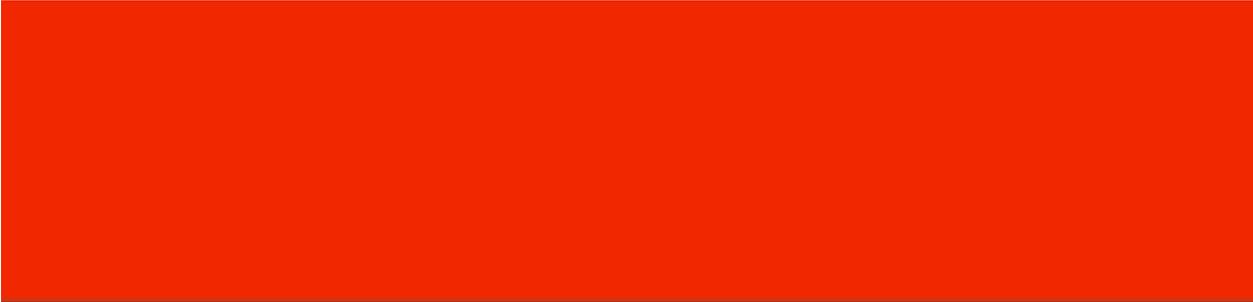




REPUBLIC OF THE GAMBIA
PERSONNEL MANAGEMENT OFFICE
New Administrative Building
The Quadrangle
Banjul



THE GENERAL ORDERS FOR
THE PUBLIC SERVICE OF THE
GAMBIA



REVISED EDITION, SEPTEMBER 2013

PREFACE

1. This edition of General Orders revises and replaces the 1994 edition. It includes a number of new Orders and amends or deletes many of the General Orders issued in 1994. The changes reflect the organizational structure of the Public Service following the enactment of the Public Service Act 1991 and Public Service Regulations 1994 and particular attention is invited to the new arrangements for appointments and promotions etc; the introduction of an “appointing authority”, defined in G.O. 01101; the devolution of certain powers from the Public Service Commission under Section 111(2) of the Constitution; and the role of the Permanent Secretary in the Personnel Management Office. The overall aim of the new arrangements is to introduce a managerial concept into the Public Service and, insofar as is compatible with the generally accepted structure of the Service, to delegate as much responsibility as possible to operational Ministries and Departments.
2. General Orders apply to all Public Officers and together with the Public Service Act and Regulations, they constitute the system under which Public Officers are engaged and employed. In any case where the provisions of General Orders and the Public Service Act and Regulations conflict, the Act or Regulations will apply.
3. The first and second figures of an Order indicate the number of the Chapter, the third figure the number of the Section within the Chapter, and the fourth and fifth figure the number of the Order.

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Chapter 1

DEFINITIONS

01101. In these General Orders, the following terms:

“Government”

“Cabinet”

“Minister”

“Permanent Secretary”

“The Public Service”

Have the meanings assigned to them by the Constitution.

“Appointing authority” means any person or authority having power, whether delegated or otherwise, to appoint to office in the Public Service;

“Commission” means the Public Service Commission (P.S.C) established under Section 172 of the Constitution;

“Contract” means an appointment for a specified period at the end of which the person appointed shall be entitled to a gratuity;

“Established post” means any Public Office contained in the Recurrent Estimates;

“Head of Department” means a Permanent Secretary or any person holding an office listed in the Schedule to the Regulations.

“Officer” means a person holding or acting in a Public Office;

“Organization” means a public enterprise, local authority or other undertaking which has been approved by the Commission for the purposes of the Act;

“Permanent appointment” means an appointment made to an established post in terms which entitle the holder to a pension in accordance with the provisions of the Pension Act;

“P.M.O.” means the Personnel Management Office;

“Public Office” means any office of emolument in the Public Service;

“Public Officer” means a person holding or acting in a Public Office;

“Public Service” means, subject to the provisions of section 173 of the Constitution, the Civil Service of the Government of The Gambia;

“Regulations” means the Public Service Regulations;

“Scheme of Service” means the qualifications and levels of experience required for entry into an employment in a Public Office for which a Scheme of Service has been approved by the Commission and is applied;

“Secondment” means an arrangement between the Government and an organization approved by the Public Service Commission, whereby an Officer is regarded as being on loan to an organization with the intention that he/she will, at the end of the period of secondment, return to a Public Office;

“Temporary appointment” means an appointment to a Public Office on terms which do not entitle the holder to a pension;

“Transfer” means an arrangement whereby an Officer moves on a permanent basis to other employment, either within the Public Service or with an organization, and there is no foreseeable intention that he/she will return to the Ministry or Department in which he/she was employed prior to the move taking place;

“The Act” means the Public Service Act.

01102. While all Officers are subject to General Orders, some Officers, for example members of the Police Force, are also subject to statutory control. In such cases, the provisions of the statute take precedence over General Orders.

01103. The following Categories shall be used where necessary:

Category V, Officers in Grades 11 and above
Category IV, Officers in Grades 7 to 10
Category III, Officers in Grades 4 to 6
Category II, Officers in Grades 2 and 3
Category I, Officers in Grade 1

Chapter 2

APPOINTMENTS, PROMOTIONS, RESIGNATIONS AND RETIREMENTS

SECTION I: Appointments and Promotions

- 02101.** All appointments and promotions, with the exceptions listed in the Constitution of The Gambia, will be made, in writing, in accordance with the Act and Regulations.
- 02102** All appointments from Grade one (1) to two (2) shall be delegated by the Public Service Commission to Heads of Departments, Ministries, and Agencies subject to adherence to prescribed criteria stipulated in the specified rule books. The Public Service Commission shall monitor the exercise of delegated authority from time to time to ensure that the established guidelines and criteria are followed to prevent abuses, anomalies and subjectivity.
- 02103** The minimum qualifications for appointment to any post in the Public Service are stipulated in the Scheme of Service applicable to that post.
- 02104** The procedure for recommending appointments and promotions are contained in the Act, Regulations and Schemes of Service. All such recommendations must take merit into account.
- 02105** Candidates for appointment are required to submit to the appointing authority:-
- i. an application on the prescribed form;
 - ii. Satisfactory evidence that they fulfil the minimum requirements for appointment to the post for which they are applying;
 - iii. a birth certificate or affidavit sworn before a Notary Public certifying date and place of birth. Such certificate or affidavit will not be subsequently altered or amended;
 - iv. one or more testimonials.
- 02106** Candidates for appointment may be required to attend an interview as

part of the selection process, and/or take a written test as part of the selection procedure.

