



THE PRIME MINISTER
MALTA

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THE CONSTITUTION OF MALTA

Delegation of certain powers respecting the Public Service

BY the Honourable Dr Eddie Fenech Adami BA, LL.D.,
Prime Minister

WHEREAS Section 110 of the Constitution of Malta provides that power to make appointments to 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 same 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 instrument of delegation;

AND WHEREAS by Instrument dated the 14th day of February, 1970, the Prime Minister, acting on the recommendation of the Public Service Commission, delegated certain powers respecting the Public Service;

AND WHEREAS by Instrument dated the 20th day of February, 1970, the Prime Minister, acting on the recommendation of the Public Service Commission, delegated to the Administrative Secretary certain powers respecting appointments in the Public Service on the basis of the results of public examinations conducted by the Board of Local Examinations, respecting confirmation of appointments in the Public Service and respecting the passing of the efficiency bar by officers in the Public Service;

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

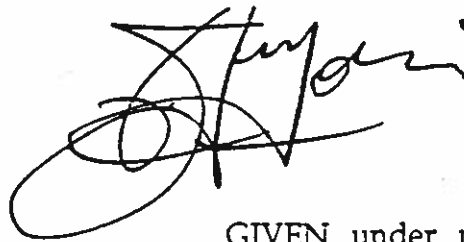
AND WHEREAS the Public Service Commission have recommended that the delegation of powers made on the 14th day of February, 1970, above referred to in so far as they refer to powers to make appointments to public officers, be substituted by the delegation of powers set out hereunder, saving the other powers delegated to the Administrative Secretary and to the Commissioner of Police as aforesaid and subject to the condition that the powers to make appointments hereby delegated shall be exercised by the Administrative Secretary or by a Head of Department with the advice of General Service Boards or Departmental Boards appointed and constituted in such manner as I may, on the recommendation of the Public

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Service Commission, generally direct in the case of recruitment from outside the Public Service and on the condition that the Administrative Secretary and the Head of Department to whom such delegation is made, must submit a detailed annual report about all appointments made by them to me and copied to the Public Service Commission.

AND WHEREAS I concur with such recommendations:

NOW, THEREFORE, I, EDDIE FENECH ADAMI BA, LL.D., Prime Minister, in exercise of the powers conferred by Section 110 of the Constitution, do hereby direct that as from the date hereof, saving the delegations of powers made to the Administrative Secretary on the 20th day of February, 1970, and to the Commissioner of Police on the 25th day of January, 1966, and subject to the aforementioned conditions, power to make appointments (whether substantive or temporary) to posts in the General Service Branch of the Public Service, being officers to which Section 110 of the Constitution applies and falling under Scale 91 as it appears in the Estimates for the year 1991 (but excluding those posts covered by the delegation of the 20th February 1970 which covers recruitment by public examination) in the case of recruitment from outside the Public Service subject to the compliance in the recruitment to such posts with the provisions of the Employment and Training Services Act, 1990, insofar as applicable, be exercisable by the Administrative Secretary and the power to make appointments (whether substantive or temporary) to departmental posts of the Public Service, being officers to which Section 110 of the Constitution applies and falling under Scale 91 as it appears in the Estimates for the year 1991, (but excluding those posts covered by the delegation of authority of the 20th February 1970 which covers recruitment by public examination) in the case of recruitment from outside the Public Service, subject to the compliance in the recruitment to such posts with the provisions of the Employment and Training Services Act, 1990, insofar as applicable, be exercisable by the Head of the Department concerned.



GIVEN under my hand at the
Auberge de Castille, Valletta
this 20th day of October 1991