

NOTIFIKAZZJONIJIET TAL-GVERN

GOVERNMENT NOTICES

Nru. 775

No. 775

**IL-PRESIDENT TA' MALTA TERĠA' LURA
FUQ DMIRIJIETHA**

**RESUMPTION OF DUTIES BY THE PRESIDENT
OF MALTA**

NGHARRFU għall-informazzjoni ta' kulhadd illi l-President ta' Malta reġgħet dahlet għall-qadi tad-dmirijiet tal-Kariga tagħha ta' President nhar it-Tnejn, 25 ta' Lulju, 2016.

IT is notified for general information that the President of Malta has resumed the functions of the Office of the President on Monday, 25th July, 2016.

Is-Sa Dolores Cristina ma baqgħetx taqdi l-funzjonijiet ta' President.

Mrs Dolores Cristina has ceased to perform the functions of President.

Is-26 ta' Lulju, 2016

26th July, 2016

Nru.776

No. 776

**AVVIŻI LEGALI PPUBBLIKATI
FIS-SUPPLIMENT MAL-GAZZETTA
TAL-GVERN**

**LEGAL NOTICES
PUBLISHED IN THE SUPPLEMENT
TO THE GOVERNMENT GAZETTE**

NGHARRFU għall-informazzjoni ta' kulhadd illi l-Avvizi Legali li ġejjin ġew ippubblikati fis-Suppliment mal-Gazzetta tal-Gvern Nru. 19.612 tat-22 ta' Lulju, 2016.

IT is notified for general information that the following Legal Notices were published in the Supplement to the Government Gazette No. 19,612 of 22nd July, 2016.

A.L. 258 tal-2016: Att li Jimplimenta Mizuri tal-Estimi (2016) (Kap. 554), Ordinanza Dwar Self Lokali (*Stock* u Titoli Registrati) (Kap. 161); Direttiva mill-Ministru għall-Finanzi għall-frug ta' Euro 100,000,000 *Stock* tal-Gvern ta' Malta.

L.N. 258 of 2016: Budget Measures Implementation Act (2016) (Cap. 554), Local Loans (Registered Stock and Securities) Ordinance (Cap. 161); Directive by the Minister for Finance for the Issue of Euro 100,000,000 Malta Government Stocks.

A.L. 259 tal-2016: Att Dwar l-Affarijiet tal-Konsumatur (Kap. 378); Regolamenti tal-2016 li jemendaw ir-Regolamenti dwar Self għal Dar.

L.N. 259 of 2016: Consumer Affairs Act (Cap. 378); Home Loan (Amendment) Regulations, 2016.

A.L. 260 tal-2016: Att Dwar l-Intrapriża ta' Malta (Kap. 463); Regolamenti tal-2016 li jemendaw ir-Regolamenti dwar Assistenza lil Intrapriži Żgħar jew ta' Daqs Medju.

L.N. 260 of 2016: Malta Enterprise Act (Cap. 463); Assistance to Small and Medium-Sized Undertakings (Amendment) Regulations, 2016.

Is-26 ta' Lulju, 2016

26th July, 2016

Nru. 777

No. 777

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 Dr Joseph Muscat, KUOM, BCom, BA (Hons.), MA (European Studies), PhD (Bristol), MP, Prim Ministru.

BY the Honourable Dr Joseph Muscat, KUOM, BCom, BA (Hons.), MA (European Studies), PhD (Bristol), MP, Prime Minister.

BILLI artikolu 110 tal-Kostituzzjoni ta' Malta jipprovdi biex il-Prim Ministru, li jaġixxi fuq ir-rakkomandazzjoni tal-Kummissjoni dwar is-Servizz Pubbliku, jkollu f'idejh

WHEREAS Article 110 of the Constitution of Malta provides that power to make appointments to public offices and to remove persons holding or acting in any

is-setgħa li jagħmel hatriet għall-karigi uffiċjali u li jneħhi persuni li jkollhom jew ikunu jagixxu f'xi karigi bħal dawk;

U BILLI huwa pprovdut ukoll fl-imsemmi artikolu li l-Prim Ministru, li jagixxi fuq ir-rakkomandazzjoni tal-Kummissjoni dwar is-Servizz Pubbliku, jista' jiddelega bil-miktub kwalunkwe setgħa minn dawk hawn fuq imsemmija lil dak l-uffiċjal pubbliku jew lil xi awtorità oħra kif jistgħu jkunu speċifikati fid-Dokument ta' Delega;

U BILLI bid-Dokument ta' Delega tal-1 ta' Lulju 2003, il-Prim Ministru, fuq ir-rakkomandazzjoni tal-Kummissjoni dwar is-Servizz Pubbliku, iddelega lill-Kapijiet tad-Dipartimenti, b'effett mis-6 t'April 2001, is-setgħa li jikkonfermaw hatriet fis-Servizz Pubbliku, soġġett għad-dispożizzjonijiet speċifikati fl-imsemmi Dokument;

