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I assent.

(L.S.) **MARIE-LOUISE COLEIRO PRECA**
President

22nd February, 2019

ACT No. III of 2019

AN ACT to update and replace the Public Administration Act, Cap. 497, to affirm the values of public administration as an instrument for the common good, to provide for the application of those values throughout the public sector, to provide for the organisation and management thereof, and to provide for other matters which are consequential or ancillary thereto.

BE IT ENACTED by the President, by and with the advice and consent of the House of Representatives, in this present Parliament assembled, and by the authority of the same, as follows:-

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PART I

Definitions and Declaration of Principles

Short title and commencement.

1. (1) The short title of this Act is the Public Administration Act, 2019.

(2) This Act shall come into force on such date as the Prime Minister may by notice in the Gazette establish, and different dates may be so established for different provisions or different purposes of this Act.

Interpretation.

2. (1) In this Act, unless the context otherwise requires:

"Code of Ethics" means the code of ethics established in the First Schedule;

"Department of Government" or "Department" means any entity in the Public Service that is listed in the Second Schedule;

S.L. Const.03

"Disciplinary Regulations" means the Public Service Commission Disciplinary Regulations or any other regulations on disciplinary matters substituting them and which may be made under article 121(1) of the Constitution;

"government agency" or "agency" means a body listed in the Fourth Schedule;

"government entity" means an organisation, not being a government department, specialised unit, a government agency or a commercial partnership, in which Government has a controlling interest, whether or not such organisation is established by law;

"grade" consists of a group of one or more posts in one or more ministries or departments that bear a common designation and form part of a career stream providing for mechanisms of promotion from one grade to another;

"Higher Executive Service" means the body of senior public officers to which article 19 refers;

"Minister" means, unless the context otherwise requires, the Minister responsible for the public administration so however that where the Prime Minister has delegated, wholly or in part, any of the powers, functions or authorities assigned to him by this Act, the Prime Minister may still exercise such powers, functions or authorities collaterally with such Minister;

"ministry" means an organisation referred to in article 7;

"position" means any office in the public service, other than a grade;

"post" means a particular set of tasks or duties which are performed or intended to be performed by one person;

"Principal Permanent Secretary" means the person appointed in terms of article 14;

"public administration" means the Government of Malta including its ministries and departments, specialised units and the agencies, government entities, commissions and boards referred to in this Act;

"public administration values" means the values listed in article 4;

"public employee" includes public officers and employees of government agencies and government entities;

"public office" has the same meaning assigned to it by article 124 of the Constitution and shall also, for the purposes of this Act, be understood to mean any grade or position except those listed in sub-article (2)(a);

"public officer" has the same meaning assigned to it by article 124 of the Constitution, but shall for the purposes of this Act be understood in accordance with sub-article (2);

"public service" has the same meaning assigned to it by the Constitution, but shall for the purposes of this Act be understood in accordance with sub-article (2);

"Public Service Commission" means the Commission established by article 109 of the Constitution;

"transfer" means to assign a public officer to a different post.

(2) This Act shall not apply to:

(a) the offices of judge, magistrate, Attorney General and Auditor General; and

(b) the offices of Speaker, Deputy Speaker, Ombudsman, Information and Data Protection Commissioner and Commissioner for Standards in Public Life; and

(c) the Broadcasting Authority, the Electoral Commission, the Employment Commission, Parliament, and (in so far as this Act does not specifically refer to it) the Public Service Commission:

Provided that, without prejudice to the independence of the Electoral Commission and the Public Service Commission under the Constitution, this Act shall apply to the Electoral Office and the Office of the Public Service Commission.

(3) Unless otherwise specified in this Act, where a provision of this Act conflicts with the provisions of any other law governing a department, an agency or a government entity, the other law shall prevail.

Principle of accountability.

3. Departments of Government, government agencies and government entities are bodies which manage public resources and which provide services to the public or perform other functions on behalf of the State, and as such, these bodies, and the public employees performing duties therein, shall:

(a) be governed by the provisions of this Act, including the public administration values and the Code of Ethics;

(b) be subject to ministerial direction as provided for in the Constitution and in this Act and other laws, except on matters in respect of which they are expressly required by law to act independently or under the direction of a person or authority other than a Minister;

(c) be accountable under this Act and other laws for the manner in which they provide services, carry out their functions and manage their resources, for their observance of the public administration values and the Code of Ethics, and for their observance of the ministerial directions referred to in paragraph (b).

Public administration values.

4. (1) In the carrying out of their functions or duties, public employees shall uphold and promote the following values:

(a) integrity;

(b) respect;

(c) loyalty;

(d) trust;

(e) quality;

(f) accountability;

(g) impartiality; and

(h) non-discrimination.

(2) Any failure by a public employee to act in a manner that reflects these values shall constitute grounds for disciplinary proceedings against that public employee under applicable rules and procedures.

(3) The Principal Permanent Secretary may issue directives aimed at upholding and better realising the public administration values, and public employees shall comply with such directives.

(4) The Sixth Schedule shall contain a list of those posts within the public administration that, due to the nature of their role and responsibilities, are considered to be high risk posts:

Provided that the Principal Permanent Secretary may issue directives applicable to the positions so identified.

(5) Public employees holding posts that involve regulatory and inspectorate functions may be designated for the purposes of this sub-article and, in the case of any post so designated -

(a) the incumbent shall be required to enter into an undertaking under which he shall not, for a period of up to two years following his resignation, retirement or termination from public employment, have a relationship of profit with any private enterprise or non-government body with which he has dealt as aforesaid during a period of up to five years immediately preceding his resignation, retirement or termination from public employment;

(b) "relationship of profit" means a relationship of any kind in which the former public employee has done work for which remuneration is ordinarily payable, whether or not any remuneration has in fact been received, with a private enterprise or non-government body;

(c) the undertaking shall be regarded as a condition of employment of the post to which it applies, but it shall continue to apply to the incumbent if he takes up a different post in public employment; and

(d) the undertaking shall specify the penalty that shall apply if its terms are breached, which penalty shall be equivalent to three years' salary:

Provided that the designation of posts referred to in this sub-article shall be carried out by a board composed of a chairman and two other members appointed by the Minister which Board shall also monitor the proper implementation of this sub-article.

(6) A person who is subject to an undertaking in terms of sub-article (5) may request a ruling from the Board established in the same sub-article to determine whether entering into a particular relationship of profit would constitute a breach of that undertaking, and no penalty shall apply to any breach of the undertaking where the person has acted in conformity with the ruling of the Board.

Code of Ethics.

5. (1) The Code of Ethics set out in the First Schedule shall apply to public employees.

(2) The Prime Minister may, from time to time, by order in the Gazette, amend or substitute the First Schedule.

(3) It shall be the duty of all public employees to comply with the Code of Ethics, and failure to do so on the part of any public employee may constitute grounds for disciplinary proceedings against that employee under applicable rules and procedures.

(4) The Principal Permanent Secretary may issue directives aimed at upholding and ensuring compliance with the Code of Ethics and, with the concurrence of the Minister responsible for the particular board or commission, he may also issue such directives with respect to boards and commissions.

(5) The head of a department, specialised unit, agency or government entity may, with the approval of the Principal Permanent Secretary, make rules of ethical conduct, complementary and in addition to the Code of Ethics, relating to the circumstances particular to that organisation, and the term Code of Ethics in relation to public employees in that organisation shall include such rules.

PART II

The Public Service

Title 1 - Organisation

Ministers and Ministers' Secretariats.

6. (1) Where a Minister is assigned responsibility for any department, agency or entity of Government in terms of article 82 of the Constitution, that Minister shall, in line with article 92 of the Constitution, and without prejudice to article 6 of the Interpretation Act, have the general direction and control of all departments, agencies and government entities that may be placed under his responsibility and may give directions directly to the head of the department, Chief Executive Officer, Board of Directors or any other employee falling within his responsibilities, on any matter, except matters where the head of department, Chief Executive Officer, Board of Directors or other employee is required by any law to act - Cap. 249.

(a) independently; or

(b) in accordance with the direction of a person or authority other than the Minister:

Provided that where a Permanent Secretary has been appointed to supervise the relative department, agency or government entity the Minister shall inform the Permanent Secretary that he has given such directions:

Provided further that any public employee who receives directions from the Minister shall inform the Permanent Secretary forthwith that such directions have been given by the Minister.

(2) A Minister may be assigned responsibility for any department, agency or government entity including the departments listed in Part II of the Second Schedule.

(3) The staff assigned to the secretariat of a Minister, including advisors or consultants to the Minister, shall be deemed to be occupying positions of special trust and shall, even if they are public officers assigned on transfer, be appointed thereto on the basis of a definite contract.

(4) The Prime Minister may issue directives concerning the functions, administration and establishment of Ministers' secretariats, the engagement of staff thereto, the terms and conditions under which such staff shall serve, and the conditions applicable upon termination or expiry of the contracts of such staff.

(5) Save as may otherwise be provided for by the Prime Minister's directives, a Minister's secretariat shall be under the supervision of a member of staff so designated who shall report to the Minister:

Provided that this shall be without prejudice to the provisions of article 17(7).

(6) The provisions of sub-articles (3), (4) and (5) shall apply *mutatis mutandis* to the secretariat of a Parliamentary Secretary.

Ministries.

7. (1) A ministry shall be constituted as a distinct organisation in its own right under every Minister who is assigned portfolio responsibilities in accordance with article 82 of the Constitution, and the ministry shall consist of:

(a) the Minister's secretariat;

(b) the secretariats of such Parliamentary Secretaries as may be appointed to assist the Minister;

(c) the office of the Permanent Secretary; and

(d) such other divisions, directorates, sections, offices or other units within the public service as may be placed or established within the ministry by the Prime Minister.

(2) Where more than one Permanent Secretary reports to the same Minister (other than temporarily due to arrangements made under articles 83 or 84 of the Constitution), the scope of responsibilities of each Permanent Secretary shall be delineated by the Prime Minister.

Departments.

