or other information which may come to his knowledge or possession in his capacity as a public officer.

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(2) Subregulation (1) shall not apply to an Order of Court, the Freedom of Information Act or any expressed provision to the contrary in any other law.

Copyright and royalties.

48. (1) Any works produced by public officers for use of the public service, as part of the duties for which they are engaged shall –

- (a) be copyrighted to the Government; and
- (b) yield no financial benefit to the public officer, but the public officer may be allowed the royalties from the sale of any such work if the work is sold outside of the public service.

(2) The right of ownership is vested in public officers for any work created –

- (a) at their own initiative;
- (b) outside the scope of employment;
- (c) without the use of government resources; and

- (d) without the engagement of another public officer or other resources of the Government.

Use of
copyrighted
works.

49. Public officers are required to –

- (a) seek permission, where necessary; and
- (b) credit source with appropriate reference,

for any works that is copyrighted.

Royalties,
etc.

50. (1) A public officer shall not use works including computer software, which are subject to copyright and may require the payment of royalties to the author or to the authority in which the copyright is vested.

(2) The Chief Executive Officer or head of department may seek the advice of the Solicitor General where there is doubt as to whether copyright exists in a work or as to who is entitled to the royalties.

Use of
technology.

51. (1) A public officer shall not use the computer systems, software, equipment, networks, internet or email for any purpose other than for the conduct of government business.

(2) Public officers shall not –

- (a) view, download, possess or distribute pornographic images or material;
- (b) communicate images, materials or emails containing offensive language or inappropriate comments that are likely to injure the reputation of any person;
- (c) load or play any type of video game or gambling devices; or
- (d) hack into or try to defeat the security features of electronic networks.

Removal of
property.

52. (1) A public officer who, on demitting office –

- (a) makes private copies of any document that is in his possession;
- (b) destroys government property including electronic records; or
- (c) removes any government property whether by electronic means or otherwise,

shall be prosecuted for offences under sections 139 to 146 or section 165 of the Criminal Code, as the case may be.

(2) In such cases under subregulation (1), the matter shall be reported to the Director of Public Prosecutions for appropriate action.

Access to
information.

CAP. 13.

53. (1) Chief Executive Officers or heads of department shall ensure that procedures are in place to facilitate transparency and access to information consistent with government policy and the Freedom of Information Act.

(2) Chief Executive Officers or heads of department may designate a public officer as spokesperson to respond to public enquiries and requests for information.

Public officers
and the media.

54. (1) A public officer shall not –

- (a) edit newspapers or take part in the management of newspapers; or
- (b) without the permission of the Chief Executive Officer or head of department, contribute to any newspaper in Belize or elsewhere on political issues;

(2) A public officer may contribute to any newspaper on subjects of general interest.

(3) A public officer whether on duty or on leave, shall not allow himself to be interviewed on matters affecting the defence or military resources of Belize.

(4) A public officer shall secure prior clearance from the Chief Executive Officer or head of department to make statements to the press regarding public policy.

(5) A public officer shall not respond to questions of public policy in a manner that could reasonably be construed as criticism of government and which may call into question his ability to impartially implement, administer or advise on government policy.

(6) Where a public officer is called upon to respond to the media or participate in interviews on public policy, he shall provide only factual information for explanation and clarification.

Conduct,
decorum,
etc. at the
workplace.

55. (1) A public officer shall conduct himself –

- (a) so as to maintain an atmosphere of efficiency and purposefulness;
and
- (b) with decorum so as to avoid disturbing others.

(2) A public officer shall not, at the workplace –

- (a) conduct private business or business of an entrepreneurial nature;

- (b) entertain family members and other visitors for any prolonged period;
- (c) conduct himself in a manner that would threaten security or safety of other public officers or members of the public;
- (d) possess an illegal firearm or ammunition;
- (e) use firearm or ammunition;
- (f) possess a licensed firearm or other weapon, without the prior approval of the Chief Executive Officer or head of department;
- (g) engage in loud conversation, sing or play radio above a barely audible level;
- (h) eat or drink in areas of the office which is accessible by the public;
- (i) smoke;
- (j) attach pictures, notice or similar item to office walls without the prior permission of the Chief Executive Officer or head of department, as the case may be;
- (k) use cell phones or other personal electronic devices –
 - (i) during the normal working hours; or
 - (ii) when interfacing with the public or other public officers; or
 - (iii) when participating in meetings or other functions in the course of duty,in any manner that would disrupt the efficient performance of his duties; or
- (l) use text messages as a substitute for direct communication.

Abuse of
drugs.

56. (1) A public officer shall not arrive under the influence of a controlled drug or use drugs at the workplace and may be required to submit to a drug test in accordance with regulation 10 where there is reasonable suspicion.

(2) This regulation shall be administered in accordance with regulation 9(2).

Sexual
harassment,
etc.
CAP. 107.

57. (1) For the purpose of this regulation, sexual harassment has the meaning assigned in section 3 of the Protection Against Sexual Harassment Act.

- CAP. 107. (2) A public officer who alleges sexual harassment shall make the application in accordance with section 10 of the Protection Against Sexual Harassment Act.
- (3) A public officer shall not –
- (a) undertake any action, or make a comment that demeans, belittles, embarrasses or personally humiliates another public officer;
 - (b) threaten or intimidate another public officer;
 - (c) engage in improper or offensive conduct; or
 - (d) discriminate against another public officer in any manner that would cause harm to that public officer’s job security or well-being.
- (4) A public officer who engages in behavior contrary to subregulation (3) is subject to the procedures specified in regulation 84.
- Use of government vehicles. 58. (1) A public officer shall not use government vehicles for private purposes or drive a government vehicle unless that public officer is an authorized driver.
- (2) For the purpose of subregulation (1), an authorized driver is a public officer employed for the purpose of driving of a motor vehicle and is issued with an authority by the Ministry responsible for Vehicle Care.
- Conduct in financial matters. CAP. 15. 59. (1) The Finance and Audit (Reform) Act, the Financial Orders and Stores Orders, shall govern the conduct of public officers in relation to receipt, custody and disbursement of public funds and the custody of stores.
- CAP. 15. (2) Disciplinary action shall be instituted against a public officer in accordance with the Finance and Audit (Reform) Act, the Financial Orders and Stores Orders for conduct relating to misappropriation of public funds, forgery, or issuance of false documents;
- Engagement in political activities. 60. (1) A public officer shall not participate actively on behalf of any political party or candidate in any elections held under the –
- CAP. 9. (a) Representation of the People Act;
 - CAP. 85. (b) Belize City Council Act;
 - CAP. 86. (c) Belmopan City Council Act;
 - CAP. 87. (d) Town Councils Act; or

- (2) Without prejudice to the generality of subregulation (1), a public officer shall not –
- (a) accept nomination for election as a candidate, or appointment to an office of a political party whether paid or unpaid;
 - (b) offer himself as candidate for election under any of the Acts specified in subregulation (1), unless he first resigns from the public service;
 - (c) make speeches or answer questions at public meetings in a manner which indicates support for, or antipathy towards, any political party or politician;
 - (d) assist in the election campaign of political candidates;
 - (e) write letters to the press which refer to political matters and indicate party bias;
 - (f) distribute literature which advocates the pursuance of a particular party policy;
 - (g) show favour to members of a particular party when dealing with the public or when dealing with any form of public business;
 - (h) solicit funds for any candidate or any political party; or
 - (i) engage in any activity of a party political nature.

Representation to members of the National Assembly prohibited.

61. (1) A public officer shall not make representations to a member of the National Assembly with respect to the public officer's terms and conditions of service.

(2) A public officer may make representations regarding his terms and conditions of service –

- (a) personally; or
- (b) through a recognised representative registered or recognized under the Trade Unions and Employer's Organisations (Registration, Recognition and Status) Act,

to the Chief Executive Officer or head of department, as the case may be.

(3) Where the Chief Executive Officer or head of department, as the case may be, receives a representation under subregulation (2), the Chief Executive Officer or head of department shall –

- (a) deal with the matter and respond to the representation within fourteen days from the date of receipt; or
- (b) where the matter cannot be dealt with, forward the representation to the appropriate authority within seven days from the date of receipt of the representation.

(4) Subject to subregulation (3)(a), the Chief Executive Officer or head of department, as the case may be, shall state his position with respect to the representations made and make recommendations to the appropriate authority.

(5) Where twenty one days has elapsed from the date of receipt of the representation, the public officer who made the representation may forward a copy of the representation to the appropriate authority.

(6) For the purpose of this regulation, “appropriate authority” means the Ministry, Ministry responsible for Finance, the Commission, or the Governor-General, as the case may be.

Legal proceedings against public officers.

62. (1) Where legal proceedings are instituted against a public officer for any act or omission in the performance of his duties, such public officer shall be entitled to the cost of legal assistance if the Director of Public Prosecutions or the Solicitor General advises the Attorney General that it is a proper case for legal assistance and the Attorney General is of the opinion that it is in the public interest for such assistance to be given.

(2) Where proceedings brought against a public officer are defended by Government, and the Solicitor General considers that it would be advisable to settle such proceedings, the Solicitor General shall recommend to the Financial Secretary the amount which he considers should be made to settle such proceedings.

(3) Where, as a result of the act of a public officer, legal proceedings are successfully brought against the Government, and the Government considers it desirable to settle such proceedings out of court, disciplinary action or surcharge may, if the circumstances so warrant, be instituted against such public officer.

PART 8 PERFORMANCE MANAGEMENT SYSTEM

Objects.

63. The Ministry shall employ the Performance Management System to assist in achieving strategic goals and objectives through greater efficiency, professionalism and integrity, which shall –

- (a) optimize the utilization of human and other resources;
- (b) facilitate continuous improvement of efficiency and effectiveness of the public service; and

- (c) facilitate continuous improvement of the quality of programmes and services delivered to the public.

Authority for performance management system.

64. (1) The responsibility for monitoring the overall operation of the Performance Management System is vested in the Ministry.

(2) Chief Executive Officers or heads of department shall –

(a) implement the Performance Management System within their respective ministry or department; and

(b) be guided by the manual for the Performance Management System.

Areas of assessment, etc.

65. The Performance Management System shall consist of an appraisal of public officers in the following areas –

(a) general awareness of the overall context and environment within which the public service operates;

(b) a general knowledge of the vision, mission, mandate, and values of the public service;

(c) an in-depth knowledge of the specific goals and objectives of the ministry or department within which the public officer is required to function;

(d) a thorough knowledge of the duties of the position which the public officer holds (job description, project description, terms of reference);

(e) the agreement reached through dialogue and negotiation on specific performance expectations and performance assessment criteria, for the period under consideration;

(f) the agreement on the timing of fixed periodic reviews and feedback sessions;

(g) the commitment to regular on-going feedback; and

(h) the commitment to pursue follow-up measures resulting from reviews and feedback sessions, in particular, training and development actions.

Requirements of first reporting officer.

66. (1) In conducting an appraisal under the Performance Management System, a first reporting officer is required to –

(a) be knowledgeable of the areas of assessment under regulation 65;

(b) ensure that work is defined and organized to achieve strategic goals and objectives;

- (c) ensure that each public officer within the ministry or department has an up-to-date job description showing scope of responsibilities and specific duties;
- (d) provide effective leadership, give clear consistent direction, and provide necessary resources and relevant tools to get the job done;
- (e) provide or facilitate opportunities for training and development in order to enhance performance;
- (f) prepare and discuss with public officer the performance expectations and performance assessment criteria (performance agreement);
- (g) conduct assessment based on the performance agreement and prepare performance report; and
- (h) append his signature to the performance appraisal report.

(2) For the purpose of this regulation, the “first reporting officer” is the immediate supervisor of a public officer and who is responsible for completing the performance appraisal report of that public officer.

Requirements of second reporting officer.

67. (1) A second reporting officer is required to –
- (a) ensure that an assessment is carried out impartially;
 - (b) seek to resolve any disagreement which may result from the assessment process;
 - (c) make recommendations where necessary;
 - (d) append his signature to the performance appraisal report; and
 - (e) ensure completion of performance assessment in a timely manner.

(2) For the purpose of this regulation, the “second reporting officer” is the Chief Executive Officer, head of department or other senior public officer who is responsible for verifying the assessment of the first reporting officer contained in the performance appraisal report of a public officer.

Requirements of public officers.

68. Public officers are required to –
- (a) improve their qualifications, knowledge and skills;
 - (b) maintain awareness of the areas of assessment specified under regulation 65;

- (c) agree with their supervisor on performance expectations and performance assessment criteria;
- (d) discuss performance assessment with the first reporting officer;
- (e) know and understand consequences for consistent unsatisfactory performance;
- (f) subject to regulation 71(1) append their signatures to the performance appraisal report.

Requirements of administrative officer.

69. An administrative officer in the capacity of a human resource manager is required to –
- (a) be knowledgeable of the Performance Management System;
 - (b) advise other public officers in the exercise of their responsibilities;
 - (c) organize sessions of orientation pursuant to regulation 29;
 - (d) maintain proper records and information management systems;
 - (e) monitor and review the processes under the Performance Management System; and
 - (f) receive complaints from public officers and provide guidance and counseling.

Performance appraisal report.

70. The Chief Executive Officer or head of department shall ensure that every public officer is assessed on a bi-annual basis and a performance appraisal report is duly completed and submitted to the Ministry within thirty days from the date of assessment.

Redress and recourse

71. (1) Where a public officer disagrees with the performance appraisal report, he may seek redress from the Chief Executive Officer or the head of department prior to fulfilling the requirement under regulation 68(e) and (f).
- (2) If no redress is obtained, the public officer may attach his comments to the performance appraisal report and sign said performance appraisal report.
- (3) In every case where there is an unresolved disagreement, an investigation into the performance appraisal report shall be conducted by the Ministry.

