

# Public Sector Management Amendment Standards 2008 (No 3)

## Disallowable instrument DI2008–215

made under the

**Public Sector Management Act 1994, s 251 (Management Standards)**

## EXPLANATORY STATEMENT

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Part 3.9 of the Public Sector Management Standards (the Standards) relates to the engagement of employees in the ACT public service (ACTPS). Part 3.9 sets out the provisions which distinguish recruitment processes for employees from those required for the recruitment of officers; supplementing the merit based and competitive selection processes regulated in part 3.3 and part 3.4 of the Standards. Part 3.9 should be read in conjunction with section 65 of the *Public Sector Management Act 1994* (application of merit principle) and parts 3.3 and 3.4 of the Standards.

Part 3.9 does not apply to chief executives, executives or persons appointed, engaged, transferred or promoted under an Equal Employment Opportunity Program. The amendment does not affect the scope of part 3.9 in relation to these excluded groups of employees.

The amendment inserts a definition of ‘temporary employee register’ in section 78A. The term ‘temporary employee register’ replaces the terms:

- ‘a register of temporary employees’ previously used in section 79(1)(b);
- ‘a temporary register’ previously used in section 79(3); and
- ‘a register of applicants for temporary employment’ previously used in section 81(1)(b).

The amendment restructures the Part 3.9 so that provisions establishing temporary employee registers appear before provisions about the operation of temporary employee registers. Temporary employee registers are now established under section 79 and advertising regulated by section 80.

The amendment introduces in section 79 the option of a whole of government temporary employee register. Such a register would be established by the Administering Chief Executive. The Administering Chief Executive may also specify requirements on the establishment of an ACTPS temporary employee register. It is intended that before specifying requirements about the management of an ACTPS temporary employee register, such as which administrative unit will administer the register, the Administering Chief Executive will consider the efficacy of any requirements from a whole of government perspective.

The option for a chief executive to establish a temporary employee register in their own administrative unit is retained in section 79. It is intended that a whole of government register would be generalist and an agency based register would focus on particular occupational groups or agency specific requirements. The operation of existing and future agency based temporary employee registers is not affected by the amendment.

The substance of sections relating to advertising and selection, sections 80 and 81 respectively, have not been amended, however both sections have been edited to improve clarity.