8. (1) Departments of Government shall be those listed in the Second Schedule.

(2) The functions of departments shall be in accordance with the indicative summaries shown against the respective departments in the Second Schedule.

(3) The Prime Minister may, by order in the Gazette, amend the Second Schedule to:

(a) establish a new department;

(b) abolish a department or change its name or function; and

(c) change the titles of heads of department and other

officers as provided for in article 11.

(4) Departments which, by virtue of any applicable laws or special administrative arrangements, are not subject to the direction and control of a Minister in the performance of their main functions shall be listed in Part II of the Second Schedule, but the applicability of any such law or special administrative arrangement to such a department shall not depend on its listing in the Schedule.

Specialised units.

9. (1) The Prime Minister may, by order in the Gazette, amend the Third Schedule to:

(a) establish specialised units;

(b) determine their function to be executed within a defined period;

(c) determine the position under which the Head of Unit shall be appointed.

(2) The Head of Unit shall report to his immediate superior and, or to the Permanent Secretary.

(3) All employees within the specialised units shall be governed by the public administration values and code of ethics established by this Act.

Senior Appointments Advisory Committee.

10. (1) There shall be a Senior Appointments Advisory Committee, hereinafter referred to as "the Committee", which shall:

(a) consult the relevant Ministry and, or the Permanent Secretary about the principal structure and duties attached to, and the results expected from, any headship position that is vacant or expected to become vacant;

(b) identify candidates for the position on the basis of an assessment of eligible candidates' individual and relative merits against the requirements of that office, within the parameters set by the Constitution; and

(c) give due account about the candidates and propose for the Prime Minister's consideration the candidate who in its opinion is best suited on the basis of merit to fill the position.

(2) The Committee shall be chaired *ex officio* by the Principal Permanent Secretary or his delegate being a Permanent Secretary and shall consist of:

(a) at least two other members, one of whom shall not be a public officer, who shall be appointed by the Prime Minister; and

(b) any additional members co-opted by the Prime Minister for the purpose of considering applicants for specific headship positions.

(3) The Committee may call upon the advice and assistance of Permanent Secretaries in screening or short-listing candidates or at any other stage but shall otherwise regulate its own procedure.

Titles of headship positions and other public offices, and equivalent titles at law.

11. (1) The Prime Minister may, from time to time, determine the position titles under which heads of department shall be appointed, and such titles shall, by order of the Prime Minister, be published in the Gazette, and be listed next to the corresponding name of the departments in the Second Schedule:

Provided that the re-designation of a position while it is occupied shall not be taken as a re-appointment of the incumbent or a change to the terms of his appointment.

(2) The assignment by the Prime Minister of similar position titles to different headship positions shall not mean that such positions should necessarily attract the same status and terms and conditions.

(3) Where, in accordance with the provisions of this Act, a headship position, or any other office in the public service, that has been established or is assigned functions by another Act -

(a) is assigned a new title; or

(b) is merged with another public office as a result of organisational restructuring,

the title assigned to the office by the other Act (hereafter in this article referred to as the "equivalent title at law") shall be listed in the Second Schedule along with the new title of the office or the office with which it has been merged in terms of paragraphs (a) or (b), as the case may be, and the provisions of sub-articles (4) and (5) shall apply.

(4) Where any office in the public service is listed in the Second Schedule along with an equivalent title at law -

(a) the powers assigned to the office under its equivalent title at law shall vest in the holder of the office as currently titled; and

(b) both titles shall be regarded as interchangeable for the purpose of any law and a reference to one title in place of another shall not invalidate any act or any legal proceedings.

(5) Where any law -

(a) assigns, or permits the assignment of, functions to staff acting on behalf of the holder of a public office; and

(b) that office is listed in the Second Schedule as the equivalent title at law of a second office,

such functions may be performed by the assigned staff in the department to which the second office belongs, notwithstanding anything to the contrary in the said law; but any conditions or requirements attached by the law to the performance of such functions shall otherwise continue to apply.

(6) If a public office has more than one equivalent title at law, the provisions of sub-articles (4) and (5) shall apply in respect of each such title.

Exercise of powers during a public officer's absence.

12. The Permanent Secretary with respect to the head of any department listed in the Second Schedule and the head of department with respect to a member of staff, as the case may be, shall ensure that the most suitable officer, as the case may be, and due account being taken of seniority and technical abilities, is nominated by notice in the Gazette for the purposes of article 124(5) of the Constitution with the aim of exercising any powers as are vested by any law if the head or other member of staff is absent from his office and temporarily unable to discharge his duties so that such powers shall be exercised during the period of the officer's absence.

Secretariats of boards and commissions.

13. (1) Unless otherwise provided for in any other law, where a board is supported by a secretariat consisting of public officers drawn from a department, the board, limitedly in relation to administrative matters and matters affecting the department as a whole, shall be subject to the authority of the head of department.

(2) The secretariat of the board shall be under the direction of an officer, hereinafter referred to in this article as "the designated officer", who shall follow the directions of the head of department within which the board secretariat operates on the matters mentioned in sub-article (1).

(3) A head of department shall not give directions to the board or the designated officer on matters in respect of which the board is required by law to function independently.

(4) In this article "board" includes any commission, council, panel, committee or other similar body, not being a body established by the Constitution, but does not include any *ad hoc* board set up for the purpose of inquiring into the conduct of any public employee or the operations of any department, agency, entity or such other similar body.

Title 2 - Leadership

The Principal Permanent Secretary.

14. (1) The Principal Permanent Secretary shall be appointed in accordance with article 92 of the Constitution, and shall also assume the functions of Secretary to the Cabinet:

Provided that the Prime Minister may, in terms of article 94 of the Constitution, appoint another person, not being the Principal Permanent Secretary, to perform the functions of the Secretary to the Cabinet.

(2) The function of the Principal Permanent Secretary shall be to lead the public service.

(3) The Principal Permanent Secretary shall take instructions from the Prime Minister.

(4) The Principal Permanent Secretary may, with the concurrence of the Prime Minister, delegate any of his functions under this article to one or more Permanent Secretaries or heads of department.

(5) The Principal Permanent Secretary shall:

(a) provide leadership to the public service;

(b) uphold and promote the public administration values and the Code of Ethics, and monitor the compliance of public employees therewith;

(c) take measures to improve the performance of the public service;

(d) assume overall responsibility for human resource management and development within the public service;

(e) take measures to ensure coordination between departments, agencies, government entities and Local Councils and to ensure that agencies and government entities are complying with the key policy objectives and management priorities of the Government;

(f) provide leadership and direction to Permanent Secretaries;

(g) set performance targets for Permanent Secretaries and monitor their performance following consultation with the relative Minister;

(h) advise the Prime Minister on matters relating to the public service and the wider public sector, including the appointment and termination of appointment of Permanent Secretaries and heads of department; and

(i) perform any other function that may be assigned to him by or under any law.

(6) The Principal Permanent Secretary shall assume the headship and supervisory functions of a Permanent Secretary in relation to the Office of the Prime Minister and the departments, agencies and government entities under the Prime Minister's responsibility:

Provided that one or more additional Permanent Secretaries may be appointed to assist the Principal Permanent Secretary in accordance with such arrangements as the Prime Minister may make under article 7(2).

Directives issued by the Principal Permanent Secretary in relation to the Public Service.

15. (1) The Principal Permanent Secretary may issue directives as variously specified in this Act and may in addition issue directives on any matter relating to the organisation and management of the public service.

(2) Public officers shall comply with all applicable directives issued by the Principal Permanent Secretary, and officers who fail to comply shall be liable to proceedings under the Disciplinary Regulations.

(3) Directives issued by the Principal Permanent Secretary may apply for a definite or an indefinite period and to any or all ministries, departments, specialised units and public officers, according to the nature of the provisions contained therein or as specified by the Principal Permanent Secretary.

(4) The Principal Permanent Secretary may codify standing directives, together with any amendments that he may make thereto from time to time, in the form of the Public Service Management Code or other manuals on specific matters which he may issue for this purpose.

(5) The Prime Minister may give directions to the Principal Permanent Secretary concerning the issue, amendment or revocation of any directives.

Committee of Permanent Secretaries.

16. (1) There shall be a Committee of Permanent Secretaries which shall be chaired by the Principal Permanent Secretary, and which shall consist of all Permanent Secretaries as members.

(2) The Permanent Secretaries shall fulfil their collegiate responsibility for the performance of the public service, facilitate the realisation of Government policies and ensure the achievement of Government objectives that cut across ministries through the Committee of Permanent Secretaries.

(3) The meetings of the Committee of Permanent Secretaries shall be convened by the Principal Permanent Secretary as often as he may deem necessary but at least once every three months.

(4) The provisions of this article shall apply without prejudice to the individual responsibility of Permanent Secretaries to their Ministers, and to the Prime Minister through the Principal Permanent Secretary, for the achievement of Government objectives.

Supervision of departments by Permanent Secretaries.

17. (1) Where, in accordance with article 92(2) of the Constitution, a Permanent Secretary is charged with the supervision of one or more of the departments of Government that are listed in Part I of the Second Schedule, he shall ensure that each department is:

(a) working towards the timely and effective fulfilment, in conjunction with other government organisations as appropriate, of his Minister's and the Government's policy objectives;

(b) being managed according to law, the public administration values, the Code of Ethics, and applicable policies and directives governing staff conduct, management and the use of resources; and

(c) operating economically, efficiently and effectively and delivering any services to the public to a satisfactory standard.

(2) A Permanent Secretary shall advise his Minister on all matters pertaining to the departments under his supervision.

(3) A Permanent Secretary may give directions to, and set targets for, a head of department on any matter in fulfilment of his

duties under sub-article (1), and he shall monitor and assess the head of department's performance in relation to such directions and targets:

Provided that a Permanent Secretary may not give directions to, or set targets for, a head of department on matters where the head is required by any law to act independently or in accordance with the direction of a person or authority other than a Minister.

(4) A Permanent Secretary may, with the concurrence of the Prime Minister, exercise his powers of supervision of a department of government through another public officer of suitable seniority.

