



Queensland

*Public Service Act 1996*

# Public Service Regulation 2007

Reprinted as in force on 2 September 2007

See endnote 7 for information about retrospectivity

Reprint No. 1 revised edition

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# Information about this reprint

This regulation is reprinted as at 2 September 2007. 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. Also see list of legislation for any uncommenced amendments.

This page is specific to this reprint. A table of reprints is included in the endnotes.

**Also see endnotes for information about when provisions commenced.**

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Revised edition indicates further material has affected existing material. For example—

- a correction
- a retrospective provision
- other relevant information.



Queensland

# Public Service Regulation 2007

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# **Public Service Regulation 2007**

[as amended by all amendments that commenced on or before 2 September 2007]

## **Part 1 Preliminary**

### **1 Short title**

This regulation may be cited as the *Public Service Regulation 2007*.

### **2 Commencement**

This regulation commences on 2 September 2007.

### **3 Dictionary**

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

## **Part 2 Provisions about employment**

### **Division 1 General**

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

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 certificate; 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.

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

- (1) This section applies if a public service employee is—
  - (a) charged with an indictable offence; or
  - (b) convicted by a court of an indictable offence.
- (2) The employee must give the employing authority written notice stating—
  - (a) if the employee has been charged with an indictable offence—
    - (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 indictable offence—
    - (i) that the employee has been convicted; 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 indictable offence—immediately after the employee is convicted.

- (4) In this section—

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

***indictable offence*** means an offence for which a charge may be laid by indictment or an equivalent process, whether that is the only, or an optional, way to lay a charge of the offence.



## **Division 2                      Resignation**

### **6                      Forfeiting salary instead of giving notice of resignation**

- (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 3                      Mental or physical incapacity**

### **7                      Medical examination report**

- (1) This section applies if a public service employee has been required to submit to a medical examination under section 85(2)(b) of the Act.

*Editor's note—*

Section 85 of the Act deals with mental or physical incapacity.

- (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 authority must make the disclosure to another doctor nominated by the employee in the request.

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

- (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; 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.

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

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

## **Division 4 Employee records**

### **Subdivision 1 Key concepts**

#### **10 Meaning of *employee record***

- (1) Subject to subsection (2), each of the following documents, to the extent it contains information about a public service employee, is an *employee record* about the employee—
  - (a) a report, correspondence item or other document about the employee's work performance, work conduct or work history;
  - (b) a medical report about the employee;
  - (c) a written allegation of misconduct by the employee.
- (2) None of the following documents is an employee record about a public service employee—
  - (a) a medical report about the employee indicating that disclosure of information in it to the employee might be prejudicial to the employee's mental or physical health or wellbeing;
  - (b) an employee assistance provider document about the employee;
  - (c) a Whistleblowers Protection Act document about the employee;
  - (d) a document about the employee relating to suspected official misconduct under the *Crime and Misconduct Act 2001* or its investigation;

- (e) a document about the employee relating to a suspected criminal offence or its investigation;
  - (f) a document to which legal professional privilege applies.
- (3) In this section—

***employee assistance provider*** means a person with a qualification to provide professional counselling services.

***employee assistance provider document*** means a document about any public service employee created by an employee assistance provider for the primary purpose of providing a professional counselling service to a public service employee.

***misconduct*** see the Act, section 87(2).

***Whistleblowers Protection Act document*** means a document that—

- (a) is a public interest disclosure, or record of a public interest disclosure, made under the *Whistleblowers Protection Act 1994*; or
- (b) was brought into existence for that Act's administration.

## 11 Meaning of ***possession***

- (1) An employee record is in an entity's ***possession*** if the entity has the record in its possession or under its control.
- (2) An employee record is also in an entity's ***possession*** if the record is in the possession, or under the control, of an employee of the entity in the employee's official capacity.
- (3) For subsection (2)—
  - (a) if the entity is the Premier, a person is an employee of the entity if the person is an employee of the department administered by the Premier; or
  - (b) if the entity is the chief executive of a department, a person is an employee of the entity if the person is an employee of the department.