Meritorious award.

72. In accordance with the approved policy, merit awards may be granted to any public officer whose service is outstanding as reported in the performance appraisal report.

PART 9
INDUSTRIAL RELATIONS

Authority for industrial relations and protocol.

73. (1) The Ministry shall be the authority to engage in collective bargaining or any other form of employer and employee relations.

(2) The administration of the policies and procedures relating to employer and employee relations is vested in the Ministry.

Joint responsibility for good management practices.

74. The development of policies, procedures and good management practices that support and promote sound industrial relations is the joint responsibility of the Ministry and the recognised representatives.

Responsibilities of the employer.

75. Chief Executive Officers and heads of department shall –

- (a) recognize and respect the rights of the recognised representatives to represent their members and to advocate on their members' behalf;
- (b) respect the rights of public officers to belong to the recognised representative body and to take part in the activities of this body;
- (c) jointly with the recognised representative, maintain effective arrangements at all levels for consultation and communication and for settling grievances and disputes;
- (d) ensure that relations are maintained with public officers and their recognised representative for communication and consultation and for the settlement of grievances and disputes;
- (e) establish and maintain adequate procedures for communication and consultation with public officers and their recognised representative for the settlement of grievances and disputes;
- (f) ensure that the established policies and procedures are known, understood and implemented by all public officers of the management and supervisory team;
- (g) ensure that all supervisory staff –
 - (i) have clearly defined responsibilities in the organizational structure;
 - (ii) are in charge of manageable work groups;
 - (iii) understand their responsibilities;
 - (iv) have the necessary qualities and training; and

- (v) have exposure and knowledge of procedures in industrial relations;
- (h) ensure that supervisors are cognizant of management policies and how such management policies affect individual work groups;
- (i) maintain an effective link between management and members of their work groups;
- (j) implement policies and practices for the social and educational improvement of public officers, in addition to discharging obligations in respect of the terms and conditions of employment; and
- (k) keep in focus the public interest at all times.

Responsibilities of public officers.

76. A public officer shall –

- (a) know, understand and be familiar with the terms and conditions of his employment;
- (b) perform duties to the best of his abilities with due regard to the performance and behaviour expectations established by the Ministry;
- (c) ensure that health, safety or well-being of fellow public officers are not compromised by his actions and behaviour;
- (d) exercise his right to belong to a recognised representative body and to support it;
- (e) know, understand and abide by the established policies and procedures for dealing with grievances and disputes; and
- (f) keep in focus the public interest at all times.

Grievance procedures.

77. (1) The Ministry, in consultation with public officers or public officers' recognised representatives, shall establish and disseminate written procedures to settle grievances.

(2) Every public officer has a right to seek redress for grievances relating to his employment.

Procedures for resolution of disputes.

78. The Ministry shall set procedures for resolution of disputes which shall –

- (a) be in writing;
- (b) specify the stages of redress;
- (c) state the stage at which an issue may first be raised;

- (d) set time limits for each stage of the process and provide for extension by agreement among the affected parties;
- (e) include a recourse to the ministry with responsibility for labour, conciliation or arbitration services; and
- (f) preclude a strike or lock-out until all stages of the procedure are exhausted without a resolution of the dispute.

Industrial
action.

79. Disputes in the public service which may involve or give rise to industrial action shall be determined in accordance with any law, policies or procedures existing for such purpose.

Strike by public
officers.
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80. (1) Unless a contrary intention appears in the Settlement of Disputes in Essential Services Act or any other law, if an industrial dispute results in a strike, the salaries and wages of public officers on strike shall not be paid for any day or portion of a day during which those public officers are on strike.

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(2) Public officers working in essential services under the Settlement of Disputes in Essential Services Act shall not proceed on strike unless the requirements under the Settlement of Disputes in Essential Services Act are fulfilled.

(3) Without prejudice to subregulation (1)–

- (a) if a public officer reports for work on any day of a strike but does not work for the day, he shall not receive pay in respect of that day;
- (b) if a public officer works only for a part of a day of a strike he shall not be paid for that period of the day during which his services were withheld.

(4) Any public officer who engages in a strike not arising out of, or not resulting from an industrial dispute, renders himself liable to disciplinary action, including dismissal.

(5) At the commencement of a strike, Chief Executive Officers or heads of department shall inform all public officers on leave of the existence of the strike and request them to report for duty immediately.

(6) A public officer who fails to report to work pursuant to subregulation (5) shall, in the absence of satisfactory explanation, be considered to be in support of the strike and shall not be eligible for pay from the date of the commencement of the strike until such time as he report for duty and resume work, or until the strike is concluded, whichever occurs first.

(7) Subregulation (6) shall apply to all public officers on any type of leave except –

- (a) sick leave;

- (b) maternity leave;
- (c) leave on urgent private affairs;
- (d) special leave;
- (e) study leave;
- (f) leave outside Belize; and
- (g) duty leave.

(8) Where a public officer reports for duty but is precluded from work due to a circumstance beyond his control, the Chief Executive Officer or head of department shall make a distinction between this class of worker and the *bona fide* strikers and the Chief Executive Officer may institute an inquiry for the purpose of making such a distinction.

(9) The Chief Executive Officer or head of department may pay a public officer of the class specified in subregulation (8) if it is considered that the circumstances justify non-performance of duty during the period of strike.

PART 10
DISCIPLINE OF PUBLIC OFFICERS

Disciplinary procedure.

81. (1) A public officer who, without reasonable excuse, does an act or omission which –
- (a) amounts to failure to perform in a proper manner any duty assigned to him including discourtesy to members of the public,;
 - (b) contravenes any provision of these Regulations governing the conduct of public officers; or
 - (c) is prejudicial to the efficient conduct of the public service, or bring the public service into disrepute,

is liable to disciplinary proceedings for that misconduct in accordance with the provisions of this Part.

(2) Where an act of misconduct is alleged to have occurred and the Chief Executive Officer or head of department considers that disciplinary measures may be necessary, the Chief Executive Officer or head of department shall apply the procedure set out in subregulations (3) and (4).

- (3) For the purpose of subregulation (2), the following procedure shall apply –

- (a) the Chief Executive Officer shall submit the case of alleged misconduct to the Commission within two weeks from the date the alleged misconduct occurs;
 - (b) the Commission shall examine the case and based on the result of the examination, issue a letter to show cause to the relevant public officer;
 - (c) the person affected shall respond to the letter to show cause within two weeks from the date of receipt of the letter to show cause;
 - (d) The Commission shall, on receipt of the response under paragraph (c) examine the response and determine whether a hearing is necessary;
 - (e) Where the Commission determines that a hearing is necessary the Commission shall –
 - (i) set a date for hearing within seven days from the date of receipt of the response;
 - (ii) convene the hearing and determine the case; and
 - (iii) convey the decision to the public officer affected.
- (4) The procedure under subregulation (3) shall –
- (a) ensure the rights of all parties are protected;
 - (b) be consistent with the conditions of employment;
 - (c) begin with an investigation;
 - (d) ensure that the public officer affected receives notice and details of the case under consideration;
 - (e) guarantee all parties the right to be heard;
 - (f) guarantee all parties the right to representation;
 - (g) ensure unbiased decision-making;
 - (h) guarantee all parties the right to appeal; and
 - (i) ensure that the process is completed within sixty days.

Misconduct
defined.

82. (1) A minor misconduct is any of the following –

- (a) failure, without good and sufficient cause, to carry out duties promptly and diligently;
 - (b) failure, without good and sufficient cause, to carry out instructions given by the supervisor;
 - (c) failure, without good and sufficient cause, to report for duty at the allotted time and place or is absent without proper authorization;
 - (d) negligence in the performance of duties;
 - (e) feigning or exaggerating sickness or injury with a view to evading duty;
 - (f) insubordination, rudeness, or use of improper language;
 - (g) abuse, damage to, loss or removal of government property;
 - (h) failure to report for drug test at the date and time specified by the Chief Executive Officer or head of department, as the case may be;
 - (i) conduct by a head of department under regulation 5(3);
 - (j) failure to comply with any policy, Act, other provision of a regulation or order governing employment;
 - (k) any other breach of the code of conduct determined by the Commission to be of a minor consequence; or
 - (l) any other conduct for which a public officer may be cautioned, referred for coaching, mentoring, or treatment under the Employee Assistance Programme pursuant to regulation 206.
- (2) A major misconduct is any of the following –
- (a) use obscene, abusive, threatening or insulting language or behavior towards another public officer or member of the public;
 - (b) aids, abets or incites major misconduct by another public officer;
 - (c) making false claims including false allegations of sexual harassment under regulation 57;

- (d) pilfering;
- (e) acceptance of bribe;
- (f) theft, extortion, or misappropriation;
- (g) embezzlement;
- (h) fraud or dishonesty;
- (i) concealing loss or irregularity of government finance;
- (j) reporting for duty under the influence of drug;
- (k) taking illegal drug, alcohol or abusing prescription drug during working hours;
- (l) sexual harassment pursuant to regulation 57;
- (m) sabotage;
- (n) making false declarations in the course of duty or public service;
- (o) physical assault of another public officer or member of the public while on duty;
- (p) breach of confidentiality;
- (q) any other conduct which amounts to a series of acts or omission, incompetence, misbehaviour or low productivity established over a period of six months; or
- (r) any of the following acts committed by a public officer as a second offence –
 - (i) unauthorized absences and failure to satisfactorily correct behaviour after such absences are brought to that public officer's attention;
 - (ii) any case of tardiness or unauthorized absence where such case is made more serious due to the attendant circumstances or the penalty made more severe in consideration of the seriousness of the misconduct;
 - (iii) any of the conduct specified in subregulation (1) (f), (g) or (h);

- (iv) breach of public service code of conduct which the Commission determines are of major consequence; or
- (v) failure to report to duty during a strike pursuant to regulation 80.

Procedure on minor misconduct.

83. (1) A Chief Executive Officer or head of department shall issue an oral warning to a public officer for minor misconduct under regulation 82(1).

(2) If, after the oral warning a public officer’s conduct does not improve, the Chief Executive Officer or head of department shall warn the public officer in writing and the public officer shall, in writing, acknowledge receipt of such warning.

(3) The Chief Executive Officer or head of department may copy the warning issued under subregulation (2) to the Ministry.

(4) Subject to subregulations (1) and (2), where a public officer fails to improve his conduct, the Chief Executive Officer may recommend disciplinary procedures as follows –

- (a) the public officer shall be notified in writing of the grounds upon which it is intended that he be disciplined, and he shall be given full opportunity to explicate himself;
- (b) where the public officer fails to respond to the notice under paragraph (a) or acts in such a manner as to obstruct the process, the Chief Executive Officer may report the matter to the Commission pursuant to regulation 81; and
- (c) The Chief Executive Officer shall, as soon as possible, forward to the Commission a report containing the following information –
 - (i) the grounds for disciplinary action;
 - (ii) the public officer’s explanation; and
 - (iii) such other reports and documentary evidence relevant to the case.

(5) Pursuant to subregulation (4)(c), the Commission may make a determination on the case in accordance with regulation 82 and apply any of the following measures –

- (a) dismiss the case;
- (b) impose any of the following penalties –

- (i) caution;
 - (ii) surcharge;
 - (iii) fine; or
 - (iv) suspension of increment; or
- (c) refer the public officer to the following programmes
- (i) coaching or mentorship programme; or
 - (ii) employee assistance programme under regulation 206.

Procedure on
major
misconduct.

84. (1) Where a public officer commits an act of major misconduct, the Chief Executive Officer shall notify the public officer of the grounds for disciplinary action and request the public officer, to explicate himself, within ten days of the date of the request.

(2) Where the public officer fails to respond to the notice under subregulation (1) or acts in such a manner as to obstruct the process, the Chief Executive Officer shall report the matter to the Commission accordingly.

(3) The Chief Executive Officer shall, immediately, forward to the Commission a report containing the following information –

- (a) the grounds for disciplinary action;
- (b) the public officer's explanation; and
- (c) such other reports and documentary evidence relevant to the case.

(4) The Commission may with assistance from the Chief Executive Officer cause further investigation into the matter within ten days from the date of receipt of the report under subregulation (3).

(5) Where the Commission is informed of an alleged act of major misconduct by a public officer and the Commission is of the opinion that it is in the public interest or the reputation of the public service so requires, in accordance with regulation 92, the Commission may suspend the public officer from duty with full pay for sixty days in the first instance and an additional thirty days thereafter if necessary.

(6) The public officer may request to appear before the Commission with a union representative, an attorney-at-law or any other person required for assistance at the hearing and the Commission shall approve such request.

(7) If any witnesses are called to give evidence, the public officer, his union representative, attorney-at-law or such other person shall be entitled to be present and to put questions to the witnesses.

(8) No documentary evidence shall be used against the public officer unless he has previously been supplied with a copy thereof or given access thereto.

(9) Subject to the findings pursuant to subregulation (4), (7) and the procedures under regulation 81, the Commission may—

- (a) dismiss the case;
- (b) impose a penalty under regulation 83(5)(b);
- (c) demote the public officer;
- (d) dismiss the public officer;
- (e) retire the public officer in the public interest; or
- (f) impose some other appropriate penalty as specified in regulation 85.

(10) A procedure under this regulation, where practicable, shall be concluded within ninety days from the date of notice under subregulation (1).

(11) Where it is alleged that a public officer has committed a major misconduct of sexual harassment, the procedures under these regulations shall not apply if the procedures specified under the Protection Against Sexual Harassment Act are instituted.

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Other penalties.

