

FIRST LEGISLATIVE ASSEMBLY

under the
BRITISH GUIANA (CONSTITUTION) ORDER IN COUNCIL 1961

FIRST SESSION
1961-62

OVERSEAS SERVICE AID SCHEME

Presented by the Minister of Finance to the
Legislative Assembly

March, 1962

In September 1960 a circular despatch was received from the Secretary of State for the Colonies stating that Her Majesty's Government in the United Kingdom had given particular consideration to the need for maintaining an efficient civil service in overseas territories while these territories were building up services staffed entirely by local officers. It was pointed out that many colonial territories which were approaching self-government still relied in varying degrees on Her Majesty's Overseas Civil Service or on contract officers from overseas for staffing many professional and technical posts.

2. In order to enable the Governments of developing territories to attract and retain overseas officers for so long as their services were required, Her Majesty's Government proposed that the solution of the problem should be by way of a Technical Assistance Scheme under which Her Majesty's Government would finance the extra cost necessary to induce overseas officers to accept the disadvantages of short-term employment away from their homes without career prospects. Broadly, the new arrangements proposed involve the addition of certain terms of employment. These are inducement pay in addition to normal salary and allowances towards the cost of children's education and their passages.

3. Her Majesty's Government would -

- (i) be responsible for meeting the entire cost of inducement pay;
- (ii) assume full responsibility for the share of pension or gratuity attributable to the inducement element in salaries;
- (iii) pay children's education allowances similar to those payable to members of the United Kingdom Civil Service who are posted overseas;
- (iv) meet half the cost of passages to be provided under the Scheme; and
- (v) share equally with the local Government the cost of any scheme for special retirement benefits to those officers who may qualify under such scheme.

4. In November 1960, the Secretary of State forwarded detailed notes on the operation of the Scheme, together with a draft Model Agreement and invited the British Guiana Government to participate in the Scheme. The proposals were considered by the Government and discussed with representatives of the two Senior Staff Associations who stated that they wished to be

certain that the scheme proposed by the Secretary of State would not be implemented to the detriment of the policy of Guianisation or of the provision of adequate salaries, wages and other conditions of the Public Service. They requested a public statement to this effect and also stressed the need for the setting up of a Commission to review the salaries of the Service. Since that date Sessional Paper No. 3/1961 has been issued on the Government's policy regarding Guianisation of the Public Service and the related training of officers. A Commission to review salaries, wages and general conditions of service of the Public Service was also appointed and Sessional Paper No. 3/1962 was submitted to this Assembly.

App. I 5. The Overseas Service Agreement Ordinance, 1961 (No. 27) to give legislative effect to any such agreement was passed by the Legislature on the 22nd June, 1961 - copy attached as Appendix I. An Agreement between the Government and Her Majesty's Government of the United Kingdom of Great Britain and Northern Ireland was executed in London on the 5th May, 1961, and in British Guiana on the 30th June, 1961, and was inserted in the Schedule to the Ordinance by Order in Council No. 48 of 1961 - copy attached as Appendix II.

App. III 6. The allowances payable under the Scheme (vide Agreement and Regulations - Appendix III) are as follows -

- App. IV (a) Inducement Allowances - as set out in Appendix IV.
- (b) Education Allowances - as set out in Regulation 3. The allowances to be paid in respect of children resident in British Guiana with their parents will be as follows:

Actual cost of the school fees for the normal curriculum within a limit of £72 per annum for primary education and £105 for secondary education - \$110 (W.I.) per annum for primary education and \$130 (W.I.) per annum for secondary education have been agreed as normally applicable to British Guiana, subject to consideration of special cases.

- (c) Leave and Passage Arrangements - vide Regulations 4 to 6.

Length of Tour. The normal length of tour for the purposes of the Aid Scheme is 24 to 36 months. Tours shorter than the normal may be approved for individual officers where the nature of their responsibilities makes this essential in the public interest, provided that no tour is shorter than 18 months and that over the career of the officer the average length of tour (24 - 36 months) is, subject to the exigencies of the service, preserved.

