



PUBLIC SECTOR MANAGEMENT ACT 2000

[Consolidated as at 9 May 2003
on the authority of the Administrator
and in accordance with
the *Enactments Reprinting Act 1980*]

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Public Sector Management Act 2000

An Act to regulate the administration of the public sector of the Territory,
to repeal the *Public Service Act 1979* and for related purposes

PART 1 — PRELIMINARY

Short title

1. This Act may be cited as the *Public Sector Management Act 2000*.

Commencement

2. (1) Section 1 and this section commence on the day on which notification of assent to this Act is published in the Gazette.

(2) The remaining provisions commence on a day, or respective days, fixed by the Administrator by notice in the Gazette.

The Crown

3. (1) This Act binds the Crown in right of Norfolk Island and the Administration.

(2) Nothing in this Act makes the Crown in any capacity, or the Administration, liable to be prosecuted for an offence.

Interpretation

4. In this Act, unless the contrary intention appears —

“Board” means the Public Service Board established under section 9;

“Chief Executive Officer” means the person appointed as Chief Executive Officer under section 38;

“disallowable instrument” means a disallowable instrument for the purposes of section 41A of the *Interpretation Act 1979*;

“eligible” — see subsection 5(2);

“eligibility” — see subsection 5(2);

“employee” means a person appointed to the public service;

“employment standards” means —

- (a) the enterprise agreement; and
- (b) the human resources policy (except to the extent that it is inconsistent with the enterprise agreement);

“enterprise agreement” means an agreement approved by the Legislative Assembly under section 30;

“Executive Director” means each person appointed as Executive Director under section 39;

“human resources policy” means the policy determined in accordance with section 28;

“merit principle” — *see subsection 5(1)*;

“organisational structure” means the organisational structure determined under section 27;

“prescribed organisation” means each organisation or person representing the interests of public service employees prescribed by regulation for the purposes of this definition;

“presiding member” means the employee elected to be the presiding member of the Staff Consultative Committee under paragraph 44(2)(b);

“public sector agency” means —

- (a) the public service; or
- (b) a territory instrumentality; or
- (c) a statutory office holder;

“public sector employee” means —

- (a) a person appointed to the public service or employed by a public sector agency; or
- (b) a statutory office holder;

“public sector general principles” means —

- (a) the objects set out in section 6; and
- (b) the principles set out in section 7; and
- (c) the standards of conduct set out in section 8; and
- (d) the code of conduct referred to in subsection 28(3);

“public service” means the organisation referred to in section 35;

“territory instrumentality” means a body corporate that is established by or under an Act (including the *Companies Act 1985*) and —

- (a) is comprised of persons, or has a governing body comprised of persons, a majority of whom are appointed by or on behalf of the Crown, the Administration or the Legislative Assembly; or
- (b) is subject to direction or control by an executive member; or
- (c) is declared by regulation to be a territory instrumentality for the purposes of this definition,

but does not include —

- (d) the public service; or
- (e) a body declared by regulation not to be a territory instrumentality for the purposes of this definition.

Merit principle

5. (1) In this Act, a reference to the **merit principle** is a reference to the following recruitment principles —

- (a) that a competitive selection process must be undertaken in respect of each appointment; and
- (b) that a person cannot be appointed unless the person is eligible for the appointment; and
- (c) if there are two or more applicants for an appointment, the most eligible applicant for the appointment will be appointed; and
- (d) an applicant who is ordinarily resident on Norfolk Island will be preferred over an applicant of equal eligibility who is not ordinarily resident on Norfolk Island.

(2) For the purposes of this Act —

- (a) a person is **eligible** for an appointment to employment in the public service if the person has the abilities, aptitude, skills, qualifications, knowledge, experience (including community experience) and personal qualities related to the requirements applying to the employment under —
 - (i) an advertisement published in good faith in relation to the appointment; or

- (ii) this Act; or
 - (iii) the employment standards or Regulations under this Act; or
 - (iv) any other Act; and
- (b) the **eligibility** of applicants to be appointed to employment in the public service will be determined by —
- (i) the extent to which each of the applicants has abilities, aptitude, skills, qualifications, knowledge, experience (including community experience) and personal qualities related to the requirements applying to the employment under —
 - (A) an advertisement published in good faith in relation to the appointment; or
 - (B) this Act; or
 - (C) the employment standards or Regulations under this Act; or
 - (D) any other Act; and
 - (ii) if relevant —
 - (A) the manner in which each of the applicants carried out any previous employment or occupational duties or functions; and
 - (B) the extent to which each of the applicants has potential for development.

PART 2 — PUBLIC SECTOR GENERAL PRINCIPLES

Objects of the public sector

6. Each public sector agency must aim to —
- (a) serve the public; and
 - (b) perform its functions efficiently and effectively in an impartial, apolitical and professional manner; and
 - (c) provide frank, honest, timely and accurate advice to the Government; and
 - (d) be fully accountable to Government; and

- (e) be flexible and responsive to Government policies and programs and the needs of the community from time to time; and
- (f) manage resources efficiently and prudently; and
- (g) continuously improve its performance in delivering services.

Principles for management of public sector employees

7. In managing public sector employees, each public sector agency is expected to —

- (a) base selection and promotion decisions on merit, preventing nepotism or patronage; and
- (b) provide a fair, flexible, safe and rewarding workplace; and
- (c) provide employees with training and development opportunities; and
- (d) clearly define duties and accountabilities of employees; and
- (e) establish co-operative workplace relations based on consultation and communication; and
- (f) focus on achieving results and managing performance.

Standards of conduct - public sector employees

8. Each public sector employee must, in the course of his or her employment —

- (a) treat the community and other employees with respect and courtesy; and
- (b) act fairly and with integrity; and
- (c) manage resources efficiently and prudently; and
- (d) use information or documents acquired in the course of his or her employment only in accordance with the requirements of that employment; and
- (e) perform his or her duties carefully, diligently and with reasonable skill; and
- (f) comply with —
 - (i) this Act; and
 - (ii) the Regulations and determinations under this Act; and
 - (iii) any other relevant law.

PART 3 — PUBLIC SERVICE MANAGEMENT*Division 1—The Public Service Board***Establishment of Board**

9. There will be a Public Service Board.

Constitution of Board

10. (1) The Board will consist of —
- (a) a presiding member and one other member appointed by the executive member on the recommendation of the Legislative Assembly; and
 - (b) an employee elected in accordance with section 12.
- (2) The following persons are not eligible to be members of the Board —
- (a) the Administrator; or
 - (b) a member of the Legislative Assembly; or
 - (c) the Chief Executive Officer; or
 - (d) an Executive Director.
- (3) An employee is not eligible to be the presiding member of the Board.
- (4) An act of the Board will not be taken to be invalid by reason only of a vacancy in its membership or a defect in appointment of a member.

