

Rwanda

## Prime Minister's Order determining Modalities for Conducting Training of Public Servants

Prime Ministers Order 151 of 2016

Legislation as at 18 July 2016

FRBR URI: /akn/rw/act/pmo/2016/151/eng@2016-07-18

There may have been updates since this file was created.

PDF created on 21 February 2024 at 16:34.

[Check for updates](#)



### About this collection

The legislation in this collection has been reproduced as it was originally printed in the Government Gazette, with improved formatting and with minor typographical errors corrected. All amendments have been applied directly to the text and annotated. A scan of the original gazette of each piece of legislation (including amendments) is available for reference.

This is a free download from the Laws.Africa Legislation Commons, a collection of African legislation that is digitised by Laws.Africa and made available for free.

[www.laws.africa](http://www.laws.africa)  
[info@laws.africa](mailto:info@laws.africa)

There is no copyright on the legislative content of this document.

This PDF copy is licensed under a Creative Commons Attribution 4.0 License (CC BY 4.0). Share widely and freely.

# Prime Minister's Order determining Modalities for Conducting Training of Public Servants

## Contents

Chapter One – General provisions .....	1
Article One – Purpose of this Order .....	1
Article 2 – Scope of application .....	1
Article 3 – Definitions of terms .....	1
Chapter II – Organization of training .....	2
Article 4 – Training plan for capacity building for public servants .....	2
Article 5 – Contents of national training plan .....	2
Article 6 – Responsibilities of the national institution in charge of capacity building in regard to management of training opportunities and offers .....	2
Article 7 – Selection of public servants to attend training .....	3
Article 8 – Selection criteria .....	3
Article 9 – Approval to attend a training .....	3
Article 10 – Induction course .....	3
Article 11 – Authorisation to attend training .....	4
Article 12 – Training that is not among trainings during which the Government considers its beneficiaries public servants .....	4
Chapter III – Obligations of a public servant authorized to attend training .....	4
Article 13 – Contract with the beneficiary of the training .....	4
Article 14 – Reimbursement of training funds in case of non-compliance with the training contract .....	5
Article 15 – Participation in training .....	5
Article 16 – Return to work .....	5
Article 17 – Training report .....	5
Chapter IV – Rights of a public servant authorized to go for training .....	6
Article 18 – Facilitation to a public servant in training while working .....	6
Article 19 – Annual leave for a public servant in training .....	6
Article 20 – Salary and other benefits of a public servant on training .....	6
Article 21 – Transport facilitation .....	6
Article 22 – Communication allowance .....	6
Chapter V – Funding of training .....	6
Article 23 – Financing of training .....	6
Article 24 – Payment of training funds .....	7
Article 25 – Incidental allowance for a training conducted abroad .....	7
Article 26 – Calculation of accommodation and subsistence allowance for a public servant who is in a training abroad .....	7
Article 27 – Incidental allowance on a training inside the Country .....	7

Chapter VI – Transitional and final provisions .....	7
Article 28 – On-going trainings .....	7
Article 29 – Authorities responsible for implementation of this Order .....	8
Article 30 – Repealing provision .....	8
Article 31 – Commencement .....	8



## Rwanda

# Prime Minister's Order determining Modalities for Conducting Training of Public Servants

## Prime Ministers Order 151 of 2016

*Published in Official Gazette 29 bis on 18 July 2016*

**Assented to on 10 June 2016**

**Commenced on 18 July 2016**

*[This is the version of this document from 18 July 2016.]*

### **The Prime Minister;**

Pursuant to the Constitution of the Republic of Rwanda of 2003 revised in 2015, especially in Articles 119, 120, 122 and 176;

Pursuant to [Law n° 86/2013](#) of 11/09/2013 establishing the general statutes for public service, especially in Article 32;

Having reviewed Prime Minister's Order n° 003/03 of 16/01/2015 determining modalities for training for public servants;

On proposal by the Minister of Public Service and Labour;

After consideration and approval by the Cabinet, in its session of 18/01/2016;

### **HEREBY ORDERS:**

## **Chapter One General provisions**

### **Article One – Purpose of this Order**

This Order determines modalities for conducting training of public servants held inside or outside the country.

### **Article 2 – Scope of application**

This Order applies to all public servants governed by the general statutes for public service as well as special statutes unless provided otherwise.

