

PUBLIC SERVICE COMMISSION (FOREIGN SERVICE ORDERS) REGULATIONS, 2014

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**MINISTRY OF FOREIGN AFFAIRS ACT
(CHAPTER 24)**

**PUBLIC SERVICE COMMISSION (FOREIGN
SERVICE ORDERS) REGULATIONS, 2014**

The Governor-General, in exercise of the powers conferred by section 11 of the Ministry of Foreign Affairs Act and acting in accordance with the advice of the Public Service Commission, makes the following Regulations —

1. Citation.

These Regulations may be cited as the —

- (a) Public Service Commissions (Foreign Service Orders) Regulations, 2014; or
- (b) Foreign Service Orders, 2014.

2. Interpretation.

(1) In these Regulations —

“**Act**” means the Ministry of Foreign Affairs Act (*Ch. 24*);

“**approved route and mode of transportation**” means such route and mode of transportation as may be determined by the Permanent Secretary from time to time;

“**child**” means —

- (a) a natural, step or legally adopted child of an officer;
- (b) a child who has been accepted as a member of the family by an officer and normally resides with the officer;

“**contract officer**” means a person employed by the Government for a fixed period of time;

“**dependant**” means —

- (a) the spouse of an officer;
- (b) a child of an officer who —
 - (i) is under the age of eighteen years;
 - (ii) has attained the age of eighteen, but not twenty-five, years and is receiving full-time instruction at an educational establishment, or undergoing training for a

trade, profession or vocation, in approved circumstances;

(iii) through illness or disability of the mind or body has impaired earning capacity and is presently disabled and unmarried;

(c) is a relative for whom the officer is primarily responsible;

“domicile” means an officer posted overseas who resides in a post for no less than six years and is unable to move at the request of the Government due to familial or personal reasons and, is subject to the approval of the Permanent Secretary;

“entertainment allowance” means funds to be used in the performance of official duties, related to dining and general entertainment of high-level representatives of foreign States;

“foreign service officer” means an officer of the Ministry listed in Part I of the *Schedule*;

“foreign service employee” means an officer of the Ministry listed in Part II of the *Schedule*;

“Government” means the Government of the Commonwealth of The Bahamas;

“hardship post” means a post so designated by the Ministry because of the geographic location, isolation, security situation, climate, health or general living conditions of that post which create undue hardship and hazards for the officer;

“head of mission” means in order of precedence an —

- (a) ambassador extraordinary and plenipotentiary or high commissioner;
- (b) ambassador;
- (c) consul-general;
- (d) *charge d'affaires*;
- (e) principal or permanent representative of The Bahamas accredited to a country or an international or other organisation;

“Order” or **“Orders”** means the Foreign Service Orders established by these Regulations;

“post” means the country, city or town in which a mission is located;

“post differential allowance” means an adjustment of the real value of the officer's salary, with relation to currency exchange rate fluctuations, to ensure maintenance of an officer's quality of life and

standard of living while abroad, as at home, at no additional cost to the officer;

“relative” means a person who is blood or legal relation of the officer;

“tour of duty” means time spent at a particular post.

- (2) Words and phrases not defined in paragraph (1) and used in these Orders have, unless the context otherwise requires, the same meaning ascribed to them as in the Act.

3. Application limited to the foreign service.

- (1) Subject to paragraph (3), these Regulations establishing the Foreign Service Orders apply to all officers and employees of the foreign service.
- (2) Officers and employees of the foreign service are, where no specific provision has been made in these Regulations in respect of a matter, subject to the provisions of the general regulations and orders governing the public service.
- (3) No officer or employee of the foreign service shall, when these Regulations come into force, enjoy rights, benefits, or other terms and conditions of employment less favourable than those enjoyed by such officer or employee prior to the coming into force of these Regulations.

COMPOSITION, APPOINTMENT, CLASSIFICATION, CITIZENSHIP AND QUALIFICATIONS OF STAFF OF THE FOREIGN SERVICE

4. Composition of the foreign service.

- (1) The foreign service is comprised of —
- (a) the Permanent Secretary;
 - (b) the Director General;
 - (c) heads of mission and other foreign service officers listed in Part I of the *Schedule*; and
 - (d) foreign service employees listed in Part II of the *Schedule*, including staff locally employed at a mission.
- (2) Subsection (1) includes persons —
- (a) on secondment, acting appointment, or fixed contract; and
 - (b) whether or not they are permanent and pensionable.
- (3) The person designated as head of chancery at a mission is the most senior permanent and pensionable foreign service officer after the head of mission.
- (4) The head of chancery is responsible for the co-ordination of the activities and over-sight of the administration of the mission.

5. Appointment at mission of local staff.

- (1) A panel consisting of the head of mission and the most senior diplomatic or consular officers shall interview applicants who satisfy the prescribed requirements for posts to be staffed by persons recruited locally.
- (2) The head of mission may make an appointment of local staff on the recommendation of the panel and with the approval of the Permanent Secretary.
- (3) The head of mission may in cases of urgency, with the approval of the Permanent Secretary, provisionally appoint local staff.

6. Transfers to other posts.

The procedures for appointments and transfers, including petitions by officers for appointments and transfers —

- (a) to other posts within the foreign service;
- (b) from the foreign service to other parts of the public service,

shall be governed, subject to the recommendations of the Foreign Service Committee, by the general regulations and orders of the public service.

7. Classification of members of the foreign service.

- (1) Foreign service officers and employees, serving at headquarters or a mission, may be classified as —
 - (a) foreign service officers (diplomatic and consular);
 - (b) protocol officers;
 - (c) administrative and technical staff;
 - (d) staff locally employed (at a mission or consular post); and
 - (e) service staff.
- (2) The offices of each classification referred to in paragraph (1) are as specified in Part I and Part II of the *Schedule*.

