

**PUBLIC SERVICE COMMISSION
(DELEGATION OF POWERS) ORDER**

158/1966.
[109/1981
232/1990
105/2006].

**made or deemed to be made under section 127
of the Constitution*

1. This Order may be cited as the Public Service Commission (Delegation of Powers) Order. Citation.

2. In this Order, “regulation” means the Public Service Commission Regulations and “the Regulations” shall be construed accordingly. Interpretation. Sub. Leg. below.

3. The Public Service Commission (hereinafter called “the Commission”) with the approval of the Prime Minister, hereby delegates to the authorities designated in the First and Second Schedules the powers specified therein in relation to such authorities. Delegations. [232/1990]. First and Second Schedules.

*Most of these delegations were made under section 93 of the former Constitution and were saved and deemed to be made under the Constitution by section 13 of the Constitution of the Republic of Trinidad and Tobago Act. (Ch. 1:01).

158/1966.
[232/1990].

FIRST SCHEDULE

PART I

**CHAIRMAN AND DEPUTY CHAIRMAN,
PUBLIC SERVICE COMMISSION**

Powers
delegated.

1. The Chairman and the Deputy Chairman of the Commission are hereby delegated the power to appoint persons on recruitment from outside the particular Service in the public service on a temporary basis in any public office other than the public offices, the appointment to which is subject to consultation with the Prime Minister.

Acting
appointments.

Ch. 23:01
Ch. 35:50
Ch. 13:02
Ch. 39:01
158/1966.

2. The power delegated under paragraph 1, is in respect of the public offices specified in the Classification of Offices set out in the First Schedule to the Civil Service Act, the Third Schedule to the Fire Service Act, the First Schedule to the Prison Service Act.

PART II

**PERMANENT SECRETARIES AND HEADS
OF DEPARTMENTS**

Powers
delegated.

1. The powers delegated to Permanent Secretaries and Heads of Departments are as follows:

Acting
appointments.

(a) to appoint a public officer to act in the public office in the Civil Service up to and including Salary Range 68 for periods up to six months in exercise of which power, the Permanent Secretary shall apply the principles of selection prescribed in regulations 18 and 26 and the provisions of regulation 25 of the Regulations;

Transfers.

(b) to transfer a public officer from an office in a grade in the Ministry or Department to which such an officer is assigned to a similar office in that grade in the same Ministry with no alteration in remuneration up to and including Salary Range 68 and this power shall be exercised subject to the provisions of regulation 29 of the Regulations which requires notice to be given to such officer and to the right of such officer and to make representations to the Commission;

Further
temporary
appointment.

(c) to appoint persons temporarily to offices in the public service for periods not exceeding six months at a time where such persons have already been appointed temporarily by the Public Service Commission for a fixed period;

Confirmation.

(d) to confirm the appointment of a public officer to a public office after consideration of all performance appraisal reports

and medical reports on the officer, where applicable during the probationary period if satisfied that the service of the officer on probation has been satisfactory.

2. The powers delegated in this Part are in respect of public officers in the Ministry under his supervision who hold the public offices specified in Salary Ranges Nos. 1 to 68 of the Classification of Offices set out in the First Schedule to the Civil Service Act, except that the power to confirm appointments to public offices applies to all offices within the Ministry or Department.

Application.

Ch. 23:01.

3. The powers delegated in this Part do not apply to offices, the appointment or promotion to which is subject to consultation with the Prime Minister.

Application.

4. A Permanent Secretary or Head of Department shall submit to the Commission once in every quarter a report of the exercise of the powers delegated to him.

Report to
Commission.

PART III

DEPUTY PERMANENT SECRETARIES

1. The powers delegated to Deputy Permanent Secretaries are as follows:
- (a) to appoint a public officer to act in a public office in the Civil Service in Salary Ranges up to and including Salary Range 45 for periods up to six months, in the exercise of which power the Deputy Permanent Secretary shall apply the principles of selection prescribed in regulations 18 and 26 and the provisions of regulation 25 of the Regulations; Powers delegated.
Acting appointments.
 - (b) to appoint persons temporarily to offices in Salary Ranges up to and including Salary Range 45 in the Public Service for periods not exceeding six months at a time where such persons have already been appointed temporarily by the Public Service Commission for a fixed period; Further temporary appointment.
 - (c) to confirm the appointment of a public officer to a public office in Salary Ranges up to and including Salary Range 45 after consideration of all performance appraisal reports and medical reports on the officer where applicable during the probationary period if satisfied that the service of the officer on probation has been satisfactory. Confirmation.