## **Subdivision 2      Dealing with employee records**

### **12      Dealing with employee record if detrimental to employee's interests**

- (1) This section applies if a public service employee's employing authority intends to—
  - (a) use an employee record about the employee in a way that could reasonably be considered to be detrimental to the employee's interests; or
  - (b) place on the employee's employment file an employee record about the employee that could reasonably be considered to be detrimental to the employee's interests.
- (2) Subject to subsection (3), the employing authority must ensure that, at least 14 days before taking the action mentioned in subsection (1) (the *detrimental action*)—
  - (a) the employee is given the opportunity to read the record and to acknowledge having read it by initialling it; and
  - (b) the employee is given a copy of the record; and
  - (c) if the employee has refused to read the record or to acknowledge having read it by initialling it, the refusal is noted on the record; and
  - (d) the employee is given the opportunity to respond in writing at any time to the record's contents; and
  - (e) any written response by the employee is attached to the record.
- (3) Subsection (4) applies if the employing authority reasonably considers that giving the employee access to the record under subsection (2) would be likely to prejudice an existing relevant investigation or inquiry.
- (4) The employing authority must give the employee access to the record in the way mentioned in subsection (2)(a) to (e) immediately after whichever of the following happens first—
  - (a) the employing authority no longer reasonably considers that giving the employee access to the record would be likely to prejudice a relevant investigation or inquiry;

- (b) the end of the period of 6 months after the detrimental action is taken.

### **13 Employee record in possession of another chief executive**

- (1) This section applies if—
  - (a) an employee record about a public service employee is in the possession of a chief executive of a department; and
  - (b) the chief executive is not the employee's employing authority.
- (2) The chief executive must promptly give possession of the record to the employee's employing authority.
- (3) However, if the employee has been seconded from the chief executive's department to another department for a total period of less than 6 months, subsection (2) only applies if the chief executive and the employee's employing authority agree in writing that the chief executive give possession of the record to the employing authority.

*Editor's note—*

The chief executive may still need to comply with a directive of the commissioner about giving the employee's personal and employment details to the employee's employing authority.

- (4) Also, subsection (2) does not apply to a referee's report or other document received for a selection process to fill an employment vacancy in the chief executive's department.

### **14 Access to employee record**

- (1) This section applies if an employee record about a public service employee is in the possession of—
  - (a) the employee's employing authority; or
  - (b) a chief executive of a department who is not the employee's employing authority.
- (2) The employee may, on request—
  - (a) inspect the record; or

- (b) take an extract from, or obtain a copy of details in, the record.
- (3) Subject to subsection (4), the inspection, taking of the extract or obtaining of the copy (the *requested action*) must be allowed at a time and place convenient to the employing authority or chief executive (the *official*) within 21 days after the request.
- (4) Subsection (5) applies if the official reasonably considers the requested action would be likely to prejudice an existing relevant investigation or inquiry.
- (5) The official must allow the requested action immediately after whichever of the following happens first—
  - (a) the official no longer reasonably considers the requested action would be likely to prejudice the relevant investigation or inquiry;
  - (b) the end of the period of 6 months after the employee requests the requested action.
- (6) In taking the requested action, the employee must not remove anything from the record.

## **Part 3                      Appeals**

### **Division 1                Preliminary**

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

- (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**

### **16            Starting an appeal**

- (1) A person who may, and wants to, appeal under the Act 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.

*Editor's note—*

Section 96 of the Act provides for who may appeal against decisions.

- (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 public sector unit in which the officer was employed immediately before the 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.

### **17            Withdrawing an appeal**

- (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.

## **18 Lapse of appeal**

An appeal lapses if the appellant stops being—

- (a) a public sector unit employee; or
- (b) a person who may appeal against the decision.

