



REPUBLIC OF ZAMBIA

TERMS AND CONDITIONS OF SERVICE

for the

PUBLIC SERVICE

May 2023



Republic of Zambia

**TERMS AND CONDITIONS
OF
SERVICE FOR THE PUBLIC SERVICE**

CHAPTER I

INTERPRETATION

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

General interpretations

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

“Attachment” means, assignment of an employee either to learn or work in another ministry or government institution while retaining his/her post.

“Attached Officer” means, an officer serving in one ministry or government institution but whose standards of work are set and monitored by another ministry or government institution.

“Establishment Register” means, the number of approved posts as laid down in the Establishment Register.

“Basic Salary” means, an officer’s salary, excluding allowances of any kind.

“Committee” means, a Human Resource Management Committee established under Section 33 of the Service Commissions Act No. 10 of 2016.

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

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

“Disciplinary Code” means, a document called, ‘The Disciplinary Code and Procedures for Handling Offences in the Public Service’.

“Dismissal” means, the termination of an appointment by the Responsible Officer or appropriate Service Commission, as the case may be, subject to the Regulations.

“District” means, an area declared as a district pursuant to the Provincial and District Boundary Act Cap 286.

“Division I Officer” means, an officer whose basic salary is in salary scale “I” or equivalent and above.

“Division II Officer” means, an officer, whose basic salary is in salary scale between C to H or equivalent.

“Division III Officer” means, an employee whose basic salary is in salary scale between A and B or equivalent.

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

“Employer” means, the President of the Republic of Zambia or the Service Commission acting in the name and on behalf of the President of the Republic of Zambia.

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

“Expatriate Officer” means, an officer who is not a citizen of the Republic of Zambia.

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

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

“Head of Department” means, the public officer in charge of a Department of a Ministry, Local Authority, Institution, Division, Province or District.

“Institution” means, an organisation established for specified statutory functions.

“Institutional Housing” means, living accommodation built or acquired solely for use by a particular Ministry, Institution or Department or any Government Agency.

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

“Local Leave” means, leave of not more than twenty-nine (29) days excluding Saturdays, Sundays and public holidays.

“Ministry” means, a Government Institution headed by a Minister.

“National Reserve” means, a Government Institution headed by a Minister.

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

“Pensions Act” means, the Public Service Pensions Act No. 35 of 1996 and the National Pension Scheme Act No. 40 of 1996 as read with their respective amendments.

“Pensionable Age” means, the age at which an officer shall retire in accordance with the provisions of the Public Service Pensions Act, No. 35 of 1996 as well as the National Pension Scheme Act No. 40 of 1996 as read with their respective amendments.

“Permanent Transfer” means, a transfer from one station to another for a period of not less than six (6) months.

“Public Office” has the meaning assigned to it in the Constitution.

“Public Officer” has the meaning assigned to it in the Constitution.

“Public Service” means, the Civil Service, the Teaching Service, the Local Government Service, the Zambia Police Service, the Zambia Correctional Service and any other service duly established under the Constitution of Zambia or under an Act of Parliament.

“Registered Medical Practitioner” means, a medical doctor or dental surgeon under the Health Professions Act, No. 24 of 2009.

“Regrading” means, an officer being assigned duties of another post carrying the same salary scale in the Public Service.

“Remote Area” means, an area meeting the set criteria as provided for in administrative circulars.

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

“Responsible Officer” means, the Permanent Secretary in a Ministry, Division or Province, and any other officer appointed as Responsible Officer as the case may be.

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

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

“Retirement in the Public Interest” means, the retirement of an Established Officer on disciplinary grounds.

“Rural Area” means, an area meeting the set criteria as provided for in administrative circulars.

“Salary” means, basic salary including allowances applicable to the post.

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

“Seconded Officer” means, an officer seconded to the Public Service from a non-Public Service organisation or Statutory Body or from a Public Service Organisation to a non-Public Service organisation or Statutory Body.

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

“Service Commission” means, in relation to any particular service, the Civil Service Commission, the Teaching Service Commission, the Police Service Commission, the Correctional Service Commission, the Local Government Service Commission, the Judicial Service Commission or any other Service Commission duly established under the Constitution of Zambia or under an Act of Parliament.

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

“Station” means, a place of work within a District boundary.

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

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

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

“Temporary Transfer” means, a transfer from one station to another for a period of less than six (6) months.

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

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

“Termination of Employment” means, the termination of a probationary appointment, agreement or dismissal.

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

“Vacation Leave” means, leave of thirty (30) or more days excluding Saturdays, Sundays and public holidays.

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

Singular and plural expressions

Where these Terms and Conditions of Service for the Public Service call for any report, application or other correspondence to be forwarded to the Secretary of a Service Commission, such reports, applications or correspondence shall be sent through the Responsible Officer as provided for in the respective Service Commission regulations.

Submission of report, applications or correspondence to Commissions

APPOINTMENTS, ACTING APPOINTMENTS, PROMOTIONS, TRANSFERS, REGRADING, ATTACHMENT AND SECONDMENTS

APPOINTMENTS

4. (a) Subject to the provisions of the Constitution of Zambia, appointments to the Public Service shall be made by the President or by a Service Commission acting in the name and on behalf of the President, along the following lines:
- (i) In the case of appointments to the Civil Service, the Civil Service Commission; *In Civil Service*
- (ii) In the case of appointments to the Zambia Police Service, the Police Service Commission; *In Police Service*
- (iii) In the case of appointments to the Zambia Correctional Service, the Correctional Service Commission; *In Correctional Service*
- (iv) In the case of appointments to the Local Government Service, the Local Government Service Commission; and *In Local Government Service*
- (v) In the case of appointments to the Teaching Service, the Teaching Service Commission. *In Teaching Service*
- (b) Except where authority to make appointments has been delegated by a Service Commission, no appointment shall be made without prior approval of the Service Commission. *Appointment without prior approval of Service Commission*
5. Applications for appointment to the Public Service shall be sent to the Service Commission or Responsible Officer as the case may be. *Application for Appointment*
6. (a) No Appointment, Promotion or Transfer shall be made to any post in the Public Service unless that post is approved, funded and is vacant. *Appointments to vacant posts*
- (b) The Responsible Officer shall ensure that all Appointments, Promotions or Transfers are made on merit and that officers are placed in positions for which they possess the relevant qualifications and competences.

7. (a) Applications for additional posts or for upgrading of posts shall be submitted to the Permanent Secretary, Management Development Division for approval by the Secretary to the Cabinet. *Application for additional posts or upgrading of posts*
- (b) Applications for funding for additional posts or for upgraded posts shall be submitted to Public Service Management Division. The Permanent Secretary, Public Service Management Division shall request for funding from the Secretary to the Treasury, Ministry of Finance before granting authority for additional posts or upgrading of existing posts. *Application for funding for additional posts or for upgrading of posts*
8. (a) Appointment to the Public Service shall be made on the following terms: *Terms of Appointment*
- (i) On Probation with a view to admission as an Established Officer;
- (ii) On Agreement providing for a fixed period of full or part-time service; and
- (iii) On Temporary Service for a limited period.
- (b) No person below the age of eighteen (18) years or above the age of forty-five (45) years shall be appointed on probation. *Age limit for Appointment on Probation*
9. On appointment to the Public Service, an applicant shall be issued with an appropriate letter of appointment *Letter of Appointment*
10. (a) An officer's date of appointment shall be the date on which the officer reports for duty and completes the arrival advice form; and *Date of Appointment*
- (b) the date of attestation in the case of the Zambia Police Service and Zambia Correctional Service.

11. (a) On appointment to the Public Service, and in addition to the application for employment, an officer shall submit to the Responsible Officer, the following:
- Information provided on Appointment*
- (i) A Criminal Investigations Department clearance report;
 - (ii) Confirmation of date of arrival at duty station;
 - (iii) Personal information (Form of Vital Statistics);
 - (iv) A Declaration of Secrecy;
 - (v) Acknowledgement of liability in respect of personal effects;
 - (vi) Certified proof of qualifications;
 - (vii) A medical certificate;
 - (viii) A certified copy of the National Registration Card; and
 - (ix) Any other necessary information.
- (b) An officer shall submit changes in his or her personal information previously provided in the event of any change in the information.
- Changes in Personal Information*
12. An officer appointed to the Public Service on probation shall not be admitted as an Established Officer until he or she has completed a minimum of three (3) months' satisfactory service.
- Period of Probation*
13. (a) It shall be the duty of a Supervising Officer to ensure that officers on probation are given adequate opportunity to qualify for admission as Established Officers.
- Qualification as an Established Officer*
- (b) When at any time a Responsible Officer becomes aware that the performance and/or conduct of an officer on probation is unsatisfactory, the Responsible Officer shall immediately warn the officer in writing of the need to improve. If, after such warning the officer is unable or unwilling to improve, the Responsible Officer shall terminate or recommend termination of the probationary appointment to the Service Commission as the case maybe.
- Poor Performance and Conduct on Probation*
14. A Supervisor shall recommend an officer who has satisfactorily completed his or her probationary period for admission as an Established Officer.
- Admission as an Established Officer*
15. An officer on Probation who is not suitable for admission as an Established Officer shall be informed of the reasons why he or she has failed to qualify for confirmation and given time to make representations. The Responsible Officer shall submit the case including the officer's representations to the Service Commission, which, shall determine whether to terminate or extend the officer's probationary period.
- General unsuitability for Admission as an Established Officer*

16. (a) An extension of the probationary period shall not exceed three (3) months. *Extension of Probationary Period*
- (b) Where the Responsible Officer or the Service Commission, as the case may be, directs that an officer's probationary period be extended, the Responsible Officer or the Service Commission through the Responsible Officer, shall inform the officer in writing, drawing his or her attention to the need to improve his or her work or conduct. At the end of the extended probationary period, the Responsible Officer shall submit a recommendation to the Service Commission that the officer be admitted as an Established Officer or his or her probationary appointment be terminated.

