

Queensland



*Public Service Act 1996*

# **PUBLIC SERVICE REGULATION 1997**

**Reprinted as in force on 15 April 1998  
(includes amendments up to SL No. 72 of 1998)**

**Reprint No. 1B**

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# Information about this reprint

This regulation is reprinted as at 15 April 1998. The reprint shows the law as amended by all amendments that commenced on or before that day (Reprints Act 1992 s 5(c)).

The reprint includes a reference to the law by which each amendment was made—see list of legislation and list of annotations in endnotes.

This page is specific to this reprint. See previous reprints for information about earlier changes made under the Reprints Act 1992. A table of earlier reprints is included in the endnotes.

**Also see endnotes for information about—**

- **when provisions commenced**
- **editorial changes made in earlier reprints.**

Queensland



**PUBLIC SERVICE REGULATION 1997**

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# **PUBLIC SERVICE REGULATION 1997**

[as amended by all amendments that commenced on or before 15 April 1998]

## **PART 1—PRELIMINARY**

### **Short title**

1. This regulation may be cited as the *Public Service Regulation 1997*.

### **Commencement**

2. This regulation commences on 5 July 1997.

### **Dictionary**

3. The dictionary in schedule 4 defines particular words used in this regulation.

## **PART 2—PROVISIONS ABOUT EMPLOYMENT**

### *Division 1—General*

#### **Employee must give employing authority evidence of employee's age**

4. A public service employee must, within 1 month after starting employment in the public service, give the employee's employing authority—

- (a) a certified copy or certified extract of the employee's birth registration; or
- (b) if it is not practicable to obtain a document mentioned in

paragraph (a)—another document the employing authority considers satisfactorily establishes the employee’s age.

### *Division 2—Appointment on probation*

#### **Performance appraisal during probation period**

**5.** The chief executive of a department must ensure a regular system of appraisal is established to give an officer employed in the department on probation information about—

- (a) the officer’s performance during the period of probation; and
- (b) if the officer’s performance is considered unsatisfactory—appropriate remedial steps to be taken by the officer to improve the performance.

#### **Show cause notice about proposed extension of probation period or termination of appointment**

**6.(1)** This section applies if the chief executive of a department proposes extending an officer’s period of probation, or terminating the officer’s appointment, under section 73 of the Act.<sup>1</sup>

**(2)** The chief executive must give the officer a written notice (a “**show cause notice**”) that—

- (a) states the action (the “**proposed action**”) the chief executive proposes taking; and
- (b) states the reason for the proposed action; and
- (c) invites the officer to show, in writing, within 14 days after receiving the notice (the “**show cause period**”), why the proposed action should not be taken.

**(3)** The chief executive must consider the officer’s written representations made during the show cause period.

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<sup>1</sup> Section 73 (Appointments on probation)



**Extension of probation period or termination of employment**

**7.(1)** This section applies if, after considering an officer's representations made during the show cause period, the chief executive still considers a reason exists to extend the officer's period of probation or terminate the officer's appointment.

**(2)** The chief executive may, by written notice given to the officer—

- (a) if the proposed action stated in the show cause notice was to extend the period of probation by a stated period—extend the period of probation by not longer than the stated period; or
- (b) if the proposed action stated in the show cause notice was to terminate the officer's appointment—
  - (i) extend the officer's period of probation; or
  - (ii) terminate the appointment.

**(3)** The decision takes effect on the later of the following—

- (a) the day the notice is given to the officer;
- (b) the day of effect stated in the notice.

***Division 3—Resignation*****Forfeiting salary instead of giving notice of resignation**

**9.(1)** This section applies to an officer—

- (a) whose conditions of employment are not governed by a contract of employment dealing with resignation; and
- (b) who resigns without giving the chief executive signed notice of resignation—
  - (i) at least 2 weeks before the notice is to take effect; or
  - (ii) within a shorter period approved by the chief executive.

**(2)** The chief executive may direct that the officer forfeit an amount equal to the officer's salary for the number of working days by which the officer's notice of resignation is short of the period of notice required to be given under subsection (1)(b).

*Example—*

If the officer is required to give 2 weeks notice and gives only 1 week's notice, the chief executive may direct that the officer forfeit an amount equal to 1 week's salary.

