



New South Wales

Government Sector Employment and Other Legislation Amendment Bill 2024

Explanatory note

This explanatory note relates to this Bill as introduced into Parliament.

Overview of Bill

The objects of this Bill are as follows—

- (a) to amend the functions and objectives of the Public Service Commissioner (the *Commissioner*) and the Secretary of the Premier's Department (the *Secretary*) under the *Government Sector Employment Act 2013* (the *GSE Act*),
- (b) to amend the employment arrangements for the chief executive officer (the *CEO*) of the NSW Reconstruction Authority (the *Authority*) under the *NSW Reconstruction Authority Act 2022*,
- (c) to make consequential amendments to certain Acts and regulations.

Outline of provisions

Clause 1 sets out the name, also called the short title, of the proposed Act.

Clause 2 provides for the commencement of the proposed Act.

Schedule 1 Amendment of Government Sector Employment Act 2013 No 40

Schedule 1[3] amends the general functions of the Commissioner and provides that the Commissioner has the function of leading the strategic development and management of the government sector workforce in relation to the following—

- (a) recruitment,

- (b) equity and diversity,
- (c) general conduct and compliance with ethical standards,
- (d) learning and development,
- (e) executive employment arrangements.

Schedule 1[2] makes a consequential amendment to the principal objectives of the Commissioner and provides that the Commissioner's objectives are—

- (a) promoting and maintaining the highest levels of integrity, impartiality, accountability and leadership across the government sector, and
- (b) ensuring government sector recruitment and selection processes comply with the merit principle and adhere to professional standards, and
- (c) fostering a public service culture in which integrity, trust, service and accountability are strongly valued, and
- (d) building public confidence in the government sector.

Schedule 1[4] requires a report on the Commissioner's work and activities to be given to the Premier as soon as practicable after 30 June in each financial year.

Schedule 1[6] requires the Premier to table a report on the state of the government sector for each financial year in both Houses of Parliament. The Secretary of the Premier's Department is given power to request information from public sector agencies to enable the report to be prepared.

Schedule 1[1] inserts a definition of *financial year* consequent on Schedule 1[4] and [6].

Schedule 1[5] provides that the Commissioner must arrange for information about the Commissioner's functions and the work of the Commissioner to be published on a NSW Government website.

Schedule 2 Amendment of NSW Reconstruction Authority Act 2022 No 80

Schedule 2 omits section 16(2), which provides for certain matters in relation to the employment arrangements for the CEO of the Authority.

Schedule 3 Consequential amendments of other legislation

Schedule 3 replaces references to the Commissioner with references to the Secretary in certain Acts and regulations.