

Constitution of Barbados

CONSTITUTION (DELEGATION OF FUNCTIONS - PUBLIC AND POLICE SERVICES) (MISCELLANEOUS PROVISIONS) ORDER, 1974

1974/122.
1974/211.
1998/206.
2003/24.

Authority: This Order was made on 26th April, 1974 by the Governor-General, acting in accordance with the advice of the Public Service Commission and the Police Service Commission respectively, under sections 95 and 97 of the Constitution.

Commencement: 1st January, 1974.

1. This Order may be cited as the *Constitution (Delegation of Functions - Public and Police Services) (Miscellaneous Provisions) Order, 1974*.

2. For the purposes of this Order,

"departmental post" means a post appearing in Schedule A to the *Civil Establishment (General) Order, 1973* and to which section 94(1) or 96(1) of the *Constitution* applies;

"gazetted police officer" has the same meaning as in section 2 of the *Police Act*; Cap. 167.

"general service post" means a post appearing under the head entitled "GENERAL SERVICE" in Schedule A to the *Civil Establishment (General) Order, 1973*, and "non-general service post" shall be construed accordingly; 1973/45.

"Head of Mission" means an Ambassador, High Commissioner or other principal representative of Barbados in any other country, or accredited to any international organisation, appointed under section 100 of the *Constitution*;

"Permanent Secretary" has the same meaning as in section 99 of the *Constitution*;

Cap. 21. "unestablished office" means a public office other than an office established under the *Civil Establishment Act*.

Schedule. **3.** (1) Subject to sections 95 and 97 of the *Constitution*, the powers vested in the Governor-General by sections 94 and 96 thereof and specified in column 1 of Part I of the *Schedule* in respect of the posts so specified shall, without prejudice to the exercise of such powers by the Governor-General, be exercisable by the persons specified in column 2 immediately opposite to such posts.

Schedule. (2) Notwithstanding sub-paragraph (1) and subject to the conditions specified in that sub-paragraph, the power conferred on the Governor-General by section 94 of the *Constitution* to make appointments to the posts mentioned in Part II of the *Schedule* shall be exercisable by the Chairman, Public Service Commission after consultation with the relevant Permanent Secretaries or the Chief Technical or Professional Officers, as the case may be.

1974/211. **4.** A power of appointment delegated under this Order shall not be exercisable in respect of an officer whose appointment has been terminated or who has become subject to disciplinary proceedings.

SCHEDULE

1974/211.
1998/206.
2003/24.

(Paragraph 3)

PART I

Column 1	Column 2
<p>1. Acting appointments to departmental posts up to and including</p> <p style="padding-left: 2em;">(a) posts in the salary scale Z9-1, except the posts of Assistant Secretary and Administrative Assistant;</p> <p style="padding-left: 2em;">(b) posts in the salary scale P5, contained in Schedule B to the <i>Civil Establishment (General) Order, 1973</i> for a period not exceeding 3 months, where the officer to be appointed to act in an office is the most senior officer eligible for such acting appointment.</p>	<p>Permanent Secretary and Heads of Department not falling under Ministries.</p>
<p>2. Acting appointments to posts held by Heads of Department and to posts senior to that of Assistant Secretary but excluding</p> <p style="padding-left: 2em;">(a) the post of Director of Finance and Planning;</p> <p style="padding-left: 2em;">(b) the post of Permanent Secretary; and</p> <p style="padding-left: 2em;">(c) any post to which a salary equivalent to that of a Permanent Secretary attaches.</p>	<p>Chairman, Public Service Commission.</p>

Column I	Column 2
<p>1998/206.</p> <p>3. Appointments on transfer of officers within a Ministry or Department</p> <p style="padding-left: 2em;">(a) who hold a post of Clerical Officer, Senior Clerk, Senior Accountant, Accountant, Assistant Accountant, Executive Officer, Senior Executive Officer, Stenographer/Typist or Secretary; and</p> <p style="padding-left: 2em;">(b) who hold a post to which there is attached an annual salary in the C Scale.</p> <p>4. Appointment to the post of House Officer, Queen Elizabeth Hospital.</p> <p>5. Appointments to the post of Senior House Officer and Registrar, Queen Elizabeth Hospital and Mental Hospital.</p> <p>6. Acting appointments to the post of Consultant and Senior Consultant to the Queen Elizabeth Hospital and Mental Hospital.</p>	<p>Permanent Secretary, after consultation with the Head of Department.</p> <p>Hospital Director of the Queen Elizabeth Hospital after consultation with the Chief Medical Officer.</p> <p>Chairman, Public Service Commission after consultation with</p> <p style="padding-left: 2em;">(a) the Chief Medical Officer; and</p> <p style="padding-left: 2em;">(b) the Hospital Director of the Queen Elizabeth Hospital or the Medical Superintendent of the Mental Hospital, as the case may be.</p> <p>Chairman, Public Service Commission after consultation with</p> <p style="padding-left: 2em;">(a) the Chief Medical Officer; and</p> <p style="padding-left: 2em;">(b) the Hospital Director of the Queen Elizabeth Hospital or the Medical Superintendent of the Mental Hospital, as the case may be.</p>