8. Citizenship of members of the foreign service.

- (1) Subject to paragraph (4), a foreign service officer or employee must —
 - (a) be a citizen of The Bahamas; and
 - (b) travel using travel documents issued by the Government of The Bahamas only.
- (2) An applicant for a post within the foreign service must declare all nationalities such applicant holds at the time of the application.

- (3) A foreign service officer or employee who is a dual national may not be disadvantaged in consideration for posting to a mission or consular post but —
 - (a) any opportunity for such posting of a dual national must be considered on a case-by-case basis; and
 - (b) except with the leave of the Prime Minister, may not be posted to a mission or consular post in the country of his other nationality.
- (4) Staff locally employed at a mission or consular post in accordance with regulation 5 may be citizens of —
 - (a) The Bahamas; or
 - (b) the host country or other friendly States.

9. Qualifications of foreign service officers and employees.

- (1) All officers and employees of the foreign service must have adequate qualifications or experience or both to enable them to serve effectively and efficiently in the foreign service.
- (2) Subject to paragraph (3), a diplomatic and consular foreign service officer must have a minimum of a Bachelor of Arts or Bachelor of Science degree from an accredited institution in a discipline approved by the Director General.
- (3) The Director General shall cause to be published from time to time, after consultation with the Minister and the Permanent Secretary and in accordance with the recommendations of the Foreign Service Committee, such additional or alternative qualifications and other prerequisites necessary for entry to and advancement within the foreign service.

10. Requirement of oath and declaration.

- (1) Every officer and employee of the foreign service must on appointment make or subscribe an oath and declaration in the form set out in the *Schedule*.
- (2) An officer or employee appointed to serve at headquarters must make or subscribe the oath and declaration in the presence of the Permanent Secretary or an officer designated by the Permanent Secretary.
- (3) An officer or employee who is appointed to serve at a mission and assumes duty abroad must make or subscribe the oath and declaration in the presence of the head of mission or an officer designated by the head of mission.
- (4) A copy of the oath and declaration made or subscribed must be provided to the officer or employee and the original secured in accordance with the

stipulations of the public service with a copy placed on file and a copy deposited with the Permanent Secretary.

- (5) The Director General must periodically re-evaluate the necessity or desirability of requiring officers and employees of the foreign service, generally or specifically, to make or subscribe anew the oath and declaration.
- (6) Staff recruited locally to serve at a mission must on appointment make or subscribe an oath and declaration in the presence of the head of mission or an officer designated by the head of mission.

11. Security vetting of staff.

- (1) Officers and employees of the foreign service may be subject to periodic security vetting.
- (2) An officer or employee with a negative security vetting may be subject to disciplinary action in accordance with these Orders and the relevant provisions of the general regulations and orders governing the discipline and conduct of public officers.

12. Prohibited contact with foreign government.

- (1) An officer and employee must not, except with the written authorization of the Director General or Permanent Secretary —
 - (a) seek or accept instructions from a foreign government, international organization, or other external source; or
 - (b) communicate to a foreign government, entity, person or other source, any information which has not been made public but which is known to such officer or employee by reason of his employment in the foreign service.
- (2) An officer or employee who contravenes any provision of paragraph (1) is liable to disciplinary action in accordance with these Orders and the relevant provisions of the general regulations and orders governing the discipline and conduct of public officers.
- (3) Paragraph (1) remains binding on an officer and employee on and after separation from the foreign service.

POSTINGS – GENERAL

13. General service at headquarters before posting overseas.

- (1) Subject to paragraph (2), an officer or employee must not be posted to serve at a mission prior to completion of —
 - (a) a minimum of two years of service in the Ministry; and

(b) a period of training in each of the divisions of the Ministry.

- (2) The Permanent Secretary after consultation with the Director General may, in order to meet the exigencies of the foreign service, vary the provisions of paragraph (1).
- (3) The Director General may, after consultation with the Minister and the Permanent Secretary, from time to time institute specific training stipulations for diplomatic and consular foreign service officers prior to posting to a mission.

14. Transfers between posts.

- (1) Foreign service officers serving at headquarters are liable to be posted to a mission and those already serving at a mission may be subject to transfer between missions and headquarters.
- (2) The Permanent Secretary after consultation with the Director General must, in deciding where an officer will serve, give due consideration to and take into account the officer's preference and other circumstances.
- (3) An officer has a right to appeal to the Permanent Secretary the recommendation of the Foreign Service Committee in relation to an overseas posting.
- (4) The decision of the Permanent Secretary in consultation with the Minister shall, in respect of an appeal by an officer pursuant to subsection (3), be final.

15. Prerequisites for overseas deployment.

- (1) The effective functioning of the foreign service, and the qualifications and suitability of the officer, are the primary considerations in determining to which mission an officer shall be posted.
- (2) Due account must be taken, in the posting of an officer to a mission, of the need to ensure that foreign service officers are posted at a level which will allow them to function effectively in a particular post.

16. Transfer to public service.

- (1) A foreign service officer posted abroad is liable to transfer to other areas of the public service in accordance with Order 6.
- (2) A minimum of three months' notice must normally be given where it is proposed to transfer a foreign service officer from one post to another or to headquarters.

- (3) Notwithstanding the period of notice referred to in paragraph (2), an officer is expected to comply with any reasonable transfer order whether or not it has been possible to give the normal period of notice.
- (4) In giving notice of a transfer to an officer, due account should be taken of such factors as school commitments and the posting of a new head of mission.

17. Ranks in foreign service.

Ranks in the foreign service must, wherever possible, have public service equivalents so that officers promoted to diplomatic and consular ranks can maintain parity in the public service.

18. Authorized leave.

- (1) Absence on study leave, leave without pay, or leave on half pay, do not form part of a tour of duty.
- (2) Periods of authorized absence only, other than leave referred to in paragraph (1), form part of a tour of duty.

19. Medical examination.

- (1) Staff selected for posting abroad are required, before proceeding to post, to take a medical examination by a doctor selected by the Ministry.
- (2) A medical examination referred to in paragraph (1) may be required in the event of transfer of staff from one post to another.
- (3) The Permanent Secretary must, where in the opinion of the Permanent Secretary a medical report gives rise to concerns, consult with appropriate medical authorities and the person to be posted.

