



New South Wales

Public Sector Management (General) Amendment (Special Appointments) Regulation 1996

under the

Public Sector Management Act 1988

His Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Public Sector Management Act 1988*.

BOB CARR, MP.

Premier

Explanatory note

The object of this Regulation is to provide, as a special case contemplated under the Public Sector Management Act 1988, for the appointment of long-term temporary public servants to public service officer positions.

The provision to be inserted by this Regulation selectively deals with only those public servants who have been employed as temporary employees continuously for at least 2 years, and specifies the circumstances under which the appropriate Department Head may recommend the appointment of a long-term temporary employee to an officer position in the Department (eg the Department Head must be satisfied that the person has the relevant skills for the position). A recommendation for appointment of a long-term temporary employee can only be made within the period of 6 months from the commencement of this Regulation.

This Regulation is made under the Public Sector Management Act 1988, including section 102 (the general regulation making power), in particular section 102 (2) (m).

1997 No 8

Clause 1 Public Sector Management (General) Amendment (Special Appointments) Regulation 1996

Public Sector Management (General) Amendment (Special Appointments) Regulation 1996

1 Name of Regulation

This Regulation is the *Public Sector Management (General) Amendment (Special Appointments) Regulation 1996*.

2 Amendment of Public Sector Management (General) Regulation 1996

The *Public Sector Management (General) Regulation 1996* is amended as set out in Schedule 1.

3 Notes

The explanatory note does not form part of this Regulation.

Schedule 1 Amendment

(Clause 2)

Clause 10A

Insert after clause 10:

10A Entry to positions in Public Service in special cases— long-term temporary employees

- (1) For the purposes of this clause, a *long-term temporary employee* is a temporary employee:
 - (a) who is, as at the date of commencement of this clause, currently employed as a temporary employee in the Public Service, and
 - (b) whose employment as a temporary employee falls within a continuous employment period of at least 2 years.
- (2) A long-term temporary employee may, with the approval of the Public Employment Office, be appointed to an officer's position (other than a senior executive position) in a Department if the appropriate Department Head has made a recommendation in accordance with this clause for the appointment of the employee to the position.
- (3) A recommendation for the appointment of a long-term employee to an officer's position may be made in the following circumstances:
 - (a) the employee was initially employed for a specified purpose or for a limited period only,
 - (b) on-going work is available in respect of the employee in the Department,
 - (c) the appropriate Department Head is satisfied that the employee has the relevant skills, qualifications, experience, work performance standards and personal qualities to enable the employee to perform the duties of the position concerned.
- (4) Any such recommendation may only be made within the period of 6 months from the commencement of this clause.