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ARRETES

ARRETE NO. 55 DE 1985 SUR LA
REFORME FONCIERE (OFFICE FONCIER
DE SANTO) (MODIFICATION)

NOTIFICATION OF PUBLICATION

ORDERS

LAND REFORM (SANTO LAND COUNCIL)
(AMENDMENT) ORDER NO. 55 OF 1985

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Land Reform (Santo Land Council) (Amendment) Order N° 55 of 1985

To amend Land Reform (Santo Land Council) Order N° 125 of 1981

IN EXERCISE of the power contained in Section 19 of the Land Reform Regulation 1980, I hereby make the following Order :-

Amendment of Order
N° 125 of 1981

- 1) The Land Reform (Santo Land Council) Order N° 125 of 1981 is amended by

substituting the figure "1,500" for the figure "1,000" in Section 8 (1)

Commencement

- 2) This Order shall come into force on the date of its publication in the Gazette

MADE at Port Vila this

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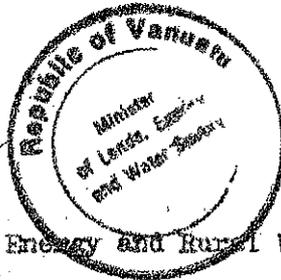
day of

November

1985.

Donald Kalpokas

Donald Kalpokas
Minister of Lands, Energy and Rural Water Supply



ARRETE NO. 55 DE 1985 SUR LA REFORME FONCIERE
(OFFICE FONCIER DE SANTO) (MODIFICATION)

Portant modification de l'arrêté No. 125 de 1981 sur la réforme foncière (Office foncier de Santo).

Le ministre des Affaires foncières, de l'Energie et de l'Hydraulique rurale,

En vertu des pouvoirs qui lui sont conférés à l'article 19 du Règlement de 1980 sur la Réforme foncière,

A R R E T E :

MODIFICATION DE L'ARRETE NO. 125 DE 1981

1. Le paragraphe 1) de l'article 8 de l'arrêté No. 125 de 1981 sur la réforme foncière (Office foncier de Santo) est modifié par la substitution du chiffre "1500" au chiffre "1000".

ENTREE EN VIGUEUR

2. Le présent arrêté entrera en vigueur le jour de sa publication au Journal officiel.

FAIT à Port-Vila, le 21 novembre 1985.

Donald Kalpokas

Ministre des Affaires foncières,
de l'Energie et de l'Hydraulique
rurale.

TEACHING SERVICE STAFF RULES

In Exercise of the power contained in section 51(1) of the Teaching Service Act No. 15 of 1983, the Teaching Service Commission hereby makes the following rules.

CHAPTER 1 - VALIDITY AND APPLICATION

1.1 These Teaching Service Staff Rules contain the rules of conditions of service for all officers of the Vanuatu Teaching Service. The Rules are comprehensive and where there is no provision, authority for any matter shall not be presumed, except as hereinafter provided.

1.2 Authority for the administration of these Rules vests with the Teaching Service Commission and all queries relating to the Rules should be directed to the Commission.

1.3 The interpretation or amendment of these Rules is reserved to the Teaching Service Commission.

1.4 (1) These Rules shall apply to all officers in the Vanuatu Teaching Service except in so far as:-

(a) may otherwise be stated in these Rules; or

(b) an Officer is excluded by any law or by the terms of his appointment from the operation of these Rules.

(2) In these Teaching Service Staff Rules, unless the context otherwise requires:

"Act" means the Teaching Service Act No. 15 of 1983.

"Commission" means the Teaching Service Commission established under section 2(1) of the Act.

"educational duties" means -

(a) teaching duties, and

(b) such duties relating to the provision of educational support services and the administration of educational institutions as the Minister determines to be educational duties;

"employee" means a person engaged under section 14(1) of the Act as a temporary employee and includes a transferred employee;

"Minister" means the Minister for the time being responsible for education;

"officer" means a person appointed under section 11(1) of the Act as an officer and includes a transferred officer;

"position" means a position in the Service created under section 19, of the Act;

"promotion" means the placing, under section 20(1)(c) of the Act, of an officer in a level or a position that has a higher attainable maximum salary than the level or position that he was in immediately before he was placed in the first-mentioned level or position;

"service" means the Vanuatu Teaching Service established under section 10(1) of the Act;

"transfer" means the placing, under section 20(1)(b) of the Act, of an officer or employee in a level or a position that has the same attainable maximum salary as the level or position he was in immediately before he was placed in the first-mentioned level or position;

"transferred employee" means a temporary employee of the Vanuatu Public Service transferred to the Vanuatu Teaching Service pursuant to arrangements made under section 29(2) of the Act;

"transferred officer" means an officer of the Vanuatu Public Service transferred to the Vanuatu Teaching Service pursuant to arrangements made under section 29(1) of the Act.

CHAPTER 2 - APPOINTMENTS - ELIGIBILITY

2.1 (i) Subject to the Act only Citizens of Vanuatu shall be appointed to the Service.

(ii) Notwithstanding paragraph 2.1(1), until a Ni-Vanuatu officer is qualified for appointment to a post in the Service, a non-citizen officer may be appointed to that post for a limited period.

(iii) No appointment shall be made to a post that has not been created by the Commission.

2.2 Application for appointments to the service shall be addressed to the Commission. Each application shall be in duplicate and shall be accompanied by the following:

- a birth certificate or statutory declaration in lieu,
- a certified copy of any certificates or references,
- a medical certificate,
- where appropriate, a marriage certificate and children's birth certificates,
- an official statement of police record or equivalent document.

2.3 The appointment of every officer shall be on probation for a period of 12 months commencing from the date on which the officer commences duty.

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CHAPTER 3 - SALARIES, ALLOWANCES, ETC..

A. SALARIES

- 3.1 Each officer shall be entitled to receive in arrears, remuneration comprising the salary corresponding to his index number and child allowances.
- 3.2 Salary and increments may be granted in accordance with the officer's categories under the provisions of Annex I of the Teaching Service Staff Rules.
- 3.3 Normally an officer shall not be eligible for overtime payments but he may be eligible for travel and subsistence allowance, as provided for in this Teaching Service Staff Rules, acting and responsibility allowances, and such other allowances as may be authorized in respect of particular circumstances or conditions inherent in certain jobs by the Minister responsible for Education.
- 3.4 On promotion, an officer shall receive the minimum salary of his new category, or, if his previous salary was in excess of that figure he shall be placed on the first salary point which is higher than his previous salary by not less than two complete increment at the relevant part of the higher scale.
- 3.5 Annex II to these Rules show the indexed salary scales.

B. ACTING AND RESPONSIBILITY ALLOWANCES

- 3.6 When the Minister responsible for Education considers that it is necessary that a post should continue to be filled at a time when no officer of corresponding substantive rank is available for posting thereto, some other officer, may be appointed by the Minister to act in the post, and to assume either fully or in part the duties and responsibilities thereof. Acting appointments shall not normally be made for a period of less than 30 consecutive days or for more than 6 months. An acting appointment may be made for a period of less than 30 days in special circumstance with the express written approval of the Minister responsible for Education. An officer shall not normally be appointed to act higher than one category senior to his own post.
- 3.7 Where an officer is appointed to act in a post and is assuming the full duties and responsibilities of that post, he shall be eligible to be granted an acting allowance of the difference between his substantive salary and the minimum salary of the scale of the post in which he is acting, or the amount of the first increment in the higher scale, whichever is the greater.

- 3.8 Where an officer is appointed to act in a post and is not assuming the full duties and responsibilities of the post, he shall be eligible to be granted an acting allowance at such rate as may be decided by the Minister responsible for Education.
- 3.9 When an officer is acting in the post of another officer of the same grade, he shall not be eligible to receive any acting allowance.
- 3.10 Acting allowances shall not be taken into account in the calculation of pension or other superannuation benefits.
- 3.11 The Minister responsible for Education may from time to time create responsibility allowances to be paid to the holders of specific posts where it is considered that the carrying out of extra duties, merits the grant of such an allowance, and where this is not compensated by the officer's substantive salary or an acting allowance.
- 3.12 Acting and responsibility allowances will continue to be paid to the officer during absence for reason of ill-health or local leave. However, if the officer is absent for more than 14 days the allowances shall cease to be paid as from the fifteenth day of absence.

C. HOURS OF WORKS

- 3.13 The normal standard working hours per week may be laid down by the Head Teacher or the Principal as the case may be.

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STATE SECRETARY FOR EDUCATION
KUALA LUMPUR, MALAYSIA

**CHAPTER 4 - MILEAGE ALLOWANCE AND USE OF
VEHICLES/COMMUTED MILEAGE ALLOWANCE**

4.1 The Teaching Service does not accept any responsibility for the transport of an officer between his place of residence and his place of work, and no allowance shall be payable in respect of such journeys, nor will free transport be provided.