(5) A Permanent Secretary shall be answerable to his Minister and, through the Principal Permanent Secretary, to the Prime Minister for the performance of the departments under his supervision notwithstanding any arrangements that may be in effect under sub-article (4).

(6) Where a Permanent Secretary is charged with the supervision of one or more of the departments listed in Part II of the Second Schedule, the provisions of this article shall apply subject to the following limitations:

(a) sub-articles (1)(a) and (2) shall not apply; and

(b) sub-article (5) shall apply only as may be compatible with paragraph (a).

(7) Without prejudice to the provisions of article 7(2), the Permanent Secretary shall be deemed to have the powers of head of department in relation to the Ministry to which the Permanent Secretary is assigned.

(8) The Permanent Secretary shall have judicial representation of the Government in judicial acts and actions for any matter falling within the remit of the Ministry to which he is assigned.

Duties of heads of department.

18. (1) In addition to any other duties that may be assigned or delegated to him by or under any law, it shall be the duty of a head of department -

(a) to manage the activities and programmes of the department efficiently, effectively and economically;

(b) to ensure that the department achieves a satisfactory standard in the delivery of any services to the public and the business community with the least possible bureaucratic

processes;

(c) to tender advice to the relative Minister through the Permanent Secretary and to other authorities, as appropriate, on matters within the department's competence;

(d) to establish performance indicators covering the programmes and activities of the department, and to set performance targets for public officers serving in the department; and

(e) to coordinate the activities of the department with those of other government organisations in the best interests of efficiency, effectiveness and service quality.

(2) The head of a department that is listed in Part I of the Second Schedule shall answer to his Minister through the Permanent Secretary and shall discharge his duties under sub-article (1) in accordance with their lawful directions.

(3) The head of a department that is listed in Part II of the Second Schedule shall discharge his duties under sub-article (1) in accordance with the laws governing his department and any special administrative arrangements that may apply thereto.

Higher Executive Service.

19. (1) There shall be a Higher Executive Service within each Ministry which shall be headed by the Permanent Secretary and shall consist of:

(a) heads of the departments listed in the Second Schedule;

(b) Directors General, Directors and the holders of equivalent positions which the Permanent Secretary may indicate within each ministry and those who have been charged with primary responsibility for any of the following or similar functions:

(i) the management of corporate services;

(ii) policy development and monitoring of implementation; and

(iii) information management.

(2) Officers in a ministry who are members of the Higher Executive Service shall constitute the senior management team of that ministry, and in relation thereto they shall, without prejudice to the

authority of the Permanent Secretary, be collectively responsible for:

(a) promoting and upholding the public administration values, the Code of Ethics, and applicable policies and directives governing staff conduct, management and the use of resources;

(b) continuously improving levels of efficiency and quality in the delivery of any public services; and

(c) achieving Government objectives, in coordination as necessary with other units, departments, agencies and government entities.

(3) A member of the Higher Executive Service shall be individually responsible in relation to his area of responsibility for the matters listed in sub-article (2); and he shall be liable to proceedings under the Disciplinary Regulations if he fails to prevent or correct misconduct or negligence on the part of his subordinates where he could reasonably have taken steps to do so.

Title 3 - Public Officers

Public officers' assignment to and transfer between posts.

20. (1) A public officer may be assigned to a post in any department in the public service which involves performance of the duties of his grade or position, and he may also be transferred to such a post in any other department.

(2) Such initial assignment or transfer may be made by the Principal Permanent Secretary or by any other public officer delegated by him for the purpose.

Grades.

21. The Minister responsible for the public administration may, after consultation with the Prime Minister, by order in the Gazette establish, abolish or re-title grades and structures within the public administration.

PART III

Merit Protection Commission, Agencies and Government Entities

Title 1 - The Merit Protection Commission

The Merit Protection Commission.

22. (1) There shall be a Merit Protection Commission, hereinafter in this Title referred to as "the Commission", which shall consist of a chairman, a deputy chairman and three other members.

(2) The members of the Commission shall be appointed by the President acting in accordance with the advice of the Prime Minister

given after he has consulted the Leader of the Opposition.

(3) A person shall not be qualified to hold office as a member of the Commission if he is a Minister, a Parliamentary Secretary, a member of or a candidate for election to the House, or a member of a local government authority.

(4) A member of the Commission may be removed by the President acting in accordance with the advice of the Prime Minister for inability to discharge the functions of his office or for misbehaviour.

(5) The office of a member of the Commission shall become vacant:

(a) upon the expiration of three years from date of appointment or such earlier time as may be specified in the instrument of appointment; or

(b) if circumstances arise that would cause a member to be disqualified for appointment in such an office; or

(c) upon the resignation of any member of the Commission.

Functions of the Commission.

23. (1) Subject to the provisions of sub-article (3), the functions of the Commission shall be:

(a) to audit the appointment of employees of government agencies, government entities and special units and to oversee the application of the principle of merit in the appointment of such employees; and

(b) to hear and determine complaints as provided for in this Act and any regulations made thereunder, which shall specify, *inter alia*, the term within which a complaint may be lodged, and the procedure thereof.

(2) In performing its functions in virtue of sub-article (1)(a), the Commission shall operate through after-the-event scrutiny and shall not subject any agency or government entity to any requirement to obtain the Commission's clearance or approval in advance of making appointments or taking decisions, except as a temporary measure in cases where the Commission -

(a) finds that the principle of merit has been, or is likely to be, breached; and

(b) is of the view that such a measure is necessary to prevent further breaches of the principle of merit until such time as the Commission is able to conclude any investigations and take corrective measures.

(3) The Commission shall not hear and investigate complaints on matters which are assigned exclusively by any other law to any other body or to the jurisdiction of the Industrial Tribunal referred to in the Employment and Industrial Relations Act. Cap. 452.

Powers of investigation and remedy.

24. (1) For the purposes of its functions under this Act the Commission may either on its own initiative or upon a complaint by any person:

(a) carry out such inspections and investigations as it may deem necessary;

(b) summon any person to appear before it and give evidence on oath;

(c) request in writing the production of information, documents or files in the custody of any public employee for the purpose of examining the same or making copies thereof; and

(d) enter the premises of any agency, specialised unit or government entity, subject to compliance with any legal requirements placed by any law on the police for the same purposes.

(2) The provisions of article 6 of the Inquiries Act shall apply to the investigations undertaken by the Commission and any summons or requests it may make in pursuit thereof. Cap. 273.

(3) The Commission shall make a report to the Prime Minister following every investigation under this Act, and, where it finds that an employment decision has been made otherwise than in conformity with the principle of merit, it shall:

(a) annul the decision in question;

(b) issue such directives as it may consider necessary to redress the situation; and

(c) recommend the taking of such criminal action or disciplinary action including action that may lead to dismissal as it may consider appropriate in the circumstances.

(4) Notwithstanding the provisions of any other law, the

decisions taken and directives issued by the Commission under sub-article (3)(a) and (b) shall be binding on the organisation to which they apply, and the board of directors or head of the organisation as applicable shall ensure that the Commission's decisions and directives are complied with.

(5) The Commission shall, as soon as possible after the conclusion of each year of its activity, make an annual report to the Prime Minister about its workings during the said year, and the Prime Minister shall, as soon as possible after he has received the said report, lay it on the Table of the House.

Application of this Title.

25. The provisions of this Title, unless otherwise indicated in this Act, shall only apply to agencies, specialised units and government entities in terms of the provisions of this Act.

Title 2 - Agencies

Establishment of agencies.

26. (1) The Prime Minister may establish government agencies by order in the Gazette under this Act.

(2) An order establishing an agency under this Act shall serve as the basic charter governing the agency's operations and it shall:

(a) set out the functions and duties of the agency;

(b) specify which Minister is responsible therefor;

(c) prescribe the financial arrangements applying to the agency in accordance with the provisions of article 31;

(d) set out any other special arrangements applying to the agency; and

(e) amend the Fourth Schedule.

(3) All government agencies established in accordance with sub-article (1) shall be listed in the Fourth Schedule together with an indicative summary of their functions.

(4) The Prime Minister may by order in the Gazette:

(a) abolish an agency established by order under this Act and listed in the Fourth Schedule; or

(b) amend the functions and duties thereof as well as amend any other matter provided for in sub-article (2):

Provided that any such order shall provide for the necessary

amendments to the Fourth Schedule.

Legal personality and judicial representation of agencies.

27. (1) A government agency shall be a body corporate having a separate and distinct legal personality and capable of entering into contracts, of employing personnel, of acquiring, holding and disposing of any kind of property for the purposes of its operations, and of suing and being sued, and to which any function or operation of Government may be assigned under this or any other law.

(2) The legal and judicial representation of an agency shall lie in its Chief Executive Officer or such other officer of the agency as the Minister responsible for it may from time to time appoint by notice in the Gazette:

Provided that for the purposes of article 181B of the Code of Organization and Civil Procedure, where such other officer is duly designated, any reference to the Chief Executive Officer in a judicial action or act shall automatically apply to the officer so designated. Cap. 12.

Directives issued by the Principal Permanent Secretary in relation to agencies.

28. (1) Except in so far as expressly precluded by any order establishing an agency under this Act, the Principal Permanent Secretary may, in addition to his powers under articles 4, 5 and 30, issue directives to any or all government agencies to:

(a) ensure that agencies coordinate their activities with other agencies, departments, government entities and Local Councils as applicable;

(b) put into effect measures to improve the performance of agencies and the quality of the services they deliver to the public;

(c) provide for matters relating to employment, including:

(i) the redeployment of staff to, from or between agencies; and

(ii) the application of the merit principle and the establishment of safeguards in relation thereto;

(d) establish mechanisms for staff classification and the determination of pay levels; and

(e) put into effect such other policy objectives and management priorities as the Government may from time to time set out.

(2) Chief Executive Officers and employees of government agencies shall comply with all applicable directives issued by the Principal Permanent Secretary, and failure to comply shall be grounds for disciplinary proceedings under any applicable procedures.

