



REPUBLIC OF NAURU

# PUBLIC SERVICE (AMENDMENT) BILL 2017

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No. of 2017

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A Bill for an Act to amend the *Public Service Act 2016*

Certified: [ ]

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Enacted by the Parliament of Nauru as follows:

**1 Short title**

This Act may be cited as the *Public Service (Amendment) Act 2017*.

**2 Commencement**

This Act commences upon certification by the Speaker.

**3 Amendment of Public Service Act 2016**

The Public Service Act 2016 is amended by the provisions of this Act.

**4 Insert new Subdivision 9A in Part 6**

In Part 6 of the Act, following sub division 9 – Long Service Leave, a new sub division 9A – Other Leave of Absence is inserted as follows:

**Subdivision 9A – Other Leave of Absence**

**80A Leave of absence for public service employees called as witnesses**

- (1) A public service employee who is subpoenaed or called as a witness in any court proceeding shall promptly notify the Head of his or her Department.
- (2) A public service employee who is subpoenaed or called as a witness on behalf of the Republic shall be granted leave with pay for the period necessary for his or her attendance as a witness.
- (3) Where it is necessary for the employee to travel to attend the court proceeding, the employee is entitled to the payment of travelling allowances and expenses as if he or she were travelling in the course of his or her duties.
- (4) A public service employee who, by reason of attending to give evidence in the circumstance referred to in subsection (2) receives payment, other than payment of travelling allowances and expenses by reason of the operation of that subsection, of witnesses' expenses, shall pay the amount received to the Republic.
- (5) Where a public service employee is subpoenaed or called as a witness in any other circumstances, he or she may be granted leave without pay and any fees received as a witness may be retained by the employee.