

Australian Capital Territory

Public Sector Management Amendment Standards 2009 (No 4)

Disallowable instrument DI2009–90

made under the

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

EXPLANATORY STATEMENT

The *Public Sector Management Act 1994* (the Act) regulates the management of the ACT Public Service (ACTPS). Section 251 of the Act empowers the Commissioner, with the written approval of the Chief Minister, to make Public Sector Management Standards for the purposes of the Act. Sections 251(6) and (7) of the Act provide that the Chief Minister can give a general approval to the Commissioner to make Standards for specified purposes, subject to conditions where necessary.

The Chief Minister has given ongoing approval for the specified purpose of amendments that are consistent with a policy direction previously endorsed by Government where the changes are of a technical nature, such as changes to the rates of allowances, clarification of existing clauses and correction of typographical errors, provided the amendments do not include any significant policy changes.

This amendment is of a technical nature and is in accordance with parameters agreed to by the Chief Minister under sections 251(6) and (7) of the Act.

On 21 November 2008 the Standards were amended by DI2008-280 in support of the Administrative Arrangements of 11 November 2008. DI2008-280 inserted section 43A to allow a person to be engaged in the position of Chief Executive of the Department of the Environment, Climate Change, Energy and Water (DECCEW) on a short term basis under section 30 of the Act without a prior independent job evaluation. A long term contract has now been entered into for that position making section 43A obsolete. This amendment omits section 43A.

On 22 June 2007 the Standards were amended by DI2007-125 to support the sale of the Territory-owned corporation, Rhodium Asset Solutions Limited (Rhodium). The decision to sell Rhodium triggered the residual right of former Totalcare staff to be offered employment in the ACTPS. DI2007-125 inserted part 5.6A into the Standards in order to facilitate the right of return of staff to the ACTPS. All of the former Totalcare staff with a right of return have now been appointed to the ACTPS which means there is no longer anyone to whom Part 5.6A applies. This amendment omits part 5.6A.

Part 7.2 of the Standards provides officers and employees with an entitlement to use an ACTPS vehicle, and places parameters on the selection and use of such vehicles. This amendment replaces references in part 7.2 to the '*ACTPS Non-Executive Passenger and Light Commercial Vehicle Management Policy*' with references to 'whole of government policy for non-executive vehicle management'. While the *ACTPS Non-Executive Passenger and Light Commercial Vehicle Management Policy* remains applicable, this amendment is intended to ensure part 7.2 remains contemporary should a change be made to the title of that policy.

Following the cessation of Rhodium as a Territory-owned corporation references in part 7.2 to Rhodium have been replaced by references to the Territory Fleet Provider.

Part 7.3 provides executives, chief executives, and most full time statutory office holders with an entitlement to use a vehicle, and places parameters on the selection and use of such vehicles. This amendment replaces references in part 7.3 to the '*Guidelines for the Management and Use of Executive Vehicles*' with references to 'whole of government executive vehicle management'. While the *Guidelines for the Management and Use of Executive Vehicles* remain applicable, this amendment is intended to ensure part 7.3 remains contemporary should a change be made to the title of those guidelines.