Column I	Column 2
7. Permanent appointments to posts to which there is attached an annual salary in the C Scale or an annual salary up to, and including, the salary specified in the scale Z11-10 of Schedule B to the <i>Civil Establishment (General) Order, 1973</i> .	Chairman, Public Service Commission. 1998/206.
8. (a) Acting appointments to the post of teacher; (b) appointments to the post of supernumerary teacher; and (c) disciplinary control in respect of persons appointed under (a) and (b).	The Chief Education Officer.
9. Disciplinary control in respect of persons acting in or appointed to the post of Prison Officer.	Superintendent of Prisons.
10. Appointments to unestablished offices on the staff of a Head of Mission and disciplinary control over persons appointed to or acting in such offices.	(a) The Head of Mission where the Head of Mission holds an established office on a substantive basis; (b) in any case not falling under (a), the Permanent Secretary, Ministry of External Affairs.
11. Disciplinary control in respect of members of the Fire Service appointed to or acting in any office of or below the rank of subordinate officer as defined by section 2 of the <i>Fire Service Act, 1960</i> .	Chief Fire Officer. Cap. 163.

	Column I	Column 2
	<p>12. (a) Appointments on transfer in respect of non-general service posts;</p> <p>(b) appointments to act in</p> <p style="padding-left: 40px;">(i) general service posts, and</p> <p style="padding-left: 40px;">(ii) the posts of Administrative Assistant and Assistant Secretary, where the persons appointed to act are the most senior officers eligible for such acting appointments;</p> <p>(c) appointments to unestablished offices and disciplinary control over persons so appointed;</p> <p>1998/206. (d) appointments to act in posts to which there is attached an annual salary in the C Scale and disciplinary any control over persons so appointed.</p>	<p>Chief Personnel Officer.</p>
	<p>13. Disciplinary control in respect of persons appointed to or acting in offices in the Police Force below the rank of Inspector.</p>	<p>Any gazetted police officer, acting in accordance with the provisions of the <i>Police (Discipline) Regulations, 1961</i>.</p>
	<p>14. Appointments to the post of Constable in the Police Force except the confirmation of the appointment of a Constable who is serving a probationary period under section 25 of the <i>Police Act, 1961</i>.</p>	<p>Commissioner of Police.</p>
	<p>15. Appointments to the posts of Senior Traffic Warden and Traffic Warden.</p>	<p>Commissioner of Police.</p>

PART II

Senior Veterinary Officer
Government Analyst
Assistant Analyst
Senior Agricultural Officer
Agricultural Officer
Veterinary Officer
Meteorologist
Principal Nursing Officer
Senior Laboratory Technologist
Chief Dispenser
Assistant Matron
Superintendent Radiographer
Laboratory Technologist
Senior Dispenser
Drug Inspector
Senior Sister
Senior Nursing Officer
Senior Health Sister
Matron, District Hospital
Radiographer
Physiotherapist
Occupational Therapist
Dental Hygienist
Senior Medical Officer of Health
Medical Officer of Health
Assistant Medical Officer of Health
Senior Dental Officer
Senior Public Health Engineer
Dental Officer
Medical Equipment Engineer
Dietitian
Instructor, Samuel Jackman Prescod Polytechnic
Deputy Chief Town Planner
Senior Town Planner
Town Planner

Engineer/Mechanical Engineer
Architect
Quantity Surveyor
Chief Marine Engineer
Statistician
Economist
Chief Accountant
Senior Economist
Senior Surveyor
Surveyor
Principal Auditor
Teacher
Fire Officer
Prison Officer