

PUBLIC NOTICE

Supplement to the Sierra Leone Gazette Vol. CXIII, No. 82

dated 30th December, 1982

THE PUBLIC SERVICE COMMISSION REGULATIONS, 1982

(P.N. No. 31 of 1982)

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PUBLIC NOTICE No. 31 OF 1982

Published 30th December, 1982

THE CONSTITUTION

(Act No. 12 of 1978)

THE PUBLIC SERVICE COMMISSION REGULATIONS, 1982 Short title.

In exercise of the powers conferred upon it by sections 135, 136 and 148 of the Constitution of Sierra Leone, 1978 the Public Service Commission acting with the consent of the President hereby makes the following Regulations:— Act No. 12 of 1978.

PART I—PRELIMINARY

1. (1) In these Regulations, unless the context otherwise requires— Inter-pretation.

“Administrative Service” means the officers holding the posts set out in the First Schedule which may be amended from time to time; First Sched-ule.

“appointment” means—

- (a) the conferment of an office of emolument in the public service upon a person not in the public service, whether or not such appointment is subject to subsequent confirmation;
- (b) the grant of permanent and pensionable terms of service in a public office to a person serving on contract or in another non-pensionable office;
- (c) the engagement in a public office of a person on contract or any other non-pensionable terms for a further period of service at the conclusion of his previous engagement in the same or other public office;
- (d) the paid appointment of a public officer to act in any public office other than the office to which he is substantively appointed; and includes
- (e) the promotion of a public officer to a higher substantive post;

- “Chairman” means the Chairman of the Commission and also means an acting Chairman;
- “Clerical Class” includes all staff superintendents, stenographers, graded clerks and clerical assistants but does not include any person of that class in the Judicial and Legal Service, Customs and Excise Department, Posts and Telecommunications Department, and Audit Examiners;
- “Commission” means the Public Service Commission established under the provisions of section 135 of the Constitution;
- “Constitution” means the Constitution of Sierra Leone, 1978;
- “Court” means any court of law in Sierra Leone other than a court martial;
- “deferment of increment” means deferment of the increment due on the officer’s annual incremental date next following the decision to defer such increment until the officer’s second annual incremental date after such decision;
- “disciplinary control” includes such control as may relate to dismissal;
- “Executive Class” includes all officers holding the post of Executive Officer on Scales C(E) 2-3 or C(E) 3-5 and such other officers as may, with the consent of the Public Service Commission be declared to belong to that Class;
- “Head of Department” means a person holding any of the offices listed in the Second Schedule and also means in relation to any group of officers not forming a Department, the officers stated therein to be the Head of Department of any such group, and such person as may, from time to time by Order published in the *Gazette*, be accorded the equivalent status and the powers of a Head of Department;
- “Member” means any Member of the Commission appointed under section 135 of the Constitution and includes an acting Member;
- “Miscellaneous Officers” means public officers who—
- (i) are not Heads of Departments;

Second
Schedule.

- (ii) are not members of any Ministry;
- (iii) are not in the Administrative Service; and
- (iv) have no Head of Department;

“non-pensionable Officer” includes as officer serving under a contract or agreement which does not provide for the payment of a pension;

“office of emolument” in relation to the definition of public officer means any pensionable or non-pensionable post which is shown under a personal emoluments sub-head in the current Sierra Leone Estimates;

“official document” means any document or paper prepared by a public officer in the course of his employment or any document or paper which comes into the custody of any public officer in the course of such employment;

“promotion” means the conferment on a person in the public service of a public office to which is attached a higher salary or higher salary scale than that attached to the public office to which he was last substantively appointed;

“Public Corporation” means a statutory corporation set up entirely out of public funds or funds provided in whole or in part by or otherwise guaranteed by Parliament;

“public office” means an office of emolument in the public service;

“public Officer” means a person holding or acting in a public office;

“public service” means, subject to the provisions of sub-sections (3) and (4) of section 156 of the Constitution, service of the Government of Sierra Leone in a Civil capacity and includes such service in respect of the Government existing in Sierra Leone prior to 27th April, 1961;

“Salary” means basic salary;

“Scale” means a salary scale as set out in the current Sierra Leone Estimates;

"Secretary" means the public officer appointed to be the Secretary to the Commission and also means an acting Secretary;

"stoppage of increment" means the postponement of the increment due on the officer's annual incremental date next following the decision to make such stoppage until such later date as may be decided by the Public Service Commission or other authority by whom such decision was made but so that the officer's second annual incremental date after such decision is not in any way affected thereby.

(2) The Commission may appoint a person to any public office notwithstanding that some other person may be holding that office, when that other person is on leave of absence pending relinquishment of the office; and where two or more persons are holding the same office by reason of an appointment made in pursuance of this paragraph, for the purposes of any function conferred upon the holder of that office, the person last appointed shall be deemed to be the sole holder of the office.

PART II—PUBLIC SERVICE COMMISSION

Appoint-
ment of
Secretary.

2. The Commission shall appoint a Secretary to the Commission and shall authorise the appointment of such other staff as from time to time shall seem to it to be necessary.

Quorum
and voting.

3. (1) At any meeting of the Commission a quorum shall be constituted if three Members are present.

(2) Save as provided in Regulation 5 all decisions of the Commission shall be by a majority of votes of the Members present and voting:

Provided that the Chairman or other member presiding at the meeting shall have a second or casting vote whenever the voting shall be equal.

Record of
meetings and
decisions.

4. A record shall be kept of the Members present and of the business transacted at every meeting of the Commission. Any Member who is present at a meeting when a decision is made shall be entitled to dissent therefrom and to have his dissent and his reasons therefor set out in the record of such meeting.

