



New South Wales

# Public Sector Employment and Management (Departments) Order 2011

under the

Public Sector Employment and Management Act 2002

JAMES JACOB SPIGELMAN, Lieutenant-Governor

I, the Honourable James Jacob Spigelman AC, Lieutenant-Governor of the State of New South Wales, with the advice of the Executive Council, and in pursuance of Chapter 4 of the *Public Sector Employment and Management Act 2002*, make the following Order.

Dated, this 3rd day of April 2011.

By His Excellency's Command,

BARRY O'FARRELL, MP  
Premier

## 2011 No 184

Public Sector Employment and Management (Departments) Order 2011

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## Public Sector Employment and Management (Departments) Order 2011

under the

Public Sector Employment and Management Act 2002

### Part 1 Preliminary

#### 1 Name of Order

This Order is the *Public Sector Employment and Management (Departments) Order 2011*.

#### 2 Commencement

This Order commences on 4 April 2011 and is required to be published on the NSW legislation website.

#### 3 Definition

In this Order:

***document*** means any Act or statutory instrument, or any other instrument, or any contract or agreement.

## 2011 No 184

Clause 4 Public Sector Employment and Management (Departments) Order 2011

Part 2 Principal Departments and other Divisions of the Government Service

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## Part 2 Principal Departments and other Divisions of the Government Service

### 4 Amendment of Public Sector Employment and Management Act 2002 No 43

#### (1) Schedule 1 Divisions of the Government Service

Omit Part 1. Insert instead:

### Part 1 The Public Service

#### Division 1 Principal Departments

	Column 1	Column 2
	Name of Division	Division Head
<b>Attorney General and Justice</b>	Department of Attorney General and Justice	Director-General of the Department
<b>Education and Communities</b>	Department of Education and Communities	Director-General of the Department
<b>Family and Community Services</b>	Department of Family and Community Services	Director-General of the Department
<b>Finance and Services</b>	Department of Finance and Services	Director-General of the Department
<b>Health</b>	Department of Health	Director-General of the Department
<b>Premier and Cabinet</b>	Department of Premier and Cabinet	Director-General of the Department
<b>Trade and Investment, Regional Infrastructure and Services</b>	Department of Trade and Investment, Regional Infrastructure and Services	Director-General of the Department
<b>Transport</b>	Department of Transport	Director-General of the Department
<b>Treasury</b>	The Treasury	Secretary of the Treasury

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**Division 2 Other Public Service Divisions**

	<b>Column 1</b>	<b>Column 2</b>
	<b>Name of Division</b>	<b>Division Head</b>
<b>Attorney General and Justice</b>	Office of the Director of Public Prosecutions	*Director of Public Prosecutions
	Information and Privacy Commission	*Information Commissioner
	Office of the Legal Aid Commission	*Chief Executive Officer of the Commission
	Office of the New South Wales Crime Commission	*Commissioner for the New South Wales Crime Commission
	Fire and Rescue NSW	Commissioner of Fire and Rescue NSW
	Department of Rural Fire Service	Commissioner of the NSW Rural Fire Service
	State Emergency Service	Commissioner of the State Emergency Service
	Ministry for Police and Emergency Services	Chief Executive of the Ministry
<b>Education and Communities</b>	Office of the Board of Studies	Chief Executive of the Office
	Office of the Institute of Teachers	Chief Executive of the Institute
	Office of the Community Relations Commission	Chairperson of the Commission
<b>Finance and Services</b>	Compensation Authorities Staff Division	Chief Executive of the Division
<b>Health</b>	Office of the Health Care Complaints Commission	*Commissioner of the Health Care Complaints Commission
<b>Premier and Cabinet</b>	Department of Planning and Infrastructure	Director-General of the Department
	Office of the New South Wales Electoral Commission	*Electoral Commissioner
	Ombudsman's Office	*Ombudsman

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Part 2 Principal Departments and other Divisions of the Government Service

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	<b>Column 1</b>	<b>Column 2</b>
	<b>Name of Division</b>	<b>Division Head</b>
	Office of the Police Integrity Commission	*Commissioner for the Police Integrity Commission
	Office of the Barangaroo Delivery Authority	Chief Executive Officer of the Authority
	Office of the Sydney Metropolitan Development Authority	*Chief Executive of the Authority
	Office of the Redfern–Waterloo Authority	Chief Executive Officer of the Authority
<b>Trade and Investment, Regional Infrastructure and Services</b>	Department of Primary Industries	Director-General of the Department
	Office of the NSW Food Authority	Director-General of the Department of Primary Industries
	Office of the Rural Assistance Authority	Director-General of the Department of Primary Industries

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**Note.** The positions in Column 2 that are marked with an asterisk are positions that are created by another Act and are not Public Service positions. All other positions referred to in this Part are created by this Act (see section 10) and are Public Service positions.