APPOINTMENT ON AGREEMENT

17. Officers, other than those appointed on probation, shall sign an Agreement for a specific period of service. *Officers to sign Agreements*
18. (a) An Agreement for a specific period of service may be signed on behalf of the Government by the Responsible Officer. *Authority to sign Agreement*
- (b) An officer serving on Agreement for a specific period of service who does not wish to be re-engaged for a further term of service shall so inform his or her Responsible Officer not later than three (3) months' before his or her last day of duty. *Re-engagement for Term of Service*
19. (a) Officers who are re-engaged after pensionable service may be re-engaged on Temporary Agreements. *Re-engagement after Pensionable Service*
- (b) Re-engagement on Contract terms shall be applicable only to established officers who retire at sixty (60) years. *Re-engagement on Contract Terms of Service*

ACTING APPOINTMENT

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

21. Recommendations for Acting Appointments shall be made in sufficient time for approval by the Commission or a Responsible Officer as the case may be. Where, due to unforeseen circumstances, this is not possible, the Responsible Officer may appoint a suitable officer to act in such a position for administrative convenience only and submit the recommendation as soon as possible. In such cases, an explanation must be given why it was not possible to obtain prior approval from a Service Commission for the Acting Appointment.

Recommendations made in advance

22. An officer appointed to act in a higher post shall receive an Acting Allowance equal to the difference between his or her substantive salary and the salary of the higher applicable post.

Payment and amount of Acting Allowance

PROMOTION

23. (a) (i) Promotions within the Public Service shall be directed by a Service Commission or the Responsible Officer as the case may be, as and when vacancies occur after taking into account the qualifications, competence, experience, good conduct and good performance of all eligible officers;

Promotion of Officers

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

Promotion of Attached Officers

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

Filling of upgraded posts

(c) The existence of a vacancy shall not in itself entitle any officer in a lower grade to be promoted to that vacancy and there will be no obligation on the part of the Service Commission or Responsible Officer to fill a vacant post by direct promotion.

No obligation to fill vacancies

24. No officer may seek the influence of Members of Parliament, Political Leaders, Members of Service Commissions or any prominent persons as a means of enhancing their prospects for promotion. Any attempt to obtain promotion by such means is irregular and shall lead to disciplinary action.

Irregular means of seeking Promotion

25. (a) A Service Commission or the Responsible Officer, as the case may be, shall determine the effective date of Promotion.

Effective Date of Promotion

- (b) To ensure that uniformity is maintained in determining effective dates of Promotion, the following rules will apply:
- (i) When an officer is appointed to act in a higher post with a view to awarding him or her substantive Promotion, the effective date of such Promotion shall be the date on which the officer commenced to act in the post. Officers selected for Promotion will be appointed by a Service Commission or a Responsible Officer to act for a period of not less than three (3) months' with a view to establishing their suitability for substantive Promotion;
Acting with a view to Promotion
 - (ii) Where an officer is appointed to act in a higher post for Administrative Convenience only and is subsequently promoted to that post, the effective date of the promotion shall be the date directed by the Service Commission or Responsible Officer;
Acting for Administrative Convenience
 - (iii) An officer who has acted in a higher post for Administrative Convenience for a continuous period of three (3) months' and who has received a positive assessment of his or her performance, shall not be required to act in that post when being considered for promotion to that post; and
Substantive Promotion
 - (iv) Where an officer is promoted without initially acting in a higher post, the effective date of Promotion shall be the date on which the Service Commission or the Responsible Officer directs that the officer be substantively promoted, but this shall not be earlier than that date, in the case where the officer is already in post, or the date on which the officer assumes duties of the higher post, in the case of an officer who is not in post at the time of Promotion.
Substantive Promotion without Acting in higher post
26. When a Service Commission or the Responsible Officer advertises a vacant post, the Responsible Officer shall ensure that the advertisement is brought to the attention of all eligible officers in their Ministries, Institutions, Provinces or Districts. Application responses to the advertisement shall be submitted through a Committee to the Responsible Officer and through the Responsible Officer to a Service Commission.
Application in response to an Advertisement
27. An officer who is selected for Promotion to a post in another Ministry, Institution, Province or District shall be released to take up the new appointment as soon as possible and in any case not later than three weeks from the date on which the Ministry, Institution, Province or District received notification of the selection for such Promotion.
Release of officer selected for Promotion

TRANSFER

28. (a) An officer may be transferred to any duty station where his or her services are required. *Transfer*
- (b) Where an officer is transferred on a Temporary basis, the officer will be permitted to retain accommodation at his or her permanent duty station. *Temporary Transfer*
29. An officer who wishes to be considered for transfer, other than on promotion, to another Ministry, Institution, Province or District shall apply to his or her Responsible Officer giving the reasons for the request and listing his or her qualifications for the post he or she wishes to fill provided such a post is vacant and funded. *Application for Transfer to another Ministry/Institution/Province/District*
30. If the Responsible Officer has no objection to the application, the Responsible Officer shall send it with comments to the recipient Responsible Officer of the Ministry, Institution, Province or District to which the officer wishes to transfer. If the application for such a transfer is accepted, the Responsible Officer of the receiving Ministry, Institution, Province or District shall refer it to a Service Commission for a decision.
31. An officer who wishes to be considered for a transfer other than on promotion to another Department, shall apply to his or her Head of Department giving reasons for such a request and shall list his or her qualifications for the post he or she wishes to fill provided such a post is vacant and funded. The Head of Department shall send the application with his or her comments to the recipient Head of the Department, who shall then refer it to the Responsible Officer of the Ministry, Institution, Province or District for a decision. *Application for transfer to another Department within the Ministry or Province*
32. An officer who wishes to be considered for a transfer other than on promotion to another Department, shall apply to his or her Head of Department giving reasons for such a request and shall list his or her qualifications for the post he or she wishes to fill provided such a post is vacant and funded. The Head of Department shall send the application with his or her comments to the recipient Head of the Department, who shall then refer it to the Responsible Officer of the Ministry, Institution, Province or District for a decision. *Transfer to a post carrying a different Salary Scale*

REGRADING

33. (a) An officer who wishes to be considered for Regrading to another post shall apply to his or her Responsible Officer giving the reasons for the request and listing his or her qualifications for the post he or she wishes to fill provided such a post is vacant and funded and is of the same salary scale to the one the officer is currently holding.

Regrading

If the Responsible Officer has no objection to the application, the Responsible Officer shall send it to the Service Commission for a direction.

- (b) In case of delegated functions, the Responsible Officer shall approve the Regrading of an officer based on the recommendation of the Human Resource Committee.

SECONDMENT

34. (a) An officer may, with the approval of the appropriate Service Commission, be seconded for service to any non-Public Service Organisation or Statutory Body.

Secondment of Public Officers to Non-Public Service Organisation

- (b) Applications for Secondment shall be made through the Responsible Officer to a Service Commission and shall include the following particulars:

Application for Secondment

- (i) A detailed Job Description of the post to be filled;
- (ii) an Offer of Appointment;
- (iii) a summary of the candidate's qualifications;
- (iv) the reasons for the nomination; and
- (v) the salary and allowances attached to the post to be filled.

- (c) (i) An officer shall not proceed to assume duties in the organisation to which he or she is recommended for Secondment without the prior authority of a Service Commission.

Assumption of Duties before Approval of Recommendation

- (ii) Any officer who fails to comply with (i) above, shall be deemed to have absconded or deserted the work place.

35. (a) Submissions for Secondment or renewal of Secondment in retrospect shall not be accepted by the Responsible Officer. *Non-acceptance of Submissions*
- (b) The Secondment period shall be the period which is stipulated in the offer of appointment. *Period of Secondment*
- (c) An officer on Secondment shall not continue to earn leave that was applicable to him or her before the date of secondment. Leave earned outside the Public Service shall not be transferred to the Public Service. *Leave on Secondment*
- (d) A seconded officer shall not receive a salary from the Public Service during the period of Secondment as payment of his or her salary shall be the responsibility of the organisation he or she is seconded to. *Payment of Salary on Secondment*
- (e) An officer on Secondment shall continue to contribute to the applicable Pension Scheme, both the employer and employee's contributions at the applicable rate. *Pension contributions on Secondment*
- (f) A seconded officer shall be subject to the disciplinary code of the organisation to which he or she is seconded. *Discipline on Secondment*
- (g) The receiving institution shall be responsible for the provision of housing/accommodation for the seconded officer. *Housing on Secondment*
- (h) The officer, upon return from secondment, shall only be deployed if there is a suitable vacant post. In the absence of a suitable vacant post, the officer shall not receive a salary. *Redeployment upon return from Secondment*

ATTACHMENT

36. (a) An officer may, with the approval of the appropriate Service Commission, be attached for service to any Government Project or Statutory Body. *Attachment of Public Service Officers*
- (b) Nominations for Attachment shall be made through the Responsible Officer to a Service Commission and shall include the following particulars: *Nominations for Attachment*

- (i) A detailed Job Description of the post to be filled;
- (ii) an Offer of Appointment;
- (iii) a summary of the candidate's qualifications;
- (iv) the reasons for the nomination; and
- (v) Remuneration attached to the post to be filled.

