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OF CYPRUS

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2.5.2008
28.12.2012.

**THE CYPRUS TOURISM ORGANIZATION
(STRUCTURE AND CONDITIONS OF SERVICE)
REGULATIONS, 1970 TO 2012**

(English translation and consolidation)

**Office of the Law Commissioner
Nicosia,
November, 2013**

**THE CYPRUS TOURISM ORGANIZATION
(STRUCTURE AND CONDITIONS OF SERVICE)
REGULATIONS, 1970 TO 2012**

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**THE CYPRUS TOURISM ORGANIZATION
LAWS, 1969 TO 2005**

Regulations made under section 7(1) and (3)

The Board of Directors of the Cyprus Tourism Organization, exercising the powers vested in it by sub-sections (1) and (3) of section 7 of the Cyprus Tourism Organization Laws, 1969 to 2005, hereby makes with the approval of the Council of Ministers the following Regulations.

PART I – INTRODUCTORY PROVISIONS

1. These Regulations may be cited as the Cyprus Tourism Organization (Structure and Conditions of Service) Regulations, 1970 to 2012.

2. In these Regulations unless the context otherwise provides-

«Board of Directors» means the Board of Directors of the Organization;

«Budget» means the budget provided for in section 15 of the Law;

«Chairman» means the Chairman of the Board of Directors;

«deferment of increment» means the deferment of the date upon which, under normal circumstances, an increment would be granted;

«Director-General» means the Director-General of the Organization;

«District Offices» means the District Offices of the Organization established in any place outside the town where the headquarters of Organization are situated, and this term includes Offices and Services of this town;

«Employees» means all those employed by the Organization, male and female, except for the cases where only one sex is prescribed, but this term, however, does not include employees employed temporarily or appointed on contract;

«Head Office » means the Head Office of the Organization, established in the town where the headquarters of Organization are situated, but this term does not include the Offices and Services of the Organization in the area thereof, which shall come under the District Offices;

«Increment» means the increase of the salary of an employee by a fixed amount, which may be granted in accordance with the terms of appointment of such employee until his salary reaches the maximum limit;

«Law» means the Cyprus Tourism Organization Law, 1969, or any other law amending or substituted for the same;

«Medical Board» means a Board of Medical Officers of the Republic convened by the Director of Medical Services, on the application of the Organization;

«Member State» means a member state of the European Union;

«Minister» means the Minister of Commerce, Industry and Tourism;

«Officer-in-charge» means the responsible officer of a department and in default or in the absence thereof the Director-General;

«Organization» means the Cyprus Tourism Organization;

«Post» means a post in the Cyprus Tourism Organization;

«Republic» means the Republic of Cyprus;

«Services» means the services of the Organization consisting of the Head Office and the District Offices;

«stoppage of increment» means the discontinuance of such an increment for a specific period without altering the date of granting an increment;

«withholding of increment» means delay in granting someone's increment for a fixed period of time.

3. These Regulations shall apply to all employees unless it is otherwise provided by the specific terms of appointment of the employee. Where no such provision exists, every employee is bound to comply with the provisions of these Regulations and to carry out same.

PART II.- STRUCTURE, APPOINTMENTS AND CHANGES IN THE STATUS OF EMPLOYEES.

4. The services of the Organization shall consist of the Head Office and the District Offices.

5.-(1) The Organization shall form such posts in the Organization as it considers necessary.

(2) The posts of the Organization may be either permanent or temporary.

(3) The number of permanent or temporary posts of same, as well as their gradation and salary scales, shall be prescribed from time to time in the budget, subject to the provisions of Regulation 24.

5A. (a) Subject to the provisions of paragraph (b), no person is appointed to the Cyprus Tourism Organisation, unless:

54 of
1969
50 of 1977
48 of 1978
62 of 1979
66 of 1980
63 of 1981
16 of 1985
34(I) of 1995
3(I) of 1997
19(I) of 1999
35(I) of
2005.

- (i) He is a citizen of the Republic or of a member state;
- (ii) he has attained the age of eighteen, and if he is a citizen of the Republic, he has completed his military service or has been otherwise legally exempted from it;
- (iii) he has the qualifications prescribed by the scheme of service of the post for which the appointment is to be made;
- (iv) he has not been convicted for an offence of a serious nature which entails lack of honesty or moral indecency;
- (v) he has not been dismissed or his services were not terminated in the past from the Public Service or from any service or public corporation of the Republic or of any other member state;

Short title.

Provided that the Board of Directors may, in any special case, following the approval of the Council of Ministers, authorize, for reasons of the interest of the Organisation and the public interest, that a person who is not a citizen of the Republic or of a member state submits an application for appointment, in accordance with the provisions of the said Regulations and, in case he is selected, he may be appointed-

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(aa) on contract for a limited period, or

(bb) on a permanent basis, if the said person had been employed in the Public Service on contract for a period of not less than four years.

(b) No person shall be appointed to a post which involves direct or indirect participation in the exercise of public authority and in the protection of the general interests of the Organisation, which is prescribed as such by the Council of Ministers, by an order, following a recommendation of the Board of Directors of the Organisation, unless he is a citizen of the Republic.

6. The structure of the Head Office and posts of same shall be as follows:

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Interpretation.

- (a) GENERAL MANAGEMENT:
Director-General
- (b) ADMINISTRATION DEPARTMENT:
Administrative Officers
Accounting Officers
Clerks
Shorthand typists
Typists
Telephone Receptionist
Messengers
- (c) 1st DEPARTMENT: TOURIST ORGANIZATION
Tourist Officers
Economist
- (d) 2nd DEPARTMENT: PROMOTION
Tourist Officers
- (e) 3rd DEPARTMENT: TOURIST SERVICES
Tourist Officers
Technical Officers
Inspectors

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7.-(1) District Offices shall be distinguished into Inland Services and Outside Services.

