

PUBLIC SERVICE AMENDMENT BILL 2017

SAMOA

Explanatory Memorandum

Object and Reason:

The Bill seeks to amend the Public Service Act 2004. The object of the Bill is to set out the appointment of Assistant Chief Executive Officers to be made by the Head of State on the advice of Cabinet.

Clauses:

- Clause 1:** - provides for the short title and commencement.
- Clause 2:** - provides for a new clause 31A which sets out the appointment of Assistant Chief Executive Officers to be made by the Head of State on the advice of Cabinet.



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(Hon TUILAEPA Auelua Fatialofa Lupesoliai Lolofietele

Neioti Aiono Galumalemana Dr. Sailele Malielegaoi)

**MINISTER RESPONSIBLE FOR THE
PUBLIC SERVICE COMMISSION**

PUBLIC SERVICE AMENDMENT BILL 2017

SAMOA

Arrangement of Provisions

1. Short title and commencement
2. New section 31A inserted

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2017, No.

A BILL INTITULED

AN ACT to amend the Public Service Act 2004.

BE IT ENACTED by the Legislative Assembly of Samoa in Parliament assembled as follows:

1. **Short title and commencement:**
 - (1) This Act may be cited as the Public Service Amendment Act 2017.
 - (2) This Act commences on the date of assent.

2. **New section 31A inserted:**

After section 31 of the Principal Act, insert:

“31A. Appointment of Assistant Chief Executive Officers:

- (1) Subject to subsection (2), the Head of State may, acting on the advice of Cabinet, appoint a person as an Assistant Chief Executive Officer of a Ministry, as a contract employee.
- (2) Subject to section 30, the Commission must, in consultation with the relevant Chief Executive Officer:
 - (a) advertise the position on the circular; and
 - (b) carry out the selection process; and
 - (c) advice Cabinet, on the person who, in the opinion of the Commission has the most merit of all applicants for the position.
- (3) Except for section 31(1) and (2), other provisions of this Act relating to contract employees apply to an Assistant Chief Executive Officer position.”.
