

Australian Capital Territory

# Public Sector Management Amendment Standards 2007 (No 2)

Disallowable instrument DI2007–91

made under the

**Public Sector Management Act, section 251 (Management standards)**

## EXPLANATORY STATEMENT

---

The *Public Sector Management Act 1994* (the PSM Act) regulates the administration of the Australian Capital Territory public sector (the ACTPS). Section 251 of the PSM 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 PSM Act.

### Temporary Employment Selection

Section 81 of the Standards lists criteria that must be given regard when selecting temporary employees. The amendment removes the criteria ‘personal qualities’ from this list. The term ‘personal qualities’ was undefined in the Standards and, with no precise meaning in day-to-day usage, there was a likelihood that inconsistent interpretations could have been given to the term across the ACTPS. Rather than insert a definition, the term was removed as all aspects of potential definitions were considered to be already covered in the other criterion listed in section 81.

### Independent Reviewers

Division 3.10.4 regulates the employment conditions for Independent Reviewers. Independent Reviewers are persons approved by the Commissioner to conduct reviews on employment related decisions under the terms of agency collective agreements. The nature of the conducted reviews usually required Independent Reviewers to work on an ad hoc basis.

The amendment streamlines the remuneration of Independent Reviewers by limiting the method of payment to an hourly rate. The previous method of calculating payment required the use of either a daily rate where a ‘day’ was taken to be five hours, or an hourly rate for less than three hours work. This method was problematic where reviewers worked for between three and five hours, or for more than five hours in one day. By restricting the method of payment to an hourly rate, Independent Reviewers will be able to be paid pro rata for any length of work they undertake. The hourly rate of pay has not been changed by this amendment.