U BILLI bid-Dokument ta' Delega tat-18 t'April 2009, il-Prim Ministru, fuq ir-rakkomandazzjoni tal-Kummissjoni dwar is-Servizz Pubbliku, iddelega lill-Kapijiet tad-Dipartimenti s-setgħa li japprovaw, mingħajr riferenza lill-Kummissjoni, estensjonijiet tal-perjodu ta' servizz bi prova meta l-uffiċjal jagħmel użu minn *leave* speċjali mingħajr hlas jew jagħmel użu mill-facilità ta' ġurnata fuq bażi ta' sigħat imnaqqa matul il-perjodu ta' servizz bi prova, u s-setgħa li japprovaw estensjonijiet tal-perjodu ta' servizz bi prova sa estensjoni massima ta' erbgħa u għoxrin (24) xahar jew li jtemmu l-perjodu ta' servizz bi prova għal raġunijiet ta' prestazzjoni mhux sodisfacenti, soġġett għad-dispożizzjonijiet speċifikati fl-imsemmi Dokument;

U BILLI l-Kummissjoni dwar is-Servizz Pubbliku rakkomandat illi:-

1. id-Dokument tat-18 t'April 2009 għandu jiġi revokat u sostitwit b'dan id-Dokument ta' Delega;

2. is-setgħa li jiġi estiż il-perjodu ta' servizz bi prova applikabbli għall-hatra ta' uffiċjal pubbliku fi kwalunkwe grad jew pożizzjoni li hija soġġetta għal perjodu ta' servizz bi prova, jew li tiġi terminata l-hatra ta' tali uffiċjal waqt il-perjodu ta' servizz bi prova, għandha tiġi delegata lis-Segretarji Permanenti, li jkunu jistgħu jeżerċitaw din is-setgħa mingħajr riferenza lill-Kummissjoni dwar is-Servizz Pubbliku, soġġett għad-dispożizzjonijiet li ġejjin;

3. il-perjodu ta' servizz bi prova applikabbli għall-hatra ta' uffiċjal jista' jiġi estiż kif imsemmi hawn fuq għal aktar minn darba imma b'kollox b'mhux aktar minn erbgħa u għoxrin xahar fuq il-perjodu ta' servizz bi prova originali, iżda dan ma jinkludix xi sospensjonijiet jew estensjonijiet li għalihom japplika paragrafu 8;

4. Segretarju Permanenti jista' jagixxi skont id-delega ta' setgħat mogħtija b'dan id-Dokument għal kwalunkwe

such 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 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 1st July 2003, the Prime Minister, acting on the recommendation of the Public Service Commission, delegated to Heads of Department, with effect from 6th April 2001, power to confirm appointments in the Public Service, subject to the provisions specified in the aforementioned Instrument;

AND WHEREAS by Instrument dated 18th April 2009, the Prime Minister, acting on the recommendation of the Public Service Commission, delegated to Heads of Department the power to approve, without reference to the Public Service Commission, extensions of the probationary period for reasons of the officer availing himself/herself of special unpaid leave or of work on reduced hours during such probationary period and the power to approve extensions of the probationary period up to a maximum extension of twenty-four (24) months or termination of the probationary period for reasons of unsatisfactory performance, subject to the provisions specified in the aforementioned Instrument;

AND WHEREAS the Public Service Commission has recommended that:-

1. the Instrument of Delegation dated 18th April 2009 should be revoked and substituted with this Instrument of Delegation;

2. the power to extend the probationary period applying to the appointment of a public officer in any grade or position which is subject to a probationary period, or to terminate the appointment of any such officer during the probationary period, should be delegated to Permanent Secretaries, who may exercise the said powers without reference to the Public Service Commission, subject to the provisions below;

3. the probationary period applying to an officer's appointment may be extended as aforesaid more than once but up to a total of no more than twenty-four months over and above the original probationary period, not including any suspensions or extensions to which paragraph 8 applies;

4. a Permanent Secretary may act in the exercise of the powers delegated by this Instrument for any reason that

raġuni li tiġġustifika tali azzjoni, basta huwa jinforma lill-uffiċjal konċernat, bil-miktub, bl-intenzjoni tiegħu qabel ma jiskadi l-perjodu ta' servizz bi prova tal-uffiċjal;

5. l-uffiċjal konċernat għandu jkun intitolat, sa għaxart ijiem ta' xogħol minn meta jkun infurmat, li jappella lill-Kummissjoni dwar is-Servizz Pubbliku kontra d-deċiżjoni mehuda mis-Segretarju Permanenti;

