

**PARLIAMENTARY SERVICE (STAFF) REGULATIONS, 1995**

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IN exercise of the powers conferred on the Parliamentary Service Board by section 18 of the Parliamentary Service Act, 1993 (Act 460) and with the prior approval of Parliament these Regulations are made this 22nd day of February, 1995.

## PART I—POSTS AND ENTERING THE SERVICE

### Regulation 1—Creation of Posts.

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

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

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

(a) The title of the post;

(b) The number of posts to be created, or the number of additional posts to be created if the post is already in existence;

(c) The salary or salary scale attached or to be attached to the post;

(d) The reason for the creation of the post or for the increase in the establishment;

(e) If it is a new post, a statement of the duties and the minimum qualifications required for appointment into the post; and

(f) Whether funds are available for the creation and filling of the post.

### Regulation 2—Appointing Authority.

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

### Regulation 3—Reporting of Vacancies.

The Clerk of Parliament shall report any vacancy to the Speaker within one month of the occurrence of the vacancy.

### Regulation 4—Qualification of Candidates.

No person shall be appointed, or in the case of a serving officer, be promoted to any post who does not possess the prescribed minimum qualifications, or requisite experience, or both, approved for the post except that where a serving officer has, by virtue of his duties and experience, acquired sufficient knowledge and skill, he may in exceptional circumstances be promoted to any such post, notwithstanding the fact that he does not fulfil the minimum qualifications provided in the Scheme of Service.

#### Regulation 5—Method of Filling Vacancies.

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

(2) Where an advertisement is made pursuant to sub-regulation (1) of this regulation the advertisement shall provide the following particulars—

(a) The designation of the post;

(b) The duties attached to the post;

(c) The minimum qualifications required for entry into the post;

(d) The salary or salary scale attached to the post; and

(e) The last date for receipt of applications.

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

#### Relation 6—Selection Committee.

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

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

#### Regulation 7—Appointment of Convicted Persons.

No person who has been convicted of an offence involving dishonesty or fraud or who has been dismissed from any public service because of dishonesty or fraud shall be appointed to any post in the Service.

#### Regulation 8—Full-Time Appointment.

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

#### Regulation 9—Contract Appointment.

(1) An appointment on contract may be made by the Board to such posts in the Service as the Board shall determine except that a contract employment shall not operate against the promotion of any serving employee.

(2) No contract appointment shall exceed two years in the first instance.

#### Regulation 10—Acting Appointment.

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

(2) No employee shall be required to act two grades or higher than his post.

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

#### Regulation 11—Letter of Appointment.

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

#### Regulation 12—Medical Examination.

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

#### Regulation 13—Declaration of Personal Records.

(1) On first appointment an employee shall be required to give particulars about himself on the Standard Form which shall be inserted in his personal file.

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

(a) His true age verified by a birth certificate where available;

(b) His home town;

(c) Whether he has previously been employed by any other institution or by the Government of Ghana and if so, why he left;

(d) Whether he has ever been convicted of a criminal offence;

(e) The name of his/her spouse;

(f) The name and address of his next of kin;

(g) Names of parents;

(h) Name of child (ren).

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

#### Regulation 14—Effective Date of Appointments.

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

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

#### Regulation 15—Probation Period.

- (1) A newly appointed person shall serve a probation of one year unless the Board on the advice of the Clerk reduces it; however such a reduction shall not exceed 3 months, and in case of such reduction, no increment shall be granted after the first 12 months of service.
- (2) Three months before the expiry of the probationary period, the Board shall consider whether on the expiry of the probationary period the appointment should be confirmed or a further probationary period not exceeding six months should be served or the employee's appointment should be terminated and take action accordingly.
- (3) The Board may, at any time, and for any good reason made known to the employee where possible, terminate the appointment of an employee who is on probation.
- (4) Where the termination is not due to the employee's misconduct he shall receive three calendar months' notice or three months pay in lieu of notice. In addition, he shall be granted his earned leave and be paid the normal transport allowance to his home town.

#### Regulation 16—Salaries and Increment.

- (1) The Board shall lay down the terms and conditions of service which shall include the salary structure, and the scheme of service applicable to posts in the Service.
- (2) Salaries paid to officers shall be in accordance with the salary scales approved for the Service.
- (3) Where an employee has been wrongly graded or placed on a wrong point on a salary scale, the Clerk shall cause the error to be corrected as soon as practicable, and any arrears that may be due to the officer shall be paid to him.
- (4) Where there has been an overpayment, the Clerk may, take reasonable steps to recover the amount.
- (5) Annual increment shall be granted to an employee up to the end of his scale provided he has not been advised in writing two months before the end of the salary year that his increment would be withheld for stated reasons.