Decisions
by circula-
tion of
papers.

5. Decision may be made by the Commission without a meeting by circulation of the relevant papers among the Members and expression of their views in writing and in such case the decision shall be the view of the majority by members expressing a view:

Provided that if any Member—

- (a) requires that a decision on a matter being dealt with by circulation of the relevant papers shall be deferred until the subject matter is considered at a meeting of the Commission, no decision shall be made on that subject except at a meeting of the Commission;
- (b) dissents from a view recorded by a majority of Members on papers circulating for a decision the decision shall not be implemented until that Member has had an opportunity to record the reasons for his view.

6. Every public officer who submits any matter for the consideration of the Commission shall ensure that all relevant documents and papers are made available to the Commission. Documents to be made available.

7. The Commission may require any public officer to attend and be examined before it concerning any matter which it is required to consider in the exercise of its functions under the Constitution and these Regulations and may require the production of official documents relating to any such matter. Duty of public officers to attend, etc.

8. (1) Whenever it appears to the Commission or the Establishment Secretary that an offence has been committed against any of the provisions of the Public Service Commission (Definition of Offences) Order, 1961, the Commission or the Establishment Secretary as the case may be, shall refer the matter to the Attorney-General. Offence against P.N. No. 180 of 1961 to be referred to Attorney-General.

(2) Any public officer who acts in contravention of regulations 6, 7, 11, 12 or 13 shall be guilty of a breach of discipline.

PART III—FIRST APPOINTMENTS AND PROMOTIONS

9. (1) Where an office is to be filled the public shall, unless the Commission otherwise directs, be informed in time by advertisement of the existence of the vacancy to enable candidates to make their applications in accordance with that advertisement: Advertisement of vacancies

Provided that whenever the Commission is satisfied that there is already in the service a public officer suitable for appointment to the office in question they shall issue an appropriate direction under this Regulation.

(2) Where an office is to be filled the requirements of the office and the qualification necessary for it shall be settled by the

Establishment Secretary and the advertisement, if any, shall be published by him. The Commission shall, in consultation with the Head of Department concerned, consider any replies received.

(3) In making recommendations for first appointments the Commission shall be guided by the principle that no consideration shall be given to the recruitment of a non-Sierra Leonean unless the Commission is satisfied that no qualified and suitable Sierra Leonean candidate is available.

10. (1) The Commission shall decide whether—

- (a) a Selection Board is to be constituted to select candidates;
- (b) the composition of the Board; and
- (c) the form in which the report of the Board shall be submitted.

(2) The Board shall forward its report to the Secretary and the Commission may in its discretion interview any of the candidates.

11. (1) In considering the claims of persons in the public service for promotion, the Commission shall be guided primarily by the principles of merit and ability and secondarily by seniority, experience and official qualifications. In making recommendations for promotion it shall be the duty of a Head of Department to have regard to these principles.

(2) A Head of Department shall inform the Commission whether any recommendations would involve the supersession of any officer in his department and shall in every such case give detailed reasons for such supersession.

(3) The procedure for making an acting appointment shall be the same as that prescribed for making a promotion. When recommending an acting appointment it should be stated whether or not the officer recommended is qualified to perform all of the duties of the office in which he is to act.

(4) The Secretary to the President shall declare all vacancies with dates in respect of recommendations for promotion in the Administrative Cadre of the Civil Service.

12. The procedure for reporting vacancies shall be in accordance with the following classifications:—

(1) Class A—Heads of Departments

Principles relating to selection for first appointment

Selection Board.

Promotions and acting appointments.

Procedure for reporting vacancies.

(a) As soon as a Head of Department holding an office to which section 136 of the Constitution applies knows that his post will become vacant he shall report the matter to the Permanent Secretary of his Ministry in triplicate and in the case of a Head of Department other than a Provincial Secretary makes recommendations for filling it. If for any reason the Head of Department is unable to report the impending vacancy, the Establishment Secretary shall report it to the Commission.

(b) Upon receipt of the report mentioned in sub-paragraph (a) the Permanent Secretary shall after setting out his own opinion on the matter, forward the papers in duplicate to the Establishment Secretary, who, after certifying the particulars, shall forward one copy to the Secretary together with any comment he may wish to make.

(2) Class B—Posts other than those of Head of Department with initial salaries of more than Le1,155.00 per annum, pensionable and non-pensionable.

(a) The Head of Department shall report to the Establishment Secretary through the normal channels without delay the creation of a new post or an impending vacancy in any existing post in his department. The report shall be made in triplicate and shall include a recommendation as to how the vacancy shall be filled and whether or not the post shall be advertised.

(b) After the Establishment Secretary has verified that there is no objection to filling the post he shall forward the report to the Secretary together with any observations he may wish to add.

(c) When a Head of Department is of the opinion that a vacancy may have to be filled by a person who is not a Citizen of Sierra Leone he shall give particulars of any Sierra Leone Citizens who are being trained for such post stating when they are expected to be available. In such cases the Establishment Secretary shall obtain the written opinion of the Secretary, Training and Recruitment and forward it with papers.

- (d) The Establishment Secretary shall report to the Secretary any vacancies in the Executive Class and the Clerical Class including vacancies among the miscellaneous officers in these classes.
- (3) Class C—All other posts where the Commission's power of appointment has not been delegated—
- (a) The Head of Department shall report to the Establishment Secretary through the normal channels without delay the creation of a new post or an impending vacancy in any existing post in his department. The report shall be made in triplicate and shall include a recommendation as to how the vacancy may be filled and whether or not the post shall be advertised.
- (b) After the Establishment Secretary has verified that there is no objection to filling the post, he shall forward the report to the Secretary together with any observations he may wish to add.
- (c) The Establishment Secretary shall report to the Secretary any vacancies in the Clerical Class or among miscellaneous Officers in this class.