85. (1) Where the Commission sees fit, having regard to the seriousness of the misconduct, the Commission may impose one of the following penalties or a combination thereof instead of the penalties specified in regulation 83(5)(b) or regulation 84(9) –

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- (a) surcharge in accordance with Finance and Audit (Reform) Act;
- (b) stoppage or loss of increment for a specified period;
- (c) suspension without pay for a period not exceeding three months;
- (d) withholding of a quantum benefit;
- (e) termination;
- (f) retirement in the public interest; or
- (g) dismissal.

(2) A public officer may be retired in the public interest on recommendation made from the Chief Executive Officer to the Commission, or the Commission may make the consideration in its own right.

- (3) A public officer may be dismissed –
 - (a) if proven to be absent from duty for five consecutive days without permission from his supervisor or head of department, from the first day of absence; or
 - (b) for repeated tardiness or unexcused absence and has failed to satisfactorily correct behaviour after offences have been brought to the public officer’s attention.

Entitlement on dismissal.

86. (1) A public officer whose appointment is confirmed may be dismissed at any time on the grounds of major misconduct.

(2) A public officer who is dismissed shall be entitled to payment of salary *in lieu* of all vacation leave accrued to him.

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(3) A public officer who is dismissed shall not claim retirement benefits under the Pensions Act.

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(4) Any pension benefits accruing to the public officer shall be dealt with in accordance with section 5 (2) of the Pensions Act.

Standard of proof, evidence, etc.

87. The Commission shall not be bound by the rules of evidence usually applicable to proceedings in a court but the Commission shall –

- (a) adhere to the principles of natural justice;
- (b) act independently, impartially and seriously;
- (c) conduct its proceedings in a timely manner; and
- (d) adjudicate matters before it in accordance with the principles of “on the balance of probabilities”.

Procedure on non-attendance by public officer.

88. (1) If without good reason, the public officer against whom disciplinary proceedings have been instituted does not attend the hearing, the Commission may proceed and conclude the matter in his absence.

(2) Where good reason is given to the Commission on behalf of the public officer as to why he is unable to attend the hearing, the Commission may postpone the matter but not to the extent that timely and effective discipline is prejudiced.

(3) For the purpose of subregulation (2), the fact that a public officer is in prison at the time of the hearing does not amount to good reason.

Record of disciplinary proceedings and hearings.

89. The Commission shall keep a record of disciplinary proceedings or hearings which shall contain statements of evidence, the findings of the Commission, together with reasons for the findings and the penalty imposed.

Public officer to be informed of right of appeal.

90. The Commission shall, as soon as possible, inform the public officer in writing of its findings, the penalty imposed, and his right to appeal the determination of the Commission to the Belize Advisory Council and of the time required for making such application.

Effect of appeal.

91. (1) Where the public officer lodges an appeal with the Belize Advisory Council within the specified period, the penalty shall take effect pending the determination of the appeal by the Belize Advisory Council.

(2) The post occupied by a public officer, who has filed an appeal to the Belize Advisory Council against a decision of a Commission, shall not be substantively filled while the appeal is in progress.

Procedure for suspension.

92. (1) The Chief Executive Officer shall, where the conditions specified in regulation 84(5) have occurred, submit to the Commission a preliminary report and request for immediate suspension of a public officer.

(2) The Commission may, pursuant to regulation 84(5), issue a letter of suspension and determine whether further investigation pursuant to regulation 84(4) is required.

(3) The Chief Executive Officer shall assist the Commission with further investigation and submit a final report to the Commission within one month of the date of suspension.

(4) The Commission shall issue a show cause letter within two weeks of the date of receipt of the final report.

(5) The public officer may, within two weeks of the date of receipt of the show cause letter under subregulation (4), respond to the show cause letter as well as making the request pursuant to regulation 84(6).

(6) The Commission shall, set a hearing date and convene the hearing within two weeks of the expiration of the period given under subregulation (5), whether or not the public officer has provided a response to the show cause letter.

(7) The Commission may grant no more than one adjournment to each party in a disciplinary proceeding.

(8) The Commission shall convey its decision to the public officer within two weeks of the date of hearing.

(9) The effective date of suspension is the date specified in the notice.

(10) A public officer on suspension shall –

(a) cease to report for duties immediately on receipt of the notice;

- (b) cease to receive all allowances except housing allowance approved to him prior to his suspension,
- (c) make himself available to the Commission until the conclusion of the matter; and
- (d) report to the Chief Executive Officer or head of department at ten days intervals until the conclusion of the case.

(11) A public officer who is under suspension shall not, without the written permission of the Commission, leave the country during the course of the suspension.

(12) Where a public officer is suspended and disciplinary proceedings are not instituted within ninety days of the date of suspension, the Commission shall set the suspension aside and the public officer shall be reinstated.

Discipline of office assistants, abuse of government vehicles, etc. S.I. No. 84 of 1992.

93. The procedure set out in the Public Services Commission (Delegation of Powers) Order shall apply to public officers in the post of office assistant, as well as to public officers on a charge of abuse of government vehicles.

Public officer on criminal charge.

94. (1) A public officer who is charged with a criminal offence shall immediately report the matter to the Chief Executive Officer or head of department.

(2) Pursuant to subregulation (1), the Chief Executive Officer or head of department shall request a report from the Police Department with respect to the charge and upon receipt, immediately submit such report to the Ministry, with a recommendation for or against the interdiction of the public officer, pursuant to regulation 95 (1).

(3) Where it is alleged that a public officer has committed a criminal offence and that public officer fails to report the matter, the Chief Executive Officer or head of department shall request a report from the Police Department with respect to the allegation, and, upon receipt, immediately submit such report to the Ministry with a recommendation for or against the interdiction of the public officer, pursuant to regulation 95 (1).

(4) A public officer who is on a criminal charge may be interdicted from the exercise of the powers and functions of his office in accordance with regulation 95.

Interdiction.

95. (1) Where a public officer is alleged to have committed a criminal offence, and where legal proceedings are being taken against that public officer, if the public interest so requires, the Commission may interdict the public officer from the exercise of the functions of his office. .

(2) A public officer who is under interdiction shall –

- (a) receive such portion of the salaries of his office not being less than one-half as the Commission shall approve;
- (b) cease to receive all allowances approved to him prior to his interdiction.

(3) A public officer who is under interdiction shall not, without the written permission of the Commission, leave the country during the period of interdiction.

(4) Where a public officer is convicted of a criminal charge, such charge being serious enough to warrant his dismissal from the service, the public officer shall not receive any salaries and allowances from the date of conviction.

(5) In making a determination under subregulation (4) in relation to the seriousness of the offence, the Commission shall have regard to –

- (a) whether the criminal offence was committed during working hours;
- (b) the nature of the criminal offence in relation to the duties of the public officer;
- (c) the effect of the criminal offence on the reputation of the public service;
- (d) whether the public officer convicted would create a serious risk to other public officers or the public; and
- (e) damage or loss of government property and where such damages or loss is proved to be the result of a public officer's negligence, such public officer shall be subject to a surcharge in accordance with the Finance and Audit (Reform) Act.

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(6) If the public officer is not convicted of the criminal charge, the Commission may provide the public officer with an opportunity to explain himself and thereafter determine whether the public officer may be subject to disciplinary proceedings pursuant to regulation 83 or 84, as the case may be.

PART 11

TRANSFERS, POSTING AND RESIDENTIAL QUARTERS

Transferability
and purpose.

96. (1) Subject to transfers pursuant to regulations 27 or 39, a public officer is subject to transfer.

(2) The Chief Executive Officer shall recommend transfer of public officers on the following principles –

- (a) career development of public officers, particularly those in the clerical, secretarial, administrative and finance grades; or
- (b) on recommendation by heads of department, the rotation of public officers in technical grades, in the best interest of the department, the public officer and the delivery of quality, professional service to the public.

(3) A transfer may be effected for the purpose of –

- (a) greater efficiency and effectiveness in the functioning of the public service;
- (b) enhancing service delivery;
- (c) career development; or
- (d) broadening of work experience.

(4) A transfer shall be determined on the basis of the human resource needs of a Ministry or department.

(5) Transfers are for the benefit of the public service, the department to which the public officer is transferred as well as public officers, and shall not be used as a punitive measure.

(6) All public officers shall be transferred on a rotation basis to ensure equity and fairness.

Transfer initiated by a public officer.

97. (1) A public officer may, in writing, request a transfer for personal reasons and the Commission may approve the transfer if the transfer coincides with the best interest of the Ministry or department.

(2) A public officer transferred in accordance with subregulation (1) shall not be eligible to receive the relocation grant under regulation 125.

Principles governing transfers.

98. (1) The Ministry shall endeavour, as much as possible, to maintain the constancy of staff at the middle management level in ministries to foster the “Management Team” concept.

(2) For the purpose of subregulation (1) –

- (a) middle management includes public officers in the post of finance officer, administrative officer, senior secretary and secretary I;
- (b) “Management Team” is defined by a Ministry’s policy regarding decision making by its senior officers.

(3) Public officers in these grades may be transferred in the exigencies of the public service after consultation with respective Chief Executive Officer.

Notice of transfer.

99. Notice of intention to transfer shall be given by the Chief Executive Officer or head of department to a public officer and the Chief Executive Officer of the Ministry between the months of January to March of each year.

Effective months of transfer.

100. (1) Transfers that would require a change in station by the public officer shall be effected during the months of July and August of each year to facilitate the smooth transfer of public officers with children attending school during a current school year.

(2) Where a need arises to effect the transfer of a public officer outside the period stated under subregulation (1), the Commission shall approve the transfer if such a request is made by the Chief Executive Officer as an exception and upon the Commission’s satisfaction that sufficient justification for the transfer is made.

Tour of duty.

101. (1) A transfer in the public service shall be for a tour of at least two years but not more than three years.

(2) Notwithstanding subregulation (1), any tour of less than two years shall be accepted only where the exigencies of the public service require.

(3) For the purpose of subregulation (2), where the exigencies of the public service require, the Chief Executive Officer or head of department shall provide details of the circumstances impacting the exigencies of the public service to determine whether the public officer shall be entitled to benefits under regulation 121.

Public officers not eligible for transfer grant.

102. The following public officers shall not be eligible for a transfer grant–

- (a) a public officer who requests a transfer in writing, pursuant to regulation 97, and such transfer is approved at their convenience; and
- (b) a public officer who requests and is approved a transfer on appointment or transfer on promotion to a post in another location.

Posting due to exigencies of the service.

103. (1) The authority for the approval of posting of public officers is vested in the Chief Executive Officer of the Ministry.

(2) A public officer may be posted from one station, ministry, or department to another as the exigencies of the public service require, for a period of not more than three months.

(3) For the purpose of subregulation (2), where the exigencies of the public service require, the Chief Executive Officer or head of department shall provide details of the circumstances impacting the exigencies of the public service to determine whether the posting shall be approved.

(4) Notwithstanding subregulation (2), in exceptional cases, a posting may be subject to a further extension of up to three months but no additional extension shall be considered.

(5) A public officer who is posted away from his station shall be entitled to a commuting subsistence allowance under regulation 120.

Occupation of residential quarters.

104. (1) A public officer who is provided with residential quarters may be permitted to occupy such quarters during his tenure in that station.

(2) A public officer, prior to retirement or termination of appointment, shall vacate official residential quarters within one month after the date of retirement or termination.

Death of public officer occupying residential quarters.

105. Where a public officer dies while occupying residential quarters, the public officer's family may be permitted by the Chief Executive Officer or head of department to continue occupying the quarters for a period not exceeding three months from the date of such death.

Quarters to be kept clean.

106. (1) A public officer who occupies a residential quarter shall be required to keep such quarter and the surrounding area in a clean, tidy and sanitary condition at their own expense.

(2) Before vacating a residential quarter, a public officer shall ensure that the quarter is in a clean and sanitary condition.

No alteration of quarters.

107. A public officer who occupies a residential quarter shall not, add modify or make structural alterations or install electrical fittings or lighting equipment without the approval of the Financial Secretary.

In the event of damage, public officer to make good such damage.

108. Where a residential quarter, furniture, electrical appliance, fixture or ground is damaged, and such damage, in the opinion of the Chief Executive Officer or head of department, is due to carelessness or negligence on the part of the public officer, an account of the charges for making good such damages shall be rendered to the public officer by the head of department concerned and the amount of such account shall be paid by the public officer to the Government.

Yearly reports on quarters.

109. The Chief Engineer in the Ministry responsible for Works shall, as soon as possible, forward to the Financial Secretary yearly reports on the condition of all residential quarters.

**PART 12
SALARIES AND ALLOWANCES**

Salaries for public officers

110. (1) The salary scales attached to public offices shall be as approved by the Ministry responsible for Finance.

(2) Where the salary of any post is scalar, subject to the provisions of these Regulations, it shall be normal for a public officer to be paid initially the minimum salary of the scale and for his salary to be increased by annual increments in accordance with regulation 112 at the rate provided in the scale until he reaches the maximum salary.

(3) In special circumstances, appointments may be made at a salary higher than the minimum salary on the scale of the recruiting grade.

Incremental date.

111. (1) The incremental date shall be –

- (a) the first day of the month if a public officer's date of appointment or promotion falls within the first to the fifteenth day of the month; or
- (b) the first day of the following month if a public officer's date of appointment or promotion falls after the fifteenth day of the month.

(2) Subject to any specific conditions of appointment, continuous services for a year on the part of a public officer in a post to which an annual scalar salary is attached shall, if satisfactorily performed, qualify such public officer for the grant of an increment to his salary.

Grant of increments.

112. (1) The outcome of the performance appraisal report of a public officer shall be the determining factor for the granting or withholding of an increment to that public officer.

(2) Notwithstanding subregulation (1), a public officer who is absent from duty on sick leave for a period of not more than six months in an assessment year shall be entitled to the grant of an increment provided that the public officer's performance is satisfactory.

