



AUSTRALIAN CAPITAL TERRITORY

## Public Sector Management (Amendment) Act 1996

No. 24 of 1996

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### **An Act to amend the *Public Sector Management Act 1994***

*[Notified in ACT Gazette S101: 4 June 1996]*

The Legislative Assembly for the Australian Capital Territory enacts as follows:

#### **Short title**

1. This Act may be cited as the *Public Sector Management (Amendment) Act 1996*.

#### **Commencement**

2. This Act commences on the day on which the *Financial Management Act 1996* commences.

#### **Principal Act**

3. In this Act, “Principal Act” means the *Public Sector Management Act 1994*.<sup>1</sup>

#### **Interpretation**

4. Section 3 of the Principal Act is amended—

(a) by omitting from subsection (1) the definition of “autonomous instrumentality” and substituting the following definition:

“ ‘autonomous instrumentality’ means—

(a) the Auditor-General’s office; or

- (b) the Office of the Director of Public Prosecutions;”;  
and
- (b) by inserting in subsection (1) the following definitions:
  - “ ‘Auditor-General’s office’ means the Auditor-General and the staff assisting the Auditor-General under section 23 of the *Auditor-General Act 1996*;
  - ‘chief executive officer’, in relation to an autonomous instrumentality, means—
    - (a) in the case of the Office of the Director of Public Prosecutions—the Director of Public Prosecutions;  
and
    - (b) in the case of the Auditor-General’s office—the Auditor-General;”.

### **Substitution**

5. Section 37 of the Principal Act is repealed and the following section substituted:

### **Delegations in autonomous instrumentalities**

“37. The chief executive officer of an autonomous instrumentality may delegate all or any of the officer’s powers under this Act to a member of the staff of the instrumentality.”.

### **Development of programs in autonomous instrumentalities**

6. Section 43 of the Principal Act is amended by omitting from paragraph (a) “instrumentality” and substituting “chief executive officer of the instrumentality”.

### **Creation and abolition of offices**

7. Section 54A of the Principal Act is amended by omitting subsection (4) and substituting the following subsection:

“(4) In the application of this section to an autonomous instrumentality, a reference to the administering Chief Executive shall be read as a reference to the chief executive officer of the instrumentality.”.

### **Reclassification of offices in autonomous instrumentalities**

8. Section 59 of the Principal Act is amended by omitting “the Office of the Director of Public Prosecutions” and substituting “an autonomous instrumentality”.

**Substitution**

9. Section 64 of the Principal Act is repealed and the following section substituted:

**Application to autonomous instrumentalities**

“64. Unless the contrary intention appears, the provisions of this Part (other than sections 73 and 74) apply in relation to an autonomous instrumentality as if a reference to the Commissioner in the applicable provisions were a reference to the chief executive officer of the instrumentality.”.

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**NOTE**

**Principal Act**

1. Reprinted as at 1 January 1996.

*[Presentation speech made in Assembly on 18 April 1996]*

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