(6) Any employee who has completed 12 months continuous satisfactory service shall be eligible for annual salary increment.

#### Regulation 17—Seniority.

Seniority among employees under the same salary conditions may be determined by the effective dates of appointment to their current posts; if the dates coincide in the case of appointment on promotion, then seniority may be determined by the effective dates of their previous appointments; if the dates of their previous appointments coincide; by their dates of births; if these also coincide; by the alphabetical order of their surnames.

#### Regulation 18—Promotions.

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

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

(a) Efficiency;

(b) Requisite qualifications;

(c) Seniority;

(d) Experience;

(e) Sense of responsibility;

(f) Initiative;

(g) Power of leadership;

(h) Power of expression;

(i) Relations with staff;

(j) Co-operation with members of administration;

(k) General attitude to work of the Service, i.e. re-sourcefulness, willingness to undertake other assignments in times of crisis—quality of independent action in taking decision, power of leadership; and

(1) General conduct.

#### Regulation 19—Annual Appraisal Report.

(1) There shall be submitted in respect of every employee an annual report which shall be discussed with him by the reporting officer before submission.

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

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

## PART II—CODE OF CONDUCT AND DISCIPLINARY MATTERS

### Regulation 20—Code of Conduct.

(1) Every member of staff of the Service shall show loyalty to the State, Parliament and the Service.

(2) Every member of staff shall discharge diligently all duties and tasks allocated to him with the aim of achieving the objectives of the Service as a whole.

(3) No member of staff shall in the course of his duties receive presents in any form which may have the effect of influencing his decision; nor shall he receive any compensation or reward for the performance of any official duty. He may not give any presents to other officers which may influence them in matters in which he is interested.

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

(5) No member of staff shall employ for private purposes, the services of other government officers or employees during hours of duty, nor shall he make use of materials, stores or apparatus which are the property of the State, except with the approval of the head of the department however services which may involve the use of government property may be rendered by government employees within the official working hours for the convenience of members of the public including members of staff, in return for a charge to be paid into the Consolidated Fund.

(6) No member of staff shall in his capacity act as agent for any member of the public or receive any payment from public funds on behalf of any member of the public.

(7) No member of staff may engage in business or any commercial undertaking and on appointment he shall declare to the Board his interest in any business or commercial undertaking.

(8) Where after appointment and in the course of his career he wishes to undertake any such business, he shall first obtain clearance from the Clerk.

(9) No officer may leave the office during office hours without permission. An officer leaving the office must inform a responsible officer where he can be located for his recall in an emergency.

(10) A member of staff who absents himself from duty on grounds of ill-health without being certified by a medical officer as unfit for duty is liable to be regarded as absent without leave and appropriate disciplinary action may be taken against him.

(11) A member of staff may not leave Ghana without permission from the Clerk.

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

(13) Where in the opinion of a member of staff the contents of any correspondence or records are prejudicial to the interest of the Service and the people of Ghana, he shall draw the attention of the Clerk to them. The Clerk shall study the records involved and initiate whatever action he considers necessary.

Regulation 21—Oath of Secrecy.

All officers shall subscribe to the Oath of Secrecy as provided in Schedule 1 to these Regulations.

Regulation 22—Discipline.

Any act amounting to any of the following offences shall constitute misconduct—

- (a) Failure or refusal to perform lawful duty;
- (b) Contravention of standing instructions;
- (c) Disobedience;
- (d) Dishonesty, e.g. stealing, fraud, forgery, receiving of stolen property;
- (e) Conviction for an offence involving dishonesty;
- (f) Falsehood;
- (g) Drunkenness on duty;
- (h) Insubordination;
- (i) Dereliction of duty;
- (j) Absence without leave;
- (k) Use of the Service's property without permission.

Regulation 23—Gross Misconduct.

Any act involving any of the following offences shall be an act of gross misconduct—

- (a) Insubordination;
- (b) Dishonesty;
- (c) Dereliction of duty;

(d) Conviction for an offence involving dishonesty;

(e) Repetition of a minor misconduct for which an employee has been found guilty on more than three previous occasions within a year;

(f) Breach of declaration of secrecy.

#### Regulation 24—Minor Misconduct.

Any act committed by an employee and amounting to any of the offences referred to in Regulation 22 of these Regulations but not included in the list of offences in Regulation 23 shall be considered to be an act amounting to a minor misconduct.

#### Regulation 25—Major and Minor Penalties.

The following are the penalties which may be imposed in disciplinary proceedings—

(a) For gross misconduct—

(i) Dismissal; or

(ii) Termination of appointment; or

(iii) Reduction in grade, except that the Board may impose any of the penalties prescribed by paragraph

(b) Of this regulation for a first offence;

(b) For minor misconduct—

(i) Deferment of increment;

(ii) Stoppage of increment;

(iii) Suspension from duty with loss of pay; or

(iv) Reprimand or warning.

