

THE CONSTITUTION OF MALTA

Delegation of certain powers respecting
the Public Service

By the Honourable Dr G. Borg Olivier,
Doctor of Laws, Doctor of Literature (Honoris Causa),
Prime Minister, etc. etc.

WHEREAS section 113 of the Constitution of Malta provides that power to make appointments to public offices and to remove and to exercise disciplinary 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 section 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 dated the 22nd day of August, 1967, acting on the recommendation of the Public Service Commission, I delegated certain powers respecting the Public Service;

AND WHEREAS by Instruments respectively dated the 25th day of January, 1966, and the 25th day of March, 1966, acting on the recommendation of the Public Service Commission, I delegated certain powers in respect of the Malta Police Force to the Commissioner of Police;

AND WHEREAS the Public Service Commission have recommended that the delegation of powers made on the 22nd day of August, 1967, above referred to, be substituted by the delegation of powers set out hereunder, saving the powers delegated to the Commissioner of Police as aforesaid and subject to the condition that any power to make appointments hereby delegated shall be exercised by the Administrative Secretary or by a Head of Department with the advice of General Service Boards or Departmental Boards appointed and constituted in such manner as I may, on the recommendation of the Public Service Commission, generally direct;

AND WHEREAS I concur with such recommendation;

NOW, THEREFORE, I, GIORGIO BORG OLIVIER,
Doctor of Laws, Doctor of Literature (Honoris Causa),
Prime Minister, acting on the recommendation of the
Public Service Commission, in exercise of the powers

conferred by section 113 of the Constitution do hereby direct that as from the date hereof, saving the delegation of powers respectively made to the Commissioner of Police on the 25th day of January, 1966, and on the 25th day of March, 1966, and subject to the aforementioned condition, power to make appointments (whether substantive or temporary) to non-pensionable posts of the General Service Branch of the Public Service, being offices to which section 113 of the Constitution applies and of which the maximum annual emoluments do not for the time being exceed £750, and to dismiss and to exercise disciplinary control over persons holding or acting in such posts shall, subject to compliance in the recruitment to such posts with the provisions of section 12 of the Employment Service Act, 1955, insofar as applicable, be exercisable by the Administrative Secretary and power to make appointments (whether substantive or temporary) to non-pensionable departmental posts of the Public Service, being offices to which section 113 of the Constitution applies and of which the maximum annual emoluments do not for the time being exceed £750, and to dismiss and to exercise disciplinary control over persons holding or acting in such posts shall, subject to compliance as aforesaid, be exercisable by the Head of the Department concerned.

GIVEN under my hand at the Auberge D'Aragon,
Valletta, this 14th day of February, 1970

G. Borg Olivier.