

10. Functions of Minister, and ancillary powers

- (1) The functions of the Minister are —
 - (a) to promote the overall effectiveness and efficiency of the Public Sector, having regard to the principles set out in section 7;
 - (b) to advise other Ministers of the Crown on —
 - (i) structural changes;
 - (ii) programmes for management improvement; and
 - (iii) policies, practices and procedures relating to any aspect of management,
which, in the opinion of the Minister, should be implemented in order to improve the effectiveness and efficiency of the whole or any part of the Public Sector;
 - (c) to cause to be carried out planning for the future management and operation of the whole or any part of the Public Sector;
 - (d) to arrange for reviews to be conducted, on the initiative of the Minister or at the request of another Minister of the Crown, in respect of the functions, management or operations of one or more public sector bodies; and
 - (e) to perform such other functions as are conferred or imposed on the Minister by this Act.
- (2) The Minister has power to do all things that are necessary or convenient to be done for or in connection with the performance of the functions of the Minister.
- (3) A review may be conducted under subsection (1)(d) in respect of —
 - (a) the functions, management or operations of one public sector body;
 - (b) a part only of the functions, management or operations of one public sector body; or
 - (c) the functions, management or operations of more than one public sector body in related matters.
- (4) For the purpose of the performance of his or her functions under subsection (1)(d), the Minister, or an employee authorised in writing by the Minister, may —
 - (a) enter the premises of any public sector body;
 - (b) require the production of and examine any book, document or writing in the custody of any employee of a public sector body; and
 - (c) require any employee of a public sector body to answer questions,
and an employee referred to in paragraph (b) or (c) shall comply with a requirement made under that paragraph.
- (5) The powers conferred by subsection (4) are exercisable in relation to a public sector body only after consultation with the employing authority of the public sector body and the Minister of the Crown —
 - (a) who is responsible for the public sector body; or

- (b) to whom the administration of the Act under which the public sector body is established or continued is for the time being committed by the Governor.
- (6) Despite subsection (4), an employee of a public sector body has the same privileges in relation to —
 - (a) the production of a book, document or writing;
 - (b) the furnishing of any information; or
 - (c) the answering of questions,under this section as a witness has in the Supreme Court.
- (7) Nothing in this section takes away from —
 - (a) any enactment that imposes a prohibition or restriction on —
 - (i) the availability of any information; or
 - (ii) the production or examination of any book, document or writing;
 - or
 - (b) any privilege or immunity existing by custom or convention and relating to the production of books, documents, writings or information of previous Governments of the State.