2. The powers hereby delegated are in respect of public officers in the Ministry under the supervision of the Deputy Permanent Secretary who hold the public offices specified in Salary Ranges up to and including Salary Range 45 of the Classification of Offices set out in the First Schedule to the Civil Service Act.

Application. 3. The powers hereby delegated do not apply to offices the appointment or promotion to which is subject to consultation with the Prime Minister.

Report to Commission. 4. A Deputy Permanent Secretary shall submit to the Commission once in every quarter through the Permanent Secretary a report on the exercise of the power delegated to him.

PART IV

DIRECTORS, HUMAN RESOURCES

Powers delegated. 1. The powers delegated to Directors, Human Resources are as follows:

Acting appointment. (a) to appoint a public officer to act in a public office in the Civil Service up to and including Salary Range 34 for periods up to six months, in the exercise of which power delegated the Directors, Human Resources shall apply the principles of selection prescribed in regulations 18 and 26 and the provisions of regulation 25 of the Regulations;

Further temporary appointment. (b) to appoint persons temporarily to offices up to and including Salary Range 34 in the Public Service for periods not exceeding six months at a time where such persons have already been appointed temporarily by the Public Service Commission for a fixed period;

Confirmation. (c) to confirm the appointment of a public officer to a public office up to and including Salary Range 34 after consideration of all performance appraisal reports and medical reports on the officer where applicable during the probationary period if satisfied that the service of the officer on probation has been satisfactory.

Application. 2. The powers delegated in this Part are in respect of public officers in the Ministry under the supervision of the Director, Human Resources, who hold the public offices specified in Salary Ranges Nos. 1 to 34 of the Classification of Offices set out in the First Schedule to the Civil Service Act.

Application. 3. The powers hereby delegated do not apply to offices the appointment or promotion to which is subject to consultation with the Prime Minister.

Report to Commission. 4. A Director, Human Resources shall submit to the Commission once in every quarter through the Permanent Secretary a report on the exercise of its powers delegated to him.

PART V

PERMANENT SECRETARY, MINISTRY OF HEALTH

1. The Permanent Secretary, Ministry of Health is delegated the powers to appoint persons temporarily to the offices of Clinical Instructor and Nursing Instructor. Powers delegated.
2. The Permanent Secretary, Ministry of Health, shall submit to the Commission once in every quarter, a report of the exercise of the powers delegated to him under this Part. Report to Commission.

PART VI

THE DIRECTOR OF STATISTICS, CENTRAL
STATISTICAL OFFICE, MINISTRY OF PLANNING AND
DEVELOPMENT

1. (1) The powers delegated to the Director of Statistics, Central Statistical Office, Ministry of Planning and Development are as follows: Powers delegated.
 - (a) to appoint persons to the temporary posts of—
 - (i) Field Interviewer;
 - (ii) Clerical Assistant;
 - (iii) Statistical Assistant,in the Central Statistical Office;
 - (b) to remove and exercise disciplinary control over any person appointed under and in exercise of the power of appointment delegated under paragraph (a).
- (2) All appointments made under this Part shall be on a temporary basis.
- (3) The Director of Statistics shall submit to the Commission once in every quarter, a report of the exercise of any of the powers delegated under this Part. Report to Commission.

PART VII

THE COMMISSIONER OF PRISONS

1. The powers delegated to the Commissioner of Prisons are as follows: Powers delegated.
 - (a) the power to appoint persons and prison officers on promotion to offices in the Prison Service below the rank of Prison Supervisor and to confirm the appointment of Prison Officers to such offices in accordance with the Regulations, but the power hereby delegated shall not include the power Appointment.