20. Retirement or resignation.

- (1) An officer who, while posted at a mission, retires within the meaning of the Pensions Act (*Ch. 45*) or resigns is entitled to payment of return passage, and other transportation expenses, to The Bahamas.
- (2) The expenses referred to in paragraph (1) must not exceed those in respect of an officer transferred from the mission back to The Bahamas.

21. Death in foreign service.

The Permanent Secretary must, where an officer or a spouse or dependant of an officer dies while the officer is serving abroad, approve the reasonable costs of

- (a) preparing and transporting the remains of such officer, spouse or dependant(s), as the case may be, back to The Bahamas;
- (b) transport of spouse and dependant(s) and their household and personal effects to The Bahamas; and
- (c) transport of such person(s) as may be appropriate to accompany the surviving spouse and dependant(s) back to The Bahamas.

HEADS OF MISSION

22. Duration of tour of duty.

The duration of a tour of a head of mission is determined by the Prime Minister acting in accordance with Article 111 of the Constitution.

23. Payment of head of mission and family passage.

- (1) The Permanent Secretary must, where a head of mission is appointed to or completes a tour of duty, or transfers between missions, authorize payment for first class travel by an approved route and mode of transportation between the mission and —
 - (a) The Bahamas;
 - (b) the place of recruitment, where recruitment was not in The Bahamas; or
 - (c) the mission to which he is being transferred.
- (2) The payment referred to in paragraph (1) includes the cost of first class travel by —
 - (a) the head of mission, his spouse and dependants; and
 - (b) where the head of mission is unmarried, widowed, divorced or legally separated, the head of mission and his dependants.
- (3) The Permanent Secretary must, where a head of mission, his dependants or spouse are unable for good reason to travel by air, authorize payment for passage by other means of transportation approved by the Permanent Secretary.

24. Transportation of personal effects.

- (1) The Permanent Secretary must, where a head of mission is appointed to or completes a tour of duty, or transfers between missions, authorize payment for the cost of —
 - (a) crating, packing and unpacking of household and personal effects;
 - (b) insuring and transporting household and personal effects by an approved route, shipper and mode of transportation;

- (c) by an approved route, shipper and mode of transportation, transporting a private car between The Bahamas and the city of mission or the place of recruitment, where recruitment was not in The Bahamas.
- (2) The Permanent Secretary may authorize payment for insurance, and other necessary related expenses including storage, for —
 - (a) a period not exceeding thirty days; or
 - (b) in exceptional circumstances, such other reasonable period as may be approved by the Permanent Secretary.

25. Storage of personal effects.

- (1) The Permanent Secretary must, where a head of mission proceeds on leave prior to transfer between missions or to The Bahamas, authorize payment for the cost of storing household and personal effects, including a private car, at the previous or new post or accommodations.
- (2) Payment for storage pursuant to paragraph (1) may be for a period not exceed thirty days or, in exceptional circumstances, such other reasonable period as may be approved by the Permanent Secretary.

DIPLOMATIC OFFICERS

26. Tour of duty.

- (1) A tour of duty at a mission must not, in normal circumstances, exceed three years.
- (2) A foreign service officer must not, in normal circumstances, serve more than two consecutive tours.
- (3) A tour of duty at a hardship post, in normal circumstances —
 - (a) lasts for a duration of two years;
 - (b) is not subject to consecutive posting at the same or another such hardship post.
- (4) Each foreign service officer, when posted abroad, must sign a letter of appointment outlining the terms and conditions of his service abroad.
- (5) The terms and conditions of a letter of appointment are effective for the life of the letter of appointment.

27. Payment of officer and family passage.

- (1) The Permanent Secretary must pay a foreign service officer, his spouse and dependants, transferring from one post to another an economy class passage by an approved route and mode of transportation.

- (2) The Permanent Secretary —
 - (a) must approve the next highest class of service where —
 - (i) air travel exceeds six hours; or
 - (ii) an officer, his spouse or a dependant, is disabled;
 - (b) where an officer, a dependant or his spouse is unable for good reason to travel by air, must authorize payment for a passage by other means of transportation approved by the Permanent Secretary.

28. Transportation of officers personal effects.

- (1) The Permanent Secretary must authorize payments to a foreign service officer transferred from one post to another for the cost of —
 - (a) crating, packing and unpacking, insuring and transporting of household and personal effects by an approved route, shipper and mode of transportation in accordance with the guidelines set out in the *Schedule*;
 - (b) transporting a private car to the new post or to The Bahamas by an approved route, shipper and mode of transportation.
- (2) The Permanent Secretary may authorize payments for the cost of insurance and other necessary related expenses, including storage, for —
 - (a) a period not exceeding thirty days; or
 - (b) in exceptional circumstances, such other reasonable period as may be approved by the Permanent Secretary.

29. Storage of personal effects.

- (1) The Permanent Secretary must, where a foreign service officer proceeds on leave prior to transfer from one post to another, authorize payment for the cost of storing household and personal effects, including a private car, at the previous or new post or accommodations.
- (2) Payment for storage pursuant to paragraph (1) may be for a period not exceed thirty days or, in exceptional circumstances, such other reasonable period as may be approved by the Permanent Secretary.

30. Per diem.

- (1) The Permanent Secretary must authorize for a period not exceeding thirty days payment of a per diem allowance to a foreign service officer —
 - (a) returning to The Bahamas after posting abroad; or
 - (b) transferring from one post to another.
- (2) A per diem allowance is paid at established levels to assist with accommodations, transportation, and any other expenses of the officer.