#### Regulation 26—Criminal Prosecutions.

Where criminal proceedings are pending, disciplinary action shall be suspended except that the employee concerned may be interdicted by the disciplinary authority.

#### Regulation 27—Disciplinary Action After Acquittal.

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

Regulation 28—Conviction for Dishonest Offence.

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

Regulation 29—Non-Payment of Salary on Conviction.

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

Regulation 30—Interdiction or Suspension.

(1) In any case, where, subject to the provisions in this Part, the Board considers that the interest of the Service requires that the employee should cease immediately to perform his duties, the Board may either interdict him or suspend him in exceptional circumstances from duty if proceedings for a suspected gross misconduct are being taken or if criminal proceedings are being instituted against him

(2) Where, in the opinion of the Clerk a period of 48 hours will elapse before the decision of the Board is received, the Clerk may order an interdiction or suspension with loss of pay and report the facts immediately to the Board stating his reasons for the action taken by him, and the Board may ratify the order or cancel the order of the Clerk.

Regulation 31—Payment of Salary on Interdiction.

An employee interdicted from duty under Regulation 30 shall, with effect from the date of the interdiction and subject to sub-regulation (2) of regulation 30 be paid 50% of his salary after all deductions have been made from it.

Regulation 32—Payment of Forfeited Portion of Salary.

If an employee is acquitted of charges for which he has suffered interdiction or suspension with loss of pay and any disciplinary proceedings instituted against him after that do not result in his dismissal, that portion of his salary withheld shall be restored to him.

Regulation 33—Absence without Leave.

(1) Subject to sub-regulation (2) of this regulation, any employee who absents himself from duty without permission or reasonable cause shall forfeit his pay for the period during which he is absent.

(2) In addition to the penalty prescribed under sub-regulation (1) of this regulation but without prejudice to the taking of disciplinary proceedings in respect of any absence from duty without permission or reasonable cause, where an employee is absent from duty without permission or reasonable cause for a period exceeding 10 consecutive working days the employee may be considered to have vacated his post and the Board may declare his post vacant.

Regulation 34—Penalties Involving Increment.

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

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

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

(4) Where at the end of any disciplinary proceedings or enquiry the Board is satisfied that no case has been made justifying the withholding or deferment of the increment, the Board shall restore the increment with effect from the date of its suspension.

(5) Deferment of an increment means the changing of the incremental date and it is the severest of three forms of penalties concerning increment. For instance, if an employee's increment is deferred from 1st April to 1st October, the penalty implies that he shall receive no increment whatever for the six months from 1st April to 30th September and that his new incremental date shall be 1st October.

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

#### Regulation 35—Disciplinary Proceedings.

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

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

#### Regulation 36—Procedure for Formal Proceedings.

(1) The procedure provided in this regulation shall be followed in all cases of formal proceedings—

(a) The Board shall cause a preliminary enquiry to be made in the case during which the accused employee shall be called upon to explain in writing his conduct;

(b) after the preliminary enquiry, the Board shall, if it decides that the accused employee should be charged with an offence, frame charges against the accused employee and appoint a senior employee to hold an enquiry into the charge or charges, and this senior employee, who shall be of a grade higher than the grade of the accused employee, shall be known as the Enquiry Officer, except that where there is no competent Senior employee to serve as Enquiry Officer a member of the Board may be appointed by the Board to serve as Enquiry Officer under this regulation;

(c) no documentary evidence shall be introduced during the proceedings of the disciplinary enquiry, unless the accused employee has been given a reasonable opportunity before to study the contents of the document; if in the course of the enquiry fresh documents are introduced in

evidence, the enquiry shall be adjourned to allow either the accused employee, or the Enquiry Officer himself, as the case may be to study the document;

(d) Where an accused employee is charged with an offence under this regulation and he pleads guilty to that offence, the Enquiry Officer shall record the plea of guilty and report to the Board;

(e) the accused employee shall be permitted to be present at the enquiry and shall be entitled to defend himself; if he is absent without reasonable excuse, then at the discretion of the Enquiry Officer, the enquiry may proceed without him;

(f) the accused employee shall be allowed to tender any document in his possession, cross-examine witnesses and call witnesses on his own behalf, and the Enquiry Officer shall, so far as practicable, also make available to him any requested relevant official document at any stage of the proceedings;

(g) The Enquiry Officer shall not be bound to make available to the accused employee any document which he considers to be confidential or restricted;

(h) Full record of the evidence shall be kept in writing;

(i) on completion of the enquiry, the Enquiry Officer shall submit to the Board a record of the evidence including any documents tendered in evidence and his findings as to whether the charge or charges have been proved, together with a brief statement of his reasons for the findings;

(j) On receipt of the report of the Enquiry Officer the Board shall consider the findings, and if it is satisfied that the charge or charges are established it shall, subject to the provisions of Regulation 25 of these Regulations decide what penalty, if any, should be imposed;

(k) the Board shall, as soon as practicable, cause the accused employee to be informed in writing as to whether the charge or charges are established, and what penalty, if any, has been imposed;

(l) If found guilty, the employee shall be informed of his right of appeal under Regulation 41 of these Regulations.