- to terminate an appointment on probation or extend a period of probation under regulation 44 of the Regulations;
- (b) in the case of a person recruited for training to serve as a prison officer below the rank of Prison Supervisor, the power to terminate the appointment at any time on the ground of unsuitability arising from any cause;
- (c) the power to appoint prison officers to act in offices in the Prison Service below the office of Prison Supervisor and in the exercise of this power the Commissioner shall apply the principles of selection prescribed in regulation 172 of the Regulations;
- (d) the power to transfer prison officers from one Prison to another;
- (e) the power to direct a prison officer to cease to report for duty in accordance with regulation 88 of the Regulations and the Commissioner shall report the exercise of this power forthwith to the Commission;
- (f) the functions of the Commission under regulation 48 of the Regulations in respect of a prison officer in an office in the Prison Service below the office of Prison Supervisor.

Acting
Appointment.

Transfers.
Suspension.

Resignation.

2. In the exercise of the powers delegated under paragraph 1 of this Part to the Commissioner of Prisons to appoint persons and prison officers to offices specified therein, the reference to the Director in regulation 166 shall be construed as reference to the Commissioner.

Report to
Commission.

3. The Commissioner shall submit to the Commission, once in every quarter, a report of the exercise of any of the powers delegated to the Commissioner and to any other prison officer.

PART VIII

THE CHIEF FIRE OFFICER

Powers
delegated.

Appointments.

1. The powers delegated to the Chief Fire Officer are as follows:
- (a) the power to appoint persons and fire officers on promotion to offices in the Second Division of the Fire Service below the office of Fire Station Officer and to confirm the appointment of Fire Officers to such offices in accordance with the Regulations, but the power hereby delegated shall not include power to terminate an appointment on probation or extend a period of probation under regulation 44 of the Regulations;
- (b) in the case of a person recruited for training to serve as a fire officer below the office of Fire Station Officer, the power to

terminate the appointment at any time on the ground of unsuitability arising from the cause;

- (c) the power to appoint fire officers to act in offices in the Second Division of the Fire Service below the office of Fire Station Officer and in the exercise of this power the Chief Fire Officer shall apply the principles of selection prescribed in regulations 154, 157 and 158, and the provisions of regulations 154 and 155 of the Regulations; Acting Appointments.
- (d) the power to transfer Fire Officers from one Division or District or Branch in the Fire Service to another such Division or District or Branch; Transfers.
- (e) the power to direct a fire officer to cease to report for duty in accordance with regulation 88 of the Regulations and the Chief Fire Officer shall report the exercise of this power forthwith to the Commission; Suspension.
- (f) the functions of the Commission under regulation 164 of the Regulations in respect of a fire officer in an office in the Second Division of the Fire Service below the office of Fire Station Officer. Resignation.

2. The Chief Fire Officer shall submit to the Commission, once in every quarter, a report of the exercise of any of the powers delegated to the Chief Fire Officer and to any other fire officer. Report to Commission.

PART IX

CHIEF ADMINISTRATOR, TOBAGO HOUSE OF ASSEMBLY, TOBAGO

1. The powers delegated to the Chief Administrator, Tobago House of Assembly, Tobago are as follows: Appointments.

- (a) to appoint persons on recruitment from outside the Civil Service in a temporary capacity to an office in the Tobago House of Assembly, subject to section 26(1) and the Sixth Schedule of the Tobago House of Assembly Act, No. 40 of 1996 which powers are in respect of the public offices specified in the classification of offices set out in the First Schedule to the Civil Service Act, and which are regarded as the basic normal entry points to the general clerical, secretarial and manipulative classes; Ch. 23:01.
- (b) to appoint a public officer to act in a public office in the Civil Service, Tobago House of Assembly, for periods up to six Acting Appointments.

months whether such acting appointment is in a vacant office or not except that where an acting appointment is made in a vacant office the officer must be informed that such acting appointment would not give him any prior claim to eventual permanent appointment thereto and in respect of such power the Chief Administrator shall apply the principles of selection prescribed in regulations 18, 24 and 26 and the provisions of regulation 25 of the Regulations;

Transfers.

