

1. LEGAL MATTERS**Section**

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1. LEGAL MATTERS**101 ASSISTANCE TO OFFICERS IN COURT**

Responsible Officers are responsible for ensuring that when any of their officers are being tried on a serious criminal charge, the proper interests of the officer are protected. This is particularly important when the accused officer is not defended by Counsel.

2. The Courts may allow and in fact encourage Responsible Officers, or other senior colleagues who know the accused, to appear in Court on behalf of an officer after he has been convicted and before he is sentenced. Evidence given by the Responsible Officer, or by a senior colleague, of the officer's previous good character and service or of the additional punishment which the officer may incur as a result of disciplinary action within the Service following upon Court conviction, may be taken into account by the Court in mitigation of sentence. It is of paramount importance that all relevant matters including character and the possible loss of employment or pension privilege be placed before the Court.

3. Evidence of this kind may be submitted either by personal appearance in Court or by a letter to the Prosecutor in the case who will place it before the Court at the appropriate time.

Amendment No. 60 1974

2 WORKMEN'S COMPENSATION**201 APPLICATION OF THE ACT**

The provisions of the Workmen's Compensation Act* apply by virtue of Section 4 of the Act to officers other than those excluded under the proviso to Section 2 (1) and Responsible Officers are required to comply with any duty or obligations placed upon an employer by the Act.

Amendment No. 235/85

202 PROCEDURE

Where a Responsible Officer becomes aware that any accident, injury or disease has occurred which is reportable in terms of the Workmen's Compensation (Accident and Occupational Disease Return) Regulations he shall at once report the matter as required by law. Every Responsible Officer shall ensure that all officers in his office or Ministry to whom authority has been delegated to employ persons in terms of these Orders are aware of the responsibility of employers under Workmen's Compensation legislation.

203 SICK LEAVE FOLLOWING A REPORTABLE OCCURENCE

The provisions of GO J409 – Officers Injured on Duty, shall apply following any occurrence which has been reported in terms of GO L202.

204 COMPENSATION AWARDS

Any case reported under the Workmen's Compensation Act in which a compensation assessment is made under the Act shall be referred by the Responsible Officer to the Permanent Secretary for the Public Service through the Commissioner of Labour before the Accountant-General is authorised to make any payment.

Amendment No. 69 1974

Amendment No. 235/85

1. GENERAL**Section****1. Medical Treatment**

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1 GENERAL**101 DEFINITION**

In this Chapter of these Orders, "Permanent Secretary" means the Permanent Secretary, Ministry of Health and Medical Services.

102 ELIGIBILITY

Save as may elsewhere be provided in these Orders, all officers, their wives and families are eligible under existing terms of service to receive medical attention free of charge or at such charges and under such conditions as may be prescribed under the appropriate law* for the general public, save that where the officer chooses to go to a private medical practitioner, he shall meet the costs of medical attention, fees and charges.

Amendment No. 236/85

103 PROVISION OF SPECTACLES AND DENTURES

If the Permanent Secretary/MHMS confirms that a local officer requires spectacles, dentures or any surgical appliance and that they are essential, they will be supplied at the expense of the officer, provided that if the cost exceeds an eighth of one fortnight's basic salary of the officer, his contribution shall be limited to that proportion of his salary.

Amendment No. 26/86

104 MEDICAL ATTENTION AND TREATMENT FOR OFFICERS ON DUTY OVERSEAS

1. An officer who is on duty outside Solomon Islands shall be eligible for all essential medical and hospital treatment, including surgical treatment and accommodation charges at Government expense, provided that, in all such cases, any such expenses could not normally be met by a national health service of the country in which he is on duty without causing undesirable delay in securing examination or treatment.

2. When it is considered necessary that the officer's wife and dependent children should accompany him, at Government expense, to the duty station overseas, the provisions of paragraph 1 of this Order shall apply to the wife and dependent children of the officer.

3. For the purpose of paragraph 1 of this Order an officer who is sent overseas on a training course will be deemed to be on duty, save that the provisions of paragraph 2 shall not apply.

4. The appropriate Consultant or, in his absence, a Chief Medical Officer designated by an Under-Secretary (Health and Medical Services) shall decide what examination and treatment shall be considered essential.

