

**SAMOA**

## Arrangement of Provisions

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|---|-----------------------------------|
| 1. Short title and commencement               | 3. Public Service Board of Appeal |
| 2. Functions of the Public Service Commission | 4. Post of Deputy Prime Minister  |
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**2000, No. 12****AN ACT to further amend the Constitution.***[22<sup>nd</sup> December 2000]*

**BE IT ENACTED** by the Legislative Assembly of Samoa in Parliament assembled as follows:-

**1. Short title and commencement-**(1) This Act may be cited as the Constitution Amendment Act 2000 and is to be read together with and is deemed to be part of the Constitution.

(2) This Act or any provision thereof shall come into force by order of the Head of State on the date specified in the Order.

**2. Functions of the Public Service Commission** - Article 87 of the Constitution is amended by omitting clause (1) and substituting the following clause -

"(1) The Public Service Commission shall -  
(a) Be responsible for -

- (i) Human resource planning; and
  - (ii) Human resource management policy; and
  - (iii) Human resource monitoring and evaluation, for the Public Service; and
- (b) Have such other functions as may be provided by Act."

**3. Public Service Board of Appeal-**(1) Article 89 of the Constitution is amended by omitting subclause (a) of clause (1) and substituting the following subclause -

- "(a) The Chief Justice or -
- (i) A judicial officer nominated by the Chief Justice; or
  - (ii) A barrister or solicitor of the Supreme Court nominated by the Judicial Services Commission."

(2) Article 89 of the Constitution is further amended by omitting from subclause (c) of clause (3) the words "of the Public Service Commission" and substituting the words "about human resource management matters in the Public Service".

**4. Post of Deputy Prime Minister-**(1) Article 32 of the Constitution is hereby amended by inserting the following subclause (ba) to clause (1) immediately after subclause (b) -

- "(ba) The Head of State shall, acting on the advice of the Prime Minister, appoint one of the Ministers appointed under subclause (b) to be Deputy Prime Minister."

(2) Article 33 of the Constitution is hereby amended by repealing clause (4) of the Article and inserting the following clause -

"(4) Whenever, by reason of illness or of absence from Samoa with the written permission of the Head of State, the Prime Minister is temporarily prevented from performing in Samoa, the functions of his office, the Head of State may, by

instrument under the Public Seal, appoint the Deputy Prime Minister to perform those functions, or another Minister where this is not possible, until such time as the Prime Minister is capable of again performing them or has vacated his Office."

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