

2005

THE LEGISLATIVE ASSEMBLY  
FOR THE AUSTRALIAN CAPITAL TERRITORY

---

(As presented)

(Chief Minister)

## **Public Sector Management Amendment Bill 2005 (No 3)**

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2005

THE LEGISLATIVE ASSEMBLY  
FOR THE AUSTRALIAN CAPITAL TERRITORY

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(As presented)

(Chief Minister)

## **Public Sector Management Amendment Bill 2005 (No 3)**

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### **A Bill for**

An Act to amend the *Public Sector Management Act 1994*, and for other purposes

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

Section 1

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1      **1      Name of Act**

2      This Act is the *Public Sector Management Amendment*  
3      *Act 2005 (No 3)*.

4      **2      Commencement**

5      This Act commences on a day fixed by the Minister by written  
6      notice.

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

9      *Note 2*    A single day or time may be fixed, or different days or times may be  
10     fixed, for the commencement of different provisions (see Legislation  
11     Act, s 77 (1)).

12     *Note 3*    If a provision has not commenced within 6 months beginning on the  
13     notification day, it automatically commences on the first day after that  
14     period (see Legislation Act, s 79).

15     **3      Legislation amended**

16     This Act amends the *Public Sector Management Act 1994*.

17     *Note*      This Act also amends other legislation (see sch 1).

18     **4      Definitions for Act**

19     **Section 3, definition of *relevant chief executive***

20     *substitute*

21     *relevant chief executive* means—

- 22       (a) in relation to an administrative unit, including the officers and  
23       employees employed, or to be employed, in the administrative  
24       unit—the chief executive responsible for the administrative  
25       unit; or
- 26       (b) in relation to a territory instrumentality, including the officers  
27       and employees employed, or to be employed, in the territory

1 instrumentality—the person who has the powers of a chief  
2 executive in relation to the staff; or

- 3 (c) in relation to a statutory office, including the officers and  
4 employees employed, or to be employed, to assist the statutory  
5 office-holder—the statutory office-holder, if the office-holder  
6 has the powers of a chief executive in relation to the staff; or

7 *Note* Certain statutory office-holders have all the powers of a chief  
8 executive of an administrative unit (see s 25).

- 9 (d) in relation to an unattached officer—the chief executive who  
10 has control of the administrative unit in which the officer last  
11 held an office.

## 12 **5 Sections 24 to 26**

13 *substitute*

### 14 **24 Powers of chief executive officers of certain territory 15 instrumentalities**

- 16 (1) This section applies if an Act provides (however expressed) that the  
17 staff, or particular staff, of a territory instrumentality (the  
18 *instrumentality staff*) must be employed under this Act.  
19 (2) The chief executive officer of the territory instrumentality has all the  
20 powers of a chief executive in relation to the instrumentality staff  
21 (including, for example, in relation to the appointment of people to,  
22 or the employment of people for, that staff).

23 *Note* An example is part of the Act, is not exhaustive and may extend, but  
24 does not limit, the meaning of the provision in which it appears (see  
25 Legislation Act, s 126 and s 132).

- 26 (3) Without limiting subsection (2), this Act applies in relation to the  
27 territory instrumentality as if—  
28 (a) the instrumentality were an administrative unit; and

## Section 5

- 1                   (b) the chief executive officer were the chief executive of that  
2                    administrative unit; and  
3                   (c) all other necessary changes were made.

## **4 25 Powers of certain statutory office-holders**

- 5           (1) This section applies if an Act provides (however expressed) that the  
6           staff, or particular staff, assisting a statutory office-holder (the *office*  
7           *staff*) must be employed under this Act.

8           (2) The statutory office-holder has all the powers of a chief executive in  
9           relation to the office staff (including, for example, in relation to the  
10          appointment of people to, or the employment of people for, that  
11          staff) if—  
12               (a) the Chief Minister makes a declaration under subsection (4); or  
13               (b) this Act or another territory law gives (however expressed) all  
14               the powers of a chief executive to the statutory office-holder.

### **Examples for par (b)**

- 1 the clerk under section 54 (2)
  - 2 the auditor-general under the *Auditor-General Act 1996*, section 23
  - 3 the director of public prosecutions under the *Director of Public Prosecutions Act 1990*, section 30
  - 4 the occupational health and safety commissioner under the *Occupational Health and Safety Act 1989*, section 34

**Note** An example is part of the Act, is not exhaustive and may extend, but does not limit, the meaning of the provision in which it appears (see Legislation Act, s 126 and s 132).

