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THE CONSTITUTION OF MALTA

Delegation of certain powers  
respecting the Public Service

By the  
Honourable Dr Eddie Fenech Adami, KUOM, BA, LLD, MP  
Prime Minister

WHEREAS Section 110 of the Constitution of Malta provides that power to make appointments to public 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 section 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 the 14th day of February, 1970, the Prime Minister, acting on the recommendation of the Public Service Commission, delegated certain powers respecting the Public Service;

AND WHEREAS by Instrument dated the 20th day of February, 1970, the Prime Minister acting on the recommendation of the Public Service Commission, delegated to the Administrative Secretary certain powers respecting appointments in the Public Service on the basis of the results of public examinations conducted by the Board of Local Examinations, respecting confirmation of appointments in the Public Service and respecting the passing of the efficiency bar by officers in the Public Service;

3- AND WHEREAS by Instrument dated the 25th day of January, 1966, the Prime Minister, acting on the recommendation of the Public Service Commission, delegated certain powers in respect of the Malta Police Force to the Commissioner of Police;

AND WHEREAS by Instrument dated the 25th day of October, 1991, the delegation of powers made on the 14th day of February, 1970, in so far as they refer to powers to make appointments to public offices have been substituted by a delegation of powers to the Administrative Secretary and to the Head of the Department concerned under the conditions and as stated in the said Instrument, saving the other powers delegated to the Administrative Secretary and to the Commissioner of Police;


.../...  
*[Signature]*

.../...  
AND WHEREAS by Instrument dated the 20th day of February, 1970, powers to confirm appointments in the Public Service and to approve the passing of the efficiency bar by officers in the Public Service have been delegated to the Administrative Secretary;

AND WHEREAS the Public Service Commission have recommended that the delegation of powers made on the 20th day of February, 1970, referred to above in so far as they refer to powers to confirm appointments in the Public Service be substituted by the delegation of powers set out hereunder;

AND WHEREAS I concur with such recommendations:

2.  
NOW THEREFORE, I, EDDIE FENECH ADAMI, KUOM, BA, LLD, MP, Prime Minister in exercise of the powers conferred by Section 110 of the Constitution do hereby direct that as from the date hereof, saving the delegations of powers made to the Administrative Secretary on the 20th day of February, 1970, and to the Commissioner of Police on the 25th day of January, 1966, and to the Administrative Secretary and to the Head of the Department on the 25th day of October, 1991, power to confirm appointments in the Public Service shall be exercisable by the respective Permanent Secretary of the Ministry provided that such delegation of power shall not apply if the Head of Department is of the opinion that the probationary service of an officer in the Public Service should be extended or that the probationary appointment of an officer in the Public Service should be terminated and that such power shall be exercisable by the respective Permanent Secretary of the Ministry for a period of three years, which period may be extended for a further period or periods on the recommendation of the Public Service Commission.

  
14/3/95