6. deċiżjoni li jiġi estiż il-perjodu ta' servizz bi prova jew li tintemm hatra waqt il-perjodu ta' servizz bi prova m'għandhiex tiġi attwata matul l-għaxart ijiem ta' xogħol imsemmija hawn fuq, u jekk l-uffiċjal jappella lill-Kummissjoni dwar is-Servizz Pubbliku, id-deċiżjoni m'għandhiex tidhol fis-sehħ jekk ma tkunx konfermata mill-Kummissjoni dwar is-Servizz Pubbliku;

7. jekk il-perjodu ta' servizz bi prova ta' uffiċjal jiskadi waqt li l-appell għadu pendenti, il-perjodu ta' servizz bi prova jiġi meqjus bħala li għadu għaddej sakemm il-Kummissjoni dwar is-Servizz Pubbliku tiegħu deċiżjoni fuq l-appell u d-deċiżjoni tiġi attwata;

8. dan id-Dokument huwa bla ħsara għas-sospensjoni jew estensjoni awtomatika tal-perjodu ta' servizz bi prova għal raġunijiet ta' assenza mix-xogħol fuq *leave* jew għal raġunijiet oħra, f'ċirkostanzi meta l-*Public Service Management Code* jipprovi għal tali sospensjoni jew estensjoni;

9. il-Kummissjoni dwar is-Servizz Pubbliku żżomm id-dritt li, fi kwalunkwe żmien, tista' tagħmel rakkomandazzjoni lill-Prim Ministru biex dan id-Dokument ta' Delega jiġi ritirat jew emendat u li, meta ssir tali rakkomandazzjoni u sakemm il-Prim Ministru jagħxi fuqha, is-setgħat delegati permezz ta' dan id-Dokument jiġu sospizi;

U BILLI naqbel mal-imsemmija rakkomandazzjoni:

ISSA, GĦALHEKK, jiena JOSEPH MUSCAT, KUOM, B.Com, BA (Hons.), MA (European Studies), PhD (Bristol), MP, Prim Ministru, bis-saħha tas-setgħat mogħtija bl-Artikolu 110 tal-Kostituzzjoni, qiegħed b'din nordna, li mid-data ta' dan id-Dokument, is-setgħa mnizzla f'paragrafu 2 hawn fuq tiġi delegata lis-Segretarji Permanenti soġġett għad-dispożizzjonijiet speċifikati f' dan id-Dokument, kif rakkomandat mill-Kummissjoni;

DAN ID-DOKUMENT ta' Delega huwa addizzjonali u mingħajr pregudizzju għal Dokumenti oħra ta' Delega li nharġu skont Artikolu 110 tal-Kostituzzjoni, hliet kif provdut f'paragrafu 1 hawn fuq.

MOGHTI bil-firma tiegħi
fil-Berġa ta' Kastilja, Valletta
illum id-19 ta' Lulju, 2016

justifies such action, provided that he informs the officer concerned, in writing, of his intention so to act before the officer's probationary period expires;

5. the officer concerned should be entitled, within ten working days from the date when he is so informed, to appeal to the Public Service Commission against the decision taken by the Permanent Secretary;

6. a decision to extend an officer's probation or terminate an officer's appointment during the probationary period should not take effect during the aforementioned period of ten working days, and if the officer appeals to the Public Service Commission the decision should not take effect unless it is confirmed by the Public Service Commission;

7. if an officer's probationary period expires while an appeal is pending, the probationary period shall be regarded as continuing in force until such time as the Public Service Commission decides the appeal and the decision is put into effect;

8. this Instrument is without prejudice to the automatic suspension or extension of the probationary period on account of absence from work on leave or otherwise, in circumstances where the Public Service Management Code provides for such suspension or extension;

9. the Public Service Commission reserves the right to make, at any time, a recommendation to the Prime Minister that this Instrument of Delegation be withdrawn or amended and that, 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;

AND WHEREAS I agree with the said recommendation:

NOW THEREFORE, I JOSEPH MUSCAT, KUOM, B.Com, B.A. (Hons.), MA (European Studies), PhD (Bristol), MP, Prime Minister, in exercise of the powers conferred by Article 110 of the Constitution, do hereby direct that as from the date hereof, the power set out in paragraph 2 herein, be delegated to Permanent Secretaries in accordance with and subject to the foregoing provisions of this Instrument, as recommended by the Commission.

THIS INSTRUMENT of delegation shall be in addition and without prejudice to other Instruments of Delegation which have been issued in terms of Article 110 of the Constitution, except as provided in paragraph 1 hereof.

GIVEN under my hand at the
Auberge de Castille, Valletta
this 19th day of July, 2016

