

PS301*

Public Sector Management Act 1994

Public Sector Management (Redeployment and Redundancy) Amendment Regulations 2010

Made by the Lieutenant-Governor and deputy of the Governor in Executive Council.

Part 1 — Preliminary

1. Citation

These regulations are the *Public Sector Management (Redeployment and Redundancy) Amendment Regulations 2010*.

2. Commencement

These regulations come into operation as follows —

- (a) Part 1 — on the day on which these regulations are published in the *Gazette*;
- (b) Part 2 — on the day on which the *Public Sector Reform Act 2010* section 13 comes into operation;
- (c) Part 3 — on the day on which the *Public Sector Reform Act 2010* section 97 comes into operation.

3. Regulations amended

These regulations amend the *Public Sector Management (Redeployment and Redundancy) Regulations 1994*.

Part 2 — Amendments relating to *Public Sector Reform Act 2010* Part 2

4. Regulation 26 inserted

After regulation 25 insert:

26. Transitional provision: Ministerial actions

- (1) In this regulation —
commencement day means the day on which the *Public Sector Management (Redeployment and Redundancy) Amendment Regulations 2010* Part 2 comes into operation.

- (2) Any approval, direction or exemption given, determination, allowance or arrangement made or agreement entered into by the Minister under a provision of these regulations as in force before the commencement day and of effect immediately before that day continues to be of effect as if it were an approval, direction or exemption given, a determination, allowance or arrangement made or an agreement entered into by the Commissioner under that provision.
- (3) Any application made or notice given to the Minister under a provision of these regulations as in force before the commencement day and of effect immediately before that day continues to be of effect as if it were made or given to the Commissioner under that provision.

5. Various references to “Commissioner” amended

In the provisions listed in the Table:

- (a) delete “Minister” (each occurrence) and insert:

Commissioner

- (b) delete “Minister’s” and insert:

Commissioner’s

Table

r. 3(1) def. of <i>pay</i> , def. of <i>the employee’s period of continuous service</i> par. (a)	r. 6(1) and (5)
r. 7(1)(c) and (3)	r. 9(1)(b)(i) and (5)
r. 11(1), (2) and (3)	r. 13(2) and (3)
r. 14(2)(d) and (3)(b)	r. 15(1) and (4)
r. 16(2) and (5)	r. 17(1)(b) and (3)
r. 18(7)	r. 19(1) and (5)
r. 20(5) and (6)	r. 22(2)
r. 24(1) and (2)	

Note: The heading to amended section 24 is to read:

Employing authorities to notify Commissioner of vacancies

Part 3 — Amendments relating to *Public Sector Reform Act 2010* Part 3

6. Regulation 10 replaced

Delete regulation 10 and insert:

10. Employees dismissed under certain sections of Act not entitled to certain payments

An employee who is dismissed under section 82A(3)(a), 88(a) or 89(1) of the Act is not entitled to any payment under regulation 9 or to a severance payment.

11A. Employees dismissed under certain continued sections of Act not entitled to certain payments

An employee who is dismissed under section 86(3)(a) or (9)(b)(i), 88(1)(b)(i) or 89(1) of the Act, as continued under Schedule 8 clause 2(1) of the Act, is not entitled to any payment under regulation 9 or to a severance payment.

By Command of the Lieutenant-Governor and
deputy of the Governor,

PETER CONRAN, Clerk of the Executive Council.