- 02107** Candidates selected for appointment will be required to produce a certificate of medical fitness, signed by a Government Medical Officer and a certificate of character by the police, before being offered an appointment.
- 02108** All new employees upon assumption of duty should be provided with all the legal and regulatory instruments of the Public Service and shall be required to familiarize themselves with them. It shall be the responsibility of individual Ministries and Departments to provide the required instruments.
- 02109** All new employees shall be required to undergo inter alia an intensive induction course on the legal and regulatory instruments of the Civil Service and any other relevant subjects.
- 02110** All appointments shall be subject to a probationary period of one year. Confirmation of appointment shall be subject to a satisfactory appraisal report on the Officer's performance and conduct. Such reports shall be submitted at the end of the probationary period to the Public Service Commission through the Permanent Secretary, PMO.
- 02111** After confirmation of appointment, the Officer's performance and conduct shall be annually evaluated through the regular completion of an appropriate performance appraisal instrument which shall be submitted by the Head of Department or Permanent Secretary to the Permanent Secretary, Personnel Management Office, for appropriate action.
- 02112** To expedite the process of appointment, promotion and discipline of teachers, the Public Service Commission shall delegate to the Permanent Secretary, Ministry of Basic and Secondary Education, authority to make appointments and promotions and enforce discipline of teachers in Grades 6-8. This function shall be performed through a properly constituted committee. The Public Service Commission shall supervise and monitor the exercise of the delegated authority to avoid anomaly and unfair treatment.

- 02113** No Officer may be confirmed in his/her appointment while he/she is on sick leave.
- 02114** Every letter of appointment or promotion shall specify:-
- (a) the precise designation of the post to which appointment or promotion is being made;
 - (b) the terms of the appointment or promotion, whether it is temporary or permanent, pensionable or not, and the period of notice required to terminate it;
 - (c) the grade applicable to the post;
 - (d) the salary payable;
 - (e) the effective date of the appointment or promotion;
 - (f) the length of probation or trial period to be served;
 - (g) a statement that the appointment will not take effect unless it is accepted in writing;
 - (h) in the case of a permanent appointment, that the appointment will not be effective until after the appointee has passed a medical examination and provide certificate of character from the Police.
- 02115** Appointing authorities will ensure that all Officers appointed by them sign a Declaration of Secrecy.
- 02116** Appointing authorities will ensure that all appointments, confirmations, promotions, dismissals and transfer of Public Officers follow the procedures laid down by the Personnel Management Office.
- 02117** The incremental date will be the effective date of appointment or promotion as the case may be.
- 02118** Subject to the approval of the Commission, an outstanding Officer may receive more than one increment within his/her grade in one year.

- 02119** Longevity increments, equal to 10% of one's basic salary, will be paid to an Officer who stagnates at the top of his/her scale. The first increment will be paid two years after the date the Officer reaches the top of the scale, and will be paid after each stagnation period of five years thereafter. Longevity increments are pensionable emoluments.
- 02120** Increments will be paid automatically by the Directorate of National Treasury unless notification has been received that the increment has been deferred.
- 02121** An Officer's salary on promotion will be:-
- (i) the minimum of the new scale if the new scale of the salary he/she was receiving before promotion was less than the minimum of the scale to which he/she has been promoted;
 - (ii) the next incremental point in the scale above his/her salary before promotion if his/her salary before promotion was the same or greater than the minimum of his/her new scale.
- 02122** No Officer will be eligible for promotion unless his/her appointment has been confirmed.
- 02123** Temporary appointments shall be subject to the following conditions:-
- (a) the appointment shall be terminable by either party on giving one month's notice or by payment of one month's salary in lieu of notice;
 - (b) remuneration will be fixed at the rate which would be payable in respect of permanent appointment;
 - (c) the same disciplinary regulations which apply to permanent appointments
 - (d) a person given a temporary appointment will not be entitled to any of the benefits attached to a permanent appointment, except that, should the temporary appointment exceed twelve months continuous service, paid annual leave may be granted at the rate applicable to the post.

- (e) Upon satisfactory completion of fixed contract appointment, an Officer will be entitled to twenty-five percent (25%) contract gratuity at a rate of aggregate emoluments as approved by the relevant authorities. However, month-to-month contract appointment will not attract any gratuity. Officers, who retire on voluntary basis, will not benefit from fixed contracts except under exceptional circumstances to be determined by the Public Service Commission. No contract appointment shall exceed a maximum period of six years.

SECTION II: Acting appointments

- 02201** Acting appointments may only be recommended to fill duty posts in Grade 7 and above.
- 02202** Where a Head of Department considers an acting appointment necessary, he/she will notify the Permanent Secretary, P.M.O. using the standard form, at least one week before the vacancy occurs. The Permanent Secretary, P.M.O. will forward the notification, together with his/her comments, to the Commission.
- 02203** Where any Officer has acted continuously in a post for six months, the Head of Department will inform the Permanent Secretary, P.M.O. why the post has not been filled substantively.
- 02204** Details of acting appointments in Grade 10 and above will be published in the Gambia Gazette.
- 02205** An acting allowance equal to the salary differential between the basic salary of an Officer acting in the higher post and the minimum basic salary of the higher office will be paid during the period of the acting appointment together with any allowance attached to the post. However, the allowance will only be payable if the Officer acts for a period of one month or more.
- 02206** Where the Commission has agreed that no suitable Officer is available to act in a post, and decides that an Officer should undertake part of the duties and responsibilities of such a post for a period of one month or, application on the standard form may be made by the Head of the Department to the Permanent Secretary, P.M.O. for permission to pay the

Officer a charge allowance equivalent to the percentage of the duties he/she is required to carry out. Similar arrangements shall apply when an Officer is required to carry out the duties of a post higher than his/her own, but no acting appointment is made for statutory reasons.

SECTION III: Resignation

02301 An Officer may resign his/her appointment at any time by giving one month notice in writing, or on payment of a month's salary in lieu of notice, except that no resignation shall be made or accepted without the approval of the Commission while an Officer is suspended or interdicted, or while he/she is the subject of disciplinary proceedings, or during an investigation which might lead to him/her becoming the subject of disciplinary proceedings.

SECTION IV: Retirements

02401 On the first of December each year, the Permanent Secretary, P.M.O, will provide Heads of Departments with the names of Officers due to retire during the next calendar year, who will then take action required during the following months. It is the duty of an Officer to notify his/her Head of Department twelve months before the date of his/her intended retirement.

02402 When an Officer becomes entitled to a pension or gratuity, his/her Head of Department is responsible for preparing the pensions form. The calculation of pension or gratuity will be made by the Director of National Treasury and certified by the Auditor General; payment of a pension will be authorized by the Pensions Authority. Should a Head of Department has reason to recommend a reduced pension or gratuity, his/her recommendation must accompany the pensions form, specifying the amount of reduction recommended, and the reasons thereof, before the preparation of pension papers.

02403 Every Officer in a permanent and pensionable post is required to retire statutorily on reaching the age of 60. An Officer who has reached the age of 45 may apply to retire voluntarily by giving six months' notice in writing or the payment of six months' salary in lieu of notice of his/her intention to do so. A female Officer may retire on marriage grounds if one month's notice is served.

