



**THE GOVERNMENT OF  
THE BRITISH VIRGIN ISLANDS**

**GENERAL ORDERS**  
for the  
**PUBLIC SERVICE**  
of  
**THE BRITISH VIRGIN ISLANDS**  
**1971**  
*(Revised in 1982)*

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G E N E R A L   O R D E R S

for the

PUBLIC SERVICE

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1971

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## GENERAL ORDERS

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THE GOVERNMENT OF THE BRITISH VIRGIN ISLANDS  
GENERAL ORDERS FOR THE PUBLIC SERVICE OF THE BRITISH  
VIRGIN ISLANDS

Chapter I

Preliminary

Title	1.1 The conditions of service of Public Officers, instructions for the conduct of public business and of officers and other matters are embodied in these Orders which are entitled "General Orders for the Public Service of the British Virgin Islands" and are published under the authority of the Governor.
Effective date of introduction	1.2 The Orders take effect from the 1st August, 1971 and they supersede the corresponding provisions in the General Orders of the Leeward Islands made in 1956.
Orders to be available to all officers	1.3 All public officers are required to familiarize themselves thoroughly with the General Orders and any amendments and additions thereto which may from time to time be issued. <u>The Orders should be readily available to all officers in every Department and it is the duty of a Head of Department to ensure that a sufficient number of copies is available for consultation by all officers in his Department.</u>
Application of General Orders	1.4 The provisions of these Orders shall apply to all public officers provided that where special regulations are made in regard to a particular category or class of officers such special regulations shall have precedence over related provisions in these Orders.
Officers to make themselves acquainted with all government notifications and orders	1.5 Public officers are required to make themselves acquainted with all Government notifications and orders, whether published in the Government Gazette or conveyed by circular or other means of communication and Heads of Departments will be held responsible for the necessary circulation of such publications within their Departments.
Liability to disciplinary action	1.6 Public officers will be liable to disciplinary action under the regulations of the appropriate Service Commission in respect of a breach of any of these Orders.
Definitions	1.7 In these Orders unless the context otherwise requires:  "Chief Establishment Officer" means the officer designated by the Governor to perform that function;  "Department" includes references to a Ministry;  "Head of Department" means, in relation to a Ministry, the Permanent Secretary of that Ministry;



"employee means a person other than a public officer employed by the Government of the British Virgin Islands;

"office of emolument" in relation to the definition of "public office" means any pensionable or non-pensionable post which is shown under a personal emoluments sub-head in the Estimates;

"public officer" or "officer" means any person who:

- (a) holds an office of emolument in the Public Service of the British Virgin Islands and is employed on permanent pensionable terms; or
- (b) is employed on contract in a post established in the Personal Emoluments sub-heads of Annual Estimates; or
- (c) is employed permanently or temporarily on non-pensionable monthly terms;

"Service Commission" means the Public Service Commission, the Judicial and Legal Service Commission or any other Service Commission appointed under the Constitution of the British Virgin Islands.

## Chapter II

### Appointments, Promotions and Transfers

Authority of appointments

2.1 Save as may otherwise be provided in the Constitution of the British Virgin Islands or in regulations made under the Constitution appointments of the Public Service are made by the Governor acting after consultation with the appropriate Service Commission.

Effective date of appointment

2.2 The effective date of an appointment is the date on which an officer becomes eligible to receive emoluments. In the case of officers first appointed locally that is the date on which the officer assumes duty, which is also the date of commencement of resident service.

Re-employment of dismissed officer

2.3 No officer who has been dismissed from the Public Service, whether from a pensionable or non-pensionable post, may be re-employed in any capacity without prior reference to the Chief Establishment Officer.

Eligibility for appointment to the Public Service

2.4 To be eligible for appointment to an established post in the Public Service a candidate must:-

- (1) be over 16 years of age;
- (2) possess such minimum educational qualifications as may be prescribed from time to time;

- (3) except in the case of appointment in a temporary capacity, be certified by a Government Medical Officer to be in sound health and mentally fit for employment in the Public Service;
- (4) produce two recent certificates of good character of which one, if the candidate has not previously been in employment, must be from the head of the school or college he last attended, or if he has previously been employed, from his last employer.

Married women  
in the Public  
Service

2.5 A married woman who is appointed to the Public Service shall not be exempt, by reason of her married status, from any of the normal requirements and conditions of her employment including regular attendance, working overtime when required to do so and the liability to transfer.

Temporary  
increases  
in staff

2.6 No expenditure shall be incurred on the employment of temporary officers over and above the approved establishment of a Ministry or Department without the agreement of the Chief Establishment Officer and the sanction of the Financial Secretary.

Medical reports  
on appointment

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

(2) No fee is payable to the Medical Officer for this examination.

(3) Heads of Departments will ensure that no salary is paid to a person selected for appointment until a medical certificate of fitness has been produced. If the person selected fails to produce a certificate within one month of the date of notification of his selection, the appointment may be deemed to be cancelled, and if the person selected is reported to be unfit for service his appointment shall not be made.

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

Further medical  
report

2.8 An officer, whether or not he is on leave of absence at the time, may be required by the Chief Establishment Officer, or at his own request may be permitted to present himself for examination by an approved medical practitioner, a Government Medical Officer or a duly constituted Medical Board with a view to ascertaining whether he is physically and mentally capable of performing the duties of his office or of any other public office to which his appointment might be contemplated. The cost of such examination, in the absence of any special regulation or arrangement to the contrary will be paid from public funds.



Record of  
Service

2.9 Heads of Departments are required to maintain a record of service for all officers in their Departments.

Probation of  
non-pensionable  
officers  
appointed to  
pensionable  
offices

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

Contract  
appointments

2.11 The conditions of service of an officer appointed on contract are those provided in his contract but he may, during the duration of his contract, unless it is specifically provided otherwise, benefit from changes in conditions of service applicable to officers of equivalent grade who are appointed to permanent, pensionable offices.

Overseas  
appointments  
travel  
arrangements

2.12 The provisions of this Order shall apply to a person who is selected from outside the British Virgin Islands for first appointment to a public office. The term "children" in this Order means the legitimate and legally adopted children of the person appointed who are below the age of nineteen years, unmarried and dependent upon him. The term "passage" means a passage by a route approved by the Governor as a normal route in the course of removal.

The person appointed will:-

- (i) in the absence of any arrangements to the contrary be provided with passages at the expense of the Government of the British Virgin Islands by the cheapest and most direct route from his country of residence to the British Virgin Islands for himself and, if married, for his wife and not more than four of his children who are below the age of nineteen years, unmarried and wholly dependent on him, if they accompany him or follow him within six months of his appointment. The person appointed will be required to execute a passage agreement in the form prescribed in Appendix I to refund the cost of the passages in certain contingencies;
- (ii) be paid full salary from the date prior to the date of his arrival in the British Virgin Islands;
- (iii) be granted the following allowances for the transportation of his baggage and personal effects:

(a) Ocean Freight Charges

not exceeding five shipping tons (or 200 cubic feet) exclusive of the free baggage allowance provided on the tickets issued to the officer and his family;

(b) Transport

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

(c) Incidental Expenses

the reimbursement of incidental expenses excluding insurance, but including the cost of crating, packing and handling baggage up to the maximum of U.S. \$100;

(d) Excess baggage allowance

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

He will be required to submit vouchers in support of claims for the payment of the above allowances and the liability of the Government in respect of (b) and (c) will be limited to that portion of the baggage falling within the volume limitation set out in (a). No additional allowances will be payable for the transport of such items as motor cars, motor cycles, wireless sets, radiograms etc. except as provided for in Order No. 2.13.

Officers  
appointed on  
transfer of  
secondment

"2.13 (1) An officer appointed to the Public Service on transfer or secondment from the Public Service of another Caribbean Territory including Guyana and Belize may in addition to the baggage allowance payable under Order No. 2.12 be provided with free transport for his motor car if it is deemed by the Governor as necessary for the performance of his duties. An officer who is provided with free transport for his motor car under the provisions of this Order will not be required to pay import duty on such motor car provided that evidence is produced that import duty has been paid in another Territory.



- (2) An officer who is provided with passages and other allowances under the provisions of this General Order or General Order 2.12 will be required to sign a Passage Agreement in the form set out in Appendix I to these Orders."

Seniority as  
between posts

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

Seniority as  
between officers  
in the same grade

2.15 An officer's seniority is determined by the date of his appointment to the particular grade. Seniority as between officers appointed on probation and subsequently confirmed in their appointment is determined by the date of confirmation. The seniority of officers appointed to the same grade from the same date will be in accordance with their seniority in their former grade.

Liability to  
transfer

2.16 Officers are liable for transfer to any post of equivalent grade in the territory.

2.17 (1) Subject to the provisions of paragraph (2) of this Order a transfer not involving a change in emoluments of an officer, or the grading of his post may, where the transfer -

- (a) is within a Ministry or between a Ministry and any Department of the Ministry, be made by the Permanent Secretary;
- (b) is within a Department, be made by the Head of that Department;
- (c) is between Ministries or between Departments of different Ministries be made by the Chief Establishment Officer -

Provided that all transfers ordered under (a) and (b) above shall be reported forthwith to the Chief Establishment Officer.

(2) Where an officer is, or is to be transferred under any of the foregoing provisions of this Order, a Permanent Secretary or Head of Department, or the officer concerned (through the Permanent Secretary or Head of Department) may lodge a written objection with the Chief Establishment Officer; and if an objection is lodged it shall be transmitted to the Governor.

Application  
for transfer

2.18 An officer who wishes to be considered for transfer within the territory to a post of equivalent grade may apply in writing to the Chief Establishment Officer through his Head of Department and Permanent Secretary.

Secondment

2.19 When an officer is required temporarily for duty in another post with the intention of reverting to his substantive post at a later date he will be seconded for temporary duty. All secondments must be authorised by the Chief Establishment Officer.

Effective date of promotion

2.20 The effective date of a promotion will be fixed by the Governor. It will normally be the date upon which an officer who has been selected for promotion assumes the duty of a higher office which has fallen vacant, provided that -

- (1) if the promoted officer is on leave at the time the higher office falls vacant and assumes duty thereon immediately on his return from leave, the promotion may be made effective from the date on which the higher office becomes vacant;
- (2) if the promoted officer has been acting continuously (apart from periods of leave) in the higher office or in an office of equivalent grade, prior to his selection for promotion thereto, his promotion may be made effective from a date not earlier than the date on which he commenced such continuous acting or the date on which the higher office fell vacant, whichever date is later;
- (3) for purposes of this Order, the higher office will be deemed to fall vacant not later than four months from the date on which the officer vacating it proceeds on leave prior to retirement, transfer or promotion to another post notwithstanding such leave may extend beyond four months;
- (4) if the higher office is that of Permanent Secretary or Head of Department the office shall be deemed to fall vacant on the date the holder of the office proceeds on leave pending vacation of the office.

Chapter III

Conduct of Public Officers

Duties of officers

3.1 (1) An officer shall discharge the usual duties of the office to which he is appointed and any other related duties that the Permanent Secretary or Head of Department or Governor may, at any time, call upon him to discharge.

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



(3) Any act by an officer that is considered to be likely to bring the Public Service into disrepute must be reported to the Chief Establishment Officer by the Permanent Secretary or Head of Department of the officer's Ministry or Department.

Hours of  
work

3.2 (1) The normal hours of work for public officers other than Public Works, Hospital, Registrar's Office, Land Registry and Post Office staff are 40 hours in each week. Daily office hours will be 8.30 a.m. to 4.30 p.m. Monday to Friday inclusive, and will include a lunch break not exceeding one hour. Office lunch breaks will be staggered as necessary for individual staff members so that Government offices remain open to allow services to be available to the public throughout the mid-day period. No additional staff will be provided on this account, neither will overtime payments be justified for this service. Heads of Departments may require any or all of the staff of their department to work temporarily for longer hours than those prescribed whenever the public interest makes this desirable.

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

(3) Technical staff supervising industrial employees or staff employed on outdoor work, are required to work a forty hour week or an eight hour day, the same hours as the employees they are supervising.

(4) The hours of work of the Registrar's Office and Land Registry staff will be 9.00 a.m. - 4.00 p.m. including a one-hour lunch break on weekdays, and 9.00 a.m. to 12.00 noon on Saturdays.

(5) The hours of work of Hospital and Post Office staff will be as prescribed by the Chief Medical Officer and Postmaster or the Permanent Secretary of the Ministry concerned.

