



New South Wales

# **Government Sector Employment Rules (Amendment No 3—Secretaries) 2015**

under the

Government Sector Employment Act 2013

I, Graeme Head, Public Service Commissioner, in pursuance of the *Government Sector Employment Act 2013*, make the following Rule.

GRAEME HEAD  
Public Service Commissioner

## **Government Sector Employment Rules (Amendment No 3—Secretaries) 2015**

under the

Government Sector Employment Act 2013

### **1 Name of Rule**

This Rule is the *Government Sector Employment Rules (Amendment No 3—Secretaries) 2015*.

### **2 Commencement**

This Rule commences on the day on which it is published on the NSW legislation website.

## Schedule 1      **Amendment of Government Sector Employment Rules 2014**

### **Rules 52 and 53**

Omit rule 52. Insert instead:

#### **52 Appointment of Secretaries of Departments**

- (1) Before a person is appointed as the Secretary of a Department a report relating to the proposed appointment is required to be provided to the Minister:
  - (a) in the case of the appointment of the DPC Secretary—by the Commissioner, or
  - (b) in the case of the appointment of any other Secretary—by the DPC Secretary.
- (2) A report by the DPC Secretary is to be prepared after consultation with the Commissioner and the senior Minister to whom the relevant Department is responsible.
- (3) However, a report is not required:
  - (a) if the person is being re-appointed as the Secretary of a Department, or
  - (b) if the person was the Secretary of another Department at the time of the appointment or within 3 months before the appointment, or
  - (c) if the Commissioner or DPC Secretary (as the case requires) does not provide a report within 21 days after being notified of the proposed appointment, or
  - (d) if the appointment is effected by an administrative arrangements order under Part 7 of the *Constitution Act 1902*.
- (4) Part 3 does not apply to the Secretaries of Departments.
- (5) In this rule:  
**DPC Secretary** means the Secretary of the Department of Premier and Cabinet.

#### **53 Appointment of heads of Public Service executive agencies**

Part 3 does not apply to the appointment of a person as the head of a Public Service executive agency:

- (a) if the person is being re-appointed as the head of the agency, or
- (b) if the person was the head of another Public Service executive agency or the Secretary of a Department at the time of the appointment or within 3 months before the appointment.