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