LOCAL STAFF AT MISSION

31. Conditions of service.

- (1) Staff locally employed at a mission —
 - (a) must meet local employment requirements as stipulated by the receiving State; and
 - (b) are subject to the terms and conditions of —
 - (i) their letters of appointment; and
 - (ii) where applicable, these Orders and the other general regulations and orders governing the public service.
- (2) Salaries payable to locally employed persons at a mission must be comparable, as far as is reasonably practicable, to the salaries paid to persons in similar employment in the city in which the mission is located.
- (3) All conditions of service for staff locally employed at a mission must be outlined in the letters of appointment.

TRAINING AND PROFESSIONAL DEVELOPMENT

32. Training programmes.

- (1) Officers and employees in the foreign service must participate in established and other appropriate training programmes identified by the Director General.
- (2) The Ministry must provide funding support for specialized training programmes.
- (3) Participation and success in training programmes must be taken into account when an officer or employee's suitability to be assigned to a particular post abroad is being considered.

CONDUCT AND DISCIPLINE

33. Prohibited activities.

A foreign service officer or employee must not, without express permission in writing, engage in any employment, political activity, or pursuit, outside of regular duties which —

- (a) results in dual employment;
- (b) impairs their usefulness as a member of the foreign service or bring the foreign service into disrepute;
- (c) involves the undesirable exploitation of their acquaintance by other persons;

- (d) involves the use of classified information acquired in the course of employment;
- (e) involves the officer or employee attempting improperly to influence legislation or policy of the Government of The Bahamas;
- (f) involves the officer or employee making use, without express authority, of the property or facilities of the Government;
- (g) suggests the patronage of the Government, or a Minister of the Government;
- (h) suggests a connection with any ministry or department of the Government; or
- (i) amounts to interference in the domestic affairs of the host State.

34. Financial affairs of officers and employees.

- (1) A foreign service officer and employee must be judicious in the conduct of their private financial affairs.
- (2) An officer or employee who has a serious pecuniary embarrassment which results in legal action being taken against such officer or employee —
 - (a) must be treated as having impaired his efficiency and usefulness to the foreign service; and
 - (b) is liable to the appropriate disciplinary action in accordance with these Orders and the general regulations and orders governing the public service.

35. Marriage of an officer.

- (1) An foreign service officer or employee who proposes to marry must, at least ninety days prior to the marriage, notify the Permanent Secretary in writing of the name, nationality, place of residence and biographical information of the intended spouse.
- (2) Officers and employees posted at a mission must notify the Permanent Secretary through the head of mission.
- (3) The Permanent Secretary must notify an officer or employee in writing, at least thirty days prior to the date of the proposed marriage, where it is the opinion of the Permanent Secretary and the Director General that such marriage may affect the career prospects of such officer or employee due to its —
 - (a) security implications;
 - (b) limitations on the usefulness of the officer or employee; or
 - (c) adverse effect on the image and good order of the foreign service.

- (4) The Director General and the Permanent Secretary must, where a notification is given pursuant to paragraph (3) and the marriage takes place —
 - (a) in the case of officers and employees based at headquarters, advise the Minister and the Public Service Commission;
 - (b) in the case of officers and employees posted at a mission, advise the Minister who in consultation with the Prime Minister may recommend that the officer or employee be transferred from the foreign service to another part of the public service.

36. Officer's personal relationships.

- (1) A foreign service officer or employee must at all times ensure that personal relationships do not impair their efficiency and effectiveness as a member of the foreign service.
- (2) The Permanent Secretary must advise an officer or employee on becoming aware of any relationship that —
 - (a) has security implications;
 - (b) limits the usefulness of the officer or employee;
 - (c) adversely affects the image and good order of the foreign service; or
 - (d) renders the officer or employee liable to disciplinary action, including transfer from the foreign service.

37. Civil suits involving an officer or employee.

- (1) A foreign service officer or employee who becomes involved in a civil suit, including divorce, must immediately notify the Permanent Secretary.
- (2) An officer or employee serving at a mission must, where possible before a civil suit is filed, notify the Permanent Secretary through the head of mission of the facts of the case so that a determination may be made in relation to the appropriateness of a waiver of diplomatic immunity.
- (3) The Permanent Secretary must advise the Minister where it is the opinion of the Permanent Secretary that the civil proceedings in question would bring discredit upon the officer or employee or the foreign service.
- (4) The Minister may, after consultation with the Prime Minister, recommend that the officer or employee be transferred from the foreign service to another part of the public service.

38. Receipt of foreign decorations by an officer.

- (1) A foreign service officer or employee, his spouse and dependants, must not accept or wear foreign decorations or medals without the prior permission in writing of the Minister.
- (2) A foreign service officer or employee must inform the Permanent Secretary on becoming aware that he or any family member is being considered for the bestowal of a foreign decoration.

39. Acceptance of awards by an officer.

- (1) Notwithstanding paragraph (1) of regulation 38, a foreign service officer or employee may graciously accept an award where —
 - (a) the award is unexpectedly presented in accordance with local customs; and
 - (b) to decline the award would be to affront the sensitivities of the donor State.
- (2) An award should be worn by an officer or employee only where not to do so would offend the donor State.
- (3) The Permanent Secretary, through the Director General, must be immediately informed of all presentations of awards to foreign service officers and employees.

40. Receipt of gifts by an officer or employee.

- (1) A foreign service officer or employee, his spouse and dependants, who receive gifts or favours from the representatives of foreign governments or international organizations must immediately notify the Permanent Secretary, through the Director General, of the nature and source of such gifts.
- (2) Notwithstanding paragraph (1), an officer or employee may accept without notification such small personal gifts or favours which are the normal expression of courtesy or hospitality.

41. Grievance procedures.

- (1) An officer or employee of the foreign service must in any matter concerning discipline or a complaint or grievance observe the following order of procedure —
 - (a) make a first complaint to the immediate supervisor;
 - (b) appeal to the Foreign Service Committee;
 - (c) appeal to the Permanent Secretary; and
 - (d) appeal to the Public Service Commission.

- (2) The decision of the Public Service Commission on an appeal is final.