### ***Division 4—Mental or physical incapacity***

#### **Medical examination report**

**10.(1)** This section applies if a public service employee has been required to submit to a medical examination under section 85(2) of the Act.<sup>2</sup>

**(2)** The medical examination report must include the examining doctor's opinion as to whether the employee has a mental or physical illness or disability that may adversely affect the employee's performance.

**(3)** If the doctor considers the employee has an illness or disability mentioned in subsection (2), the report must also include the doctor's opinion as to the following—

- (a) the likely direct or indirect effect of the illness or disability on the employee's performance;
- (b) an estimate of how long the illness or disability or its effects are likely to last;
- (c) whether or not disclosing the information in the report to the employee might be prejudicial to the employee's mental or physical health or wellbeing.

**(4)** If the doctor's opinion is that the disclosure will not be prejudicial to the employee's mental or physical health or wellbeing, the employee's employing authority must give a copy of the report to the employee as soon as practicable after it is obtained.

**(5)** If the doctor's opinion is that the disclosure might be prejudicial to the employee's mental or physical health or wellbeing, the employee's employing authority must not make the disclosure to the employee.

**(6)** However, if asked by the employee in writing, the employing

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<sup>2</sup> Section 85 (Mental or physical incapacity)

authority may make the disclosure to another doctor nominated by the employee in the request.

### **Record of requirement for medical examination**

**11.(1)** The employing authority must keep a record of—

- (a) each requirement made by it for a public service employee to submit to a medical examination under section 85(2)(b) of the Act;<sup>3</sup> and
- (b) the report of the medical examination.

**(2)** If the employing authority considers it necessary to protect the employee's interests, the employing authority may keep the record separate from other records about the employee.

### **Employee not to be given sick leave if employee fails to submit to medical examination**

**12.** A public service employee must not be given sick leave for any period during which the employee fails to submit to a medical examination in accordance with a requirement made under section 85(2) of the Act.

## *Division 5—Disciplinary action*

### **Employee must give employing authority notice if charged with an indictable offence or convicted of any offence**

**13.(1)** This section applies if a public service employee is—

- (a) charged with an indictable offence; or
- (b) convicted by a court of any offence.

**(2)** The employee must give the employing authority written notice stating—

- (a) if the employee has been charged with an indictable offence—

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<sup>3</sup> Section 85 (Mental or physical incapacity)

- (i) that the employee has been charged; and
- (ii) the details of the alleged offence; or
- (b) if the employee has been convicted of an offence—
  - (i) that the employee has been convicted of an offence; and
  - (ii) the details of the offence; and
  - (iii) the penalty imposed on the employee.

**(3)** The notice must be given—

- (a) if the employee has been charged with an indictable offence—immediately after the employee is charged; or
- (b) if the employee has been convicted of an offence—immediately after the employee is convicted.

**(4)** In this section—

“**convicted**” includes a finding of guilt, whether or not a conviction is recorded.

### **Action that may be taken by supervising employee**

**14.(1)** This section applies if—

- (a) a public service employee (the “**first employee**”) has acted in a way that makes the employee liable to discipline; and
- (b) a public service employee (the “**supervising employee**”) whose duties include supervising the first employee becomes aware that the first employee has acted in the way mentioned in paragraph (a).

**(2)** The supervising employee must take the action that the supervising employee considers reasonable in the circumstances.

**(3)** However, the supervising employee must comply with the Act and any relevant directive of the commissioner.

***Division 6—Records about employees*****Particular documents to be noted by employee before being placed on departmental records**

**15.(1)** The employing authority must ensure that a report, correspondence item or any other document about a public service employee's performance that could reasonably be considered to be detrimental to the employee's interests, is not placed on a departmental record unless—

- (a) the employee has initialled the document or, if the employee refuses to initial it, the refusal is noted on the record; and
- (b) the employee has been given—
  - (i) a copy of the document; and
  - (ii) the opportunity to respond in writing to its contents within 14 days after receiving the copy.

**(2)** The employing authority must ensure that the employee's written response is placed on the record.

**(3)** This section applies subject to section 10(5).<sup>4</sup>

**Access to employee's record**

**16.(1)** This section does not apply to a medical examination report about a public service employee that states that disclosure of information in it to the employee might be prejudicial to the employee's mental or physical health or wellbeing.

**(2)** A public service employee may, at a time and place convenient to the relevant department—

- (a) inspect any departmental record about the employee; and
- (b) take extracts from, or obtain a copy of details in, the record.

