



ANALYSIS

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| <p>1. Title
Short Title
2. Commissioners of the High Court</p> | <p>3. Functions of Public Service Commission</p> |
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1969, No. 9

An Act to amend the Constitution and to provide for special posts within the Public Service

(11 October 1969)

BE IT ENACTED by the Legislative Assembly of the Cook Islands in Session assembled, and by the authority of the same, as follows:

1. Short Title - This Act may be cited as the Constitution Amendment (No. 3) Act 1969 and shall be read together with and deemed part of the Constitution of the Cook Islands as set out in the Second Schedule to the Cook Islands Constitution Amendment Act 1965 (hereinafter referred to as "the Constitution").

2. Commissioners of the High Court - Subclause (2) of Article 49 of the Constitution is hereby amended by omitting the words "Secretary of the Premier's Department" wherever they occur and substituting the words "Public Service Commission".

3. Functions of Public Service Commission - (1) Article 74B of the Constitution is hereby amended by inserting before the words "The Public Service Commission" in subclause (1) the words "Subject to the provisions of subclauses (3) and (4) of this Article".

(2) Article 74B of the Constitution is hereby further amended by adding the following new subclauses after subclause (2):-

"(3) An Act may designate as a special post any post of head of department or any other senior post in the Cook Islands Public Service; and the promotion or appointment to or in any post so

designated shall be made by the Public Service Commission with the concurrence of Cabinet.

(4) An Act may provide for the appointment of persons from outside the Cook Islands to positions in the Cook Islands Public Service and the conditions on which such appointments are to be made; and the appointment of any such person shall be made by the Public Service Commission with the concurrence of Cabinet.

(5) A decision of Cabinet under subclause (3) or subclause (4) of this Article shall be deemed to be a decision to which Article 25 hereof (which relates to the reconsideration of Cabinet decisions by the Executive Council) applies."

This Act is administered in the Public Service Commission.