Passage eligibility. Passages would be provided for the designated officer, his wife and children up to four in number on the following occasions (including allowances for baggage etc.):

- (a) On first appointment.
- (b) On vacation leave between tours of service.
- (c) On final termination of service, subject to the normal reservations in connection with dismissal on disciplinary grounds.
- (d) As approved on urgent medical or other compassionate grounds.

Entitlement. Passage entitlement under the Aid Scheme

/would ...

would be based on air travel, as follows:

- (a) Officers of Group F8 Superscale and above; first class return journey to country of origin.
- (b) All other designated officers; tourist or economy class return journey to country of origin.
- (c) Children travelling unaccompanied; tourist or economy return journey to country of origin.

7. Pensions and Gratuities

The United Kingdom Government will bear that part of the cost of the pension or gratuity payable to an officer on his retirement which stems from the payment of inducement allowance to him.

8. Compensation Scheme - as set out in Clause 2(c) of Order in Council No. 48 of 1961.

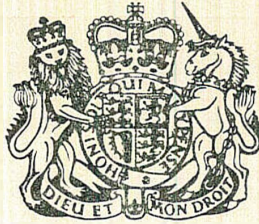
9. Cost

The cost of the allowances payable under the Scheme will be shown in the Annual Estimates of Expenditure in accordance with Section 4 of the Overseas Service Agreement Ordinance 1961. However, most of this expenditure will be recoverable from the United Kingdom, and there will be a corresponding revenue item for the reimbursements.

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Appendix I

ORDINANCE No. 27 OF 1961.

OVERSEAS SERVICE AGREEMENT ORDINANCE, 1961.



I assent.

D. M. HEDGES

Officer Administering
the Government.

30th June, 1961.

BRITISH GUIANA.

Arrangement of Sections.

Section

1. Short title.
2. Interpretation.
3. Agreement to be inserted in schedule.
4. Charge on revenues.
5. Regulations.

AN ORDINANCE to give legislative effect to any agreement providing for the terms on which overseas officers may be employed in the public service and for matters relating thereto.

[1st July, 1961]

Enacted by the Legislature of British Guiana:—

1. This Ordinance may be cited as the Overseas Service Agreement Ordinance, 1961.

A.D. 1961.

Short title.

2. In this Ordinance "overseas officer" means an officer designated as a designated officer by a Secretary of State who is an expatriate officer in the service of the Government on or after the 1st April, 1961 and who —

Interpretation.

- (a) is a member of Her Majesty's Overseas Civil Service; or
- (b) was selected for appointment by or with the approval of a Secretary of State, or was recruited by the Crown Agents for Oversea Governments and Administrations; or
- (c) was otherwise recruited to a post for which a normal channel of recruitment is either the Colonial Office or the Crown Agents for Oversea Governments and Administrations and whose appointment for the purpose of any agreement referred to in section 3 of this Ordinance, is approved by a Secretary of State.

3. The Governor in Council shall, as soon as practicable after the execution thereof, by order, provide for the insertion in the schedule to this Ordinance of any agreement between the Government and Her Majesty's Government of the United Kingdom of Great Britain and

Agreement to be inserted in schedule.

Price: 1/ To be purchased from the Government Information Services, Georgetown, British Guiana, and from the Crown Agents for Oversea Governments and Administrations, 4, Millbank, London, S.W.1.

Northern Ireland providing for the terms on which overseas officers may be employed in the public service, and upon the making of such order the agreement shall be ratified and have effect as if it were part of this Ordinance.

Charge on
revenues.

4. From and after the 1st April, 1961, there shall be charged upon and paid out of the revenues of British Guiana the sums required for ensuring the payment to overseas officers of the sums payable to such officers under any agreement contained in the schedule to this Ordinance, for the purposes specified in such agreement.

Schedule.

Regulations.

5. The Governor in Council may make regulations generally for giving effect to any agreement contained in this Ordinance, and without prejudice to the generality of the foregoing may make regulations in relation to—

- (a) the granting of vacation leave;
- (b) the granting of education allowances; and
- (c) the granting of passages,

to overseas officers.

SCHEDULE

Section 3.

Passed by the Legislative Council this twenty-second day of June, nineteen hundred and sixty-one.