(c) An officer shall not proceed to assume duties in the organisation to which he or she is recommended for Attachment without the prior authority of a Service Commission.

Officers not to assume duties before approval of Recommendation

(d) The Attachment period shall be the period which is stipulated in the offer of Appointment.

Period of Attachment

CHAPTER III

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

TERMINATION OF APPOINTMENT

37. (a) A Service Commission or Responsible Officer as the case may be, may terminate the appointment of a probationer, after assessing that the probationer is not suitable for the job, at any time by giving the officer thirty (30) days' notice, in writing, or by paying the officer one (1) months' salary in lieu of notice. *Termination of Probationary Period for Officers*
- (b) A Contract Agreement for a specified period may be terminated by either party in accordance with the provisions of the contract. *Termination of Contract*
- (c) A Temporary Agreement may be terminated by either party by giving either party, in writing, the period of notice prescribed in the agreement, exclusive of leave, or by paying salary equivalent to that period of notice in the agreement. *Termination of Temporary Agreement*

RESIGNATION

38. (a) An Established Officer may resign at any time, by giving the Government three (3) months' notice, in writing, exclusive of leave, or by paying Government one (1) months' salary in lieu of notice. *Resignation of an Established Officer*
- (b) An officer on probation may resign at any time by giving Government one (1) months' notice, in writing, exclusive of leave, or by paying Government one (1) months' salary in lieu of notice.
- (c) An officer serving on Agreement for a specified period of service may resign at any time as specified in the Agreement. *Resignation of Officer on Agreement for Specified Period*
- (d) An officer serving on Agreement or an Established Officer shall be required to resign to participate in active politics as prescribed in the Constitution. *Resignation to Participate in active Politics*
39. (a) Notice of resignation shall be addressed to the Responsible Officer who shall acknowledge and accept the resignation in writing. *Acceptance of Notice of Resignation*

- (b) An Established Officer who resigns from the Public Service may, through his or her previous Responsible Officer, withdraw his or her resignation within three (3) months' after the date of resignation. The Responsible Officer shall determine whether to accept the request or not. The period between an officer's resignation date and the date of withdrawal of notification shall be treated as Unpaid Leave.
- Withdrawal of Resignation by an Established Officer*

RETIREMENT

40. (a) An Established Officer shall be retired as prescribed in the Pensions Act. *Retirement*
- (b) An officer who wishes to take leave pending retirement shall inform the Responsible Officer. *Leave Pending Retirement*
- (c) A Service Commission may require an Established Officer to retire in the national interest at the instance of the Government either to take up another appointment outside the Public Service or for other reasons of Government policy as provided for in Section 39 of the Public Service Pensions Act. *Retirement in the National Interest*
- (d) A Service Commission may require an Established Officer to retire in the Public Interest as provided for in the Pensions Act on the following grounds: *Retirement in the Public Interest*
- (i) failure to perform his or her duties;
 - (ii) incompetent performance of his or her duties; and
 - (iii) an offence under the Disciplinary Code.
- (e) A Service Commission may require an Established Officer to retire on advice from a medical doctor to the satisfaction of the appropriate Service Commission that an officer is incapable, by reason of some infirmity of mind or body, of discharging the duties of his or her office and that such infirmity is likely to be of long standing.
41. When an Established Officer is required to retire on age, he or she shall be given three (3) months' notice or one (1) month's salary in lieu of notice subject to tax. *Notice of Retirement for an Established Officer*
42. An officer may retire from the public service on giving three (3) months' notice: *Notice of Retirement on Age*

- (a) If he or she is an officer in the Zambia Police Service low the rank of Chief Inspector or in the Zambia Correctional Service at the rank of Assistant Superintendent or below or is an officer who, to the satisfaction of a Service Commission, is engaged on duties requiring a higher degree of physical activity, at any time after he or she attains the age of forty-five (45) years' or at any time after completing twenty (20) years of continuous service.
- (b) An application to retire under this provision shall be submitted to a Service Commission by an officer through his or her Responsible Officer who shall state whether or not he or she supports the application.

Notice of Retirement for Police, Prisons and other officers

Application to Retire

TERMINAL BENEFITS

43. An officer who is either dismissed or resigns from the Public Service shall not be entitled to Repatriation Allowance but shall be entitled to the following:
- (a) cash in lieu of any accrued leave; and
- (b) benefits as provided for in the Public Service Pension Act, 1996.
44. An officer who has died or is retired from the Public Service shall be entitled to the following:
- (a) cash in lieu of any accrued leave;
- (b) Repatriation Allowance; and
- (c) benefits as provided for in the Pensions Act.

Benefits on Dismissal

Terminal Benefits following Death/ Retirement

CERTIFICATE OF SERVICE

45. Upon leaving the service, an officer shall be provided with a Certificate of Service to be issued by a Service Commission or the Responsible Officer.
46. Where disciplinary proceedings have been instituted against an officer and he or she resigns in order to avoid dismissal, his or her Certificate of Service must be endorsed to the effect that the officer resigned while such proceedings were pending against him or her.

Issuance of Certificate of Service

Endorsement of Resignation on Certificate of Service

LETTER OF APPRECIATION

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

Issuance of Letter of Appreciation

REFUND

48. A Probationer who leaves the service within three (3) months of the date of appointment, and who has given the required notice, or paid the requisite salary in lieu thereof, shall refund to the Government:

Refunds on Leaving Service as a Probationer

- (a) the cost of his or her own and the family's transport on appointment, including travelling expenses and Baggage Allowance;
- (b) any Uniform Allowance received in respect of the current period of service;
- (c) any salary received in respect of unearned leave taken in advance; and
- (d) the amount outstanding on any advance of salary or loan from the Government.

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

Refunds by Officer on Contract on leaving Service

- (a) any salary received in respect of unearned leave taken in advance;
- (b) the amount outstanding on any advance of salary or loan from the Government; and
- (c) any sum due to the Government under any bonding agreement.

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

Recovery of Refunds

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

Refund Debt to Government

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

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

*Refunds on
leaving Service
without Notice*

54. Nothing in these Terms and Conditions of Service shall restrict the right of the Secretary to the Treasury of the Ministry responsible for Finance to make recoveries under the Public Finance Management Act No. 1 of 2018, of the Laws of Zambia.

*Debts not
Recovered to be
Reported*

CHAPTER IV

CONDUCT AND DISCIPLINE

55. Officers are required to comply with these Terms and Conditions of Service for the Public Service and any verbal or written lawful orders and instructions of the Responsible Officer or of any senior officer which relates to their work. The Service Commission Disciplinary Code and Procedures for Handling Offences, which has been issued in addition to the foregoing, apply to all officers. *Compliance with Disciplinary Code and Lawful Orders and Instructions*
56. The Public Service must be beyond reproach. It is, therefore, the duty of every officer to maintain the highest standard of conduct, efficiency and personal behaviour. Any departure from these standards shall constitute misconduct. *Standard of Conduct and Efficiency*
57. (a) In order to ensure effective, impartial, fair and equitable provision of public services, Public Service employees shall remain non-partisan. In this regard, Public Service employees shall not:
- (i) seek or accept nomination for election to National Assembly or the Local Authorities;
 - (ii) hold office in any political organisation;
 - (iii) wear political party regalia;
 - (iv) Participate at political meetings, conferences and conventions;
 - (v) speak or ask questions in public or broadcast on political matters;
 - (vi) write letters to the Press, publish books or articles or circulate leaflets giving views on political matters or other matters likely to raise political issues;
 - (vii) use state vehicles and other resources to transport political cadres and materials.
 - (viii) canvass or collect funds in support of any political candidate or any political cause or body;
 - (ix) propose, second, or support in any public way a candidate for an election; or
 - (x) participate in politics as an independent candidate.
- Non-Participation in Active Politics*