#### Regulation 37—Summary Proceedings.

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

(2) Upon submission by the accused employee of his reply to the charge, the Board may then take a decision on the matter, subject to the provisions of Regulation 25 of these Regulations.

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

Regulation 38—Criminal Conviction of Employees for Offences Committed against anybody other than the Service.

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

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

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

(4) If in the circumstances stated in sub-regulation (2) of this regulation the accused employee is convicted of the offence and he is on interdiction, the Board shall subject to Regulations 28 and 29 of these Regulations cause the convicted employee to be called upon in writing to show cause why he should not be dismissed or otherwise punished for having brought the Service into disrepute, and the convicted employee shall reply within 14 days after the date on which he received the notice to show cause.

(5) If a convicted employee who has been directed under sub-regulation (4) of this regulation to show cause why he should not be punished for bringing the Service into disrepute does not reply by the date specified, the Board may assume that he has no representations to make.

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

(7) On receipt of a convicted employee's reply in answer to a direction addressed to him under sub-regulation (4) of this regulation the Board may, subject to regulation 25, impose such of the penalties prescribed by that regulation as it may consider appropriate.

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

(9) Where notice of appeal of a conviction has been given by a convicted employee who is on interdiction, he shall continue to remain on interdiction until the appeal has been disposed of. If the appeal authority upholds the judgment of the court below, the Board shall proceed in accordance with sub-regulation (3) or (4) of this regulation as the case may be.



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

#### Regulation 39—Private use of Property of the Service.

Subject to these Regulations no employee shall make private use of any property of the Service unless otherwise authorised by a competent authority.

#### Regulation 40—Private Business.

(1) No employee shall without permission in writing of the Board carry on any private business for reward.

(2) No employee shall carry on or engage in any activity which the Board has declared to be contrary to the interest of the Service.

#### Regulation 41—Appeals Against Disciplinary Decisions.

(1) An employee who is dissatisfied with a disciplinary decision taken against him may, subject to the provisions of disciplinary this regulation, appeal against the decision to the Board within 28 working days after the date of the decision has been communicated to him, unless the Board extends the time for appeal.

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

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

(4) After considering any appeal or petition made to it the Board may confirm, reverse or modify the decision appealed or petitioned against.

### PART III—PETITIONS

#### Regulation 42—Petitions.

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

(2) A member of staff who is aggrieved by any administrative matter may petition his head of department.

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

(4) The Petition must be forwarded immediately by the receiving officer to the Clerk with a report indicating—

- (a) The material allegations made in the petition, and the redress asked for;
  - (b) The actual facts of the case as ascertained by the reporting officer;
  - (c) Reference to any previous and connected petition of which he has knowledge.
- (5) The reporting Officer may add such remarks on the subject as he thinks necessary, and shall conclude with a recommendation of the answer which he considers should be given to the petitioner.
- (6) In the event of a petition being adjudged frivolous or without adequate grounds the petitioner may be so informed officially and the fact may be recorded in his Service Record Card.
- (7) A petition submitted otherwise than in this way shall be returned to the sender; when copies are sent direct to the appointing authority, they shall be treated as having been sent for information only.
- (8) Where a petitioner has previously been in government service and where the substance of his petition refers to such service, it is in his interest that he should comply with the rules applicable to serving officers.
- (9) A petition must bear the signature and the address of the petitioner. When it has been written by a person other than the petitioner, the signature and address of the writer must be included.
- (10) A petition submitted on behalf of another person shall not be entertained unless the author can show that he had been authorised to write on behalf of the person.
- (11) A petition which—
- (a) Does not comply with the instructions of the Service on petitions; or
  - (b) Deals with cases in which legal proceedings are pending; or
  - (c) Is illegible, unintelligible or worded in abusive or improper language is liable to be returned by the officer to whom it is first submitted.
- (12) Where a petitioner is dissatisfied with the decision of his head of department or section he may petition the Clerk.
- (13) The aggrieved officer may further petition the Board if he is dissatisfied with the decision of the Clerk or if the Clerk is the subject matter of the petition.
- (14) Where the petition is an appeal against an order made in disciplinary proceedings by the Clerk or other officers exercising powers of disciplinary control, the petition must be submitted within the time limit prescribed in the Service Regulations.
- (15) A petition shall not be entertained if—
- (a) The petitioner has unreasonably delayed its submission; or

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

#### PART IV—HOURS OF DUTY, VACATION, LEAVE AND TRAINING

##### Regulation 43—Hours of Work.

(1) The hours of duty of employees in the Service shall be such as the Board shall determine except that every employee shall work for a minimum of 35 and a maximum of 45 hours a week.

