

# ***Public Sector Ethics Amendment Regulation (No. 1) 2015***

Explanatory notes for SL 2015 No. 42

made under the

*Public Sector Ethics Act 1994*

## **General Outline**

### **Short title**

*Public Sector Ethics Amendment Regulation (No. 1) 2015*

### **Authorising law**

Section 25 of the *Public Sector Ethics Act 1994*

### **Policy objectives and the reasons for them**

The policy objective of the *Public Sector Ethics Regulation 2010* (PSER) is to extend the application of specified provisions of the *Public Sector Ethics Act 1994* (PSEA) to certain public sector entities. The PSER does this by prescribing those entities as public service agencies for the PSEA.

The amendments are required to update the schedule to the PSER to reflect the desire for specified entities to become prescribed public service agencies for the PSEA.

The practical effect of prescribing these entities as public service agencies is to extend the Code of Conduct for the Queensland Public Service (the single Code) to them.

### **Achievement of policy objectives**

The policy objective will be achieved by applying the provisions of the PSEA to specified entities through the PSER.

An additional 18 entities will be listed in the schedule to the PSER to become prescribed public service agencies for the PSEA. These entities are:

Anzac Day Trust continued under the *Anzac Day Act 1995*

Board of Architects of Queensland established under the *Architects Act 2002*

Central and Northern Queensland Regional Parole Board established under the *Corrective Services Act 2006*

Contract Cleaning Industry (Portable Long Service Leave) Authority Board established under the *Contract Cleaning Industry (Portable Long Service Leave) Act 2005*

controlled operations committee established under the *Police Powers and Responsibilities Act 2000*

disaster appeals trust fund committee established under the *Collections Act 1966*

Family Responsibilities Board established under the *Family Responsibilities Commission Act 2008*

Gambling Community Benefit Committee established under the *Gaming Machine Act 1991*

grants commission established under the *Local Government Act 2009*

Local Government Change Commission established under the *Local Government Act 2009*

Mt Gravatt Showgrounds Trust constituted under the *Mt. Gravatt Showgrounds Act 1988*

Queensland Academy of Sport Board

Queensland Anzac Advisory Committee for the Commemoration of the Anzac Centenary

Queensland Family and Child Commission established under the *Family and Child Commission Act 2014*

Queensland Parole Board established under the *Corrective Services Act 2006*

Queensland Veterans' Advisory Council

Racing Animal Welfare and Integrity Board established under the *Racing Act 2002*

Southern Queensland Regional Parole Board established under the *Corrective Services Act 2006*

The amendments will ensure that in accordance with the wishes of those entities the single Code will apply to them.

This approach to achieving the policy objectives is consistent with the relevant sections of the PSEA.

The amendments will also remove the following entities from the schedule to the PSER as they have been abolished:

Dental Technicians Board of Queensland established under the *Dental Technicians Registration Act 2001*

Health Quality and Complaints Commission established under the *Health Quality and Complaints Commission Act 2006*

Office of Health Practitioner Registration Boards established under the *Health Practitioner Registration Boards (Administration) Act 1999*

Speech Pathologists Board of Queensland established under the *Speech Pathologists Registration Act 2001*

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

The PSER amendments are consistent with the main objective of the PSEA to provide a framework for ethical decision making and conduct in the Queensland public sector.

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

The PSER amendments are consistent with the policy objectives of other legislation.

## **Benefits and costs of implementation**

Public sector entities can opt into the single Code via prescription in the PSER or can choose to issue their own Code of Conduct that aligns with the principles and values contained in the PSEA (as described in Part 4, Division 3, Subdivision 1).

The benefit of implementing the amended PSER is that the new entities listed in the schedule will automatically apply the single Code. Accordingly, they will not be required to issue their own Code of Conduct that aligns with Part 4, Division 3, Subdivision 1 of the PSEA.

This also supports the purpose of the PSEA which is to provide for a framework for ethical decision making and conduct in the Queensland public sector.

No costs of implementation have been identified. If the amendments were not made, the above listed entities would be subject to costs associated with the preparation, implementation and approval of their own Code of Conduct.

## **Consistency with fundamental legislative principles**

The legislation is consistent with fundamental legislative principles. It has sufficient regard to the rights and liberties of individuals and the institutions of parliament.

## **Consultation**

The relevant government agencies that will be affected by the proposed amendments have been consulted and support the amendments.