



New South Wales

Administrative Arrangements (Administrative Changes—Law Enforcement Conduct Commission) Order 2017

under the

Constitution Act 1902

DAVID HURLEY, Governor

I, General The Honourable David Hurley AC DSC (Ret'd), Governor of New South Wales, with the advice of the Executive Council, and in pursuance of Part 7 of the *Constitution Act 1902* and provisions of the *Government Sector Employment Act 2013* authorising the making of orders under that Part, make the following Order.

Dated, this Eighth day of March 2017.

By His Excellency's Command,

GLADYS BEREJIKLIAN, MP
Premier

Administrative Arrangements (Administrative Changes—Law Enforcement Conduct Commission) Order 2017

under the

Constitution Act 1902

1 Name of Order

This Order is the *Administrative Arrangements (Administrative Changes—Law Enforcement Conduct Commission) Order 2017*.

2 Commencement

- (1) This Order is taken to have commenced on 1 February 2017 (except as provided by subclause (2)) and is required to be published on the NSW legislation website.
- (2) Clauses 4, 5 and 6 (2) commence, or are taken to have commenced, on the commencement of section 25 of the *Law Enforcement Conduct Commission Act 2016*.

3 Establishment of Office of the Law Enforcement Conduct Commission

- (1) The Office of the Law Enforcement Conduct Commission is established as a separate Public Service agency.
- (2) Any external recruitment action by a person employed in the Department of Justice in relation to the recruitment or purported recruitment of persons who are to be employed to enable the Law Enforcement Conduct Commission to exercise its functions is, except as provided by subclause (4), taken to have been done by the Chief Executive Officer of the Law Enforcement Conduct Commission when appointed.
- (3) For the purposes of subclause (2), *external recruitment action* means:
 - (a) the advertising of a role to persons, and
 - (b) the carrying out of a comparative assessment of persons, who are not employed in the Ombudsman's Office or the Police Integrity Commission Staff Agency.
- (4) Anything done by a person employed in the Department of Justice in relation to the recruitment or purported recruitment of a person who is to be employed as the Chief Executive Officer of the Law Enforcement Conduct Commission is taken to have been done by the Chief Commissioner of the Law Enforcement Conduct Commission.

4 Transfer of certain staff from Ombudsman's Office and PIC to Office of LECC and abolition of PIC Staff Agency

The LECC Transition Branches in both the Ombudsman's Office and the Police Integrity Commission Staff Agency are transferred to the Office of the Law Enforcement Conduct Commission.

5 Abolition of PIC Staff Agency

- (1) All parts of the Police Integrity Commission Staff Agency (other than the LECC Transition Branch) are transferred to the Department of Justice.
- (2) The Police Integrity Commission Staff Agency is abolished.

6 Amendment of Schedule 1 to Government Sector Employment Act 2013 (Public Service agencies)

(1) **Part 3 Separate agencies**

Insert in appropriate order:

Office of the Law Enforcement Conduct Commission

Chief Executive Officer of the Commission. The Chief Commissioner of the Commission is to exercise the employer functions of the Government in relation to the Chief Executive Officer and is to exercise the function of appointing or terminating the employment of the Chief Executive Officer in consultation with the Minister administering Part 3 of the *Law Enforcement Conduct Commission Act 2016*.

(2) **Part 3**

Omit the matter relating to the Police Integrity Commission Staff Agency.