

LEGAL NOTICE No. 217

REPUBLIC OF TRINIDAD AND TOBAGO

THE CIVIL SERVICE ACT, CHAP. 23:01

REGULATIONS

MADE BY THE MINISTER UNDER SECTION 28 OF
THE CIVIL SERVICE ACT

THE CIVIL SERVICE (AMENDMENT) REGULATIONS, 1996

1. These Regulations may be cited as the Civil Service Citation
(Amendment) Regulations, 1996.

2. The Civil Service Regulations are amended by inserting after ^{Chap. 23:01}
Chapter X, the following new Chapter: ^{amended}

“CHAPTER XI

CODE OF CONDUCT

General
conduct

134. An officer's conduct shall be such at all times as not to bring the Service into disrepute.

Duties of
officers

135. (1) An officer shall, with integrity, promptly and effectively discharge the duties of the office to which he is appointed and any other related duties that the Permanent Secretary or Head of Department requires of that officer.

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

(3) An officer shall not wilfully refuse, or wilfully omit, to perform those duties.

Absence
without
leave

136. (1) An officer shall not be absent from duty without leave or reasonable excuse.

(2) An officer, when leaving the country, shall inform the Permanent Secretary or Head of Department in writing or, in cases of emergency, a superior officer who shall report forthwith, in writing, to the Permanent Secretary or Head of Department.

Activities
outside the
service

137. (1) An officer shall not, directly or indirectly, be involved in any financial or other

interest or undertaking which could compromise, or reasonably be said to compromise that officer's job performance or office.

(2) Where an actual or potential compromise arises, the officer shall inform the Permanent Secretary or Head of Department.

(3) The Permanent Secretary or Head of Department shall determine the nature and degree of compromise, decide upon an appropriate course to resolve it which may include assigning the officer to other duties, and advise the officer accordingly.

(4) An officer who is aggrieved by a decision made under subregulation (3) may appeal to the Chief Personnel Officer who shall review that decision.

(5) Where the officer is aggrieved by the outcome of the review of the Chief Personnel Officer, the matter may be pursued on his behalf by the appropriate recognised association as a grievance to be dealt with under Part III of the Act.

Officer not to publish information

138. (1) An officer shall not make any unauthorized disclosure or make copies, for purposes unrelated to the performance of his duties, of official documents, papers or information of which that officer may have become aware in the course of the performance of duty.

(2) Unauthorised disclosure does not include the reporting by an officer of complaints to the Chief Personnel Officer, Auditor General or the Public Service Commission with regard to the conduct of the Public Service, where such complaints have been reported to senior officers without redress.

Officer's comment on questions of public policy

139. (1) An officer shall not respond to questions of public policy, in a manner that could reasonably be construed as criticism and which may call into question his ability to impartially implement, administer or advise on Government policy.

(2) Subregulation (1) shall not apply to an officer acting in his capacity as a representative of a recognised association.

Lectures/
talks

140. (1) No officer shall, on his own behalf or on behalf of the Ministry he represents receive payment for the preparation or delivery of a lecture or talk done in pursuance of his duties or the duties of the Ministry.

(2) Lectures or talks which are not necessary for departmental purposes may be given by an officer who is knowledgeable in a particular subject, whether or not he has specialised in the subject in his official capacity.

(3) Where the subject matter of the lecture or talk referred to in subregulation (2) is related to the work of his department or if the officer is to be announced by his departmental title, the prior authority of the Permanent Secretary or Head of Department is required to ensure that—

- (a) there is nothing in the lecture or talk contrary to the public interest or inconsistent with the status of the officer; and
- (b) the standing of the officer is sufficient to justify the delivery of the lecture under his departmental title.

(4) In respect of a lecture or talk given by an officer in accordance with subregulations (2) and (3) the officer shall make his own private arrangements for remuneration and in every case such lecture or talk shall be prepared and delivered outside of official hours.

Indebtedness

141. An officer shall not incur indebtedness to the extent that it compromises that officer's job performance or brings the Service into disrepute.

Bankruptcy

142. An officer against whom bankruptcy proceedings have been taken or who becomes insolvent or who has been declared a bankrupt shall within seven days report that fact to the Permanent Secretary or Head of Department.

- Officer not to solicit intervention 143. An officer shall not solicit the intervention or influence of members of Parliament, Ministers, members of a Commission, or prominent members of the community to support or advance his individual claims in the Service.
- Gift's rewards 144. Except with the permission of the Permanent Secretary or Head of Department, an officer shall not accept any gift or reward from any member of the public or from any organisation for services rendered in the course of performing official duties.
- Exceptions 145. Notwithstanding regulation 144, an officer may accept a present offered by—
- (a) a representative of a foreign government on the occasion of an official visit to that country;
 - (b) a community organisation, on a social occasion where the gift represents the work or achievement of that organisation;
 - (c) fellow officers on marriage, retirement, transfer or other social or celebratory occasion.
- Bribery 146. An officer who is offered a bribe shall immediately inform his senior officer, in writing, who shall notify the Permanent Secretary or Head of Department who shall cause the matter to be reported to the Police.
- Legal proceedings 147. An officer who desires to initiate legal proceedings against another officer or against a member of the public with respect to any matter which arose out of, or in the course of, the execution of duty shall inform the Permanent Secretary or Head of Department.
- Officer to report criminal charge 148. An officer who is charged with a criminal offence which carries a penalty of imprisonment shall report the matter without delay to the Permanent Secretary or Head of Department.

Misconduct
defined

149. (1) An officer who without reasonable excuse does an act which—

- (a) amounts to failure to perform any required lawful duty in a proper manner;
- (b) contravenes any of the Regulations;
- (c) contravenes any law relating to the performance of the duties of his office; or
- (d) is otherwise prejudicial to the efficient conduct of the Service or tends to bring the Service into disrepute,

commits an act of misconduct.

(2) Without prejudice to the generality of subregulation (1), an officer who—

- (a) is absent from office or official duties without leave or valid excuse, or is habitually irregular in the time of arrival or departure from the place of employment;
- (b) wilfully disobeys or disregards any lawful order made or given by any person having authority to make or give the order;
- (c) is unfit for duty through drunkenness or the illicit use of drugs;
- (d) is inefficient or incompetent through causes which are within that officer's control;
- (e) commits any immoral, obscene or disorderly conduct in office;
- (f) performs the required duties in a negligent manner;
- (g) exercises authority unreasonably or abuses that authority in the course of performing the required duties;
- (h) having made or subscribed an oath or affirmation for the purposes of office does or says anything in violation of that oath or affirmation;
- (i) uses, without the authority of the Permanent Secretary or Head of Department, any property or facilities provided for the purposes of the Service, for a purpose not connected with that officer's official duties;

- (j) has a criminal charge proved against him;
 - (k) participates, in the meetings of any political organisation while on duty, while on official business or while wearing official uniform,
- commits an act of misconduct.”

Made this 30th day of December, 1996.

W. MARK
*Minister of Public Administration
and Information*