

83. Powers of employing authority other than Minister after investigation of alleged breach of discipline

- (1) If, following the investigation of an alleged breach of discipline under section 81, an employing authority which is not the Minister finds, whether as a result of its own investigation or that of a person directed under section 81(2)(a), that —
 - (a) a minor breach of discipline was committed by the respondent, that employing authority may in accordance with prescribed procedures —
 - (i) reprimand the respondent;
 - (ii) impose on the respondent a fine not exceeding an amount equal to the amount of remuneration received by the respondent in respect of the last day during which he or she was at work as an employee before the day on which that finding was made; or
 - (iii) both reprimand, and impose the fine referred to in subparagraph (ii) on, the respondent;
 - (b) a serious breach of discipline appears to have been committed by the respondent, that employing authority shall cause the respondent to be charged in accordance with prescribed procedures with having committed that alleged breach of discipline; or
 - (c) no breach of discipline was committed by the respondent, notify the respondent of that finding and that no further action will be taken in the matter.
- (2) For the purposes of this section, a breach of discipline committed as a result of disobedience to, or disregard of, a lawful order referred to in section 94(4) is a serious breach of discipline.