



Western Australia

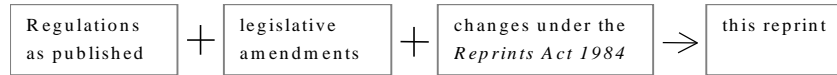
Public Sector Management Act 1994

Public Service Regulations 1988

Reprint 1: The regulations as at 25 November 2005

Guide for using this reprint

What the reprint includes



Endnotes, Compilation table, and Table of provisions that have not come into operation

1. Details about the original regulations and legislation that has amended its text are shown in the Compilation table in endnote 1, at the back of the reprint. The table also shows any previous reprint.
2. Transitional, savings, or other provisions identified in the Compilation table may be important. The table may refer to another endnote setting out the text of these provisions in full.
3. A table of provisions that have not come into operation, to be found in endnote 1a if it is needed, lists any provisions of the regulations being reprinted that have not come into operation and any amendments that have not come into operation. The full text is set out in another endnote that is referred to in the table.

Notes amongst text (italicised and within square brackets)

1. If the reprint includes a regulation that was inserted, or has been amended, since the regulations being reprinted were made, editorial notes at the foot of the regulation give some history of how the regulation came to be as it is. If the regulation replaced an earlier regulation, no history of the earlier regulation is given (the full history of the regulations is in the Compilation table).

Notes of this kind may also be at the foot of Schedules or headings.

2. The other kind of editorial note shows something has been —
 - removed (because it was repealed or deleted from the law); or
 - omitted under the *Reprints Act 1984* s. 7(4) (because, although still technically part of the text, it no longer has any effect).

The text of anything removed or omitted can be found in an earlier reprint (if there is one) or one of the written laws identified in the Compilation table.

Reprint numbering and date

1. The reprint number (in the footer of each page of the document) shows how many times the regulations have been reprinted. For example, numbering a reprint as “Reprint 3” would mean that the reprint was the 3rd reprint since the regulations were published. Reprint numbering was implemented as from 1 January 2003.
2. The information in the reprint is current on the date shown as the date as at which the regulations are reprinted. That date is not the date when the reprint was published by the State Law Publisher and it is probably not the date when the most recent amendment had effect.

Reprinted under the
Reprints Act 1984 as
at 25 November 2005

Western Australia

Public Service Regulations 1988

CONTENTS

1.	Citation	1
2.	Commencement	1
5.	Lump sum payments	1
8.	Public comment	2
Notes		
	Compilation table	3



Reprinted under the
Reprints Act 1984 as
at 25 November 2005

Western Australia

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. *Repealed in 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. *Repealed in Gazette 13 Sep 2005 p. 4252.*]

[7, 7A. *Repealed in 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. *Repealed in 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 Public Service Regulations 1988 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).