**(3)** The employee must not remove anything from the record.

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<sup>4</sup> Section 10 (Medical examination report)

## **PART 3—APPEALS**

### *Division 1—Preliminary*

#### **Things commissioner must consider in deciding if recruitment or selection process is deficient**

**17.(1)** In deciding if a recruitment or selection process used by a public sector unit that employs persons under the Act is deficient, the commissioner must have regard to whether or not the process complies with the Act, this regulation or a directive of the commissioner.

**(2)** In deciding if a recruitment or selection process used by a public sector unit that employs persons other than under the Act is deficient, the commissioner must have regard to whether or not the process complies with—

- (a) the Act, this regulation or a directive of the commissioner; or
- (b) the Act establishing the public sector unit or a regulation under it.

### *Division 2—Procedure*

#### **Starting an appeal**

**18.(1)** A person who may, and wants to, appeal under the Act<sup>5</sup> must start the appeal by giving the commissioner a written notice stating—

- (a) details identifying the decision appealed against; and
- (b) why the person is appealing against the decision.

**(2)** The commissioner must give a copy of the notice to—

- (a) each other party to the appeal; and
- (b) for an appeal against a promotion decision involving an officer's promotion to employment in a different public sector unit to the unit in which the officer was employed immediately before the

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<sup>5</sup> See section 96 of the Act (Who may appeal against decisions).

promotion (the “**former unit**”)—the former unit’s chief executive.

(3) As soon as possible after receiving a notice under this section, the commissioner must give written notice of its receipt to the appellant.

### **Withdrawing an appeal**

**19.(1)** An appellant may withdraw the appeal by written notice given to the commissioner.

(2) The notice must be given to the commissioner before the commissioner gives the appellant the commissioner’s decision on the appeal.

(3) The commissioner must give written notice of the withdrawal to the other parties to the appeal and to anyone else the commissioner considers has an interest in the appeal.

### **Lapse of appeal**

**20.** An appeal lapses if the appellant stops being—

- (a) a public sector unit employee; or
- (b) a person who may appeal against the decision.<sup>6</sup>

### **Commissioner’s decision on appeal**

**21.(1)** The commissioner’s decision on an appeal must be written, stating—

- (a) whether the appeal is allowed or dismissed; and
- (b) why it is allowed or dismissed.

(2) The commissioner must give a copy of the decision to the parties to the appeal as soon as possible after it is available.

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<sup>6</sup> See section 96 of the Act (Who may appeal against decisions).

***Division 3—General*****Attendance at an appeal is part of an employee's duties**

**22.** Attendance at an appeal proceeding is part of a public sector employee's duties if the employee—

- (a) is a party to the appeal; or
- (b) is requested or directed by the commissioner to attend the proceeding.

**Employee's entitlement to travelling and other expenses and allowances**

**23.(1)** A public sector employee must be paid travelling expenses and allowances reasonably incurred in attending an appeal proceeding as part of the employee's duties.

**(2)** The amount payable to the employee under subsection (1) is to be decided by the commissioner.

**(3)** However, this section does not apply to an employee who is the appellant and is suspended from duty without pay, unless the employee's appeal is allowed.

**Reimbursement of expenses**

**24.(1)** A person, other than a public sector employee, who is requested by the commissioner to attend an appeal proceeding must be reimbursed for any expenses reasonably incurred by the person in attending the proceeding.

**(2)** The amount payable to the person under subsection (1) is to be decided by the commissioner.

**Public sector unit must pay costs, expenses, allowances and other amounts**

**25.(1)** The public sector unit whose decision is appealed against must pay—

- (a) the costs of the appeal, including—



- (i) the commissioner's reasonable costs attributable to the appeal; and
  - (ii) reasonable costs incurred by the Office of the Public Service for the appeal; and
  - (b) the travelling expenses and allowances payable under section 23; and
  - (c) the amount reimbursed under section 24.
- (2) An amount payable under subsection (1)(a)—
- (a) is the amount the commissioner considers to be reasonable; and
  - (b) is not to be more than the reasonable cost incurred.
- (3) The unit's chief executive must ensure prompt payment of amounts payable by the unit under this division.

## **PART 4—MISCELLANEOUS**

### *Division 1—Declared public sector units and applied provisions*

#### **Declared public sector units—Act, s 20**

**26.** An entity mentioned in schedule 1, column 1 (“**column 1 entity**”) that is not a public sector unit at the commencement of this section is declared to be a public sector unit.