4.2 An officer regularly and frequently using his private vehicle on official duty shall, with the approval of the Minister responsible for Education and the Minister responsible for Finance, be entitled to claim a Commuted Mileage Allowance. An officer using his private vehicle on official business is responsible for insuring it for that purpose at his own expense and no liability will attach to Government from such use.

4.3 No officer shall receive any allowance for the use of his private vehicle on official business if a suitable Government vehicle is available.

4.4 A Commuted Mileage Allowance will only be granted in cases where the regular duties of an officer involve a considerable amount of travelling, which in the interest of the Service is performed in his private vehicle. The amount of the allowance will be fixed by the Minister responsible for Education and the Minister responsible for Finance and will be one of the following rates:-

- (a) VT 5.000 a month
- (b) VT 2.000 a month
- (c) VT 500 a month

4.5 All Commuted Mileage Allowance will be subject to annual review at the beginning of each financial year, at which time the officer concerned, his immediate supervising officer and his Principal Education Officer shall each be required to certify whether the amount of the allowance was justified and reasonable in the previous year and whether it is expected to continue to be so in the next year.

**USE OF OFFICIAL VEHICLES (OTHER THAN
MINISTER'S OFFICIAL VEHICLES)**

4.6 Official vehicles shall not be garaged at an officer's home or used for home to office journeys without the express permission of the Minister responsible for Transport.

4.7 Private passengers shall not be carried in official vehicles without the approval in writing of the Minister responsible for Transport.

- 4.8 No official vehicle shall be assigned exclusively to one officer. All official vehicles shall be available for official journeys to all officers who are officially authorised to drive them.
- 4.9 (a) Unauthorised private use of an official vehicle shall be a disciplinary matter.
- (b) The Teaching Service will not accept any liability in respect of any officer involved in any accident whilst using a Government vehicle without the appropriate authorisation, or on a private journey, or whilst infringing any of the other provisions governing the use of Government vehicles.
- 4.10 An officer involved in an accident in, or with, a Government vehicle shall report the matter as soon as possible to his Principal Education Officer who shall report it to the minister responsible for Finance and the minister responsible for Education through the Director of the Education in accordance with such instructions to officers authorised to drive Government vehicles as may be laid down from time to time. The Principal Education Officer's report shall include the estimated cost of repairs to the Government vehicle and any other relevant costs, and a recommendation regarding the amount of surcharge and the disciplinary action appropriate to the circumstance of the case. The minister responsible for Finance and the Minister responsible for Education shall consult with each other on the questions of surcharge and disciplinary action. In any case involving legal action against Government or a Government officer full details shall be referred to the Government legal adviser with a request for his advise.

RENTED VEHICLE

- 4.11 Where no official vehicle is available for an official journey or journeys, a vehicle may be rented for the purpose from the cheapest source available.
- 4.12 The prior approval of the minister responsible for Finance shall be obtained in writing for any such transaction or project for which the total cost of continuous or separate hirings will be in excess of VT 10,000.

CHAPTER 5 - SUBSISTENCE ALLOWANCE, POSTING AND TRAVELLING ON DUTY

SUBSISTENCE ALLOWANCE

5.1 An officer travelling on duty within Vanuatu away from his designated permanent station will be eligible for subsistence allowance at the rate of VT 500 per night. The allowance is payable only in respect of a night (including the hours of 0600 to 0600) spent away from his designated permanent station.

5.2 An officer travelling away from his designated permanent station for duty in Vila or Santo may claim reimbursement of his actual and reasonable accommodation and 50% of receipts meals expenses. Such reimbursements shall not include wine or other alcoholic drinks.

5.3 Subsistence allowance or reimbursement under paragraph 5.2 above, as appropriate, shall not be payable for any period when the officer is accommodated and/or lodged at the expenses of the Government, either directly or by provision of passages inclusive of meals and/or accommodation.

POSTING

5.4(a) Transportation of the officer, his family and their household effects (including one motor vehicle or small boat), not exceeding in all ten cubic meters measurement or the metric tons weight from one station to the other shall be at Government expense.

(b) This rule will apply also to an officer who on return from vacation leave is posted or designated to a permanent station other than that to which he was posted immediately prior to his departure on vacation leave.

(c) It will also apply to an officer on first appointment and to an officer on final retirement.

(d) The Government will not be responsible for compensation for loss of, or damage to, an officer's personal effects in the course of removal, and it is the officer's own responsibility to insure his goods at his own expense to cover that risk.

(e) Reimbursement, of the officer's expenses will be made by the Government upon the presentation of receipts by the officer.

CHAPTER 6 - TRAVEL OUTSIDE VANUATU ON OFFICIAL DUTIES

- 6.1 Approval for any officer of the Teaching Service to travel officially on duty outside Vanuatu shall be sought from the Minister, through the Teaching Service Commission.
- 6.2 In seeking approval, full information and documentation should be submitted in sufficient time for the matter to be obtained if necessary.
- 6.3 The application should contain a certificate from the Principal Education Officer concerned to the effect that there will be positive advantage to Vanuatu in the overseas visit.
- 6.4 The Minister shall ensure that the frequency of overseas visits is properly controlled, and that where possible opportunities are given to local officers rather than expatriates to participate in overseas conference, study tours, official visits, etc.
- 6.5 The Principal Education Officer concerned should secure approval for a visit before proceeding with any arrangements, such as accepting invitations, making bookings, paying deposits, etc. Applications must be submitted well in advance, and should include all items of proposed expenditure. The minister of Finance's prior visa will be necessary for any proposed expenditure falling to the Government account.
- 6.6 An Officer travelling on duty overseas who has obtained the prior approvals required by paragraphs 6.1 to 6.5 above may claim overseas subsistence allowance to cover meals and minor expenses. The daily rate of overseas subsistence allowance is VT 4.000.
- 6.7 In addition an officer may claim reimbursement of basic accommodation costs actually and reasonably disbursed by him on submission of a detailed account supported by receipts. Laundry, telephone and other miscellaneous charges shall be met by the officer. Officers shall be required to contribute towards payment of accommodation charges if they choose to be accomodated in luxury style hotels when other more modest accommodation is available.
- 6.8 With the approval of the minister responsible for Education the provisions of paragraphs 6.6 and 6.7 above may also apply to officers attending a course or conference overseas, but not to an officer on leave outside Vanuatu who is attending a course in his country of leave or normal domicile, who shall receive an overseas subsistence allowance of VT 1.000 per day.

TRAVELLING EXPENSES

- 6.9 An officer on approval duty overseas (including attendance at a conference or course) may also claim refund of necessary expenses incurred in travelling in connection with his duty, provided that whenever a public conveyance is available he shall travel by such conveyance unless he can show sufficient reason to the contrary. If the officer's explanation is not accepted, reimbursement shall be limited to the amount that travel by public conveyance would have cost, or such sum as the minister responsible for Education may decide.
- 6.10 Claims for reimbursement under paragraph 6.9 must be supported by receipts in all cases. Items for which no receipts were obtained may be allowed at the discretion of the minister responsible for Education on the certificate of the officer that the amount was actually paid for the service stated and that no receipt was available.

WARM CLOTHING ALLOWANCE

- 6.11 When an officer travels on approved duty overseas to a place where cold winter climatic conditions will be met (e.g. as in Northern Europe) a warm clothing allowance of up to VT 6,000 may be authorised by the Director of Education subject to the following general conditions:-
- (i) The amount of the allowance in each case up to the maximum stated is to be determined by the Director of Education according to the actual needs of the case.
 - (ii) The officer is to produce receipts for the purchase of warm clothing up to the amount granted.
 - (iii) The maximum amount of the allowance is payable not more often than once in any period of two years to the same officer, either as a single payment or as a number of smaller payments.

CHAPTER 7 - HOUSING

7.1 (a) Overseas-recruited officers are entitled to official housing where the Government is required under the terms of their agreement of service to provide housing.

(b) Locally-recruited officers who are certified by their appropriate Principal Education Officers (PEOs) and approved by the Minister responsible for Education as being required by their work to live at or near work-place are also deemed to be entitled to official housing.

(c) Other locally-recruited (other than temporary or local contract) officers who hold permanent appointments are only eligible for official housing, e.g. only in so far as the Government is able to allocate surplus officially-owned accommodation for that purpose and is not at the same time leasing privately owned housing of a similar standard. Eligible officers who are allowed to occupy official quarters which are subsequently required to house an entitled officer shall be given not less than three month's notice to vacate the quarter and find private accommodation (at their own expense). Eligible officers who are posted by the Government from one permanent duty station to another shall be provided with an official quarter, if necessary for a period of 3 months to enable them to find private accommodation (at their own expense). Normal official rent shall be payable for occupation of the official quarter. Eligible officers are responsible for providing their own accommodation wherever their duty-station might be.

