REPUBLIC OF ZAMBIA

TERMS AND CONDITIONS OF SERVICE FOR THE PUBLIC SERVICE

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Issued by: SECRETARY TO THE CABINET
JUNE, 2003

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FOR
THE PUBLIC SERVICE

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FOREWORD

1. These Terms and Conditions of Service, together with Service Commission Regulations, Service Commission Policies and Procedures for Employment in the Public Service, Disciplinary Code and Procedures for Handling Offences in the Public Service, constitute Human Resources Management Policies and Procedures in the Public Service. In addition, my Office and/or the Office of the Permanent Secretary, Public Service Management Division, issues Administrative Circulars and Instructions from time to time to complement these policies and procedures. These provide an essential framework for the day to day operations of the Public Service and should be used by both supervisors and supervised employees.

2. In its determination to improve the management of the Public Service and in order to provide a conducive environment for an efficient and effective Public Service delivery system, the Government has found it necessary to revise the Service Commission Regulations and the General Orders. These are now in four (4) separate documents already referred to above.

3. These Terms and Conditions of Service supersede the General Orders which were revised and published in 1990. Users of these Terms and Conditions of Service should, when applying them always refer to other documents mentioned in paragraph 1 above.

4. It is my sincere hope that these Terms and Conditions of Service will enable Public Service employees to carry out their duties expeditiously, in order to provide quality service delivery to the people of Zambia. It is, therefore, important for all Public Service employees to familiarise themselves with the provisions of these documents which outline their rights and obligations. Unless these are understood and followed by all Public Service employees, it will be difficult to eliminate delays in processing cases and poor decision making, which result in maladministration.

5. I wish to take this opportunity to direct Responsible Officers in Ministries, Divisions, Provinces and Institutions to include induction and orientation programmes in their annual work plans so that there is a continuous process of updating employees on these Terms and Conditions of Service.

S. L. MBULA
SECRETARY TO THE CABINET
CABINET OFFICE

INTERPRETATION 1
General Interpretations 1
Singular and plural expressions 6
Submission of report, applications or correspondence to Commissions 6
CHAPTER II 7
APPOINTMENT, ACTING APPOINTMENT, PROMOTION, TRANSFER AND SECONDMENT 7
APPOINTMENT 7
Power of appointment 7
In the Teaching Service 7
In the Police and Prisons Services 7
In the Judiciary 7
In other public offices 7
Approval of appointment by Commission **Error! Bookmark not defined.**
Dismissed officer not to be re-appointed **Error! Bookmark not defined.**
Application for appointment **Error! Bookmark not defined.**
Appointment to vacant posts 7
Application for additional posts or upgrading of posts 7
Application for funding for additional posts or for upgrading of posts 8
Examinations on first appointment 8
Terms of Appointment 8
Age limit for appointment on probation 8
Letter of appointment 8
Date of appointment 8
Information to be provided on appointment 8
Changes in personal information 9
Period of probation 9
Opportunity to qualify as an Established Officer 9
Unsatisfactory work or conduct on probation 9
Admission as an Established Officer 9
General unsuitability for admission as an Established Officer 9
Extension of probationary period 9
APPOINTMENT ON AGREEMENT 10
Types of Agreement 10
Authority to sign Agreement 10
Action to be taken when an officer does not wish to be re-engaged 10
Re-engagement after pensionable service 10

Payment and amount of acting allowance 11
PROMOTION 11
Promotion of Division I officers 11
Promotion of Division II and III officers 11
Promotion of attached officers 11
Upgrading of posts 11
No obligation to fill vacancies 12
Irregular means of seeking promotion 12
Effective date of promotion 12
Acting with a view to promotion 12
Acting for administrative convenience 12
Substantive promotion 12
Substantive promotion without acting in a higher post 13
Application in response to an advertisement 13
Release of an officer selected for promotion 13
TRANSFER 13
Transfer 13
Temporary transfer 13
Transfer between stations 13
Application for transfer to another Ministry, Institution, Province or District 13
Application for transfer to another Department within Ministry or Province 14
Transfer to a post carrying a different salary scale 14
SECONDMENT 14
Secondment of Public Officers to non-Public Service Organisations 14
Application for secondment 14
Officers not to assume duties before approval of recommendation 14
Non-acceptance of late submissions 14
Period of secondment 14
Leave 15
Salary 15
Pension contributions 15
Discipline 15
CHAPTER III 16
TERMINATION OF APPOINTMENT; RESIGNATION; RETIREMENTS; TERMINAL BENEFITS; CERTIFICATE OF SERVICE, LETTER OF APPRECIATION AND REFUNDS 16
TERMINATION OF APPOINTMENT 16

Termination of appointment of an Established Officer 16
Termination of contract 16
Termination of Temporary Agreement 16
Termination of payment of salary on death of an officer 16
RESIGNATION 16
Resignation by a probationer 16
Resignation by an Established Officer 17
Resignation of an officer serving on Contract/Agreement 17
Resignation on valid nomination for election to National Assembly 17
Proceeding on unpaid leave on valid nomination for election to a Local Authority post 17
Acceptance of notice of resignation 17
Withdrawal of resignation by an Established Officer 17
Withdrawal of resignation by a probationer 17
RETIREMENT 17
Retirement on attainment of Statutory Retirement age 17
Leave pending retirement 18
Retirement for Established Officers opting to contest an election for political office 18
Retirement on date prescribed by Commission 18
Retirement in the national interest 18
Retirement in the public interest 18
Notice of retirement 18
Notice of retirement for Police, Prisons and other officers after attainment of the age of 45 years or after 20 years continuous service 18
Application to retire 18
TERMINAL BENEFITS 19
Benefits on dismissal or discharge 19
Benefits on death or retirement 19
CERTIFICATE OF SERVICE 19
Certificate of Service 19
Resignation to avoid discharge or dismissal to be endorsed on certificate of service. 19
LETTER OF APPRECIATION 19
Letter of appreciation 19
REFUNDS 20
Refunds on leaving Service as a probationer 20
Refunds on leaving Service for a Contract Officer 20
Recovery of refunds 20
Refund of a debt to the Government 20
Refunds on leaving service without notice 21

Debts not recovered to be reported 21
Power of Secretary to Treasury, Ministry of Finance and National Planning 21
CHAPTER IV 22
CONDUCT AND DISCIPLINE 22
Officers to comply with the Disciplinary Code and lawful orders and instructions 22
Standard of conduct and efficiency 22
Dress Code and wearing of uniform 22
New uniform to be approved 22
Dealing with the public 22
Officers liable to serve anywhere 22
Officers to be present on duty when required 22
Prohibition of trade or sale of merchandise in Government offices 22
Normal working hours 23
Mothers' Day 23
Absence from duty without leave 23
Salary not to be paid for absence 23
Supervisors to report absence 23
Action by Responsible Officer before recommending dismissal 23
Absence from duty owing to ill health 23
Reporting for duty under influence of alcohol or drugs 24
State Security Act 24
State Security Act applies after leaving the service 24
Officers not to discuss matters of defence or security 24
Relations with foreign diplomats 24
Officers not to edit or manage publications 25
Officers not to write on political or administrative matters 25
Publications by officers 25
Publications with consent of the Responsible Officer 25
Communication with the press 25
Scope of answers to the press 25
Substance of answers to be reported to the Responsible Officer 25
Lecturing on a particular subject outside official duties 25
Lecturing on subjects connected with Government work 25
House ownership not to influence posting 26
Presents to and from officers 26
Conditions for driving Government vehicles 26
Restrictions on use of Government vehicles 26
Duties of officers responsible for transport 26
Accident reporting procedure 27
No admission of liability for accident 27
Care and economy in use of Government vehicles 27
Defence of officers at public expense 27

Criminal offences to be reported to the Police 28
Officers acquitted on appeal 28
Formal warning 28
Surcharge 29
29

CHAPTER V 30

SALARIES, ADVANCES OF SALARY, INCREMENTS 30

SALARIES 30

Salary on first appointment 30
Rules for determining salary 30
Salary to be paid for one post only 30
Methods of salary payment 30
Calculation of salary 30
Determination of salary on promotion 30

ADVANCE OF SALARY 31

Salary Advance 31
Application for salary advances 31

INCREMENT 31

Annual Increment on Appraisal 31
Increment date 31

CHAPTER VI 32

ORDINARY LEAVE 32

LEAVE AND TRAVELLING ON LEAVE 32

Local leave 32
Leave earning rates 32
Qualifying service for calculating earned leave 32
Calculation of leave amounts 32
Approved leave to exclude Saturdays, Sundays and Public Holidays 32
Changes in leave rates 32
Calculation of leave at a higher rate 32
Any fraction of day's leave 33
Officers to take leave regularly 33
Maximum continuous period of leave 33
Balance of earned leave being carried over 33
Maximum accumulation of leave 33
Refusal to grant leave being carried over 33
Teachers to take leave during school holidays 33

Commutation of leave for cash 33
Calculation of commutation payment 34
Payment of terminal leave 34
Payment on death of an officer 34
Terminal benefits to be withheld 34

CONVALESCENT LEAVE 34

Purpose of convalescent leave 34
Recommendation for convalescent leave 34
Convalescent leave for more than twenty-one days 34

URGENT LEAVE FOR PERSONAL REASONS 34

Leave for urgent personal reasons 34
Unpaid leave for one year 35
Deduction or refunds in respect of leave for urgent personal reasons 35

SPECIAL LEAVE 35

Grant of special leave: 35
To sit for examination 35
For military training 35
Absence due to infectious diseases 35
In other exceptional circumstances 35
Compassionate leave 36
Special leave in addition to earned leave 36
Travelling on special leave 36

OCCASIONAL LEAVE 36

Grant of occasional leave for nurses, radiologists and radiographers 36
When occasional leave can be taken 36

MATERNITY LEAVE 36

Maternity leave exclusive of earned leave 36

PATERNITY LEAVE 36

Paternity leave exclusive of earned leave 36

PAID STUDY LEAVE 37

Conditions for paid study leave 37
Officer must be suitable and course related to career 37
Probationer not eligible for paid study leave 37
Applications for paid study leave 37
Salary on paid study leave 37
Supplementary allowance 37
Refunds of fees 37
Arrangements for maintenance of dependants 38
Officers on paid study leave required to work 38

Retention of Government quarters during study leave 38
Officers to receive maintenance allowance 38
Travelling and subsistence allowance 38
Outfit and book allowance 39
Eligibility for promotion and increment 39
Paid study leave as reckonable service 39
Bonding 39
Short seminars, conferences and overseas study tours 39

IPAID STUDY LEAVE 39
Application for unpaid study leave 39
Unpaid study leave not to qualify for leave 39
Officers responsible for expenses 40
Officer not eligible for promotion 40
Officer to retain Government quarters 40

SCELLANEOUS LEAVE PROVISIONS 40
Failure to report for duty after leave 40
Recall from leave 40
Premature return from leave at officer's request 40
Additional leave for travel within Zambia 40
Interval of vacational Leave 40
Vacational leave allowance 41
Interval of vacational leave allowance 41

APTER VII 42

DICAL OR DENTAL TREATMENT AND ABSENCE THROUGH ILL-HEALTH OR URY 42

DICAL OR DENTAL ATTENTION IN ZAMBIA 42
Medical examination on first appointment 42
Regular medical check ups 42
Medical examination fees 42
Refund of medical fees to officers required to attend regular medical examinations as a job requirement 42
Refund of medical fees to serving expatriate officers 42
Officer to pay for medical or dental attention for himself and herself, spouse and dependants 42
Fees to be met by officer 43
Transport costs for medical or dental attention 43

ENCE THROUGH ILL-HEALTH OR INJURY 43
Officer to report absence through ill-health or injury 43
Supervising officer to report absence 43
Medical certificate 43
Inability to obtain certificates 43

Illness on leave for seven (7) days or more not to count as leave 43
Maximum period of absence 44
Officers serving on Agreement for temporary service 44
Compulsory medical examination 44

CHAPTER VIII 45

SUBSISTENCE, UNIFORM, TRANSPORT, BAGGAGE AND REPATRIATION, SETTLING-IN AND RURAL HARDSHIP ALLOWANCES 45

SUBSISTENCE ALLOWANCE 45
Payment of subsistence allowance 45
When subsistence allowance is paid 45
Departure from old and arrival at new station 45
Temporary transfer 45
Examination of claims 45
Subsistence allowances for travel outside Zambia 45
Submission of claims and receipts 46

UNIFORM UPKEEP ALLOWANCE 46
Eligibility for uniform upkeep allowance 46

TRANSPORT, BAGGAGE AND REPATRIATION ALLOWANCE 46
Transport for travel on duty 46
Payment of kilometre allowance 46
Period of claim for repatriation allowance on retirement 46
Use of officer's own motor vehicle on transfer 46
Travel on transfer 46
Air travel on transfer 46
Payment of kilometre allowance on first appointment and termination 47
Class of accommodation for air travel 47
Travelling expenses on first appointment and transfer 47
Repatriation allowance on retirement 47
Repatriation allowance for surviving spouse and dependants of an officer who dies in service 47

SETTLING-IN ALLOWANCE 47
Settling-in allowance: 47
Payment of settling-in allowance 47
Non eligibility for settling-in allowance 47
Effect of misconduct or transfer at own request 47
Claim for payment of settling-in allowance 48