- (b) the statutory office-holder were the chief executive of that administrative unit; and
  - (c) all other necessary changes were made.

(4) The Chief Minister may, in writing, declare that the statutory office-holder has all the powers of a chief executive in relation to the office staff.

(5) A declaration under subsection (4)—

  - (a) is a notifiable instrument; and
  - (b) has effect subject to the Act under which the statutory office-holder holds office.

*Note* A notifiable instrument must be notified under the Legislation Act.

## **26 Powers relating to certain Calvary Health Care staff**

- (1) This section applies if an agreement is in force between the Territory and Calvary Health Care ACT Limited for staff at Calvary Health Care ACT Limited (Public Division) to be employed under this Act.
  - (2) The chief executive officer, Calvary has all the powers of a chief executive in relation to the people employed in Calvary public health care (including, for example, in relation to the appointment of people to, or the employment of people for, Calvary public health care).

**Note** An example is part of the Act, is not exhaustive and may extend, but does not limit, the meaning of the provision in which it appears (see Legislation Act, s 126 and s 132).

- (3) Without limiting subsection (2), this Act applies in relation to Calvary public health care as if—

  - (a) Calvary public health care were an administrative unit; and
  - (b) the chief executive officer, Calvary were the chief executive of that administrative unit; and

## Section 6

1 (c) all other necessary changes were made.

2 (4) In this section:

**Calvary public health care** means the branch of the service that provides services required to enable Calvary Care ACT Limited (Public Division) to exercise its public functions.

**6**           ***chief executive officer***, ***Calvary*** means the person engaged to  
**7**           exercise the functions of the position of chief executive officer  
**8**           (however described) of Calvary Health Care ACT Limited (Public  
**9**           Division) under the rules of Calvary Health Care ACT Limited.

10 6 Section 28 heading

11 *substitute*

## **12 28 Chief executives—engagement**

13 7 Section 28 (5) to (7)

14 *omit*

15 8 New section 28AA

## **17 28AA Chief executives—contract variation**

18           (1) A contract under section 28 may be varied at any time by a written  
19           agreement between the parties.

20                   **Note** If a person engaged by a contract under s 28 is transferred or assigned  
21                   under s 33A, the person's contract is taken to be varied by the transfer  
22                   or assignment (see s 33A (4)).

23           (2) However, a variation of a contract under section 28 that would do  
24           either or both of the following is void:

(a) extend the period of employment under the contract—

16 **9** New section 28D

17 *insert*

**18 28D Notice or payment if chief executive not re-engaged**

- 19           (1) This section applies in relation to a person engaged by a contract  
20           under section 28 (Chief executives—engagement) if the Chief  
21           Minister does not intend to re-engage the person under that section  
22           to exercise the functions of the same office of chief executive or  
23           another office of chief executive.

24           (2) However, to remove any doubt, this section does not apply if the  
25           contract is terminated before the end of the period of employment  
26           specified in the contract.

**Note** For the termination of a contract under s 28, see s 28A (Early termination of contract).

Section 9



**Note** Section 248B provides that the Territory or a territory instrumentality must not, within 3 months after the day the contract ends, and without the commissioner's written consent, employ a person who has received, or is entitled to, an amount mentioned in this subsection.

- 16           (5) The amount must be paid within 3 months after the day the contract  
17           ends.

18           (6) In this section:

***final annual salary***, for a person engaged by a contract under section 28, means the person's annual remuneration under the contract as at the day the contract ends, but does not include cash payments (for example, cash payments instead of employer-provided benefits).

**Note** An example is part of the Act, is not exhaustive and may extend, but does not limit, the meaning of the provision in which it appears (see Legislation Act, s 126 and s 132).

- 27           (7) This section applies in relation to a contract—  
28               (a) whether the contract was entered into before or after the day  
29                   this section commences (the *commencement day*); but

5 10 Section 29

## 6 *substitute*

## **7 29 Chief executives—responsibilities**

- 8           (1) This section applies to a person exercising the functions of an office  
9           of chief executive.

10          (2) For each administrative unit under the person's control, the  
11          person—  
12           (a) is responsible, under the relevant Minister, for the unit's  
13           administration and business; and  
14           (b) must advise that Minister on all matters relating to the unit; and  
15           (c) must have regard to the interests of the government and the  
16           service as a whole.