7.2 All school official housing throughout Vanuatu shall be allocated by the School Council or School Committee in collaboration with the Local Government Council of the area. These Councils should elect their own housing committees which shall allocate such houses as are assigned to them by the minister responsible for Education.

7.3 (a) An officer occupying a house at the level of Government provision where 12% of salary is payable, i.e. mainly in towns and other centres, or in schools with permanent housing, and with provision of water and electricity, shall pay a monthly rent of 12% of his salary, which shall be deducted from his salary and credited to a housing account with the Local Government Council, or the School Council, or the School Committee, as appropriate.

(b) Officers may share quarters with the prior approval of the school council or committee and shall share the rent payable in respect of the said quarter.

(c) The appropriate Principal Education Officer shall recommend to the Local Government Regional Education Officer, or to the School Council, or the School Committee the level of rent to be charged to each officer provided with housing accommodation according to the following scale:-

Grade A house:-
Rent = 12% of salary Permanent building furnished to standard as specified in ANNEX III. This house will have main facilities (electricity, water, toilet) and usually be situated in the urban area.

Grade B house:-
Rent = 10% of salary Permanent building furnished to standard as specified in ANNEX III. These houses will not have main facilities (electricity, water, toilet) and will usually be situated in the rural area.

Grade C House:-
Rent = 8% of salary Mission type building furnished to standard as specified in ANNEX III. Fairly old building will have some toilet and electrical facilities.

Grade D, E and F house:-
Rent = 4% of salary Fairly good condition bush house with convenient toilet and washing facilities.

NOTE

Any house where the facilities, furniture or general conditions of building are in a poor state of repair will be down graded to the next grade below.

- (d) Houses or accommodation for officers and other school staff on a particular school site in Vila and Luganville are withdrawn from the Public Service Housing Committee. Such houses shall be deemed 'tied houses' to particular schools and institutions and shall be allocated by the appropriate School Council or Committee on the recommendation of the head-teacher.

7.4 The Director of Education or the appropriate Principal Education Officer of the ministry of Education shall be responsible for informing the Local Government Regional Education Officer or the School Council or both, as appropriate, of all expected arrivals requiring housing and of all expected departures and other housing movements, not less than 6 weeks in advance, so that arrangements can be made for the checking of houses and furniture inventories. The Local Government Regional Education Officer or the Head-teacher of a School with the School Council or Committee shall check houses and furniture inventories.

- 7.5 Control of official furniture is vested in the Local Government Regional Education Officer, School Council, or School Committee. Furniture shall be provided in accordance with furniture scales laid down by the Minister of Education for school housing. The Local Government Regional Education Officer, School Council, or School Committee shall be responsible for ensuring that proper records of official furniture are maintained and that furniture scales are strictly observed. Presently authorised furniture scales are shown in Annex III hereto.
- 7.6 (a) As soon as a Principal Education Officer is aware that an officer under his authority is due to go on transfer or vacate a house, he shall take immediate steps to ensure that the furniture formalities (inventories etc.) are completed, and for cases of damage to Government property, to be reported for the authority responsible to take appropriate action. Normally not less than 6 weeks' notice is required.
- (b) The officer occupying a quarter is responsible for his own acts and the acts of his family and servants. He is responsible for keeping the quarter, furniture and grounds in good condition. If the Government is put to additional expense due to replacements or repairs being necessary and the responsible housing Authority considers that they are necessary because of an officer's neglect in allowing excessive wear and tear, or damage, then the officer may be required to pay for the cost of such repairs. An officer who vacates a quarter is responsible for ensuring that the premises and grounds are left in a clean condition. Any officer failing to comply shall be charged with the reasonable and necessary costs entailed in bringing the quarters up to proper standard. Such costs may be deducted from salary or other benefits due to the officer.
- (c) Periodic inspections of quarters and grounds may be made from time to time.
- 7.7 (a) The responsible housing authority or the School Headteacher shall determine the date upon which a quarter is to be occupied. This is in order to enable the School Council or Committee to repair or redecorate the house so as to bring it into proper condition for occupation.
- (b) All unoccupied quarters shall be kept locked, and the key shall be lodged with the Headteacher of the school and retained in the school safe.
- 7.8 All furniture shall, before being allocated to a quarter, be marked with an identification number which shall be recorded in a list of all furniture. The list shall be retained by the school Headteacher in the school safe. This list shall show the date of purchase of the furniture, its value, requisition number, its original allocation and any subsequent re-allocation.

7.9 (a) No item of furniture may be transferred either temporarily or permanently from one quarter to another without the authority of the appropriate housing authority. All such transfers shall be immediately recorded on the house inventory and on the list of furniture maintained by the School Headteacher.

(b) An officer shall not carry out any structural alterations to his quarters or any alterations or modifications or any kind to the electrical, gas, or service installations. This includes the furniture and fixtures. Consent must be given by the school housing authority before any officer undertakes such work. Any addition to the structures or fittings shall become the property of the Government and no compensation shall be paid to the tenant on termination of his occupancy, but the cost of any repairs necessitated by the removal of such items shall be charged to the officer.

7.10 The school council or school committee shall ensure that whenever an officer takes over or hands over a house, an inventory of the furniture shall be carried out in the presence of the officer to whom the quarter is allocated. Inventories shall be made in duplicate and shall be signed by the officer and the Headteacher or Secretary of the school council or school committee. The latter shall retain the original in the school safe while the copy remaining in the quarter.

7.11 When the Headteacher or Secretary of the school council or school committee considers that an item of furniture has become unserviceable, he may recommend to the school council or school committee that it be written off and replaced.

7.12 (a) These rules apply to the following officers:-

(i) an officer on first appointment who is recruited into the Teaching Service from a place other than the duty station to which he is permanently posted on first appointment;

(ii) an officer on being posted from one permanent duty station to another, and

(iii) an officer on final retirement from the Teaching Service who is housed by Government, who is therefore required to vacate his quarters, who is entitled to a passage at public expense to his home island, and who is about to leave his final station to go to his home island. Such officers may be reimbursed the cost of hotel accommodation and/or three meals a day excluding laundry and alcoholic beverages for a period of up to three days in respect of himself, and his family if his family is travelling with him, provided that:-

(A) receipted bills are submitted with his claim; and

(B) the cost of accommodation is limited to any Government-negotiated concessionary room rate at any hotel plus VT 1.150 a day per person for meals. A single child under the age of eleven years is expected to share a room with its parents. Officers may reside in other hotels or incur expenditure above this limit but the additional cost shall not be reimbursed.

(b) When an officer entitled to be housed by Government is accommodated in a hotel with the approval of the Minister responsible for Education because no house is available for him, after the first 3 days (to which Order 7.12(a) shall apply) he may claim reimbursement of 75% of the reasonable and necessary cost of the hotel accommodation and meals on receipted bills, excluding laundry and alcoholic beverages, and reimbursement shall be made to such extent as the Minister may approve. Reimbursement shall normally be within a ceiling of 75% of the room rate plus 75% of VT 1.150 a day per person for meals. A single child under the age of eleven years is expected to share a room with his parents.

7.13. No officer may let or sub-let a quarter which has been allocated to him or may part of the house or the area surrounding his house. This applies in all circumstances including a period when an officer retains his quarters but is absent.

7.14. An officer may retain a quarter during a period of absence and shall continue to pay full rent. If the absence is for a period in excess of one month, the prior approval of the appropriate housing authority shall be obtained, otherwise the quarter may not be retained and may be re-allocated.

7.15 (a) An officer occupying housing provided for him by the Government is responsible for the payment of water and electricity charges at his own expense and it shall be a disciplinary offence to allow such charges to go unpaid when due for payment. Where applicable, payment of municipal rates will be deducted from salary at source by 12 equal instalments beginning in January each year.

(b) In areas where water or electricity is not separately metered or where they are supplied as part-and-parcel of a private-owned house leased by Government, officers shall pay to Government an estimated flat-rate charge, determined by the Minister responsible for Government housing, for such services as are supplied.

CHAPTER 8 - GENERAL CONDUCT

8.1 (i) Officers may be employed on such suitable duties as the Minister responsible for Education may decide and are liable to be posted to any school within Vanuatu.

(ii) In deciding on postings the Minister shall try to take into account such matters as housing, food gardens, and children's schooling, but the needs of the service must take priority and officers must recognise their liability to be posted anywhere. Non-compliance with a legitimate posting may form the basis of disciplinary action.

8.2 (i) Officers remuneration is fixed on the assumption that his whole time is at the disposal of the Government. On or after the effective date of these Rules, an officer shall not accept any remuneration from any source whatsoever except the salary of his post and any allowance or payment which has been authorised or may be authorised in writing by the Government, or for which permission has been given under paragraph (ii) below. This rule shall cancel all existing authorities for all allowances or payments other than salary, except insofar as authorised in these rules.

