



**MINISTRY OF PUBLIC SERVICE, ADMINISTRATIVE AND
INSTITUTIONAL REFORMS
MAURITIUS**

13 May 2021

Ministry of Public Service, Administrative and Institutional Reforms
Circular Letter No. 21 of 2021
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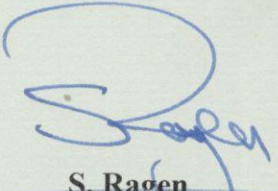
From : Secretary for Public Service

To : Supervising Officers in charge of Ministries/Departments

Guidelines on the Exercise of Discretionary Powers

Discretion is an important aspect of decision-making within the public sector and exists at all levels of public policy as well as law enforcement. It refers to the freedom and latitude to act on one's own authority and judgment in taking decisions and making choices within certain legal bounds. However, the exercise of discretionary powers may be misused or exercised arbitrarily thereby undermining integrity and leading to corrupt practices in the Public Sector.

2. Public Officials who are endowed with discretionary powers are expected to exercise such powers judiciously bearing in mind the legal and moral parameters. It is, therefore, imperative to set out appropriate guidelines for the judicious exercise and management of discretionary powers within the public sector that rests upon the principles of fairness, transparency, accountability and integrity.
3. In this context, the Independent Commission Against Corruption (ICAC), in collaboration with this Ministry, has developed a set of guidelines on the exercise of discretionary powers to prevent any potential risks and uphold integrity, transparency and accountability in the Public Sector. The Guidelines propose, inter alia, the setting up of an effective accountability mechanism in the form of check and balances to avoid corrupt practices and also define the key steps that need to be followed while exercising such powers. A copy of the guidelines is enclosed.
4. Supervising officers are kindly requested to take appropriate action at their level to implement the guidelines within their Ministry and Department as well as at the level of local Authorities/Para-Statal Bodies/State Owned Enterprises falling under their purview.
5. I rely on your support and cooperation in the matter.


S. Ragen
Secretary for Public Service

Copy to: *Secretary to Cabinet and Head of the Civil Service*

Enc.