Deputy Board members

11. (1) The executive member must, on the recommendation of the Legislative Assembly, appoint a person to be the deputy of a Board member referred to in paragraph 10(1)(a).
- (2) An employee must be elected in accordance with section 12 as the deputy for the Board member referred to in paragraph 10(1)(b).
- (3) A deputy of a member may act as a member of the Board —
- (a) if the member in respect of whom the deputy is appointed is absent or unable to discharge official duties; or
 - (b) if the position of the member in respect of whom the deputy is appointed is vacant.

(4) A reference in this Act to a member of the Board will be taken to include a reference to a deputy when acting as a member of the Board in accordance with this Act.

Elections

12. (1) Employees must, when necessary to fill a vacancy, elect —

- (a) a Board member referred to in paragraph 10(1)(b); or
- (b) a deputy referred to in subsection 11(2); or
- (c) an employee referred to in paragraph 56(1)(a).

(2) Elections must be undertaken in the prescribed manner.

Conditions of membership

13. (1) A member, deputy, or a person referred to in subsection 56(1), is appointed for 2 years (or the lesser period specified in the member's instrument of appointment) and is eligible for re-appointment.

(2) The office of a member, deputy, or a person referred to in subsection 56(1), becomes vacant if he or she —

- (a) dies; or
- (b) completes a term of office and is not re-appointed; or
- (c) resigns by notice in writing to the executive member; or
- (d) in the case of a member referred to in paragraph 10(1)(b), a deputy member referred to in subsection 11(2) or an employee referred to in paragraph 56(1)(a), ceases to be an employee; or
- (e) is removed from office under subsection 13(3).

(3) The executive member may, on the recommendation of the Legislative Assembly, terminate the appointment of a member, deputy or a person referred to in paragraph 56(1), on the ground that he or she —

- (a) has been found guilty of misconduct; or
- (b) has been convicted of an offence punishable by imprisonment; or
- (c) has, because of mental or physical incapacity, failed to satisfactorily carry out official duties; or
- (d) is incompetent or has neglected the duties of the position.

(4) A member or deputy of the Board is entitled to the allowances and expenses determined by the executive member in respect of that member or deputy.

(5) A member of the Board referred to in paragraph 10(1)(b), a deputy member of the Board referred to in subsection 11(2) or an employee referred to in paragraph 56(1)(a), when that person is engaged in an activity that relates to the person's membership of the Board, is —

- (a) not subject to direction by the executive member; or
- (b) not subject, as an employee, to direction by any other person.

Meetings

14. (1) Any member of the Board may convene a meeting of the Board by giving reasonable notice to the other persons entitled to attend.

(2) The Board's quorum is 3.

(3) The following person will preside at a meeting of the Board —

- (a) the presiding member; or
- (b) if the presiding member is unable to preside at that meeting, the deputy of the presiding member.

(4) Matters will be determined by a majority of votes of the members present at a meeting of the Board and, if there is an equality of votes on a matter, the matter will be taken to be decided in the negative.

Conflict of interest

15. (1) A member —

- (a) must disclose any direct or indirect financial or personal interest in a matter under consideration by the Board; and
- (b) must not take part in any deliberation or decision of the Board on that matter.

Penalty: 100 penalty units or 12 months imprisonment or both.

(2) It is a defence to a charge of an offence under subsection 15(1) for the defendant to prove that he or she was not, at the time of the alleged offence, aware of his or her interest in the matter.

(3) A disclosure under this section must be recorded in the minutes of the Board.

(4) A member of the Board (other than the presiding member or deputy presiding member) will not be taken to have a conflict of interest in respect of a Board deliberation or decision by reason only that —

- (a) the member is an employee and the deliberation or decision relates generally to all employees, or to a class of employees to which the member belongs; or
- (b) the member is or has been engaged in the management of the public service.

Delegation

16. The Board may delegate to a member a prescribed power or function.

Secretariat

17. (1) The Chief Executive Officer may provide the Board with —

- (a) a secretary or any other staff; or
- (b) facilities,

required by the Board.

(2) The secretary or each other staff member will be an employee and may perform his or her duties in conjunction with any other duties as an employee.

Functions of the Board

18. (1) The Board's functions are to —

- (a) evaluate observance by public service management and employees of —
 - (i) the public sector general principles; and
 - (ii) the employment standards; and
- (b) advise the Legislative Assembly on the contents (or proposed contents) of any determination under Division 3 of Part 3 referred to it for comment by the executive member; and
- (c) if required by the executive member, advise the Legislative Assembly on the appointment of the Chief Executive Officer and the terms and conditions of that appointment; and

- (d) consider and report to the executive member on any matter relating to the public service (including a matter referred to it by the executive member); and
- (e) undertake any other task related to the administration of this Act referred to it by the executive member; and
- (f) perform any other function assigned to it by or under this Act or the Regulations.

(2) The Board may include recommendations in any report to the Legislative Assembly.

(3) The executive member must refer a matter to the Board in accordance with this section if required to do so by resolution of the Legislative Assembly.

Powers of the Board

19. (1) The Board may, for the purposes of performing its powers or functions —

- (a) by notice in writing require an employee, or former employee, to —
 - (i) appear at a specified time and place for examination; or
 - (ii) produce a specified record or object that is relevant to the subject matter of the review, investigation or inquiry; or
- (b) require an employee, or former employee, to answer truthfully questions that are relevant to the review, investigation or inquiry; or
- (c) exercise any other power given to the Board under this Act.

(2) An employee, or former employee, who fails to comply with a requirement of the Board, or hinders the Board in exercising its powers, under this section, is guilty of an offence.

Penalty: (subsection 19(2)) 2 penalty units.

(3) In the course of any investigation, review or enquiry, the Board may —

- (a) receive in evidence a transcript of evidence in proceedings before a court or tribunal and draw any conclusions of fact from the evidence that it considers proper; or

- (b) adopt any findings, decisions or judgement of a court or tribunal that may be relevant to the proceedings.

Annual report

20. (1) The Board must, in respect of each year ending 30 June, report to the executive member on the performance of the Board's functions during the year.

(2) The report must include a report on —

- (a) the state of the public service; and
- (b) observance by public service management and employees of —
 - (i) the public sector general principles; and
 - (ii) the employment standards; and
- (c) a summary of any reviews conducted under Part 5 of this Act and the result of those reviews; and
- (d) any other matter required by —
 - (i) this Act; or
 - (ii) the Regulations under this Act; or
 - (iii) any other relevant law.

