

S.I. 2019 No. 43

Constitution

**CONSTITUTION (DELEGATION OF FUNCTIONS-
ADMINISTRATIVE, GENERAL AND PROFESSIONAL SERVICE,
TEACHING SERVICE AND PROTECTIVE SERVICES)
(MISCELLANEOUS PROVISIONS) ORDER, 2019**

The Governor-General, acting in accordance with the advice of the Administrative, General and Professional Service Commission, the Teaching Service Commission and the Protective Services Commission respectively, under sections 93B, 95 and 97 of the *Constitution*, makes the following Order:

1. This Order may be cited as the *Constitution (Delegation of Functions-Administrative, General and Professional Service, Teaching Service and Protective Services) (Miscellaneous Provisions) Order, 2019*.
2. For the purposes of this Order,
 - “departmental post” means a post that is peculiar to a department;
 - “gazetted police officer” has the same meaning as in section 2 of the *Police Act*, Cap. 167;
 - “general service post” means a post other than a departmental post;
 - “Head of Mission” means an Ambassador, High Commissioner or other principal representative of Barbados in any other country, or accredited to any international organisation, appointed under section 100 of the *Constitution*;
 - “Permanent Secretary” has the same meaning as in section 99 of the *Constitution*;
 - “priority list” means a list of a selection panel setting out the names of candidates in order of their ranking to fill vacancies either through recruitment or

promotion and which remains valid for a period of 2 years from the date the said list is accepted by the appropriate Service Commission under sections 93B, 95 or 97 of the *Constitution*, as the case requires;

“temporary offices” has the meaning assigned to it by section (2) of the *Public Service Act*, Cap. 29.

3.(1) Subject to sections 93B, 95 and 97 of the *Constitution*, the powers vested in the Governor-General by sections 93A, 94 and 96 thereof and specified in column 1 of Part I of the *Schedule* in respect of the posts so specified shall, without prejudice to the exercise of such powers by the Governor-General, be exercisable by the persons specified in column 2 immediately opposite such posts.

(2) Notwithstanding sub-paragraph (1) and subject to the conditions specified in that sub-paragraph, the power conferred on the Governor-General by section 93A and 94 of the *Constitution* to make appointments to the posts mentioned in Part II of the *Schedule* shall be exercisable by the Chairman, Administrative, General and Professional Service, the Chairman of the Teaching Service Commission and Protective Services Commission after consultation with the relevant Permanent Secretaries or the Chief Technical or Professional Officers, as the case may be.

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

SCHEDULE

(Paragraph 3)

PART I

Column 1	Column 2
<p>1. Acting appointments to departmental posts up to and including</p> <p>(a) posts in the salary scale Z9-1,</p> <p>(b) posts in the salary scale P5, contained in the Second Schedule to the <i>Public Service (General) Order, 2018</i> (S.I. 2018 No. 75) for a period not exceeding 3 months, where the officer to be appointed to act is the next officer in order of rank on the priority list or in the absence of a priority list is the most senior officer eligible for such acting appointment.</p> <p>2. Acting appointments to posts held by Heads of Department and to posts senior to that of Administrative Officer I but excluding</p> <p>(a) the post of Director of Finance and Economic Affairs;</p> <p>(b) the post of Permanent Secretary; and</p> <p>(c) any post to which a salary equivalent to that of a Permanent Secretary attaches.</p>	<p>Permanent Secretary and Heads of Department not falling under Ministries.</p> <p>Chairman, Administrative, General and Professional Service Commission.</p>

Schedule - (Cont'd)

PART I - (Cont'd)

Column 1	Column 2
<p>3. Appointments on transfer of officers within a Ministry or Department</p> <p>(a) who hold a post of Clerical Officer, Senior Clerk, Senior Accountant, Accountant, Assistant Accountant, Executive Officer, Senior Executive Officer, Stenographer/Typist, Secretary and Accounts Clerks; and</p> <p>(b) who hold a post to which there is attached an annual salary in the C Scale.</p>	<p>Permanent Secretary, after consultation with the Head of Department.</p>
<p>4. Appointments to the post of Senior House Officer and Registrar, Psychiatric Hospital.</p>	<p>Chairman, Administrative, General and Professional Service Commission after consultation with</p> <p>(a) the Chief Medical Officer; and</p> <p>(b) the Senior Consultant, Psychiatrist, the Psychiatric Hospital.</p>

Schedule - (Cont'd)