17          (3) The Chief Minister may assign a chief executive to special duties on  
18           behalf of the Territory.

19 11 Section 30 heading

20                   *substitute*

## **21 30 Chief executives—temporary contracts**

22 **12** Section 30 (4)

- 24                   (4) The period mentioned in subsection (3) (b) must not be longer than  
25                   2 years.

Section 13

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1           **13           Section 30 (10) to (12)**

2                         *omit*

3           **14           New section 30A**

4                         *insert*

5           **30A           Chief executives—variation of temporary contracts**

- 6           (1) A contract under section 30 may be varied at any time by a written  
7                         agreement between the parties.
- 8           (2) However, a variation of a contract under section 30 that extends the  
9                         period of employment under the contract to longer than 2 years is  
10                  void.
- 11           (3) This section, and section 30 as amended by the *Public Sector*  
12                  *Management Amendment Act 2005 (No 2)*, section 13, apply in  
13                  relation to a contract under section 30 whether the contract was  
14                  entered into before or after the day this section commences.
- 15           (4) Subsection (3) and this subsection expire 1 year after the day this  
16                  section commences.

17           **15           Negotiation and execution of contracts**

18           **Section 31 (1)**

19                         *substitute*

- 20           (1) The following contracts and contract variations must be signed for  
21                  the Territory by the Chief Minister:
- 22              (a) a contract under section 28 (Chief executives—engagement) or  
23                         section 30 (Chief executives—temporary contracts);
- 24              (b) a variation of a contract under section 28AA (Chief  
25                         executives—contract variation) or section 30A (Chief  
26                         executives—variation of temporary contracts).

1       **16           Section 32 heading**

2                   *substitute*

3       **32           Chief executive engagements not affected by defects etc**

4       **17           New sections 33A and 33B**

5                   *insert*

6       **33A           Chief executives—transfer or assignment**

7                   (1) The Chief Minister may, in writing, for a person engaged by a  
8                   contract under section 28 (Chief executives—engagement)—

9                   (a) transfer the person from the office of chief executive under the  
10                   contract to—

11                   (i) another office of chief executive; or

12                   (ii) any other office (including an executive office) in an  
13                   administrative unit; or

14                   (b) assign the person to exercise other stated functions in the  
15                   public sector.

16                   (2) The Chief Minister may transfer or assign the person only if the  
17                   Chief Minister has—

18                   (a) given the person an opportunity to state the person's views  
19                   about the transfer or assignment; and

20                   (b) considered the person's views (if any).

21                   (3) A transfer under subsection (1) (a) (i) may be made only to an office  
22                   that has the same classification as, or a lower classification than, the  
23                   office from which the person was transferred.

24                   (4) The transfer or assignment is taken to be a variation of the contract.

Section 17

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- 1       (5) The transfer or assignment of a person under this section does not  
2           affect—
  - 3           (a) the rate at which remuneration or an allowance is payable to  
4              the person under the contract; or
  - 5           (b) the period of the person's employment under the contract; or
  - 6           (c) the right to terminate the person's employment if the contract  
7              provides for termination under section 28A (Early termination  
8              of contract).
- 9       (6) If a person engaged by a contract under section 28 is transferred to  
10          an office, or assigned to exercise stated functions, under this section,  
11          the person must exercise the functions of the office or exercise the  
12          stated functions.
- 13      (7) This section applies in relation to a person engaged by a contract  
14          under section 28 whether the contract was entered into before or  
15          after the day this section commences.
- 16      (8) Subsection (7) and this subsection expire 1 year after the day this  
17          section commences.

- 18      **33B      Chief executive transfers or assignments under s 33A not  
19           affected by defects etc**
- 20      (1) A transfer, or anything done in relation to a transfer, is not invalid  
21          only because of a defect or irregularity in relation to the transfer.
  - 22      (2) In this section:  
23           *transfer* means a transfer or assignment of a person under  
24          section 33A.

1      **18            Section 34**

2                 *substitute*

3      **34            Notification of chief executive's engagement etc**

4                 The Chief Minister must notify in the gazette each of the following  
5                 within 28 days after the day each happens:

- 6                 (a) the making of a contract under section 28 (Chief executives—  
7                 engagement);
- 8                 (b) the termination of a contract made under that section;
- 9                 (c) the end of a period of engagement by a contract under that  
10                section;
- 11                (d) the transfer or assignment of a person under section 33A (Chief  
12                executives—transfer or assignment).

