



Western Australia

Public Sector Management Act 1994 2

Public Service Regulations 1988

Reprinted under the
Reprints Act 1984 as
at 25 November 2005

Western Australia

Public Service Regulations 1988

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Public Sector Management Act 1994²

Public Service Regulations 1988

1. Citation

These regulations may be cited as the *Public Service Regulations 1988*¹.

2. Commencement

These regulations shall come into operation on 16 March 1988.

[3, 4. Deleted: Gazette 16 Sep 1994 p. 4803.]

5. Lump sum payments

- (1) On application to the Chief Executive Officer, a lump sum payment for the money equivalent of any —
 - (a) long service leave entitlement for continuous service as prescribed by section 59 of the Act³ and accrued annual leave as prescribed by section 59 of the Act³ shall be made to an officer who resigns, retires, is retired or is dismissed or in respect of an officer who dies;
 - (b) *pro rata* annual leave shall be made to an officer who resigns, retires, is retired or in respect of an officer who dies, but not to an officer who is dismissed; and
 - (c) *pro rata* long service leave based on continuous service of a lesser period than that prescribed by section 59 of the Act³ for a long service entitlement shall be made —

- (i) to an officer who retires at or over the age of 55 years or who is retired on the grounds of ill health, if the officer has completed not less than 12 months continuous service before the date of retirement;
 - (ii) to an officer who, not having resigned, is retired by the Commissioner for any other cause, if the officer has completed not less than 3 years continuous service before the date of retirement;
 - (iii) in respect of an officer who dies, if the officer has completed not less than 12 months continuous service before the date of death.
- (2) In the case of a deceased officer, payment shall be made to the estate of the officer unless the officer is survived by a legal dependant approved by the Treasurer, in which case payment shall be made to the legal dependant.

[6. Deleted: Gazette 13 Sep 2005 p. 4252.]

[7, 7A. Deleted: Gazette 16 Sep 1994 p. 4803.]

8. Public comment

An officer shall not —

- (a) publicly comment, either orally or in writing, on any administrative action, or upon the administration of any Department or organization; or
- (b) use for any purpose, other than for the discharge of official duties as an officer, information gained by or conveyed to that officer through employment in the Public Service.

[9-11. Deleted: Gazette 16 Sep 1994 p. 4803.]

[12. Omitted under the Reprints Act 1984 s. 7(4)(f).]

Notes

- ¹ This reprint is a compilation as at 25 November 2005 of the *Public Service Regulations 1988* and includes the amendments made by the other written laws referred to in the following table. The table also contains information about any reprint.

Compilation table

Citation	Gazettal	Commencement
<i>Public Service Regulations 1988</i>	16 Mar 1988 p. 815-18	16 Mar 1988 (see r. 2)
<i>Public Service Amendment Regulations 1990</i>	14 Dec 1990 p. 6178-9	14 Dec 1990
<i>Public Service Amendment Regulations 1994</i>	28 Jan 1994 p. 300	28 Jan 1994
<i>Public Sector Management (General) Regulations 1994</i> r. 28	16 Sep 1994 p. 4798-803	1 Oct 1994 (see r. 2 and <i>Gazette</i> 30 Sep 1994 p. 4948)
<i>Public Service Amendment Regulations 2005</i>	13 Sep 2005 p. 4252	13 Sep 2005
Reprint 1: The <i>Public Service Regulations 1988</i> as at 25 Nov 2005 (includes amendments listed above)		

- ² These regulations were originally made under the *Public Service Act 1978*. By virtue of the *Interpretation Act 1984* s. 38 and the *Public Sector Management Act 1994* Sch. 5 cl. 18, these regulations now have effect as if made under the *Public Sector Management Act 1994* so far as they are consistent with it.
- ³ This reference to “the Act” is a reference to the *Public Service Act 1978* under which these regulations were originally made (see note 2).