(3) The Principal Permanent Secretary shall seek to frame his directives in such a manner as to impose the least possible administrative burden on agencies consonant with the achievement of Government objectives, bearing in mind any directives issued in virtue of article 72 of the Financial Administration and Audit Act.

Cap. 174.

(4) The provisions of article 15(3) to (5) shall apply *mutatis mutandis* to the directives issued by the Principal Permanent Secretary under this article.

General direction and control of agencies by Ministers and supervision by Permanent Secretaries.

29. (1) Save as otherwise provided in any order establishing an agency, the Chief Executive Officer of any agency shall be under the general direction and control of the Minister responsible for the agency and, subject to such direction and control, under the supervision of the Permanent Secretary of that ministry.

(2) Save as aforementioned, where an agency is subject to supervision by a Permanent Secretary, article 17, except for sub-article (6) thereof, and article 18 shall apply to the agency and its Chief Executive Officer in the same manner as to departments and their heads.

Agency performance agreements.

30. (1) A government agency shall, within six months of its establishment, enter into an agency performance agreement with the Permanent Secretary responsible therefor, or, where a Permanent Secretary is not appointed, with the relative Minister, and such agreement shall set out the tasks to be addressed by the agency, the targets it is expected to meet, and the funds available to it.

(2) An agency performance agreement shall cover a period of one year to three years and shall be renewable in accordance with such directives as the Principal Permanent Secretary may issue in relation to agency performance agreements.

Accounts, audit and other financial arrangements. Cap. 174.

31. An Agency shall be governed by the provisions of the Financial Administration and Audit Act:

Provided that the Prime Minister may, in consultation with the Minister responsible for finance, decide to exempt an agency from the provisions of the Financial Administration and Audit Act:

Cap. 174.

Provided further that if an agency is exempted from the provisions of the Financial Administration and Audit Act, the

Cap. 174.

following provisions shall apply:

(a) heads of agency shall keep proper books of accounts in such a manner as the Minister responsible for finance may from time to time direct;

(b) such accounts shall be subject to audit by an auditor appointed for the purpose by the head of each agency and shall moreover be subject to scrutiny by the Ministry for finance and audit by the Internal Audit and Investigations Directorate and the Auditor General, as the case may be;

(c) not later than three months after the end of each financial year, the head of each agency shall present to his Minister through the relative Permanent Secretary an audited statement of accounts together with a report on the workings of the agency which shall state the manner in which the agency has operated to fulfil its functions, whether it has met its performance obligations, and its plans for the future; and

(d) this report shall be laid on the Table of the House by the Minister responsible for the agency not later than six weeks after its receipt or, where the House is not in session, not later than the second week after the House resumes its sittings.

Advisory boards.

32. (1) The Minister responsible for an agency may establish an advisory board to assist the Chief Executive Officer in the discharge of his duties.

(2) An advisory board established under this article shall be chaired by the Chief Executive Officer and shall consist of not less than two and not more than four members appointed by the Minister responsible for the agency.

(3) The remuneration paid to members of an agency advisory board shall be in accordance with any directives issued by the Principal Permanent Secretary in relation thereto.

Detailing of public officers with an agency.

33. The Principal Permanent Secretary may, following the direction of the Prime Minister, detail or revoke the detailing of a public officer for duty with an agency for such a term and under such conditions as he may prescribe.

Pension rights and other arrangements.

34. (1) Where a public officer is detailed for duty with an agency such officer shall, during the time in which such direction is in force, be under the administrative direction and control of the head of the agency, but shall otherwise remain and retain all rights and duties as a public officer, and for the purpose of any law relating to

government service pensions, service with any such agency shall be deemed to be service with the Government:

Provided that in assessing the pensionable emoluments of such officer for the purposes of any law relating to government service pensions, no account shall be taken of any allowances, bonuses or gratuities paid to such officer by the agency in excess of what he is entitled to as a public officer:

Provided further that during the time in respect of which he is so detailed to perform duties with the agency his terms and conditions of service shall not be less favourable than those which are attached to his appointment with the Government during the period aforesaid. Such terms and conditions shall not be deemed to be less favourable because they are not in all respects identical or superior to those enjoyed by the officer concerned at the date of such detailing, if in the opinion of the Prime Minister such terms and conditions, taken as a whole, offer substantially equivalent or greater benefits.

(2) (a) For the purposes of calculating pensionable emoluments, posts and salary grades with an agency shall be classified in the most nearly corresponding grades and incremental levels in the services of the Government of Malta by reference to job descriptions, skills, responsibilities and other analogous factors.

(b) The classification referred to in paragraph (a) shall be carried out by a board composed of a chairperson appointed by the Minister responsible for finance and two other members, one appointed by the Minister responsible for the agency and one appointed by the agency. The classification shall be subject to the final approval of the Minister responsible for finance.

(c) Such classification shall take place within three months of any adjustment of the salaries of employees in Government service or of employees of the agency.

(d) No post shall be classified in a grade higher than that of a Grade 3 in the service of Government or such other grade that the Minister responsible for finance may from time to time, by notice in the Gazette, determine.

(e) Without prejudice to article 113 of the Constitution, no person may, following a classification as aforesaid, be entitled to rights under the Pensions Ordinance less favourable than those to which he would have been entitled prior to such classification.

Cap. 93.

(f) Without prejudice to any other law, where on the date of the coming into force of this Act, arrangements which should

have been made with respect to public officers that have been detailed in terms of any applicable law have not been finalised, the Principal Permanent Secretary may issue directives with the purpose of resolving any administrative difficulties that may have arisen after a public officer was detailed.

Title 3 - Government entities, boards and commissions

Supervision of government entities by Permanent Secretaries.

35. (1) A government entity shall be subject to supervision by the appropriate Permanent Secretary, who shall issue directions to the entity and, or instruct or advise Government representatives on the entity's governing board:

Provided that the powers of direction of the Permanent Secretary over a particular entity shall in no case exceed the powers of the Minister over that entity.

(2) A Permanent Secretary who is supervising a government entity in terms of sub-article (1) shall ascertain that it is -

(a) working towards the timely and effective fulfilment, in conjunction with other government entities as appropriate, of the Minister's and the Government's policy objectives;

(b) being managed according to law, the public administration values, the Code of Ethics, and applicable policies and directives governing staff conduct, management and the use of resources; and

(c) operating economically, efficiently and effectively and delivering any services to the public to a satisfactory standard.

(3) In fulfilment of his duties under sub-article (2), a Permanent Secretary may, in consultation with the relative Minister, establish targets for the entity and require any information except where this is precluded by law and may give directions to the government entity:

Provided that a Permanent Secretary may not give directions on matters where the government entity is required by any law to act independently or in accordance with the direction of a person or authority other than a Minister.

(4) A Permanent Secretary shall report to his Minister on the performance of the government entities under his supervision.

(5) The provisions of article 28 shall apply *mutatis mutandis*

to government entities.

Supervision of boards and commissions.

36. (1) The Principal Permanent Secretary may issue directives to boards and commissions after consultation with the Prime Minister or with the Minister where the Prime Minister has appointed a Minister with responsibility for the public administration.

(2) The provisions of article 35 shall *mutatis mutandis* also apply with respect to boards and commissions.

(3) The directives mentioned in sub-article (1) and the supervision referred to in sub-article (2) shall apply to administrative and day-to-day affairs of boards and commissions without prejudice to the rights and duties of the said boards and commissions to carry out those functions or roles for which they are set up.

(4) In this article, "boards and commissions" includes any council, committee, panel or similar body not already catered for by this Act and in any case shall not apply to any commission or authority established by the Constitution.

Standing Committee on Public Appointments.

37. (1) There shall be a Standing Committee on Public Appointments, hereinafter referred to as "the Committee", which shall consist of seven members appointed by the House of whom four shall be appointed by the Government, one of whom shall be appointed as Chairperson, and the other three shall be appointed by the Opposition.

(2) Four members of the Committee shall constitute a quorum.

(3) The Committee shall have the power to conduct pre-appointment hearings of persons nominated for certain public appointments as may be provided by law from time to time.

(4) The provisions of paragraphs (3) and (4) of Standing Order 120B of the Standing Orders of the House of Representatives shall, *mutatis mutandis*, apply to the Committee.

S.L.Const.02

Pre-appointment parliamentary hearing on appointments of Ambassadors and on appointments to certain posts in Government Agencies, and other entities.

38. (1) Notwithstanding the provisions of any other law, where a Minister (hereinafter in this article referred to as "the Minister") intends to nominate a person to be an Ambassador or High Commissioner or other principal representative of Malta in any other country, not being a person who is selected from amongst public officers in the service of the Ministry for Foreign Affairs or a person who already holds the post of Ambassador or High Commissioner or other principal representative of Malta in any other country, as may be specified by Order of the Prime Minister in the First Part of the Fifth Schedule, or to hold a post in a Government agency, entity,

board or commission or to head any other institution established by law as may be specified by Order of the Prime Minister in the Second Part of the Fifth Schedule, then unless the nomination is in respect of a re-appointment, the Minister shall, at least twenty days before he intends that the appointment should become effective, give notice of the proposed appointment to the Committee referred to in article 37:

Provided that:

(a) the exemption in respect of a nomination consisting of a re-appointment provided for in this sub-article shall not apply to persons who are not in the post on the date of coming into force of this sub-article; and

(b) an Order which amends the Second Part of the Fifth Schedule in such a manner as to reduce the posts listed in the said Second Part of the Fifth Schedule, except in the case where the sole purpose of such an amendment is that of reflecting a change in the name of a post or of an entity, shall require approval by resolution of the House before it comes into force.

(2) Upon receipt of the notice referred to in sub-article (1) the Chairperson of the Committee shall, through the Clerk of the House, circulate the said notice to all Members of the Committee giving the members five days to submit any questions in writing to the proposed nominee. The said questions shall relate to the professional competence, suitability and background of the nominee and they shall be notified to the Clerk of the House, who shall notify them to the Minister who gave notice of the proposed appointment, to the Chairperson and to the Members of the Committee and to the person nominated who shall have ten days to reply to the said questions in writing to the Clerk of the House who shall again circulate the replies as explained above. The questions and the replies shall, unless the Committee otherwise decides, be made public.

