

Public Service Commission and Legal Service Commission Act 1956

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PUBLIC SERVICE COMMISSION AND LEGAL SERVICE COMMISSION ACT 1956

2020 REVISED EDITION

This revised edition incorporates all amendments up to and including 1 December 2021 and comes into operation on 31

An Act to provide for the punishment of offences in connection with the exercise of the functions of the Public Service Commission and the Legal Service Commission, for the protection of the members of these Commissions, and for matters connected therewith.

[29 January 1957]

Short title

1. This Act is the Public Service Commission and Legal Service Commission Act 1956.

Offence to give false information to Commission

2. Any person who, in connection with an application by any person for employment or appointment in the public service or with any matter upon which it is the duty of the Public Service Commission or the Legal Service Commission (either of which shall be referred to in this Act as the Commission) to act, wilfully gives to the Commission or to any member of it or to any person or body of persons appointed by the Commission to assist it in the exercise of its functions or the discharge of its duties any information which is false or misleading in any material particular shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$2,000 or to imprisonment for a term not exceeding 2 years or to both.

Communications of Commission to be privileged

3. No person shall in any legal proceedings be permitted or compelled to produce or disclose any communication, written or oral, which has taken place between the Commission or any member of it and the Government or the President or a Minister or the head of a department of the Government or any other person, or any communication between members of the Commission in exercise of or in connection with the exercise of the functions of the Commission, unless the President consents in writing to such production or disclosure.

[5/2018]

Publication and disclosure of information to unauthorised persons prohibited

4.—(1) No member of the Commission nor any other person shall, without the written permission of the President, publish or disclose to any unauthorised person or otherwise than in the course of the duty of the member or other person the contents or any part of the contents of any document, communication or information which has come to the knowledge of that member or other person in the course of the member's or other person's duties under any written law relating to the Commission in respect of any of the

Commission's functions under any such law, and any person who knowingly acts in contravention of this subsection shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$1,000 or to imprisonment for a term not exceeding one year or to both.

[5/2018]

(2) If any person having possession of any information which to his knowledge has been disclosed in contravention of this section publishes or communicates that information to any other person otherwise than for the purpose of a prosecution under this Act, he shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$1,000 or to imprisonment for a term not exceeding one year or to both.

Protection of members of Commission

5. A member of the Commission shall have such and the like protection and privileges in case of any action or suit brought against him for any act done or omitted to be done in the execution of his duty as is by law given to any Magistrate acting in the execution of his office.

Offence to influence or attempt to influence Commission

6.—(1) Every person who otherwise than in the course of his duty directly or indirectly by himself or by any other person in any manner whatsoever influences or attempts to influence any decision of the Commission or any member of the Commission shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$2,000 or to imprisonment for a term not exceeding 2 years or to both.

(2) Nothing in this section prohibits any person from giving a certificate or testimonial to any applicant or candidate for any public office.

Consent of Public Prosecutor to prosecution

7. A prosecution under this Act shall not be instituted except by or with the consent of the Public Prosecutor or his deputy.

Application to personnel boards

8. The provisions of this Act shall apply to every personnel board established under Article 110D or 111AA of the Constitution and every member of such personnel board as the provisions apply to the Commission and its members; and any reference in this Act to any written law relating to the Commission in respect of any of the functions of the Commission shall be read as a reference to any written law relating to the personnel board established to exercise that function of the Commission.