Absence from  
office during  
working hours

3.3 No officer may absent himself from duty during working hours without the permission of the Head of Department in which he works or such other officer as may be deputed by the Head of Department to give such permission.

Absence from  
duty without  
permission

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

(2) An officer may not leave the territory without permission given in writing by the Chief Establishment Officer or, in cases of emergency, by a Permanent Secretary or Head of Department who will inform the Chief Establishment Officer accordingly.

Attendance  
Register

3.5 Every officer save those who may be exempted by the Head of Department shall sign his name in the Attendance Register kept in the department for this purpose and insert the time of his arrival and departure from duty in the mornings and afternoons. The Head of Department shall depute an officer to examine and initial this Register every day and bring to his notice any case of habitual or frequent unpunctuality or absentecism on the part of any officer. Registers shall be forwarded to the Chief Establishment Officer during the first week of each month for examination.

Private  
interests

3.6 Subject to the following and except in the case of an officer employed part time, an officer's whole time is at the disposal of Government:

- (a) an officer may not engage in any private activity whatsoever during his normal hours of work;
- (b) an officer may be called upon at any time to undertake without additional remuneration official duties in the public interest. In particular, senior officers will be expected to work longer than official hours when the public interest makes this desirable;
- (c) subject to sub-paragraph (d) of this Order an officer may not at any time engage in any private activity which might:
  - (i) bring the officer or the Government into disrepute;
  - (ii) conflict with his official duties or responsibilities;
  - (iii) place him or give the appearance of placing him in a position to use his official position for his private benefits;
  - (iv) make him unavailable for reasonable out of hours duties or official commitments.
- (d) an officer, who is of the opinion that any private activity upon which he is engaged or in which he has a private pecuniary interest is likely to offend against the provisions of sub-paragraph (c) of this Order, must declare it fully to the Governor and either discontinue the activity or divest himself of his interests in it, or undertake not to pursue the activity as long as the prevailing circumstances continue or to comply with such conditions or restrictions as the Governor, after due enquiry may consider necessary.
- (e) within a period of thirty days after his first appointment to a public office an officer shall disclose in writing to the Governor particulars of any investment or

/shareholding.....



shareholding which he possesses in any company carrying on business in the British Virgin Islands and also of any direct or indirect interest which he has in any professional, commercial, agricultural or industrial undertaking in the British Virgin Islands;

- (f) an officer who invests in or acquires shares in any company carrying on business in the British Virgin Islands or who acquires any direct interest in any professional, commercial, agricultural or industrial undertaking in the British Virgin Islands shall within a period of thirty days thereafter inform the Governor;
- (g) whenever the Governor is of the opinion that an officer's performance of his duties is likely to be influenced by the fact that he owns shares or investments in any company, or he has direct interest in any professional, commercial, agricultural or industrial undertaking the Governor may require the officer to dispose of such shares, investment or interest within such period as the Governor may specify or may transfer the officer to other duties. If the officer, on being required to dispose of such shares, investment or interest fails to do so within the specified period, he shall be liable to disciplinary action.

Private family  
interests

3.7 An officer is required to report to the Governor through the Chief Establishment Officer any interest in trade, commerce or agricultural undertaking held by his wife as a principal or on her own account. Where it is considered by the Governor that the interests of an officer's wife in this connection conflict, or are likely to conflict, or may seem to conflict with the efficient and faithful performance of the officer's duties, the Governor may direct the transfer of the officer to other duties where such conflict real or apparent, does not exist, unless his wife has in the meantime divested herself of her interests. The restriction in this paragraph does not extend to the employment of an officer's wife as a paid employee of Government or any private firm.

Work for  
public boards  
or Committees

3.8 (1) Officers are not permitted to undertake work for public boards or committees without previously obtaining the sanction of the Governor.

(2) No officer in the full-time employment of the Government will be eligible to receive any fee or other emoluments from Government funds in respect of his membership of, or service to, a public board or committee.

Private  
employment  
while on leave

3.9 No officer may accept any paid employment while on leave without previously obtaining the express sanction of the Chief Establishment Officer, which will not normally be withheld when an officer is on retirement leave. \*



Public Officers  
not to sign  
public petitions

3.10 No officer shall sign or procure signature to any public petition to the Government which may require executive action or which relates to any action or proposals of the Government of the British Virgin Islands or of any other Government.

Public  
officers and  
the press

3.11 (1) No officer, whether he is on duty or leave of absence shall -

- (a) act as editor of any newspaper, magazine or periodical or take part directly or indirectly with the management thereof; or
- (b) contribute to, whether anonymously or otherwise, or publish in any newspaper, magazine or periodical or otherwise cause to be published in any manner, in the British Virgin Islands or elsewhere, anything which may be regarded as of a political or administrative nature; or
- (c) allow himself to be interviewed on questions of public policy, or on any matter of a political or administrative nature or on matters affecting the administration or the security of any state or territory; or
- (d) speak in public or broadcast in any way on matters which may reasonably be regarded as of a political or administrative nature.

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

Provided also that statements for publications of factual and technical information may be made by Permanent Secretaries, Heads of Departments and other senior officers if authorised by the Government.

Publication  
of official  
documents

3.12 No officer may, without the written approval of the Governor make public or communicate to the Press or to unauthorised individuals any documents, papers or information which may come into his possession in his official capacity, or make private copies of any such document or papers. Every public officer is required to exercise due care and diligence to prevent unauthorised access to or disclosures of such documents and information.

Publication of  
Books and  
Articles

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

Public Meeting

3.14 No officer may call a public meeting to consider any action of the Government or actively take part in such a meeting.



Representations  
by public  
officers

3.15. No officer may seek to influence any member of the Legislature or any other person as a means of bringing his services to official notice especially in connection with appointments, leave, postings, transfers, discipline, promotions, or any conditions of service, or as a means of furthering his interests in the Government service in any way. The employment of such methods will not be to the advantage of the person concerned and may render him liable to disciplinary proceedings.

Engagement in  
political  
activities

3.16. Officers are expressly forbidden to participate actively on behalf of any party or candidate in an election to the Legislature or Local Authority election. They are expressly forbidden to act as agents, sub-agents or canvassers at elections of this nature.

Engagement in  
trade union  
activities

3.17. Public officers may be members of a trade union and they are entitled to attend private meetings of their union, even if of a political character, and to speak and vote at such meeting. But they may not hold office in a trade union, the objects of which are wholly or in part political, nor may they speak or vote at public meetings organised by such trade union.

Acceptance  
of gifts

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

(2) A present given to an officer by an officer or representative of a foreign Government or a member of a recognised organisation in the Territory, either official or unofficial, which cannot be refused without giving offence, may be accepted but the fact and the circumstances must at once be reported to the Chief Establishment Officer and the recipient shall abide by any instructions which may be given as to the disposal of the gift.

(3) The collection of subscription from junior staff which may defray the cost of testimonials and presentations to senior officers is prohibited.

(4) This Order may be relaxed on the occasion of an officer's retirement from the Service, but only with the prior consent of the Chief Establishment Officer.

Legal  
Proceedings by  
officers

3.19. No steps may be taken by public officers to institute civil proceedings in any Court in connexion with matters arising out of the discharge of their public duties, or against a Minister, Permanent Secretary or other public officer, for anything done in the performance of his duty, unless, and until the sanction of the Governor has been obtained.



Legal  
proceedings  
against public  
officers

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

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

Pecuniary  
embarrassment

3.21 (1) Public officers are required to be prudent in the conduct of their private financial affairs. Serious pecuniary embarrassment arising out of the imprudent conduct of an officer's private financial affairs may be regarded as impairing his efficiency thus affecting his claim to promotion or increments. In an aggravated case of this description the officer concerned will be liable to disciplinary proceedings with a view to his dismissal and the onus will rest upon him to show that the circumstances do not justify the imposition of the full penalty of dismissal.

(2) An officer will be liable to the provisions of this Order if he becomes a party to accommodation bills, or promissory notes, under whatever plea, whether for his own purposes or for another person, and whether resulting in pecuniary embarrassment or not.

Bankruptcy  
proceedings to  
be reported by  
an officer

3.22 In the event of an officer filing a petition in bankruptcy or of bankruptcy proceedings being taken against him, or of his entering into a composition with his creditors under the Bankruptcy law, or of any other serious financial embarrassment on his part the officer shall immediately notify the Head of Department who will report the fact to the Chief Establishment Officer.

Bankruptcy  
proceedings  
against officer  
to be reported  
by officer of  
Court

3.23 In every instance of bankruptcy proceedings against a public officer, the officer of the Court before whom the proceedings are taken shall forthwith report the matter to the Chief Establishment Officer giving particulars of the officer's indebtedness. On the conclusion of the examination the officer of the Court shall furnish a further report to the Chief Establishment Officer showing whether or not the officer's difficulties were occasioned by (a) imprudence or extravagance or (b) unavoidable misfortune or other extenuating circumstances.

Judgement  
summons

3.24 Any public officer who is publicly sued for debt and against whom, after an order of payment has been made, a judgement summons is issued, will be regarded, in the absence of a reasonable explanation of his failure to pay the debt, as having brought himself within the terms of Order 3.21.



Returns by Clerks  
of Courts

3.25 Clerks of the Courts shall furnish to the Chief Establishment Officer a quarterly return of officers against whom judgement summons have been issued giving particulars of the indebtedness of such officers.

Loans to and  
by public  
officers

3.26 No officer shall borrow at interest from or make any loan at interest, to, any public officer or borrow from or lend money to, any public officer, in return for payment of a larger sum or any other valuable consideration whatever, or shall act as intermediary between any public officer and a money-lender or shall take part in collecting debts on behalf of a money-lender. In particular, no officer shall borrow money from a subordinate officer. Heads of Departments are responsible for reporting to the Chief Establishment Officer any officer who is known to be contravening this Order and such an officer will render himself liable to disciplinary action.

Misconduct

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

Strikes by  
public officers

3.28 Public officers who go on strike violate the terms of their employment and render themselves liable to instant dismissal.

Certificate  
of Service

3.29 Any public officer may, if he so wishes, obtain on leaving the Service a certificate of Service in the prescribed form. The purpose of a Certificate of Service is that it may be used as a reference covering the holder's Government service when seeking other employment. Accordingly, a Certificate should contain that information which a prospective employer might fairly expect to obtain from that person who had previously employed the holder. In no circumstances may a public officer who leaves the Service be provided with a personal testimonial.

Valedictory  
letters

3.30 Valedictory letters may be sent by the Chief Establishment Officer to public officers who retire after long and valuable service.

Chapter IV

Salaries and Acting Allowances

Salaries to be  
determined by  
the Legislature

4.1 The salaries attached to public offices are shown in the approved salary scales provided in the Government's Annual Estimates of Expenditure and passed by the Legislature.

Incremental  
salary scales

4.2 Where the salary of any post is in an incremental scale, subject to the provisions of these Orders, it shall be normal for an officer appointed on a permanent basis to be paid initially the minimum salary of the scale and for the salary to be increased by the annual increments at the rates provided until the maximum of the scale is reached.



Payment  
of salaries

4.3 (1) An officer will receive the full salary of his post from the date upon which he assumes the duties of the post.

(2) Except on the authority of the Governor no salary will be paid to an officer in respect of any period during which he has been absent from duty without leave.

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

(4) Salaries will be paid normally on the last but one working day of the month. When this day falls on a Monday, payment will be made on the preceding Friday. In the month of December salaries, pensions etc. will be paid on dates to be determined by the Financial Secretary.

Promotional  
increases  
in salary

4.4 The following shall apply where an officer is promoted to an office carrying salary on an incremental scale:

- (i) If immediately prior to his promotion the salary of the officer was less than the minimum of the new office, he shall receive the minimum, but if the grant of the next increment in his former office would have brought his salary in that office up to the minimum of the scale of his new office, he shall receive one increment in the new scale on his promotion.
- (ii) If immediately prior to his promotion the officer's salary was below the maximum of the scale of his office, and was not less than the minimum of the scale of the new office, he shall receive a salary at a point in the new salary scale, one increment higher than the salary of his former office. In such case, the officer's pre-promotion incremental date should be retained on promotion.
- (iii) If the maximum, or fixed, salary of his former office was not less than the minimum of the scale of his new office, and the officer has, at the date of his promotion, served at that maximum, or fixed, salary for a period exceeding one year, he shall, immediately be eligible for two increments in the new scale appropriate to the point on the scale at which he enters.

Incremental  
dates

4.5 There shall be two incremental dates in the year for the public services i.e.

- (a) 1st January next for all officers appointed or promoted on or between 1st January and 30th June; and
- (b) 1st July next for all officers appointed or promoted on or between 1st July and 31st December.



