

GENERAL REGULATIONS 1999

The Civil Service Commissioners for Northern Ireland ("the Commissioners") in exercise of their powers under the terms of Article 4(2) of the Civil Service Commissioners (Northern Ireland) Order 1999 ("the Order"), and with the approval of the Secretary of State, hereby make the following Regulations.

Preliminary

1. (1) These Regulations may be cited as the "Civil Service Commissioners for Northern Ireland General Regulations 1999" and shall come into operation forthwith.

(2) These Regulations prescribe the exceptions to the principle of selection on merit on the basis of fair and open competition ("the Merit Principle").

(3) In these Regulations, "secondment" means a voluntary and temporary transfer from a permanent employer for a fixed period which does not sever the employment relationship of the person seconded with the permanent employer.

Exceptions to the Merit Principle

2. Subject to any conditions which the Commissioners may specify in a recruitment code, the Merit Principle shall not apply to an appointment to a situation in the Civil Service:-

- a. where the person is appointed on secondment;
- b. where the person has previously held a situation in the Civil Service and is being considered for reinstatement or re-employment;
- c. where the person holds a situation in another Civil Service of the Crown;
- d. where the person is, or has recently been, employed on functions which have been or are being transferred to the Crown;
- e. where the person has reached an appropriate standard in a fair and open competition for another situation in the Civil Service without securing appointment and there is a demonstrable shortage of suitable candidates for the relevant situation;
- f. where the person has been selected for appointment under arrangements which include provision for encouragement and assistance to be given to any person who is defined as being a disabled person or as having a disability by or under any enactment relating to the employment of disabled persons;
- g. where the appointment is justified for exceptional reasons relating to the needs of the Civil Service, and the person proposed for appointment is of proven distinction; or
- h. where the person has been selected for an appointment under Government programmes to assist the unemployed and the total period of employment does not exceed 3 years.

Revocation

3. All General Regulations previously made by the Commissioners are hereby revoked.

Dated this 29th day of June 1999.

JUDITH EVE (Chairperson)

IAN DOHERTY

MARY DONNELLY

MARGARET ELLIOTT

SIDNEY McDOWELL

JOHN STEELE

Civil Service Commissioners for Northern Ireland

The Secretary of State hereby approves the foregoing Regulations.

MARJORIE MOWLAM
One of Her Majesty's Principal Secretaries of State