61

PSC 100/99

Nru. 23

IL-KOSTITUZZJONI TA' MALTA

Delega ta' Ċerti Setgħat dwar is-Servizz Pubbliku

MILL-ONOREVOLI Dott. Lawrence Gonzi, K.U.O.M., 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 u li jneħħihom u li jeżerċita kontroll fuq persuni li jkollhom jew ikunu jagixxu f'dawn il-karigi 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, bla ħsara 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.

U BILLI bid-Dokument ta' Delega datat is-6 ta' Ottubru 1999, is-setgħa li jingaġġa 'Sostituti Każwali' fuq kuntratti definiti biex jimtlew vakanzi temporanji li nħolqu bl-assenza ta' uffiċjali pubbliċi fuq *leave* twil bi ħlas jew bla ħlas eskluż *leave* għal mard jew *leave* ta' qabel l-irtirar bil-pensjoni u s-setgħa li jġedded dan l-ingaġġ ta' 'Sostituti Każwali' kienet ingħatat lis-Segretarji Permanenti bla ħsara 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.

U BILLI l-Kummissjoni dwar is-Servizz Pubbliku rrakkomandat 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' għoxrin (20) siegħa fil-ġimgħa, uffiċjali pubbliċi li jaħdmu fuq orarju mnaqqas ta' għoxrin (20) siegħa fil-ġimgħa kemm-il darba:

(a) Sostituti Każwali ingaġġati biex jibdlu uffiċjali li jaħdmu fuq orarju mnaqqas ta' għoxrin (20) siegħa fil-ġimgħa jkunu hekk ingaġġati li jokkupaw il-perjodu li l-uffiċjali mibdula jkunu assenti;

(b) Sostituti Każwali ingaġġati flok uffiċjali li jkunu nieqsa minħabba *Leave* tal-Ġenituri jinżammu flimkien ma' l-uffiċjali meta, u jekk, l-uffiċjali relatati jkomplu bid-dmirijiet li jaħdmu fuq orarju mnaqqas ta' għoxrin (20) siegħa fil-ġimgħa: f'dawk il-każi, ma jkunx meħtieġ li jidħlu f'kuntratt ġdid iżda li l-kundizzjonijiet mibdula għandhom jidhru permezz ta' Addendum, mal-kuntratt oriġinali; u

No. 23

THE CONSTITUTION OF MALTA

Delegation of Certain Powers Respecting the Public Service

BY THE HONOURABLE Dr Lawrence Gonzi, K.U.O.M., 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 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;

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.

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.

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 tweny (20) hour per week time-table provided that:

(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) 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

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

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

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

(Iff.) Lawrence Gonzi

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

(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 ot the Public Service Commission.

(Sgd.) Lawrence Gonzi

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

Nru. 24

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

Nomina ta' Nutar Delegat/Konservatur

NGĦARRFU b'din illi bis-saħħa tas-setgħat mogħtija bl-artikolu 20 ta' l-Att dwar il-Professjoni Nutarili u Arkivji Nutarili, il-Qorti ta' Reviżjoni ta' l-Atti Nutarili nnominat lin-Nutar Dott. Josette Cauchi bħala Nutar Delegat/Konservatur ta' l-Atti tan-Nutar Joseph Abela, sakemm din tkun nieqsa minn dawn il-Gżejjer matul il-perjodu bejn il-Ħadd, is-26 ta' Diċembru 2004 u l-Ħadd, it-2 ta' Jannar, 2005.

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

Is-6 ta' Jannar, 2005

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