

HATRA TA' OMBUDSMAN TEMPORANJU

BIS-SAHHA tas-setghat moghtija lil bis-subartikolu 8 (1) (a) ta' l-Att Nru. XXI ta' l-1995 dwar l-Ombudsman, il-President ta' Malta hatar lil Dott. Anthony Vassallo, M.D., B.Pharm., D.P.H. (Eng.), D.I.H. (Eng.), F.F.P.H.M. (UK) bhala Ombudsman temporanju b' sehh mill-25 ta' April, 1998 sat-3 ta' Mejju, 1998.

Il-21 ta' April, 1998

Nru. 320

IL-KOSTITUZZJONI TA' MALTA

Delega ta' Ċerti Setghat dwar is-Servizz
Pubbliku

MILL-ONOREVOLI Dott. Alfred Sant, M.Sc., M.B.A., D.B.A. (Harvard), M.P., Prim Ministru ta' Malta.

BILLI l-artikolu 110 tal-Kostituzzjoni ta' Malta jstabilixxi li s-setgha biex jahtar persuni f'karigi pubbliċi tkun ghand il-Prim Ministru, li jaġixxi fuq ir-rakkomandazzjoni tal-Kummissjoni dwar is-Servizz Pubbliku;

U BILLI huwa stipulat ukoll fl-istess artikolu li l-Prim Ministru, li aġixxa fuq ir-rakkomandazzjoni tal-Kummissjoni dwar is-Servizz Pubbliku, jista' jiddelega bil-miktub kull wahda mis-setghat hawn fuq imsemmija lil dak l-uffiċjal pubbliku jew awtorità ohra kif jista' jiġi speċifikat fid-dokument ta' delega;

U BILLI bid-Dokument ta' l-14 ta' Frar, 1970, il-Prim Ministru, li aġixxa fuq ir-rakkomandazzjoni tal-Kummissjoni dwar is-Servizz Pubbliku, iddelega ċerti setghat dwar is-Servizz Pubbliku;

U BILLI bid-Dokument ta' l-20 jum ta' Frar, 1970, il-Prim Ministru, li aġixxa fuq ir-rakkomandazzjoni tal-Kummissjoni dwar is-Servizz Pubbliku, iddelega lis-Segretarju Amministrattiv ċerti setghat dwar hatriet fis-Servizz Pubbliku fuq bażi tar-riżultati ta' eżamijiet pubbliċi mmexxija mill-Bord ta' l-Eżamijiet Lokali, dwar il-konferma ta' hatriet fis-Servizz Pubbliku u dwar il-kisba ta' grad ta' effiċjenza minn uffiċjali fis-Servizz Pubbliku;

U BILLI bid-Dokument tal-25 jum ta' Jannar, 1966, il-Prim Ministru, li aġixxa fuq ir-rakkomandazzjoni tal-Kummissjoni dwar is-Servizz Pubbliku, iddelega ċerti setghat dwar il-Korp tal-Pulizija ta' Malta lill-Kummissarju tal-Pulizija;

APPOINTMENT OF TEMPORARY OMBUDSMAN

IN exercise of the powers conferred by sub-section 8 (1) (a) of the Ombudsman Act, 1995, (Act No. XXI of 1995), the President of Malta has appointed Dr. Anthony Vassallo, M.D., B.Pharm., D.P.H. (Eng.), D.I.H. (Eng.), F.F.P.H.M. (UK) as temporary Ombudsman with effect from 25th April, 1998 to 3rd May, 1998.

21st April, 1998

No. 320

THE CONSTITUTION OF MALTA

Delegation of Certain Powers respecting the Public
Service

BY THE HONOURABLE Dr Alfred Sant, M.Sc., M.B.A., D.B.A. (Harvard), M.P., Prime Minister of Malta.

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 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 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 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;

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U LI bid-Dokument tal-25 ta' Ottubru, 1991, id-delega ta' setgħat magħmula fl-14 ta' Frar, 1970, sa fejn jirreferu għas-setgħat biex isiru hatriet f'karigi pubbliċi jkunu sostitwiti b'delega ta' setgħat lis-Segretarju Amministrattiv u lill-Kap tad-Dipartiment relattiv skond il-kondizzjonijiet u kif stipulat fid-Dokument imsemmi, salvi s-setgħat l-oħra mogħtija lis-Segretarju Amministrattiv u lill-Kummissarju tal-Pulizija;

