

No. 50 of 1995.

Parliamentary Service Act 1995.

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INDEPENDENT STATE OF PAPUA NEW GUINEA.

No. of 1995.

Parliamentary Service Act 1995.

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INDEPENDENT STATE OF PAPUA NEW GUINEA.

No. of 1995.

AN ACT

entitled

Parliamentary Service Act 1995,

Being an Act to implement Section 132 (*the Parliamentary Service*) of the *Constitution* by making provision for and in respect of a Parliamentary Service and to repeal the *Parliamentary Service Act* (Chapter 26) and for related purposes,

MADE by the National Parliament to come into operation in accordance with a notice in the National Gazette by the Head of State acting with, and in accordance with, the advice of the Minister.

PART I - PRELIMINARY.

1. **INTERPRETATION.**

In this Act, unless the contrary intention appears -

"classification " means the arrangement of officers and offices in classes, and includes the allotment to officers or offices of salaries or limits of salary according to the value of the work;

"the Clerk" means the Clerk of the National Parliament;

"General Orders" means General Orders given under Section 28;

"non-sessional week" means any period of one week during which Parliament does not sit on any day;

"office" means an office in the Service created under Section 7;

"officer" means an officer in the Service;

"personnel matter" means decisions and other service matters concerning an individual whether in relation to his appointment, promotion, demotion, transfer, suspension, disciplining or cessation or termination of employment (except cessation or termination at the end of his normal period of employment as determined in accordance with law), or otherwise;

"the Service" means the Parliamentary Service continued in establishment under Section 2;

"sessional week" means any period of one week during which the Parliament sits for any period;

"this Act" includes the Regulations and the General Orders;

"unattached officer" means an officer who is not occupying an office.

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PART II - THE PARLIAMENTARY SERVICE.

2. CONTINUANCE IN ESTABLISHMENT OF THE PARLIAMENTARY SERVICE.

(1) The Parliamentary Service, a State Service provided for under Section 132 of the *Constitution*, established by the *Parliamentary Service Act* (Chapter 26) (repealed by this Act) is continued in establishment by this Act.

(2) The Service is subject to the direction and control of the Speaker and shall perform its functions impartially.

- (3) The Service shall consist of -
- (a) the Clerk; and
 - (b) the officers and employees of the Service.

3. FUNCTIONS OF THE SERVICE.

The functions of the Service are to provide -

- (a) clerical staff to enable the Parliament to operate efficiently; and
- (b) maintenance staff to enable the Parliamentary facilities to be properly maintained; and
- (c) security staff to maintain proper security for the Members of Parliament and facilities within the precincts of Parliament; and
- (d) advisory services for -
 - (i) the Speaker; and
 - (ii) Committees of the Parliament; and
 - (iii) Members of the Parliament other than Ministers; and
- (e) a Parliamentary reporting service; and
- (f) such other staff and facilities as are required to ensure the efficient functioning of the Parliament.

4. THE CLERK.

The Clerk is the Head of the Service and is responsible to the Speaker for the general working and the efficient conduct of the business of the Service.

5. DELEGATION BY THE CLERK.

The Clerk may, in respect of an officer or employee, or officers or employees included in a class of officers or employees, by writing under his hand delegate to a person all or any of his powers and functions under this Act (except this power of delegation).

6. RESPONSIBILITIES OF THE CLERK.

- (1) The Clerk shall report to the Speaker, whenever the necessity arises on -
- (a) any alterations in the organisation, staffing or management of the Service that are, in his opinion, necessary or expedient for the more economical, efficient or convenient working of the Service or any branch of it; and

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- (b) any alterations that are, in his opinion, necessary in the salaries or allowances of any of the officers or employees under his control.

(2) The Clerk shall bring to the attention of the Speaker any matter, whether in relation to an officer or to the work of a branch or section of the Service, with which he thinks it desirable for the Speaker to be acquainted.

7. CREATION OF OFFICES.

(1) This section does not apply to the office of the Clerk.

