



PAPUA NEW GUINEA

PUBLIC SERVICE COMMISSION

CONSOLIDATED ANNUAL REPORT
FOR 2010-2011

10/9/2013

CHAIRMAN'S LETTER TO GOVERNOR GENERAL



Papua New Guinea
PUBLIC SERVICES COMMISSION
Office of the Chairman

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Our Reference: PSC1-1

Date: 18th June 2013

His Excellency, The Governor-General
Grand Chief Sir Michael Ogio, GCL, GCMG, KSt.J.,
Government House
KONEDOBU, NCD
Papua New Guinea.

Your Excellency,

RE: PUBLIC SERVICES COMMISSION- CONSOLIDATED 2010 & 2011 ANNUAL REPORT

In accordance with Section 17 (1) of the *Public Services (Management) Act* 1995 (as amended) and Section 191 (4) of the *National Constitution* of Papua New Guinea, I have the honor of submitting to you for presentation to Parliament, the Consolidated 2010 and 2011 Annual Reports for the Public Service Commission.

This report covers the period from January 1, to December 31, 2010 and 2011 respectively entailing the activities, achievements, constraints, and recommendations of the Commission with relevant appendices.

I am, your obedient servant,

RIGO A. LUA, OBE
Acting Chairman-PSC

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CHAIRMAN'S OVERVIEW



Mr. Rigo A. Lua, OBE Acting Chairman – PSC

The years 2010 and 2011 brought greater challenges to the Commission in the delivery of its core businesses, especially in the area of the review of personnel matters in the National Public Service. While the statistics show that there are many outstanding cases, this is not a concern, because contingency plans are in place to conclude them sooner than later, as this is as a result of the introduction and implementation of a new and faster way of concluding the review cases.

As always the case in new systems, Officers must be given time to adjust and adapt to the new changes, and so the delay which resulted in a huge number of outstanding cases, was as a result of the Commission allowing time for its Officers to be well versed with the new system.

The new system, which was devised in 2010 and introduced and fully implemented in 2011, weeded away factors that caused delays and brought in new ways to promote efficiency and effectiveness in the management of the cases. It also promotes quick disposal of cases within the 90 days as required by law.

Most of the impediments experienced in the old system and removed under the new one related to conducting of hearings. Associated with this was the requirement to transcribe every statement made during hearings. This was costly in the sense that it exerted undue pressure on the limited funds and resources we have. It was time consuming and not much progress occurred, resulting in a huge back log of cases.

Therefore, conducting hearings was replaced by directional proceedings, where parties are summoned and appear before a Commissioner within 14 days as of the date of Summons. The presiding Commissioner then issues directions on how the review should occur and imposes time lines within which, each party should respond in writing.

Thus, 21 days is often imposed upon cases arising from the Provinces, while 14 days applies to cases arising from the National Capital District. The Provinces have more time to respond than those within NCD due to their remoteness and difficulties often experienced in accessing services such as postage, fax machine and a computer.

The new system was devised to also reflect and promote fairness that justice must not only be done, but must seem to be done. It is the Commission's strongest belief that through this process, a lot more cases can be disposed of quickly to avoid unnecessary backlog of cases carried over from previous years.

With regards to the cases affected by the review and introduction of the new system, plans are afoot for some to be concluded no later than 2012, and the Commission has agreed to do so by exercising its statutory powers granted in Section 18(3) (d) (i) of the *Public Services (Management) Act 1995* (as amended), in extending the conclusion of the outstanding cases to no later than 2012.

My observation from the few cases which were disposed under the new system, I, as the Chairman of the Commission, am very pleased to announce that it is working very well. I hope that come 2012 all the cases arising from years 2010 and 2011 will be quickly and easily concluded.

Apart from the positive results, the Commission is beginning to experience as a result of the new system, a growing concern over the way the Departments and Provincial Administrations are continuing to administer the disciplinary proceedings. It is becoming extremely clear that some Departmental Heads and Provincial Administrators are failing to uphold the proper procedures as outlined in the Public Service General Orders concerning discipline.

For instance, in suspension cases, some Departmental Heads and Provincial Administrators have suspended officers for prolonged periods without charging them. This is contrary to what the General Orders specify. Thus, in this type of cases the Commission recommends an immediate uplifting of the suspensions, recall and re-instatement of the officers to their positions, and orders for reimbursement of salaries and entitlements back dated to the time of suspension for officers who were suspended without pay and entitlements.

The best the Commission can do to ensure that the above discrepancies should no longer arise is by writing to the Departmental Heads concerned or the Provincial Administrators and pointing out the errors and advising them not to repeat the same in the future. And this is usually done at the time the Commission conveys its recommendations on the cases.

Lastly, in conclusion, I wish to thank the two Commissioners, the Secretariat Staff and the Government of the day for their undivided and loyal support to the Commission in terms of providing the necessary technical support and funds needed by the Commission to undertake its Constitutional functions for the years 2010 and 2011.

Mr. Rigo A. Lua, OBE
Acting Chairman – PSC

INTRODUCTION

This publication consolidates the 15th and the 16th Annual Reports of the Commission, produced and submitted in accordance with Section 17 (1) of the *Public Services (Management) Act 1995* (as amended) and Section 191 (4) of the *National Constitution*.

The report covers the performance of the Public Services Commission in 2010 and 2011 respectively. The period covered by the report is from January 1st, 2010 to December 31st, 2010 and from January 1st, 2011 to December 31st, 2011.

There are two (2) parts to the Report; the first part covers the performance of the Commission in 2010 and Part 2, charts out the 2011 performance.

The publication begins with the Chairman's overview on the overall performance of the Commission in 2010 and 2011.

The next section of the report contains general information on the establishment of the Commission and its core roles and functions as stipulated under Section 191 and Section 193 of the *National Constitution* and Section 18 and Section 19 of the *Public Services (Management) Act 1995* (as amended).

The main body of the report provides a detailed account of tasks performed by the Commission in 2010 and 2011 respectively.

The activities include the review of personnel and organizational matters, and the appointment of Departmental Heads, Provincial Administrators and Heads of Regulatory Statutory Authorities including Chief Executive Officers of the state-run Public Hospitals.

The report also contains unaudited financial statements on the Commission's budget for 2010 and 2011 fiscal years.

Much of the report is presented in a statistical format with tables and graphs to establish the quantitative value of the work done by the Commission in 2010 and 2011. Furthermore, the achievements, constraints and problems encountered by the Commission during both years are also expanded in the report.

The report concludes with recommendations on how best the work of the Commission could be improved on to adequately fulfill its constitutional role. All relevant acts, legislation alluded to in the main body of the report are annexed to the appendices.

THE PUBLIC SERVICE COMMISSION (PSC)

The Public Services Commission is a Constitutional body established under Section 190 of the *National Constitution of the Independent State of Papua New Guinea* (see Appendix “A”).

In the 1986 reform; *Constitutional Amendment No. 08 of 1986* brought about the enactment of the *Public Service (Management) Act 1986*, which effectively separated the Public Services Commission (referred to as PSC) and created the Department of Personnel Management (referred to as DPM).

Before the 1986 reform, the functions of both institutions co-existed within an organization called the Department of Public Services Commission (DPSC).

The functions of the PSC are set out under Section 191 of the *National Constitution* (see Appendix “B”) and Section 18 and 19 of the *Public Service (Management) Act 1995* (as amended) (see Appendixes “F” and “G”).

The consequential effect of the separation 1986 reforms saw the emergence of Department of Personnel Management performing the executive powers and functions of policy and decision-making, implementation and monitoring over matters of the public service. The Commission was relegated to perform a *semi-quasi-judicial* role to conduct reviews of personnel and organizational matters from the public service.

The only exception where the Commission is seen to be performing an executive function or role in, is in the area of Appointment, Suspension and Revocation of Appointments as provided for by Section 193 (1) (1A) to (1D) of the *National Constitution* and Sections 31(A) to 31 (D) and 60 (A) to 60 (C) of the *Public Service (Management) Act 1995* (as amended), and Sections 4, 7, 8, 9 and 10 of the *Regulatory Statutory Authorities (Appointments to Certain Offices) Act 2004*.

This was a result of the amendment to the 1986 Act and 1995 Act in 2002 in which the Commission was given this added responsibility.

The Independence of the Commission is derived under Section 192 of the *National Constitution* and its statutory powers pertaining to its review functions, and are vested under Section 13 of the *Public Service (Management) Act 1995* (as amended) (see Appendix “D” for details).

MISSION STATEMENT

Vision

The vision of the Public Services Commission is to promote good governance within the Public Service of Papua New Guinea. This is achieved by ensuring that the Public Service is highly transparent, accountable, and harmonious and is free from discrimination, harassment, fear or favor in the delivery of quality services to the people and the Government of Papua New Guinea.

Mission

The Commission's mission as an independent constitutional institution is to ensure fair, honest and just treatment of public servants through efficient and effective review of personnel and organizational matters and provide quality professional advice and recommendation to the National Executive Council (NEC) on appointments, suspensions and revocations of appointments of departmental Heads, Provincial Administrators, and Heads of Statutory Authorities.

Core Values

- ❖ Our Staff
- ❖ Our Parties to Review Proceedings
- ❖ Our Professionalism
- ❖ Our Decisions
- ❖ Our Stakeholders

ORGANIZATION PHILOSOPHY AND BELIEF

The philosophy of the Public Services Commission is to promote good governance within the Public Service of Papua New Guinea and vibrantly perform its core functions of reviews and appointments.

Such empathy was reflective in the spirit of the Year 2007 recruitment drive of the Commission under the leadership and Chairmanship of Mr. Rigo Lua. In this, an organizational restructure was undertaken to recruit the '*best and the brightest*' as approved by the former Secretary of Department of Personnel Management (DPM), Ms. Margaret Elias.

Currently, the Commission is struggling to realize the potential of this agenda because of the continuous lack of support by successive Governments towards its annual budgetary requests.

Since the inception of its Corporate Plan in 2009, the Commission continues to surge forward to acquire the desired innovation and dynamism through the Corporate Plan projects. It has a belief that a desired change to its organizational culture can be made, to be more proactive in its role and responsibility through established effective systems and processes.

Significant results in terms of its productivity can be augmented through continuous support from the Central Agencies Coordinating Committee (CACC) and the National Government through increased Annual Budgetary Appropriations.

The Commission believes that the Government of the day needs to seriously consider and accord recognition to its Constitutional responsibility and mandate when making appropriations of the Annual Budget. This is to ensure that, the National Government fully resource the Commission, as it is its duty to do so, pursuant to Section 225 of the *National Constitution of the Independent State of Papua New Guinea*.

PSC is a Constitutional body that plays a significant *semi-quasi-judicial* role in the review of organizational and personnel matters and appointments, and has always been overlooked in terms of Government's priority.

If the current problems of inadequate funding and understaffing persist to go unnoticed, they will continue to plague the operations of the Commission now and into the future.

Despite the limiting factors, the Commission considers its Constitutional mandate formidable and is focused to enhance greater performance outcomes to be an effective and efficient public service machinery.

CORPORATE INFORMATION

The Public Services Commission is headed by a Chairman, (who is also a Public Service Commissioner) and two (2) other Public Service Commissioners.

The Commission Members are appointed by the Head of State, acting with, and in accordance with, the advice of a Public Services Commission Appointment Committee (*National Constitution Section 190 (2)*). This Committee consists of:

- ❖ The Prime Minister as Chairman;
- ❖ The Chief Justice;
- ❖ The Leader of the Opposition;
- ❖ The Chairman of the Permanent Parliamentary Committee on Appointments; and
- ❖ The Chief Ombudsman.

The Members of the Commission for this reporting period include Chairman Mr. Rigo Lua, LLB; Commissioner Dr. Philip Kereme, PhD; and Commissioner Dr. Linda Tamsen.

Commissioner Kereme and Tamsen are responsible for Provincial Review and National Review matters respectively. (It is worth noting that Commissioner Tamsen's term of office expired in December 2011). Profiles of the Members of the Commission are set out below:

CHAIRMAN MR. RIGO LUA, LLB



Chairman Mr. Rigo Lua hails from Kapari village, Abau District in the Central Province.

He graduated from the University of Papua New Guinea with the Bachelor of Law (LL.B) degree in 1983, and in the same year underwent Post Graduate Legal Training with the Legal Training Institute (LTI).

He was admitted to the National and Supreme Court bar at the end of year 1983.

In 1984, Mr. Lua joined the Warner Shand Lawyers as an Associate Lawyer.

He left the law firm in 1985 to join the PNG Administrative College (ADCOL) then, as a law Lecturer and was eventually appointed Head of the Legal Studies Branch from 1987 to 1991.

Mr. Lua was accepted to pursue a Master of law degree with the University of Queensland in 1988. However, due to the lack of sponsorship support he withdrew from studies. In 1991, he joined the Public Services Commission where he has served the Commission for 20 years in various capacities as Director, Secretary, Commissioner and Chairman of the PSC.

Mr. Lua has 26 years of professional experience in the Public Service of PNG.

COMMISSIONER DR. PHILIP KEREME, PhD



Commissioner, Dr. Philip Kereme comes from Kauapena village in the Ialibu District of Southern Highlands Province.

Dr. Kereme is an academic and teacher by profession. He holds a Bachelor of Arts (BA) degree in Education and a Bachelor of Education (B.Ed.) Degree with Honours from the University of Papua New Guinea (UPNG) in 1978 and 1980 respectively.

He completed a Master of Arts (M.A) degree in Education from the University of Reading, United Kingdom in 1982. In 1998,

Commissioner Kereme completed his doctorate degree at the University of Canberra, A.C.T. Australia. Prior to his appointment as a Public Service Commissioner in 2007, he was an academic and lecturer at UPNG and the University of Goroka.

He was also at some stage a Private Consultant, Director-General of the Office of Higher Education (OHE), Dean of the Education Faculty at UPNG, and Head of the Education Department, UPNG.

In addition, he is a current Member of several Boards, Commissions, Councils and Committees. Dr. Kereme has a wealth of 33 years of professional experience in the Public Service of PNG.

COMMISSIONER DR. LINDA TAMSEN



Commissioner, Dr. Linda Tamsen comes from Yimunum village in the Nuku District of Sandaun Province.

Dr. Tamsen is a medical doctor by profession. She holds a Masters in Business Administration from the University of Papua New Guinea (UPNG), Master of Arts in Hospital Management from the University of Leeds, United Kingdom, and Bachelor of Medicine and Bachelor of Surgery from UPNG.

Prior to her appointment as a Public Service Commissioner in 2006, she was the Chief Executive Officer of Wewak General Hospital.

In 1986 to 1988, Dr. Tamsen became a Resident Medical Officer at major teaching Hospitals throughout PNG.

She then became a medical officer and acquired some experience in public health and public health administration. That is, she held positions such as medical officer in charge of Medical Unit (Internal Medicine) at the Wewak General Hospital, and Acting Medical Superintendent to Wewak General Hospital by the East Sepik Provincial Administration. Dr. Tamsen has 25 years of professional experience in the Public Service of PNG.

THE PSC SECRETARIAT

The Secretariat of the Commission is established under Section 17A of the *Public Service (Management) Act* 1995 (as amended) (see “Appendix E”).

It plays a supportive role in providing the Commission the required resources needed to carry out its Constitutional responsibilities and mandate set out under Section 191 of the *National Constitution*.

The Secretariat of the Commission comprises of the Office of the Secretary and six (6) divisions created under the approved restructure in 2007 namely the National Review, Provincial Review, Legal, Advisory & Litigation, Assessment, Investigations and Corporate Services.

The Divisions are headed by six (6) Directors who report directly to the Office of the Secretary of the Secretariat on all operational matters.

The Secretary serves as the Head of the Secretariat and the Senior Executive Management. The Secretary performs the responsibilities and duties of the Office with the enabling powers accorded to it under Section 17A (5) (c) of the said Act and the *General Orders* for purposes of management and administration of the staff of the Secretariat (see Appendix “E”).

Below are the photos and profiles of the Head of the Secretariat and divisional Directors of the PSC Secretariat that comprise the Senior Executive Management (SEM).

PROFILES OF SENIOR EXECUTIVE MANAGEMENT

SECRETARY –PSC SECRETARIAT.MR. APEO FUATA SIONE



Holds a Master of Public Policy degree specializing in Development Administration (with merit) from the Australian National University (ANU).

He also holds a Graduate Diploma in Public Administration from ANU and a Bachelor of Arts degree majoring in Public Administration and a minor in Industrial Organizational Psychology from the University of Papua New Guinea (UPNG).

He was appointed to head the PSC Secretariat in September 2009 when the former Secretary left.

Prior to his appointment he was the substantive Director of the National Review Division and Acting Director of the Assessment Division. Mr. Sione has over 15 years of experience in the public service in the areas of policy development, review and investigations.

DIRECTOR – INVESTIGATIONS MR. FRANCIS KOABA



Mr. Koaba was appointed to his current position in December 2010.

He holds a Bachelor of Arts Degree from the University of Papua New Guinea (UPNG) and has over 10 years of experience as an Officer in the public service employed with the Department of Personnel Management (DPM), the Ombudsman Commission (OC) and the Public Services Commission.

DIRECTOR-LEGAL, ADVISORY & LITIGATION MR. EREMAS ANDREW



Holds a Bachelor of Laws degree (LL.B) from the University of Papua New Guinea (UPNG). At the time of graduation, he was employed with the then Taxation Office now known as the Internal Revenue Commission (IRC). In the same year he joined the Department of Public Service Commission as a Principal investigator. Mr. Andrew had a short stint with the Victoria Public Service Board in 1989. He completed post-graduate legal training at the Legal Training Institute (LTI) and was admitted to the National and Supreme Court Bar as a lawyer. In year 1991 he was granted an approved attachment with Namaliu & Company lawyers. He was later appointed as Principal Legal Officer, Acting Commissioner and substantive Director of the newly created Legal Division in the 2002 restructure.

ACTING DIRECTOR-NATIONAL REVIEW MR. JOSHUA KEHALLEY NGAWI



He joined the Commission in 2009 as a Review Officer and was promoted to Senior Review Officer in 2010 and again to Principal Review Officer in 2011.

In September 2011, he was appointed as Acting Director-National Review. He graduated from the University of Papua New Guinea (UPNG) with a Bachelor of Arts degree in Public Policy Management and has over 5 years of work experience both in the private and the public service.

DIRECTOR-PROVINCIAL REVIEW LATE MR. CLIFF CLEOPHAS KOWIH (DECEASED)



He was appointed in March 2004 on the said position. He possessed extensive experience in investigations having worked with the Department of Police, the Ombudsman Commission (OC) and the ANZ Bank Ltd Fraud section prior to joining the Public Services Commission.

He passed away in November 2011.

ACTING DIRECTOR-PROVINCIAL REVIEW MR. MALABURGH IMEHA



Graduated with a Bachelor in Social Science degree majoring in Public Policy Management from the University of Papua New Guinea (UPNG).

He has over 5 years of experience as a teacher and officer of the public service employed with Department of Personnel Management (DPM) and the Public Services Commission. He was appointed as Acting Director- Provincial Review in December 2011 after the passing away of the former Director, late Mr. Cliff Kowih.

DIRECTOR-CORPORATE SERVICES MR. GENO GAPI



He joined the Public Services Commission in 1995 as Chief Finance Officer and was promoted to various positions before becoming the Director Corporate Services in December 2007.