(2) **Schedule 1, Part 2**

Omit the Part. Insert instead:

### **Part 2 Non-Public Service Divisions assigned to statutory corporations**

**Note.** The Divisions listed in this Part that are marked with an asterisk are the Divisions to which section 4H applies.

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	<b>Column 1</b>	<b>Column 2</b>
	<b>Name of Division</b>	<b>Division Head</b>
<b>Education and Communities</b>	Institute of Sport Division	Director-General of the Department of Education and Communities

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	<b>Column 1</b>	<b>Column 2</b>
	<b>Name of Division</b>	<b>Division Head</b>
	Sydney Cricket and Sports Ground Trust Division	Secretary of the Sydney Cricket and Sports Ground Trust (and the Chairperson of the Trust in relation to the Secretary)
	*TAFE Commission Division	Managing Director of the TAFE Commission
<b>Family and Community Services</b>	* Home Care Service Division	Director-General of the Department of Family and Community Services
<b>Finance and Services</b>	* SAS Trustee Corporation Division	Chief Executive of the SAS Trustee Corporation
<b>Health</b>	Cancer Institute Division	Director-General of the Department of Health
	Health Professional Councils Authority Division	Director-General of the Department of Health
	Health Professional Registration Boards Division	Director-General of the Department of Health
<b>Premier and Cabinet</b>	Internal Audit Bureau Division	Chief Executive of the Internal Audit Bureau
	Benerembah Irrigation District Environment Protection Trust Division	Full-time member of the Benerembah Irrigation District Environment Protection Trust
	Jenolan Caves Reserve Trust Division	The administrator appointed under clause 58 (2) of Schedule 3 to the <i>National Parks and Wildlife Act 1974</i>
	Upper Parramatta River Catchment Trust Division	Director-General of the Department of Premier and Cabinet
	* Zoological Parks Board Division	Director of the Zoological Parks Board

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Clause 4 Public Sector Employment and Management (Departments) Order 2011

Part 2 Principal Departments and other Divisions of the Government Service

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	<b>Column 1</b>	<b>Column 2</b>
	<b>Name of Division</b>	<b>Division Head</b>
<b>Trade and Investment, Regional Infrastructure and Services</b>	Livestock Health and Pest Authorities Division	Chief Executive Officer of the State Management Council of Livestock Health and Pest Authorities (and the Chairperson of the State Management Council in relation to the Chief Executive Officer)
	State Management Council of Livestock Health and Pest Authorities Division	Chairperson of the State Management Council
	Sydney Catchment Authority Division	Chief Executive of the Sydney Catchment Authority
	* Cobar Water Board Division	Full-time member of the Cobar Water Board
	Wild Dog Destruction Board Division	Chairperson of the Wild Dog Destruction Board
<b>Transport</b>	Independent Transport Safety Regulator Division	Chief Executive of the Independent Transport Safety Regulator
	* Maritime Authority of NSW Division	Chief Executive of Maritime Authority of NSW
	* Roads and Traffic Authority Division	Chief Executive of the Roads and Traffic Authority
	* State Transit Authority Division	Chief Executive of the State Transit Authority
	Western Sydney Buses Division	Manager of Western Sydney Buses (and the Chief Executive of the State Transit Authority in relation to the Manager)
<b>Treasury</b>	Treasury Corporation Division	Chief Executive of the Treasury Corporation

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## **Part 3 Premier and Cabinet**

### **5 Change of name of Department of Planning**

- (1) The name of the Department of Planning is changed to the Department of Planning and Infrastructure.
- (2) The Department of Planning and Infrastructure is responsible to the Minister for Planning and Infrastructure.
- (3) In any document, a reference to the Department of Planning is to be construed as a reference to the Department of Planning and Infrastructure.
- (4) This clause is subject to clause 6.