4.6 (1) All normal increments accruing to the salaries of public officers for which provision has been made in the Annual Estimates will be paid, as a matter of course when due, save in any case where a Head of Department considers that the increment should not be paid to an officer for the reason prescribed in the Regulations of the appropriate Service Commission.

(ii) When a Head of Department considers that an officer's increment should not be paid, he should notify the Chief Establishment Officer, the Accountant General and the Chief Auditor as early as possible and in any event not later than two weeks before the date on which the increment falls due. The Accountant General should immediately on the receipt of such notification, acknowledge the receipt thereon, and if no acknowledgement is received within three days of notification the Head of Department should, if necessary, send a duplicate notification.

Efficiency or  
promotion bar

4.7 (1) A certificate in the prescribed form is necessary before an officer can be considered to have passed an efficiency or promotion bar. Advancement beyond the point in a salary scale at which a promotion bar is fixed is equivalent to promotion except that it does not depend on the occurrence of a vacancy in the establishment of the higher grade.

(2) Where a certificate referred to in this Order is withheld but subsequently granted it will become effective from the latter date only. An officer who fails to pass an efficiency bar or promotion bar will fall, in seniority, below an officer who was junior to him, but who succeeds in passing the same bar before him.

Efficiency etc.  
as basis for  
Clerical Officer

4.8 The advancement of a clerical officer or clerical trainee on the incremental scale will be dependent solely on his conduct, efficiency and industry, certified by the Head of his Department.

Retention of  
services of  
promoted  
officer in  
former  
department

4.9 Where an officer is promoted to an office in another department, arrangements should normally be made whereby he assumes his new duties on the date of his appointment. If however, exceptional circumstances necessitate his retention in his former department beyond his promotion date, he shall be considered to be holding his new office from the date of his appointment to it and seconded to his former department. In any such case of retention the authority of the Chief Establishment Officer must first be obtained. In such cases, the salary of the officer at the new rate will be borne by the department to which he is seconded.



Acting  
Appointments

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

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

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

(4) Heads of Departments will make their recommendations for acting appointments to the Chief Establishment Officer through their Permanent Secretary, at least one month before the vacancy which it is proposed to fill by acting appointment, occurs. They must state either that the officer recommended to act will assume the full duties and responsibilities of the post in question or the extent to which he will take over those duties and responsibilities.

(5) All recommendations for acting appointments will be referred by the Chief Establishment Officer to the appropriate service Commission.

Acting  
Allowances

4.11 (1) An officer duly appointed to act in a higher office than his own in any post of Executive Officer level and above shall if required to act for a continuous period of fourteen days or more be paid on the following basis:

- i) if the salary of the higher office is not incremental, the full salary of the post;
- ii) if the salary of the higher office is incremental or if the salary scale of the officer's substantive office touches or overlaps the salary scale of the higher office -
  - a) if the actual salary drawn by the officer in respect of his substantive post is less than the minimum of the higher office, he should be paid the minimum of the salary scale of the higher office;



- b) if the actual salary drawn by the officer in respect of his substantive post is equal to or greater than the minimum of the higher office, at a rate equivalent to the amount of one increment above the actual salary of his substantive post.

(2) When an officer discharges the duties of another office in addition to his own, for a continuous period exceeding fourteen days, the following shall apply:

- i) if the two offices are distinct and separate offices in different departments, the officer shall be eligible for a special duty allowance on the approval of the Governor in addition to his own substantive salary not exceeding one-fifth of the minimum salary of the office in which he is acting;
- ii) if the two offices are distinct and separate offices in the same department the officer shall be eligible for a special duty allowance, on the authority of the Governor, in addition to his substantive salary, not exceeding one-fifth of the minimum salary of the office in which he is acting;
- iii) if the offices are distinct and separate offices in the same department, but stand to one another in immediate relation of superiority or subordination, the officer shall not be eligible for any allowance, unless the office in which he is acting is higher than his own, in which event he shall receive an acting allowance calculated as if his case fell under paragraph (1) of this Order.

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

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

(5) For the purposes of this Order:-

- (i) an officer's own substantive salary comprises the whole of the officer's receipts from public funds by virtue of his occupation of his substantive office

(including personal allowance if any) but does not include duty allowance, fees or allowances for out of pocket expenses nor travelling allowance;

- (ii) the "salary of an office" means the salary attached to an office exclusive of fees or allowances of any kind;
- (iii) "distinct and separate offices" include offices which are of similar designation either in the same or different departments.
- (iv) "higher office than his own" means an office the fixed salary of which (or the minimum salary of which if an incremental scale is attached to the office) exceeds the officer's own substantive salary.

Period for  
which acting  
allowance  
payable

4.12 An acting allowance will be payable from the date on which the officer assumes the duties of his acting appointment up to the date prior to that on which he hands over the duties of the office, provided that no acting allowance shall be payable in respect of any period for which an officer acts in any office unless such period is a continuous one of not less than 14 days.

Acting  
allowances  
when acting  
officer on  
leave

4.13 An officer who is in receipt of an acting allowance may continue to be paid the allowance while he is on annual leave or sick leave provided that it has not been necessary to appoint another officer to perform the duties of the post in which he is acting. Except in the case of annual leave or sick leave as provided for under this Order, no officer may be paid an acting allowance while on leave.

Subsistence and  
transport allowan-  
ces payable to  
acting officer

4.14 An officer appointed to act in a higher office will be eligible for subsistence and transport allowances at the rates prescribed for the higher office.

4.15 (1) All established officers are employed and their remuneration is fixed on the assumption that their whole time is at the disposal of Government and it follows that if the public interest requires such officer to work outside his normal working hours as occasion demands, he should normally do it without further remuneration. Overtime payments will therefore be strictly controlled by the Chief Establishment Officer and approval for such payments will normally be given only for officers whose duties regularly require them to work out of normal hours, i.e. Immigration, Customs, Air Traffic and Post Office staff.



(2) Overtime will be related directly to the officer's salary and calculated on the following basis:-

Saturdays and Sundays	104
Public Holidays	13
Leave	24
	<hr/>
	141 non-working days
	<hr/>
	224 working days
	8 working hours
	per day including
	lunch for which
	pay is made

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1,792

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$$\text{Overtime} = \frac{\text{Annual Rate in \$}}{1,792} = \text{Hourly Rate}$$

This formula will vary at different levels depending on the officer's annual leave entitlement.

Overtime rates for work in excess of 40 hours in any week should be time-and-a-half. When working on a day when an officer would normally be off duty, the rate would be doubled. In the special cases of Immigration, Post Office, Air Traffic and customs personnel, the following rules apply:-

- (a) between the hours of 2200 hours and 0600 hours all time will count as time-and-a-half after 40 hours work has been completed;
- (b) all time worked on Sundays and Public holidays including nights will count as double time;
- (c) a minimum credit of two hours will be allowed for broken attendance;
- (d) otherwise overtime shall be paid at ordinary hourly rates.

#### Chapter V

#### Advances, Subsistence, Travelling and Other Allowances

##### (A) ADVANCES

##### Advances General

5.1 An Officer may receive advances from public funds for the purpose, and on the conditions set forth in General Orders 5.1 - 5.9 following. Application should be made to the Chief Establishment Officer through the officer's Head of Department and will require to be accompanied by the latter's comments and specific recommendation. Where such an advance is not specifically provided in General Orders, an advance will be made only in exceptional circumstances and will require the prior sanction of the Financial Secretary who will specify the conditions of security, interest and repayment in each particular special case approved.

5.2 (a) An officer who is appointed to the permanent and pensionable establishment may obtain an interest-free advance of salary:

- (i) when going on leave if he takes not less than 30 days leave to be spent in the West Indies; other than in the British Virgin Islands.
- (ii) when going on leave if he takes not less than 60 days leave all or part of which will be spent outside the West Indies.

(b) An advance made under sub-paragraph (i) of paragraph (a) shall not exceed one month's salary and an advance under sub-paragraph (ii) of paragraph (a) shall not exceed two months gross salary. In neither case shall the advance be made more than one month before the officer goes on leave.

- (i) an advance under sub-paragraph (i) of paragraph (a) shall be repaid in not more than three equal successive monthly instalments starting not later than the month following that in which the officer resumes duty.
- (ii) an advance under sub-paragraph (ii) of paragraph (a) shall be repaid in not more than six equal successive monthly instalments starting not later than the month following that in which the officer resumes duty.

Advances for  
medical  
expenses

5.3 If an officer or his immediate family (which expression shall mean his wife and children who have not yet attained the age of 19 years) requires medical, dental or ophthalmic treatment which is not available in the territory, or a change of climate - for reason of health, and has not sufficient private means to meet the necessary expenditure, he may be granted an advance from public funds without interest on furnishing adequate security to the satisfaction of the Financial Secretary and subject to the following conditions:

- (i) A medical certificate must be obtained from a Government Medical Officer certifying the need for a change of climate or the necessity for treatment that is not available in the territory.
- (ii) Except in special circumstances, the amount of the advance will be limited to three months salary of the officer. The advance will also be restricted to expenditure actually necessary in connection with the proposed journey and/or treatment.
- (iii) The advance must be repaid by not more than twelve equal successive monthly instalments commencing not later than the end of the month following that in which the officer



returns to duty in the case of the officer and at the end of the month following that in which the advance was received in the case of a member of his family.

Advances to  
purchase  
motor  
vehicles

5.4 (a) Officers who are designated officers or are recognised by the Chief Establishment Officer as needing a motor vehicle for the efficient performance of their duties may apply for a loan for the purchase of a motor car or motor cycle. Applications should be submitted in the prescribed form through the officer's Head of Department and the Chief Establishment Officer to the Financial Secretary.

(b) The loan, if it is approved, will be made by the Accountant General from Treasury funds at 5% interest per annum at current interest rates and for a period not in excess of five years and subject to the following conditions:-

- (i) if the loan is for the purchase of a new vehicle, repayment will be required within three years in the case of officers on the pensionable establishment and within the period of the contract in the case of officers employed on contract;
- (ii) if the loan is for the purchase of a second hand vehicle, repayment will be required within a period to be determined by the Financial Secretary;
- (iii) before the advance is disbursed, the officer will be required to insure the vehicle comprehensively in the joint names of himself and the Government of the British Virgin Islands, as interests may appear, against accident, theft, fire and unlimited third party risk, etc., for an amount not less than the sum loaned or remaining unpaid from the loan and to produce evidence of such insurance within seven days of receiving the loan;
- (iv) the loan, together with the interest due, will be recoverable from the officer's salary by such monthly installments as are laid down when the loan is approved;
- (v) an officer who receives a loan for the purchase of a motor vehicle will be required to sign an agreement with the Government of the British Virgin Islands undertaking not to sell or otherwise dispose of the vehicle until the whole loan together with the interest thereon has been paid. Such agreement shall be registered.

(c) Advances would normally only be granted on the officer's first acquiring a vehicle.



(d) A second advance will be allowed only in exceptional circumstances on the approval of the Minister of Finance and not while any part of an earlier loan remains outstanding.

Advances to  
officers  
travelling  
on duty

5.5 An officer travelling on duty to another territory will be allowed to draw an advance in anticipation of subsistence allowance. The advance may not exceed the total amount that would be drawn by that officer at the authorised rate payable to him for the period he is expected to be out of the Territory and in any case may not exceed subsistence allowance for the period of one month. The advance is recoverable in full immediately the officer returns to the Territory and no advance may be drawn while any portion of a previous similar advance is outstanding unrepaid.

Advances for  
local study  
expenses

5.6 Subject to the agreement of the appropriate Service Commission, an advance may be made to an officer to enable him to pursue a course of study within the British Virgin Islands. In such a case an advance may also be made to enable the officer to purchase necessary books. The total of advances made under this General Order shall not exceed three months' salary of the officer or the actual cost of the fees, books etc. of the course whichever is less. The advance may be subject to interest at the rate prescribed by the Government and be recoverable in not more than eighteen successive monthly installments commencing in the month next after that in which the advance is made.

Advances for  
overseas study  
expenses

5.7 An officer undertaking an approved course of study overseas may be granted an advance on the same conditions as for local study advances laid down in the preceeding Order except that the limit to the advance will be six months salary and the limit to the period of repayment will be 36 months.

Limitation to  
the total of  
personal Advances

5.8 The total advances made to any one officer must be limited to an account such that the monthly repayments do not exceed one half of his monthly emoluments.