#### **Provisions of the Act applied under the Act, s 22**

**27.(1)** The provisions of the Act applied to a column 1 entity declared to be a public sector unit under section 26 are stated in schedule 1, column 3, paragraph (a) opposite the entity's name.

**(2)** The provisions of the Act applied to a column 1 entity's public sector unit employees stated in schedule 1, column 3, paragraph (b) opposite the entity's name are stated in the paragraph.

(3) A provision applied to an entity under subsection (1) applies to the entity and its public sector unit employees as if—

- (a) the entity were a department; and
- (b) the head of the entity stated in schedule 1, column 2 opposite the entity's name were the chief executive of the department; and
- (c) the employees were public service employees.

(4) A provision applied to an entity's public sector unit employees under subsection (2) applies to the entity and employees as if—

- (a) the entity were a department; and
- (b) the head of the entity stated in schedule 1, column 2 opposite the entity's name were the chief executive of the department; and
- (c) the employees were public service employees.

(5) If section 34 of the Act applies to an entity or an entity's public sector unit employees under subsection (1) or (2), the section applies only to the extent that a ruling made under the section applies to the entity and its public sector unit employees under section 27C.<sup>7</sup>

*Division 2—Things prescribed because of the declaration of public sector entities or the application of applied provisions*

**Transfer or redeployment of employees under applied provisions**

**27A.(1)** On the transfer or redeployment of a public sector unit employee of a column 1 entity under an applied provision—

- (a) the employee is employed under the Act; and
- (b) the employee retains and is entitled to all rights that have accrued to the employee because of the person's employment by the column 1 entity; and
- (c) the employee's service as an employee of the column 1 entity is to be regarded as service of a like nature in the public service for deciding the employee's rights as a public service employee; and

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<sup>7</sup> Section 27C (Application of commissioner's rulings)

- (d) the transfer or redeployment does not break the employee's continuity of service.

(2) On the transfer or redeployment of a public service employee to or into a column 1 entity under an applied provision—

- (a) the employee is employed in accordance with the Act under which the entity is established; and
- (b) the employee retains and is entitled to all rights that have accrued to the employee because of the person's employment as a public service employee; and
- (c) the employee's service as a public service employee is to be regarded as service of a like nature with the column 1 entity for deciding the employee's rights as an employee of the column 1 entity; and
- (d) the transfer or redeployment does not break the employee's continuity of service.

### **Application of appeal provisions**

**27B.(1)** This section applies to a column 1 entity to which part 7 of the Act applies.

(2) The commissioner must declare, under a directive, the employees of the column 1 entity to whom section 95(1)(g)<sup>8</sup> of the Act applies as if they were senior executives or senior officers.

(3) The commissioner may make the declaration only if the commissioner considers that the employee is performing duties that would, if the employee were a public service officer, be duties of—

- (a) for an employee to whom the section is to apply as if the employee were a senior executive—a senior executive; or
- (b) for an employee to whom the section is to apply as if the employee were a senior officer—a senior officer.

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<sup>8</sup> Section 95 (Decisions against which appeals may not be made)

**Application of rulings**

**27C.** For a column 1 entity, a ruling stated in schedule 1, column 3, paragraph (c) opposite the entity's name applies to the entity and its public sector unit employees mentioned in column 3, paragraph (b) with all necessary changes.

***Division 3—General*****Declared office holders—Act, s 109**

**28.** An office holder mentioned in schedule 2 is declared for section 109(3)(i) of the Act.<sup>9</sup>

**Declared public service offices and their heads—Act, sch 1, item 12**

**29.(1)** An entity specified in schedule 3, column 1 is declared to be a public service office.

**(2)** The person specified in schedule 3, column 2 opposite the name of the office is declared to be the head of the office.

**(3)** If a day is specified in schedule 3, column 1 as the day until which an entity is a public service office, the entity is declared to be a public service office only until the end of the specified day.

**Act, uncommenced provisions—commencement**

**30.(1)** In this section—

**“postponed law”** means the uncommenced provisions of the Act.

**(2)** The period before automatic commencement under the *Acts Interpretation Act 1954*, section 15DA(2)<sup>10</sup> of the postponed law is extended to 21 October 1998.