(ii) Officers are not allowed to conduct private business in official time or to use official telephones or stationery for their private affairs. Officers should discourage incoming private telephone calls and should terminate them as quickly as possible.

(iii) (a) Any officer who has any outside business interest, including a wife's or husband's business interests, shall declare such interests to the Minister responsible for Education.

(b) It shall be a serious disciplinary offence not to declare any such outside interests.

(c) In declaring his outside business interests, the officer shall state whether he intends to divest himself of such interests or whether he seeks the approval of the Commission to continue with them.

(d) If the officer intends to seek approval to continue with his outside business interests he shall give some justification and explanation, which shall include:-

- a statement of the extent of his personal financial interest (whether direct or indirect and whether in his own name, his wife's or husband's name, or the name of some other person acting on his or her behalf);

- a statement of the extent of his personal involvement in the running of the business or activity involved, which shall clearly show what calls on his time and attention these interests make and whether they are likely to occur during his official duty hours;

- a statement of the value to the community of his undertaking such a business or activity, i.e. whether he is the solid provider of a useful community service or is in competition with other enterprises in which no public officer has any declarable interest;
- a statement of the extent to which his outside interests actually conflict, or might at some future time conflict, or might be thought by members of the public to conflict, with his duty as an officer;
- a statement of the extent to which his outside interests could compromise his impartiality in his official dealings and/or are concerned with enterprises with which he has or may have need to deal in his official capacity.

(e) The Director of Education shall ensure that all necessary and relevant information is given by the officer and shall submit the application to the Minister responsible for Education.

8.3 (a) An officer shall attend work at the official starting time and shall not absent himself for any private purpose from his place of work during official working hours except with permission from his Headteacher, or in his absence the Regional Education Officer. In every school there shall be kept a register in which shall be recorded the following information regarding the absence of officer from their place of work except in respect of absence on duty:-

- (i) name of officer;
- (ii) duration of absence; and
- (iii) reason for absence.

Frequent short absence amounting to inefficiency or misconduct shall be reported for disciplinary action to be taken, supported by the facts as recorded in the register.

(b) All absences from duty of half a day or more due to any reason except leave or sickness shall be without salary. All absences must be recorded and reported for deductions to be made as and when necessary. In primary schools the Headteacher shall be responsible to his Regional Education Officer, and in secondary schools the Headteacher or Principal shall be responsible to the Principal Education Officer for secondary education for keeping a local register for this purpose.

(c) Any refreshments taken during working hours should be taken during a break between school lessons with the minimum of interruption to school work.

- 8.4 If an officer is absent from his place of work for any reason other than duty, he shall ensure that a message explaining his absence is sent immediately to his Headteacher, or in his absence the Regional Education Officer.
- 8.5 An officer absenting himself from his duties without leave for one week or more without giving, within that time, an explanation satisfactory to the Minister responsible for Education, renders himself liable to dismissal. An officer who, having been granted leave, fails to return to duty at the proper time without giving a satisfactory explanation within one week is also liable to dismissal. An officer who is absent from Vanuatu or from his duty station without permission renders himself liable to disciplinary action.
- 8.6 An officer on leave shall not undertake or accept any paid employment without the prior permission of the Minister responsible for Education.
- 8.7 All officers are prohibited from receiving gifts or presents in the course, or as a result, of their duties, or by virtue of their official position, whether in the shape of money, goods, free services, passages, or other benefits, and are prohibited from giving such gifts or presents. This rule applies not only to the officer himself, but also to his family, and the officer shall be held responsible for its observance by members of his family. This rule does not apply to the ordinary gifts of personal friends, not received in the course or as a result of the officer's duties or by virtue of his official position, and does not apply to cheap promotional goods such as calendars and diaries.
- 8.8 The consumption of alcoholic drinks on duty, in working hours, or on school (or Public Service) premises is prohibited.
- 8.9 (a) All officers are forbidden to disclose without authority to any person or organization any official information which comes into their possession in the course of the performance of their duties, whether such information is confidential or not. This means that officers should give information only to other persons to whom they are entitled to give it in the normal course of, and by reason of, their official duties.
- (b) All officers have a duty to protect the security of school and Government premises and to ensure that documents, offices, and Government property are all properly looked after and protected. Officers charged with duties in connection with classified documents (e.g. in translation), or with access to offices (e.g. maintenance and cleaning staff) have a special duty to see that all security measures are or have been carried out.
- 8.10 Officers are forbidden to make representations to, or attempt to influence directly or indirectly, Members of Parliament or members of any public body to bring their claims for promotion or increased emoluments, etc., to the notice of their senior officers or any Board or Committee of the Government, or otherwise to bring outside influence to bear in any matter connected with their status or official duties.

8.11 (i) Officers on permanent, contract, or temporary terms may become members of an association formed to promote and safeguard the interests of officers in the Teaching Service, provided that the membership of the association shall be limited to such officers. The complaint procedure to be followed is set out in ANNEX IV to these Rules.

(ii) The Minister responsible for Education may grant recognition to any such association for the purpose of representing officers.

(iii) To qualify for official recognition as a body competent to negotiate with the Government on behalf of Teaching Service officers or employees, a staff association shall be required to satisfy the Minister responsible for Education that:-

(a) the association only represents officers of the Vanuatu Teaching Service;

(b) the association represents a large or significant homogeneous group of officers in the Teaching Service;

(c) the association represents a large majority of the officers in the group for which it seeks to be recognised;

(d) the membership is based upon genuine representation of the officers concerned, as evidenced by a statement of membership certified by the Minister of Education;

(e) the association has a democratic constitution based on one man one vote, and secret ballots, if requested by members on any occasion.

8.12 (i) All officers are prohibited from public speaking, broadcasting, or engaging in public controversy on political or administrative matters.

(ii) Officers may write letters to the press or publish books, articles or pamphlets giving their views on political, administrative or trade union matters, but only with the prior permission in writing to the minister responsible for Education.

8.13 Officers may -

(a) propose, sponsor or support a candidate for election and,

(b) hold office in or take part in the management of a political organisation.

provided that no political activity is engaged in whilst on duty or whilst in school or Government premises.

8.14 In all aspects of their conduct with regard to public affairs (which includes political, administrative, and trade union matters) all officers must show the responsibility and restraint which their position as officers demands. They should not seek to use their public office or status for political or sectional purposes. They should not conduct themselves in such a way as to bring their office or the Service into disrepute, or in such a way as to create a conflict, or the appearance of a conflict, between their private interests and their public duty. They should not engage in conduct to the prejudice of law and order, the Government of the day, or service discipline.

- 8.15 Government facilities, (such as buildings, quarters, offices, office machines, vehicles, boats or other forms of official transport, telephones, or other telecommunication facilities, stationery, notice boards, mail delivery services, etc.), shall not be used in connection with political activities of any sort, with the exception that an officer may avail himself of Government facilities which are available to any member of the public (e.g. paid passage in a Government vessel). Political pamphlets or posters shall not be distributed or displayed by officers on duty or in any school or Government buildings. No allowances or expenses of any kind shall be met from public funds in respect of any political activities of officers unless specifically authorised by the Principal Electoral Officer.
- 8.16 No officer or employee may during working hours or outside working hours on school or Government premises campaign for election, hold, or speak at, public meetings for the purpose of declaring his support for, or opposition to, any candidate or political party, or otherwise take part in any political activity.
- 8.17 The Director of Education shall be responsible for reporting to the Commission any cases in which it appears that an officer is suffering from serious pecuniary embarrassment. Serious pecuniary embarrassment means getting into difficulties because of debts. Such embarrassment shall be regarded as necessarily impairing the efficiency of an officer and may render him liable to disciplinary proceedings.
- 8.18 The Director of Education is responsible for reporting cases of misconduct or disciplinary offences to the Commission. This applies whether or not formal disciplinary proceedings are instituted against the officer, so that such offences may be reflected in the officer's record and taken into account when the officer's suitability for promotion, confirmation, etc. is being considered.
- 8.19 An officer charged with a criminal offence shall immediately inform the Director of Education of the facts of the case. The Director shall inform the Commission.
- 8.20 Each year in December every serving officer shall be the subject of an annual confidential report by his Headteacher, and every serving Primary Head teacher shall be the subject of an annual confidential report by his Regional Education Officer, or the Director of Education. The annual confidential report shall include a general appreciation of the officer or Headteacher and of his professional competence. The annual report on an officer shall be countersigned by the Regional Education Officer, and the annual report on a Headteacher shall be countersigned by the Director of Education and the countersigning officer shall notify each officer or headteacher of this performance. When an officer acts in another post a special confidential report shall be prepared by the Head of Department in whose department he is acting, and this shall be taken into account when the officer is considered for promotion.