(2) (a) Inland Services shall be composed of local Information Offices, Supervisors Offices, and any other Offices for Services which operate or which shall be formed, established by the Board of Directors with the approval of the Minister, within the area of the Republic.

(b) Every Office and every Service shall bear next to its title, the name of the town or Municipality or area or District where it is situated.

(3) (a) Outside Services shall be composed of the regional tourist offices, established by the Board of Directors, with the approval of the Minister, outside the area of the Republic.

(b) Every Tourist Office, shall bear next to its title, the name of the state where it has been established and the town where it is situated.

(4) District Offices and posts of same shall be structured according to the rising needs at the time.

8. The requisite qualifications for every post and the duties involved therein for the person appointed shall be those set out in the scheme of service, issued in accordance with sub-section (2) of section 7 of the Law, and shall include any other duty, which may be entrusted to him.

9.-(1) Appointments to permanent posts shall be made on a two-year probation period:

Provided that, the Board of Directors may, by a special decision, limit or extend the probation period.

(2) For officers on probation there shall apply, mutatis mutandis, the provisions applying to the employees in the Public Service of the Republic.

10. Temporary appointments may be made regarding vacant permanent posts whenever necessary.

11.-(1) An employee who is required to perform temporarily the duties of another post or same may be seconded to that post.

(2) An employee holding a permanent post who is seconded to a temporary post with a higher salary shall keep all the privileges, which he was entitled owing to his permanent post, but his salary shall be the salary of a temporary post.

12. In cases where seniority is a relevant factor there shall apply, mutatis mutandis, the provisions applying to employees of the Public Service of the Republic.

13.-(1) Whenever a post, the holder of which exercises legal duties, is vacant for any reason or the holder is absent on leave or is incapacitated, an employee may be appointed to act as a substitute in

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such post.

(2) No appointment in substitution shall be effected for a period of fourteen days or less, unless it is deemed absolutely necessary.

(3) An employee appointed at a post in substitution may be called upon to execute the duties of his substantive post.

(4) Whenever an employee is appointed in substitution to a post with a higher salary scale, he shall receive the salary of the lowest scale in the salary scale of the post in which he is appointed in substitution.

(5) Whenever an employee is appointed in substitution with a fixed salary, such employee shall receive an allowance equal to half the difference between his own salary and the salary of the higher post which he holds in substitution:

Provided that, an employee holding the higher post in substitution for a continuous period of six months or over, shall receive an allowance equal to the full difference between his own salary and the salary of the higher post for the entire period of the appointment in substitution.

(6) Leave of absence or sick leave for a period not exceeding fourteen days does not constitute termination of the appointment in substitution and does not constitute deprivation of the allowance of the appointment in substitution, provided that no other appointment in substitution has been made during this period.

14. The Director-General is entitled to transfer employees to Departments other than those in which they were appointed or serve, according to the requirements at the time. Transfer from the Head Office to a District Office and vice-versa shall require the approval of the Board of Directors.

15.-(1) No employee shall be promoted to another post unless-

- (a) there is a vacant post;
- (b) he has the qualifications laid down in the scheme of service for such a post;
- (c) he has not been punished during the preceding two years for a disciplinary offence of a serious nature.

(2) The claims of employees to promotion shall be considered on the basis of merits, qualifications and seniority.

(3) In making a promotion of an employee the Board of Directors, shall take duly into consideration the context of the Personal Files and of the Annual Service Reports Files of the candidates, the reasoned recommendations of the Director-General and the impression which the Board of Directors has obtained from the candidates during the oral interview, if such has taken place.

(4) No employee is promoted to a post which involves direct or indirect participation in the exercise of public authority and the protection of the interests of the Organisation in general, which is prescribed as such by the Council of Ministers with an order, following the recommendation of the Board of Directors of the Organisation, unless he is a citizen of the Republic.

15A.-(1) There shall be drafted the following categories of evaluation reports:

- (a) Six monthly reports for evaluation of the employees appointed on probation to a permanent post and covering the probation period or of the employees appointed on a month-to-month basis or on contract during the first two years of their service.
- (b) Annual reports for the evaluation of all the employees following the approval of their appointment to a permanent post or depending on each case following the completion of two years successful service by an employee serving on a post on a month-to-month basis or on contract.

(2) The form, the purpose, the time of preparation and submission and the way of preparation of the evaluation reports shall be displayed in the Table.

15B. - (1) Where the promotion of an employee is annulled by a decision of the Supreme Court, the Board of Directors may, if after re-examination it does not reinstate him in the same post and provided that all requirements set out in paragraph (2) are fulfilled, decide his promotion or his supernumerary promotion, according to whether such a post exists or not, to a post which in every reasonable probability he would have been promoted, if the promotion which was annulled had not

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been made.

(2) The Board of Directors' authority provided in paragraph (1) shall be exercised only when it is convinced that, in view of the merits, qualifications, seniority of the employee and the number of the vacant posts, which were filled during the time that elapsed between its decision and its annulment, the career of the employee had in fact been affected.

(3) Notwithstanding any other provision in these Regulations, when the supernumerary promotion of an employee to a post is decided in accordance with paragraph (1), the employee shall serve in it enjoying all the rights and benefits of the post until there is a vacant post of the same title, in which case the employee shall take it by being promoted to it.

(4) When the promotion of an employee is decided under paragraphs (1) or (3) such promotion shall have effect as from the day since which, according to the opinion of the Board of Directors, he would have been promoted, if the annulled promotion had not been decided.