**(3)** This section expires on 21 October 1998.

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<sup>9</sup> Section 109 (Who is a “term appointee”)

<sup>10</sup> Section 15DA (Automatic commencement of postponed law)

**SCHEDULE 1****PUBLIC SECTOR UNITS, THEIR HEADS AND APPLIED PROVISIONS AND RULINGS**

sections 26, 27 and 27C

<b>column 1</b>	<b>column 2</b>	<b>column 3</b>
<b>Public sector units</b>	<b>Public sector unit heads</b>	<b>Applied provisions and rulings</b>
<b>1.</b> Burdekin Agricultural College	director	(a) sections 34, 81, 114 and 117 and part 7;  (b) nil;  (c) grievance procedure ruling and rulings 11/96, 5/97, 18/97, 23/97, 1/98 and 2/98 (other than part 8 of the ruling).
<b>2.</b> Dalby Agricultural College	director	(a) sections 34, 81, 114 and 117 and part 7;  (b) nil;  (c) grievance procedure ruling and rulings 11/96, 5/97, 18/97, 23/97, 1/98 and 2/98 (other than part 8 of the ruling).

## SCHEDULE 1 (continued)

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|---------------------------------|-------------------------|---|
| 3. Department of Health         | chief executive         | <p>(a) not applicable;</p> <p>(b) for health service employees—sections 34, 81, 114 and 117</p> <p>(c) for health service employees—grievance procedure rulings 11/96, 5/97, 18/97, 23/97, 1/98 and 2/98.</p>   |
| 4. Emerald Agricultural College | director                | <p>(a) sections 34, 81, 114 and 117 and part 7;</p> <p>(b) nil;</p> <p>(c) grievance procedure ruling and rulings 11/96, 5/97, 18/97, 23/97, 1/98 and 2/98 (other than part 8 of the ruling).</p>   |
| 5. Legal Aid Queensland         | chief executive officer | <p>(a) sections 34, 77, 78, 79(2), (3) and (5), 80, 81, 85, 114 and 117 and parts 6 and 7;</p> <p>(b) nil;</p> <p>(c) grievance procedure ruling and rulings 5/96 (other than a requirement to advertise vacancies in the gazette), 6/96, 11/96, 5/97, 18/97, 23/97, 1/98 and 2/98 (other than part 8 of the ruling).</p> |

## SCHEDULE 1 (continued)

- |                                       |              |  |
|---------------------------------------|--------------|--|
| 6. Longreach<br>Pastoral College      | director     | <p>(a) sections 34, 81, 114 and 117 and part 7;</p> <p>(b) nil;</p> <p>(c) <del>grievance procedure</del> <del>rulings</del> 11/96, 5/97, 18/97, 23/97, 1/98 and 2/98 (other than part 8 of the ruling).</p> |
| 7. Queensland<br>Ambulance<br>Service | commissioner | <p>(a) sections 34, 78, 81, 114 and 117 and part 7;</p> <p>(b) nil;</p> <p>(c) grievance procedure ruling and rulings 6/96, 11/96, 5/97, 18/97, 1/98, 2/98 and 4/98.</p>                                     |
| 8. Queensland Art<br>Gallery          | director     | <p>(a) sections 34, 81, 114 and 117 and part 7;</p> <p>(b) nil;</p> <p>(c) grievance procedure ruling and rulings 11/96, 5/97, 18/97, 23/97, 1/98 and 2/98 (other than part 8 of the ruling).</p>            |

## SCHEDULE 1 (continued)

- |  |                  |  |
|--|------------------|--|
| <b>9.</b> Queensland Building Services Authority     | general manager  | <p>(a) sections 34, 79(3) and (5), 80, 81, 114 and 117 and part 7;</p> <p>(b) nil;</p> <p>(c) grievance procedure ruling and rulings 11/96, 5/97, 18/97, 23/97, 1/98 and 2/98 (other than part 8 of the ruling).</p>                               |
| <b>10.</b> Queensland Coal Board                     | chairperson      | <p>(a) sections 34, 81, 114 and 117 and part 7;</p> <p>(b) nil;</p> <p>(c) grievance procedure ruling and rulings 11/96, 5/97, 18/97, 1/98 and 2/98 (other than part 8 of the ruling).</p>   |
| <b>11.</b> Queensland Corrective Services Commission | director-general | <p>(a) sections 34, 55, 78, 79(3) and (5), 80, 81, 83, 114 and 117 and part 7;</p> <p>(b) nil;</p> <p>(c) grievance procedure ruling and rulings 1/96, 6/96, 8/96, 11/96, 5/97, 18/97, 23/97, 1/98 and 2/98 (other than part 8 of the ruling).</p> |