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

Monday to Friday      8.00 a.m. — 12.30 p.m.

                                 1.30 p.m. — 5. 00 p.m.

(3) An attendance register shall be kept in every department. Every staff shall enter his name daily, and shall place against it the hour of his arrival and departure from the Office. This book shall be examined and initialled weekly by an officer delegated by the head of department.

(4) Sub-regulation (3) of this regulation shall apply to such grade of officers as the Clerk shall direct.

##### Regulation 44—Annual Leave Vacation.

(1) Subject to the provisions of this regulation employees in the Service shall be entitled to vacation leave in respect of each calendar year as provided in the Schedule 2 to these Regulations.

(2) Leave shall be enjoyed subject to the exigencies of the Service and does not include Saturdays, Sundays or public holidays.

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

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

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

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

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

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

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

(10) A Ghanaian member of staff who wishes to spend his leave at his own expense out side Ghana must obtain permission from the Clerk prior to his departure.

(11) If a member of staff is abroad either on a course, duty or conference, the Clerk may grant him annual leave to be spent there, provided that no additional expenditure is thereby incurred on passages or allowances and provided further that any report which the staff concerned is required to submit will not be unduly delayed.

(12) Where an officer has spent more than the proportionate leave for which he is eligible the number of excess days spent shall be deducted from his annual leave for the subsequent leave year irrespective of whether he will be eligible for full or proportionate annual leave.

(13) Where an officer leaves the service when he has not earned enough to effect the excess leave, he shall be required to refund the salary drawn in respect of the excess period. The excess days shall be treated as leave without pay.

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

(15) For the purpose of this calculation and provided the service is continuous, any part of a month, to which the higher leave rate applies will count a complete month at that rate.

(16) Before going on leave a member of staff shall notify in writing his leave address to the officer in charge of personnel matters.

(17) It is the responsibility of the Clerk to prepare and maintain annual leave rosters for members of staff. Such leave rosters shall be prepared during the last quarter of the current leave year for the ensuing year. The Clerk shall then notify all officers in their Departments by first week in January when they will proceed on leave.

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

(19) A member of staff who joins the Service during the leave year may apply to the Clerk for leave in time for him to be granted all the leave for which he is eligible before the end of the leave year. Such application shall, if possible be made one month before the officer proceeds on leave.

#### Regulation 45—Casual Leave and Special Leave.

(1) Subject to the exigencies of the Service, casual leave of up to a maximum of 10 days in each year may be granted to an employee at his request except that the leave may only be taken after the employee has exhausted all vacation leave granted under Regulations 44 of these Regulations.

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

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

#### Regulation 46—Sick Leave.

(1) It is the duty of the Clerk and medical officers to ensure that no member of staff is excused from duty when his state of health does not warrant it.

(2) A member of staff may be granted vacation leave on medical grounds. An application for such leave must be supported by a certificate from a medical officer.

(3) A member of staff placed on sick list shall be treated as follows—

(a) He shall be regarded as absent on sick leave if, not being on leave, he is absent from duty through ill-health duly certified and not caused by his own default;

(b) If he is prevented by ill-health, duly certified, from returning to duty at the end of his vacation leave he must take the remainder of his earned leave, if any and on the expiry of all his vacation leave, he shall be regarded as being on sick leave.

(4) The maximum period of sick leave, which may be granted on full salary are up to 6 months and half salary for another 6 months. Any period of sick leave in excess of these periods shall be without salary.

(5) Where the illness is not due to his own fault, the period an officer is on sick leave without pay shall be reckoned for incremental purposes.

(6) Sick leave without pay shall not constitute a break in service.

(7) The Clerk may grant a member of staff sick leave up to three months on the recommendation of a medical officer.

(8) If after three months the officer is still unfit to resume duty, the Clerk shall request the nearest Government medical authority to convene a Medical Board to consider whether there is any reasonable prospect of eventual recovery or whether the person should be invalided from the Service.

(9) Where the Medical Board considers that there is a reasonable prospect of the officer's eventual recovery, it may recommend the grant of further sick leave for three months.

(10) At the expiry of the further sick leave, the Clerk shall again request the nearest Government medical authority to convene a Medical Board on the lines stated above.