- (b) Public Servants who are in doubt concerning anything they intend to do, say or write publicly which could be construed as taking part in politics, should seek the advice of their respective Permanent Secretaries or Chief Executive Officers.
- (c) Failure to comply with (a) above shall constitute misconduct.
58. (a) Except where prevented by the nature of work while on duty, all officers shall dress in a clean, decent and tidy manner in order to reflect credit to the Public Service. *Dress Code*
- (b) No uniform may be introduced for any category of officers until the design has been submitted and approved by the Permanent Secretary, Public Service Management Division. Officers who are required to wear uniform will wear it at all times when on duty. Failure to comply with this requirement shall constitute misconduct. *New Uniform to be approved*
59. It is the duty of all officers to be courteous, helpful and attentive in all their dealings with the general public. Any departure from this standard shall constitute misconduct and provocation by a member of the public which shall not be an excuse for any misconduct in this regard. *Interacting with the Public*
60. Officers are liable to serve at any station where their services are required within Zambia or abroad. Failure to comply with any instructions regarding postings or transfers without reasonable grounds, shall constitute misconduct. *Officers liable to serve anywhere*
61. (a) Officers shall be present on duty during the period of the normal working hours and may also be required to work outside these hours when necessary whether or not they occupy posts qualifying for over-time. Failure to comply shall constitute misconduct. *Officers to be present on Duty when required*
- (b) No officer shall engage in the trade or sale of any kind of merchandise in a Government Office or any other Government premises. Failure to comply shall constitute misconduct. *Prohibition of Sale of Merchandise in Government Offices*
62. (a) Normal working hours for the Public Service shall be as laid down by the Secretary to the Cabinet from time to time. Absence from duty during normal working hours without the express permission of a Supervising Officer, or failure to observe the specified office hours shall constitute misconduct. *Adherence to Normal Working Hours*
- (b) All female officers are entitled to a day off every month. This, however, shall not be cumulative. *Mother's Day*

63. (a) An officer who is absent from duty without leave to do so for a continuous period of ten (10) or more working days, shall be liable for dismissal. *Absence from Duty Without Leave*
- (b) An officer shall not be paid a salary for the period he or she is absent from duty without leave unless he or she produces satisfactory evidence justifying such absence. *Non-payment of Salary for Absence*
- (c) Supervising Officers shall report all cases of absence without leave to their Responsible Officers for appropriate action. Failure on the part of a Supervising Officer to report any case of absence from duty without leave shall constitute misconduct. *Supervisors to Report Absence*
- (d)(i) Before submitting a recommendation that an officer who is absent without leave for a continuous period of ten (10) or more working days should be dismissed, the Responsible Officer of the Ministry, Institution or Province concerned shall first inform the officer of the action he or she proposes to take, by communicating to an officer via his or her last known physical or any electronic address. The communication shall give the officer up to five (5) working days in which to submit representations why he or she should not be dismissed and no further action may be taken until this period of time has elapsed. *Action by Responsible Officer before Recommending Dismissal*
- (ii) Where an Officer who is facing disciplinary action reports for work, the Responsible Officer may suspend the officer pending the decision of the Service Commission or Responsible Officer. Further, the period that the officer was away should be regarded as unpaid leave. *Suspension Pending Decision*
64. (a) (i) An officer who is absent from duty on account of ill-health shall report to the Supervising Officer and submit a medical certificate from a Registered Medical Doctor or Dental Surgeon; *Absence from Duty owing to ill-health*
- (ii) An officer who is absent from duty on account of ill-health and fails to report, shall not be eligible for sick leave and shall be regarded as being absent without leave and dealt with accordingly; and
- (iii) Where an officer who is absent from duty on account of ill-health caused by his or her own negligence or misconduct, the Service Commission or the Responsible Officer, shall direct that all or part of the officer's salary should not be paid for the period of time the officer was absent from duty.

*Reporting for Duty
under influence of
Alcohol/ Drugs*

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

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

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

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

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

Oath of Secrecy

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

*Act applies after
leaving the
Service*

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

*Discussion on
matters of
Defence/ Security*

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

*Relations with
Foreign Diplomats
without Authority*

68. (a) No officer is permitted to be an editor of a newspaper, magazine or any other non-Governmental publication or to directly or indirectly take part in its management without the prior permission of the Responsible Officer. *Editing and Managing Publications without Authority*
- (b) An officer shall not write on subjects which may be interpreted as political or relating to the organisation and administration of the Public Service. *Prohibition of writing on political or administrative matters*
- (c) An officer may publish signed articles dealing with matters of general interest with the express permission of a Responsible Officer. *Publications with Authority*
69. Notwithstanding the preceding provision, an officer is free to use his or her leisure time in pursuit of works for which his or her official experience and knowledge may qualify him or her. Publications of a technical, professional or scientific nature may be published by officers with permission of the Responsible Officer. *Publications with Consent of the Responsible Officer*
70. (a) Wherever possible, communication with the press on official matters shall be conducted through the Responsible Officer. *Communication with the Press*
- (b) A Responsible Officer, or any senior officer granted permission by him or her, may answer inquiries from the Press on matters of fact or accepted Government policy which do not involve questions of State Security. *Responses to Press inquiries*
- (c) Any officer who has been granted permission by his or her Responsible Officer to answer inquiries from the Press under (b) above shall immediately report the substance of his or her answers to the Responsible Officer. *Press Responses to be Reported*
71. (a) (i) An officer who wishes to broadcast or lecture on a subject which is regarded as political or administrative or specifically on a subject in which he or she specialises, shall do so with the permission of the Responsible Officer; and *Lecturing on particular subject outside Official Duties*
- (ii) An officer may lecture or broadcast if invited by the Government but he or she shall not be paid for preparing or delivering the lecture or broadcast.
- (b) An officer who is an expert in a particular subject may give lectures on the subject on occasions not connected with his or her official duties. It is not necessary for an officer to obtain prior approval for the script of these lectures. *Lecturing on subject not connected with Government work*

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

*Personal views
during Lecturing*

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

*House Ownership
not to influence
posting*

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

*Engaging in
Corruption*

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

*Conditions for
driving
Government
vehicles*

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

*Restrictions on
use of
Government
vehicles*

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

Failure to comply shall constitute misconduct.

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

*Duties of Officers
Responsible for
Transport*

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

*Accident
Reporting
Procedure*

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

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

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

*No Admission of
Liability for
Accident*

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

*Care and
Economy in use of
Vehicles*

*Defence of
Officers at Public
Expense*

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

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

Bankruptcy

81. An officer against whom proceedings in bankruptcy are being instituted shall immediately report the facts to his or her Responsible Officer who shall refer the matter to the relevant Service Commission for determination.

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

*Procedure when
Officer is charged
with Serious
Offence*

(b) Upon the conclusion of the case, the Responsible Officer shall obtain certified copies of the charge and judgement and institute the necessary disciplinary action.

(c) In the event of an appeal being lodged following conviction, the Employee shall notify the Responsible Officer of the appeal and thereafter of, the results of the appeal.

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

*Reporting of
Offences*

84. Where the Responsible Officer is satisfied that an offence committed by an officer under his or her charge may lead to criminal proceedings, he or she shall report the matter to the Law Enforcement Agencies immediately. Notwithstanding the foregoing, the matter shall where possible be first handled administratively before instituting criminal proceedings.

*Reporting Criminal
Offences to Law
Enforcement
Agencies*

85. An officer who is dismissed as a result of his or her conviction for a criminal offence and who is subsequently acquitted on appeal shall be reinstated to the substantive or equivalent position.

*Officers Acquitted
on Appeal*

86. Where it is necessary to issue a formal warning to an officer that his or her work or conduct is unsatisfactory, the warning shall be as follows:
- Formal Warning to an Erring Officer*
- (a) Verbal warning;
 - (b) Written warning; or
 - (c) Final warning.
87. (a) A surcharge for loss of public money or stores may, under the provision of the Public Financial Management Act No. 1 of 2018 be levied against the salary and or pension of an officer if through wilful default or gross neglect of duty he or she:
- Surcharge for Loss of Public Funds and Stores*
- (i) Fails to collect any money owing to the Government;
 - (ii) Is responsible for any improper payment of public monies’;
 - (iii) Is responsible for any loss or deficiency of public monies under his control;
 - (iv) Is responsible for any damage, destruction, or loss of public stores;
 - (v) Is responsible for personal injury or damage to property for which the Government is held liable; and
 - (vi) Is responsible for damage to or loss of any Government building, fixtures, fittings or furniture.
- (b) Responsibility for the imposition of a surcharge shall rest with the Secretary to the Treasury, responsible for Finance.