(2) The Speaker, upon a recommendation of the Clerk and subject to any general directions from the Head of State, acting on advice, may -

- (a) create such number of offices in the Service as shall ensure the efficient functioning of the Service; and
- (b) create, abolish, reclassify and change the designation of, offices in the Service.

8. QUALIFICATIONS FOR ADMISSION TO THE SERVICE.

A person shall not be appointed under this Act as an officer unless he provides evidence to the satisfaction of the Clerk, of -

- (a) his health and physical fitness; and
- (b) his possession of qualifications that will enable him to perform the duties to which he is to be appointed; and
- (c) his good character.

9. RECRUITMENT.

(1) The Clerk may, by notice published in the National Gazette or elsewhere, invite persons to apply for appointment, promotion or transfer to a vacant office in the Service.

(2) The Clerk shall specify in the notice -

- (a) the office or class of offices, in respect of which applications for appointment, promotion or transfer are invited; and
- (b) the salaries or limits of salaries, that will be applicable on appointment, promotion or transfer; and
- (c) where applicable -
 - (i) the age limits for appointment; and
 - (ii) the qualifications required to be possessed for appointment, promotion or transfer and the period (if any) within which the equalifications or any of them are required to have been obtained; and
- (d) the date by which applications are to be made; and
- (e) such other matters (if any), not inconsistent with this Act, as the Clerk may think desirable.

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10. APPOINTMENT, ETC., OF OFFICERS.

The Speaker -

- (a) upon a recommendation of the Clerk; and
- (b) in relation to prescribed senior appointments, after consultation with the appropriate Permanent Parliamentary Committee,

may -

- (c) appoint a person to an office; or
- (d) promote an officer from one office to another office having a higher salary classification; or
- (e) transfer an officer from one office to another office having an equivalent salary classification.

11. EMPLOYMENT OF NON-CITIZENS.

(1) Where the Clerk is satisfied that no suitably qualified or experienced citizen is available to provide specialist technical or managerial skills required properly to carry out the duties of a vacant office in the Service, he may, after consultation with the appropriate Permanent Parliamentary Committee, request the Speaker to engage a suitably qualified or experienced non-citizen to fill the vacancy.

(2) The terms and conditions of employment of a non-citizen officer in the Service shall be determined by the Speaker, after consultation with the appropriate Permanent Parliamentary Committee, in a manner not inconsistent with the terms and conditions of a non-citizen officer in the Public Service.

(3) The provisions of the *Public Employment (Non-Citizens) Act* (Chapter 342) shall not apply to the Service.

12. APPOINTMENTS TO BE ON PROBATION.

(1) Every appointment to an office, other than the office of Clerk, is probationary until confirmed by the Speaker.

(2) The period of probation shall be as prescribed.

(3) The services in the Service of a person on probation may be dispensed with by the Speaker, upon a recommendation of the Clerk, at any time during the period of probation.

(4) At the end of a period of probation the Speaker may, upon a recommendation of the Clerk, confirm or annul the appointment, and if the appointment is not annulled, in the absence of anything to the contrary, it shall be deemed to be confirmed.

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13. TERMS AND CONDITIONS OF EMPLOYMENT.

(1) Subject to this Act, officers hold office on such terms and conditions as the Speaker, after having received a report from the appropriate Permanent Parliamentary Committee determines.

(2) If an officer was, immediately before his appointment to the Service, an officer of the Public Service, his service as an officer of the Service shall be counted as service in the Public Service for the purpose of determining his rights (if any) in respect of -

- (a) absence or leave on the grounds of illness; and
- (b) furlough or pay in lieu (including pay to dependants or personal representatives on the death of the officer).

14. LEAVE TO SERVE UNDER OTHER ACTS.

(1) If an officer is appointed to an office provided under an Act other than this Act, the Speaker may, on application by the officer, grant leave of absence without pay for a period not exceeding that for which he is necessarily unavailable for employment in the Service in consequence of the appointment.