- 02404** The Pensions Authority may require an Officer to retire from the Public Service at any time after he/she reaches the age of 45. In such cases, the Officer will be given six months' notice in writing.
- 02405** Any leave entitlement must be taken before retirement. Any leave which may be due to an Officer on the day of retirement and which has not been duly banked will be forfeited.
- 02406** Heads of Departments must draw the attention of each Officer in the Department who is about to retire to the legal requirement that, if the Officer wishes to opt for a reduced pension and gratuity instead of a full pension, he/she must exercise the option before the date of his/her retirement.
- 02407** Heads of Departments have no authority to provide a written reference for an Officer leaving the service. However, An Officer who is applying for other employment may quote his/her Head of Department as a referee, who may then provide a prospective employer with such details of the Officer's service, character and ability as he/she may require.
- 02408** At the completion of his/her service, an Officer who has been employed on permanent and pensionable or contract terms shall be entitled to a Certificate of Service on the prescribed form.

SECTION V: Secondment and Transfers

- 02501** Secondment and transfer opportunities will be availed to Officers in grade 6 and above provided they have served for a period of three years and are confirmed in their regular appointments.
- 02502** All secondments or transfers shall be the subject of request made by an individual and shall be subject to PSC's approval through the PS-PMO however, Permanent Secretaries will require the endorsement of the Secretary General. Upon retirement, the transferred Officer shall have his/her retirement benefits computed using grade and point on which he/she left the Civil Service.
- 02503** A seconded Officer will return to the Service on the same grade which he/she enjoyed prior to his/her secondment. However, incremental points

shall be awarded annually.

- 02504** An Officer being seconded or transferred to an organization will be required to take all leave to which he/she is entitled before the secondment or transfer becomes effective. Any such leave which is not taken will be forfeited.
- 02505** Each secondment shall be for a specific period and no secondment or secondments in respect of an individual Officer shall exceed a total, in the aggregate, of more than six years during the whole of his/her Public Service career. Seconded Officers are also required to make a monthly contribution of twenty-five percent (25%) of their Civil Service basic salary to the Directorate of National Treasury.
- 02506** One month before the period of secondment of an Officer is due to end, the Officer is expected to inform the Government of his/her intention or otherwise to apply for the extension of his/her secondment. In the absence of such information, the secondment will be ended and the Officer will be expected to return to the Public Service.
- 02507** Subject to the conditions in the preceding orders and any other conditions it considers necessary, the P.S.C. may authorise the secondment or transfer of an Officer.

Chapter 3

CONDUCT AND DISCIPLINE

SECTION I: General

- 03101** The holder of any office is required to discharge any duties upon which Government wishes to employ him/her, and may be stationed wherever his/her presence is considered necessary.
- 03102** The Inspector General of Police, the Registrar of the Supreme Court and Clerks of Subordinate Courts will report to the Permanent Secretary, P.M.O. and to the Head of the Department concerned, any case in which a public Officer is charged with a criminal offence, and the result of any case arising from such charge. Where such notification is made, the Head of Department will take action required by the Act and Regulations.
- 03103** No Officer, unless authorised by his/her Head of Department, the Permanent Secretary or the Secretary General may communicate, either directly or indirectly to the press, or to any person who does not belong to his/her own Department, any information obtained in the course of official duty.
- 03104** Every Officer is entitled to his/her own political views, and may, if qualified, vote at elections. He/she may become a member of a political party or organization, but may not accept any office, whether paid or unpaid, permanent or temporary, in any political party or organization, nor may he/she make speeches, join in demonstrations or in any other way indicate publicly his/her support for any political party, organization, person or policy, nor shall he/she be required to do so in the course of his/her duties.
- 03105** An Officer wishing to belong to an organization which has both political and other objectives and is uncertain whether the organization is a political organization within the meaning of G.O. 03104, should seek advice from the Public Service Commission.
- 03106** If a person who has obtained leave of absence in accordance with G.O. 04119 is elected to a Political Office, he/she shall immediately resign or

retire from his/her Office in the Public Service and, if he/she fails to do so, he/she shall be removed from such Office.

- 03107** It is the duty of the Registrar of the Supreme Court, Clerks of Subordinate Courts and Commissioner of Stamp Duties to report to the appropriate Head of Department if a Public Officer becomes a judgement debtor or has acknowledged any debt in writing. Copies of such reports shall be sent to the Permanent Secretary, P.M.O. and to the Secretary of the Commission.
- 03108** It is the duty of any Officer to whom the Junior Public Officers Relief Act (Cap.99) applies, to take advantage of the provisions of the Act in any action instituted against him/her in which the Act may be pleaded; failure to do so render him/her liable to disciplinary proceedings.
- 03109** An Officer will be liable to disciplinary proceedings if he/she is subject to serious pecuniary embarrassment. A Head of Department who becomes aware of such a situation will take the disciplinary action required by the Regulations.
- 03110** The Regulations governing inventions by Public Officers are contained in Appendix A.)
- 03111** Public Officers shall not institute legal proceedings in connection with matters arising out of their public duties without the authority of the Secretary General.
- 03112** Heads of Departments who intend to spend longer than one day's absence from their office must notify the Permanent Secretary of their Ministry of the expected duration of their absence, their probable whereabouts on each day of absence and the purpose for which they will be absent. Permanent Secretaries must submit similar reports of their own intended absences to the Secretary General.
- 03113** Public Officers shall not be employed for any private purpose during official working hours.
- 03114** Public Officers shall, on appointment to the Public Service, disclose to the Secretary General particulars of any investment or shareholdings which he/she may possess in any public particulars of any investment or

shareholdings which he/she may possess in any public or private company carrying on business in The Gambia, or any other direct or indirect interest in such company. If the Secretary General decides that the Officer's private affairs might be brought into real or apparent conflict with his/her public duties or in any way influence him/her in the discharge of his/her duties, the Officer shall, to such extent as the Secretary General directs, divest himself/herself of such investments or interests.

03115 An Officer shall not directly or indirectly acquire investments (in financial assets or otherwise), or interests of the nature mentioned in G.O. 03115 without the expressed permission of the Secretary General.

03116 An Officer who is absent from duty without permission shall, in addition to any other action which may be taken, have one day's pay deducted from the next salary payment due to him/her for each day's absence. The Head of Department will take the action required by this Order, informing the Director of National Treasury, Auditor General and Permanent Secretary, P.M.O.

Chapter 4

LEAVE AND PASSAGES

LEAVE

04101 In this Chapter:-

“annual leave” means leave with full salary;

“leave year” means a period of twelve calendar months, from 1st January each year;

“Maternity leave” means leave granted to an Officer under G.O. 04112;

“Paternity leave” means leave granted to an Officer under G.O. 04113

“Study leave” means leave granted with or without pay to an Officer to enable him/her undergo training course approved by the Personnel Management Office

“Sick leave” means leave granted with or without pay, to enable an Officer undergo treatment approved by the Commission. Sick leave for Medical Officers and Dentists is subject to the provisions of G.N. 92/64;

“Leave of absence” means leave granted without pay to enable an Officer join a spouse who may or may not be a civil servant or go on consultancy or contest for election and any other assignment approved by the Commission;

“Supervisor” means the Officer to whom a Permanent Secretary or Head of Department has delegated authority, in writing, to approve annual leave for their subordinates;

“Working day” means any day from Monday to Thursday inclusive. A gazetted public holiday shall not count as a working day.