Loans to  
officers

5.9 Any application for loans for any purpose which may be received from Civil Servants should be regarded in the same light as applications for advances and dealt with in like manner and in accordance with the procedure laid down for dealing with applications for advances.

#### (B) SUBSISTENCE ALLOWANCES

Subsistence  
Allowance

5.10 The payment of a subsistence allowance is intended to ensure that an officer who is required to travel on duty shall not be out of pocket as a result, but that, on the other hand, no officer shall derive any pecuniary benefit from travelling on duty. Subsistence allowances are therefore calculated to meet only the additional expenditure which an officer when travelling on duty away from home is obliged to incur over and above the expenses which he would otherwise normally incur at home.



Claims for  
subsistence  
allowances

5.11 An officer will submit his claims for subsistence to his Head of Department for Certification. The officer will also certify as correct any receipted bills and submit these with his claim. Heads of Departments are required to satisfy themselves personally that the details of the claim are correct, that the journey was made in the public interest and that it was completed without delay. If he is satisfied on these particulars, he will certify the claim as follows:

"I hereby certify that ..... was travelling on duty on the days specified and I am satisfied that the amount claimed in respect of such duties is, in my opinion fair and reasonable."

Rates of  
subsistence  
allowance in  
respect of  
journeys within  
the Territory

5.12 Subject to Order 5.13 officers travelling on duty within the Territory will be eligible for subsistence allowance, on submission of receipted bills, at the rate laid down in Appendix II provided that an officer who is absent from his station overnight be refunded his hotel/guest house expenses (full American plan) or equivalent (including service charge) and cost of transport.

Basis on which  
allowance is  
calculated

5.13 (a) Subject to sub-paragraph (b) of this Order, no subsistence allowance will be paid in respect of an officer whose absence from his station does not include the period from 12 noon to 2 p.m.

(b) An officer whose duty involves absence from his normal station during the day only will receive subsistence allowance in accordance with Appendix II.

Subsistence  
allowance when  
travelling on  
duty outside  
the Territory

5.14 (a) Officers who are required to travel on duty outside the Territory other than to attend a course of training will be paid expenses on the submission of receipted hotel bills and be eligible for subsistence allowance at the rate laid down in Appendix II to meet out-of-pocket expenses.

(b) For purposes of this and the Order immediately following, "hotel expenses" means hotel/guest house expenses (full American plan) or equivalent, including service charge. All other expenses such as laundry, drinks, etc. must be met by the officer himself but the cost of necessary official transport airport/hotel and hotel/place of business, will be refunded.

(c) The payment of hotel bills will be limited to the grade of hotel, guest house, boarding house or other establishment considered appropriate to the post of the officer, unless he can show to the satisfaction of the Financial Secretary that such accommodation was not available and he had to obtain superior accommodation. Officers eligible for subsistence allowance therefore, will normally only be reimbursed with the cost of hotel accommodation appropriate to his status.



(d) Officers who are required to travel on duty to the Virgin Islands of the United States and who are not required to spend the night away from their station will be reimbursed the cost of not more than two meals and departure tax up to a maximum of \$25.00 if his annual salary is \$16,464, plus cost of transport.

Subsistence allowance when attending courses of training or study leave

5.15 Officers who attend courses of training or study outside the Territory will not normally be eligible to receive subsistence allowance provided that an officer attending an in-service training course not exceeding 90 days duration will be eligible to receive subsistence allowance at rates which will be determined in the light of all the circumstances of the course.

Subsistence allowance when course requires officer's absence from place of study

5.16 (i) If the duties to be performed necessarily entail the officer's absence overnight from the town in which he is spending his leave, a daily allowance at the rate set out in Appendix II (travel outside the Territory) in addition to his hotel and travelling expenses, will be paid.

(ii) If the officer is not absent overnight from the town in which he is spending his leave daily allowance as set out in Appendix II, in addition to travelling expenses, will be paid.

Subsistence allowance when travelling by air or by sea

5.17 Officers travelling on duty by air or by sea will not be eligible for subsistence allowance in respect of the period in which they are travelling where meals are supplied as part of the fare. Should the passage ticket for travel by sea not include meals, officers will be eligible to receive subsistence allowance at the rate laid down in Appendix II.

Warm clothing allowance

5.18 If an officer is required to travel on duty to a cold climate he will be eligible for a warm clothing allowance of \$250.00 not more often than once in three years.

#### (C) TRAVELLING ALLOWANCE

Travelling expenses in connection with duties outside the Territory

5.19 Travelling expenses incurred by officers while on official duty outside the Territory, which are directly connected with such duty will be reimbursed.

5.20 (1) Those officers who are required to possess and maintain their own means of transport for the efficient performance of their official duties and are designated travelling officers by the Governor will be eligible to receive travelling allowance at the rate prescribed in Appendix III (i). A list of designated officers is shown in Appendix III (iii).

(2) An officer who is not designated a travelling officer will be eligible to receive mileage allowance in respect of travelling undertaken with the approval of the Chief Establishment Officer in his own vehicle on official duties on the basis of Appendix III (ii).



Travelling  
between home  
and place  
of work

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

Mileage records  
and Mileage  
allowance  
claims

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

(2) Claim for the payment of mileage allowance other than commuted mileage allowance must be submitted in the prescribed form monthly within three days of the end of the month in which the expenditure was incurred, together with a certified statement of places visited, dates and distances travelled. Responsibility for the correctness of the claim will rest in the first instance upon the officer making the claims and subsequently upon the officers countersigning it.

Economy to be  
exercised in  
travelling  
on duty

5.23 Permanent Secretaries and Heads of Departments should ensure that travelling on duty by their officers is restricted to the minimum consistent with the efficient discharge of their duties, and that the provision in the annual estimates for travelling on duty is not exceeded.

Continuation  
of allowance  
during leave

5.24 Commuted travelling allowance shall be payable during annual leave or sick leave not exceeding a total of three weeks in any calendar year.

(D) TRANSFER ALLOWANCES

Family to  
accompany him  
or follow the  
officer within  
six months

5.25 If an officer's family does not accompany him on his transfer, the expenses of removal subsequently will be allowed only if his family follows him within six months unless there are special reasons for exception given to the satisfaction of the Governor.

Reimbursement  
of removal  
expenses on  
transfer

5.26 When an officer is transferred from one station to another within the territory the following expenditure in connection with his transfer will be met from public funds.

- (i) travelling expenses in accordance with these Orders as if the officer were travelling on duty for himself his wife and children and not more than one servant;
- (ii) free transport for his motor car or motor cycle or mileage in lieu if either is deemed by the Governor as necessary for the performance of his duties;



- (iii) the cost of transporting his baggage including furniture and household effects not exceeding four tons in weight (or 200 cubic feet if transported by sea) in the case of married officers and three tons in weight (or 150 cubic feet if transported by sea) in the case of other officers;
- (iv) incidental expenses incurred in connection with the transfer up to a maximum of one hundred dollars (U.S.) in the case of a married officer and 50 dollars (U.S.) in the case of a single officer.

Means of conveyance of baggage

5.27 (1) Whenever the transfer of an officer from one station to another involves the conveyance of the officer's baggage including furniture and household effects, the Head of the Officer's Department should make a request to the Chief Engineer, Public Works Department who will then arrange for the transportation of the officer's baggage to his new station. If damage to baggage occur during transit, such damage will be assessed after consideration of the report of a responsible officer of the Public Works Department, and the cost reimbursed to the officer concerned, provided that no reimbursement will be made if the cause of damage is due to faulty packing.

(2) If the Chief Engineer, Public Works Department is unable to provide the necessary transport, transportation of the officer's baggage to his new station may be arranged by the officer himself and in such circumstances no liability for damages occurring to the baggage during transit will be accepted by the Government.

## Chapter VI

### LEAVE, SICK LEAVE, ETC.

#### (a) LEAVE

Public officers and Government employees not entitled to leave as of right

6.1 All leave is granted subject to the exigencies of the Public Service. No public officer or employee is entitled to claim leave as a right.

Authority for grants of leave

6.2 (1) Heads of Department have authority to grant annual leave to officers and employees in their Departments and all such leave granted will be reported to the Chief Establishment Officer for record. Annual leave to Permanent Secretaries and Heads of Department will be granted by the Chief Establishment Officer after consultation with the Minister of the Ministry concerned.

(2) All leave other than annual leave will be granted by the Chief Establishment Officer, who will, in the case of Permanent Secretaries and Heads of Department, consult the Minister of the Ministry concerned.



Applications for vacation leave must be submitted on the prescribed form through Permanent Secretaries or Heads of Department to the Chief Establishment Officer not less than three months before the date on which it is desired that the leave should commence.

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

6.3 As a general rule, Heads of Department are expected to arrange for the performance of an officer's duties while on leave without extra staff.

Subject to the availability of funds the employment of temporary leave reliefs will be sanctioned by the Chief Establishments Officer, only in case of officer's absence on leave for periods exceeding 14 days.

Period regarded as leave

6.4 Subject to the provisions of Order 6.14, leave will be computed in working days and will commence from the working day after an officer has handed over his duties and end on the working day preceding that on which he resumes duty.

Cancellation of leave

6.5 (1) Any leave granted under these Orders may be cancelled if it is desirable that an officer or employee should return to duty before the expiry of the leave granted, provided that in such cases the unexpired portion of leave may be taken on a subsequent occasion.

Further accumulation of leave will, subject to the provisions of Order 6.11, not exceed the limits prescribed in the Schedule to this Chapter, unless the Governor otherwise directs.

(2) An officer or employee recalled from leave overseas will be eligible for free passages for his return journey to the British Virgin Islands for himself and his family, provided that they accompany him or follow him within a period of two months.

Termination of leave

6.6 An officer who has been granted vacation leave in excess of three months and who wishes to resume duties before the expiration of his vacation may be granted permission to do so provided that he or she applies for such permission not less than 21 days in advance of the date on which he or she would like to resume duties.

6.7 An officer or employee seeking an extension of leave must in the absence of exceptional circumstances apply to his Head of Department in sufficient time for a decision on the application to be communicated to him before the expiry of the leave granted. An application for an extension of leave on the ground of ill health must be supported by a medical certificate from a fully accredited medical practitioner.

Compulsory leave

6.8 An officer or employee may be required by the Chief Establishment Officer to take leave which is due to him and an officer or employee may be required on public grounds to remain on leave granted to him.



Absent  
without leave

6.9 An officer or employee who absents himself from his station or his duties without leave, or who, without an acceptable excuse, fails to resume duty when he is due to do so, will be regarded as absent without permission and will not be entitled to salary during such absence. All such absences will be reported to the Chief Establishment Officer and the period of absence may not be set off against any leave eligibility without the approval of the Governor.

Leave not  
due

6.10 When an officer is granted more annual leave than the maximum for which he is eligible, he may either:

- (a) have the excess leave taken deducted from the amount of leave in the next leave year, or, if this is not possible,
- (b) be required to refund salary in respect of the days of excess taken and have the days counted as leave without pay for purposes of pension or gratuity.

Forfeiture  
of annual  
leave not  
taken

6.11 Any annual leave due and not taken in a particular year will be forfeited unless the officer or employee is precluded by the exigencies of the Service from taking such leave. The approval of the Chief Establishment Officer must be obtained for annual leave not taken to be deferred and taken in the following year.

Eligibility for  
leave

6.12 (1) The rates at which officers earn leave and the extent to which the leave will be accumulated are set out in Appendix IV to General Orders. In the event of an officer who has accumulated the maximum leave entitlement, applying for but not being granted the leave for which he is eligible within three months of the receipt of such application by the Chief Establishment Officer, such officer shall continue to earn leave on full pay in respect of the period for which his leave is delayed. In such cases the application for leave shall be granted within the further period of one year.

(2) The rate of leave for which an officer is eligible will be determined by his basic salary at the time leave was earned.

Leave to be  
granted in  
respect of  
resident  
service

6.13 (1) Except as provided by these Orders, leave will be granted in respect of resident service. Absences on duty and absences on leave taken annually not in conjunction with accumulated leave and sick leave on full salary not exceeding 28 days in twelve consecutive months will count as resident service.

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



Arrangements for  
the grant of  
leave

6.14 Subject to the exigencies of the service, Permanent Secretaries and Heads of Departments, should arrange:

- (a) that officers and employees take annual leave in the year in which it accrues;
- (b) that officers and employees are not required to forfeit any accumulated leave;

and they will maintain leave registers in which all leave taken by their staff will be recorded.

Travel time

6.15 Officers entitled to leave passages will be granted travelling time on full salary for the outward and return journeys to and from the place where the leave is spent and to which a leave passage is granted. Such travelling time will not exceed three days each way or the time that would be taken by the direct air route whichever is less.

