



New South Wales

# Public Sector Employment and Management (General) Amendment (Transitional) Regulation 2006

under the

Public Sector Employment and Management Act 2002

Her Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Public Sector Employment and Management Act 2002*.

MORRIS IEMMA, M.P.,  
Premier

## Explanatory note

Section 4K (1) (c) of the *Public Sector Employment and Management Act 2002* (as inserted by the *Public Sector Employment Legislation Amendment Act 2006* which commenced on 17 March 2006) requires references in any instrument to certain statutory corporations in their capacity as the employers of staff to be read as references to the Government Service of NSW or to the Division Head of the Government Service Division in which the staff are now employed.

The object of this Regulation is to disapply, on a transitional basis, the operation of section 4K (1) (c) to the extent that any such reference relates to the provision of benefits that are subject to the *Fringe Benefits Tax Assessment Act 1986* of the Commonwealth. As a result of this Regulation, the statutory corporation concerned continues to be the relevant employer for the period between 17 March 2006 and 31 March 2006 (which coincides with the end of the relevant fringe benefits tax year).

This Regulation is made under the *Public Sector Employment and Management Act 2002*, including sections 4K (2) and 164 (the general regulation-making power) and clause 1 of Schedule 4 (savings and transitional regulations).

**2006 No 389**

Clause 1 Public Sector Employment and Management (General) Amendment  
(Transitional) Regulation 2006

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**Public Sector Employment and Management (General)  
Amendment (Transitional) Regulation 2006**

under the

Public Sector Employment and Management Act 2002

**1 Name of Regulation**

This Regulation is the *Public Sector Employment and Management (General) Amendment (Transitional) Regulation 2006*.

**2 Amendment of Public Sector Employment and Management (General) Regulation 1996**

The *Public Sector Employment and Management (General) Regulation 1996* is amended by inserting after clause 101 the following clause:

**102 Transitional provision relating to provision of fringe benefits**

- (1) This clause is taken to have commenced on 17 March 2006.
- (2) Section 4K (1) (c) of the Act does not apply to a reference in any instrument to a statutory corporation to the extent that the reference relates to the provision of benefits that are subject to the *Fringe Benefits Tax Assessment Act 1986* of the Commonwealth.
- (3) This clause is taken to have ceased to have effect at the end of 31 March 2006.

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BY AUTHORITY