(3) A public officer, on return from study leave, and with the approval of the Chief Executive Officer of the Ministry, is entitled to the grant of an increment for each successful year of study.

(4) The effective date of the grant of increments is the date of resumption of duty after study leave.

(5) Subregulation (3) does not apply in cases where a public officer was on approved study leave without pay.

Salary payable on promotion.

113. (1) A public officer, on promotion, shall receive the minimum salary of the post to which he is being promoted where the difference between his salary and the minimum of the higher post is not less than two increments on the higher scale.

(2) A public officer, on promotion, having served a minimum of six months towards his annual increment, shall be awarded a nominal increment on his former salary scale.

(3) A public officer, who is promoted immediately on his return from study leave, shall receive salary at the point nearest to his salary adjusted in accordance with regulation 112 (3), plus two increments on the higher scale.

(4) On promotion, a public officer's incremental date shall change in accordance with regulation 111.

Increment for qualifications. Schedule 2.

114. The grant of an increment for the various types of qualifications shall be in accordance with *Schedule 2*.

Retention of services of a public officer in former department.

115. (1) Where a public officer is promoted or transferred on appointment to a post in another Ministry or department, arrangements shall be made for the public officer to assume his new post on the date of his promotion or appointment.

(2) Where exceptional circumstances necessitate that the public officer retains the post in the previous Ministry or department beyond the date of his promotion or date of transfer, he shall be regarded as holding his new post as from the date that the promotion or transfer on appointment was approved.

(3) In any case under subregulation (2), the approval of the Chief Executive Officer of the Ministry, to retain the public officer in his previous post, shall first be obtained.

Salary conversion on revision of post.

116. (1) Where the salary scale of a public officer's post is revised, the public officer shall enter the revised salary scale at the salary which corresponds to the salary he had reached in the previous salary scale.

(2) Where the salary of the public officer is not reflected on the revised salary scale, he shall enter the revised salary scale at a salary nearest his current salary provided that the public officer does not suffer any financial loss.

(3) The public officer's incremental date shall not be affected by a conversion under this regulation.

Acting allowance.

117. (1) The payment of acting allowance shall be approved if a public officer is required to act for a period of more than fourteen consecutive days.

(2) The amount of acting allowance payable shall be the difference between the salary which the public officer is receiving in his substantive post and the minimum salary of the office in which he is acting.

(3) Where the salary of the public officer appointed to act is more than the minimum salary of the post in which he is acting, an acting allowance of not less than two increments on the higher scale shall be paid.

Responsibility allowance.

118. (1) A public officer may be granted a responsibility allowance of an amount not exceeding the acting allowance if he –

- (a) is not eligible for an allowance under regulation 117; or
 - (b) is required to undertake any duty over and above what is required of a public officer in his current post.
- (2) This regulation does not apply to a public officer who is required to –
- (a) undertake clerical duties; or
 - (b) undertake duties of a post at a lower level than the post he currently holds.

Subsistence and meal allowance.

119. (1) Subsistence and meal allowance shall be payable in accordance with subregulation (2) upon making a claim for such an allowance on the form set out in *Schedule 3*.

(2) Where a public officer is away from his station on duty for a period exceeding five hours but not exceeding nine hours, a meal allowance equivalent to two-thirds of a full day's subsistence shall be paid provided that where a public officer's absence does not exceed five hours but covers the lunch period, a meal allowance of one-third of a day's subsistence shall be paid.

(3) Where a public officer is away from his station on duty for a period which exceeds nine hours but does not exceed twenty-four hours, a full day's subsistence allowance shall be paid.

(4) Where a public officer is required to perform duty in a tourism-oriented town or village, a higher rate of subsistence to be specified by the Financial Secretary, shall be paid.

(5) Where a public officer is away from his station on duty for more than twenty-four hours, the payment of subsistence allowance for the period of absence in excess of twenty-four hours shall be calculated on a *pro rata* basis. .

(6) If full meals are provided during the course of duties, a claim for subsistence allowance shall not be allowed.

Allowances on temporary assignment or posting.

120. (1) A public officer who, of necessity, is temporarily assigned or posted away from his station for more than thirty consecutive days, shall –

- (a) receive subsistence allowance as provided for in regulation 119 for the initial thirty-day period; and
- (b) receive a commuting subsistence allowance for any period after the initial thirty-day period.

(2) The payment of a commuting subsistence allowance shall only be considered –

- (a) for temporary assignments or postings; or
- (b) in any case of a period of three months, and in exceptional cases a period of six months.

(3) The quantum of the commuting subsistence allowance shall be as approved by the Ministry responsible for Finance.

Transfer grant or allowance.

121. (1) On transfer, a public officer shall be eligible for the following grant and allowances at the rate approved by the Ministry responsible for Finance –

- (a) transfer grant payable before assumption of duty at the station where the public officer is transferred to assist with the cost incurred when relocating from one station to another;
- (b) housing allowance payable for the duration of a tour of duty subject to subregulation (2);
- (c) hardship allowance for public officers transferred to Ambergris Caye, Hunting Caye, Placencia Village or Toledo District.

(2) Subregulation (1) (b), does not apply to a public officer who is serving if he –

- (a) is returning to a station where he was first employed;
- (b) owns a house in the station to which he is being transferred; or
- (c) is approved a commuting allowance pursuant to regulation 122.

Commuting allowance.

122. (1) A public officer who is transferred but who does not physically relocate to the station to which he is transferred shall be entitled to a commuting allowance at the rate approved by the Ministry responsible for Finance for a maximum period of three years.

(2) Public officers entitled to a commuting allowance pursuant to subregulation (1) shall not be eligible for a transfer grant.

Bush allowance. Schedule 4.

123. A public officer holding a post listed in *Schedule 4*, who engages in operations in the bush shall receive a bush allowance at the rate approved by the Ministry responsible for Finance.

Mileage allowance.

124. A public officer, who uses his private motor vehicle or motorcycle on approved travel outside his station, shall be entitled to mileage allowance at the rates approved by the Ministry responsible for Finance.

Relocation grant.

125. Where an office is relocated from one station to another station, a public officer shall be entitled to –

(a) a relocation grant at the approved rate; and

(b) a housing or commuting allowance for the maximum period of one year, subject to regulation 121 (2).

Reimbursement of expenses.

126. (1) Where a public officer while on duty is required to sleep away from the place where he resides, on prior approval by the Chief Executive Officer responsible for the relevant Ministry, that public officer shall be entitled to a reimbursement of all hotel or lodging expenses occasioned thereby.

(2) The rate of reimbursement under subregulation (1) shall be the rates approved by the Ministry responsible for Finance.

(3) If a public officer uses public transportation for the purpose of travelling away from his station while on duty, he shall be entitled to a reimbursement of expenses incurred.

(4) Public officers attending overseas conferences or travelling on other duty abroad may be reimbursed, on production of receipts, for their reasonable hotel expenses in respect of room and necessary travelling expenses.

Motor vehicle allowance.

127. (1) An allowance at the rate approved by the Ministry responsible for Finance shall be paid to public officers who use their personal motor vehicles, motorcycles or bicycles on a regular basis in discharging the duties of their offices.

Schedule 5.

(2) Subregulation (1) shall apply to public officers as specified in *Schedule 5*.

Travel allowances for duty abroad.

128. (1) Subsistence and other allowances which may be paid to public officers for travel on duty overseas shall be approved by the Ministry responsible for Finance and shall be in accordance with rates approved by the Ministry responsible for Finance.

(2) A travel allowance, not exceeding the rate approved by the Ministry responsible for Finance, may be paid to a public officer for necessary travel and in transit expenses in connection with a required duty or study abroad.

Warm clothing allowance.

129. (1) A warm clothing allowance, at the rate approved by the Ministry responsible for Finance, shall be payable to a public officer who is required to travel to cold or temperate climate countries, for the purpose of duty or study abroad.

(2) A warm clothing allowance shall not be payable to a public officer who has already received a warm clothing allowance within a period of less than two years after his return from a previous travel abroad.

**PART 13
ADVANCES**

Application,
approval, etc.

130. (1) A public officer may apply to the Financial Secretary for an advance and the Financial Secretary may approve an advance to cover any of the following expenses –

- (a) to purchase a means of transportation approved for the duties of the public officer's post;
- (b) funeral;
- (c) educational;
- (d) medical; or
- (e) any other expense or purpose approved by the Financial Secretary to be in the interest of the public service.

(2) Subject to regulation 132, the terms of repayment of an advance under subregulation (1) shall be determined by the Financial Secretary.

(3) The Financial Secretary may refuse to grant an advance where –

- (a) the amount of the advance required is greater than what the public officer can reasonably be expected to repay within the approved time;
- (b) a previous advance is not fully repaid;
- (c) the public officer has failed to meet the requirements of a previously approved advance; or
- (d) in the case of an application for motor vehicle advance, if an approval was given for a similar purchase within the last three years.

(4) Notwithstanding subregulation (3)(d), the Financial Secretary may approve a motor vehicle advance within three years of a previous application in exceptional circumstances such as the destruction of the motor vehicle by accident.

Repayment of
advances.

131. (1) A public officer to whom an advance was approved shall repay the advance by monthly deductions from his salary unless otherwise authorized in writing by the Financial Secretary.

(2) The Chief Executive Officer or head of department of the Ministry or department, in which the public officer is serving at the time an advance is approved, shall ensure that proper records of the advance is kept and that the repayment amount is deducted monthly.

(3) Where the public officer under subregulation (1) is transferred, the particulars of the advance including the outstanding balance and rate of repayment shall be sent to the Ministry or department to which the public officer is being transferred, and the Chief Executive Officer or head of department of that ministry or department thereafter shall assume responsibility for ensuring deduction of the monthly amount.

Requirements for motor vehicle advance.

132. (1) A public officer who receives an advance to purchase a motor vehicle is required to produce –

- (a) a receipt for the purchase of the motor vehicle; and
- (b) a bill of sale,

on demand by the Ministry responsible for Finance.

(2) A motor vehicle, on which any part of an advance remains outstanding, may not be sold or disposed of in any way without the prior written consent of the Financial Secretary.

Nominal service charge on advances.

133. Except for motor vehicle advances, all advances shall carry a nominal service charge, which is recoverable at the time of issue of the advance to be determined by the Financial Secretary.

**PART 14
LEAVE OF ABSENCE**

Authority for approval of leave.

134. The Chief Executive Officer in the Ministry is the authority responsible for the approval of vacation leave.

Vacation leave entitlement.

135. Vacation leave shall be approved on full salary at the rate of –

- (a) thirty working days per annum to any public officer who holds a post on pay scale 9 or higher; or
- (b) twenty working days per annum to any public officer who holds a post on pay scale 8 or below.

Vacation leave report.

136. The Chief Executive Officer shall no later than mid January, prepare a report of vacation leave utilized by public officers during the previous year and submit same to the Ministry.

Accumulation of leave to be discouraged.

137. In considering whether to approve vacation leave to a public officer, the Chief Executive Officer or head of department shall be guided by the principle that –

- (a) public officers shall avail themselves of annual vacation leave due; and
- (b) the accumulation of vacation leave shall be discouraged.

Maximum accumulation of vacation leave.

138. (1) Where necessary, public officers who earn –
- (a) thirty working days’ vacation leave per year may accumulate a maximum leave of up to seventy days; and
 - (b) twenty working days’ vacation leave per year may accumulate a maximum leave of up to fifty days.
- (2) Pursuant to subregulation (1), a public officer shall not accumulate vacation leave above the maximum accumulable leave entitlement.
- (3) Where a public officer –
- (a) is about to reach the maximum accumulable leave entitlement pursuant to subregulation (1);
 - (b) has applied for leave for which he is eligible; and
 - (c) was not granted such leave,

that public officer shall forward his request to the Chief Executive Officer of the Ministry and the Chief Executive Officer of the Ministry may, after consultation with the relevant Chief Executive Officer, approve the vacation leave.

Method of calculating vacation leave.

139. (1) In calculating vacation leave under regulation 135, any broken period of a month is taken into account, for example, where a senior public officer has served for 2 years 3 months 17 days he shall be eligible to leave calculated as follows –

2 years 3 months = 27 months at 30 days per annum

$$(a) \quad \frac{27}{1} \quad x \quad \frac{30}{12} \quad = \quad 67.5$$

17 days at 30 days per annum

$$(b) \quad \frac{17}{30} \quad x \quad \frac{30}{12} \quad = \quad \frac{1.4}{68.9}$$

(c) TOTAL LEAVE DAYS DUE = 69 days.

- (2) Where a junior public officer has served for 2 years 3 months 17 days he shall be eligible to leave calculated as follows –

2 years 3 months = 27 months at 20 days per annum

$$(a) \quad \frac{27}{1} \quad x \quad \frac{20}{12} \quad = \quad 45$$

17 days at 20 days per annum

$$(b) \quad \frac{17}{30} \quad x \quad \frac{20}{12} \quad = \quad \frac{94}{45.94}$$

(c) TOTAL LEAVE DAYS DUE = 46 days.

- (3) Public and bank holidays shall not be taken into account in the granting of vacation leave.

Application for leave and leave roster.

140. (1) It is the responsibility of Chief Executive Officer or head of department to ensure that a leave roster, reflecting as far as possible the period of leave requested by the public officer, is prepared at the beginning of each year.

(2) Where possible, public officers shall ensure that leave applications are in conformity with the leave roster.

(3) Where a public officer applies for vacation leave, but does not give at least one month's notice, such application shall be considered only where it is in conformity with the roster, or where the Chief Executive Officer or head of department is satisfied that the leave is required on the grounds of urgent private affairs pursuant to regulation 145.