15C.-(1) The Board of Directors may, after a proposal of the Director-General, make a supernumerary appointment or promotion to a post of a lower status and salary in the same grade of posts in one of the following cases:

- (a) Whenever a vacant post of a higher status and salary in the same grade of that posts, cannot be filled due to the non-existence of a suitable candidate,
- (b) against a vacant promotion post of a higher status and salary in the same grade of posts, existing on the date of the filling of a vacant post of a lower level and salary in the same grade of posts.

(2) Every supernumerary appointment or promotion shall be made on a temporary basis and shall be terminated immediately after the filling of the vacant post against which it was made:

Provided that if a post to which a supernumerary appointment or promotion was made becomes vacant, then the supernumerary appointment or promotion may continue until such vacant post is filled.

16.-(1) Subject to the provisions of the Law, a permanent or temporary employee can not resign from his post without the previous permission of the Board of Directors.

(2) An employee resigning from his post without the prior permission of the Board of Directors shall be deemed to be absent from duty without permission and be liable to dismissal.

17.-(1) The age of compulsory retirement of any employee of the Organization who completes the age of sixty years on or after the 1st of July 2008 shall be the age of sixty three (63) years:

Provided that, the age of compulsory retirement of any employee of the Organization completing the age of sixty years between the date of the coming into force of the Cyprus Tourism Organization (Structure and Conditions of Service) (Amendment) Regulations, 2008 and the 30th of June 2008, both dates inclusive, shall be the age of sixty two (62) years:

Provided further that, the Organization may, taking into account the provisions of paragraph (2) of this Regulation, allow any employee to retire at any time after the completion of—

- (a) the age of fifty-eight years (58), in the case where the employee is appointed to the Organization on the date of the coming into force of the Cyprus Tourism Organization (Structure and Conditions of Service) (Amendment) Regulations, 2008 and
- (b) the age of fifty-five years, in the case where the employee was in service of the Organization before the date of the coming into force of the Cyprus Tourism Organization (Structure and Conditions of Service) (Amendment) Regulations, 2008.

(2) The Organization shall, irrespective of its needs of service, accept any application by an employee for retirement on or after the completion of the age of sixty years (60) and up to the age of compulsory retirement in the case where the employee was in service before or on the date of the coming into force of the Cyprus Tourism Organization (Structure and Conditions of Service) (Amendment) Regulations, 2008.

(3) Notwithstanding the provisions of this Regulation, the Board of Directors may, should it considers it desirable in the interest of the Organization, allow an employee with the approval of the Minister, to remain in service, after the completion of the age of compulsory retirement for such time as the Board of Directors may decide.

(4) The retirement benefits may be prescribed by the Regulation for the Establishment and Operation of a Provident Fund.

18. The date of birth of an employee is the date, appearing on the official birth certificate, produced by the employee in relation to his appointment to the Organization.

Structure of District Offices.

19. Leave of absence and sick-leave may be granted to an employee under the same circumstances and terms as those applying to officers in the Public Service of the Republic.

Official Gazette, Supplement III (I): 17.1.97.

20. Leave may, in the discretion of the Organization, be granted to an employee who will go abroad for higher studies under conditions set out by the Organization.

21. The services of a temporary employee may be terminated without giving reasons for such termination, but such employee shall be given one month's notice or shall be paid one month's salary in lieu of notice.

Official Gazette, Supplement III (I): 17.1.97.

22. In case of termination of the services of a permanent employee because of abrogation of his post the Organization shall pay him such compensation as may be fixed by the Board of Directors with the approval of the Minister:

Provided always that, the higher amount of the compensation payable shall not exceed the last annual basic salary of the employee.

23.-(1) Appointments on contract for service of limited duration may be made whenever necessary.

(2) The duration of the contract, the duties, the obligations and the rights of the employee so appointed shall be set out in the contract.

(3) Any matters specifically not referred to in the contract shall be regulated in accordance with these Regulations.

Official Gazette, Supplement III (I): 17.1.97

PART III - RIGHTS AND BENEFITS OF EMPLOYEES

Qualifications and duties.

24.-(1) The salary of each employee in the service of the Organization shall be prescribed by the scheme of service made by the Board of Directors and approved by the Council of Ministers in accordance with sub-section (2) of section 7 of the Law.

Appointment on probation.

(2) Upon the appointment of an employee the Board of Directors may, in its discretion, with the approval of the Minister, place him at any point of the salary scale.

(3) An employee placed in a post outside the area of the Republic shall, with the approval of the Minister of Finance be granted a foreign allowance. Such allowance, which varies according to country and scale, shall be prescribed by the Board of Directors.

25. The salaries of the employee may also include a cost of living allowance at the same rates and under the same conditions as those applying to employees in the Public Service of the Republic.

26.-(1) An employee who has performed his duties efficiently, diligently and faithfully shall be worthy of being granted an increment, in accordance with the scheme of service and the Budget.

Temporary appointments

(2) Increments granted between the first and the fifteenth of each month, both dates inclusive, will be deemed payable from the first day of the month.

(3) Increments granted after the fifteenth day of each month will be deemed payable from the first day of the following month.

Secondment.

(4) When an employee is promoted, his new incremental date shall be the one closest to the date of the month of his promotion.

(5) An increment may be withheld, stopped or deferred on the same reasons as apply from time to

time to employees in the Public Service of the Republic. The competent body to decide shall be the Board of Directors, upon receiving the opinion of the Director-General.

(6) An increment withheld may be considered as stopped or as deferred.

Seniority.

(7) When an increment is deferred, the date from which such increment may be eventually granted shall be considered as the new incremental date.

Substitute
appointment.