PART IV—DISCIPLINE

13. (1) Whenever it appears to a Head of Department or the Commission or to an officer holding a disciplinary enquiry under these Regulations that a criminal offence may have been committed, the Head of Department or the Commission or such officer shall inform the Establishment Secretary who shall refer the case to the Attorney-General.

(2) If the Attorney-General advises that a prosecution shall be instituted no further action shall be taken in the disciplinary proceedings until the conclusion of the criminal proceedings.

(3) If the Attorney-General advises that a prosecution is not necessary, he shall advise whether disciplinary action shall be taken or continued under the appropriate regulation:

Provided that where the Attorney-General advises that disciplinary proceedings shall be taken or continued, the charges framed against the officer shall be approved by him before the officer is required to answer them.

Procedure
where
original
offence is
suspected.

(4) If criminal proceedings are instituted against a public officer in any court, disciplinary proceedings shall not be taken against him on any of the grounds involved in the criminal charge until the conclusion of the criminal proceedings and the determination of any appeal thereto.

14. Where a public officer has been acquitted of a criminal charge in any court, disciplinary proceedings may be initiated and continued against him in the same manner as if no proceedings had been taken.

Procedure where an officer has been acquitted on a criminal charge.

15. The Establishment Secretary shall inform the Secretary of the date of any interdiction of a member of the public service and the amount by which his salary has been reduced in order that the Commission may take this into account in assessing the quantum of any punishment to be awarded.

Interdiction.

16. The following punishments may be ordered as a result of proceedings under this Part—

Punishments.

- (a) dismissal;
- (b) termination of appointment;
- (c) reduction in rank or in seniority;
- (d) reduction in salary;
- (e) deferment of increment;
- (f) stoppage of increment;
- (g) reprimand.

17. For the purposes of disciplinary proceedings public officers shall be divided into the following classes—

Classification of officers for disciplinary purposes.

Class A—Officers in receipt of salaries in a superscale or scales A, B, C, (E) or (T) 3–7, M, N 5–8, P 8 and Kingsley Scales I and II, and non-pensionable or temporary officers in receipt of salaries of Le1,670.00 or more;

Class B—Pensionable officers in Class A other than those in receipt of salaries in Scales S.T. and H and non-pensionable officers in receipt of salaries of not less than Le1,155.00, but less than Le1,670.00.

Class C—Pensionable officers on scales S.T. and H and non-pensionable officers in receipt of salaries or wages of less than Le1,155.00 per annum.

Offences
which may
justify
dismissal:
Class A.

18. (1) When a Head of Department considers it necessary to institute disciplinary proceedings against an officer in Class A or is so requested by the Establishment Secretary on the ground of misconduct which if proved would justify dismissal from the public service—

- (a) he shall after such preliminary investigation as he considers necessary, report the facts promptly to the Establishment Secretary. The Establishment Secretary shall, after consulting the Attorney-General as to the terms of the charges, forward the same to the officer concerned together with a brief statement of the alleged facts on which each charge is based in so far as they are not clear from the charges themselves. The Establishment Secretary shall at the same time call upon the accused Officer to state in writing through his Head of Department before a date specified by the Establishment Secretary, which shall not in any case be less than ten days after the receipt of the charges by the Officer, any grounds on which he relies to exculpate himself
- (b) Immediately after the specified day the Establishment Secretary shall forward to the Secretary copies of the charges and the reply if any, of the accused officer and the comments of the Head of Department thereon. Thereafter the Commission shall appoint a Committee of not less than three members to inquire into the matter.
- (c) The Committee shall inform the accused officer that on a specified day the charges made against him will be investigated and that he will be allowed or, if the Committee so determines, will be required to appear before it to defend himself. The accused officer, who shall be presumed innocent until the contrary has been established, shall be entitled to know the whole case against him and shall have an adequate opportunity of making his defence and in particular of obtaining and presenting all the evidence he may reasonably require for this purpose.

- (d) If witnesses are examined by the Committee the accused officer shall be given an opportunity of being present and of putting questions on his own behalf to the witnesses and no documentary evidence shall be used against him unless he has previously been supplied with a copy thereof or given access thereto.
- (e) The Committee shall permit the prosecuting party or the accused officer to be represented by a public officer or a legal practitioner.
- (f) If during the course of the inquiry grounds for the framing of additional charges are disclosed, the Committee shall inform the Establishment Secretary who shall follow the same procedure as was adopted in framing the original charges.
- (g) The Committee having inquired into the matter shall forward its report thereon to the Secretary together with the record of the charges framed, the evidence led, the defence and other proceedings relevant to the inquiry.
- (h) The Commission after consideration of the report of the Committee, may, if it is of the opinion that the report should be amplified in any way or that further investigation is desirable, refer the matter back to the Committee for further investigation and report but shall not itself hear witnesses in the absence of special reasons justifying this course.
- (i) The Commission shall make such order as it shall consider just as to the punishment, if any, to be inflicted on the accused officer after consideration of the written proceedings of the inquiry, the officer's previous record, any plea in mitigation and such other matters as they shall consider relevant. The decision on each charge, but not the reasons therefor, shall be communicated to the accused officer by the Establishment Secretary.

(2) When a Head of Department considers it necessary to institute disciplinary proceedings against an officer of Class A but is of the opinion that the misconduct alleged is not serious enough to warrant dismissal.

