

## SERVICE COMMISSIONS REGULATIONS

GN 76 of 1967 – 12 August 1967

1. These regulations may be cited as the Service Commissions Regulations.
2. In these regulations—

“Chairperson” means the Chairperson of a Commission;

“Commission”—

- (a) means the Judicial and Legal Service Commission constituted under section 85 of the Constitution or the Public Service Commission constituted under section 88 of the Constitution or the Disciplined Forces Service Commission constituted under section 90 of the Constitution; and
- (b) in regulations 5 and 6, includes a Commission, any Commissioner, the Secretary, any member of the staff of a Commission or any person or body of persons appointed to assist a Commission in the exercise of its functions or duties.

[R. 2 amended by Act 5 of 1997.]

3. Any Chairperson or any member shall have all the 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 Judge or Magistrate acting in the execution of his office.

4. Any report, statement or other communication, written or oral, or record of any meeting, inquiry or proceedings which a Commission may make in the exercise of its functions or any Commissioner may make in performance of his duties, and any application form, report or other communication dispatched to a Commission in connection with the exercise of its functions, and in the possession of a Commission shall be privileged in that its production may not be compelled in any legal proceedings unless the Chairperson certifies that such production is not against the public interest.

5. (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, influences or attempts to influence any decision of a Commission or the Chairperson or any member shall commit an offence and shall, on conviction, be liable to a fine not exceeding 2,000 rupees and to imprisonment for a term not exceeding 2 years.

(2) Nothing in this regulation shall be deemed to make unlawful the giving of a *bona fide* reference or testimonial to any applicant or candidate for any appointment in the public service by a person who, from his own knowledge, can speak as to the qualifications or character of the applicant or candidate, or the *bona fide* answering of any question put to any person by the Chairperson or a Commissioner.

6. Any person who, in connection with any application for employment or promotion in the public service or with the exercise by a Commission of its functions and duties, gives to a Commission or the Chairperson or any member or to any person or body of persons appointed to assist a Commission in the exercise of its functions or the discharge of its duties, any information which to his knowledge is false or misleading by reason of the falsity of, or the omission in, any material particular, shall commit an offence and shall, on conviction, be liable to a fine not exceeding 2,000 rupees and to imprisonment for a term not exceeding 2 years.

7. (1) No Chairperson or member, or the Secretary or any member of the staff of a Commission or any other person shall publish or disclose to any person, otherwise than in the exercise of his official functions, the contents of any document, communication or information which has come to his notice in the course of his duties, and any person who contravenes this regulation shall commit an offence and shall, on conviction, be liable to a fine not exceeding 1,000 rupees and to imprisonment for a term not exceeding one year.

(2) Where any person having possession of any information, which to his knowledge has been disclosed in contravention of this regulation, publishes or communicates to any other person, otherwise than for the purpose of any prosecution under these regulations, any such information, he shall commit an offence, and shall, on conviction, be liable to a fine not exceeding 1,000 rupees and to imprisonment for a term not exceeding one year.

8. No prosecution for any offence under these regulations shall be instituted except by, or with the written consent of, the Director of Public Prosecutions.

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