- (c) to transfer a public officer from an office in a grade in the Tobago House of Assembly, to which such an officer is assigned to a similar office in that grade within the Tobago House of Assembly, with no alteration in his remuneration which power shall be exercised by the Chief Administrator subject to the provisions of regulation 29.
- (d) to direct a public officer assigned to an office in the Tobago House of Assembly, to cease to report for duty in accordance with regulation 88 of the Regulations and the Chief Administrator, Tobago House of Assembly, shall report the exercise of this power forthwith to the Commission;
- (e) to exercise disciplinary control in respect of any alleged act of misconduct or indiscipline described in Column 1 of the Second Schedule being a breach of a regulation in respect of the Civil Service as specified in Column 2.

2. In the exercise of the powers delegated under paragraph 1(e), the Chief Administrator shall—

- (a) exercise the powers of the Commission under regulation 90(6) and (7);
- (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 the Clerk IV to be a disciplinary tribunal and that officer shall hear the facts and make a report thereon to the Chief Administrator in accordance with the provisions respecting the function and duties of a Disciplinary Tribunal as prescribed in the Regulations;
- (c) any fine which the Chief Administrator imposes under paragraph (e) shall not exceed an amount calculated on four days pay per month to a maximum of three months.

Report.

3. The Chief Administrator shall submit to the Commission once in every quarter, a report on the exercise of powers delegated to him in this Part.

Application.

4. The powers and functions delegated in this Part are in respect of public officers who hold any of the public offices specified in Salary Ranges

Nos. 1 to 68 inclusive of the Classification of Offices set out in the First Schedule to the Civil Service Act, 1965, except that the powers delegated do not apply to offices the appointment or promotion to which is subject to consultation with the Prime Minister.

PART X

**THE SENIOR PUBLIC OFFICER, HIGH COMMISSIONS,
MISSIONS AND EMBASSIES OF TRINIDAD AND
TOBAGO**

1. The powers delegated to the Senior Public Officer, High Commissions, Missions, and Embassies of Trinidad and Tobago are as follows: Powers delegated.

- (a) the power to appoint, on a temporary basis only persons resident in the jurisdiction where the particular High Commission, Mission or Embassy is situated to the non-representational staff of the said High Commission, Mission or Embassy that is to say to any office of the grade of Clerk IV and under;
- (b) the power to remove and exercise disciplinary control over any person appointed under and in exercise of the power of appointment delegated under subparagraph (a).

PART XI

**THE PERMANENT SECRETARY, CENTRAL
ADMINISTRATIVE SERVICES, TOBAGO**

1. The powers delegated to the Permanent Secretary, Central Administrative Services, Tobago, are as follows: Powers delegated.

- (a) 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) which power is in respect of the public offices specified in the Classification of Offices set out in the First Schedule to the Civil Service Act, and which are regarded as the basic normal entry points to the general clerical, secretarial and manipulative classes; Ch. 23:01.
- (b) 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, for periods up to six months 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 any prior claim to eventual permanent appointment thereto, in respect of which power the Permanent Secretary shall apply the principles of selection prescribed in regulations 18, 24 and 26 and the provisions of regulation 25 of the Regulations;

Transfers.

- (c) 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 remuneration, which power shall be exercised by the Permanent Secretary subject to the provisions of regulation 29 of the Regulations, which require notice to be given to such officer and which preserves the right of such officer to make representations to the Commission;
- (d) 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 Regulations, and the Permanent Secretary, Central Administrative Services, Tobago shall report the exercise of this power forthwith to the Commission;
- (e) to exercise disciplinary control in respect of any alleged act of misconduct or indiscipline described in column 1 of the Second Schedule being a breach of a regulation in respect of the Civil Service as specified in Column 2.

2. In exercise of the power delegated under paragraph 1(e) the Permanent Secretary shall—

- (a) exercise the powers of the Commission under regulation 90(6) and (7).
- (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 Regulations.

3. Any fine which the Permanent Secretary imposes under paragraph 1(e) shall not exceed an amount calculated on four days pay per month to a maximum of three months.

4. The Permanent Secretary shall submit to the Commission, once in every quarter, a report of the exercise of any powers delegated to him.

5. The powers and functions hereby delegated under this Part are in respect of public officers who hold any of the public offices specified in Salary Ranges Nos. 1 to 68 inclusive of the Classification of Offices set out in the First Schedule to the Civil Service Act, 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 Prime Minister is required by the Commission. Ch. 23:01.