## SCHEDULE 1 (continued)

- |   |                    |  |
|---|--------------------|--|
| <b>12.</b> Queensland Cultural Centre Trust     | director           | <p>(a) sections 34, 79(3) and (5), 80, 81, 114 and 117 and part 7;</p> <p>(b) nil;</p> <p>(c) grievance procedure ruling and rulings 11/96, 5/97, 18/97, 23/97, 1/98, 2/98 (other than part 8 of the ruling) and 4/98.</p>   |
| <b>13.</b> Queensland Fire and Rescue Authority | chief commissioner | <p>(a) sections 34, 68, 78, 79(3) and (5), 80 to 82, 114 and 117 and part 7;</p> <p>(b) nil;</p> <p>(c) rulings—</p> <p style="padding-left: 20px;">(i) for employees other than auxiliary fire officers—6/96, 11/96 (other than part 3), 5/97 (other than clause 5(e) and (k)), 18/97 clause 5(e), 1/98, 2/98 and 4/98; or</p> <p style="padding-left: 20px;">(ii) for auxiliary fire officers—11/96, part 2.</p> |

## SCHEDULE 1 (continued)

- |   |                            |   |
|---|----------------------------|---|
| 14. Queensland<br>Livestock and<br>Meat Authority | chief executive<br>officer | <p>(a) nil;</p> <p>(b) for employees appointed as veterinary public health inspectors—sections 34, 79(3) and (5), 80, 81, 114 and 117 and part 7;</p> <p>(c) for employees appointed as veterinary public health inspectors—</p> <p style="padding-left: 20px;">(i) before 1 December 1997—grievance procedure ruling and rulings 11/96, 5/97, 18/97, 1/98, 2/98 (other than part 8 of the ruling) and 4/98; or</p> <p style="padding-left: 20px;">(ii) on or after 1 December 1997—grievance procedure ruling and rulings 11/96, 5/97, 18/97, 21/97 (other than clauses 6.3 to 6.5) and 22/97 (other than part 8).</p> |
|---|----------------------------|---|

## SCHEDULE 1 (continued)

<b>15.</b> Queensland Museum	director	(a) sections 34, 81, 114 and 117 and part 7;  (b) nil;  (c) grievance procedure ruling and rulings 11/96, 5/97, 18/97 and <del>11/97, 22/97 &amp; other</del> the ruling) and 23/97.
<b>16.</b> Queensland Nursing Council	executive officer	(a) sections 34, 63, 77, 81, 83 and 117 and parts 7 and 9;  (b) nil;  (c) grievance procedure ruling and rulings 1/96, 5/96, 8/96 to 11/96, 2/97, 3/97, 5/97, 8/97 to 11/97, 13/97, 14/97, 18/97, 19/97, 23/97, 1/98 and 2/98 (other than part 8 of the ruling).
<b>17.</b> Residential Tenancies Authority	chief executive officer	(a) sections 34, 55, 57(1), 79(3) and (5), 82 to 85 and 117 and parts 6 and 7;  (b) nil;  (c) grievance procedure ruling and rulings 8/96 to 10/96, 11/96 and 3/97.

## SCHEDULE 1 (continued)

- |  |                 |  |
|--|-----------------|--|
| <b>18.</b> Royal<br>Queensland<br>Theatre<br>Company | director        | <p>(a) sections 34, 81, 114 and 117 and part 7;</p> <p>(b) nil;</p> <p>(c) rulings 11/96 (other than part 3 of the ruling), 5/97, 18/97, 23/97, 1/98 and 2/98 (other than part 8 of the ruling).</p> |
| <b>19.</b> State Library of<br>Queensland            | state librarian | <p>(a) sections 34, 81, 114 and 117 and part 7;</p> <p>(b) nil;</p> <p>(c) grievance procedure ruling and rulings 11/96, 5/97, 18/97, 23/97, 1/98 and 2/98 (other than part 8 of the ruling).</p>    |