Deferment of leave.

141. (1) The granting of vacation leave to a public officer may be deferred if it is in the interest of the public service to do so.

(2) For the purpose of subregulation (1), where the interest of the public service requires, the Chief Executive Officer or head of department shall provide details of the circumstances impacting the interest of the public service.

(3) A public officer on leave may be required to return to duty before the expiration of the leave granted, if, pursuant to subregulation (2), it is in the interest of the service to do so and the remaining leave shall be credited to the public officer's leave entitlement.

Leave spent outside Belize.

142. On application for vacation leave, a public officer shall indicate in writing to the Chief Executive Officer or head of department whether the leave will be spent abroad.

Mandatory
leave.

143. (1) It is mandatory that public officers take at least fifteen working days' vacation leave annually in the case of senior public officers and ten working days' vacation leave in the case of junior public officers.

(2) Where the end of the year is approaching and a public officer has not fulfilled his obligation to take mandatory leave in accordance with subregulation (1), the Chief Executive Officer or head of department shall direct the public officer to take mandatory leave.

Administrative
leave.

144. (1) A public officer may be required by the Chief Executive Officer or head of department to proceed on leave or to remain on vacation leave after the expiry of leave granted, for the purpose of investigating an allegation prior to making a determination on an appropriate course of action.

(2) Leave under subregulation (1) shall not –

(a) exceed five working days; or

(b) count against the officer's earned vacation leave entitlement,

and the public officer shall be provided with the reasons for the leave.

Leave on urgent
private affairs.

145. (1) Public officers applying for leave on the grounds of urgent private affairs shall satisfy the person authorized to grant such leave that the leave is unavoidable.

(2) For the purpose of subregulation (1), "urgent private affairs" relates to compassionate leave under regulation 172, other death in the family, illness in the family, and such other personal business of a nature which, in the opinion of the Chief Executive Officer or head of department, reasonably necessitates the public officer's absence from duty.

(3) Leave on urgent private affairs, if approved, shall be deducted from the public officer's leave entitlement.

Extension of
leave.

146. (1) Where a public officer is on leave and desires to extend the period of leave, that public officer shall apply for an extension of leave before the expiration of the period of leave to allow a reply to be received before the current period of leave expires.

(2) Leave under subregulation (1) shall only be approved in exceptional circumstances.

Leave not to
entail extra
staff.

147. A Chief Executive Officer or head of department is expected to make every effort to arrange for the performance of a public officer's duties without extra cost to Government while that public officer is on leave for less than fourteen consecutive days.

Leave prior to
compulsory
retirement.

148. A public officer who is retiring from the public service shall proceed on all vacation leave to which he is entitled prior to the date of retirement.

- Payment *in lieu* of leave prior to retirement. 149. Notwithstanding regulation 148, a public officer who is retiring from the public service may, in exceptional circumstances, be paid salary *in lieu* of all, or part of vacation leave earned prior to the date of his retirement.
- Leave prior to resignation. 150. A public officer who resigns from the public service shall proceed on all vacation leave earned prior to the effective date of resignation.
- Payment *in lieu* of leave earned prior to dismissal. 151. A public officer who is dismissed from the public service or whose services are terminated on disciplinary grounds shall be paid salary *in lieu* of all vacation leave earned prior to the date of dismissal or termination.
- Period during which leave is not earned. 152. A public officer shall not earn vacation leave while on –
- (a) study leave exceeding twelve weeks;
 - (b) sick leave exceeding sixteen days;
 - (c) suspension from duty;
 - (d) secondment;
 - (e) leave without pay;
 - (f) vacation leave exceeding thirty working days;
 - (g) maternity leave.
- Sick Leave. 153. (1) A public officer may be granted sick leave, up to sixteen days with full pay in a year.
- (2) Sick leave for more than one day on any occasion shall not be granted without a medical certificate.
- (3) Not more than six days paid sick leave without a medical certificate shall be allowed in a year.
- (4) Each Ministry shall submit a monthly return of all sick leave utilized by public officers to the Ministry, not later than the elapse of ten days of the following month.
- (5) It is the responsibility of a public officer to lodge his medical certificate –
- (a) at the nearest Social Security Board office within four days of the date of the medical certificate pursuant to the Social Security Act; and
 - (b) at the Ministry or department where the public officer is stationed.
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- CAP. 44. (6) Where a public officer fails to comply with subregulation (5) and the sick leave request is disqualified from claim in accordance with the Social Security Act –
- (a) that period of sick leave shall be deducted from the public officer’s vacation leave entitlement; or
 - (b) if that public officer has exhausted his vacation leave entitlement, a deduction shall be made from the public officer’s salary equivalent to the loss suffered in respect of Government.
- Extended sick leave. 154. (1) A public officer who has exhausted sick leave provided for in regulation 153 (1) and requires further sick leave for protracted illness, shall qualify for extended sick leave in accordance with regulation 155.
- (2) Where the illness is not a protracted illness the public officer shall –
 - (a) utilize vacation leave; or
 - (b) where the public officer has exhausted all vacation leave, the leave shall be treated as leave without pay.
 - (3) For the purpose of these Regulations, a protracted illness is –
 - (a) an illness that is prolonged due to its nature; or
 - (b) the complication of an illness such as one disease or the emergence of another that is the effect of the primary disease.
 - (4) Where a question arises as to whether or not a public officer's illness is protracted, the Chief Executive Officer of the Ministry may refer the case to the Director of Health Services for a determination of the matter.
- Sick leave for protracted illness. 155. (1) A request for sick leave in excess of sick leave provided for in regulation 153(1) shall be made to the Chief Executive Officer of the Ministry within five working days from the date the public officer first becomes aware of the illness.
- (2) A request for sick leave for protracted illness under subregulation (1) shall be accompanied by medical evidence.
 - (3) The Chief Executive Officer of the Ministry may grant extended sick leave for protracted illness of up to one hundred and eighty days on full pay as follows –
 - (a) up to ninety day on receipt of a prognosis of the public officer’s eventual recovery and return to duty; and
 - (b) if the illness of the public officer exceeds the ninety days as specified in paragraph (a), the public officer may be granted further

extension of up to ninety days on receipt of a further prognosis certified by the Director of Health Services.

Recurrent
sick leave.

156. (1) Where the absence of a public officer on sick leave becomes recurrent, the Chief Executive Officer of the Ministry may refer the application to the Director of Health Services for advice.

(2) Subject to subregulation (1), the Director of Health Services may advise that the public officer shall be examined by a medical practitioner, or a specialist, as the case may be.

Sick leave on
half pay.

157. (1) Where a public officer has exhausted the extended sick leave pursuant to regulation 155(3), and continues to be absent on the basis of illness, the Chief Executive Officer of the Ministry may request the Director of Health Services to –

- (a) advise on the nature of the public officer's illness; or
- (b) make a recommendation on whether or not a Medical Board may be established for the purpose of consideration of that public officer's fitness to continue in the public service.

(2) The Director of Health Services may refer the public officer to a Medical Board and based on substantial evidence from the Medical Board that full recovery and return to duty is probable, the public officer may be granted extension of sick leave of up to one hundred and eighty days on half pay.

(3) The Director of Health Services shall submit a copy of the report of the Medical Board to the Ministry within ten working days of the receipt of such report.

Retirement on
medical
grounds.

158. (1) Where the illness of the public officer exceeds three hundred and sixty days sick leave, the Commission shall retire the public officer from the public service on medical grounds based on the recommendation of the Medical Board.

(2) For the purpose of subregulation (1), the report of the Medical Board shall state clearly that the public officer is incapable by reason of an infirmity of mind or body of discharging the duties of his office efficiently and that such infirmity is likely to be permanent.

(3) Where the report of the Medical Board states that the public officer is capable of discharging the duties of his office efficiently upon recovery and that such infirmity is not likely to be permanent, sick leave without pay shall be granted.

(4) Where a public officer returns to work but is incapable of discharging his duties effectively, the Chief Executive Officer or head of department or the public officer may request a re-evaluation by the Medical Board of his fitness to continue in the public service.

Sick leave in case of illness of immediate family member.

159. A public officer may use sick leave under regulation 153 of up to five days in the case of illness of his immediate family member if that public officer produces the medical certificate in respect of the immediate family member.

Illness whilst outside of Belize.

160. (1) Where a public officer falls ill or seeks medical attention outside of Belize, that public officer shall have his medical certificate certified by a registered medical practitioner in Belize.

(2) Where the registered medical practitioner under subregulation (1) disagrees with any matter reported on the medical certificate relating to prognosis, that registered medical practitioner may refer the matter to the Director of Health Services for advice.

Sick whilst on vacation leave.

161. (1) Where a public officer falls ill while on vacation leave and he produces satisfactory medical evidence to the Chief Executive Officer or head of department, he shall be credited with vacation leave equivalent to the number of days utilized as sick leave, due to illness.

Maternity leave.

162. (1) A public officer who is a female is entitled to fourteen weeks maternity leave on full pay granted in accordance with subregulation (2).

(2) It is mandatory that a public officer under subregulation (1) utilize at least two weeks maternity leave before the expected date of delivery in accordance with subregulation (3).

(3) The maternity leave under subregulation (1) may be taken –

- (a) seven weeks prior to expected date of delivery and seven weeks after the actual date of delivery; or
- (b) not less than two weeks prior to the expected date of delivery and the remaining balance after the actual date of delivery.

Maternity leave application.

163. (1) A public officer who is pregnant, shall apply to the Chief Executive Officer of the Ministry for maternity leave at least ten weeks prior to the public officer's expected date of delivery.

(2) The public officer shall ensure that the application under subregulation (1) fulfills the requirements of the Social Security Act.

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(3) A public officer who fails to comply with subregulation (1) may be subject to disciplinary action in accordance with regulation 83.

Conditions of maternity leave.

164. (1) A public officer may be granted vacation leave which is due to her at the expiration of her maternity leave.

(2) Sick leave shall not be granted as a substitute for maternity leave.

(3) Sick leave may be granted to run consecutive to maternity leave on the basis of a medical certificate.

Maternity leave without pay.

165. (1) A public officer who has completed less than one hundred and fifty days public service and requires maternity leave shall be granted leave without pay.

(2) Leave under subregulation (1) shall not be considered as “service” for pension purposes.

Maternity leave on adoption of child.

166. Where a public officer who is a female is adopting a new-born child, that public officer, on production of documentary evidence of the adoption, may be granted seven weeks maternity leave commencing from the date of birth of the child.

Paternity leave.

167. (1) A public officer who is a male shall be entitled to the grant of paternity leave of up to seven working days commencing at the date of birth of his child.

(2) The paternity leave pursuant to subregulation (1) shall –

- (a) be based on the presentation of evidence of birth of the public officer’s child; and
- (b) not be a charge against a public officer’s vacation leave.

Post natal leave on death of mother.

168. (1) Where the mother dies during child delivery, the father of the child shall be entitled to take post natal leave of up to seven weeks on full pay.

(2) A leave under subregulation (1) shall not be a charge against that public officer’s vacation leave.

Special leave and appeals, etc.

169. (1) The Chief Executive Officer may grant special leave of up to thirty days in any year, on full salary for the following purposes –

- (a) to enable public officers who belong to the volunteer element of the Belize Defence Force to attend annual training;
- (b) to enable public officers who are selected by the relevant authorities to represent Belize in national or international sporting, cultural and other events;
- (c) to enable public officers selected by recognized unions or associations to attend training courses, conferences and to represent its interest; or
- (d) to enable public officers to attend any other event which the Chief Executive Officer considers to be in the public interest.

(2) A public officer aggrieved by a decision of the Chief Executive Officer to deny special leave under subregulation (1) may appeal to the Chief Executive Officer of the Ministry.

(3) The Chief Executive Officer of the Ministry may grant special leave for a purpose other than the purposes under subregulation (1) to enable public officers to do such things which are considered to be in the public and national interests.

(4) Where the required special leave exceeds thirty days, the leave in addition to the special leave under subregulation (1) shall be treated –

(a) as vacation leave, if the public officer is eligible therefor; or

(b) as leave without pay.

Authority for leave without pay.

170. Authority for the grant of leave without pay is vested in the Chief Executive Officer of the Ministry, and the following principles shall apply –

(a) up to six months leave without pay shall be granted but additional leave may only be granted in special circumstances, up to a maximum of twelve months; and

(b) leave without pay shall not be considered as “service” for pension purposes.

Duty leave

171. (1) The Chief Executive Officer may request duty leave on behalf of a public officer who is required to be out of the country on duty.

(2) A request under subregulation (1) shall be made to the Cabinet Secretary and copied to Ministry and the Ministry responsible for Finance.

Compassionate leave.

172. (1) A Chief Executive Officer or head of department may grant compassionate leave, on application by a public officer, up to three working days at the time of death of an immediate family member.

(2) Leave under subregulation (1) shall not be charged against a public officer’s vacation leave.

Time-off for union business.

173. (1) The Chief Executive Officer or a head of department, subject to the exigencies of the service, shall make every effort to grant public officers time-off with full pay to attend union meetings or to participate in other activities organized by the union.

(2) A public officer shall, in writing, request time-off and submit along with such request, any documentation to verify the nature of the union meeting or other activity organized by the union.

**PART 15
SECONDMENT**

Authority for
secondment,
etc.

174. (1) The authority for the approval of secondment is vested in the Chief Executive Officer of the Ministry.

(2) For the purpose of this regulation, a secondment is the release of a public officer from the public service to an organization or project outside of the public service.

(3) A public officer shall apply for secondment at least one month before the date, which is intended for the secondment to come into effect. .

(4) An application under subregulation (3) shall be accompanied by a job offer from the organization or project office to which the public officer is applying for secondment.