### **Article 3 – Definitions of terms**

For the purpose of this Order, the following terms are defined as follows:

- 1° **training:** a course pursued by a public servant to build his/her capacity in relation to his/her current job or capacities in general or to obtain a degree or a certificate superior to that he/she holds;
- 2° **short term training:** training lasting for a period of less than six (6) months and which does not lead to an award of the conventional academic certifications, including credit and capacity building based training and sector specialised training;
- 3° **long term training:** training lasting for a period of six (6) months or more leading to an award of the conventional academic certifications.

## **Chapter II**

### **Organization of training**

#### **Article 4 – Training plan for capacity building for public servants**

The annual training plan of public servants of each public institution is prepared in accordance with assessment of training needs as a subcomponent of capacity building plan.

Each public institution aligns its training needs assessment and training plan to its annual action plan.

Each public institution is required, through its supervising Ministry, to submit its annual training plan, as a part of the institutional capacity building plan, and the related budget to the national institution in charge of capacity building not later than 28th February of each fiscal year preceding the year of implementing the training, with a copy to the Ministry in charge of public service, to allow preparation of the national annual training plan for public service.

However, a public institution without a supervising Ministry submits its annual training plan and the related budget directly to the national institution in charge of capacity building.

The national institution in charge of capacity building submits the proposed annual national training plan and related budget to the Ministry in charge of finance for approval.

The national institution in charge of capacity building is required, after approval of the national capacity building plan, to communicate to the concerned institutions a list of public servants selected for training, their training periods, programs and venue of training.

#### **Article 5 – Contents of national training plan**

The annual national training plan indicates:

- 1° the number of public servants to be trained;
- 2° areas of training and rationale;
- 3° venue of the training;
- 4° allocated budget of the training.

#### **Article 6 – Responsibilities of the national institution in charge of capacity building in regard to management of training opportunities and offers**

The national institution in charge of capacity development is required, in regard to training opportunities based on bilateral and multilateral agreements and any other training offers, to consider the assessment of the capacity needs, critical skills development policies and strategies, and the national capacity building plan in order to undertake the following responsibilities:

- 1° to search for possibilities of training public servants with priority to local and regional training providers while taking into consideration training expertise and cost effectiveness for that training;
- 2° in collaboration with local training providers, to attract international organizations or experts to provide trainings in the country in order to benefit many public servants;
- 3° to inform the concerned public institutions of the available and suitable training opportunities and ensure equitable distribution of such opportunities among institutions;
- 4° to approve public servants to attend trainings by considering the following:
  - a. to ensure that public servants to be trained are endorsed by competent authorities in their respective public institutions;

- b. to re-assess the value for money and cost benefit analysis of the particular training;
- c. to ensure that selection of public servants complies with the selection criteria provided for by this Order.

### **Article 7 – Selection of public servants to attend training**

The human resources manager in a public institution, in collaboration with the concerned unit, division or department are responsible for selecting public servants to attend the training in line with criteria provided for by Article 8 of this Order.

The human resources manager in collaboration with the concerned unit, division or department are required to prepare the report indicating the public servants selected for the training and submit it to the senior management of the concerned institution for approval before submission to the competent authority for authorization to attend training.

### **Article 8 – Selection criteria**

The criteria for selection of public servants eligible for training are the following:

- 1° the training must be provided for in the institutional training plan;
- 2° the training must be related to required capacities in public service particularly in priority areas;
- 3° the training must be related to building professional capacities of a public servant in conformity with the tasks and requirements of the post currently occupied;
- 4° a public servant is required to demonstrate potential career development leading to tangible future institutional benefits;
- 5° in case of training abroad, the training has to be explored first to verify whether it may not be conducted within the country, and going abroad is considered in case the training requires skills not available in Rwanda, or when highly specialized skills and advanced degrees cannot be provided in Rwanda or in the region;
- 6° to ensure equitable distribution of training opportunities on the basis of skills required within the concerned public institution and avoiding to regularly giving training opportunities only to the same public servant;
- 7° a public servant is required to have completed a probation period;
- 8° where there is more than one candidates suitable for the training and basing on the required skills, a public servant who demonstrates the best performance is selected for the training.

However, the criteria provided for in Paragraph One of this Article do not apply to short term training organized by public institutions and held inside the country with the purpose of improving their collaboration and to fulfil their mandates.

### **Article 9 – Approval to attend a training**

The senior management of the public institution, the national institution in charge of capacity building and the competent authority to authorize training, may allow or reject a public servant's application for training basing on thorough review and assessment of the criteria provided for in this Order.

### **Article 10 – Induction course**

A public servant who is appointed on a post in public service benefits from an induction course enabling him/her to be familiar with his/her job and with public service functioning in general.

