

PSC 100/99 (23)

Nru. 23

No. 23

IL-KOSTITUZZJONI TA' MALTA

THE CONSTITUTION OF MALTA

Delega ta' Ċerti Setgħat 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 jagħmel nomini ta' uffiċjali pubbliċi u li jnehħihom u li jeżerċita kontroll fuq persuni li jkollhom jew ikunu jaġixxu f'dawn il-karigi 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 make appointments to public officers and to remove and to exercise control over persons holding or acting in any such 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 jista', billi jaġixxi fuq ir-rakkomandazzjoni tal-Kummissjoni dwar is-Servizz Pubbliku jiddelega bil-miktub, bla hsara għal dawk il-kundizzjonijiet li jistgħu jkunu speċifikati fid-dokument ta' delega, kull waħda mis-setgħat imsemmija aktar qabel lil dak l-uffiċjal pubbliku jew awtorità oħra li tista' tkun speċifikata f'dak id-dokument.

AND WHEREAS it is further provided in the said Article that the Prime Minister may, acting on the recommendation of the Public Service Commission, delegate in writing, subject to such conditions as may be specified in the instrument of delegation, any of the aforementioned powers to such public officer or other authority as may be specified in that instrument.

U BILLI bid-Dokument ta' Delega datat is-6 ta' Ottubru 1999, is-setgħa li jingagġa 'Sostituti Każwali' fuq kuntratti definiti biex jimtlew vakanzi temporanji li nholqu bl-assenza ta' uffiċjali pubbliċi fuq *leave* twil bi hla jew bla hlaa eskluż *leave* għal mard jew *leave* ta' qabel l-irtirar bil-pensjoni u s-setgħa li jgedded dan l-ingagġ ta' 'Sostituti Każwali' kienet ingħatat lis-Segretarji Permanenti bla hsara għat-termini u l-kundizzjonijiet stipulati fiha u għad-disposizzjonijiet taċ-Ċirkulari ta' l-Uffiċċju tal-Prim Ministru Nru. 28/99 datat l-5 ta' Mejju 1999.

AND WHEREAS by Instrument of Delegation dated 6th October 1999, power to engage 'Casual Substitutes' on definite contracts to fill the temporary vacancies created by the absence of public officers on long paid or unpaid leave other than on sick leave or pre-retirement leave and the power to renew such engagement of 'Casual Substitutes' was delegated to Permanent Secretaries subject to the terms and conditions stipulated therein and the provisions of OPM circular No. 28/99 dated 5th May 1999.

U BILLI l-Kummissjoni dwar is-Servizz Pubbliku rakkomandat li l-iskopijiet oriġinali ta' din l-iskema, kif imfissra fid-Dokument tad-Delega msemmi tas-6 ta' Ottubru 1999, jiġu estiżi hekk li jinkludi u li jinbidlu minn Sostituti Każwali fuq kuntratt ta' ghoxrin (20) siegħa fil-ġimgha, uffiċjali pubbliċi li jahdmu fuq orarju mnaqqas ta' ghoxrin (20) siegħa fil-ġimgha kemm-il darba:

AND WHEREAS the Public Service Commission has recommended that the original objectives of this scheme, as defined in the said Instrument of Delegation of the 6th October 1999, be extended so as to include the replacement by Casual Substitutes on a twenty (20) hour week contract, of public officers working on a reduced twenty (20) hour per week time-table provided that:

(a) Sostituti Każwali ingagġati biex jibdlu uffiċjali li jahdmu fuq orarju mnaqqas ta' ghoxrin (20) siegħa fil-ġimgha jkunu hekk ingagġati li jokkupaw il-perjodu li l-uffiċjali mibdula jkunu assenti;

(a) Casual Substitutes engaged to replace officers on a reduced twenty (20) hour per week time-table are so engaged to fill in the non-attendance period of the replaced officers;

(b) Sostituti Każwali ingagġati flok uffiċjali li jkunu nieqsa minhabba *Leave* tal-Ġenituri jinżammu flimkien ma' l-uffiċjali meta, u jekk, l-uffiċjali relatati jkomplu bid-dmirijiet li jahdmu fuq orarju mnaqqas ta' ghoxrin (20) siegħa fil-ġimgha: f'dawk il-każi, ma jkunx mehtieg li jidhlu f'kuntratt ġdid iżda li l-kundizzjonijiet mibdula għandhom jidhru permezz ta' Addendum, mal-kuntratt oriġinali; u

(b) Casual Substitutes engaged in replacement of officers away on Parental Leave be retained back-to-back with the said officers when, and if, the officers concerned resume duties on a reduced time-table for a twenty (20) hours per week; in such cases, a new contract need not be drawn up but the changed conditions should be reflected through an Addendum, to the original contract; and

(c) Sostituti Każwali li jibdli uffiċjali pubbliċi li jaħdmu fuq orarju mnaqqas ta' ghoxrin (20) siegħa fil-gimgha jkollhom l-ingaġġ tagħhom sospiż matul il-perjodu tan-nofs ta' nhari tas-sajf.