## **19 Commissioner's decision on appeal**

- (1) The commissioner's decision on an appeal must—
  - (a) be written; and
  - (b) state the reasons for the commissioner's decision.
- (2) The commissioner must give a copy of the decision to the parties to the appeal as soon as possible after it is available.

## **Division 3 General**

### **20 Attendance at an appeal is part of an employee's duties**

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.

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

- (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.

## **22 Reimbursement of expenses**

- (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.

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

- (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 Commissioner for the appeal; and
  - (b) the travelling expenses and allowances payable under section 21; and
  - (c) the amount reimbursed under section 22.
- (2) An amount payable under subsection (1)(a)—
  - (a) is the amount the commissioner considers to be reasonable; and
  - (b) must not be more than the reasonable cost incurred.
- (3) The public sector 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**

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

- (1) An entity mentioned in schedule 1, column 1 (*column 1 entity*), and declared to be a public sector unit under the former provision is declared to be a public sector unit.
- (2) In this section—  
*former provision* means the *Public Service Regulation 1997*, section 26.

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

- (1) The provisions of the Act applied to a column 1 entity declared to be a public sector unit under section 24 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 a column 1 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 a column 1 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 a column 1 entity or a column 1 entity's public sector unit employees under subsection (1) or (2), the section applies only to the extent that a directive made under the section applies to the entity and its public sector unit employees under section 28.

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

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

- (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 taken to be service of a like nature in the public service for deciding the employee's rights as a public service employee; and
  - (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 under 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 taken to be 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.

## **27 Application of appeal provisions**

- (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) of the Act applies as if they were senior executives or senior officers.

*Editor's note—*

Section 95 of the Act provides for which decisions may not be appealed against.

- (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.

## **28 Application of rulings**

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.

**29 References to replaced rulings**

- (1) This section applies if a ruling mentioned in schedule 1 is repealed and a new ruling dealing with substantially the same subject matter is made to replace it.
- (2) A reference in schedule 1 to the repealed ruling is taken to be a reference to the new ruling.

**Division 3 General****30 Declared office holders—Act, s 109(3)(i)**

The holder of an office mentioned in schedule 2 is declared for section 109(3)(i) of the Act.

*Editor's note—*

Section 109 of the Act provides for who is a term appointee.

**31 Declared public service offices and their heads—Act, sch 1, item 13**

- (1) An entity stated in schedule 3, column 1, is declared to be a public service office.
- (2) The person stated in schedule 3, column 2, opposite the name of the office is declared to be the head of the office.

**Part 5 Transitional provisions for Public Service Regulation 2007****32 References to Public Service Regulation 1997**

A reference in any document to the *Public Service Regulation 1997* is, if the context permits, taken to be a reference to this regulation.

**33 Officer employed in a department on probation**

- (1) This section applies to an officer employed in a department on probation immediately before the expiry.
- (2) Despite the expiry, part 2, division 2, of the *Public Service Regulation 1997*, as in force immediately before the expiry, continues to apply to the officer—
  - (a) as if that regulation had not been repealed; and
  - (b) despite the *Statutory Instruments Act 1992*, section 54.
- (3) In this section—

*expiry* means the expiry of the *Public Service Regulation 1997*.

**34 Existing appeals**

- (1) This section applies to an appeal that was started, but had not finished, under the *Public Service Regulation 1997*, part 3, immediately before the expiry.
- (2) The appeal is taken to have been started under part 3 of this regulation and, for that purpose, part 3 applies with any necessary changes.
- (3) In this section—

*expiry* means the expiry of the *Public Service Regulation 1997*.