Every public institution must ensure that induction courses are provided to new public servants.

### **Article 11 – Authorisation to attend training**

A public servant who is admitted for a short term training inside the country is required, before departure, to obtain authorization for the training from the head of his/her institution or any other delegated authority.

A public servant who is selected for training abroad which does not result into academic certification is required, before departure, to obtain authorization for the training from the Minister in charge of public service, upon request by his/her employing institution and through the line Ministry.

A public servant who is selected for training which results into an academic certification inside the country or abroad, is required to, before departure and upon request by his/her employing institution, obtain authorization for the training from the Minister in charge of public service and through the Minister in charge of education.

A public servant who goes for training without authorization is considered to have absconded from work and is sanctioned in accordance with relevant laws.

### **Article 12 – Training that is not among trainings during which the Government considers its beneficiaries public servants**

A public servant may, upon presentation of proof, request for special authorization for leave of absence in order to attend a long term training that is not among trainings during which the Government considers its beneficiaries public servants.

A public servant who requested for and granted with the special authorization referred to in Paragraph One of this Article ceases to be considered as a public servant and his/her post is filled through normal recruitment procedures as provided for by relevant laws.

A public servant who is issued with the special authorization for training is, upon completion of the training, entitled to the right of applying for a job in public service in accordance with relevant laws.

## **Chapter III**

### **Obligations of a public servant authorized to attend training**

#### **Article 13 – Contract with the beneficiary of the training**

A public servant who is authorized to attend training inside or outside the country in accordance with provisions of this Order is required to sign a contract with the employing public institution. The contract specifies that after training, the public servant is required to come back and work for the institution he/she was working for before the training for a minimum period of:

- 1° one (1) year if the public servant benefited from the training for a period that lasted for three (3) months but not more than six (6) months;
- 2° two (2) years if the public servant benefited from the training for a period that exceeds six (6) months but not more than twelve (12) months;
- 3° three (3) years if the public servant benefited from the training that lasted for a period that is above twelve (12) months but not more than twenty four (24) months;
- 4° five (5) years if the public servant benefited from a training that lasted for a period that is above twenty-four (24) months.

A public servant who is authorized to pursue another training before completion of the agreed period to serve the institution is required to sign another contract specifying additional period the public servant will serve the employing institution upon completion of the training.

The employing institution is required to keep a copy of the training contract in the file of the concerned public servant.

The Minister in charge of public service may, depending on skills needed within a specific sector, and upon request by the concerned Ministry, extend the period mentioned in this Article.

Instructions of the Minister in charge of public service establish a model of the contract to be signed by the employing institution and a public servant sent on training.

#### **Article 14 – Reimbursement of training funds in case of non-compliance with the training contract**

A public servant who does not comply with the training contract and who does not serve the institution which sent him/her for training is required to return the training funds and any other funds given to his/her family on a *prorata* basis of the remaining period he/she was required to serve the public institution as stipulated by the training contract.

A public institution whose public servant does not comply with provisions of the training contract, must report it to the Ministry in charge of public service with a copy to the national institution in charge of capacity building in a period not exceeding thirty (30) days from the departure of a public servant.

#### **Article 15 – Participation in training**

A public servant who is admitted to pursue a training must attend all courses as planned.

A public servant under training who fails to attend the training as planned without any justification is required to refund the funds spent on his/her while on training and the amount of salaries received, if during the training he/she was not working and must also be sanctioned in accordance with relevant laws.

#### **Article 16 – Return to work**

A public servant who completes his/her training must resume work starting from the working day following the last day of his/her authorization.

A public servant who completes training pursued on recommendation of the competent authority in accordance with provisions of this Order, returns to the job position he/she held before the training.

However, the Government may transfer him/her to a different position depending on the new skills acquired.

#### **Article 17 – Training report**

Every public servant who pursues training inside or outside the country is required to submit training report to the authority that authorized him/her to go for the training within eight (8) days from the end of training, and provides a copy to:

- 1° his/her employing institution;
- 2° the Ministry in charge of public service;
- 3° the national institution in charge of capacity building.

## **Chapter IV**

### **Rights of a public servant authorized to go for training**

#### **Article 18 – Facilitation to a public servant in training while working**

A public institution which authorises a public servant to pursue training inside the country while still working must, if the public servant is required to sit for tests, provide to him/her two (2) working hours per day to facilitate him/her to prepare and pursue the course.

#### **Article 19 – Annual leave for a public servant in training**

Without prejudice to the relevant legal provisions, a public servant under training is entitled to the right of annual leave.

