

PS301\*

Public Sector Management Act 1994

**Public Sector Management (Breaches of Public Sector Standards) Amendment Regulations 2014**

Made by the Governor in Executive Council.

**1. Citation**

These regulations are the *Public Sector Management (Breaches of Public Sector Standards) Amendment Regulations 2014*.

**2. Commencement**

These regulations come into operation as follows —

- (a) regulations 1 and 2 — on the day on which these regulations are published in the *Gazette*;
- (b) the rest of the regulations — on the day after that day.

**3. Regulations amended**

These regulations amend the *Public Sector Management (Breaches of Public Sector Standards) Regulations 2005*.

**4. Regulation 20 amended**

In regulation 20(2)(a) after “recommend” insert:

or, instead of making a recommendation, to direct

**5. Regulation 21 amended**

(1) In regulation 21(1):

- (a) in paragraph (a) delete “recommendation —” and insert:

recommendation or direction —

- (b) in paragraph (a)(i) delete “notice; or” and insert:

notice within the period specified in the notice; or

(2) After regulation 21(1) insert:

(2A) If —

- (a) the Commissioner makes a recommendation in a notice under subregulation (1); and
- (b) the public sector body or its employing authority does not follow the recommendation within the period specified in the notice, or proposes action under regulation 22(1)(b) or (c) that the Commissioner does not consider appropriate,

the Commissioner may direct the public sector body or its employing authority to give the claimant the relief specified in the direction within a period specified in the direction.

(3) After regulation 21(2) insert:

- (3) The Commissioner cannot direct under subregulation (1) or (2A) that the relief to be given is the appointment of the claimant or another person, but may direct that a specified person is not to be appointed.

**6. Regulation 30 amended**

Delete regulation 30(a) and insert:

- (a) has not given a claimant the relief directed by the Commissioner under regulation 21(1) or (2A); or

N. HAGLEY, Clerk of the Executive Council.

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