(3) The executive member must table a copy of a report referred to in subsection 20(2) in the Legislative Assembly within 2 sitting days after receiving it.

Division 2 — The Chief Executive Officer

Chief Executive Officer

21. There will be a Chief Executive Officer.

Functions of the Chief Executive Officer

22. (1) The Chief Executive Officer is responsible to the executive member for —

- (a) the effective management of the public service in accordance with the public sector general principles and employment standards; and
- (b) promoting and enforcing compliance with the public sector general principles and the employment standards.
- (c) efficient and timely implementation of policy decisions of the executive members of the Norfolk Island Legislative

Assembly, or through the executive members, the decisions of the Legislative Assembly; and

- (d) efficient and effective delivery of Public Service functions to the Norfolk Island community.

(2) The Chief Executive Officer has the following functions and powers —

- (a) to report any significant events or developments in respect of the public service to the executive member; and
- (b) any other functions assigned to the Chief Executive Officer by or under this Act or by the executive member;
- (c) subject to this Act, such power or powers as are reasonably necessary or required to perform the functions and responsibilities of the Chief Executive Officer outlined in this section, or such other functions, responsibilities or duties outlined in this Act.

Ministerial direction of the Chief Executive Officer

23. (1) The executive member may, by instrument in writing, give the Chief Executive Officer directions or guidelines about the performance of his or her functions and powers

but

the executive member must not give the Chief Executive Officer directions or guidelines in respect of the appointment, assignment, transfer, remuneration, suspension or termination of employment of a particular person.

(2) An instrument under subsection 23(1) is a disallowable instrument.

Delegation by Chief Executive Officer

24. The Chief Executive Officer may, by instrument in writing, delegate a power or function under this Act to another employee.

Annual report

25. (1) The Chief Executive Officer must, in respect of each year ending 30 June, report to the executive member on —

- (a) the measures taken to ensure observance by all public service employees of —
 - (i) the public sector general principles; or

- (ii) the employment standards; and
- (b) the measures taken to improve personnel management in the public service; and
- (c) if the Board has reported to the Chief Executive Officer under section 65 that it has substantiated a complaint in respect of a public service action, the action taken in respect of that complaint; and
- (d) any other matter specified in the Regulations,

in respect of that year.

(2) The executive member must table a copy of a report referred to in subsection 25(1) in the Legislative Assembly within 2 sitting days after receiving it.

Division 3 — Determinations

Procedure for making determinations

26. (1) A determination will be made under this Division in the following manner —

- (a) the Chief Executive Officer will produce a draft determination and provide a copy of it to the executive member; and
- (b) if satisfied with the draft determination, the executive member will provide a copy to the Legislative Assembly, the Board and, in the case of the human resources policy, any prescribed organisation; and
- (c) the Board and, in the case of the human resources policy, a prescribed organisation may, within 14 days or the longer period specified by the executive member, provide comments on the draft determination to the Legislative Assembly; and
- (d) having considered the draft determination and the comments (if any) of the Board or prescribed organisation, the Legislative Assembly may, by instrument in writing —
 - (i) make the draft determination; or
 - (ii) make the draft determination with specified amendments; or
 - (iii) reject the draft determination; and

- (e) a determination will operate from the date on which notice of its making is published in the Gazette or the later date specified in the determination.
- (2) In this section —
“determination” includes an amendment to a determination.

Organisational structure

- 27.** (1) The organisational structure of the Administration will be determined in accordance with section 26.
- (2) The organisational structure may —
- (a) determine that there will be Executive Directors with specified titles and duties; and
 - (b) determine the reporting structure surrounding an Executive Director.

Human resources policy

- 28.** (1) The human resources policy of the Administration will be determined in accordance with section 26.
- (2) The human resources policy will provide for —
- (a) recruitment and engagement; and
 - (b) equal opportunity in employment; and
 - (c) conditions of employment; and
 - (d) health and safety; and
 - (e) deployment; and
 - (f) suspension and termination of employment; and
 - (g) performance management; and
 - (h) training and development; and
 - (j) promotion; and
 - (k) discipline and grievances; and
 - (l) any other prescribed matter,

and may apply, adopt or incorporate, with or without modification, the provisions of an enterprise agreement.

- (3) The human resources policy must include a code of conduct (which must be consistent with section 8).

(4) Without limiting the matters that the human resources policy may make provision for, the human resources policy may specify an appointment, or a class of appointments that —

- (a) are not required to be made on the basis of the merit principle; or
- (b) are required to be subject to performance based contracts.

Division 4 — Enterprise Bargaining

Interpretation

29. (1) In this Division, unless the contrary intention appears —
“relevant employee” in respect of the approval of an agreement means an employee employed at the time that the approval is given.

(2) For the purposes of this Division, a **valid majority** of employees will be taken to have given an approval if —

- (a) where the decision is made by vote, a majority of relevant employees casting a valid vote; or
- (b) in any other case, a majority of relevant employees,

decide that they want to give that approval.

Approval of enterprise agreement by Legislative Assembly

30. (1) The Legislative Assembly may approve as an enterprise agreement an agreement that —

- (a) complies with subsection 30(3); and
- (b) is approved in the prescribed manner by a valid majority of relevant employees; and
- (c) is referred to it for approval in accordance with this Division.

(2) The Legislative Assembly may approve the termination of an enterprise agreement if that termination is —

- (a) approved by the Chief Executive Officer; and
- (b) approved in the prescribed manner by a valid majority of relevant employees.

(3) For the purposes of subsection 30(1), an enterprise agreement—

- (a) must relate to all employees; and
- (b) must be —
 - (i) in writing; and
 - (ii) expressed to be an enterprise agreement; and
 - (iii) signed by the Chief Executive Officer.

Effect of enterprise agreement

31. (1) An enterprise agreement operates from the day of its approval by the Legislative Assembly for 2 years or the shorter period specified in the agreement unless earlier terminated in accordance with this Act or the agreement.

(2) An enterprise agreement prevails to the extent of any inconsistency with the human resources policy.

Initiation of enterprise bargaining

32. (1) A period for negotiating a proposed enterprise agreement (the “**bargaining period**”) may be initiated by —

- (a) the Chief Executive Officer; or
- (b) an employee whose employment will be subject to the agreement acting on his or her own behalf and on behalf of other such employees.

