

REPUBLIC OF VANUATU

THE PUBLIC SERVICE (AMENDMENT) ACT No. 2 OF 1985

Arrangement of Sections

1. Amendment of Act No. 3 of 1981.
2. Commencement.

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THE PUBLIC SERVICE (AMENDMENT) ACT No. 2 OF 1985

Assent : 10/6/85
Commencement: 24/6/85

To amend the Public Service Act and provide for compulsory early retirement of public servants.

BE IT ENACTED by the President and Parliament as follows:-

AMENDMENT OF ACT No. 3 OF 1981

1. The Public Service Act No. 3 of 1981 is amended by adding the following new sections after section 3 -

"COMPULSORY RETIREMENT OF PUBLIC SERVANTS BY THE COMMISSION

3A. (1) Notwithstanding anything to the contrary contained in this Act or in any other law for the time being in force, for the purposes of ensuring the renewal of holders of public offices within the Public Service, the Commission after consultation with the Prime Minister may compulsorily retire any officer from the Public Service.

(2) Notice of compulsory retirement shall be given by or on behalf of the Commission in writing to an officer to whom subsection (1) applies.

(3) The notice referred to in subsection (2) shall state the day on which the officer to whom it is given shall be retired and shall be not less than three months after the day on which the notice is given to the officer.

SEVERANCE PAYMENT

3B. An officer retired in accordance with section 3A shall be entitled to receive from the Government a severance payment calculated at the rate of one month of the annual salary payable to the officer immediately before the day of retirement for each year served with the Vanuatu Government since the 30th day of July, 1980, and pro-rata for each uncompleted year.

PROVISIONS OF SECTIONS 3A and 3B TO PREVAIL

3C. For the avoidance of doubt where the provisions of sections 3A and 3B are inconsistent or in conflict with the provisions of the Employment Act No. 1 of 1983, the provisions of those sections shall prevail to the extent of such inconsistency or conflict."

COMMENCEMENT

2. This Act shall come into force on the day of its publication in the Gazette.