

94

8

THE CONSTITUTION OF MALTA

Delegation of certain powers respecting  
the Public Service

By the Honourable Dom Mintoff, B.Sc., B.F. & A.,  
M.A.(Oxon.), A. & C.E., Prime Minister of Malta.

WHEREAS section 113 of the Constitution of Malta provides that power to remove and to exercise disciplinary control over persons holding or acting in public 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, acting on the recommendation of the Public Service Commission, may delegate in writing any of the aforementioned powers to such public officer or other authority as may be specified in the said written instrument of delegation;

AND WHEREAS certain powers referred to in the Public Service Commission (Disciplinary Procedure) Regulations, 1977, require for their exercise a delegation of power from the Prime Minister acting on the recommendation of the Public Service Commission;

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

AND WHEREAS by Instrument dated the 1st day of January, 1973, acting on the recommendation of the Public Service Commission certain powers respecting the Public Service were delegated;

AND WHEREAS the Public Service Commission have recommended that the delegation of powers made on the 1st day of January, 1973, above referred to, be substituted by the delegation of powers set out hereunder saving the powers delegated to the Commissioner of Police as aforesaid;

Original at Ref 94 in PSC 34/61/I

AND WHEREAS the Public Service Commission have recommended that, except as provided in the said Regulations, the aforesaid powers should be exercisable without reference to it by the public officer or other authority referred to in the said Regulations and in accordance with the provisions thereof;

AND WHEREAS I concur with such recommendation;

NOW, THEREFORE, I, DOM MINTOFF, B.Sc., B.E. & A., M.A.(Oxon.), A. & C.E., Prime Minister, in exercise of the powers conferred by section 113 of the Constitution, in substitution of the delegation of powers dated the 1st day of January, 1973, and saving the delegation of powers made to the Commissioner of Police on the 25th day of March, 1966, do hereby direct that the powers which the Public Service Commission have recommended should be exercisable by the public officer or other authority, as aforesaid, shall be exercisable by the public officer or other authority referred to in the said regulations in accordance with the provisions thereof and, except as provided in the said regulations, shall be so exercisable without reference to the Public Service Commission.

*Dom Mintoff*

GIVEN under my hand at the  
Auberge de Castille, Valletta,  
this 4 day of January 1977.