

Australian Capital Territory

Public Sector Management Amendment Standard 2003 (No 5)

Disallowable instrument DI2003—167

made under the

Public Sector Management Act 1994, s 251 (Management Standards)

I amend the Management Standards as set out in Schedule 1 and Schedule 2.

Pamela Davoren
Acting Commissioner for Public Administration

24/6/ 2003

Approved under the *Public Sector Management Act 1994, s 251*
(Management Standards)

Jon Stanhope
Chief Minister

19/6/ 2003

SCHEDULE 1 TO DISALLOWABLE INSTRUMENT No 2003-167

PROVISION OF MANAGEMENT STANDARDS		
Part	Part/Rule Description	AMENDMENT
Standard 1	Part 2 Rule 2: Interpretation	Omit Rule 2, Part 2, Standard 1. Substitute new Rule 2, Part 2, Standard 1.
Standard 1	Part 2 Rule 4: Second jobs	Omit Rule 4, Part 2, Standard 1. Substitute new Rule 4, Part 2, Standard 1.
Standard 1	Part 5 Rule 2: Interpretation	Omit Rule 2, Part 5, Standard 1. Substitute new Rule 2, Part 5, Standard 1.
Standard 1	Part 5 Rule 3: General	Omit Rule 3, Part 5, Standard 1. Substitute new Rule 3, Part 5, Standard 1.
Standard 1	Part 5 Rule 4: Network Resources	Omit Rule 4, Part 5, Standard 1. Substitute new Rule 4, Part 5, Standard 1.
Standard 1	Part 5 Rule 5: Electronic Mail (both internal and external)	Omit Rule 5, Part 5, Standard 1. Substitute new Rule 5, Part 5, Standard 1.

SCHEDULE 2 TO DISALLOWABLE INSTRUMENT No 2003-167

New Rule 2, Part 2, Standard 1

2. Interpretation

In this Part unless the contrary intention appears:

'*Code of Ethics*' means the general obligations of public employees under section 9 of the Act

'*confidential information*' means information which it is an officer's duty not to disclose and, in the case of a former officer, information which, at the time they cease to be an officer, it was their duty not to disclose

'*core hours*' means hours which are determined by the relevant Chief Executive

'*officer*' means an officer covered by the Code of Ethics, except where specifically excluded

'*second job*' means employment other than an officer's current ACTPS office and includes employment or any other activity within the scope of section 244 of the Act and includes a second job in the ACT Government

New Rule 4, Part 2, Standard 1

4. Second jobs

Under section 244 of the Act, an officer must not without the written approval of the Chief Executive of an agency:

- accept or continue to hold paid employment in the Commonwealth or under the Government of a State, or in or under any public or municipal corporation;
- engage in or continue to hold or discharge the duties of, or be in paid employment in connection with any business whether carried on by any corporation, company, firm or individual;
- engage in or undertake any such business, whether as principal or agent;
- engage or continue in the private practice of any profession, occupation or trade or enter into any employment, whether remunerative or not, with any person, company or firm who or which is so engaged;
- act as a director of a company or incorporated society, otherwise than in accordance with the requirements of the duties of the officer's office or otherwise on behalf of the Territory; or
- accept or engage in any remunerative employment other than in connection with the duties of their office or offices under the Territory.

Examples of a second job include:

- a second ACT Government position;
- a part-time job outside of core hours;
- employment taken up during recreation, long service or other leave; or
- any other profitable activity outside official duties - for instance, the holding of directorships, and engagement as tax agents.

A Chief Executive must not, except in accordance with the written approval of the Chief Minister, accept or engage in any remunerative employment other than in connection with the performance of their duties in the ACTPS (section 35 of the Act).

Executive contracts also apply the provisions of section 244 of the Act, to require an Executive to seek the agreement of the Chief Executive to any other employment.

An officer must put their current ACTPS position before any other employment. Due to the high risk of a real or apparent conflict of interest, all officers who want to begin a second job must, under section 244 of the Act, get prior approval from their Chief Executive.

An officer on leave, including long service leave and leave without pay, wishing to undertake a second job while on leave must apply for permission to do so under section 244 of the Act. An application should be attached to the relevant leave form.

New Rule 2, Part 5, Standard 1

2. Interpretation

In this Part unless the contrary intention appears:

'Code of Ethics' means the general obligations of public employees under section 9 of the Act

'employees' are defined as an employee or officer covered by the Code of Ethics, except where specifically excluded

'IT Resources' are defined as information technology owned and/or controlled by the Territory, including computers, printers, network infrastructure and electronic mail

New Rule 3, Part 5, Standard 1

3. General

An employee must ensure that he or she does not access, download or store inappropriate material.

An employee must not use IT Resources to publish or communicate inappropriate material, including material which could be considered defamatory.

New Rule 4, Part 5, Standard 1

4. Network Resources

An employee must not save unofficial software and/or large personal files, including personal cc:Mail archives, to any network drive.

New Rule 5, Part 5, Standard 1

5. Electronic Mail (both internal and external)

An employee must ensure that personal correspondence does not interfere with their duties and wherever possible deal with this correspondence outside working hours.