(5) A public officer may be seconded for a period of up to two years, unless there is exceptional circumstance for extension of secondment, up to a maximum of three years.

(6) The approval of secondment shall be contingent on the exigencies of the public service.

(7) For the purpose of subregulation (6), where the exigencies of the public service require, the Chief Executive Officer or head of department shall provide details of the circumstances impacting the exigencies of the public service to determine whether the secondment shall be approved.

(8) The public officer shall be governed by the rules and regulations of the organization or project to which the public officer is being seconded for the period of secondment.

(9) The public officer on secondment shall ensure that a report of his performance during his tenure on secondment shall be submitted by the receiving organization or project manager to the Chief Executive Officer of the Ministry at the end of the period of secondment.

(10) The period of service of a public officer while on secondment shall be considered as period for pension purposes under the Pensions Act.

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Salary on
return from
secondment.

175. (1) At the expiration of a period of secondment, the public officer shall revert to the post which he held prior to secondment and the salary of the public officer shall be on the pay scale and salary range of his office, at the point which he would have reached if he had not been seconded.

(2) The authority to restore the public officer's salary is vested in the Chief Executive Officer.

Vacation leave prior to secondment.

176. A public officer who is granted secondment shall utilize all vacation leave earned, and settle all outstanding debts to government or make adequate arrangements to settle such debts prior to his departure on secondment.

**PART 16
EDUCATION, TRAINING AND CAREER DEVELOPMENT**

Authority for grant of study leave.

177. The Chief Executive Officer of the Ministry may grant study leave to a public officer where the training is considered to be of benefit to the public service.

Authority for training policy.

178. The Ministry, in consultation with the Ministry responsible for Education and any other stakeholder, is the authority to develop and administer training policies and standards.

Proposals for training.

179. The Chief Executive Officer of the Ministry shall issue a circular annually inviting a Chief Executive Officer to submit the Ministry and department's training needs and indicate whether the training need is to be fulfilled at local or international training institutions during the following year.

Equal opportunity for training etc.

180. Every Chief Executive Officer shall enable public officers to be provided equal opportunity and support to be trained and developed to enable them to perform efficiently and contribute to the achievement of the mission and goals of the Public Service

Training awards.

181. Where a Ministry or department receives an offer of training award from international organizations, that Ministry or department shall transmit that offer of training award to the Ministry for circulation within the public service.

Responsibilities relating to this Part.

182. (1) A Chief Executive Officer is responsible –
- (a) to determine the training needs of the Ministry and departments for which supervision was placed in accordance with section 48 of the Belize Constitution and provides for the management and fulfillment of such training needs;
 - (b) to encourage and support training and developing goals of public officers;
 - (c) to facilitate the personal growth and career development of public officers; and
 - (d) to communicate the training needs determined under paragraph (a) to the Ministry and departments which he supervises.
- (2) A public officer is responsible for –
- (a) his personal growth and development;
 - (b) the enhancement of himself in his career; and

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- Training categories.
183. leave –
- (1) The following categories of training may be considered for grant of study leave –
- (a) category 1 relates to government mandated programme of study –
 - (i) initiated or mandated by the Government;
 - (ii) considered to be of national interest, such as government scholarships and awards to fill critical skill shortage, or courses to meet future strategic needs; and
 - (iii) approved as study leave with pay;
 - (b) category 2 relates to career advancement programme of study –
 - (i) to improve the qualifications and skills for advancement within an existing career path;
 - (ii) to improve the qualifications and skills for future career advancement and employability in areas not necessarily related to their existing career path but relevant to existing needs of the wider public service; and
 - (iii) approved as study leave with pay; or
 - (c) category 3 relates to personal development programme of study –
 - (i) for personal growth and development in areas not considered a government priority;
 - (ii) which is not based primarily on the needs of the public service; and
 - (iii) approved as study leave without pay
- (2) A public officer may be granted study leave on full pay for a course of training that is –
- (a) approved by the Chief Executive Officer of the Ministry;
 - (b) to be commenced on a full time basis; and
 - (c) scheduled for a period of not more than one year.

Eligibility for study leave.

184. (1) A public officer is eligible for study leave if he –
- (a) is confirmed in his appointment; and
 - (b) has served in the public service for a period of two years or more.
- (2) A public officer shall not be considered for the grant of study leave for strictly online programmes.
- (3) Notwithstanding subregulation (1) (b), a public officer is eligible for study leave to undertake a category 3 programme of study under regulation 183(1) (c) after he has served at least five years.

Conditions of study leave.

185. (1) Where a public officer is approved study leave with pay for a course in excess of one year, the Government shall pay eighty percent of total salary payable to that public officer.
- (2) A public officer shall utilize all vacation leave earned prior to departure on study leave.
- (3) A public officer, prior to commencement of a programme of study, shall sign a bond with the Ministry to serve on completion of the programme of study.
- (4) A public officer, while on study leave, shall devote his time to the fulfillment of the programme of study and sit any examination or write such paper or report as may be required by the institution of learning.
- (5) Where the programme of study is of a blended nature, the Ministry may review the content of the programme to evaluate the option for part time study leave.
- (6) For the purpose of subregulation (5), “blended nature” means that the programme of study is transmitted for interaction partly by online means and partly by face-to-face lectures.

Procedure to request study leave or financial assistance.

186. (1) A public officer shall secure the support of the Chief Executive Officer or the head of department for his application for full-time study leave or financial assistance.
- (2) An application under subregulation (1) shall be routed through the Chief Executive Officer to the Chief Executive Officer of the Ministry.
- (3) A public officer may be eligible for financial assistance of up to \$1,500.00 from Government for an approved programme of study if the public officer obtains approval from the Ministry before he attempts such programme of study.

Schedule 6.

- (4) The Chief Executive Officer or the head of department shall apply the requirements set out in *Schedule 6* when considering an application under subregulation (1).

Bond.

187. (1) The amount of the bond required under subregulation (3) shall vary depending on the duration of the programme of study in accordance with the following –

	Duration of programme of study –	Bonded period –
(a)	less than six months	nil
(b)	six months to less than one year	one year
(c)	one year to less than two years.....	two years
(d)	two years to less than three years	three years
(e)	three years to less than four years	four years

(2) Subject to subregulation (1), the amount of a public officer’s bond shall be the estimated cost of the training, including the salary and other commitments and allowances payable during the period of training.

(3) The total amount of expenditure shall be the extent of a public officer’s indebtedness.

(4) The bond pursuant to subregulation (2) shall be secured.

(5) If a public officer fails to serve the bonded period, he shall pay to the Government the sum of money calculated in accordance with subregulation (3) and the policy relating to training bond.

(6) Notwithstanding subregulation (3), a public officer shall not be required to sign a bond where study leave without pay was granted.

Termination
or
suspension
of
programme
of study.

188. (1) Where a programme of study is terminated, suspended, or if the public officer abandons the programme of study for any reason whatsoever –

- (a) the public officer shall immediately resume duties; and
- (b) serve a period of bond adjusted to the period for which the public officer has pursued the programme of study in accordance with regulation 187(1).

(2) A public officer who terminates his programme of study without prior approval from the Chief Executive Officer of the Ministry, shall pay the Government a sum of money equal to the amount of salary he received prior to the termination of the programme of study and any other amount incurred by the Government in connection with the programme of study.

(3) A public officer shall obtain approval for any change in the programme of study, or the transfer of the public officer to another institution of learning, from the Chief Executive Officer of the Ministry, prior to implementing that change or transfer.

Fulfillment of Bond prior to further study leave.

189. A public officer, on successful completion of an approved programme of study, is required to fulfil his bond before study leave to pursue another programme of study may be approved.

Extension of study leave.

190. (1) Extension of study leave may be granted if it is in the interest of the public service.

(2) An application for extension of study leave shall be accompanied by –

(a) evidence from the institution of learning of the need and reason for the extension; and

(b) a letter of support from the Ministry at which the public officer is employed.

Study Leave without pay

191. (1) Study leave without pay –

(a) may be approved to a public officer to pursue training at a level equivalent to a qualification already possessed by the public officer or higher;

(b) shall only be granted for full-time study;

(c) is subject to the exigencies of the public service; and

(d) shall not be considered as “service” for pension purposes.

(2) Where a public officer on study leave without pay ceases full-time study without approval, the study leave shall be terminated immediately and that public officer shall resume duty forthwith.

Part-time study leave.

192. (1) A public officer shall, within a reasonable time, notify the Chief Executive Officer or head of department of his intention to enroll in a programme of study at an institution in Belize.

(2) A public officer requiring time-off shall obtain approval of the Chief Executive Officer or head of department prior to registering for the course.

(3) A Chief Executive Officer or head of department may approve time off to a public officer who wishes to undertake an approved programme of study at an institution in Belize where the time-off required is not more than four hours per week.

(4) Where a public officer requires part-time study leave of more than four hours per week but not more than two days, that public officer shall, subject to the approval of the Chief Executive Officer of the Ministry, utilize his vacation leave.

(5) The Chief Executive Officer of the Ministry may grant part-time study leave where –

- (a) the programme of study is beneficial to the public service; and
- (b) the particular course is not available on evenings or weekends.

(6) Where a public officer requires leave of three days or more per week, the public officer shall apply for full-time study leave.

In-service training programmes.

193. (1) The Chief Executive Officer of the Ministry shall, on an annual basis, notify each Ministry of all in-service training programmes to be conducted during the following year, and invite nominations of public officers for such training.

(2) The Chief Executive Officer of the Ministry may select public officers in the horizontal or technical grades, as appropriate, for training.

- (3) For the purpose of subregulation (2) a public officer is considered to be –
 - (a) in the horizontal grade if there is a career path through which that public officer may be promoted; or
 - (b) in the technical grade if that public officer is functioning in a position where the duties are specific to that office or field.

Progress report from institution of learning.

194. (1) A public officer on study leave shall ensure that a progress report from the institution of learning is submitted at the end of each semester to the Ministry to verify that the public officer is making good use of the study leave granted to him and is pursuing with success the programme of training for which study leave is approved.

(2) Where the Ministry does not receive the progress report, the Ministry may suspend the payment of salary approved on the grant of study leave to that public officer.

Procedure on completion of programme of study.

195. (1) Pursuant to 185 (1), a public officer on completion of the programme of study on full-time study leave shall be granted a resettlement period of ten working days with effect from the date of completion of the study leave.

(2) A public officer who fails to return to office immediately on completion of the programme of study or after the resettlement period may be subject to disciplinary action.

Dissertation or other report etc.

196. (1) A public officer, within a reasonable time after successful completion of the programme of study, shall submit three copies of his dissertation, research paper, thesis, or other final report, as the case may be, to the Chief Executive Officer of the

Ministry for dissemination to the Belize Archives and Records Service and the Belize National Library Service and Information System.

(2) The reasonable cost of the report under subregulation (1) shall be borne by the Ministry.

(3) Where a public officer fails to submit the report under subregulation (1), any increment due for higher qualification shall be withheld until that public officer makes the submission.

(4) A public officer who is the recipient of training pursuant to this Part may be requested to disseminate the knowledge and skills acquired to other public officers.

Suspension or termination of study leave.

197. (1) The Chief Executive Officer of the Ministry, may suspend or terminate, as the case may be, study leave if –

- (a) the progress report of the public officer reveals unsatisfactory work or conduct;
- (b) the public officer, without reasonable excuse, fails to pass an examination within the time fixed by the institution of learning which he is attending;
- (c) the public officer engages in any activity which is detrimental to his progress in the programme of study;
- (d) the public officer becomes unfit to complete his programme of study due to illness;
- (e) the public officer fails to reply to correspondence or to keep the Ministry informed of his whereabouts;
- (f) the public officer is convicted of a criminal charge, in or outside Belize;
- (g) the public officer fails to comply with a condition of study leave under regulation 185; or
- (h) the public officer, who is a female, is pregnant.

(2) A suspension under subregulation (1)(h) shall occur only where maternity leave becomes due and the public officer shall be allowed to resume study leave after the period of maternity leave expires.

Self-funded training.

198. A public officer, who on his own initiative applies for and is approved study leave to pursue a self-funded course of study, shall not be considered *post facto*, for a refund or grant for any portion of the expenditure incurred for the training.

Resettlement grant.

199. (1) A public officer is eligible for a resettlement grant where that public officer –
- (a) successfully completes a programme of study overseas, if the programme of study was of a duration of not less than two academic years, and the public officer resumes duty immediately after completion of training (or after approved vacation leave or resettlement period); or
 - (b) on his initiative, successfully completes a programme of study within a period less than the scheduled duration of the programme of study if the programme of study is at least two years.
- (2) A public officer who receives the resettlement grant but fails to serve in the public service for at least one year commencing from the date that the resettlement grant was issued shall refund the full amount of the resettlement grant.

Horizontal, technical grades examinations.

200. (1) A public officer is eligible to sit the horizontal or technical examination if that public officer is confirmed in his appointment and has been selected for training in accordance with regulation 193(2).
- (2) A public officer in the horizontal or technical grade is required to sit and be successful in the relevant examinations for advancement in the respective grade.

PART 17
HEALTH, SAFETY AND WELFARE

Authority for public officers at the workplace.

201. (1) The Ministry responsible for Labour is the authority to establish policies and standards relating to health, safety and well-being of public officers at the work place as well as to set procedures to enhance productivity and improve public service.
- (2) The policies, standards and procedures under subregulation (1) shall provide for the following –
- (a) a working environment which is safe, environmentally friendly and ensures the physical well-being of public officers;
 - (b) where possible, a workplace that is accessible to persons who are physically challenged;
 - (c) in collaboration with the National Fire Service, the requirement that public buildings are equipped with fire alarm systems, portable fire equipment and that they are maintained in a state of readiness;

Responsibility regarding health, safety, etc.