RURAL HARDSHIP ALLOWANCE 48
Payment of rural hardship allowance 48

OTHER ALLOWANCES 48
Other allowances 48

OFFICIAL VISITS ABROAD 50
Permission to be obtained for official visits abroad 50
Submission of application for authority to travel abroad 50
Copies of invitation to be submitted 50
Officers to report to Zambian Missions Abroad 50
Officers to report on return from an official tour 50
CHAPTER X **51**
EXAMINATIONS 51
EXAMINATIONS BEFORE AND AFTER APPOINTMENT 51
Qualifying examination before appointment 51
Departmental examinations 51
CHAPTER XI **52**
ANNUAL PERFORMANCE APPRAISAL SYSTEM (APAS) 52
Objective of annual performance appraisal reports 52
Submission of annual performance appraisal reports 52
Reports to be type-written 52
Rank of reporting officer 52
Annual performance appraisal reports to be submitted on time 52
Annual performance appraisal reports on Responsible Officers 52
Annual performance appraisal reports on Probationary Officers 52
Special performance appraisal reports 53
CHAPTER XII **54**
HOUSE RENT, AND CAMP EQUIPMENT 54
HOUSE RENT 54
Officers to pay rent when accommodated in Government quarters 54
No rent for temporary quarters 54
Rent payable by expatriate officers 54
Rent payable for unfurnished standard Government housing 54
Rent payable for unfurnished housing 54
Rent payable by officers required to share Government housing 54
Rent payable by officers sharing Government quarters 54
Claims for exemption from or reduction of rent 54
Officer may retain his or her quarters whilst away from his or her station on duty or leave 54
Government not responsible for quarters and contents during absence of an officer 55
Officers not to sublet Government quarters 55
Government quarters not to be allocated to part-time employees 55
CAMP EQUIPMENT 55
Camp equipment issued to officers living in caravans 55
CHAPTER XIII **56**
MISCELLANEOUS 56
OFFICE INSTRUCTIONS AND CORRESPONDENCE 56
Strict observance of office instructions 56
Correspondence general 56
Information to be sent to Zambian Diplomatic Missions Abroad 56
Reports to be sent to the Director of National Archives 56
Seniority 56
Officers on different grades 56
Officers on same grades 56
Other officers 56
ACCIDENT, ILLNESS AND DEATH 57
Preliminary investigation of an accident causing injury to an officer 57
Full investigation of an accident 57
Appointment of a Board of inquiry 57
Submissions by Boards of Inquiry 57
Death and serious illness to be reported 57
Convening of a Medical Board 57
Compensation for injury or death while on duty 57
Amount of compensation 58
PREFERENTIAL TREATMENT FOR OFFICERS WITH DISABILITY 58
Discretionary preferential treatment 58
LOSS OF OR DAMAGE TO PROPERTY 58
Limitation on liabilities to Government 58
Liability for loss of or damage to personal property 58
No liability for carriage by commercial contract 58
No liability for loss of cash 58
FIRE AND LIFTS 58
Maintenance of lift and fire-fighting equipment 58
FIRST SCHEDULE **59**
RESPONSIBLE OFFICERS IN SPECIAL CASES 59
INDEX **60**

CHAPTER I

INTERPRETATION

1. In these Terms and Conditions of Service for the Public Service unless the context otherwise requires: *General interpretations*

"Agreement" means, in relation to terms and conditions of employment, an agreement providing for a specified period of employment.

"Attached Officer" means, an officer serving in one ministry but whose standards of work are set and monitored by another ministry.

"Authorised Register" means, the number of approved posts as laid down in the Establishment Register.

"Basic Salary" means, an officer's salary, excluding allowances any kind.

"Corruption" means, the soliciting, accepting, obtaining, giving, promising or offering, of a gratification by way of a bribe or other personal temptation or inducement, or the misuse or abuse of a public office for private personal advantage or benefit.

"Deferment of Increment" means, the postponement of the granting of an increment. If and when an increment is granted, it must be paid with effect from the date on which it was originally due and the officer's incremental date shall remain unchanged.

"Dependant" means, in relation to any particular officer, each unmarried child of an officer under the age of eighteen years, a handicapped child or a child in full-time attendance at school or University or any recognised institution of learning.

"Discharge" means, the termination of an appointment by the appropriate Service Commission by giving due notice or payment of salary in lieu of notice.

"Disciplinary Authority" means, the Responsible Officer, the Head of Department or the Supervising Officer in a Ministry, Institution, Department, Division, Province or District in which a public officer is serving.

"Disciplinary Code" means, a document called The Disciplinary Code and Procedures for Handling Offences in the Public Service'.

"Dismissal" means, the termination of an appointment by the appropriate Service Commission without giving notice.

salary scale GSS/08 to GSS/13 or equivalent.

"Division III Officer" means, an officer whose basic salary is in salary scale GSS/14 to GSS/15 or equivalent.

"Employer" means, the President of the Republic of Zambia or the Service Commission as the case may be on behalf of the President of the Republic of Zambia.

"Employee" means, an individual who has a contract of employment with the Government of the Republic of Zambia.

"Established Officer" means, a confirmed officer serving on permanent and pensionable Terms and Conditions of Service.

"Expatriate Officer" means, an officer who is neither a citizen nor a resident of the Republic of Zambia.

"General Medical Officer" means, a registered medical practitioner employed as such in the Public Service.

"Government Quarter" means, any living accommodation under the control of the Government which is used for housing public officers employed in the Public Service and includes institutional housing and housing rented by Government from the local or any other authority.

"Government Vehicle" means, any vehicle owned or purchased by the Government including any vehicle allocated to a specific project.

"Higher Institution of Learning" means, an institution designated as such by the Permanent Secretaries, Ministry of Science, Technology and Vocational Training, Ministry of Education and Ministry of Agriculture and Co-operatives.

"Increment" means, a specified annual increase in the salary which is granted until the prescribed maximum of a salary scale is reached.

"Institution" means, an organization established for specified statutory functions.

"Judgement Debtor" means, a person against whom a judgement ordering him or her to pay a sum of money stands unfulfilled.

"Lawful Orders" means, the verbal or written instructions issued by a Senior Officer to a Junior Officer in relation to the officer's work.

"Married Officer" means, an officer who is legally married.

"Ministry" means, a Government Institution headed by a minister.

"Officer" means, a person holding or acting in any public office.

"Officer's Permanent Secretary" means, in relation to any particular office, the Permanent Secretary of the institution in which the officer is serving.

"Pensionable age" means, the age at which an officer shall retire in accordance with the provisions of Public Service Pensions Act, No. 35 of 1996.

"Pensions Act" means, the Public Service Pensions Act, No 35 of 1996.

"Permanent Transfer" means, a transfer from one station to another for a period of not less than six months.

"Public Office" means, an office in the Pubiic Service.

"Public Officer" means, an officer serving in the Public Service.

"Public Service" means, the Civil Service, the Teaching Service, the Zambia Police and Prison Services and any other service duly established under the Constitution of Zambia or under an Act of Parliament.

"Reduction in Rank" means, the removal of an officer's rank to another but lower rank, which may or may not involve immediate reduction in salary.

"Reduction in Salary" means, an adjustment of a salary to a lower point on the officer's existing salary scale.

"Registered Dental Practitioner" means, a dentist registered under the Medical and Allied Professions Act, Chapter 297 of the Laws of Zambia.

Chapter 297 of the Laws of Zambia.

"Registered Private Medical Practitioner" means, a registered medical practitioner in private practice.

"Remote Area" means, an area 25 kilometres outside the line of rail or a provincial centre or town as specified from time to time by the competent authorities.

"Resignation" means, the voluntary termination of appointment by a public officer.

"Responsible Officer" means, the Permanent Secretary of a Ministry, Institution, Province or any other officer specified in the first schedule of the Service Commission Regulations.

"Retirement" means, retiring from the Public Service in accordance with the provisions of the Pensions Act.

"Retirement in the National Interest" means, the retirement of an Established Officer at the instance of the Government either to take up another appointment outside the Public Service or for other reasons of Government policy.

"Retirement in the Public Interest" means, the retirement of an Established Officer on grounds of failure to perform his or her duties, incompetent performance and any other disciplinary offence.

"School" means, a teaching institution, including Teacher Training Colleges, all Educational and Vocational Training Colleges, the Correspondence Course Unit and Centres of Continuing Education.

"Secondment" means, the appointment of an officer from the Public Service to a non-Public Service Organisation or from a non-Public Service Organisation to the Public Service for a specified period.

"Seconded Officer" means, an officer seconded to the Public Service from a non-Public Service organisation or from a Public Service Organisation to a non-Public Service organisation.

"Semi-Permanent Quarters" means, Government quarters constructed of unburnt bricks or any built with temporary materials.

Service Commission, the Police and Prisons Service Commission, the Judicial Service Commission or any other Service Commission duly established under the Constitution of Zambia or under an Act of Parliament.

"Single Officer" means, an unmarried officer.

"Standard Government Housing" means, all Government quarters constructed of permanent materials including institutional housing.

"Station" means, a place of work.

"Stoppage of Increment" means, the non-granting of an increment to an officer on his or her incremental date. When an increment is subsequently granted, the officer will move to the next higher point on his or her salary scale and shall retain his or her existing incremental date. No arrears of increment shall be paid.

"Supervising Officer" means, an Officer in a Ministry, Institution, Province, Department, or District to whom an officer is responsible or reports and from whom he or she receives instructions regarding day to day work.

"Temporary Agreement" means, an Agreement providing for a period of full or part-time service in respect of which no pension or gratuity shall be paid.

"Temporary Quarters" means, Government quarters which are not constructed with permanent materials.

"Temporary Transfer" means, a transfer from one station to another for a period of less than six months.

"Terminal Leave" means, the earned and accumulated leave for which an officer is paid in lieu of leave on terminating his or her services with the Government.

"Terminal Benefits" means, benefits that shall be given to an officer on terminating his or her services with the Government, as stipulated in the Terms and Conditions of Service.

"Termination of Employment" means, the termination of a probationary appointment, agreement or a discharge or dismissal.

"Vacancy" means, an unfilled post in the authorised establishment of a Ministry, Institution, Province, Department or District.

ıtion Leave" means, leave of more than thirty (30) days excluding weekends and public holidays.

ıholding of Increment" means, the non-granting of an increment to an officer on his or her incremental date either because the officer has not qualified to receive it or as a disciplinary measure and shall be for a stipulated period not exceeding twelve months.

Singular and plural expressions

In these Terms and Conditions of Service for the Public Service, unless the context otherwise requires, words and expressions in the singular include the plural and words and expressions in the plural include the singular.

Submission of report, applications or correspondence to Commissions

Where these Terms and Conditions of Service for the Public Service call for any report, application or other correspondence to be forwarded to the Secretary, of a Service Commission, such reports, applications or correspondence shall be forwarded through the Permanent Secretary, Public Service Management Division.

CHAPTER II

APPOINTMENTS, ACTING APPOINTMENTS, PROMOTIONS, TRANSFERS AND SECONDMENTS

APPOINTMENT

Power of appointment

4. (a) Subject to the provisions of the Constitution of Zambia, appointments to the Public Service shall be made by the President or by a Service Commission acting in the name and on behalf of the President, along the following lines:

In Teaching Service

(i) In the case of appointments to the Teaching Service, the Teaching Service Commission;

In Police & Prison Services

(ii) In the case of appointments to the Zambia Police and Prisons Services, the Police and Prisons Service Commission;

In Judicial Service

(iii) In the case of appointments to the Judiciary, the Judicial Service Commission;

In any other Public Office

(iv) In the case of appointments to any other public office, the Public Service Commission.

Appointment without prior approval of Service Commission

(b) Except where authority to make appointments has been delegated by a Service Commission, no appointment shall be made without prior approval of the Service Commission.

Dismissed officer not to be re-appointed

(c) A Public Officer who has been dismissed from the Public Service shall not be re-employed in the Public Service without the approval of a Service Commission.

Application for appointment

5. Applications for appointment to the Public Service shall be made on the prescribed form and shall be sent to the Responsible Officer concerned who shall, in the case of an application for a post in Division I, refer it to the Service Commission. Applications for posts in Divisions II and III shall be processed by the Responsible Officer.

Appointments to vacant posts

6. No appointment, promotion or transfer shall be made to any post in the Public Service unless that post is approved, funded and is vacant.

Application for additional posts or upgrading of posts

7. (a) Applications for additional posts or for upgrading of posts shall be submitted by the Responsible Officers to the Permanent Secretary, Public Service Management Division, in accordance with instructions issued by him or her from time to time.

Officers to the Permanent Secretary, Public Service Management Division in accordance with instructions issued by him or her from time to time. The Permanent Secretary, Public Service Management Division shall request for funding from the Secretary to the Treasury, Ministry of Finance and National Planning before granting authority for additional posts or upgrading of existing posts.

additional posts or for upgrading of posts

(a) Appointment to the Public Service shall be made on the following terms:

Terms of Appointment

(i) On probation with a view to admission as an Established Officer; or

(ii) On agreement providing for a fixed period of full or part-time service.

(iii) On temporary service for a limited period;

(b) No person below the age of eighteen (18) years or above the age of forty-five (45) years shall be appointed on probation.

Age limit for appointment on probation

On first appointment to the public service an applicant may be required to pass public service obligatory examinations or any other examination as may be deemed necessary.

Examinations on first appointment

On appointment to the Public Service, an applicant shall be issued with an appropriate letter of appointment.

Letter of appointment

An officer's date of appointment shall be the date on which the officer reports for duty or the date the officer leaves the place of recruitment provided he or she travels by the most direct route to the duty station.