CHAPTER V

SALARIES AND ADVANCES OF SALARY

SALARIES

88. An officer appointed to the Public Service will be paid a salary from the date he or she reports for duty except where his or her contract provides otherwise. *Salary on First Appointment*
89. The salary to be paid to an officer on first appointment shall be determined in accordance with the rules laid down by the Permanent Secretary, Public Service Management Division. *Rules for determining Salary*
90. No officer may draw a salary for more than one post at the same time. *Payment of Salary for one post*
91. The salary shall be paid locally by direct payment into the officer's account with any commercial bank in Zambia. *Methods of Payment of Salary*
92. The salary shall be payable in monthly instalments calculated at one twelfth (1/12) of the annual rate. A salary for part of any month shall be calculated in proportion to the number of days in that particular month. *Calculation of Salary*
93. The salary shall be payable on the last working day of the month in which it is earned or on any earlier date which the Secretary to the Treasury, Ministry of Finance, may from time to time approve.
94. On promotion, an officer shall receive a salary at the appropriate notch within his or her new salary scale. *Determination of Salary on Promotion*
95. A Responsible Officer shall immediately terminate from the payroll an employee who resigns, is dismissed, or deceased and is not eligible for posthumous retirement. *Termination from Payroll*

ADVANCE OF SALARY

96. (a) An officer may obtain an advance of salary up to the maximum of his or her salary. *Salary Advance*
- (b) An officer may not get a salary advance while another advance is still outstanding.
97. An application for a salary advance will be considered on its merit by the Responsible Officer of the Ministry, Institution or Province concerned but the amount advanced shall be limited to a maximum of the officer's monthly salary and shall be repaid within a reasonable period of time but not exceeding six (6) months. *Application for Salary Advance*

**CHAPTER VI
ORDINARY LEAVE**

LEAVE AND TRAVELLING ON LEAVE

98. (a) Leave shall be granted subject to the needs of the Public Service. *Leave*
- (b) Responsible Officers, Heads of Department or Supervising Officers must ensure that employees serving under them take leave regularly to avoid accrual of excess leave days. Leave may be granted any time after an employee has completed six (6) months service. *Application for Leave*
99. Officers, other than those serving on agreement specifying entitlement to higher leave earning rate or those employed on a part-time basis, will earn leave for each month of qualifying service as follows: *Leave Earning Rates*
- | | | |
|-----|------------------------------|---------|
| (a) | For Officers in Division I | 3½ days |
| (b) | For Officers in Division II | 3 days |
| (c) | For Officers in Division III | 2½ days |
100. For the purpose of calculating the amount of leave earned, qualifying service will begin on the date an officer first reports for duty on first appointment or returns from leave and will end on the day before he or she proceeds on leave or on the date of his or her resignation, retirement or termination of employment. Any period of absence from duty due to illness or injury during which the officer does not receive a salary will not count as qualifying service. *Qualifying Service for calculating Earned Leave*
101. (a) The amount of leave due to an officer shall be calculated according to the number of months he or she has completed during his or her period of qualifying service. Any extra days shall be carried forward and added to his or her period of qualifying service. Thirty (30) days will make up one month. *Calculation of Leave Amounts*
- (b) Any approved leave other than maternity leave, study leave and sick leave, will be exclusive of Saturdays, Sundays and Public Holidays. *Approved Leave to exclude Saturdays, Sundays and Public Holidays*
102. When an officer's leave rate changes during a period of qualifying service, the leave due to him or her for each part of that period of service shall be calculated separately. *Changes in Leave Rates*

103. When an officer's leave rate changes during a period of qualifying service, the leave due to him or her for each part of that period of service shall be calculated at the higher rate. *Calculation of Leave at a higher Rate*
104. Any fraction of a day's leave shall be carried forward and added to subsequent leave. *Any fraction of the Leave Day carried forward*
105. A Responsible Officer shall ensure that employees serving under him or her take leave regularly to avoid accumulating excess leave days and to enable the employee to rest. *Officers to take Leave regularly*
106. (a) No officer may be granted leave for a continuous period longer than is specified below: *Maximum continuous period of Leave*
- (i) For officers in Division I 120 days;
 - (ii) For officers in Division II 110 days; and
 - (iii) For officers in Division III 100 days.
- (b) If an officer is granted only part of the total leave which he or she has earned, he or she may be granted the balance later together with any further leave which he or she may then have earned. *Balance of Earned Leave Carried Over*
107. (a) Public Service officers may accumulate leave up to the prescribed maximum limits specified under as follows: *Maximum Accumulation of Leave*
- (i) For Officers in Division I 230 days;
 - (ii) For Officers in Division II 205 days; and
 - (iii) For Officers in Division III 160 days.
- An officer who accumulates leave in excess of the prescribed limit shall forfeit his or her excess number of days to the Government.
- (b) If an officer applies for leave and his or her application is not approved because of the needs of the service, he or she may nevertheless be permitted to postpone the leave to a later date and shall be allowed to accrue excess leave days. However, such postponement must be notified in writing to the employee by the Head of Department. *Refusal to grant Leave Carried Over*
- (c) Failure to provide documentary evidence of postponement or non-approval of leave as indicated in (a) above shall lead to the officer forfeiting the excess leave days.

108. A teacher or any other officer employed on the staff of a school must take leave during the school holidays unless the period of leave is one school term or more. *Teachers to take Leave During School Holidays*

COMMUTATION OF LEAVE DAYS FOR CASH

109. A Responsible Officer may authorise an officer to commute up to one hundred and twenty (120) days of his or her leave for cash subject to the availability of funds. *Commutation of Leave Days for Cash*
110. When an officer commutes leave for cash, the commutation payment shall be calculated at the full rate of his or her substantive basic salary. *Calculation for Payment of Commutation*
111. When an officer proceeds on terminal leave, he or she must be paid in advance for all leave due to him or her. The payment shall be calculated at the full rate of his or her substantive basic salary. Excess leave days shall only be paid where there is authority from the Controlling Officer. *Payment of Terminal Leave*
112. A payment shall be made to the appointed administrator of the estate of an officer who dies in the service and will be calculated at the full rate of his or her substantive basic salary. *Payment following Death of Officer*
113. An officer who leaves the service without giving the required notice, or paying salary in lieu thereof, shall not be paid terminal leave in advance until the matter has been referred to the Responsible Officer. *Terminal Benefits to be Withheld*

LOCAL LEAVE

114. An officer must take local leave of not more than twenty-nine (29) days once every year. *Local Leave*

VACATION LEAVE

115. (a) An officer shall be required to proceed on thirty (30) days or more paid leave every (2) years. *Vacation Leave*
- (b) An officer proceeding on paid leave for thirty (30) days or more shall be entitled to vacation leave allowance to enable him or her and the family to travel from his or her station to the leave destination within Zambia.
- (c) Vacation Leave allowance shall be granted at intervals of twenty-four (24) months.
- (d) An officer shall submit an application for vacation leave one (1) month before the intended date of leave.

- (e) An officer shall not proceed on leave without prior approval.

CONVALESCENCE LEAVE

116. An officer who has been absent from duty due to illness or injury, not caused by his or her own negligence or misconduct, may, before returning to duty and if considered necessary by the competent medical authorities, be granted time to recover fully from the effects of his or her illness or injury. Convalescence Leave shall not be deducted from an officer's earned leave. *Purpose of Convalescence Leave*
117. (a) When a medical officer considers a period of convalescence necessary, he or she shall submit a recommendation to that effect to the Responsible Officer of the officer's Ministry, Institution or Province who may grant such leave without further reference. But the Responsible Officer shall inform the Permanent Secretary, Public Service Management Division, by forwarding a copy of his or her written approval for convalescent leave to be taken. *Recommendation for Convalescence Leave*
- (b) Convalescence leave for a period of more than twenty-one (21) days shall be granted on the recommendation of a Registered Medical Doctor or Dental Surgeon. *Convalescence Leave for more than Twenty-one-Days*

URGENT LEAVE FOR PERSONAL REASONS

118. An officer who has no leave days due to him or her and who wishes to be absent from duty for urgent personal reasons, may apply to the Responsible Officer for leave. *Leave for Urgent Personal Reasons*
119. (a) The Controlling Officer may grant unpaid leave of up to one year to an officer for personal reasons. An officer who has been granted unpaid leave shall continue to pay both employer and employee's share of pension contributions so that the period of qualifying service for purposes of computing pension benefits is continuous. *Unpaid Leave for One Year*
- (b) Notwithstanding (a) above, the resumption of duty of an employee who proceeded on unpaid leave shall not be guaranteed but dependent on the availability of an approved, funded and vacant position on the payroll.

120. When an officer who has no accrued leave days is granted paid leave for urgent personal reasons, this must be deducted from the leave for which he or she qualifies after his or her return to duty.

*Deduction/ Refund
in respect of Leave
for Urgent Personal
Reasons*

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

SPECIAL LEAVE

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

*Grant of Special
Leave*

- (i) when an officer has to sit for an examination which is directly connected with the officer's career in the Public Service; the approval of the Responsible Officer must be obtained before an officer is granted leave to sit for an examination outside Zambia;

*Approval to sit for an
Examination*

- (ii) when an officer is required to undergo continuous military training or National Service, Military and Police Training as prescribed by law;

*National Service,
Military and Police
Training*

- (iii) in the event that the officer must be absent from duty because he or she has been in contact with an infectious disease; special leave in these circumstances must be granted on the recommendation of a Registered Medical Doctor or Dental Surgeon, who must state the period of special leave he or she recommends;

*Absence due to
Infectious Disease*

- (iv) in any other case in which there are exceptional circumstances which justify the granting of special leave in the national interest provided the prior approval of the Responsible Officer has been obtained; an example of such exceptional circumstances would be when an officer is selected to represent Zambia in an international sporting event; and

*Other Exceptional
Circumstances*

- (v) when an officer loses a spouse, a child or a parent, he or she may be granted Compassionate Leave of a maximum of three (3) weeks in the case of a spouse and two (2) weeks for a child or parent after which he or she may apply for ordinary leave.

*Compassionate
Leave*

(b) Special leave in (a) above shall not be deducted from an officer's earned leave.

Special Leave in addition to Earned Leave

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

Travelling on Special Leave

OCCASIONAL LEAVE

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

Grant of Occasional Leave

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

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

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

When to take Occasional Leave

FAMILY CARE LEAVE

124. (a) An employee is entitled to three (3) paid leave days per year to cover responsibilities related to the care, health or education for that employee's child, spouse, dependant or parent.

