2004-2005-2006

The Parliament of the
Commonwealth of Australia

THE SENATE

Families, Community Services and Indigenous Affairs and Other Legislation (2006 Budget and Other Measures) Bill 2006

(Amendments to be moved by Senator Bartlett on behalf of the Australian Democrats in committee of the whole)

(1) Schedule 8, item 9, page 62 (after line 19), at the end of section 114D, add:

(3) In making an appointment in accordance with subsection (1), the Minister is to have regard to the merit selection processes described in section 114DA.

[merit selection of Director]

(2) Schedule 8, item 9, page 62 (after line 19), after section 114D, insert:

114DA Procedures for merit selection of Director

(1) The Minister must, within 9 months of the commencement of this section, determine a code of practice for selecting and appointing the Director that must include the following general principles:

(a) merit, including but not limited to appropriate subject, research and management experience; and
(b) appointment on the recommendation of an independent selection panel established by the Minister; and
(c) probity; and
(d) openness and transparency, including where the Minister appoints a person not nominated by the selection panel, the requirement for a statement to be tabled in both houses of Parliament setting out:

(i) the reason for not accepting the recommendations made in accordance with paragraph (b); and
(ii) the reasons for the Minister’s decision.

(2) The Minister must cause to be tabled in both Houses of the Parliament a copy of the code of practice within 15 sitting days after determining the code in accordance with subsection (1).
(3) The Minister must cause to be tabled in both Houses of the Parliament an amendment to the code of practice within 15 sitting days after the amendment is made.

[merit selection of Director]

114DB  Audit of procedures

(1) The operation of section 114DA must be audited by the Public Service Commissioner each financial year.

(2) The result of an audit conducted in accordance with this section is to be included in the annual report of the Public Service Commissioner.

(3) An audit conducted pursuant to subsection (1) must examine the code of practice as determined and any appointments made in accordance with the code of practice.

[merit selection of Director]