REPUBLIC OF VANUATU

PUBLIC SERVICE (AMENDMENT) ACT NO. 36 OF 2025

Arrangement of Sections

1 Amendment 2

2 Commencement 2

REPUBLIC OF VANUATU

Assent: **21/11/2025**
Commencement: **04/12/2025**

PUBLIC SERVICE (AMENDMENT) ACT NO. 36 OF 2025

An Act to amend the Public Service Act [CAP 246].

Be it enacted by the President and Parliament as follows-

1 Amendment

The Public Service Act [CAP 246] is amended as set out in the Schedule.

2 Commencement

This Act commences on the day on which it is published in the Gazette.

SCHEDULE

AMENDMENTS OF PUBLIC SERVICE ACT [CAP 246]

1 Subsection 11(1)

Delete "or a director", substitute ", a director or Secretary General"

2 After section 13

Insert

"13A Secretariat

The Secretary will provide a secretariat and administrative support services to the Commission and is the administrative head of the Office of the Public Service Commission."

3 Subsection 17A(1A)

Repeal the subsection, substitute

"(1A) The director- general is to hold office for a period of 4 years and is eligible for re-appointment for 1 term only.

(1AA) The person who was appointed as the director-general before the commencement of this Act will continue to serve as the director-general for the period set out under subsection (1A).

(1AB) The Commission is to conduct performance appraisals annually for each director-general, in consultation with the Prime Minister and relevant Minister."

4 Subsection 18(1A)

Repeal the subsection, substitute

"(1A) The director is to hold office for a period of 4 years and is eligible for re-appointment for 1 term only.

(1AA) The person who was appointed as the director before the commencement of this Act will continue to serve as the director for the period set out under subsection (1A).

(1AB) The Commission is to conduct performance appraisals annually for each director, in consultation with the Prime Minister and relevant Minister."

5 Paragraph 20(h)

Repeal the paragraph, substitute

"(h) must within 3 months after the end of each financial year provide a report relating to the operations of the Office, including the financial statements for the preceding year."

6 Section 22

Delete ", director or any other employee", substitute "or director"

7 Subsection 29A(2)

Delete "as if the criminal offence were a disciplinary offence"

8 Subsection 35(3)

Repeal the subsection, substitute

"(3) An employee may, with the prior approval of the Commission, be suspended by a director-general, director or Secretary General."

9 After subsection 35(3)

Insert

"(3A) In addition to subsection (3), an employee may, with the prior consultation with the Commission and the Director of the relevant Department that the employee is employed to, be suspended by a Secretary General."

10 Paragraph 37(9)(d)

Repeal the paragraph.

11 Paragraph 37(9)(f)

Delete ".", substitute "; or

(g) reinstate the offender with close supervision; or

(h) reinstate the offender with conditions; or

(i) reinstate the offender with an order for recovery of costs through deduction from salaries; or

(j) reinstate the offender with reimbursement of full salary arrears; or

(k) reinstate the offender with no reimbursement of salary arrears; or

(l) transfer the offender to another position at the same or similar level temporarily, pending the identification of a suitable permanent position."