8.21 (a) It is essential for the general efficiency of the service that annual confidential reports on officer and Headteachers should be detailed and candid. Reporting officers should realise that their own capabilities are discernible from the reports they write on their subordinates, bearing in mind that they hold their offices by virtue as much of administrative as of professional or technical ability. If a reporting officer submits a report which is not sufficiently informative, the Director of Education should explain to him where and in what way the report is deficient, suggest ways in which it might be improved, and if necessary require him to re-write it.

(b) Reports should give information on the officer's or Headteacher's personal qualities, bearing, and intellectual ability. His personal relationships in the school situation, with children, with fellow officers, and with parents, as well as man-management, judgment and willingness to accept and carry out responsibilities should be included, and it should describe any special experience, training, or accomplishments which may be of value to the service, including where applicable professional or technical ability. Finally the report should comment on the officer's or headteacher's social qualities and outside interests.

(c) Reports shall be sent to the Teaching Service Commission for retention and use.

8.22 Confidential reports shall not be shown to the officers or Headteachers on whom officer's or Headteacher's work and conduct shall be conveyed to him by the officer instructed to do so, and this shall be done in an interview. A note of the interview shall be sent to the Teaching Service Commission if it adds anything of substance to the report already submitted.

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CHAPTER 9 - STATUS AND LEAVE

9.1 (i) The status of an officer may be one of the following:-

- on active duty
- on annual leave
- on sabbatical leave
- on leave without pay
- on secondment
- in retirement

(ii) An officer elected in a representative capacity shall be allowed the necessary time in which to carry out the functions of his office.

...

SABBATICAL LEAVE

...

ANNUAL LEAVE

- 9.2 (i) Serving officers shall be entitled to annual leave with salary of 21 working days in each complete year of service.
- (ii) Annual leave of 21 working days should be taken only during the end-of-year school holidays.
 - (iii) Other portions of the school holidays will be regarded as being official duty days, during which officers may attend and participate in courses, workshops or conferences relevant to their teaching duties.
 - (vi) An officer leaving the service who has not completed a full year of service shall be entitled to leave proportional to the service completed.
 - (v) Once every two years (i.e. in every second or alternate year) an officer other than a temporary officer shall be entitled to be reimbursed 50% of the cost of return passages for himself, his wife and up to four dependant children to the point of disembarkation in that officer's home island in Vanuatu in respect of journeys actually under-taken and on production of satisfactory receipts or other documentary evidence. Transport to the officer's home island must be by the cheapest and most direct route and whenever possible should utilize Government vessels.

These shall be as entitlement to passages for a married officer to the extent that the spouse's employment carries the privilege or right to such passages. An officer may, if he so wishes, be paid in advance immediately before departure on leave his salary for the whole period of his leave.

SABBATICAL LEAVE, SECONDMENT, AND LEAVE WITHOUT SALARY

- 9.3(a) (1) Sabbatical leave of not more than one year at a time and not more than two years in total may be granted by the Teaching Service Commission on grounds of public policy to an officer for the purpose of relinquishing his Teaching Service duties in order to take up duties or functions outside the Teaching Service which are in the public interest. For example an officer might be granted sabbatical leave in order to teach at a university or college during which time the experience gained by the officer will be of benefit to the Teaching Service or the country as a whole. As a further example an officer might be granted sabbatical leave in order to work for a non-government or quasi-government organisation to provide expertise to that organisation and to gain experience at the same time which will enhance his usefulness to the Teaching Service on his return to his post.

(b) During sabbatical leave an officer will receive the salary for the post to which he goes from the receiving organisation. The receiving organisation shall be required to pay to the Government a pension contribution (if the officer is a member of the Government pension scheme). If the salary is less than his Teaching Service salary, the Teaching Service Commission may with the approval of the Minister of Finance, grant an allowance of the difference between his Teaching Service emoluments and the total emoluments he will be paid by the receiving organisation.

(c) Sabbatical leave shall count as effective service, and subject to the provisions of the Government pension scheme will count as both qualifying and pensionable service. An officer on sabbatical leave may be replaced by a temporary appointment.

(ii) An officer placed on secondment by the Teaching Service Commission is given on loan to the receiving department or organisation. He continues to occupy his Teaching Service post and shall not be replaced by a temporary appointment. The Minister of Finance shall decide whether and to what extent the receiving organisation shall be asked to reimburse the Government for the officer's salary, pension contribution, and any other payments or benefits received by the officer during the period of secondment.

(iii) Leave without salary of not more than 6 months may be granted by the Director of Education on grounds of urgent private affairs or on compassionate grounds. Leave without salary is not effective service. Subject to the provisions of the Government pension scheme, leave without salary shall not constitute a break in service for the purpose of continuity of service, but shall not count as either qualifying or pensionable service.

(iv) An officer on leave without salary may be replaced by a temporary appointment.

(v) Neither sabbatical leave nor leave without salary shall be granted for extended sickness, except as provided in Rule No. 9.9(ii).

SICK LEAVE

9.4 An officer is entitled to sick leave on full salary for a maximum period of 26 days in each consecutive period of twelve months, provided that each sickness necessitating an absence of more than 24 hours is covered by medical certificate received within 48 hours of the absence, or if this is not possible, within such time as the Director of Education may approve. This period of 26 days may be extended to 42 days on full salary on medical advice. The Director of Education may require the officer to be examined by a medical practitioner approved by the Government. The Director of Education may extend the period for receipt of the medical certificate in appropriate circumstances.

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- 9.15 Periods of absence not covered by a medical certificate and exceeding 24 hours will be treated as absence without leave and shall be without pay.
- 9.16 Periods of absence due to sickness within the officer's entitlement under paragraphs 9.4 above and 9.9(1) below and other than those specified in paragraphs 9.5 above and 9.7 below will be treated as effective service and shall be leave-earning.
- 9.17 Aggregated periods of absence due to sickness exceeding 42 days in a period of 12 consecutive months will be treated as vacation leave and deducted from the officer's annual vacation leave except where the provisions of paragraph 9.10 below apply.
- 9.18 When an officer falls sick during his vacation leave he will be eligible for sick leave, and the period of sick leave granted within his leave entitlement will be added to his leave entitlement.
- 9.9 (i) An officer absent from duty due to sickness for a period exceeding 42 consecutive days shall be examined by a medical board appointed by the Teaching Service Commission. On the medical board's recommendation, the Teaching Service Commission may grant further sick leave within a limit of 136 days and on half pay.
- 9.9 (ii) On the expiry of the sick leave granted under the previous paragraph, the officer shall be re-examined by the medical board which shall report to the Teaching Service Commission on the officer's fitness to resume duty. The Teaching Service Commission shall decide whether the officer shall resume duty, be granted further sick leave without pay (up to a maximum of 6 months, after the expiry of which the officer shall be retired on medical grounds unless the medical board is able to certify that the officer is likely to be fit to resume duty within a period not exceeding three months, in which case a final period of three months leave without salary may be granted by the Teaching Service Commission, after which the officer, if not certified fit to resume duty, shall be retired on medical grounds) or be retired. Any sick leave without pay granted under this provision shall not count as effective service and shall not be leave earning.

MATERNITY LEAVE

9.10 Maternity leave on half salary of up to 6 weeks before and exactly 6 weeks after the estimated date of confinement will be granted to female officers on presentation of a medical certificate indicating the date of confinement. Maternity leave shall count as effective service. Any extension of maternity leave will be treated under the same rules as for sick leave.

COMPASSIONATE LEAVE

9.11 Leave of 2 days on full salary shall be granted to officers on the occasion of their marriage, and 4 days on the death of a parent or child. Leave of 1 day on full salary shall be granted to a father on the occasion of the birth of his child.

OCCUPATIONAL ACCIDENT AND ILLNESS LEAVE, ETC.

9.12 The Minister responsible for Education shall fix the extent to which the provisions of the Employment Act shall apply with regard to the leave to be granted following an accident at work or an illness arising from the directly attributable to an officer's work.

SPECIAL LEAVE FOR INTERNATIONAL SPORTING, CULTURE & OTHER EVENTS

9.13 (i) When an officer of the Teaching Service is selected as a member of a cultural body or sports team (which team for the purpose of these rules may include not more than one official and one trainer), to represent Vanuatu, with the approval of the appropriate governing authority for the sport or activity in Vanuatu, at meetings of international status, he may, with the approval of the Minister responsible for Education, be granted special leave on full pay in accordance with the following table. Such leave shall not be deductible from normal leave entitlement, and shall count as effective service, i.e. will be leave-earning.

TABLE

(a) Major international meetings involving more than one other country. Examples: South Pacific Games, International Scout Jamboree, etc.	Leave for the duration of the meeting.
(b) Meetings of lesser importance. Example: events involving one other country.	Leave for up to 5 calendar days
(c) Local selection or training event in Vanuatu to form a team for an international meeting.	Leave for the duration of the event, or for 5 days as applicable according to whether the meeting is in (a) or (b) above.

(ii) For an international meeting in which the officer is selected to represent, not Vanuatu, but a sporting or other association he may, with the approval of the Director of Education be granted leave to be counted against his normal leave entitlement.

