



REPUBLIC OF NAURU

PARLIAMENTARY SERVICES (APPEALS) REGULATIONS 2021

SL No. 18 of 2021

Notified: 6th July 2021

Table of Provisions

1	Citation	2
2	Commencement	2
3	Interpretation	2
4	Commencing an appeal.....	2
5	Notice to attend	2
6	Appeal out of time	2
7	Withdrawal of appeal	2
8	Severance of appellants	3
9	Interlocutory decision not appealable	3
	SCHEDULE.....	4

The Speaker makes the following Regulations under Section 37(c) of the *Parliamentary Services Act 2020*:

1 Citation

These Regulations may be cited as the *Parliamentary Services (Appeals) Regulations 2021*.

2 Commencement

These Regulations come into effect on the day they are notified in the Gazette.

3 Interpretation

In these Regulations:

‘Board’ means the Public Service Appeals Board established pursuant to Article 70(1) of the *Constitution* and constituted in *Section 105* of the *Public Service Act 2016*; and

‘Clerk’ means the Clerk of Parliament.

4 Commencing an appeal

An employee aggrieved by a decision of the Clerk may appeal such decision of the Clerk to the Board in Form 1 in the Schedule.

5 Notice to Attend

A notice in Form 2 in the Schedule must be issued to the parties to attend before the Board.

6 Appeal out of time

- (1) An appeal is not to be permitted to be lodged after the time for lodging the appeal has lapsed.
- (2) Subject to subregulation (3), an aggrieved employee may seek leave to lodge an appeal out of time with the approval of the Chairperson of the Board.
- (3) If the Chairperson of the Board grants leave to file an appeal out of time, the Clerk may apply to the Board have the appeal struck out summarily on the grounds that:
 - (a) the appeal was not filed within the stipulated time; and
 - (b) there is an inordinate delay; and
 - (c) there is prejudice or it is detrimental to good administration of the Office.

7 Withdrawal of appeal

- (1) An appellant may withdraw or discontinue an appeal in writing to the Board at any time prior to the delivery of the decision of the Board.
- (2) If an appeal against a decision of the Clerk is withdrawn or discontinued under subregulation (1), no further appeals are to be filed by the appellant without the prior leave of the Board.

8 Severance of appellants

If:

- (a) in an appeal there is more than one appellant; and
- (b) any 1 or more of the appellants exercise their right to withdraw or discontinue the appeal under Regulation 7,

any remaining appellant may continue with the appeal.

9 Interlocutory decision not appealable

There is no appeal of any interlocutory decision or a decision to suspend an employee by the Clerk pending the investigation or the final determination of a disciplinary proceeding.