Entitlement for Family Care Leave

(b) Family Care leave in (a) above shall not be cumulative or deducted from an employee's earned leave.

MATERNITY LEAVE

125. A Responsible Officer may grant maternity leave to enable a female employee to be absent from duty for a maximum period of fourteen (14) weeks to be taken as follows:

Maternity Leave exclusive of Earned Leave

(a) a maximum of eight weeks before the expected date of delivery while the remaining weeks shall be taken immediately after delivery; or

(b) immediately after delivery;

(c) in an event that a female employee does not take maternity leave before Expected Date of Delivery and has a premature child, such an employee shall be granted maternity leave;

- (d) maternity leave shall in the case of a multiple birth be extended for a further period of four (4) weeks;
- (e) a female employee must remain in the continuous employment with Government for twenty-four (24) months before the maternity leave begins;
- (f) An employee who suffers a miscarriage during the third trimester of pregnancy or bears a still born child is entitled to six (6) weeks leave on full pay immediately after the miscarriage or still birth, except that the miscarriage or still birth shall be duly certified by a registered medical doctor; and
- (g) An employee who gives birth to a premature child is entitled to an extension of the maternity leave for a period that shall be recommended by a Registered Medical Doctor.

*Leave after
Miscarriage/Still
Birth*

RETURN FROM MATERNITY LEAVE

126. An employee shall return to the job which the employee held immediately before the Maternity Leave or to a reasonably suitable job on terms and conditions not less favourable than those which applied to the employee before the Maternity Leave:

- (a) An employee may, immediately on expiry of Maternity Leave before resuming duties and with the approval of the Responsible Officer, proceed on sick, annual, compassionate or other leave to which the employee is entitled;
- (b) An employee shall give notice in writing as may be reasonable in the circumstances to the Responsible Officer, of that employee's intention to proceed on Maternity Leave on a specified date and to return to work thereafter; and
- (c) An employee shall not forfeit that employee's annual leave entitlement because of having taken maternity leave.

*Privileges
associated with
Maternity Leave*

*Return from
Maternity Leave*

NURSING BREAKS

Nursing Breaks

127. (a) An employee who is nursing that employee's unweaned child, is entitled each working day, at a time convenient to the employee and having regard to the needs of the child, to at least:
- (i) two nursing breaks of thirty minutes each; or
 - (ii) one nursing break of one hour.
- (b) The nursing break specified above shall:
- (i) be for a period of two months from the date of return from maternity leave; and
 - (ii) not be deducted from the number of paid hours of work of that female employee.
- (c) Despite subsection (a) above, the Responsible Officer and the employee may enter into an agreement which is not less favourable than the provisions of this section.

PATERNITY LEAVE

128. A Responsible Officer may grant paternity leave to enable a male officer to be absent from duty for a maximum period of ten (10) calendar days on the following conditions:

*Paternity Leave
exclusive of Earned
Leave*

- (a) a male officer will be eligible for the grant of the first paternity leave with full pay if he has served continuously for not less than three (3) months';
- (b) a male officer will be eligible for the grant of subsequent paternity leave with full pay if he has served a continuous period of not less than two (2) years' since returning to duty from his previous paternity leave; and
- (c) in either case, paternity leave with full pay will be granted on production of a record of birth of the child duly signed and issued by a Registered Medical Doctor.

PAID STUDY LEAVE

129. (a) Paid Study Leave may be granted by the Permanent Secretary, Public Service Management Division to an Established Officer who:
- Conditions for Paid Study Leave*
- (i) is nominated by the Responsible Officer; or attends a training programme of study with Government approval at his or her own request;
 - (ii) is, with government approval, granted a bursary or other award to follow a training programme of study;
 - (iii) has served a minimum of two (2) years' in the Public Service; or
 - (iv) is not serving any bond.
- (b) Government approval for Paid Study Leave will only be given if the Permanent Secretary, Public Service Management Division, considers that the officer is suitable in every respect to undertake the training programme and that it is directly connected with his or her career in the Public Service. The Permanent Secretary, Public Service Management Division, may not grant study leave when the programme is not in the interest of the service.
- Relevance of the Training Programme*
- (c) An officer who is not yet confirmed shall not be eligible for Paid Study Leave except with the express approval of the Secretary to the Cabinet.
- Probationer not eligible for Paid Study Leave*
130. An application for Paid Study Leave for a training programme or study programme of one month or more shall be approved by the Responsible Officer.
- Application for Paid Study Leave*
131. An officer who is granted Paid Study Leave shall be paid his or her normal substantive salary during the period of such leave.
- Salary on Paid Study Leave*
132. An officer on Paid Study Leave other than those on self sponsorship may be paid, in addition to his or her salary, any other supplementary allowances.
- Supplementary Allowance*
133. An officer on Paid Study Leave other than those on self sponsorship shall be entitled to a refund of:
- Refund of Fees*
- (a) tuition fees for the training programme, on the production of a receipt showing that he or she paid the fees himself or herself.

- (b) fees for any examinations which he or she has had to take as part of the training programme, on production of a receipt showing that he or she paid the fees himself or herself and on production of certified evidence that he or she has passed the examination.
134. An officer proceeding on a training programme away from his or her usual place of residence shall make the necessary financial arrangements for the maintenance of his or her dependants:
- Arrangements for Maintenance of Dependants*
135. (a) An officer who is on Paid Study Leave shall be eligible to earn leave days during the period of the training programme.
- Earning Leave Days during Paid Study Leave*
- (b) An officer who is on Paid Study Leave may be required to work during the training programme of vacation if the training programme is held in Zambia.
- Officer on Paid Study Leave required to work*
- (c) an officer attending a training programme of study outside Zambia under the sponsorship of Government for four or more years' duration, may be granted one return passage to Zambia by the most direct route, during any one long vacation.
- Authority to return to Zambia during Paid Study Leave*
- (d) In an event that an employee on study leave is transferred from one institution to another, the receiving institution shall continue paying for the training.
136. (a) An officer who is granted paid study leave to attend a training programme of study away from his or her usual place of residence and who occupies Government quarters will be permitted to retain those quarters. An officer who is permitted to retain Government quarters while on paid study leave shall continue to pay rent at the rate applicable to the particular type of accommodation he or she retains.
- Retention of Government Houses during Training Programme*
- (b) If an officer exceeds the period of paid study leave without permission, he or she shall be required to forfeit Government quarters.
137. An officer on paid study leave outside Zambia who does not receive maintenance allowance from a Technical Assistance source will receive a maintenance allowance from the Government. The amount of this allowance shall be determined from time to time as determined by the Permanent Secretary, Public Service Management Division.
- Officers to receive Maintenance Allowance*

138. An officer who is granted paid study leave shall be regarded as travelling on duty to and from the place of study and shall be paid subsistence allowance at an appropriate rate. *Subsistence Allowance during Training Programme*
139. (a) When an officer has been granted paid study leave outside Zambia and Technical Assistance arrangements do not provide for an outfit or a book allowance to be paid, the Permanent Secretary, Public Service Management Division may authorise the expenses to be paid as determined by Government Circulars released from time to time. An outfit allowance, if granted, will relate solely to the climatic conditions in the country of study and will not extend to the provisions of academic dress. The allowance will be paid before the officer proceeds on study leave. *Outfit and Book Allowances during Training Programme*
- (b) An individual grant for the purchase of books, stationery, instruments or other apparatus will be made to an officer on Government sponsored paid study leave within Zambia. The amount of any such grant shall be decided by the Permanent Secretary, Public Service Management Division. The grant shall be paid before the officer proceeds on study leave.
140. Paid study leave shall count as part of service for pension purposes. *Paid Study Leave as Reckonable Service*
141. (a) An officer who has been granted paid study leave shall be required to enter into a formal agreement binding him or her to remain in the Public Service following the completion of his or her training programme. No officer may be granted exemption from serving the full period of his or her bond. *Bonding Conditions*
- (b) The bonding period shall be equivalent to the duration of the training programme.
142. (a) Officers attending short seminars, conferences or overseas study tours of less than thirty (30) days who are fully sponsored by Government shall not be eligible for paid study leave, but shall be paid subsistence allowance at the appropriate rate. *Short Term Training and Study Tours*
- (b) Officers attending short seminars, conferences or overseas study tours of less than thirty (30) days who are sponsored through Technical Assistance shall not be eligible for paid study leave, but shall be paid subsistence allowance at an appropriate rate for the entire duration.

143. An officer upon completing any training program shall be required to submit a report to the Responsible Officer with a copy to the Permanent Secretary, Public Service Management Division.