He holds a Diploma in Public Finance and Accounting and a Certificate in Accounting from the Administrative College of PNG. Mr. Gapi has 37 years wealth of experience in Financial Management within the public service having served with the National Housing Commission, Department of Works, National Judicial Staff Services and the Public Services Commission.

DIRECTOR-ASSESSMENT MS. RACHAEL WII.



Ms. Rachel Wii joined the Commission in 2009 as a Principal Assessment Officer – Provincial Administrations and was then promoted to Director for the Assessment Division in November 2011. She holds a Bachelor of Arts degree in Public Policy Management from the University of Papua New Guinea (UPNG).

Ms. Wii has over 5 years of experience in both the private and the public service having worked with Westpac Bank PNG Limited, Internal Revenue Commission (IRC), the Ombudsman Commission (OC) and the Public Services Commission.

PART 1 (ONE) – 2010 ANNUAL REPORT

INTRODUCTION

This part covers the performance of the Commission for the financial year 2010 and covers the period from January 1st, 2010 to December 31st, 2010 respectively.

Initially the section provides a brief insight into the performance of the Commission with statistical summaries of the number of hearings conducted.

A total of thirteen (13) hearings were conducted by the Commission in 13 different provinces. It also covers the number of Commission Meetings conducted to hear administrative matters as well as submission related review matters submitted by the Review Officers. Much of the detail analysis is catered for under the respective divisional performances.

Commission Meetings

The Commission, apart from conducting review hearings, is required (not by law but as part of its operational functions) to conduct meetings either to discuss administrative matters or to make decisions on the review matters brought forward to its attention by the Review Officers.

In 2010, the commission convened a total of 11 meetings mainly to deliberate on submissions made by the Review Officers on the Review of Personnel Matters. See Table 1(a).

Table 1(a): Dates of 2010 Commission Meetings

Meeting No.	Date	Remarks
1 & 2	24/02/2010	January meeting postponed to February
3	09/03/2010	
4	07/04/2010	
5	09/06/2010	Deferred from May
6	02/07 & 05/07	Deferred from June & conducted on two separate days
7	03/08/2010	
8 & 9	06/10 & 07/10	Meeting held on two separate days
10 & 11	08/12/2010	

NATIONAL REVIEW DIVISION

The primary function of the National Review Division is to review personnel matters filed by aggrieved officers of the National Departments and Statutory Authorities in the National Public Service. The Division in 2010 had two main objectives.

- To immediately clear outstanding review cases carried forward from years dating back to 2002, 2003, 2004, 2005, 2006, 2007, 2008 and 2009.
- To effectively and efficiently determine the review cases of 2010 within the statutory time-frame as provided for and specified under Section 18 of the *Public Service (Management) (Amendment) Act 2002*.

The National Review Division strategically sets the following strategies to achieve their objectives:-

- Identify 'active' and "stale". "Active" cases are those that could be easily identified from the correspondences on file that the aggrieved officers were still interested in the matter. "Stale" cases are considered to be dormant without any appropriate information.
- Draft Information Papers to close 'dead' or dormant cases.
- Concurrently attend to 2010 review cases in order to comply with the statutory time limitations specified under the *Public Services (Management) (Amendment) Act 2002*.

In 2010, the National Review Division registered a total of 171 cases and with 332 outstanding cases carried forward from the previous years (2009, 2008, 2006, 2005, 2003 and 2002); the Division had an aggregate total of 503 review cases to resolve for the year. See Table 1 below.

Table 1: Total number of cases brought forward from former years & those registered in 2010

Year	Discipline	Selection	Displacement	Entitlements	Others	Total
2002	1	-	-	-	-	1
2003	1	-	-	-	-	1
2005	5	1	3	-	-	9
2006	54	6	2	7	4	73
2007	27	30	5	-	2	64
2008	35	33	3	6	4	81
2009	50	16	2	7	28	103
2010	99	42	-	27	3	171
Total	272	128	15	47	41	503

The table below provides a realistic picture of the number of cases closed in 2010 and those that remain as still outstanding.

Year	Completed	Pending Review	Pending Submission	Advice Pending	Pending Decision	Others	Total
2002	-	-	1	-	-	-	1
2003	-	1	-	-	-	-	1
2005	2	-	6	1	-	-	9
2006	43	1	25	-	1	3	73
2007	11	1	49	-	2	1	64
2008	30	4	41	-	5	1	81
2009	41	26	36	-	-	-	103
2010	12	130	28	-	1	-	171
Total	139	163	186	1	9	5	503

The Division experienced constant changes in its management and leadership in 2009 and 2010 which drastically affected its performance.

In 2010, Mr. Walo Kila was appointed acting Director and was capably assisted by seven (7) officers. This is depicted in the table.

NO.	Staff	Position NO	Designation	Salary Grade
1	Mr. Walo Kila	COMNR 001	Acting Director	Grade 18
2	Mr. Gideon Mange	COMNR 005	Principal Review Officer (Selection)	Grade 16
3	Mr. Joshua Ngawi	COMNR 002	Acting Principal Review Officer (Discipline) & Substantive Senior Review (Selection)	Grade 16
4	Mr. Hanua Hera	COMNR 008	Acting Principal Review Officer (T & C)	Grade 16
5	Mr. Terence Tupi	COMNR 008	Principal Review Officer (T & C)	Grade 16
6	Mr. Brian Avuti	COMNR 009	Senior Review Officer (T & C)	Grade 14
7	Mrs. Dorothy Murray	COMNR 003	Senior Review Officer (Selection)	Grade 14
8	Ms. Monica Gwakoro	COMNR 011	Senior Administration Assistant to the National Commissioner	Grade 10

The Division also acknowledges the good and tireless efforts of the former Principal Review Officer - Terms and Condition, Mr. Terence Tupi who left to pursue further studies in China in August 2010. Mr. Tupi contributed positively by completing all the review cases allocated to him prior to departing for China.

The National Review Division was also fronted with manpower issues. Funding difficulties have prevented the Commission from fully staffing the Division with 10 officers. Given the limited number of officers, time lines/deadlines imposed by the Section 18 of the *Public Service (Management) (Amendment) Act* 2002 were not met. It is anticipated that funding will be made available in 2011 for all unfunded positions to be filled.

Financial constraints also had a bearing on the provincial trips. This was further compounded with the absence of a proper travel plan and/or program for better coordination and a concerted approach to review trips. However, despite these challenges, a good number of cases were investigated by the Division. It is hoped that the financial situation improves in 2011 so outstanding cases can be dealt with and resolved amicably.

Also, the collective efforts of the Members of the Commission and the officers in the Division in completing (50%) the outstanding cases brought forward from former years as depicted in the statistics above, obviously reflects how much effort has been put into the review process by the Review Officers to dispose some of the outstanding cases from way back to 2002. The Division under the leadership of Mr. Kila is adamant and confident that this good work will continue into 2011 and the years to come.

2010 OUTSTANDING CASES NATIONAL ANNUAL REPORT

YEAR: 2002				
NO.	DEPARTMENT/ORG.	NATURE OF COMPLAINT	REVIEW NO.	STATUS
1	Justice & Attorney General	Discipline	PSC2-3: 16/2002	Pending submission

YEAR: 2003				
NO.	DEPARTMENT/ORG.	NATURE OF COMPLAINT	REVIEW NO.	STATUS
1	Agriculture & Livestock	Discipline	PSC2-3: 43/2003	Pending review

YEAR: 2005				
NO.	DEPARTMENT/ORG.	NATURE OF COMPLAINT	REVIEW NO.	STATUS
1	Finance	Discipline	PSC2-21: 9/2005	Info. Paper-pending decision
2	Petroleum & Energy	Displacement	PSC2-16: 12/2005	Info. Paper Completed-pending decision
3	PNGIPA	Displacement	PSC4-30:17/2005	Info. Paper Completed-pending decision
4	Petroleum & Energy	Discipline	PSC2-16:36/2005	Info. Paper Completed-pending decision
5	Defence	Discipline	PSC2-6:38/2005	Info. Paper Completed-pending decision
6	Police	Discipline	PSC2-17:53/2005	Info. Paper Completed-pending decision

7	PNGIPA	Discipline	PSC4-30:89/2005	Advice Pending
8	Agriculture & Livestock	Discipline	PSC2-2:8/2005	Closed
9	Agriculture & Livestock	Discipline	PSC2-12:49/2005	Closed

YEAR: 2006

NO.	DEPARTMENT/ORG.	NATURE OF COMPLAINT	REVIEW NO.	STATUS
1	Finance	Discipline	PSC2-23: 107/2006	Info. Paper Completed-pending decision
2	PNGFA	Retrenchment	PSC4-28: 52/2006	Info. Paper Completed-pending decision
3	Education	Discipline	PSC2-5:72/2006	Info. Paper Completed-pending decision
4	IRC	Selection	PSC4-31:187/2006	Info. Paper Completed-pending decision
5	ORD	Selection	PSC4-41:192/2006	Info. Paper Completed-pending decision
6	ORD	Selection	PSC4-26:218/2006	Info. Paper-pending decision
7	Education	Retrenchment	PSC4-5:136/2006	Info. Paper-pending decision
8	CIA	Discipline	PSC4-50:143/2006	Info. Paper-pending decision
9	Health	Unattached	PSC2-9:93/2006	Info. Paper-pending decision
10	POMGH	Discipline	PSC2-9:108/2006	Info. Paper-pending decision
11	Education	Discipline	PSC2-5:116/2006	Info. Paper-pending decision
12	National Parliament	Discipline	PSC4-34:118/2006	Info. Paper-pending decision
13	POMGH	Entitlements	PSC2-9:132/2006	Info. Paper-pending decision
14	POMGH	Discipline	PSC2-9:137/2006	Info. Paper-pending decision
15	DAL	Discipline	PSC2-2:165/2006	Info. Paper-pending decision
16	Works	Unattached	PSC2-24:140/2006	Info. Paper-pending decision
17	Commerce & Industry	Discipline	PSC2-21:89/2006	Info. Paper-pending decision
18	Mineral Policy & Geo-Hazard Management	Unattached	PSC2-14:17/2006	Info. Paper-pending decision
19	PNG Sports Commission	Discipline	PSC4-49:49/2006	Info. Paper-pending decision
20	CAA	Discipline	PSC2-20:51/2006	Info. Paper-pending decision
21	CAA	Reinstatement	PSC2-20:219/2006	Info. Paper-pending decision
22	CAA	Discipline	PSC2-20A:55/2006	Pending Submission
23	CAA	Selection	PSC2-20A:92/2006	Closed
24	CAA	Discipline	PSC2-20A:/2006	Closed
25	National Parliament	Discipline	PSC4-33: 33/2006	Closed
26	NIO (PM&NEC)	Discipline	PSC4-19: 142/2006	Closed
27	Health	Discipline	PSC2-9: 70/2006	Closed
28	National Youth Council	Discipline	PSC4-44: 213/2006	Closed
29	Mineral Policy & Geo-Hazards Management	Discipline	PSC2-14: 209/2006	Closed
30	National Development Bank	Discipline	PSC2-1: 18/2006	Closed
31	National Forestry Authority	Entitlements	PSC4-28: 94/2006	Closed
32	PNG Power Ltd	Discipline	PSC4-5: 25/2006	Closed
33	Vudal University	Discipline	PSC4-47: 26/2006	Closed
34	Works	Entitlements	PSC2-24: 45/2006	Closed
35	POMGH	Discipline	PSC2-10B-HSPMGH: 48/2006	Closed
36	National Statistical Office	Entitlements	PSC4-24: 88/2006	Closed
37	Foreign Affairs	Discipline	PSC2-08: 141/2006	Closed
38	POMGH	Discipline	PSC2-9B: 173/2006	Closed
39	Office of Rural Development	Discipline	PSC4-26: 204/2006	Closed
40	IRC	Discipline	PSC4-31: 35/2006	Closed
41	Ombudsman Commission	Discipline	PSC4-26: 199/2006	Closed
42	Health	Entitlements	PSC2-9: 83/2006	Closed
43	Magisterial Services	Discipline	PSC4-9: 96/2006	Closed
44	Education	Discipline	PSC2-5: 102/2006	Closed

45	Works	Discipline	PSC2-24: 29/2006	Closed
46	PNGIPA	Discipline	PSC4-30: 62/2006	Closed
47	POMGH	Discipline	PSC2-9B: 169/2006	Closed
48	National Forestry Authority	Discipline	PSC4-28: 130/2006	Closed
49	NBC	Discipline	PSC4-14: 82/2006	Closed
50	NBC	Discipline	PSC4-14: 74/2006	Closed
51	PM & NEC	Discipline	PSC2-18: 119/2006	Closed
52	NARI	Discipline	PSC4-23: 207/2006	Closed
53	POMGH	Discipline	PSC2-9:2006	Closed
54	Police	Entitlements	No review number	Closed
55	Rural Development Bank	Discipline	PSC2-1: 54/2006	Closed
56	Finance	Discipline	PSC2-7:-/2006	Closed
57	SBDC	Discipline	PSC2-214: 105/2006	Closed
58	CIS	Discipline	PSC2-3: 80/2006	Closed
59	National Parliament	Discipline	PSC4-34: 27/2006	Closed
60	CAA	Selection	PSC2-20: 214/2006	Closed
61	Health	Discipline	PSC2-9B: 15/2006	Closed
62	Labor& Industry	Discipline	PSC2-12: 121/2006	Closed
63	Lands & Physical Planning	Discipline	PSC2-13: 126/2006	Closed
64	Petrol & Energy	Discipline	PSC2-14: 20/2006	Closed
65	National Forestry Authority	Discipline	PSC4-28: 128/2006	Closed
66	Defence	Discipline	PSC2-4?: 163/2006	Closed
67	PM & NEC	Discipline	PSC2-19: 150/2006	Closed
68	IRC	Entitlements	PSC4-31: 32/2006	Closed
69	DPLLGA	Selection	PSC2-20:8/2006	Pending decision
70	DPLLGA		PSC2-10:144/2006	Closed
71	DPLLGA		PSC2-11:189/2006	Closed
72	DPLLGA		PSC4-9:12/2006	Closed
73	Department of Works		PSC2-23:202/2006	

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NO.	DEPARTMENT/ORG.	NATURE OF COMPLAINT	REVIEW NO.	STATUS
1	Angau Memorial Hospital	Selection	PSC3-11: 57 /2007	Pending review
2	PNGTEL	Employment Contract	PSC4-52: 5/2007	Info. Paper-pending decision
3	Boram General Hospital	Discipline	PSC3-4: 97/2007	Pending review
4	Boram General Hospital	Selection	PSC3-4: 97/2007	Info. Paper-pending decision
5	Justice & Attorney-General	Discipline	PSC2-11: 87/2007	Info. Paper-pending decision
6	NSO	Discipline	PSC4-23: 103/2007	Info. Paper-pending decision
7	Health	Contract Entitlements	PSC2-10: 9/2007	Info. Paper-pending decision
8	Defence	Discipline	PSC2-5: 8/2007	Info. Paper-pending decision
9	NAC	Selection	PSC4-51: 10/2007	Info. Paper-pending decision
10	Works	Entitlements	PSC2-23: 4/2007	Info. Paper-pending decision
11	Health	Discipline	PSC2-9: 100/2007	Info. Paper-pending decision
12	Constitutional & Law Reform Commission	Discipline	PSC2-11: 96/2007	Info. Paper-pending decision
13	CIS	Selection	PSC2-4: 2/2007	Info. Paper-pending decision
14	IRC	Discipline	PSC4-31: 50/2007	Info. Paper-pending decision
15	Justice & Attorney-General	Discipline	PSC2-11: 86/2007	Pending decision
16	Treasury	Discipline	PSC2-3: 110/2007	Pending decision
17	Education	Discipline	PSC2-6: 38/2007	Info. Paper-pending decision
18	Finance	Entitlements	PSC2-8: 57/2007	Info. Paper-pending decision
19	Education	Selection	PSC2-5: 97/2007	Info. Paper-pending decision
20	National Parliament	Selection	PSC4-35: 39/2007	Info. Paper-pending decision
21	NAC	Discipline	PSC4-51: 46/2007	Info. Paper-pending decision
22	Works	Selection	PSC2-24: 56/2007	Info. Paper-pending decision
23	National Planning & Monitoring	Discipline	PSC2-24: 48/2007	Info. Paper-pending decision
24	National Housing Corporation	Discipline	PSC4-17: 83/2007	Info. Paper-pending decision
25	CIS	Selection	PSC2-4: 84/2007	Info. Paper-pending decision
26	PNGFA	Discipline	PSC4-28: 99/2007	Info. Paper-pending decision

27	PNGCS	Entitlements	PSC2-4: 150/2007	Info. Paper-pending decision
28	Education	Selection	PSC2-6: 152/2007	Info. Paper-pending decision
29	Defence	Entitlements	PSC2-5: 154/2007	Info. Paper-pending decision
30	PNGIPA	Selection	PSC4-31: 34/2007	Info. Paper-pending decision
31	PNG Events Council	Discipline	PSC2-19: 19/2007	Info. Paper-pending decision
32	PNGFA	Discipline	PSC4-29: 25/2007	Info. Paper-pending decision
33	Health	Selection	PSC2-10: 30/2007	Info. Paper-pending decision
34	Health	Selection	PSC2-10: 29/2007	Info. Paper-pending decision
35	NARI	Discipline	PSC4-23: 12/2007	Info. Paper-pending decision
36	Boram General Hospital	Selection	PSC3-04: 106/2007	Pending submission
37	Boram General Hospital	Selection	PSC3-04: 93/2007	Pending submission
38	Boram General Hospital	Selection	PSC3-04: 94/2007	Pending submission
39	Boram General Hospital	Selection	PSC3-04: 92/2007	Pending submission
40	Boram General Hospital	Selection	PSC3-04: 91/2007	Pending submission
41	Boram General Hospital	Selection	PSC3-04: 117/2007	Pending submission
42	Boram General Hospital	Selection	PSC3-04: 108/2007	Pending submission
43	Boram General Hospital	Selection	PSC3-04: 98/2007	Pending submission
44	Boram General Hospital	Selection	PSC3-04: 96/2007	Pending submission
45	Boram General Hospital	Selection	PSC3-04: 90/2007	Pending submission
46	Boram General Hospital	Selection	PSC3-04: 78/2007	Pending submission
47	Boram General Hospital	Selection	PSC3-04: 97/2007	Pending submission
48	Boram General Hospital	Selection	PSC3-04: 177/2007	Pending submission
49	Finance	Discipline	PSC2-8-FIN: 62/2007	Pending Information paper
50	Finance	Discipline	PSC2-8: 156/2007	Pending submission
51	National Planning & Monitoring	Discipline	PSC2-15: 71/2007	Closed
52	????????		PSC2-9: 111/2007	Closed
53	Treasury		PSC2-8: 56/2007	Closed
54	Treasury		PSC2-8: 60/2007	
55	Transport		PSC2-22: 40/2007	Closed
56	IRC	Appointment	PSC4-32: 18/2007	Pending legal view
57	Goroka Base Hospital		PSC2-10G-HSGBH: 56/2007	Closed
58	Mendi General Hospital	Discipline	PSC2-10: 72/2007	Pending review
59	POMGH		PSC2-9: 91/2007	Closed
60	Finance		PSC2-18: 90/2007	Closed
61			PSC2-9: 106/2007	Closed
62	Kundiawa General Hospital		PSC2-10: 77/2007	Closed
63			PSC4-31: 44/2007	Closed
64	Finance	Discipline	PSC2-8:21 /2007	Closed