ELWYN V. VIAPREE,
Acting Clerk of the Legislature.

(M.P. C. 20/6).
(Leg. Bill No. 23/1961).

BRITISH GUIANA

ORDER IN COUNCIL

Made Under

THE OVERSEAS SERVICE AGREEMENT ORDINANCE, 1961,

(No. 27 of 1961).

UNDER SECTION 3 OF THE OVERSEAS SERVICE AGREEMENT ORDINANCE, 1961, IT IS HEREBY ORDERED BY THE GOVERNOR IN COUNCIL AS FOLLOWS :—

1. This Order may be cited as the Overseas Service Agreement Order, 1961.
2. The Agreement between the Government and Her Majesty's Government of the United Kingdom of Great Britain and Northern Ireland, executed in London on the 5th May, 1961, and in Georgetown on the 30th June, 1961, providing for terms on which overseas officers may be employed in the public service, as set out in the schedule to this order, shall be inserted in the schedule to the Overseas Service Agreement Ordinance, 1961.

SCHEDULE

SERVICE WITH OVERSEAS GOVERNMENTS

Agreement between the Government of British Guiana and the Government of the United Kingdom and Northern Ireland.

WHEREAS the Government of British Guiana considers that it would be in the public interest to employ in the public service certain officers from other countries.

AND WHEREAS Her Majesty's Government of the United Kingdom of Great Britain and Northern Ireland (hereinafter referred to as the Government of the United Kingdom) is prepared to contribute to that part of the cost of employing such officers as is attributable to the fact that such officers will be serving outside their own countries;

NOW, THEREFORE, it is agreed between Her Majesty's Government of the United Kingdom of Great Britain and Northern Ireland and the Government of British Guiana as follows :

1. In this Agreement unless the context otherwise requires :—

“appointed day” means the first day of April, 1961;

“child” means the son or daughter of a designated officer, including a stepson, a stepdaughter, adopted son or adopted daughter, not having passed his or her nineteenth birthday and being unmarried and wholly dependent upon the designated officer;

“compensation” means any sum of money, not being a pension or the commutation thereof or a gratuity, which is payable by the Government of British Guiana, on or after the appointed day, either in one payment or by instalments, including any sum payable by way of interest thereon or any additions to or any sum paid by way of commutation of additions to a pension, to a designated officer by virtue of arrangements for the payment of compensation approved by a Secretary of State for the purposes of this Agreement;

“contract officer” means a designated officer who is on or after the appointed day a party to a contract of service in writing with the Government of British Guiana and whose service under that contract does not qualify him for a pension;

“designated officer” means an officer designated as such by a Secretary of State who is

(i) an expatriate officer in the service of the Government of British Guiana on or after the appointed day and

(ii) who

(a) is a member of Her Majesty’s Overseas Civil Service; or

(b) was selected for appointment by or with the approval of a Secretary of State, or was recruited by the Crown Agents for Oversea Governments and Administrations; or

(c) was otherwise recruited to a post for which a normal channel of recruitment is either the Colonial Office or the Crown Agents for Oversea Governments and Administrations and whose appointment for the purpose of this Agreement is approved by a Secretary of State;

“gratuity” means the sum payable to a contract officer, in addition to salary and allowances, under his contract of service, and described therein as such or in the laws or regulations applicable thereto, in return for services rendered, whether such sum is paid at the conclusion of that service or otherwise;

“passage” means transportation of a designated officer, his wife, children and effects by such means, by such routes, in such classes of accommodation and in accordance with such conditions as the Government of British Guiana may with the concurrence of the Government of the United Kingdom prescribe;

“pension” means the pension payable to a designated officer under the pensions Laws and Regulations applicable to him, including any sum paid to him by way of commutation of such pension, but excluding any compensation;

“Secretary of State” means one of Her Majesty’s Principal Secretaries of State in the United Kingdom.