(2) The period during which an officer is absent on leave under Subsection (1) shall be counted as part of his period of service.

(3) Where an officer is granted leave under this section, his office in the Service becomes vacant on the commencement of the period of the leave, and he is an unattached officer for that period.

(4) At the end of a period of leave under this section, an unattached officer is, unless he has been dismissed for misconduct or has attained the age of 50 years, entitled to be appointed to an office not lower in classification than his former office, after taking into account any variation in the classification of that office during the period of the officer's leave under this section.

(5) Where there is no vacancy to which an officer may suitably be appointed in accordance with Subsection (4), he continues as an unattached officer at a classification determined in accordance with Subsection (4) until a suitable vacancy occurs.

15. TEMPORARY AND CASUAL EMPLOYEES.

(1) The Clerk may, with the approval of the Speaker, appoint such temporary or casual employees as he thinks necessary for the purposes of the Service.

(2) Employees appointed under Subsection (1) shall be employed on such terms as the Speaker determines.

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16. DECLARATION OF OFFICE.

Before taking up the duties of his office an officer shall make the Declaration of Office before the Clerk or a person appointed by the Clerk.

PART III - FINANCE.

17. FINANCE - GENERAL PROVISION.

Except as otherwise provided for in this Act, Part VIII of the *Public Finances (Management) Act 1995* applies to the Service.

18. BANK ACCOUNTS.

The Service shall open and maintain such bank accounts as are necessary for the exercise and performance of its powers and functions, and shall pay into them -

- (a) all monies received from the Government for the purposes of this Act; and
- (b) all monies appropriated by Act for the purpose of carrying out or giving effect to this Act; and
- (c) all monies received from the Parliamentary Refreshment Rooms which shall have a separate operating account; and
- (d) all other monies received by the Service in the exercise and performance of its powers, functions and duties.

19. SPEAKER TO ESTABLISH PROCEDURES, ETC.,

The Speaker may, upon a recommendation by the Clerk, establish procedures and expenditures involving -

- (a) official overseas travel; and
- (b) air charters (including helicopter charters); and
- (c) purchasing of computer equipment and software; and
- (d) purchasing of such other equipment as the Speaker deems appropriate; and
- (e) engaging of consultants,

for the Service.

20. SUPPLY AND TENDERS BOARD.

(1) The Clerk may, after consultation with the appropriate Permanent Parliamentary Committee and after advising the Secretary of the Department responsible for finance matters, establish a Supply and Tenders Board for the Service to control and regulate -

- (a) the purchase and disposal of property and stores; and
- (b) the supply of works and services.

(2) The Speaker shall make rules for the Supply and Tenders Board not inconsistent with the *Public Finances (Management) Act 1995*.

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(3) One member of the Supply and Tenders Board shall be a nominee of the Departmental Head of the Department responsible for finance matters.

(4) The amount of a Tender under this section shall not exceed K300,000.00.

PART IV. - SALARY AND ALLOWANCES.

21. SALARY CLASSIFICATIONS.

(1) Offices, with the exception of the office of the Clerk, shall be given such classifications as are fixed by the Clerk, subject to the approval of the Speaker and to any general direction of the Head of State, acting on advice.

(2) A classification under Subsection (1) may provide for a rate of annual salary or a scale of rates of annual salary.

22. ALLOWANCE.

Officers and employees may be paid such allowances in such cases as and subject to such conditions as are determined by the Clerk, subject to the approval of the Speaker and to any general directions of the Head of State, acting on advice.

23. HOURS OF DUTY.

(1) The hours of duty of officers and employees shall be determined by the Speaker after consultation with the appropriate Permanent Parliamentary Committee and the Clerk.

- (2) The hours of duty referred to in Subsection (1) shall not -
- (a) in any sessional week, exceed 43 hours; and
 - (b) in any non-sessional week, be less than 32 hours.