GRANTS AND ALLOWANCES

42. Allowances for officers.

- (1) All foreign service diplomatic and consular officers must be provided, at approved rates, with the appropriate allowances to ensure they do not suffer financial disadvantages as a result of posting at a mission.
- (2) The Foreign Service Committee must review all allowances every three years.

43. Relocation grant.

A foreign service officer upon initial posting at a mission must be paid a relocation grant, in advance and at approved rates, in order to assist in meeting the cost of establishing residence in the city of the post.

44. Resettlement grant.

A foreign service officer upon completing a tour of duty at an overseas mission or recall to The Bahamas must be paid a resettlement grant, in advance and at approved rates, in order to assist an officer with costs to resettle in The Bahamas.

45. Transfer grant.

- (1) A foreign service officer must be paid a transfer grant, at approved rates, on transfer from one post to another.
- (2) A transfer grant is payable only where a transfer requires an officer to move with household and personal effects.
- (3) A transfer grant is payable, in the discretion of the Permanent Secretary, in advance of the officer's moving to the new post.

46. Post adjustment allowance.

- (1) The post adjustment allowance is an amount paid in addition to a foreign service officer's annual salary designed to ensure that, no matter where the officer is posted overseas, the officer's net remuneration has an equivalent purchasing power.
- (2) The multipliers for post adjustment are drawn from the United Nations International Civil Service model and represent ratios that are currently applicable to the United Nations Common System international staff in the professional and higher categories. These multipliers are to be updated with the new UN International Civil Service analysis on an annual basis.

- (3) The post adjustment allowance subsumes the following past allowances —
- (a) overseas allowance;
 - (b) entertainment allowance;
 - (c) clothing allowance for officers;
 - (d) household staff for foreign service officers;
 - (e) transportation;
 - (f) local taxes;
 - (g) currency fluctuations.
- (4) A post adjustment allowance is not payable during periods of study leave, leave on reduced pay, or leave without pay, unless authorized by the Permanent Secretary.
- (5) A foreign service officer posted at a mission who is assigned temporarily to duties elsewhere is eligible, during the period of such assignment, to receive —
- (a) the full rate of post adjustment allowance payable in respect of the substantive post to which the officer is temporarily assigned; and
 - (b) any other allowance that may be payable under these Orders.

47. Clothing allowance (spouse and dependants).

- (1) A foreign service officer posted to a mission is eligible for a clothing allowance at approved rates for his spouse and dependants.
- (2) The rank of an officer and the geographical location, climate and other conditions of the post must be taken into account when determining the rate of clothing allowance granted for spouse and dependants.
- (3) Clothing allowance is payable at the commencement of each tour of duty, and once every two years, and must be revised periodically by the Permanent Secretary.

48. Special clothing allowances.

- (1) Officers posted at a mission in London, Geneva, and other European capitals or missions designated by the Permanent Secretary, where formality in attire is required for attendance at functions to which they are accredited, are eligible to receive, on initial posting only, an additional clothing allowance of two thousand dollars (\$2000.00) for the officer and his spouse. *each.*
- (2) The Bahamas operates several missions that are stationed in cities where the weather can be extremely cold and, given the need for warm clothing in colder climates, an allowance specifically aimed at assisting officers,

their spouse and dependants in acquiring appropriate warm clothing will be provided at approved rates upon posting. Missions designated as cold weather jurisdictions will be approved by the Permanent Secretary.

- (3) Officers whose substantive function is that of an officer in the Protocol Division of the Ministry are eligible to receive clothing allowance at approved rates every two years.

49. Rent and housing allowance for head of mission.

- (1) A head of mission must be provided with furnished accommodation.
- (2) The mission must, with the approval of the Permanent Secretary, employ household staff for the head of mission.
- (3) The return of household staff members to their country of recruitment is governed by the laws of the host State where such staff members cease to be in the employment of the head of mission during the tour of duty.

50. Housing accommodation of head of mission family.

Housing accommodation must, where a head of mission dies while serving abroad, be provided for his spouse and dependants, for a period not exceeding six months following the death.

51. Housing allowance for an officer.

- (1) A foreign service officer serving at a mission must be paid a housing allowance at approved rates based on rank and marital status and the cost of living in the city to which he is posted.
- (2) Accommodation selected by an officer must in each case be endorsed by the head of mission.
- (3) An officer may be required to occupy, where available, furnished accommodation rented or owned by the Government.

52. Allowances for temporary accommodation.

- (1) A foreign service officer who is unable to move into suitable permanent accommodation immediately on assumption of duty at a mission is eligible for payment for temporary accommodation and a per diem allowance for a period not exceeding thirty days.
- (2) Payment for temporary accommodation, and a per diem, up to such period as is agreed by the Permanent Secretary is payable to an officer who is compelled to vacate accommodation in advance of leaving the post on transfer.

53. Allowances for change in officer's accommodation.

- (1) A foreign service officer who is required to change accommodation in circumstances beyond the officer's control may, with the approval of the Permanent Secretary, be paid the expenses incurred in moving household and personal effects from the previous accommodation to the new accommodation.
- (2) A security deposit payable on commencement of the lease on an officer's accommodation is payable by the Government.
- (3) A security deposit referred to in paragraph (2), together with any accrued interest, is recoverable by the Government on the termination of the lease on an officer's accommodation.

54. Receipt of housing allowance while on leave.

A foreign service officer eligible for payment of housing allowance under regulation 51 is entitled to continue receiving such allowance where such officer

- (a) is on authorized absence from his post for a period exceeding three months; and
- (b) is due to return to duty at the mission at the end of the period of authorized absence.

55. Housing allowance prior to retirement.

Foreign service officers serving at a mission who go on leave prior to retirement from the public service or the foreign service are entitled to payment of housing allowance under regulation 51(1) up to a maximum period of thirty days following the date of retirement.

56. Housing allowance prior to resignation.

Foreign service officers serving at a mission who resign from the public service or the foreign service are entitled to the payment of housing allowance under regulation 51(1) up to the effective date of the resignation.

