

Australian Capital Territory

Public Sector Management Amendment Standards 2019 (No 1)

Disallowable instrument DI2019-220

made under the

[Public Sector Management Act 1994](#), s 251 (Management standards)

I amend the Standards as set out below.

Kathy Leigh
Head of Service

Date

25 September 2019

Approved under the [Public Sector Management Act 1994](#), s 251 (Management standards)

Andrew Barr
Chief Minister

Date

25 September 2019

J2019-1048

Australian Capital Territory

Public Sector Management Amendment Standards 2019 (No 1)

made under the

[Public Sector Management Act 1994](#), s 251 (Management standards)

1 Name of instrument

This instrument is the *Public Sector Management Amendment Standards 2019 (No 1)*.

2 Commencement

This instrument commences on the commencement of the *Public Sector Management Amendment Act 2019*, section 3.

Note The naming and commencement provisions automatically commence on the notification day (see [Legislation Act](#), s 75 (1)).

3 Legislation amended

This instrument amends the *Public Sector Management Standards 2016*.

4 New section 113A

insert

113A Pro rata payment instead of long service leave—certain termination circumstances

- (1) This section applies if—
 - (a) an officer's employment is ended other than for—
 - (i) serious misconduct; or
 - (ii) a circumstance mentioned in the repealed standards, section 307 (3) (a) (Payment in lieu of long service leave—cessation of employment); and
 - (b) on the day the employment ends, the officer's eligible employment for working out the officer's long service leave entitlement is at least 5 years but less than 7 years.

Note This section applies in addition to repealed provisions dealing with long service leave entitlements that have been preserved under s 113.

- (2) The officer must be paid an amount equal to the amount of remuneration the officer would have been paid if the officer—
 - (a) were eligible to take long service leave on the day the officer's employment ended; and
 - (b) had taken all the long service leave accrued to the officer on that day.

- (3) In this section:
officer includes an employee.

serious misconduct—see the *Fair Work Regulations 2009* (Cwlth), regulation 1.07.