

EXPLANATORY STATEMENT

PUBLIC SECTOR MANAGEMENT STANDARD 2006 DISALLOWABLE INSTRUMENT N0 DI2006-187

Public Sector Management Act 1994

Legislative Context

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

Outline

The re-making of the Standards will provide for the inclusion of the Standards on the Legislation Register (the Register). In the past, current consolidated versions of the Standards were available on the Public Sector Management (PSM website) but not previous versions.

The Scrutiny of Bills committee, in Report No 4 of the Scrutiny of Bills and Subordinate Legislation Committee of 7 March 2005, referred to the difficulty in accessing historical versions of the Standards. The new Standard and its inclusion on the Legislation Register will overcome this difficulty. In future, point in time historical versions and each amending Standard will be readily accessible on the Register. This change allows easy access to historical consolidated versions of the Standards as amendments are made.

In the past, to address Scrutiny of Bills committee concerns, the explanatory statement included a Schedule 1 to detail Standard provisions as in force immediately before amendment. This Schedule is no longer required due to inclusion of the Standards on the Register as this will provide point in time historical consolidated versions.

The new Standards re-make all eight current Standards (seven Standards and an Introduction Standard) in a new format with new numbering. The changes are technical in nature, and include for example:

- the existing eight Standards become one Standard divided into chapters, parts, sections, and where necessary divisions and sub-divisions. In this Standard, numbering is continuous and does not re-commence with each part (as happened with the Standards before this re-making);
- as a result of the changes, some existing Standard Rules are divided into different sections, and appear in a different order. Some minor and technical additions were also necessary to ensure the provisions continue to operate in the same manner;
- changes in reference terminology, for example, as Rules are now called sections; references to former Rules are changed to reference the new sections and so forth;
- the definition section found in the Introduction Standard is relocated to the dictionary section found at the end of the Standards; and

- a number of other minor and technical changes, including grammatical changes, updates to definitions and also changes to facilitate the closer alignment of Standards to the presentation of other ACT legislation.

The amendments are technical in nature and do not alter obligations or terms and conditions of employment under the Standards.

Financial Impact

Nil.