(2) A person may initiate a bargaining period by notifying in the prescribed manner —

- (a) the employees at the time whose employment will be subject to the agreement; and
- (b) if the initiator is an employee, the Chief Executive Officer.

(3) The notice is to be accompanied by written particulars of —

- (a) the matters that the proposed agreement will deal with; and
- (b) the proposed expiry date of the agreement; and
- (c) any other matters prescribed by Regulations.

(4) The bargaining period begins at the end of 7 days after —

- (a) the day on which the notice was given; or

- (b) if the notice was given to different persons on different days - the latest of those days,

and ends when the earliest of the following events occurs —

- (c) the Legislative Assembly approves an agreement arising out of that bargaining period; or
- (d) if the initiating party is an employee, the Chief Executive Officer notifies the persons representing employees under section 33 for the purposes of the bargaining period that he or she wishes to end the bargaining period; or
- (e) if the initiating party is the Chief Executive Officer, a majority of the persons representing employees under section 33 notify the Chief Executive Officer that they wish to end the bargaining period.

Employee representation

33. (1) Employees may, in the prescribed manner, appoint 5 employees to represent them for the purposes of a particular bargaining period.

(2) The appointment of a person under subsection 33(1) terminates if the person —

- (a) dies; or
- (b) ceases to be an employee; or
- (c) resigns by notice in writing to the executive member.

(3) If two or more appointments under subsection 33(1) become vacant, the remaining employees appointed under subsection 33(1) must not represent employees until the vacant appointments are filled.

(4) Despite the appointment of representatives in accordance with subsection 33(1), nothing prevents a person representing themselves in negotiations for the purposes of a particular bargaining period.

Process for making an enterprise agreement

34. (1) The Chief Executive Officer must notify every relevant employee in the prescribed manner at least 14 days before the date —

- (a) notified to the Chief Executive Officer by employees' representatives appointed under section 33 as the date on which those representatives propose; or

- (b) if there are no such representatives, on which the Chief Executive Officer proposes,

to determine whether a valid majority of employees are in favour of the making of a proposed enterprise agreement and the determination must not be made until those 14 days have passed.

(2) The notice must include a copy of the proposed agreement and an accurate explanation of its provisions.

(3) If a proposed agreement is varied for any reason after the notice is given, the process specified in this section must again be taken in respect of the proposed agreement as varied.

PART 4 — THE PUBLIC SERVICE

Division 1 — Preliminary

The public service

35. The public service consists of —

- (a) the Chief Executive Officer; and
- (b) the Executive Directors; and
- (c) each other person employed by —
 - (i) the Crown in right of Norfolk Island; or
 - (ii) the Administration; or
 - (iii) a territory instrumentality,

(other than a person excluded from the public service by or under Schedule 1).

Recruitment

36. Subject to the human resources policy, a person must only be appointed to employment in the public service on the basis of a competitive selection process undertaken in accordance with the merit principle.

Appointment valid despite non-compliance with Act

37. An employee's appointment will not be taken to be invalid by reason only that this Act has not been complied with.

Division 2 — Chief Executive Officer and Executive Directors

Appointment of Chief Executive Officer

38. (1) The executive member may, on the recommendation of the Legislative Assembly, appoint a person as Chief Executive Officer.

(2) The executive member must, before appointing a person under subsection 38(1) —

- (a) arrange for a selection process to be undertaken by a selection panel in respect of that appointment in accordance with the human resources policy; and
- (b) consider the written recommendations of that selection panel; and
- (c) not less than 7 days before receiving the recommendation of the Legislative Assembly under subsection 38(1), provide each Member of the Legislative Assembly with a copy of the written recommendations of that selection panel, and the result of any appeal under section 59 in respect of that selection.

(3) The Chief Executive Officer must not be appointed for a term exceeding 5 years but is eligible for re-appointment.

(4) The executive member may appoint an employee to act as Chief Executive Officer when —

- (a) the Chief Executive Officer is absent or unable to discharge official duties; or
- (b) the position of Chief Executive Officer is vacant,

but an employee cannot in any case be appointed to act as Chief Executive Officer or an Executive Director for a continuous period of longer than 6 months.

Appointment of Executive Director

39. (1) The Chief Executive Officer may, in accordance with the provisions of the organisational structure, employment standards and on the recommendation of the Legislative Assembly, appoint a person referred to in paragraph 39(2)(b) as an Executive Director.

(2) The Chief Executive Officer must, in accordance with the employment standards —

- (a) undertake a selection process for the recruitment of an Executive Director; and
- (b) consider a ranked recommendation in respect of not less than 3 persons for recruitment as that Executive Director.

(3) The selection panel undertaking a selection process for the recruitment of an Executive Director must include one independent

person nominated by the Chief Executive Officer who is not an employee of the Public Service.

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(5) An Executive Director must not be appointed for a term exceeding 5 years but is eligible for re-appointment.

(6) The Chief Executive Officer may appoint an employee to act as an Executive Director when —

- (a) the Executive Director is absent or unable to discharge official duties; or
- (b) the position of the Executive Director is vacant,

but an employee cannot in any case be appointed to act as an Executive Director for a continuous period of longer than 6 months.

Conditions of employment of Chief Executive Officer or Executive Director

40. (1) The conditions of appointment of a person as Chief Executive Officer or an Executive Director will be those specified in a written agreement executed —

- (a) in the case of the Chief Executive Officer by the executive member acting on the recommendation of the Legislative Assembly;
- (b) in the case of an Executive Director by the Chief Executive Officer; and
- (c) the person.

(2) An agreement referred to in subsection 40(1) must require the person to comply with the performance standards set from time to time by —

- (a) in the case of the Chief Executive Officer, the executive member;
- (b) in the case of an Executive Director, the Chief Executive Officer.

(3) Despite the other provisions of this section, an employee may act as Chief Executive Officer or Executive Director without entering into a written agreement.

.....

*Division 3 — Consultative and Advisory Bodies***Corporate Management Group**

- 42.** (1) There will be a Corporate Management Group.
- (2) The Corporate Management Group consists of —
- (a) the Chief Executive Officer; and
 - (b) each Executive Director.
- (3) The functions of the Corporate Management Group will be —
- (a) the consultative or advisory functions set out in the human resources policy; and
 - (b) any other functions determined by the executive member by disallowable instrument.

Meetings

- 43.** (1) The Chief Executive Officer may convene a meeting of the Corporate Management Group by giving reasonable notice to the other persons entitled to attend.
- (2) The Chief Executive Officer will preside at a meeting of the Corporate Management Group.