CHAPTER 10 - MEDICAL ATTENTION AND TREATMENT

10.1 Officers and their families shall be entitled to receive free medical treatment at any approved hospital or by a Government Medical Officer. They shall also be entitled to free medical attention outside Vanuatu at medical establishments approved by the minister responsible for health services if referred for such treatment by the Director of Health and after obtaining the approval of the minister responsible for Education. In case of hospitalisation their entitlements will be limited to the cost of accommodation and treatment in public or general wards of the hospital. The cost of travelling within Vanuatu for the purpose of obtaining medical treatment, on the instructions of a medical officer will be borne by Government. In this section free medical treatment means that the officer may be required to pay the cost in the first instance and apply for reimbursement.

10.2 All other officers (other than temporary officers) are entitled to refund of part of the cost of medical expenses for themselves and their families, subject to the limits and conditions laid down in the following paragraphs of this section.

Treatment in Vanuatu

- (a) in respect of treatment in hospital during the first two weeks, three-quarters of the hospital charges. When hospitalization extends beyond two weeks, the whole of the costs incurred are allowable under these rules.
- (b) in respect of treatment in quarters when prescribed by a Government Medical Officer, three-quarters of medical fees charged.
- (c) in respect of medicines, dressings and appliances prescribed by a Government Medical Officer, three-quarters of the amount actually paid. This does not apply to medical comforts or appliances which are not essential.
- (d) in respect of dental and ophthalmic treatment and appliances certified as necessary by a Government Medical or Dental Officer, three-quarters of the amount actually paid, where spectacles are prescribed and the necessary cost exceeds one quarter of the officer's salary for a month, the excess over that amount will be payable by the Government.

Treatment outside Vanuatu

- (c) in respect of treatment in hospital undertaken after referral by the Director of Health and with the approval of the minister responsible for Education, the whole of the allowable costs of treatment in a public or general ward of a public hospital, or subject to the production of a medical certificate specifically justifying on clinical grounds particular treatment in a private ward of a public hospital, or in a private hospital, the actual cost of such treatment. Treatment in a private ward of a public hospital or in a private hospital will only be reimbursed if the Director of Health is satisfied that it was clinically essential and could not be carried out in a public or general ward of a public hospital. Private treatment costs of any kind will not be reimbursed by the Government of Vanuatu in respect of treatment in Britain, where, to qualify for any reimbursement at all, all treatment, etc., must be obtained under the National Health Service.

- (f) In respect of medicines, dressings and appliances prescribed by the doctors of such hospitals as being clinically essential to the treatment, the whole of the amount actually paid. This does not apply to medical comforts or appliances which are not essential.
- (g) In the case of officers who are treated other than in hospital with the prior approval of the Director of Health and the Minister responsible for Education, the whole of the reasonable cost of treatment, in so far as it is not available without charge (or at reduced charge) under the health service of the country concerned. In cases of illness overseas of officers or members of their family the officer shall immediately inform the Director of Education of all relevant facts, and the Director shall if appropriate immediately convey to the officer the necessary administrative instructions, advice or guidance required by the case.
- (h) In respect of dental and ophthalmic examination or treatment but not appliances, undertaken with the prior approval of the Director of Health and the Minister responsible, half of the amount actually paid and certified as reasonable by the Director of Health.

10.3 Applications for refunds under these rules shall be made to the Director of Health (in the case of USAS staff applications should be sent direct to the Public Service Department's Expatriate Staffing Aid Office) accompanied by a detailed statement of claims by the categories set out in paragraphs 10.1 and 10.2 above, together with the accounts and bills relating to the treatment undergone. After certification, or amendment if necessary by the Director of Health, the claim documents will be forwarded to the Director of Education for the approval of the Minister responsible for Education. For the purposes of these rules, the family of an officer shall include the officer, the spouse, and any dependant children in respect of whom he receives a children's allowance under the family allowance regulations.

- 10.4 (i) On production of a medical certificate which satisfies the Minister responsible for Education that an officer's state of health necessitates a medical examination or course of treatment outside Vanuatu, the officer may be granted sick leave under the provisions of the Teaching Service rules with free return passages to the country approved for treatment. In such cases the family of the officer shall not be eligible for passages or passage grants, unless the nature of the illness makes this necessary, and then only on the certification of the Director of Health.
- (ii) On production of a medical certificate which justifies to the satisfaction of the Minister responsible for Education the sending of an officer's spouse or child for a medical examination or treatment overseas, and the Minister is satisfied that it is justified for the cost to be met from public funds, the Government shall meet the cost of the return passages. In the case of a child who is medically certified to be unfit to travel alone the same concessions may be extended to an accompanying person approved by the Minister for the purpose.

(Dangerous Illness)

10.6(a) When an officer is placed on the Dangerously Ill List and his declared next-of-kin is in Vanuatu, the Medical Officer in attendance, will notify the next-of-kin direct, if possible, or failing that the area senior officer for the sick officer's department.

(b) When the declared next-of-kin is outside Vanuatu the Medical Officer in attendance will take steps to notify the Director of Health by telephone or "most urgent" telegram. The Director of Health will expeditiously notify the Director of Education and the information will be passed as expeditiously as possible to the next-of-kin. Daily reports will be sent by the same channels of communication until the officer's name is removed from the Dangerously Ill List.

(Death of an Officer)

10.7 In the event of an officer dying, the following action shall be taken:-

(a) In the case of an officer whose next-of-kin is in Vanuatu the Medical Officer or Medical Superintendent of the hospital shall notify the most senior officer of the deceased's department in the area. This latter officer shall notify the Regional Education Officer or Secondary School headteacher who shall arrange for the next-of-kin to be informed, and carry out any relevant instructions given by the next-of-kin.

(b) In the case of an officer whose next-of-kin is outside Vanuatu the next-of-kin shall be notified by the channels of communication indicated in Rule 10.6(b) above, and any relevant instructions obtained from the next-of-kin.

(c) The Director of Health shall supply as much information as possible.

(d) The Director of Education should either himself write a letter of sympathy to the next-of-kin or arrange for an appropriate officer in his department to do so.

(e) In all cases, the Treasurer or Senior Accountant shall be notified of the officer's death.

CHAPTER 11 - TRAINING AND COURSES

11.1 The Teaching Service Commission is responsible for the selection of those to undergo training courses in Vanuatu or overseas.

11.2 (i) It is the responsibility of Regional Education Officers and Head Masters of Secondary Schools in consultation with the Director of Education to assess and regularly review the training needs of the staff of their departments.

(ii) The Director of Education shall:-

- (a) collate and appraise training requirements and report on them to the Minister responsible for Education;
- (b) consult with the department responsible for Scholarships and Training in order to assess the possibility of the placement of officers on courses, and where formal courses may not be available, organise, or approve the organisation by Regional Education Officers, of suitable departmental training arrangements;
- (c) have overall responsibility for the co-ordination of In-Service training and keep the Minister informed of progress in training and localisation;
- (d) submit all training proposals, with the approval of the Minister to the Teaching Service Commission for selection to be made.

11.3 When an officer undertakes a course of study in New Caledonia, Fiji or the Solomons with the prior approval of the Minister and the Teaching Service Commission, which is not financed from outside sources, the Government will be responsible for the payment of:-

- (a) Tuition fees.
- (b) Examination fees.
- (c) The cost of text books, writing or drawing materials, or other equipment required for the course.
- (d) Return air passages at the most economical rates and by the most direct route between Vanuatu and the place where the course is held, together with travelling costs by public transport from the airport to the course venue. Taxi fares will not be reimbursed except in special circumstances and only with the approval of the Director of Education. This rule shall only apply to courses taking place in New Caledonia, Fiji or the Solomon Islands. The acceptability to Government of courses taking place elsewhere, whether in or outside the South Pacific area, will require special approval from the Minister responsible for Education.

- (c) With the Minister's approval, subsistence allowance in respect of attendance at the course at an appropriate rate. If the course lasts longer than one academic year, the officer may be granted a return passage to Vanuatu at the end of each academic year, provided that there is at least nine months of the course remaining as at the date of his return overseas.

11.4 An officer wishing to attend a course of instruction overseas during his leave must apply for permission to do so before leaving Vanuatu. This request should be made through the officer's Regional Education Officer who shall forward it to the Director of Education, who shall deal with it in accordance with paragraph 11.2(ii)(d) above, with his recommendation. If an officer undertakes a course of instruction without receiving the necessary prior approvals, the Government will not pay the allowance and expenses set out in paragraph 11.3 of this chapter.

11.5 (a) Where an officer is required to undertake a course of training outside Vanuatu lasting for two months or less, it shall be regarded as duty (but not leave-earning) and the following rules shall apply:-

(i) If the course is taken by an expatriate officer prior to his leaving his country of domicile on first appointment he shall be entitled to receive salary for the period of the course (but not any salary supplement which might otherwise be payable), and the provisions of his Agreement of Service about salary on first appointment shall thereafter apply.

