Government Sector Employment Rules (Amendment No 3—Secretaries) 2015

under the

Government Sector Employment Act 2013

I, Graeme Head, Public Service Commissioner, in pursuance of the Government Sector Employment Act 2013, make the following Rule.

GRAEME HEAD
Public Service Commissioner
Government Sector Employment Rules (Amendment No 3—Secretaries) 2015

under the

Government Sector Employment Act 2013

1 Name of Rule

This Rule is the Government Sector Employment Rules (Amendment No 3—Secretaries) 2015.

2 Commencement

This Rule commences on the day on which it is published on the NSW legislation website.
Schedule 1 Amendment of Government Sector Employment Rules 2014

Rules 52 and 53
Omit rule 52. Insert instead:

52 Appointment of Secretaries of Departments

(1) Before a person is appointed as the Secretary of a Department a report relating to the proposed appointment is required to be provided to the Minister:
   (a) in the case of the appointment of the DPC Secretary—by the Commissioner, or
   (b) in the case of the appointment of any other Secretary—by the DPC Secretary.

(2) A report by the DPC Secretary is to be prepared after consultation with the Commissioner and the senior Minister to whom the relevant Department is responsible.

(3) However, a report is not required:
   (a) if the person is being re-appointed as the Secretary of a Department, or
   (b) if the person was the Secretary of another Department at the time of the appointment or within 3 months before the appointment, or
   (c) if the Commissioner or DPC Secretary (as the case requires) does not provide a report within 21 days after being notified of the proposed appointment, or
   (d) if the appointment is effected by an administrative arrangements order under Part 7 of the Constitution Act 1902.

(4) Part 3 does not apply to the Secretaries of Departments.

(5) In this rule:
   DPC Secretary means the Secretary of the Department of Premier and Cabinet.

53 Appointment of heads of Public Service executive agencies

Part 3 does not apply to the appointment of a person as the head of a Public Service executive agency:
   (a) if the person is being re-appointed as the head of the agency, or
   (b) if the person was the head of another Public Service executive agency or the Secretary of a Department at the time of the appointment or within 3 months before the appointment.