

No. 11 of 2021.

Public Services (Management)(Amendment) Act 2021.

Certified on : **21 SEP 2021**



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Public Services (Management)(Amendment) Act 2021.

ARRANGEMENT OF SECTIONS.

1. Compliance with constitutional requirements.
2. Persons who have resigned from the Public Service to become candidates at elections (Amendment of Section 55).



No. 11 of 2021.

AN ACT

entitled

Public Services (Management)(Amendment) Act 2021,

Being an Act to amend the ***Public Services (Management) Act 1995***, and for related purposes,

MADE by the National Parliament -

- (a) for Section 2(a) - to come into operation 12 months before the issue of writ for the 2027 National General Elections; and
- (b) for Section 2(b) - to come into operation upon certification.

1. COMPLIANCE WITH CONSTITUTIONAL REQUIREMENTS.

This Act, to the extent that it regulates or restricts the exercise of a right of freedom referred to in Subdivision III.3 (*qualified rights*) of the *Constitution*, namely -

- (a) the right to freedom of expression and publication conferred by Section 46; and
- (b) the right peacefully to assemble and associate and to form or belong to, or not to belong to, political parties, industrial organisations or other association conferred by Section 47; and
- (c) the right to freedom of choice of employment in any calling for which a person has the qualifications (if any) lawfully required conferred by Section 48; and
- (d) the right to reasonable privacy conferred by Section 49; and
- (e) the right to vote and stand for public office conferred by Section 50; and
- (f) the right to equality of treatment in employment conferred by Section 55,

of the *Constitution*, is a law made for the purpose of giving effect to the public interest in public order and public welfare.

2. PERSONS WHO HAVE RESIGNED FROM THE PUBLIC SERVICE TO BECOME CANDIDATES AT ELECTIONS (AMENDMENT OF SECTION 55).

Section 55 of the Principal Act is amended -

- (a) in Section 2(a) by deleting the word “six” and replacing it with the following:

“twelve”; and


- (b) in Subsection (4) by repealing the words “has no automatic right to be re-admitted to the Public Service, but may re-apply for re-appointment” and replacing it with the following:

“may apply to the Public Service after a period of 5 years from the National General Election he contested in”; and

Public Services (Management)(Amendment)

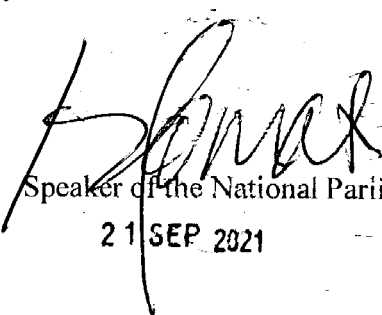
(c) by repealing Subsection (5).

I hereby certify that the above is a fair print of the ***Public Services (Management)(Amendment) Act 2021***, which has been made by the National Parliament.


Clerk of the National Parliament.

21 SEP 2021

I hereby certify that the ***Public Services (Management)(Amendment) Act 2021***, was made by the National Parliament on 19 August 2021, by an absolute majority in accordance with the ***Constitution***.


Speaker of the National Parliament.

21 SEP 2021