

Australian Capital Territory

Public Sector Management Amendment Standards 2024 (No 2)

Disallowable instrument DI2024-287

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 11 September 2024

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

Andrew Barr
Chief Minister

Date 11 September 2024

Australian Capital Territory

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Public Sector Management Act 1994, 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](#), 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.