PART I - (Cont'd)

Column 1	Column 2
<p>5. Acting appointments to the post of</p> <p>(a) Senior Consultant to the Psychiatric Hospital;</p> <p>(b) Consultant to the Psychiatric Hospital.</p>	<p>Chairman, Administrative, General and Professional Service Commission after consultation with</p> <p>(a) the Chief Medical Officer; and</p> <p>(b) the Chief Medical Officer; and Senior Consultant, Psychiatric Hospital.</p>
<p>6. Permanent appointments to posts to which there is attached an annual salary in the C Scale or an annual salary up to, and including, the salary specified in the scale Z11-10 of the <i>Second Schedule</i> to the <i>Public Service (General) Order, 2018</i> (S.I. 2018 No. 75)</p>	<p>Chairman, Administrative, General and Professional Service Commission after Consultation with the Chief Medical Officer.</p>
<p>7. Acting and temporary appointments.</p>	<p>Chief Education Officer</p>
<p>8. Permanent appointments to posts within the Teaching Service to which there is attached a salary up to and including the salary specified in the scale Z36-24.</p>	<p>Chairman, Teaching Service Commission.</p>

Schedule - (Cont'd)

PART I - (Cont'd)

Column 1	Column 2
9. Disciplinary control in respect of persons acting in or appointed to the post of Prison Officer.	Superintendent of Prisons.
10. Appointments to temporary offices on the staff of a Head of Mission and disciplinary control over persons appointed to or acting in such offices.	<p>(a) The Head of Mission where the Head of Mission holds an established office on a substantive basis;</p> <p>(b) in any case not falling under paragraph (a), the Permanent Secretary, Ministry of Foreign Affairs.</p>
11. Disciplinary control in respect of members of the Fire Service appointed to or acting in any office of or below the rank of subordinate officer as defined by section 2 of the <i>Fire Service Act</i> , Cap. 163.	Chief Fire Officer.

Schedule - (Cont'd)

PART I - (Cont'd)

Column 1	Column 2
<p>12. (a) Appointments on transfer in respect of non-general service posts;</p> <p>(b) appointments to act in</p> <p>(i) general service posts, and</p> <p>(ii) the posts of Administrative Officer I and Administrative Officer II, where the person appointed to act is the next officer in order of rank on the priority list or in the absence of a priority list the most senior officer eligible for such acting appointment;</p> <p>(c) appointments to temporary offices;</p> <p>(d) appointments to act in posts to which there is attached an annual salary in the C Scale.</p> <p>13. Disciplinary control in respect of persons appointed to or acting in offices in the Police Force below the rank of Inspector.</p>	<p>Director General, Human Resources Ministry of the Public Service.</p> <p>Any gazetted police officer, acting in accordance with the provisions of the <i>Police (Discipline) Regulations, 1961</i> (S.I. 1961 No. 194).</p>

Schedule - (Cont'd)

PART I - (Concl'd)

Column 1	Column 2
14. Appointments to the post of Constable in the Police Force except the confirmation of the appointment of a Constable who is serving a probationary period under section 25 of the <i>Police Act</i> , Cap. 167.	Commissioner of Police.
15. Appointments to the posts of Senior Traffic Warden and Traffic Warden.	Commissioner of Police.

Schedule - (Cont'd)

PART II

Senior Veterinary Officer
Scientific Officer
Analyst
Senior Agricultural Officer
Agricultural Officer
Veterinary Officer
Meteorologist
Principal Nursing Officer
Senior Laboratory Technologist
Chief Dispenser/Senior Pharmacist
Assistant Matron
Laboratory Technologist
Drug Inspector
Senior Sister
Senior Nursing Officer
Senior Health Sister
Matron, District Hospital
Physiotherapist
Occupational Therapist
Dental Hygienist
Senior Medical Officer of Health
Medical Officer of Health
Assistant Medical Officer of Health
Senior Dental Officer
Dental Officer
Dietitian
Instructor, Samuel Jackman Prescod Institute of Technology
Deputy Chief Town Planner
Senior Town Planner
Town Planner

Schedule - (Concl'd)

PART II - (Concl'd)

Engineer/Mechanical Engineer
Architect
Quantity Surveyor
Marine Biologist
Statistician
Economist
Chief Accountant
Senior Economist
Senior Surveyor
Surveyor
Principal Auditor
Teacher

Made by the Governor-General this 23rd day of July, 2019.

S. MASON
Governor-General