(3) By not later than the working day immediately following the expiry of the period of ten days established in sub-article (2) or of the extension of any such period in the case that the said period has been extended by the Committee in accordance with sub-article (6), the Clerk of the House shall transmit the replies submitted by the nominee to the Minister who gave notice of the proposed appointment, to the Chairperson and to all the members of the Committee.

(4) The Committee shall in all cases call the nominee to a hearing at a meeting of the Committee so that supplementary questions related to the written replies provided may be put to the

nominee. The said hearing shall be held on a date not later than five days from the notification to the Committee of the replies to the questions unless the Committee agrees to another date for the hearing. The said hearing shall be held in public but the Committee, may where it is satisfied that it is appropriate, decide that the hearing should be held *in camera*.

(5) Upon the conclusion of the pre-appointment hearing in accordance with this article the Committee shall, unless it decides that it needs to discuss or clarify any matter with the Minister, give its advice to the Minister which shall include the content of the form included in the Third Part of the Fifth Schedule to which there shall be annexed a copy of the minutes of the Committee relative to the hearing:

Provided that:

(a) any discussion between the Committee and the Minister held in terms of this sub-article shall be held during a meeting of the Committee to take place either in public or *in camera* as the Committee may decide;

(b) any matter which, according to this article, is to be discussed by the Committee shall, notwithstanding any other law, not be transferred for discussion to another Committee of the House or to the whole House unless the Committee by a majority vote of all its members so decides; and

(c) the final decision as to whether an appointment which is subject to the procedure provided in this article is to be made shall in any case pertain to the Minister.

(6) The Committee may, giving reasons, either on its own initiative or at the request of the Minister who has given the notice of a proposal for the appointment, lengthen or shorten any time limit set out in this article.

(7) The time limits established in this article shall be suspended during any period when the House is not in session or during which it is adjourned for more than seven days:

Provided that nothing in this sub-article shall be interpreted as precluding the Committee, acting upon the unanimous consent of all its members, from implementing its functions even at any time during which the House is adjourned for more than seven days as above-mentioned.

(8) The procedure provided for in this article shall not apply to acting appointments made for a maximum period of up to six months.

PART IV

Miscellaneous Provisions

Power to make regulations.

39. The Prime Minister may make regulations to give effect to any of the provisions of this Act and the enforcement thereof, and without prejudice to the generality of the foregoing such regulations may provide for:

(a) the better organisation, management and administration of the public administration;

(b) the manner in which the accounts and records of government agencies and government entities are to be kept;

(c) the sanctions that may be applicable in case of breaches of the Code of Ethics;

(d) the procedures to be followed by the Merit Protection Commission;

(e) the manner in which public officers shall be detailed, released, deployed, attached or seconded with agencies and government entities, and the rights accruing to such officers, so however that the Prime Minister may, without prejudice to any vested rights, also make regulations with a view to resolving any matter;

(f) the recruitment in public administration of nationals of Member States of the European Union other than Malta and nationals of other countries enjoying similar rights in relation to the free movement of workers:

Provided that posts involving the exercise of public authority and the safeguarding of the general interests of the State, and particularly those listed herein, may be reserved for Maltese nationals:

(i) posts in the Office of the President, the House of Representatives, the Prime Minister's and Ministers' Secretariats, the Cabinet Office, and the offices of the Principal Permanent Secretary and of Permanent Secretaries;

(ii) the Judiciary, posts involving the preparation

of expert advice in the field of prosecution of offences or lawmaking, and posts entailing responsibility for advisory constitutional bodies;

(iii) posts involving the sovereignty of the State, including diplomatic and foreign representation;

(iv) posts in the Office of the Prime Minister and the Ministries for Finance, Justice, Home Affairs and Foreign Affairs;

(v) posts within departments charged with the protection of the economic interests of the State, including tax authorities;

(vi) positions in the Higher Executive Service;

(vii) posts in the disciplined forces and offices responsible for defence matters; and

(viii) posts in the security services and in the field of civil protection and defence;

(g) matters of organization and administration in relation to specialised units, including the conferment of legal personality for particular purposes; and

(h) the amendment of the Schedules to this Act, unless otherwise specified.

Consequential amendment of article 92 of the Constitution.

40. Immediately after sub-article (4) of article 92 of the Constitution there shall be added the following new sub-article:

"(5) The Principal Permanent Secretary shall be appointed in the same manner as a Permanent Secretary from amongst persons having the qualifications to be so appointed in terms of sub-articles (1), (2) and (3):

Provided that the functions of the Principal Permanent Secretary together with any other matter ancillary or incidental or considered necessary or expedient for the carrying out of the functions of the Principal Permanent Secretary shall be provided for by an Act of Parliament.".

41. Article 94 of the Constitution shall be substituted by the following: Consequential substitution of article 94 of the Constitution.

"Secretary to the Cabinet.

94. (1) The Principal Permanent Secretary shall be the most senior public officer and shall act as Secretary to the Cabinet:

Provided that the Prime Minister may appoint a different person to act as Secretary to the Cabinet, and in such case the Secretary to the Cabinet shall be appointed in the same manner as a Permanent Secretary from amongst persons having the qualifications to be so appointed in terms of article 92.

(2) The Secretary to the Cabinet shall be responsible, in accordance with such instructions as may be given to him by the Prime Minister, for arranging the business for, and keeping the minutes of, the meetings of the Cabinet and for conveying the decisions of the Cabinet to the appropriate person or authority, and shall have such other functions as the Prime Minister may from time to time direct.".

42. In paragraph (iii) of the proviso to article 21 of the Pensions Ordinance, for the words "repealed by that Ordinance apply." there shall be substituted the words "repealed by that Ordinance apply:" and immediately thereafter there shall be added the following new paragraph: Consequential amendment of article 21 of the Pensions Ordinance. Cap. 93.

"(iv) the provisions of this Ordinance and of any regulations made thereunder shall, notwithstanding the other provisions of this Ordinance or of any other law, apply to any employee in the public service who, notwithstanding that he was appointed to the public service on or after the 15th January 1979, shall after the 15th January 1979 have served as Principal Permanent Secretary or as Permanent Secretary or as Cabinet Secretary or as Secretary to the Cabinet or as Auditor General or as Deputy Auditor General or as Ombudsman for one full respective term or equivalent period or in aggregate shall have served for the equivalent period of one respective term:

Provided that nothing in this paragraph shall exempt any employee to whom this Ordinance applies in virtue of this paragraph from the need to satisfy the other requirements of this Ordinance, other than the requirement that he must have been a public officer prior to 15th January 1979, in order to be eligible to receive a pension thereunder.".

Repeal and Saving. Cap. 497.

43. (1) The Public Administration Act, hereinafter referred to as "the repealed Act", is hereby repealed and any references in any law to the repealed Act shall be construed as references to this Act.

(2) Any order, rule, regulation, directive, notice or other instrument having the force of law made under the authority of any of the provisions of the repealed Act shall continue in force and shall continue to have effect as if made under this Act and may be amended, substituted or revoked accordingly.

(3) Any permission, authority or order granted or made under any of the provisions of the repealed Act and still in force immediately before the date of coming into force of this Act shall, as from such date, continue in force as if it were a permission, authority or order granted or made under a corresponding provision of this Act, and any such permission, authority or order as aforesaid shall be treated and dealt with accordingly.

FIRST SCHEDULE

CODE OF ETHICS FOR PUBLIC EMPLOYEES
AND BOARD MEMBERS

(Article 5)

General Preamble

A *Code of Ethics* serves as an ethical benchmark and compass for action and behaviour in relationships with seniors, peers and subordinates. It outlines the principles and values governing the conduct of individuals and corporate bodies by describing behavioural expectations; and it encourages the identification of, and learning from, such 'good practices' in a respective field. Adopting and upholding a code of ethics promotes fair conduct; acknowledges the highest standards of integrity; safeguards rights of citizens, clients and users; and endorses a vision that embraces probity, exactitude and professionalism.

A Code of Ethics does not cover standards which people in general should follow (whether laid down by law or established by social norms), general employee obligations, profession-specific standards or organisational cultural requirements.

Rationale

Ultimately, the authority of any system of Public Administration rests on the extent to which it earns the respect of its citizens. That respect comes from the confidence which people have in the integrity of the system generally, and in the professionalism and impartiality with which the system goes about providing its manifold services particularly. All those employed by the state have their critical part to play in upholding public respect for the public administration.

The nationals, citizens and residents of Malta have every right to expect that public employees, employees of state agencies and members representing government on boards are honest, fair, efficient, competent and loyal. Actual or potential users expect the departments and agencies of the Government of Malta to comply with the letter and the spirit of the law. They expect official decisions to be made in a timely manner, fairly and impartially; public funds to be spent wisely; and public property and public equipment to be used and cared for responsibly. They expect public employees to behave ethically, and to be conscientious, courteous and competent in their work.

Users of public services hold public employees accountable for their behaviour, actions and decisions.

Generations of public employees have sought to honour and meet these expectations.

Any abuse of trust, resources or information, or personal opportunism, undermines the entitlement of the Maltese public. High standards of integrity and conduct should underpin how public employees go about their business.

This Code of Ethics describes and articulates the framework that defines the behaviour and actions of the public service and the wider public sector.

Applicability

1. This Code of Ethics applies to:

   (a) public employees and employees of state agencies and other entities of government to which the Public Administration Act applies (hereinafter referred to as "public employees", in keeping with article 2(1) of the Act). These include public employees who are seconded to bodies outside the public administration of Malta; as well as persons, who may or may not be public employees, working with Ministries or Parliamentary Secretariats; and

   (b) the chairpersons and members of standing boards and commissions within the public administration, including the governing boards of state entities (hereinafter referred to as "board members").