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NO.	DEPARTMENT/ORG.	NATURE OF COMPLAINT	REVIEW NO.	STATUS
1	Works	Displacement	PSC2-24: 6/2008	Info. Paper-pending decision
2	Constitutional & Law Reform	Discipline	PSC2-55: 87/2008	Info. Paper-pending decision
3	Police	Entitlements	PSC2-16: 13/2008	Info. Paper-pending decision
4	Community Development	Discipline	PSC2-3: 14/2008	Info. Paper-pending decision
5	Health	Selection	PSC2-10: 16/2008	Info. Paper-pending decision
6	Lands & Physical Planning	Discipline	PSC2-13: 23/2008	Info. Paper-pending decision
7	Lands & Physical Planning	Displacement	PSC2-13: 25/2008	Info. Paper-pending decision
8	POMGH	Discipline	PSC2-10: 27/2008	Info. Paper-pending decision
9	PNG Red Cross	Retrenchment	PSC2-10: 29/2008	Info. Paper-pending decision
10	Works	Entitlements	PSC2-23: 74/2008	Info. Paper-pending decision
11	Works	Displacement	PSC2-13: 88/2008	Info. Paper-pending decision
12	Health	Discipline	PSC2-10: 92/2008	Info. Paper-pending decision
13	National Planning & Monitoring	Discipline	PSC2-15: 89/2008	Info. Paper-pending decision
14	Health	Discipline	PSC2-10: 93/2008	Info. Paper-pending decision
15	PNG Fire Service	Reinstatement	PSC2-10: 97/2008	Info. Paper-pending decision
16	Finance	Discipline	PSC2-8: 133/2008	Info. Paper-pending decision
17	Finance	Entitlements	PSC2-8: 103/2008	Info. Paper-pending decision
18	Health	Entitlements	PSC2-10: 107/2008	Info. Paper-pending decision

19	Justice & Attorney General	Discipline	PSC2-11: 165/2008	Info. Paper-pending decision
20	National Planning & Monitoring	Discipline	PSC2-15: 154/2008	Info. Paper-pending decision
21	Justice & Attorney General	Discipline	PSC2-11: 156/2008	Info. Paper-pending decision
22	Works	Discipline	PSC2-23: 144/2008	Info. Paper-pending decision
23	Works	Discipline	PSC2-24: 112/2008	Info. Paper-pending decision
24	NACS	Retrenchment	PSC4-1: 157/2008	Info. Paper-pending review
25	Finance	Selection	PSC2-8: 87/2008	Pending submission
26	National Planning & Monitoring	Discipline	PSC2-15: 77/2008	Pending submission
27	Mineral Policy & Geo-Hazards Management	Selection	PSC2-14: 158/2008	Pending submission
28	Environment & Conservation	Discipline	PSC2-7: 167/2008	Pending submission
29	Boram General Hospital	Discipline	PSC3-04: 54/2008	Info. Paper-pending decision
30	Public Services Commission	Entitlements	PSC4-43: 36/2008	Pending Commission decision
31	IRC	Discipline	PSC4-30: 60/2008	Info. Paper-pending decision
32	Angau Memorial Hospital	Discipline	PSC2-10D: 78/2008	Pending hearing
33	Petroleum & Energy	Discipline	PSC2-18: 80/2008	Closed
34	National Museum & Arts Gallery	Discipline	PSC4-32: 162/2008	Pending hearing
35	National Museum & Arts Gallery	Discipline	PSC2-10: 73/2008	Pending Information
36	National Museum & Arts Gallery	Discipline	PSC2-10B: 100/2008	Closed
37	National Museum & Arts Gallery	Discipline	PSC4-51: 30/2008	Closed
38	National Museum & Arts Gallery	Discipline	PSC2-9: 67/2008	Pending information paper
39	National Museum & Arts Gallery	Discipline	PSC4-59: 84/2008	Pending hearing
40	Defence	Selection	PSC2-4: 135/2008	Closed
41	Defence	Selection	PSC2-4: 138/2008	Closed
42	Defence	Selection	PSC2-4: 123/2008	Closed
43	Defence	Selection	PSC2-4: 126/2008	Closed
44	Defence	Selection	PSC2-4: 127/2008	Closed
45	Defence	Selection	PSC2-4: 121/2008	Closed
46	Defence	Selection	PSC2-4: 130/2008	Closed
47	Defence	Selection	PSC2-4: 120/2008	Closed
48	Defence	Selection	PSC2-4: 129/2008	Closed
49	Defence	Selection	PSC2-4: 136/2008	Closed
50	Defence	Selection	PSC2-4: 128/2008	Closed
51	Defence	Selection	PSC2-4: 133/2008	Closed
52	Defence	Selection	PSC2-4: 132/2008	Closed
53	Defence	Selection	PSC2-4: 131/2008	Closed
54	Defence	Selection	PSC2-4: 125/2008	Closed
55	Defence	Selection	PSC2-4: 118/2008	Closed
56	Defence	Selection	PSC2-4: 134/2008	Closed
57	Defence	Selection	PSC2-4: 119/2008	Closed
58	Defence	Selection	PSC2-4: 122/2008	Closed
59	Defence	Selection	PSC2-4: 124/2008	Closed
60	Defence	Selection	PSC2-4: 137/2008	Closed
61	CIS	Selection		Closed
62	National Museum & Arts Gallery	Selection	PSC4-34: 42/2008	Pending submission
63	National Parliament	Discipline	PSC4-35: 45/2008	Pending decision
64	NEFC	Selection	PSC4-56: 48/2008	Completed
65	Police	Selection	PSC2-16: 56/2008	Pending submission
66	Education	Selection	PSC2-6: 76/2008	Pending decision
67	Internal Revenue Commission	Discipline	PSC4-30: 84/2008	Pending review
68	Internal Revenue Commission	Discipline	PSC4-30: 85/2008	Pending decision
69	MPGM	Redundant	PSC2-14: 134/2008	Pending Review
70	Health	Discipline	PSC2-10: 150/2008	Pending submission
71	MPGM	Selection	PSC2-14: 152/2008	Pending decision
72	Defence	Selection	PSC2-4: 137/2008	Closed
73	Defence	Selection	PSC4-41: 83/2008	Closed
74	Defence	Selection	PSC2-11: 39/2008	Closed
75	Agriculture & Livestock	Selection	PSC2-2: 5/2008	Closed
76	Works	Selection	PSC2-23: 14/2008	Pending legal advice
77	Internal Revenue Commission	Discipline	PSC4-30: 84/2008	Pending review
78	Internal Revenue Commission	Discipline	PSC4-30: 65/2008	Pending review
79	Finance	Retrenchment	PSC2-8: 102/2008	Pending submission

80	Finance	Retrenchment	PSC208: 108/2008	Pending review
81	Community Development	Discipline	PSC2-3: 163/2008	Pending submission

YEAR: 2009				
NO.	DEPARTMENT/ORG.	NATURE OF COMPLAINT	REVIEW NO.	STATUS
1	POMGH	Entitlements	PSC2-10: 117/2009	Info. Paper-pending decision
2	Kimbe Hospital	Selection	PSC2-10: 112/2009	Info. Paper-pending decision
3	Mineral Policy & Geo-Hazards Management	Entitlements	PSC2-14: 2/2009	Info. Paper-pending decision
4	CAA	Retrenchment	PSC4-5: 36/2009	Info. Paper-pending decision
5	Police	Entitlements	PSC2-19: 50/2009	Info. Paper-pending decision
6	Ombudsman Commission	Retrenchment	PSC4-36: 51/2009	Info. Paper-pending decision
7	PNG Fire Service	Discipline	PSC4-9: 45/2009	Info. Paper-pending decision
8	Works	Retrenchment	PSC2-23: 74/2009	Info. Paper-pending decision
9	Finance	Selection	PSC2-24: 91/2009	Info. Paper-pending decision
10	Police	Resignation	PSC2-16: 35/2008	Info. Paper-pending decision
11	Health	Discipline	PSC2-10: 151/2009	Info. Paper-pending decision
12	PNGIPA	Discipline	PSC4-39: 148/2009	Info. Paper-pending decision
13	Education	Selection	PSC2-6: 120/2009	Info. Paper-pending decision
14	PNG National Museum	Reinstatement	PSC4-47: 31/2009	Info. Paper-pending decision
15	Mineral Policy & Geo-Hazards Management	Discipline	PSC2-25: 28/2009	Info. Paper-pending decision
16	PNGIPA	Selection	PSC4-29: 22/2009	Info. Paper-pending decision
17	ORD	Discipline	PSC4-53-ORD: 33/2009	Pending submission
18	Transport	Discipline	PSC2-22-TRA: 156/2009	Pending submission
19	National Planning & Monitoring	Discipline	PSC2-15-NPM: 88/2009	Pending submission
20	National Planning & Monitoring	Discipline	PSC2-15-NPM: 8/2009	Pending submission
21	Transport	Discipline	PSC2-22-TRAN: 40/2009	Pending hearing
22	National Planning & Monitoring	Discipline	PSC2-15-NPM: 127/2009	Pending submission
23	National Narcotics Bureau	Discipline	PSC4-28-NNB: 157/2009	Pending submission
24	Personnel management	Discipline	PSC2-17-DPM: 10/2009	Pending submission
25	Transport	Discipline	PSC2-22-TRAN: 97/2009	Pending submission
26	Transport	Discipline	PSC2-22-TRAN: 98/2009	Pending submission
27	Public Services Commission	Entitlements	PSC4-51-PSC: 147/2009	Pending decision
28	Finance	Discipline	PSC2-8-FIN: 75/2009	Closed
29	CLRC	Discipline	PSC2-11-CLRC:	Closed
30	Finance	Discipline	PSC2-8-FIN: 49/2009	Closed
31	Treasury	Selection	PSC2-8-FIN: 21/2009	Pending hearing
32	Treasury	Discipline	PSC2-8-FIN: 57/2009	Pending submission
33	Treasury	Discipline	PSC2-8-FIN: 63/2009	Pending submission
34	Education	Discipline	PSC2-6-EDU: 76/2009	Pending review
35	Health	Discipline	PSC2-10-HEA: 143/2009	Closed
36	Health	Discipline	PSC2-10-HEA: 136/2009	Closed
37	Health	Selection	PSC2-10-HEA: 3/2009	Pending review
38	National Planning & Monitoring	Discipline	PSC2-15-NPM: 107/2009	Pending submission
39	National Planning & Monitoring	Selection	PSC2-15-NPM: 32/2009	Closed
40	Finance	Discipline	PSC2-8-FIN: 177/2009	Closed
41	National Planning & Monitoring	Discipline	PSC2-15-NPM: 58/2009	Closed
42	Agriculture & Livestock	Entitlements	PSC2-2-DAL: 153/2009	Closed
43	NACS	Discipline	PSC4-51-NACS: 147/2009	Closed

44	Madang General Hospital	Entitlements	PSC2-10-HEA: 161/2009	Closed
45	Boram General Hospital	Selection	PSC3-04:HSWEGH:125/2009	Pending submission
46	Angau Memorial Hospital	Selection	PSC2-10D-HSAMG: 152/2009	Pending hearing
47	Angau Memorial Hospital	Discipline	PSC2-10D-HSAMG: 131/2009	Pending hearing
48	Angau Memorial Hospital	Discipline	PSC2-10D-HSAMG: 128/2009	Pending hearing
49	Environment & Conservation	Selection	PSC2-7-EC: 19/2009	Closed
50	IRC	Discipline	PSC4-40-PNGIRC: 30/2009	Closed
51	Defence	Discipline	PSC2-5-DEF-: 39/2009	Closed
52	POMGH	Selection	PSC2-10B-HSPMGH: 108/2009	Closed
53	National Parliament	Discipline	PSC4-23-PNGNP: 104/2009	Closed
54	Works	Discipline	PSC2-13-DOW: 118/2009	Closed
55	Kimbe Hospital	Selection	PSC2-10E: 13/2009	Closed
56	Agriculture & Livestock	Discipline	PSC2-2-DAL: 81/2009	Closed
57	Agriculture & Livestock	Discipline	PSC2-2-DAL: 82/2009	Closed
58	Agriculture & Livestock	Discipline	PSC2-2-DAL: 83/2009	Closed
59	Petrol & Energy	Discipline	PSC2-18: 9/2009	Pending submission
60	Petrol & Energy	Discipline	PSC2-101: 179/2009	Pending hearing
61	POMGH	Retirement	PSC2-10B: 109/2009	Closed
62	POMGH	Retirement	PSC4-31: 1116/2009	Closed
63	POMGH	Retirement	PSC2-22: 92/2009	Pending decision
64	POMGH	Retirement	PSC4-21: 139/2009	Closed
65	POMGH	Retirement	PSC2-4: 123/2009	Pending decision
66	POMGH	Retirement	PSC2-10B: 146/2009	Closed
67	POMGH	Retirement	PSC2-23: 137/2009	Closed
68	PNGIPA	Appointment	PSC4-39: 155/2009	Closed
69	PNGIPA	Appointment	PSC2-10: 142/2009	Closed
70	PNGIPA	Appointment	PSC4-47: 133/2009	Pending decision
71	PNGIPA	Appointment	PSC4-17: 110/2009	Pending decision
72	Finance	Appointment	PSC2-8-FIN: 130/2009	Pending decision
73	Lands & Physical Planning	Appointment	PSC2-13-LPP: 113/2009	Pending decision
74	PNG Sports Foundation	Discipline	PSC4-60-PNGSF: 154/2009	Closed
75	Labor& Industrial Relations	Discipline	PSC2-12: 4/2009	Pending review
76	Labor& Industrial Relations	Discipline	PSC2-12: 6/2009	Pending review
77	PNGIPA	Selection	PSC4-29-PNGIPA: 22/2009	Pending review
78	DPM	Discipline	PSC2-17-DPM: 46/2009	Closed
79	NRSC	Discipline	PSC4-31-NRSC: 85/2009	Pending review
80	Finance	Discipline	PSC2-8-FIN: 86/2009	Pending review
81	Community Development	Selection	PSC2-3-CDEV: 87/2009	Closed
82	Community Development	Discipline	PSC2-3-CDEV: 105/2009	Pending review
83	Commerce & Industry	Selection	PSC2-12-CIND: 114/2009	Pending review
84	PNG Sports Foundations	Discipline	PSC4-60-PNGSF: 145/2009	Pending review
85	Internal Revenue Commission	Discipline	PSC4-40-PNGIRC: 159/2009	Pending review
86	Health	Discipline	PSC2-10-HEA: 164/2009	Pending review
87	PNG Sports Foundation	Discipline	PSC4-60-PNGSF: 168/2009	Closed

88	Justice & Attorney-General	Displacement	PSC2-11-JAG: 169/2009	Pending review
89	Justice & Attorney-General	Displacement	PSC2-11-JAG: 180/2009	Pending review
90	Goroka Base Hospital		PSC2-10G-HSGBH: 54/2009	Closed
91	Goroka Base Hospital		PSC2-10G-HSGBH: 55/2009	Closed
92	Kerema General Hospital		PSC2-10IO-HSKEGH: 49/2009	Closed
93	Kerema General Hospital		PSC2-10I-HSKEGH: 37/2009	Closed
94	Kerema General Hospital		PSC2-10I-HSKEGH: 37/2009	Closed
95	Works		PSC2-23-DOW: 89/2009	Closed
96	???????????		PSC2-12: 12/2009	Closed
97	Goroka Base Hospital		PSC2-10g-hsgh: 114/2009	Closed
98	PNG Sports Foundation		PSC4-60-PNGSF: 83/2009	Closed
99	Mt. Hagen GENERAL Hospital	Selection	PSC2-100-HSMHGH: 140/2009	Pending review
100	Mendi General Hospital	Discipline	PSC2-10I-HSKEGH: 65/2009	Pending review
101	DPLGA	Entitlements	PSC2-20-PLGA: 106/2009	Pending review
102	Wabag General Hospital	Discipline	PSC2-10S-HSWAGH: 94/2009	Pending review
103	Wabag General Hospital	Discipline	PSC2-10S-HSWAGH: 95/2009	Pending review

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NO.	DEPARTMENT/ORG.	NATURE OF COMPLAINT	REVIEW NO.	STATUS
1	Telikom PNG	Discipline	PSC4-56-TPNG: 1/2010	Pending review
2	Justice & Attorney General	Selection	PSC2-11-JAG: 2/2010	Closed
3	Justice & Attorney General	Selection	PSC2-11-JAG: 3/2010	
4	Justice & Attorney General	Selection	PSC2-11-JAG: 4/2010	
5	Justice & Attorney General	Selection	PSC2-11-JAG: 5/2010	Pending submission
6	NAQIA	Retrenchment	PSC4-17-NAQIA: 6/2010	
7	National Planning & Monitoring	Discipline	PSC2-15: 7/2010	Pending submission
8	Finance	Discipline	PSC2-8-FIN: 8/2010	
9	Kerema General Hospital	Selection	PSC2-101-KEGH: 9/2010	
10	PNGIPA	Terms & Conditions	PSC4-39-PNGIPA: 10/2010	
11	POMGH	Discipline	PSC2-10B: 11/2010	
12	Works	Discipline	PSC2-23-DOW: 12/2010	Pending submission
13	POMGH	Entitlements	PSC2-10B: 13/2010	Pending review
14	POMGH	Discipline	PSC2-10B: 14/2010	Pending review
15	PNGIPA	Discipline	PSC4-39-PNGIPA: 15/2010	Closed
16	CIS	Discipline	PSC2-4-CIS: 16/2010	Closed
17	MPGM	Discipline	PSC2-25-MPGM: 17/2010	Pending submission
18	National Planning & Monitoring	Discipline	PSC2-15-NPM: 18/2010	Closed
19	National Aids Council	Discipline	PSC4-59-NACS: 19/2010	Pending review
20	Petroleum & Energy	Discipline	PSC2-18-PETE: 20/2010	Pending review
21	Justice & Attorney General	Selection	PSC2-11-JAG: 21/2010	Pending review

