

Australian Capital Territory

# **Public Sector Management Amendment Standards 2007 (No 8)**

**Disallowable instrument DI2007-246**

made under the

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

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I amend the Standards as set out below.

Catherine Hudson  
Commissioner for Public Administration

22/10/2007

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

Jon Stanhope  
Chief Minister

12/10/2007



Australian Capital Territory

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Disallowable instrument DI2007-246

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

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**1 Name of instrument**

This instrument is the *Public Sector Management Amendment Standards 2007 (No 8)*.

**2 Commencement**

This instrument commences on 1 December 2007.

**3 Legislation amended**

This instrument amends the *Public Sector Management Standards 2006*.

**4 Section 371, new definition of *day***

*insert*

*day* means, as appropriate, a calendar day, or the ordinary working hours of an officer in a calendar day.

**5 Section 371, new definition of *notional period***

*insert*

*notional period* means the total period, measured in weeks, when all recreation leave credits accrued before 1 December 2007 on either a full time or a part time basis, including on multiple full time or part time bases, are combined.

**6 Section 371, new definition of *relevant period***

*insert*

*relevant period* means the period of paid recreation leave granted by a Chief Executive.

**7 Section 371, new definition of week**

*insert*

**week** means, as appropriate, a calendar week, or the ordinary working hours of an officer in a calendar week.

**8 Section 373**

*omit*

credits

*insert*

credit

**9 Section 374**

*substitute*

**374 Grant of recreation leave – general**

- (1) A Chief Executive may grant paid recreation leave for the relevant period, expressed in hours, up to an officer's available credit.
- (2) Recreation leave can be granted up to an officer's available credit on full pay for the relevant period or on half pay for a period not exceeding twice the relevant period.

**10 Section 376 (4)**

*omit*

credits

*insert*

credit

**11 Section 378***substitute***378 Accrual of recreation leave credit**

- (1) Recreation leave accrues on a daily basis and is expressed in hours.
- (2) An officer is entitled to an equivalent of four weeks recreation leave for every calendar year of service.
- (3) The total number of hours of recreation leave credit accrued will differ according to the number of hours worked by an officer during the calendar year.
- (4) Part-time officers will accrue a pro-rata credit based on the number of hours worked.
- (5) The leave accrued for each calendar year can be calculated as follows:

$$\frac{(A \times B \times 4)}{C} = \text{total hours of leave accrued per day}$$

where:

A = number of ordinary hours per week worked; and

B = one (or zero where the day does not count as service); and

C = number of calendar days in the year.

- (6) If an officer takes an aggregate of more than one working month of leave that does not count as service, for each month of such leave taken, the officer's recreation leave credit is reduced by one twelfth of the officer's annual recreation leave entitlement.
- (7) A teacher or a school assistant in schools who commences duty on or before the first school day of a calendar year, and works without a break in service, during the year, are entitled to the equivalent of

four weeks recreation leave, expressed in hours, for each calendar year of service, for their ordinary hours of duty.

**12 Section 379 (1)**

*after*

days

*insert*

, expressed in hours,

**13 Section 379 (7)**

*after*

day

*insert*

expressed in hours,

**14 Section 380**

*omit*

**15 Section 381**

*substitute*

**381 Deferral of accrual of recreation leave for certain purposes**

If recreation leave considered to have been taken under this part is to be applied to an officer who has been on leave, other than on recreation leave, for more than a year, any recreation leave credit which falls due during that period of leave should be treated as if it was credited on the date the officer resumes duty.



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**16 Section 383 (2)**

*omit 1st mention of*

a

*insert*

their

**17 Section 383 (5)**

*omit 2nd mention of*

an

**18 Section 383 (10)**

*omit*

Recreation leave credits

*insert*

The recreation leave credit

**19 Section 385**

*substitute*

**385 Recreation leave credit for officers with multiple leave balances**

- (1) Where, prior to 1 December 2007, an officer has accrued more than one recreation leave credit balance, on 1 December 2007 the multiple balances are amalgamated into a single recreation leave credit, expressed in hours.
- (2) Where an officer's multiple recreation leave credit balances are amalgamated into a single credit balance under subsection (1) and the resultant period is less than their notional period of recreation

leave, then the officer is eligible to access leave without pay under subsection (3).

**Example**

Where, prior to 1 December 2007, an officer accrued two weeks recreation leave while working normal hours of 10 hours per week (a 20 hour credit balance), then changed to normal working hours of 20 hours per week and accrued one week of annual leave (a separate 20 hour credit balance), the officer has a notional period of three weeks recreation leave credit, and an amalgamated leave balance of 40 hours (equivalent to two weeks credit at their current normal working hours). The officer would be eligible to one week of leave without pay.

- (3) An officer may access leave without pay for a period not exceeding the difference between their recreation leave credit and their notional period of recreation leave accrued before 1 December 2007.
- (4) Leave without pay accessed under subsection (3) counts as service for all purposes.
- (5) Leave without pay accessed under subsection (3) can only be taken in conjunction with recreation leave accrued before 1 December 2007.
- (6) Subject to subsection (5) and to available recreation leave credit accrued before 1 December 2007, there is no limitation on how often leave without pay can be accessed under subsection (3).
- (7) Once the officer's recreation leave credit accrued before 1 December 2007 is exhausted, the officer can no longer access leave without pay under subsection (3).
- (8) Where an officer has approval to take recreation leave at half pay for a period not exceeding double their available credit, a chief executive may approve a period of leave without pay accessed under subsection (3) to be doubled.

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## Endnotes

**1 Notification**

Notified under the Legislation Act on 25 October 2007.

**2 Republications of amended laws**

For the latest republication of amended laws, see [www.legislation.act.gov.au](http://www.legislation.act.gov.au).

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