2. In the event of the Government of British Guiana on or after the appointed day paying the allowances, and providing for the passages referred to in clause 3 of this Agreement, the Government of the United Kingdom will, in accordance with such procedure as may mutually be agreed between the said two Governments, reimburse the Government of British Guiana the following sums:—

(a) the aggregate amount of the allowances, referred to in paragraphs (a) and (b) of clause 3 of this Agreement, and paid to designated officers less the sum agreed by the said two Governments as being equivalent to the proceeds of taxation received by the Government of British Guiana on the inducement allowance referred to in paragraph (a) of Clause 3 of this Agreement and paid to designated officers;

(b) one half of the aggregate amount paid by the Government of British Guiana in providing for designated officers the passages referred to in paragraph (c) of clause 3 of this Agreement;

(c) one half of the aggregate amount paid by the Government of British Guiana as compensation to designated officers;

- (d) that part of any gratuity paid by the Government of British Guiana to a designated officer which accrues to that officer by virtue of the addition to his emoluments, after the appointed day, of the inducement allowance referred to in paragraph (a) of clause 3 of this Agreement;
- (e) that part of any pension paid by the Government of British Guiana to a designated officer which accrues to that officer by virtue of the addition to his pensionable emoluments, after the appointed day, of the inducement allowance referred to in paragraph (a) of clause 3 of this Agreement which shall bear the same proportion to the total pension payable to that officer by the Government of British Guiana as the total amount of inducement allowances aforesaid paid to him by the Government of British Guiana bears to the aggregate pensionable emoluments earned by him, before or after the appointed day while in the public service of British Guiana.

3. The allowances and passages mentioned in clause 2 of this Agreement are as follows :—

- (a) an inducement allowance at such annual rate as may be specified by the Government of the United Kingdom;
- (b) any education allowance to which a designated officer may be entitled at rates and under conditions specified from time to time by the Government of the United Kingdom;
- (c) passages on such occasions as the Government of British Guiana may with the concurrence of the Government of the United Kingdom prescribe.

4. The Government of the United Kingdom and the Government of British Guiana will each take such steps as may be necessary to exempt the allowance referred to in paragraph (b) of clause 3 of this Agreement from the operation of any income tax law for the time being in force in their respective territories.

5. (1) On or before the 1st day of October in each year the Government of British Guiana will provide the Government of the United Kingdom with such information, including information concerning any variation in the numbers of designated officers which results from the establishment requirements of the Government of British Guiana, as the Government of the United Kingdom may require to calculate the amounts payable by the Government of the United Kingdom under clause 2 of this Agreement during the ensuing financial year of the Government of the United Kingdom.

(2) The Government of British Guiana will, whenever requested so to do by the Government of the United Kingdom, supply to the Government of the United Kingdom such accounts and other information in connection with the operation of this Agreement as may be specified in such request.

6. The Government of British Guiana will consult the Government of the United Kingdom before affecting any changes in policy which might affect the recruitment, terms of service and numbers of designated officers so as to vary the amounts reimbursable by the Government of the United Kingdom under clause 2 of this Agreement.

7. Subject to the provisions of clauses 5 and 6 of this Agreement, nothing in this Agreement shall affect the right of the Government of British Guiana to vary its dispositions or requirements of officers in its public service as it sees fit.

8. This Agreement shall terminate, unless some other date is agreed between the Government of British Guiana and the Government of the United Kingdom, on the 31st day of March, 1971 :

Provided that

- (i) this Agreement shall not be terminated on a date earlier than the 31st March, 1971, unless all the obligations arising thereunder, other than those in respect of pensions referred to in paragraph (e) of clause 2 of this Agreement, have been discharged; and
- (ii) the termination of this Agreement shall not affect the liability of the Government of the United Kingdom to make the reimbursements in respect of pensions referred to in paragraph (e) of clause 2 of this Agreement.

9. This Agreement shall come into operation on the appointed day, and may be cited as the Overseas Service (British Guiana) Agreement, 1961.

Done in duplicate in London this 5th day of May, 1961, and in Georgetown this 30th day of June, 1961.

For the Government of the United
Kingdom of Great Britain and
Northern Ireland.

P. ROGERS.

Made in Council this 5th day of July, 1961.

CHEDDI JAGAN
For the Government of
British Guiana.

A. A. ABRAHAM,
Clerk to the Executive Council.

(M.P. C. 20/6 II).