Proceedings for penalty less than dismissal: Class A.

- (a) he shall report the facts to the Establishment Secretary who shall, if he is satisfied that there is a *prima facie* case of misconduct not sufficiently serious to warrant proceedings under paragraph (1), report the case to the Secretary for consideration by the Commission and the Commission shall prescribe the manner in which and the public officer or officers, by whom the allegations against the officer shall be investigated;
- (b) the accused officer, who shall be presumed innocent until the contrary has been established, shall be entitled to know the whole case against him and shall have an adequate opportunity of making his defence and in particular of obtaining and presenting all the evidence he may reasonably require for this purpose;
- (c) the results of such investigation shall be communicated to the Secretary by the officer or officers responsible for conducting the investigation through the Establishment Secretary and the Commission shall make such order as it shall consider just as to the punishment, if any, to be inflicted on the accused officer after consideration of the written proceedings of the investigation, the officer's previous record, any plea in mitigation and such other matter as they shall consider relevant. The decision on each charge, but not the reasons therefor, shall be communicated to the accused officer by the Establishment Secretary.

Penalty
more
serious
than stop-
page or
deferment of
increment:
Class B-

19. When a Head of Department considers it necessary to institute disciplinary proceedings against an officer in Class B, or is so requested by the Establishment Secretary, and he is of the opinion that the misconduct alleged is serious enough to warrant a punishment more severe than the stoppage of increment or the deferment of increment for one year—

- (a) he shall, after such preliminary investigation as he may consider necessary, report promptly all the facts to the Establishment Secretary. The Establishment Secretary shall frame charges against the officer, after consultation with the Attorney-General. The charges shall be communicated to the accused officer who shall have full opportunity to exculpate himself. If he does not avail himself of

this opportunity, the Establishment Secretary shall report all the relevant facts to the Secretary and the Commission shall appoint a public officer, or officers, to hold an inquiry into the charges. The officer or officers shall have the same powers and functions as and follow the procedure prescribed for the Committee appointed under sub-paragraph (b) of paragraph (1) of Regulation 18;

- (b) the procedure prescribed in sub-paragraphs (c) to (i) of paragraph (1) of Regulation 18, shall govern the subsequent proceedings.

20. When a Head of Department considers it necessary to institute disciplinary proceedings against an officer in Class B and is of the opinion that the misconduct or inefficiency alleged is not serious enough to warrant a punishment more severe than the stoppage or deferment of increment for up to one year: Class B. he shall cause such investigation as he deems necessary to be made and may inflict such punishment, subject to confirmation by the Establishment Secretary:

Provided that the accused officer shall be entitled to know the whole case against him and shall have an adequate opportunity throughout the inquiry of making his defence.

21. (1) Whenever a Head of Department considers that an Officer of Class C may be dismissed he shall clearly set out the charges against such officer and communicate them to the officer who shall be given a full opportunity to exculpate himself. Disciplinary proceedings against Class C officers.

(2) On the determination of the proceedings under paragraph (1), if the Head of Department still considers that the officer may be dismissed he shall report the matter to the Establishment Secretary and supply him with a copy of all relevant documents. If the Establishment Secretary is of the same opinion he shall report the matter to the Commission and supply the Commission with a copy of all relevant documents and the Commission shall take such decision as it thinks just and proper in the circumstances.

(3) If the Establishment Secretary does not consider that the officer shall be dismissed he may recommend that the Head of Department proceeds under paragraph (4).

(4) When a Head of Department considers it necessary to institute disciplinary proceedings against an officer of this class but is of opinion that the misconduct alleged is not serious enough to warrant dismissal he shall clearly set out the charges Proceedings for penalty less than dismissal.

against such officer and shall communicate them to the officer who shall be given a chance to defend himself. If the Head of Department considers that a case of misconduct has been proved he may, with the prior approval of the Establishment Secretary inflict on the officer any of the punishments prescribed by Regulation 16 other than the punishment of dismissal.

Procedure after Criminal conviction or finding of guilt by other tribunal.

22. If an officer of Class A, B, or C is-

- (a) convicted of a criminal offence in any Court the Clerk of such court shall immediately notify the Head of Department who shall report the matter to the Establishment Secretary who as soon as practicable thereafter shall forward a copy of the charges and the judgment and of the Judicial proceedings, if available, to the Secretary for consideration by the Commission;
- (b) found guilty of misconduct as a result of an inquiry, investigation or similar proceedings instituted under any Act of Parliament, the Head of Department shall report the matter to the Establishment Secretary who shall forward a copy of the proceedings to the Secretary, and the Commission shall make such order as it shall consider just as to whether the officer may be dismissed or subjected to some lesser disciplinary penalty without any of the proceedings prescribed in regulations 18 to 21 instituted.

Officer absenting himself from duty.

23. Where any public officer is absent from duty without leave or reasonable cause for a period exceeding ten days and the officer cannot be traced or if traced does not reply to a charge of absence without leave, the Head of Department shall report the matter to the Establishment Secretary who shall inform the Secretary and the Commission shall make such order as it shall think fit.

Termination of non-pensionable appointments.

24. If it appears to a Head of Department that the appointment of a non-pensionable officer in Class A or B of Regulation 17 may be terminated, otherwise than as is provided for in regulation 25 he shall report the facts to the Establishment Secretary. Except where the proposed termination is due to a change in organisation or the need for economy the Establishment Secretary shall set out the reasons in writing and shall require the officer to show cause in writing why his appointment may not be terminated. If no reply is received within twenty-one days or the Establishment

Secretary considers that no cause has been shown, he shall report the case to the Secretary with his recommendations and the Commission shall take such decision as it shall consider just as to whether the appointment may be terminated.