## **Schedule 1      Public sector units, their heads and applied provisions and rulings**

sections 24, 25 and 28

	<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>
	<b>Public sector unit</b>	<b>Public sector unit head</b>	<b>Applied provisions and rulings</b>
1	Australian Agricultural College Corporation ABN 65 259 790 558	director	<ul style="list-style-type: none"> <li>(a) sections 34, 81, 114 and 117 and parts 7 and 9A (other than section 114G); and</li> <li>(b) all of the entity's public sector unit employees—sections 34, 81, 114 and 117 and parts 7 and 9A; and</li> <li>(c) directives 18/97, 4/03, 6/03, 10/05 (other than schedule A, clause 2.1), 11/05, 4/06 and 4/07.</li> </ul>
2	Department of Health	chief executive	<ul style="list-style-type: none"> <li>(a) not applicable; and</li> <li>(b) for health service employees—sections 34, 79, 80, 81, 84, 85, 114 and 117 and parts 6, 7 and 9A; and</li> <li>(c) for health service employees—directives 18/97, 24/99, 4/02, 4/03, 6/03, 10/05, 11/05, 4/06 and 4/07.</li> </ul>



## Schedule 1 (continued)

	<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>
	<b>Public sector unit</b>	<b>Public sector unit head</b>	<b>Applied provisions and rulings</b>
3	Legal Aid Queensland	chief executive officer	<p>(a) sections 34, 57(1), 77, 78, 79(2), (3) and (5), 80, 81, 85, 114 and 117 and parts 6 and 7; and</p> <p>(b) all of the entity's public sector unit employees—the provisions mentioned in paragraph (a); and</p> <p>(c) directives 18/97, 4/03, 6/03, 10/05 (other than schedule A, clause 2.1), 11/05, 4/06 (other than clauses 7.3, 7.4 and 7.15) and 12/06.</p>
4	Queensland Ambulance Service	commissioner	<p>(a) sections 34, 78, 79(3) and (5), 81, 114 and 117 and part 7; and</p> <p>(b) all of the entity's public sector unit employees—the provisions mentioned in paragraph (a); and</p> <p>(c) directives 18/97, 4/99, 4/02, 4/03, 6/03, 10/05 (other than schedule A, clause 2.1), 11/05 and 4/06.</p>

## Schedule 1 (continued)

	<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>
	<b>Public sector unit</b>	<b>Public sector unit head</b>	<b>Applied provisions and rulings</b>
5	Queensland Art Gallery	director	<p>(a) sections 34, 81, 114 and 117 and part 7; and</p> <p>(b) all of the entity's public sector unit employees—the provisions mentioned in paragraph (a); and</p> <p>(c) directives 18/97, 4/03, 6/03, 10/05 (other than schedule A, clause 2.1), 11/05 and 4/06.</p>
6	Queensland Building Services Authority	general manager	<p>(a) sections 34, 79(3) and (5), 80, 81, 114 and 117 and part 7; and</p> <p>(b) all of the entity's public sector unit employees—the provisions mentioned in paragraph (a); and</p> <p>(c) directives 18/97, 4/03, 6/03, 10/05 (other than schedule A, clause 2.1), 11/05 and 4/06.</p>

## Schedule 1 (continued)

	<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>
	<b>Public sector unit</b>	<b>Public sector unit head</b>	<b>Applied provisions and rulings</b>
7	Queensland Fire and Rescue Service	commissioner	<p>(a) sections 34, 68, 78, 79(3) and (5), 80 to 82, 114 and 117 and part 7; and</p> <p>(b) all of the entity's public sector unit employees—the provisions mentioned in paragraph (a); and</p> <p>(c) directives—</p> <p>(i) for employees other than auxiliary fire officers— 18/97 (other than clause 5(e)), 4/02, 6/03 (other than part 3), 10/05, 11/05 and 4/06 (other than clauses 7.1 and 7.9); or</p> <p>(ii) for auxiliary fire officers—6/03, part 2.</p>
8	Queensland Museum	director	<p>(a) sections 34, 81, 114 and 117 and part 7; and</p> <p>(b) all of the entity's public sector unit employees—the provisions mentioned in paragraph (a); and</p> <p>(c) directives 18/97, 4/03, 6/03, 10/05 (other than schedule A, clause 2.1), 11/05 and 4/06.</p>