(8) When an increment is deferred, it shall not be restored without the prior approval of the Board of Directors, following the opinion of the Director-General.

27. Employees serving in senior posts may, by decision of the Board of Directors and with the approval of the Minister, be granted an allowance for covering appearance expenses:

Provided that, all relevant particulars shall be set by the said decision.

28.-(1) An employee travelling on duty may receive an allowance for travelling expenses, at the same rates and on the same conditions as those applying at the time to employees in the Public Service of the Republic, provided he has been authorised to use his own vehicle when travelling on duty and that he has been declared by the Director-General as a "travelling employee".

(2) The Director-General is considered a "travelling employee".

(3) The purchase of a vehicle by the employee will not automatically acknowledge him as a «travelling employee».

(4) Travelling between the residence of the employee and his office shall not be regarded as travelling on duty.

29. Salaries and allowances expressed on a monthly or annual basis are payable monthly in arrear.

30.-(1) An employee who is requested by the Organization to be absent from his post on duty within the Republic shall satisfy the prerequisites for the grant to him of a subsistence allowance at the same rates as applicable at the time to the employees in the Public Service of the Republic.

(2) Every claim for subsistence allowance at hotel accommodation shall be accompanied by paid hotel invoices.

(3) Subsistence allowance at the same rates as applicable to the employees in the Public Service of the Republic may, at the discretion of the Director-General, be paid to the employee on his transfer from one place to another within the Republic for such time, until the maximum of ten nights, as he is unable to occupy his permanent residence.

(4) An employee who is appointed or transferred from the Head Office to a District Office abroad and vice-versa or is transferred from a District Office to another District Office abroad or is transferred because of leave of absence or retires or resigns from his post, with the approval of the Organization, or is dismissed from his post when he serves in a District Office abroad shall be granted moving and overnight accommodation expenses at the same rates and on the same terms and conditions as applicable to the employees of the Foreign Office of the Republic.

Transfers.

(5) In case of death of an employee who is employed in a District Office abroad, his family shall be entitled to the same expenses of transfer and embalmment of his body in Cyprus as the families of the employees of the Foreign Office of the Republic.

Promotions.

(6) An employee entitled to a subsistence allowance, who because of illness is unable to carry out his duties for more than two days, during his absence from his post, does not receive a subsistence allowance for the period in excess of two days without special authority of the Director-General:

Provided that, such authority shall not be given unless the employee is able to show adequate reason for his failure to return to his post during the said time period.

(7) An employee appointed as a substitute to a higher post may receive a subsistence allowance at the rate prescribed for the initial salary of the said higher post.

(8) An employee required to travel abroad on duty shall satisfy the prerequisites for the granting of a subsistence allowance at the same rates as applicable at the time to employees in the Public Service of the Republic as well as for payment of all travelling expenses incurred by him in relation to his duties abroad.

(9) An employee required by the Organization to undertake a course of studies outside the Republic may be granted such subsistence allowance, as the Board of Directors may approve.

31. An advance for the purchase of a vehicle may be granted by the Organization to an employee under the same terms as those applying from time to time to the employees in the Public Service of the Republic, provided he has been designated by the Director-General as a «travelling employee».

32. All employees shall be entitled to medical privileges, similar to those enjoyed at the time by the employees in the Public Service of the Republic.

PART IV-DUTIES AND OBLIGATIONS OF EMPLOYEES

33.-(1) Every employee shall at all times execute his duties diligently and faithfully and shall devote all his time, unless it is otherwise specifically provided in the terms of his appointment.

(2) No employee shall be allowed to exercise any occupation or trade or employ himself or participate in any business or work:

Provided that, in very exceptional cases, upon the recommendation of the Director-General, the Board of Directors may grant permission to an employee for part-time occupation as long as this does not either, directly or indirectly, interfere with the perfect execution of the employee's duties.

34. The conduct and discipline of an employee shall in all respects be compatible with the provisions of these Regulations and any circulars and directions which may be issued from time to time by the Director-General.

35. In the case of any pecuniary damage caused to the Organization by reason of contravention of any of the provisions of these Regulations or any circular or direction of the Director-General or due to failure to comply therewith or because of negligence in the execution of his duty by an employee, the said employee shall be liable to be surcharged for the amount of such damage.

36. The employees shall normally work for the same number of hours per week as the employees in the Public Service of the Republic and the working hours shall be set from time to time by the Board of Directors.

37. The Organization shall normally conform with the table of public holidays prescribed by the Republic as official public holidays.

38.-(1) All information received or acquired by an employee in the course of execution of his duties shall be confidential and shall not be disclosed or communicated to any person except only for the proper execution of official duties.

(2) The employees shall take every possible measure so that no person who visits their offices shall have any opportunity of obtaining information from official documents.

39. It shall be prohibited for any employee to accept any payment, commission or present for any matter or service in relation to his duties.

39A. Every officer or employee is bound to report to the Board of Directors, providing all relevant information, his knowledge or suspicion that another employee is involved in acts of corruption, by using his post or duties in the Organization.

40. It shall be prohibited for any employee to enter into a debt charging the Organization by purchasing goods on credit or to incur any money liability for the account of the Organization without the prior authorisation of the Director-General.

41.-(1) No employee shall participate, either directly or indirectly, in the administration of any company or partnership or other business of a private nature.

(2) No employee shall, either directly or indirectly, acquire or hold any share or other interest in any company or partnership or other business of a private nature, or the acquisition of which may be incompatible with the execution of his official duties.

(3) An employee shall, on his appointment, disclose to the Director-General particulars of any investment or interest of the nature mentioned in paragraph (2) of this Regulation held by him either directly or indirectly.

