



New South Wales

Public Sector Employment and Management (Miscellaneous) Order 2011

under the

Public Sector Employment and Management Act 2002

MARIE BASHIR, Governor

I, Professor Marie Bashir AC, CVO, Governor of the State of New South Wales, with the advice of the Executive Council, and in pursuance of Chapter 4 of the *Public Sector Employment and Management Act 2002*, make the following Order.

Dated, this 30th day of June 2011.

By Her Excellency's Command,

BARRY O'FARRELL, MP
Premier

2011 No 345

Public Sector Employment and Management (Miscellaneous) Order 2011

Contents

	Page
1 Name of Order	3
2 Commencement	3
3 Establishment of Office of Infrastructure NSW and Special Officers Group	3
4 Establishment of Destination NSW Division and renaming of Special Employment Division	3
5 Transfer of DTIRIS tourism staff to Destination NSW Division	3
6 Establishment of Department of Primary Industries as a separate office within DTIRIS	4
7 Construction of certain references	4
8 Amendment of Public Sector Employment and Management Act 2002 No 43	5

Public Sector Employment and Management (Miscellaneous) Order 2011

under the

Public Sector Employment and Management Act 2002

1 Name of Order

This Order is the *Public Sector Employment and Management (Miscellaneous) Order 2011*.

2 Commencement

This Order commences on 1 July 2011 and is required to be published on the NSW legislation website.

3 Establishment of Office of Infrastructure NSW and Special Officers Group

- (1) The Office of Infrastructure NSW is established as a Division of the Government Service responsible to the Premier.
- (2) The Infrastructure Special Officers Group, Office of Infrastructure NSW is established as a separate Division of the Government Service.

4 Establishment of Destination NSW Division and renaming of Special Employment Division

- (1) The Destination NSW Division is established as a Division of the Government Service responsible to the Minister for Tourism, Major Events, Hospitality and Racing.
- (2) The name of the Destination NSW Division (being the separate Division of the Government Service inserted in Part 3 of Schedule 1 to the *Public Sector Employment and Management Act 2002* by Schedule 3.2 to the *Destination NSW Act 2011*) is changed to the Destination NSW Special Employment Division.

5 Transfer of DTIRIS tourism staff to Destination NSW Division

- (1) Such staff in the Department of Trade and Investment, Regional Infrastructure and Services who, in the opinion of the Director-General of the Department of Premier and Cabinet, are principally involved in matters relating to tourism and who the Director-General determines are required to enable Destination NSW to exercise its functions are

2011 No 345

Clause 6 Public Sector Employment and Management (Miscellaneous) Order 2011

removed from the Department of Trade and Investment, Regional Infrastructure and Services and added to the Destination NSW Division.

- (2) In any document, a reference to Department of Trade and Investment, Regional Infrastructure and Services is to be construed as a reference to the Destination NSW Division if the reference is used in relation to the group of staff referred to in subclause (1).

6 Establishment of Department of Primary Industries as a separate office within DTIRIS

- (1) The Department of Primary Industries is established as a separate departmental office within the Department of Trade and Investment, Regional Infrastructure and Services.
- (2) All branches are removed from the Department of Primary Industries (as a separate Division of the Government Service) and added to the separate departmental office of the Department of Primary Industries within the Department of Trade and Investment, Regional Infrastructure and Services. The Department of Primary Industries is abolished as a separate Division of the Government Service.
- (3) A reference in any Act or statutory instrument, or in any other instrument, or in any contract or agreement to the Department of Primary Industries (as a separate Division of the Government Service) is to be construed as a reference to the Department of Trade and Investment, Regional Infrastructure and Services.

7 Construction of certain references

(1) Internal Audit Bureau Act 1992

The reference in section 6 (2) (b1) of the *Internal Audit Bureau Act 1992* to the Department of Services, Technology and Administration (required by previous orders to be construed as a reference to the Department of Finance and Services) is to be construed as a reference to the Department of Premier and Cabinet.

(2) Community Welfare Act 1987

A reference in the *Community Welfare Act 1987* to the Department of Youth and Community Services (required by previous orders to be construed as a reference to the Department of Family and Community Services) is to be construed as a reference to the Department of Education and Communities if the reference is used in relation to Chapter 12 (Children's services) or 12A (Out of school hours care services) of the *Children and Young Persons (Care and Protection) Act 1998*.

- (3) A reference in the *Community Welfare Act 1987* to the Department of Youth and Community Services (required by previous orders to be construed as a reference to the Department of Family and Community Services) or to the Director-General of that Department is, if the reference is used in relation to Part 5 (Disaster welfare assistance) of that Act, to be construed as a reference to the Ministry for Police and Emergency Services or the Chief Executive of that Ministry, respectively.

8 Amendment of Public Sector Employment and Management Act 2002 No 43

(1) **Schedule 1 Divisions of the Government Service**

Insert in Division 2 of Part 1 after the matter relating to the Office of the Redfern–Waterloo Authority:

Office of Infrastructure NSW Chief Executive Officer and Co-ordinator
General, Infrastructure NSW

(2) **Schedule 1, Division 2 of Part 1**

Omit the matter relating to the Department of Primary Industries.

(3) **Schedule 1, Division 2 of Part 1 and Part 3**

Omit “Director-General of the Department of Primary Industries” from the matter relating to the Office of the NSW Food Authority, the Office of the Rural Assistance Authority and the Forestry Commission Division, wherever occurring.

Insert instead “Director-General of the Department of Trade and Investment, Regional Infrastructure and Services”.

(4) **Schedule 1, Part 2**

Insert after the matter relating to the Wild Dog Destruction Board Division:

Destination NSW Division Chief Executive Officer of Destination NSW

2011 No 345

Clause 8 Public Sector Employment and Management (Miscellaneous) Order 2011

(5) **Schedule 1, Part 3**

Omit the matter relating to the Destination NSW Division (as inserted by Schedule 3.2 to the *Destination NSW Act 2011*).

Insert instead:

Destination NSW Special
Employment Division (limited to
staff employed with the approval
of the Minister administering the
Destination NSW Act 2011)

Chief Executive Officer of
Destination NSW

(6) **Schedule 1, Part 3**

Insert in alphabetical order:

Infrastructure Special Officers Group,
Office of Infrastructure NSW (limited
to staff of the Office of Infrastructure
NSW, not subject to Chapter 2 of this
Act, who are designated by the Division
Head with the approval of the Director
of Public Employment)

Chief Executive Officer and
Co-ordinator General, Infrastructure
NSW