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[2007

CONSTITUTION

EXERCISE OF POWERS OF THE NATIONAL EXECUTIVE COUNCIL

THE NATIONAL EXECUTIVE COUNCIL, by virtue of the powers conferred by Section 149(4) of the Constitution and all other powers me enabling, hereby:—

- (a) revoke all previous determination of the exercise, by a Minister or Prime Minister, of the powers, functions, duties and responsibilities of the National Executive Council, in advising the Head of State, to make Acting Appointment of Chief Executive Officers (including Acting Appointment of Non *ex-officio* Members of Boards) of Statutory Authorities; and
- (b) determine that the powers, functions, duties and responsibilities of the NEC in advising the Head of State to appoint Acting Chief Executive Officers (including Acting Non *ex-officio* Members of Boards) of Statutory Authorities shall be exercised by the Prime Minister by instrument in the name of the National Executive Council; and
- (c) determine that this delegation is limited to making acting appointments and excludes revocation of appointments; and
- (d) determine that this delegation expires upon the formation of the full government after the 2007 General Election.

Dated this 23rd day of August, 2007.

M.T. SOMARE,
Chairman,
National Executive Council.

CONSTITUTION

EXERCISE OF POWERS OF THE NATIONAL EXECUTIVE COUNCIL

THE NATIONAL EXECUTIVE COUNCIL, by virtue of the powers conferred by Section 149(4) of the Constitution and all other powers me enabling, hereby:—

- (a) revoke the determination of the exercise, by the Minister for Public Service, of the powers, functions, duties and responsibilities of the National Executive Council, in advising the Head of State, to:—
 - (i) appoint Acting Departmental Heads and Acting Deemed Departmental Heads under Section 193(1) and (1B) of the Constitution and Section 31B of the *Public Services (Management) Act 1995*; and

Exercise of Powers of the National Executive Council:—continued

- (ii) revoke the appointment of Acting Departmental Heads and Acting Deemed Departmental Heads under Section 193(1) and (1C) of the Constitution and Section 31C of the *Public Services (Management) Act 1995*; and
 - (iii) suspend the appointment of Acting Departmental Heads and Acting Deemed Departmental Heads under Section 193(1) and (1D) of the Constitution and Section 31D of the *Public Services (Management) Act 1995*; and
- (b) revoke the determination of the exercise, by the Minister for Public Service, of the powers, functions, duties and responsibilities of the National Executive Council, to:—
- (i) appoint Acting Provincial Administrators under Section 73(2A) of the *Organic Law on Provincial Governments and Local-level Governments* and Section 60A of the *Public Services (Management) Act 1995*; and
 - (ii) revoke the appointment of Acting Provincial Administrators under Section 73(2B) of the *Organic Law on Provincial Governments and Local-level Governments* and Section 60B of the *Public Services (Management) Act 1995*; and
 - (iii) suspend the appointment of Acting Provincial Administrators under Section 73(2C) of the *Organic Law on Provincial Governments and Local-level Governments* and Section 60C of the *Public Services (Management) Act 1995*; and
- (c) determine that the powers, functions, duties and responsibilities of the National Executive Council to:—
- (i) appoint Acting Provincial Administrators under Section 73(2A) of the *Organic Law on Provincial Governments and Local-level Governments* and Section 60A of the *Public Services (Management) Act 1995*; and
 - (ii) revoke the appointment of Acting Provincial Administrators under Section 73(2B) of the *Organic Law on Provincial Governments and Local-level Governments* and Section 60B of the *Public Services (Management) Act 1995*; and
 - (iii) suspend the appointment of Acting Provincial Administrators under Section 73(2C) of the *Organic Law on Provincial Governments and Local-level Governments* and Section 60C of the *Public Services (Management) Act 1995*; and
- shall be exercised by the Prime Minister by instrument in the name of the National Executive Council, subject to:—
- (iv) initial clearance of appropriate submissions by the Ministerial Appointments Committee; and
 - (v) ratification by the National Executive Council; and
- (d) determine that the powers, functions, duties and responsibilities of the National Executive Council in advising the Head of State to:—
- (i) appoint Acting Departmental Heads and Acting Deemed Departmental Heads under Section 193(1) and (1B) of the Constitution and Section 31B of the *Public Services (Management) Act 1995*; and
 - (ii) revoke the appointment of Acting Departmental Heads and Acting Deemed Departmental Heads under Section 193(1) and (1C) of the Constitution and Section 31C of the *Public Services (Management) Act 1995*; and
 - (iii) suspend the appointment of Acting Departmental Heads and Acting Deemed Departmental Heads under Section 193(1) and (1D) of the Constitution and Section 31D of the *Public Services (Management) Act 1995*; and
- shall be exercised by the Prime Minister by instrument in the name of the National Executive Council, subject to:—
- (iv) initial clearance of appropriate submissions by the Ministerial Appointments Committee; and
 - (v) ratification by the National Executive Council.

Dated this 18th day of June, 2007.

M.T. SOMARE,
Chairman,
National Executive Council.