Date of appointment

(a) On appointment to the Public Service, and in addition to the application for employment, an officer shall submit to the Responsible Officer, the following:

Information to be provided on appointment

(i) A Criminal Investigations Department clearance report;
(ii) Confirmation of date of arrival at duty station;
(iii) Personal information;
(iv) A Declaration of Secrecy;
(v) Acknowledgement of liability in respect of personal effects;
(vi) Certified proof of qualifications;
(vii) A medical certificate; and
(viii) A certified copy of the National Registration Card.

change in the information.

information

13. An officer appointed to the Public Service on probation shall not be admitted as an Established Officer until he or she has completed a minimum of six (6) months satisfactory service.

Period of probation

14. (a) It shall be the duty of a Supervising Officer to ensure that officers on probation are given adequate opportunity to qualify for admission as Established Officers.

Opportunity to qualify as an Established Officer

(b) When at any time a Responsible Officer becomes aware that the performance and or conduct of an officer on probation is unsatisfactory, the Responsible Officer shall immediately warn the officer in writing of the need to improve. If, after such warning the officer is unable or unwilling to improve, the Responsible Officer may, after giving the officer an opportunity to make representations terminate the probationary appointment, in the case of a Division II or III officer or recommend termination of the probationary appointment to the Service Commission, in the case of a Division I officer.

Unsatisfactory work or conduct on probation

15. Three (3) months before satisfactorily completing the probationary period, an officer may apply to the Responsible Officer for admission as an Established Officer.

Application for Admission as an Established Officer

16. An officer on probation who is not suitable for admission as an Established Officer shall be informed of the reasons why he or she has failed to qualify for confirmation and given time to make representations. The Responsible Officer shall decide whether:

General unsuitability for admission as an Established Officer

(a) to terminate or extend the officer's probationary appointment, in the case of a Division II or III officer; or

(b) to submit the case including the officer's representations to the Service Commission, which, in the case of a Division I officer, shall determine whether to terminate or extend the officer's probationary period.

17. (a) An extension of the probationary period shall not exceed six (6) months.

Extension of probationary period

(b) Where the Responsible Officer or the Service Commission, as the case may be, directs that an officer's probationary period be extended, the Responsible Officer or the Service Commission through the Responsible Officer, shall inform the officer in writing, drawing his or her attention to the need to improve his or her work or conduct. At the end of the extended probationary period, the Responsible Officer shall admit the officer as an Established Officer or terminate the officer's probationary appointment, in the case of a Division II or III officer, or recommend to the Service Commission that the officer be admitted as an Established Officer or his or her probationary appointment be terminated in the case of a Division I officer.

APPOINTMENT ON AGREEMENT

18. Officers, other than those appointed on probation shall sign, an agreement either for a specific period of service or for temporary service. *Officer's to sign Agreements*

19. (a) An Agreement for a specific period of service may be signed on behalf of the Government by the Permanent Secretary, Public Service Management Division, or any other person duly authorised by the Service Commission. *Authority to sign agreement*

(b) An officer serving on Agreement for a specific period of service who does not wish to be re-engaged for a further term of service shall so inform his or her Responsible Officer not later than six (6) months before his or her last day of duty. *Action to be taken when an officer does not wish to be re-engaged*

20. (a)(i) Officers who are re-engaged after pensionable service may be re-engaged on temporary agreements. *Re-engagement after pensionable service*

(ii) Officers who are retired from the Publ Service on attainment of the pensionable age may be re-engaged on contract terms up to a maximum period of two (2) years. *Re-engagement on contract terms of service*

(b) A Responsible Officer or a senior officer authorised by him or her may sign an Agreement for contract or temporary service on behalf of the Government. *Signing of Temporary Agreement*

ACTING APPOINTMENT

21. An acting appointment must only be made where an officer is absent from his or her post for thirty (30) consecutive days or more. An acting appointment may be approved for a shorter period than thirty (30) consecutive working days in special cases or where there is a legal requirement that certain matters may only be dealt with by the officer holding or acting in a particular post. *Acting Appointment*

22. Where a Responsible Officer wishes to recommend an officer in Division I for an acting appointment, he or she shall send a recommendation in sufficient time for approval to be granted by a Service Commission before the officer takes up the appointment. Where, due to unforeseen circumstances, this is not possible, the Responsible Officer shall submit the recommendation as soon as possible upon an officer taking up the duties of the higher post. In such cases, an explanation must be given why it was not possible to obtain prior approval from a Service Commission for the acting appointment. *Recommendations to be made in advance*

23. An officer appointed to act in a higher post shall receive an acting allowance equal to the difference between his or her substantive salary and any other allowances applicable to the post. *Payment and amount of acting allowance*

PROMOTION

24. (a)(i) Promotions within the Public Service shall, in the case of Division I officers, be directed by a Service Commission as and when vacancies occur after taking into account the qualifications, competence, experience, good conduct and good performance of all eligible officers; *Promotion of Division I officers*

(ii) Promotion of Division II and III officers shall be made by the Responsible Officer as and when vacancies occur after taking into consideration the qualifications, competence, experience, good conduct and good performance of all eligible officers. Letters informing officers of their promotion shall be copied to the Permanent Secretary, Public Service Management Division, the Secretary to the Treasury, Ministry of Finance and National Planning and the Auditor-General; and *Promotion of Division II and III officers*

(iii) Promotion of officers attached to the Ministries, Institutions, Provinces or Districts will be the responsibility of the Responsible Officers from the Ministry, Institution, Province or District from where the officers come and where they are attached. *Promotion of attached officers*

(b) Where a particular post is upgraded, it shall be considered to have become vacant as from the effective date of such upgrading and shall be filled in the normal way by a Service Commission or Responsible Officer, as the case may be. *Upgrading of posts*

and there will be no obligation on the part of a Responsible Officer or the Service Commission to fill a vacant post by direct promotion.

Irregular means of seeking promotion

25. No officer may seek the influence of Members of Parliament, Political Leaders, Members of Service Commissions or any prominent persons as a means of enhancing their prospects for promotion. Any attempt to obtain promotion by such means shall be irregular and may debar the officer from consideration for promotion.

Effective date of promotion

26. (a) The Permanent Secretary, Public Service Management Division shall determine the effective date of promotion for Division I officers.

(b) Responsible Officers shall determine the effective date of promotion for Division II and III officers. To ensure that uniformity is maintained in determining effective dates of promotion, the following rules will apply:

Acting with a view to promotion

(i) When an officer is appointed to act in a higher post with a view to awarding him or her substantive promotion, the effective date of such promotion shall be the date on which the officer commenced to act in the post. Officers selected for promotion will normally be appointed by a Service Commission or a Responsible Officer to act for a period of not less than six (6) months with a view to establishing their suitability for substantive promotion;

Acting for administrative convenience

(ii) Where an officer is appointed to act in a higher post for administrative convenience only and is subsequently promoted to that post, the effective date of the promotion shall be the date on which such a promotion is directed by the Service Commission or Responsible Officer;

Substantive promotion

(iii) An officer who has acted in a higher post for administrative convenience for a continuous period of six (6) months and who has received a positive assessment of his or her performance, shall not be required to act in that post when being considered for promotion to that post; and

Substantive promotion without Acting in higher post

in a higher post, the effective date of promotion shall be the date on which the Responsible Officer directs that the officer be substantively promoted, but this shall not be earlier than that date, in the case where the officer is already in post, or the date on which the officer assumes duties of the higher post, in the case of an officer who is not in post at the time of promotion.

Application in response to an advertisement

27. When a Service Commission advertises a vacant post, the Responsible Officers shall ensure that the advertisement is brought to the attention of all eligible officers in their Ministries, Institutions, Provinces or Districts. Application responses to the advertisement shall be submitted on the prescribed form through the Responsible Officer to a Service Commission.

Release of officer selected for promotion

28. An officer who is selected for promotion to a post in another Ministry, Institution, Province or District shall be released to take up the new appointment as soon as possible and in any case not later than three weeks from the date on which the Ministry, Institution, Province or District received notification of the selection for such promotion.

TRANSFER

Transfer

29. (a) An officer may be transferred to any duty station where his or her services are required.

Temporary transfer

(b) Where an officer is transferred on a temporary basis, (for instance to act while another officer is away on leave or on a training course), the officer will be permitted to retain accommodation at his or her permanent duty station and shall continue to pay rent.

Transfer between stations

(c) An officer moving from one rural station to another in the same district shall be considered to be on transfer.

Application for transfer to another Ministry, Institution, Province or District

30. An officer who wishes to be considered for transfer, other than on promotion, to another Ministry, Institution, Province or District shall apply to his or her Responsible Officer giving the reasons for the request and listing his or her qualifications for the post he or she wishes to fill provided such a post is vacant and funded. If the Responsible Officer has no objection to the application, the Responsible Officer shall send it with comments to the recipient Responsible Officer of the Ministry, Institution, Province or District to which the officer wishes to transfer. If the application for such a transfer is accepted, the Responsible Officer of the receiving Ministry, Institution, Province or District shall refer it to a Service Commission for a decision.

officer who wishes to be considered for a transfer other
n on promotion, to another Department shall apply to his
her Head of Department giving reasons for such a
uest and shall list his or her qualifications for the post he
she wishes to fill provided such a post is vacant and
ded. The Head of Department shall send the application
h his or her comments to the recipient Head of the
partment, who shall then refer it to the Responsible
ficer of the Ministry, Institution, Province or District for a
cision.

Application for transfer to another Department within the Ministry or Province

officer shall be transferred to a post carrying a different
lary scale to that applicable to his or her present post
thout the consent of a Service Commission or the
sponsible Officer, as the case may be.

Transfer to a post carrying a different salary scale

SECONDMENT

i) An officer may, with the approval of the appropriate ervice Commission, be seconded for service to any non-ublic Service Organisation or Statutory Board.

Secondment of Public Officers to non-Public Service organisation

) Applications for secondment shall be made through he Responsible Officer to a Service Commission and shall nclude the following particulars:

Application for secondment

i) A detailed job description of the post to be filled;

ii) an offer of appointment;

iii) a summary of the candidate's qualifications;

iv) the reasons for the nomination; and

(v) the salary and allowances attached to the post to be filled.

c) An officer shall not be permitted to assume duties n the organisation to which he or she is recommended for secondment without the prior authority of a Service Commission.

Officers not to assume duties before approval of recommendation

(d) Applications for secondment sent to a Service Commission shall be processed and the decision conveyed within fourteen (14) working days.

(a) Submissions for secondment or renewal of secondment in retrospect shall not be accepted by the Responsible Officer.

Non-acceptance of late submissions

(b) The secondment period shall be the period which is stipulated in the offer of appointment.

Period of secondment

(c) An officer on secondment shall not continue to earn leave that was applicable to him or her before the date of secondment. Leave earned outside the Public Service shall not be transferred to the Public Service.

Leave

(d) A seconded officer shall not receive a salary from the Public Service during the period of secondment as payment of his or her salary shall be the responsibility of the organisation he or she is seconded to.

Salary

(e) An officer on secondment shall continue to contribute to the Public Service Pension Fund at the Public Service rate that would have applied had the officer continued to serve in the Public Service.

Pension contributions

(f) A seconded officer shall be subject to the disciplinary code of the organisation to which he or she is seconded.

Discipline

(g) The receiving institution shall be responsible for the provision of housing/accommodation for the seconded officer.

Housing

CHAPTER III

TERMINATION OF APPOINTMENT; RESIGNATION; RETIREMENT; TERMINAL BENEFITS; CERTIFICATE OF SERVICE; LETTER OF APPRECIATION AND REFUNDS

TERMINATION OF APPOINTMENT

Termination of probationary period for officers in Division I

(a) A Service Commission may terminate the appointment of a probationer in Division I at any time by giving the officer one (1) month's notice, in writing, exclusive of leave, or by paying the officer one (1) month's salary in lieu of notice.

Termination of probationary period for officers in Division II and III

(b) A Responsible Officer may terminate the appointment of a probationer in Divisions II and III at any time by giving the officer one (1) month's notice, in writing, exclusive of leave, or by paying the officer one (1) month's salary in lieu of notice.

Termination of Established Officer appointment

(c) A Service Commission or a Responsible Officer may terminate the appointment of an Established Officer at any time by giving the officer three (3) months notice, in writing, exclusive of leave or by paying the officer one (1) month's salary in lieu of notice.

Termination of contract

(d) A contract agreement for a specified period may be terminated by the Government at any time on giving the officer notice, in writing, in accordance with the provisions of the contract. It may be terminated by the officer at any time after expiration of three (3) months, from the commencement of a tour of service, or on giving Government three (3) month's notice, in writing, or on paying to Government one (1) month's salary in lieu of notice.

Termination of temporary agreement

(e) A temporary agreement may be terminated by either party by giving either party, in writing, the period of notice prescribed in the agreement, exclusive of leave, or by paying salary equivalent to that period of notice in the agreement.

Termination of payment of salary on death of an officer

(f) A Responsible Officer shall terminate payment of salary on the death of an officer.

RESIGNATION

Resignation by an Established Officer

(a) An Established Officer may resign at any time, by giving the Government three (3) months' notice, in writing, exclusive of leave, or by paying Government one (1) month's salary in lieu of notice.

Resignation by probationer

(b) An officer on probation may resign at any time by giving the Government one (1) month's notice, in writing, exclusive of leave, or paying Government one month's salary in lieu of notice.

Resignation of officer on agreement for specified period

(c) An officer serving on Agreement for a specified period of service may resign at any time as specified in the agreement.

Resignation on valid nomination for election to National Assembly

(d) (i) An officer serving on probation or on Agreement or an Established Officer shall be required to resign on valid nomination for election to become a Member of Parliament;

Proceeding on unpaid leave on valid nomination for election to a local authority post

(ii) An officer serving on probation or on Agreement or an Established Officer shall be required to proceed on unpaid leave on valid nomination for election to a local authority post.