#### Regulation 47—Leave Without Pay.

Leave without pay may be granted to officers at the discretion of the Board on an application made through the Clerk or in the case of the Clerk to the Board directly.

#### Regulation 48—Training.

The Board shall upon the recommendation of the Clerk make such arrangements as it considers expedient for the provision of such training for the employees in the Service as would ensure the maintenance at all times of a high standard of efficiency.

#### Regulation 49—Study Leave.

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

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

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

(a) To qualify the officer for immediate promotion, if so, to what grade;

(b) To enhance his prospect of eventual promotion to a higher grade; and if so what grade;

(c) To enhance the officer's efficiency in his present grade.

(4) The timing and duration of such a course shall depend on the exigencies of the Service and the terms and conditions shall be spelt out by the Board at the time of the award. The Board may consider extension of time if circumstances so demand.

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

(6) Officers who travel from abroad to assume duty, after a course of not less than one year, shall be entitled on arrival, to 10 working days resettlement leave. The leave shall commence immediately following his disembarkation.

(7) Officers should report their arrival as soon as possible to the clerk either verbally or by telephone after disembarkation.

#### Regulation 50—Financial Aid or Private Studies.

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

## PART V—ALLOWANCES AND ADVANCES

### Regulation 51—Acting Allowance.

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

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

### Regulation 52—Duty Allowance.

Staff of the Service are entitled to 30% of basic salary as duty allowance monthly.

### Regulation 53—Out of Station Night/Subsistence Allowance.

(1) Where a senior member of staff is expected by his work to spend the night away from his recognised station of employment, he shall be provided with accommodation in a hotel. (his expenses, i.e. bed, breakfast, lunch and dinner, excluding drinks) supported by receipts shall be borne by the Service in which case no subsistence allowance shall be paid.

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

### Regulation 54—Outfit/Warm Clothing.

Employees proceeding overseas on official assignments—e.g. conference, study tours, and on scholarships, etc, shall be entitled to outfit/warm clothing allowance as approved by the Board.

### Regulation 55—Housing Allowance.

(1) Subject to the provisions of this Part, housing allowance shall be paid to employees of the Service at the rate of 20% of their gross monthly salaries.

(2) Where subsidised accommodation is provided by the Service to an employee, or where an employee is residing in a Government bungalow, no housing allowance shall be paid to him while he lives in such accommodation. In the case of an employee living in accommodation provided by the Service, he shall be liable to pay rent at such rate as the Board may determine; and in the case of an employee living in a government bungalow, he shall pay the rent specified by the Government.

### Regulation 56—Vehicle Maintenance Allowance.

Staff of the Service who use their personal vehicles for official jobs shall be paid vehicle maintenance allowance as approved by the Board.

### Regulation 57—Fuel Allowance.

Senior Staff of the Service who have cars shall be entitled to 40 gallons of fuel per month or its equivalent allowance in cash.

Regulation 58—Utility Allowance.

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

Regulation 59—Risk Allowance.

Staff of the Service shall be paid 20% of basic monthly salary as risk allowance.

Regulation 60—Commutated Mileage Allowance.

(1) Where the nature of duties of an employee with his own means of transport is such that it necessitates excessive journeys outside 16 kilometres radius from the office, he shall be eligible for commuted mileage allowance which shall be 50% of his monthly car maintenance allowance and which shall be approved by the Board.

(2) An employee, residing outside 16 Kilometres radius, shall be eligible for commuted mileage allowance.

(3) All employees offered accommodation by the Service within the above mentioned radius and who refuse it shall not be eligible for this allowance.

Regulation 61—Mileage Allowance.

Employees of the Service with means of transport shall be paid mileage allowance as approved by the Board.

Regulation 62—Baggage Allowance on Assumption of Duty/Resignation or Retirement, Redundancy/ill- Health.

(1) Where an entitled employee travels within Ghana by rail or road—

(a) On assumption of duty on first appointment, or on grounds of redundancy; or

(b) On retirement, termination or on ill-health, supported by qualified medical advice; or

(c) on resignation after five years continuous service with the Service, he shall be provided free transport by the Service or cash each in lieu agreed to by the Board to his home town.

(2) The facility shall not be extended to an employee who fails to apply for it after three months from the date he became entitled.

Regulation 63—Domestic Servant Allowance.

The Clerk, Deputy and Principal Assistant Clerks and analogous grades shall be entitled to Domestic Servants Allowance at a maximum point to scale A. 15.



Regulation 64—Overtime Allowance.

Employees of the Service who are adjudged by the Clerk to have done overtime shall be paid overtime allowances at rates approved by the Board.

Regulation 65—Clothing Allowance.