### **6 Transfer of Heritage Branch from Department of Planning to DPC**

- (1) The Heritage Branch is removed from the Department of Planning and added to the Department of Premier and Cabinet.
- (2) In any document, a reference to the Department of Planning is to be construed as a reference to the Department of Premier and Cabinet if the reference is used in relation to the Heritage Branch in the Department of Planning.

### **7 Amalgamation of DECCW with DPC**

- (1) All branches are removed from the Department of Environment, Climate Change and Water and added to the Department of Premier and Cabinet.
- (2) The Department of Environment, Climate Change and Water is abolished as a Division of the Government Service.
- (3) In any document, a reference to the Department of Environment, Climate Change and Water is to be construed as a reference to the Department of Premier and Cabinet.
- (4) This clause is subject to clause 19.

### **8 Establishment of Office of Environment and Heritage as separate office within DPC**

- (1) The Office of Environment and Heritage is established as a separate office within the Department of Premier and Cabinet.
- (2) The Office of Environment and Heritage includes the staff transferred under clauses 6 and 7.

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Clause 9 Public Sector Employment and Management (Departments) Order 2011

Part 3 Premier and Cabinet

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### **9 Transfer of Office of Western Sydney to DPC**

- (1) The Office of Western Sydney is removed from Communities NSW and added to the Department of Premier and Cabinet.
- (2) In any document, a reference to Communities NSW is to be construed as a reference to the Department of Premier and Cabinet if the reference is used in relation to the Office of Western Sydney.

### **10 Transfer of certain DSTA staff to DPC**

- (1) The group of staff in the Department of Services, Technology and Administration comprising the Strategic Communications and Government Advertising branch are removed from that Department and added to the Department of Premier and Cabinet.
- (2) In any document, a reference to the Department of Services, Technology and Administration is to be construed as a reference to the Department of Premier and Cabinet if the reference is used in relation to the group of staff referred to in subclause (1).

### **11 Transfer of certain Communities NSW staff to DPC**

- (1) The groups of staff in Communities NSW who are employed to enable any of the following statutory corporations to exercise its functions are removed from Communities NSW and added to the Department of Premier and Cabinet:
  - (a) Centennial Park and Moore Park Trust,
  - (b) Parramatta Park Trust,
  - (c) Western Sydney Parklands Trust,
  - (d) Historic Houses Trust.
- (2) In any document, a reference to Communities NSW is to be construed as a reference to the Department of Premier and Cabinet if the reference is used in relation to a group of staff referred to in subclause (1).

### **12 Transfer of certain LPMA staff to DPC**

- (1) The group of staff in the Land and Property Management Authority who are employed to enable the Lake Illawarra Authority to exercise its functions are removed from the Land and Property Management Authority and added to the Department of Premier and Cabinet.
- (2) In any document, a reference to the Land and Property Management Authority is to be construed as a reference to the Department of Premier and Cabinet if the reference is used in relation to the group of staff referred to in subclause (1).

**13 Transfer of certain LPMA staff to DPI**

- (1) The Office of Strategic Lands is removed from the Land and Property Management Authority and added to the Department of Planning and Infrastructure.
- (2) The groups of staff in the Land and Property Management Authority who are employed to enable any of the following statutory corporations to exercise its functions are removed from the Land and Property Management Authority and added to the Department of Planning and Infrastructure:
  - (a) Sydney Harbour Foreshore Authority,
  - (b) Hunter Development Corporation,
  - (c) Central Coast Regional Development Corporation,
  - (d) Luna Park Reserve Trust.
- (3) In any document, a reference to the Land and Property Management Authority is to be construed as a reference to the Department of Planning and Infrastructure if the reference is used in relation to the Office of Strategic Lands or a group of staff referred to in subclause (2).

**14 Establishment of Internal Audit Bureau Division**

- (1) The group of staff employed in the Department of Services, Technology and Administration to enable the Internal Audit Bureau to exercise its functions are removed from that Department and added to the Internal Audit Bureau Division.
- (2) This clause is taken to have commenced on 1 July 2009.
- (3) The Internal Audit Bureau Division is established as a Division of the Government Service.

**15 Ministerial responsibility for Department of Premier and Cabinet**

The Department of Premier and Cabinet is responsible to the following Ministers:

- (a) Premier,
- (b) Minister for Western Sydney,
- (c) Deputy Premier,
- (d) Minister for the Hunter,
- (e) Minister Assisting the Premier on Infrastructure NSW,
- (f) Minister for the Central Coast,
- (g) Minister for the Illawarra,
- (h) Minister for Local Government,

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Clause 15      Public Sector Employment and Management (Departments) Order 2011

Part 3          Premier and Cabinet

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- (i) Minister for the North Coast,
- (j) Minister for Western New South Wales,
- (k) Minister for the Environment,
- (l) Minister for Heritage.

