



New South Wales

Administrative Arrangements (Administrative Changes—Public Service Agencies) Amendment Order 2019

under the

Constitution Act 1902

DAVID HURLEY, Governor

I, General The Honourable David Hurley AC DSC (Ret'd), Governor of New South Wales, with the advice of the Executive Council, and in pursuance of Part 7 of the *Constitution Act 1902*, make the following Order.

Dated, this 1st day of May 2019.

By His Excellency's Command,

GLADYS BEREJIKLIAN, MP
Premier

Administrative Arrangements (Administrative Changes—Public Service Agencies) Amendment Order 2019

under the

Constitution Act 1902

1 Name of Order

This Order is the *Administrative Arrangements (Administrative Changes—Public Service Agencies) Amendment Order 2019*.

2 Commencement

This Order commences on the day on which it is published on the NSW legislation website.

Schedule 1 Amendment of Administrative Arrangements (Administrative Changes—Public Service Agencies) Order 2019

[1] Clauses 4–6, 8, 9, 12, 13, 21, 26 (2), 27 (2) and 32 (2) (a)

Omit “Department of Planning and Industry” wherever occurring.

Insert instead “Department of Planning, Industry and Environment”.

[2] Clause 16 Transfer of Aboriginal Affairs NSW to DPC

Insert “NSW” after “Aboriginal Affairs” where secondly occurring in clause 16 (2).

[3] Clause 17 Transfer of certain OEH staff to DPC

Omit clause 17 (1). Insert instead:

- (1) The Heritage Division and the Culture Policy Branch are transferred from the Office of Environment and Heritage to the Department of Premier and Cabinet.

[4] Clause 17 (2)

Omit “the part”. Insert instead “a part”.

[5] Clause 17A

Insert after clause 17:

17A Transfer of Historic Houses staff to DPC

- (1) The persons employed in the Office of Environment and Heritage or the Department of Planning and Environment to enable the Historic Houses Trust to exercise its functions are transferred to the Department of Premier and Cabinet.
- (2) In any document, a reference to the Office of Environment and Heritage or the Department of Planning and Environment is, if used in relation to a part of that Office or Department referred to in subclause (1), to be construed as a reference to the Department of Premier and Cabinet.

[6] Clauses 19 (1) and 20 (1)

Omit “Public Service, Employee Relations” wherever occurring.

Insert instead “Public Service and Employee Relations”.

[7] Clause 22 Transfer of parts of DPC to Department of Customer Service

Insert after clause 22 (1) (b):

- (c) Government Communications Branch,
- (d) those persons employed in the Digital, Content and Sponsorships Branch who are principally involved in administering the nsw.gov.au website.

[8] Clause 23 Transfer of parts of DFSI to Treasury

Omit clause 23 (1). Insert instead:

- (1) The following parts of the Department of Finance, Services and Innovation are transferred to the Treasury:

- (a) NSW Procurement,
- (b) those persons who are principally involved in the administration of legislation allocated to the Minister for Finance and Small Business (including the provision of support for the portfolio responsibilities of that Minister).

[9] Clause 24 Transfer of TELCO staff from DFSI to Department of Family and Community Services and Justice

Omit the clause.

[10] Clause 25 Transfer of part of DFSI to Department of Customer Service

Omit the clause.

[11] Clause 26 Transfer of parts of DFSI to Department of Planning, Industry and Environment

Omit clause 26 (1). Insert instead:

- (1) The following parts of the Department of Finance, Services and Innovation are transferred to the Department of Planning, Industry and Environment:
 - (a) those persons who are principally involved in the administration of legislation allocated to the Minister for Water, Property and Housing (including the provision of support for the portfolio responsibilities of that Minister),
 - (b) Property and Advisory Group,
 - (c) Manly Hydraulics Laboratory,
 - (d) Heritage Stoneworks.

[12] Clause 26A

Insert after clause 26:

26A Transfer of certain SOPA staff from Office of Sport to Department of Planning, Industry and Environment

- (1) The persons employed in the Office of Sport who are principally involved in the administration of the *Sydney Olympic Park Authority Act 2001* are transferred to the Department of Planning, Industry and Environment.
- (2) Subclause (1) does not apply in relation to those persons who are principally involved in the exercise of venue management functions.
- (3) In any document, a reference to the Office of Sport is, if used in relation to the part of that Office referred to in subclause (1), to be construed as a reference to the Department of Planning, Industry and Environment.

[13] Clause 27 Transfer of parts of FACS to Department of Planning, Industry and Environment

Omit clause 27 (1). Insert instead:

- (1) The following parts of the Department of Family and Community Services are transferred to the Department of Planning, Industry and Environment:
 - (a) those persons who are principally involved in providing support to the New South Wales Land and Housing Corporation,
 - (b) those persons who are principally involved in providing support to the Aboriginal Housing Office (including the Board of the Aboriginal Housing Office),

- (c) those persons who are principally involved in asset management.

[14] Clause 31

Omit the clause. Insert instead:

31 Transfer of Liquor, Gaming and Racing Division from Department of Industry to Department of Customer Service

- (1) The Liquor, Gaming and Racing Division of the Department of Industry is transferred to the Department of Customer Service.
- (2) In any document, a reference to the Liquor, Gaming and Racing Division of the Department of Industry is to be construed as a reference to the Liquor, Gaming and Racing Division of the Department of Customer Service.

[15] Clause 32 Construction of certain references

Omit “Industry” from clause 32 (2) (b) (iv). Insert instead “Environment”.

[16] Clauses 33–36

Insert after clause 32:

33 Construction of reference to Industrial Relations Secretary in GSE Act

The reference to the Secretary of the Treasury in the definition of *Industrial Relations Secretary* in section 49 of the GSE Act is to be construed as a reference to the Secretary of the Department of Premier and Cabinet.

34 Construction of certain references in Jobs for NSW Act 2015

A reference to the Department of Industry, Skills and Regional Development in the definition of *Department* in section 4 of the *Jobs for NSW Act 2015* and in section 5 (2) (c) of that Act is to be construed as a reference to the Treasury.

35 Construction of references to DFSI in Public Works and Procurement Act 1912

- (1) A reference to the Department of Finance, Services and Innovation in section 165 of the *Public Works and Procurement Act 1912* is to be construed as a reference to the Treasury.
- (2) This clause is taken to have commenced on the commencement of the *Administrative Arrangements (Administrative Changes—Public Service Agencies) Amendment Order 2019*.

36 Construction of reference in Housing Act 2001 relating to management of NSW Land and Housing Corporation

A reference in section 6 of the *Housing Act 2001* to the Secretary (within the meaning of that Act) is to be construed as a reference to the Secretary of the Department of Planning, Industry and Environment.