## Schedule 1 (continued)

	<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>
	<b>Public sector unit</b>	<b>Public sector unit head</b>	<b>Applied provisions and rulings</b>
9	Queensland Nursing Council	executive officer	<p>(a) sections 34, 63, 77, 81, 83 and 117 and parts 7 and 9; and</p> <p>(b) all of the entity's public sector unit employees—the provisions mentioned in paragraph (a); and</p> <p>(c) directives 8/96 to 10/96, 3/97, 18/97, 4/03, 6/03, 2/05, 10/05 (other than schedule A, clause 2.1), 11/05, 22/05, 1/06, 4/06, 8/06 to 12/06 and 1/07.</p>
10	Queensland Theatre Company	director	<p>(a) sections 34, 81, 114 and 117 and part 7; and</p> <p>(b) all of the entity's public sector unit employees—the provisions mentioned in paragraph (a); and</p> <p>(c) directives 18/97, 6/03 (other than part 3), 10/05 (other than schedule A, clause 2.1), 11/05 and 4/06.</p>

## Schedule 1 (continued)

	<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>
	<b>Public sector unit</b>	<b>Public sector unit head</b>	<b>Applied provisions and rulings</b>
11	Residential Tenancies Authority	chief executive officer	<p>(a) sections 34, 55, 57(1), 79(3) and (5), 82 to 85 and 117 and parts 6 and 7; and</p> <p>(b) all of the entity's public sector unit employees—the provisions mentioned in paragraph (a); and</p> <p>(c) directives 8/96, 10/96, 3/97, 4/03, 6/03 and 1/07.</p>
12	Safe Food Production QLD	chief executive officer	<p>(a) nil; and</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; and</p> <p>(c) for employees appointed as veterinary public health inspectors—</p> <p>(i) before 1 December 1997—directives 18/97, 4/02, 4/03, 6/03, 10/05 (other than schedule A, clause 2.1), 11/05 and 4/06; or</p> <p>(ii) on or after 1 December 1997—directives 18/97, 4/03, 6/03, 10/05 (other than schedule A, clause 2.1), 11/05 (other than schedule B, clause 3) and 4/06.</p>

## Schedule 1 (continued)

	<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>
	<b>Public sector unit</b>	<b>Public sector unit head</b>	<b>Applied provisions and rulings</b>
13	State Library	State librarian	<ul style="list-style-type: none"> <li>(a) sections 34, 79, 81, 114 and 117 and part 7; and</li> <li>(b) all of the entity's public sector unit employees—the provisions mentioned in paragraph (a); and</li> <li>(c) directives 18/97, 4/03, 6/03, 10/05 (other than schedule A, clause 2.1), 11/05 and 4/06.</li> </ul>

**Schedule 2      Declared office holders**

section 30

- 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 *Children Services Tribunal Act 2000*  
member of the Children Services Tribunal
- 4 *Classification of Computer Games and Images Regulation 2005*  
member of the Computer Games and Images Appeals Tribunal
- 5 *Classification of Films Regulation 1992*  
member of the Films Appeals Tribunal
- 6 *Classification of Publications Regulation 1992*  
member of the Publications Appeals Tribunal
- 7 *Commission for Children and Young People and Child Guardian Act 2000*  
commissioner for children and young people and child guardian

## Schedule 2 (continued)

- 8 *Electoral Act 1992*  
deputy electoral commissioner
  
- 9 *Fisheries Act 1994*  
member of the Fisheries Tribunal
  
- 10 *Gaming Machine Act 1991*  
commissioner of the Queensland Gaming Commission
  
- 11 *Guardianship and Administration Act 2000*  
adult guardian
  
- 12 *Health Quality and Complaints Commission Act 2006*  
member of the Health Quality and Complaints  
Commission  
chief executive officer of the Office of the Health  
Quality and Complaints Commission
  
- 13 *Law Reform Commission Act 1968*  
member of the Law Reform Commission
  
- 14 *Legal Aid Queensland Act 1997*  
chief executive officer of Legal Aid Queensland
  
