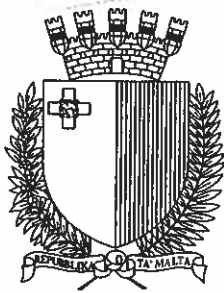


22



Nru. 17,702
Prezz 96c
Price 96c



Gazzetta tal-Gvern ta' Malta

The Malta Government Gazette

Il-Gimgha, 31 ta' Dicembru, 2004
Friday, 31st December, 2004

Pubblikata b'Awtorità
Published by Authority

PSC 34/61/VII

NOTIFIKAZZJONIJIET TAL-GVERN

GOVERNMENT NOTICES

Nru. 1341

No. 1341

IL-KOSTITUZZJONI TA' MALTA

THE CONSTITUTION OF MALTA

Delega ta' Ċerti Setghat dwar is-Servizz Pubbliku

Delegation of Certain Powers respecting the Public Service

MILL-ONOREVOLI Dott. Lawrence Gonzi, K.U.O.M., LL.D., M.P., Prim Ministru ta' Malta.

BY THE HONOURABLE Dr Lawrence Gonzi, K.U.O.M., LL.D., M.P., Prime Minister of Malta.

BILLI l-artikolu 110 tal-Kostituzzjoni ta' Malta jipprovdi li s-setgħa li jneħhi u li jeżerċita kontroll dixxiplinarju fuq persuni li jkollhom jew ikunu jaġixxu f'karigi pubbliċi tkun fil-Prim Ministru, li jaġixxi fuq ir-rakkomandazzjoni tal-Kummissjoni dwar is-Servizz Pubbliku;

WHEREAS article 110 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;

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

AND WHEREAS it is further provided in the said 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 a written instrument of delegation;

U BILLI ċerti setgħat li hemm riferenza għalihom fir-Regolamenti ta' l-1999 tal-Kummissjoni dwar is-Servizz Pubbliku (Proċedura ta' Dixxiplina) jeħtieġu għall-eżerċizzju tagħhom delega ta' setgħa minghand il-Prim Ministru waqt li jaġixxi fuq ir-rakkomandazzjoni tal-Kummissjoni dwar is-Servizz Pubbliku;

AND WHEREAS certain powers referred to in the Public Service Commission (Disciplinary Procedure) Regulations, 1999, require for their exercise a delegation of power from the Prime Minister acting on the recommendation of the Public Service Commission;

U BILLI bid-Dokument datat l-1 ta' Novembru 1999, fuq ir-rakkomandazzjoni tal-Kummissjoni dwar is-Servizz Pubbliku, ċerti setgħat dwar is-Servizz Pubbliku kienu ngħataw lill-uffiċjali pubbliċi u lil awtoritajiet oħra elenkati fl-Iskeda li tinsab ma' dak l-Istrument;

AND WHEREAS by Instrument dated the 1st day of November 1999, acting on the recommendation of the Public Service Commission, certain powers in respect of the Public Service were delegated to the public officers and other authorities listed in the Schedule to the said Instrument;

U BILLI l-Kummissjoni dwar is-Servizz Pubbliku rakkomandat li fil-każ ta' uffiċjali pubbliċi mqabba jadqu dmirijiet ma' Heritage Malta, aġenzija stabbilita bl-Att dwar il-Patrimonju Kulturali (Kap. 445), l-Uffiċjal Ewlieni Eżekuttiv ta' Heritage Malta għandu jiehu azzjoni bħalma s-Segretarju Permanenti fil-Ministeru għat-Turiżmu u l-Kultura għandu s-setgħa li jiehu skond l-Iskeda li tinsab ma' l-Istrument hawn qabel imsemmi datat l-1 ta' Novembru 1999, għalkemm il-Kummissjoni dwar is-Servizz Pubbliku tista' f'kull żmien tirrakkomanda lill-Prim Ministru li din id-delega tiġi rtirata, u meta ssir rakkomandazzjoni bħal dik u sa ma l-Prim Ministru jaġixxi skond dik ir-rakkomandazzjoni, is-setgħat mogħtija b'dan l-Istrument għandhom jiġu sospizi, skond ma jista' jiġi stipulat fir-rakkomandazzjoni magħmula mill-Kummissjoni dwar is-Servizz Pubbliku;

U BILLI *à-Chairperson* ta' Heritage Malta hatar lill-Uffiċjal Ewlieni Eżekuttiv ta' Heritage Malta biex jiehu azzjoni kif deskritt fil-paragrafu preċedenti ta' dan l-Istrument ta' Delega u għalhekk ma hemm l-ebda ostaklu f'Heritage Malta għall-implimentazzjoni tar-rakkomandazzjoni msemmija tal-Kummissjoni dwar is-Servizz Pubbliku.