22	Internal Revenue Commission	Entitlements	PSC4-40-PNGIRC: 22/2010	Closed
23	Rural Development Bank	Entitlements	PSC4-59-ORD: 23/2010	Closed
24	National Statistical Office	Discipline	PSC4-33-NSO: 24/2010	Pending submission
25	National Statistical Office	Discipline	PSC4-33-NSO: 25/2010	Pending submission
26	DPM	Terms & Conditions	PSC2-17-DPM: /2010	Pending submission
27	Works	Entitlements	PSC2-23-DOW: 27/2010	Closed
28	POMGH	Discipline	PSC2-10B-HSPMGH: 28/2010	Pending review
29	Foreign Affairs	Entitlements	PSC2-9-FOAI: 29/2010	Pending submission
30	Finance	Discipline	PSC2-8-FIN: 30/2010	Pending Decision
31	Constitution & Law Reform	Discipline	PSC2-11A: 31/2010	Pending submission
32	POMGH	Discipline	PSC2-10B: 32/2010	Pending review
33	Police	Terms & Conditions	PSC2-160POL: 33/2010	Pending review
34	PM & NEC	Discipline	PSC2-19-PM/NEC: 34/2010	Pending submission
35	Finance	Discipline	PSC2-8-FIN: 35/2010	Pending submission
36	PNG Sports Foundation	Discipline	PSC4-600PNGSF: 36/2010	Pending submission
37	PNGIPA	Discipline	PSC4-39-PNGIPA: 37/2010	Closed
38	Petroleum & Energy	Discipline	PSC2-18-PETE: 38/2010	Pending submission
39	National Planning & Monitoring	Discipline	PSC2-15-NPM: 39/2010	Pending review
40	National Planning & Monitoring	Discipline	PSC2-15-NPM: 40/2010	Pending review
41	Finance	Discipline	PSC2-8-FIN: 41/2010	Closed
42	National Planning & Monitoring	Discipline	PSC2-15-NPM: 42/2010	Pending review
43	Commerce & Industry	Selection	PSC2-21-CIND: 43/2010	
44	Office of Rural Development	Discipline	PSC4-53-ORD: 44/2010	Pending submission
45	Internal Revenue Commission	Discipline	PSC4-40-PNGIRC: 45/2010	Pending submission
46	Works	Entitlements	PSC2-23-DOW: 46/2010	Pending submission
47	POMGH	Entitlements	PSC2-10B-HSGBH: 47/2010	Closed
48	Works	Discipline	PSC2-23-DOW: 48/2010	Closed
49	Health	Discipline	PSC2-10-HEA: 49/2010	Closed
50	Mt. Hagen General Hospital	Discipline	PSC2-100-HSMHGH: 50/2010	Pending submission
51	Environment & Conservation	Selection	PSC2-7-ENVC: 51/2010	Pending submission
52	DPLLGA	Discipline	PSC2-10-PLGA: 52/2010	Pending review
53	Foreign Affairs & Trade	Selection	PSC2-9-FOAI: 53/2010	Pending review
54	Lands & Physical Planning	Selection	PSC2-13-LPP: 54/2010	Pending review
55	Lands & Physical Planning	Selection	PSC2-13-LPP: 55/2010	Pending review
56	Lands & Physical Planning	Selection	PSC2-13-LPP: 56/2010	Pending review
57	Lands & Physical Planning	Selection	PSC2-13-LPP: 57/2010	Pending review
58	Lands & Physical Planning	Selection	PSC2-13-LPP: 58/2010	Pending review
59	Lands & Physical Planning	Selection	PSC2-13-LPP: 59/2010	Pending review
60	Lands & Physical Planning	Selection	PSC2-13-LPP: 60/2010	Pending review
61	Lands & Physical Planning	Selection	PSC2-13-LPP: 61/2010	Pending review
62	Lands & Physical Planning	Selection	PSC2-13-LPP: 62/2010	Pending review
63	Lands & Physical Planning	Selection	PSC2-13-LPP: 63/2010	Pending review
64	Lands & Physical Planning	Selection	PSC2-13-LPP: 64/2010	Pending review
65	Lands & Physical Planning	Selection	PSC2-13-LPP: 65/2010	Pending review
66	Lands & Physical Planning	Selection	PSC2-13-LPP: 66/2010	Pending review
67	Lands & Physical Planning	Selection	PSC2-13-LPP: 67/2010	Pending review
68	National Road Safety Council	Discipline	PSC4-4-NRSC: 68/2010	Pending review
69	Police	Entitlements	PSC2-16-POL: 69/2010	Pending review
70	National Statistical Office	Discipline	PSC2-33-NSO: 70/2010	Pending review
71	Angau Memorial Hospital	Discipline	PSC2-10D-HSAMH: 71/2010	Pending review

			71/2010	
72	Finance	Selection	PSC2-8-FIN: 72/2010	Pending review
73	Finance	Discipline	PSC2-8-FIN: 72/2010	Pending submission
74	Justice & Attorney General	Discipline	PSC2-11-JAG: 75/2010	Pending review
75	National Road Safety Council	Discipline	PSC4-31-NRSC: 75/2010	Pending review
76	Finance	Discipline	PSC2-8-FIN: 76/2010	Pending review
77	Education-UNESCO	Discipline	PSC4-6-UNESCO: 77/2010	Pending review
78	CAA	Discipline	PSC4-4-CAA: 78/2010	Pending review
79	Works	Discipline	PSC2-23-DOW: 79/2010	Pending review
80	PNG Sports Foundation	Selection	PSC4-48-PNGSF: 80/2010	Pending review
81	NARI	Discipline	PSC4-30-NARI: 81/2010	Pending review
82	National Road Safety Council	Discipline	PSC4-31-NRSC: 82/2010	Pending review
83	Finance	Discipline	PSC2-8-FIN: 83/2010	Pending Submission
84	Works	Selection	PSC2-23-DOW: 84/2010	Pending review
85	Mendi General Hospital	Discipline	PSC2-10M-HSMEGH: 85/2010	Pending review
86	PNG Electoral Commission	Discipline	PSC4-8-ECPNG: 86/2010	Pending submission
87	Works	Selection	PSC2-23-DOW: 87/2010	Pending submission
88	Internal Revenue Commission	Discipline	PSC4-40-PNGIRC: 88/2010	Pending review
89	National Planning & Monitoring	Discipline	PSC2-15-NPM: 89/2010	Pending review
90	National Statistic Office	Discipline	PSC4-33-NSO: 90/2010	Pending review
91	National Statistic Office	Discipline	PSC4-33-NSO: 91/2010	Pending review
92	Daru General Hospital	Discipline	PSC2-10F-HSDGH: 92/2010	Pending review
93	Works	Selection	PSC2-23-DOW: 93/2010	Pending submission
94	Public Solicitor's office	Discipline	PSC2-11F-OPP: 94/2010	Pending review
95	National Aids Council	Discipline	PSC4-59-NASC: 9695/2010	Pending review
96	Finance	Discipline	PSC2-8-FIN: 955/2010	Pending submission
97	PNG Electoral Commission	Discipline	PSC4-8-ECPNG: 96/2010	Pending review
98	Public Solicitor's office	Discipline	PSC2-11F-OPP: 98/2010	Pending review
99	Works	Selection	PSC2-23-DOW: 99/2010	Pending submission
100	Works	Selection	PSC2-23-DOW: 100/2010	Pending submission
101	Health	Discipline	PSC2-10-HEA: 101/2010	Pending review
102	Agriculture & Livestock	Appointment	PSC2-2-DAL: 102/2010	Pending review
103	Finance	Discipline	PSC2-8-FIN: 103/2010	Pending submission
104	CIS	Discipline	PSC2-4-CIS: 104/2010	Pending submission
105	POMGH	Discipline	PSC2-10B-HSPMGH: 105/2010	Pending review
106	PNG Forestry Authority	Discipline	PSC4-24-NFA: 106/2010	Pending review
107	Modilon General Hospital	Discipline	PSC2-10N-HSMOGH: 107/2010	Pending review
108	Works	Selection	PSC2-23-DOW: 108/2010	Pending review
109	Health	Discipline	PSC2-10-HEA:	Pending review

			109/2010	
110	Works	Selection	PSC2-23-DOW: 110/2010	Pending review
111	Works	Selection	PSC2-23-DOW: 111/2010	Pending review
112	National Road Safety Council	Discipline	PSC4-31-NRSC: 112/2010	Pending review
113	POMGH	Selection	PSC2-10B-HSPMGH: 113/2010	Pending review
114	Petrol & Energy	Discipline	PSC2-18-PETE: 114/2010	Pending review
115	Petrol & Energy	Discipline	PSC2-18-PETE: 115/2010	Pending review
116	Petrol & Energy	Discipline	PSC2-18-PETE: 116/2010	Pending review
117	National Housing Corporation	Entitlements	PSC4-25-NHC: 117/2010	Pending review
118	Kundiawa General Hospital	Retrenchment	PSC2-10-HSKUGH: 118/2010	Pending review
119	Finance	Discipline	PSC2-8-FIN: 119/2010	Pending review
120	Mt. Hagen General Hospital	Discipline	PSC2-100-GSMGH: 120/2010	Pending review
121	DPM	Discipline	PSC2-17-DPM: 121/2010	Pending review
122	Agriculture & Livestock	Entitlements	PSC2-2-DAL: 122/2010	Pending review
123	Environment & Conservation	Entitlements	PSC2-7-ENV: 123/2010	Pending review
124	PNG Customs Services	Discipline	PSC4-40A-PNGCS: 124/2010	Pending review
125	Government House	Discipline	PSC4-10-GG: 125/2010	Pending review
126	Kundiawa General Hospital	Discipline	PSC2-10K-HSKUGH: 126/2010	Pending review
127	Works	Entitlement	PSC2-23-DOW: 127/2010	Pending review
128	Police	Discipline	PSC2-16-POL: 128/2010	Pending review
129	Popondetta General Hospital	Selection	PSC2-10Q: 129/2010	Pending review
130	Foreign Affairs & Trade	Discipline	PSC2-9-FOAI	Pending review
131	POMGH	Discipline	PSC2-10B: 131/2010	Pending review
132	NAQIA	Discipline	PSC4-17-NAQIA: 132/2010	Pending review
133	NAQIA	Discipline	PSC4-17-NAQIA: 133/2010	Pending review
134	NAQIA	Discipline	PSC4-17-NAQIA: 134/2010	Pending review
135	NAQIA	Discipline	PSC4-17-NAQIA: 135/2010	Pending review
136	NAQIA	Discipline	PSC4-17-NAQIA: 136/2010	Pending review
137	Internal Revenue Commission	Discipline	PSC4-40-IRC: 137/2010	Pending review
138	PNG Customs Services	Discipline	PSC4-40A: PNGCS: 138/2010	Pending review
139	POMGH	Entitlements	PSC2-10B-HSPMGH: 139/2010	Pending review
140	PNG Customs Services	Discipline	PSC4-40A: PNGCS: 140/2010	Pending review
141	NAQIA	Discipline	PSC4-17-NAQIA: 141/2010	Pending review
142	Lands & Physical Planning	Discipline	PSC2-13-LPP: 142/2010	Pending review
143	Commerce & Industry	Discipline	PSC2-10-CIND: 143/2010	Pending review
144	Agriculture & Livestock	Entitlements	PSC2-2-DAL: 144/2010	Pending review

145	National Aids Council Secretariat	Discipline	PSC4-59-NACS: 145/2010	Pending review
146	CAA	Retrenchment	PSC4-4-CAA: 146/2010	Pending review
147	Nonga Base Hospital	Entitlements	PSC2-10P-HSNBH: 147/2010	Pending review
148	Finance	Discipline	PSC2-8-FIN: 148/2010	Pending review
149	National Aids Council Secretariat	Entitlement	PSC4-59-NACS: 149/2010	Pending review
150	CIS	Discipline	PSC2-4-CIS: 150/2010	Pending review
151	Transport	Resignation	PSC2-22-TRANS- 151/2010	Pending review
152	Kerema General Hospital	Discipline	PSC2-10K-HSKEGH: 152/2010	Pending review
153	Kerema General Hospital	Discipline	PSC2-10K-HSKEGH: 153/2010	Pending review
154	Labour & Industrial Relations	Entitlements	PSC2-12-LIR: 154/2010	Pending review
155	National Statistics Office	Entitlements	PSC4-33-NSO: 155/2010	Pending review
156	National Planning & Monitoring	Discipline/Selection	PSC2-15-NPM- 156/2010	Pending review
157	Magisterial Services	Discipline	PSC4-16-MS: 157/2010	Pending review
158	Health	Discipline	PSC2-10-HEA: 158/2010	Pending review
159	Works	Discipline	PSC2-23-DOW: 159/2010	Pending review
160	Kerema General Hospital	Discipline	PSC2-10I-HSKEGH: 160/2010	Pending review
161	Public Services Commission	Entitlements	PSC4-51-PSC: 161/2010	Pending review
162	Wewak General Hospital	Discipline	PSC2-10T-HSWEGH: 162/2010	Pending review
163	Wewak General Hospital	Selection	PSC2-10T-HSWEGH: 163/2010	Pending review
164	Wewak General Hospital	Selection	PSC2-10T-HSWEGH: 164/2010	Pending review
165	Wewak General Hospital	Entitlements	PSC2-10T-HSWEGH: 165/2010	Pending review
166	Wewak General Hospital	Entitlements	PSC2-10T-HSWEGH: 166/2010	Pending review
167	Wewak General Hospital	Entitlements	PSC2-10T: 167/2010	Pending review
168	Lands & Physical Planning	Discipline	PSC2-13- HSWEGH:168/2010	Pending review
169	Works	Selection	PSC2-13-DOW: 169/2010	Pending review
170	PNGIPA	Discipline	PSC4-39-PNGIPA: 170/2010	Pending review
171	POMGH	Selection	PSC2-10B-HSPMGH: 171/2010	Pending review

PROVINCIAL REVIEW DIVISION

Similarly the Provincial Review Division is responsible for “reviewing personnel matters” from Provincial Administrations in the Provinces and remains a core function of the Commission shared with the National Review Division.

Each month the Division receives an average of ten (10) applications for review by the public servants in the Provinces. For this reporting period, the Commission received one hundred and sixty one (161) applications for review of personnel matters from public servants from nineteen (19) Provinces.

As it is a routine function, cases are often received and reviewed on an on-going basis. As stipulated under Section 18 (3) (d) (i) of the *Public Service (Management) Act* 1995 (as amended), the decision of the Commission under paragraph 3 (c) (ii) shall be made within 90 days of receipt by the Commission of the complaint, but this period may be extended by the Commission where the reason for the delay is beyond the control of the Commission, and shall become binding after a period of 30 days from the date of the decision.

The review of complaints vary and come in all forms of complaints defined under Section 194 of the *Constitution* as personnel matters and are included in Section 18 of the *Public Service (Management) Act* 1995 (as amended) and *General Orders* 22.23.

The Core Functions of the Provincial Review Division are:

1. Executive review of personnel matters through investigation with discipline, selection and terms and conditions of employment of Provincial Administration employees.
2. Prepare briefs and summons for Commission hearings.
3. Serve summons on Provincial Administrators and persons named in the summonses including witnesses.
4. Conduct Commission hearings in the Province.
5. Prepare submissions for Commission decisions.
6. Prepare advices to all parties based on the Commission decisions.

The Provincial Review Division is charged with the function to review personnel matters throughout the nineteen (19) Provinces of PNG and it is essential that its manpower is increased to sufficiently cover for the ratio of the number of public servants in the Provinces.

It is apparent that Provincial Administrators are negligent to read the *Public Service (Management) Act* 1995 (as amended) and *General Orders*. As a result, most of their decisions are contrary to the letter of the provisions within the Act and General Orders as evident in the findings of the hearings in the Provinces.

Apparently public servants do not know their rights and obligations under the *Public Service (Management) Act* 1995 (as amended) and General Orders. Put simply lack of compliance is the biggest challenge facing the administrators in the provinces.

The Provincial Review Division commenced the year with eight (8) officers and towards the end of the reporting period in October the Division took on board a new officer; Ms. Ravugerea

Vagoli, Senior Review Officer thus increasing the total number of officers to nine (9). This is depicted in the table below:

NO.	Staff	Position NO	Designation	Salary Grade
1	Mr. Cliff Kowih	COMPR 001	Director	Grade 18
2	Ms. Judith Stenis	COMPR 002	Principal Review Officer (Discipline)	Grade 16
3	Mr. Malagurgh Imeha	COMPR 008	Principal Review Officer (T & C)	Grade 16
4	Mr. Karl Sarufa	COMPR 005	Principal Review Officer (Selection)	Grade 16
5	Mrs. Koya Leslie	COMPR 009	Senior Review Officer (T & C)	Grade 14
6	Ms. Schola Muou	COMPR 006	Senior Review Officer (Selection)	Grade 14
7	Ms. Ravugerea Vagoli	COMPR 003	Senior Review Officer (Discipline)	Grade 14
8	Mr. Karl Conley	Unattached	Senior Review Officer (T & C)	Grade 14
9	Ms. Dorothy Memafo	COMPR 010	Senior Administration Assistant to the Commissioner Provincial	Grade 10

Review Matters in 2010

The Personnel Matters processed during this reporting period are categorized under four (4) categories by the nature of complaint and include; **Selection, Discipline, Terms & Conditions and Others**, which include general administrative matters. See Table 1.

Table 1: Nature of Complaints and Number of cases Registered

NO.	Nature of Complaint	Cases Recorded/Registered
1	Selection	63
2	Discipline	57
3	Terms & Conditions	20
4	Others (General Administrative Matters)	21
	Total	161

Table 2: Complaints/Applicant recorded according to Regions

NO.	Region	Cases Recorded/Registered
1	Highlands	52
2	Momase	18
3	Southern	47
4	Islands	44
	Total	161

Table 3: Complaints/Applicants received by Province of Origin

NO.	Provinces	Cases Registered	Nature of Complaints			
			Selection	Discipline	T & C	Others
1	Western Highlands	17	3	5	1	8
2	Southern Highlands	21	19	1	1	0
3	Enga	11	4	6	1	0
4	Eastern Highlands	0	0	0	0	0
5	Simbu	3	0	1	2	0
	Total Highlands	52	26	13	5	8
6	West Sepik	6	1	2	3	0
7	East Sepik	7	0	6	1	0
8	Madang	2	1	1	0	0
9	Morobe	3	0	1	0	2
	Total Momase	18	2	10	4	2

10	Central	9	1	6	1	1
11	Milne Bay	5	1	3	1	0
12	Gulf	17	0	11	1	5
13	Western	14	1	4	5	4
14	Oro	2	0	2	0	0
	Total Southern	47	3	26	8	10
15	Bougainville/ABG	6	5	1	0	0
16	East New Britain	3	0	1	2	0
17	West New Britain	30	27	3	0	0
18	New Ireland	0	0	0	0	0
19	Manus	5	3	1	1	0
	Total Islands	44	35	6	3	0
	Grand Total	161				

For this reporting period, seven (7) hearings were conducted in the provinces for a total of sixty five (65) cases, excluding Central Province which was accounted for in the Commission's office. The Commission made decisions on these cases and advices were dispatched to the respective Provincial Administrators and concerned parties.

