



Queensland

# Public Sector Ethics Amendment Regulation (No. 1) 2011

## Explanatory Notes for SL 2011 No. 67

made under the

*Public Sector Ethics Act 1994*

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## General outline

### Short title

This regulation may be cited as the *Public Sector Ethics Amendment Regulation (No. 1) 2011*.

### Authorising law

Section 25 of the *Public Sector Ethics Act 1994*.

### Policy objectives and the reasons for them

The objective of the amendment regulation is to enable further public sector entities to be prescribed as public service agencies for the purposes of applying the *Code of Conduct for the Queensland Public Service*.

The Government's review of integrity and accountability, *Integrity and Accountability in Queensland*, revealed public service agency codes of conduct varied widely in variety and length, and tended to operate to a prescribed minimum. In response, the Government committed to introducing a single code of conduct for the public service. Amendments to the *Public Sector Ethics Act 1994* allowed for the Public Service Commission to develop a single code of conduct. The *Code of Conduct for*

*the Queensland Public Service* was approved by the Premier and commenced on 1 January 2011.

The *Code of Conduct for the Queensland Public Service* is aspirational in nature and contains standards of conduct which describe how ethics principles and values apply to public service employees. By focusing on clarity and the positive expression of public sector values, the code ensures the public service embodies the highest ethical standards no matter what job a public service employee performs.

Adoption of the *Code of Conduct for the Queensland Public Service* ensures consistent standards across the public service, enhanced access to the code, and achieves greater awareness of the public service values within the public service and with Queenslanders.

### **Achievement of policy objectives**

The amendment regulation is consistent with the main objects of the *Public Sector Ethics Act 1994*, that is to enable further public sector entities to be prescribed as public service agencies for the purposes of applying the *Code of Conduct for the Queensland Public Service*.

The *Code of Conduct for the Queensland Public Service* is an important part of Queensland's integrity framework as it sets the standards of integrity and accountability for the employees of public service agencies.

The *Code of Conduct for the Queensland Public Service* applies to all entities defined as a 'public service agency' in the schedule of the *Public Sector Ethics Act 1994*:

- a department;
- a TAFE institute or statutory TAFE institute;
- the administrative office or a court or tribunal;
- an entity prescribed under a regulation that is not a public service agency.

The *Public Sector Ethics Regulation 2010* has already prescribed eleven (11) public sector entities as public service agencies for the purposes of applying the *Code of Conduct for the Queensland Public Service* from 1 January 2011.

The amended regulation prescribes a further seventeen (17) public sector entities as public service agencies for the purposes of applying the *Code of Conduct for the Queensland Public Service* from 1 June 2011.

### **Consistency with policy objectives of authorising law**

This subordinate legislation is consistent with the primary purpose of the *Public Sector Ethics Act* which is to establish public sector ethics principles and values which are fundamental to good public administration. This facilitates consistency across the Queensland public sector as more than forty (40) public sector agencies will have adopted the *Code of Conduct for the Queensland Public Service* by 1 June 2011.

### **Inconsistency with policy objectives of other legislation**

The subordinate legislation is not inconsistent with any policy objectives of any other legislation.

### **Benefits and costs of implementation**

The benefits for public sector entities in adopting the *Code of Conduct for the Queensland Public Service* include ensuring consistent standards apply to the public sector entity and its employees and reducing the costs associated with developing and implementing a separate Code of Conduct based on the ethics principles and values. Under the *Public Sector Ethics Act 1994* the Public Service Commission has the responsibility of preparing the *Code of Conduct for the Queensland Public Service*. In addition, the Public Service Commission has provided training and educational resources to support the implementation by entities of the *Code of Conduct for the Queensland Public Service*.

The requirements under the *Public Sector Ethics Act 1994*, including providing employees with education and training about public sector ethics, have existed since 1994. Any additional costs associated with education and training in relation to the *Code of Conduct for the Queensland Public Service* will be minimal and will be funded through existing agency budgets.

## **Consistency with fundamental legislative principles**

This subordinate legislation is consistent with fundamental legislative principles.

## **Consultation**

All public sector entities to be prescribed in the amendment regulation have been consulted on their inclusion. All public sector entities have consulted with their employees and relevant public sector unions about their intention to apply the *Code of Conduct for the Queensland Public Service*.

## **Notes on provisions**

Clause 1 sets out the short title of the regulation, namely the *Public Sector Ethics Amendment Regulation (No. 1) 2011*.

Clause 2 that this regulation commences on 1 June 2011.

Clause 3 that this regulation amends the *Public Sector Ethics Regulation 2010*.

Clause 4 amends the schedule to prescribe the public sector entities as public service agencies.

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### ENDNOTES

- 1 Laid before the Legislative Assembly on . . .
- 2 The administering agency is the Public Service Commission.

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