UNPAID STUDY LEAVE

144. (a) An Established Officer who is not eligible for paid study leave may be granted Unpaid Study Leave on application through the Permanent Secretary, Public Service Management Division. The officer shall give in his or her application full details of any scholarship or award made to him or her by any external sources, and shall not take up such scholarship or award without the prior written approval of the Government. *Application for Unpaid Study Leave*
- (b)(i) An officer on Unpaid Study Leave will not earn leave for any period which is in excess of his or her earned leave entitlement as at the date of the commencement of the training programme. *Conditions on Unpaid Study Leave*
- (ii) An officer who has been granted Unpaid Study Leave shall continue to pay both employer and employee's share of pension contributions in accordance with the Pension Act.
- (iii) Except as may be provided under the terms of any scholarship or award made to him or her and approved by the Government, an officer on Unpaid Study Leave will be personally responsible for all the expenses including travel and maintenance costs involved. *Officer Responsible for Expenses*
- (iv) An officer on Unpaid Study Leave will not be eligible for promotion during the period of absence. *Officer not eligible for Promotion*
- (v) An officer on Unpaid Study Leave may be permitted to retain Government house provided he or she continues to pay rent at the appropriate rate. *Officer to retain Government House*

PART TIME OR DISTANCE STUDIES

145. The Commission or the Responsible Officer, as the case may be, may grant authority to an Established Officer to undertake Part Time or Distance studies on recommendation by the Committee provided such an officer has served a minimum of two (2) years' from the date of first appointment in the Public Service. *Authority for Part Time or Distance Studies*

- (a) An Officer shall be granted fifteen (15) working days off to prepare and sit for examinations. Where an officer requires more study time, he/she shall apply for local leave.
- (b) Officers on Government sponsorship shall be allowed to attend residential classes on production of the school Calendar from the training institution.
- (c) Officers pursuing Part-Time or Distance Studies on self-sponsorship without Government approval shall be required to apply for local leave to write examinations and to attend residential schools.
- (d) Officers on Part-Time or Distance Studies sponsored by Government shall be bonded for half of the duration spent on their training.

FAILURE TO COMPLETE A STUDY PROGRAMME

146. An Officer under Government sponsorship who fails to complete his or her study programme due to any of the reasons listed below shall be required to refund Government half of the total cost incurred during the training:

Failure to complete a study programme

- (a) Failing an examination that leads to exclusion from the study programme;
- (b) Withdrawal from the programme other than on medical grounds as verified by a Registered Medical Doctor;
- (c) Expulsion from school due to misconduct; and
- (d) An employee who has been sponsored for a particular training programme shall not change the training programme without prior authority from the sponsor or Responsible Officer.

MISCELLANEOUS LEAVE PROVISIONS

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

Failure to Report for Duty after Leave

148. (a) A Responsible Officer may recall an officer who is on leave if his or her services are urgently required at the time of recall.

Recall from Leave

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

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

*Consent on
Premature Return
from Leave*

150. (a) A Responsible Officer may grant additional leave for travel purposes to an officer who is proceeding on leave for thirty (30) days or more. The additional period shall be suitably sufficient for the officer to travel by the most direct route between his or her duty station and the leave destination, and shall not be more than two (2) additional leave days in each direction.

*Granting of
additional Leave for
Travel within Zambia*

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

CHAPTER VII

MEDICAL TREATMENT AND ABSENCE THROUGH ILL-HEALTH OR INJURY

MEDICAL ATTENTION IN ZAMBIA

151. (a) An officer on first appointment on First Appointment shall be required to provide a medical certificate from a registered medical facility. *Medical Examination on First Appointment*
- (b) Where applicable, an officer will be required to under-go medical check-ups every three (3) years' as required by the job. *Regular Medical Check-Ups*
- (c) (i) A serving officer who is required to attend regular medical examinations as a requirement of the job, and for which he or she pays a fee, shall be refunded the full cost of such medical examination by the employing Ministry, Institution, Province, District or Department on production of a certified receipt. Alternatively, where the cost of a medical examination is known for certain, the employing Ministry, Institution, Province, District or Department shall meet the full cost of such officer's medical examination. *Refund of Medical Fees*
- (ii) A serving officer whose contract provides for free medical services for the officer and his or her family shall be refunded the full cost of medical treatment by the employing Ministry, Institution, Province, District or Department on production of certified receipts.
152. An officer will meet the full cost of medical services not covered by the National Health Insurance Scheme. *Medical costs under the National Health Insurance Scheme*
153. When an officer or spouse or dependant of an officer has to travel from his or her station for medical attention, the officer, shall meet the full cost of the journey for his spouse or dependant from the officer's station to a medical hospital or clinic. *Transport costs for Medical Attention*

ABSENCE OWING TO ILL-HEALTH OR INJURY

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

Recall from Leave

148. (a) A Responsible Officer may recall an officer who is on leave if his or her services are urgently required at the time of recall.
- (b) When an officer is recalled from leave, the Responsible Officer shall notify the Permanent Secretary, Public Service Management Division accordingly.

*Consent on
Premature Return
from Leave*

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

*Granting of
additional Leave for
Travel within Zambia*

150. (a) A Responsible Officer may grant additional leave for travel purposes to an officer who is proceeding on leave for thirty (30) days or more. The additional period shall be suitably sufficient for the officer to travel by the most direct route between his or her duty station and the leave destination, and shall not be more than two (2) additional leave days in each direction.
- (b) Where an officer is granted additional leave days, he or she shall not be entitled to payment of a separate subsistence allowance as this shall already have been included in the vacation leave allowance.

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

Supervising Officer to Report Absence

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

Submission of Medical Certificate

(a) If an officer cannot immediately obtain a medical certificate, he or she must inform the Responsible Officer or Head of Department accordingly.

Officer to Communicate Inability to Obtain Medical Certificate

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

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

Illness whilst on Leave

158. Where an officer is incapacitated due to illness or injury not occasioned by the officer's negligence, the officer is entitled to Sick Leave as follows:

(a) An employee on a Short-Term Contract shall be paid full pay for the equivalent of twenty-six (26) working days of the Sick Leave and thereafter, half pay for the equivalent of the next twenty-six (26) working days of the Sick Leave;

(b) An Established Officer shall be paid full pay during the first three (3) months of the Sick Leave and thereafter, half pay for the next three (3) months of the Sick Leave; or

(c) A Service Commission or Responsible Officer may, on the recommendation of a Registered Medical Doctor or Dental Surgeon, discharge an employee on medical grounds where the employee does not recover from the illness or injury, under section (b) after six (6) months of the date of the illness or injury, and the employee's entitlement to Sick Leave shall cease.

159. (a) An officer employed on an Agreement for Temporary Service may be absent from duty due to ill-health or injury, provided that the absence is covered by a medical certificate from a Registered Medical Doctor or Dental Surgeon for a period not exceeding forty-five(45) days.

Officer Serving on Agreement for Temporary Service

(b) A Service Commission or the Responsible officer shall terminate the agreement for Temporary Service if the period of absence due to illness or injury exceeds forty-five (45) days.

160. If the Permanent Secretary of a Ministry, Institution or Province considers it necessary, he or she may order any officer to be medically examined by a Registered Medical Doctor or Dental Surgeon. Any fees charged for such medical examination shall be met by the appropriate Ministry, Institution, Province, Department or District.

Compulsory Medical Examination

CHAPTER VIII

SUBSISTENCE, UNIFORM, TRANSPORT, OUT-OF-POCKET, REPATRIATION, SETTLING-IN AND HARDSHIP ALLOWANCE

SUBSISTENCE ALLOWANCE

161. (a) Subsistence Allowance shall be paid to an officer to cover the additional expenses he or she has to meet when travelling on duty away from his or her normal station of duty where accommodation is not paid for. *Payment of Subsistence Allowance*
- (b) An officer travelling on duty within Zambia shall draw Subsistence Allowance at the appropriate rate. Travelling on duty within Zambia also includes travelling:
- (i) on transfer from one station to another;
 - (ii) to attend court or the Office of the Public Protector as a witness in a case connected with his or her duties; and
 - (iii) to attend interviews with a Service Commission away from the normal station of duty.
162. (a) When on transfer between stations, an officer shall claim four (4) nights Subsistence Allowance at the appropriate rate from the receiving station. This shall only apply when an officer is transferred from one District to another or from one rural station to another within the same district covering the distance of more than ten (10) kilometres. *Payment of Subsistence Allowance on transfer between stations*
- (b) An officer on Temporary Transfer is eligible for Subsistence Allowance at the appropriate rate. *Temporary Transfer*
163. (a) Responsible Officers or Heads of Departments must carefully examine all Subsistence Allowance claims made by officers to ensure that these are reasonable and that the journeys were undertaken in the most economic way, bearing in mind the nature and urgency of the duty to be performed. *Examination of Claims*
- (b) If an officer becomes ill while travelling on duty and is admitted to hospital, he or she shall continue to be paid Subsistence Allowance for the time he or she spends in hospital.

164. Subsistence Allowance in respect of an official tour, visit or business outside Zambia and where accommodation is not paid for shall be granted for the duration of the programme. Authority for this shall be granted by the Secretary to the Cabinet.

Subsistence Allowance for Travel Outside Zambia

162. An officer shall submit his or her claim for Subsistence Allowance to his or her Supervising Officer. The officer shall ensure that any receipts for bills paid are certified correct before submitting them with the Claim Form. If the Supervising Officer is satisfied that the details of the claim are correct, that the journey was made in the public interest and that it was completed without delay, he or she shall approve the claim for payment.

Submission of Claims and Receipts

OUT-OF-POCKET ALLOWANCE

165. (a) Out-of-Pocket Allowance shall be paid to an officer to cover the additional expenses he or she has to meet when travelling on duty away from his or her normal station of duty where accommodation is not paid for. This shall also apply to travels abroad covering the duration of the programme.