Staff Consultative Committee

- 44.** (1) There will be a Staff Consultative Committee.
- (2) The Staff Consultative Committee consists of —
- (a) 2 members of the Corporate Management Group nominated by (but not including) the Chief Executive Officer; and
 - (b) 4 employees elected by employees in the prescribed manner, who must elect one person from amongst their number to be the presiding member.
- (3) The functions of the Staff Consultative Committee will be —
- (a) to provide the prescribed advice and guidance to the Chief Executive Officer or the Board; and
 - (b) to consider issues referred to it by employees; and
 - (c) any functions set out in the human resources policy; and
 - (d) any other functions determined by the executive member by disallowable instrument.

Meetings of Staff Consultative Committee

45. (1) The presiding member —

(a) may convene a meeting of the Staff Consultative Committee by giving reasonable notice to the other persons entitled to attend; and

(b) must convene a meeting at least once every two months,

but must not, without the approval of the Chief Executive Officer, convene more than one meeting in any calendar week.

(2) The presiding member will preside at a meeting of the Staff Consultative Committee but, if that member is unable to do so, another member determined by the committee will preside at that meeting.

(3) The presiding member may determine that a meeting of the Staff Consultative Committee will be held during the normal hours of duty of an employee member of the committee.

(4) A member of the Staff Consultative Committee referred to in paragraph 44(2)(b), when that member is taking part in a meeting of that committee is —

(a) not subject to direction by the executive member; or

(b) not subject, as an employee, to direction by any other person.

Annual report of Staff Consultative Committee

46. The Staff Consultative Committee must, before each 30 June report to the Board in respect of the committee's activities during the previous year.

Division 4 — Engagement of other Employees

Engagement

47. The Chief Executive Officer may, in accordance with the employment standards, appoint a person to employment in the public service on the conditions specified in a written agreement executed by the employee and the Chief Executive Officer.

*Division 5 — General***Variation of duties**

48. The Chief Executive Officer may from time to time vary the duties of an employee and the place at which the duties are to be performed.

Suspension

49. (1) The executive member may, on the recommendation of the Legislative Assembly, by notice in writing, immediately suspend the employment of the Chief Executive Officer with or without pay if the executive member reasonably suspects that the Chief Executive Officer has breached section 8, or the code of conduct referred to in subsection 28(3).

(2) The Chief Executive Officer may, by notice in writing, immediately suspend the employment of an employee with or without pay if the Chief Executive Officer reasonably suspects that the employee has breached the public sector general principles.

Termination

50. (1) The executive member may, on the recommendation of the Legislative Assembly, terminate the appointment of the Chief Executive Officer —

- (a) immediately by notice in writing if the Chief Executive Officer has breached the public sector general principles; or
- (b) in any other case by written notice of the period agreed with the Chief Executive Officer or, in the absence of agreement, 7 days notice in writing.

(2) The Chief Executive Officer may terminate the employment of an employee in the public service —

- (a) immediately by notice in writing if the employee has breached the public sector general principles; or
- (b) in any other case by written notice of the period agreed with the employee or, in the absence of agreement, 7 days notice in writing.

(3) A termination notice must include a statement of the reasons for the termination.

(4) Non-compliance with subsection 50(3) does not affect the termination.

Forfeiture

51. If an employee —

- (a) is absent, without authority, from employment in the public service for a period of not less than 10 working days; and
- (b) gives no proper explanation or excuse for the absence to the Chief Executive Officer before the end of that period,

the employee will, if the Chief Executive Officer so determines, be taken to have resigned from the public service.

Leave without pay for Members of the Legislative Assembly

52. (1) An employee who is a Member of the Legislative Assembly will be taken to be on leave without pay during any period that the employee is required to be on duty as an employee but is attending a meeting of the Legislative Assembly, or is otherwise engaged in an activity related to the employee's membership of the Legislative Assembly.

(2) A period during which, under subsection 52(1), a person is to be taken to be on leave without pay does not, for the purposes of this or any other Act, form part of the employee's period of service.

Limitation on re-appointment of former employees

53. (1) The Chief Executive Officer must not —

- (a) re-employ a former employee in the public service; or
- (b) enter into a contract with a former employee for the performance of services by that employee,

if

- (c) the person has been dismissed from the public service by reason of failure to comply with the public sector general principles; or
- (d) the person has, within the previous two years, received more than the amount prescribed for the purposes of this paragraph as a result of a voluntary retrenchment from the public service; or
- (e) the person has, within the previous 9 months, received more than the amount prescribed for the purposes of this paragraph as a result of an involuntary retrenchment from the public service.

(2) An amount payable under the *Provident Account Act 1958* will not be included in calculating for the purposes of subsection 53(1) the amount received by an employee.

(3) Despite paragraph 53(1)(c), a person who was dismissed from the public service by reason only of conviction for a criminal offence may be re-employed in the public service if the conviction is subsequently nullified.

PART 5 — REVIEW OF DECISIONS

Division 1 — Preliminary

Interpretation

54. In this Part, unless the contrary intention appears —
“selection” means —

- (a) in respect of the appointment of a person as Chief Executive Officer, a selection made for the purposes of paragraph 38(2)(a); and
- (b) in respect of the selection of a person to other employment in the public service, the decision of the Chief Executive Officer to offer the person that employment.

No other right to review

55. Except as expressly provided in this Act, a person has no right —

- (a) to be heard in respect of the making of a decision under this Act; or
- (b) to appeal against the making of a decision under this Act; or
- (c) to be given reasons for the making of a decision under this Act.

Constitution of the Board for the purposes of this Part

56. (1) For the purposes of this Part —

- (a) employees may elect three employees in accordance with section 12; and
- (b) the executive member may, on the recommendation of the Legislative Assembly, appoint 3 persons.

(2) For the purposes of this Part, the Board may be constituted by —

- (a) the presiding member or deputy presiding member;
- (b) the member referred to in section 10(1)(b), the deputy of that member, or a person referred to in paragraph 56(1)(a); and
- (c) the other member referred to in section 10(1)(a), the deputy of that member, or a person referred to in paragraph 56(1)(b).

(3) A reference in this Act to a member of the Board will be taken to include a reference to a person referred to in subsection 56(1), when acting as a member of the Board in accordance with this Act.

Division 2 — Merit Review

Notice of intention to appoint

57. (1) The Chief Executive Officer —

- (a) is not required to comply with this section in respect of —
 - (i) an appointment that is not required to be conducted on the basis of the merit principle; or
 - (ii) the selection of a person who was the only applicant for that employment; or
 - (iii) the recruitment of an Executive Director; and
- (b) is not required to notify under subsection 57(2) or 57(3) —
 - (i) a person who has withdrawn an application for appointment; or
 - (ii) a person who is not eligible for the appointment or is not willing to take up the appointment.