04102 Leave Entitlements shall be taken by all Civil Servants on an annual basis. Failure to abide by this requirement automatically leads to

forfeiture of earned leave, unless deferment is considered to be in the interest of the Public Service, and is permitted by the Heads of Department. All Departments and Ministries shall maintain Annual Leave Rosters for all staff, which shall be strictly adhered to.

04103 Sick leave will be regarded as duty for the purposes of leave earning. Study leave and maternity leave do not count as duty and are not leave earning.

04104 Annual leave will be authorized by a Permanent Secretary, Head of Department or Supervisor as appropriate. Records of annual leave will be maintained in accordance with instructions issued by the Permanent Secretary; P.M.O. Permanent Secretaries wishing to take annual leave must obtain the agreement of the Secretary General.

04105 Annual leave entitlements are:-

GRADE	WORKING DAYS LEAVE PER LEAVE YEAR
10 and above	25
7 to 9	22
3 to 6	20
1 and 2	15

04106 An Officer is required to take his/her annual leave during the leave year in which it is being earned; except that with the permission of his/her Supervisor, he/she may carry forward up to 5 days to the next leave year. Any annual leave entitlement in excess of 5 days which has not been taken at the end of any leave year will be forfeited.

04107 With the permission of his/her supervisor, an Officer may, in any year be allowed to take up to 5 days annual leave in advance of the leave year in which such leave would be earned.

04108 In cases of emergency, a supervisor may authorize up to 7 working days special leave with pay if he/she is satisfied that the circumstances justify the Officer's absence. Such leave will be deducted from the Officer's annual leave entitlement.

04109 An Officer granted study leave for a period longer than six months must

take the annual leave due to him/her before proceeding on study leave; if the exigencies of the Public Service prelude such arrangements, the Commission may authorize the Officer to carry forward his/her annual leave until after his/her return from study leave.

- 04110** An Officer who is required to visit another country on duty may, with the approval of his/her Permanent Secretary or Head of Department as appropriate, take all or part of any annual leave to which he/she is entitled to in that country. Any approval given under this Order will include the dates when the leave may be taken. No per diem or other form of allowances will be payable in respect of any leave granted under this Order.
- 04111** An Officer failing to return to duty following a period of leave will be regarded as being on unpaid leave and may, depending on the circumstances of the case, be subject to disciplinary action.
- 04112** Any female employee of the Civil Service who is pregnant shall consult a Medical Officer for a report on her expected date of confinement and on production of a satisfactory medical certificate, shall be entitled to a maternity leave with full salary for a period of six months which will commence one month before the expected date of confinement shown on the medical certificate.
- 04113** Any male employee whose spouse has delivered shall be entitled to a paternity leave with full salary for a period of ten working days and such leave shall not count against an employee's annual leave entitlement
- 04114** Sick leave on full pay may be granted for an initial period of one month, if at the end of that period, the medical practitioner attending the Officer considers that he/she is still unfit to resume duty, a further period of sick leave, not exceeding one month may be authorised. If, at the end of this second period of sick leave, the Officer is still unable to resume duty, the matter will be referred to the Director of Health Services for his/her advice and recommendations, in particular as to whether a Medical Board should be convened under the provisions of Chapter 8.
- 04115** Where an Officer has been granted sick leave on full pay for a period or periods aggregating six month or more during any period of twelve months, any further sick leave granted to him/her will be on half pay. No

Officer will be granted an aggregate of more than twelve months sick leave in any four years. In the case of Officers certified as suffering from tuberculosis, the periods of sick leave on full pay and sick leave on half pay authorised by this Order shall be nine months and twelve months respectively.

- 04116** Sick leave in excess of twelve months in any period of four years will be without salary and will not be reckoned for purposes of increment or pension. An Officer suffering from tuberculosis may however be allowed twenty-one months sick leave in any four years period before this Order takes effect.
- 04117** An Officer entitled to annual leave will be required to take that leave at the end of any period of sick leave on full pay before being granted sick leave on half-pay.
- 04118** Sick leave granted under this Chapter will be regarded as duty for the purposes of leave earning.
- 04119** Leave of absence may be granted for a period of up to 1 (one) year renewable for a maximum period not exceeding 4 (four) years, after the expiry of which the Officer is required to resume duties.

Chapter 5

TRANSPORT AND TRAVEL ENTITLEMENTS WITHIN THE GAMBIA

SECTION I: Basic Car and Residential Allowances

- 05101** Basic car allowance, which is payable to Officers in Grade 9 and above, shall be paid while an Officer owns and maintains a private car which is road worthy and available for his/her use.
- 05102** Basic car allowance will be paid to an Officer provided that he/she produces a certificate confirming that he/she has owned and maintained the vehicle during the relevant period.
- 05103** The Permanent Secretary, Personnel Management Office, shall be responsible for the issue of all circulars approved by Cabinet related to payment and revision of all categories of allowances.
- 05104** Basic car allowance shall cease to be payable with effect from:-
- (a) the date on which the Officer ceases to own a private transport;
 - (b) the day after the date on which the Officer leaves The Gambia for a period intended to exceed three months or, being already absent from The Gambia, becomes aware that his/her absence is likely to exceed three months;
 - (c) the day after the date on which the Officer has been provided with Government transport;
 - (d) three months after a car in respect of which basic allowance is paid is necessarily laid up for repairs.
- 05105** Residential and transport allowances shall be separately paid at rates approved by Government. The rates of residential and transport allowances are as follows:
- (a) Residential allowance:
 - Grade 10 and above D700
 - (b) Transport allowance

Grades 1-9 inclusive	D500 per month
(a) Motor cycle	D350 per month
(b) Bicycle	D250 per month

However, these rates should be periodically reviewed to be in line with the consumer price index.

- 05106** Claims for the payment of residential allowance and basic car allowance must be certified by the Head of Department or Permanent Secretary as appropriate.
- 05107** A Head of Department may, subject to the approval of the Ministry of Finance, grant a motor cycle or bicycle allowance to a member of his/her department owning such a machine and who is not in receipt of a basic car allowance.
- 05108** All allowances viz: Residential, Transport, Overseas, Basic Car, etc. shall be paid at rates periodically approved by Government.
- 05109** An Officer who is in receipt of an allowance, payable under G.O. 05101 or G.O. 05108, shall not be provided with Government transport.

SECTION II: Travelling Facilities

- 05201** “Travelling facilities” means the facilities provided at Government expense for a Public Officer travelling on duty within The Gambia while not using his/her own transport.
- 05202** If Government transport is not available for an Officer travelling on duty, his/her Head of Department may authorize alternative transport at the commercial rate generally applicable.
- 05203** A Public Officer will be entitled to transport when:-
- (a) travelling on duty or on annual leave;
 - (b) proceeding to receive medical or dental treatment;
 - (c) proceeding to sit for an approved examination.

