

Service Commissions Department



Thursday 4th October, 2012







PUBLIC SERVICE COMMISSION
SECTION 120-121

POLICE SERVICE COMMISSION
SECTION 122-123

TEACHING SERVICE COMMISSION
SECTION 124-125

JUDICIAL AND LEGAL SERVICE
COMMISSION
SECTION 110-111

ROLE AND FUNCTIONS

APPOINT
PROMOTE
TRANSFER
CONFIRM
REMOVE
EXERCISE DISCIPLINARY CONTROL OVER
PUBLIC OFFICERS



BASIC IDEOLOGY FOR THE SERVICE
COMMISSIONS



Non political bodies in high public regard with a view to maintaining a neutral public service



OPERATING BY THE MERIT PRINCIPLE AND FREE FROM THE EFFECTS OF:

- DISCRIMINATION
- NEPOTISM AND INJUSTICE
- FAVOURITISM
- VICTIMIZATION IN MATTERS OF PROMOTION AND DISCIPLINE



SAFEGUARDS AND PROTECTIONS

TO ACHIEVE THESE OBJECTIVES, THE CONSTITUTION BUILT IN SAFEGUARDS:

APPOINTMENT OF COMMISSIONERS ARE ALL MADE BY THE PRESIDENT AFTER CONSULTATION WITH THE PRIME MINISTER AND THE LEADER OF THE OPPOSITION



(1) A PERSON IS NOT QUALIFIED WHO :

- IS A MEMBER OF THE HOUSE OF REPRESENTATIVES OR THE SENATE;
- HOLDS OR HAS ACTED IN ANY PUBLIC OFFICE OR HAS HELD ANY PUBLIC OFFICE WITHIN THE THREE YEARS PRECEDING HIS PROPOSED APPOINTMENT



SIMILARLY IF SOMEONE WAS A COMMISSIONER HE IS NOT ELIGIBLE FOR APPOINTMENT TO ANY PUBLIC OFFICE WITHIN A PERIOD OF THREE YEARS FROM THE DATE HE LAST HELD THE OFFICE OF COMMISSIONER;



(2) A MEMBER OF A SERVICE COMMISSION CAN ONLY BE REMOVED FROM OFFICE BY THE PRESIDENT

- FOR INABILITY TO DISCHARGE THE FUNCTIONS OF THE OFFICE, WHETHER ARISING FROM INFIRMITY OF MIND OR BODY
- MISBEHAVIOUR IN PUBLIC OFFICE,
- IF THEY BECOME DISQUALIFIED FROM HOLDING OFFICE BY VIRTUE OF ELECTION TO THE HOUSE OF REPRESENTATIVES OR THE SENATE.



- (3) EACH COMMISSION FUNCTIONS AS A BODY GIVING EFFECT TO THE PRINCIPLE OF JOINT RATHER THAN INDIVIDUAL RESPONSIBILITY;
- (4) COMMISSIONS ARE FREE FROM MINISTERIAL CONTROL
- (5) COMMISSIONERS CANNOT BE SUED IN THEIR NAMES BUT ONLY AS A BODY



AIMS AND OBJECTIVES OF SERVICE COMMISSIONS

TO FILL MANPOWER NEEDS OF MINISTRIES AND DEPARTMENTS IN ORDER TO ENSURE THE EFFICIENT PROVISION OF COLLECTIVE SERVICES

TO GUARD THE PUBLIC AGAINST HAVING TO DEAL WITH UNFIT EMPLOYEES BY TESTING THE QUALIFICATIONS ACADEMIC OR OTHERWISE OF PERSONS WHO SEEK APPOINTMENT



TO ASSURE THE PUBLIC OF PUBLIC SERVICE NEUTRALITY BY ASSERTING THEIR CONSTITUTIONAL AUTHORITY IN RESPECT OF THE CONTROL OF CAREERS IN THE SERVICE



TO PROTECT PUBLIC OFFICERS AGAINST ACTS OF
DISCRIMINATION BY POLITICIANS

TO PROTECT PUBLIC OFFICERS FROM OTHER
PUBLIC OFFICERS

TO PROTECT POLITICIANS FROM THE
POSSIBILITY OF PRESSURE OF PERSONS
DEMANDING PLACES FOR FRIENDS AND FAMILY
AS THE PRICE FOR POLITICAL SUPPORT



TO ENSURE GOOD CONDUCT AND
EFFICIENCY OF PUBLIC OFFICERS BY
EXERCISING THEIR CONSTITUTIONAL
AUTHORITY IN RESPECT OF DISCIPLINE



LIMITATIONS ON THE
POWERS OF THE SERVICE
COMMISSIONS



CAN ONLY FILL APPROVED OFFICES FOR WHICH FUNDS ARE AVAILABLE

SALARIES MUST BE WITHIN THE APPROVED RANGES

APPOINTEES MUST POSSESS THE QUALIFICATIONS PRESCRIBED

THERE MUST BE CONSULTATION WITH THE PRIME MINISTER WHEN MAKING CERTAIN APPOINTMENTS (P.S; COP/certain HODs)



MUST BE CONSULTATION WITH OTHER SERVICE COMMISSIONS WHERE APPOINTMENTS INVOLVE THE SELECTION OF OFFICERS UNDER ANOTHER COMMISSION'S JURISDICTION;

PSC MUST CONSULT THE AUDITOR GENERAL AND THE OMBUDSMAN WHEN MAKING APPOINTMENT TO OR TRANSFERS OF MEMBERS OF STAFF OF THOSE DEPARTMENTS



PROCESSES

IN CONSIDERING MATTERS WITHIN THE PURVIEW OF THEIR CONSTITUTIONAL POWERS, THE COMMISSIONS ARE GUIDED BY THE PRINCIPLE, PROCEDURE, AND RULES SET OUT IN

- THEIR REGULATIONS
(Public Service Commission Regulations Chapter 1:01/Police Service Commission Regulations)
- SERVICE ACTS
- POLICIES HANDED DOWN



THANK YOU