Amendment No. 236/85

*Public Hospitals and Dispensaries Rules (Cap 51, Laws of Solomon Islands)

105 MEDICAL TREATMENT OUTSIDE SOLOMON ISLANDS

1. Only in exceptional circumstances with the approval of the Permanent Secretary for the Public Service following consultation with the appropriate Consultant or, in his absence, a Chief Medical Officer designated by an Under-Secretary (Health and Medical Services), a local officer serving in Solomon Islands is not eligible to receive medical treatment at Government expense outside Solomon Islands.
2. When an officer is sent out of Solomon Islands for medical examination or treatment under paragraph 1 of this Order, he shall be eligible for -
 - (a) passages by air at Government expense at the economy class rate;
 - (b) essential examination and treatment at Government expense as arranged wherever possible by the appropriate Consultant or, in his absence, a Chief Medical Officer designated by an Under Secretary (Health and Medical Services) in advance, including doctors', anaesthetists', specialists' or operation fees.
3. Where charges for accommodation are incurred the Permanent Secretary of Health and Medical Services will meet such charges in the first instance. The officer will thereafter be required to meet the charges when, if necessary, the Permanent Secretary for the Public Service may authorise an advance of salary for the purpose to be repaid in such amounts over such period as he shall decide. Where the Permanent Secretary for the Public Service is of the opinion that recovery of such costs, either wholly or in part, would, having regard to the officer's circumstances, result in hardship, he shall with the concurrence of the Permanent Secretary of Finance decide what proportion of the costs should be borne by the Officer.

Amendment No. 236/85

106 ABSENCE FROM DUTY

1. The absence from duty of an officer whilst undergoing medical treatment shall be governed by the provisions of Section 4 of Chapter J of these Orders.
2. In Provinces any notification required in terms of this Order shall be referred by the Chief or Principal Medical Officer concerned through the Provincial Secretary and an Under Secretary for Health and Medical Services to the appropriate Consultant who shall decide what examination and treatment be considered essential.

Amendment No. 236/85

107 RECORDS TO BE MAINTAINED

1. The Consultant concerned shall enter all relevant details of the Officer's illness or injury on the officer's personal medical record in accordance with instructions issued by the Permanent Secretary/Health and Medical Services.
2. The Responsible Officer shall maintain a record of all absences on medical grounds of the staff in his Ministry/Office and shall inform the Permanent Secretary for the Public Service whenever an officer exceeds the allowance of 28 days sick leave in a calendar year permitted under GO J405.

108 TREATMENT BY PRIVATE PRACTITIONER

Except where so referred by or with the approval of the Permanent Secretary/Health and Medical Services an officer, his wife or dependent children who are medically examined by or receive medical treatment from a medical practitioner in private practice shall not be eligible to claim reimbursement of any expenses thereby incurred nor shall any benefit conferred by this Chapter be available to the officer or his family whilst they remain under the professional care of a private practitioner.

Amendment No. 236/85

Section**1. GENERAL**

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Appendix 1 A specimen of the Bonding Agreement

1. GENERAL**101 DEFINITION**

In this Chapter of these Orders, 'training' means any training undertaken by local officers or other employees following their appointment to the Service on other than temporary terms, irrespective of whether such training is undertaken within Solomon Islands or overseas or on a part-time basis.

102 TRAINING OBJECTIVES

The objectives of training within the Service are to:

- (a) ensure that an officer is capable of performing his existing duties effectively and efficiently
- (b) to prepare an officer for future advancement;

The purpose of training in all its form is to raise officer's motivation, performance, and productivity for the benefit of their Departments in providing more cost effective services to the public. To this end the training needs of officers must take precedence over the day to day requirements of the service.

103 RESPONSIBILITY FOR TRAINING DEVELOPMENT

1. It is for Responsible Officers, in consultation with the Permanent Secretary for the Public Service, to assess and regularly review the objectives set within GO N102.

2. The Permanent Secretary for the Public Service shall:-

- (a) find out what staff is required to run Government efficiently and effectively;
- (b) be informed of all training programmes;
- (c) fit approved programmes into scheme of service for all cadres;
- (d) arrange for officers to attend courses where appropriate ones exist;
- (e) assist those officers responsible for training in the provision of courses suited to the scheme of service;
- (f) co-ordinate all Government in-service training.