(2) A person must not be appointed to employment in the public service until —

- (a) the Chief Executive Officer has notified in the prescribed manner each other applicant for that employment of the person's selection and of the applicants' right of appeal under section 58; and

- (b) either —
 - (i) no notified applicant lodges an appeal in accordance with section 58 before the expiry of 14 days from the date of notice; or
 - (ii) if an appeal is lodged in accordance with section 58, that appeal is finally determined in accordance with this Act.
- (3) If the Chief Executive Officer —
 - (a) notifies a person that they have been selected for employment in the public service; and
 - (b) the person declines to accept that employment,

the Chief Executive Officer must notify each other applicant for that employment of that fact in the prescribed manner.

Right of appeal

58. (1) A person notified of a selection by the Chief Executive Officer under paragraph 57(2)(a) may appeal against that selection by lodging with the Board a notice of appeal in the prescribed form containing the prescribed information before the expiry of 14 days from the date on which the person was notified.

(2) The only ground of appeal under subsection 58(1) is that the appellant is more eligible to be selected for the employment than the person selected.

(3) Despite subsection 58(1) a person cannot appeal against a selection if the person —

- (a) is not eligible for the appointment; or
- (b) has withdrawn an application for appointment; or
- (c) is not willing to take up the appointment.

Determination of an appeal

59. (1) The Board must determine an appeal or appeals in respect of employment by forming an opinion as to which of the candidates concerned is the most eligible for the employment.

(2) Having formed an opinion as to which of the candidates concerned is the most eligible, the Board must —

- (a) unless paragraph 59(2)(b) applies, allow or disallow the appeals so as to give effect to that opinion; or

- (b) if the Board has also formed the opinion that none of the candidates concerned is eligible for the employment, disallow the appeal or appeals and cancel the selection.

(3) The Chief Executive Officer must, in respect of the selection of a person to employment in the public service (other than employment as Chief Executive Officer or Executive Director) —

- (a) cancel the decision to appoint a person; and
- (b) appoint a successful appellant,

to employment as necessary to give effect to the Board's determination of an appeal.

(4) The executive member must, in respect of the appointment of a person as Chief Executive Officer or Executive Director, notify each Member of the Legislative Assembly of the results of the appeal.

(5) A provision contained in Schedule 2 (*Review of Decisions*) applies to proceedings under this Division unless it expressly provides to the contrary.

(6) Subject to Schedule 2, proceedings under this Division must be conducted —

- (a) in the manner determined by the Board; and
- (b) in accordance with the prescribed time limits, but in any case, as expeditiously as possible.

(7) An appeal lapses if —

- (a) the Chief Executive Officer is required to issue a notice to the appellant under subsection 57(3); or
- (b) the Board declines to entertain it on the grounds that —
 - (i) it is frivolous or vexatious; or
 - (ii) it is not within the Board's jurisdiction.

Division 3 — Review of Termination of Employment

Application to Board to review termination

60. (1) An employee whose employment has been terminated by the Chief Executive Officer may apply to the Board for relief in respect of that termination on the ground that the termination was harsh, unjust or unreasonable.

(2) An application under subsection 60(1) must be lodged within 21 days after the day on which the termination took effect.

(3) The Board may accept an application that is lodged out of time if the Board considers that it would be unfair not to do so.

Exclusions

61. (1) The human resources policy may exclude from the operation of this Division employees of a specified class included in any of the following classes —

- (a) employees engaged under a contract of employment for a specified period of time (not exceeding 12 months); or
- (b) employees serving a period of probation or a qualifying period; or
- (c) employees employed on a casual basis for a short period; or
- (d) employees whose rate of remuneration immediately before termination exceeds a rate specified, or worked out in a manner specified, in the Regulations.

(2) The following employees or terminations are excluded from the operation of this Division —

- (a) employees whose terms and conditions of employment are governed by special arrangements providing particular protection in respect of termination of employment either generally or in particular circumstances; or
- (b) termination of the employment of an employee in accordance with the redundancy provisions of the employment standards.

Determination of whether termination is harsh, unjust or unreasonable

62. In determining whether a termination was harsh, unjust or unreasonable, the Board must have regard to —

- (a) whether there was a valid reason for the termination related to the capacity or conduct of the employee or to the requirements of the operational or organisational unit of the public service in which the employee was employed; and
- (b) whether the employee was notified of that reason; and
- (c) whether the employee was given an opportunity to respond in respect of that reason; and

- (d) if the termination related to unsatisfactory performance by the employee - whether the employee had been warned about that unsatisfactory performance before the termination; and
- (e) any other matter that the Board considers relevant.

Remedies

63. (1) If the Board finds that the termination of an employee was harsh, unjust or unreasonable, the Board may order the —

- (a) reinstatement of the employee; or
- (b) if the Board thinks that the reinstatement of the employee is inappropriate, payment to the employee of an amount ordered by the Board in lieu of reinstatement.

(2) If the Board makes an order under paragraph 63(1)(a), the Board may also make any order that it thinks appropriate regarding —

- (a) maintenance of the continuity of the employee's employment; or
- (b) payment to the employee an amount in respect of remuneration lost by the employee because of the termination.

(3) The Board may not order the payment under paragraph 63(1)(b) of an amount in lieu of reinstatement exceeding —

- (a) the amount to which the employee would be entitled under the employment standards if made redundant on the day on which the employee's employment was terminated; or
- (b) the prescribed amount,

whichever is the greater.

(4) The Board must not make an order under subsection 63(1) or 63(2) unless satisfied that the remedy ordered is appropriate having regard to all the circumstances of the case including —

- (a) the effect of the order on the operations of the public service; and
- (b) the employee's period of continuous service in the public service; and
- (c) the employee's duty to mitigate the loss suffered by the employee as a result of the termination; and

(d) any other matter that the Board considers relevant.

(5) If the Board orders the Chief Executive Officer to reinstate an employee, the employee must —

- (a) be re-appointed to the position in which the employee was employed immediately before the termination; or
- (b) appointed to another position on terms and conditions no less favourable than those on which the employee was employed immediately before the termination.

(6) The Chief Executive Officer (or in the case of the employment of the Chief Executive Officer or an Executive Director, the executive member) must comply with any other order made by the Board under this Division.

Procedure for dealing with application

64. (1) The provisions contained in Schedule 2 (*Review of Decisions*) apply to proceedings under this Division unless expressly provided to the contrary.