13      **19            Application of merit principle**  
14      **New section 65 (1) (ba)**

15                 *insert*

- 16                (ba) an engagement by a contract under section 30 (Chief  
17                executives—temporary contracts) or section 76 (Executives—  
18                temporary contracts), if the period of engagement is 9 months  
19                or more; or

20      **20            Section 65 (1)**

21                 *renumber paragraphs when Act next republished under Legislation  
22                Act*

23      **21            Section 72 heading**

24                 *substitute*

25      **72            Executives—engagement**

Section 22

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1           **22           Section 72 (5) to (7)**

2                         *omit*

3           **23           New section 72A**

4                         *insert*

5           **72A           Executives—contract variation**

- 6           (1) A contract under section 72 may be varied at any time by a written  
7                         agreement between the parties.

8                         *Note*     If a person engaged by a contract under s 72 is transferred or assigned  
9                         under s 80A, the person's contract is taken to be varied by the transfer  
10                         or assignment (see s 80A (3)).

- 11           (2) However, a variation of a contract under section 72 that would do  
12                         either or both of the following is void:

13                         (a) extend the period of employment under the contract—

14                                 (i) to longer than 5 years, unless the contract as varied  
15                                 requires the person employed to be on leave for the  
16                                 period of employment that exceeds 5 years; or

17                                 (ii) to longer than 5 years and 3 months, whether or not the  
18                                 contract as varied requires the person employed to be on  
19                                 leave for the period of employment that exceeds 5 years;

20                         (b) increase the rate at which remuneration or an allowance is  
21                                 payable to the person employed otherwise than in accordance  
22                                 with the management standards.

23           (3) This section, and section 72 as amended by the *Public Sector*  
24                         *Management Amendment Act 2005 (No 2)*, section 22, apply in  
25                         relation to a contract under section 72 whether the contract was  
26                         entered into before or after the day this section commences.

27           (4) Subsection (3) and this subsection expire 1 year after the day this  
28                         section commences.

1           **24           New section 75A**

2                 *insert*

3           **75A       Notice or payment if executive not re-engaged**

- 4           (1) This section applies in relation to a person engaged by a contract  
5           under section 72 (Executives—engagement) if the relevant chief  
6           executive for the person does not intend to re-engage the person  
7           under that section.
- 8           (2) However, to remove any doubt, this section does not apply if the  
9           contract is terminated before the end of the period of employment  
10           specified in the contract.

11           *Note*       For the termination of a contract under s 72, see s 73 (Early termination  
12           of contract).

- 13           (3) Three months or more before the day the contract ends, the relevant  
14           chief executive may give the person written notice that the person  
15           will not be re-engaged.
- 16           (4) An amount equal to 1/4 of the person's final annual salary is payable  
17           to the person by the Territory if, when the person's contract ends—  
18                 (a) the relevant chief executive has not given a notice under  
19                    subsection (3); and  
20                 (b) the person has not accepted another position in the public  
21                    sector; and  
22                 (c) the person is not entitled to a redundancy payment (however  
23                    described) for not being re-engaged.

24           *Note*       Section 248B provides that the Territory or a territory instrumentality  
25           must not, within 3 months after the day the contract ends, and without  
26           the commissioner's written consent, employ a person who has received,  
27           or is entitled to, an amount mentioned in this subsection.

- 28           (5) The amount must be paid within 3 months after the day the contract  
29           ends.

Section 25

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1                   (6) In this section:

2                   *final annual salary*, for a person engaged by a contract under  
3                   section 72, means the person's annual remuneration under the  
4                   contract as at the day the contract ends, but does not include cash  
5                   payments (for example, cash payments instead of employer-  
6                   provided benefits).

7                   *Note* An example is part of the Act, is not exhaustive and may extend, but  
8                   does not limit, the meaning of the provision in which it appears (see  
9                   Legislation Act, s 126 and s 132).

10                  (7) This section applies in relation to a contract—

- 11                  (a) whether the contract was entered into before or after the day  
12                   this section commences (*the commencement day*); but  
13                  (b) only if the contract ends later than 3 months after the  
14                   commencement day.

