



Australian Capital Territory

# Public Sector Management (Transitional Provisions) Regulation 2018

Subordinate Law SL2018-10

---

The Australian Capital Territory Executive makes the following regulation under the *Public Sector Management Act 1994*.

Dated 26 June 2018.

ANDREW BARR  
Minister

MICK GENTLEMAN  
Minister

---





Australian Capital Territory

# Public Sector Management (Transitional Provisions) Regulation 2018

Subordinate Law SL2018-10

made under the

[Public Sector Management Act 1994](#)

## Contents

---

|   | Page |
|---|------|
| 1 Name of regulation                        | 1    |
| 2 Commencement                              | 1    |
| 3 Modification of Act, pt 18—Act, s 299 (2) | 1    |
| 4 Expiry                                    | 3    |

---

J2018-73

Authorised by the ACT Parliamentary Counsel—also accessible at [www.legislation.act.gov.au](http://www.legislation.act.gov.au)



**1 Name of regulation**

This regulation is the *Public Sector Management (Transitional Provisions) Regulation 2018*.

**2 Commencement**

This regulation commences on the day after its notification day.

*Note* The naming and commencement provisions automatically commence on the notification day (see [Legislation Act](#), s 75 (1)).

**3 Modification of Act, pt 18—Act, s 299 (2)**

The [Act](#), part 18 applies as if the following section were inserted:

**‘293A Consecutive engagement of head of service, directors-general and executives**

- (1) The engager may engage a pre-amendment executive, after the pre-amendment executive’s current engagement has ended, as an SES member (a *consecutive engagement*) if—
  - (a) the engager is satisfied that during the pre-amendment executive’s current engagement, the pre-amendment executive met all expectations set out in the pre-amendment executive’s approved performance agreement; and
  - (b) there will be no working day between the pre-amendment executive’s current engagement and the first day of the pre-amendment executive’s consecutive engagement.
- (2) The classification for the consecutive engagement must be—
  - (a) if the current engagement of the pre-amendment executive is at a classification in table 293A, column 2—at the SES classification in table 293A, column 3 that corresponds with the classification in the table, column 2; or

- (b) if the current engagement of the pre-amendment executive is at a classification in table 293A, column 3—at the same classification.

**Table 293A Classifications for consecutive engagements**

| <b>column 1<br/>item</b> | <b>column 2<br/>pre-amendment<br/>executive<br/>classification</b> | <b>column 3<br/>SES classification</b> |
|--------------------------|--|--|
| 1                        | 1.1  | 1.2                                    |
| 2                        | 1.2  | 1.3                                    |
| 3                        | 1.3  | 1.4                                    |
| 4                        | 2.4  | 2.2                                    |
| 5                        | 2.5  | 2.3                                    |
| 6                        | 2.6  | 2.4                                    |
| 7                        | 3.7  | 3.2                                    |
| 8                        | 3.8  | 3.3                                    |
| 9                        | 3.9  | 3.4                                    |
| 10                       | 3.10   | 4.2                                    |
| 11                       | 3.11   | 4.3                                    |
| 12                       | 3.12   | 4.4                                    |

- (3) In this section:

*pre-amendment executive* means a person who was engaged immediately before the commencement day under 1 of the following provisions of the pre-amendment Act:

- (a) section 23C (Head of service—engagement);
- (b) section 28 (Directors-general—engagement);
- (c) section 72 (Executives—engagement).

#### **4 Expiry**

This regulation expires on the day the *Public Sector Management Act 1994*, part 18 expires.

---

#### **Endnotes**

##### **1 Notification**

Notified under the [Legislation Act](#) on 27 June 2018.

##### **2 Republications of amended laws**

For the latest republication of amended laws, see [www.legislation.act.gov](http://www.legislation.act.gov).

---

© Australian Capital Territory 2018