

Administrative Arrangements (58th Parliament) Order 2023

[2023-137]



New South Wales

Status Information

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Provisions in force

The provisions displayed in this version of the legislation have all commenced.

Authorisation

This version of the legislation is compiled and maintained in a database of legislation by the Parliamentary Counsel's Office and published on the NSW legislation website, and is certified as the form of that legislation that is correct under section 45C of the [Interpretation Act 1987](#).

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Administrative Arrangements (58th Parliament) Order 2023



New South Wales

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Administrative Arrangements (58th Parliament) Order 2023



New South Wales

Part 1 Preliminary

1 Name of order

This order is the *Administrative Arrangements (58th Parliament) Order 2023*.

2 Commencement

This order commences on 5 April 2023.

3 Definitions

In this order—

document means an Act or statutory or other instrument, or any contract or agreement.

reference to a Minister, Public Service agency or Public Service employee includes a reference that by or under any Act is to be read, construed or treated as a reference to that Minister, agency or employee.

Note—

The *Constitution Act 1902*, Part 7 and the *Interpretation Act 1987* also contain definitions and other provisions that affect the interpretation and application of this order.

Part 2 Provisions consequent on making of **Administrative Arrangements (Minns Ministry—Administration of Acts) Order 2023**

4 Repeal of **Administrative Arrangements (Interim Ministerial Changes) Order 2023**

The *Administrative Arrangements (Interim Ministerial Changes) Order 2023* is repealed.

Note—

The *Administrative Arrangements (Interim Ministerial Changes) Order 2023* commenced on 28 March 2023.

It is replaced by this order and the *Administrative Arrangements (Minns Ministry—Administration of Acts) Order 2023*.

Before its repeal it provided that, that in any document, a reference to any Minister of a specified description,

other than the Premier or the Deputy Premier, was to be construed as a reference to any of the following Ministers—

- (a) Premier,
- (b) Deputy Premier,
- (c) Minister for Education and Early Learning,
- (d) Minister for the Environment,
- (e) Minister for Heritage,
- (f) Special Minister of State,
- (g) Minister for Roads,
- (h) Minister for the Arts,
- (i) Minister for Night-time Economy and Music,
- (j) Treasurer,
- (k) Minister for the Gig Economy,
- (l) Minister for Health and Regional Health,
- (m) Minister for Mental Health,
- (n) Minister for the Illawarra and South Coast,
- (o) Minister for Transport,
- (p) Attorney General.

5 Construction of references to interim Ministers

(1) A reference in a document, made or entered into during the interim period, to an interim Minister is, if used in or in relation to an Act referred to in the [Administrative Arrangements \(Minns Ministry—Administration of Acts\) Order 2023](#), to be read as a reference to the Minister to whom the administration of the Act is allocated by that order.

(2) In this section—

interim Minister means a Minister referred to in the [Administrative Arrangements \(Interim Ministerial Changes\) Order 2023](#), section 4(a)–(p).

interim period means the period commencing on 28 March 2023 and ending on the commencement of this section.

6 Construction of references to Ministers

(1) A reference in a document to a Minister specified in the following Table, column 1, or to a Minister in the circumstances specified in column 1, is to read as a reference to

the corresponding Minister in the Table, column 2.

- (2) To avoid doubt, references to the Ministers specified in column 1 are references required by the *Administrative Arrangements (Interim Ministerial Changes) Order 2023* to be read as a reference to any Minister referred to in that order.

