

[Legal Notice 5]

**THE SOLOMON ISLANDS INDEPENDENCE ORDER 1978
(L.N. 43 of 1978)**

**THE PUBLIC SERVICE COMMISSION (AMENDMENT)
REGULATIONS 2006**

IN exercise of the power conferred by section 137 (1) of the Constitution, the Public Service Commission hereby makes the following regulations -

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| Citation 1. | These Regulations may be cited as the Public Service Commission (Amendment) Regulations 2006. |
| Amendment of regulations 11, 19, 20, 21, 24, 25, 27, 29, 33, 37, and 39 | <p>2. The Public Service Commission Regulations 1998* (hereinafter referred to as the "Principal Regulations") are hereby amended by deleting the regulations specified herein and substituting therefore in each case the following new regulations -</p> <p style="margin-left: 20px;">"Procedures for submission</p> <p style="margin-left: 20px;">Appointments to be advertised</p> <p style="margin-left: 20px;">Exception to minimum qualifications</p> |
| 11. All submissions to the Commission will be in writing and copy forwarded to the Secretary of the Public Service for the official records. | |
| 19. Unless the Commission otherwise agrees, all appointments to the Public Service will be publicly advertised. | |
| 20. No person shall be appointed to any office unless he or she has the appropriate minimum entry qualifications, except that, if there are no suitably qualified candidates, the Commission may, with the concurrence of the Permanent Secretary of the relevant department through the Permanent Secretary for the Public Service, appoint a person with less than the minimum qualifications on non-permanent terms | |

Appointments of
non-nationals

21. Non-nationals shall only be appointed where the Commission is satisfied that no qualified national is available, and then only on a non-permanent basis for such time as may, in the view of the Commission, be necessary to obtain a qualified Solomon Islands officer. The selection of officers for appointment shall be made with due regard to the need to be inclusive of men and women, people with a disability and workers from all provinces.

Composition of
Panels

24. A selection panel shall consist of a Chairman and two or more members who shall be public officers. One officer shall normally be from the Public Service Department and must hold a substantive appointment not less than level 6 or two levels above the level to which the appointment is being made whichever is the higher. The members, at least one of whom shall have relevant professional, technical or specialist qualifications and shall hold a substantive appointment not less than level 5 or one grade above the level of appointment, whichever is the higher.

Reference back
by commission

25. All recommendations shall be made direct to the Commission by the Permanent Secretary of the relevant department for appointments from levels 3-13. A copy shall be provided to the Permanent Secretary for the Public Service for the personnel files. All recommendations must be signed by the Permanent Secretary. If any recommendation is not accepted by the Commission, any alternative appointment shall only be made after consultation with the Permanent Secretary of the relevant department and the Permanent Secretary for the Public Service, who shall seek the views of the panel or recommending officer before submitting another opinion to the Commission.

- Probationary period for permanent appointments 27. Permanent appointments will be subject to a probationary period of six months. In special circumstances the Commission may, however, on the recommendation of the supervising officer, extend this period.
- Reports during probation 29. It is the Permanent Secretary's responsibility to ensure that reports are made on officers on probation. The final report must be submitted to the Commission no later than one month before the end of the probation period.
- Field for consideration for promotion 33. The field of candidates for consideration for substantive promotion shall be determined by the Permanent Secretary for the relevant department. The Public Service Department should be advised of the short listed candidates.
- Selection for acting appointments 37. Appointment to act in any office shall be made by the Commission on the recommendation of the Permanent Secretary of the relevant department.
- Transfer at same grade level 39. Transfer from one cadre, group, or class to another at the same grade level shall be approved by the Commission on the recommendation of the Permanent Secretary of the relevant department and forwarded to it by the Permanent Secretary for the Public Service. This approval will only be granted if the officer is qualified and such a move would be in the public interest. On transfer an officer will carry over any seniority held in his former cadre, group or class.

Dated at Honiara this third day of February 2006

EDMUND ANDRESEN
Chairman
Public Service Commission

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