- 15 *Legislative Standards Act 1992*  
parliamentary counsel
  
- 16 *Public Trustee Act 1978*  
Public Trustee of Queensland



**Schedule 2 (continued)**

- 17 *Queensland Competition Authority Act 1997*  
member of the Queensland Competition Authority
  
- 18 *Torres Strait Islander Land Act 1991*  
member of the Land Tribunal

## **Schedule 3      Declared public service offices and their heads**

section 31

<b>Column 1</b>	<b>Column 2</b>
<b>Public service office</b>	<b>Head of office</b>
1 Building and Construction Industry (Portable Long Service Leave) Authority	general manager
2 Forestry Plantations Queensland Office	chief executive of the office
3 Office of the Adult Guardian	adult guardian
4 Office of the Medical Board of Queensland	executive officer of the office
5 Office of the Queensland College of Teachers	director of the office
6 Queensland Water Commission	chief executive officer for the office

## Schedule 4      Dictionary

### section 3

***appellant*** means a person who has given the commissioner a notice under section 16.

***applied provision*** means a provision applied to a column 1 entity or the entity's public sector unit employees under section 25(1) or (2).

***column 1 entity*** see section 24.

***employee record*** see section 10.

***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.

***possession***, for an employee record, see section 11.

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

***relevant investigation or inquiry*** means an investigation or inquiry into—

- (a) an allegation of conduct that, if proved, may make a public service employee liable to disciplinary action; or
- (b) a grievance involving a public service employee lodged under a directive or industrial determination.

## 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 2 September 2007. Future amendments of the Public Service Regulation 2007 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

Key	Explanation	Key	Explanation
AIA	= Acts Interpretation Act 1954	(prev)	= previously
amd	= amended	proc	= proclamation
amdt	= amendment	prov	= provision
ch	= chapter	pt	= part
def	= definition	pubd	= published
div	= division	R[X]	= Reprint No. [X]
exp	= expires/expired	RA	= Reprints Act 1992
gaz	= gazette	reloc	= relocated
hdg	= heading	renum	= renumbered
ins	= inserted	rep	= repealed
lap	= lapsed	(retro)	= retrospectively
notfd	= notified	rv	= revised edition
num	= numbered	s	= section
o in c	= order in council	sch	= schedule
om	= omitted	sdiv	= subdivision
orig	= original	SIA	= Statutory Instruments Act 1992
p	= page	SIR	= Statutory Instruments Regulation 2002
para	= paragraph	SL	= subordinate legislation
prec	= preceding	sub	= substituted
pres	= present	unnum	= unnumbered
prev	= previous		

## 4 Table of reprints

Reprints are issued for both future and past effective dates. For the most up-to-date table of reprints, see the reprint with the latest effective date.

If a reprint number includes a letter of the alphabet, the reprint was released in unauthorised, electronic form only.

Reprint No.	Amendments included	Effective	Notes
1 rv	2007 SL No. 325	2 September 2007	

## 5 List of legislation

### **Public Service Regulation 2007 SL No. 213**

made by the Governor in Council on 30 August 2007

notfd gaz 31 August 2007 pp 2326–7

ss 1–2 commenced on date of notification

remaining provisions commenced 2 September 2007 (see s 2)

exp 1 September 2017 (see SIA s 54)

Note—The expiry date may have changed since this reprint was published. See the latest reprint of the SIR for any change.

later retrospective amending legislation—

### **Public Service Amendment Regulation (No. 2) 2007 SL No. 325**

notfd gaz 14 December 2007 pp 2131–5

ss 1–2 commenced on date of notification

remaining provisions commenced 2 September 2007 (see s 2)

## 6 List of annotations

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

amd 2007 SL No. 325 s 4 (retro)

## 7 Information about retrospectivity

Retrospective amendments that have been consolidated are noted in the list of legislation and list of annotations. Any retrospective amendment that has not been consolidated is noted in footnotes to the text.