



Police Integrity Commission Amendment (Staff) Regulation 2003

under the

Police Integrity Commission Act 1996

Her Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Police Integrity Commission Act 1996*.

JOHN WATKINS, M.P.,
Minister for Police

Explanatory note

Section 10 (1) of the *Police Integrity Commission Act 1996* (**the PIC Act**) provides that such staff as may be necessary to assist the Police Integrity Commission may be employed under Chapter 2 (The Public Service) of the *Public Sector Employment and Management Act 2002* (**the 2002 Act**). Section 10 (2) of the PIC Act provides that the Commission may also employ staff, but that the provisions of Chapter 2 of the 2002 Act do not apply to or in respect of these employees. Similarly, section 92 (2) of the PIC Act provides that the Inspector of the Commission may also employ non-public service staff.

The object of this Regulation is to ensure that the staff of the Commission and the Inspector who are employed under sections 10 (2) and 92 (2) of the PIC Act, respectively, are entitled, as a minimum standard, to the same recreation and extended leave entitlements that are available to members of staff who are employed under Chapter 2 of the 2002 Act.

This Regulation is made under the *Police Integrity Commission Act 1996*, including sections 92 (6) and 143 (2) (a).

2003 No 755

Clause 1 Police Integrity Commission Amendment (Staff) Regulation 2003

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1 Name of Regulation

This Regulation is the *Police Integrity Commission Amendment (Staff) Regulation 2003*.

2 Commencement

This Regulation commences on 17 October 2003.

3 Amendment of Police Integrity Commission Regulation 2001

The *Police Integrity Commission Regulation 2001* is amended as set out in Schedule 1.

Schedule 1 Amendment

(Clause 3)

Clause 5

Insert after clause 4:

5 Leave entitlements for non-Public Service staff of PIC and PIC Inspector

- (1) In this clause:
employee means:
 - (a) a member of staff of the Commission who is employed under section 10 (2) of the Act, or
 - (b) a member of staff of the Inspector who is employed under section 92 (2) of the Act.
- (2) The following entitlements apply to and in respect of an employee:
 - (a) extended leave in accordance with clause 1 of Schedule 3 to the *Public Sector Employment and Management Act 2002*,
 - (b) the accrual of paid recreation leave in accordance with clause 81 (a) of the *Crown Employees (Public Service Conditions of Employment) Award 2002*.
- (3) Nothing in subclause (2):
 - (a) prevents an employee from being provided with leave entitlements that are more favourable to the employee than those referred to in that subclause, and
 - (b) affects any entitlements to recreation or extended leave that have been accrued by an employee before the commencement of this clause.
- (4) In accordance with section 92 (6) of the Act, the provisions of section 143 (2) (a) of the Act apply to a member of staff of the Inspector who is employed under section 92 (2) of the Act as if a reference in those provisions to the staff of the Commission included a reference to a member of any such staff of the Inspector.