- 05204** A Public Officer is entitled to free transport to and from his/her station, for his/her spouse and up to three children under the age of 18 years, when:-
- (a) he/she assumes duty or proceeds on posting
 - (b) proceeding on or returning from annual leave
- 05205** An Officer in Category III or below whose supervisor certifies that he/she should seek medical advice, and who is stationed in a place where there is no Government Medical Officer, will be allowed free transport to the nearest place where there is a Government Medical Officer.
- 05206** Heads of Departments may authorize free transport for the repatriation within The Gambia of the family of a deceased Officer and the deceased Officer's personal effects.
- 05207** Where provision is not otherwise made under General Orders, Heads of Departments may authorize free transport to his/her home for an Officer who is invalid/incapacitated from the Service, or who retires in circumstances in which he/she may be granted a pension, gratuity or annual allowance. This authorization may include free transport for the Officer's personal effects and the members of the Officer's family residing with him/her.

SECTION III: Travelling Allowances

- 05301** "Travelling Allowance" means an allowance granted to an Officer travelling on duty within The Gambia for one or more nights. Travelling allowance is granted to enable an Officer to travel in reasonable comfort.
- 05302** An Officer is not entitled to travelling allowance:-
- (a) when he/she is provided with boarding and lodging at Government expense;
 - (b) in respect of any period in excess of ten consecutive days during which he/she remains at one place
- 05303** The rate of travelling allowance shall be D650.00 per night

05304 An Officer posted to another station which involves a change of residence is entitled to a single payment of the appropriate relocation allowance equal to 1/60th of his/her annual basic salary.

05305 Officers posted from one region to another are entitled to the appropriate monthly provincial allowances as follows:

Zone 1 (including North Bank Region, Lower River Region and West Coast Region but excluding Greater Banjul Area, kombo North, Kombo South And Kombo Central)	12% of basic salary
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Zone 2 (including Upper River Region and Central River Region)	15% of basic salary
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Chapter 6

SCHOLARSHIPS, TRAINING, CONFERENCES, ATTACHMENTS AND OFFICIAL VISITS

SECTION I: Approved Courses and Selection of Officers

- 06101** An Officer may be required by Government to visit institutions, attend conferences, or undergo training in any country.
- 06102** A scholarship or training award may be granted to enable an Officer to obtain a professional, technical or academic qualification other than University degrees, diploma, or equivalent qualifications.
- 06103** Scholarships and training awards shall only be granted for courses approved by the Personnel Management Office and Office of the President.
- 06104** The selection of Officers for Scholarship and Training Awards will be the responsibility of the following:
- (a)** In the case of Scholarships, the Ministry of Basic & Higher Education's Scholarship Advisory Committees;
 - (b)** In all other cases, the Public Service Commission in consultation with the Head of Department and Permanent Secretary, Personnel Management Office

SECTION II: Conditions of scholarships and training awards

- 06201** The conditions to be applied to scholarship or training awards will be those conditions determined by the donor which are accepted by the Government.
- 06202** When an Officer is required by Government to undergo training outside The Gambia, he/she will continue to receive his/her salary and allowances approved by the Permanent Secretary, Personnel Management Office.
- 06203** A married Officer required to undergo training outside The Gambia for

two years or more shall, subject to the terms of the scholarship or training award, be entitled, on application, to a passage for his/her spouse to and from the country in which the training takes place.

- 06204** An Officer granted a scholarship or training award tenable outside The Gambia, who continues to receive his/her salary, may allocate part of his/her salary, to his/her dependents. In such cases the Officer must notify the Director of National Treasury of the sum to be allocated, together with the names and addresses of persons to whom the sum should be paid.
- 06205** The Public Service Commission in consultation with the Permanent Secretary, Personnel Management Office, shall require a Public Officer who is the recipient of a scholarship or is provided with training at Government expense, to enter into a Surety Bond covering the cost of such scholarship or training, any expenses made in relation to the training and salary paid during the period the Officer was away.

SECTION III: Allowances payable to Officers Attending Courses, Conferences and on Official Visits

- 06301** Attendance at conferences will not normally exceed two months and visits, not more than one month.
- 06302** When an Officer is required to undergo a course, other than in pursuance of a scholarship or training award, and the cost of the course is being met by The Gambia Government, he/she is entitled to an allowance determined by the Permanent Secretary, P.M.O.
- 06303** Officers required to attend a conference outside The Gambia whose boarding and lodging are not provided by the host shall be entitled to rates of allowances periodically prescribed by the Personnel Management Office.
- 06304** An Officer in Category III or below attached to a Government Ministry, Department or similar body outside The Gambia will be entitled to the following:
- (a) Salary

- (b) a grant before departure to cover incidental expenses;
- (c) free return passage;
- (d) such other allowances as may be deemed appropriate by the Permanent Secretary, P.M.O.

06305 An Officer required to undergo training overseas for a continuous period of more than four weeks and less than one year, is entitled to travel grant or stipend.

The level of allowances shall be determined by the Permanent Secretary, P.M.O.

Chapter 7

MISCELLANEOUS ALLOWANCES

- 07101** A Governor in charge of a Region is entitled to a monthly duty allowance at the rate determined by Government. Where he/she is in post for part of a year, the allowance will be paid pro rata.
- 07102** An Officer under the Ministry of Health posted to the Tuberculosis Sanatorium, who is employed on duties which bring him into contact with patients' threat, is entitled to the prescribed monthly allowance for the duration of such posting to be determined by PMO in consultation with the Ministry of Finance, Ministry of Health and Social Welfare and Office of the President.
- 07103** Where an Officer serving on permanent and pensionable terms dies as a result of injuries received while travelling by air, or on duty, compensation will be paid to his/her estate in accordance with the Pensions Act. In addition, a further amount will be paid to the estate as determined by Government.

Chapter 8

MEDICAL AND DENTAL TREATMENT

SECTION I: Definitions, Entitlement and Procedure

- 08101** In this Chapter, the following terms:
“Hospital or Dispensary” means a Government hospital or dispensary.
- “Medical Officer” means a Medical Officer or dentist certified as a practitioner by the Medical Council as the context may require and includes the Director of Health Services;
- “Medical Board” means a Board, normally consisting of two Medical Officers, convened by the Director of Health Services, to determine the medical fitness of a Public Officer, or for such other purposes as the Director of Health Services may direct;
- 08102** A Medical Insurance Scheme shall be provided to cover all permanent employees.
- 08103** Where a Medical Board recommends and Government accepts that an employee and/or his/her family requires treatment not available in The Gambia, the expenses of such treatment and passages shall be borne by Government in accordance with the terms and conditions of the medical insurance scheme.
- 08104** A Medical Officer who considers that an Officer is suffering from an illness of a kind which causes the Officer’s absence from duty will place the Officer on the sick list irrespective of whether the Officer has reported the sickness or not.
- 08105** When an Officer is absent from duty owing to sickness, he/she must inform his/her Head of Department of his/her sickness and inability to attend duty within a period of one week.