(4) The Board of Directors may order the said employee to alienate himself from every such

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investments or interests or give him permission to keep them:

Provided that, no permission shall be required for the acquisition of any government bonds or any investments in a Bank or a Cooperative.

42. Before acquiring any immovable property, the employee shall obtain the permission of the Director-General, who shall not refuse the granting of such permission when the interest of the employee in such property would not conflict with his official duties.

43.-(1) All employees shall attend at their offices punctually at the hours fixed.

(2) Employees shall not absent themselves from their offices in order to attend to private affairs during working hours without the permission of their officer in charge.

(3) An employee who without justification absents himself from his duty without permission or deliberately refuses or omits to execute his duties shall be subject to dismissal from the service.

PART V- DISCIPLINARY CODE

Supernumerary appointments and promotions. Official Gazette, Suppl. III(1): 28.12.2012.

44.-(1) An employee shall be liable to disciplinary prosecution if-

- (a) he commits an offence involving lack of honesty or moral indecency;
- (b) he commits an act or omission amounting to a contravention of any of the duties or obligations of an employee.

(2) For the purposes of this Regulation «duties or obligations of an employee» include any duty under these Regulations or other Regulations amending or substituting for the same, under any public instrument made thereunder or under any order or direction issued.

45. The provisions of the Public Service Law, 1967, relating to the imposition of disciplinary penalties and to the connection between penal or disciplinary prosecutions shall apply, mutatis mutandis, also to disciplinary prosecutions by virtue of these Regulations.

46. The following disciplinary penalties may be imposed under the provisions of these Regulations-

- (a) reprimand;
- (b) fine, not exceeding the emoluments of three months;

* The Public Service Law, 1967, was repealed and replaced by the Public Service Law, 1990 (L.1 of 1990, as amended)

Resignation.

- (c) the stoppage, suspension or deferment of increment;
- (d) reduction in rank;
- (e) compulsory retirement;
- (f) dismissal.

Retirement. Official Gazette, Supplement III(I): 2.5.2008.

47.-(1) When the Officer-in-charge of a Department or Office of the Organization considers that there are reasons for taking disciplinary measures against an employee serving under him, he shall submit a full report to the Director-General who may bring the matter before the Board of Directors:

Provided that, the Director-General may whenever he deems expedient, bring this matter before the Board of Directors without the submission to him of such report.

(2) When the Director-General considers that there are reasons for taking disciplinary measures entailing a penalty of reprimand he may put the matter before the Board of Directors orally, and the Board of Directors may, after consideration of the case, impose a penalty of a simple or strict reprimand.

If, in considering the case, the Board of Directors is of the opinion that the circumstances thereof may entail a more serious penalty than reprimand, the Board of Directors shall call upon the Director-General to submit to it a written report and, upon its submission, it shall consider the case in accordance with paragraph

(6) of this Regulation.

(3) When the Director-General considers that there are reasons for taking disciplinary measures entailing a stricter penalty than reprimand, he shall proceed personally to the investigation of the case or he shall appoint one or more officers of the Organization (in this Regulation referred to as «the investigating officer») to carry out the investigation. The investigating officer must be of a higher rank than the employee in question:

Provided that, if in any case the Director-General considers that it would not be possible, practical or applicable to appoint an investigating officer from the Organization, he shall refer the case to the Board of Directors in which case-

- (a) if it is of the opinion that the investigation should be conducted by the Director-General it shall refer the matter to him to conduct the investigation; or
- (b) it shall refer the matter to the Minister, and upon such reference the Minister shall appoint one or more suitable public officers of the Republic as investigating officers to conduct the investigation.

(4) The investigation shall be carried out as expeditiously as possible.

(5) The Director-General or the investigating officer, as the case may be, shall, upon the completion of the investigation, immediately submit in writing the outcome of the investigation to the Board of Directors, giving full reasons and submitting all relevant documents.

(6) The Board of Directors shall hear the case with all possible speed, and if it considers that the employee has committed a disciplinary offence it may impose any of the disciplinary penalties.

(7) The conduct of an investigation and all procedure shall resemble, mutatis mutandis, the conduct of an investigation and the procedure provided by the Public Service Law, 1967, and the hearing of the case by the Board of Directors shall be conducted, if possible, in the same manner as the hearing of a criminal case tried summarily.

* The Public Service Law, 1967, was repealed and replaced by the Public Service Law, 1990 (L.1 of 1990, as amended)

Date of birth. (8) The Board of Directors may, by a general or specific decision, transfer its powers under this Regulation, wholly or partly, to the Director-General.

Leave.

PART VI - MISCELLANEOUS PROVISIONS

Training
leave.

48. The Organization may, at any time, call upon any employee to present himself to a Medical Officer of the Republic or to a Medical Board for examination, for the purpose of ascertaining whether the employee is physically capable for the execution of the duties of his post.

49. The Organization shall not be liable for any loss of item of property of the employees or damage thereto, caused by any reason whatsoever whilst such items are found on or in any immovable property or any of the vehicles of the Organization.

Termination
of service of
temporary
employee.

50. Every employee leaving the service of the Organization may, if he wishes, be furnished with a certificate of service.

51. A copy of these Regulations shall be given to all employees upon being employed by the Organization.

Abrogation of
post.

Appointment

s on contract.

Salaries.

Cost of living
allowance.

Increments.

Appearance
expenses.

Travelling
allowance.

Payments.

Subsistence
allowance
and/or
overnight
allowance.
Official
Gazette,
Supplement
III (1):
20.6.97.

Official
Gazette,
Supplement
III (I):
20.6.97.

Official
Gazette,
Supplement
III (I):
20.6.97.

Official
Gazette,
Supplement
III (I):
20.6.97.

Advances.

Medical
treatment.

