

Regulation of Anguilla: 12/2010Gazette Dated: 28th May, 2010

PUBLIC SERVICE COMMISSION ACT (R.S.A. c. P165)**PUBLIC SERVICE COMMISSION (AMENDMENT) REGULATIONS, 2010**

Regulations made by the Governor, acting after consultation with the Public Service Commission, under section 6 of the Public Service Commission Act, R.S.A. c. P165.

Interpretation

1. In these Regulations, “Principal Regulations” means the Public Service Commission Regulations, R.R.A. P165-1.

Amendment of section 1

2. Section 1 of the Principal Regulations is hereby amended—

(a) by deleting the definition of “Establishments Secretary” and replacing it with the following definition—

“Director of Human Resource Management” means the person holding that office;

(b) in the definition of “officer” in paragraph (d) by deleting the phrase “Assistant Superintendent” and replacing it with the word “Superintendent”;

(c) by inserting the following definition in its appropriate alphabetical order—

“long term” means not less than one year;”.

General Amendment

3. The words “Establishments Secretary” wherever they appear in the Principal Regulations shall be replaced with the words “Director of Human Resource Management”.

Amendment of section 3

4. Section 3(2) of the Principal Regulations is amended by deleting the phrase “without reasonable excuse”.

Amendment of section 5

5. Section 5(1) of the Principal Regulations is amended by deleting the words “those members present in Anguilla” and replacing with the words “the members”.

Amendment of section 6

6. Section 6 of the Principal Regulations is repealed and replaced with the following—

“Secretary

6. (1) The Commission shall have a secretary who shall not be a member of the Commission.

(2) The Director of Human Resource Management shall be the *ex-officio* Secretary of the Commission.”

Amendment of section 10

7. Section 10 of the Principal Regulations is amended—

- (a) in paragraph (a) by deleting the words “and transfers” and replacing them with the words “transfers and secondments”;
- (b) in paragraph (b) by deleting the words “and the passing of promotion or efficiency bars”;
- (c) in paragraph (c) by inserting the phrase “long term” after the word “for” and before the word “training”;
- (d) by inserting the following paragraph (d) immediately after paragraph (c)—
 - “(d) selection of public officers for training courses—
 - (i) that are not long term courses, and
 - (ii) in circumstances where all officers who hold the same office in public service will not be exposed to the same training course.”.

Amendment of section 11

8. Section 11 of the Principal Regulations is amended by deleting the sentence “The Establishments Secretary shall forward all such reports to the Secretary.”.

Amendment of section 12

9. Section 12 of the Principal Regulations is amended—

- (a) in subsection (1)—
 - (i) by deleting the words “by circular or”,
 - (ii) by inserting the words “by print or by electronic media” after “*Gazette*,” and before “give”;
- (b) in subsection (2) by deleting the words “secured, the Commission shall take” and replacing with the words “considered for the post, the Commission shall recommend.”.

Amendment of section 13

10. Section 13(3) of the Principal Regulations is amended—

- (a) in paragraph (g) by deleting the word “duties” and replacing it with “offices”;
- (b) in paragraph (i) by deleting the words “Establishments Secretary or”.

Amendment of section 17

11. Section 17 is amended by deleting the words “the appointment” and replacing with the word “appointments”.

Amendment of section 18

12. Section 18(1) of the Principal Regulations is amended by deleting the words “training courses” and replacing with the words “long term training courses”.

Amendment of section 20

13. Section 20 of the Principal Regulations is amended—

- (a) in the marginal note by deleting the word “Confidential” and replacing it with the word “Performance”;
- (b) by deleting the phrase “last day of February” and replacing it with the phrase “15th day of January”;
- (c) by deleting the words “confidential reports” and replacing them with “performance reports”.

Amendment of section 23

14. Sections 23(1) of the Principal Regulations is repealed and replaced with the following—

“23. (1) On first appointment to the public service, or on promotion in the service, an officer will be required to serve a probationary period of 1 year in the same office unless a shorter or longer term is specified by the Commission, save for instances where an officer would have served in a temporary or acting capacity for a period in excess of 1 year in the same office to which he has been appointed.”.

Amendment of section 25

15. Section 25 of the Principal Regulations is amended by deleting the phrase “1 month” and replacing it with the phrase “5 working days”.

Amendment of section 26

16. Section 26 of the Principal Regulations is amended—

- (a) by repealing paragraph (a) (v);
- (b) by repealing paragraph (b) (iv).

Amendment of section 27

17. Section 27(1) of the Principal Regulations is repealed and replaced with the following—

“27.(1) An officer holding a pensionable post, will be required to retire at any time after attaining the normal retirement age, but, in special cases a public officer may be required to retire by the Governor at any time within 5 years before attaining the normal retirement age.”.

Amendment of section 35

18. Section 35(2) of the Principal Regulations is amended by deleting the word “this” and replacing it with the word “the”.

Amendment of section 36

19. Section 36 of the Principal Regulations is amended by inserting the words “to be” after the words “documentary evidence” and before the words “relied on”.

Amendment of section 40

20. Section 40(1)(b) of the Principal Regulations is amended by deleting the word “rank” and replacing it with “office”.

Amendment of section 41

21. Section 41 of the Principal Regulations is amended—

- (a) in subsection (5) by deleting the number “6” and replacing it with the number “12”;
- (b) by repealing subsection (6)

Amendment of section 43

22. Section 43(1) of the Principal Regulations is amended by deleting the words “pensionable officer” and replacing with the word “officer.”

Amendment of section 44

23. Section 44 of the Principal Regulations is amended—

- (a) in subsection (3) by deleting the words “of being present and of putting” and replacing with the words “to put”;
- (b) in subsection (7) by inserting the words “by the Governor” after the words “The decision” and before the words “on each charge”.

Citation

24. These Regulations may be cited as the Public Service Commission (Amendment) Regulations, 2010.

Made by the Governor, after consultation with the Public Service Commission, this 13th day of May, 2010.

Alistair Harrison
Governor of Anguilla