BRITISH GUIANA

REGULATIONS

Made Under

THE OVERSEAS SERVICE AGREEMENT ORDINANCE, 1961,
(No. 27 of 1961).

UNDER SECTION 5 OF THE OVERSEAS SERVICE AGREEMENT ORDINANCE, 1961. THE FOLLOWING REGULATIONS HAVE BEEN MADE BY THE GOVERNOR IN COUNCIL:—

1. These Regulations may be cited as the Overseas Service Agreement Regulations, 1961.

2. In these regulations, unless the context otherwise requires —

“child” means the son or daughter of an officer, including a stepson, a stepdaughter, adopted son or adopted daughter, not having passed his or her nineteenth birthday and being unmarried and wholly dependent upon the officer;

“country of origin” means the country declared to the satisfaction of the Governor and the Secretary of State by the officer at the time of his appointment to the public service as being his country of origin;

“officer” means a designated officer as defined in the agreement contained in the schedule to the Overseas Service Agreement Ordinance, 1961;

“tour” means a period during which an officer has served in British Guiana counting from the date of assumption of duty on first appointment or resumption of duty after vacation leave, until the the date of departure on leave, including any period of casual or sick leave even if spent outside British Guiana;

“vacation leave” means leave with full salary following a tour.

EDUCATION ALLOWANCE

3. An officer shall receive an education allowance at the following rates or such other rates as may from time to time be prescribed by the Governor acting in his discretion:—

(i) in respect of children at boarding school in the United Kingdom:

For the first child £150 per annum

For the second child £175 per annum

For the third and each subsequent child £200 per annum;

(ii) in respect of children at boarding school in any other country outside British Guiana approved by the Governor in his discretion:

At rates to be prescribed by the Governor in his discretion;

- (iii) in respect of children attending a day school and staying with a guardian in the United Kingdom or in the country of origin of the officer or in any other country outside British Guiana approved by the Governor in his discretion:—

For each child. £50 per annum;

- (iv) in respect of children resident in British Guiana with their parents and receiving full time education in British Guiana:—

The actual cost of school fees for each child subject to a maximum of such sum as the Governor with the concurrence of the Secretary of State may prescribe:

Provided that:

- (a) the allowances under paragraphs (i) and (ii) of this regulation shall be payable in respect of children who are between their eighth and nineteenth birthdays on the first day of the term in respect of which the allowance is claimed;
- (b) the allowances in paragraphs (iii) and (iv) of this regulation shall be payable in respect of children who are between their fifth and nineteenth birthdays on the first day of the term in respect of which the allowance is claimed;
- (c) the allowance under paragraph (iii) of this regulation shall not be paid when a child is staying with its mother; and
- (d) no allowance shall be paid in respect of any child not receiving full-time education.

VACATION LEAVE

4. The following provisions shall apply to the granting of vacation leave to an officer:—

- (i) an officer may earn vacation leave at the rate of five days in respect of each completed month of resident service in British Guiana;
- (ii) subject to the provisions of paragraph (iv) of this regulation, the minimum tour of an officer shall be twenty-four months, and the maximum tour shall be thirty-six months, of resident service in British Guiana:

Provided that the Governor may as an exceptional measure direct that an officer shall serve longer than a maximum tour if necessary in the public interest;

- (iii) on the conclusion of a tour an officer shall ordinarily be granted vacation leave for a period not exceeding six calendar months, provided that vacation leave in excess of six calendar months may be granted:
 - (a) in the case of an officer who, having applied for vacation leave on the completion of a maximum tour, has been directed by the Governor to serve for a longer tour in accordance with the preceding paragraph; and
 - (b) in the case of an officer who, not having been granted the full amount of vacation leave for which he is eligible, or who having been recalled from leave in the public interest, has been permitted

by the Governor in his discretion to carry forward the period of vacation leave not granted or unexpired so that it may be taken on a subsequent occasion of leave;

- (iv) the Governor in his discretion may grant an officer vacation leave before completion of a minimum tour —
- (a) on medical grounds;
 - (b) on the ground of urgent private affairs;
 - (c) on the ground of public interest;
 - (d) prior to retirement.

