

PS302\*

Public Sector Management Act 1994

## **Public Sector Reform (Consequential Amendments) Regulations 2011**

Made by the Governor in Executive Council on the recommendation of the Premier under Schedule 7 clause 11 or Schedule 8 clause 5 of the Act.

### **Part 1 — Preliminary**

**1. Citation**

These regulations are the *Public Sector Reform (Consequential Amendments) Regulations 2011*.

**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) regulation 15(b) and (d) — on the day on which the *Public Sector Reform Act 2010* section 97 comes into operation;
- (c) regulation 15(c) — on the day on which the *Public Sector Reform Act 2010* section 100 comes into operation;
- (d) the rest of the regulations — on the day after the day on which these regulations are published in the *Gazette*.

### **Part 2 — *Electricity (Licensing) Regulations 1991* amended**

#### **3. Regulations amended**

This Part amends the *Electricity (Licensing) Regulations 1991*.

#### **4. Regulation 12 amended**

In regulation 12 delete “Minister to whom the administration of the *Public Sector Management Act 1994* is committed, from” and insert:

Public Sector Commissioner, from

### **Part 3 — *Electricity Industry (Independent Market Operator) Regulations 2004* amended**

#### **5. Regulations amended**

This Part amends the *Electricity Industry (Independent Market Operator) Regulations 2004*.

#### **6. Regulation 3 amended**

In regulation 3 delete the definition of *Commissioner for Public Sector Standards*.

#### **7. Various references to “Commissioner for Public Sector Standards” amended**

In the provisions listed in the Table delete “Commissioner for Public Sector Standards” and insert:

Public Sector Commissioner

**Table**

r. 15(1), (5) and (6)	r. 16(1) and (3)
r. 18(2) and (4)	r. 19(1) and (3)
r. 20(2)	

Note: The heading to amended regulation 16 is to read:

**Reports to Public Sector Commissioner**

Note: The heading to amended regulation 19 is to read:

**Reports to Public Sector Commissioner**

#### **Part 4 — *Legal Profession Regulations 2009* amended**

**8. Regulations amended**

This Part amends the *Legal Profession Regulations 2009*.

**9. Regulation 11 amended**

In regulation 11 in the Table delete item 23.

#### **Part 5 — *Marketing of Potatoes Regulations 1987* amended**

**10. Regulations amended**

This Part amends the *Marketing of Potatoes Regulations 1987*.

**11. Regulation 25 amended**

In regulation 25 delete “Commissioner for Public Sector Standards.” and insert:

Public Sector Commissioner.

#### **Part 6 — *Pay-roll Tax Assessment Regulations 2003* amended**

**12. Regulations amended**

This Part amends the *Pay-roll Tax Assessment Regulations 2003*.

**13. Schedule 1 amended**

- (1) In Schedule 1 delete “The Office of the Public Sector Standards Commissioner”.

- (2) In Schedule 1 insert in alphabetical order:

The Public Sector Commission

**Part 7 — *Security and Related Activities (Control)*  
*Regulations 1997 amended***

**14. Regulations amended**

This Part amends the *Security and Related Activities (Control) Regulations 1997*.

**15. Regulation 13A amended**

In regulation 13A:

- (a) in paragraph (a) delete “directed under section 11 of the *Public Sector Management Act 1994* to hold” and insert:

appointed under the *Public Sector Management Act 1994* section 24H to carry out

- (b) delete paragraph (c) and insert:

(c) a person authorised under the *Public Sector Management Act 1994* section 81(1) to deal with a matter as a disciplinary matter, while acting in the ordinary course of investigating that matter;

(da) a person directed under the *Public Sector Management Act 1994* section 81(2) to prepare a report, while acting in the ordinary course of investigating for the purpose of preparing that report;

- (c) in paragraph (d) delete “directed under section 86 of the *Public Sector Management Act 1994* to hold a disciplinary inquiry, or” and insert:

directed under the *Public Sector Management Act 1994* section 87 to carry out

- (d) in paragraph (e) delete “(c) or (d),” and insert:

(c), (da) or (d),

**Part 8 — *State Superannuation Regulations 2001* amended**

**16. Regulations amended**

This Part amends the *State Superannuation Regulations 2001*.

**17. Schedule 1 amended**

In Schedule 1 Division 1 delete item 9.

**Part 9 — *State Trading Concerns (Authorisation) Regulations 1998* amended**

**18. Regulations amended**

This Part amends the *State Trading Concerns (Authorisation) Regulations 1998*.

**19. Schedule 1 amended**

- (1) In Schedule 1 Part 1 delete “Office of the Public Sector Standards Commissioner”.
- (2) In Schedule 1 Part 1 insert in alphabetical order:  
  
Public Sector Commission
- (3) In Schedule 1 Part 2 delete the item relating to the Office of the Public Sector Standards Commissioner.
- (4) In Schedule 1 Part 2 insert in alphabetical order:

Public Sector Commission

The provision by the Public Sector Commission of —

- (a) training services; or
- (b) advertising opportunities, or opportunities to participate in arrangements having a purpose similar to advertising.

**Part 10 — Miscellaneous amendments**

**20. Various references to “Minister for Public Sector Management” amended**

- (1) This Part amends the regulations listed in the Table.
- (2) In the provisions listed in the Table delete “Minister for Public Sector Management” and insert:

Public Sector Commissioner

**Table**

<i>Biosecurity and Agriculture Management Industry Funding Scheme (Cattle) Regulations 2010</i>	r. 5, 10 and 23(10)
<i>Biosecurity and Agriculture Management Industry Funding Scheme (Grains) Regulations 2010</i>	r. 5, 10 and 24(10)
<i>Biosecurity and Agriculture Management Industry Funding Scheme (Sheep and Goats) Regulations 2010</i>	r. 5, 10 and 23(10)
<i>Energy Coordination (General) Regulations 1995</i>	r. 12(4)(b)
<i>Gas Standards (Gasfitting and Consumer Gas Installations) Regulations 1999</i>	r. 31B(4)(b)
<i>Land Administration Regulations 1998</i>	r. 26
<i>Legal Aid Commission (Costs) Rules 1990</i>	r. 14(1)
<i>Local Government (Building Surveyors) Regulations 2008</i>	r. 14
<i>Water Services Licensing (Plumbers Licensing and Plumbing Standards) Regulations 2000</i>	r. 7(1) and (2)

Recommended

Premier

By Command of the Governor,

R. KENNEDY, Clerk of the Executive Council.