

1999
THE LEGISLATIVE ASSEMBLY
FOR THE AUSTRALIAN CAPITAL TERRITORY

(As presented)

(Chief Minister)

**Public Sector Management (Amendment)
Bill 1999**

A BILL

FOR

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

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

1. Short title

This Act may be cited as the *Public Sector Management
5 (Amendment) Act 1999*.

2. Commencement

(1) Subject to subsection (2), this Act commences on the day on which it is notified in the *Gazette*.

(2) Paragraph 4 (c) and sections 9 and 10 commence on 1 July 1999.

99012 (1998/227) (T12/1999)

Authorised by the ACT Parliamentary Counsel—also accessible at www.legislation.act.gov.au

3. Principal Act

In this Act, "Principal Act" means the *Public Sector Management Act 1994*.¹

4. Interpretation

5 Section 3 of the Principal Act is amended—

(a) by omitting from the end of paragraph (a) of the definition of "criminal offence" in subsection (1) "or";

(b) by inserting after paragraph (a) of the definition of "criminal offence" in subsection (1) the following paragraph:

10 “(ab) an offence against a law of a State or another Territory, being an offence of a kind which if committed in, or within the jurisdiction of, the Territory would constitute an offence against a law of the Territory; or”; and

15 (c) by omitting from subsection (1) the definitions of "Gazette" and "Territory Gazette".

5. Appointments on probation—training offices and teaching offices

Section 71 of the Principal Act is amended—

20 (a) by omitting from paragraph (1) (c) "paragraph 70 (3) (b)" and substituting "subsection 70 (3)"; and

(b) by omitting from paragraph (2) (c) "paragraph 70 (3) (b)" and substituting "subsection 70 (3)".

6. Officers of the Australian Public Service engaged to perform the duties of Chief Executive or Executive offices

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Section 116 of the Principal Act is amended by omitting from subsection (2) "section 28" and substituting "section 72".

7. Engagement of certain former officers and employees prohibited

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Section 248A of the Principal Act is amended by inserting in subsection (2) " , without the consent in writing of the Commissioner," after "shall not".

8. Management standards

35 Section 251 of the Principal Act is amended by adding at the end the following subsections:

“(7) An approval by the Chief Minister under subsection (1) may be given in respect of all management standards to be made for a specified purpose.

“(8) An approval of the kind referred to in subsection (7) may be given subject to conditions to be complied with by the Commissioner in making management standards to which the approval relates.”.

9. Further amendments

5 The Principal Act is further amended as set out in the Schedule.

10. Saving

10 A notice published in the *Commonwealth Gazette* before the commencement of this section under subsection 18 (2), section 34, 66 or 81, subsection 83 (2) or 85 (5), paragraph 88 (5) (c) or (9) (a) or 89 (3) (a) or subsection 89 (7), 97 (2), 98 (10) or 205 (3) of the Principal Act shall, after the commencement of this section, have effect as if it had been published in the *Gazette*.

SCHEDULE

Section 11

FURTHER AMENDMENTS

1. The following provisions of the Principal Act are amended by omitting "Territory Gazette" and substituting "Gazette":

5 Subsections 3 (2) and 13 (3), section 14, paragraph 253 (1) (a) and subsection 253 (2).

2. The following provisions of the Principal Act are amended by omitting "Gazette" (wherever occurring) and substituting "Gazette":

10 Subsection 18 (2), sections 34, 66 and 81, subsections 83 (2) and 85 (5), paragraphs 88 (5) (c) and (9) (a) and 89 (3) (a) and subsections 89 (7), 97 (2), 98 (10), 115 (1) and 205 (3).

NOTE

Principal Act

1. Reprinted as at 30 June 1997. See also Acts No. 74, 1997; No. 54, 1998.