Acceptance of notice of resignation

37. (a) Notice of resignation shall be addressed to the Responsible Officer who shall acknowledge receipt and take note of the resignation and shall notify the Permanent Secretary, Public Service Management Division.

Withdrawal of resignation by an Established Officer

(b) An Established Officer who resigns from the Public Service may, through his or her previous Responsible Officer, withdraw his or her resignation within three (3) months after the date of resignation. The Responsible Officer shall determine whether to accept the request or not. If accepted, the Responsible Officer shall take action. The period between an officer's resignation date and the date of withdrawal of notification shall be treated as unpaid leave.

Withdrawal of resignation by an officer on probation

(c) An officer on probation who resigns from the Public Service may, through his or her previous Responsible Officer, withdraw his or her resignation within (1) one month after the date of resignation. The Responsible Officer shall determine whether to accept the request or not. If accepted, the Responsible Officer shall notify the Permanent Secretary, Public Service Management Division, with a copy to the resigning officer. The period between the officer's resignation date and the date of withdrawal of notification shall not be treated as unpaid leave but shall be treated as a fresh application for employment.

RETIREMENT

Retirement on reaching retirement age

38. (a) An Established Officer shall be retired as prescribed in the Public Service Pensions Act, 1996 (Act No. 35 of 1996). No officer may continue serving after attaining pensionable age.

retirement shall inform the Permanent Secretary, Public Service Management Division, through the Responsible Officer, not less than three (3) months before the date on which he or she wishes to go on leave so as to give the Government time to make arrangements for filling the vacancy to be created by his or her departure.

Leave pending retirement

(c) An Established Officer shall be required to resign or retire, if he or she is eligible to do so, in order to contest for election to, and become a Member of Parliament.

Retirement for Established Officers opting to stand in an election for Political Office

(d) A Service Commission may require an Established Officer to retire at any time by prescribing an earlier date for retirement as provided in Section 33 of the Public Service Pensions Act.

Retirement on date prescribed by Commission

(e) A Service Commission may require an Established Officer to retire in the national interest at the instance of the Government either to take up another appointment outside the Public Service or for other reasons of Government policy.

Retirement in the national interest

(f) A Service Commission may require an Established Officer to retire in the public interest on the following grounds:

Retirement in the public interest

(i) failure to perform his or her duties;
(ii) incompetent performance of his or her duties; and
(iii) an offence under the Disciplinary Code.

39. When an Established Officer is required to retire other than on medical grounds or in the national or public interest he or she shall be given three (3) months notice or three (3) months' salary in lieu of notice.

Notice of Retirement for Established Officer

40. An officer may retire from the public service on giving three (3) months notice:

Notice of Retirement

(a) If he or she is an officer in the Zambia Police Service below the rank of Chief Inspector or in the Zambia Prisons Service at the rank of Assistant Superintendent or below or is an officer who, to the satisfaction of a Service Commission, is engaged on duties requiring a higher degree of physical activity, at any time after he or she attains the age of forty-five (45) years or at any time after completing twenty (20) years of continuous service;

Notice of Retirement for Police, Prisons and other officers retired after attainment of the age of 45 years or after 20 years continuous service

(b) An application to retire under this provision shall be submitted to a Service Commission by an officer through his or her Responsible Officer who shall state whether or not he or she supports the application.

Application to retire

TERMINAL BENEFITS

41. An officer who is either dismissed or discharged from the Public Service shall be entitled to the following:

Benefits on dismissal or discharge

(a) cash in lieu of any accrued leave; and

(b) benefits on dismissal or discharge as provided for in the Public Service Pensions Act, 1996.

42. An officer who has died or is retired from the Public Service shall be entitled to the following:

Terminal Benefits on death or retirement

(a) cash in lieu of any accrued leave; and

(b) repatriation allowance.

CERTIFICATE OF SERVICE

43. Upon leaving the service, an officer shall be provided with a Certificate of Service to be issued as follows:

Certificate of Service

(a) in the case of an officer in Division I, by the Permanent Secretary, Public Service Management Division;

(b) in the case of an officer in Division II or III, by the Responsible Officer;

(c) in the case of an officer of the rank of Permanent Secretary, equivalent and above, by the Secretary to the Cabinet.

44. Where disciplinary proceedings have been instituted against an officer and he or she resigns in order to avoid discharge or dismissal, his or her Certificate of Service must be endorsed to the effect that the officer resigned while such proceedings were pending against him or her.

Resignation to avoid discharge or dismissal to be endorsed on certificate of service.

LETTER OF APPRECIATION

45. In addition to a Certificate of Service and where an officer has served for a period of not less than twenty (20) years and his conduct and efficiency have been exemplary, a letter of appreciation will be issued by the Permanent Secretary, Public Service Management Division or by the Secretary to the Cabinet, as the case may be.

Letter of appreciation

REFUND

Refunds on leaving Service as a probationer

. A probationer who leaves the service within six (6) months of the date of appointment, and who has given the required notice, or paid the requisite salary in lieu thereof, shall refund to the Government:

(a) the cost of his or her own and the family's transport on appointment, including travelling expenses and baggage allowance;

(b) any uniform allowance received in respect of the current period of service;

(c) any salary received in respect of unearned leave taken in advance; and

(d) the amount outstanding on any advance of salary or loan from the Government.

Refunds by officer on contract on leaving Service

7. An officer on contract who leaves the service before completing the full-term of his or her contract shall refund to the Government:

(a) one twenty-fourth (1/24) of the total amount paid for the cost of his or her own and the family's transport on his or her appointment, including travelling expenses and baggage allowance for each month or part of a month by which his or her service falls short of twenty-four (24) months;

(b) one twenty-fourth (1/24) of the total amount of any uniform allowance received in respect of his or her current period of service for each month or part of a month by which his or her service falls short of twenty-four (24) months;

(c) any salary received in respect of unearned leave taken in advance;

(d) the amount outstanding on any advance of salary or loan from the Government; and

(e) any sum due to the Government under any bonding agreement.

Recovery of refunds

48. A Responsible Officer in the Ministry, Institution or Province in which an officer is serving shall ensure that any refunds to the Government are recovered before the officer's departure in accordance with the Financial Regulations.

Refund a debt to Government

49. Any refunds due to the Government shall remain a debt to the Government and any sums from the Government due to an officer shall be used to offset his or her debt.

Refunds on leaving service without notice

50. An officer who leaves the service without giving the required notice or paying salary in lieu thereof must, in addition to the refunds listed in 46 and 47 above, as appropriate, pay one (1) month's salary in lieu thereof.

Debts not recovered to be reported

51. Where it has not been possible to make arrangements before an officer's departure for the full recovery of any debts owing to Government, the Responsible Officer concerned must submit a report indicating details of the amounts recoverable, to the Permanent Secretary of the Ministry responsible for Legal Affairs, with copies to the Secretary to the Treasury of the Ministry responsible for Finance and the Auditor-General.

Power of Secretary to Treasury, of the Ministry responsible for Finance

52. Nothing in these Terms and Conditions of Service shall restrict the right of the Secretary to the Treasury of the Ministry responsible for Finance to make recoveries under the Finance (Control Management) Act, Chapter 347 of the Laws of Zambia.

CHAPTER IV

CONDUCT AND DISCIPLINE

Officer to comply with Disciplinary Code and lawful orders and instructions

Officers are required to comply with these Terms and Conditions of Service for the Public Service and any verbal or written lawful orders and instructions of the Responsible Officer or of any senior officer which relates to their work. The Service Commission Disciplinary Code and Procedures for Handling Offences which has been issued in addition to the foregoing, apply to all officers.

Standard of conduct and efficiency

The Public Service must be beyond reproach. It is, therefore, the duty of every officer to maintain the highest standard of conduct, efficiency and personal behaviour. Any departure from these standards shall constitute misconduct.

Dress and wearing of uniform

(a) Except where prevented by the nature of work while on duty, all officers shall dress in a clean, decent and tidy manner in order to reflect credit to the Public Service.

New Uniform to be approved

(b) No uniform may be introduced for any category of officers until the design has been submitted and approved by the Permanent Secretary, Public Service Management Division. Officers who are required to wear uniform will wear it at all times when on duty. Failure to comply with this requirement shall constitute misconduct.

Dealing with the Public

It is the duty of all officers to be courteous, helpful and attentive in all their dealings with the general public. Any departure from this standard shall constitute misconduct and provocation by a member of the public shall not be an excuse for any misconduct in this regard.

Officers liable to serve anywhere

Officers are liable to serve at any station within Zambia or abroad. Failure to comply with any instructions regarding postings or transfers without reasonable grounds, shall constitute misconduct.

Officers to be present on duty when required

(a) Officers shall be present on duty during the whole period of the normal working hours and may also be required to work outside these hours when necessary whether or not they occupy posts qualifying for over-time. Failure to comply shall constitute misconduct.

Trade or sale of merchandise in Government offices

(b) No officer shall engage in the trade or sale of any kind of merchandise in a Government Office or any other Government premises. Failure to comply shall constitute misconduct.

Normal working hours

59. (a) Normal working hours for the Public Service shall be as laid down by the Secretary to the Cabinet from time to time. Absence from duty during normal working hours without the express permission of a Supervising Officer, or failure to observe the specified office hours shall constitute misconduct.

Mother's day

(b) All female officers are entitled to a day off every month. This, however shall not be cumulative.

Absence from duty without leave

60. (a) An officer who is absent from duty without leave to do so for a continuous period of ten (10) or more working days, shall be liable for dismissal.

Salary not to be paid for absence

(b) An officer shall not be paid a salary for the period he or she is absent from duty without leave unless he or she produces satisfactory evidence justifying such absence.

Supervisors to report absence

(c) Supervising Officers, shall report all cases of absence without leave to their Responsible Officers for appropriate action. Failure on the part of a Supervising Officer to report any case of absence from duty without leave shall constitute misconduct.

Action by Responsible Officer before recommending dismissal

(d) Before submitting a recommendation that an officer who is absent without leave for a continuous period of ten (10) or more working days should be dismissed, the Responsible Officer of the Ministry, Institution or Province concerned shall first inform the officer of the action he or she proposes to take, by sending a registered letter to the officer's last known address. The letter shall give the officer a reasonable period of time in which to submit representations why he or she should not be dismissed and no further action may be taken until this period of time has elapsed.

Absence from duty owing to ill health

61. (a)(i) An officer who is absent from duty on account of ill-health shall report to the Supervising Officer and submit the appropriate medical certificate;

(ii) An officer who is absent from duty on account of ill-health and fails to report, shall not be eligible for sick leave and shall be regarded as being absent without leave and dealt with accordingly; and

(iii) Where an officer who is absent from duty on account of ill-health caused by his or her own negligence or misconduct, the Service Commission, in the case of Division I officers, or the Responsible Officer, in the case of Divisions II and III officers, shall direct that all or part of the officer's salary should not be paid for the period of time the officer is absent from duty.

Reporting for duty under influence of alcohol or drugs

(b) Officers must not report for duty under the influence of alcohol or drugs. Where the Supervising Officer is of the opinion that an officer on duty may be under the influence of alcohol or drugs, the following procedure shall apply:

(i) The Supervising Officer shall where possible ensure that the officer's intoxication is verified or confirmed by valid medical or clinical tests. Valid medical or clinical tests shall be those tests which are usually used for such purposes and any others that may prove that the officer is under the influence of alcohol or drugs. As an alternative, the Supervising Officer shall ensure that the officer's intoxication is verified by at least three (3) witnesses; and

(ii) Refusal by an officer to take a test shall constitute misconduct.

(c) If an officer is found guilty of being under the influence of alcohol or drugs while on duty, the Supervising Officer shall report the matter to the Head of Department who shall immediately take disciplinary action against the officer concerned in accordance with the laid down procedures in the Disciplinary Code.

State Security Act Cap 111

(a) Officers shall undertake in writing on Form CSB 10 to comply with all the provisions of the State Security Act and shall acknowledge that they are aware of the serious consequences which may follow any breach of those provisions. The unauthorised disclosure by an officer of any information which has been obtained as a result of his or her position in the Public Service may be in breach of the State Security Act, CAP 111 of the Laws of Zambia.

Act applies after leaving the service

(b) The provisions of the State Security Act shall continue to apply after an officer leaves the Public Service in respect of any information obtained while he or she was a Public Servant.

Officers not to discuss matters of defence or security

No officer, whether on duty or on leave, shall grant interviews or discuss matters affecting the defence or security of Zambia. Doing so shall constitute misconduct.

Relations with foreign diplomats

No officer may offer hospitality to or accept hospitality from any foreign diplomatic representative without the prior permission of his or her Responsible Officer. An officer shall not accept any foreign order or decoration without the prior consent of the Government of the Republic of Zambia. Doing so shall constitute misconduct.

Officers not to edit or manage publications

65. (a) Subject to the provision in 63 above, no officer is permitted to be an editor of a newspaper, magazine or any other non-Governmental publication or to directly or indirectly take part in its management without the prior permission of the Responsible Officer.

Officers not to write on political or administrative matters

(b) An officer shall not write on subjects which may be interpreted as political or relating to the organisation and administration of the Public Service.

Publications by officers

(c) An officer may publish signed articles dealing with matters of general interest with the express permission of a Responsible Officer.

Publications with consent of the Responsible Officer

66. Notwithstanding the provision in 63 above, an officer is free to use his or her leisure time in pursuit of works for which his or her official experience and knowledge may qualify him or her. Publications of a technical, professional or scientific nature may be published by officers with permission of the Responsible Officer.

Communication with the press

67. (a) Wherever, possible, communication with the press on official matters shall be conducted through the Responsible Officer.