Table 4: Cases Closed and Advice dispatched in 2010

NO.	Province	Region	Complaint Types			
			Discipline	Selection	T & C	Others
1	Gulf	Southern	0	0	0	1
2	Milne Bay		0	0	1	
3	West New Britain	Islands	1	0	0	0
4	Bougainville		0	1	0	0
5	Sandaun	Momase	1	1	0	0
6	Southern Highlands	Highlands	0	1	0	0
	Total 2010		2	3	1	1
7	Gulf	Southern	2	0	0	0
8	Central		3	2	1	0
9	Western		1	0	1	0
10	East New Britain	Islands	0	2	0	0
11	West New Britain		1	0	1	0
12	New Ireland		1	13	0	0
13	Manus		0	1	0	0
14	Morobe	Momase	2	2	0	0
15	Madang			2		0
16	East Sepik		0	1	1	0
17	Sandaun		0	2	1	0
18	Eastern Highlands	Highlands			1	
19	Southern Highlands		2	2	4	
20	Simbu		10	6		
21	Enga		1		2	
	TOTAL 2009		23	33	12	0
22	Milne Bay	Southern	1			
23	West New Britain	Islands	2		1	
24	New Ireland					
25	Manus		2	8		
26	East Sepik	Momase				
27	Sandaun			1		
28	Simbu	Highlands	1			
29	Enga					
30	Eastern Highlands			1		

31	Southern Highlands		1		3	
	Total 2008		7	10	4	0
32	East Sepik	Momase		2		
33	Eastern Highlands	Highlands		1		1
34	Simbu		1	1		
35	Enga			1	1	
	Total 2007		1	5	1	1
36	Eastern Highlands	Highlands		3		1
	Total 2006		0	3	0	1
37	Eastern Highlands	Highlands		1		
	Total 2005		0	1	0	0
	PROGRESSIVE TOTAL	37	33	55	18	3
	GRAND TOTAL		109 CASES CLOSED AND ADVICE DISPATCHED			

In 2010 a total of 65 cases were heard across 14 Provincial Administration as per the table.

Table 5: Total Number of cases heard

NO	Province	Month	Total Cases Heard	Province	Month	Total Cases Heard
1	Western	June	6	SHP	June	1
2	Madang	June	2	ESP	July	6
3	Central	June	2	WNB	July	3
4	Morobe	July	6	Simbu	October	1
5	Sandaun	August	4	SHP	October	8
6	Western Highlands	October	7	Enga	October	4
7	Milne Bay	December	7	Gulf	December	8
	Total Cases Heard		34	Total Cases Heard		31
	GRAND TOTAL			65 CASES HEARD		

Despite a successful year the Provincial Review Division faced a few challenges worth mentioning and hopefully there will be an improvement in these areas.

Delays in releasing funds and the unavailability of funds remain the predominant issues every year due largely to delays in the quarterly release of funds from Treasury. This is beyond the control of the Commission and there is very little if not nothing the Commission can do. Recruitment of officers to vacant positions is also a daunting challenge facing the Commission.

Regardless, 2010 was a successful year for the Division where backlog cases dating back to 2005 were reduced by 95% and 80% of the current cases were completed consistent with our annual plan and annual work program.

This is a very good performance from preceding years and appreciation must be accorded to the Executive Management for their continued support and most importantly to the officers for their hard work.

ASSESSMENT DIVISION

The Assessment Division is one of the newly created divisions under the Public Services Commission approved organizational structure in 2007.

Its core function is to provide advice and recommendation to NEC on appointment, suspension and revocation of appointment of Departmental Heads, Provincial Administrators, Heads of Statutory Authorities and non-ex-officio Board members of Regulatory Statutory Authorities.

It facilitates the 'Merit-Based Appointment process' mandated and set out under Section 25A, 31A, 31B of the *Public Service (Management) Act* 1995 (as amended), Section 193 (1A) (1B) of the *National Constitution*, and Sections 5 and 6 of the *Regulatory Statutory Authorities (Appointment to Certain Offices) Act* 2004 respectively.

The Division conducts detail assessments of all applications for the positions of heads of National Government Departments, Provincial Administrations, Statutory Authorities, and other Government Bodies and is tasked with the highest responsibility to ensure that the Commission is seen to be capable of fulfilling this role by making decisions on appointments based solely on merit or in compliance with the 'Merit-Based Appointment' statutory requirements. It ensures all appointments are made in a manner that fosters transparency, accountability and public confidence.

The Division is under the leadership of Mr. Apeo Fuata Sione as Acting Director, who is also the Acting Secretary of the Commission Secretariat and assisted by Mrs. Margaret Manuai - Principal Assessment Officer (National Departments), Ms. Rachel Wii - Principal Assessment Officer (Provincial Administrations), and Mr. Victor Lismond - Principal Assessment Officer (Statutory Bodies).

In 2010, the Commission provided advice and made recommendation(s) to the National Executive Council (NEC) on the following appointments:

Table 1: Permanent Appointments of National Departmental Heads

Department	Date of Consultation	Date of PSC Response
Appointment of new Secretary for Department of Treasury	25/01/2010	20/04/2010
Appointment of new Secretary for Department of Labor & Industrial	25/01/2010	20/04/2010
Appointment of Secretary-General for PNG National Commission for UNESCO	08/03/2010	20/05/2010
Appointment of new National Statistician for National Statistical Office	29/06/2010	08/03/2010
Appointment of new Secretary for Department of Public Enterprises	27/07/2010	10/11/2010
Appointment of new Secretary for Department of Community Development	09/12/2010	16/12/2010

Table 2: Acting Appointments of National Departmental Heads

Department	Date of Consultation	Date of PSC Response
Appointment of Acting Commissioner for Correctional Institutional Services	15/01/2010	18/01/2010
Appointment of Acting Secretary for Department of Labor & Industrial Relations	26/01/2010	12/02/2010
Appointment of Acting Secretary for Constitutional Law Reform Commission	11/02/2010	23/02/2010
Appointment of Acting National Statistician for National Statistical Office	22/02/2010	01/03/2010
Appointment of Acting Secretary for Department of Environment & Conservation	06/04/2010	04/05/2010
Appointment of Acting Commissioner for PNG Customs Services	06/04/2010	10/06/2010
Appointment of Acting Secretary Department of Personnel Management	09/04/2010	04/05/2010
Appointment of Acting Commissioner-General for Internal Revenue Commission	12/04/2010	04/05/2010
Appointment of Acting Secretary for Department of Treasury	12/04/2010	04/05/2010
Appointment of Acting Secretary for Department of Labor & Industrial Relations	12/04/2010	04/05/2010
Appointment of Acting Secretary for Department of Education	29/04/2010	11/05/2010
Appointment of Acting Secretary for Department of Personnel Management	03/05/2010	17/05/2010
Appointment of Acting Secretary for Department of Agriculture & Livestock	03/05/2010	19/05/2010
Appointment of Acting Commissioner for Police	01/07/2010	27/07/2010
Appointment of Acting Secretary for Department of Commerce & Industry	27/07/2010	05/08/2010
Appointment of Acting Commissioner for Police	18/08/2010	10/11/2010
Appointment of Acting Secretary for Department of Lands & Physical Planning	20/08/2010	05/10/2010

Appointment of Acting Commissioner for Correctional Institutional Services	08/09/2010	25/10/2010
Appointment of Acting Secretary for Department of Personnel Management	20/09/2010	12/10/2010
Appointment of Acting Secretary for National Executive Council	27/09/2010	06/10/2010
Appointment of Acting Secretary for Defence	03/11/2010	22/11/2010
Appointment of Acting Commissioner-General for Internal Revenue Commission	15/11/2010	02/12/2010
Appointment of Acting Secretary for Department of Justice & Attorney General	15/11/2010	03/12/2010
Appointment of Acting Auditor-General for Auditor General's Office	15/11/2010	25/11/2010
Appointment of Acting Secretary for National Planning & Monitoring	08/12/2010	16/12/2010
Appointment of Acting Secretary for Finance	09/12/2010	15/12/2010
Appointment of Acting Secretary for Department of Labor & Industrial Relations	20/12/2010	Pending

Table 3: Permanent Appointment of Provincial Administrators

Department	Date of Consultation	Date of PSC Response
Appointment of Provincial Administrator for Madang Province	07/09/2009	15/01/2010
Re-appointment of Provincial Administrator for Milne Bay Province	26/01/2010	02/02/2010
Re-appointment of Provincial Administrator for Eastern Highlands Province	20/04/2010	12/05/2010
Re-appointment of Provincial Administrator for Western Highlands Province	10/05/2010	12/05/2010

Table 4: Acting Appointments of Provincial Administrators

Department	Date of Consultation	Date of PSC Response
Appointment of Acting Provincial Administrator for Manus Province	13/04/2010	12/05/2010
Appointment of Acting Provincial Administrator for Eastern Highlands Province	11/06/2010	15/06/2010
Appointment of Acting Provincial Administrator for Gulf Province	27/07/2010	13/08/2010
Appointment of Acting Provincial Administrator for New Ireland Province	10/08/2010	27/08/2010

Table 5: Permanent Appointments of CEO's of Public Hospitals

Department	Date of Consultation	Date of PSC Response
Appointment of new Chief Executive Officer (CEO) for Vanimo General Hospital	16/04/2010	28/06/2010
Appointment of new Chief Executive Officer (CEO) for Popondetta General Hospital	13/10/2010	Pending
Appointment of new Chief Executive Officer (CEO) for Wewak Memorial Hospital	21/10/2010	16/12/2010

Table 6: Acting Appointments of CEO's of Public Hospitals

Department	Date of Consultation	Date of PSC Response
Appointment of new Chief Executive Officer (CEO) for Wewak Memorial Hospital	18/03/2010	31/03/2010
Appointment of new Chief Executive Officer (CEO) for Mendi General Hospital	16/07/2010	06/08/2010

Table 7: Permanent Appointments of Heads of Statutory Bodies

Department	Date of Consultation	Date of PSC Response
Appointment of Commissioner for National Youth Commission	15/04/2009	17/08/2010
Appointment of Chief Executive Officer for Accident Investigation Commission	31/06/2009	15/01/2010
Appointment of Chief Executive Officer for PNG Cocoa Coconut Institute Limited	01/10/2009	17/05/2010
Appointment of Managing Director for National Museum & Art Gallery	11/01/2010	Pending
Appointment of Director for National Aids Council Secretariat	12/01/2010	14/01/2010
Appointment of Director-General for Office of Tourism, Arts & Culture	12/02/2010	15/03/2010
Appointment of Director for Legal Training Institute	01/03/2010	04/03/2010
Appointment of Director-General for National Library & Archives	16/03/2010	28/07/2010
Appointment of Chief Executive & Managing Director for PNG Water Board	26/07/2010	23/09/2010
Appointment of Chief Executive Officer for National Roads Authority	08/12/2010	Pending

Appointment of Chief Executive Officer for Tourism Promotion Authority	14/12/2010	Pending
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Table 8: Acting Appointments of Heads of Statutory Bodies

Department	Date of Consultation	Date of Response	PSC
Appointment of Acting Managing Director for National Housing Corporation	07/01/2009 & 30/08/2010	25/10/2010	
Appointment of Acting Director General for Office of Higher Education	06/01/2010	28/01/2010	
Appointment of Acting Chief Executive Officer for Cocoa Board	18/01/2010	29/01/2010	
Appointment of Acting Director General for Office of Higher Education	01/02/2010	04/02/2010	
Appointment of Acting Managing Director for National Broadcasting Corporation	12/02/2010	19/02/2010	
Appointment of Acting Commissioners & Chairman for Teaching Services Commission	16/03/2010	22/03/2010	
Appointment of Acting Director for PNG Institute of Public Administration	06/04/2010	22/04/2010	
Appointment of Acting Chairman & Chief Executive Officer of National Economic & Fiscal Commission	20/04/2010	03/06/2010	
Appointment of Acting Director for National Museum & Art Gallery	17/05/2010	19/05/2010	
Appointment of Acting Chief Executive Officer for National Roads Authority	05/08/2010	19/08/2010	
Appointment of Acting Director General for Office of Higher Education	20/08/2010	13/09/2010	
Appointment of Acting Commissioners & Chairman for Teaching Services Commission	06/09/2010	20/09/2010	
Appointment of Acting Chief Executive Officer for PNG Tourism Promotion Authority	15/09/2010	05/10/2010	
Appointment of Acting Chief Executive Officer for Climate Change	22/09/2010	25/10/2010	
Appointment of Acting Director General for Office of Higher Education	29/10/2010	15/11/2010	

Table 9: Appointments of Non – Ex Officio Board Members of Statutory Bodies

Department	Date of Consultation	Date of Response	PSC
Appointment of Board Members for Higher Education Council	28/04/2009	29/01/2010	
Appointment of Board Members for PNG Institute of Public Administration Governing Council	21/01/2010	28/01/2010	
Appointment of Board Members for PNG Maritime Safety Authority	22/02/2010	09/03/2010	
Appointment of PNG Water Board Members	02/03/2010	17/03/2010	
Appointment of Board Members for National Volunteer Service Council	10/03/2010	27/04/2010	
Appointment of Board Members for Mineral Resource Authority	06/04/2010	20/04/2010	
Appointment of Board Members for Higher Education Council	20/04/2010	12/05/2010	
Appointment of Non Ex-Officio Members for the National Agriculture Research Institute	24/05/2010	07/06/2010	
Appointment of Board Members for Tourism Promotion Authority Board	24/05/2010	17/06/2010	
Appointment of Non Ex-Officio Members for the National Roads Safety Council Board	08/07/2010	15/07/2010	
Appointment of Board of Directors for Coffee Industry Corporation Board	26/07/2010	10/08/2010	
Appointment of Ordinary Councilors for Research, Science & Technology Council	28/07/2010	Pending	
Appointment of Board Members for National Agriculture Research & Inspection Quarantine Board	05/08/2010	25/10/2010 & 11/11/2010	
Appointment of Board Members for Censorship Board	17/08/2010	Pending	
Appointment of Commissioners for PNG Sports Foundation Board	17/09/2010	06/10/2010	
Appointment of Board of Directors for Industrial Centers Development Corporation Board	29/11/2010	20/12/2010	

The table below shows the summary of all categories of appointments listed in the above tables.

Summary of Appointments

Category of Appointments	Acting Appointments	Permanent Appointments	Total
National Departmental Heads	27	6	33
Provincial Administrators	4	4	8

CEO's of Public Hospitals	2	3	5
Heads of Statutory Bodies	15	11	26
Board Members of Statutory Bodies	-	16	16
Total Appointments	48	40	88

In summary the statistical summary depict a very eventful year for the Assessment Division. The figures only show the number of appointments but the ground work and formalities that go with the appointments are countless and not directly proportionate to the figures on appointments. In reality there is a lot of work that goes with it and therefore it is fitting to say that the Division has exceeded the expectations of the Commission particularly in its performance for the year 2010.

INVESTIGATION DIVISION

Given that the bulk of the positions within this Division have been unfunded except for the position of the Director, not much work was undertaken by the Division in this Reporting Period.

This level of performance is primarily attributed to the lack of staff. However, with the recruitment of the Director, Mr. Francis Koaba, towards the end of this reporting period it is anticipated the Division will be able to achieve its objectives in the discharge of its duties and functions. Regardless, the core functions of Investigations Division are:

a) National and Provincial Administration

- Conduct detail and complex investigations relating to allegation of mismanagement, mal-administration, financial misappropriation and or other allegations of a serious nature against Departmental Heads and Provincial Administrators.
- Prepare submissions to the Commission for Commission decision.

b) Statutory Authorities

- Conduct detail and complex investigations relating to allegation of mismanagement, mal-administration, financial misappropriation and or other allegations of a serious nature against heads of statutory authorities.
- Prepare submissions to the Commission for Commission decision.
- Obtain terms of reference and instructions from the Commission and inform the heads of statutory authorities concerning on the terms of reference.
- Draw up investigation programs and timetables and undertake detail and complex investigation relating to allegation of mismanagement, mal-administration, financial misappropriation and or other allegations of a serious nature against heads of statutory authorities.
- Compile detailed reports for presentation to the Commission.

- Advise the heads of statutory authorities concerning the outcome of the investigation.

LEGAL, ADVISORY & LITIGATION DIVISION

The Legal, Advisory and Litigation is an integral part of the Commission as they play an important function.

The Division is headed by the Director, Mr. Eremas Andrew, Principal Legal Officer Ms. Carol Jaran, and Administrative Assistant Mrs. Noho Daera.

The Legal, Advisory & Litigation Division has two (2) Branches namely the Advisory Branch and the Litigation Branch. The main functions of the Advisory Branch are as follows:

- ❖ **Provide legal opinion upon request by the Commission and the Secretariat,**
- ❖ **Provide legal advice to the Investigation Branches concerning review matters,**
- ❖ **Provide advice on policy matters,**
- ❖ **Correct draft advices of Commission's decision on review matters for Chairman's signature,**
- ❖ **Attend Section 18 Commission meetings to consider the decision on Section 18 review matters whenever required by the Commission, and**
- ❖ **Represent the Commission or accompany members of the Commission on legal conferences, whenever required.**

The main functions of the Litigation Branch are as follows:

- ❖ **Prepare court matters in which the Commission is a party,**
- ❖ **Appear for the Commission in legal proceedings in which the Commission is a party,**
- ❖ **Liaise with the Solicitor General and Attorney General on legal matters affecting the Commission, and**
- ❖ **Liaise with private law firms representing other parties to legal proceedings in which the Commission is also a party.**

CORPORATE SERVICES DIVISION

The Corporate Services Division is headed by a Director and comprises of five (5) Branches: Human Resource Management, Finance, Media & Publication, Information Technology and Registry.

These 5 Branches provide support services within their respective means to assist the Commission fulfill its constitutional requirements and statutory functions.

FINANCIAL REPORT

2010 EXPENDITURE REPORT

Item of Expenditure	Annual budget Appropriations 2010 (PGK)	Revised budget Appropriations 2010 (PGK)	Expenditure (PGK)	Difference (PGK)
111	1,900,000.00	1,698,500.00	2,037,497.00	(338,997.00)
112	70,200.00	110,200.00	108,945.00	1,255.00
113	8,000.00	8,000.00	7,998.00	2.00
114	73,000.00	83,000.00	83,000.00	-
121	325,200.00	328,400.00	328,400.00	-
122	270,000.00	289,300.00	289,226.00	74.00
123	53,000.00	53,500.00	53,313.00	187.00
125	31,800.00	46,800.00	46,363.00	437.00
126	200,000.00	100,000.00	100,000.00	-
128	40,000.00	16,000.00	15,988.00	12.00
135	50,000.00	582,700.00	582,619.00	81.00
136	50,000.00	25,400.00	25,324.00	76.00
141	300,800.00	273,800.00	276,231.00	(2,431.00)
142	10,000.00	4,700.00	4,693.00	7.00
221	100,000.00	172,500.00	172,500.00	-
TOTAL	3,482,000.00	3,792, 800.00	4,132,097.00	(339,297.00)

1. Manpower Remuneration

The PSC is made up of the Commission, consisting of three (3) Commissioners and the PSC Secretariat.

The Commission comprises of the Chairman (PSC), Commissioner – National and Commissioner – Provincial whose terms and conditions are determined by the SRC Determination. The

Secretariat, however, is made up of six (6) Divisions, headed by the Secretary for PSC Secretariat Salaries and Allowances determined under the Public Services Salary structures.

Ancillary staff engaged as Casual employees up to recent MOA between Department of Personnel Management (DPM) and Public Employees Association (PEA) were re - categorized as permanent employees within the Performance Based Salary Structure (PBSS), entitled to all forms of leave and entitlements provided to permanent officers.

2. Travel

A report is compiled on funds allocated on Item 121 Travel with the expenditure up to end of the financial year 2010.

A total of K325, 200.00 was allocated on Travel and Subsistence which was totally exhausted in the 3rd quarter. An additional funding was requested, due to massive workload and back log of review cases intended to be completed and settlement of outstanding utility bills before the year lapse.

An additional K310, 800.00 was allocated against Item 135 Operational expenses on this request, instead of allocating it to Item 121 Travel and Item 122 Utility as was the purpose of our request; it was all allocated to Item 135 Operational expenses.

