

1996

Kate Carnell

THE LEGISLATIVE ASSEMBLY
FOR THE AUSTRALIAN CAPITAL TERRITORY

(As presented)

(Treasurer)

**Public Sector Management (Amendment)
Bill 1996**

A BILL

FOR

An Act to amend the *Public Sector Management Act 1994*

The Legislative Assembly for the Australian Capital Territory enacts as follows:

Short title

- 5 1. This Act may be cited as the *Public Sector Management (Amendment) Act 1996*.

Commencement

2. This Act commences on the day on which the *Financial Management Act 1996* commences.

Principal Act

- 10 3. In this Act, "Principal Act" means the *Public Sector Management Act 1994*.¹

86008 (1996/44) T8/96

Interpretation

4. Section 3 of the Principal Act is amended—

(a) by omitting from subsection (1) the definition of “autonomous instrumentality” and substituting the following definition:

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“ ‘autonomous instrumentality’ means—

(a) the Auditor-General’s office; or

(b) the Office of the Director of Public Prosecutions;”;
and

(b) by inserting in subsection (1) the following definitions:

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“ ‘Auditor-General’s office’ means the Auditor-General and the staff assisting the Auditor-General under section 23 of the *Auditor-General Act 1996*;

‘chief executive officer’, in relation to an autonomous instrumentality, means—

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(a) in the case of the Office of the Director of Public Prosecutions—the Director of Public Prosecutions; and

(b) in the case of the Auditor-General’s office—the Auditor-General;”.

20 Substitution

5. Section 37 of the Principal Act is repealed and the following section substituted:

Delegations in autonomous instrumentalities

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“37. The chief executive officer of an autonomous instrumentality may delegate all or any of the officer’s powers under this Act to a member of the staff of the instrumentality.”.

Development of programs in autonomous instrumentalities

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6. Section 43 of the Principal Act is amended by omitting from paragraph (a) “instrumentality” and substituting “chief executive officer of the instrumentality”.

Creation and abolition of offices

7. Section 54A of the Principal Act is amended by omitting subsection (4) and substituting the following subsection:

“(4) In the application of this section to an autonomous instrumentality, a reference to the administering Chief Executive shall be read as a reference to the chief executive officer of the instrumentality.”.

Reclassification of offices in autonomous instrumentalities

- 5 8. Section 59 of the Principal Act is amended by omitting “the Office of the Director of Public Prosecutions” and substituting “an autonomous instrumentality”.

Substitution

- 10 9. Section 64 of the Principal Act is repealed and the following section substituted:

Application to autonomous instrumentalities

- 15 “64. Unless the contrary intention appears, the provisions of this Part (other than sections 73 and 74) apply in relation to an autonomous instrumentality as if a reference to the Commissioner in the applicable provisions were a reference to the chief executive officer of the instrumentality.”.

NOTE

Principal Act

1. Reprinted as at 1 January 1996.