,

Execution of
duties.

Conduct, etc.

Damages.

Working
hours,
Timetable.

Public
Holidays.

Confidentialit
y.

Prohibition of
presents, etc.

Obligation to
report acts of
corruption to
the Board of
Directors,
Official
Gazette,
Supplement
III(I):
23.2.2007.

Entering into
debt charging
the
Organization.

Interest in
local
companies,
etc.

Acquisition of
immovable
property, etc.

Punctuality of
service.

Disciplinary
offences.

Provisions of
the Public
Service Law,
1967, to
apply.
33 of 1967* .

Disciplinary
penalties.

Disciplinary
procedure.

33 of 1967* .

Physical
condition.

Loss of
employee's
property.

Certificate of
service.

Distribution

of
Regulations.

Official
Gazette,
Supplement
III(I):
12.3.99.

TABLE
(Regulation 15A)

Regulations which refer to the preparation of evaluation reports (evaluation of employees)

1.-(1) In these Regulations-

«manager» means the superior of a related department, subdivision of the service or work sector or department where the employee under evaluation is working or is subject to.

Interpretation.

«officer directly-in-charge» means the officer who supervises the employee under evaluation and holds a post of a higher status than him and who because of his duties has direct knowledge of the work of the employee under evaluation and may have a responsible and valid opinion regarding his work performance and abilities, and the term also includes the manager.

(2) Terms, which are not interpreted in these Regulations, shall have the meaning assigned to them by the Cyprus Tourism Organisation Laws, 1969 to 2005 and the Cyprus Tourism Organisation (Structure and Conditions of Service) Regulations, 1970 to 2012, as amended from time to time.

2. The evaluation of employees shall be made by evaluation reports and with a view mainly-

- (a) To the ascertainment of the suitability of the employees who are on probation for permanent employment in the Organisation or as the case may be the suitability of the employees who are appointed to a post by the Board of Directors on a month-to-month basis or on contract for the keeping of their services;
- (b) to the ascertainment, evaluation and assessment of suitability of the employees for promotion;
- (c) to the assistance in the development of the abilities of the employees, as well as the correct operation and administration of the Organisation.

3.-(1) The form of the six monthly reports shall be set out in Appendix «A».

Object of
evaluation.

(2) The six monthly reports shall be submitted to the Director-General for every six monthly period of service.

(3) The last six monthly report submitted prior to the expiration of the probation period or in case of its extension, prior to the expiration of the extension of the probation period, shall include a recommendation whether the appointment of the employee must be ratified or the probation period be extended or his appointment be terminated. As regards an employee who has been appointed on a month-to-month basis or on contract, the last six monthly report shall include a recommendation whether the employee's services shall remain or not.

4.-(1) The form of annual reports shall be set out in Appendix «B».

(2) Annual reports shall be submitted to the Director-General for all the employees of the Organisation. In the case of the Director-General no annual reports shall be required.

(3) The annual reports shall be submitted to the Director-General between the 1st of January and the 31st of March of every year and shall refer to the previous calendar year.

Six monthly
reports.
Appendix
«A».

5.-(1) Evaluation reports shall be prepared, whenever possible, by an evaluation team of three members in which the manager and the officer directly-in-charge of the employee under evaluation necessarily participate. The third member of the evaluation team may either be the head of the said department, branch, office or subdivision of the office or working sector where the employee under evaluation is employed or subject to, when he is a different person from the manager of the employee under evaluation or the hierarchically superior officer of the officer directly-in-charge of the employee under evaluation or an employee who holds a post in the office, where the employee under evaluation is employed or subject to, at a higher salary scale than his and has direct or indirect relation with his work.

(2) The evaluation team shall be appointed by the Director-General not later than the

31st of December of every year for which the evaluation is carried out if it concerns the preparation of annual reports. In the case of six monthly reports, the evaluation team may be appointed twice a year, if this is deemed necessary.

Annual
reports
Appendix
«B».

(3) In cases where the evaluation team comprising three members in accordance with the requirements under paragraph (1) of this Regulation cannot be formed, the evaluation shall be carried out by the manager and the officer directly-in-charge of the employee under evaluation. In case of disagreement, the opinion of the manager of the employee under evaluation shall prevail. The officer directly-in-charge may, if he so wishes, put the reasons of his disagreement in writing in a suitable part of the report.

(4) In cases where the implementation of either paragraph (1) or paragraph (3) of this Regulation is practically impossible, the evaluation shall be carried out by the Director-General and the officer directly-in-charge of the employee under evaluation.

(5) The reports for the managers of departments who shall be in charge of the departments of the Organization shall be prepared by the Director-General.

(6) No person shall participate in the evaluation of an employee if he is his spouse or blood relative or a relative by affinity up to the fourth degree:

Provided that, if as a result of the obstacle of kinship the preparation of an evaluation report for an employee is not possible, the provisions of the said paragraph will not apply. In such a case the existence of the kinship must be stated in the evaluation report.

Preparation
of evaluation
reports.

(7) Where in these Regulations a reference is made in specific posts, this reference, in case of renaming a post or abolishing it and creating another equal post, shall be interpreted as if relating to the new posts.

6.-(1) Part I of Appendix «A» and Part I.A of Appendix «B» shall be completed by the employee under evaluation.

(2) Part I. B of Appendix «B» shall be completed by the officer directly-in-charge of the employee under evaluation.

(3) Parts II,III and IV of Appendix «A» and Parts II,III and IV of Appendix «B» shall be completed by the evaluation team or by the manager in cooperation with the officer directly-in-charge of the employee under evaluation or by the officer directly-in-charge of the employee under evaluation, as the case may be.

(4) The member who is hierarchically superior shall preside over the evaluation team.