202. Chief Executive Officers or heads of department shall –
- (a) implement policies, procedures and standards established under regulation 201;

- (b) designate a senior public officer with responsibility for health and safety matters;
- (c) ensure that public officers are familiar with the emergency plan developed in accordance with regulation 210;

Safety equipment and clothing.

203. (1) A public officer who is required to work under hazardous circumstances shall be provided with appropriate safety equipment and clothing.

(2) A public officer provided with safety equipment and clothing under subregulation (1) shall wear and use such equipment and clothing at all times whilst discharging duties of a hazardous nature.

(3) The safety equipment and clothing under this regulation is the property of the Government.

Inclement weather gear.

204. A public officer who is a field worker or office assistant shall be provided with inclement weather gear which shall be the property of the Government.

Surcharge for damage or loss of property.

205. A public officer shall be subject to a surcharge for damage or loss of property under regulations 203 or 204 where such damage or loss of property is proved to be the result of that public officer's negligence.

Employee Assistance Programme.

206. (1) The Ministry shall institute an Employee Assistance Programme entailing a confidential framework to provide public officers with voluntary referral and counseling services on health and lifestyle issues which may have a negative impact on job performance including –

- (a) occupational health;
- (b) physical fitness;
- (c) sexually transmitted diseases;
- (d) domestic violence;
- (e) mental health;
- (f) stress management;
- (g) depression;
- (h) substance abuse;
- (i) violence in the workplace;
- (j) parenting skills;

- (k) life skills;
- (l) personal hygiene; and
- (m) personal financial management.

(2) A public officer shall receive prompt medical attention and treatment that is available at any government health institution without any cost to that public officer.

**PART 18
DISASTER PREPAREDNESS AND MANAGEMENT**

This Part to conform to Disaster Preparedness and Response Act. CAP. 145

207. The provisions of this Part shall conform to the Disaster Preparedness and Response Act.

National Human Resource Management Committee. CAP. 145.

208. (1) The Ministry responsible for National Emergency Management Organization shall consult and coordinate with the Chief Executive Officer of the Ministry in respect of the utilisation of public officers as well as the National Human Resource Management Committee for the purpose of assignment of public officers to perform duties, to prepare for, respond to and recover from the threat or impact of threats and hazards as required for disaster preparedness and response.

(2) Pursuant to subregulation (1), the Chief Executive Officer of the Ministry shall –

- (a) maintain a database of trained public officers who may serve in a specific capacity for emergency management duties;
- (b) ensure that public officers are aware of their roles during an emergency;
- (c) provide public officers with the relevant gears and tools required to perform emergency duties; and
- (d) support public officers who are required to perform emergency duties outside of their station with request for advance for travel and subsistence allowances.

Mandatory emergency management duties.

209. (1) Public officers are subject to perform the following in respect of emergency management duties –

- (a) manage as part of a team at emergency operating centers;
- (b) shelter management;

- (c) damage assessment and needs analysis;
- (d) search and rescue;
- (e) communications and warning issuance;
- (f) medical care and health;
- (g) foreign assistance;
- (h) human resources management;
- (i) mitigation;
- (j) access and infrastructure works;
- (k) assist residents in transportation and evacuation; and
- (l) any other duties assigned by the Ministry responsible for National Emergency Management Organisation.

(2) Public officers, other than those in the Volunteer Element of the Belize Defence Force, shall make themselves available to the Ministry responsible for National Emergency Management on announcement of an imminent threat or emergency event for the purpose of performing emergency management duties.

(3) Time-off in *lieu* may be granted to public officers who work in respect of emergency management duties in excess of the hours provided for in regulation 32.

(4) The Ministry shall determine the time-off in *lieu* to be approved to public officers.

(5) A public officer appointed for emergency management duties shall conduct himself with decorum and maintain an atmosphere of efficiency and purposefulness.

(6) A public officer who fails to perform assigned emergency management duties commits a major misconduct.

Emergency
Plan.

210. (1) A Chief Executive Officer or head of department shall ensure that an emergency plan, including simulations and training in general, is developed and circulated for implementation in the Ministry or departments under his control .

(2) The Emergency Plan shall include measures –

- (a) to ensure continuity of public services prior to and, where possible, during and following the emergency event;

- (b) to ensure security of personnel, equipment and records prior to the emergency event;
- (c) to activate the Emergency Plan during and outside of normal working hours;
- (d) to ensure continuity of communication with staff during and following the emergency event; and
- (e) to ensure emergency attendance to injured public officers.

(3) The emergency plan under subregulation (1) shall be in the format as determined by the Ministry responsible for National Emergency Management and shall include threats and hazards such as –

- (a) tropical cyclones;
- (b) floods;
- (c) fires;
- (d) bomb threats;
- (e) civil disorders;
- (f) hurricanes; and
- (g) earthquakes.

(4) As a precaution against hurricanes, a Chief Executive Officer or head of department shall ensure that all public buildings under his charge are, as far as practicable, made hurricane resistant.

(5) For the purpose of subregulation (4), “hurricane resistant” means that all doors, windows and other openings can be readily closed and made secure on receipt of an emergency warning.

Functions
during
emergency.

211. (1) A Chief Executive Officer shall designate a senior public officer to serve as the Emergency Coordinator for each department falling under his ministry.

(2) The Emergency Coordinator for the Ministry or department is responsible to the Chief Executive Officer or head of department for developing and implementing the Emergency Plan.

(3) Chief Executive Officers or heads of department shall –

- (a) release public officers to perform disaster management duties in accordance with relevant committee's standard operating procedures;
- (b) ensure that time is allotted for all public officers to undergo training for emergency duties;
- (c) ensure that all public officers are conversant with the emergency plan and procedures for their ministry or departments;
- (d) ensure that public officers are aware of their assigned responsibilities; and
- (e) encourage all public officers to develop their family emergency plans.

PART 19
ELECTIONS MANAGEMENT

Management of
electoral
process.

212. (1) General, municipal or other elections that are managed by public officers shall be conducted respectively in accordance with the following Acts –

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- (a) Representation of the People Act,;
 - (b) Belize City Council Act;
 - (c) Belmopan City Council Act;
 - (d) Town Councils Act;
 - (e) Village Councils Act; and
 - (f) Referendum Act.
- (2) A public officer may be appointed as –
- (a) a returning officer;
 - (b) an election clerk;
 - (c) a presiding officer;
 - (d) a polling clerk; or
 - (e) a counting clerk.

(3) A public officer who is appointed as a returning officer under subregulation (2) (a) shall submit a report of his duties to the Chief Elections Officer within one week of the elections.

Oath of office
and conduct.

213. (1) A public officer appointed for duties shall –

- (a) take and subscribe to the oath of office specified in section 15 of the Representation of the People Act.
- (b) maintain the secrecy of voting and counting;
- (c) conduct himself with decorum;
- (d) maintain an atmosphere of efficiency and purposefulness; and
- (e) familiarize himself with the Acts referred to in regulation 212(1) and regulations made under those Acts.

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(2) A public officers appointed for duties shall not –

- (a) show favour to any candidate or member of a political party; or
- (b) wear colours or slogans depicting any candidate or member of a political party.

Training of
public officers
for election
duties.

214. (1) Public officers shall participate in training to maintain electoral consistency through service, quality and ultimately fair and free elections.

(2) A training under subregulation (1) shall include training such as –

- (a) roles and functions of election officers;
- (b) nomination of candidates;
- (c) interfacing with the media and political parties;
- (d) management of polling stations;
- (e) ballot security;
- (f) counting process;
- (g) sealing and securing election materials; and
- (h) reporting.

Time allotted for
training.

215. Chief Executive Officers or heads of department shall ensure that time is allotted for public officers to –

- (a) undergo training in election duties; and
- (b) perform election duties prior to, during and immediately following an election.

Time off *in lieu*. 216. (1) Time-off in *lieu* may be granted to public officers who work election duties in excess of hours provided for in regulation 32 (2).

(2) The Ministry shall determine the time-off in *lieu* to be approved to public officers.

Disciplinary action for failure to perform duties. 217. A public officer who fails to perform assigned election duties commits a major misconduct.

PART 20
LEAVING THE PUBLIC SERVICE

Modes of leaving the Public Service. 218. A public officer may leave the public service by any of the following modes –

- (a) on dismissal in consequence of disciplinary proceedings for major misconduct;
- (b) on retirement on reaching the normal retirement age of fifty-five years;
- (c) on premature retirement under the Pensions Act;
- (d) on retirement on medical grounds;
- (e) on compulsory retirement;
- (f) on the abolition of office;
- (g) on retirement in the public interest;
- (h) on the termination of appointment in accordance with regulation 25;
- (i) on abandonment of post;
- (j) on resignation; or
- (k) on release in accordance with regulation 222.

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Abandonment of post. 219. A public officer who is absent from duty without permission for five consecutive working days or more shall be deemed to have abandoned his post.

Resignation. 220. A public officer may resign at any time during the course of his employment by giving at least one month’s notice in writing to the Chief Executive Officer.

Refusal of resignation.

221. (1) The Chief Executive Officer of the Ministry may refuse to accept a request for resignation if the public officer –

- (a) fails to give adequate notice of intention to resign;
- (b) has not completed the bonded period pursuant to regulation 187;
- (c) is the subject of pending disciplinary proceedings; or
- (d) is indebted to the Government.

(2) Where a public officer whose application for resignation is refused and that public officer leaves the public service, he may be subject to dismissal.

Release.

222. (1) A public officer may, at any time, apply to the Commission for a release from the public service, stating in his application the purpose of the request.

(2) Where a public officer applies for release from the public service, that public officer shall provide proof of offer of a position –

- (a) in a statutory body, from the person in charge if the Act which governs that statutory body provides for the release or transfer of persons between the public service and that statutory body; or
- (b) in the Belize National Coast Guard Services, Belize Police Department, or the Belize Defence Force, from the Security Services Commission established under section 110C of the Belize Constitution.

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(3) Where a public officer is released from the public service, that public officer shall –

- (a) utilize vacation leave due; and
- (b) pay any outstanding sum owing to the Government.

Obligations, etc. on leaving public service.

223. (1) A public officer on leaving the public service shall –

- (a) return all government property issued to him; and
- (b) honour, or make acceptable arrangement in writing to pay all outstanding debts to Government.

(2) Chief Executive Officers or heads of department are responsible for ensuring that steps are taken to recover outstanding debts owed to Government.

(3) A public officer on leaving the public service may utilize all vacation leave due.

(4) Notwithstanding subregulation (3) a public officer may request payment in *lieu* of vacation leave earned.

(5) Any outstanding balance owing to the Government after deductions from benefits due may be recovered –

(a) through written agreement with the Accountant General; or

(b) through legal action.

Certificate
of service.

224. A public officer, on leaving the public service may obtain a certificate of service from the Chief Executive Officer of the Ministry.

PART 21

PENSIONS, GRATUITIES AND OTHER TERMINATION BENEFITS

Claims for
pensions.
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225. (1) The pensions, gratuities and other retirement benefits of public officers shall be determined in accordance with the Pensions Act.

(2) All claims to pensions, gratuities and other retirement benefits shall be submitted to the Treasury Department as soon as the public officer's retirement is approved.

(3) A claim under subregulation (2) shall be

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(a) in accordance with the Pensions Act;

(b) accompanied by the necessary supporting documents and certified correct by the public officer's head of department.

(4) The supporting document required under subregulation (3)(b) shall include any of the following –

(a) birth certificate;

(b) passport particulars;

(c) statutory declaration in accordance with regulation 228;

(d) the public officer's option to receive either a full pension or a reduced pension and gratuity; and

(e) a statement of the public officer's indebtedness, if any, to Government.

- Submission of pension documents.
226. (1) The Chief Executive Officer or head of department shall prepare the pension form and submit it to the Treasury Department for computation without delay.
- (2) The Ministry or department shall immediately inform the Treasury Department whether or not there is any change in the particulars submitted in the original application.
- Computation of retirement benefits.
227. If there is any doubt on any point which is likely to affect the computation and award of a public officer's retiring benefits, the Chief Executive Officer of the Ministry shall be consulted as early as possible with a view to ensuring the accuracy of the particulars raising the doubt, prior to submission of a claim.
- Statutory declaration for service.
228. (1) A statutory declaration may be made where –
- (a) there is a discrepancy in the birth certificate;
 - (b) the birth certificate is not available; or
 - (c) it is not possible to locate the necessary records in relation to a public officer's service.
- (2) Pursuant to subregulation (1)(c), the public officer shall secure statutory declarations from three reliable and responsible persons attesting to his service.
- (3) The reliable and responsible persons under subregulation (2) shall –
- (a) be persons who know the career history of the public officer in the public service;
 - (b) indicate his status as the declarant; and
 - (c) state the source of his knowledge of the facts contained in the declaration.
- Gratuity. CAP. 30.
229. (1) The legal representative of a public officer who dies while in the public service shall be entitled to a gratuity in accordance with section 16 of the Pension's Act.
- (2) the Chief Executive Officer or head of department shall, on receipt of the death certificate, prepare pension forms for death-in-harness gratuity.
- Payment of termination benefits, funeral grant, etc.
230. In the event of the death of the public officer, the Ministry in which the public officer was employed at the time shall pay to his legal representative or beneficiary –
- (a) salary in *lieu* of vacation leave earned up to the date of his death;
 - (b) a sum equivalent to the salary and all the allowances accrued at the date of death; and

(c) a funeral grant of two thousand dollars.

Requirements for other pensionable service.