SECTION II : Medical Boards

- 08201** Where an Officer has been attended to, by a Medical Officer for an illness connected with the convening of a Medical Board, that medical Officer shall provide the Board with a full report of the case.
- 08202** The report and recommendations of a Medical Board are confidential and will be sent, in triplicate, to the Director of Health Services, who will either approve the Board's findings or convene a further Board of which he/she shall be a member.
- 08203** When the Director of Health Services has approved a report of a Medical Board, he/she will return the original of the report and send the two copies to the Permanent Secretary, P.M.O. who will forward one of them together with his/her recommendations to the Commission.
- 08204** Neither the Permanent Secretary, P.M.O, nor the Commission may vary the findings of a Medical Board.
- 08205** No copies of reports additional to those authorized by this Section shall be provided.

Chapter 9

PRIVATE WORK BY GOVERNMENT OFFICERS

SECTION I: GENERAL

09101 A Public Officer may, with the written approval of the Secretary General accept paid work in addition to his/her public duties. Such work shall not in any circumstances, be carried out during official working hours or be such as to prejudice or compromise his/her official duties. No Government resources are to be used in carrying out such work.

SECTION II : MEDICAL OFFICERS AND DENTISTS

09201 No Medical Officer or Dentist will be allowed to engage in private practice.

09202 Medical Officers and Dentists will be paid the following allowances in lieu of private practice;

Grades 11 and 12	D6000.00 per annum
Grade 10	D5000.00 per annum
Grade 9	D4000.00 per annum
Grade 8	D3000.00 per annum

However, these allowances can be reviewed by PMO in consultation with the Ministry of Finance, Ministry of Health and Social Welfare and Office of the President regularly to reflect the market going rate.

09203 No Medical Officer may authorise the issue of drugs from Government stores to a private patient. Such drugs may be supplied to pharmacies in accordance with Financial Instructions.

09204 No Medical Officer or Dentist may enter into an arrangement to provide treatments for employees of a private undertaking unless the Director of Health Services certifies the following:

- that the arrangement would not be detrimental to the Officer's established duties

Chapter 10

USE OF GOVERNMENT TRANSPORT

10101 In this Chapter, the following terms:-

“Government transport” means any conveyance owned by Government for the purpose of moving persons or goods;

“vehicular transport” means Government land transport under the control of a Head of Department;

“river transport” means Government transport used on water controlled by the Gambia Ports Authority

10102 An Officer travelling on duty requiring the use of transport, and who, through no fault of his/her own, is unable to use transport for which he/she receives a transport allowance, may use Government transport.

10103 Where it is necessary for an Officer to hire transport he/she may claim the cost of hiring. Before approving such a claim, the Head of the Department must be satisfied:-

- a. the journey was necessary;
- b. Government transport was either not available or could not be obtained in time to be used;
- c. The rate of hire was the lowest obtainable;

10104 Applications for the use of Government transport for one day or less must reach the Department controlling the transport at least twenty-four hours before it is required. Where transport is required for more than one day, application must be made at least seven days in advance. In both cases, applications will be submitted on the appropriate requisition form. In an emergency, the Head of Department controlling the transport may accept an oral application, which must be confirmed by

the submission of requisition form within twenty-four hours.

- 10105** Applications for river transport should be made to the Managing Director, Gambia Ports Authority/Gambia Public Transport Co-operation. All launches, except those of The Gambia Police and Armed Forces, are under the control of the Managing Director, Gambia Ports Authority. No permanent allocation of launches will be made to any Department or Officer.
- 10106** It is the responsibility of each Head of Department to provide the Managing Director, Gambia Ports Authority and Gambia Public Transport Co-operation (GPTC) with a list of all Officers in his/her Department to whom authority has been delegated to sign transport requisitions, and to inform them of any changes which occur in the list.
- 10107** Government transport will be charged out to user Departments at the rates set out in the Gambia Ports Authority and Gambia Public Transport Corporation (GPTC) tariffs. Invoices submitted by the Gambia Ports Authority will be settled by the Permanent Secretary concerned.
- 10108** Gambia Ports Authority and any other public transport corporation vessels or vehicles are controlled by, and are the responsibility of their authorities.
- 10109** The following rules govern free transport facilities granted in this chapter in respect of river transport other than launches:-
- a. Passage warrants will be issued and signed by the Head of Department or his/her authorized representative. Warrants will state the purpose of the passage (i.e. leave, posting, duty), the status of the Officer concerned and his/her passage entitlement in regard to himself/herself, members of his/her family and baggage;
 - b. Passage warrants must be exchanged for a ticket or tickets to cover the journey authorized by the warrant;

- c. Payment for transport provided under this Order will be made by the Ministry concerned.

10110 The following rules govern the use of vehicular transport:-

- a. log sheets must be completed by the Driver of the vehicle in respect of all journeys and certified by the Officer using the vehicle;
- b. the number of persons and the maximum weight to be carried on the vehicle, as marked on the vehicle, must not be exceeded;
- c. the Officer using the transport must ensure Driver exercises proper care in carrying out his/her duties;
- d. the transport will be driven only by the Driver in charge of it. In exceptional cases, an Officer in possession of a valid Driving Licence may drive in an emergency. In such a case, he/she will be solely responsible for the vehicle;
- e. in any case involving a breach of discipline by a Driver, a serious defect in a vehicle, or an accident to the vehicle, a written report will be submitted by the Officer using the vehicle to the appropriate Permanent Secretary within twenty-four hours of the incident.

10111 Government transport shall not be hired to public Officers for private use, or to any other person.

10112 To facilitate strict control and the monitoring of Government vehicles, regular completion of vehicle log sheets should be done and signed by the appropriate Officer after every official journey.

Chapter 11

USE OF GOVERNMENT QUARTERS AND GOVERNMENT BUILDINGS

SECTION I: Government Quarters

- 11101** An Officer in Category IV or above posted to a Region will normally be allocated a Government quarter. If a quarter is not available Government may rent a quarter for him/her or provide him/her with rent allowance.
- 11102** An Officer who is not entitled to a Government quarter, but who is nevertheless given permission to occupy one, will be required to pay 30% of his/her basic salary as rent.
- 11103** An Officer in Category III or below, residing in Banjul and posted to a Region, or residing outside Banjul and Posted to Banjul, or residing in a Region and posted to a station to which he/she cannot travel easily from his/her home will be entitled to occupy a Government quarter rent free. If he/she cannot be provided with a quarter, he/she will be entitled to a rent allowance to be determined by the Permanent Secretary, PMO. Rent allowance will not, however, be payable to an Officer in receipt of a residence allowance. Before rent allowance can be paid, the Officer concerned must provide evidence of normal residence in the place from which he/she is being posted, signed by a Governor or Head of Department.
- 11104** The responsibility for allocating Government quarters shall be as follows:
- a. in Banjul and the Greater Banjul Areas, the Chairperson, Committee on Office and Residential Accommodations (CORA)
 - b. in a Region:
 - i. in the case of quarters which have not been specifically allocated to a Department, the Regional Governor, or an Officer not below Category IV to

whom the Governor has delegated authority, in writing, in this regard;

- ii. in the case of quarters allocated to a Department, the Head of Department or an Officer nominated by the Head of Department.

