



ORDER OF THE SECRETARY OF STATE

COMMISSIONER FOR PUBLIC APPOINTMENTS (NORTHERN IRELAND) ORDER

In exercise of the powers conferred on me by Letters Patent of Her Majesty dated 20 December 1973 and of all other powers enabling me in that behalf, I hereby make the following Order:-

1. (1) This Order may be cited as the Commissioner for Public Appointments (Northern Ireland) Order 1995 and shall come into operation on 1st December 1995.
- (2) The Interpretation Act (Northern Ireland) 1954 shall apply to this Order as it applies to a Measure of the Northern Ireland Assembly.

Definitions

2. In this Order -

"Commissioner" means the person appointed for the time being by the Secretary of State to be the Commissioner for Public Appointments for Northern Ireland for the purposes of this Order;

"Department" means a Northern Ireland department, and includes the head of a Northern Ireland department;

"Public Appointment" means any appointment, not being an extension of an existing appointment by re-appointment or otherwise, made by a department to a public body listed in Part II of Schedule 1 to the Commissioner for Complaints Act



(Northern Ireland) 1969, or in Part I of the Schedule to this Order, but excluding any public body listed in Part II of the Schedule to this Order.

Functions of the Commissioner

3. (1) The Commissioner shall, in the manner he considers best calculated to promote economy, efficiency and effectiveness in the procedures for making public appointments, exercise his functions with the object of maintaining the principle of selection on merit in relation to public appointments.
- (2) The Commissioner shall prescribe and publish a code of practice on the interpretation and application by departments of the principle of selection on merit for public appointments and shall adopt and publish from time to time such additional guidance to departments as the Commissioner shall think fit:
- (3) The Commissioner shall carry out an audit to review the policies and practices of departments in making public appointments to establish whether the code of practice referred to in paragraph 2 is being observed.
- (4) The Commissioner may require any department to publish such summary information relating to selection for public appointments as he may specify in writing.
- (5) The Commissioner may from time to time conduct an inquiry into the policies and practices pursued by a department in relation to any public appointment or description of any public appointment.



Commissioner's Annual Report

4. The Commissioner shall publish an annual report which shall include -
 - (a) information as to the application by departments of the principle of selection on merit in relation to public appointments and as to the observance by departments of the Code of Practice, and
 - (b) an account of the audit of policies and practices of departments in making public appointments.

Exercise of the Commissioner's Powers and Duties

5. (1) Any power or duty of the Commissioner under this Order may be exercised by any officer of the Commissioner authorised for that purpose by the Commissioner.
- (2) The Commissioner may from time to time and to such extent as he may think fit authorise any person to perform any function under Article 3(3).

Dated the 23rd day of November 1995

P. S. S. Trayler

One of Her Majesty's
Principal Secretaries of State

Northern Ireland Office

SCHEDULE

PART 1

Agricultural Wages Board for Northern Ireland
Equal Opportunities Commission for Northern Ireland
Fair Employment Commission for Northern Ireland
Foyle Fisheries Commission
General Consumer Council for Northern Ireland
Health and Social Services Councils
Northern Ireland Council for Postgraduate Medical and Dental
Education
Northern Ireland Fishery Harbour Authority
Northern Ireland Museums Council
Northern Ireland Transport Holding Company
Office of the Northern Ireland Commissioner for Protection Against
Unlawful Industrial Action
Pig Production Development Committee
Staff Commission for Education and Library Boards
Ulster Sheltered Employment Limited

PART II

The Health and Safety Agency for Northern Ireland
The Local Government Staff Commission for Northern Ireland
The Northern Ireland Community Relations Council
The Rural Development Council for Northern Ireland

EXPLANATORY NOTE

(This note is not part of the Order)

This Order prescribes the duties and powers of a Commissioner for Public Appointments for Northern Ireland.

The principal provisions of this Order are:

- (a) Article 3 sets out the functions of the Commissioner for Public Appointments for Northern Ireland, provides for the issue of a code of practice on the interpretation and application of the principle of selection on merit and for the audit of selection policies and practices.
- (b) Article 4 requires the Commissioner to publish an annual report.
- (c) Article 5 allows the delegation of any power of the Commissioner to any officer of the Commissioner. The Commissioner may also authorise any person to perform the function of auditing selection practises and policies.