

THE PUBLIC SERVICE DIRECTIONS

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S.R.O. 12/1967

THE PUBLIC SERVICE DIRECTIONS AS TO GENERAL GOVERNMENT
POLICY GIVEN UNDER SECTION 100(6) OF THE CONSTI-
TUTION.

1. TITLE AND APPLICATION. (1) These Directions may be cited as the
Public Service Directions.

(2) These Directions shall apply to all members of the Public Service
except as provided in paragraph 15.

2. INTERPRETATION. In these Instructions—

“appointment” means the conferment of an office of emolument in the Public Service, whether or not subject to subsequent confirmation, upon a person not in the public service; the grant of permanent and pensionable terms of service in a public office to a person recruited and serving on contract or agreement in a pensionable or non-pensionable public office; the re-engagement of a person on contract or agreement for a further period in the same or another public office; the permanent transfer to an office in the public service of a member of the Civil Service of the United Kingdom who is serving on temporary transfer in an office in the public service; the paid appointment of a public officer to act in any public office other than the office to which he is substantively appointed;

“the Chairman” means the person appointed under section 99(1) of the Constitution as Chairman of the Commission, and shall include an acting Chairman;

“the Commission” means the Public Service Commission appointed under the Constitution;

“Member” means any person appointed under the Constitution as Chairman or Member of the Commission, and shall include any person appointed to act as a member of the Commission;

“office of emolument” means any pensionable or non-pensionable post which is shown under a Personal Emoluments sub-head in the current Estimates of Antigua and Barbuda;

“subordinate officer,” “the Superintendent” and “Visiting Committee” shall have the meanings as in the Prison Rules;

“promotion” means a conferment upon a person in the public service of a public office to which is attached a higher salary or higher salary scale than that attached to the public office to which he was last substantively appointed;

“public office” means any office of emolument in the public service;

“public officer” means the holder of any public office and includes any person appointed to act in any such office but does not

include office as a member of any board, panel, committee or other similar body (whether incorporated or not) established by any law for the time being in force in Antigua and Barbuda;

"the public service" means the service of the Crown in a civil capacity in respect of the Government of Antigua and Barbuda;

"the secretary" means the person appointed as a secretary of the Commission;

"salary" means basic salary;

"scale" means a salary scale as from time to time set out in the Estimates of Revenue and Expenditure;

"transfer" means the conferment, whether permanently or on secondment for more than six months, upon a person in the public service of a public office other than that to which he was last substantively appointed, which involves no question of immediate promotion, but shall not include the posting of an officer from one duty-post to another in the same grade.

3. CONTROL OF RECRUITMENT. In order to discharge its duties under the Constitution the Commission may exercise control over and may be required to approve all schemes for admission to any public office by examination, for the award of scholarships for special training and facilities for courses of instruction, and over all other methods for recruitment, including the appointment and procedure of boards for the selection of candidates. It may prescribe the manner in which applications for Government appointments should be made and arrange for such examinations as may be considered necessary to be held before any candidate is admitted to the public service.

4. CHIEF ESTABLISHMENT OFFICER TO ATTEND MEETINGS OF PUBLIC SERVICE COMMISSION. The Chief Establishment Officer shall be asked to attend meetings of the Commission regularly to advise the Commission. He shall be the principal liaison officer between the Permanent Secretaries and the Commission and also between the Government and the Commission. Requests for filling posts shall be made through the Chief Establishment Officer.

5. PRINCIPLES RELATING TO SELECTION FOR FIRST APPOINTMENTS AND PROMOTIONS. (1) In making recommendations for first appointments to the

public service, the Commission shall be guided by the principle that prior consideration shall be given to the claims of suitably qualified local candidates.

(2) In making recommendations for promotions within the public service the Commission shall be guided by the principle that prior consideration shall be given to the claims of suitably qualified public officers serving in Antigua and Barbuda.

* (3) Subject to the provisions of paragraph (1) or (2) the Commission shall consider, *inter alia*, the following matters in respect of each candidate—

- (a) his qualifications (if any);
- (b) his general suitability for appointment;
- (c) any previous employment of the candidate in the public service or in private practice (if any).