Due to limited time all Travel expenses were committed and incurred on Item 125 Operational Expenses where the money was. With this explanation Item 135 Operational expenses is carrying much of the travel expenses including Item 221 office equipment, were much of these funds were used to absorb Travel expenses.

With this explanation the expenditure shown on item 121 travel K325,200.00 much less than the report showing on divisional expenditure below and the PIE graph representing the actual expenditure incurred by each division. The actual Expenditure break-up provided as follows:

ASSESSMENT DIVISION →	TOTAL: K78,365.00
a) Accommodation	K19,145.00
b) Airfares	K33,837.00
c) Conference Room Hire	K2,610.00
d) Travel Allowance	K9,482.00
e) Vehicle Hire	K12,608.00
f) Tea/Lunch	K683.00

LEGAL SERVICES	TOTAL: K21,904.00
a) Accommodation	K4,719.00
b) Airfares	K4,699.00
c) Vehicle Hire	K10, 148.00
d) Travel Allowance	K2, 388.00

CORPORATE SERVICES	TOTAL: K1,898.00
a) Travel Allowances	K765.00
b) Airfares	K1,133.00

NATIONAL REVIEW	TOTAL: K263,216.00
a) Accommodation	K64,846.00
b) Airfares	K54,558.00
c) Airport transfer/Fuel	K54,558.00
d) Conference Room Hire	K7,033.00
e) Overseas Travel Allowance	K34,865.00
f) Vehicle Hire	K47,356.00

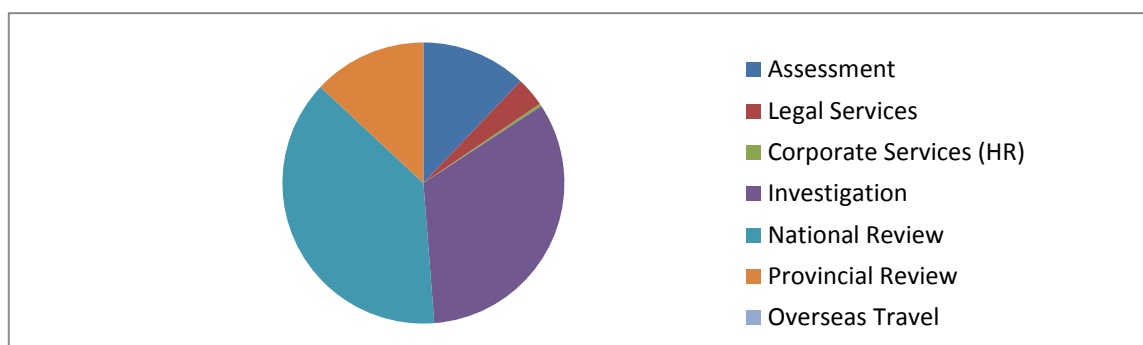
PROVINCIAL REVIEW	TOTAL: K247,410.00
a) Accommodation	K76,374.00
b) Airfares	K63,621.00
c) Tea/Lunch	K4,381.00
d) Conference Room Hire	K7,945.00
e) Travel Allowance	K47,382.00
f) Vehicle Hire	K47,505.00
g) Cash Advance	K202.00

SECRETARIAT	TOTAL: K84,404.00
a) Accommodation	K6,667.00
b) Overseas Travel Allowance	K49,506.00
c) Airfares	K26,172.00
d) Clothing	K1,859.00
e) Tax Refund	K200.00

Table 2: Details of expenditure figures on Item 121 by Divisions

Assessment	78,365	19,145	33,837	-	2,610	683	9,482	12,608	
Legal Services	21,904	4,719	4,699				2,338	10,148	
Corporate Service (HR)	1,898		1,133				765		
Investigation									
National Review	263,216	64,846	54,558		7,033	54,558	34,865	47,356	
Provincial Review	247,410	76,374	63,621	202	7,945	4,381	47,382	47,505	
Overseas Travel	84,404	6,667	26,172	200			49,506		1,859
Total	697,197	171,751	184,020	402	17,588	59,622	144,338	117,617	1,859

A pie graph showing the summary of expenditure figures on Item 121 by Divisions



1. Expenditure on all other budget items:

ITEM 122: UTILITIES	TOTAL: K287,422.15
a) Eda Ranu	K2,003.43
b) Datec-Enertec	K80,565.60
c) Telikom (PNG)	K91,999.60
d) PNG Power	K111,714.52
e) Post PNG	K1,139.00

ITEM 123: OFFICE STATIONARY & SUPPLIES	TOTAL: K53,313.00
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ITEM 125: TRANSPORT FUEL	TOTAL: K47,631.00
a) Fuel Advance	K31,900.00
b) Vehicle Parts	K8,955.00
c) Service	K6,076.00
d) Reimbursements	K700.00

ITEM 126: CONSULTATION	TOTAL: K100,000.00
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ITEM 128: ROUTINE MAINTENANCE	TOTAL: K15,988.00
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ITEM 135: OTHER OPERATIONAL EXPENSES	TOTAL: K582,619.00
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ITEM 136: TRAINING	TOTAL: K25,400.00
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ITEM 141: GRATUITY	TOTAL: K276,231.00
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ITEM 142: MEMBERSHIP FEES & CONTRIBUTIONS	TOTAL: K4,693.00
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a) CPA PNG	KNIL
b) PNG Law Society	KNIL
c) National Court Library	KNIL
d) Other Expenditure	K4,693.00

ITEM 221: FURNITURE & OFFICE EQUIPMENT	TOTAL: K172,500.00
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2. Auditor General's Findings

The Auditor General's findings on the status of the PSC Accounts showed that there were weaknesses and irregularities that exist within the Commission and which require remedial actions. With the Commission recruiting staff in the last two (2) years, and more in the coming year, we can now be able to manage and improve on those weaknesses and irregularities.

3. Recommendation

With the Papua New Guinea Accounting System (PGAS) to be operational in 2010, there are a few recommendations for audit and control purposes in light of the Expenditure information as above.

I. Procurement Process

The Procurement Procedures, as described in Section 3 – Financial Instructions, Part 12 of the Financial Management Manual, applied by the Finance Branch.

The current practice in the PSC is that all purchase requests should be approved by the Secretary prior to claims being raised. This in itself is a very effective control mechanism where no claims can be processed without the prior approval from the Secretary's office.

Another effective control mechanism would be to have Divisional budgets according to Divisional Work Plans. This will be further explained below under "Budgetary Controls".

II. Corporate Governance

The launch of the Corporate Plan 2009 to 2013 is the result of the Secretariat identifying Key Result Areas (KRAs) for which Key Strategies will be achieved.

III. Budgetary Controls

Divisional Costing and Budgeting will be an innovative way to assist with the compilation of the Annual Budget Estimates for the PSC.

Although the PSC has only one Activity (221 – 1501- 1101), having Divisional budget estimates that links the Work Plans to funds (budget) availability would require Divisions to adhere to seeing accountability, responsibility and good governance in expenditure. Ad-hoc, unbudgeted expenditure and over spending will be greatly reduced to a minimum.

Furthermore, officers responsible for scheduling activities in their Divisional Plans can be able to prepare a budget implementation schedule (known as *periodising*) for their budgets. This means having an understanding of what activities will be undertaken when during the year, and how much will be spent within a specific time frame.

An added benefit of this would be that it would be a significant improved ability to manage resources – both financial and manpower.

With the scheduled Quarterly Budget Reviews, Divisional heads will have access to this information and be able to use it, along with the financial status reports to track progress and to reprioritize activities if need be. With regular monitoring, this should make a substantial contribution to improving the effectiveness of the Commission to deliver on its Constitutional functions.

IV. Advances Management

Now that PGAS is operational, any Advances that are processed will be registered in PGAS. The system will also be a control mechanism where recipients of Advances will not be eligible to receive any Advances until acquittals are submitted.

V. Asset Management

The creation of an Electronic Asset Register is under progress and all office furniture and equipment are being registered. Conditions of these items will be identified for Board of Survey (BOS) and disposed of appropriately. The Manual version is also in progress.

VI. Human Resource and Payroll

The reconciliation of the Payroll is currently underway. Correct Salary Grades and Concept Position Numbers are to be reconciled with Personnel Files information and Alesco Payroll reports. Routine reconciliation will ensure records are updated and maintained.

6. Conclusion

To conclude, the Public Services Commission has spent within the budget allocation for goods and services with the exception of Item 111 (Salaries and Allowances) in the Personnel Emoluments, where expenditure was over by about K339, 297.00.

ORGANIZATIONAL STRUCTURE

The Commission went into a restructure in mid-2007 which the Department of Personnel Management approved on the 27th of July 2007.

Apart from the offices of the Chairman, the two Commissioners and the Secretary, the Commission's new structure is made up of six new divisions with a total manpower of 81 compared to the previous structure of 36 personnel, an increase of 125%.

With the increase in manpower, the structure will be implemented within a time frame of five years from 2008 to 2012.

The Commission advertised the funded 28 positions in 2007 and additional 25 in 2008. This was followed by 10 positions which were advertised in 2009. The next lot of 10 positions at a time would be advertised in 2011 to 2012.

STAFF ON STRENGTH

The Commission began the 2010 calendar with a total of 42 staff on strength, including the three Commissioners.

The number increased to 47 with the recruitment of five (5) new staff. Those recruited into new positions were Director – Investigation, Senior Review Officer (Provincial), Senior HR Officer, Machinist and Office Cleaner.

Both the Machinist and Office Cleaner were recruited as casuals but were placed on the Commission pay roll in accordance with the 2007-2010 MOA.

TRAINING, WORKSHOP & CONFERENCE

Training

The Commission's five-year Training Policy and Training Plan is still being developed and is scheduled to be completed by March 2011.

In the absence of training policy and plan, no specific training programs were conducted in 2010. However, a one-week workshop to formulate guidelines for the development of training policy and plan was conducted in April 2010 at the Holiday Inn.

This workshop was conducted by the HR Branch of the Commission, in conjunction with PNG Professionals HR Association. Several in-house and in-country competent-based training programs, emanating from the above workshop have already been set in place to be conducted in 2011.

Workshop & Conference, etc...

1. HR Manager, Mrs. Mary Solomon went on Pacific Work Attachment program organized and funded by the Australian Public Service Commission in Canberra, Australia, February 15 – 26, 2010.

2. Acting Secretary, Mr. Apeo Fuata Sione attended the 2010 Pacific Human Resource Managers Network Conference in Nukualofa, Tonga, April 12 – 14, 2010.
3. Acting Secretary, Mr. Apeo Fuata Sione attended the Australia and New Zealand School of Government (ANZSOG), Pacific Executive (PACE) Program, August 23 – September 9, 2010.
4. Chairman Mr. Rigo Lua and Acting Secretary, Mr. Apeo Fuata Sione attended the 2010 Annual Public Service Commissioners' Conference in Port Vila, Vanuatu, September 27 – 29, 2010.
5. Acting Secretary, Mr. Apeo Fuata Sione attended the Pacific Human Resource Toolkit Workshop for Human Resource Managers in Apia, Samoa, October 27 – 29, 2010.

SELF – ACCOUNTING STATUS

The Commission was granted the self-accounting status, in August 2007 by the Secretary for Finance, Mr. Gabriel Yer, following a submission by the Commission to be accorded the accounting freedom based on the important constitutional role it plays in ensuring good governance in the administration of the public service machinery.

The funding to begin work on its establishment was appropriated in the 2008 budget and a portion of the office space was created within the Corporate Services Division and walled to create the machine room.

The IT officers from the Department of Finance installed the machines and the Commission has also established a Drawing Account which began operation in 2010. The self-accounting system was officially launched by the Acting First Assistant Secretary, Mr. Kemasang Tomala on behalf of the Secretary for Finance in January 2009.

Despite granting self-accounting status, Item 111 (Personnel Emoluments) and Item 141 (RBF, Retirement & etc.) are still controlled by the Department of Finance. The Commission is still negotiating for these two budgetary items to be fully transferred as well.

ACHIEVEMENTS

The following are the achievements of the Commission in 2010:

- ✚ Presentation of the 2009 Annual Report to His Excellency, the Governor-General of Papua New Guinea, Sir. Paulias Matane, GCMG, KSt...J. for presentation to Parliament.
- ✚ Completed and closed a total of 201 cases out of 786. Many of these were backlog of outstanding cases dating back as far as 2005.
- ✚ Made a total of 88 appointments of (both acting and permanent) inclusive of Departmental Heads. Provincial Administrators, Heads of Statutory Bodies and Public Hospital Chief Executive Officer.
- ✚ Recruited additional 10 new staff into the Commission as part of its capacity building program under the revised structure of the Commission.

CONSTRAINTS

While the Commission has been trying its best to fulfill its constitutional requirement under extremely tough conditions over the years, inadequate funding and understaffing (as highlighted in past reports) still prevailed and continued to plague the operation of the Commission in 2010.

Unless the concerned authorities adequately address these two issues, the work of the Commission will still continue to be hampered.

RECOMMENDATIONS

It is the objective of the Commission to see fair and proper administration of personnel management matters of public servants in the public sector workforce, through checks and balances, ensuring fair and just treatment in employment, and access to the delivery of goods and services.

The objective however, is a formidable task for the Commission, given the problems highlighted in this report. It therefore recommends the following:

- That the annual budget allocation to the Commission be increased to cater for the annual work program, in line with its Corporate Plan 2009-2013 and enable the Commission to fully carry out its statutory duties and functions.
- That the Commission, as an independent body, must be seen to be independent and not be subjected to the *Public Services (Management) Act 1995* (as amended) and the *General Orders*.

Thus, the Commission should have a separate Act of its own to avoid the risk of being accused of conflict of interest or compromising its duties and independence by being involved in the management and administrative matters of the Secretariat.

CONCLUSION

The Public Services Commission is a constitutional body established under Section 190 of the National Constitution. Its principal functions are to review personnel matters in the public service, organizational matters and provide advice to NEC on appointment, suspension and revocation of appointment of Departmental Heads, Provincial Administrators and Heads of Statutory Bodies.

In 2010, the Commission reviewed a total of 789 cases in which 201 were fully completed and closed. The Commission also provided advice to NEC on appointment of 22 Departmental Heads, 4 Provincial Administrators, 18 Heads of Statutory Bodies and 4 Chief Executive Officers of public hospitals.

In order for the Commission to move forward and avoid compromising its role, there is an urgent need for the Commission to have a separate Act of its own and not be subjected to the *Public Service (Management) Act 1995* (as amended) and the *General Orders*, as is the case currently.

At the same time, the Commission must not only be independent but must be seen to be independent. With the current set-up where its Secretariat officers are public servants and come under the control of Secretary, DPM, there is the likely risk that the Commission might be accused of conflict of interest or compromising its duties and independence by involving itself in the management and administrative matters of the Secretariat.

The Commission is adamant on seeing some improvement in its performance in 2011 and the coming years with the recruitment of additional (new) staff in its establishment as provided for under the new structure.

PART TWO (2) 2011 ANNUAL REPORT

INTRODUCTION

This section of the report provides a 'snap shot' of the overall performance of the Divisions within the Public Service Commission Secretariat commencing with the National Review Division (NRD).

The report covers the period from January 1st, 2011 to December 31st, 2011.

NATIONAL REVIEW DIVISION

The core business of the National Review Division relates to the review of personnel matters from aggrieved officers of National Departments, Public Hospitals and Statutory bodies that are within the jurisdiction of the Commission, pursuant to section 18 of the *Public Service (Management) Act* 1995 (as amended).

The Division was headed by Commissioner Dr. Linda Tamsen (whose term expired in December 2011) and the Acting Divisional Director, Mr. Joshua Ngawi. There are six (6) review officers under the leadership of the Director.

It is worth mentioning that the Division has a history of constant changes to its leadership. In 2008, the Division was under the leadership of the current Secretary of the Commission's Secretariat, Mr. Apeo Fuata Sione. In early 2009, Mr. Gideon Mange was appointed as Acting Director and again in May 2010, Mr. Walo Kila succeeded as Acting Director until 26th September 2011 when Mr. Joshua Ngawi was appointed as Acting Director to date.

Case Registered in year 2011

In 2011, the Division registered a total of 382 fresh Applications for Review of a personnel matter.

A total of 503 cases carried over from previous years remained outstanding pending determination. The total number of cases the Division had to deal with in 2011 is 885 (see Table. 1).

Table 1: New Cases Registered in year 2011 and outstanding cases of previous years carried-over

YEAR	Case Registered	Total no. of cases completed	Total outstanding
2010	503	239	264
2011	382	3	379
Total	885	242	643

The nature of the original complaints derived from the cases from the National Departments and other Government Organizations covered discipline, selection and appointments, retrenchment, entitlements and others.

Table 2: Nature of Complaints from the National Departments, Government Organizations and Hospitals

Year	Discipline	Selection	Retrenchment	Entitlement	Others	Total
2011	218?	256?	?	54?	25?	553?
Total	218?	256?	?	54?	25?	553?

The National Division registered a total of 885 cases by the year 2011. That is, from 2010 retrospect, 487 were registered and remained outstanding to 2011. Out of these, a total of 242 cases were completed.

However, in 2011 a total of 382 cases were registered; and only 3 cases were recorded as completed. In summary, the Division completed and closed a total of 242 cases and 643 still remain outstanding awaiting determinations.

In 2011, the Division did not perform to expectations. Its performance was poor and is solely attributed to the following limiting factors and constraints: staff shortage; slow preparation of huge volume of Hearing transcripts; staff attitude; poor logistical support; frequent adjournments of Commission Meetings; and failure of the Commissioner responsible to fully implement the Division's provincial duty travel plan.

The Division is determined to instill effectiveness and efficiency in its performance in 2012 by disposing the outstanding cases in a timely manner.

It views training and refresher courses for the Division's staff as avenues for enhanced performance. The way-forward for the Commission as envisaged is to embark on '*Capacity Building*' through organized training and staff development programs under the current PNG Public Services Commission and Australian Public Service Commission (APSC) '*Twinning*' Program. Such will bring about expected improvements or ends for the Public Services Commission in order for it to fulfill its Constitutional objectives and mandate.

PROVINCIAL REVIEW DIVISION

The Provincial Review Division is responsible for conducting reviews of personnel matters of aggrieved public servants from Provincial Administrations and Public Hospitals except the Port Moresby General Hospital.

The Division is under the leadership of the Commissioner – Provincial, Dr. Philip Kereme, PhD and the Divisional Director, late Mr. Cliff Kowih who sadly passed away in November 2011.

Mr. Malaburgh Imeha who is the substantive Principal Review Officer (Terms & Condition) was then appointed in December 2011 to act in the position of the Divisional Director. The Provincial Review Division at the end of the reporting period had a total of seven (7) officers which consists of the Acting Director, Mr. Imeha, Ms. Judith Stenis - Principal Review Officer (Discipline), Mr. Karl Sarufa - Principal Review Officer (Selection), Mrs. Koya Leslie - Senior Review Officer (Selection), Ms. Schola Muou – Senior Review Officer (Selection), Ms. Ravugerea Vagoli, Senior Review Officer (Discipline), and Ms. Dorothy Memafo – Senior Administration Assistant to the Commissioner Provincial.