231. Where a public officer has continuous service under one or more public bodies, (e.g., government, primary school or a statutory board) and requests amalgamation of such services for pensionable purposes, a detailed statement of his service with each employing body shall be forwarded to the Chief Executive Officer of the Ministry, and the Chief Executive Officer of the Ministry may approve, or otherwise, the amalgamation of his service

Claims under the Widows' and Children's Pensions Act. CAP 32`

232. On the death of a public officer who contributed to the Widows' and Children's Pensions Act, a pension shall be paid to the wife, children under sixteen years of age and children over sixteen years of age pursuing full-time education.

PART 22 OTHER MATTERS

Loss of private property.

233. (1) A public officer may be compensated for loss or damage to private property sustained through fire, theft, riot, an act of God or otherwise, in the course of his employment where such property is brought to the workplace with the permission of the head of department for the purpose of facilitating the public officer's performance of his duties.

(2) In considering whether or not a public officer shall be compensated, the Financial Secretary shall satisfy himself as to whether there was negligence on the part of the public officer causing the loss or damage.

Management of stationery.

234. Every effort shall be made to minimize wastage in departments and wherever possible, departments shall reproduce forms and other materials for use.

Care of stationery.

235. (1) All stationery shall be carefully put away and its use, which must be confined to the public service only, shall be closely supervised by the head of department.

(2) All stationeries shall be placed under the custody of an appropriate senior public officer who shall be responsible for its safekeeping and distribution to ensure economy in usage.

Seal or stamp.

236. A Chief Executive Officer or head of department shall keep seals and stamps secure and shall not supply such seals and stamps to private persons.

Franking stamp.

237. A public officer shall not be permitted to make use of any office stamp for franking letters, or to frank letters without the authority of the head of department, and are required to keep such a device under lock and key, except when in actual use.

Answering of telephone calls.

238. A public officer shall be pleasant and courteous in answering the office telephone and shall state the name of the Ministry or department for which he is answering the telephone.

Use of telephones.	<p>239. (1) Heads of department are responsible for seeing that due economy is exercised in the use of the telephone and in particular that it is not used by public officers for their private affairs.</p> <p>(2) Where it is alleged that a public officer has abused the use of the telephone he shall be given an opportunity to exculpate himself.</p> <p>(3) If the head of department is not satisfied with the explanation given, he may subject the public officer to a surcharge by the head of department.</p>
Identification of correspondence.	<p>240. (1) All letters, minutes, reports and returns shall be dated, numbered (where appropriate) and signed in full, with the official designation of the Ministry or department, as the case may be.</p> <p>(2) Plans and other attachments shall be signed and dated and bear a numerical reference to the documents (if any) which they accompany.</p> <p>(3) All electronic correspondence of an official nature shall be treated in the same manner as other official documents (printed and filed).</p>
Single subject communication.	<p>241. Each communication shall be confined as far as possible to a single subject.</p>
Correspondence between departments.	<p>242. Memoranda between departments shall clearly indicate the official designation of its origin, the addressee, and the subject matter and all formal and informal commencements and conclusions included in ordinary letters should be dispensed with.</p>
Circulars.	<p>243. (1) Circulars shall be initialled by the public officers of the department in which they are received and shall be kept bound together in a "Circular Book" which shall be indexed.</p> <p>(2) Heads of department shall communicate instructions conveyed by circulars to all members of their staff.</p>
Other instructions in Guard Book.	<p>244. (1) Heads of department shall keep together, in a "Guard Book" to be kept for that purpose, all rules and regulations other than circular instructions forwarded to them for record and guidance in connection with every branch of the public service under their control.</p> <p>(2) All such rules and regulations should be properly indexed and all amendments thereto promptly noted from information published in the Gazette or otherwise communicated to them.</p>
Public officers to acquaint with Gazettes, Acts, etc.	<p>245. (1) All Gazettes, Acts and other printed matter, which have been or may be issued from time to time to heads of department, shall be carefully bound.</p> <p>(2) A public officer is expected to make himself acquainted with notices published in the Gazettes, Acts, and other documents and laws relating to his duties.</p>

(3) The fact that special notification or instructions have not been received from the ministries shall not be accepted as an excuse for inattention to notices in the Gazette.

(4) Publication of any matter in the Gazette shall be sufficient notice to every department of the facts published therein.

Vetting of Legal matters.

246. (1) Gazette matters of a legal nature shall be submitted to the Attorney General's Ministry for vetting before being forwarded for publication.

(2) Notices and other matters for publication in the Gazette shall be delivered to the Government Printer no later than 4:00 p.m. on Wednesdays.

(3) Any material forwarded after that time shall be held over for publication in the following week's issue of the Gazette, except in urgent or special cases, the publication of which will be left to the discretion of the Government Printer.

Precedent Book

247. A Chief Executive Officer or head of department shall ensure that a "Precedent Book" is kept in each Department in which shall be entered, from time to time, all instructions given by the Commission, the Ministry, Chief Executive Officers or the head of department for the guidance of public officers and the book shall be carefully indexed to facilitate reference to it.

Revocation.

S.I. No. 159/2001
160/2001
114/2002
112/2005
46/2009
47/2009

248. The Public Service Regulations and the Services Commissions Regulations are revoked.

SCHEDULE 1

Regulation 15(2)

FORM OF OATH OF CONFIDENTIALITY

I, being appointed to serve in the

do solemnly and sincerely swear/affirm that, except in the course of duty, will not directly or indirectly reveal to anyone either by word of mouth, writing or any other means, information which may come to my notice in the course of my duties, unless specifically authorized to do so by the Chief Executive Officer/head of department.

So Help Me God.

.....
(Signature)

Sworn at this day of before me.

.....
Chief Executive Officer/
Head of Department

SCHEDULE 2

Regulation 114

QUALIFICATIONS AND INCREMENTS DUE

1. CERTIFICATE COURSES

A public officer who has pursued an approved course of studies, in accordance with regulation 183(1)(a) or (b), the minimum of which is one academic year, and at the end of which a certificate is awarded on successful completion is eligible for the award of one additional increment.

2. DIPLOMA COURSES

A public officer who has pursued an approved course of studies, in accordance with regulation 183(1)(a) or (b), the minimum of which is two academic years, and at the end of which a diploma is awarded, on successful completion is eligible for the award of two additional increments.

3. BACHELOR DEGREE

- (i) A public officer who has pursued an approved course of studies in accordance with regulation 183, at the end of which a first degree is awarded on successful completion is eligible for the award of three additional increments.
- (ii) Paragraph (i) applies to those persons who acquire additional qualification but remain in their substantive post. Where the superior qualification is required for promotion, the public officer will be elevated to the higher scale and the matter of placement on the salary scale will be dealt with in accordance with regulation 113.
- (iii) Paragraph (i) does not, however, apply to persons who graduate with a diploma, degree or certificate which they intend to use in order to gain admission to another course of studies in the same or a related field of study.

4. MASTER DEGREE

- (i) A public officer who was approved study leave to pursue a Master's degree on successful completion is eligible for the award of two additional increments.
- (ii) A public officer who was approved study leave to pursue a First degree but who returns with a Master's degree on successful completion is eligible for the award of four additional increments.

5. DOCTORATE DEGREE

- (i) Study leave to pursue a course of studies leading to a Ph.D. shall be considered only for studies in areas of critical national need and the needs of the wider public service and such need shall be determined by the respective Ministry.

- (ii) A public officer who has pursued an approved course of studies in accordance with regulation 183(1)(a) and (b), at the end of which a Ph. D. is awarded, on successful completion, is eligible for the award of two additional increments.
- (iii) No increments will be awarded for the acquisition of Ph.Ds other than in accordance with paragraph (ii).

6. EFFECTIVE DATE OF AWARD OF INCREMENTS

All increments are awarded with effect from the date of expiration of study leave, and with the approval of the Chief Executive Officer of the Ministry.

7. QUALIFICATION NOT ELIGIBLE FOR AWARD OF INCREMENTS

- (i) Where a public officer successfully completes a course of training for which a degree, diploma or certificate was awarded and for which the public officer received an additional increment and subsequently successfully completes an equivalent or lower level course, the public officer shall not be entitled to additional increments for such equivalent or lower qualification except in cases where the lower level qualification supplements the requirements for the job.
- (ii) Where a public officer obtains the required qualification for his current post after the fact, no additional increment shall be awarded.

SCHEDULE 3

Regulation 119(1)

FORM OF CLAIM FOR SUBSISTENCE, MILEAGE AND MEAL ALLOWANCE

NAME: MILES TRAVELLED:
POST: TIME SPENT AWAY FROM STATION:
STATION: MEANS OF CONVEYANCE USED (VEHICLE NO.):
DATE & TIME OF LEAVING STATION: NATURE OF OFFICIAL DUTIES PERFORMED:
PLACES VISITED (EN ROUTE) NUMBER OF HOURS/DAYS
IF ANY: CLAIMED:
FINAL RATE OF SUBSISTENCE/
DESTINATION: MILEAGE/MEAL ALLOWANCE:
DATE & TIME OF RETURN TO STATION:
INCIDENTAL EXPENSES IF ANY:
TOTAL AMOUNT CLAIMED:
(SHOW MILEAGE, SUBSISTENCE AND MEAL ALLOWANCE AND OTHER EXPENSES SEPARATELY)
DATE:
SIGNATURE AND DESIGNATION OF CLAIMANT:
APPROVED BY:

(SIGNATURE) (DESIGNATION)

SCHEDULE 4

Regulation 123

POSITIONS FOR WHICH A BUSH ALLOWANCE IS PAYABLE

Forestry

1. Conservation Officers
2. Forest Officer
3. Forest Ranger
4. Forest Guard
5. Foresters

Lands and Surveys

1. Assistant Surveyors
2. Survey technicians

Geology

1. Geologist
2. Micropaleontologist
3. Geological Draughtsman
4. Mineral Surveyor

SCHEDULE 5

Regulation 127(2)

POSITIONS FOR WHICH A
MOTOR VEHICLE MAINTENANCE ALLOWANCE IS PAYABLE**Judicial and Legal Staff**

1. Magistrate
2. Crown Counsel

Ministry responsible for Education

Manager, ITVET, Belize City

Ministry responsible for Finance

1. Bailiff
2. Income Tax Officers
3. General Sales Tax Officer

Ministry responsible for Health

1. Administrator, National Drug Abuse Control Council
2. Drug Educator, National Drug Abuse Control Council
3. Chest Physician
4. Inspector of Midwives
5. Senior Medical Technologist
6. Supervisor of Public Health Nurses
7. Dental Surgeon
8. Director of Laboratory Services
9. Environmental Assistant
10. Health Education Officer
11. Malaria Eradicator
12. Medical Officer
13. Medical Officer of Health
14. Medical Technologist I and II
15. Nurse Specialist (Grade II) (Anaesthetist)
16. Nurse Specialist (Grade II) (Family and Psychiatric)
17. Nursing Administrator (Matron III) at Community level (Punta Gorda, Dangriga, Corozal)
18. Nursing Supervisor (Grade I) (Senior Public Health Nurse)
19. Nurse Specialist (Grade II) (Public Health Nurse)
20. Officer-in-charge of X-Ray in the Districts
21. Nursing Supervisor (Grade I)
22. Public Health Inspector
23. Nursing Specialist (Grade II) (Public Health Nurse)
24. Radiographer
25. Senior Public Health Inspector
26. Nursing Administrator (Senior Public Health Nurse)
27. Senior Radiographer
28. Supervisor of Public Health Nurse

Ministry responsible for Human Development

Supervisor, Belize Youth Development Centre

Ministry responsible for Labour

1. Senior Labour Officer
2. Labour Officers

Ministry responsible for Consumer Protection

Consumer Protection Officer

Ministry responsible for National Security

1. Chief Analyst
2. Deputy Chief Analyst

SCHEDULE 6

Regulation 186(4)

1. GUIDELINES FOR CONSIDERATION OF REQUEST FOR STUDY LEAVE

A. Relevance to needs

- (i) The training requested must be relevant to the Department's development needs and the public officer's career intentions.
- (ii) Proposed programme of study should be designed to improve the technical, analytical, managerial and decision-making skills of individuals displaying potential for development by supplementations through on the job training.
- (iii) Public officers in the clerical, secretarial and horizontal grades shall be required to undergo the programme of studies and on the job training mandated by the Ministry.
- (iv) Consideration for study leave to pursue programme of study at the Baccalaureate and higher level for public officers in the clerical, secretarial and horizontal grades shall be considered after they have undergone programme of studies and on the job training mandated by the Ministry.

B. Academic eligibility

- (i) Nominees for a proposed programme of study must possess the requisite academic qualifications that will enable acceptance into tertiary level institutions.
- (ii) Public officers who may not possess the requisite academic qualifications must obtain acceptance into the institutions.

C. Overall performance

In addition to requirements at regulation 184 nominees should have above average performance records, display positive job attitudes and proficiency in the use of language.

D. Seniority

Where more than one public officer in the same post fulfils all the requirements, the most senior public officer should be given priority. Any supersession must be justified.

E. Age

Public officers nominated for training should normally not be more than forty five years old by the end of the proposed programme of study and be physically and mentally capable to undertake the course of studies.

2. REQUIREMENTS FOR CONSIDERATION OF REQUEST FOR FINANCIAL ASSISTANCE
- A. Officer must be pursuing an approved course of studies at the Bachelor or Master's degree level,
 - B. Request must be submitted through the Chief Executive Officer,
 - C. Request must be accompanied by:
 - i. Copy of invoice from the educational institution,
 - ii. Most recent grades from the educational institution
 - iii. Supporting correspondence from the Chief Executive Officer or the Head of Department, as the case may be.
 - D. A public officer must be earning a Grade Point Average of at least 2.5.

MADE this 1st day of October, 2014.



SIR COLVILLE N. YOUNG
Governor-General of Belize