3. Formally, organised training courses whether undertaken overseas or locally are subordinate to training on the job itself. Training on the job is a continuing responsibility of supervisors at all levels within the Service.

104 FORMS OF INSERVICE TRAINING

Formally organised inservice training may take any of the following forms:-

“Induction Courses”: designed to provide new entrants to the Service with background knowledge of the Service and of the office of Ministry and its work;

“Day release courses”: Officers are permitted or required to take the whole or part of the working day away from their duties;

“Block Release Courses”: Officers are released from their duties to attend a course of training normally covering a period of not less than one week;

“Sandwich Course”: in such courses a period of study is introduced between extended periods of practical training on the job. Such study periods may be undertaken either locally or overseas;

“Overseas Courses”: an approved course of training taken in or outside Solomon Islands.

“Correspondence Courses”: courses arranged outside working hours either within the Service or at an educational institution.

Amendment No. 237/85

105 CONDITIONS OF TRAINING DEVELOPMENT

1. An officer selected for an overseas course shall before his departure be required to sign an undertaking in the form set out in the Appendix 1 to this Chapter. If he:

- (a) fails to attend the prescribed course;
- (b) fails to return to Solomon Islands as directed; or
- (c) is dismissed from the service for misconduct or resigns from the service within a period of two years following the successful completion of the course he shall be liable to repay to the government the whole or such part of the cost of his training as the Permanent Secretary for the Public Service shall determine.

2. Any female officer on an overseas course who becomes pregnant during her training and that her pregnancy would affect her academic performance may be liable to have her course cancelled and be required to return to Solomon Islands as deemed appropriate with concurrence from Secretary to the Public Service.

Amendment No. 237/85

106 MAINTENANCE OF TRAINING RECORDS

Responsible Officers shall develop and maintain such training records on individual officers or cadres as prescribed by the Permanent Secretary for the Public Service.

Amendment No. 237/85

107 SELECTION OF OFFICERS FOR COURSES

The procedure prescribed in PSC Regulations 42 and 43 shall be followed whenever it is desired to select an officer for a course of training which may enhance his qualifications for promotion or which is designed to fit him for a higher post.

Amendment No. 237/85

108 VALIDITY OF GENERAL ORDERS

Where the provisions of this Chapter of those Orders conflict with any other provision of General Orders the provision of this Chapter shall apply.

2. TRAINING**201 TRAVEL ARRANGEMENTS**

1. Whenever an officer is selected for a course of training overseas his Ministry shall be responsible for making the necessary travel arrangement within Solomon Islands for the officer and, if they are accompanying him, his wife and dependent children and for ensuring that all concerned are in possession of all necessary travel documents including passport and health certificates and any other documents required for entry into the host country.

2. The Permanent Secretary, Ministry of Education and Training, through Overseas Training Unit, will be responsible for all international travel arrangements and for ensuring that the officer is provided with any additional funds required for his journey from Solomon Islands to his training destination.

3. The cost of a passport is to be met by the officer together with the cost of any essential documents.

Amendment No. 237/85

202 PASSAGES

1. When an officer is required to attend an overseas course not directly financed from external aid sources, the officer will be provided with a return passage at Government expense at the cheapest available rate between Solomon Islands and the country in which the course is to be held. Road and rail costs by the cheapest and most direct route between the terminal airport and the place of training within the host country will also be met at public expense. Local transport costs at the place of training must be met from the maintenance allowance under GO N204.

2. When passages are provided under para 1 of this Order the officer's wife should be given the opportunity to accompany him, subject to the following conditions:

- (a) the officer should normally be in a post graded Level 6 or above; and
- (b) the duration of the course should exceed one academic year. Where the wife is a public officer investigations should be made with a view to her following a suitable course of study overseas.

3. In no circumstances will passage be provided at Government expense to enable the children of an officer to accompany him overseas. When an officer wishes any of his children to accompany him at his own expense, an assurance must be obtained from the host training establishment concerned in advance of making the departure arrangements that there will be no objection and that suitable family accommodation is available.