25. Where a public officer holds an appointment in a super scale or in scales A, B, C, M, N 3-8, P 8 and Kingsley I and II A and B III A on probation, or where a promotion to a post in one of the said scales has been made subject to a trial period, the Head of Department shall, three months before expiration of any such period of probation or trial, consider whether—

Probation and trial periods.

- (a) the officer may be confirmed in his appointment on promotion; or
- (b) the officer shall be required to undergo a further period of probation or trial; or
- (c) his appointment may be terminated; or
- (d) he shall revert to the previous grade as may be appropriate in the case of the officer in question, and recommend to the Establishment Secretary accordingly who shall forward the recommendation with his observations to the Secretary, and the Commission shall take such decision on the matter as it shall consider proper.

26. Where an officer is serving under a contract which provides for the termination of that contract before the expiration of the period of service stipulated therein and such contract has been terminated, the Establishment Secretary shall report such termination to the Secretary.

Premature termination of contract.

PART V—PUBLIC CORPORATIONS

27. In addition to its other duties the Commission shall—

Special duties of the Commission relating to the public Service and Public Corporations.

- (a) conduct or cause to be conducted on its behalf examinations for appointments to any office in the Public Service including service with a Public Corporation where any such examinations are prescribed by Regulations made in that behalf;
- (b) assist in framing and operating schemes of joint recruitment to offices in the Public Service and Public Corporations for which candidates possessing special qualifications are required, including schemes for the standardisation of salaries and other conditions of service in the Public Service and Public Corporations;

(c) prescribe the methods of recruitment to offices in the Public Service and Public Corporations in consultation with the appropriate authority responsible for appointment to such offices; and

(d) prescribe the principles to be followed in making appointments to posts in the Public Service and Public Corporations and in making promotions and transfers from one Service to another, and on the suitability of candidates for such appointments, promotion or transfers in consultation with the appropriate authority responsible for the Public Service or Public Corporation concerned.

Recruitment
of officers
to Public
Corporations.

28. Subject to the provisions of regulation 27, the method of recruitment of officers to Public Corporations shall be as follows:—

(a) For posts carrying a salary below Le2,500.00 the Commission delegates its powers to the Head of the Corporation.

(b) For posts attracting a basic salary above Le2,500.00 the vacancy shall be declared on the relevant P.S.C. Form 2 after the necessary approval has been obtained from Cabinet. This should be supported by the draft advertisement in accordance with the scheme of Service of the Public Corporation and then forwarded to the Commission through the relevant Ministry.

Advertisements
and
interviews.

29. Notwithstanding the provisions of regulation 28 the Commission shall—

(a) inform the Establishment Secretary's Office of an Order for the vacancy to be advertised and request the Establishment Secretary to advertise the vacancy as for other public officers in the Sierra Leone Gazette;

(b) conduct interviews of qualified applicants with the Permanent Secretary of the appropriate Ministry, the General Manager and any other appropriate staff of the Corporation in attendance.

PART VI—MISCELLANEOUS

Revision of
decisions.

30. (1) The Commission may, upon the application of a public officer revise any decision taken by it in the discharge of its functions.

(2) Before any such application is considered the applicant shall satisfy the Commission that all the following conditions are fulfilled—

- (a) evidence of new facts has come to light which is both creditable and reasonable and of such a nature that had it been available in time it might have altered the nature of the decision sought to be revised;
- (b) a revision is necessary to prevent a miscarriage of justice or the continuance of an obviously undesirable state of affairs;
- (c) the present application could not reasonably have been made at an earlier date.

(3) Where the decision, revision of which is sought, was made in disciplinary proceedings, it shall not, in principle, be disturbed unless it is reasonably clear from unequivocal documentary or oral evidence that the decision was wrong.

(4) Where the Commission has given a decision on any application made under paragraph (1) it shall not entertain a second application in the same case until a year has elapsed from the date of such application and in no case shall it entertain a third application in the same case.

31. It shall be a serious disciplinary offence to show a private person any official correspondence, documents or records without the express authority of a senior officer not below the rank of a Permanent Secretary. Disclosure
documents.

32. The Forms set out in the Third Schedule shall be used as appropriate in conjunction with proceedings and applications taken or made under these Regulations. Forms.

33. The Public Service Commission (No. 2) Regulations 1977, are hereby revoked: Revocation
of P. N.
No. 88 of
1977.

Provided that all proceedings commenced in accordance with the Public Service Commission (No. 2) Regulations, 1977 may be continued in accordance with these Regulations or with any delegation or conferment of powers of the Commission made under section 135, 136, 137 and 138 of the Constitution. Transition.

10
FIRST SCHEDULE [*Regulation 1 (1)*]

THE ADMINISTRATIVE SERVICE

Secretary to the President
Secretary to the First Vice-President
Secretary to the Second Vice-President
Financial Secretary
Secretary to the Cabinet
Establishment Secretary
Development Secretary
Provincial Secretary
Permanent Secretary
Deputy Financial Secretary
Secretary, Training and Recruitment
Deputy Establishment Secretary
Secretary, Public Service Commission
Secretary, Judicial & Legal Service Commission
Deputy Secretary
Senior District Officer
Senior Assistant Secretary
District Officer
Establishment Officer
Assistant District Officer
Assistant Secretary

SECOND SCHEDULE [*Regulation 1 (1)*]

HEADS OF DEPARTMENTS (Civil Service)

