

1993—No. 94

PUBLIC SECTOR MANAGEMENT ACT 1988—REGULATION

(Relating to health assessments before appointment)

NEW SOUTH WALES



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HIS Excellency the Governor, with the advice of the Executive Council, and in pursuance of the Public Sector Management Act 1988, has been pleased to make the Regulation set forth hereunder.

JOHN FAHEY,
Premier.

The Public Sector Management (General) Regulation 1988 is amended by omitting clause 7 (2) and (3) and by inserting instead the following subclause:

(2) The health assessment is to be in the form considered necessary by the appropriate Department Head. This may include (but is not limited to) any one or more of the following:

- (a) a declaration (which may be a statutory declaration if required) provided by the person concerning any illness, disability or condition of which the person is aware that might make him or her unfit to carry out the duties of the position;
- (b) a medical examination by a medical practitioner approved by the Department Head;
- (c) an examination by a medical practitioner, an optometrist or other appropriately qualified health care professional, approved by the Department Head, of a particular aspect of the person's health likely to detrimentally affect his or her capacity to carry out the duties of the position.

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EXPLANATORY NOTE

Clause 7 of the Public Sector Management (General) Regulation 1988 introduced a system of pre-placement health assessments for persons before appointment to positions as officers in the Public Service. The form of pre-placement health assessments is determined by each Department Head having regard to the duties and functions required for the officer's position. Clause 7 (2) gives examples of the types of assessment including requiring an officer to undergo an examination by a health assessment provider. Clause 7 (3) currently defines "health assessment provider" to mean a person who holds a professional qualification recognised by a health professional board referred to in Schedule 2A to the Health Administration Act 1982. That Schedule does not contain an exhaustive list of health professional boards.

The object of this Regulation is to make it clear that all appropriately qualified health care professionals may be used to provide assessments and that medical examinations are to be conducted by medical practitioners.
