

REPUBLIC OF NAURU
PUBLIC SERVICE (AMENDMENT) BILL 2017
EXPLANATORY MEMORANDUM

The *Public Service (Amendment) Bill 2017* is a Bill to amend the *Public Service Act 2016*.

EXPLANATION OF CLAUSES

Clause 1 provides that, once enacted, the short title of the Act will be the *Public Service (Amendment) Act 2017*.

Clause 2 sets out when the Bill's provisions will commence.

Clause 3 is the enabling provision for the amendment of the Public Service Act 2016.

Clause 4 provides for a new sub division to be inserted in Part 6 of the Act. This new sub division provides for a situation where a public service employee is subpoenaed or called as a witness in a court proceeding. The public service employee must immediately notify his or her Head of Department upon the receipt of a subpoena or a call to be a witness.

A public service employee is entitled to leave with pay if he or she is called as a witness on behalf of the Republic. Further, where a public service employee is called as a witness of the Republic, he or she shall be entitled to the payment of travelling allowances and expenses as if he or she had travelled in the course of his or her duties.

Any payment received by the employee as a witness of the Republic, other than payment of travelling allowances and expenses, must be paid to the Republic.

An employee who is called or subpoenaed as a witness in any other circumstances shall be granted leave without pay in order to attend the court proceedings. Any payment received by the employee as a witness, in relation to court proceedings in other circumstances, may be retained by the employee.

This clause ensures that public service employees have a special leave of absence entitlement allowing them to be absent from their official duties without having to use their annual leave entitlements.