Overseas leave

6.16 The Chief Establishment Officer must be notified of officers intent to spend their leave overseas. Such notification should be made well in advance of the date on which the leave will commence. When officers are granted leave in excess of 30 days to proceed outside the British Virgin Islands, the Chief Establishment Officer will inform the Accountant General.

Address while  
on leave

6.17 (1) Officers proceeding on leave, where such leave is to be spent away from their normal place of residence in the British Virgin Islands, should report their leave address and any changes to the Head of their Department, who will inform the Chief Establishment Officer.

(2) Officers proceeding on leave to the United Kingdom are required to report their arrival by letter to the Crown Agents for Overseas Governments and Administrations giving an address at which communications can reach them with minimum delay.

Leave and last  
pay certificate

6.18 In every case where leave for more than one month will be spent abroad unless the officer has elected in writing to draw his leave salary in the British Virgin Islands, a leave and last pay certificate in the prescribed form should be submitted after the leave has been approved. The leave and last pay certificate will be prepared in quintuplicate in the Establishment Division and sent to the officer for the addition of specimen signatures and his address abroad. The Certificate will be returned through the Permanent Secretary or Head of Department to the Accountant General for completion and return to the Chief Establishment Officer. One copy of the completed certificate will be sent if appropriate to the agents for the Government of the British Virgin Islands in the country where the officer proposes to spend his leave, one copy will be sent to the Accountant General, one will be given to the Officer, one retained by the Ministry or Department concerned, and one copy will be retained by the Chief Establishment Officer.



Leave prior  
to retirement

6.19 An officer applying for leave with the intention of retiring may be granted, immediately prior to the effective date of his retirement or pension, the accumulated leave for which he is eligible together with any additional full pay leave accumulated in accordance with Order No. 6.11. Provided that without the authority of the Governor no officer shall be granted a total period of more than 12 months leave prior to his retirement.

Leave prior to  
resignation

6.20 An officer or employee who has served for not less than 12 months and resigns his appointment after giving the prescribed notice or because of ill health will be granted the annual and accumulated leave for which he is eligible, Provided -

- (a) that leave shall not be included as part of the period of notice of termination of service, and
- (b) that any officer or employee who, while on duty, resigns and fails to give the requisite period of notice or who pays salary in lieu of notice, will forfeit any leave for which he is eligible.

Retirement or  
resignation  
while on leave

6.21 If an officer or employee retires or resigns during his leave without having given notice of his desire to do so, the date at which the payment of his salary is to cease will be determined by the Governor according to the circumstances of the case.

Cases in which  
leave benefits  
are not granted

- 6.22 (1) An officer or employee who
- (a) is dismissed; or
  - (b) is discharged for misconduct; or
  - (c) resigns to avoid being discharged for misconduct;

will forfeit any leave for which he may be eligible.

Leave eligibility  
of teaching staff

6.23 Teaching staff will be eligible for leave during school vacations only.

(b) SICK LEAVE

Circumstances  
in which sick  
leave may be  
granted

6.24 An officer or employee may be granted sick leave:-

- (i) if he is ill or injured, provided that the illness or injury prevents him from carrying out his duties and was not caused by his own misconduct or by his failure to take reasonable precautions;
- (ii) if he is confined to a hospital or similar institution for a period of not less than fourteen days whilst on vacation leave.

Sick leave  
approved by  
Head of  
Department

6.25 (1) Sick leave on full pay to cover absences from duty due to illness or injury may be granted by Heads of Departments up to the limits set out in Appendix IV without affecting eligibility for annual or accumulated leave.



Such leave may be granted in short periods or all at one time provided that absence for more than two days on any one occasion must be supported by a medical certificate. Officers and employees requiring leave on grounds of illness or injury must submit applications for sick leave not later than the second day of absence from duty.

(2) All applications for sick leave approved under the provisions of this Order will be reported immediately to the Chief Establishment Officer for purposes of record.

(3) Sundays and public holidays falling within a period of sick leave will count as days of sick leave.

Sick leave  
approved by the  
Chief Establish-  
ment Officer

6.26 Sick leave in excess of the limits set out in the Schedule to this Chapter will be granted only on the certificate of a Government Medical Officer. Applications for such sick leave or extension of sick leave together with medical certificates should be forwarded through Permanent Secretaries or Heads of Departments to the Chief Establishment Officer for approval.

6.27 (1) Pensionable Officers

Amount of  
sick leave

An officer who is on the permanent and pensionable establishment may be granted sick leave on full salary up to a maximum period of six months during any period of twelve months ending on the final day of sick leave granted to him if there is reasonable prospect of his recovery from illness or injury. Thereafter, if necessary, further extension of sick leave on half salary may be granted subject to a maximum period of twelve months sick leave in all on full and half salary combined provided that if an officer is eligible for accumulated leave when sick leave or half pay is granted, such accumulated leave may be taken on full salary and thus reduce the period of sick leave on half salary. Sick leave beyond an aggregate of twelve months in any period of four years or less will be without salary and will not count as service for salary increments or pension.

(2) Officers appointed on contract and employees other than employees engaged on daily rate of pay may be granted sick leave on full salary up to a maximum period of 60 days during any period of twelve months ending on the final day of sick leave granted. Any extension of sick leave will be without salary and will not count as service for salary increments or gratuity.

(3) Employees engaged on daily rates of pay

Employees engaged on daily rates of pay may be granted sick leave on such conditions as may from time to time be laid down by the Government.



Sick leave for periods exceeding 3 months subject to Medical Board

6.28 An officer may be called upon at any time by the Governor to submit himself for examination by such Medical Officer or Medical Board as may be designated. An officer who has been on sick leave for continuous period of three months, will unless specifically exempted on the advice of the Chief Medical Officer, be required to submit himself for examination by a Medical Board appointed by the Chief Medical Officer. Subsequent examinations may be required after consideration of the first report of the Medical Board.

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

6.29 If a Medical Board appointed under Order 6.28 advises that it is unlikely that an officer will be able to return to duty at the end of his sick leave and that he should be discharged because of ill health, the Chief Establishment Officer may grant sick leave on full salary and half salary to the maximum period laid down in Order 6.27 until a decision has been made on the recommendation of the Board, provided that in such cases all officers and employees other than those engaged on daily rates of pay shall in the circumstances be granted a minimum of two months sick leave on full salary.

Discretionary sick leave

6.30 (1) The Governor in his discretion, may grant sick leave on full pay in addition to a period of sick leave on full pay provided under these orders, where, in his opinion, any officer is suffering from:

- (a) an injury sustained when in the execution of his duties; or
- (b) an illness caused by or directly attributable to the nature of his duties.

(2) Sick leave granted under this Order shall not be taken into account for purposes of any other General Order.

Grant of sick leave to officers on leave

\* 6.31 An officer who is confined to a hospital or similar institution for a continuous period of not less than fourteen days while on leave, may on production of a medical certificate from the hospital or institution concerned, be eligible for sick leave for the period of his confinement. His leave will not, however, be extended beyond the date up to which it was approved without the authority of the Chief Establishment Officer.

Officers to seek medical advice when unwell or instructed

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

Failure to appear before a Medical Board

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



Maternity leave

6.34 A female officer who requires leave for maternity purposes may be granted leave for which she may be eligible and if she is a pensionable or contract officer may be granted in addition:

- (i) special maternity leave on full salary for a period not exceeding one month; and
- (ii) leave on half pay for two months, and
- (iii) leave without pay for an additional period not exceeding one month.

SAVE that in the case of a contract officer any absence from duty for maternity purposes in excess of normal leave earned shall not count as part of the term of the contract.

(c) OTHER FORMS OF LEAVE

Leave on urgent private affairs

6.35 An officer may be granted leave on the grounds of urgent private affairs and an application for such leave must be accompanied by a statement of the reasons for the application and be submitted to the Chief Establishment Officer through the Head of Department to which the officer is posted. The statement will, if desired, be treated as confidential.

Granting of leave on urgent private affairs

6.36 Leave on urgent private affairs will be granted on the authority of the Governor and the officer, granted leave will be required to take, as necessary all leave for which he is eligible. He may be granted in addition leave on full salary to bring the total leave granted to three months, provided that such additional leave as may be granted will count against his future leave eligibility. If the officer retires, resigns or is discharged before he becomes eligible for leave equal to the additional un-earned leave taken, he will refund to the Government the salary he was paid during that leave.

Special leave to attend sporting and other events.

6.37 (1) Special leave on full salary may be granted by the Governor in the following circumstances:-

- (a) to enable officers and employees who are selected by the proper authorities to represent the British Virgin Islands or the West Indies in sporting events.
- (b) to enable officers and employees who belong to the Boy Scouts, Boys' Brigade, the Y.W.C.A., the Girl Guides, the Red Cross and similar organizations and are selected by the proper authorities to attend gatherings of a world wide or international character connected with such organizations.

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

(3) In such cases special leave will normally be limited to not more than one calendar month on any one occasion or in any one year and any leave required over and above this maximum will be counted as leave if the officer is eligible therefor, otherwise as leave without salary: provided that in any special cases additional leave on full or half salary may be granted.

Special leave in other circumstances

6.38 Special leave on full salary may also be granted by the Chief Establishment Officer -

- (a) to enable an officer to sit an examination which the Government recognizes to be necessary for the officer's advancement in his branch of the Services;
- (b) to an officer to be absent from duty because he has been in contact with an infectious disease. In such circumstances special leave will be granted on the recommendation of a medical practitioner only after approval by the Chief Medical Officer.

In-Service Training Leave

6.39 (1) In-service training leave i.e. leave to attend Government sponsored courses may be granted to an officer who -

- (i) is nominated by the Government to attend a course of study; or
- (ii) is nominated by Government for a bursary or other award to follow a course of study.

(2) Where an officer is granted in-service training leave he will be expected to utilize all the vacation and accumulated vacation leave for which he is eligible and in addition will be granted:

- (i) leave on full salary for the first year or part thereof and at half salary for the remainder of the course exclusive of vacation leave subject to satisfactory performance;
- (ii) an allowance to assist with the purchase of books;
- (iii) tuition and examination fees; and
- (iv) a maintenance allowances which would vary according to the location of the course, if this is not included in any award which the officer receives.



(3) In-service training courses shall not normally be of an undergraduate nature, and will not normally be for more than 2 years.

(4) An officer proceeding on an in-service training course may be granted a short recreation leave prior to attending the course and a recreation leave of not more than 2 weeks duration, on completion of the course. Recreation leave taken before the course will be deducted from the officer's vacation leave.

#### Study leave

6.40 (1) Study leave may be granted to an officer to attend a course of study at his own request with the approval of the Government. Government approval will only be granted if it appears that the additional qualification is likely to be of value to the Government.

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

- (i) the officer will be expected to utilize for the purpose of the course, all the vacation and accumulated vacation leave to which he is entitled;
- (ii) an officer who has been confirmed in a pensionable office will be granted study leave on full pay for the first year of the course in addition to vacation leave, and on half pay for the remainder of the course;
- (iii) an officer who has not been confirmed in his appointment must resign his appointment if he wishes to attend the course;

Provided that in either case an officer may be granted the full amount of leave for which he is eligible.

(3) Leave salary paid under the provisions of paragraph (2) of this Order will be less the amount of any bursary or training award which may be granted exclusive of that part of the bursary or training award which is for travelling expenses, tuition and examination fees.

(4) In exceptional circumstances an officer may be granted permission to attend a course of study although the particular course may not be immediately in the public interest. Where this applies, to the officer may be granted leave of absence without pay, in addition to the vacation leave and accumulated leave to which he is entitled, for the purpose of undertaking the course.

6.41 The grant of in-service training leave and study leave under General Orders 6.39 and 6.40 will be subject to the execution of an agreement by the officer who is granted study leave to undertake to remain in the Public Service of the British Virgin Islands for a prescribed minimum period after the expiry of his leave. The minimum period will be:

- (a) where an officer attends a course of less than six months duration:  
1 year.
- (b) where an officer attends a course of six months to 1 year duration:  
2 years.
- (c) where an officer attends a course of more than 1 year but less than 2 years duration:  
3 years.
- (d) where an officer attends a course of more than 2 years but less than 3 years duration:  
5 years.
- (e) where an officer attends a course of more than 3 years but less than 4 years duration:  
6 years.
- (f) where an officer attends a course of more than 4 years but less than 5 years duration:  
7 years.
- (g) where an officer attends a course of more than 5 years but less than 6 years duration:  
8 years.
- (h) where an officer attends a course of more than 6 years but less than 7 years duration:  
9 years.

