

EXTRAORDINARY

GOVERNMENT OF FIJI GAZETTE SUPPLEMENT

No. 17

TUESDAY, 23rd MAY

2017

[LEGAL NOTICE NO. 35]

CIVIL SERVICE ACT 1999

**Civil Service (Discipline) (Amendment) Regulations
2017**

IN exercise of the powers conferred on it by section 15 of the Civil Service Act 1999 and with the agreement of the Prime Minister, the Public Service Commission makes these Regulations—

Short title and commencement

1.—(1) These Regulations may be cited as the Civil Service (Discipline) (Amendment) Regulations 2017.

(2) These Regulations come into force on the date of publication in the Gazette.

(3) In these Regulations, the Civil Service (Discipline) Regulations 2009 is referred to as the “Principal Regulations”.

Regulation 3 amended

2. Regulation 3 of the Principal Regulations is amended by—

(a) deleting the definition of “disciplinary charges” and substituting the following—

““disciplinary charge” means a charge or allegation against an employee in accordance with written guidelines issued by the Commission and involving breaches of the Civil Service Code of Conduct under sections 6 and 7 of the Act;” and

(b) inserting the following new definition—

““investigation” means an investigation conducted and documented in accordance with written guidelines or policies issued by the Commission;”.

Regulation 16 amended

3. Regulation 16 of the Principal Regulations is amended by—

(a) deleting subregulation (1) and substituting the following—

“(1) Where—

(a) a disciplinary charge is laid against an employee following an investigation into a breach of the Civil Service Code of Conduct; and

- (b) the investigation has been conducted and documented in accordance with written guidelines or policies issued by the Commission,

and the employing authority decides to initiate disciplinary action, the employing authority must refer the disciplinary action and provide all documentation to the Tribunal in accordance with timelines set by written guidelines or policies issued by the Commission.”; and

- (b) inserting after subregulation (2) the following new subregulation—

“(3) In this regulation, “employing authority” means the Commission or the permanent secretary of the responsible ministry, as applicable.”.

New regulation 16A inserted

4. The Principal Regulations are amended by inserting after regulation 16 the following new regulation—

“Discipline manual

16A.—(1) Every permanent secretary must develop a discipline manual detailing the steps required in investigating and documenting any disciplinary charge and disciplinary action in the permanent secretary’s respective ministry.

(2) The discipline manual must comply with all procedural requirements of the Tribunal and written guidelines and instructions issued by the Commission.”

Made this 23rd day of May 2017.

V. MOHAN
Chairperson
Public Service Commission

Approved by the Prime Minister this 23rd day of May 2017.

A. SAYED-KHAIYUM
Acting Prime Minister