Scope of answers to the press

(b) A Responsible Officer, or any senior officer granted permission by him or her, may answer inquiries from the press on matters of fact or accepted Government policy which do not involve questions of State Security.

Answers to be reported

(c) Any officer who has been granted permission by his or her Responsible Officer to answer inquiries from the Press under (b) above shall immediately report the substance of his or her answers to the Responsible Officer.

Lecturing on particular subject outside official duties

68. (a)(i) An officer who wishes to broadcast or lecture on a subject which is regarded as political or administrative or specifically on a subject in which he or she specialises, shall do so with the permission of the Responsible Officer; and

(ii) An officer may lecture or broadcast if invited by the Government but he or she shall not be paid for preparing or delivering the lecture or broadcast.

Lecturing on subject not connected with Government work

(b) An officer who is an expert in a particular subject may give lectures on the subject on occasions not connected with his or her official duties. It is not necessary for an officer to obtain prior approval for the script of these lectures.

(c) If an officer has to lecture on any subject connected with the work of his or her Department, and especially if he or she is introduced by the Departmental title, he or she should bear in mind that the public often associates public officers with Government Policy. A lecture which is intended to express nothing more than an officer's personal views may, therefore, be taken to be a statement from the Government. In such cases where a misunderstanding is likely to occur an officer must take utmost care to avoid statements which are in any way controversial and shall consult his or her Responsible Officer whenever in doubt as to what he or she should say.

69. The fact that an officer owns a house in any particular locality shall not influence decisions on his posting. Refusal to be posted or transferred to any station on account of owning a house in a particular locality shall constitute misconduct.

House ownership not to influence posting

70. Officers are forbidden from engaging in any act that may be construed as corruption. Failure to comply shall constitute misconduct.

Presents to and from officers

71. (a) No officer shall drive a Government vehicle unless he or she is in possession of a valid driving licence, a certificate of competence and has express permission from his or her senior officer to make the journey or journeys concerned.

Conditions for driving Government vehicles

(b) An officer authorised to drive a Government vehicle shall not:

Restrictions on use of Government vehicles

(i) take the vehicle to the place where he or she lives unless he or she has authority in writing from the appropriate senior officer to do so;
(ii) allow any unauthorised person including a spouse or other relative to drive the vehicle under any circumstances;
(iii) give lifts to any unauthorised persons except in the case of an accident, sickness or breakdown;
(iv) carry any unauthorised goods or loads;
(v) drive under the influence of alcohol or drugs;
(vi) commence a journey until the appropriate entry has been made in the vehicle logbook, except for personal to holder vehicles.

Failure to comply shall constitute misconduct.

72. A Responsible Officer shall appoint a senior officer to be responsible for all official transport at each station. It is the duty of this officer to ensure that any person driving a Government vehicle for which he or she is responsible is fully aware of the requirements to drive a Government vehicle.

Duties of officers responsible for transport

73. Whenever a Government vehicle is involved in an accident, the officer driving, or if for any reason the officer is unable to do so, any other officer aware of the circumstances, shall immediately report the accident to the officer responsible for transport at the driver's station who shall immediately inform the Secretary to the Standing Accidents Board or the Secretary to the Provincial Accidents Committee by the quickest means available, giving the following particulars:

Accident reporting procedure

(a) the date and time of the accident;
(b) the exact place of the accident;
(c) any injuries to the driver or passengers of the Government vehicle;
(d) the registration number of the Government vehicle and the Department to which the vehicle is assigned; and
(e) any injuries to the driver and passengers of any other vehicle involved.

Within forty-eight (48) hours, a Preliminary Accident Report (Form EMI (a)) shall be submitted to the Board by the officer responsible for transport.

74. Any correspondence concerning an accident involving a Government vehicle which is received by Ministries or Departments from third parties or from their legal representatives shall be acknowledged but referred to the Secretary of the Standing Accidents Board. In no circumstances should it be admitted when acknowledging, that the person who was driving at the time was responsible for the accident or that the Government is in any way liable.

No admission of liability for accident

75. It is the duty of all officers required to use official transport to exercise the utmost care and economy in the use of Government vehicles. Failure to do so shall constitute misconduct.

Care and economy in use of vehicles

76. (a) Whenever criminal or civil proceedings are instituted against an officer which arise out of his or her official position or are a result of an act or omission by him or her in the course of official duties, he or she may apply, in writing through the Responsible Officer to the Attorney-General's Chambers for assistance in his or her defence, giving full details of the issues involved.

Defence of officers at public expense

(b) The Attorney-General's Chambers may arrange for the officer's defence if it is established that the officer acted in good faith in the execution of his or her official duties and that it is in the public interest that he or she be defended at Government expense

Judgement debtor or bankruptcy

officer who has become a judgement debtor or against om proceedings in bankruptcy are being instituted shall mediately report the facts to his or her Responsible Officer. the case of Division II and III officers, the Responsible ficer shall take disciplinary action. In the case of Division I ficers, the Responsible Officer shall inform the Permanent cretary, Public Service Management Division, who shall fer the matter to the relevant Service Commission for termination.

Procedure when officer is charged with serious offence

) Where an officer is charged with a serious offence, e arresting Law Enforcement Agency, shall report to the esponsible Officer.

)) Upon the conclusion of the case, the Responsible fficer shall obtain two certified copies of the charge and dgement and institute the necessary disciplinary action in e case of Division II and III officers. In the case of Division officers, the Responsible Officer shall send the certified ples, with recommendations, to the Permanent Secretary, ublic Service Management Division who, in turn, shall refer e matter to the Service Commission for determination.

:) In the event of an appeal being lodged following nviction, the Judicial officer shall notify the Responsible fficer of the appeal and thereafter of the results of the ppeal.

Offences to be reported

shall be the duty of every Supervising Officer to report mmediately to his or her Responsible Officer or Head of Department whenever he or she has reason to believe that n officer under his or her supervision has committed an ffence likely to warrant disciplinary action. Failure on the art of the Supervising Officer to report an offence likely to arrant disciplinary action shall constitute misconduct.

Criminal offences to be reported to Police

Where the Responsible Officer is satisfied that an offence committed by an officer under his or her charge may lead to criminal proceedings, he or she shall report the matter to the Police immediately.

Officers acquitted on appeal

An officer who is dismissed or discharged as a result of his or her conviction for a criminal offence and who is subsequently acquitted on appeal shall be reinstated immediately and paid:

(a) the full salary from the date of his or her dismissal or discharge; and

(b) the amount withheld from his or her salary during the period of suspension.

Formal warning

82. Where it is necessary to issue a formal warning to an officer that his or her work or conduct is unsatisfactory, the warning shall be as follows:

(a) Verbal warning;
(b) Written warning;
(c) Severe warning;
(d) Final warning.

Surcharge

83. (a) A surcharge for loss of public money or stores may, under the provision of the Financial Regulations and Finance (Control and Management) Act, Cap. 347, be levied against the salary and or pension of an officer if through wilful default or gross neglect of duty he or she:

(i) Fails to collect any money owing to the Government.

(ii) Is responsible for any improper payment of public moneys;

(iii) Is responsible for any loss or deficiency of public moneys under his control;

(iv) Is responsible for any damage, destruction, or loss of public stores;

(v) Is responsible for personal injury or damage to property for which the Government is held liable;

(vi) Is responsible for damage to or loss of any Government building, fixtures, fittings or furniture.

(b) Responsibility for the imposition of a surcharge shall rest with the Secretary to the Treasury, responsible for Finance

CHAPTER V

SALARIES, ADVANCES OF SALARY, INCREMENTS

SALARIES

Salary on first appointment

4. An officer appointed to the Public Service will be paid full salary from the date he or she reports for duty except where his or her contract provides otherwise.

Rules for determining salary

5. The salary to be paid to an officer on first appointment shall be determined in accordance with the rules laid down by the Permanent Secretary, Public Service Management Division.

Salary to be paid for one post only

6. No officer may draw a salary for more than one post at the same time.

Methods of salary payment

7. The salary shall be paid locally by any one of the following methods:

(a) by direct payment into the officer's account with any commercial bank in Zambia;

(b) by crossed cheque;

(c) by open cheque, provided that the officer signs a form indemnifying the Government against any loss.

Calculation of salary

8. The salary shall be payable in monthly instalments calculated at one twelfth (1/12) of the annual rate. A salary for part of any month shall be calculated in proportion to the number of days in that particular month.

9. The salary shall be payable on the last working day of the month in which it is earned or on any earlier date which the Secretary to the Treasury, Ministry of Finance and National Planning, may from time to time approve.

Determination of salary on promotion

10. On promotion, an officer shall receive a salary at the minimum of his or her new salary scale, or where his or her former salary was higher than his or her new salary scale, at the first notch of his or her new salary provided that the increase is not less than one (1) increment in his or her scale.

ADVANCE OF SALARY

Salary Advance

91. (a) An officer may obtain an advance of salary:

(i) On first appointment;

(ii) On going or returning from continuous leave of not less than thirty (30) days;

(iii) on permanent transfer between stations;

(iv) on the death of a relative;

(v) for travel connected with serious illness of a relative;

(vi) for the cost of specialist treatment;

(vii) for the repair or loss of essential property;

(viii) for school fees or school uniforms;

(ix) for tuition fees and textbooks.

(b) An officer may not get a salary advance while another advance is still outstanding.

Application for salary advances

92. An application for a salary advance will be considered on its merit by the Responsible Officer of the Ministry, Institution or Province concerned but the amount advanced shall be limited to a maximum of the officer's monthly gross salary and shall be repaid within a reasonable period of time but not exceeding six (6) months.

INCREMENT

Annual Increment on Appraisal

93. An officer serving on an incremental scale shall be entitled to receive an annual increment upon a positive appraisal of his or her performance by the Responsible Officer. If the Responsible Officer or Head of Department or Supervising Officer considers that an officer has not carried out his or her duties in an efficient and conscientious manner, he or she shall inform the officer, in writing, that he or she has not earned the increment.

Increment date

94. All incremental dates will be the first day of a month. When an officer's date of first appointment or promotion falls between the first and fifteenth of the month, inclusive, his or her incremental date will be the first of that month. Where an officer's date of first appointment or promotion is on or after the sixteenth of the month, his or her incremental date will be the first day of the following month.

CHAPTER VI

ORDINARY LEAVE

LEAVE AND TRAVELLING ON LEAVE

Local leave

(a) An officer must take local leave of not less than ten (10) working days once every one (1) year.

(b) An officer shall submit an application for leave for thirty (30) days or more, one month before the intended date of leave.

Leave earning rates

Officers, other than those serving on agreement specifying entitlement to higher leave earning rate or those employed on a part-time basis, will earn leave for each month of qualifying service as follows:

Officers in Division I 3½ days

Officers in Division II 3 days

Officers in Division III 2½ days

Qualifying service for calculating earned leave

For the purpose of calculating the amount of leave earned, qualifying service will begin on the date an officer first reports for duty on first appointment or returns from leave and will end on the day before he or she proceeds on leave or on the date of his or her resignation, retirement or termination of employment. Any period of absence from duty due to illness or injury during which the officer does not receive a salary will not count as qualifying service.

Calculation of leave amounts

(a) The amount of leave due to an officer shall be calculated according to the number of months he or she has completed during his or her period of qualifying service. Any extra days shall be carried forward and added to his or her period of qualifying service. Thirty (30) days will make up one month.

Approved leave to exclude Saturdays, Sundays and Public Holidays

(b) Any approved leave other than maternity leave, study leave and sick leave, will be exclusive of Saturdays, Sundays and Public Holidays.

Changes in leave rates

When an officer's leave rate changes during a period of qualifying service, the leave due to him or her for each part of that period of service shall be calculated separately.

Calculation of leave at a higher rate

When an officer's leave rate changes during a period of qualifying service, the leave due to him or her for each part of that period of service shall be calculated at the higher rate.

Any fraction of day's leave

101. Any fraction of a day's leave shall be carried forward and added to subsequent leave.

Officers to take leave regularly

102. A Responsible Officer shall ensure that officers serving under him or her take leave regularly. He or she may grant earned leave at any time after an officer has completed six (6) months service. A Responsible Officer shall submit his or her own application for leave to the Secretary to the Cabinet for consideration and approval.

Maximum continuous period of leave

103. (a) No officer may be granted leave for a continuous period longer than is specified below:

For officers in Division I 120 days;

For officers in Division I 110 days and

For officers in Division III 100 working days.

Balance of earned leave being carried over

(b) If an officer is granted only part of the total leave which he or she has earned, he or she may be granted the balance later together with any further leave which he or she may then have earned.

Maximum accumulation of leave

104. (a) Public officers may accumulate leave up to the prescribed maximum limits specified under as follows:

Officers in Division I 230 days

Officers in Division II 205 days

Officers in Division III 160 days

An officer who accumulates leave in excess of the prescribed limit shall forfeit his or her excess number of days to the Government.

Refusal to grant leave being carried over

(b) If an officer applies for leave and his or her application is not approved because of the needs of the service, he or she may nevertheless be permitted to postpone the leave to a later date and shall be allowed to accrue excess leave days. However, such postponement must be notified in writing to the Responsible Officer of the Ministry, Institution or Province concerned.

Teachers to take leave during school holidays

105. A teacher or any other officer employed on the staff of a school must take leave during the school holidays, unless the period of leave is one school term or more.

COMMUTATION OF LEAVE DAYS FOR CASH

Commutation of leave for cash

106. A Responsible Officer may authorize an officer going on leave to commute up to one hundred and twenty (120) days of his or her leave for cash.

proceeding on terminal leave, the commutation payment shall be calculated at the full rate of his or her substantive salary for which he or she is eligible.