(5) The decisions of the evaluation team shall be taken by majority. In case where no majority is established, the opinion of the hierarchically superior shall prevail. The member or members who disagree with the decision may, if they wish, request that the reasons of disagreement thereof be expressed in a suitable part of the report.

(6) In case where the employee under evaluation is transferred, moved or seconded before the end of the year, the officer directly-in-charge shall prepare a draft evaluation in the relevant form of the report and shall submit it to the relevant head of the department, where the employee was transferred, moved or seconded, to be taken into consideration during the evaluation of the employee, provided the employee under evaluation has served under the specific officer directly-in-charge for a period of at least two months for the purpose of evaluation in Appendix «A» and three months for the purpose of evaluation in Appendix «B».

(7) In case where the officer directly-in-charge of the employee under evaluation retires, is transferred, seconded or moved before the end of the year, he shall prepare and submit a draft evaluation in the relevant form of the report to the Director-General or to the head of the relevant department, as the case may be, or to his replacement, when the provisions of paragraph (6) of Regulation 5 apply, in order to be taken into consideration during the evaluation of the employee for the new period of his service.

(8) The provisions of paragraphs (6) and (7) shall apply, mutatis mutandis, in relation

to time and in the case of six monthly reports.

(9) No employee shall receive evaluation from a person hierarchically of the same grade or a subordinate.

7. If there is the intention in the evaluation report to express any unfavourable judgment, the opportunity is given to the employee to be heard and submit his representations, before the evaluation report in relation to him is drafted:

Provided that, «unfavourable judgment» is considered one where in any part thereof the employee is considered as «not satisfactory».

8. Subject to the provisions of Regulations 3 and 4, the evaluation report following its preparation shall be notified immediately to the employee and after fifteen working days shall be sent to the Director-General, unless in the meantime the employee submits in writing to the evaluation team, personally or through a lawyer his representations with full supporting documents. If the representations of the employee are accepted, a new report shall be prepared which shall be sent to the Director-General and shall be notified to the employee. If, however, only some or none of the representations of the employee are acceptable, the employee shall be informed and the final report shall be sent to the Director-General.

Evaluation
procedure.

9.-(1) The evaluation report shall be limited strictly to the judgment of the professional value of the employee in the post or posts, which he holds during the year to which it refers.

(2) The evaluation officers during the preparation of the evaluation reports shall-

- (a) Strictly adhere to these Regulations and the circular directions relating to the evaluation of the employees;
- (b) achieve a unified measure of judgment with the evaluation;
- (c) not be affected by assessments or opinions about the employee, which were made or expressed in relation to previous years of evaluation;
- (d) evaluate the employee separately for every part of the report for the period to which it refers;
- (e) make every effort, so that the evaluation made by them to reflect the real value of the employee. If for health reasons the quality of work or the performance of the employee has been adversely affected, this fact must be submitted in a separate note attached to the report;
- (f) not hesitate in the interest of the service and the employee under evaluation to proceed with lower evaluations, if these are justified by the performance of the employee;
- (g) bear in mind that the employee does not only have abilities but also deficiencies, and for this reason the report must reflect the reality clearly and objectively;
- (h) complete the evaluation reports with responsibility and discretion, expressing certain comments, if they deem it expedient.

(3) To establish a more just and unprejudiced evaluation of the employees, the supervising officers of the employees must, during the year, note exceptional performances, as well as their deficiencies or omissions, in case, however, of ascertainment of such deficiencies or omissions, which may adversely affect their evaluation and employees must be warned of their deficiencies or omissions during the year when they are observed.

(4) If the duties of the employee are such that they constitute his evaluation impossible in any part of the evaluation, this must be referred to in the relevant part of the report.

10. After every promotion, the lawyer of every person who has lawful interest to dispute the promotion shall be entitled to inspect the files of the evaluation reports or any other evaluation reports of the same person or of the persons who have been promoted.

11. For the preparation of reports, which these Regulations concern and generally for

the better carrying into effect of these Regulations, the competent officers shall be guided by circular directions of the Director-General which shall be issued by him or on his behalf.

APPENDIX « A »
(Regulation 3 (1))

EVALUATION FORM

**SIX MONTHLY EVALUATION REPORT
FOR A PERMANENT EMPLOYEE
WHO IS EMPLOYED ON PROBATION OR FOR A TEMPORARY
EMPLOYEE FOR THE FIRST TWO YEARS OF SERVICE**

PART I – PERSONAL AND SERVICE PARTICULARS
(To be completed by the employee under evaluation)

Preparation
of
unfavourable
report.

Notification
of evaluation
reports.

Importance
of evaluation
reports and
responsibiliti
es
of evaluation
officers.

Six monthly period for which the report is submitted:

From: Until:

Name Surname:

Post:

Describe briefly the duties which you have carried out during the above period:

.....
.....
.....
.....
.....

Probation period or temporary employment:

From: Until:

Date:

Signature of employee
under evaluation

Inspection of
files of
evaluation
reports.

General
provisions.

EVALUATION

PART II – ASSESSMENT OF PROFESSIONAL VALUE OF EMPLOYEE

(The evaluation officers must be aware of the Regulations concerning the evaluation of employees and preparation of evaluation reports)

PARTICULARS OF EVALUATION
(Note “V” in the appropriate box)

	Very Satisfactory	Satisfactory	Not Satisfactory
1. Performance: Does he perform his duties efficiently? (Take into account the factors quantity and quality)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
2. Employment interest: Does he show interest and zeal in his work?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
3. Responsibility: Does he show responsibility and seriousness in the performance of his duties?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
4. Initiative: Does he show initiative during the performance of his duties and is willing to undertake responsibilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
5. Cooperation/ Relations: Does he cooperate, with his superiors and the other colleagues of his during the performance of his duties and has harmonious relations with them?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
6. Conduct with the citizens: Does he serve with willingness, politeness and patience towards citizens and generally those who have professional relations with his department?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Justify your negative answers and /or adverse judgments, giving details in every case:

.....