Employees of the Service shall receive annually a clothing allowance for purchase of 2 pairs of the prescribed Uniform to enable them maintain the dignity of Parliament

Regulation 66—Salary Advance.

The Clerk may subject to ratification by the Board grant an officer a salary advance of up to two months gross salary to be repaid, without interest, over a period of twelve (12) months.

Regulation 67—Advance to Purchase or Repair Means of Transport.

(1) The Board may grant advances to employees to purchase means of transport or repair means of transport at rates approved by the Board.

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

Regulation 68—Housing loan.

A senior staff of the Service may be granted housing loan not exceeding 30 times his annual gross salary.

Regulation 69—Special Advance.

(1) The Board may also grant special advance to an employee of the Service for any sufficient or appropriate reason assigned by the employee, and the advance shall be interest-free and shall be recovered from him in 12 equal monthly instalments by way of deductions at source from his salary.

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

Regulation 70—Limitation for Illness.

Except with the prior approval of the Board, no advance shall be made to an employee which will result in the total monthly refund by the employee of all advances exceeding forty percent of the employee's gross monthly salary.

**PART VI—MEDICAL FACILITIES AND SICK LEAVE**

Regulation 71—Prevention to Work by Advances.

(1) An employee who is prevented by illness from performing his duties at his place of work shall immediately inform his Head of Department of his illness and report to a medical officer.

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

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

(4) The Clerk or an officer authorised by him may excuse staff from duty on grounds of ill-health for a period not exceeding 48 hours at any given time or not exceeding a maximum of 7 days a year.

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

(6) A medical report from a medical officer shall be issued whenever a staff member is—

(a) Excused from duty;

(b) placed on light duty;

(c) Fit to resume duty;

(d) Admitted to hospital (the date when the patient should return to duty will be stated);

(e) Required to attend hospital as an out-patient.

(7) A medical officer shall report direct under confidential cover to the appropriate head of department where in his opinion, the officer is refusing or neglecting to carry out the medical advice he has been given.

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

#### Regulation 72—Medical Expenses.

(9) Free medical attention (which includes attention at Government assisted mission hospitals) shall be provided for staff, including trainees and their families.

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

(3) Where a Government dental surgeon is not readily available, a claim on account of expenses incurred by a staff in respect of the fees of private dentist in Ghana will be paid by the Service, subject to the following conditions—

(a) That the claim is supported by the certificate of a medical officer that dental attention is a matter of urgency;

- (b) That a medical officer has specified the dentist whom the staff should see for treatment;
- (c) That the fees are in respect of attendance which would normally be provided free.

Regulation 73—Refund of Medical Expenses Incurred Abroad.

The Board in consultation with the Minister of Health may recommend refund of medical expenses (excluding charges for maintenance) recalculated at Ghana rates, incurred by an officer outside Ghana, provided that:

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

Regulation 74—Treatment Abroad.

Where a member of staff falls sick and there are not facilities in Ghana either to diagnose the disease or for its proper treatment, on the recommendation of a Medical Board consisting of three persons two of whom should be medical specialist, the staff shall be sent for treatment abroad at government expense.

Regulation 75—Seriously Ill Employees.

- (1) The following procedure shall be observed with regard to staff seriously or dangerously ill.
- (2) When a member of staff is placed on the dangerously ill or seriously ill list the medical officer responsible for the patient shall immediately report the fact by the fastest means possible to the Head of department.
- (3) The head of department shall be responsible for informing the Officer's relatives. The head of department should be duly informed for the attention of the officer in charge of personnel matters in the Service.

Regulation 76—Medical Board.

- (1) If at the end of the period of full pay for sick leave under these Regulations, the employee has not recovered and returned to duty he shall be granted further sick leave on half-pay.
- (2) If he has not recovered by the end of the half-pay period, the sick employee shall be referred to a Medical Board which shall ascertain whether there is any reasonable prospect of his eventual recovery or whether the employee should be invalidated from the service of the Council.
- (3) If the Medical Board considers there is a reasonable prospect of the employee's eventual recovery it may recommend the granting of a further sick leave for two months.

(4) At the expiry of the further sick leave, the employee shall again be referred to a Medical Board.

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

(6) It is the responsibility of the Clerk to convey to the employee the findings of the Medical Board.

#### Regulation 77—Maternity Leave.

(1) A female employee, on becoming pregnant, shall be entitled to be granted three months' maternity leave on full pay, provided she shall have served her probation period.

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

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

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

(5) A female member of staff on returning to duty after maternity leave, will be given the opportunity to go home each day after 6 hours of duty, for a maximum of nine months, to nurse her baby.

(6) No female employee shall be dismissed on the ground that she is pregnant or on any ground whatsoever during the period when she is on maternity leave.