15                  (8) Subsection (7) and this subsection expire 1 year after the  
16                   commencement day.

17                  **25                   Section 76 heading**

18                   *substitute*

19                  **76                   Executives—temporary contracts**

20                  **26                   Section 76 (4)**

21                   *substitute*

22                  (4) The period mentioned in subsection (3) (b) must not be longer than  
23                   2 years.

24                  **27                   Section 76 (10) to (12)**

25                   *omit*

1           **28           New section 76A**

2                         *insert*

3           **76A           Executives—variation of temporary contracts**

- 4           (1) A contract under section 76 may be varied at any time by a written  
5                         agreement between the parties.
- 6           (2) However, a variation of a contract under section 76 that extends the  
7                         period of employment under the contract to longer than 2 years is  
8                         void.
- 9           (3) This section, and section 76 as amended by the *Public Sector*  
10                         *Management Amendment Act 2005 (No 2)*, section 27, apply in  
11                         relation to a contract under section 76 whether the contract was  
12                         entered into before or after the day this section commences.
- 13           (4) Subsection (3) and this subsection expire 1 year after the day this  
14                         section commences.

15           **29           Section 77**

16                         *substitute*

17           **77           Chief executive officer, Calvary**

- 18           (1) A person may be engaged under section 72 (Executives—  
19                         engagement) or section 76 (Executives—temporary contracts) to  
20                         exercise the functions of the position of chief executive officer,  
21                         Calvary only if Calvary Health Care ACT Limited has agreed to the  
22                         engagement in writing.
- 23           (2) A contract under section 72 or section 76 by which a person is  
24                         engaged to exercise the functions of the position of chief executive  
25                         officer, Calvary may be varied only if Calvary Health Care ACT  
26                         Limited has agreed to the variation in writing.

Section 30

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- 1                   (3) In this section:
- 2                   *chief executive officer, Calvary*—see section 26 (4) (Powers
- 3                   relating to certain Calvary Health Care staff).

4                   **30                 Negotiation and execution of contracts**

5                   **Section 78 (1) and (2)**

- 6                   *substitute*
- 7                   (1) The following contracts and contract variations must be signed for
- 8                   the Territory by the chief executive who is, or will become, the
- 9                   relevant chief executive of the person engaged:
- 10                  (a) a contract under section 72 (Executives—engagement) or
- 11                  section 76 (Executives—temporary contracts);
- 12                  (b) a variation of a contract under section 72A (Executives—
- 13                  contract variation) or section 76A (Executives—variation of
- 14                  temporary contracts).
- 15                  (2) However, the following contracts and contract variations must be
- 16                  signed for the Territory by the administering chief executive:
- 17                  (a) a contract under section 72 or section 76 to engage a person to
- 18                  exercise the functions of the position of chief executive officer,
- 19                  Calvary;
- 20                  (b) a variation of a contract mentioned in paragraph (a) under
- 21                  section 72A or section 76A.

22                   **31                 New section 78 (4)**

- 23                   *insert*
- 24                  (4) In this section:
- 25                  *chief executive officer, Calvary*—see section 26 (4) (Powers
- 26                  relating to certain Calvary Health Care staff).

1      **32            Section 80 heading**

2                 *substitute*

3      **80            Executive engagements not affected by defects etc**

4      **33            New sections 80A and 80B**

5                 *insert*

6      **80A            Executives—transfer or assignment**

7      (1) The relevant chief executive may, in writing, for a person engaged  
8                 by a contract under section 72 (Executives—engagement)—

9                 (a) transfer the person from the executive office under the contract  
10                to another executive office that has the same classification; or

11                (b) assign the person to exercise other stated functions in the  
12                public sector.

13                (2) The relevant chief executive may transfer or assign the person only  
14                if the relevant chief executive has—

15                (a) if it is proposed to transfer the person to an executive office in  
16                another administrative unit—consulted the chief executive of  
17                the other administrative unit; and

18                (b) given the person an opportunity to state the person's views  
19                about the transfer or assignment; and

20                (c) considered the person's views (if any).

21                (3) The transfer or assignment is taken to be a variation of the contract.

22                (4) The transfer or assignment of a person under this section does not  
23                affect—

24                (a) the rate at which remuneration or an allowance is payable to  
25                the person under the contract; or

26                (b) the period of the person's employment under the contract; or

Section 34



**80B Executive transfers or assignments under s 80A not affected by defects etc**

- 15           (1) A transfer, or anything done in relation to a transfer, is not invalid  
16           only because of a defect or irregularity in relation to the transfer.