(3) Notwithstanding Subsection (2), officers and employees shall, whenever required by the Clerk, perform duty outside their normal hours in order to meet the exigencies of Parliamentary businesses.

24. RECREATION LEAVE.

Every officer and employee is entitled to leave of absence for recreation for a minimum of 24 days for each completed period of 12 months, exclusive of Sundays and public holidays, as determined by the Speaker.

25. DEDUCTIONS FROM OFFICERS' ENTITLEMENT.

Deductions may be made from the entitlement of officers and employees as specified in the General Orders, or as determined by the Clerk, in relation to an officer or class of officer, or employee or class of employee for any service provided by the State.

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26. RECOVERY OF SALARY AND ALLOWANCE.

All amounts of salary and allowances payable to an officer or employee may be recovered by the officer or employee as a debt in any court of competent jurisdiction.

27. PAY DURING SUSPENSION.

Subject to Section 32, where an officer has been suspended in connection with an offence under this Act, he is entitled to receive his pay during the period of suspension, unless he absconds or the Speaker after receiving a report from the Clerk, orders otherwise.

PART V - GENERAL ORDERS.

28. GENERAL ORDERS.

The Speaker may give to officers and employees directions (to be known as "General Orders"), not inconsistent with this Act, as to any matter prescribed by this Act to be so provided for or that is necessary or desirable for the efficient management and control of the Service.

PART VI - DISCIPLINE.

29. DISCIPLINARY OFFENCES.

An officer who -

- (a) commits a breach of this Act; or
- (b) except as authorised in the course of official duty, uses or divulges, directly or indirectly, any information concerning public business or any matters of which he has official knowledge; or
- (c) wilfully disobeys or disregards a lawful order made or given by a person having authority to make or give it; or
- (d) is negligent or careless in the discharge of his duties; or
- (e) is inefficient or incompetent from causes within his own control; or
- (f) uses intoxicating liquor or drugs to an extent that impairs the proper and efficient performance of his duties; or
- (g) solicits or accepts a fee, reward, gratuity or gift in connection with the discharge of his official duties (other than his official remuneration); or
- (h) is guilty of disgraceful or improper conduct in his official capacity or otherwise; or
- (i) seeks the influence or interest of any person in order to obtain promotion, transfer or other advantage; or
- (j) commits an act in the course of his duties with the intention of influencing a vote of the Parliament on any matter before it,

commits a disciplinary offence under this Act and is liable to be dealt with under this Part.

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30. DEALING WITH MINOR DISCIPLINARY OFFENCES.

(1) A minor disciplinary offence is where the Clerk determines that the disciplinary offence warrants only a caution or a reprimand.

(2) If the Clerk or an officer authorised by the Clerk to deal with minor offences, has reason to believe that an officer has committed a disciplinary offence that, in his opinion, would properly be dealt with under this section, he may call on the officer for an explanation as to the alleged offence, and if, on consideration of the explanation, he is of the opinion that the offence has been committed, he may caution or reprimand the offending officer.

31. DEALING WITH SERIOUS DISCIPLINARY OFFENCES.

(1) Where there is reason to believe that an officer has committed a disciplinary offence other than an offence that may be dealt with under Section 30 or a criminal offence, this section applies.

(2) An officer, to whom Subsection (1) applies, may -

(a) be charged by the Clerk or an officer authorised by the Clerk to lay charges under this section; and

(b) if it is considered that the charge is of such a serious nature that the charged officer should not continue in the performance of his duty, be suspended -

(i) by the Clerk; or

(ii) in case of emergency, by an officer authorised by the Clerk to lay charges under this section.

(3) Suspension under Subsection (2)(b) may be effected before, at the time of or after the laying of the charge, and may be removed at any time by the Clerk pending the determination of the charge, and where the charge has not been sustained shall be lifted immediately on a finding to that effect.

(4) On a charge being laid against an officer, he shall -

(a) be furnished with a copy of the charge; and

(b) be directed -

(i) to reply in writing stating whether he admits or denies the truth of the charge; and

(ii) to give any explanation that he desires in regard to the charge, and if a reply is not given by the officer within seven days after his receipt of the charge, the officer may be deemed to have admitted the truth of the charge.