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## **Part 4 Trade and Investment, Regional Infrastructure and Services**

### **16 Change of name of Department of Industry and Investment**

- (1) The name of the Department of Industry and Investment is changed to the Department of Trade and Investment, Regional Infrastructure and Services.
- (2) The Department of Trade and Investment, Regional Infrastructure and Services is responsible to the following Ministers:
  - (a) Deputy Premier,
  - (b) Minister for Trade and Investment,
  - (c) Minister for Regional Infrastructure and Services,
  - (d) Minister for Primary Industries,
  - (e) Minister for Small Business,
  - (f) Minister for Resources and Energy,
  - (g) Special Minister of State,
  - (h) Minister for Tourism, Major Events, Hospitality and Racing,
  - (i) Minister for the Arts.
- (3) In any document, a reference to the Department of Industry and Investment is to be construed as a reference to the Department of Trade and Investment, Regional Infrastructure and Services.
- (4) This clause is subject to clause 18.

### **17 Establishment of Department of Primary Industries**

- (1) The Department of Primary Industries is established as a Division of the Government Service.
- (2) The Department of Primary Industries is responsible to the following Ministers:
  - (a) Minister for Trade and Investment,
  - (b) Minister for Regional Infrastructure and Services,
  - (c) Minister for Primary Industries.

### **18 Transfer of certain DII staff to Department of Primary Industries**

- (1) The following are removed from the Department of Industry and Investment and added to the Department of Primary Industries:
  - (a) Office of Rural Affairs,

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Clause 19 Public Sector Employment and Management (Departments) Order 2011

Part 4 Trade and Investment, Regional Infrastructure and Services

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- (b) the group of staff who, in the opinion of the Director-General of the Department of Premier and Cabinet, are principally involved in the administration of legislation administered by the Minister for Primary Industries.
- (2) In any document, a reference to the Department of Industry and Investment is to be construed as a reference to the Department of Primary Industries if the reference is used in relation to the Office of Rural Affairs or the group of staff referred to in subclause (1) (b).

### 19 Transfer of certain DECCW staff to Department of Primary Industries

- (1) The following are removed from the Department of Environment, Climate Change and Water and added to the Department of Primary Industries:
  - (a) Office of Water,
  - (b) Marine Parks Authority Secretariat,
  - (c) the group of staff who, in the opinion of the Director-General of Premier and Cabinet, are principally involved in the administration of the *Catchment Management Authorities Act 2003*.
- (2) In any document, a reference to the Department of Environment, Climate Change and Water is to be construed as a reference to the Department of Primary Industries if the reference is used in relation to the Office of Water, the Marine Parks Authority Secretariat or the group of staff referred to in subclause (1) (c).

### 20 Transfer of certain LPMA staff to Department of Primary Industries

- (1) The following are removed from the Land and Property Management Authority and added to the Department of Primary Industries:
  - (a) the group of staff who, in the opinion of the Director-General of Premier and Cabinet, are principally involved in the administration of the *Crown Lands Act 1989*, the *Soil Conservation Act 1938* and other Acts administered by the Minister for Primary Industries,
  - (b) the group of staff who, in the opinion of the Director-General of Premier and Cabinet, are principally involved in the management or administration of spatial data.
- (2) In any document, a reference to the Land and Property Management Authority is to be construed as a reference to the Department of Primary Industries if the reference is used in relation to a group of staff referred to in subclause (1).

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**21 Transfer of Office of Biofuels from LPMA to DTIRIS**

- (1) The Office of Biofuels is removed from the Land and Property Management Authority and added to the Department of Trade and Investment, Regional Infrastructure and Services.
- (2) In any document, a reference to the Land and Property Management Authority is to be construed as a reference to the Department of Trade and Investment, Regional Infrastructure and Services if the reference is used in relation to the Office of Biofuels.

**22 Establishment of Ministry for Tourism, Major Events and Arts within DTIRIS**

- (1) The Ministry for Tourism, Major Events and Arts is established within the Department of Trade and Investment, Regional Infrastructure and Services.
- (2) The Ministry for Tourism, Major Events and Arts includes the staff transferred under clause 23 (1) (a).