(2) Subject to Schedule 2, proceedings under this Division will be conducted in the manner determined by the Board.

Division 4 — References to Board

Right to refer matter to Board

65. (1) Any person (including an employee) —

- (a) who is affected by a public service action that does not comply with —
 - (i) this Act; or
 - (ii) the Regulations and determinations under this Act; and
- (b) who has complained to the Chief Executive Officer and is not satisfied with the action taken by the Chief Executive Officer in response to that complaint,

may complain to the Board.

(2) Subject to subsection 65(3), the Board must —

- (a) investigate each complaint and report its findings to the Chief Executive Officer; and

- (b) if, by reason of the nature of a complaint, or the nature or number of complaints, the Board considers that it is warranted, include in its next annual report matters or recommendations arising out of its investigations.

(3) The Board may decline to take further action in respect of a complaint on grounds that it is frivolous or vexatious or not within the Board's jurisdiction.

(4) In this section "public service action" means an act, or refusal or failure to act, by a person in the capacity of employee but does not include an act, refusal or failure in respect of which the person has a right of appeal under another provision of this Part.

PART 6 — MISCELLANEOUS

Repeal of Public Service Act 1979

66. The *Public Service Act 1979* is repealed.

Transitional provisions

67. The provisions contained in Schedule 3 (*Transitional Provisions*) form part of this Act.

Attachment of salary of officers and employees of Crown

68. The rule of common law that debts owing by the Crown for the salaries of its officers or employees are not capable of being attached is, in relation to the Crown in right of Norfolk Island, abolished.

Preservation of prerogative right to appoint or dismiss

69. Nothing in this Act is intended to abrogate or restrict any prerogative right to appoint a person to, or dismiss a person from, employment in the public service.

Regulations

70. (1) The Administrator may make Regulations, not inconsistent with this Act, prescribing matters —

- (a) required or permitted by this Act to be prescribed; or
- (b) necessary or convenient to be prescribed for carrying out or giving effect to this Act,

including (without limitation) Regulations—

- (c) exempting —
 - (i) a public sector agency (other than the public service); or
 - (ii) a public sector employee (other than a person appointed, or taken to be appointed, under this Act,

from the operation of a provision of the public sector general principles, or modifying the operation of the public sector general principles in respect of such an agency or employee.

(2) Regulations under this section may prescribe penalties not exceeding 10 penalty units for a contravention of the Regulations.

(3) Without limiting subsection 70(1), the Administrator may make Regulations, not inconsistent with this Act, prescribing matters of a transitional or saving nature arising from —

- (a) the repeal of the *Public Service Act 1979*; or
- (b) the transition from the *Public Service Act 1979* to this Act.

(4) Regulations under subsection 70(3) —

- (a) may provide for the *Public Service Act 1979* to continue in force for the purposes of the Regulations, despite the repeal of that Act; and
- (b) if made under this section within one year after the commencement of this section, may commence on a day earlier than the day on which they are made, but not earlier than the commencement of this section; and
- (c) may prescribe penalties not exceeding 10 penalty units for a contravention of the Regulations.

(Section 35)

SCHEDULE 1

Persons Excluded from the Public Service

1. (1) The following persons are excluded from the public service —

- (a) a person when engaged as judge of the Supreme Court of Norfolk Island (including the Chief Justice); or
- (b) a person when engaged as a Magistrate appointed under the *Court of Petty Sessions Act 1960*; or

- (c) a person when engaged as the Norfolk Island Government Auditor; or
- (d) a person when engaged as a person appointed under section 48 of the *Legislative Assembly Act 1979*; or
- (e) a person when engaged in an honorary capacity; or
- (f) a person when remunerated by fees, allowances and commissions only; or
- (g) a person when engaged as an officer or employee whose terms and conditions of appointment are to be determined by the Administrator or an executive member; or
- (h) a person when engaged as an officer or employee who is excluded from the public service under any other Act; or
- (j) a person referred to in an instrument made under subsection (2);
- (k) subject to the provisions of item (4), a person mentioned in that item whilst a member of the Legislative Assembly.

(2) The executive member may, by instrument in writing, exclude a person, or a class of persons, from the public service.

(3) An instrument under subsection (2) is a disallowable instrument for the purposes of section 41A of the *Interpretation Act 1979*.

Arrangements for Chief Executive Officer, Executive Directors, and Senior Employees upon nomination for candidacy in election

(4) In the event that a person appointed to any of the positions mentioned in Schedule 4, nominates as a candidate for election to the Legislative Assembly in accordance with the provisions of the *Legislative Assembly Act 1979*, at any election or by-election, the following will apply –

- (a) in the event that such a person is elected, that person shall be deemed to have resigned from the Public Service and such resignation shall be effective after the expiration of six weeks from the date of the election;
- (b) a person affected by item 4(a) shall not be penalised for providing short notice of resignation, or for breach of any contractual obligation or human resources policy caused by the person's deemed resignation.

Transitional

(5) Nothing in item (4), will apply to, disqualify, or affect any member of the Ninth Legislative Assembly of Norfolk Island who is a member of the Public Service, until the next general election held under the provisions of the *Legislative Assembly Act 1979* after commencement of this Act.

((Subsection 59(5))

(Subsection 64(1))

SCHEDULE 2**Review of Decisions****Procedure at meetings of the Board**

1. The presiding member, or the deputy of the presiding member must decide any question of law arising in proceedings before the Board under Division 3 of Part 5.

Principles on which the Board is to act

2. In proceedings under Divisions 2 and 3 of Part 5, the Board —
- (a) is to act according to equity, good conscience and the substantial merits of the case without regard to technicalities and legal forms; and
 - (b) is not bound by any rules of evidence, but may inform itself on any matter in such manner as it thinks fit.

Notice of proceedings, etc.

3. (1) The presiding member or secretary of the Board must give a party to proceedings before the Board reasonable notice of the time and place at which the Board is to hear those proceedings.

(2) A party must be given a reasonable opportunity to call or give evidence, to examine or cross-examine witnesses and to make submissions to the Board.

(3) If a party does not attend at the time and place fixed by the notice, the Board may hear the proceedings in the absence of that party.

Representation

4. A person may appear personally, or by representative, in proceedings before the Board but, except in proceedings under Division 3 of Part 5, may not be represented by a legal practitioner.

Powers of Board

5. (1) In the exercise of its powers or functions under this Act, the Board may —

- (a) by notice in writing require any person to —
 - (i) appear before the Board at a specified time and place for examination; or
 - (ii) produce to the Board a specified record or object that is relevant to the subject matter of the review, investigation or inquiry; or
- (b) require an employee, or former employee, to answer truthfully questions that are relevant to the review, investigation or inquiry.