Cases Registered in year 2011

In 2011, the Division received and registered a total of 82 fresh Applications for review of a personnel matter from the provinces; whilst a total of 204 were carried-over cases from previous years and were classified as 'outstanding matters'.

The Division in total had 286 cases to deal with in 2011. (Refer to Table below).

Table 1: New Cases Registered in year 2011 and outstanding cases carried-over

Year	Case Registered	Total no. of cases completed	Total outstanding
2010	204	143	61
2011	82	36	46
TOTAL	286	179	107

The nature of complaints received from the Provincial Administrations includes discipline, termination, selection and appointments, terms and conditions, displacement from positions and others (casual employment matters, no decisions and unpaid salaries).

Table 2: Nature of Complaints from the Provinces

Year	Discipline	Selection	Terms & Condition	Others	Total
2011	128	126	29		286
TOTAL	128	116	29		286

The Provincial Division accumulated a registered case load of 286 cases in the year 2011. Out of which, it was able to complete 179 cases with an outstanding of 107 cases.

Of the 107 cases remaining, commission hearings were conducted on 42 cases due to financial and logistical constraints faced by the Commission.

Despite these setbacks, the Division performed exceptionally well compared to previous years. This is wholly attributed to the hard work of the staff in reducing its outstanding cases since 2005 by 75 per cent (%). The current aim of the Division is to complete all outstanding cases by 2012.

ASSESSMENT DIVISION

The Assessment Division is responsible for:

- Conducting detail assessments of applicants to the positions of National Departmental Heads, Provincial Administrators and/or Heads of Regulatory Statutory Authorities.
- Preparing submissions to the Commission for decisions, and maintenance of up to date data base on National Departmental Secretaries, Provincial Administrator and Deputy Provincial Administrators, and Heads of Regulatory Statutory Authorities.

The Division is under the leadership of Ms. Rachel Wii who got appointed as Director towards the end of this reporting period and is assisted by Ms. Margaret Suata - Principal Assessment Officer (National Departments) and Mr. Victor Lismond - Principal Assessment Officer (Statutory Bodies).

In 2011, the Division provided advice and made recommendation(s) to the National Executive Council (NEC) on the following appointments:

Table 1: Permanent Appointments of National Departmental Heads

Department	Consultation	PSC Response
Appointment of a new Secretary for the Constitutional & Law Reform Commission	16/02/2011	01/06/2011
Appointment of a new Secretary for the Department of Commerce and Industry	01/03/2011	12/05/2011
Appointment of a new Secretary for the Department of Education	01/03/2011	26/05/2011
Re-appointment of Chief Fire Officer for PNG Fire Service	07/03/2011	08/04/2011
Appointment of Commissioner of Police	11/04/2011	26/05/2011
Re-Appointment of Commission for PNG Correctional Services	10/06/2011	11/08/2011
Re-Appointment of Secretary for Department of Works	20/06/2011	05/07/2011
Appointment of a new Secretary for the Department of Agriculture and Livestock	14/09/2011	21/11/2011
Appointment of a new Secretary for the Department of Petroleum and Energy	03/10/2011	Pending
Appointment of a new Secretary for the Department of Lands and Physical Planning	03/10/2011	Pending
Appointment of a new Secretary for the Department of Defence	03/10/2011	Pending
Appointment of a new Secretary for the Department of Environment & Conservation	03/10/2011	Pending
Appointment of Commissioner of Police	01/11/2011	03/11/2011
Appointment of a new Secretary for the National Department of Health	16/11/2011	Pending

Table 2: Acting Appointments of National Departmental Heads

Department	Consultation	PSC Response
Appointment of an Acting Secretary for Department of Labor & Industrial Relations	20/12/2010	03/02/2011
Appointment of an Acting Secretary for the Department of Personnel Management	03/01/2011	14/01/2011
Appointment of an Acting Chief Fire Officer for PNG Fire Service	24/01/2011	13/04/2011
Appointment of an Acting Secretary for the Department of National Planning & Monitoring	26/01/2011	07/02/2011
Appointment of an Acting Secretary for the Department of National Executive Council	04/02/2011	02/03/2011
Appointment of an Acting Auditor General for Auditor General's Office	16/02/2011	04/03/2011
Appointment of an Acting Commissioner for Police	09/03/2011	31/03/2011
Appointment of an Acting Secretary for the Department of Environment and Conservation	16/03/2011	06/04/2011
Appointment of an Acting Secretary for the Department of Lands and Physical Planning	05/04/2011	07/04/2011
Appointment of an Acting Secretary for the Department of Treasury	19/04/2011	03/05/2011
Appointment of an Acting Chief Immigration Officer of the Office of the Immigration & Citizenship Service	24/04/2011	21/06/2011
Appointment of an Acting Secretary for the Department of Labor and Industrial Relations	26/04/2011	03/05/2011
Appointment of an Acting Secretary for Department of Petroleum and Energy	04/05/2011	26/05/2011
Appointment of an Acting Secretary for the Department of Treasury	23/05/2011	16/06/2011
Appointment of an Acting Secretary for the Department of Labor & Industrial Relations	30/05/2011	29/06/2011
Appointment of an Acting Secretary for the Department of Personnel Management	06/06/2011	29/06/2011
Appointment of an Acting Commissioner for Police	07/06/2011	18/08/2011
Appointment of an Acting Secretary for the Department of Lands & Physical Planning	28/06/2011	05/07/2011
Appointment of an Acting Secretary for the Department of Health	01/07/2011	05/07/2011
Appointment of an Acting Secretary for the Department of Personnel Management	04/07/2011	12/07/2011
Appointment of an Acting Secretary for the Department of Personnel Management	20/07/2011	15/08/2011
Appointment of an Acting Secretary for the Department of Petroleum and Energy	02/08/2011	10/08/2011
Appointment of an Acting Secretary for the Department of Lands and Physical Planning	02/08/2011	10/08/2011
Appointment of an Acting Secretary for the Department of Finance	09/08/2011	17/08/2011
Appointment of an Acting Secretary for the Department of Implementation & Rural Development	09/08/2011	24/08/2011
Appointment of an Acting Secretary for the Department of National Planning & Monitoring	15/08/2011	18/08/2011
Appointment of an Acting Secretary for the Department of Provincial & Local Government Affairs	15/08/2011	23/08/2011
Appointment of an Acting Commissioner for Customs	01/09/2011	14/09/2011
Appointment of an Acting Secretary for the Department of Works	06/09/2011	19/09/2011
Appointment of an Acting Commissioner for the Correctional Services	06/09/2011	25/10/2011
Appointment of an Acting Secretary for the Department of Defence	09/09/2011	29/09/2011
Appointment of an Acting Commissioner for Police	12/09/2011	29/09/2011
Appointment of an Acting Secretary for the Department of Petroleum and Energy	21/09/2011	28/09/2011
Appointment of an Acting Auditor General for Auditor General's Office	26/09/2011	30/09/2011
Appointment of an Acting Secretary for the Department of Communication &	03/10/2011	08/11/2011

Information		
Appointment of an Acting Secretary for the Department of Personnel Management	07/10/2011	17/10/2011
Appointment of an Acting Commissioner General for Internal Revenue Commission	10/10/2011	14/10/2011
Appointment of an Acting Chief Immigration Officer of the Office of the Immigration & Citizenship Service	10/10/2011	17/10/2011
Appointment of an Acting Secretary for the Department of Treasury	13/10/2011	04/11/2011
Appointment of an Acting Secretary for the Department of Personnel Management	18/10/2011	31/10/2011
Appointment of an Acting Commissioner for Customs	07/11/2011	21/11/2011
Appointment of an Acting Secretary for the Department of National Executive Council	08/11/2011	16/11/2011
Appointment of an Acting Secretary for the Department of Community Development	15/11/2011	23/11/2011
Appointment of an Acting Secretary for the Department of Labor & Industrial Relations	29/11/2011	09/12/2011

Table 3: Permanent Appointment of Provincial Administrators

Provincial Administration	Consultation	PSC Response
Re-appointment of a Provincial Administrator for Enga Province	28/10/2008	01/08/2011 (Court Case caused the delay)
Appointment of a new Provincial Administrator for Gulf Provincial Administration	10/08/2011	21/11/2011
Appointment of a new Provincial Administrator for Southern Highlands Provincial Administration	03/10/2011	23/12/2011

Table 4: Acting Appointments of Provincial Administrators

Provincial Administration	Consultation	PSC Response
Appointment of an Acting Provincial Administrator for Madang Provincial Administration	07/04/2011	13/05/2011
Appointment of an Acting Provincial Administrator for Southern Highlands Provincial Administration	18/04/2011	05/05/2011
Appointment of an Acting Provincial Administrator for New Ireland Provincial Administration	05/05/2011	15/06/2011
Appointment of an Acting Provincial Administrator for Gulf Provincial Administration	13/05/2011	21/06/2011
Appointment of an Acting Provincial Administrator for Eastern New Britain Provincial Administration	30/06/2011	08/07/2011
Appointment of an Acting Provincial Administrator for Western Highlands Provincial Administration	21/09/2011	24/10/2011
Appointment of an Acting Provincial Administrator for Sandaun Provincial Administration	11/10/2011	18/10/2011
Appointment of an Acting Provincial Administrator for Western Provincial Administration	28/10/2011	01/11/2011
Appointment of an Acting Provincial Administrator for Central Provincial Administration	14/11/2011	23/11/2011
Appointment of an Acting Provincial Administrator for Western Highlands Provincial Administration	15/11/2011	13/12/2011

Table 5: Permanent Appointments of Heads of Statutory Bodies

Statutory Body/Organization/Office	Consultation	PSC Response
Appointment of Managing Director for National Museum & Art Gallery	11/01/2010	03/03/2011
Appointment of Chief Executive Officer for National Roads Authority	08/12/2010	14/04/2011
Appointment of Chief Executive Officer for the Tourism Promotion Authority	14/12/2010	20/04/2011
Appointment of Chairman of the Teaching Services Commission	24/01/2011	24/05/2011
Appointment of Director of Papua New Guinea Institute of Public Administration	28/02/2011 &24/10/2011	Pending
Appointment of Commissioner (Policy) of the Teaching Services Commission	28/03/2011	23/08/2011
Appointment of Chairman of Public Services Conciliation & Arbitration Tribunal	28/03/2011	23/08/2011
Appointment of Commissioner (Operations) of the Teaching Services Commission	28/03/2011	23/08/2011
Appointment Managing Director of National Housing Corporation	29/06/2011 &16/08/2011	Pending
Appointment of Managing Director for National Agriculture & Quarantine Inspection Authority	12/07/2011	Pending

Appointment of Director General for the Office of Higher Education	14/07/2011	22/11/2011
Appointment of Director for Papua New Guinea Institute of Medical Research	28/07/2011	18/08/2011
Appointment of Managing Director of the National Broadcasting Corporation	22/08/2011	07/09/2011
Appointment of Commissioner for National Lands Titles Commission	01/09/2011	Pending
Appointment of Executive Chairman for the Border Development Authority	22/09/2011	25/10/2011
Appointment of Chief Executive Officer for National Volunteer Services	16/12/2011	Pending

Table 6: Acting Appointments of Heads of Statutory Bodies

Statutory Body/Organization/Office	Consultation	PSC Response
Appointment of Acting Director for Papua New Guinea Institute of Public Administration	05/01/2011	18/01/2011
Appointment of Acting Director for National Aids Council Secretariat	24/01/2011	21/02/2011
Appointment of Acting Director for National Museum & Art Gallery	17/02/2011	28/02/2011
Appointment of Acting Director for National Museum & Art Gallery	02/03/2011	04/03/2011
Appointment of Acting Director for Papua New Guinea Institute of Public Administration	30/03/2011	13/04/2011
Appointment of Acting Chairman and the Commissioners of the Teaching Services Commission	04/04/2011	08/04/2011
Appointment of Acting Managing Director for Mineral Resource Authority	10/05/2011	13/05/2011
Appointment of Acting Director General for Office of Higher Education	11/05/2011	25/05/2011
Appointment of Acting Director for National Institute of Standards & Industrial Technology	24/05/2011	28/06/2011
Appointment of Acting Managing Director for National Agriculture Quarantine & Inspection Authority	12/07/2011	08/08/2011
Appointment of Acting Chief Executive Officer for National Volunteer Service	22/08/2011	14/09/2011
Appointment of Acting Chief Executive Officer for Western Highlands Provincial Health Authority	30/09/2011	13/10/2011
Appointment of Acting Chief Executive Officer for National Gaming Control Board	17/10/2011	25/10/2011
Appointment of Acting Managing Director for National Agriculture Quarantine & Inspection Authority	20/10/2011	10/11/2011
Appointment of Acting Chief Executive Officer for Konebada Petroleum Park Authority	01/11/2011	16/11/2011
Appointment of Acting Director General for National Intelligence Organization	07/11/2011	28/11/2011
Appointment of Acting Executive Director for National Road Safety Council	15/11/2011	25/11/2011
Appointment of Acting Commander of the Papua New Guinea Defence Force	07/12/2011	12/12/2011
Appointment of Acting Executive Director for National Cultural Commission	07/12/2011	21/12/2011

Table 7: Permanent Appointments of Chief Executive Officers of Public Hospitals

Hospitals	Consultation	PSC Response
Appointment of Chief Executive Officer for Mendi General Hospital	19/01/2011	16/03/2011
Appointment of Chief Executive Officer for Western Highlands Provincial Health Authority	23/06/2011	02/11/2011
Appointment of Chief Executive Officer for Milne Bay Provincial Health Authority	07/07/2011	02/11/2011
Appointment of Chief Executive Officer for Laloki Psychiatric Hospital	16/08/2011	05/12/2011
Appointment of Chief Executive Officer for Buka General Hospital	22/08/2011	06/12/2011
Appointment of Chief Executive Officer for Lorengau General Hospital	08/09/2011	08/12/2011
Appointment of Chief Executive Officer for Popondetta General Hospital	13/10/2010	12/10/2011

Table 8: Permanent Appointment of Board Members of Statutory Bodies

Hospitals	Consultation	PSC Response
Appointment of Members for National Housing Corporation Board	19/08/2008 & 26/11/2011	06/09/2011 & Pending
Appointment of Research, Science and Technology Council Ordinary Councilors	28/07/2010	10/01/2011
Appointment of Members of Censorship Board	17/08/2010	10/01/2011

Appointment of Members of the Boundaries Commission	14/01/2011	16/03/2011 & 01/06/2011
Appointment of Members of the Small Business Development Corporation Board	10/02/2011, 22/06/2011 & 02/02/2012	Pending
Appointment of Members of the Tourism Promotion Authority Board	25/02/2011	07/04/2011
Appointment of Members of the National Maritime Safety Authority Board	04/05/2011	14/07/2011
Appointment of Members of the PNG Land Board	05/05/2011	18/05/2011
Appointment of Members and Alternate Members of the National Roads Authority Board	12/05/2011	30/05/2011
Appointment of Members of National Gaming Control Board	29/08/2011 & 26/10/2011	07/09/2011 & 09/11/2011
Appointment of Members of the Mineral Resources Authority Board	05/09/2011	12/09/2011
Appointment of Members for Spice Industry Board	09/09/2011	Pending
Appointment of Members for National Institute of Standards & Information Technology Council	27/09/2011 & 07/03/2012	Pending
Appointment of Members of the National Airport Corporation Board	03/11/2011	08/11/2011
Appointment of Members of the National Maritime Safety Authority Board	23/11/2011	13/12/2011
Appointment of Members for PNG Sports Foundations Board	08/12/2011	20/12/2011
Appointment of Members for National Cultural Commission Board	18/12/2011	Pending

INVESTIGATION DIVISION

The core function of the Division is to conduct detail and complex investigations into allegations of mismanagement, mal-administration and/or allegations of a serious nature against Departmental Heads, Provincial Administrators and Chief Executive Officers of Regulatory Statutory Authorities (RSAs).

The leadership of the Division was taken over by Mr. Francis Koaba from the Acting appointee, Mr. Vele Noka who retired from service of the Commission in December 2010.

Mr. Koaba single handedly operates the Division without any subordinate staff. During the course of the year the Division was able to dispose of ten (10) investigation cases as indicated in Table 1 below.

Table 1: Departmental Head, Provincial Administrator and CEO cases investigated

No.	Name	Organization	Nature of matter	Actions
1.	Mr. Joseph Lelang	National Planning	Allegations against the Secretary	Recommended for suspension to Commission
2.	Mr. Maurice Brown john	NFA Board	Investigations into his appointment as Board Member of the National Fisheries Board.	Recommendation awaiting approval by Commission
3.	Mr. Bernard Lange	Madang Provincial Administration	Gross abuse & Mismanagement of Provincial Administrator's powers	Recommended for suspension to Commission
4.	Mr. William Goinau	Fly River Provincial Government	Allegations of misconduct and abuse of powers by the Provincial Administrator	Recommended against suspension

5.	Mr. Joseph Aka	NSO	Allegations of Corruption in NSO	Requested Legal opinion from Counsel on certain issues. No response to date.
6.	Mr. Joseph Klapat	Department of Community Development	Allegations of Abuse of Power	Recommended against suspension & cleared of charges.
7.	Mr. Ellison Towallom	National Coordination Office of Bougainville Affairs	Allegations of misconduct and abuse of power	Recommended for suspension to Commission
8.	Mr. Sem Vegogo	Port Moresby General Hospital	Allegations of nepotism & irregularities in selections & recruitment process.	Reaffirmed decision of PMGH & case closed.
9.	Mr. William Goinau	Fly River Provincial Government	Advice on consultation of revocation of appointment Mr. William Goinau	Requested legal opinion from Counsel
10.	Mr. Munare Uyassi	Eastern Highlands Provincial Administration	Allegations of irregularities against the EHPA regarding recent selections for Senior Management Positions	Recommended against commencing investigation.

Inadequate logistical support and shortage of manpower did not critically affect the Division's outstanding performance under the leadership of its new Director.

2011 is indeed the pinnacle of the new dawn for the Investigation Division under the leadership of Mr. Koaba.

Despite these limitations, the Division performed exceptionally well and proved to be a functional unit of the Commission.

LEGAL, ADVISORY & LITIGATION DIVISION

The Legal, Advisory & Litigation Division is an important and vital Division of the PSC Secretariat of the Commission. The Division was created in the 2007 Organizational Restructure of the Commission.

Currently the Division has two (2) Branches namely the Advisory Branch and the Litigation Branch.

The Advisory Branch is basically responsible for the provision of legal advice to the Commission, whilst the Litigation Branch involves itself with all legal proceedings involving the Commission, which includes representing the Commission in Court hearings/proceedings and liaising with lawyers representing other parties to the legal proceedings.

The Division currently has an approved staff ceiling of eight (8) consisting of one (1) Principal Legal Officer (Advisory), one (1) Principal Legal Officer (Litigation), one (1) Senior Legal Officer (Advisory), one (1) Senior Legal Officer (Litigation), one (1) Legal Officer (Advisory), one (1) Legal Officer (Litigation), one (1) Administrative Assistant and Director of the Division.

However, at present the Division only boasts of a Director, Principal Legal Officer (Advisory) and an Administrative Assistant.