2. The provisions of this Code cover actions and behaviour within and outside the public administration, online and offline, as applicable.

3. The Principal Permanent Secretary may, in writing, make this Code applicable also to commercial partnerships or companies in which the Government of Malta has a controlling interest.

4. The Principal Permanent Secretary may, in writing, exempt a public employee or a board member from specific provisions of this Code where exceptional circumstances so require.

5. Public employees and board members who are members of a regulated profession and who are therefore subject to a professional code of ethics are nevertheless expected to abide by the provisions of this Code except in so far as an exemption has been granted under paragraph 4. Multiple codes of ethics should be considered complimentary to one another, and any conflicts, actual or perceived, should be resolved, following suitable consultation, on the basis that the professional code of ethics prevails with respect to the ethical principles and practice of the profession while the present Code prevails with respect to the ethical principles and practice of any other duty emanating from the individual's responsibilities as a public employee or board member.

6. Public employees who are seconded to bodies outside the public administration of Malta remain bound by this Code except in so far as an exemption is granted under paragraph 4.

7. Under article 5 of the Public Administration Act, the Principal Permanent Secretary may issue directives to elaborate on any of the provisions of this Code. Heads of public organisations may also issue rules of conduct complementary to the Code. This Code should be read together with any such directives or any additional rules and regulations that may apply.

The Values of Public Employees and Board Members

8. In accordance with article 4 of the Public Administration Act, public employees and board members shall uphold and operate with the following set of values:

   (a) acting with integrity;

   (b) respecting others;

   (c) showing loyalty;

   (d) being worthy of trust;

   (e) striving for quality standards and improvements;

   (f) being accountable for the performance of their duties and for their behaviour;

   (g) acting in a manner that does not discriminate; and

(h) being impartial.

Integrity

9. Public employees and board members shall:

(a) act at all times with diligence, honesty, grace and integrity, such that their conduct can stand the test of public scrutiny even in situations where no law, policy or procedure may apply;

(b) use public resources appropriately, conscientiously, efficiently and effectively in the public interest;

(c) make use of official authority, information or resources to reach their goals and execute their responsibilities fairly, impartially and equitably; and

(d) refuse any gift, payment, compensation, privilege or any form of solicitation unless, where gifts are concerned, they are token in nature and are not such as to serve as an inducement or influence the execution of the duties of a public employee or board member, now or in the future.

10. Public employees and board members shall ensure that no conflict, real or apparent, arises between their official duties and any other occupations, activities or interests (financial or otherwise) that they or their close relations may have. Such a conflict arises if a public employee or board member's ability to faithfully discharge their duties is, or can reasonably be, called into question on account of such other occupations, activities or interests, including instances where the public employee or board member is placed in a position to be biased or is seen as potentially being biased.

11. If such a conflict arises, the public employee or board member shall make this conflict known to their superiors and take such action as may be necessary to resolve the conflict.

12. Former public employees bound by an undertaking shall not, for a period of up to two years after leaving public employment as specified therein, switch sides by entering into a relationship of profit with any private enterprise or non-government body with which the former public

employees dealt in an official capacity during a period of up to five years immediately prior to their leaving public employment.

Respect

13. Public employees and board members shall:

(a) treat others, including both clients and colleagues, with courtesy, civility and respect;

(b) avoid discrimination or harassment in any form, direct or indirect;

(c) treat with suitable respect, regard and consideration the opinions, beliefs and individuality of all persons;

(d) safeguard their own health and safety and that of others in the execution of duties, roles and responsibilities; and

(e) work with colleagues in a spirit of cooperation and teamwork.

Loyalty

14. Public employees and board members shall:

(a) observe the Constitution and the law;

(b) abide by official policies and directions;

(c) provide objective, knowledgeable and frank advice on matters within their competence;

(d) efficiently and effectively implement the policies of the Government of Malta; and

(e) act in accordance with any lawful directions, written or verbal, given by their superiors.

15. Notwithstanding the provisions of paragraph 14(e), public employees or board members who believe that there are better ways of achieving objectives are entitled, and indeed expected, to bring this to their superiors' attention before putting instructions into effect; and, if they feel that they have been given verbal instructions that are contrary to the Code of Ethics or improper for any other reason, they can

ask for those instructions to be given in writing.

Trust

16. Public employees and board members shall:

    (a) act in such a way as to gain and, or maintain the trust of their superiors and the public;

    (b) safeguard confidential information, particularly personal data, and not use or disclose it inappropriately or without authorisation; and

    (c) behave in a manner, in both their official and private capacities, such as to uphold and reinforce Malta's reputation and good standing, and those of its governing institutions.

17. The obligation to safeguard confidential information is without prejudice to the disclosure of information in the interests of transparency or under the Freedom of Information Act, provided that the decision to disclose is taken by those with the authority to do so, and provided that other laws (particularly the legislation on data protection) are respected.

Quality

18. Public employees and board members shall:

    (a) hone and develop their skills and keep abreast of changes in their area of expertise in order to improve the execution of their duties and the delivery of service;

    (b) apply their knowledge, experience, creativity, drive, and initiative to bring about continual improvements in the efficiency, effectiveness and the overall quality of service delivery;

    (c) intelligently and humanely exercise suitable discretion in the interpretation of rules, with a view to avoiding a 'one-size-fits-all' approach;

    (d) coordinate their activities as necessary with those of staff elsewhere in the public administration with a view to improving efficiency in the public administration as a whole;and

(e) take steps to identify and, or address poor performance, misconduct or misuse of resources.

Accountability

19. Public employees and board members shall:

(a) act in a manner that is transparent and in compliance with applicable laws, regulations, directives, policies and procedures;

(b) be ready to have their actions judged by others;

(c) be prepared to give a clear explanation of their judgements, behaviours, intentions and actions to any stakeholder authorised to demand such explanation;

(d) report any violations of the Code of Ethics by other public employees or board members;

(e) fully co-operate with investigations by any authorised person or entity, whether internal or external to the public administration;

(f) take responsibility for their actions and behaviour and in this regard shoulder the level of responsibility that is appropriate to their posts. This includes accepting responsibility for their errors, misjudgements and negligence and being held accountable therefor; and

(g) assign responsibility for tasks and duties to subordinates as appropriate and carry out the necessary oversight and monitoring to hold these same accountable. This shall also include the responsibility to give credit to others where credit is due.

Non-discrimination

20. Public employees and board members shall:

(a) not discriminate in any manner or on any basis including race, place of origin, nationality, skin colour, political opinions, creed, sex, sexual orientation, expression or gender identity, civil status, mental or physical well-being;

(b) not act in a manner that impairs one's enjoyment of one's fundamental rights and freedoms, provided that this enjoyment does not prejudice in any manner and at the same time respects the rights and freedoms of others or the public interest, where fundamental rights and freedoms are legitimately subject to the public interest; and

(c) treat all with dignity and respect.

Impartiality

21. (1) Public employees and board members shall:

(a) act in line with official Government policy and procedure;

(b) protect and ensure the right of every person to have one's affairs handled impartially and fairly;

(c) ensure that decisions made are based on objective criteria and not tarnished by any personal bias, conflict or prejudice or designed to favour or benefit or give any manner of unjustified preferential treatment to one person over another;

(d) maintain political neutrality and not bring the public service into disrepute through their private activities;

(e) ensure that any public comments made (including on social media), and, or their participation in political activities, do not undermine or jeopardise public confidence in the competence and impartiality of the public administration, or bring these same public employees and board members into conflict with their duty to impartially serve the Government of Malta;

(f) remain loyal to the Government of the day in the execution of their duties and responsibilities and never act in a manner that may undermine the achievement of Government policy or direction or otherwise diminish public confidence in Government in any way, extent or manner.

(2) Political participation and public comment by public employees and board members may be subject to limitations in line with rules and regulations aimed at

maintaining public confidence in the impartiality of the public administration.

Compliance with the Code

22. Compliance with this Code should result in:

(a) a more effective, motivated and committed public service, operating within a convergence of high moral and ethical standards;

(b) high quality in delivery of service by public employees and board members;

(c) a stronger satisfaction by users and clients of the public service;

(d) a professional ethos that foregrounds the drive towards excellence and continuous improvement of service; and

(e) giving credence to the understanding that the public administration is ultimately a single body with shared roles, duties, obligations and responsibilities.

23. Non-compliance with this Code may result in:

(a) disciplinary proceedings, where public employees are concerned;

(b) the termination of the appointment to boards, or the imposition of certain conditions on their appointments, where board members are concerned;

(c) the execution of relevant provisions deriving from any applicable undertakings; and, or

(d) the initiation of criminal proceedings, where this is called for in respect of serious breaches of trust and, or non-compliance, where both public employees or board members are concerned.