Accountant-General
Administrator and Registrar-General
Attorney-General
Auditor-General
Chief Agriculturist
Chief Conservator of Forests
Chief Economist
Chief Education Officer
Chief Elections Officer
Chief Fisheries Officer
Chief Medical Officer
Chief Registrar, National Registration Secretariat
Chief Social Development Officer
Chief Veterinary Officer
Clerk of Parliament

Commissioner of Income Tax
 Commissioner of Labour
 Commissioner of Police
 Comptroller of Customs and Excise
 Development Secretary
 Director-General, Sierra Leone Broadcasting Service/Television
 Director of Civil Aviation
 Director of Geological Surveys
 Director of Information
 Director of Meteorological Department
 Director of Mines
 Director-General, Posts and Telecommunications
 Director of Prisons
 Director of Road Transport Department
 Director of Statistics
 Director of Surveys & Lands
 Establishment Secretary (In respect of the Executive and Clerical Classes
 for the purposes of appointment, promotion and
 transfer)

 Financial Secretary
 Government Printer
 Master and Registrar, High Court
 Permanent Secretary (In regard to Staff of the Ministry not including
 Staff under the Heads of Departments listed herein,
 who are not within the Ministry)
 Professional Head, Ministry of Works
 Provincial Secretary
 Registrar of Co-operative Societies
 Registrar, Court of Appeal
 Registrar, Supreme Court
 Secretary to the Cabinet
 Secretary to the President (In regard to matters relating to the Staff of
 the President)
 Secretary to the President (In respect of the Administrative Service for
 all purposes)
 Secretary to the First Vice-President
 Secretary to the Second Vice-President
 Secretary, Public Service Commission
 Solicitor-General.

SECOND SCHEDULE [*Regulation 1 (1)*]

- B. Heads of Public Corporations
- General Manager, Sierra Leone Produce Marketing Board
 - General Manager, Forest Industries Corporation

General Manager, Road Transport Corporation
 General Manager, National Power Authority
 General Manager, Sierra Leone Ports Authority
 General Manager or Managing Director of any other Public Corporation.

THIRD SCHEDULE

(Regulation 32)

(P.S.C. Forms

P.S.C. Form 1

CONFIDENTIAL

RECOMMENDATION FOR FILLING A VACANT JUNIOR POST
 (Salary Scales other than A, B, C, (E) or (T) 3-7. M and N 5-8 Temporary posts with initial salaries of more than Le1,155 and less than Le1,670 per annum)

PART I

TO: THE ESTABLISHMENT SECRETARY

1. I report the following vacancy/ies

Post.....Head.....Item.....Scale.....

No. of Vacancies	With effect from	Reason for Vacaney
------------------	------------------	--------------------

2. I recommend that the vacancy/ies be filled by

*(a) Advertisement.....

*(b) Appointment of the person (s) named overleaf.

(If recommendation is that vacancy/ies should be filled otherwise than by advertisement, reasons must be given in full on the back of this form or on a separate sheet.)

3. *I attach a draft advertisement *(delete if not applicable).

Signed.....

Officer.....

Date.....

Departmental File.....

PART II

TO: THE SECRETARY, PUBLIC SERVICE COMMISSION

(a) The particulars in paragraph 1 are correct;

(b) There are no objections to the vacancy/ies being filled with effect from.....

(c) I attach a copy of the draft advertisement for your records.
(Any observations should be attached)

Signed.....
Establishment Secretary

Date.....

E.S.O. File.....

particulars of person (s) recommended in paragraph 2 (b) overleaf:

Name	Date of First Appointment	Date of Present Appointment and Rank	Salary and Salary Scale	Incremental Date	Date of Birth	Effective date of Appointment

Reasons for Recommendation (see note to paragraph 2 overleaf):
(If the nature of the post is such that it is necessary or desirable that that holder should have served a trade apprenticeship, state where the person recommended served such apprenticeship and between what dates.)

CONFIDENTIAL

P.S.C. Form 2

RECOMMENDATION FOR FILLING A VACANT SENIOR POST
(Salary Scales A.B.C. (E) or (T) 3-7, M and N 5-8 Temporary posts with initial salaries of not less than Le1,670 per annum.)

To THE ESTABLISHMENT SECRETARY

1. I report the following vacancy/ies:—

Post.....Head.....Item.....Scale.....

No. of Vacancies	With effect from (date)	Reason for Vacancy/ies

2. I recommend that the vacancy/ies be filled by:—

- (a) advertisement locally, I attach a draft advertisement
- (b) the permanent appointment of M.....
- (c) the renewal of the contract of.....for..... years/tours of service.
- (d) the contract appointment of.....for..... years/tours of service.
- (e) by the recruitment of an expatriate from outside Government Service in accordance with the attached statement of duties and qualifications of the post.

(Delete sentences not applicable. If (b), (c), (d) or (e) is recommended give reasons in full at back of form.)

3. (a) The following Sierra Leone citizens are being trained to qualify for appointment to this post—

Name	Date Training Began	Probable date of Completion of Training

(b) No Sierra Leone Citizens are in training for this post.
 (Delete sentences not applicable and use separate sheet if it is considered desirable to give further information regarding actual or proposed training schemes.)

Signed.....
 Officer.....

Date.....
 Departmental File.....

PART II

TO: THE SECRETARY, PUBLIC SERVICE COMMISSION

I confirm that—

- (a) The particulars in paragraph 1 are correct.
- (b) There are no objections to the vacancy being filled with effect from.....
- (c) I attach a copy of the draft advertisement/statement of duties and qualifications for your records.

(Any observations and recommendations should be attached.)

Signed.....
Establishment Secretary

Date.....
 E.S.O. File.....
 Full Reasons for Recommendation (see note to paragraph 2.)

