



BELIZE

**NATIONAL ASSEMBLY STAFF ACT
CHAPTER 14**

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CHAPTER 14**NATIONAL ASSEMBLY STAFF****ARRANGEMENT OF SECTIONS**

1. Short title
2. Interpretation.
3. Establishment of National Assembly Staff Committee.
4. Staff of the National Assembly to constitute a separate service.
5. Appointment of Clerk and Deputy Clerk.
6. Appointment of other staff and employees.
7. Appeals in discipline cases.
8. Terms and conditions of service to compare favourably with those in Public Service.
9. Declaration of pensionable posts.
10. Submission of Budget Estimates.
11. Disqualification for membership of the National Assembly.
12. Code of Conduct.
13. Regulations.

CHAPTER 14

NATIONAL ASSEMBLY STAFF

1 of 2000.
S. I. 37 of 2000.

[19th February, 2000]

Short title.

1. This Act may be cited as the National Assembly Staff Act.

Interpretation.

2. In this Act, unless the context otherwise require,

- (a) "Clerk" means the person holding office of Clerk to the National Assembly pursuant to section 67 (1) of the Belize Constitution, Cap. 4;
- (b) "Committee" means the National Assembly Staff Committee appointed under section 3 of this Act;
- (c) "Deputy Clerk" means the person holding the office of Deputy Clerk to the National Assembly pursuant to section 67 (1) of the Belize Constitution, Cap. 4;
- (d) "Minister" means the Minister for the time being responsible for Finance.

Establishment of National Assembly Staff Committee.

3.–(1) For the purposes of this Act, there shall be established a National Assembly Staff Committee, which shall consist of,

- (a) the Speaker of the House of Representatives, or in his absence the Deputy Speaker;
- (b) three members of the House of Representatives nominated by the House;
- (c) the President of the Senate and one other member of the Senate nominated by the Senate; and

- (d) one member of the staff of the National Assembly nominated by the Staff of the National Assembly or one other person who is not a member of staff nominated by the Staff of the National Assembly.

(2) The Speaker, or in his absence the Deputy Speaker, shall act as the Chairperson of the Committee.

(3) At any meeting of the Committee, four members, of whom one shall be the Speaker or the Deputy Speaker, shall constitute a quorum.

(4) The decisions of the Committee shall be by a majority vote of the members present and voting, and in the case of an equality of votes, the Chairperson shall have a second and casting vote.

(5) The Clerk or the Deputy Clerk shall act as the Secretary to the Committee.

4. The staff of the National Assembly shall constitute a separate service which shall be subject to the provisions of this Act.

Staff of National Assembly to constitute a separate service.

5.—(1) The Clerk and Deputy Clerk shall be appointed by the Governor-General, acting in accordance with the advice of the National Assembly Staff Committee,

Appointment of Clerk and Deputy Clerk.

Provided that the persons holding the offices of the Clerk and Deputy Clerk immediately before the commencement of this Act, shall be deemed to have been appointed under this section.

(2) Power to exercise disciplinary control over persons holding or acting in the office of the Clerk or of the Deputy Clerk and the power to remove such persons from office shall likewise vest in the Governor-General, acting in accordance with the advice of the National Assembly Staff Committee.

(3) Subject to subsection (2) of this section, the Clerk or the Deputy Clerk shall, unless he sooner resigns his office, hold office until he attains

the age of 65 years or such later age as may, in any particular case, be determined by the Committee,

Provided that, subject as aforesaid, the persons holding the offices of the Clerk and the Deputy Clerk at the commencement of this Act may, at their option, continue to hold office until the age of 70 years, or such later age as may be determined by the Committee.

(4) Nothing done by the Clerk or the Deputy Clerk shall be invalid by reason only that he has attained the age by which he is required by subsection (3) of this section to vacate his office.

6.– (1) Subject to section 5 of this Act, the power to appoint other staff of the National Assembly (including power to confirm appointments) and to exercise disciplinary Control over such persons including the power to remove such persons from office shall vest in the Committee,

Appointment of other staff and employees.

Provided that the persons who are members of the staff of the National Assembly immediately before the commencement of this Act shall be deemed to have been appointed under this section.

(2) The Clerk (or, in his absence the Deputy Clerk) shall, under the direction of the Speaker, exercise supervision and control over other members of the staff of the National Assembly.