(ii) If the course is taken by any officer on vacation leave, such leave shall be extended by the working period of the course during which he shall receive full salary (including any salary supplement which might normally be payable to him in the case of an expatriate officer).

(iii) In the case of either (i) or (ii) above, the officer shall be entitled to any allowances provided under these Orders for passages, travel documents, tuition and examination fees, text books and other materials, and subsistence allowance, not otherwise provided for him.

(b) Where the course lasts for more than two months, the first two months shall be regarded as duty (but not leave-earning) and the remainder as leave. When it would be to an officer's advantage he may as an alternative be granted such extension of leave with full salary as is necessary to enable him to complete the course and to enjoy an aggregate period of leave free of study (exclusive of the period necessarily occupied by the journey between Vanuatu and the country where the leave is spent) equal to half the period of vacation leave granted to him, provided that the period free of study shall not exceed three months. University or college vacations will be regarded as periods free of study.

- (c) A contract officer will not normally qualify for an overseas course of more than two months duration, or any course involving overseas passage costs, unless he has already served for not less than two tours and is required, and prepared, to undertake additional service in Vanuatu following completion of the course for not less than 2 years.
- (d) An officer taking a course of instruction of four months duration or more will whenever possible be allowed a period of approximately fourteen days after the end of the course before being required to return to duty. If the leave granted to the officer is not sufficient to cover this period, any further leave which may be necessary to cover the fourteen days will be granted on full salary.
- (e) When an officer undertakes a long course of instruction and owing to the timing of the course and through no fault of his own exceeds the leave approved, no excess will be recorded against his future leave entitlement and he will be regarded as having returned with a nil balance.
- (f) The officer will be entitled to a refund of travelling costs by the most economical form of public transport for the return of journey from his approved leave address to the course venue, or examination centre. In the case of an officer other than a permanent officer, the minister responsible for Education shall decide what arrangements shall apply.

11.6 An officer wishing to undertake a correspondence course in a subject related to his official work may apply for approval in accordance with paragraph 11.2 to undertake such course. On successful completion of an approved course and the examinations thereof, the officer may claim reimbursement of the tuition and examination fees, and the cost of necessary books, materials and equipment specified by the course authorities and approved by the minister responsible for Education. The officer must if possible make arrangements to take the examination during his leave. Any approved absences from duty to take examinations will be deducted from leave.

11.7 An officer who successfully completes a course of training and/or examination shall not have an automatic right to promotion or advancement of any kind, but his training and qualifications will be taken into account when he is under consideration for promotion.

11.8 (i) An officer who is recommended by Government and selected by the Teaching Service Commission to undertake a course of study will normally be allowed to continue to receive his full salary, but if the terms of the course award include a substantial living allowance or subsistence allowance the officer's salary may be abated fully or partially by the amount of the allowance in accordance with the decision of the Minister responsible for Education.

(ii) No salary for the period of the course shall be paid unless the Minister has been furnished in good time with full information about the financial arrangements and financial circumstances applicable and has made his decision on the amount of salary to be paid. The officer may include factual and specific information about his fixed financial commitments (being paid from his salary) and should if married state the family financial circumstances to enable the Minister to reach a fair and equitable decision. Provision of incorrect information may result in the decision being amended later and recovery of any overpayment made, and may also form the basis of a disciplinary charge.

CHAPTER 12 - TERMINATION OF SERVICE

12.1 The normal retiring age is 55 years.

12.2 Disciplinary procedure is laid down in the Teaching Service Act No. 15 of 1983.

12.3 Retirement on medical grounds is described in paragraph 12.6.

12.4 When an officer is serving under a contract which provides for termination of that contract by notice before the expiration of the period of service stipulated in the contract, the procedure for the termination of such contract shall be in accordance with the terms of the contract.

12.5(a) The service of an officer other than a permanent officer may be terminated by giving due notice in accordance with the terms of his engagement, and if no period of notice is specified therein, by giving one month's notice or one month's salary in lieu of notice. An officer other than a permanent officer may be dismissed for good cause in accordance with the terms of his engagement, and if no dismissal procedure is specified therein, by following the procedure specified in the Act.

(b) A permanent officer wishing to leave the Service shall give 3 month's notice or 3 month's salary in lieu of notice to the Teaching Service Commission.

OFFICERS RETIRING ON ACCOUNT OF ILLNESS OR INJURY AT WORK

12.6 The Minister responsible for Education shall fix the extent to which the provisions of the Employment Act shall apply with regard to the benefits to be granted following an accident at work or an illness arising from and directly attributable to an officer's work.

DEATH IN SERVICE

12.7 In the event of the death of an officer other than a temporary officer during the course of his service, the Government shall pay to his legal personal representative a sum equivalent to one year's total emoluments, and in addition in the case of an expatriate contract officer a sum equivalent to the unpaid gratuity which would have been due to him had he satisfactorily completed the whole period of his contract.

CHAPTER 13 - SUPERANNUATION

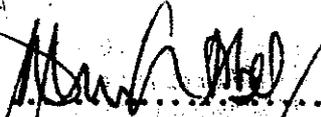
13.1 It is intended that all permanent officers will in due course be members of a pension scheme which will include death and injury benefits. The regulations and rules of operation will be the subject of a decision by the Council of Ministers.

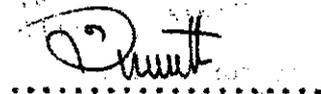
13.2 With the exception of temporary officers, all officers and employees in the Teaching Service other than permanent officers will in due course be members of a severance pay scheme which will include death and injury benefits. The regulations and rules of operation will be the subject of a decision by the Council of Ministers.

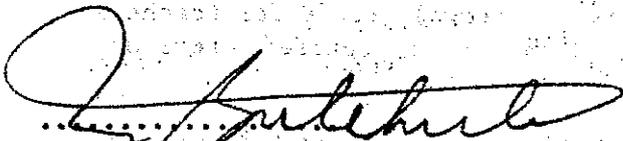
CHAPTER 14 - COMMENCEMENT

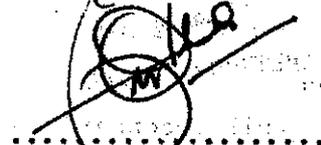
14.1 These Rules shall come into force on the day of signature.

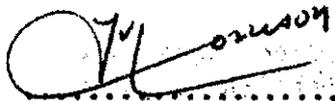
SIGNED at Port Vila the 16th day of JULY 1985.


.....
WILLIE RUBEN ABEL
Chairman


.....
KENNETH FAKAMURIA
Member


.....
LINO BULIKULI dit SACSAC
Member


.....
JULIAN M. ALA
Member


.....
JAMES MORRISON
Chairman, Public Service Commission



ANNEX I

OFFICER'S CATEGORIES FOR PAYING SALARIES AND INCREMENTS
(Chapter 3 Para. 3.2)

- E1 = 8 point scale Increments E1.1 - 1.5 at 1½ year intervals. E 1.6 - 1.8 at 2 year intervals Scale for U/T teachers from 6 years primary to 7 secondary education.
- E2 = 8 point scale Increments E2.1 - 2.5 at 1½ year intervals E 2.6 - 2.8 at 2 years intervals Scale for trained teachers from 6 years primary to 7 years secondary education. Max for teachers with a teaching certificate at E 2.6. Teachers with a Diploma may proceed to 2.8 by incremental steps at 2 year intervals, as will all principals of full primary schools.
- E3 = 6 point scale Increments at 2 year intervals scale for teachers with an overseas T.T.C. when this a requirement for the position.
- E4 = 6 point scale Increments at 2 year intervals scale for teachers with Diploma in Education from a recognised tertiary institution. i.e U S P or D E U G, D U T or B T S.
- E5 = 4 point scale Increments at 2 year intervals Overseas graduates, including P E G C or C A P E G C.
- E6 = 4 point scale Increments at 2 year intervals Graduates with teacher training, including CERTIFIE, CAPES or CAPET.
- E7 = 4 point scale Increments at 2 year intervals. Full secondary and tertiary principals.

Note: Scales E3 to E6 will only be applied when the requirements of the position are such that these qualifications are a necessity.

III XXXXX

ANNEX II

INDEXED SALARY SCALES
(Chapter 3 Paragraph 3.5)

1.5 years between increments

2 years between increments

!	!	!	!	!	!	!	!	!	!									
!	E1	!	337000	!	343700	!	350700	!	364300	!	371200	!	377900	!	395000	!	403200	!
!	E2	!	350700	!	364300	!	371200	!	377900	!	395000	!	403200	!	419300	!	420600	!
!	!	!	!	!	!	!	!	!	!	!	!	!	!	!	!	!	!	!

