

Public Service Regulation 2018

Explanatory notes for SL 2018 No. 124

made under the

Public Service Act 2008

General Outline

Short title

Public Service Regulation 2018

Authorising law

Section 222 of the *Public Service Act 2008*.

Policy objectives and the reasons for them

The *Public Service Act 2008* (the Act) establishes the Queensland public service and provides for the rights and responsibilities of chief executives and employees. The Act is supplemented by rulings issued by the commission chief executive and the industrial relations Minister under sections 53 and 54 of the Act respectively.

The Act provides at section 21(1)(b) that a public service office is a designated entity, or part of an entity, declared under a regulation to be a public service office, and at section 21(2)(b) that the head of the public service office is the person declared under a regulation to be the head of the office. Section 23 sets out the application of the Act to public service offices declared by regulation, and provides that a regulation under this section may specify what provisions of the Act apply to the office and the way in which the provisions are to apply.

Under section 54 of the *Statutory Instruments Act 1992*, the *Public Service Regulation 2008* (the current Regulation) is due to expire on 1 September 2018.

The policy objective of the *Public Service Regulation 2018* is to continue to apply provisions of the Act, and/or directives issued under the Act, to public sector entities (declared public service offices) and their employees that are not otherwise subject to the Act.

Achievement of policy objectives

The objective is achieved by making *Public Service Regulation 2018*, which replaces the current Regulation.

The *Public Service Regulation 2018* will provide for the same matters as the current Regulation with minor changes to the applied provisions and rulings, and changes to reflect current drafting practices. The schedules have been revised to improve useability by presenting information relevant to each declared public service office in a separate schedule.

Consistency with policy objectives of authorising law

The *Public Service Regulation 2018* is consistent with the policy objectives of the authorising provisions in the Act, ensuring a high performing public service that promotes the effectiveness and efficiency of government entities, and providing for the administration of the public service.

Inconsistency with policy objectives of other legislation

The *Public Service Regulation 2018* is consistent with the policy objectives of other legislation.

Benefits and costs of implementation

The benefit of the *Public Service Regulation 2018* is that declared public service offices will continue to apply specific provisions of the Act and/or rulings made under the Act.

No costs of implementation have been identified.

Consistency with fundamental legislative principles

The *Public Service Regulation 2018* is consistent with the fundamental legislative principles.

Consultation

The declared public sector offices and unions did not raise any concerns with remaking the current Regulation.

The Queensland Productivity Commission reviewed the Public Service Commission's sunset review of the current Regulation and advised that the proposal to remake the regulation would not benefit from further analysis under the Queensland Government Guide to Better Regulation.