57. Officer's housing allowance to family.

The housing allowance of a foreign service officer, other than a head of mission, who dies while serving abroad must be paid on behalf of the spouse and dependants of the officer for a period not exceeding six months following death.

58. Restriction on housing allowance.

A foreign service officer acting in a higher post retains the housing allowance of such officer's substantive post.

59. Acting allowance.

A foreign service officer acting as head of mission is eligible for an acting allowance for a period not less than one calendar month.

60. Entertainment allowance.

(1) An entertainment allowance for the purpose of undertaking such entertainment as may be required of them in the course of their official duties is payable at approved rates to —

- (a) the Permanent Secretary;
- (b) the Director General; and
- (c) foreign service officers at the rank of counselor and above serving at headquarters.

(2) An officer entitled to payment of an entertainment allowance who is temporarily assigned to special duties is, where no entertainment or similar allowance is payable in respect of the special duties, entitled to continue to receive his entertainment allowance in full.

61. Transportation allowance.

Foreign service officers and employees and locally employed staff are eligible for a transportation allowance at approved rates.

62. Familiarization tour allowance.

(1) Locally employed staff are eligible, at the discretion of the Permanent Secretary, for paid visits to headquarters or other missions inclusive of airfare, hotel accommodation and transportation in order to familiarize them with relevant government procedures.

(2) Locally employed staff at a mission visiting headquarters or other missions are entitled to a per diem allowance at approved rates.

63. Education allowance.

(1) Foreign service officers serving abroad are entitled to payment of an education allowance at an approved rate for each dependant, up to the age of 25 years, upon submission of proof of enrollment at an approved educational institution.

- (2) A foreign service officer who has been posted abroad is eligible, where for educational reasons a dependant, up to the age of 25 years, has to reside in The Bahamas, for payment of an educational allowance where the Permanent Secretary certifies the validity of the officer's claim.
- (3) A foreign service officer who has been transferred from a mission to The Bahamas is eligible, where for educational reasons a dependant, up to the age of 25 years, has to reside in the country of original posting, for the continuation of payment of an educational allowance for such dependant until the end of the academic year.
- (4) Dependants with disabilities of foreign service officers will be allowed, within the context of the education allowance's maxim disbursement amount and age eligibility of 25 years, an extension, if required, of the normal age limit for the completion of secondary school education and granted a special disability allowance, at approved rates, per dependant.

64. Child care allowance.

- (1) A child care allowance, at approved rates, is payable to a foreign service officer posted at a mission in respect of each dependent child up to five years of age.
- (2) A child care allowance is payable, for a period to be determined by the Permanent Secretary, where a dependent child remains in The Bahamas or in the country of original posting.
- (3) Payment of a child care allowance may be made only after the Permanent Secretary certifies the validity of an officer's claim.

65. Household staff allowance.

- (1) A household staff allowance, at approved rates, will be provided for heads of mission and foreign service officers with families who require household help to assist in defraying such costs.
- (2) Missions will employ the household staff for all heads of mission.

66. Medical insurance allowance.

- (1) Foreign service diplomatic and consular officers on first posting at a mission must be enrolled, along with their spouse and dependants, in a major universally acceptable medical health and dental insurance plan.
- (2) The Government must pay the full costs of the premiums of the insurance plan referred to in paragraph (1).
- (3) Diplomatic and consular officers, including heads of mission, who have at the time of first posting an insurance plan provided by a carrier recognized in the post jurisdiction may maintain such plan.

- (4) The Government must, where an insurance plan is maintained pursuant to paragraph (3), pay the officer an allowance to cover the full costs of the premiums of such plan.
- (5) The Government must, where a medical condition develops after a tour of duty which may be attributable to a posting, offer the officer medical assistance as the Director General and the Permanent Secretary may deem appropriate.

67. Language tuition grants and allowances.

- (1) Foreign service officers serving in a non-English-speaking country —
 - (a) are encouraged to learn the language of such country; and
 - (b) must be reimbursed tuition fees expended for the successful completion of a course of language study approved by the Permanent Secretary.
- (2) A foreign service officer must be reimbursed tuition fees for learning a language other than English —
 - (a) where the Director General and the Permanent Secretary determine that it is desirable for such officer to know the language; and
 - (b) notwithstanding that such language may not be the official language of the country in which the officer is serving.
- (3) Officers serving at headquarters or at a mission who have proven competence in foreign languages relevant to the performance of their duties must be paid a language allowance —
 - (a) at approved rates; and
 - (b) in accordance with any degrees and official certification obtained and the proven professional proficiency of the officer.

68. Duty transportation allowance.

All heads of mission are provided with chauffeur-driven vehicles. Pensionable officers are eligible for loans for the purchase of vehicles. Diplomatic and consular officers will be eligible for commuted transport allowance in accordance with prevailing rates for Government officers. Other officers who may be required to use their personal vehicles in the performance of official business are eligible for casual mileage allowance in accordance with prevailing rates for Government employees.

69. Baggage allowance.

Baggage allowance is granted to officers, spouses and dependants, at approved rates, on initial posting, between posts and upon return to headquarters.

70. Hardship allowance.

- (1) Officers serving in Haiti and Cuba receive two trips to Miami per annum in addition to home leave to permit them to purchase needed supplies. In the case of officers in China, officers will receive two trips to Hong Kong per annum in addition to home leave to permit them to purchase needed supplies.
- (2) The period of stay on each trip does not exceed three days and is treated in the same manner as if an officer is traveling abroad on Government business and is granted hotel accommodation and a per diem.

71. Foreign service officers domiciled abroad.

- (1) A foreign service officer posted at a mission is no longer eligible for the full category of allowances where such officer —
 - (a) becomes or is considered to be domiciled in the host State; and
 - (b) is unable or unwilling to accept a transfer to headquarters or another mission.
- (2) The Permanent Secretary may approve, in the circumstances referred to in paragraph (1), allowances to the officer related to representational duties in the host State such as clothing, acting, entertainment, home leave, language grants, transportation and medical allowances.