The agreement may be in the form of a bond with or without sureties on a default of which the officer or his sureties will be liable to repay to the Government all or any part of any allowances, fares, passages and salary paid to him during the period of the course as the Governor may prescribe.

Recreation  
leave

6.42 An officer may be granted recreation leave up to a maximum of two weeks immediately following in-service training leave, or study leave which has been approved by the Government. The amount of recreation leave will depend on the length of the course.



Reports of  
attendance  
and progress

6.43 An officer attending a course of study may be required to furnish, at such periods as may be prescribed, a certificate from the appropriate authority at the institution at which he is pursuing the course of study in proof of his regular attendance and of his diligence and energy in his studies. If it is evident that the officer has abandoned the course or his progress is so unsatisfactory that it would be in the public interest to do so, the remaining period of study leave shall be cancelled and the officer required to return to duty.

Examination  
fees

6.44 (1) An officer who attends a course of study with the approval of the Government or who undertakes an approved course of study by correspondence and the course involves, on completion, an examination by a recognized body, and who passes the examination, will be eligible for a refund of any examination fees which he has himself paid.

(d) LEAVE - MISCELLANEOUS PROVISIONS

Officer's leave  
eligibility to  
lapse on his  
death

6.45 An officer's eligibility for leave will lapse on his death and any payments of salary or allowances made in respect of a period subsequent to his death will be recoverable from his estate.

Leave to count  
as pensionable  
service

6.46 Leave granted on full or half pay counts as pensionable service and service qualifying for pension. Leave granted without pay does not break continuity of pensionable service but is counted as pensionable service only when granted on grounds of public policy.

Leave without pay  
not to count for  
increment save in  
certain circum-  
stances

6.47 Leave granted without pay will not count for purposes of increment unless it is granted as study leave or on the grounds of urgent private affairs.

Officers to  
hand over cash,  
stores furniture  
within his charge  
prior to proceed-  
ing on leave or  
transfer

6.48 An officer proceeding on leave or transfer who is responsible for cash, stores or furniture who does not follow the handing over procedure laid down in Financial Regulations and Store Rules will be liable for any deficiency which may subsequently be discovered.

Return to duty  
to be reported

6.49 All officers resuming duty after leave are required to report in writing to the Permanent Secretary of their Ministry the date on which they resumed duty. In the case of officers who have been on leave outside the territory, the date of arrival in and departure from the place in which the leave was spent must also be reported in writing at the same time. The Permanent Secretary will transmit the information to the Chief Establishment Officer.

Medical Officer  
to make a report  
in certain  
circumstances

6.50 On the occasions listed in this Order a Government Medical Officer will report the circumstances to the Chief Establishment Officer and the Head of Department of the officer concerned:

- (i) when an officer refuses to carry out, or in the opinion of the Medical Officer is neglecting to carry out the medical advice he was given;
- (ii) when in the opinion of the Medical Officer, an officer is feigning ill health;
- (iii) when in the opinion of the Medical Officer the illness of an officer has been caused by his own negligence or misconduct.

Absences from  
duty on  
grounds of  
sickness

6.51 Absences from duty on grounds of sickness caused by an officer's misconduct or negligence may be counted as leave with or without pay and such absence may form the basis of a disciplinary charge against the officer concerned.

## Chapter VII

### LEAVE PASSAGES

Eligibility for  
leave passages of  
officers appointed  
on secondment or  
on contract terms

7.1 An officer appointed on secondment from another Caribbean territory or an overseas officer appointed on contract terms will, unless the terms of the secondment, agreement or contract provide otherwise, be eligible on completion of secondment or contract, for return passages to the country from which he was appointed, for himself, his wife and children and the allowances laid down in General Orders 2.12.

Family may travel  
in advance of or  
after the officer

7.2 The wife and/or children of an officer may be permitted to travel in advance of or after the officer, provided that

- (a) if they travel in advance of the officer on the outward journey not more than six months will elapse between their date of departure from the British Virgin Islands and the departure of the officer himself;
- (b) if they travel after the officer on the return journey, they return to the British Virgin Islands not later than six months after the officer has returned to duty.

Failure to comply with these conditions may result in the officer being required to refund the cost of passages for his wife and children.



Passages to family of officer who dies while in the Public Service

7.3 If an officer who is appointed on contract dies whilst in the Service, passages will be provided for his widow and children under the age of 18 years who are unmarried, and who were dependent upon him, to the place where the officer was originally recruited, or to the country of domicile or to the birth place of the widow, provided the removal takes place within six months of the officer's death. Should the widow leave the Territory within this period to reside elsewhere, she will be provided with a passage grant not exceeding the cost of the passage to the nearest of the places above mentioned.

In all the aforementioned circumstances, widows will be eligible for a baggage allowance as follows:

- (1) the entire cost of surface transportation of the personal and household effects up to a limit of 200 cubic feet, or five shipping tons, including such incidental charges as port dues, wharfage, dock and cartage charges, clearance charges and agency fees customs attendance and carriage to the ultimate destination, but excluding all insurance charges.

The baggage allowances may be paid in the appropriate circumstances, to the administrators of a deceased officer's estate for the transportation of the personal effects of the deceased officer to his home country.

#### Chapter VIII

##### Resignation, Retirement and Terminal Benefits

###### Resignation

8.1 (1) An officer on probation or appointed otherwise than on contract or pensionable terms may resign after giving not less than one month's notice in writing to the appropriate authority. The appropriate authority will be the Head of the officer's Department in the case of officers holding non-pensionable appointments maximum salary of which does not exceed \$5412 per annum and in all other cases the Chief Establishment Officer. The notice will be exclusive of leave.

(2) An officer who has been confirmed in his appointment to a pensionable post may resign his appointment to a pensionable post after giving not less than three months notice (exclusive of leave) in writing to the Chief Establishment Officer.

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

(4) Notwithstanding the provisions in paragraphs (1) and (2) of this Order, an officer other than an officer appointed on contract terms may instead of giving due notice resign his appointment at any time after paying to the Government one month's salary in lieu of notice. In such cases the officer will forfeit all leave and passage privileges for which he might be eligible.

(5) All resignations will be reported immediately to the Chief Establishment Officer, the Accountant General and the Chief Auditor.

Reasons for  
refusal of  
resignation

8.2 The appropriate authority may refuse to accept notice of resignation:

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

Resignation while  
on leave

8.3 An officer may not give notice of resignation while on leave. The provisions of Order 8.1 (4) may however apply; but in addition to paying the Government one month salary in lieu of proper notice and to forfeiting the balance of his leave an officer who resigns on leave will be held liable for the total refund of the cost of leave passage for himself and his family which may have been granted in respect of his leave.

Re-employment  
of resigned  
officers

8.4 When an application for employment is received from an officer who has previously resigned from the Public Service, the circumstances which prompted the resignation will be investigated before a decision is taken on the application. Such investigation will include reference to the Chief Establishment Officer.

Compulsory  
retirement age

8.5 An officer whether employed on pensionable or non-pensionable terms will be required to retire on attaining the age of 50 years: provided that in exceptional circumstances and in the public interest an officer may be permitted by the Governor to remain in the service after he has attained the age of compulsory retirement.

Re-engagement  
of retired  
offi

8.6 Officers who have retired from the Public Service of the British Virgin Islands or any other Territory may be re-engaged on the authority of the Governor on temporary terms such re-engagements will only be made where:



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

Return of officers who have attained the age of compulsory retirement

8.7 (1) Permanent Secretaries and Heads of Departments will forward to the Chief Establishment Officer in December each year a return of all officers of whatever grade serving in their Ministry or Department who have attained or will attain the age of 60 years before the end of the succeeding year.

(2) In each case it must be stated whether or not there are any special grounds for departing from the general rule that such officer should be retired upon attaining the age of compulsory retirement.

Retirement on medical grounds

8.8 If an officer is reported by a Government Medical Officer to be incapable by reason of infirmity of mind or body of discharging efficiently the duties of his office and such infirmity is likely to be permanent, the case will be referred to the Chief Establishment Officer, who may require the officer to appear before a Medical Board appointed by the Chief Medical Officer.

The recommendations of the Medical Board will be referred in the prescribed form to the appropriate Service Commission. If the officer is on leave of absence outside the Territory the initial examination may be made by an approved medical practitioner on the authority of the Chief Establishment Officer.

Retirement pensions and gratuities

8.9 (1) All claims to pensions, gratuity and other retiring allowances should be made in prescribed form and should be submitted to the Accountant General as soon as a decision has been taken regarding an officer's retirement. The form should be properly and correctly prepared by the Head of Department of the officer who is to retire and submitted with all the necessary supporting documents attached thereto to the Chief Establishment Officer for verification and thereafter to the Accountant General and the Chief Auditor.

(2) The submission of pension and gratuity papers should not be delayed until the date of retirement. When the date of retirement has been reached the Ministry or Department concerned should immediately advise the Accountant General, in the form of a Last Pay Certificate whether or not there have been any changes in particulars submitted in the original report. A copy of such certificate should be forwarded to the Chief Auditor.



(3) In cases where it is not possible to locate the necessary records in relation to an officer's service a statutory declaration should be submitted by one or more reliable persons attesting to the continuity of service. The status of the declarant should be stated and he should also give the source of his knowledge of the facts given in the declaration.

Evidence of age

8.10 The officer's birth certificate should be furnished as evidence of his age. Where this is not possible a statutory declaration by the officer himself or any other reliable person may be submitted.

Option to take on retirement a reduced pension and a gratuity

8.11 A pensionable officer whose pension is governed by the Pensions Act (Cap. 157), if he desires to receive a reduced pension and gratuity in place of his full earned pension must so indicate in writing not later than the date immediately preceding the date of his retirement.

Pensionable service in other territories

8.12 The apportionment of the pension of an officer who has served in more than one territory is determined by the ratio between aggregate pensionable emoluments calculated at the time of retirement. The rate of exchange to be adopted for this purpose is that obtaining at the date of retirement of the officer concerned.

Service before eighteenth birthday not to count for pension

8.13 An officer's service before he attains his eighteenth birthday will not be counted as pensionable service although it may count towards the ten years qualifying service for an award under the Pensions Law.

Death of an officer in the public

8.14 In the event of the death of a serving officer, the Head of Department will be responsible for ensuring that prompt application is made for any payment or gratuity that may be due.

Marriage gratuity

8.15 (1) A female officer who intends to marry shall report her intention not less than one month before the proposed date of marriage, to the Chief Establishment Officer through the Head of her Department.

(2) A female officer who has not less than five years pensionable service may, on marriage, exercise the option to resign and take a marriage gratuity under the provisions of the Pensions Regulations. Such option, which will be irrevocable, must be taken within three months of the date of marriage and if the option is not exercised in writing within the specified period it will be deemed that the female officer has elected to continue her pensionable service to normal retirement.

(3) A married female officer whose domestic responsibilities interfere with the discharge of her official duties may be called upon to resign, in which case she will be eligible to receive the marriage gratuity for which she would have been eligible at the time of her marriage.



Provided that in such case the officer must be warned in good time that her retirement is contemplated and given an opportunity of replying to charges of loss of efficiency.

## Chapter IX

### Correspondance and Public Business

#### Disclosure of official information

9.1 Public Officers and employees are expressly forbidden to give any unauthorised persons information relating to the business of the public service. The publication of official documents or information is governed by the provision of General Orders 3.11 and 3.12.

#### Confidential and secret correspondence

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

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

9.3 (1) It is the responsibility of Permanent Secretaries and Heads of Department to ensure that the member of their staffs, other than officers authorised to do so, shall be in a position to handle or see confidential or secret documents.

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

#### The handling of classified correspondence

9.4 (1) All official correspondence addressed "Secret," "Confidential" or "In Confidence" must be enclosed in two envelopes, one inside the other. The inner envelope must be marked "Secret," "Confidential" OR "In Confidence," as the case may be, but the outer envelope should not be marked. The inner envelope should be folded rather smaller than the outer, so that both will not be opened at once.

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

9.5 Decisions affecting an officer personally shall be conveyed to him in writing. No officer through whose hands such correspondence passes may communicate any of the contents to any person or persons without written instructions from the Chief Establishment Officer.



Copies of  
official  
correspondence  
not to be made

9.6 (1) Copies of communications to or from the Government must not be conveyed to any persons without the authority of the Permanent Secretary of the Ministry concerned. If the orders therein contained are intended to be communicated, they will be embodied in a letter addressed to the person concerned.

