

**81. Procedure when breach of discipline suspected**

- (1) An employing authority may, when it suspects that a person has committed a breach of discipline whilst serving as an employee in its public sector body and has given the person such notice in writing of the nature of the suspected breach of discipline as is prescribed, give the person a reasonable opportunity to submit an explanation to the employing authority.
- (2) After having given the respondent the reasonable opportunity referred to in subsection (1), the employing authority may —
  - (a) if it is not the Minister, investigate or direct another person to investigate; or
  - (b) if it is the Minister, direct another person to investigate,the suspected breach of discipline in accordance with prescribed procedures.
- (3) A person to whom a direction is given under subsection (2) shall comply with that direction.
- (4) A direction shall not be given under subsection (2) to the Commissioner.