

88. Procedure on receipt of finding and recommendation from special disciplinary inquiry

- (1) On receiving a finding and recommendation made under section 87(3), the employing authority shall, subject to section 89 —
 - (a) accept that finding; and
 - (b) in the case of a recommendation made under —
 - (i) section 87(3)(a) in relation to a charge of committing a breach of discipline consisting of disobedience to, or disregard of, a lawful order referred to in section 94(4), dismiss the respondent;
 - (ii) section 87(3)(a) in relation to a charge other than a charge referred to in subparagraph (i), accept that recommendation and act accordingly in relation to the respondent, or decline to accept that recommendation and take such other action in relation to the respondent as could have been recommended under that section; or
 - (iii) section 87(3)(b), accept that recommendation and act accordingly in relation to the respondent.
- (2) The Minister shall, if he or she, whilst acting in his or her capacity as an employing authority, declines under subsection (1)(b)(ii) to accept a recommendation and takes other action in relation to the respondent, cause notice of that fact and of the taking of that other action to be published in the *Gazette* as soon as practicable.