

# NATURAL JUSTICE

## Employment Instruction Number 3

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### 1. **Scope**

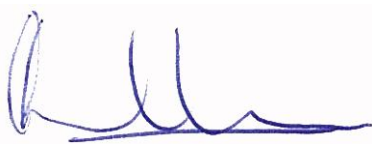
1.1. This Employment Instruction:

- a) sets out the principles of natural justice to ensure that persons exercising powers and functions under the *Public Sector Employment and Management Act* (the Act) understand the principles and apply them properly;
- b) is issued in accordance with section 16 of the Act; and
- c) is to be read in conjunction with the Act.

### 2. **Natural Justice**

2.1. A person who may be adversely affected by an impending decision must be afforded natural justice before a final decision is made. This means that:

- a) the person must be informed of any adverse information and other relevant information that may be taken into account by the decision maker;
- b) the person must be given a reasonable opportunity to respond to the information including providing any evidence he or she wishes to include in the response;
- c) the decision maker must impartially consider the employee's submissions, prior to making a decision; and
- d) a decision maker must not have a personal interest in the outcome of a decision, and he or she must make the decision in a fair and considered manner, based on a consideration of all of relevant information.



**GRAHAM SYMONS**  
**Commissioner for Public Employment**

14 December 2011