**SCHEDULE 2****DECLARED OFFICE HOLDERS**

section 28

1. **Aboriginal Land Act 1991**  
Member of the Land Tribunal.
2. **Anti-Discrimination Act 1991**  
Anti-discrimination commissioner  
Member of the Anti-Discrimination Tribunal.
3. **Australian Financial Institutions Commission Code [1992]**  
Member of the Appeals Tribunal.
4. **Children's Commissioner and Children's Services Appeals Tribunals Act 1996**  
Children's commissioner.  
Member of the panel for children's services appeals tribunals.
5. **Classification of Computer Games and Images (Interim) Regulation 1995**  
Member of the Computer Games and Images Appeals Tribunal.
6. **Classification of Films Regulation 1992**  
Member of the Films Appeals Tribunal.

## SCHEDULE 2 (continued)

- 7. Classification of Publications Regulation 1992**  
Member of the Publications Appeals Tribunal.
- 8. Corrective Services (Administration) Act 1988**  
Commissioner of the Queensland Corrective Services Commission.
- 9. Electoral Act 1992**  
Deputy electoral commissioner.
- 10. Fisheries Act 1994**  
Member of the Fisheries Tribunal.
- 11. Fruit Marketing Organisation Act 1923**  
Member of the committee of direction appointed under the *Fruit Marketing Organisation Act 1923*, section 9(1).
- 12. Gaming Machine Act 1991**  
Commissioner of the Queensland Machine Gaming Commission.
- 13. Health Rights Commission Act 1991**  
Health rights commissioner.
- 14. Law Reform Commission Act 1968**  
Member of the Law Reform Commission.

## SCHEDULE 2 (continued)

**15. Legal Aid Queensland Act 1997**

Chief executive officer of Legal Aid Queensland.

**16. Legislative Standards Act 1992**

Parliamentary counsel.

**17. Meat Industry Act 1993**

Member of the Meat Industry Tribunal.

**18. Public Trustee Act 1978**

Public trustee.

**19. Queensland Building Services Authority Act 1991**

Member of the Queensland Building Tribunal.

**20. Queensland Competition Authority Act 1997**

Member of the Queensland Competition Authority.

**21. Torres Strait Islander Land Act 1991**

Member of the Land Tribunal.

**SCHEDULE 3****DECLARED PUBLIC SERVICE OFFICES AND  
THEIR HEADS**

section 29

<b>column 1</b>	<b>column 2</b>
<b>Public service offices</b>	<b>Heads of offices</b>
<b>2.</b> Office of the Board of Senior Secondary School Studies	Director of the office
<b>3.</b> Office of the Board of Teacher Registration	Director of the office
<b>4.</b> Office of the Queensland School Curriculum Council	Director of the office
<b>5.</b> Office of the Tertiary Entrance Procedures Authority	Executive director of the office
<b>5A.</b> Queensland Crime Commission	Crime commissioner
<b>6.</b> Queensland Electricity Reform Unit (until 31 December 1998)	Director of the unit



**SCHEDULE 4****DICTIONARY**

section 3

**“appellant”** means a person who has given the commissioner a notice under section 18.

**“applied provision”** means a provision applied to a column 1 entity or the entity’s public sector unit employees under section 27(1) or (2).

**“column 1 entity”** see section 26.

**“grievance procedure ruling”** means the *Public Sector Management Standard for Grievance Procedures* dated June 1991.

**“health service employee”** means a person appointed under the *Health Services Act 1991*, section 24.

**“performance”**, of a public service employee, means performance of the employee’s duties.

**“public sector unit employee”**, of a column 1 entity, means an employee of the entity who is not a public service employee.

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## ENDNOTES

### 1 Index to endnotes

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### 2 Date to which amendments incorporated

This is the reprint date mentioned in the Reprints Act 1992, section 5(c). Accordingly, this reprint includes all amendments that commenced operation on or before 15 April 1998. Future amendments of the Public Service Regulation 1997 may be made in accordance with this reprint under the Reprints Act 1992, section 49.