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SECOND SCHEDULE

Part I

Departments other than those not subject to ministerial control

Department	Head of department	Other offices with statutory powers (article 11)	Equivalent title at law (article 11)	Function of the department
Department of Active Ageing and Community Care	Director (Active Ageing and Community Care)			To implement the National Active Ageing Strategy, the National Dementia Strategy as well as all services for older persons both at community and residential basis on a national level
Cabinet Office	Secretary to the Cabinet			To support the workings of Cabinet
Department of Civil Protection	Director (Civil Protection)			To provide fire-fighting and rescue services and take protective action against natural, industrial and other emergencies
Cleansing and Maintenance Department	Director General (Cleansing and Maintenance)			To provide public cleansing services, plan and carry out maintenance work
Commerce Department	Director General (Commerce)		Comptroller of Industrial Property Director of Trade Director of Industry	To monitor and provide assistance to small enterprises and craft industries, and to regulate intellectual property and trade
Office of the Commissioner for Revenue	Commissioner for Revenue			To administer fiscal legislation and the collection of revenue
Department of Contracts	Director General (Contracts)		Director of Contracts	To regulate, approve and monitor the award of public contracts granted by and on behalf of contracting authorities, contracting entities and bodies governed by public law
Courts of Justice Department	Director General (Courts)	Director (Civil Courts and Civil Tribunals, Malta)	Director, Civil Courts and Tribunals Registrar, Civil Courts and Tribunals	To support and facilitate the administration of justice

Department	Head of department	Other offices with statutory powers (article 11)	Equivalent title at law (article 11)	Function of the department
		Director (Criminal Courts and Criminal Tribunals, Malta)	Director, Criminal Courts and Tribunals	
			Registrar, Criminal Courts and Tribunals	
		Director General (Gozo Courts and Tribunals)	Director, Gozo Courts and Tribunals	
			Registrar, Gozo Courts and Tribunals	
Customs Department	Commissioner for Revenue		Comptroller of Customs	To collect customs and excise duties and curb illegal imports while facilitating trade
Economic Policy Department	Director General (Economic Policy)			To provide expert advice and assistance to Government in the formulation of economic policy and the management of economic activity
Fisheries and Aquaculture Department	Director General (Fisheries and Aquaculture)		Director responsible for Fisheries	To promote, develop and regulate aquaculture
			Director of Agriculture and Fisheries	
Department for Health Regulation	Superintendent of Public Health			To safeguard public health and to license, monitor and inspect the provision of healthcare services
Department for Healthcare Services	Director General (Healthcare Services)			To ensure the effective and efficient operation and delivery of healthcare services
Department of Information	Director (Information)		Press Registrar	To provide the public with up to date, comprehensive and meaningful information on Government policies, services and activities, and on matters which may be of public interest
Inland Revenue Department	Commissioner for Revenue		Commis-sioner of Inland Revenue	To administer fiscal legislation in relation to income and other taxes

Department	Head of department	Other offices with statutory powers (article 11)	Equivalent title at law (article 11)	Function of the department
Department of Justice	Director (Justice)			To coordinate and support areas in the justice sector
Department for Local Government	Director (Local Government Monitoring and Support)		Director responsible for Local Councils	To support and monitor activities of the Local Councils
Malta Police Force	Commissioner of Police		Principal Immigration Officer	To preserve peace and order, to detect and investigate offences, and to prosecute offenders; to control immigration into Malta
Department for Policy in Health	Chief Medical Officer			To advise the Minister for Health on all matters relating to health policy
Department of Probation and Parole	Director (Probation and Parole)		Director of Probation Services	To help ensure social stability in Maltese society by contributing to minimise the frequency of crime and by ensuring the re-integration of offenders into society, through probation, parole and victim support services
Rural Development Department	Director General (Rural Development)	Director (Agriculture)	Director of Agriculture	To promote and develop farming through diversification and competitiveness
Department of Social Security	Director General (Social Security)			To administer the social security (contributory and non-contributory) scheme and provide timely financial assistance and other social benefits, pensions and allowances to eligible applicants
Treasury Department	Accountant General			To maintain a uniform accounting system across Government departments; to supervise, monitor and report on all Government financial transactions and manage public debt

Department	Head of department	Other offices with statutory powers (article 11)	Equivalent title at law (article 11)	Function of the department
Value Added Tax Department	Commissioner for Revenue		Commis-sioner of Value Added Tax	To ensure that all persons performing an economic activity for a consideration duly register under the VAT Act, and collect dues
Veterinary and Phytosanitary Regulation Department	Director General (Veterinary and Phytosanitary Regulation)			To administer and enforce the Plant Quarantine Act, the Veterinary Services Act and the Animal Welfare Act
		Director (Plant Protection)	Director (Plant Health Services)	
		Director (Veterinary Regulation)	Director for Veterinary Services	
		Director (Animal Welfare)	Director for Animal Welfare	
Works and Infrastructure Department	Director General (Works and Infrastructure)		Director of Public Works	To design, plan and carry out public infrastructure works and projects; to provide ancillary building projects services, manufacturing services and a regulatory framework for the building construction industry.

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Part II
Departments not subject to ministerial control

Department	Head of department	Other offices with statutory powers (article 11)	Equivalent title at law (article 11)	Function of the department
Electoral Office	Chief Electoral Commissioner			To support the Electoral Commission in the exercise of its functions
Internal Audit and Investigations Department	Director General (Internal Audit and Investigations)		Director, Internal Audit and Investigations Directorate	To conduct internal audits and investigations under the Internal Audit and Financial Investigations Act
Office of the President	Secretary to the Presidency			To support the President in the fulfilment of his constitutional duties
Office of the Public Service Commission	Executive Secretary, Public Service Commission			To support the Public Service Commission in the exercise of its functions

THIRD SCHEDULE

SPECALISED UNITS

(Article 9)

Privatisation Unit

FOURTH SCHEDULE

Agencies

(Article 26)

Agency	Agency function
Aġenzija SAPPORT	To exercise and execute the functions and duties previously exercised by the Aġenzija SAPPORT within the Foundation for Social Welfare Services, as well as any other matter falling within the ambit of the support and care of persons with disability
Aġenzija Żgħażagħ	To mainstream youth policy and to replace the existing Youth Section by providing youth services on behalf of the Government
Governance of Agricultural Bioresources Agency	The registration of agricultural bioresources and to promote governance, management and utilisation practices that are technically and economically feasible and environmentally sound
Energy and Water Agency	To execute the functions and duties of the public administration in matters relating to the design, implementation and dissemination of water, conventional energy and alternative energy policy
European Union Programmes Agency	To promote, implement and manage the Erasmus+ Programme, and other programmes and initiatives of the European Union
Identity Malta Agency	To execute the functions and duties of the public administration in matters relating to passports, identity documents, work and residence permits for expatriates, registration of public deeds, acts of civil status and individual investment programmes
Institute for Education	To serve as a platform to ascertain, implement and support Government policy where it concerns the formation, quality and standards that promote and develop training and the building of skills within the grades of educators and professionals in the education sector and within European and international dimensions and to reach all those who are and, or may become involved in the education sectors and within a socio-economic context
Land Registry Agency	To execute the functions and duties of the public administration in matters relating to land registration and *condominium* registration

Legal Aid Agency	To be responsible for and to administer provision of the service of legal aid in all areas where this is required
Local Enforcement System Agency	To carry out the functions and duties relating to the enforcement of any law, regulation or bye-law, the enforcement of which has been delegated to regional committees, local councils or to such other local or regional authorities as are designated by the Local Councils Act
Malta Council for Science and Technology Agency	To support the Government in the commercialisation of activities relating to science, technology, research and innovation matters
Malta Individual Investor Programme Agency	To carry out functions and duties of public administration relating to the Individual Investor Programme of the Government of Malta, as established by and under the Maltese Citizenship Act and to cooperate with Identity Malta Agency in all matters including the set-up and implementation of strategies and policies
Malta International Contemporary Art Space Agency	To be responsible for strengthening and ensuring the achievement of the highest quality in contemporary art
Malta Marittima Agency	To carry out functions related to the promotion, development and growth of the maritime sector
Malta Residence Visa Agency	To execute the functions and duties of the public administration in matters relating to issuing of residence visas by investment and other administrative matters related to individuals wishing to stay or settle indefinitely in Malta or Gozo
Management Efficiency Unit	To support public sector change initiatives through the provision of consultancy advice
MEUSAC	To engage stakeholders in the EU processes through consultation, the dissemination of information and assistance on EU funding programmes
National Aerospace Centre	To develop, research, enhance the aerospace industry and related policy, including the launching and management of relevant programs and projects
National Development and Social Fund Agency	To implement the functions of the National Development and Social Fund established under the Individual Investor Programme of the Republic of Malta Regulations (S.L. 188.03)
National Literacy Agency	To support the Government in matters relating to literacy
Public Administration - Human Resource Development Unit	To achieve the retraining and re-skilling needs of public employees
Registry of Companies Agency	To function as a public registry for commercial partnerships and to execute those functions and duties relating to the registration of such commercial partnerships
Resource, Recovery and Recycling Agency	To execute the functions and duties relating to circular economy
Servizzi.gov Agency	To carry out functions related to the provision of access to as many as possible of Government services to as many as possible service users, in partnership with the responsible Departments and Government entities, through the Servizz.gov regional-based hubs, multi-channel, one-stop service

FIFTH SCHEDULE

Appointments of Ambassadors, High Commissioners and principal representatives of Malta and appointments to certain posts in Government Agencies and other entities

(Article 38)

FIRST PART

Ambassadors, High Commissioners or principal representatives of Malta to countries where they are appointed as resident Ambassadors, High Commissioners or principal representatives.

SECOND PART

The Governor of the Central Bank of Malta

The Chairman of the Malta Financial Services Authority

The Regulator for Energy and Water Services

The Chairperson of the Authority for Transport in Malta

The Chairman of the Malta Communications Authority

The Chairman of the Gaming Authority

The Chairperson of the Planning Board of the Planning Authority

The Chairperson of the Environment and Resources Authority

The Commissioner for Voluntary Organisations

The Chairperson of the Lands Authority

The Chairman of the Malta Competition and Consumer Affairs Authority

The Chief Executive Officer of the Medicines Authority

The Chairperson of the Malta Tourism Authority

The Chairman of the National Commission for Further and Higher Education

The Chairman of the Financial Intelligence Analysis Unit

The Chairman of the Malta Digital Innovation Authority

The list of offices established above shall be deemed to include any other office in which all the legal functions of the offices above-mentioned shall be vested from time to time both if in the same entity and if in another entity, except for a Government Department, which may be established from time to time to fulfil the said legal functions.

THIRD PART

Form of advice to be given by the
Standing Committee on Public Appointments

"Minister,

The Standing Committee on Public Appointments has organized a pre-appointment hearing in respect of the proposed appointment of ..... as ..... of ..... and after having considered the results of the pre-appointment hearing has decided to advise in favour/against the proposed appointment.

Chairperson

Standing Committee on Public Appointments".