- 11105** It will be the responsibility of CORA to arrange the handing over of a quarter, appliances and furniture to an Officer on first occupancy of a quarter, and arrange the takeover of a quarter, appliances and furniture from an occupant on the occasion of the Officer vacating a quarter.
- 11106** An Officer taking over a quarter must check the inventory with an Officer from the Committee on Office and Residential Accommodations (CORA). Both Officers must sign the inventory, which must be kept in the quarter. No item on the inventory may be removed from a quarter without the expressed permission of the Chairperson, CORA.
- 11107** An Officer is responsible for the maintenance of the quarter, furniture and appliances allocated to him/her, and will be held financially responsible for any loss or damage which occurs during his/her occupancy. He/she is also responsible for the cleanliness of his/her own and his/her servants' quarters and compound, which he/she must inspect from time to time.
- 11108** An Officer occupying a Government quarter is responsible for notifying the Chairperson, CORA or, in a Province, the Officer responsible for building maintenance, of any repairs which may be necessary to the quarter.
- 11109** The Chairperson, CORA, in collaboration with the MOTWCI, will arrange, as far as possible, for half yearly inspections of all Government quarters, to determine what repairs may be necessary. It is also his/her duty to report to the Committee any damage he/she considers has been caused through the negligence of the Officer occupying the quarter.
- 11110** No construction work on, or structural alteration to a quarter,

may be carried out unless specific approval has first been obtained from CORA. An Officer disregarding this Order will bear the cost of restoring the building to its original condition.

- 11111** An Officer occupying a Government quarter must give at least one month notice of his/her intention to vacate the quarter to the Chairperson, CORA?
- 11112** An Officer vacating a Government quarter must make arrangements to check and sign the inventory detailed by the Chairperson, CORA together with an Officer. Should he/she fail to do so, the inventory as checked by an Officer detailed by the Chairperson will be accepted in all respects.
- 11113** If an inventory reveals loss or damage, which in the opinion of the Chairperson, CORA, is due to unfair wear or tear, he/she will claim the value of the loss or damage from the Officer who occupied the quarter. If the Officer disputes the claim, the matter will be referred to the Permanent Secretary, Ministry of Transport, Works, Construction and Infrastructure whose decision will be final.
- 11114** An Officer travelling on duty who requires quarters to be arranged for him/her at any place must give at least three days' notice of his/her needs to the Officer responsible for allocating the quarters.
- 11115** An Officer travelling on duty who occupies a Government quarter will be responsible for keeping it in good order and leaving it in a clean condition.
- 11116** Government does not accept liability for the loss of an Officer's personal property from a Government quarter either when he/she is travelling or as a result of burglary, fire or any other cause.
- 11117** An up-to-date inventory of all assets and equipment in Government buildings should be maintained and regularly checked by Accounting Officers.

11118 A properly constituted Board of Survey should be periodically convened by the Ministry of Finance, to dispose of property not needed, through Public Auction and other methods.

SECTION II: Government buildings

11201 For purposes of this section, the term “Government buildings” does not include quarters.

11202 All Government buildings, including the compounds in which they are situated, will be allocated to a specific Ministry or Department by the Secretary General.

11203 Each Permanent Secretary or Head of Department will be responsible for ensuring that all Government buildings, together with their contents which have been allocated to his/her Ministry/Department, are properly maintained and kept in a good state of repair. A Permanent Secretary or Head of Department may, in turn allocate a building or part of a building to a specific Officer by so informing him, in writing. The Officer, to whom a building or part of a building has been allocated, will therefore, be responsible for it, together with the inventory of its contents. He /She will also be responsible for ensuring that the compound wherein the building is situated is kept clean and in good state of repair.

11204 Every Government Ministry, Department and Agency shall maintain an up-to-date Assets Inventory List incorporating all Government equipment, furniture and other material resources.

11205 The Chairperson, CORA shall every year, arrange an inspection of all Government properties, assets, equipment, furniture and other material resources and submit a copy of the findings to the Secretary General.

11206 Inventories will be checked and signed:-

- a. by both Officers concerned in a change of inventory holder;

b. annually, or whenever a Board of Survey is held.

- 11207** Permanent Secretaries and Heads of Departments are responsible for informing Ministry of Transport, Works, Construction and Infrastructure at once about repairs which are necessary to any building or contents thereof which have been allocated to them.
- 11208** Where the Permanent Secretary, Ministry of Transport, Works, Construction and Infrastructure considers that damage to a Government building or its contents, or the loss of such contents are due to unfair wear and tear, he/she shall claim from the responsible Officer the cost of making good the damage or replacing the contents; if the Officer disputes the claim, the matter will be referred to the Secretary General, whose decision shall be final.
- 11209** Alterations to or the removal of any appliance from Government buildings shall only be undertaken with the specific approval of the Permanent Secretary, Ministry of Works, Construction and Infrastructure. An Officer disregarding this Order will be responsible for any costs involved in replacing the appliance and making good any damage caused thereby.
- 11210** The construction or structural alternation to a Government building shall not be undertaken without the written approval of the Permanent Secretary Ministry of Transport, Works, Construction and Infrastructure and before funds have been specifically provided for the purpose by the Ministry of Finance in cases where the construction or alteration has not been included in the approved estimates.

Chapter 12

GOVERNMENT BUSINESS

SECTION I: Responsibilities

- 12101** The definition of Government is in the Constitution. Ministerial Portfolio is contained in Gazette Notices published from time to time.
- 12102** Service matters, including establishment and individual staff matters, are controlled by the Secretary General.
- 12103** The official channels of communication with any authority outside The Gambia are the Office of the President and the Ministry of Foreign Affairs.
- 12104** The official channel of communication with any Ministry is through its Permanent Secretary, to whom all official correspondence shall be addressed.
- 12105** The official channel of communication between a subordinate Officer and Government is through his/her Head of Department, and all correspondence must be channelled through him/her.
- 12106** The official channel of communication with the Public Service Commission is through the Secretary thereto, to whom all official correspondence should be addressed.
- 12107** In any matter which involves, or is likely to involve, the Government in legal action, the advice of the Attorney General who is the Government's Legal Adviser must be sought before any correspondence is sent on the matter in question. An opinion given by a Law Officer shall not be quoted in a communication addressed to a private person.
- 12108** All correspondence must be couched in courteous terms and be as concise as is consistent with clarity.

- 12109** As far as possible, every communication shall be confined to a single subject, which shall be concisely stated in the heading.
- 12110** Official correspondence should be addressed to official recipients by the titles of their appointments.

