



Office of the Public Service

DIRECTIVE

(refer Section 34 of the *Public Service Act 1996*)

No: **7/98**

Supersedes:

Directive 6/96

1. TITLE: Exceptions to Appointment on Merit

2. PURPOSE: To declare the circumstances in which an appointment is not based on merit.

3. LEGISLATIVE PROVISION: Public Service Act 1996 - Section 78

4. EFFECTIVE DATE: 9 April 1998

5. DIRECTIVE:

The following appointments shall be exempt from the requirement under Section 78(1) that selection for appointment be on merit alone:

5.1 a job which is designated to be in the Ministerial office;

5.2 a job which has had the salaries, duties and designations modified by an industrial determination;

5.3 a job under a progressional scheme contained within an industrial determination;

5.4 a job under a progressional or other scheme subject to an agreement between employee representatives and the Chief Executive as approved by the Public Service Commissioner;

5.5 temporary employment where the period will not exceed 12 months;

5.6 secondment at level;

5.7 secondment to a higher classification level where the period will not exceed 12 months;

5.8 a job to be filled by promotion of an officer who has been redeployed within one (1) year before the promotion and the promotion is to a classification level that is not higher than the officer's substantive classification level immediately before the redeployment.