(*b*) any Bill which determines or regulates the privileges, immunities or powers of the Council or its Members;

unless he shall have been authorized by a Secretary of State to assent thereto."

Insertion of new section 30*A in principal Order*

3. Part IV of the principal Order is hereby amended by the insertion immediately before section 31 thereof of the following section:—

"Privileges of the Council.

30A. It shall be lawful, by laws enacted under this Order, to determine and regulate the privileges, immunities and powers of the Council and its Members, but no such privileges, immunities and powers shall exceed those of the Commons' House of Parliament in the United Kingdom of Great Britain and Northern Ireland or of the Members thereof."

Avoidance of doubts

4. For the avoidance of doubts, it is hereby declared that for the purposes of the principal Order a person shall not be deemed to hold a public office by reason only of his receipt at any time of any emoluments or allowances by virtue of being the Vice-President of the Council or a Member of the Executive Council appointed by the Governor from among the Elected Members of the Council.

W. G. Agnew.

EXPLANATORY NOTE

(This Note is not part of the Order, but is intended to indicate its general purport.)

This Order amends the Sierra Leone (Legislative Council) Order in Council, 1951, in order to permit the Legislative Council of Sierra Leone to make laws concerning the powers and privileges of the Council and its Members. It also provides for the avoidance of doubts concerning the holding of public office for the purposes of the Order of 1951.

1953 No. 588

The Sierra Leone (Public Service Commission) Order in Council, 1953

Made - - - -	*1st April,* 1953
Laid before Parliament	*2nd April,* 1953
Coming into Operation	*On a day to be appointed by the Governor under section* 1 (2)*

At the Court at Windsor Castle, the 1st day of April, 1953

Present

The Queen's Most Excellent Majesty in Council

Whereas it is expedient to provide for the establishment of a Public Service Commission for the Colony and Protectorate of Sierra Leone

* Day appointed, 16.4.53.

(hereinafter called "Sierra Leone") in the manner hereinafter appearing:

Now, therefore, Her Majesty, by virtue and in exercise of the powers vested in Her by the Foreign Jurisdiction Act, 1890(a), and of all other powers enabling Her in that behalf, is pleased, by and with the advice of Her Privy Council, to order, and it is hereby ordered as follows:—

Citation and commencement

1.—(1) This Order may be cited as the Sierra Leone (Public Service Commission) Order in Council, 1953.

(2) This Order shall be published in the Sierra Leone Royal Gazette and shall come into operation on a day to be appointed by the Governor by Proclamation in the Gazette, which day shall not be earlier than the day after the day on which this Order shall have been laid before both Houses of Parliament.*

Interpretation

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

"the Governor" means the Governor, Commander-in-Chief and Vice-Admiral of Sierra Leone and includes any officer for the time being administering the Government and, to the extent to which a Deputy for the Governor is authorized to act, that Deputy;

"public officer" means the holder of any office of emolument in the service of the Crown in respect of the government of Sierra Leone.

(2) The Interpretation Act, 1889(b), shall apply for the interpretation of this Order as it applies for the interpretation of an Act of Parliament.

Public Officers

3. The appointment, promotion, transfer, dismissal and disciplinary control of public officers are hereby vested in the Governor according to his discretion.

Public Service Commission

4.—(1) There shall be, in and for Sierra Leone, a Public Service Commission (hereafter in this Order referred to as "the Commission") and, subject to the provisions of subsection (3) of this section, the Commission shall consist of such persons, appointed in such manner, as may be prescribed by regulations made under section 6 of this Order.

(2) The Governor, according to his discretion, may terminate the appointment of any member of the Commission and, subject as aforesaid, the members of the Commission shall hold office upon such terms and conditions as may be prescribed by regulations made under section 6 of this Order.

(3) No person shall be appointed as, or shall remain, a member of the Commission if he is or becomes a Member of the Legislative Council of Sierra Leone.

(a) 53 & 54 Vict. c. 37. (b) 52 & 53 Vict. c. 63.

* Day appointed, 16.4.53.

Functions of the Public Service Commission

5.—(1) The Governor, according to his discretion, may refer to the Commission for their advice any question relating to the appointment (including promotion or transfer) of public officers or of any public officer or to any other matter which, in his opinion, affects the public service or any public officer.

(2) It shall be the duty of the Commission to advise the Governor on any question which he shall refer to it in accordance with the provisions of this section, but the Governor shall not be required to act in accordance with the advice given to him by the Commission.

Regulations regarding the Public Service Commission

6. Subject to the provisions of this Order, the Governor, according to his discretion, may make regulations for giving effect to sections 4 and 5 of this Order, and in particular and without prejudice to the generality of the foregoing power may by such regulations make provision for all or any of the following matters, that is to say:—

(*a*) the membership of the Commission ;

(*b*) the appointment, tenure of office and terms of service of members of the Commission ;

(*c*) the organisation of the work of the Commission and the manner in which the Commission shall perform its functions ;

(*d*) consultation by the Commission with persons other than members of the Commission ;

(*e*) the appointment, tenure of office and terms of service of staff to assist the Commission in the performance of its functions ;

(*f*) the delegation to any member of the Commission of all or any of the powers or duties of the Commission ;

(*g*) the definition and trial of offences connected with the functions of the Commission and the imposition of penalties for such offences:

Provided that no such penalty shall exceed a fine of two hundred pounds and imprisonment for a term of one year.

Powers reserved to Her Majesty

7. Her Majesty hereby reserves to Herself, Her Heirs and Successors, power, with the advice of Her or Their Privy Council, to revoke, add to or amend this Order, as to Her or Them shall seem fit.

W. G. Agnew.

EXPLANATORY NOTE

(*This Note is not part of the Order, but is intended to indicate its general purport.*)

This Order makes provision for the establishment of a Public Service Commission for Sierra Leone.