(2) No officer may take copies of communications and reports referring to himself or any other officer, and any officer found in unauthorised possession of such documents will be liable to disciplinary action.

Official  
correspondence

9.7 Permanent Secretaries will correspond directly with other Ministries and with the public upon the affairs of their own Ministries and Departments. Important questions of principle or of policy will be referred to the Minister concerned and proposals which involve reference to other Ministries should be fully discussed between the Permanent Secretary and the Heads of Departments concerned, before they are submitted to the Minister and the fact that this has been done should be stated in the submission. Personnel questions, (other than those which are for determination by the appropriate Service Commission) and Establishment matters that may be resolved within the terms of these Orders as amended from time to time, will be dealt with by Permanent Secretaries and Heads of Departments, except that personnel matters which may have a Service-wide implication and establishment matters which do not fall within the provisions of these Orders or suggest a departure from existing policy or the establishment of a novel principle or a new provision or define an issue which may have repercussions throughout the Service, shall be referred to the Chief Establishment Officer.

Communications  
to be answered  
without delay

9.8 (1) All communications, whether from the public or from other Ministries or between a Ministry and Department, must be answered with the least possible delay. Where it is not possible for a prompt reply to be sent, an interim acknowledgement must be made and a reply sent as soon thereafter as possible.

(2) Communications must, as far as possible, be confined to a single subject. Where it is found to be essential that more than one subject is dealt with in one communication, additional copies, according to the number of subjects, must be furnished. In every communication, paragraphs must be numbered consecutively throughout and each page numbered.

Opinion by  
law officers

9.9 No opinion of the Government law officers may be quoted directly to a private individual. If it is necessary to refer to a legal opinion this should be preceded by the word "The Government is advised that ....."



The preservation  
and destruction  
of official  
documents

9.10 The preservation and the destruction of Government documents is regulated by the following:

- (1) no correspondence or document shall be considered for destruction before it is five years old;
- (2) any file over five years old, that is put away, shall bear a direction by senior officer in the Ministry responsible for the subject, that it shall be:
  - (a) preserved because of its continuing value to the GOVERNMENT; or
  - (b) destroyed at once; or
  - (c) destroyed on a stated date if there is no further action.
- (3) If a file is retained in accordance with sub-paragraph (2) (a) of this Order, it shall be kept fifteen years from the date of its creation, and shall then be considered by the GOVERNMENT Archivist for destruction or for further retention.
- (4) A record shall be kept of all documents and files destroyed and date on which they were destroyed.
- (5) The following documents shall not be destroyed:
  - (a) those required by law or regulations to be preserved;
  - (b) documents of historical or other interests, particularly those relating to the history of the Territory or the West Indies;
  - (c) documents relating to land and the ownership thereof and to the value of land and property, especially Crown Lands;
  - (d) documents that are more than fifty years old unless they are of a routine nature.
- (6) Documents that, as a rule, must be kept, are those referring to policy decisions, precedents, legal opinion and the preparation of legislation; to evidence of rights and obligations of Government, and claims for compensation not subject to time limit; to report on field trials and experiments; to reports by Departmental committees and working parties; to organisation and staffing and the personal files of public officers.

Officer to be designated to examine documents of Ministries or Departments.

9.11 An officer in each Ministry and Department should be nominated to comply with the provisions of the preceding Order and to make reports at stated intervals to his Permanent Secretary or Head of Department.

Court Records  
and documents

9.12 The provisions of Orders 9.10 and 9.11 do not apply to Legal Departments, whose official documents are subject to the provisions of the Registration and Records Act (Cap. 67).

Use of official  
stationery

9.13 Official stationery must on no account, be used for private correspondence or for any purpose not directly connected with the work of the Ministry or Department. Permanent Secretaries and Heads of Department will ensure that the strictest economy in the use of stationery is exercised in their Ministries and Departments. All orders for stationery must be scrutinized before they are issued by a responsible officer deputed for this purpose.

Franking of  
official  
correspondence

9.14 Official correspondence (including letters, printed matters and miscellaneous packets) is transmitted free by the island post, provided that it bears on the envelope, or cover, the words, "On Her Majesty's Service" or the letters "O.H.M.S." and, in the lower left hand corner, the signature and official designation of an officer duly authorised to frank official postal packages.

Official seal

9.15 Impressions of official seal shall not be given to any private person.

Official telegram

9.16 Telegrams may be approved for despatch only by Permanent Secretaries, Heads of Department, or officers authorised by them. In the interest of economy, the use of telegrams should be avoided wherever possible unless the communications is urgent or a telegraphic reply has been specifically requested.

## Chapter X

### GOVERNMENT QUARTERS

Free quarters

10.1 Free quarters are provided for members of the Royal Virgin Islands Police Force below the rank of Sergeant who occupy single accommodation in Police barracks and to members of the Prison Department who are required to live in accommodation provided for them at the Prison.

Government  
quarters

10.2 Officers who are not domiciled in the British Virgin Islands or who are domiciled on an island of the British Virgin Islands other than that on which they are stationed may be provided with Government Quarters on the authority of the Chief Establishment Officer.

Rental of  
Government  
quarters

10.3 (1) All officers provided with Government quarters will be required to pay the actual or assessed rental of the quarters allocated to him up to 25% of his basis salary if the officer is in receipt of a gratuity, and 5% if he is not eligible for gratuity; provided that if the quarters are unfurnished the maximum rental shall be 4% of the officer's basic salary.



(2) An officer who is domiciled and stationed on the same island may be provided with housing at a rental not exceeding 25% of his salary if the house is furnished and 20% of salary if the house is unfurnished.

(3) An officer who is stationed on an island other than that on which he domiciled, may be granted housing at 5% of salary.

Furniture.

10.4 Basic furniture may be provided in Government quarters on the scale laid down in Appendix V to these Orders. Variations to the scale may be only with the authority of the Governor.

Allocation of Government quarters

10.5 (1) The allocation of Government quarters to officers shall be the responsibility of the Housing Committee under the Chairmanship of the Chief Establishment Officer, comprising the Financial Secretary, and the Chief Engineer, Public Works Department.

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

(3) An officer allocated Government quarters shall continue to pay rent for such quarters while on leave other than accumulated leave.

10.6 Officers sharing Government quarters will be required to share the actual or assessed rent but in no case will an officer be required to pay more than 5% of his basic salary if the quarters are furnished and 4% if the quarters are unfurnished. In the case of officers who are in receipt of a gratuity the maximum rental contribution of each officer will be 25% for furnished and 20% for unfurnished quarters. Government quarters may not be shared, however, without the approval in writing of the Chief Establishment Officer.

Payment of rent

10.7 The rent due from each officer in respect of Government quarters allocated to him will be deducted from his salary at the end of each month in arrears. Rental is payable from the date on which an officer takes over Government quarters to the date immediately preceding the date on which he hands them over, both dates inclusive. No remission of rental will be granted on the grounds that quarters could not be occupied while repairs were being effected unless the sanction of the Chief Establishment Officer has been obtained previous to vacating the house.

Quarters Officer

10.8 The Chief Establishment Officer will designate an officer in his Department Housing Officer to be in charge of Government quarters and furniture. The Housing Officer will be responsible for -



- (a) maintaining inventories of all government furniture and fitting taken over by officers;
- (b) the custody of the keys of all unoccupied government quarters;
- (c) taking over government quarters vacated by officers and furniture returned by them and for handing over government quarters and furniture which are allocated to officers;
- (d) reporting through his Head of Department to the Accountant General the occupancy and vacation of all Government quarters.

Handing over  
and taking  
over of  
Government  
quarters and  
furniture

10.9 (1) Government quarters and furniture must be taken over from the outgoing occupant and handed over to the Housing Officer. An incoming occupant of quarters must acknowledge receipt of the quarters and all articles of Government furniture and equipment therein by signing the inventory. An outgoing occupant must hand over the keys of the quarters he is vacating to the Housing Officer and remain responsible for the quarters and all articles of Government furniture and equipment therein until he obtains the signature of the quarters officer to the inventory in acknowledgement of their surrender. An officer provided with Government quarters must give at least one week's notice to the Housing Officer that he wished them to be taken over.

(2) It will be the personal responsibility of the officer concerned to report through his Permanent Secretary or Head of Department to the Accountant General, the date on which he occupies or vacates Government quarters and the responsibility of the Housing Officer to report to the Chief Establishment Officer, and variations in the scale of furniture issued to an officer.

Officer's  
liability for  
deficiencies

10.10 Unless an officer, at the time he takes over Government quarters, indemnifies himself by reporting any deficiency or damage, it will be assumed that he received the quarters and all articles of furniture and equipment belonging thereto in good condition and he will be liable for the cost of making good any deficiency, damage or neglect discovered during his occupancy or at the time he hands over the quarters.

Responsibility  
of officer for  
Government  
quarters

10.11 (1) An officer is required to take reasonable care of the Government quarters and its fixtures and all articles of Government furniture allocated to him. An officer allocated Government quarters or offices is prohibited from altering the structure of fixtures. If any alteration is desired, application must be made to the Chief Engineer, Public Works Department. All defects must be reported promptly by the officer to the Chief Engineer, whose Department is responsible for undertaking repairs.



(2) An officer is also responsible for maintaining the grounds of Government quarters in reasonable condition. If the grounds are neglected, the housing authority may direct the officer to restore them to a neat and orderly state and if the direction is not complied with within such period of time as may be allowed by the housing authority, the housing authority may order the Public Works Department to effect the desired improvement at the expense of the officer concerned.

Quarters for  
members of  
officers  
family only

10.12 Government quarters are intended for the accommodation of officers, their wives, children and dependent relatives only. No part of any Government quarters may be regularly occupied by other relatives or friends without the permission of the Chief Establishment Officer.

Termination  
of tenancies

10.13 The housing authority may terminate the tenancy of a house at any time by giving one month's notice to the occupant.

Hotel  
expenses

10.14 Officers who are entitled to occupy Government quarters and for whom no quarters are immediately available, will have their hotel bills paid by the Government in respect of board and lodging only upon payment by the officer of a contribution of 5% of his salary in respect of accommodation, a further 15% in respect of the officer's board and a further 15% in respect of board for his wife and children, if any, accompanying him.

#### Chapter XI

#### MISCELLANEOUS

Channels of  
communication  
from public  
officers

11.1 (1) An officer who wishes to make representations relating to his conditions of service or any other matter of a public nature must first address his Head of Department or Permanent Secretary. If he is not satisfied by the reply he receives he may then write to the Chief Establishment Officer through his Head of Department or Permanent Secretary who must forward the communication without undue delay and advise the officer that this has been done. In every such case the Head of Department and Permanent Secretary should embody in a separate memorandum, his own views on the representations made and forward this with the communication.

(2) The Chief Establishment Officer will address his reply to the officer and send it through the officer's Permanent Secretary or Head of Department.

(3) Representations received other than through the correct channels will be returned unanswered to the officer through his Permanent Secretary or Head of Department.

11.2 A petition is a formal reference to ultimate authority for special consideration of a matter affecting a public officer personally. If representations made in accordance with Order 11.1 are not successful and they are not concerned with a matter which is the proper subject of an appeal in accordance with the provisions of the Regulations of the appropriate Service Commission an officer may submit a formal petition to the Governor in accordance with the following;

- (1) A petition must be submitted through a petitioner's Head of Department, the Permanent Secretary of his Ministry, and the Chief Establishment Officer to the Governor, providing sufficient copies to enable each officer through whom it is forwarded to retain one copy. A petition must be forwarded without delay, together with any comments it is desired to make. Petitions or copies of petitions sent direct to the Governor will be ignored.
- (2) A petition must bear the signature, or independently attested mark, and the address of the petitioner. When written by a person other than the petitioner, the signature and address of the writer must be included.
- (3) A petition which -
  - (a) does not comply with (1) above; or
  - (b) deals with a matter in which legal remedies are still open, or
  - (c) is illegible or worded in abusive or improper language; or
  - (f) merely repeats the substance of a previous petition without introducing new matter,

will not be entertained.

- (4) A petition should conclude by stating concisely the nature of the redress sought, and a petition which exceeds in length two pages of foolscap must also include a summary of the reasons adduced in support of the redress sought.
- (5) When a petition is submitted more than six months after the decision complained of has been given, the petitioner must furnish satisfactory reason for the delay.

