Nru. 17,441
Prezz 64c
Price 64c

Gazzetta tal-Gvern ta' Malta
The Malta Government Gazette

It-Tlieta, 8 ta' Lulju, 2003
Tuesday, 8th July, 2003

Pubblikata b'Awtorità
Published by Authority

37/61/III

NOTIFIKAZZJONIJIET TAL-GVERN

Nru. 570

IL-KOSTITUZZJONI TA' MALTA

Delega ta' Ċerti Setgħat dwar is-Servizz Pubbliku

MILL-ONOREVOLI Dott. Eddie Fenech Adami, K.U.O.M., B.A., LL.D., M.P., Prim Ministru ta' Malta.

BILLI l-artikolu 110 tal-Kostituzzjoni ta' Malta jipprovdi li s-setgħa li jagħmel nomini ta' uffiċjali pubbliċi tkun fil-Prim Ministru, li jaġixxi fuq ir-rakkomandazzjoni tal-Kummissjoni dwar is-Servizz Pubbliku;

U BILLI huwa pprovdut ukoll fl-imsemmi artikolu li l-Prim Ministru, jista', billi jaġixxi fuq ir-rakkomandazzjoni tal-Kummissjoni dwar is-Servizz Pubbliku, jiddelega bil-miktub kull waħda mis-setgħat hawn fuq imsemmija lil dak l-uffiċjal pubbliku jew awtorità oħra kif jistgħu jkunu speċifikati fid-Dokument ta' Delega msemmi;

U BILLI bid-Dokument ta' Delega ta' l-20 ta' Frar, 1970, il-Prim Ministru, fuq ir-rakkomandazzjoni tal-Kummissjoni dwar is-Servizz Pubbliku, iddelega lis-Segretarju Amministrattiv ċerti setgħat dwar nomini fis-Servizz Pubbliku fuq il-bażi tar-riżultati ta' eżamijiet pubbliċi mmexxija mill-Bord ta' l-Eżamijiet Lokali, dwar il-konferma ta' nomini fis-Servizz Pubbliku u dwar li tinqabeż l-*efficiency bar* minn uffiċjali tas-Servizz Pubbliku;

GOVERNMENT NOTICES

No. 570

THE CONSTITUTION OF MALTA

Delegation of Certain Powers Respecting The Public Service

BY THE HONOURABLE Dr Eddie Fenech Adami, K.U.O.M., B.A., LL.D., M.P., Prime Minister of Malta.

WHEREAS article 110 of the Constitution of Malta provides that power to make appointments to public officers shall vest in the Prime Minister, acting on the recommendation of the Public Service Commission;

AND WHEREAS it is further provided in the same article 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 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;

U BILLI bid-Dokument ta' Delega ta' l-20 ta' Marzu, 1995, id-delega ta' poteri maghmula fl-20 ta' Frar, 1970, safejn jirreferu ghas-setgha li tikkonferma n-nomini fis-Servizz Pubbliku jkunu nghataw lis-Segretarju Permanenti rispettiv ta' Ministeru bla hsara ghad-dispożizzjonijiet speċifikati fl-imsemmi strument ta' delega ta' l-20 ta' Marzu, 1995;

U BILLI bid-Dokument ta' Delega tas-6 ta' April, 1998, id-delega ta' setghat maghmula fl-20 ta' Marzu, 1995, sa fejn jirreferu ghas-setgha li jikkonfermaw nomini fis-Servizz Pubbliku jkunu nghataw lil Kap ta' Dipartiment individwali, sakemm dik id-delega ta' setghat m'ghandhiex tapplika jekk il-Kap ta' Dipartiment ikun tal-fehma li servizz bi prova ta' uffiċjal fis-Servizz Pubbliku ghandu jiġi estiż jew li n-nomina bi prova ta' uffiċjal fis-Servizz Pubbliku ghandha tintemm u li dik is-setgha tkun eżerċitata mill-Kap ta' Dipartiment individwali ghal perijodu ta' tliet snin, liema perijodu jista' jiġi estiż ghal perijodu jew perijodi ohra fuq ir-rakkomandazzjoni tal-Kummissjoni dwar is-Servizz Pubbliku;

U BILLI l-Kummissjoni dwar is-Servizz Pubbliku rrakkomandat li d-delega ta' setgha maghmlua fis-6 ta' April, 1998, tkun estiża indefinittivament b'sehh mis-6 ta' April, 2001, iżda li dik id-delega ta' setgha m'ghandhiex tapplika jekk il-Kap ta' Dipartiment ikollu l-fehma li s-servizz bi prova ta' uffiċjal fis-Servizz Pubbliku ghandu jiġi estiż jew li n-nomina bi prova ta' uffiċjal fis-Servizz Pubbliku ghandha tiġi mitmuma.

ISSA, GHALHEKK, jiena Dott. Eddie Fenech Adami, K.U.O.M., B.A., LL.D., M.P., Prim Ministru, bis-sahha tas-setghat moghtija bl-artikolu 110 tal-Kostituzzjoni, qieghed b'din nordna li, mis-6 ta' April, 2001, is-setgha biex jiġu kkonfermati nomini fis-Servizz Pubbliku ghandha tkun eżerċitata mill-Kap ta' Dipartiment individwali, sakemm dik id-delega ta' setgha ma tkunx tapplika jekk il-Kap ta' Dipartiment ikollu l-fehma li s-servizz bi prova ta' uffiċjal fis-Servizz Pubbliku ghandu jiġi estiż jew li n-nomina bi prova ta' uffiċjal fis-Servizz Pubbliku ghandha tintemm.

(Iff.) Eddie Fenech Adami

Moghti bil-firma tieghi
fil-Berġa ta' Kastilja, Valletta,
illum, l-1 ta' Lulju, 2003.

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 20th March, 1995;

AND WHEREAS by Instrument dated the 6th April, 1998, the delegation of powers made on the 20th March, 1995, insofar as they refer to power to confirm appointments in the Public Service have been delegated to the individual Head of Department, provided that such delegation of powers 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;

AND WHEREAS the Public Service Commission has recommended that the delegation of power made on 6th April, 1998, be extended indefinitely with effect from 6th April, 2001, 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;

NOW THEREFORE, I EDDIE FENECH ADAMI, K.U.O.M., B.A., LL.D., M.P., Prime Minister, in exercise of the powers conferred by article110 of the Constitution, do hereby direct that, as from 6th April, 2001, power to confirm appointments in the Public Service shall be exerciseable by the individual Head 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.

(Sgd) Eddie Fenech Adami

Given under my hand at the
Auberge de Castille, Valletta
this 1st day July, 2003