CONFIDENTIAL

P.S.C. Form 3

RECOMMENDATION FOR A PROMOTION

PART I

TO: THE ESTABLISHMENT SECRETARY

1. I report the following vacancy/ies

Post..... Head..... Item..... Scale.....

No. of Vacancies	With effect from	Previous Holder	Reasons for Vacancy

2. I recommend that it/they be filled by the promotion of

Name	Date of first Appointment and Rank	Date of Present Appointment and Rank	Salary Scale and Present Salary	Age	With effect from

The reasons for my recommendation are given on the back of this form—
 (If any recommendation involves supersession details must be given, and the particulars hereinafter supplied.)

3. The officer(s) recommended for promotion is/are in every way competent to perform all the duties of the post.

(The record of the officer recommended together with copies of his annual confidential reports for the preceding three years should be forwarded with this form; or detailed reasons supplied for not doing so.)

4. The three officers immediately junior to the officer(s) recommended for promotion are:—

Name	Date of First Appointment	Date of Present Appointment	Age

Signed.....
 Officer.....

Date.....
 Departmental File.....

PART II

TO THE SECRETARY, PUBLIC SERVICE COMMISSION

I confirm that—

- (a) The particulars in paragraphs 1 and 2 are correct.
- (b) There are no objections on financial or establishment grounds to the vacancy being filled with effect from.....
 (Any observations should be attached)

Signed.....
Establishment Secretary

Date.....
 E.S.O. File.....

CONFIDENTIAL

P.S.C. Form 4

RECOMMENDATION FOR A GAZETTED ACTING APPOINTMENT
 (Delete all inapplicable words and paragraphs. Explanations and comments may be typed on the back of the form)

PART I

TO: THE ESTABLISHMENT SECRETARY

1. I report the permanent/temporary vacation of the post of.....
salary scale.....with

effect from the.....by reason of the.....
.....of the previous substantive/acting holder

M.....

2. I recommend that M.....
rank.....basic salary Le.....

be appointed to act in the post from the.....

3. He is/is not the senior officer eligible to act. (If not, explain all
supersessions, showing whether the officers concerned are on leave,
acting elsewhere, not readily available or not qualified, on the back
of this form.)

4. He is/is not fully qualified and competent to perform all the duties
of the post.

5. I certify that it is essential for the proper working of this Depart-
ment that an acting appointment is made.

6. So far as can be foreseen, the officer concerned will be required to
act in the higher post for.....months.

Signed.....

Officer.....

Date.....

Departmental File.....

PART II

To: THE SECRETARY, PUBLIC SERVICE COMMISSION

1. I confirm that:
 - (a) The particulars in paragraphs 1, 2, 3 and 6 are correct.
 - (b) There are no obligations to the recommendation in paragraph 2.
(Any observations or recommendations should be attached.)

Signed.....

Establishment Secretary.

Date.....

E.S.O. File.....

CONFIDENTIAL P.S.C. Form 5
 RECOMMENDATION FOR FILLING A VACANT TRAINING POST
 SO DESCRIBED IN THE PERSONAL EMOLUMENTS SUB-HEAD
 OF THE APPROVED ESTIMATES

PART I

To: THE ESTABLISHMENT SECRETARY

1. I report the following vacancies:—

Post.....Head.....Item.....Scale.....

No. of Vacancies	With effect from	Reason for Vacancy

Post for which training is to be given.....

2 In my opinion a candidate with the minimum necessary academic qualification, ability and intelligence should be able to complete training

in.....years.....months

3. I give, on the back of this form a brief description of the proposed course of training showing which part or parts can be given—

(a) by this department

(b) by other institutions in Sierra Leone.

(c) only by institutions, schools or colleges outside Sierra Leone and approximately the length of time the trainee will have to spend at each.

(d) the qualifications to be obtained during training.

4. I recommend that—

(a) The following member(s) of this department be appointed:

Name	Age	Date of Appointment	Present Rank and Duties

(b) The vacancy/ies be advertised locally and I attach a draft advertisement.

(Delete sentence not applicable)

My reasons are given on the sheet attached. (Where an academic qualification is essential state those of recommended person(s).

Signed.....
Officer.....

Date.....

Departmental File.....

PART II

TO: THE SECRETARY, PUBLIC SERVICE COMMISSION

I confirm that—

(a) The particulars in paragraph 1 are correct.

(b) There are no objections to the vacancy/ies being filled with effect from.....

Signed.....
Establishment Secretary

Date.....

E.S.O. File.....

RECOMMENDATION REGARDING CONFIRMATION OF AN APPOINTMENT ON SCALES A, B, C, M OR N 3-8

PART I

To: THE ESTABLISHMENT SECRETARY

- 1. M.....assumed duty as a.....on probation on.....and his/her appointment becomes due for confirmation or otherwise on.....
- 2. He/She has passed the examinations required by General Orders on the following dates:—

.....
He/She has not yet passed the examinations required by General Orders.

- 3. During this probationary period he/she has undertaken the following duties.
- 4. He/She has shown special aptitude in.....
- 5. For the reasons given on the back of this Form I recommend that his/her appointment be
 - * (a) Confirmed
 - * (b) extended on probation for.....months
 - * (c) terminated

Signed.....

Officer.....

Date.....

Departmental File.....

* Delete whichever not applicable

PART II

To: THE SECRETARY, PUBLIC SERVICE COMMISSION

I confirm that the particulars in paragraphs 1 and 2 are correct. (Any observations or recommendations to be attached.)

Signed.....

Establishment Secretary

Date.....

E.S.O. File.....

