

PUBLIC SERVICE RULES 2004

1 Name

These Rules are the Public Service Rules 2004.

2 National Employer

- (1) The Employer for the National Public Service is the Tokelau Administration.
- (2) The Council for the Ongoing Government shall appoint a General Manager Apia and Directors who shall be responsible for the appointment, discipline, and termination of employment of members of the National Public Service and for issuing general instructions on standards of behaviour expected of employees.
- (3)
 - (i) The General Manager Apia shall coordinate the activities of Directors and shall monitor and report to the Council for the Ongoing Government on these activities and the performance of Directors.
 - (ii) The Council for the Ongoing Government is responsible for discipline and termination of employment of the General Manager Apia and Directors and for the final decision of any appeal against a decision of the General Manager Apia or of a Director.
- (4) The General Manager Apia shall be appointed for such term (not exceeding 3 years) and on such conditions as the General Fono thinks fit.
- (5) The General Manager Apia and each Director may delegate authority in writing to any person in the public service.
- (6) The General Manager Apia and each Director shall before 1 April each year, and at any time requested in writing by the Faipule responsible for public service matters, report on the activities of the National Public Service for which that person is responsible.

3 Employment in the National Public Service

- (1) No person shall be employed in the National Public Service unless appointed to that employment under these Rules.

- (2) Paragraph (1) does not apply to the appointments of members of the General Fono, the Chairperson of the General Fono, Law Commissioners, or to appointments made by a village.
- (3) [See now 2006/2]
- (4) The Council for the Ongoing Government, the General Manager Apia and Directors may consult and take advice about public service matters, but shall at all times respect the privacy and personal information of individuals, and all decisions shall be taken in the exercise of independent judgment.

4 Employment conditions

- (1) Decisions on the range of positions in the National Public Service and the Village Public Services, and the salary levels and other payments within these services shall be established by the General Fono and clearly stated in the Tokelau Employment Manual.
- (2) Every person employed in the National Public Service or in the public service of a village shall, unless otherwise expressly provided in the employment contract, be employed in accordance with the conditions set out in the Tokelau Public Service Manual and with any instructions issued by the employer.
- (3) Amendment to the Tokelau Public Service Manual shall be by resolution of the General Fono.

5 Transition

[Spent]

6 Repeal

[Spent]