Payment of Out-of-Pocket Allowance

(b) Authority to pay Out of Pocket Allowance for programmes within the country shall be granted by Responsible Officers and travel abroad by the Secretary to the Cabinet.

UNIFORM UPKEEP ALLOWANCE

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

Eligibility for uniform upkeep allowance

TRANSPORT AND REPATRIATION ALLOWANCES

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

Transport for Travel on Duty

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

Travel on Transfer

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

Class of Air Travel

168. (a) (i) A Local Authority will meet the travelling expenses of an officer on transfer from one district to another. These expenses will include personal baggage and that of dependants; and *Travelling Expenses on Transfer*
- (ii) An officer shall not take or send baggage at Government expense by any means not approved by the Responsible Officer.
- (b) An officer who is retired will be paid Repatriation Allowance at an appropriate rate. *Payment of Repatriation Allowance on Retirement*
- (c) The estate of the deceased officer shall be eligible to payment of Repatriation Allowance at the rates determined by the Government from time to time. *Repatriation Allowance on Death of an Officer*

SETTLING-IN ALLOWANCE

169. (a) Settling-in Allowance shall be paid by the Government on first appointment to the Public Service or when the officer is transferred from one district to another. *Payment of Settling-in Allowance*
- (b) Settling-in Allowance shall not be paid to an officer who is transferred at his or her own request.
- (c) Claims for payment of settling-in Allowance shall be approved by the Responsible Officer.

RURAL HARDSHIP ALLOWANCES

170. An officer serving in an area designated to be a Rural Area shall be entitled to receive a Hardship Allowance at the rate as may be determined by Government from time to time. *Payment of Rural Hardship Allowance*

OTHER ALLOWANCES

171. The following are other allowances payable to officers in the Public Service at rates determined from time to time by the Government: *Payment of Other Allowances*
- (a) Ordinary Overtime Allowance shall be paid to officers who may be called upon to perform their duties outside normal working hours.
- (b) Commuted Overtime Allowance shall be paid to employees who are regularly required to do overtime work.

- (c) Officers in receipt of Commuted Overtime Allowance are not eligible for the Ordinary Overtime Allowance.
- (d) The Meal Allowance shall be paid to officers who travel away from their normal duty stations on official duty for eight (8) hours or more but not including an overnight stay.
- (e) Housing Allowance may be paid to Officers who are not accommodated by Government at rates to be prescribed by Government from time to time.

CHAPTER IX

OFFICIAL VISITS ABROAD

172. (a) No officer may leave Zambia on official business without authority from the Secretary to the Cabinet or a Responsible Officer delegated to do so by the Secretary to the Cabinet; and *Authority to Travel Abroad*
- (b) As far as possible, applications for official tours or visits abroad must be submitted on the appropriate form which must be signed personally by the Responsible Officer concerned. The form must be forwarded to the Secretary to the Cabinet at least fourteen (14) days before the scheduled date of departure of the officer in the case of non-urgent visits, or forty-eight (48) hours, in the case of urgent visits. *Submission of Application for Authority to Travel Abroad*
173. An application made in respect of an invitation to attend a seminar or conference abroad should be supported by a copy of the invitation and details of the theme of the seminar or conference. *Proof of invitation*
174. An officer who makes an official tour or visit abroad or who undertakes official business while on leave abroad shall, if he or she is in a country where there is a Zambian Diplomatic Mission, call on the Zambian Head of Mission and brief him or her on the purpose of the visit. *Officer to pay courtesy call to Heads of Zambian Missions Abroad*
175. Every officer who makes an official tour or visit abroad or who undertakes official business while on leave abroad shall, on his or her return to Zambia, submit to the Responsible Officer a full report on the matters attended to. *Submission of Report on return from Official Tour/Visit*

CHAPTER X

PERFORMANCE APPRAISAL SYSTEM

176. The main objective of Performance Appraisal Reports is to enable the Government to assess the suitability of an officer for advancement, and retention in the Public Service. These Reports must, therefore, be accurate, realistic and as informative as possible. *Objective of Performance Appraisal Report*
177. All Performance Appraisal Reports shall be submitted using the Performance Appraisal System Form. *Submission of Performance Appraisal Reports*
178. All performance appraisal information shall, wherever possible, be typed and shall be signed by the reporting officer and the officer being reported on, both of whose names and designations shall be typed under their signatures. If it is not possible for a report to be typed, it should be completed in legible handwriting in ink. *Reports to be Typed*
179. The Reporting Officer shall be the Supervising Officer to whom the officer directly reports. *Rank of Reporting Officer*
180. The Responsible Officer of a Ministry, Institution, or Province or Heads of Departments concerned shall ensure that departmental and individual workplans are developed in line with the Institutional Strategic Plan and submitted at the beginning of each work plan period. *Submission of Workplans*
181. The Responsible Officer of a Ministry, Institution, or Province concerned shall ensure that a Performance Appraisal Report of an officer is submitted in time. *Submission of Performance Appraisal Report on time*
182. A Responsible Officer's performance shall be appraised by the Secretary to the Cabinet, in similar manner as above. *Performance Appraisal Reports on Responsible Officers*
183. A performance appraisal report on an officer serving on probation shall be submitted within three (3) months from the date of appointment on probation. This report shall state whether or not the officer has satisfactorily completed his or her probationary period and is suitable or unsuitable for confirmation by the Service Commission. *Performance Appraisal reports on Officer Serving on Probation*
184. A Responsible Officer of a Ministry, Institution, or Province may call for special performance appraisal information on an officer if he or she considers it necessary or if the Service Commission so requires. *Special Performance Appraisal reports*
185. Consideration for Labour Day Award shall be based on a positive performance appraisal. *Labour Day award*

CHAPTER XI

GOVERNMENT HOUSING AND CAMP EQUIPMENT

186. An officer who is accommodated in a standard Government housing shall not sublet the whole or any part of Government accommodation allocated to him or her. Any act of this nature shall constitute misconduct. *Prohibition to sublet Government Housing*
187. Government housing shall not be allocated to part-time employees. *Prohibition of Government Housing to Part-Time Employees*
188. No officer shall make alterations or additions to Government housing without the approval of the Director of Buildings. *No alterations or additions to Government Houses*
189. An officer allocated or vacating a Government house, shall complete an appropriate Form and submit it to the Responsible Officer at least three (3) weeks before occupying or vacating the house. *Procedure on occupying or vacating Government House*

CAMP EQUIPMENT

190. An officer on field duties who is required to live in a temporary accommodation shall be provided with camp equipment prescribed by the Supervising Officer for which he or she will be responsible and which will remain in his or her personal charge until such time as he or she ceases to live in the temporary accommodation. *Issuance of Camp equipment on Temporary Accommodation*

CHAPTER XII MISCELLANEOUS

OFFICE INSTRUCTIONS AND CORRESPONDENCE

191. A Responsible Officer shall ensure that Government office instructions and such other instructions and directions as may be issued from time to time are correctly followed by all officers under his or her supervision and control. *Observance of Office Instructions*
192. An officer shall not take extracts from or copies of official correspondence for private use except with the approval of the Responsible Officer. *Prohibition of Private use of Official Documents*
193. Where it is necessary to determine seniority between two or more officers, the following rules shall apply: *Determination of Seniority*
- (a) In the case of officers on different grades, seniority shall be determined by reference to the salary scales on which they are serving, and the officer with the highest salary scale shall be the most senior; *Officers on different grades*
- (b) In the case of officers on the same grade, seniority shall be determined by reference to their date of appointment or promotion to that grade, the officer with the earliest date of appointment or promotion being the most senior; *Officers on same grades*
- (c) Where seniority cannot be determined in accordance with (a) and (b) above, it shall be decided by a Service Commission. *Other officers*

ACCIDENT, ILLNESS AND DEATH

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

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

*Full Investigation of
an Accident*

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

*Appointment of
Board of Inquiry*

(d) On receiving the report of the Board, the officer responsible for making the investigation shall expeditiously forward it with his or her comments to the Permanent Secretary, Public Service Management Division or the Responsible Officer in the case of delegated Human Resource functions.

*Submission of
Board of Inquiry*

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

Report Death and Serious Illness

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

Convening of Medical Board

197. (a) Where an officer is seriously injured and sustains a permanent disability or is killed in an accident arising out of and in the course of duty, he or she will be entitled compensation to be paid at the rate of five (5) times of the annual salary upon receipt of a report of a Board of Inquiry confirming that the accident occurred while he or she was on duty and was not to blame for the accident. The compensation shall be paid in addition to any payment made under the pension scheme where the officer is a contributing member.

Compensation on Injury or Death on Duty

(b) The compensation above shall not be paid in the following circumstances:

(i) where an officer is travelling on leave; and

(ii) where an officer is authorised to travel for personal reasons including study related travel on self-sponsorship, visiting a spouse or any other relation, travelling to collect personal belongings from one district or workstation to another and any other similar circumstances of a personal nature.

LOSS OF OR DAMAGE TO PROPERTY

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

Limitation on liability to Government

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

Liability for personal property

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

No liability for carriage by commercial contract

FIRE AND LIFTS

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

Maintenance of lift and fire-fighting equipment