CONFIDENTIAL **P.S.C. FORM 7**
APPLICATION OF TEMPORARY CLERKS FOR ABSORPTION INTO
THE GRADED CLERICAL SERVICE (INCLUDING THE GRADE OF
CLERICAL ASSISTANT)

(To be accompanied by P.S.C. Form 8)

PART I

(To be completed by Applicant)

1. Full name of Applicant and date of birth.....
2. Results with dates, of any Public Examination taken by applicant—
3. Grade to which absorption sought.....
4. Date of Appointment to present temporary post.....
5. Particulars of Service.....
6. Present salary scale.....
7. Present incremental date.....

Signature of Applicant.....

Date.....

Departmental File.....

Signed.....

Officer.....

Head of Department.

Date.....

SIERRA LEONE GOVERNMENT
PUBLIC SERVICE COMMISSION

CONFIDENTIAL

P.S.C. FORM 8

APPLICATION FORM

Before starting to fill in this Form read it carefully, especially the following notes:—

NOTES FOR ALL CANDIDATES

1. Complete this form in your normal handwriting **NOT SCRIPT.**
2. You must complete **ALL SECTIONS** of Part I.
3. Do not apply for any post unless you possess **ALL** the qualifications given in the advertisement.
4. It is a serious offence wilfully to give false information: any person convicted may be fined Le400, or imprisoned for one year or both.
5. If you are already employed by Government, hand this form, after you have completed Part I in duplicate, to your Head of Department, who will complete Part II and forward one copy to the Secretary Public Service Commission, Freetown.
6. If you are not employed by Government, send this form direct to the Secretary, Public Service Commission, Freetown.
7. Do not enclose the **ORIGINALS** of certificates or testimonials. Make true copies and enclose them. If, however, you are invited to

an interview bring the originals of Certificates and Testimonials with you, but make sure that they are handed back to you before you leave.

8. If you do not receive acknowledgement of your application within two weeks, make enquires through your Head of Department (if you are in Government Service), or direct from the Secretary (if you are not in Government Service).
9. The Commission is unable to take action on a form which does not relate to an advertised vacancy.

PART I

1. Advertised vacancy for which application is made.....

Department or Ministry.....

2. SURNAME.....OTHER NAMES.....

(Block Capitals)

(Block Capitals)

3. Address.....

4. Date of birth.....Age.....Nationality.....

5. Marital Status: Single.....Married.....Divorced.....

6. Present Employment.....Salary or Emolument.....

7. Father's name.....Father's Profession or Occupation.....
(This should be supplied even if he is dead)

8. What Sierra Leone languages do you speak?

9. Have you ever been convicted of a criminal offence? (Answer YES or NO) If the answer is 'YES' give details:

10. Have you ever resigned, been dismissed, removed or terminated for whatever cause from Government Service? (Answer Yes or No).
If the answer is 'Yes' give details:

10 (a) Details of ALL Schools you have attended, primary and secondary, with dates you entered and left.

Name of School	Date entered	Date left	Form or Standard Completed

10 (b) Details of University or other place of higher Education attended:—

Name of Institution	Date entered	Date left	Qualifications obtained

11. Details of Examination (Furnish all details whether successful or not)

Date	Examination	Subjects	Grade

12. State other qualifications possessed, and whether they are those advertised for this vacancy.

13. What have you done since you left school? (Give details of each post you have held in order, starting from the first). Attach true copies of any available testimonials.

Name of Employer	Position held	Date of Starting	Date of Leaving	Reason for Leaving

14. What other Government posts have you applied for and when?

15. Personal References:—
Give the names and addresses of two responsible persons who know you well, either in private life or in business. One at least should be well acquainted with you in private life. The names of relatives must not be given nor those of distinguished persons unless they know you well.

1. Name.....
Address.....
Occupation.....
Period during which he has known you.....

Attempts to influence the Commission through distinguished persons who are not personally well acquainted with the candidates are useless and will be regarded as indicating that the applicant does not consider his qualifications sufficiently good to justify his appointment on his own merits; they can in no case operate to his advantage and may seriously prejudice his chances of success.

2. Name.....
Address.....
Occupation.....
Period during which he has known you.....

16. If you wish to give any more information about yourself, you should do so on a sheet of paper attached to this form.

DECLARATION:—I have read and understood the notes on Page 1. The information given above is true to the best of my knowledge and belief.

Signature..... Date.....

PART II

(To be completed by the applicant's Head of Department in the case of Government Officers)

consider the
I _____ candidate is qualified in terms of the advertisement
do not consider the

recommend
I _____ that he/she should be further considered for the
do not recommend vacancy.

My reasons are given below:—

File Ref..... Signature..... Date.....

PART III

(To be completed by the Chairman of the Selection Board, or by the Head of Department in which the vacancy to be filled exists as may be appropriate) The candidate is considered qualified in terms of the advertisement.

is not

He/She is recommended for consideration.

is not

My reasons are given below:—

File Ref.....Signature.....Date.....

Office.....

MADE this 14th day of September, 1982.

E. J. O. Gabbidon, J.P.

Chairman, Public Service Commission.

B. Dumbuya

Member, Public Service Commission.

O. Z. Deen

Member, Public Service Commission.

Mrs. E. O'Reilly-Wright

Member, Public Service Commission.

F. B. S. Ngegba

Member, Public Service Commission.

In exercise of the powers conferred upon me by Sections 136 and 148 of the Constitution of Sierra Leone, 1978 I hereby consent to the making of the above written Regulations and to the conferment and imposition therein of divers powers and duties upon public officers and likewise approve the various delegations of powers to public officers therein contained. Act No. 12
of 1978.

SIAKA STEVENS.

President.