The main functions of the Advisory Branch are as follows:

- ❖ Provide legal opinions upon request by the Commission and the Secretariat,
- ❖ Correct draft advices of Commission's decisions on review matters for Chairman's signature,
- ❖ Attend Commission Meetings,
- ❖ Represent the Commission or accompany members of the Commission on legal conferences whenever required, and
- ❖ Attend Section 18 Review Hearings.

The main functions of the Litigation Branch are as follows:

- ❖ Prepare court matters in which the Commission is a party,
- ❖ Appear for the Commission in legal proceedings in which the Commission is a party,
- ❖ Liaise with private law firms representing other parties to legal proceedings in which the Commission is also a party; and
- ❖ Attend Section 18 Review Hearings.

PERFORMANCE IN 2011

The Division performed exceptionally well despite constraints experienced during the year. It was able to provide legal opinions for the Commission and the Secretariat; attend to legal proceedings and Section 18 Review Hearings; attend Commission Meetings; and correct draft advice(s) of PSC decision(s) on review matters.

Most legal opinions were for appointment, suspension and dismissal of Departmental Heads, Provincial Administrators and Chief Executive Officers; Section 18 Review matters; and rejection by parties to Section 18 review proceedings.

The Division also attended to eleven (11) legal proceedings mostly involving the issue(s) of appointment, suspension and dismissal of Departmental Heads, Provincial Administrators or Heads of Regulatory Statutory Authorities (RSAs).

The eleven (11) legal proceedings are set out below:

1. Dr. Maihu & Ors -v-Rigo O.S. No. 788/2010;

2. Jerry Tetaga & Anor-v-Ron Uyassi –O.S. No. 70/2007;

3. Central Provincial Administration & Anor-v-Public Services Commission & Cliff Boutau-O.S. No. 21/2011;

4. Hudson Ramatlap-v-the State & Ors-O.S. (Jr) No. 14/2012;

5. Giba Swingneo-v-PSC &Ors-w.s.No. 571/2011;

6. O.S. No. 344/2008-Henry Bailasi-v-Rigo Lua & Ors;

7. O.S. No. 92/2010-Henry Bailasi-v-Rigo Lua & Ors;

8. O.S. No. 413/2011-Tau Tamuta-v-Dr. Philip Kereme & Ors;

9. O.S. No. 246/2011-Giba Swingnew-v-PSC & Ors;

10. O.S. No. 834/2011-Fredrick Punagi-v-The State & Ors; and

11. O.S. No. 230/2007-Benjamin Lapana-v-The State & Ors.

In addition, the Division attended ten (10) review hearings and five (5) Commission Meetings.

The most obvious constraint faced by the Division throughout the year whilst performing its mandated core functions is lack of sufficient manpower because of recruitment and staff retention difficulties. The stark reality with this is that the PSC continues to experience difficulties in recruiting and retaining qualified and experienced lawyers.

The main challenge for the future is for the Division to recruit suitable lawyers according to its approved staff ceiling and have the ability and capacity to retain the lawyers once recruited.

CORPORATE SERVICES DIVISION

The primary role of the Corporate Services Division is to provide a high standard corporate support and administration services to assist the operational divisions in achieving the Commission's mission and objectives as outlined in the PSC Corporate Plan 2009-2013.

The Division comprises of five (5) Branches namely, Human Resource Management, Finance, Media & Publication, Information Technology and Registry.

Human Resource Management

This section is responsible for the proper functioning of human resources within the Secretariat and the Commission as a whole. This is through the continuous assessment of the human resources capacity; enhancement of training and capacity building; strengthening and ensuring effective coordination of organization, methods, functions, and manpower planning; ensuring compliance to the Public Service laws and regulations; effective management of human resource; policy implementation; and staff recruitment.

In this reporting year, the following outcomes were achieved. The unit established 81 positions; conducted 3 advertisements of vacant funded positions; submitted an Overseas Training Aid Bid

for year 2012; and organized short term courses and work attachment programs, workshops and conferences for officers with Daltron and the Australian Public Service Commission (APSC) respectively.

Information Technology

This unit is responsible for effective planning, implementation, organization, procurement and installation of required IT facilities; and also effective advisory to the management on IT requirement activities.

The following are some of the remarkable achievements of the unit during year 2011.

- ❖ **Development of a user control policy.**
- ❖ **Development of e-mail usage control policy.**
- ❖ **Development of an internet usage control policy.**
- ❖ **Development and creation of PSC domain and identity on the net.**
- ❖ **Connection of PSC net to Government Net services.**
- ❖ **Improvement on e-mail services.**
- ❖ **Improvement on internet access and efficiency.**
- ❖ **Installation of internet usage filtering device.**
- ❖ **Installation of proxy server.**
- ❖ **Connection to Alesco Payroll.**
- ❖ **Installation new access points.**

Registry

This section is responsible for the effective maintenance of all records and registration of all correspondences either incoming or outgoing from the Commission. The following were achieved in this reporting year; a draft revised filing index was completed for management's endorsement; all National and Provincial Review Division closed files were duly packed and completion of labeling of metal shelves for archive boxes and compacts.

It was also faced with the following challenges such as; long process in updating records on computer for Commission Meetings; absence of a good tracking system; difficulty in conducting file search due to location of files; and mixed up files.

The way forward for the section is to have a scanner purchased to speed up the work and to accomplish outstanding tasks during normal working hours.

Secondly there is also a need for staff training on advance computing in record keeping and archiving and also for the purchase of Records Management Software.

Finance

This section ensures effective leadership, management and monitoring of financial records of transactions; planning, organizing, leading, coordinating and reconciliation of financial activities relative to accounting and budgeting; provision of prudent and sound financial advice to the Director (Corporate Services) on all financial matters; preparation of the Commission's Annual

Budget submission; ensuring effective implementation of the Commission's budget; ensuring proper certification and examination of all claims and issuance of transaction cheques and provision of competent advice on fund appropriations.

The performances of this section in this reporting year 2011 are reflective and captured in the *'Financial Report'* .

FINANCIAL REPORT

In the reporting year of 2011, the Commission was appropriated a Budget of K4, 263,400.00 (Refer to the Consolidated Financial Status Report as at 31st December 2011). This consists of the following as listed hereunder.

PERSONNEL EMOLUMENTS

Appropriation of K2, 861,200.00 and total over expenditure of K512, 555.00 was under Salaries and Allowances alone.

This over expenditure was due to new salary rates for Constitutional Office Holders (i.e.: Chairman, Commissioner National and Commissioner Provincial) effected as per the SCMC determination approved by DPM (see Table 1).

FIXED COSTS

The fixed cost was for only utilities and consultancy fees of K495, 000.00 and was well spent. However, due to the under spending of the item 126, the fund was transferred to item 121 and 125 respectively for travel and maintenance of commission vehicles (see Table 1).

VARIABLE COST

It was also within the Budgetary appropriation of K907,200.00 but due to inadequate funding under items 121, 125 and 135, more funds were transferred from item 126 (fixed cost) K173,000.00 of which K133,000.00 for item 121, K20,000.00 for item 125 and K20,000.00 for item 135. The appropriation was revised to K1, 080,200.00 and again expenditure was within the appropriation (see Table 1).

Under the variable cost one specific item of most concern was the item 121 (Travel and Subsistence). The fund allocated was K400, 000.00 with the additional transfer, the revised figure showed K533, 000.00 (refer to the Summary information on travel table provided) detailing each Division's expenditure information against the percentage allocated to each Division (see Table 2).

Most Divisions over spent whilst others spent little or none. Table 2 also indicated that much of the travel was undertaken by National and Provincial Review Divisions.

The Commission became self-accounting in 2010 [Papua New Guinea accounting System (PGAS)] and has progressed well in employing capable officers to maintain the system to be operational.

The Commission is also experiencing a backlog of Bank Reconciliation effective from the year it became self-accounting. Bank Reconciliations from 2010 up to and including 2011 require completion and updating.

Finally, Divisional work plans have become an integral and paramount aspect of the budget and therefore stringent actions have been taken to ensure that they are submitted together with Budget Documents.

Summary of Recurrent Expenditure as at 31 December 2011

Item No.	Description	Original Budget Appropriation	Revised Budget Appropriation	Warrant Authority Received	Expenditure Year to date	Outstanding Commitments	Total Expenditure & Commitments	Fund Available
	Personnel Emoluments	2, 861, 200	2, 861, 200	2, 861, 200	3, 369, 051	-	3, 369, 051	(507, 851)
111	Salary and Allowances	2, 448, 200	2, 448, 200	2, 448, 200	2, 960, 755	-	2, 960, 755	(512, 555)
113	Overtime	8, 000	2, 000	2, 000	1, 986	-	1, 986	14
114	Leave Fares	105, 000	136, 000	136, 000	134, 673	-	134, 673	1, 327
141	Retirement, Pensions, Gratuities and Retrenchment	300, 000	275, 000	275, 000	271, 637	-	271, 637	3, 363
	GOODS AND SERVICES TOTAL	1, 402, 200	1, 402, 200	1, 402, 200	1, 394, 482	-	1, 394, 482	7, 718
	Fixed Costs (Goods & Services)	495, 000	322, 000	322, 000	321, 070	-	321, 070	930
122	Utilities	295, 000	295, 000	295, 000	295, 000	-	295, 000	-
126	Administrative Consultancy Fees	200, 000	27, 000	27, 000	26, 070	-	26, 070	930
	Variable costs (other Goods & Services)	907, 200	1, 080, 200	1, 080, 200	1, 073, 412	-	1, 073, 412	6, 788
121	Travel and Subsistence	400, 000	533, 000	533, 000	532, 885	-	532, 885	115
123	Office Materials and Supplies	80, 000	80, 000	80, 000	80, 000	-	80, 000	-
125	Transport and Fuel	34, 000	64, 000	64, 000	63, 887	-	63, 887	113
128	Routine Maintenance	43, 200	43, 200	43, 200	41, 354	-	41,354	1, 846
135	Other Operational Expenses	115, 000	135, 000	135, 000	134, 798	-	134, 798	202
136	Education, Training and Workshops	54, 000	54, 000	54, 000	53, 328	-	53, 328	672
142	Membership Fees, Subscriptions and Contributions	11, 000	11, 000	11, 000	7, 160	-	7, 160	3, 840
221	Furniture and Equipment	100, 000	100, 000	100, 000	100, 000	-	100, 000	-
222	Purchase of Vehicles	70, 000	60, 000	60, 000	60, 000	-	60, 000	-
	PUBLIC SERVICES COMMISSION TOTAL	4, 263, 400	4, 263, 400	4, 263, 400	4, 763, 533	-	4, 763, 533	(500, 133)

Summary Information on Travel Funds (Item 121) by Divisions-Year 2011

No	DIVISION	BUDGET APPROPRIATION			EXPENDITURE INFORMATION				Total Expenditure	Fund Balance
		% in Approp.	Approp.	Travel Allowance	Accommodation	Air Niugini	Vehicle Hire	Others		
1	2	3	4	5	6	7	8	9	10	11
1	Secretariat	5	26,650	2,517.00	1,820.00	4,124.40	7,380.98	465.80	16,308.18	10,341.82
2	National Review	30	159,900	28,950.00	78,701.58	45,035.40	38,956.70	4,448.77	196,092.45	(36,192.45)
3	Provincial Review	32.50	173,225	32,684.00	67,553.50	43,504.50	54,289.19	7,657.00	205,688.19	(32,463.19)
4	Legal Services	12.50	66,625	2,328.00	3,420.00	3,574.00	7,807.14	-	17,129.14	49,495.86
5	Assessment	10	53,300	8,120.00	14,252.10	37,541.00	14,205.17	1,446.00	75,564.27	(22,264.27)
6	Investigation	2.50	13,325	-	-	-	-	-	-	13,325.00
7	Corporate Services	7.5	39,975	14,590.00	-	4,596.10	-	2,916.72	22,102.82	17,872.18
Total Expenditure		100%	533,000	89,189	165,747.18	138,375.40	122,639.18	16,934.9	532,885.05	114.95

GRANTS

In this reporting year; the Commission was appropriated K800,000.00 through the Development Budget under the Public Investment Program (PIP) for the development of its Case Management System (CMS) that will commence in 2012. This is indeed a milestone for the Commission.

APPENDIX A

Section 190 – Establishment of the Commission

- (i) The Public Services Commission is hereby established.
- (ii) The Commission shall consist of three members who shall be appointed for a term of five years by the Head of State, acting with, and in accordance with advice of the National Executive Council given after consultation with any appropriate Permanent Parliamentary Committee.
- (iii) All of the members of the Commission must be citizens who have gained substantial experience in the National Public Service.
- (iv) Subject to this Constitution, an Act of Parliament shall make provision or, and in respect of, the appointment and the conditions of employment of the members of the Commission, and for and in respect of its Constitution, powers and procedures.

APPENDIX B

Section 191 – Functions of the Commission

- (1) The Public Services Commission shall be responsible, in accordance with an Act of the Parliament, for:
 - (a) the review of personnel matters connected with the National Public Service; and
 - (b) the continuous review of the State Services (other than the Papua New Guinea Defence Force), and the services of other governmental bodies, and to advise, either on its own initiative or on request, the National Executive Council and any authority responsible for any of those services, on organizational matters.
- (2) The Public Services Commission has other functions that may be prescribed by or under a Constitutional Law or an Act of Parliament.
- (3) In laying out its function under Subsection (1) (b), the Public Services Commission:
 - (a) shall take into account the government policy on a particular matter when advising the National Executive Council and other authorities responding for those services; and
 - (b) shall not have any power to direct or control a State service or the service of other government bodies.

- (4) The Public Services Commission shall, in respect of each year, prepare and forward to the Speaker of Parliament for presentation to the Parliament, a report on the advice it has given during the year to the National Executive Council or other authorities in accordance with Subsection (1) (b) indicating in particular the nature of advice given and whether or not that advice was accepted.

APPENDIX C

Section 193 – Appointment of certain officers

- (1) This Section applies to and in respect of the following offices and positions:
- (a) all offices in the National Public Service the occupants of which are directly responsible to the National Executive Council or to a Minister; and
 - (b) the offices of the members of the Boundaries Commission; and
 - (c) the outlaws, the occupant of which is responsible for the administration of the Government Broadcasting Commission, the chairman or president of the board or commission; and
 - (d) the offices of the persons (including members of boards or commissions) responsible for the administration of any state services; and
 - (e) the office of the Commissioner of Police; and
 - (f) the office of the Commander of the Defence Force; and
 - (g) the office of the Secretary of the National Executive Council; and
 - (h) such other officers and positions as are prescribed by an Act of Parliament for the purpose, other than the offices of the members of the Public Services Commission.
- (2) All appointments (whether temporary or substantive) to offices to which Subsection (1) (b), (c), (d) and (h) apply shall be made by the Head of State, acting with, and in accordance with, the advice of the National Executive Council given after consultation with the Public Services Commission and any appropriate Permanent Parliamentary Committee, and a report concerning each of them shall be given to Parliament by the responsible Minister as soon as possible after it has been made.
- (3) All appointments (whether temporary or substantive) to offices to which Subsection (1) (a), (f) and (g) apply and such other offices and positions as are prescribed by an Act of Parliament for the purpose of this Subsection, shall be made by the Head of State, acting with, and in accordance with, the advice of the National Executive Council given after consultation with the Public Services Commission.

APPENDIX D:

Appointment of Departmental Heads

1. Section 25: Filling of vacancies in certain offices of Departmental Head

Subject to Section 193 (*Appointment to certain offices*) of the *National Constitution*, a vacancy in an office or Departmental Head may be filled:

- (a) by the promotion or transfer of an officer by the Head of State, acting on advice; or
- (b) by an appointment in accordance with Section 27.

2. Section 27: Appointment of offices of Departmental Head

- (1) This section is subject to Section 193 (*Appointment of certain offices*) of the *National Constitution*.
- (2) A Departmental Head shall be appointed by the Head of State, acting on advice, given after consultation with the Public Services Commission.

APPENDIX E

Section 13: Powers of the Commission

- (1) The Commission may at any time for the purpose of performing its functions-
 - (a) enter the premises occupied or used by:
 - (i) a Department of Government; or
 - (ii) any State Service (other than the Defence Force); or
 - (iii) any Provincial Government; or
 - (iv) any other governmental service; and
 - (b) summons a person whose evidence appears to be material to the determining of any subject, inspection, inquiry, review or investigation being conducted by the Commission; and
 - (c) take evidence on oath or affirmation and for that purpose administer oaths and affirmations; and
 - (d) require any person to produce documents within his possession or subject to his control.
- (2) A person shall not knowingly make any false or misleading statements in any evidence before the Commission.

Penalty: *A fine not exceeding K200.00*

- (3) Any officer who neglects or fails, without reasonable cause (the burden of proof of which lies upon him), to attend in obedience to a summons under *Subsection (1)*, or to be sworn or answer questions or produce documents relevant to the subject or an inspection, inquiry or investigation when required to do so under that *Subsection*, is guilty of an offence.

Penalty: *A fine not exceeding K200.00*

- (4) A person other than an officer who, after payment or tender of reasonable expenses, neglects or fails, without reasonable cause (the burden of proof of which lies upon him), to attend in obedience to a summons under *Subsection (1)*, or to be sworn or answer questions or produce documents relevant to the subject of an inspection, inquiry or investigation when required to do so under that *Subsection*, is guilty of an offence.

Penalty: *A fine not exceeding K200.00*

- (5) Nothing in this section renders any person compellable to answer any question that might tend to incriminate him.
- (6) In this *Section*, “officer” means –
- (a) an officer of the National Public Service; and
 - (b) a contract officer employed under the *Public Employment (Non-citizens) Act 1978*, and
 - (c) an officer of the Police Force; and
 - (d) an officer or employee of a Provincial Government; and
 - (e) an officer of any government service; and
 - (f) an employee of a service or force referred to in paragraph (a), (c), (d) or (e); and
 - (g) an employee, but does not include a member of the Defence Force.

APPENDIX F

Section 18: Review of Personnel Matters

- (1) The Commission shall review a personnel matter connected with the National Public Service either on its own initiative or following a complaint by an officer to the Commission where that officer has been affected by a decision in relation to that personnel matter.
- (2) The Commission shall:
- (a) complete the review of a personnel matter within 90 days of:

- (i) the making of the complaint to the Commission under *Subsection (1)*; or
 - (ii) where the Commission instigates the review, the instigation of the review.
 - (b) consider whether the decision in relation to the personnel matter was an appropriate decision having regard to the nature of the decision and the views of the officer and of the Departmental Head; and
 - (c) recommend the confirmation, variation or revocation of the decision in relation to the personnel matter in writing to the Departmental Head and to the Departmental Head of the Department of Personnel Management.
- (3) In carrying out a review of a personnel matter the Commission shall determine its own procedures but shall ensure that the views of the officer affected by the decision are put before it in relation to the personnel matter either in writing or orally.

APPENDIX G

Section 19 – Review of Organizational Matters

- (1) In the performance of its duty under *Section 19 (1) (b) [Functions of the Commission]* of the *National Constitution*, the Commission shall, before deciding whether advice should be given to the National Executive Council or other authority on a particular matter consider:
- (a) the relative importance of that matter; and
 - (b) any advice, recommendations, opinions or views submitted by any governmental body.
- (2) In formulating its advice the Commission shall have, as its principal objective, the communication of the view of the individual members of the Commission as representatives of officers of long - standing and experience in the National Public Service.