Annual  
Confidential  
Reports

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



(2) Reports on Permanent Secretaries, the Chief Auditor and the Chief of Police will be prepared by the Deputy Governor. Reports on Heads of Departments will be made by the Permanent Secretary. Reports on other officers will be made by the Permanent Secretary in the case of officers serving in the Ministry Headquarters and by Heads of Departments in the case of officers serving in their Departments or by a senior officer under whose supervision the officer reported on worked during the year. All Reports other than Reports made by the Deputy Governor will be signed or countersigned by the Permanent Secretary or Head of Department concerned.

(3) Confidential Reports will be transmitted to the Chief Establishment Officer for record in the confidential personal file of the officer reported upon and such reports will be available to the appropriate Service Commission.

Reports to  
be submitted  
at other times

11.4 Reports on officers during their probationary service will be submitted in accordance with the provision of the Public Service Commission Regulations. Where there are special reasons, confidential reports on officers may be submitted at any time. The Chief Establishment Officer may also call for special confidential reports on officers.

Confidential  
Reports to be  
shown to officer  
reported upon

11.5 (1) An officer shall be shown a copy of his confidential Report which he shall be required to sign.

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

Death of an  
Officer to be  
reported  
immediately

11.6 A Head of Department will report immediately the death of an officer if this occurs at headquarters. If a death occurs on leave or elsewhere it will be the responsibility of the first officer to whom it becomes known to make the report. The report will be sent to the Permanent Secretary of the officer's Ministry and to the Chief Establishment Officer by the quickest means. The full name and designation of the officer must be given, with particulars of the date, place and cause of death.

Next of Kin

11.7 On first appointment an officer is required to notify to the Chief Establishment Officer the names and addresses of not more than two relatives or friends whom he would wish to be informed in the event of his death or serious illness. Any change in these particulars should be notified promptly to the Chief Establishment Officer.



Injury to  
an officer

11.3 If an officer is killed or injured as a result of an accident while he is on duty, an immediate investigation will be made. The Permanent Secretary or Head of Department will ask for the appointment of a Board of Enquiry to investigate the circumstances of the accident and to determine whether the accident took place when the officer was on duty, whether it resulted directly from that duty and whether the officer was himself to blame in any way. The Board will be appointed by the Chief Establishment Officer and will include a Medical Officer and a senior officer of the Ministry or Department in which the officer was employed. The Board's report will be sent through the Chief Medical Officer to the Permanent Secretary or Head of Department concerned, who will forward it with his recommendations to the Chief Establishment Officer.

Workmen's  
compensation

11.9 (1) Claims from employees eligible for compensation under the Workmen's Compensation Ordinance should be made in the prescribed form through the Head of Department to the Labour Commissioner, who will express an opinion as to liability and assess the compensation payable. All claims will be referred to the Chief Auditor for verification before any compensation payments are made.

(2) Where Government work is given out by contract the contractors should be required under the contract to insure their liability in respect of the workmen employed by them.

Loss of or  
damage to  
private  
property

11.10 No officer shall be entitled to claim compensation in respect of losses of, or damage to, private property incurred through fire, theft, riots or otherwise in the course of his service, but in special cases the grant of compensation may be made as an act of grace. No such concession shall be made in respect of losses or damage which, in the opinion of the Financial Secretary were due to negligence for which the officer was responsible or which could reasonably have been covered by insurance.

Upkeep of  
public  
buildings

11.11 (1) Permanent Secretaries and Heads of Departments are responsible for ensuring that all public buildings under their charge:-

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



(2) The responsibility for maintaining all Government buildings is vested in the Chief Engineer, Public Works Department, whose duty it is to repair all damage to property chargeable to public funds including that which occurs through fault or neglect on the part of the authorised occupiers.

(3) No alterations or improvements to public buildings may be undertaken at public cost without the authority of the Ministry of Communications and Works.

(4) When alterations, additions or improvements to official premises are desired, Permanent Secretaries or Heads of Departments will apply to the Ministry of Communications, Works & Industry stating the requirements in detail and fully explaining the necessity or desirability of the proposed work.

Departments  
responsibility for  
maintaining public  
buildings and  
grounds

11.12 Permanent Secretaries and Heads of Departments will ensure that arrangements are made for every Government building and grounds in their charge to be maintained in clean, neat and orderly condition.

Occupation of  
public buildings  
by Ministries and  
Departments

11.13 (1) Before or immediately after occupation is taken of a Government building, the Permanent Secretary or Head of Department taking occupation or officer designated by them will call for the keys of the building and report to the Chief Engineer, Public Works Department any defect or damage which may be observed.

(2) Officers entrusted with Government keys are personally responsible for their adequate care. The loss of any key in circumstances suggesting negligence by the officer concerned will render him personally liable for any expense incurred by the Government in its replacement or in furnishing new locks and keys.

(3) Heads of Departments are required to keep a register of all keys to buildings and officers to whom keys are issued for retention will be required to acknowledge the receipt of keys by signature in the register. Duplicates of keys must not be kept in offices of buildings for which they are used. Heads of Departments must ensure that keys of offices and buildings are handed only by responsible officers. Any loss of keys must be reported at once to the Head of Department.

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

LIST OF APPENDICES

No.	Subject	General Orders Referred to
I	Passage Agreement	2.13
II	Rates of Subsistence Allowance	5.11 - 1.17
III	Rates of Travelling Allowance	5.19 - 5.21
IV	Annual Rates of Leave and Sick Leave	6.12 - 6.25
V	Standard Scale of Furniture for Government Quarters	10.4



Appendix I

PASSAGE AGREEMENT

(General Order 2.13)

AGREEMENT made this.....day of.....one thousand  
nine hundred and.....  
Between.....  
hereinafter called the "Person selected") of.....  
of the one part and the undersigned.....  
for and on behalf of the Government of.....  
(hereinafter called "the Government") of the other part.

WHEREAS the person selected has been selected for appointment  
as.....in.....  
.....(hereinafter called "the Territory")  
and will be provided with a passage to the Territory for himself  
and his wife if she accompanies him to, or joins him in, the  
Territory and may in certain circumstances be provided with a  
passage back to the place of recruitment;

AND WHEREAS the person selected may on certain conditions be  
provided with assistance towards the cost of his children's  
passages to the Territory;  
Now the person selected, in consideration of these premises, doth  
hereby agree that should he fail to proceed to the Territory as and  
when directed, or within the period of two years from the date of  
his arrival in the Territory, either quit the Territory without  
leave or leave the service of the Government, or be dismissed or  
removed from his appointment in consequence of misconduct, he will  
refund and repay to the Government the amount paid for his passage  
to the Territory and for the passage of any member or members of  
his family.

AND the person selected doth hereby also agree that, for the  
purposes of this Agreement, the amount paid for his passage and  
the passage of any member or members of his family shall be deemed  
to mean the total cost to the Government of transporting the person  
selected and his family and baggage to the Territory.

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

WITNESS our hands the day and year above written.

SIGNED by the said.....

in the presence of:-

sign over stamp

Signature.....  
of the Person Selected  
Address.....  
Witness Occupation.....  
SIGNED by.....  
(on behalf of the Government of.....  
.....)

In the presence of.....



APPENDIX II

SUBSISTENCE ALLOWANCE

GENERAL ORDER 5.11 - 5.17

(i) TRAVELLING ON DUTY WITHIN THE TERRITORY

Officers who are required to travel on duty within the Territory will be eligible to receive subsistence allowances at the following rates when absent from their stations:-

Where duty involves absence from normal station overnight

Refund of hotel/guest house bill (Full American Plan) or equivalent (including service charge and taxes) and cost of transport.

Where duty involves absence from normal station during the day only (six hours or more but not overnight)

Refund of a maximum of \$12 per day for meals plus the cost of transport

(ii) TRAVELLING ON DUTY OUTSIDE THE TERRITORY

All travel on duty (in cases where costs are not met by external agencies).

Refund of hotel/guest house bill (Full American Plan) or equivalent (including service charge and taxes). Cost of departure tax, transport - airport/hotel and hotel/ place of business. Daily allowance for incidental and travelling expenses:

Deputy Governor  
Financial Secretary  
Permanent Secretaries  
and Heads of Departments  
- \$25.

Other Public Officers  
- \$20.

Officers travelling on duty outside the Territory, who are not required to spend the night away from their stations.

Refund of cost of meals up to a maximum of \$25 for Permanent Secretaries and Heads of Departments; \$20 for other Public Officers, plus the cost of transport and departure tax

APPENDIX III

TRAVELLING ALLOWANCES

(G.O. 5.19 - 5.21)

(i) A designated travelling officer is permitted to receive a fixed travelling allowance assessed on a flat rate basis, provided he owns and drives his vehicle personally. Rates payable are \$125 per month for the undermentioned officers:

Deputy Governor  
Attorney General  
Financial Secretary  
Permanent Secretary  
District Officer

All officers who own 4 wheel drive vehicles will receive \$108 and those who own 2 wheel drive vehicles \$90 per month.

(ii) A non-designated travelling officer is permitted to receive a travelling allowance on the following mileage basis:-

<u>Type of Vehicle</u>	<u>Rates per mile</u>
Four-wheel drive	.45¢ a mile for the first 150 miles 35¢ a mile for the next 150 miles 10¢ a mile thereafter
Two-wheel drive	40¢ a mile for the first 150 miles 30¢ a mile for the next 150 miles 10¢ a mile thereafter

(iii) The following is a list of approved designated Travelling Officers

<u>Department/Ministry</u>	<u>Post</u>
Deputy Governor's Office	Deputy Governor Senior Administrative Officer Assistant Secretary (2) Housing Officer
Audit	Chief Auditor Financial Control Adviser
Legal	Attorney General Legal Assistant
Judicial	Registrar Baliff Magistrate
Police	Chief of Police Deputy Chief of Police Inspectors (3)
Chief Minister	Permanent Secretary Senior Administrative Officer U.N. Adviser Economist
Ministry of Finance	Financial Secretary Deputy Financial Secretary Accountant General Commissioner of Inland Revenue Comptrollers (2) Revenue Officer (2) Comptroller of Customs



Ministry of Natural  
Resources and Labour

Agriculture

Lands and Survey

Ministry of Communications  
and Works

Public Works

Water and Sewerage

Post Office

Ministry of Health Education  
and Welfare

Education

Public Health

Prison

Immigration

Labour

Permanent Secretary  
Lands Officer

Chief Agricultural Officer  
Livestock Adviser  
Agricultural Officer  
U.N. Fisheries Adviser  
Veterinary Officer

Chief Surveyor  
Town Planner  
Planning Assistant

Permanent Secretary  
Senior Administrative Officer  
Suprintendent of Aerodromes  
Air Traffic Controllers (3)  
Ports Manager  
Water Development Engineer

Chief Engineer  
Deputy Chief Engineer  
Engineers (2)  
Architect  
Mechanical Supervisor  
Roads Officer  
Housing Officer  
Roads Foreman  
Surveyor  
Building Inspector  
Storekeeper

Chief Engineer Water and Sewerage  
Suprintendent Water and Sewerage  
Foreman Water and Sewerage

Post Master  
Assistant Postmaster

Permanent Secretary  
Assistant Secretary  
Administrative Officer

Chief Education Officer  
Education Officers (2)  
Principal BVI High School  
Guidance Officer  
Head Teachers

Chief Medical Officer  
Medical Officers (4)  
Clinical Psychologist  
Health Educator  
Radiographer  
Public Health Nurse  
Public Health Inspector  
Public Health Assistant  
Family Planning Nurse Practitioner  
Family Planning Family Life Educator  
Theatre Nurse  
Dental Officer  
Dental Hygienist

Keeper of Prison

Chief Immigration Officer  
Immigration Officers (2)

Chief Labour Officer  
Senior Labour Officer  
Labour Officer

Community Development

Community Development Officer  
Assistant Community Development  
Officer

Customs

Deputy Comptroller of Customs  
Senior Customs Officers (2)

Library

Librarian

A special rate of \$75.00 per month will be paid to Air Traffic  
Controllers, and Head Teachers.



APPENDIX IV

(G.O. 6.12 - 6.25)

ANNUAL RATES OF LEAVE AND SICK LEAVE

Categories of Staff	Leave	Part of leave which must be taken annually	Maximum Accumulation of leave	Sick leave - Maximum to be approved annually by Head of Department
(a) Officers whose annual salary is \$21,504 and above	36 days	12 days	108 days	14 days
(b) Officers whose annual salary is above \$13,596 but less than \$21,504	30 days	12 days	84 days	14 days
(c) Officers in receipt of annual salary below \$10,704 and above \$7,053	24 days	12 days	60 days	14 days
(d) Officers in receipt of annual salary of \$7,053 or less	18 days	12 days	36 days	14 days