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- (5) If, after consideration of reports relating to the offence and charge, the reply and explanation (if any) of the officer charged and any further report that he considers necessary, the Clerk is of the opinion that the charge has been sustained, he may -
- (a) fine the officer any sum not exceeding 20% of the officer's gross fortnightly pay; or
 - (b) reduce the officer's pay by one point or more, so long as the officer's pay remains within the salary range of the officer's designation; or
 - (c) reduce the officer to an office having a lower classification, and to a salary within that classification; or
 - (d) in addition to or instead of imposing a punishment specified in Paragraph (a), (b) or (c), transfer the officer to some other office; or
 - (e) recommend that the officer be dismissed from the Service without notice.

32. DEALING WITH CRIMINAL OFFENCES.

- (1) An officer charged with having committed a criminal offence shall -
- (a) where the offence relates to the duties of his office, be suspended without pay by the Clerk; and
 - (b) where the offence does not relate to the duties of his office, be suspended with pay by the Clerk unless he absconds.
- (2) An officer convicted of a criminal offence -
- (a) which relates to the duties of his office, shall be dismissed from the Service without notice by the Speaker upon a recommendation of the Clerk; and
 - (b) which does not relate to the duties of his office, shall be dismissed from the Service by the Speaker, upon a recommendation of the Clerk, unless the Speaker decides not to do so for good reasons.
- (3) Where an officer has been convicted of a criminal offence and subsequently -
- (a) the conviction is quashed; or
 - (b) he receives a pardon; or
 - (c) the conviction is otherwise nullified,
- he may be re-appointed to the Service by the Speaker, upon a recommendation of the Clerk.
- (4) Where an officer, who has been charged with a criminal offence, is not convicted of that offence (or any other offence) -
- (a) the Clerk shall notify the officer of the lifting of his suspension; and
 - (b) if the officer was suspended without pay, he shall be paid all the monies owing during his period of suspension effective from the first day of that suspension; and

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- (c) if the Clerk, on all evidence available, believes that the officer has committed a disciplinary offence as defined in Section 29, notwithstanding his non-conviction, he may charge the officer with disciplinary offence under normal procedures.

33. STRIKES.

(1) An officer who aids, abets, foments or takes part in a strike that -
(a) interferes with or prevents; or
(b) is intended or calculated to interfere with or prevent,
the carrying out of any part of the functions of the Service, or who attempts to do so, shall be deemed to have committed an illegal action against the peace and good order of the State.

(2) Any officer adjudged by the Clerk, after investigation and hearing, to be guilty of any action referred to in Subsection (1), may be summarily dismissed by the Speaker, without regard to the procedures prescribed in this Act for dealing with disciplinary offences.

34. POWERS OF SPEAKER IN RELATION TO SERIOUS OFFENCES.

(1) This section does not apply to the Clerk.

(2) Where the Clerk, under Section 31 or 32, recommends to the Speaker that an officer be dismissed from the Service, the Speaker, after consideration of -
(a) reports relating to the offence and charge; and
(b) the reply and explanation (if any) of the officer charged; and
(c) the recommendation of the Clerk; and
(d) any further reports that he thinks necessary, is of the opinion that the charge has been sustained,
he may impose a punishment specified in Section 31(5)(a), (b) or (c), or dismiss the officer from the Service.

(3) Notwithstanding any provisions of Subsection (2), an officer recommended for dismissal under Section 32(2)(a) shall be dismissed from the Service.

PART VII - REVIEW OF PERSONNEL MATTERS.

35. REVIEW OF PERSONNEL MATTERS.

(1) The Public Services Commission shall review a personnel matter connected with the Service either on its own initiative or following a complaint by an officer of the Service to the Commission where that officer has been affected by a decision in relation to that personnel matter.