5. An officer who is granted vacation leave in accordance with regulation 4 shall, in addition, be granted leave with full pay for the period of his travel between British Guiana and the country where the leave is to be spent, subject to a maximum period of twenty-one days in each direction. The period (not exceeding seven days) spent at transshipment points for the purpose of making ship or air connections shall count as part of the period of the travel.

PASSAGES

6. (1) An officer shall be granted the following passages —
- (i) on first appointment, a passage between any address notified by the officer in his country of origin or in any other country in respect of which the cost of such passage is not greater than the cost of an equivalent passage from his country of origin or, if he is being transferred from the service of the Government of some other territory and is residing in that territory, his normal place of residence in that territory, and the place where he is to reside on first taking up appointment in British Guiana;
 - (ii) on the completion of each tour and on the termination of service of an officer, a passage between his normal place of residence in British Guiana and any address notified by him in his country of origin or in any other country in respect of which the cost of such passage is not greater than the cost of an equivalent passage to his country of origin;
 - (iii) on resumption of duty after vacation leave outside British Guiana, a passage between any address notified by the officer in his country of origin, or in any other country in respect of which the cost of such passage is not greater than the cost of an equivalent passage from his country of origin, and the place in British Guiana where he is to reside on the resumption of his duty;
 - (iv) on any other occasion when the Governor in his discretion considers it reasonable and in the public interest for an officer to be granted leave of absence outside British Guiana, such passage as the Governor may, with the concurrence of the Secretary of State, prescribe between such places as may be necessary to enable the officer to take such leave of absence;
 - (v) during each complete period of twelve months of the tour of an officer, reckoning from the date of his departure from his country of origin, one return passage for each child having attained his eighth birthday but not having passed his nineteenth birth-

day, of the officer in respect of whom an education allowance referred to in regulation 3 is being paid, from the place at which the child is being educated outside British Guiana (being a place in the United Kingdom, the country of origin of the officer, or any other country which is approved by the Governor with the concurrence of the Secretary of State) to the normal place of residence of the officer in British Guiana or, if this is not more expensive, at the option of the officer, one return passage in each such complete period for the wife of such officer between the normal place of residence of the officer in British Guiana and any place notified by him in the country in which any such child is being educated as aforesaid:

Provided that where a passage referred to in this sub-paragraph is provided for any child, no other passage shall be provided for that child in the same period of twelve months.

(2) In sub-paragraphs (i), (ii) and (iii) of the preceding paragraph, a passage shall be for travel by a route prescribed by the Governor, with the concurrence of the Secretary of State, for the officer, his wife and children not exceeding a total of six persons.

(3) Unless the Governor otherwise directs with the concurrence of the Secretary of State —

- (i) the overseas travel element of a passage shall be by sea or air not exceeding the cost of an economy class air passage;
- (ii) the overland travel element of a passage shall be by the cost of second class rail travel or its equivalent to the place of embarkation for overseas travel and from the place of disembarkation after overseas travel.

(4) The grant of passages under this regulation for the purpose of vacation leave is subject to the condition that an officer shall spend not less than three months of his vacation leave outside British Guiana:

Provided that the Governor in his discretion may in special circumstances waive the enforcement of this condition.

Made in Council this 16th day of August, 1961.

A. A. ABRAHAM,
Clerk to the Executive Council.

(M.P. C. 20/6 II).

Salary prior to Guillebaud Revision A5, A4, A3a, A3, A2, A1 F1 to F20	Inducement Allowance
\$	\$
3,048	
3,168	
3,288	
3,408	
3,552	
3,696	888
3,840	912
3,984	936
4,128	960
4,272	1,008
4,416	1,032
4,560	1,056
4,800	1,104
5,040	1,152
5,280	1,200
5,520	1,248
5,760	1,296
6,000	1,344
6,240	1,392
6,480	1,440
6,720	1,488
6,960	1,536
7,200	1,584
7,440	1,608
7,680	1,632
7,920	1,656
8,160	1,680
8,400	1,704
8,640	1,728
9,120	1,824
9,600	1,920
10,080	2,160
10,560	2,280
11,040	2,280
11,520	2,400
12,000	

NOTE: These rates were calculated before the Revision of Salaries and are subject to adjustment based on the revision.