TRAVEL ON OFFICIAL BUSINESS

72. Provision of vehicle for head of mission.

Each head of mission must be provided with an official chauffeur-driven car.

73. Advance for purchase of vehicle by an officer.

- (1) A foreign service officer who is eligible under the general regulations and orders governing the public service to receive an advance for the purchase of a car may, in accordance with such regulations and orders, receive such advance with the joint agreement of the Permanent Secretary of the —
 - (a) Ministry of Foreign Affairs; and
 - (b) Ministry responsible for the Public Service.
- (2) An application for an advance by an officer serving at a mission must be submitted through the head of mission to the Permanent Secretary in the Ministry for a determination by the Permanent Secretary in the Ministry responsible for the Public Service.

74. Mileage allowance.

Foreign service officers who are required to use their cars in the performance of official duties are eligible for the payment of a mileage allowance at approved rates.

75. Travel allowance of officers.

- (1) A foreign service officer who is required to perform the duties of his post away from the city in which the mission is located is eligible to receive payment at the approved rates of the following expenses —
 - (a) transportation, including travel insurance;
 - (b) hotel accommodation, excluding meals;
 - (c) subsistence and a per diem allowance;
 - (d) telephone, fax, internet charges; and
 - (e) other charges in connection with the performance of their duties.
- (2) The route and mode of travel and type of hotel accommodation is determinable in accordance with the rank and status of the officer.
- (3) The Permanent Secretary must, where travel time for an officer is in excess of six hours, authorize travel at the next highest class of service.

76. Recall to headquarters travel allowances.

An officer serving at a mission who returns to headquarters for consultations must be paid the cost of —

- (a) the return passage by an approved route and mode of transportation;
- (b) appropriate accommodation;
- (c) ground transportation; and
- (d) a per diem at approved rates for the duration of the period of consultations.

77. Travel allowance for head of mission.

- (1) A head of mission must be paid, where it is necessary for the head of mission to be accompanied by a spouse in a representational capacity, the costs for the spouse of transportation and, within approved limits, of accommodation and meals.
- (2) The head of mission must, when forwarding the relevant account to headquarters, submit invoices and receipts concerning the spouse's travel.

78. Absence of head of mission from official duties.

- (1) A head of mission must not leave —

- (a) the country of post, except with the prior approval of the Permanent Secretary;
 - (b) the city of post, except with the prior notification of such absence to the Permanent Secretary.
- (2) A consul, vice-consul or consular agent must not leave —
- (a) the country of post, except with the prior approval of the head of mission who must advise the Permanent Secretary of such absence;
 - (b) the city of post, except with the prior notification of such absence to the head of mission, who must advise the Permanent Secretary of the same.

79. Absence from country of post or city of post by officer other than the head of mission.

- (1) A foreign service officer, other than the head of mission, must not leave the country of post without the prior approval of the head of mission.
- (2) Prior notification must be given to the head of mission where an officer proposes to leave the city of post.
- (3) The head of mission must notify the Permanent Secretary and Director General of all absences by foreign service officers from their country of post or city of post.

LEAVE AND HOME LEAVE PASSAGES

80. Vacation leave.

Vacation leave must be approved —

- (a) in the case of a head of mission, by the Minister on the advice of the Permanent Secretary;
- (b) in the case of a consul, vice-consul or consular agent, by the Permanent Secretary on the advice of the head of mission; and
- (c) in the case of other officers, by the head of mission, with notification to the Permanent Secretary.

81. Leave of officer.

The Permanent Secretary may require a foreign service officer serving at headquarters or at a mission, at any time and for any reason, to take leave including administrative leave for periods —

- (a) of up to ninety days at a time; and
- (b) not exceeding six months in the aggregate.

82. Sick leave.

- (1) A head of mission who is compelled to take sick leave must report their absence to the Permanent Secretary as soon as possible.
- (2) A consul, vice-consul or consular agent who is compelled to take sick leave must report their absence to the head of mission as soon as possible.
- (3) Officers who are compelled to take sick leave must report their absence to the head of mission as soon as possible.
- (4) A head of mission may grant sick leave to officers in accordance with these Orders and the general regulations and orders governing the public service.

83. Notification of leave to Permanent Secretary.

A head of mission must submit monthly to the Permanent Secretary the details of leave granted.

84. Vacation leave between tours of duty.

Foreign service officers may be required to take vacation leave between tours of duty.

85. Home leave.

All foreign service officers are eligible for home leave as follows —

- (a) on completion of every eighteen months of service at a mission, or every twelve months in the case of a hardship post, an officer, spouse and dependents are eligible for —
 - (i) return fare to The Bahamas at an approved class, route and mode of transportation;
 - (ii) payment of appropriate accommodation and ground transportation; and
 - (iii) a per diem at approved rates for the duration of the period of consultations.
- (b) The Permanent Secretary must, where a head of mission, officer, spouse or dependant is unable for good reason to travel by air, authorize payment for a passage by other approved modes of transportation.
- (c) The Permanent Secretary must, where travel time is in excess of six hours or the officer, spouse or dependant is disabled, authorize travel at the next highest class of service.

- (d) Notwithstanding sub-paragraph (a), the eighteen-month requirement for home leave passage eligibility may be waived where —
 - (i) it is in the interest of the mission or headquarters deemed necessary for the head of mission or officer to take home leave at some time before serving for eighteen months; and
 - (ii) the head of mission or officer has already served in the post for a period of at least twelve months.
- (e) Heads of mission and officers for whom home leave passages have been granted under this Order must, unless otherwise permitted by the Permanent Secretary, spend ten working days in The Bahamas, five of which must be spent at headquarters for the purpose of consultations.
- (f) An officer who is transferred from one mission to another may, for the purpose of determining home leave eligibility in the new post, carry forward to the new posting any non-utilized portion of home leave eligibility from the previous posting.