6. ADVERTISEMENTS OF VACANCIES. When the Commission considers it necessary that the existence of a vacancy in the public service should be advertised, the requirements of the vacant post and qualifications necessary for it shall be settled by the Commission and the advertisement shall be published accordingly.

7. INTERVIEWS. The Commission may interview candidates who are qualified for appointment to such offices.

8. EFFICIENCY BAR EXAMINATION. Where the General Orders require that progress to a higher point in a salary scale is dependent on the results of efficiency bar examination, the Commission shall arrange and conduct the said examination in accordance with syllabus prepared by the Commission and published in the *Gazette*.

9. PRINCIPLES RELATING TO ACTING APPOINTMENTS. The principles and procedure for making acting appointments shall be the same as those prescribed in these Directions for making a promotion.

10. DEPARTURE FROM PROCEDURE IN SPECIAL CIRCUMSTANCES. When it is necessary to make an appointment, promotion or transfer, the procedure prescribed in paragraphs 10 and 11 shall be followed except that, where any delay involved in carrying out such procedure is likely to cause serious inconveniences, the Chief Establishment Officer shall report the matter to the Commission who may as a matter of urgency make an acting appointment without regard to that procedure.

11. PROCEDURE RELATING TO APPOINTMENTS TO BE FILLED OTHERWISE THAN BY EXAMINATION. The procedure governing appointments, promotions and transfers in the public service shall be in accordance with the following provisions—

(a) as soon as a vacancy occurs or is known to be impending, the Chief Establishment Officer shall notify the secretary and furnish him with details of the requirements of the post, the qualifications necessary, and the emoluments attached thereto;

(b) the Commission shall consider public officers in Antigua and Barbuda in accordance with the principles in paragraphs 4 and 6;

(c) if in the opinion of the Commission there is no local public officer suitably qualified for appointment to the post, the Commission may seek the advice of the Public Service Commission in any other Commonwealth Caribbean Territory or may consider other local candidates not in the public service.

12. VACANCIES TO BE FILLED BY EXAMINATIONS. Where vacancies are to be filled according to the results of examinations in conformity with any approved scheme of recruitment the procedure set out in paragraph 10 shall not apply. The Chief Establishment Officer shall notify the vacancies to the secretary and the Commission shall arrange for the holding of necessary examinations in accordance with the scheme of recruitment.

13. REPRESENTATIONS FROM INDIVIDUALS. The Commission may in their discretion consider representations from individuals (including individual officers).

14. DELEGATION. The Commission may delegate any of its powers under the Constitution to appoint persons to hold or act in public offices carrying salaries not exceeding \$2,000 with the exception of Petty Officers and Clerical Assistants and to remove and exercise disciplinary control over persons holding or acting in offices carrying salaries not exceeding \$2,000 or any of those powers within the limits of the Constitution.

15. CASES NOT COVERED. Any case not covered by these Directions shall be reported to the secretary and the Commission may refer the case to the Prime Minister who may issue directions under his hand as to how the case shall be dealt with, and the case shall be dealt with accordingly.

16. EXEMPTIONS. Nothing in these Directions shall—

(a) apply to any member of the Governor-General's personal staff;

(b) apply to any Judge of the Supreme Court or to the Attorney-General if that office cease to be an office in the public service;

(c) apply to any office to which the Judicial and Legal Services Commission has powers of appointment;

(d) apply to any office or rank in a Naval, Military or Air Force constituted by or raised under any law;

(e) affect the powers and responsibility conferred upon the Police Service Commission by the Constitution or by the Police Act, and any regulations made thereunder, in respect of appointments, promotion and discipline of all ranks of the Police Force below the rank of Inspector, or the powers and responsibility conferred upon the Superintendent or the Visiting Committee by the Prison Rules, or any Rules amending, repealing or substituted for the same, in respect of discipline of subordinate officers.

Given the 7th day of March, 1967.