



REPUBLIC OF NAURU

PUBLIC SERVICE (AMENDMENT) ACT 2018

No. 3 of 2018

An Act to amend the *Public Service Act 2016*

Certified: 26th January 2018

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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 2018*.

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 Amendment of section 49

Section 49(3) is repealed.

5 Amendment of section 51

Insert new subsection (1A):

(1A) An employee may only apply to take leave under subsection (1) if his or her leave calculated under section 49(2) is not less than 5 days at any given time.

6 Amendment of section 76

Section 76 is amended by inserting the word 'permanent' before the word 'employee' where it first appears.

The clause will now read:

'Leave without pay may be available to a permanent employee to enable the employee to be absent from duty in circumstances in which the employee cannot access any other type of leave.'

7 Amendment of section 103

Section 103 is amended by inserting a new subsection (3) as follows:

(3) Where, before an employee has completed twelve years' service in the Public Service and either before or after he or she has attained the age of sixty years:

(a) the employee dies; or

(b) the Chief Secretary, after consideration of all the circumstances, directs that the death of the employee be presumed, -

the Chief Secretary may authorise payment to the dependants of the employee of a sum equivalent to the amount of salary which the

Chief Secretary could have authorised to be paid to the employee under subsection (2) where:

- (i) he or she had retired from the Public Service on the date of his or her death or, where the Chief Secretary has directed that the death of the employee be presumed, on a date determined by the Chief Secretary; and
- (ii) in the case of an employee who had not attained the age of sixty years at that date, he or she had attained that age.