Calculation of commutation payment

108. When an officer proceeds on terminal leave, he or she must be paid in advance for all leave due to him or her. The payment shall be calculated at the full rate of his or her substantive salary plus any other allowance for which he or she was eligible.

Payment of terminal leave

109. A payment shall be made to the appointed administrator of the estate of an officer who dies in the service and will be calculated at the full rate of his or her substantive salary plus any other allowances for which the deceased was eligible.

Payment on death of officer

10. An officer who leaves the service without giving the required notice, or paying salary in lieu thereof shall not be paid terminal leave in advance until the matter has been referred to the Responsible Officer.

Terminal benefits to be withheld

CONVALESCENCE LEAVE

1. An officer who has been absent from duty due to illness or injury, not caused by his or her own negligence or misconduct, may, before returning to duty and if considered necessary by the competent medical authorities, be granted time to recover fully from the effects of his or her illness or injury.

Purpose of convalescence leave

(a) When a medical officer considers a period of convalescence necessary, he or she shall submit a recommendation to that effect to the Responsible Officer of the officer's Ministry, Institution or Province who may grant such leave without further reference. But the Responsible Officer shall inform the Permanent Secretary, Public Service Management Division, by forwarding a copy of his or her written approval for convalescent leave to be taken.

Recommendation for convalescence leave

(b) Convalescence leave for a period of more than twenty-one (21) days shall not be granted without the prior approval of the Permanent Secretary, Ministry of Health.

Convalescence leave for more than twenty-one-days

URGENT LEAVE FOR PERSONAL REASONS

An officer who has no leave days due to him or her and who wishes to be absent from duty for urgent personal reasons may apply to the Responsible Officer for leave.

Leave for urgent personal reasons

114. The Permanent Secretary, Public Service Management Division may grant unpaid leave of up to one year to an officer for personal reasons. An officer who has been granted unpaid leave shall continue to pay pension contributions in accordance with section 30, sub-section four (4) of the Public Service Pension Act, 1996.

Unpaid leave for one year

115. When an officer is granted paid leave for urgent personal reasons , this must be deducted from the leave for which he or she qualifies after his or her return to duty. If he or she leaves the service before qualifying for leave equivalent to the leave which he or she has taken for urgent personal reasons, the officer must return to Government his or her salary for each day by which his or her earned leave entitlement falls short of the paid leave taken. The salary to be refunded shall be based on his or her salary at the time the leave was taken.

Deduction or refunds in respect of leave for urgent personal reasons

SPECIAL LEAVE

116. (a) A Responsible Officer may grant an officer special leave on full salary in the following circumstances:

Grant of special leave

(i) when an officer has to sit for a private examination which is directly connected with the officer's career in the Public Service; the approval of the Permanent Secretary, Public Service Management Division must be obtained before an officer is granted leave to sit for an examination outside Zambia;

To sit for examination

(ii) when an officer is required to undergo continuous military training or National Service as prescribed by law;

For military training

(iii) in the event that the officer must be absent from duty because he or she has been in contact with an infectious disease; special leave in these circumstances must be granted on the recommendation of a Government medical or dental officer or a registered medical or dental practitioner, who must state the period of special leave he or she recommends;

Absence due to infectious disease

(iv) in any other case in which there are exceptional circumstances which justify the granting of special leave in the national interest provided the prior approval of the Permanent Secretary, Public Service Management Division has been obtained; an example of such exceptional circumstances would be when an officer is selected to represent Zambia in an international sporting event;

In other exceptional circumstances

he or she may be granted compassionate leave of a maximum of three (3) weeks in the case of a spouse and two (2) weeks for a child or parent after which he or she shall apply for ordinary leave.

Compassionate leave

(b) Special leave in (a) above shall be in addition to an officer's earned leave.

Special leave in addition to earned leave

117. Travelling on special leave shall not be considered as travelling on duty.

Travelling on special leave

OCCASIONAL LEAVE

118. (a) A Responsible Officer may grant occasional leave of:

Grant of occasional leave for nurses, radiologists and radiographers

(i) twelve (12) working days a year to nursing officers, sisters, nurses, clinical officers, other than those working in Training Institutions in the Ministries of Health, Defence and Home Affairs;

(ii) eighteen (18) workings days a year to radiologists and radiographers in the Ministry of Health.

(b) Occasional leave must be taken during the calendar year in which it is granted. If not taken, it shall be forfeited.

When occasional leave to be taken

MATERNITY LEAVE

9. A Responsible Officer may grant maternity leave to enable a female officer to be absent from duty for a maximum period of three (3) months on the following conditions:

Maternity leave exclusive of earned leave

(a) a female officer will be eligible for the grant of the first maternity leave with full pay if she has served continuously for not less than six (6) months;

(b) a female officer will be eligible for the grant of subsequent maternity leave with full pay if she has served a continuous period of not less than two (2) years since returning to duty from her previous maternity leave; and

(c) in either case, maternity leave with full pay will be granted on production of a record of birth relating to the pregnancy, duly signed and issued by a Registered Health Practitioner.

PATERNITY LEAVE

A Responsible Officer may grant paternity leave to enable a male officer to be absent from duty for a maximum period of five (5) days on the following conditions:

Paternity leave exclusive of earned leave

(a) a male officer will be eligible for the grant of the first paternity leave with full pay if he has served continuously for not less than six (6) months;

(b) a male officer will be eligible for the grant of subsequent paternity leave with full pay if he has served a continuous period of not less than two (2) years since returning to duty from his previous paternity leave; and

(c) in either case, paternity leave with full pay will be granted on production of a record of birth of the child duly signed and issued by a Registered Health Practitioner.

PAID STUDY LEAVE

121. (a) Paid study leave may be granted by the Permanent Secretary, Public Service Management Division to an Established Officer who:

Conditions for paid study leave

(i) is nominated by the Responsible Officer; or attends a course of study with Government approval at his own request; or

(ii) is, with government approval, granted a bursary or other award to follow a course of study.

(b) Government approval for paid study leave will only be given if the Permanent Secretary, Public Service Management Division, considers that the officer is suitable in every respect to undertake the course and that it is directly connected with his or her career in the Public Service. The Permanent Secretary, Public Service Management Division, may not grant study leave where he or she considers that it is not in the interest of the service.

Officer must be suitable and course related to his career

(c) No officer serving on probation will be eligible for paid study leave except with the express approval of the Secretary to the Cabinet.

Probationer not eligible for paid study leave

122. An application for paid study leave shall be approved by the Responsible Officer concerned for courses or study programmes of more than six (6) months.

Applications for paid study leave

123. An officer who is granted paid study leave shall be paid his or her normal substantive salary during the period of such leave.

Salary on paid study leave

124. An officer on paid study leave may be paid, in addition to his or her salary, any other supplementary allowances.

Supplementary allowance

125. An officer on paid study leave shall be entitled to a refund of:

Refunds of fees

(a) tuition fees for the course, on the production of a receipt showing that he or she paid the fees himself or herself;

to take as part of the course, on production of a receipt showing that he or she paid the fees himself or herself and on production of certified evidence that he or she has passed the examination.

126. An officer proceeding on a course away from his or her usual place of residence shall make the necessary financial arrangements for the maintenance of his or her dependants.

Arrangements for maintenance of dependants

127. (a) An officer who is on paid study leave shall be eligible to earn leave.

Officers on paid study leave required to work

(b) An officer who is on paid study leave may be required to work during the course of vacation if the course is held in Zambia.

(c) An officer attending a course of study outside Zambia for four or more years' duration, may be granted one return passage to Zambia by the most direct route, during any one long vacation.

Permission to return to Zambia during paid study leave

128. (a) An officer who is granted paid study leave to attend a course of study away from his or her usual place of residence and who occupies Government quarters will be permitted to retain those quarters. An officer who is permitted to retain Government quarters while on paid study leave shall continue to pay rent at the rate applicable to the particular type of accommodation he or she retains.

Retention of Government quarters during study leave

(b) If an officer exceeds the period of paid study leave without permission he or she shall be required to forfeit Government quarters.

129. An officer on paid study leave outside Zambia who does not receive maintenance allowance from a technical assistance source will receive a maintenance allowance from the Government. The amount of this allowance shall be determined from time to time as determined by the Permanent Secretary, Public Service Management Division.

Officers to receive maintenance allowance

130. (a) An officer who is granted paid study leave shall be regarded as travelling on duty to and from the place of study.

Travelling and subsistence allowance

(b)(i) An officer travelling within Zambia, including travel on authorized vacations shall claim subsistence allowance for nights spent on travelling;

(ii) An officer travelling outside Zambia including travel on authorised vacations shall claim subsistence allowance for nights spent travelling and shall be eligible for transit allowances determined by the Secretary to the Cabinet.

131. (a) When an officer has [illegible] outside Zambia and technical assistance arrangements do not provide for an outfit or a book allowance to be paid, the Permanent Secretary, Public Service Management Division may authorise the expenses to be paid in accordance with information from the training institution the officer is expected to attend. An outfit allowance, if granted, will relate solely to the climatic conditions in the country of study and will not extend to the provisions of academic dress. The allowance will be paid before the officer proceeds on study leave.

allowance

(b) An individual grant for the purchase of books, stationery, instruments or other apparatus will be made to an officer on paid study leave within Zambia. The amount of any such grant shall be decided by the Permanent Secretary, Public Service Management Division. The grant shall be paid before the officer proceeds on study leave.

132. An officer on paid study leave will remain eligible for:

Eligibility for promotion and increment

(i) substantive promotion;

(ii) award of increments in the normal manner provided his or her work and conduct are satisfactory.

133. Paid study leave shall count as part of service for pension purposes.

Paid study leave as reckonable service

134. An officer who has been granted paid study leave shall be required to enter into a formal agreement binding him or her to remain in the Public Service following the completion of his or her course. No officer may be granted exemption from serving the full period of his or her bond.

Bonding

135. Officers attending short seminars, conferences or overseas study tours of less than thirty (30) days who are fully sponsored shall not be eligible for paid study leave, but shall be paid subsistence allowance at the appropriate rate.

Short seminars, conferences and overseas study tours

UNPAID STUDY LEAVE

136. (a) An Established Officer who is not eligible for paid study leave may be granted unpaid study leave on application through the Permanent Secretary, Public Service Management Division. The officer shall give in his or her application full details of any scholarship or award made to him or her by any external sources, and shall not take up such scholarship or award without the prior written approval of the Government.

Application for unpaid study leave

(b) An officer on unpaid study leave will not earn leave for any period which is in excess of his or her earned leave entitlement as at the date of the commencement of the course.

Unpaid study leave not to qualify for leave

to take as part of the course, on production of a receipt showing that he or she paid the fees himself or herself and on production of certified evidence that he or she has passed the examination.

126. An officer proceeding on a course away from his or her usual place of residence shall make the necessary financial arrangements for the maintenance of his or her dependants. *Arrangements for maintenance of dependants*

127. (a) An officer who is on paid study leave shall be eligible to earn leave. *Officers on paid study leave required to work*

(b) An officer who is on paid study leave may be required to work during the course of vacation if the course is held in Zambia.

(c) An officer attending a course of study outside Zambia for four or more years' duration, may be granted one return passage to Zambia by the most direct route, during any one long vacation. *Permission to return to Zambia during paid study leave*

128. (a) An officer who is granted paid study leave to attend a course of study away from his or her usual place of residence and who occupies Government quarters will be permitted to retain those quarters. An officer who is permitted to retain Government quarters while on paid study leave shall continue to pay rent at the rate applicable to the particular type of accommodation he or she retains. *Retention of Government quarters during study leave*

(b) If an officer exceeds the period of paid study leave without permission he or she shall be required to forfeit Government quarters.

129. An officer on paid study leave outside Zambia who does not receive maintenance allowance from a technical assistance source will receive a maintenance allowance from the Government. The amount of this allowance shall be determined from time to time as determined by the Permanent Secretary, Public Service Management Division. *Officers to receive maintenance allowance*

130. (a) An officer who is granted paid study leave shall be regarded as travelling on duty to and from the place of study. *Travelling and subsistence allowance*

(b)(i) An officer travelling within Zambia, including travel on authorized vacations shall claim subsistence allowance for nights spent on travelling;

(ii) An officer travelling outside Zambia including travel on authorised vacations shall claim subsistence allowance for nights spent travelling and shall be eligible for transit allowances determined by the Secretary to the Cabinet.

131. (a) When an officer has been granted paid study leave outside Zambia and technical assistance arrangements do not provide for an outfit or a book allowance to be paid, the Permanent Secretary, Public Service Management Division may authorise the expenses to be paid in accordance with information from the training institution the officer is expected to attend. An outfit allowance, if granted, will relate solely to the climatic conditions in the country of study and will not extend to the provisions of academic dress. The allowance will be paid before the officer proceeds on study leave. *Outfit and bo allowance*

(b) An individual grant for the purchase of books, stationery, instruments or other apparatus will be made to an officer on paid study leave within Zambia. The amount of any such grant shall be decided by the Permanent Secretary, Public Service Management Division. The grant shall be paid before the officer proceeds on study leave.

132. An officer on paid study leave will remain eligible for: *Eligibility for promotion an increment*

(i) substantive promotion;

(ii) award of increments in the normal manner provided his or her work and conduct are satisfactory.