### 3 Key

#### Key to abbreviations in list of legislation and annotations

AIA	=	Acts Interpretation Act 1954	(prev)	=	previously
amd	=	amended	proc	=	proclamation
ch	=	chapter	prov	=	provision
def	=	definition	pt	=	part
div	=	division	pubd	=	published
exp	=	expires/expired	R[X]	=	Reprint No.[X]
gaz	=	gazette	RA	=	Reprints Act 1992
hdg	=	heading	reloc	=	relocated
ins	=	inserted	renum	=	renumbered
lap	=	lapsed	rep	=	repealed
notfd	=	notified	s	=	section
om	=	omitted	sch	=	schedule
o in c	=	order in council	sdiv	=	subdivision
p	=	page	SIA	=	Statutory Instruments Act 1992
para	=	paragraph	SL	=	subordinate legislation
prec	=	preceding	sub	=	substituted
pres	=	present	unnum	=	unnumbered
prev	=	previous			

## 4 Table of earlier reprints

### TABLE OF EARLIER REPRINTS

[If a reprint number includes a roman letter, the reprint was released in unauthorised, electronic form only.]

Reprint No.	Amendments included	Reprint date
1	none	1 August 1997
1A	to 1997 SL No. 400	10 December 1997

## 5 List of legislation

### **Public Service Regulation 1997 SL No. 203**

made by the Governor in Council on 3 July 1997  
notfd gaz 4 July 1997 pp 1143–4  
ss 1–2 commenced on date of notification  
remaining provisions commenced 5 July 1997 (see s 2)  
exp 3 July 2007 (see SIA s 54)

as amended by—

### **Public Service Amendment Regulation (No. 2) 1997 SL No. 389**

notfd gaz 14 November 1997 pp 1164–5  
ss 4, to the extent it inserts s 29A, and 5, to the extent it inserts sch 4,  
commence 1 December 1997 (see s 2(1))  
remaining provisions commenced 14 November 1997 (see s 2(2))

### **Public Service Amendment Regulation (No. 3) 1997 SL No. 400**

notfd gaz 28 November 1997 pp 1408–10  
ss 1, 3 commenced on date of notification  
remaining provisions commenced 1 December 1997 (see s 3)

### **Public Service Amendment Regulation (No. 1) 1998 SL No. 72**

notfd gaz 9 April 1998 pp 1530–32  
commenced on date of notification

## 6 List of annotations

### **Dictionary**

s 3 sub 1997 SL No. 400 s 4

### **Division 1—Declared public sector units and applied provisions**

div hdg ins 1997 SL No. 400 s 5

### **Resignation of senior executives employed on tenure**

s 8 om 1998 SL No. 72 s 3

**Declared public sector units—Act, s 20**

s 26 sub 1997 SL No. 400 s 5

**Provisions of the Act applied under the Act, s 22**

s 27 sub 1997 SL No. 400 s 5

**Division 2—Things prescribed because of the declaration of public sector entities or the application of applied provisions**

div hdg ins 1997 SL No. 400 s 5

**Transfer or redeployment of employees under applied provisions**

s 27A ins 1997 SL No. 400 s 5

**Application of appeal provisions**

s 27B ins 1997 SL No. 400 s 5

**Application of rulings**

s 27C ins 1997 SL No. 400 s 5

**Division 3—General**

div hdg ins 1997 SL No. 400 s 6

**Declared public sector units—Act, s 20**s 29A ins 1997 SL No. 389 s 4  
om 1997 SL No. 400 s 7**Provisions of the Act applied under the Act, s 22**s 29B ins 1997 SL No. 389 s 4  
om 1997 SL No. 400 s 7**Act, uncommenced provisions—commencement**s 30 exp 21 October 1998 (see s 30(3))**Regulation amended in sch 4**

s 31 exp 6 July 1997 (see s 31(2))

**Repeal**

s 32 exp 6 July 1997 (see s 32(2))

**SCHEDULE 1—PUBLIC SECTOR UNITS, THEIR HEADS AND APPLIED PROVISIONS AND RULINGS**sub 1997 SL No. 400 s 8  
amd 1998 SL No. 72 s 4**SCHEDULE 3—DECLARED PUBLIC SERVICE OFFICES AND THEIR HEADS**

amd 1998 SL No. 72 s 5

**SCHEDULE 4—DICTIONARY**prev sch 4 exp 6 July 1997 (see s 31(2))  
pres sch 4 ins 1997 SL No. 389 s 5  
sub 1997 SL No. 400 s 9

**SCHEDULE 5—PROVISIONS OF THE ACT APPLIED UNDER THE ACT,  
SECTION 22**

ins 1997 SL No. 389 s 5

om 1997 SL No. 400 s 9