17           (2) In this section:

18                 *transfer* means a transfer or assignment of a person under  
19                 section 80A.

**34** Section 81

### *substitute*

## **81      Notification of executive's engagement etc**

23 The administering chief executive must notify in the gazette each of  
24 the following within 28 days after the day each happens:

## **5      35            New section 248B**

6 *insert*

**7      248B      Engagement of certain former chief executives and**

**8                    executives prohibited**

1 **36** New part 16

2 *insert*

## 3 Part 16 Transitional

**4 274 Application of certain amendments—Public Sector  
5 Management Amendment Act 2005 (No 2)**

- 6           (1) To remove any doubt, the *Public Sector Management Amendment*  
7           *Act 2005 (No 2)*, section 4 and section 5 apply in relation to the  
8           employment (including the appointment) of people in the service  
9           before the commencement of this section, and are taken for all  
10          purposes to have always applied.

11         (2) Without limiting subsection (1) and to remove any doubt, anything  
12          done in relation to the employment is taken to be valid if it would  
13          have been valid if the provisions mentioned in subsection (1) were  
14          in force when the thing was done.

15 275 Expiry of pt 16

16 This part expires 1 year after the day it commences.

1      **Schedule 1                  Consequential amendments**  
2      (see s 3)

3      **Part 1.1                  ACTION Authority Act 2001**

4      **[1.1]                  Section 22 (3)**

5      *substitute*

- 6      (3) The authority's staff must be employed under the *Public Sector*  
7      *Management Act 1994.*

8      Note      The *Public Sector Management Act 1994*, s 24 provides that the chief  
9      executive officer of a territory instrumentality has all the powers of a  
10     chief executive under the Act in relation to the instrumentality staff to  
11     be employed under that Act (including, for example, in relation to the  
12     appointment of people to, or the employment of people for, that staff).  
13     Under that Act, s 3, def **chief executive officer**, the chief executive  
14     officer of an instrumentality is the person who has responsibility for  
15     managing its affairs.

16     **Part 1.2                  Crimes Act 1900**

17     **[1.2]                  Section 49A, definition of senior officer, example for**  
18     **paragraph (a) (ii)**

19     *omit*

20     section 28 (Engagement) or section 30 (Temporary performance of duties)

21     *substitute*

22     section 28 (Chief executives—engagement) or section 30 (Chief executives—  
23     temporary contracts)

**Schedule 1** Consequential amendments  
**Part 1.3** Emergencies Act 2004  
Amendment [1.3]

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1                   **Part 1.3                   Emergencies Act 2004**

2                   **[1.3]           Section 22 (1)**

3                   *substitute*

- 4                   (1) The authority's staff must be employed under the *Public Sector*  
5                   *Management Act 1994.*

6                   **[1.4]           Section 22 (2), note**

7                   *omit*

8                   **Part 1.4                   Legislation Act 2001**

9                   **[1.5]           Section 163 (1)**

10                  *omit*

11                  section 28 (Engagement) or section 30 (Temporary performance of  
12                  duties)

13                  *substitute*

14                  section 28 (Chief executives—engagement) or section 30 (Chief  
15                  executives—temporary contracts)

16                  **Part 1.5                   Planning and Land Act 2002**

17                  **[1.6]           Section 23**

18                  *substitute*

19                  **23                   Authority staff**

20                  The authority's staff must be employed under the *Public Sector*  
21                  *Management Act 1994.*

**[1.7]      Section 72**

*substitute*

**72      Land agency staff**

The land agency's staff must be employed under the *Public Sector Management Act 1994*.

*Note*     The *Public Sector Management Act 1994*, s 24 provides that the chief executive officer of a territory instrumentality has all the powers of a chief executive under the Act in relation to the instrumentality staff to be employed under that Act (including, for example, in relation to the appointment of people to, or the employment of people for, that staff). Under that Act, s 3, def *chief executive officer*, the chief executive officer of an instrumentality is the person who has responsibility for managing its affairs.

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**Endnotes**

**1      Presentation speech**

Presentation speech made in the Legislative Assembly on      2005.

**2      Notification**

Notified under the Legislation Act on      2005.

**3      Republications of amended laws**

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

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