**23 Transfer of certain Communities NSW staff to DTIRIS**

- (1) The following are removed from Communities NSW and added to the Department of Trade and Investment, Regional Infrastructure and Services:
  - (a) the group of staff who, in the opinion of the Director-General of the Department of Premier and Cabinet, are principally involved in the administration of legislation administered by the Minister for the Arts,
  - (b) Office of Liquor, Gaming and Racing,
  - (c) the group of staff who are employed to enable the Casino, Liquor and Gaming Control Authority to exercise its functions.
- (2) In any document, a reference to Communities NSW is to be construed as a reference to the Department of Trade and Investment, Regional Infrastructure and Services if the reference is used in relation to the Office of Liquor, Gaming and Racing or a group of staff referred to in subclause (1) (a) or (c).

## 2011 No 184

Clause 24 Public Sector Employment and Management (Departments) Order 2011

Part 5 Education and Communities

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### Part 5 Education and Communities

#### 24 Change of name of Department of Education and Training

- (1) The name of the Department of Education and Training is changed to the Department of Education and Communities.
- (2) The Department of Education and Communities is responsible to the following Ministers:
  - (a) Minister for Education,
  - (b) Minister for Citizenship and Communities,
  - (c) Minister for Aboriginal Affairs,
  - (d) Minister for Sport and Recreation.
- (3) In any document, a reference to the Department of Education and Training is to be construed as a reference to the Department of Education and Communities.

#### 25 Establishment of Offices within Department of Education and Communities

- (1) The following are established within the Department of Education and Communities:
  - (a) Office of Education,
  - (b) Office of Sport, Recreation and Communities.
- (2) The Office of Sport, Recreation and Communities includes the staff transferred under clauses 27 and 28.

#### 26 Transfer of certain children's services staff to DEC

- (1) The group of staff who, in the opinion of the Director-General of the Department of Premier and Cabinet, are principally involved in the administration of Chapter 12 and 12A of the *Children and Young Persons (Care and Protection) Act 1998* are removed from the Department of Human Services and added to the Department of Education and Communities.
- (2) In any document, a reference to the Department of Human Services is to be construed as a reference to the Department of Education and Communities if the reference is used in relation to the group of staff referred to in subclause (1).

#### 27 Amalgamation of Communities NSW with DEC

- (1) All branches are removed from Communities NSW and added to the Department of Education and Communities.

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- (2) Communities NSW is abolished as a Division of the Government Service.
  - (3) In any document, a reference to Communities NSW is to be construed as a reference to the Department of Education and Communities.
  - (4) This clause is subject to clauses 9, 11 and 23.

**28 Transfer of Office of Veterans' Affairs from DPC to DEC**

- (1) The Office of Veterans' Affairs is removed from the Department of Premier and Cabinet and added to the Department of Education and Communities.
- (2) In any document, a reference to the Department of Premier and Cabinet is to be construed as a reference to the Department of Education and Communities if the reference is used in relation to the Office of Veterans' Affairs.

## **2011 No 184**

Clause 29            Public Sector Employment and Management (Departments) Order 2011

Part 6                Finance and Services

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### **Part 6    Finance and Services**

#### **29    Change of name of Department of Services, Technology and Administration**

- (1) The name of the Department of Services, Technology and Administration is changed to the Department of Finance and Services.
- (2) The Department of Finance and Services is responsible to the following Ministers:
  - (a) Minister for Finance and Services,
  - (b) Minister for Fair Trading.
- (3) In any document, a reference to the Department of Services, Technology and Administration is to be construed as a reference to the Department of Finance and Services.
- (4) This clause is subject to clause 10.

#### **30    Amalgamation of Land and Property Management Authority with DFS**

- (1) All branches are removed from the Land and Property Management Authority and added to the Department of Finance and Services.
- (2) The Land and Property Management Authority is abolished as a Division of the Government Service.
- (3) In any document, a reference to the Land and Property Management Authority is to be construed as a reference to the Department of Finance and Services.
- (4) This clause is subject to clauses 12, 13, 20 and 21.

#### **31    Transfer of OSR and Expenditure Review Directorate from Treasury to DFS**

- (1) The following are removed from the Treasury and added to the Department of Finance and Services:
  - (a) Office of State Revenue,
  - (b) Expenditure Review Directorate.
- (2) In any document, a reference to the Treasury is to be construed as a reference to the Department of Finance and Services if the reference is used in relation to the Office of State Revenue or the Expenditure Review Directorate.

