

Senate Finance and Public Administration Legislation Committee
ANSWERS TO QUESTIONS ON NOTICE
SUPPLEMENTARY BUDGET ESTIMATES 2013

Prime Minister and Cabinet Portfolio

Department/Agency: Australian Public Service Commission

Outcome/Program: 1.1

Topic: Heads of Departments

Senator: Faulkner

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Question:

Senator FAULKNER: I am not interested in the politics of this, Commissioner. I did want to ask a couple of questions. I suspect you may have to take them on notice because of time. I want to ask about the public service implications of the gazettal of the appointment of Mr Bracks on 18 July. You would be aware of section 38 of the Public Service Act, which says an agency head cannot terminate the employment of an SES employee unless the commissioner—in this case you—has issued a certificate under section 38 of the act stating that the termination has satisfied the requirements of the commissioner's direction and is in the public interest. You would be aware, of course, of those provisions. Can I just confirm that you did issue such a certificate?

Mr Sedgwick: Not in that case. I would need to take on notice and therefore get back to you regarding the circumstances.

Senator FAULKNER: I am surprised to hear that, but we do not have time tonight for me to explore it. I am not particularly interested in the politics of this.

Mr Sedgwick: Senator, I do not have the detail in my head. We will get back to you.

Answer:

As I understand it, Mr Bracks resigned.