U BILLI, jiena naqbel ma' din ir-rakkomandazzjoni:

ISSA GHALHEKK, jiena Dott. Lawrence Gonzi, K.U.O.M., LL.D., M.P., Prim Ministru, bis-sahha tas-setghat mogħtija bl-artikolu 110 tal-Kostituzzjoni, qieghed b'din nordna illi mid-data ta' din, is-setgha mogħtija lis-Segretarji Permanenti biex jingagġaw Sostituti Każwali bis-sahha tad-Dokument ta' Delega tas-6 ta' Ottubru 1999 li, kif imsemmi aktar qabel il-Kummissjoni dwar is-Servizz Pubbliku rakkomandat li issa għandu jiġi estiż biex jinkludi t-tibdil, minn Sostituti Każwali fuq kuntratt ta' ghoxrin (20) siegħa, uffiċjali pubbliċi li jaħdmu fuq li jaħdmu fuq orarju mnaqqas ta' ghoxrin (20) siegħa fil-gimgha għal perjodu li fih ma jattendux l-uffiċjali pubbliċi, ikunu hekk eżerċitati mill-istess bla hsara għall-kundizzjonijiet imsemmija aktar qabel minghajr riferenza għall-Kummissjoni dwar is-Servizz Pubbliċi.

(Iff.) Lawrence Gonzi

Mogħti taht il-firma tiegħi
fil-Berġa ta' Kastilja, Valletta,
illum, l-1 jum ta' Diċembru, 2004

Nru. 24

**ATT DWAR IL-PROFESSJONI NUTARILI U
ARKIVJI NUTARILI
(KAP. 55)**

Nomina ta' Nutar Delegat/Konservatur

NGHARRFU b'din illi bis-sahha tas-setghat mogħtija bl-artikolu 20 ta' l-Att dwar il-Professjoni Nutarili u Arkivji Nutarili, il-Qorti ta' Revizjoni ta' l-Atti Nutarili nnominat lin-Nutar Dott. Josette Cauchi bhala Nutar Delegat/Konservatur ta' l-Atti tan-Nutar Joseph Abela, sakemm din tkun nieqsa minn dawn il-Gzejjer matul il-perjodu bejn il-Hadd, is-26 ta' Diċembru 2004 u l-Hadd, it-2 ta' Jannar, 2005.

Joelle Camilleri, B.Com
Għar-Registatur
Qorti tar-Revizjoni ta' l-Atti Nutarili

Is-6 ta' Jannar, 2005

(c) Casual Substitutes replacing public officers on a reduced time-table should have their engagement suspended during the summer half-days period.

AND WHEREAS, I concur with such recommendation:

NOW THEREFORE, I Dr Lawrence Gonzi, K.U.O.M., LL.D., M.P., Prime Minister of Malta, in exercise of the powers conferred by Section 110 of the Constitution, do hereby direct that as from the date hereof, the power granted to Permanent Secretaries to engage Casual Substitutes by virtue of the Instrument of Delegation of the 6th October 1999 which, as aforesaid the Public Service Commission has recommended that should now be extended to include the replacement, by Casual Substitutes on a twenty (20) hour contract, of public officers working on a reduced twenty-hour (20) per week time-table for the duration of the non-attendance of the public officers, be so exercisable by same subject to the aforementioned conditions without reference of the Public Service Commission.

(Sgd.) Lawrence Gonzi

Given under my hand at the
Auberge de Castille, Valletta,
this 1st day of December, 2004

No. 24

**NOTARIAL PROFESSION AND NOTARIAL
ARCHIVES ACT
(CAP. 55)**

Appointment of Notary Delegate/Keeper

IT is hereby notified that, in exercise of the powers conferred by section 20 of the Notarial Profession and Notarial Archives Act, the Court of Revision of Notarial Acts has appointed Notary Dr Josette Cauchi to be Notary Delegate/Keeper of the Acts of Notary Dr Joseph Abela during the latter's absence from these Islands for the period starting Sunday, 26th December 2004 ending Sunday, 2nd January 2005.

Joelle Camilleri, B.Com
F/Registrar
Court of Revision of Notarial Acts

6th January, 2005