#### **32    Transfer of certain DHS housing staff to DFS**

- (1) The group of staff in Housing NSW, Department of Human Services who, in the opinion of the Director-General of the Department of

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Premier and Cabinet are principally involved in asset management, are removed from the Department of Human Services and added to the Department of Finance and Services.

- (2) In any document, a reference to the Department of Human Services is to be construed as a reference to the Department of Finance and Services if the reference is used in relation to the group of staff referred to in subclause (1).

**33 Transfer of certain DPC staff to DFS**

- (1) The group of staff in the Department of Premier and Cabinet comprising, or involved in, the Corporate and Shared Services Reform Program are removed from that Department and added to the Department of Finance and Services.
- (2) In any document, a reference to the Department of Premier and Cabinet is to be construed as a reference to the Department of Finance and Services if the reference is used in relation to the group of staff referred to in subclause (1).

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Clause 34          Public Sector Employment and Management (Departments) Order 2011

Part 7              Family and Community Services

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### **Part 7    Family and Community Services**

#### **34    Change of name of Department of Human Services**

- (1) The name of the Department of Human Services is changed to the Department of Family and Community Services.
- (2) The Department of Family and Community Services is responsible to the following Ministers:
  - (a) Minister for Family and Community Services,
  - (b) Minister for Women,
  - (c) Minister for Ageing,
  - (d) Minister for Disability Services.
- (3) In any document, a reference to the Department of Human Services is to be construed as a reference to the Department of Family and Community Services.
- (4) This clause is subject to clauses 26, 32, 40, 42 and 43.

#### **35    Transfer of Office for Women's Policy from DPC to DFACS**

- (1) The Office for Women's Policy is removed from the Department of Premier and Cabinet and added to the Department of Family and Community Services.
- (2) In any document, a reference to the Department of Premier and Cabinet is to be construed as a reference to the Department of Family and Community Services if the reference is used in relation to the Office for Women's Policy.

## **Part 8 Attorney General and Justice**

### **36 Change of name of Department of Justice and Attorney General**

- (1) The name of the Department of Justice and Attorney General is changed to the Department of Attorney General and Justice.
- (2) The Department of Attorney General and Justice is responsible to the following Ministers:
  - (a) Attorney General,
  - (b) Minister for Justice.
- (3) In any document, a reference to the Department of Justice and Attorney General is to be construed as a reference to the Department of Attorney General and Justice.

### **37 Establishment of Ministry for Police and Emergency Services as a Division of the Government Service**

- (1) The Ministry for Police and Emergency Services is established as a Division of the Government Service.
- (2) The Ministry for Police and Emergency Services is responsible to the Minister for Police and Emergency Services.

### **38 Transfer of certain DPC staff to Ministry for Police and Emergency Services**

- (1) The groups of staff in the Department of Premier and Cabinet comprising the Security and Recovery Co-ordination Branch and the Law Enforcement Policy Branch are removed from that Department and added to the Ministry for Police and Emergency Services.
- (2) In any document, a reference to the Department of Premier and Cabinet is to be construed as a reference to the Ministry for Police and Emergency Services if the reference is used in relation to a group of staff referred to in subclause (1).

### **39 Transfer of Emergency Management NSW to Ministry for Police and Emergency Services**

- (1) Emergency Management NSW is removed from the Department of Rural Fire Service and added to the Ministry for Police and Emergency Services.
- (2) In any document:
  - (a) a reference to Emergency Management NSW is to be construed as a reference to the Ministry for Police and Emergency Services, and

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Clause 40 Public Sector Employment and Management (Departments) Order 2011

Part 8 Attorney General and Justice

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- (b) a reference to the Chief Executive, Emergency Management NSW is to be construed as a reference to Chief Executive of the Ministry for Police and Emergency Services, and
- (c) a reference to the Department of Rural Fire Service is to be construed as a reference to the Ministry for Police and Emergency Services if the reference is used in relation to Emergency Management NSW.

### **40 Transfer of certain Department of Human Services staff to Ministry for Police and Emergency Services**

- (1) The group of staff in the Department of Human Services who are principally involved in the provision of disaster welfare assistance are removed from that Department and added to the Ministry for Police and Emergency Services.
- (2) In any document, a reference to the Department of Human Services is to be construed as a reference to the Ministry for Police and Emergency Services if the reference is used in relation to the group of staff referred to in subclause (1).

