

CHAPTER 259

**PUBLIC SERVICE COMMISSION AND
LEGAL SERVICE COMMISSION ACT**

[Passed by Parliament on 16 July 2007 and assented to by the President
on 27 July 2007 and brought into operation by on 1 November 2007]

ARRANGEMENT OF SECTIONS

Section

1. Short title.
2. Offence to give false information to Commission.
3. Communications of Commission to be privileged.
4. Publication and disclosure of information to unauthorised persons prohibited.
5. Protection of members of Commission.
6. Offence to influence or attempt to influence Commission.
7. Consent of Public Prosecutor to prosecution.

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

[29th January 1957]

1. This Act may be cited as the [Public Service Commission and Legal Service Commission Act](#).

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

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

4.—(1) No member of the Commission or any other person shall, without the written permission of the President acting in his discretion, publish or disclose to any unauthorised person or otherwise than in the course of his duty the contents or any part of the contents of any document, communication or information whatsoever which has come to his knowledge in the course of his duties under any written law relating to the Commission in respect of any of the Commission's functions under any such law, and any person who knowingly acts in contravention of this sub-section shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$1,000 or to imprisonment for a term not exceeding one year or to both.

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

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

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

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

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

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

The amendments are highlighted in blue.