

CHAPTER 7.**HEALTH AND ENVIRONMENT PERSONNEL MANAGEMENT****Arrangement of Sections****Sections**

§701. Short Title.

§702. Interpretation.

§703. Authorization to Delegate Powers and Functions.

§704. Delegation.

An Act to permit the Ministry of Health and Environment and the Public Service Commission to enter into an agreement for the Ministry to manage and control its personnel.

Commencement: 6th October 1995
Source: P.L. 1995-140

§701. Short Title.

This Chapter shall be known and may be cited as the Health and Environment Personnel Management and Control and Delegation Act of 1995. [P.L. 1995-140, §1.]

§702. Interpretation.

In this Chapter, the following terms have the meanings given to them:

- (a) “Minister” means the minister responsible for health;
- (b) “Ministry” means the ministry responsible for health; and
- (c) “Secretary” means the Secretary responsible for health.

[P.L. 1995-140, §2.]

§703. Authorization to Delegate Powers and Functions.

(1) Notwithstanding Section 102(b) of the Public Service Commission Act 1979 (5 MIRC 1), and consistent with Article VI, Sections 9(2) and 10 of the Constitution, the Public Service Commission may, under such limitations and restrictions as it deems appropriate and necessary, and by written agreement with the Ministry, delegate to the Secretary the following functions and powers with respect to Public Service employees of the Ministry, other than the Secretary:

- (a) the authority to prescribe and determine the conditions of employment; and
- (b) the authority to decide matters relating to individual employees (whether they relate to the appointment, promotion, demotion, transfer, discipline or cessation of employment of any employee or any other matter, including final decisions).

(2) In exercising the authority delegated under Section 703(1)(b) of this Chapter, the Secretary shall act in accordance with the criteria set forth in Article VII, Section 10(2) of the Constitution. [P.L. 1995-140, §3.]

§704. Delegation.

The Minister or his designee shall be responsible for implementation of the Chapter. [P.L. 1995-140, §4.]