SIXTH SCHEDULE

List of those posts within the public administration that, due to the nature of their role and responsibilities, are considered to be high risk positions

[Article 4(4)]

Consideration of applications and decision-making

Building Industry Consultative Council

Skills Cards Officials

Commission for the Rights of Persons with Disability

Assistant Manager Grade 9 (Services team issuing blue badges)

Service Officers Grade 11 (Services team issuing blue badges)

Assistant Service Officers Grade 13 (Services team issuing blue badges)

Enforcement Officer Grade 11 (Accessibility team)

Identity Malta

Senior Managers responsible for decision-making and authorisation on applications for visas, Maltese citizenship, residence and issue of passports and travel documents

Senior Administrative Officer responsible for approval of passport applications and custody of passport booklet stock

Administrative Officer (Back Office)

Administrative Officer (Front Office)

Jobsplus

Unit Manager (Employment Licences)

Senior Executive Officer (ELU)

Executive Officer (ELU)

Malta Communications Authority

Chief, Spectrum Management and Technology

Senior Manager, Spectrum Planning and Authorisation

Malta Competition and Consumer Affairs Authority

Director, Regulatory Affairs

Senior Manager, Regulatory Affairs

Professional Officer - Scientist

Senior Professional Officer - Scientist

Professional Officer - Engineer

Senior Officer - Technical

Technical Officer - Laboratory

Malta Financial Services Authority

Members of decision-making and other bodies

Malta Individual Investor Programme Agency

Chief Officer, Risk and Compliance

Administrative Officers who deal with applications for residence and citizenship

Medicines Authority

Director (Licensing Directorate)

Director (Post-Licensing Directorate)

Director (Strategy, Operations and Regulatory Affairs Directorate)

Director (Advanced Scientific Initiatives Directorate)

Senior Quality Assessor (Licensing Directorate)

Medical Assessor (Post-Licensing Directorate)

Clinical Assessor (Licensing Directorate)

Assessor, Safety and/or Pharmacokinetics (Licensing Directorate/Post-Licensing Directorate)

Quality Assessor (Licensing Directorate)

Junior Assessor (Licensing Directorate/Post-Licensing Directorate)

Malta Police Force

Superintendent responsible for issuing weapons licences

Superintendent responsible for issuing fireworks licences

Superintendent responsible for issuing private guards services licences

Malta Tourism Authority

Director, Licensing

Manager, Licensing

Assistant Manager, Licensing

Executive, Licensing

Ministry for Health

Clerical staff at Burials (Environment Health Directorate)

Social Care Standards Authority

Head of Licensing and Legal Office

Manager, Licensing and Legal Office

Manager, Regulation and Standards Office

Assessors

Finance, procurement and resource management

All government organisations

Chief Officers responsible for finance

Financial Controllers

Heads of Procurement

Managers responsible for procurement

Officers and Executives responsible for procurement

EU Fund Managers

Ministries and departments of government

Directors responsible for financial administration

Assistant Directors (Procurement)

Grand Harbour Regeneration Corporation

Manager, Quantity Surveyor

Heritage Malta

Manager

Senior Executive Officer

Executive Officer

Identity Malta

Senior Manager responsible for revenue collection

Administrative Officer responsible for tenders and procurement

Advisor - tenders advice regarding tenders and procurement

Institute of Tourism Studies

Manager, Finance

Assistant Manager, Procurement

Jobsplus

Head of Finance, ICT and Procurement Division

Department Manager (Finance)

Unit Manager (Procurement)

Senior Executive Officers (Procurement)

Executive Officers (Payments)

Malta College of Arts, Science and Technology

Director, Capital Projects

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Malta Communications Authority

Senior Manager, Finance, HR and Administration

Malta Competition and Consumer Affairs Authority

Senior Professional Officer - Finance

Administrative Officer - Procurement

Malta Council for Science and Technology

Deputy Director, Finance

Deputy Director - EU Framework Programmes

Executive Officer (Erasmus Funds Project Administrator)

Senior Procurement Manager

Malta Film Commission

Manager, Finance

Malta Freeport Authority

Executive, Finance

Medicines Authority (Inspectorate and Enforcement Directorate)

Director

Senior Medicines Inspector

Medicines Inspector

Enforcement Inspector

Junior Inspector

Enforcement Officer

Malta Residency and Visa Agency

Administration Officer collecting payments with applications for the residency by investment programme

Procurement Administrators

Ministry for Education and Employment

Senior Manager, Finance and Administration (European Union Programmes Agency)

Quantity Surveyors (Foundation for Tomorrow's Schools)

Head of Finance (Institute for Education)

Senior Manager, Administration and Finance (Institute for Education)

Ministry for Finance

Officers in charge of handling revenue and officers authorised to cancel dues by debtors (Commissioner for Revenue, Customs Department)

Accountants (Commissioner for Revenue)

All public procurement officials (Contracts Department)

Ministry for Gozo

Officer in Grade 4 (Procurement Unit)

Senior Principal (Procurement Unit)

Principal (Procurement Unit)

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Ministry for Health

Head, Revenue Collection (Mater Dei Hospital)

Manager, Revenue Collection (Mater Dei Hospital)

Manager, Contractual Services (Mater Dei Hospital)

Procurement and Administrative Officer (CPSU)

Chief Projects Officer (Foundation for Medical Services)

Procurement Coordinator (Foundation for Medical Services)

Ministry for Justice, Culture and Local Government

Assistant Director, Finance and Administration (Corporate Services Directorate)

Ministry for Foreign Affairs and Trade Promotion

Officer in charge of EU funds and projects (Office of the Permanent Secretary)

Ministry for the Environment, Sustainable Development and Climate Change

Officer i/c Revenue (Finance and Administration Directorate)

Ministry for the Family, Children's Rights and Social Solidarity

Senior Procurement Officer (Corporate Services Directorate)

Manager Grade 7, Finance Department (Commission for the Rights of Persons with Disability)

Manager, EU Project Management (Commission for the Rights of Persons with Disability)

Officers in charge of awarding benefits and officers authorised to cancel dues by debtors (Department of Social Security)

Director, Financial Governance and Planning

Assistant Director, Budgeting and Planning (Financial Governance and Planning Directorate)

Assistant Director, Finance (Gozo Overpayments Section)

Senior Principals (Gozo Overpayments Section)

Senior Procurement Officer (Ministerial Procurement Unit)

Senior Manager, Procurement (Social Care Standards Authority)

Ministry for Transport, Infrastructure and Capital Projects

Senior Manager, Finance (Office of the Permanent Secretary)

Manager, Compliance (Office of the Permanent Secretary)

Head, Quantity Surveying Unit

Assistant Head, Quantity Surveying Unit

Quantity Surveying Staff (PTO, IPSL, ERL)

Assistant Director, Contracts (Finance and Administration Directorate)

Procurement Section staff (Finance and Administration Directorate)

Director, Project Design and Engineering (Works and Infrastructure Department)

Director, Manufacturing and Services (Works and Infrastructure Department)

University of Malta

Director (Procurement Office)

Senior Administrative Officers (Procurement Office)

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Inspections and enforcement

Building Regulation Office

Assistant Director, Enforcement

Enforcement Officers

Third Party Rights Officers

Energy Performance of Buildings Officers

Bureau of Air Accidents Investigation

Chief Investigator

Department for Industrial and Employment Relations

EIRA Inspectors

Department of Probation and Parole

Probation Officers

Housing Authority

Manager, Estate Management Inspectorate

Jobsplus

Senior Executive Officer (Compliance)

Senior Inspectors

Senior Executive Officer (Monitoring)

Executive Officers (Monitoring)

Lands Authority

Enforcement, Inspectorate and Compliance Director and staff

Technical Officers (Joint Office)

Local Enforcement System Agency

Regional Enforcement Officers

Malta Gaming Authority

Officers (AML, Enforcement, Due Diligence, Investigations, Compliance, Authorisations, Player Support)

Gaming Inspectors

Malta Industrial Parks Ltd

Inspectors

Malta Competition and Consumer Affairs Authority

Director, Inspectorate and Cartel Investigations

Inspector - Customer Enforcement

Market Surveillance Officer

Officer - Customer Enforcement

Inspector - Market Surveillance

Administrative Officer - Metrology

Senior Quality Manager

Technical Officer - Metrology

Malta Tourism Authority

Director, Compliance and Regulatory

Senior Manager, Compliance and Regulatory

Officer, Compliance

Executive Officer, Regulatory

Ministry for Finance

Director General, Operations (Commissioner for Revenue)

VAT Inspectors

Revenue Officers (Commissioner for Revenue)

Enforcement Officers (Commissioner for Revenue)

Inspectorate Officers (Commissioner for Revenue)

Inspectors of Customs

Ministry for Gozo

Principal (Licensing and Testing)

Assistant Principals (Licensing and Testing)

Principal (Trade)

Assistant Principal (Trade)

Senior Environmental Health Practitioner (Health Inspectorate)

Senior Environmental Health Officers (Health Inspectorate)

Ministry for Health

Licensing Inspector (Health Standards Directorate)

Standards Licensing Officer (Health Standards Directorate)

All Environmental Health Officers in all grades

Ministry for the Family, Children's Rights and Social Solidarity

Director, Benefit Compliance

Assistant Director, Investigations (Benefit Compliance Directorate)

Inspectors (Benefit Compliance Directorate)

Occupational Health and Safety Authority

Occupational Health and Safety Officers

Planning Authority

Assistant Director of Compliance and Enforcement

Social Care Standards Authority

Head of Inspectorate Office

Manager (Inspectorate Office)

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Transport Malta

Airworthiness Inspectors

Flight Operations Inspectors

Inspecting officers for flight operations, approvals and licensing, ANS and aerodromes, air transport navigation, personnel licensing and general aviation

Senior Marine Safety Investigators

Marine Safety Investigators

Junior Marine Safety Investigators

Vessel Traffic Services Supervisor

Flag and Port Inspector

Port Security Compliance Inspector

Senior Port Inspector

Port Inspector

Passed by the House of Representatives at Sitting No. 199 of the 19th February, 2019.

ANĠLU FARRUGIA
Speaker

RAYMOND SCICLUNA
Clerk of the House of Representatives

VERŻJONI ELETTRONIKA

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