133. Paid study leave shall count as part of service for pension purposes. *Paid study le reckonable s*

134. An officer who has been granted paid study leave shall be required to enter into a formal agreement binding him or her to remain in the Public Service following the completion of his or her course. No officer may be granted exemption from serving the full period of his or her bond. *Bonding*

135. Officers attending short seminars, conferences or overseas study tours of less than thirty (30) days who are fully sponsored shall not be eligible for paid study leave, but shall be paid subsistence allowance at the appropriate rate. *Short semina conferences overseas stu tours*

UNPAID STUDY LEAVE

136. (a) An Established Officer who is not eligible for paid study leave may be granted unpaid study leave on application through the Permanent Secretary, Public Service Management Division. The officer shall give in his or her application full details of any scholarship or award made to him or her by any external sources, and shall not take up such scholarship or award without the prior written approval of the Government. *Application fo unpaid study*

(b) An officer on unpaid study leave will not earn leave for any period which is in excess of his or her earned leave entitlement as at the date of the commencement of the course. *Unpaid study not to qualify leave*

scholarship or award made to him or her and approved by the Government, an officer on unpaid study leave will be personally responsible for all the expenses including travel and maintenance costs involved.

Officers responsible for expenses

(d) An officer on unpaid study leave will not be eligible for promotion during the period of absence.

Officer not eligible for promotion

(e) An officer on unpaid study leave may be permitted to retain Government quarters provided he or she continues to pay rent at the appropriate rate.

Officer to retain government quarters

MISCELLANEOUS LEAVE PROVISIONS

137. When a Head of Department receives a report that an officer on leave has not reported for duty he or she shall investigate the cause of such absence and report his or her finding to the Responsible Officer. The Responsible Officer shall, unless the officer gives a satisfactory explanation, institute disciplinary proceedings against that officer.

Failure to report for duty after leave

138.. (a) An officer who is on leave may be recalled from leave if his or her services are urgently required at the time of recall.

Recall from leave

(b) When an officer is recalled from leave, the Responsible Officer shall notify the Permanent Secretary, Public Service Management Division accordingly.

139. An officer wishing to return to duty before the end of his or her leave shall first obtain the consent of his or her Responsible Officer.

Premature return from leave at officer's request

140. (a) A Responsible Officer may grant additional leave for travel purposes to an officer who is proceeding on leave for thirty (30) days or more. The additional period shall be suitably sufficient for the officer to travel by the most direct route between his or her duty station and the leave destination, and shall not be more than four (4) additional leave days, in each direction.

Additional leave for travel within Zambia

(b) Where an officer is granted additional leave days, he or she shall not be entitled to payment of a separate subsistence allowance as this shall already have been included in the vacation leave allowance.

141. (a) An officer shall be required to proceed on thirty (30) days or more paid leave every two years.

Interval of Vacational Leave

(b) An officer proceeding on paid leave for thirty (30) days or more shall be entitled to vacation leave allowance to enable him or her and the family to travel from his or her station to the leave destination within Zambia.

Vacational Leave allowance

(c) Vacation leave allowance shall be granted at intervals of twenty-four (24) months.

Interval of vacational leave allowance

MEDICAL AND DENTAL TREATMENT AND ABSENCE THROUGH ILL-HEALTH OR INJURY

MEDICAL OR DENTAL ATTENTION IN ZAMBIA

142. (a) An officer on first appointment shall be required to provide information as shown in 12 (a) thus: *Medical examination on first appointment*

(i) A C.I.D. report;
(ii) Confirmation of the date of arrival at the duty station;
(iii) Personal information
(iii) A Declaration of Secrecy;
(iv) Acknowledgement of liability in respect of personal effects;
(v) A medical certificate; and
(vi) A certified copy of the National Registration Card.

(b) An officer will be required to under-go medical check-ups every three (3) years. *Regular medical check ups*

(c)(i) An applicant who undergoes a medical examination as a requirement for appointment to the Public Service and for which a fee is paid, shall be refunded the full cost of such medical examination by the employing Ministry, Institution, Province, Department or District on production of a certified receipt. *Medical examination fees*

(ii) A serving officer who is required to attend regular medical examinations as a requirement of the job, and for which he or she pays a fee, shall be refunded the full cost of such medical examination by the employing Ministry, Institution, Province, District or Department on production of a certified receipt. Alternatively, where the cost of a medical examination is known for certain, the employing Ministry, Institution, Province, District or Department may meet the full cost of such officer's medical examination. *Refund of medical fees to officers required to attend regular medical examinations as a job requirement*

(iii) A serving officer whose contract provides for free medical services for the officer and his or her family shall be refunded the full cost of medical treatment by the employing Ministry, Institution, Province, District or Department on production of certified receipts. *Refund of medical fees to serving expatriate officers*

143. An officer will meet the full cost of dental or medical attention at any health institution for himself or herself and his or her family including other dependants. *Officer, spouse or dependant to pay for medical or dental attention*

144. Any fees charged for medical examinations of his or her dependants shall be met by the officer. *Fees to be met by officer*

145. When an officer or spouse or dependant of an officer has to travel from his or her station for medical or dental attention, the officer, shall meet the full cost of the journey for his spouse or dependant, from the officer's station to a medical or dental hospital or clinic. *Transport costs for medical or dental attention*

ABSENCE THROUGH ILL-HEALTH OR INJURY

146. An officer who is unable to attend to his or her duties on account of ill-health or injury must report the fact as soon as possible to the Responsible Officer or Head of Department. *Officer to report absence through ill-health or injury*

147. A Supervising Officer shall report to his or her Responsible Officer or Head of Department if an officer is away for more than two (2) days and it is confirmed that he or she may be ill or injured. *Supervising officer to report absence*

148. An officer who is absent from duty on account of ill-health or injury for more than two (2) days must submit to his or her Responsible Officer or Head of Department a certificate by a registered medical or dental practitioner stating that he or she is, or was, unfit to carry out duties. *Medical certificate*

149. (a) If an officer cannot immediately obtain a medical certificate he or she must inform the Responsible Officer or Head of Department accordingly; *Inability to obtain certificates*

(b) The Responsible Officer or Head of Department must make inquiries and, be satisfied that an officer is unable to carry out his or her duties due to ill-health or injury, and may authorise his or her absence from duty for up to fourteen (14) days without a medical certificate.

150. When an officer is confined to his or her house or hospital due to ill-health or injury for a period of not less than seven (7) days whilst on leave in Zambia and he or she produces a certificate from a medical or dental practitioner to substantiate this, the period covered by the certificate will not count as leave and shall be carried forward. In such cases an officer must return to duty on the due date unless he or she has obtained prior written authority from the Responsible Officer or Head of Department to extend his or her leave or is sick on the day he or she is due to return to duty. *Illness on leave for seven (7) days or more not to count as leave*

agreement or on part-time basis, may be absent from duty due to ill-health or injury, provided that the absence is covered by a medical certificate from a registered medical or dental practitioner, for a period of not more than ninety (90) days on full pay with an additional period of up to ninety (90) days on half pay in any period of two (2) years ending on the hundred and eightieth (180th) day of such sickness or injury. The period may, on the recommendation of a medical board appointed by the Permanent Secretary, Ministry of Health, be extended to a maximum of one hundred eighty (180) days on half pay. This extended period of absence shall only be authorised if the medical board advises that it is probable that the officer will be able to return to duty at the end of the period. These provisions do not apply to officers who fall sick whilst on leave outside Zambia.

Maximum period of absence

152. An officer employed on an agreement for temporary service may be absent from duty due to ill-health or injury, provided that the absence is covered by a medical certificate from a registered medical or dental practitioner, for a period of not more than forty-five (45) days on full pay in any period of two (2) years ending on the forty-fifth (45th) day of such sickness or injury. This period may be extended to a maximum of ninety (90) days on half pay on the recommendation of a Medical Board appointed by the Permanent Secretary, Ministry of Health. This extended period of absence shall only be authorised if the medical board advises that it is probable that the officer will be able to return to duty at the end of the period. These provisions do not apply to officers who fall sick whilst on leave outside Zambia.

Officers serving on agreement for temporary service

153. If the Permanent Secretary of a Ministry, Institution or Province considers it necessary he or she may order any officer to be medically examined by a medical or dental practitioner nominated by the Permanent Secretary, Ministry of Health or by a medical board appointed by the Permanent Secretary, Ministry of Health. Any fees charged for such medical examination shall be met by the appropriate Ministry, Institution, Province, Department or District accordingly.

Compulsory medical examination

CHAPTER VIII

SUBSISTENCE , UNIFORM , TRANSPORT, BAGGAGE AND REPATRIATION , SETTLING-IN AND HARDSHIP ALLOWANCE

SUBSISTENCE ALLOWANCE

54. (a) Subsistence allowance shall be paid to an officer to cover the additional expenses he or she has to meet when travelling on duty away from his or her normal station of duty.

Payment of subsistence allowance

(b) An officer travelling on duty within Zambia may draw subsistence allowance at the appropriate single or married rate. Travelling on duty within Zambia also includes travelling:

When subsistence allowance is paid

(i) on first appointment;
(ii) on transfer from one station to another;
(iii) to attend court or the Commission for Investigations as a witness in a case connected with his or her duties;
(iv) to attend interviews with a Service Commission away from the normal station of duty.

155. (a) When on transfer between stations, an officer may claim subsistence allowance at the appropriate single or married rate for the last two (2) nights and the first two (2) nights spent at the old and new stations, respectively.

Arrival at or departure from old or new station

(b) An officer on temporary transfer is eligible for subsistence allowance at the single or married rate.

Temporary transfer

156. (a) Responsible Officers or Heads of Departments must carefully examine all subsistence allowance claims made by officers to ensure that these are reasonable and that the journeys were undertaken in the most economic way, bearing in mind the nature and urgency of the duty to be performed. Claims for the refund of expenses for a stay at an expensive hotel when cheaper suitable accommodation was available, will not be considered reasonable and shall only be granted at the rate payable at the cheapest comfortable alternative accommodation.

Examination of claims

(b) If an officer becomes ill while travelling on duty and is admitted to hospital, he or she shall continue to be paid subsistence allowance for the time he or she spends in hospital.

157. Subsistence allowance in respect of an official tour, visit or business outside Zambia, shall be granted only with the express approval of the Secretary to the Cabinet.

Subsistence allowance for travel outside Zambia

158. An officer shall submit his or her claim for subsistence allowance to his or her Supervising Officer. The officer shall ensure that any receipts for bills paid are certified correct before submitting them with the claim form. If the Supervising Officer is satisfied that the details of the claim are correct, that the journey was made in the public interest and that it was completed without delay, he or she shall approve the claim for payment. Responsible Officers will approve the payment of their own claims and those of their Heads of Department.

Submission of claims and receipts

UNIFORM UPKEEP ALLOWANCE

159. An officer appointed or promoted to a post requiring the wearing of uniform as specified in Circulars issued by the Government from time to time will be paid a uniform upkeep allowance at the prescribed rates.

Eligibility for uniform upkeep allowance

TRANSPORT, BAGGAGE AND REPATRIATION ALLOWANCES

160. (a) An officer who has to travel on duty will be entitled to transport at Government expense.

Transport for travel on duty

(b) An officer who has to travel on duty and is authorised to use his or her own motor-vehicle will be paid a kilometre allowance at the approved rates as prescribed in Circulars issued by the Government from time to time.

Payment of kilometre allowance

(c) An officer on retirement must claim his or her repatriation allowance within a period of twelve (12) months.

Claim for repatriation allowance on retirement

(d) An officer who is transferred from one station to another and who is authorised to use his or her own motor vehicle for the journey may be paid either a kilometre allowance for the journey by the most direct route, or the cost of the journey for the officer, spouse and dependants by public transport.

Use of officer's own motor vehicle on transfer

(e) An officer who is transferred from one station to another shall be entitled to travel at Government expense together with his or her spouse and dependants accompanying him or her or joining him or her on transfer

Travel on transfer

(f) An officer who is transferred from one station to another will not normally be allowed to travel by air at Government expense. If the officer travels by air at his or her own wish, government will not pay more than the cost of the equivalent road or rail journey by the most direct route. In special or exceptional circumstances, a Responsible Officer may authorise an officer alone, with his or her family, to travel on transfer by air.

Air travel on transfer

(g) An officer travelling on first appointment, or termination of service who is authorised to use his or her own motor vehicle for the journey may be paid kilometre allowance calculated at the rate applicable to his vehicle for the journey by the most direct route or the cost of the journey for himself or herself, spouse and dependants by public transport.

Payment of kilometre allowance on first appointment and termination

(h) The standard fare for air travel on duty within and outside Zambia shall be economy class for all officers except where otherwise provided.

Class of accommodation for air travel

161. (a)(I) The Government will meet the travelling expenses of an officer on first appointment and transfer from one district to another. These expenses will include personal baggage and that of dependants.

Travelling expenses on first appointment and transfer

(ii) An officer shall not take or send baggage at Government expense by any means not approved by the Responsible Officer.

(b) An officer who is retired will be paid repatriation allowance as determined by the Government from time to time.

Repatriation allowance on retirement

162. A surviving spouse and dependant children of an officer who dies in the service will be eligible to payment of repatriation allowance at the rates determined by the Government from time to time.

Repatriation allowance for surviving spouse and dependants of an officer who dies in service

SETTLING-IN ALLOWANCE

163. (a) A settling-in allowance shall be paid by the Government to compensate an officer in part for the unavoidable incidental expenses he or she has to meet on initial appointment to the Public Service or when the officer is transferred from one district to another or from one rural station to another rural station within a district.

Settling in allowance

(b) A settling-in allowance shall be paid to an officer on first appointment and on transfer as may be agreed upon from time to time at the married rate or single rate as the case may be.

Payment of settling in allowance

(c) An officer shall not be eligible for settling-in allowance if he or she moves from one place to another in an area within any district or council boundary.