SECTION II: Security

- 12201** Correspondence which has passed between Public Officers, or between members of the public and Public Officers, shall not be divulged to any other member of the public without the expressed permission of the originating authority.
- 12202** An Officer shall not disclose or produce in evidence in a court of law any official document of a confidential nature without the expressed permission of the appropriate Ministry or Department.
- 12203** Staff reports shall be submitted in accordance with instructions issued from time to time by the Permanent Secretary, P.M.O.
- 12204** An Officer shall not be allowed access to confidential records related to himself/herself.
- 12205** An Officer will not normally be addressed on matters of a personal nature, except where they impinge on his/her status and duty as a Public Officer.
- 12206** Ministries and Departments are responsible for the safe custody of all documents in their charge and for the observance of current security instructions as laid down from time to time. The attention of all officials required to handle classified documents must be drawn to the Official Secrets Act.
- 12207** All Public Officers shall swear a Declaration of Secrecy before taking office and any Officer already in post who has not so declared shall be required to make such declaration.

12208 Any Officer who contravenes a Declaration of Secrecy shall be guilty of an offence and shall be subject to disciplinary proceedings.

12209 Heads of Departments are required to keep an attendance register which will be signed by Officers on arrival on duty. Officers who persistently arrive on duty late will be subject to disciplinary action.

SECTION III: Handing Over

12301 Where an Officer relieves another for any period exceeding one week, the following rules shall apply:

- a. the outgoing Officer will prepare notes outlining the duties of the post detailing immediate problems requiring attention, and any matter likely to cause difficulty within the next three months;
- b. where applicable, inventories, cash, receipt books and stock registers must be checked and signed by both Officers;
- c. any deficiencies which are revealed must be recorded and the record signed by both Officers. The incoming Officer will be responsible for informing the Permanent Secretary to the Ministry of Finance, through his/her Head of Department, of the deficiency and of any explanation thereof;
- d. where the handover required by the previous rule is not possible, e.g. through sickness or absence of one or other Officer, the Head of Department concerned will ask the Permanent Secretary, Ministry of Finance, to convene a Board to check on the matters in rule (b) of this Order, and report any deficiencies found;
- e. any deficiency contained in the record signed by the Outgoing Officer or discovered by a Board, shall be

made good by that Officer if the Permanent Secretary, Ministry of Finance so directs;

- f.** the in-coming Officer will be liable to make good any deficiencies discovered after the completion of a handover.

Chapter 13

OFFICERS ENGAGED ON SPECIAL TERMS

13101

An Officer offered a temporary appointment which provides for a period of notice in excess of one month, and who is not a Gambian National, shall be regarded as being employed on special terms.

13102

All Officers appointed on special terms are subject to General Orders, Financial Instructions and the Act and Public Service Regulations; provided that if such special terms contain different conditions, the provisions contained in the special terms shall apply.

Chapter 14

SCHEMES OF SERVICE

14101

Schemes of Service set out the qualifications and levels of experience required for entry into, and promotion within the Ministry, Department class or cadre to which a Scheme has been applied. A Scheme may include, in respect of a particular Ministry, Department class or cadre:-

- a.** conditions and qualifications for appointment;
- b.** duties and standards applicable to individual grades or posts;
- c.** in-service training arrangements;
- d.** promotion criteria;
- e.** provisions covering transfers into and out of the Ministry, Department, class or cadre.

14102

The main purposes of Schemes of Service are to provide an effective and efficient Public Service and to ensure that uniform standards are applied to the service. Schemes of Service which have been approved are available at the P.M.O. and those Ministries within which they are being applied and are open to scrutiny by Public Officers.

Appendix A

(See G.O. 03110)

1. Any Government Officer who has made an invention:-
 - i. May do so at his/her own expense, and
 - ii. Shall at the expense of the Government if so required by the President of the Republic, lodge an application for provisional protection with the Registrar General and shall at the same time send a copy of the application to the President through his/her Head of Department. The President shall decide as expeditiously as possible whether the invention shall be regarded as secret, and his decision shall be forthwith communicated to the Head of the Officer's Department for the information of the Officer.
2.
 - i. as soon as practicable, the President shall decide whether the Officer shall or shall not be allowed controlling rights in the patent, and his decision shall be communicated to the Head of the Officer's Department for the information of the Officer;
 - ii. pending the decision of the President on controlling rights, all rights in the invention shall be deemed to belong to and to be held in trust for the Government.
3. If the President decides that the Officer shall be allowed controlling rights in the patent, the following provisions shall apply:-
 - i. the Officer shall, subject to the provision of paragraph 1, be responsible for all expenditure in taking out the patent;
 - ii. the President may attach to his/her decision such conditions as he/she may think fit and, in particular, may reserve to the Government a right of user of the inventory free of royalty, or a right to a share of any commercial proceeds, or both

- iii. the Officer may whether any rights are reserved under subparagraph (ii) or not, apply to the Awards Committee as constituted under paragraph 7 of this Appendix (hereinafter referred to as “The Committee”) through the Head of his/her Department for an award in respect of his/her invention;
 - iv. the question whether an award shall be made, the amount thereof and, if a share of commercial proceeds is reserved to the Government, the amount of such share, shall be determined by the President after investigation by the Committee.
4. If the Government decides that the Officer shall not be allowed controlling rights in the patent, the following shall apply:-
 - i. the Officer shall assign all his/her rights in the invention to the Government;
 - ii. the Government shall be responsible for all expenditure in taking out the patent;
 - iii. the President shall decide whether the Officer shall or shall not be allowed a share of any commercial proceeds;
 - iv. the Officer may, whether he/she is allowed a share in the commercial proceeds or not, apply to the Committee, through his/her Head of Department, for an award in respect of his/her invention;
 - v. the question whether an award shall be made, the amount thereof, and, if the President decides that the Officer shall be allowed a share in the commercial proceeds, the amount of such share, shall be determined by the President after investigation by the Committee.
5. In the event of a material change taking place in the circumstances which existed at the time when an award or allocation of commercial proceeds were made, the original decision may be modified by the President after further investigation by the Commission; provided

that, in any such modification of the original decision, the amount of an award which has been paid shall not be reduced.

6. Where an invention is in all respects alien to the employment of the Officer, he/she shall normally be granted the full rights in such invention.
7. There shall be constituted for the purpose of these Rules an Awards Committee which shall consist of a judicial or Legal Officer appointed by the President as Chairman and such other persons as the President may from time to time by notice in the Gazette appoint.
8. An Officer shall be entitled to appear personally before the Committee or to be represented in such matter as the Committee may approve.

APPENDIX B

For further information, you can go to:

- Your Head of Department
- Your terms and conditions of appointment
- Relevant legislations and regulations, including:
 - Civil Service Act 1991
 - Acts specific to your organisation or agency
- Relevant Circulars/Directives issued by the Permanent Secretary, Personnel Management Office under the authority of the Secretary General

Websites

Personnel Management Office

<http://www.pmo.gov.gm>

Public Service Commission

<http://www.psc.gov.gm>