.....

.....

.....

.....

PART III – SUITABILITY OF EMPLOYEE
(where applicable)

The employee under evaluation is suitable/unsuitable for permanent employment in the service.

In case where the employee is considered unsuitable, reason your judgment:

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.....
.....
.....
.....
.....
.....
.....

PART IV

The evaluation has been decided by an evaluation team of three members/the manager and the Officer directly-in-charge/the officer directly-in-charge of the employee under evaluation unanimously/by majority, by disagreement of, whose reasons of disagreement are:

.....

.....

.....

.....

.....

.....

THE EVALUATION OFFICERS:

- | | | |
|----|-------|-------|
| 1. | | |
| | | |
| 2. | | |
| | | |
| 3. | | |
| | | |

(Name and surname)

(Signature)

**APPENDIX « B »
(Regulation 4(1))**

EVALUATION FORM

ANNUAL EVALUATION REPORT FOR THE YEAR

PART I – PERSONAL AND SERVICE PARTICULARS

A. (To be completed by the employee under evaluation)

Address/Department:

Name /Surname:

Post held now and date of evaluation or promotion thereto:

.....
.....

1. Describe briefly the duties performed during the year:

.....
.....
.....
.....
.....

2. If you had any problems with your duties, give details and state whether you prefer alternative duties:

.....
.....
.....

3. State whether you had the opportunity to utilise your experiences, abilities and knowledge:

.....
.....
.....

4. State if in the meantime you acquired additional qualifications (a) in relation to your duties and (b) other qualifications:

.....
.....
.....

Date:

.....

Signature of
employee under evaluation

B. (To be completed by the officer directly-in-charge of the employee under evaluation)

1. State any comments regarding information given by the employee under evaluation:

.....

2. Have any omissions or deficiencies been noted during the year regarding the execution of the duties of the employee under evaluation, which may possibly adversely affect the evaluation thereof and have such omissions or deficiencies been pointed out to the said employee?

.....

3. Are the duties executed by the employee those provided for by the scheme of service of the said employee?

.....

Date:.....

.....
 Signature of officer directly-in-charge

.....
 (Name Surname)

.....
 (Post)

EVALUATION PART II – ASSESSMENT OF PROFESSIONAL VALUE OF EMPLOYEE

(The evaluation officers must be aware of the Regulations concerning the evaluation of employees and preparation of evaluation reports)

PARTICULARS OF EVALUATION (Note “V” in the appropriate box)

	Excellent	Very Satisfactory	Satisfactory	Not Satisfactory
(1) Professional qualification: Does he observe the developments in the field of service and enrich his knowledge?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(2) Performance:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Does he perform his duties efficiently? (Take into account the factors quantity and quality).

(3) **Employment interest:**

Does he exercise appropriate interest and zeal in his work?

(4) **Responsibility:**

Does he demonstrate responsibility and seriousness in the performance of his duties?

(5) **Initiative:**

Does he demonstrate initiative in the performance of duties and is willing to assume responsibilities?

(6) **Cooperation/ Relationships:**

Does he cooperate with senior officers and other colleagues in the execution of his duties and has harmonious relationships with them?

	Excellent	Very Satisfactory	Satisfactory	Not Satisfactory
(7) Behaviour to citizens: Does he serve with willingness, politeness and patience towards citizens and all persons collaborating with his/her service?	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
(8) Managerial/ Administrative ability: (To be completed only for employees from A6 scale and upwards). Does he possess the abilities demanded for effective programming, organisation, management, control of work and staff he has or may have at his disposal?	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>

Give reasons for negative answers and / or adverse judgements with details in every case:

.....

.....

.....

.....

.....

PART III – SUITABILITY FOR PROMOTION

(where applicable)

(The criterion for the suitability or unsuitability of the employee under evaluation shall be based on the answers given on secondary matters under evaluation in Part II of the report).

The employee under evaluation is considered suitable / unsuitable for promotion in the immediately higher post of promotion.

In case where the employee is considered as unsuitable for promotion, reason your judgment:

.....

.....

.....

PART IV

The evaluation has been decided by an evaluation team of three members/ the manager and the officer directly-in-charge/ the officer directly in charge of the employee under evaluation unanimously/by majority with the disagreement of whose reasons of disagreement are:

.....

THE EVALUATION OFFICERS:

1.

2.

3.
.....

(Name / Surname)

.....
.....

(Signature)

NOTE

The following observations do not form part of the principal law and they cannot be included in the consolidated text of the Law as a part thereof. However, in view of the fact that they affect the application of the Law, it was considered expedient to include them in this Note:

1. The Cyprus Tourism Organization (Structure and Conditions of Service) (Amendment) Regulations, 1999 (P.I. 37/1999) contain the following transitional provision:

“Verification of
evaluation
reports.
Official Gazette,
Supplement III
(I):
12.3.99.

3. The evaluation reports which were drafted for the year 1991 and thereafter and before the issue of these Regulations and which would have been valid, if the Regulation 15A of the principal Regulations was in force during the period of their drafting, with this Regulation are verified and declared as legally made”.

2. The Cyprus Tourism Organization (Structure and Conditions of Service) (Amendment) Regulations, 1999 (P.I. 37/1999) contain the following provision:

“Retrospective
effect of these
Regulations.

4. These Regulations shall come into force on the 1st January, 1992”.