Non eligibility of settling in allowance

164. A settling-in allowance shall not be paid when a transfer results from an officer's misconduct. Settling-in allowance will only be paid to an officer who is transferred at his own request if the Responsible Officer is satisfied that the transfer is in the interest of the public service.

Effect of misconduct or transfer at own request

165. Claims for payment of settling-in allowance shall be approved by the Responsible Officers or by officers authorised by them and shall be paid from the Travelling on Duty Vote of the Ministry, Institution, Province or District to which the officer is transferred. *Claim for payment of settling-in allowance*

RURAL HARDSHIP ALLOWANCE

166. An officer serving in an area declared to be a "Remote Area" shall be entitled to receive a hardship allowance at the rate as may be determined by the Government from time to time. *Payment of rural hardship allowance*

OTHER ALLOWANCES

167. The following are other allowances payable to officers in the Public Service at rates determined from time to time by the Government: *Other allowance*

(a) Recruitment and Retention Allowance may be paid to Zambian nationals who possess approved academic and professional qualifications.

(b) Non-Private Practice Allowance shall be paid to Legal professionals not permitted to engage in private practice.

(c) Ordinary Overtime Allowance shall be paid to officers who may be called upon to perform their duties outside normal working hours, excluding officers in Division I and above.

(d) Commuted Overtime Allowance shall paid to employees who are regularly required to do overtime work such as:

(i) Nursing and paramedical officers, extension personnel and other specified officers;
(ii) Government Drivers;
(iii) Personal Secretaries and Stenographers in Offices of Ministers and Permanent Secretaries.

(e) Officers in receipt of Commuted Overtime Allowance are not eligible for the Ordinary Overtime Allowance.

(f) The Meal Allowance shall be paid to officers who travel away from their normal duty stations on official duty for eight (8) hours or more but not including an overnight stay.

(g) A Bicycle Allowance shall be paid to Employees who use their own bicycles on official duty.

(h) A Tool Allowance shall be paid to an Employee who is required to use his or her personal equipment on official duty.

(i) A Commuted Night Duty Allowance shall be paid to nursing and paramedical personnel who work during the night over and above normal working hours.

(j) An Extra Duty Allowance shall be paid to officers in the Teaching Service who are called upon to perform duties of other established posts in addition to their own teaching duties.

(k) A Double Class Allowance shall be paid to teachers who are required to teach double classes.

CHAPTER IX

OFFICIAL VISITS ABROAD

Permission to be obtained for official visits abroad

168. No officer may leave Zambia on official business without authority from the Secretary to the Cabinet or a Responsible Officer delegated to do so by the Secretary to the Cabinet.

Submission of application for authority to travel abroad

169. As far as possible, applications for official tours or visits abroad must be submitted on the appropriate form which must be signed personally by the Responsible Officer concerned. The form must be forwarded to the Secretary to the Cabinet or as he or she may delegate to a Responsible Officer so as to reach him or her at least fourteen (14) days before the scheduled date of departure of the officer in the case of non-urgent visits, or forty-eight (48) hours, in the case of urgent visits.

Copies of invitation to be submitted

). An application made in respect of an invitation to attend a seminar or conference abroad should be supported by a copy of the invitation and details of the theme of the seminar or conference.

Officers to report to Heads of Zambian Missions Abroad

An officer who makes an official tour or visit abroad or who undertakes official business while on leave abroad shall, if he or she is in a country where there is a Zambian Diplomatic Mission, call on the Zambian Head of Mission and brief him or her on the purpose of the visit.

Officers to report on return from official tour

Every officer who makes an official tour or visit abroad or who undertakes official business while on leave abroad shall, on his or her return to Zambia, submit to the Responsible Officer a full report on the matters attended to.

d Conditions of Se

CHAPTER X

EXAMINATIONS

EXAMINATIONS BEFORE AND AFTER APPOINTMENT

Qualifying examination before appointment

(a) A candidate for appointment to a post in the Public Service may be required to pass a qualifying examination before being appointed.

Departmental examinations

(b) A serving officer may be required to pass a prescribed departmental examination for promotion or for other purposes.

CHAPTER XI

ANNUAL PERFORMANCE APPRAISAL SYSTEM (APAS)

174. The main objective of annual performance appraisal reports is to enable the Government to assess the suitability of an officer for advancement and retention in the public service. These reports must, therefore be accurate, realistic and as informative as possible.

Objective of annual performance appraisal reports

175. All Annual Performance Appraisal Reports shall be submitted on an appropriate prescribed form.

Submission of annual performance appraisal reports

176. All annual performance appraisal information shall, wherever possible, be typewritten and shall be signed by the reporting officer and the officer being reported on, both of whose names and designations shall be type-written or printed in block capitals under their signatures. If it is not possible for a report to be submitted in typewritten form, it should be completed in legible handwriting, in ink.

Reports to be type-written

177. The reporting officer shall be the Supervising Officer to whom the officer directly reports.

Rank of reporting officer

178. (a) The Responsible Officer of a Ministry, Institution, or Province concerned shall ensure that an annual performance appraisal report is submitted on every officer in sufficient time.

Annual performance appraisal report to be submitted on time

(b) Appraisals reports for all officers shall normally cover a period of 12 months.

(c) Copies of all appraisal reports shall be sent to the Permanent Secretary, Public Service Management Division.

179. A Responsible Officer's performance shall also be appraised annually by the Secretary to the Cabinet in similar manner as above.

Annual performance appraisal reports on Responsible Officers

180. A performance appraisal report on an officer serving on probation shall be submitted five (5) months after the date of appointment on probation. This report shall state whether or not the officer has satisfactorily completed his or her probationary period and is suitable or unsuitable for confirmation by the Service Commission, in the case of Division I officers, or for confirmation in his or her appointment by the Responsible Officer, in the case of Divisions II and III officers.

Annual performance appraisal reports on officer service on probation

181. A Responsible Officer of a Ministry, Institution, or Province concerned may, call for special performance appraisal information on an officer if he or she considers it necessary or if the Service Commission so requires.

Special performance appraisal rep

CHAPTER XII

HOUSE RENT AND CAMP EQUIPMENT

HOUSE RENT

All officers shall pay rent at prescribed rates when officially accommodated in Government quarters.

Officers to pay rent when accommodated

No officer shall pay rent for temporary quarters.

No rent for temporary quarters

(a) All expatriate officers who occupy furnished standard Government housing shall pay rent at the rate prescribed by the Government from time to time.

Rent payable by expatriate officer

(b) All Zambian officers who occupy unfurnished standard Government housing shall pay rent at a prescribed rate determined by the Government from time to time.

Rent payable for unfurnished standard Government housing

All Zambian officers who occupy unfurnished housing other than standard Government housing shall pay rent at the appropriate rate of the particular type of housing occupied.

Rent payable for unfurnished housing

(a) Officers who are required to share permanent quarters which fall within the definition of "Standard Government Housing" will share the rental contribution equally.

Rent payable by officers required to share Government housing

(b) Officers who are accommodated in shared Government quarters shall not be required to pay rent.

Rent payable by officers sharing Government quarters

(a) An officer who is accommodated in quarters for which a reduced rent is applicable, shall pay the reduced rent.

Claims for exemption from or reduction of rent

(b) An officer who is accommodated in quarters fo which no rent is payable, shall not pay rent.

(a) An expatriate officer who is away from his or her station on duty or on leave for one hundred and twenty (120) days or less may retain his Government quarters during his or her absence. If on completion of his or her contract he or she is offered a further tour of service, he or she shall pay rent for the period in advance.

Officer may retain his or her quarters whilst away from his or her station on duty or leave

(b) The Government shall not accept responsibility for looking after an officer's effects which are left in his or her quarters during his or her absence on duty or on leave. The securing of the quarters, furniture and all other contents is the responsibility of the officer who shall be held responsible for any loss of or damage to any Government property attributed to his or her neglect or of any servant employed by him or her.

Government not responsible for quarters and contents during absence of an officer

189. An officer shall not sublet the whole or any part of Government accommodation allocated to him or her. Any act of this nature shall constitute misconduct.

Officers not to sublet Government quarters

190. Government quarters shall not be allocated to part-time employees.

Government quarters not to be allocated to part time employees

191. No officer shall make alterations or additions to Government quarters without the approval of the Director of Buildings.

No alterations or additions to government quarters

192. When an officer is leaving Government quarters allocated to him or her, he or she shall complete an appropriate Housing Committee Form and send it to the Secretary of the Housing Committee or to the Quarters Officer within a reasonable period of time. The form must be sent in, at least three (3) weeks before he or she leaves the quarters.

Housing Committee Form to be submitted on leaving Government quarters

CAMP EQUIPMENT

193. An officer on field duties who is required to live in a caravan shall be provided with camp equipment prescribed by the Supervising Officer for which he or she will be responsible and which will remain in his or her personal charge until such time as he or she ceases to live in the caravan.

Camp equipment issued to officers living in caravans

CHAPTER XIII

MISCELLANEOUS

FICE INSTRUCTIONS AND CORRESPONDENCE

Strict observance of office instructions

esponsible Officer shall ensure that Government office uctions and such other instructions and directions as be issued from time to time are correctly followed by all ers under his or her supervision and control.

Correspondence general

An officer shall not take extracts from or copies of al correspondence for private use except with the oval of the Responsible Officer.

Before any official document is provided in evidence court of law the Responsible Officer's approval shall be ded by the words:-

"The Government has been advised that...."

Information to be sent to Zambian diplomatic missions abroad

inted annual, statistical or other information of general st prepared in Ministries, Institutions, Provinces, tments or Districts should be sent in duplicate through inistry of Foreign Affairs to the Government's diplomatic ns abroad.

Reports to be sent to the Director of National Archives

roduced annual, statistical or other reports of general t prepared in Ministries, Institutions, Provinces, tments or Districts should be sent to the Director of al Archives, clearly indicating whether the document in n is of an open or confidential nature.

Seniority

it is necessary to determine seniority between two or fficers, the following rules shall apply:

Officers on different grades

In the case of officers on different grades, seniority e determined by reference to the salary scales on they are serving, and the officer with the highest im point shall be the most senior;

Officers on same grades

In the case of officers on the same grade, seniority determined by reference to their date of appointment otion to that grade, the officer with the earliest date of ment or promotion being the most senior;

Other officers

Where seniority cannot be determined in nce with (a) and (b) above, it shall be decided by a Commission.

ACCIDENT, ILLNESS AND DEATH

Preliminary investigation of an accident causing injury to an officer

109. (a) If an officer is injured as a result of an accident sustained while he or she is on duty, an immediate preliminary investigation shall be made by his or her Head of Department or, by the senior officer at the station where the accident occurred. The report of the preliminary investigation shall be submitted by the quickest means to the officer's Responsible Officer and, in the case of an injury sustained while an officer is away from his or her headquarters in another Province, the report shall be made to the Permanent Secretary of the Province in which the accident occurred and copied to the officer's Responsible Officer.

Full investigation of an accident

(b) Immediately a preliminary report has been received, a full investigation shall be made by the Responsible Officer, or, in the case of injury sustained while an officer is away from his or her station in another province by the Permanent Secretary of the Province in which the accident occurred.

Appointment of Board of Inquiry

(c) The officer responsible, for making the full investigation shall request the Permanent Secretary of the Province to appoint a board to inquire into the circumstances of the accident on his or her behalf and to determine whether the accident occurred while the officer was on duty and whether the officer himself or herself was to blame for the accident in any way. The board shall normally consist of a Chairperson and three (3) other members who may include a Union representative.

Submission of Boards of Inquiry

(d) On receiving the report of the board, the officer responsible for making the investigation shall expeditiously forward it with his or her comments to the Permanent Secretary, Public Service Management Division.

Death and serious illness to be reported

200. A Responsible Officer or Head of Department shall report to the Permanent Secretary, Public Service Management Division, any critical or serious illness or death of an officer by the quickest possible means.

Convening of Medical Board

201. When an officer is seriously injured in an accident arising out of and in the course of duty, the Permanent Secretary, Ministry of Health shall appoint a medical board to determine the degree of disability suffered by the officer and submit the report to the Responsible Officer concerned who will forward it to the Permanent Secretary, Public Service Management Division.

Injury or death on duty compensation

202. If an officer is seriously injured and sustains a permanent disability or is killed in an accident arising out of and in the course of duty, he or she shall be entitled to compensation under the provisions of the Public Service Pensions Act, 1996, Act No. 35 of 1996.

Amount of compensation

PREFERENTIAL TREATMENT FOR OFFICERS WITH DISABILITY

Discretionary preferential treatment

203. A Responsible Officer may at his or her discretion provide assistance to any officer who has a registered physical disability.

LOSS OF OR DAMAGE TO PROPERTY

Limitation on liabilities to Government

204. (a) The Government will only accept liability for loss of or damage to an officer's personal property where the loss or damage occurs in circumstances in which the Government may legally be liable.

Liability for loss of or damage to personal property

(b) Where an officer or his or her family are travelling by air, train or public road transport, the Government shall accept liability for loss of or damage to an officer's personal property accompanying him or her or the family only to the extent that this will not be assumed by the carrier concerned and provided that the negligence of the officer or family shall not have been a contributory cause to the loss or damage.

No liability for carriage by commercial contract

(c) The Government shall not accept liability when an officer's personal effects are carried by a commercial contractor at his or her own request.

No liability for loss of cash

(d) The Government shall accept liability for the loss of cash only where the amount had been declared in advance and the Responsible Officer certifies to that effect.

FIRE AND LIFTS

Maintenance of lift and fire-fighting equipment

205. Responsible Officers and Heads of Departments must ensure that lifts, fire prevention and fire fighting equipment in buildings under their control are adequate and properly maintained.