Australian Capital Territory

Public Sector Management Amendment Standards 2024 (No 2)

Disallowable instrument DI2024-287

made under the

[Public Sector Management Act 1994](http://www.legislation.act.gov.au/a/1994-37), s 251 (Management Standards)

I amend the Standards as set out below.

Kathy Leigh
Head of Service

Date 11 September 2024

Approved under the [Public Sector Management Act 1994](http://www.legislation.act.gov.au/a/1994-37), s 251 (Management Standards)

Andrew Barr
Chief Minister

Date 11 September 2024

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made under the

[Public Sector Management Act 1994](http://www.legislation.act.gov.au/a/1994-37), s 251 (Management Standards)

1 Name of instrument

This instrument is the *Public Sector Management Amendment Standards 2024 (No 2)*.

2 Commencement

This instrument commences on the day after its notification day.

Note The naming and commencement provisions automatically commence on the notification day (see [Legislation Act](http://www.legislation.act.gov.au/a/2001-14), s 75 (1)).

3 Legislation amended

This instrument amends the Public Sector Management Standards 2016.

4 New section 55 (1A)

insert

 (1A) For subsection (1), a reference to a long-term SES member includes a short-term SES member engaged under section 55A.

5 New section 55A

insert

55A Consecutive engagement of long-term SES member as short‑term SES member

 (1) The engager may engage a long‑term SES member as a short‑term SES member immediately after the SES member’s current engagement has ended (a consecutive engagement) if—

 (a) the engager is satisfied that during the SES member’s current engagement, the SES member met all expectations set out in the SES member’s approved performance agreement; and

 (b) there will be no working day between the SES member’s current engagement and the first day of the SES member’s subsequent short-term engagement.

 (2) The SES member must be engaged at the same classification as the classification for the SES member’s current engagement.

 (3) If the engager does not tell the SES member, in writing, that the SES member will not be offered consecutive engagement as an SES member at least 3 months before the day stated in the SES member’s contract as the end of the SES member’s current engagement, the SES member must be paid the relevant amount unless—

 (a) the SES member has accepted other employment in the public sector; or

 (b) the SES member is entitled to another form of payment for not being engaged in consecutive engagement.

 (4) In this section:

relevant amount, for a short-term SES member—

 (a) means 25% of the SES member’s annual salary on the last day of the SES member’s engagement; but

 (b) does not include cash payments (for example, cash payments instead of employer-provided benefits).

6 New section 56 (3)

insert

 (3) In this section:

long-term SES member includes a short‑term SES member engaged under section 55A.