#### Regulation 78—Meaning of "Family" and "Medical Officer" in this Part.

In this part of the Regulations unless the context otherwise requires—

"Family" means husband or wife and all infant children up to 18 years (maximum of four children);

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

#### PART VII—MISCELLANEOUS PROVISIONS

##### Regulation 79—Leaving the Service.

(1) The appointment of a senior officer may be terminated by the Board giving him three months' written notice or paying him three months' salary in lieu thereof or by the senior officer giving the Board three month's written notice.

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

(3) Employees on contract terms may leave the service in accordance with the terms of their appointment.

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

(5) An employee shall retire on reaching the compulsory retiring age of 60 years but may retire voluntarily on reaching the age of 45.

#### Regulation 80—Long Service Award Scheme and Certificate of Service.

(1) The Service shall run a long service award scheme for members of staff in accordance with rules decided upon by Management. Payment of long Service award will be made in either of these two instances—

(a) For 15 years' service; or

(b) For 20 years' service, at rates to be determined by the Board.

(2) The payment shall be made once in the working life of a staff member.

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

#### Regulation 81—Handing over Procedure.

(1) The following rules shall be observed whenever an employee hands over his duties to an employee taking over from him.

(2) In addition to handing over all papers, books, stores, etc. the employee handing over is required to give a detailed statement as regards all matters affecting his duties and to note down particulars of any question likely to cause difficulty as well as any matter requiring special attention for the guidance of the employee taking over.

(3) If after an employee has left, it is found that the handing over has not been properly and systematically done either as regards the handing over of special books, the Board's properties, documents, etc. he may be recalled at his own expense.

(4) Where an out-going employee is responsible for cash, furniture, stocks, etc., the incoming employee shall sign the inventory and books.

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

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

#### Regulation 82—Death of Employee.

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

(2) The Service shall provide a coffin and shroud and transport to convey the dead body to the place of burial. The spouse and children of the deceased employee, if any, shall be provided appropriate transport to convey them to their home-town in Ghana or pay an appropriate transport allowance in lieu of transportation. The Service shall provide transport and allow a reasonable number of employees to convey the deceased to the place of burial.

(3) The spouse/and or dependants of a deceased employee shall be allowed to live in the house or other accommodation provided by the Service which the deceased was occupying at the time of his death for up to a period of six (6) months from the date of death and that rent due for occupying the house by dependants shall be borne by the Service.

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

(5) Any earned leave of a deceased employee shall be commuted into cash.

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

(7) In cases of death where a staff has exhausted his entitlements to six months sick leave on full pay; and is on half pay, an ex-gratia of up to six (6) months salary at half rate shall be paid.

(8) Where the ex-gratia grant under (a) or (b) above will be less than three months' salary, the Board may, at its discretion consider what payment shall be made.

(9) Final salary and ex-gratia grant of a deceased employee shall be paid as follows—

(a) To immediate dependants i.e. spouse and children;

(b) In the absence of spouse and children entitlements go to names on employee's nomination form;

(c) In the absence of (a) and (b) of this sub-regulation entitlements shall go to the family.

#### Regulation 83—Welfare Fund.

The Service shall recognise the establishment of a Staff Welfare Fund. Details of the Welfare Fund shall be provided in the rules governing the Fund.

#### Regulation 84—Pension and Social Security.

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

Regulation 85—Staff Durbars.

- (1) The Clerk shall hold monthly staff durbars to discuss the programmes, productivity and other matters of interest to employees of the Service.
- (2) The Clerk shall ensure that the durbars also provide platform for educating the workers on current government policies and objectives.
- (3) Record of proceedings of durbars shall be made and preserved and copies shall be lodged with the Board.

SCHEDULES

SCHEDULE 1

The Oath of Secrecy (Regulation 21)

I, ..... holding  
the office of.....do

(In the name of the Almighty God swear) (solemnly affirm) that I will not directly or indirectly communicate or reveal to any person any matter which shall be brought under my consideration or shall come to my knowledge in the discharge of my official duties except as may be required for the discharge of my official duties or as may be specially permitted by law. (So help me God).

SCHEDULE 2

Annual Leave, Vacation (Regulation 44 (1))

Officer	No. of days
Clerk	.....

.....  
.....  
Speaker of Parliament (Chairman)

HON. MR. J. H. OWUSU-ACHEAMPONG

Majority Leader (Member)

HON. DR. OWUSU AGYEKUM

Minority Leader (Member)

HON. MRS. CECILIA A. EDU

Member

MR. J. N. A. HYDE

(Member)

**MR. S. N. DARKWA**

**Acting Clerk of Parliament**

**Date of Gazette Notification: 22nd February, 1995.**