

## EXPLANATORY STATEMENT

### **PUBLIC SECTOR MANAGEMENT AMENDMENT STANDARD 2004 (No 8) DISALLOWABLE INSTRUMENT NO DI2004-267**

*Public Sector Management Act 1994*

#### Legislative Context

The *Public Sector Management Act 1994* (the Act) regulates the management of the public sector and, in particular, section 251 of the Act empowers the Commissioner, with the approval in advance of the Chief Minister, to make Public Sector Management Standards (the Standards) for the purposes of the Act.

#### Outline

Standard 2, Part 4 is concerned with the selection process used when appointing, promoting, or transferring a permanent or temporary employee in accordance with Part V of the Act.

The amendments to Standard 2, Part 4 clarify the phrase a '*competitive selection process*' and make consequential changes as a result of that change.

The first amendment to Standard 2, Part 4 inserts new Rule 3 to clarify the phrase '*competitive selection process*'. Other Rules in the Standards refer to the use of a competitive selection process but give no further guidance. To clarify this, the new rule sets out the elements involved in a competitive selection process.

The second amendment makes the consequential re-numbering to recognise the addition of new Rule 3. That is, old Rule 3 (Standard 2, Part 4): Recurring and Identical vacancies, is re-numbered to become new Rule 4 (Standard 2, Part 4).

#### Financial Impact

Nil.