Amendment No. 237/85

203 SALARY

1. An officer selected for training shall normally continue to receive his full salary throughout his absence. He will be required to make arrangements to remit part of his pay for maintenance of any dependent relative within Solomon Islands.

204 MAINTENANCE ALLOWANCES

1. Maintenance allowance is intended to cover all basic living costs including accommodation, meals, local travelling expenses and stationery. Officers selected for courses of training overseas at Government expense shall be eligible for the allowances as may be prescribed from time to time by the Permanent Secretary for the Public Service in consultation with Permanent Secretary for Ministry of Education. Costs of board and lodging at approved hostels or establishments will be met in addition to the allowance.

2. No maintenance or other form of living allowance is payable from Government funds in respect of the wife of an officer or any children who accompany him or join him overseas whilst he is on a training course. When the wife of an officer is herself accepted for an approved course of training whilst overseas the cost of such training will be met from public funds.

3. Officers selected for overseas training courses under the sponsorship of overseas government or international agencies shall be eligible for the allowance prescribed by the sponsoring authority. These are not in any way determined by Solomon Islands Government.

4. The Accountant General shall arrange for the payment to the officer of the appropriate allowances directly or through the appropriate agents in the country concerned.

Amendment No. 237/85

205 OVERSEAS OUTFIT ALLOWANCE

Prior to departure on an overseas training course an officer should be paid an overseas outfit allowance as set out in GO F501.

206 COURSE FEES AND RELATED EXPENSES

1. The government or aid agency will meet the full tuition and, where appropriate, examination fees for an approved course of training.

2. The government or aid agency will meet the full cost of prescribed text books, tools or other equipment required for the course and specified by the course authorities against a certificate to this effect from the course tutor and a detailed statement and receipt when reimbursement is sought. Second hand books should be purchased where available.

3. Where an officer is required to pay and deposit to cover losses or damage or for any other purpose he must meet such cost from his own pocket.

207 LEAVE ARRANGEMENTS

1. The period of absence from Solomon Islands shall be regarded as absence on duty and where a pensionable officer is in receipt of part emoluments under GO N203 shall be reckonable as pensionable service. An officer may take annual leave prior to departure on or on return from an overseas course under GO J212.

2. An officer will not normally be allowed to take leave or stop over when in transit between Solomon Islands and the country of training. Applications to take leave overseas on completion of training must be submitted to Responsible Officers not less than six weeks before the end of course. Where such applications are approved the officer will not be eligible for any allowances for the period of leave. Such leave when taken will be reckoned against the officer's annual leave eligibility for the calendar year in which it is taken.

3. Where an officer attends a course of training which extends over vacation periods, such vacation will not be counted as leave. Officers, however, will be expected to continue their studies over such periods and to attend any supplementary courses or study visits which may be arranged.

Amendment No. 237/85

208 VACATION PASSAGES

When a married officer is on an overseas course which lasts for more than one academic year and is not accompanied by his wife the officer will be given the opportunity of taking a return passage to Solomon Islands by the cheapest route at the end of the academic year, provided that at the beginning of the immediately following academic year there is at least nine months of the course remaining.

Amendment No. 237/85

209 MEDICAL EXAMINATION

1. Before approval is given for a selected officer or any of his dependents, whether or not proceeding at Government expense, to proceed under this Section they shall be required to undergo a medical examination confirming their physical fitness to undertake the journey and to complete the relevant course. The medical examination shall include an X-Ray Examination.

2. The medical and X-Ray reports shall be sent without delay by the Permanent Secretary, MHMS to the Permanent Secretary for the Public Service for onward transmission to the country of training. The Responsible Officer shall ensure that the officer is in possession of all necessary medical documentation before departure and that he and his dependent have received any inoculations or vaccinations required.

3. The officer shall take all possible steps to ensure that any necessary dental treatment is received prior to his departure.

Amendment No. 237/85

210 MEDICAL TREATMENT OVERSEAS

Officers sent overseas for training courses are deemed to be on duty and the provisions of GO M104 shall apply.

211 VACATION OF QUARTERS

An officer sent overseas for training may be required to vacate his quarters. In such circumstance he shall be eligible for passages for his family in terms of GO P. 205.2 between his duty station and his home island and for disturbance allowance in terms of GOs F2501 and F2502.