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- (2) The Commission shall -
- (a) complete the review of a personnel matter within 60 days of -
 - (i) the making of the complaint to the Commission under Subsection (1); or
 - (ii) where the Commission instigates the review, the initiation of the review; and
 - (b) consider whether the decision in relation to the personnel matter was an appropriate decision having regard to the nature of the decision and the views of the officer and of the Clerk; and
 - (c) recommend the confirmation, variation or revocation of the decision in relation to the personnel matter in writing to the Speaker and the Clerk.

(3) In carrying out a review of a personnel matter, the Commission shall determine its own procedures but shall ensure that the views of the officer affected by the decision are put before it in relation to the personnel matter either in writing or orally.

PART VIII - RESIGNATION, RETIREMENT AND RETRENCHMENT.

36. OFFICERS WHO RESIGN TO BECOME CANDIDATES AT ELECTIONS.

An officer who resigned or retired from the Service to contest a National or Provincial election or by election and was a candidate at the election but who failed to be elected shall not have the right of re-appointment to the Service but may apply for an advertised position.

37. AGE OF RETIREMENT.

(1) Subject to this section, an officer who has attained the age of 50 years is entitled to retire from the Service if he desires to do so, but such an officer, subject to this Act, may continue in the Service until he attains the age of 65 years.

(2) An officer who continues in the Service after he attained the age at which he is entitled to retire -

- (a) may be retired from the Service at any time before attaining the age of 65 years; and
- (b) shall retire from the Service on attaining the age of 65 years.

(3) A retirement under Subsection (2)(a) shall be effected by the Clerk.

38. RETIREMENT ON ACCOUNT OF INFIRMITY OR INCAPACITY.

(1) If an officer of the Service appears to the Clerk, after investigation of the circumstances -

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- (a) to be, by reason of mental or bodily infirmity or for any other reason, unfit to discharge or be capable of discharging the duties of his office efficiently; or
- (b) to have ceased to have the qualifications specified for his office, or to be or to have become legally disqualified from carrying out those duties or legally incompetent to carry them out,

the Speaker, after having received a report from the Clerk, may retire the officer from the Service or transfer him to some other position of lower classification and pay.

(2) The retirement of an officer under this section shall not be on account of mental or bodily infirmity unless it is so stated in the instrument effecting the retirement.

39. RETRENCHMENT OF UNATTACHED OFFICER.

(1) Where an officer, who was substantively holding an office in the Service, becomes an unattached officer as a result of the office being -

- (a) abolished; and
- (b) reclassified,

the Speaker, upon a recommendation of the Clerk, may retrench the unattached officer.

(2) Where an unattached officer is retrenched under Subsection (1), his entitlements shall be determined by the Speaker in a manner consistent with that prescribed for the Public Service, subject to such variations as are relevant to the Service.

(3) An officer who has been retrenched under Subsection (1) shall not be eligible for re-employment in the Service.

PART IX. - MISCELLANEOUS.

40. SALARIES AND REMUNERATION COMMISSION.

(1) The Service shall provide an officer to serve as Executive Officer to the Salaries and Remuneration Commission and such other staff, materials and support facilities as may be requested by the Speaker in his capacity as Chairman of the Commission.

(2) The Service shall be responsible for administering such Determination of the Commission as are appropriate for the persons specified in Section 216A of the *Constitution*.

41. PARLIAMENTARY MEMBERS RETIREMENT BENEFITS FUND.

The Service shall administer the Parliamentary Members Retirement Benefits Fund in accordance with the provisions of the appropriate Act.

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42. ENGAGEMENT IN OUTSIDE EMPLOYMENT AND ACQUISITION OF LAND.

