

Sec/Conf./509/60 f.f.(2)

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OP<sup>n</sup> Circular No.18/70

OFFICE OF THE PRIME MINISTER,  
RUE DE D'ARAGON,  
VALLETTA.

25th February, 1970

TO HEADS OF DEPARTMENTS

Delegation of Certain Powers respecting the  
Public Service issued under Section 113 of the  
Constitution of Malta

Heads of Department are requested to note that the Prime Minister, acting on the recommendation of the Public Service Commission, on the 20th February, 1970 approved the issue of an Instrument of Delegation, a copy of which is attached.

2. In accordance with the provisions of the Instrument, recommendations for appointments made on the basis of the results of examinations conducted by the Board of Local Examinations, recommendations relating to confirmation of appointments and recommendations relating to the passing of efficiency bars should henceforth be submitted to the Administrative Secretary and not to the Public Service Commission. In cases however, where a Head of Department considers that the probationary period of an officer should be extended or that a probationary appointment should be terminated or that an officer should not be permitted to pass the efficiency bar, the relative submission should continue to be made to the Public Service Commission.

3. Heads of Department are requested to give the new Instrument of Delegation as wide a publicity as possible.

E. CUSCHIERI  
Administrative Secretary

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THE CONSTITUTION OF MALTA  
DELEGATION OF CERTAIN POWERS RESPECTING  
THE PUBLIC SERVICE

By the Honourable Dr Giorgio Borg Olivier,  
Doctor of Laws, Doctor of Literature (Honoris Causa), Prime  
Minister.

WHEREAS Section 113 of the Constitution of Malta provides that power to make appointments to public offices and to remove and to exercise disciplinary control over persons holding or acting in any such offices shall vest in the Prime Minister, acting on the recommendation of the Public Service Commission;

AND WHEREAS it is further provided in the said Section that the Prime Minister may, acting on the recommendation of the Public Service Commission, delegate in writing, subject to such conditions as may be specified in the instrument of delegation, any of the aforesaid powers to such public officer or other authority as may be specified in that instrument;

AND WHEREAS by Instrument dated the 25th day of January, 1966, acting on the recommendation of the Public Service Commission, I delegated certain powers in respect of the Malta Police Force to the Commissioner of Police;

AND WHEREAS by Instrument dated the 14th day of February, 1970, acting on the recommendation of the Public Service Commission, I delegated certain powers in respect of non-pensionable posts, being offices to which Section 113 of the Constitution applies and of which the maximum annual emoluments do not for the time being exceed £750, to the Administrative Secretary and Heads of Department;

AND WHEREAS the Public Service Commission, subject to the undermentioned proviso, have recommended that saving the delegation of powers respectively made to the Commissioner of Police on the 25th day of January, 1966, and to the Administrative Secretary and Heads of Department on the 14th day of February, 1970, power to make appointments in the Public Service on the basis of the results of public examinations conducted by the Board of Local Examinations, to confirm appointments in the Public Service and to approve the passing of the efficiency bar by officers in the Public Service, shall be exercisable by the Administrative Secretary;

Provided that such delegation of power shall not apply if a head of department is of the opinion that the probationary service of an officer in the Public Service should be extended or that the probationary appointment of an officer in the Public Service should be terminated or that an officer in the Public Service should not be permitted to pass the efficiency bar;

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AND WHEREAS I concur with such recommendations;

NOW, THEREFORE, I Giorgio Borg Olivier, Doctor of Laws, Doctor of Literature (Honoris Causa), Prime Minister, acting on the recommendation of the Public Service Commission, in exercise of the powers conferred by Section 113 of the Constitution, do hereby direct that, as from the date hereof, saving the delegation of powers respectively made to the Commissioner of Police on the 25th day of January, 1966, and to the Administrative Secretary and Heads of Department on the 14th day of February, 1970, and subject to the aforementioned proviso, power to make appointments in the Public Service on the basis of the results of public examinations conducted by the Board of Local Examinations, to confirm appointments in the Public Service and to approve the passing of the efficiency bar by officers in the Public Service, shall be exercisable by the Administrative Secretary.

G. Borg Olivier

GIVEN under my hand at the Auberge D'Aragon,  
Valletta, this 20th day of February, 1970

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28 MAR 1970  
P.S.C.

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Sec/Conf./509/60 f.f.(2)

OPM Circular No.30/70

OFFICE OF THE PRIME MINISTER,  
AUBERGE D'ARAGON,  
VALLETTA.

25th March, 1970.

TO HEADS OF DEPARTMENT

Delegation of Certain Powers respecting the Public  
Service issued under Section 113 of the  
Constitution of Malta

With reference to OPM Circular No.18/70, Heads of Department are requested to note that, as provided in the relative Instrument, the delegation relating to appointments is limited to public examinations conducted by the Board of Local Examinations.

E. COSCHIERI  
Administrative Secretary

20th February 1970

Power to make appointments in the Public Service on the basis of the results of public examinations conducted by the Board of Local Examinations, to confirm appointments in the Public Service and to approve the passing of the efficiency bar by officers in the Public Service, shall be exercisable by the Administrative Secretary;

Provided that such delegation of power shall not apply if a head of department is of the opinion that the probationary service of an officer in the Public Service should be extended or that the probationary appointment of an officer in the Public Service should be terminated or that an officer in the Public Service should not be permitted to pass the efficiency bar.