86. Allowances for visits with children.

The Government must, where an officer can show special circumstances which make it necessary for a dependent child to remain in a country, including The Bahamas, other than the country in which the mission is located, pay once during each twelve month period of continuous service at a mission the cost of —

- (a) in respect of each dependent child, one return passage at an approved class, route and mode of transportation to visit the officer at the mission; or
- (b) one return passage at an approved class, route and mode of transportation for the officer, his spouse or an approved person to visit the dependent child or children.

MISSION INSPECTION & CONTACT

87. Inspection of mission.

- (1) A mission inspection team headed by the Permanent Secretary, or other senior pensionable officer designated by the Permanent Secretary, must visit each mission biennially for the purpose of —
 - (a) inspecting the Chancery;
 - (b) consulting with staff;
 - (c) reviewing the work of the missions in the context of the goals and objectives set by the Government; and

- (d) exploring with the heads of mission ways and means whereby the work of the missions may be enhanced.
- (2) A mission inspection team must after each visit prepare a report for the consideration of the Minister, the Permanent Secretary, the Director General and the relevant heads of mission which —
 - (a) gives a comprehensive overview of the functioning of the missions;
 - (b) makes proposals regarding the —
 - (i) future direction of the missions;
 - (ii) harmonization of the work of the missions for a coherent and effective approach to foreign affairs;
 - (iii) staffing; and
 - (iv) other matters related to the overall performance of the missions.
- (3) The head of mission must, in consultation with the Permanent Secretary, determine the type and extent of operations to be undertaken in the mission by staff locally recruited.
- (4) The Department of the Auditor General must conduct periodic audits of all missions.

88. Communications with headquarters.

The Director General must establish periodic communication with heads of mission via phone, internet, or video-conferencing —

- (a) in order that headquarters is informed of developments in the host State or in the region in which the mission is situated; and
- (b) to exchange briefings, updates and news on important developments in order to increase the efficiency and awareness of foreign service officers both at headquarters and at missions.

89. Annual meetings of heads of mission.

- (1) The Ministry must, where possible, convene an annual heads of mission meeting alternating between headquarters and overseas missions or via video-conference.
- (2) The annual heads of mission meeting must, *inter alia*, review the work of the Ministry and provide regular reviews and recommendations for the foreign policy of The Bahamas.

FOREIGN SERVICE MEDALS

90. Award of foreign service medals.

- (1) The Governor General may, acting on the advice of the Minister after consultation with the Prime Minister, award annually to foreign service officers the following foreign service medals —
 - (a) Lynden Pindling Medal for Leadership;
 - (b) Distinguished Foreign Service Medal;
 - (c) Paul Adderley Medal for Excellence;
 - (d) Clement Maynard Medal for Innovation;
 - (e) Janet Bostwick Medal for Women in the Foreign Service;
 - (f) Foreign Service Bravery Medal; and
- (2) Foreign service medals shall be awarded at a ceremony approved by the Minister during Diplomatic Week being the third week of October.

TRANSITIONAL PROVISIONS

91. Election by officers and employees.

- (1) Subject to paragraph (2), officers and employees of the foreign service on the date these Regulations come into force may, within two years of the commencement of such date, elect in writing to be governed by these Regulations.
- (2) Where after the expiry of the two year period referred to in paragraph (1) an officer or employee has not elected to be governed by these Regulations, the general regulations and orders governing the public service shall apply to such officer.

SCHEDULE

PART I – HEADS OF MISSION AND FOREIGN SERVICE OFFICERS

Classifications and rankings are as follows —

- (1) Heads of Mission are classified, in order of precedence, as —
 - (a) Ambassador Extraordinary and Plenipotentiary
 - (b) Ambassador
 - (c) High Commissioner
 - (d) Consul General
 - (e) Charge d'Affaires (en titre) or Charge d'Affaires (ad interim)
 - (f) Permanent Representative
- (2) Foreign service officers, other than heads of mission, are ranked in order of precedence —
 - (a) Envoy Extraordinary and Minister Plenipotentiary
 - (b) Minister Plenipotentiary
 - (c) Deputy High Commissioner, Deputy Permanent Representative, Deputy Chief of Mission
 - (d) Minister-Counselor
 - (e) Deputy Consul General
 - (f) Counselor
 - (g) First Secretary, Consul
 - (h) Second Secretary, Vice Consul
 - (i) Third Secretary, Vice Consul
 - (j) Attaché (information, naval, commercial, etc.)

PART II – FOREIGN SERVICE EMPLOYEES

Classifications are as follows —

- (1) Protocol staff are ranked in order of precedence as follows —
 - (a) Chief of Protocol
 - (b) Deputy Chief of Protocol
 - (c) Senior Protocol Officer
 - (d) Protocol Officer
 - (e) Assistant Protocol Officer
- (2) Administrative and technical staff include —
 - (a) Office Manager

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- (b) Administrative Assistants
 - (c) Accountants
 - (d) Registry Personnel
 - (e) Secretaries
 - (f) Clerical Assistants (commercial, consular, passport, etc.)
 - (g) IT Personnel
 - (h) Messengers
 - (i) such other permanent and pensionable staff as may from time to time be transferred to the foreign service
- (3) Staff locally employed at a mission who may be recruited in the country of post include —
- (a) Consular Agent
 - (b) Administrative Assistants
 - (c) Accountants
 - (d) Clerical Officers
 - (e) Secretaries
 - (f) Registry Personnel
 - (g) Clerical Assistants
 - (h) Stenographers
 - (i) Typists/Receptionists
 - (j) Chauffeurs
 - (k) Messengers
 - (l) Guards
 - (m) Service Staff
 - (n) Household Staff
- (4) Service Staff are employed at headquarters or a mission in the domestic service and include —
- (a) Gardeners
 - (b) Maintenance
 - (c) Custodial Staff

Dated the 30th day of December, 2014


Governor-General

Commonwealth of The Bahamas