(1) Subject to this section, except with the permission of the Clerk (which permission may be withdrawn at any time) an officer shall not -

- (a) accept or continue to hold office in or under the Government of another country or in or under any public or municipal corporation; or
- (b) accept or continue to hold or discharge the duties or be employed in, a paid office in connection with any banking, insurance, agricultural, mining, mercantile or other commercial business whether carried on by a corporation, a firm or an individual; or
- (c) engage in or undertake any such business as principal or as agent; or
- (d) engage or continue in the private practice of any profession, occupation or trade; or
- (e) accept or engage in any remunerative employment other than in connection with the duties of his office or offices in the Service.

(2) Subject to the succeeding provisions of this section, Subsection (1) does not prevent an officer from becoming a member or shareholder only of an incorporated company or of a company or society of persons registered under a law of the country or elsewhere, but he shall not take any part in the conduct of the business of the company or society otherwise than by the exercise of his right to vote as a member or shareholder.

(3) Notwithstanding this section, an officer may, with the approval of the Clerk (which approval may at any time be withdrawn) act as a director of a co-operative company.

43. AIR INSURANCE COVER.

(1) Subject to Subsections (4) and (9), where an officer travels by air on official duty and suffers death or permanent and total incapacity arising as a result, the State is liable in accordance with this section.

(2) The amount of the liability of the State under this section is an amount, not being less than K4,000.00 nor more than K30,000.00 determined by the Head of State, acting on advice, on receipt of a report by the Committee of Inquiry appointed by the Minister responsible for personnel management matters.

(3) The amount of the liability of the State under Subsection (2) is reduced by any ticket insurance entitlements or by any payment in the nature of insurance due or received from the airline concerned, or by arrangement with it.

(4) In the case of death of an officer, the State is not liable under this section where there are no dependants of the officer surviving him.

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(5) In the case of death of an officer leaving dependants, the amount payable under this section shall be apportioned between the dependants of the officer in such manner as is fixed by the Speaker.

(6) Any amount that would otherwise be payable under this section shall be reduced by the amount of any damages received from the owner or operator of the aircraft involved.

(7) Where damages are received by the owner or operator of the aircraft involved after payment has been made under this section, the amount by which the payment would otherwise have been reduced under this section may be recovered as a debt by the State from the person receiving the damages.

(8) Any payment made under this section is in addition to and not in substitution for or reduction of any liability of the State under the *Worker's Compensation Act* (Chapter 198) or otherwise.

(9) This section does not apply to an officer travelling in his own aircraft.

44. REGULATIONS.

The Head of State, acting on advice, may make regulations, not inconsistent with this Act, prescribing all matters that by this Act are required or permitted to be prescribed, or that are necessary or convenient to be prescribed for carrying out or giving effect to this Act, or for the more efficient control and management of the Service, and in particular for prescribing penalties.

45. REPEAL.

The *Parliamentary Service Act* (Chapter 26) is hereby repealed.

PART X. - TRANSITIONAL.

46. INTERPRETATION.

In this Part, the *Parliamentary Service Act* (Chapter 26) repealed by Section 45, is referred to as "the repealed Act".

47. TRANSFER OF ASSETS AND LIABILITIES.

All assets and liabilities which, immediately before the coming into operation of this Act, were owned by or vested in the Parliamentary Service under the repealed Act continue, on that coming into operation, to be assets and liabilities of the Service.

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48. CONTRACTS, ETC.,

All contracts (other than contracts of employment) and agreements entered into or made with or addressed to the Parliamentary Service under the repealed Act, to the extent that they were, immediately before the coming into operation of this Act, binding on or, and of full force and effect against or in favour of the Parliamentary Service, continue, on that coming into operation, to be binding on and of full force and effect or against or in favour of the Service.

49. TRANSFER OF STAFF.

A person who, immediately before the coming into operation of this Act, held an office in the Parliamentary Service under the repealed Act, shall, on that coming into operation, be deemed to hold the equivalent office under this Act.

I hereby certify that the above is a fair print of the *Parliamentary Service Act 1995* which has been made by the National Parliament.

Clerk of the National Parliament.

I hereby certify that the *Parliamentary Service Act 1995* was made by the National Parliament on 23 November 1995.

Speaker of the National Parliament.