

LEGAL NOTICE No. 109

REPUBLIC OF TRINIDAD AND TOBAGO

THE CONSTITUTION OF THE REPUBLIC OF TRINIDAD AND
TOBAGO

DELEGATION OF POWERS BY THE PUBLIC SERVICE COMMISSION UNDER
SECTION 127 OF THE CONSTITUTION OF THE REPUBLIC OF TRINIDAD
AND TOBAGO

To: THE PERMANENT SECRETARY, CENTRAL ADMINISTRATIVE
SERVICES, TOBAGO

UNDER and by virtue of the provisions of section 127 of the Constitu-
tion of the Republic of Trinidad and Tobago, the Public Service
Commission, with the approval of the Prime Minister, hereby
delegates to the Permanent Secretary, Central Administrative Services,
Tobago, the powers and functions of the Commission detailed
hereunder:

A. TEMPORARY APPOINTMENTS

- (i) the power to appoint persons on recruitment from outside the Civil Service in a temporary capacity to an office in a Ministry or Department or in a Division of a Ministry or Department located in Tobago (exclusive of offices in the Prison and Fire Services);
- (ii) the power hereby delegated is in respect of the public offices specified in the classification of offices set out in the First Schedule to the Civil Service Act, 1965, and which are regarded as the basic normal entry points to the general clerical, secretarial and manipulative classes.

B. ACTING APPOINTMENTS

- (i) the power to appoint a public officer to act in a public office in the Civil Service and located in the Department of Central Administrative Services, Tobago, whether such acting appointment is in a vacant post or not except that where an acting appointment is made in a vacant post, the officer must be informed that such acting appointment would not give him/her any prior claim to eventual permanent appointment thereto;
- (ii) in the exercise of the power delegated under paragraph (i), the Permanent Secretary shall apply the principles of selection prescribed in regulations 18, 24 and 26 of the Public Service Commission Regulations, 1966, and the provisions of regulation 25 of the said Regulations.

C. TRANSFERS

- (i) the power to transfer a public officer from an office in a grade in the Department of Central Administrative Services, Tobago, to which such an officer is assigned to a similar office in that grade in the same Department of Central Administrative Services, Tobago, with no alteration in his/her remuneration;
- (ii) the power delegated under paragraph (i) shall be exercised by the Permanent Secretary subject to the provisions of regulation 29 of the Public Service Commission Regulations, 1966, which require notice to be given to such officer and which preserves the right of such officer to make representations to the Commission.

D. SUSPENSION

The power to direct a public officer assigned to an office in the Department of Central Administrative Services, Tobago, to cease to report for duty in accordance with regulation 88 of the Public Service Commission Regulations, 1966, and the Permanent Secretary, Central Administrative Services, Tobago, shall report the exercise of this power forthwith to the Commission.

E. DISCIPLINE

- (i) the power to exercise disciplinary control in respect of any alleged act of misconduct or indiscipline prescribed in regulations 62 and 64 and in subparagraphs (a), (b), (c), (d), (e), (f) and (h) of paragraph 2 of regulation 83 or of any indiscipline prescribed in regulation 84 of the Public Service Commission Regulations, 1966, to the extent that the Permanent Secretary may charge a public officer assigned to an office in the Department of Central Administrative Services in Tobago with any offence prescribed as aforesaid and may impose, in respect of such misconduct or indiscipline, a reprimand under subparagraph (f) or the penalty of a fine under subparagraph (g) of regulation 110 of the said Regulations;
- (ii) in exercise of the power delegated under paragraph (i) the Permanent Secretary shall:
 - (a) exercise the powers of the Commission under paragraph 1 of regulation 88 and paragraphs (6) and (7) of regulation 90 of the Public Service Commission Regulations, 1966; and

- (b) assign a public officer of a grade higher than that of the officer charged with misconduct or indiscipline but in no case of a grade lower than that of a Clerk IV to be a disciplinary tribunal, and that officer shall hear the evidence, find the facts and make a report thereon to the Permanent Secretary in accordance with the provisions respecting the functions and duties of a disciplinary tribunal as prescribed in the Public Service Commission Regulations, 1966;
- (iii) any fine which the Permanent Secretary imposes under paragraph (i) shall not exceed an amount calculated on four days pay per month to a maximum of three months.

2. The Permanent Secretary shall submit to the Commission once in every quarter a report of the exercise of any powers delegated to him by this Instrument.

3. The powers and functions hereby delegated above are in respect of public officers who hold any of the public offices specified in salary ranges Nos. 1 to 41 inclusive of the Classification of Offices set out in the First Schedule to the Civil Service Act, 1965, except where such offices require the holders to perform as Heads or Deputy Heads of Ministries/Departments/Divisions and in respect of which offices consultation with the Honourable Prime Minister is required by the Constitution.

4. The above delegations are subject to suspension or revocation at any time.

Dated this 13th day of August, 1981.

By Order of the Public Service Commission.

A. E. JONES
Chairman,
Public Service Commission