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## CHAPTER 39

### PUBLIC SERVICE

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## CHAPTER 39

### PUBLIC SERVICE

#### **An Act to make provision for the conditions of service of members of the Public Service.**

*[Assent 17th April, 1969]  
[Commencement 1st July, 1967]*

#### **PART I PRELIMINARY**

**1.** This Act may be cited as the Public Service Act, and, subject to the provisions of section 18 of this Act, shall be deemed to have come into operation on the 1st day of July, 1967, hereafter in this Act referred to as the appointed day.

**2.** (1) In this Act, unless the context otherwise requires —

“appropriate Commission” means, in relation to any public officer holding an office to which Article 117 of the Constitution applies, the Judicial and Legal Service Commission and, in relation to any other public officer, the Public Service Commission;

“contract officer” means a person employed as a public officer in accordance with the terms of an agreement with the Government for a fixed period of time, whether or not such agreement is renewable on the expiration of such fixed period of time;

“efficiency bar” means any point in a scale of salary as set forth in the estimates of revenue and expenditure of The Bahamas at which the words “Efficiency Bar” or “Bar” or the initials “E.B.” appear, or, where more than one scale of salary is provided in respect of any office, the point or points between such scales;

*9 of 1969  
8 of 1972  
16 of 1973  
E.L.A.O., 1974  
S.I. 89/1979  
4 of 1985  
4 of 1988  
11 of 1997*

Short title and commencement.

Interpretation.

*E.L.A.O., 1974.*

*E.L.A.O., 1974.*

“Minister” means the Minister responsible for Public Personnel;

“officer” means public officer and “office” means public office;

“pensionable office” means any office which is pensionable under the provisions of any enactment relating to the pensions of public officers;

“public office” means any office of emolument in the public service;

“public officer” means the holder of any public office;

“public service” means service in a civil capacity under the Government of The Bahamas.

Ch. 205. (2) Where provision is made by this Act in respect of any particular matter in respect of which corresponding provision is made in the Police Act, the provisions of that Act shall prevail and this Act shall be read and construed accordingly.

## PART II

### EMOLUMENTS, POINTS OF ENTRY, INCREMENTS, ETC.

Payment of salaries, etc.

3. Subject to the provisions of this Act, the salaries and allowances of all public officers shall be paid out of such sums as Parliament may from time to time appropriate for that purpose.

Salaries of Governor-General and certain other officers.  
First Schedule.

4. There shall be paid to the person holding the office of Governor-General and to the persons holding the other public offices specified in the first column of the First Schedule the salaries respectively set forth opposite thereto in the second column of that Schedule, and there shall, in addition, be paid to the person holding the office of Governor-General the duty allowance set forth opposite thereto in the third column of that Schedule.

Starting salary and incremental date.  
*E.L.A.O., 1974.*

5. (1) Every public officer appointed to an office for which a scale of salary is provided shall enter that scale at the lowest point thereof unless the Governor-General, acting in accordance with the advice of the appropriate Commission, approves of such person entering such scale at an incremental point above that point.

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(2) The incremental date of a public officer shall, unless the Governor-General, in accordance with the advice of the appropriate Commission, in any case otherwise determines, be the anniversary of the first day of the month in which the officer was appointed to the office held by him.

6. The decision whether to grant, defer or withhold increments of salary of public officers in receipt of salary within a scale shall be made by the Governor-General, acting in accordance with the advice of the appropriate Commission:

Grant of increments.

*E.L.A.O., 1974.*

Provided that no officer shall receive an increment of salary beyond an efficiency bar until he has satisfied the appropriate Commission that he has attained such a degree of efficiency and responsibility in the performance of his duties as, in the opinion of the Commission, justifies his passing that bar.

7. The Governor-General, acting in accordance with the advice of the appropriate Commission, may advance a public officer in receipt of salary within a scale —

Accelerated increments.

*8 of 1972, s. 2;  
E.L.A.O., 1974.*

- (a) in a case where the officer in the opinion of the Commission possesses or acquires sufficient qualifications to justify such advancement, to such higher incremental point within that scale as the Governor-General may think fit (whether or not such advancement would take such officer beyond an efficiency bar); and
- (b) in a case where the officer in the opinion of the Commission is discharging his duties with sufficient merit to justify such advancement, by one incremental point within any segment of that scale, provided that there shall have been no previous advancement under this paragraph of the officer in question in that segment.

8. Subject to the provisions of subsection (1) of section 12 of this Act, the service of every public officer other than a contract officer, for the period of one year (or such longer period not exceeding five years as the Governor-General, acting in accordance with the advice of the appropriate Commission, may in any particular case

Service on probation.