### **41 Transfer of Ministerial Liaison in NSW Police Force to Ministry for Police and Emergency Services**

- (1) The Ministerial Liaison Unit is removed from the NSW Police Force and added to the Ministry for Police and Emergency Services.
- (2) In any document, a reference to the NSW Police Force is to be construed as a reference to the Ministry for Police and Emergency Services if the reference is used in relation to the Ministerial Liaison Unit.

### **42 Transfer of Juvenile Justice staff to Department of Attorney General and Justice**

- (1) The group of staff in the Department of Human Services comprising the Division of Juvenile Justice are removed from that Department and added to the Department of Attorney General and Justice.
- (2) In any document, a reference to the Department of Human Services is to be construed as a reference to the Department of Attorney General and Justice if the reference is used in relation to the group of staff referred to in subclause (1).

### **43 Transfer of Guardianship Tribunal staff to Department of Attorney General and Justice**

- (1) The group of staff in the Department of Human Services who are employed to enable the Guardianship Tribunal to exercise its functions are removed from that Department and added to the Department of Attorney General and Justice.

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Public Sector Employment and Management (Departments) Order 2011

Clause 43

Attorney General and Justice

Part 8

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- (2) In any document, a reference to the Department of Human Services is to be construed as a reference to the Department of Attorney General and Justice if the reference is used in relation to the group of staff referred to in subclause (1).

## 2011 No 184

Clause 44 Public Sector Employment and Management (Departments) Order 2011

Part 9 Miscellaneous

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### Part 9 Miscellaneous

#### 44 Change of name of Transport NSW

- (1) The name of Transport NSW is changed to the Department of Transport.
- (2) The Department of Transport is responsible to the following Ministers:
  - (a) Minister for Transport,
  - (b) Minister for Roads and Ports.
- (3) In any document, a reference to Transport NSW is to be construed as a reference to the Department of Transport.

#### 45 Ministerial responsibility for Department of Health

The Department of Health is responsible to the following Ministers:

- (a) Minister for Health,
- (b) Minister for Medical Research,
- (c) Minister for Mental Health,
- (d) Minister for Healthy Lifestyles.

#### 46 Consequential amendments to Public Sector Employment and Management Act 2002 No 43

##### (1) Schedule 1 Divisions of the Government Service

Omit "Director-General of the Department of Industry and Investment" from the matter relating to the Energy Corporation Division and the Tourism New South Wales Division in Part 3, wherever occurring.

Insert instead "Director-General of the Department of Trade and Investment, Regional Infrastructure and Services".

##### (2) Schedule 1, Part 3

Omit "Director-General of the Department of Environment, Climate Change and Water" from the matter relating to the Environment Protection Authority Special Purpose Division.

Insert instead "Director-General of the Department of Premier and Cabinet".

##### (3) Schedule 1, Part 3

Omit "Director-General of the Department of Industry and Investment" from the matter relating to the Forestry Commission Division.

Insert instead "Director-General of the Department of Primary Industries".

(4) **Schedule 1, Part 3**

Omit “Director-General of the Department of Services, Technology and Administration” from the matter relating to the Rental Bond Board Special Purpose Division.

Insert instead “Director-General of the Department of Finance and Services”.

(5) **Schedule 1, Part 3**

Omit “Chief Executive of the Land and Property Management Authority” from the matter relating to the Sydney Harbour Foreshore Authority Casual Staff Division.

Insert instead “Director-General of the Department of Planning and Infrastructure”.

(6) **Schedule 1, Part 3**

Omit “Director-General of Communities NSW” from the matter relating to the Sydney Olympic Park Authority Casual Staff Division.

Insert instead “Director-General of the Department of Education and Communities”.

(7) **Schedule 1, Part 3**

Omit the matter relating to the Transport Special Services Group.

Insert instead:

Transport Special Services Group, Department of Transport (limited to staff of the Department of Transport, not subject to Chapter 2 of this Act, who are designated by the Division Head with the approval of the Director of Public Employment)	Director-General of the Department of Transport
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(8) **Schedule 1, Part 3**

Omit “Director-General of the Department of Education and Training” from the matter relating to the Vocational Education and Training Accreditation Board Division.

Insert instead “Director-General of the Department of Education and Communities”.