U BILLI bid-Dokument ta' l-20 ta' Frar, 1970, ingħataw setgħat lis-Segretarju Amministrattiv biex jikkonferma hatriet fis-Servizz Pubbliku u biex japprova l-kisba tal-grad ta' effiċjenza minn uffiċjali fis-Servizz Pubbliku;

UBILLI bid-Dokument ta' l-20 ta' Marzu, 1995, id-delega ta' setgħat magħmula fl-20 ta' Frar, 1970, sa fejn jirreferu għas-setgħa li jikkonferma hatriet fis-Servizz Pubbliku tkun ingħatat lis-Segretarju Permanenti rispettiv tal-Ministeru, bla hsara għad-dispożizzjonijiet speċifikati fid-dokument hawn aktar qabel imsemmi ta' l-20 ta' Marzu, 1995;

U BILLI l-Kummissjoni dwar is-Servizz Pubbliku irrakkomandat li d-delega ta' setgħat magħmula fl-20 ta' Marzu, 1995 lis-Segretarju Permanenti rispettiv tal-Ministeru kellha issa tingħata lill-Kapijiet tad-Dipartiment individwali;

U BILLI jiena naqbel ma' dawn ir-rakkomandazzjonijiet;

ISSA, GHALHEKK, jien Alfred Sant, M.Sc., M.B.A., D.B.A. (Harvard), M.P., Prim Ministru, bis-saħha tas-setgħat mogħtija bl-artikolu 110 tal-Kostituzzjoni qieghed b'dan nordna li mid-data murija hawn taht, salv kull delega ta' setgħat magħmula lis-Segretarju Amministrattiv fl-20 jum ta' Frar, 1970, u lill-Kummissarju tal-Pulizija fil-25 ta' Jannar, 1966, u lis-Segretarju Amministrattiv u lill-Kap tad-Dipartiment fil-25 ta' Ottubru, 1991, il-Kapijiet tad-Dipartimenti individwali se jkunu jeżerċitaw is-setgħa li jikkonfermaw hatriet fis-Servizz Pubbliku, sakemm din id-delega ta' setgħa ma tkunx tapplika jekk il-Kap tad-Dipartiment ikun tal-fehma li għandu jestendi s-servizz bi prova ta' uffiċjal fis-Servizz Pubbliku jew li għandu jtemm il-hatra bi prova ta' uffiċjal fis-Servizz Pubbliku u li din is-setgħa tkun eżerċitata mill-Kap tad-Dipartiment individwali għal perijodu ta' tliet snin, liema perijodu jista' jiġi estiż għal perijodu jew perijodi oħra fuq ir-rakkomandazzjoni tal-Kummissjoni dwar is-Servizz Pubbliku.

(Iff) ALFRED SANT
Mogħtija minni
fil-Berġa ta' Kastilja, Valletta,
illum, is-6 ta' April, 1998

AND WHEREAS by Instrument dated the 25th October, 1991, the delegation of powers made on the 14th February, 1970, in so far as they refer to powers to make appointments to public offices have been substituted by a delegation of powers to the Administrative Secretary and to the Head of Department concerned under the conditions and as stated in the said Instrument, saving the other powers delegated to the Administrative Secretary and to the Commissioner of Police;

AND WHEREAS by Instrument dated the 20th February, 1970, powers to confirm appointments in the Public Service and to approve the passing of the efficiency bar by officers in the Public Service have been delegated to the Administrative Secretary;

AND WHEREAS by Instrument dated the 20th March, 1995, the delegation of powers made on the 20th February, 1970, in so far as they refer to power to confirm appointments in the Public Service have been delegated to the respective Permanent Secretary of the Ministry subject to the provisions specified in the aforementioned instrument dated the 20th March, 1995;

AND WHEREAS the Public Service Commission have recommended that the delegation of powers made on the 20th March, 1995 to the respective Permanent Secretary of the Ministry be now delegated to the individual Heads of Department;

AND WHEREAS I concur with such recommendations;

NOW, THEREFORE, I, Alfred Sant, M.Sc., M.B.A., D.B.A. (Harvard), M.P., Prime Minister, in the 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 February, 1970, and to the Commissioner of Police on the 25th of January, 1966, and to the Administrative Secretary and to the Head of the Department on the 25th October, 1991, power to confirm appointments in the Public Service shall be exercisable by the individual Heads of Department, provided that such delegation of power shall not apply if the 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 and that such power shall be exercisable by the individual Head of Department for a period of three years, which period may be extended for a further period or periods on the recommendation of the Public Service Commission.

(Sgd) ALFRED SANT
Given under my hand at the
Auberge de Castille, Valletta,
this 6th April, 1998