(2) An employee, or former employee, who fails to comply with a requirement of the Board, or hinders the Board in exercising its powers, under this section is guilty of an offence.

Penalty: (subsection (2)) 20 penalty units.

Witness fees

6. A person who appears as a witness in proceedings before the Board is entitled to reimbursement of expenses in accordance with the Regulations.

Member may continue to hear appeal in certain circumstances

7. For the purpose of hearing and determining a part heard proceeding —

- (a) a deputy member of the Board may continue to act as a member of the Board despite that the circumstances referred to in subsection 11(3) do not exist; and
- (b) a member or deputy member of the Board who —
 - (i) has completed a term of office and is not re-appointed; or
 - (ii) resigns,

may continue as a member of the Board.

(Section 67)

SCHEDULE 3**Transitional Provisions****Interpretation**

1. In this Schedule —
- “commencing time” means the time when this Act commences;
- “old Act” means the *Public Service Act 1979*.

Conversion of officers, employees, etc.

2. (1) At the commencing time each person who was an officer or employee for the purposes of the old Act immediately before the commencing time becomes an employee subject to this Act.

(2) A person who becomes an employee under subsection (1) will be taken to have been appointed in accordance with this Act.

(3) A person’s employment arising under subsection (1) will be taken to be continuous with the person’s engagement under the old Act immediately before the commencing time.

(4) At the commencing time, the terms and conditions of employment of a person referred to in the first column of the table will be those specified opposite in the second column of the table.

Table

Class of employee	Terms and conditions
Employee engaged as an officer under section 19 of the old Act immediately before the commencing time	<p><i>Term of employment</i></p> <p>No fixed term (subject to retirement provisions of employment standards).</p> <p><i>Salary</i></p> <p>The rate applying to the officer immediately before the commencing time under section 21 of the old Act.</p> <p><i>Provision of quarters</i></p> <p>The entitlements applying to the officer by determination under section 23 of the old Act immediately before the commencing time.</p> <p><i>Other terms and conditions of employment</i></p> <p>The terms and conditions applying by or under this Act.</p>

Employee engaged under section 20 of the old Act immediately before the commencing time.

Term of employment

If immediately before the commencing time, the person was employed under the old Act on a temporary basis — for a period equal to the unexpired term of employment under the old Act; or

If immediately before the commencing time, the person was employed under the old Act on a casual basis — on a casual basis.

Provision of quarters

The entitlements applying to the person by determination under section 23 of the old Act immediately before the commencing time.

Other terms and conditions of employment

The terms and conditions applying in respect of that person's engagement by determination under section 20 of the old Act immediately before the commencing time — however, a determination that operates by reference to a standard applying under the old Act will, if an inconsistent standard applies under the new Act, be taken to refer to that inconsistent standard,

and

The terms and conditions applying by or under this Act, so far as those terms and conditions are capable of concurrent operation with the employment standards.

(5) The person appointed as Chief Administrative Officer under the old Act will, on commencement of this Act, be taken to be appointed as Chief Executive Officer under this Act on the same terms and conditions of employment, with the same entitlements,

but

the Chief Executive Officer's employment contract will be taken to include a term requiring the Chief Executive Officer to comply with the performance standards set from time to time by the executive member and any other executive member to whom the Chief Executive Officer is required to report under the organisational structure.

Leave rights

3. Subject to this Act, the rights of a person who becomes an employee under subsection 2(1) of this Schedule in respect of leave of

absence, sick leave and furlough existing immediately before the commencing time remain in full force and effect.

Directions, etc, continued

4. A direction, determination, approval or other decision issued or made under a provision of the old Act and in force immediately before the commencing time continues in force subject to this Act as if made under the corresponding provision of this Act.

SCHEDULE 4

**Positions attracting exclusion from Public Service upon election to
Legislative Assembly**

Chief Executive Officer
Executive Director
Program Manager Corporate Services
Program Manager Community Services
Program Manager Economic Services
Policy & Projects Manager
Crown Counsel
Internal Auditor
Conservator
Works Superintendent
Finance Manager
Registrar of Companies
KAVHA Projects Manager
Tourism Officer
Postal Services Manager
Manager Norfolk Telecom
Airport Manager
Electricity Manager
Post Office Manager
Liquor Bond Manager
Collector of Customs
Records Officer
Purchasing Officer

EDP Manager
 Librarian
 Leading Hand Building/Maintenance
 Leading Hand – Roads
 Foreman Mechanic
 Emergency Services Coordinator
 Forester/Chief Ranger
 Healthcare Manager
 Immigration Officer
 Personnel Officer
 Broadcasting Manager
 Chief Mechanical Officer
 Registrar of Titles
 Health and Building Surveyor
 Museum Curator
 Lighterage Serviceman

NOTES

The *Public Sector Management Act 2000* as shown in this consolidation comprises Act No. 8 of 2000 and amendments as indicated in the Tables below.

Enactment	Number and year	Date of commencement	Application saving or transitional provision
<i>Public Sector Management Act 2000</i>	8, 2000	Sections 1 and 2 commenced 25.5.02; remainder commenced 9.2.01	Schedule 3
<i>Public Sector Management Amendment Act 2001</i>	1, 2001	9.2.01	
<i>Public Sector Management Amendment Act 2003</i>	2, 2003	28.3.03	

Table of Amendments

ad = added or am = amended rep = repealed rs = repealed and
 inserted substituted

Provisions affected	How affected
4	am 2, 2003
22(1)(c)	ad 1, 2001
22(1)(d)	ad 1, 2001
22(2)	am 1, 2001
22(2)(c)	ad 1, 2001
39(1)	am 1, 2001
39(2)	am 1, 2001
39(2)(b)	am 1, 2001
39(3)	am 1, 2001
39(4)	rep 1, 2001
39(6)	am 1, 2001
40(1)(a)	rs 1, 2001
40(1)(b)	rs 1, 2001
40(1)(c)	ad 1, 2001
40(2)	rs 1, 2001
41	rep 1, 2001
44(2)(b)	am 2, 2003
47	am 1, 2001
49(1)	rs 1, 2001
49(2)	am 1, 2001
50(1)	am 1, 2001
50(1)(a)	am 1, 2001
50(1)(b)	am 1, 2001
50(2)	am 1, 2001
Schedule 1	
item 1(1)(k)	ad 1, 2001
item 1(4), 1(5)	ad 1, 2001
Schedule 4	ad 1, 2001

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