(3) It shall be lawful for the Clerk to delegate in writing any of his powers of supervision and control over other members of the staff of the National Assembly to the Deputy Clerk.

7. An appeal shall lie to the Belize Advisory Council from any decision of the Governor-General, acting in accordance with the advice of the Committee under section 5 of this Act, or from any decision of the Committee under section 6 of this Act, in relation to the staff of the National Assembly.

Appeals in discipline cases.

8. The salaries and other terms and conditions of service of the staff of the National Assembly shall be kept broadly in line with those obtaining for the corresponding posts in the Public Service.

Terms and conditions of service to compare favourably with those in public service.

9.–(1) The posts of Clerk, Deputy Clerk and the posts of the administrative, technical, professional, clerical and secretarial staff on the National Assembly shall be pensionable under the Pensions Act, notwithstanding anything to the contrary in that Act or any other enactment. Persons holding ancillary posts of the semi-skilled or unskilled category shall be entitled to retirement benefits under the Government (Open Vote) (Workers) Regulations, as amended from time to time.

Declaration of pensionable posts.

(2) Where an officer in the public service is transferred to an office under the National Assembly and he retires or resigns on pension from, or dies while in the service of, the National Assembly, his service in the public service shall rank as qualifying service or pensionable service, as the case may be, for purposes of determining eligibility for a gratuity or pension under the Pensions Act, Cap. 30.

(3) Notwithstanding any contrary provision in the Pensions Act, Cap. 30 or any other enactment amending or replacing that Act, where a person employed in a pensionable office by the National Assembly is transferred to a pensionable office in the public service, his service under the National Assembly shall rank as qualifying service or pensionable service, as the case may be, for purposes of determining his eligibility for a gratuity or pension under the Pensions Act, Cap. 30.

(4) When making payment for a pension or gratuity in respect of officers referred to in subsections (2) and (3) of this section, the Government shall pay the whole pension or gratuity, but the National Assembly shall contribute to the Government for the portion representing the number of years of pensionable service rendered by the officer in the employment of the National Assembly.

(5) The National Assembly may provide for the establishment and maintenance for the benefit of its officers and employees of a Pension Scheme, Medical Insurance Scheme, or Provident Fund Scheme, and without prejudice to the generality of the foregoing, such Schemes may enable the National Assembly to,

- (a) contribute to the Government the monies referred to in subsection (4) of this section;

- (b) grant gratuities, pensions or superannuation allowances to, or to the widows, families or dependents of, its employees and officers;
- (c) establish contributory and superannuation schemes and establish and contribute to superannuation funds for the benefit of its employees and officers;
- (d) enter into and carry into effect medical insurance and other agreements for securing to any such employees or officers, widows, family or dependents such medical benefits, gratuities, pensions or allowances as are by this section allowed to be granted.

(6) All other staff of the National Assembly (other than the Clerk and Deputy Clerk) shall retire on reaching the retirement age of 50 years, but may continue in office after attaining 50 years until such later age as may be determined by the Committee, which age shall not exceed 65 years.

Submission of Budget Estimates.

10. The Clerk shall, in such form and by such dates as may be prescribed by the Financial Secretary, prepare and submit to the Minister budget estimates for each financial year (including any supplementary estimates), and the Minister shall include the same in the Appropriation Bill for that financial year with such amendments, if any, as he may consider necessary.

Disqualification for membership as staff of the National Assembly.

11. The Clerk, the Deputy Clerk and other members of the staff of the National Assembly shall, while they hold their offices as such, be disqualified from being elected or appointed as a Member of the House of Representatives or as a Senator and from sitting or voting in the House of Representatives or the Senate.

Code of Conduct.

12. The Clerk, the Deputy Clerk and other staff of the National Assembly shall conduct themselves in a manner consistent with the code of conduct prescribed in section 121 of the Belize Constitution, CAP. 4.

13.—(1) The Committee may make regulations for the better carrying out of the provisions of this Act.

Regulations.

(2) Without prejudice to the generality of the foregoing, such regulations may provide for all or any of the following matters,

- (a) the criteria for making appointments to the posts on the staff of the National Assembly;
- (b) the fixing of salaries and privileges; and
- (c) measures to ensure discipline and to govern the dismissal and retirement of the staff including the procedure to be followed.

All Regulations made by the Committee under this section shall, as soon as may be after the making thereof, be laid before the National Assembly and shall be subject to negative resolution.