

No. 11 of 2021.

***Public Services (Management)(Amendment) Act 2021.***

Certified on : **21 SEP 2021**



No. 11 of 2021.

***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)***

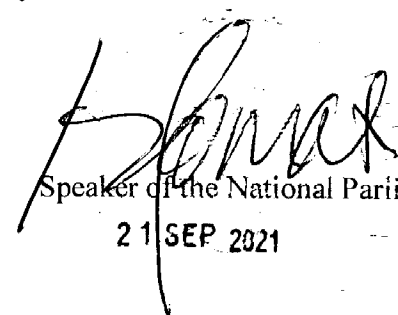
(c) by repealing Subsection (5).

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