

1999
THE LEGISLATIVE ASSEMBLY
FOR THE AUSTRALIAN CAPITAL TERRITORY

(As presented)

(Chief Minister)

**Public Sector Legislation Amendment Bill
1999**

A BILL

FOR

**An Act to amend the *Public Sector Management Act 1994*
and the *Fire Brigade (Administration) Act 1974* because of
the repeal of the *Merit Protection (Australian Government
Employees) Act 1984 (Cwlth)***

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

1 Name of Act

This Act is the *Public Sector Legislation Amendment Act 1999*.

5 2 Commencement

This Act commences, or is taken to have commenced, on the
commencement of the *Public Service Act 1999* (Cwlth).

3 Amendments of the Public Sector Management Act

10 Section 235 of the *Public Sector Management Act 1994* is
amended—

Job No: 1999/232

(a) by adding at the end of subsection (1) the following paragraph:

“(c) a reference in that Act to the Merit Protection Commissioner or the Merit Protection and Review Agency were a reference to the Merit Protection Commissioner under the *Public Service Act 1999* (Cwlth).”; and

(b) by omitting subsection (2) and substituting the following subsections:

“(2) The Merit Protection Act applies under subsection (1) subject to—

- (a) the modifications set out in Schedule 2; and
- (b) any modifications prescribed under the management standards.

“(3) This Act applies as if—

- (a) a reference to the Director or the Merit Protection Agency were a reference to the Merit Protection Commissioner under the *Public Service Act 1999* (Cwlth); and
- (b) a reference to the Merit Protection Act were a reference to that Act as in force on 1 July 1999.

“(4) This section ceases to have effect on 31 December 2000.”.

4 Amendment of the Fire Brigade (Administration) Act

Section 34 of the *Fire Brigade (Administration) Act 1974* is amended by adding at the end the following subsections:

“(5) The Merit Protection Act applies under this Act as if a reference in that Act to the Merit Protection and Review Agency were a reference to the Merit Protection Commissioner under the *Public Service Act 1999* (Cwlth).

“(6) The Merit Protection Act applies under this Act subject to any modifications prescribed under the regulations.

“(7) This Act applies as if—

- (a) a reference to the Merit Protection Review Agency of the Commonwealth were a reference to the Merit Protection Commissioner under the *Public Service Act 1999* (Cwlth); and
- (b) a reference to the Merit Protection Act were a reference to that Act as in force on 1 July 1999.

“(8) This section and section 33 cease to have effect on 31 December 2000.”.

Endnotes

Acts amended

- 1 *Public Sector Management Act 1994*. Republished as in force on 30 June 1997.
See also Acts 1997 No 74; 1998 No 54; 1999 No 55.
- 2 *Fire Brigade (Administration) Act 1974*. Republished as in force on 31 March 1999.