212 SPONSORED COURSES

When an overseas course is directly financed by an overseas government or international agency and the terms of the award fall short in any respect of the conditions set out in this Section the Permanent Secretary for the Public Service may, within noted provision, approve expenditure from public funds to make good the deficiency.

Amendment No.237/85

3 LOCAL TRAINING**301 TRAINING WITHIN SOLOMON ISLANDS**

Costs of training within Solomon Islands are to be met from provision within Office or Ministerial estimates and Responsible Officers must ensure that adequate provision is made to cover in-service training needs.

302 TRAVEL AND SUBSISTENCE

Costs in respect of travel and subsistence will be met by sponsoring Offices or Ministries. Where boarding charges are imposed by training institutions the cost will be met by Government and the officer's eligibility for subsistence allowance shall cease.

303 CORRESPONDENCE COURSES

1. Refunds of fees incurred by Solomon Islands officers who undertake approved USP extension courses, certain courses at SICHE, correspondence courses, etc, may be considered in cases where the course forms part of the Scheme of Service for the cadre in which the officer is employed.
2. Requests for refunds should be made to the Permanent Secretary, Ministry of Education and Training **before** the commencement of studies, giving full details of the proposed course and the cost of tuition and textbooks.
3. The Ministry of Education and Training will consult the Permanent Secretary for the Public Service in any case where there is doubt about an officer's eligibility for a refund.
4. Officers who did not pass their course(s) and registered failing grades such as **D, E, or EX** are not eligible for any reimbursement of fees.

Introduced on 26/11/82

Amended on 23/3/84

Further Amended on 1/11/85

Amendment No. 237/85

304 GENERAL CRITERIA FOR IN-SERVICE TRAINING

1. To be eligible for long term study leave and training award, an officer must satisfy the following minimum requirements:
 - (a) Be a permanent officer of the Public Service and have completed a minimum of three (3) years in the service
 - (b) Demonstrated his ability to undertake further study successfully at tertiary level and complete the study programme on given time frame.
 - (c) Have his Annual Confidential Reports (ACR) on his potential for promotion for higher leadership positions in the service upon completion of study.
 - (d) Be recommended by his department and have priority in the Ministry's or Departments Annual Staff Development Plan.
 - (e) Demonstrated a potential for academic study based on his previous academic record.

305 OFFICERS SERVING ON PROBATION

- (i) Probationary officers are not eligible for any form of long term study assistance. They can only be nominated to attend IPAM in-house training courses or other relevant courses approved by his Responsible Officer. Those courses are designed to enable probationary officers to carry out their duties effectively with the hope to attain permanency status.
- (ii) Probationary officers who decided to undertake a long term full time studies locally or abroad will be required to resign from the Public Service.

LONG TERM STUDY BONDING AGREEMENT

This Agreement is made thisday of20.....between the Solomon Islands Government (hereinafter called “the Government”) of the one part and (hereinafter called “the officer”) of the other part.

It is hereby agreed as follows:-

1. The officer shall undertake a course of instruction at
for a period ofcommencing
 on20.....
2. Throughout the period of the course of instruction the Government shall pay the officer full salary including any revisions of salary and scale increments for which he is eligible.
3. On a date to be mutually agreed by the Government and the officer following completion of the course of instruction the officer shall re-enter full-time employment in the Public Service of the Government in such capacity as may be decided by the Government and shall remain in such employment for a continuous minimum period equal to the period stated in Clause 1 of this Agreement.
4. Without prejudice to the provisions of GO B702, should the officer fail to re-enter full employment in accordance with Clause 3 of this Agreement he shall be liable to refund to the Government on demand the whole amount of the salary paid to him by the Government during the period of the course of instruction.
5. Should the officer re-enter full-time employment but fail to complete the minimum period specified in Clause 3 of this Agreement he shall be liable to refund to the Government on demand such proportion of the salary paid to him by the Government during the course of instruction as the remaining uncompleted period of full-time employment bears to the full period.

As witness our hands the day and year above written.

SIGNED by the said

(Full name in block capitals).....

In the presence of:-

Signature.....

Occupation.....

Address.....

SIGNED by

(Full name in block capitals).....

On behalf of Government,

In the presence of