However, recognized leaves awarded to a public servant by the training institution must be deducted from the entire annual leave and the public servant is entitled to his or her remaining leave.

#### **Article 20 – Salary and other benefits of a public servant on training**

Subject to provisions of Articles 21 and 22 of this Order, a public servant authorized to go for training continue to be entitled to his/her salary and fringe benefits.

Instructions of the Prime Minister may determine special training benefits for public servants of a specific professional category while on training in the context of encouraging them to go for trainings. The Instructions are updated whenever considered necessary.

#### **Article 21 – Transport facilitation**

If a public servant who is facilitated by the Government to purchase a vehicle or a motorcycle who goes for training continues to receive his/her lump sum as usual for a period of only three (3) months. After that period, he/she is entitled only to a portion of the lump sum meant for servicing the monthly bank loan.

A public servant who is not facilitated by the Government to purchase a vehicle in accordance with the Government fleet Policy is entitled to transport allowance as usual if he or she goes for training not exceeding three (3) months inside or outside the country. If the training exceeds three (3) months, the public servant is no longer entitled to transport allowance after the first three (3) months.

#### **Article 22 – Communication allowance**

Any public servant who goes for training of a period not exceeding thirty (30) days continues to benefit from his/her communication allowance.

A public servant who goes for a training for a period exceeding thirty (30) days shall, while absent from work, not be entitled to any communication allowance.

## **Chapter V**

### **Funding of training**

#### **Article 23 – Financing of training**

If training is financed by the Government of Rwanda, the funding covers all training, transport, subsistence, accommodation, medical insurance, documentation/school equipment and special transport costs as approved by the training institution.

If the training is partially financed by the development partners or the public servant him/herself, the public servant who goes for training gets funds from the Rwandan Government in order to meet expenses provided for in the Paragraph One of this Article not covered by the development partners or him/herself.

### **Article 24 – Payment of training funds**

Training funds for a public servant are paid in respect of the prices specified on the pro-forma presented by the training institution.

If a public servant fails a part of his/her studies that may enable him/her to continue his/her studies, all the training funds are suspended and the public servant pays for him/herself and the Government pays for him/her again if he/she passes.

### **Article 25 – Incidental allowance for a training conducted abroad**

A public servant who goes for training abroad and who is fully sponsored by development partners is given by the Government a fixed sum contingency of incidental allowance equivalent to a net of two hundred (200 US \$) United States dollars.

### **Article 26 – Calculation of accommodation and subsistence allowance for a public servant who is in a training abroad**

A public servant who goes for a training abroad for a period not exceeding twenty-one (21) days and is fully sponsored by the Government of Rwanda is entitled to an accommodation and subsistence allowance calculated on the basis of the cost of living in the city or country where the training is conducted as provided for under the laws governing official missions abroad.

A public servant who goes for training abroad for a period of twenty-two (22) days but not exceeding ninety (90) days, and is fully sponsored by the Government of Rwanda, is entitled to an accommodation and subsistence allowance provided in accordance with rates established by Instructions of the Minister in charge of public service.

A public servant who goes for training abroad for a period exceeding ninety (90) days, and is fully sponsored by the Government of Rwanda, is entitled to accommodation and subsistence allowance in accordance with rates established by the national institution in charge of education as regards subsistence allowance granted to Rwandan students abroad.

### **Article 27 – Incidental allowance on a training inside the Country**

A public servant who goes for a training sponsored by the Government of Rwanda inside the country is entitled to an incidental allowance of:

- 1° five thousand Rwandan Francs (5,000 Frw) for a training of a period not exceeding fourteen (14) days;
- 2° ten thousand Rwandan Francs (10,000 Frw) for a training exceeding fourteen (14) days but not exceeding thirty (30) days;
- 3° twenty thousand Rwandan Francs (20,000 Frw) for a training exceeding thirty (30) days.

## **Chapter VI Transitional and final provisions**

### **Article 28 – On-going trainings**

Existing training contracts related to on-going trainings remain valid in their entirety as signed.

**Article 29 – Authorities responsible for implementation of this Order**

The Minister of Public Service and Labour and the Minister of Finance and Economic Planning are entrusted with the implementation of this Order.

**Article 30 – Repealing provision**

Prime Minister's Order n° 003/03 of 16/01/2015 determining modalities for training for public servants and all prior provisions contrary to this Order are hereby repealed.

**Article 31 – Commencement**

This Order comes into force on the date of its publication in the Official *Gazette* of the Republic of Rwanda.