2 years between increments

!	!	!	!	!	!	!	!							
!	E3	!	481500	!	494300	!	518000	!	531500	!	545400	!	559900	!
!	E4	!	628200	!	645200	!	662300	!	679500	!	696400	!	713300	!
!	E5	!	732300	!	751700	!	771700	!	798700	!	!	!	!	!
!	E6	!	849900	!	849900	!	857000	!	879800	!	!	!	!	!
!	E7	!	927200	!	951800	!	969300	!	997800	!	!	!	!	!
!	!	!	!	!	!	!	!	!	!	!	!	!	!	!

ANNEX III

FURNITURE

(Chapter 7 Paragraph 7.4)

	GRADE A HOUSE	GRADE B HOUSE	GRADE C HOUSE	GRADE D E AND F HOUSE
<u>A LOUNGE</u>				
Settee	1		1	-
Lounge chairs	3	3	3	-
Occasional Tables	3	2	2	-
Book case	1	1	1	-
ceiling fan or pedestal fan	1	1 (if permanent electricity is available)	1 (if permanent electricity is available)	-
<u>B DINING ROOM</u>				
Table	1	1 (if separate from kitchen)	1 (if separate from kitchen)	1
chairs	6	6	6	-
side board	1	1	1	-
<u>C KITCHEN</u>				
Refrigerator	1	1	1	-
cooker 4 burner	1	1	1	-
table	1	1	1	-
chairs	-	-	-	2
<u>D BATHROOM</u>				
Medicine cabinet with mirror	1	1	1	-
mirror	-	-	-	-
<u>E MAIN BEDROOM</u>				
double bed with mattress	1	1	1	1 bed + 1 pillow
ward robe (if not built in)	1	1	1	-
Chest of Drawers	1	1	1	-
dressing Table with mirror	1	1	1	-

Bedside Table or shelf	2	2	2	-
Ceiling Fan or Pedestal Fan	1	1 (if permanent electricity)	1 (if permanent electricity)	-

F OTHER BEDROOMS

Single Beds with mattresses	1	1	1	-
ward robe (if not built in)	1	1	1	-
Chest of Drawers	1	1	1	-
Bedside Table or shelf	1	1	1	-

6. The First Secretary shall thereafter take expeditious action to investigate the complaint and give a reply in writing within seven days of the interview.
7. The complainant may call upon the assistance of any other Officer or representative of the Teachers Association of which he is a member, in putting forward his representation at any stage of this procedure.
8. The complaints procedure shall in no way affect the right of the Officer to appeal finally to the Minister responsible for Education, whose decision shall be final.

REPUBLIC OF VANUATU

COMPANIES REGULATION (CAP.9)

TAKE NOTICE pursuant to Section 369 of the Companies Regulation

(Cap.9), the name of :-

ATLAS PACIFIC LIMITED

has been struck off the Register of Companies at Port Vila, Vanuatu and the company dissolved.

Dated at Vila this sixteenth day of November, 1985.

S. Uren

Registrar of Companies

REPUBLIC OF VANUATU

COMPANIES REGULATION (CAP.9)

TAKE NOTICE pursuant to Section 369 of the Companies Regulation

(Cap.9), the names of :-

VANUATU DISTILLERY LIMITED

LA GEMME LIMITED

CINE STAR LIMITED

JERCO LIMITED

have been struck off the Register of Companies at Port Vila, Vanuatu and the companies dissolved.

Dated at Vila this ninth day of November, 1985.

S. Uren

Registrar of Companies

REPUBLIC OF VANUATU

COMPANIES REGULATION (CAP.9)

TAKE NOTICE pursuant to Section 369 of the Companies Regulation (Cap.9), unless cause be shown to the contrary, the names of :-

CATHY INTERNATIONAL BANK LIMITED

ASIAN PACIFIC TIMBER LIMITED

INDUSTRIAL SALES LIMITED

ARBILIFT LIMITED

TUBUAN LIMITED

will be struck off the Register of Companies at Vila, Vanuatu and the companies dissolved at the expiration of three months from the date of this notice.

Dated at Vila this twenty-second day of November, 1985.

S.Uren
Registrar of Companies

(Civil Jurisdiction)

KOTIYAN/OISTAMMI'S DEVA

IN THE MATTER of TIARE RESORT LIMITED

AND

IN THE MATTER of the Companies Regulation
(Cap 9)

ADVERTISEMENT OF PETITION

Notice is hereby given that a petition for the winding up of the above-named company by the Supreme Court of Vanuatu was on the 16th day of October 1985 presented to the said Court by Harry Rollo Rettie.

And that the said petition is directed to be heard before the Court sitting at Vila on the 11th day of December 1985 and any creditor or contributory of the said company desirous to support or oppose the making of an order on the said petition may appear at the time of hearing in person or by his counsel for that purpose; and a copy of the petition will be furnished by the undersigned to any creditor or contributory of the said company requiring such copy on payment of the regulated charge for the same.


.....
Susan Bothmann Solicitor to the
Petitioner of Messrs Turner
Hopkins Coombe & Partners, Suite
11, Hong Kong & New Zealand House,
Rue Emile Mercet, Port Vila.

NOTE: Any person who intends to appear on the hearing of the said petition must serve on or send by post to the above-named, notice in writing of his intention so to do. The notice must state the name and address of the person, or, if a firm, the name and address of the firm, and must be signed by the person or firm, or his or their solicitor (if any) and must be served or if posted must be sent by post in sufficient time to reach the above-named no later than 2 o'clock in the afternoon of the 11th day of December, 1985.

REPUBLIQUE DE VANUATU

AVIS D'IMMATRICULATION

D'une déclaration déposée le 11 Novembre 1985 au Greffe de la Cour suprême de Vanuatu à Port-Vila, il résulte que :

"CAPINERI VANUATU", Société A Responsabilité Limitée au capital de 400.000 VATU dont le siège social est à LUGANVILLE (ILE DE SANTO) - VANUATU, ayant pour objet : "Etudes et réalisations techniques d'unités industrielles ou artisanales pour l'extraction et l'exploitation des huiles de coprah et de leur dérivés a fait une demande d'immatriculation au Registre du Commerce de Port-Vila (VANUATU).

Ladite Société est immatriculée sous le numéro 85 B 450.

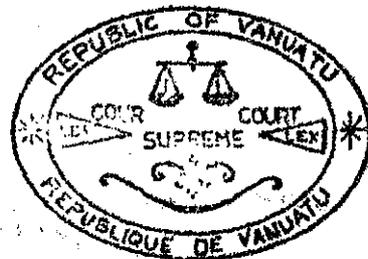
Administration de la Société : Monsieur MONI Jean, né le 29 décembre 1931 à Boulogne s/Seine, de Nationalité Française.

Port-Vila, le 11 Novembre 1985.

Le greffier en chef :

D.V. CAIN

D.V. CAIN



REPUBLIQUE DE VANUATU

M U C W E D I R H O O

AVIS D'INSCRIPTION MODIFICATIVE

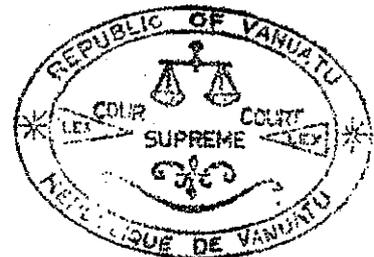
D'une déclaration déposée le 18 Novembre 1985, aux fins d'Inscription Modificative à l'immatriculation effectuée au Greffe de la Cour suprême de Vanuatu à Port-Vila concernant la Société dénommée "BALLANDE VANUATU", Société Anonyme au capital de 25.000.000 de VATU porté à 39.000.000 de VATU dont le siège social est : Rue Higginson, B.P. 30, PORT-VILA - (VANUATU) et immatriculée au Registre du Commerce de cette ville sous le N° 70 B 24, il résulte que :

Suivant les procès-verbaux des délibérations de l'Assemblée Générale Extraordinaire et du Conseil d'Administration en date du 26 Septembre 1985, le capital social initialement fixé à vingt cinq millions de francs au moment de la Constitution de la société, est actuellement de TRENTE NEUF MILLIONS DE VATU. Il est divisé en quatre vingt mille actions ordinaires de deux cent cinquante vatu et soixante seize mille actions privilégiées de deux cent cinquante vatu chacune entièrement libérées.

Port-Vila, le 18 Novembre 1985

Le greffier en chef,

D.V. CAIN
D.V. CAIN



C O R R I G E N D U M

In the French version of The Civil Aviation (Aircraft Special Night Landing And Take Off Fees Regulation) (Amendment)(No.1) Order No.37 of 1985 as published in Gazette No. 34 of 30th September 1985:

"Delet the Heading "TAXES PAYABLES AU DIRECTEUR DES DOUANES" and substitute therefor "MODE D'ACQUITEMENT"

AS IN THE English version of the said Order as published in Gazette No.32 of 16th September, 1985.