

THE CIVIL SERVICE ESTABLISHMENT ACT

Act
54 of 1975.

[1st February, 1976.]

1. This Act may be cited as the Civil Service Establish- Short title.
ment Act.

2. In this Act, unless the context otherwise requires— Interpretation.
“the Minister” means the Minister for the time being responsible for the public service;
“officer” means an officer in the public service;
“public service” means the service of the Crown in a civil capacity, permanent in nature, in respect of the Government of Jamaica, so, however, that the Minister may, by order, deem service with any statutory authority or other body specified in the order to be public service for the purposes of this Act.

3.—(1) Subject to the provisions of the Constitution of Jamaica relating to the holders of public offices and of this Act, the power to constitute or abolish offices in the public service shall be exercised by the Minister by order. Power to constitute and abolish offices.

(2) An order under this section may from time to time—

- (a) determine the numbers of any office specified thereunder;
- (b) determine the emoluments to be attached to any office; and
- (c) make such incidental, consequential and supplemental provisions as the Minister thinks necessary or expedient to give full effect to the order and,

without prejudice to the generality of the foregoing, any such order may include provisions—

- (i) making in any enactment regulating the number of offices in respect of which, or the number of office holders in respect of whom, emoluments may be paid, such modifications as may be expedient; and
- (ii) amending any enactment relating to the appointment, powers, duties, rights or liabilities of any officer holding any office specified in an order or bearing the same style and title as an officer appointed to any office specified in an order.

(3) An order under this section may provide that it shall have effect from such date, not earlier than the 1st day of February, 1976, as may be specified therein.

(4) An order under this section shall be subject to affirmative resolution of the House of Representatives.

Savings.

4.—(1) The powers conferred by this Act shall be in addition to and not in derogation of the powers exercisable by virtue of the prerogative of the Crown.

(2) Nothing in this Act shall be construed—

- (a) so as to affect any powers vested in the Governor-General or any other person or authority to exercise disciplinary control over officers;
- (b) so as to interfere with the rights existing at the 1st day of February, 1976, of any officer then holding office.