U BILLI jiena naqbel ma' din ir-rakkomandazzjoni tal-Kummissjoni dwar is-Servizz Pubbliku;

ISSA, GHALHEKK, jiena Dott. Lawrence Gonzi, K.U.O.M., LL.D., M.P., Prim Ministru, bis-saħħa tas-setgħat mogħtija bil-artikolu 110 tal-Kostituzzjoni, qieghed b'din nordna li s-setgħat li l-Kummissjoni dwar is-Servizz Pubbliku rakkomandat għandhom ikunu eżegwibbli mill-Uffiċjal Ewlieni Eżekuttiv ta' Heritage Malta, kif hawn aktar qabel imsemmi, għandhom ikunu eżegwibbli mill-imsemmi Uffiċjal Ewlieni Eżekuttiv ta' Heritage Malta, skond id-disposizzjonijiet tar-Regolamenti ta' l-1999 tal-Kummissjoni dwar is-Servizz Pubbliku (Proċedura ta' Dixxiplina) għalkemm il-Kummissjoni dwar is-Servizz Pubbliku tista' f'kull żmien tirrakkomanda lill-Prim Ministru li dik id-delega għandha tiġi rtirata, u meta ssir rakkomandazzjoni bħal dik u sakemm il-Prim Ministru jaġixxi skond rakkomandazzjoni bħal dik, is-setgħat mogħtija b'dan l-Istrument għandhom ikunu sospizi, kif jista' skond ma jista' jiġi stipulat fir-rakkomandazzjoni magħmula mill-Kummissjoni dwar is-Servizz Pubbliku.

(Iff.) Lawrence Gonzi
Mogħti taht il-firma tiegħi
fil-Berġa ta' Kastilja, Valletta,
illum, il-21 ta' Diċembru, 2004

AND WHEREAS the Public Service Commission has recommended that in the case of public officers detailed to perform duties with Heritage Malta, an agency established by the Cultural Heritage Act (Cap. 445), the Chief Executive Officer of Heritage Malta shall take action as the Permanent Secretary, Ministry for Tourism and Culture is empowered to take in accordance with the aforesaid Schedule to the Instrument dated the 1st day of November 1999, provided that the Public Service Commission may at any time recommend to the Prime Minister that this delegation be withdrawn, and upon such a recommendation being made and until the Prime Minister acts upon such a recommendation, the powers delegated by this Instrument shall be suspended, as may be stipulated in the recommendation made by the Public Service Commission;

AND WHEREAS the Chairperson of Heritage Malta has appointed the Chief Executive Officer of Heritage Malta to take action as described in the preceding paragraph of this Instrument of Delegation and there are therefore no obstacles within Heritage Malta to the implementation of the said recommendation of the Public Service Commission.

AND WHEREAS I concur with such recommendation of the Public Service Commission;

NOW, therefore, I, Dr Lawrence Gonzi, K.U.O.M., LL.D., M.P., Prime Minister, in exercise of the powers conferred by section 110 of the Constitution, do hereby direct that the powers which the Public Service Commission has recommended should be exercisable by the Chief Executive Officer of Heritage Malta, as aforesaid, shall be exercisable by the Chief Executive Officer of Heritage Malta, in accordance with the provisions of the Public Service Commission (Disciplinary Procedure) Regulations, 1999, and provided that the Public Service Commission may at any time recommend to the Prime Minister that this delegation be withdrawn, and upon such a recommendation being made and until the Prime Minister acts upon such a recommendation, the powers delegated by this Instrument shall be suspended, as may be stipulated in the recommendation by the Public Service Commission.

(Sgd) Lawrence Gonzi
Given under my hand at the
Auberge de Castille, Valletta,
this 21 day of December, 2004