

EXPLANATORY STATEMENT

PUBLIC SECTOR MANAGEMENT AMENDMENT STANDARD 2004 (No 7) DISALLOWABLE INSTRUMENT DI2004-229

Public Sector Management Act 1994

Legislative Context

The *Public Sector Management Act 1994* (the Act) regulates the management of the public sector. Section 251 of the Act empowers the Commissioner, with the approval in advance of the Chief Minister, to make Public Sector Management Standards (the Standards) for the purposes of the Act.

Outline

Standard 2 Part 10 sets certain classification and structure requirements in accordance with section 56 of the Act.

The primary amendment to the Management Standards includes a new classification of independent reviewers and consequential changes as a result of the new classification.

Under Agency Certified Agreements, procedures are in place for the review of employment related decisions. Independent reviewers are persons approved by the Commissioner for Public Administration (in consultation/agreement with relevant unions) who review and make recommendations to the relevant decision maker on those employment related matters.

The amendments to Standard 2 Part 10 insert new Rule 13 to set in place remuneration and other conditions for persons engaged as independent reviewers. Due to the infrequent nature of the work, the new Rule provides that leave loading is paid irrespective of hours worked or periods of attendance in lieu of recreation and personal leave, and as no increments are available, incremental advancement does not apply to an independent reviewer. The generic position requirements of an independent reviewer are also equivalent to the Senior Officer Grade A work level standards.

Consequential changes as a result of the independent reviewers classification under new Rule 13 (Standard 2 Part 10) are made to Standard 2 Part 10 Rule 3, Standard 3 Part 2 Rule 3 and Standard 3 Part 3 Rule 7.

Other amendments include technical changes to the Interpretation section (under Standard: Introduction) to reflect updated references to ACTEW Corporation Limited, insertion of a new definition of certified agreement for clarity and other grammatical and technical corrections, including changes to Standard 7 Part 1 Rule 1 to update ACTEW references.

The amendments also introduce the use of notes to the Standards (Standard: Introduction Rule 2 Part 4). These notes are for explanatory purposes, and in accordance with the *Legislation Act 2001* are not a legal part of the Standards.

Financial Impact

Any operational costs will be absorbed by agencies.