PUBLIC SERVICE ACTS AMENDMENT BILL 1981

Date Introduced: 29 October 1981
House: House of Representatives
Presented by: Hon. R.I. Viner, Minister for Industrial Relations and Minister Assisting the Prime Minister

Short Digest of Bill

Purpose
To amend the Public Service Act 1922 to make better provision for promotion and transfer procedures within the Service and to abolish the divisional structure of the service.

Background
The Royal Commission on Australian Government Administration reported in 1976. The present Bill acts upon two of its major recommendations in relation to promotion and transfer procedures and the abolition of the divisional structure of the Service. The Royal Commission agreed with the trend towards greater emphasis on the efficiency criterion in promotion. In relation to divisional structure of the Service the Royal Commission considered the structure of four Divisions to be outmoded. It was felt that present structure of first Division for Permanent Heads, Second Division for senior executives, Third Division for clerical and professional positions and Fourth Division for remaining officers did not adequately accommodate the different occupational groups which now make up the Public Service. This made salary provision difficult and use of manpower resources not as efficient as it could be. A better scheme was thought to be that of occupational divisions.

Main Provisions

Clause 14 of the Bill repeals sections 23 and 24 of the Principal Act. These are sections which provide for the present Divisional structure of the Public Service.

Clause 20 repeals section 33 of the Principal Act which makes provision for the appointment of officers to the second, third and fourth Divisions of the Act. This section is replaced by new sections 33, 33A, 33B, and 33C which make general provision for appointment of officers to the Service. New section 33A sets out the matters which the
Public Service Board will determine in relation to the recruitment of staff. These matters include:

- manner of application for positions
- manner of appointment
- qualifications
- notification of vacancies

Clause 21 repeals section 35 to 46 of the Principal Act which dealt with the process of recruitment to the separate Divisions. These sections are replaced by two new sub-divisions dealing with "Appointment of Permanent Heads" and "Appointment of Officers other than Permanent Heads".

Clause 27 of the Bill inserts a new sub-division "D" dealing with "Promotions and Transfers of Officers other than Permanent Heads". New section 50A provides that relative efficiency is the only consideration for the selection of an officer for promotion. The section sets out a series of factors relevant to determining "efficiency". The test relates to the suitability of the officer for discharging the duties of the position bearing in mind:

- the officer's capability
- standard of officer's work in other positions
- relevant experience
- training and qualifications
- personal qualities of officer relevant to discharge of duties of position

New section 50B-50K set out provisions in relation to appeals against promotion. The present system of an appeal to a Promotions Appeal Committee is retained. Clause 30 inserts "Subdivision E - Constitution and Organisation of Promotions Appeal Committees" consisting of new sections 53B to 53K. These sections make provision for the membership and operation of the Committee.

Various other changes are made to the Principal Act and other Acts. Many of these are consequential on the major alterations implemented by the Bill.

For further information, if required, contact:

Law & Government Group
LEGISLATIVE RESEARCH SERVICE

13 January 1982