Table

Old references

New references

Attorney General—

(a) if used in or in relation to legislation administered by the Special Minister of State, whether solely or jointly

(a) a Minister administering the legislation

(b) if used in or in relation to legislation administered by the Minister for Sport

(b) the Minister for Sport

(c) in other cases

(c) the Attorney General

Minister for Women

Minister for Women

Minister for Employee Relations

Minister for Industrial Relations

Minister for Aboriginal Affairs

Minister for Aboriginal Affairs and Treaty

Minister for Regional New South Wales—

(a) if used in or in relation to legislation administered by the Minister for the Environment

(a) a Minister administering the legislation

(b) if used in or in relation to legislation administered by the Minister for Natural Resources

(b) the Minister for Natural Resources

(c) if used in or in relation to legislation administered by the Minister for Emergency Services

(c) the Minister for Emergency Services

(d) if used in or in relation to legislation administered by the Minister for Planning and Public Spaces

(d) the Minister for Planning and Public Spaces

(e) in other cases

(e) the Minister for Regional New South Wales

Minister for Agriculture—

(a) if used in or in relation to legislation administered by the Minister for Lands and Property	(a) the Minister for Lands and Property
(b) in other cases	(b) the Minister for Agriculture
Minister for Western New South Wales	Minister for Western New South Wales
Minister for Regional Youth	Minister for Youth
Minister for Enterprise, Investment and Trade—	
(a) if used in or in relation to legislation administered by the Minister for the Arts	(a) the Minister for the Arts
(b) if used in or in relation to legislation administered by the Minister for Planning and Public Spaces	(b) the Minister for Planning and Public Spaces
(c) in other cases	(c) the Minister for Jobs and Tourism
Minister for Sport	Minister for Sport
Minister for Science, Innovation and Technology	Minister for Innovation, Science and Technology
Minister for Western Sydney	Minister for Western Sydney
Minister for Hospitality and Racing—	
(a) if used in or in relation to legislation administered by the Minister for Music and the Night-time Economy	(a) the Minister for Music and the Night-time Economy
(b) in other cases	(b) the Minister for Gaming and Racing
Minister for the Arts	Minister for the Arts
Minister for Tourism	Minister for Jobs and Tourism
Treasurer—	
(a) if used in or in relation to legislation administered by the Minister for Work Health and Safety, whether solely or jointly	(a) a Minister administering the legislation
(b) in other cases	(b) the Treasurer
Minister for Energy	Minister for Energy

Minister for Finance	Minister for Finance
Minister for Health	Minister for Health
Minister for Regional Health	Minister for Regional Health
Minister for Mental Health	Minister for Mental Health
Minister for Education and Early Learning	Minister for Education and Early Learning
Minister for Skills and Training	Minister for Skills, TAFE and Tertiary Education
Minister for Police	Minister for Police and Counter-terrorism
Minister for Veterans	Minister for Veterans
Minister for Women’s Safety and the Prevention of Domestic and Sexual Violence	Minister for the Prevention of Domestic Violence and Sexual Assault
Minister for Corrections	Minister for Corrections
Minister for Families and Communities—	
(a) if used in or in relation to legislation administered by the Minister for Youth Justice	(a) the Minister for Youth Justice
(b) if used in or in relation to legislation administered by the Minister for Youth	(b) the Minister for Youth
(c) if used in or in relation to legislation administered by the Minister for Housing	(b) a Minister administering the legislation
(d) in other cases	(d) the Minister for Families and Communities
Minister for Disability Services	Minister for Disability Inclusion
Minister for Emergency Services and Resilience	Minister for Emergency Services
Minister for Flood Recovery	Minister for Emergency Services
Minister for Multiculturalism	Minister for Multiculturalism
Minister for Seniors	Minister for Seniors
Minister for Infrastructure—	
(a) if used in or in relation to legislation administered by the Minister for Transport	(a) the Minister for Transport

(b) if used in or in relation to legislation administered by the Treasurer, whether solely or jointly	(b) a Minister administering the legislation
(c) in other cases	(c) the Minister for Lands and Property
Minister for Cities	Minister for Planning and Public Spaces
Minister for Active Transport	Minister for Transport
Minister for Transport	Minister for Transport
Minister for Metropolitan Roads	Minister for Roads
Minister for Regional Transport and Roads	Minister for Regional Transport and Roads
Minister for Customer Service and Digital Government—	
(a) if used in or in relation to legislation administered by the Premier	(a) the Premier
(b) if used in or in relation to legislation administered by the Minister for Work Health and Safety, whether solely or jointly	(b) a Minister administering the legislation
(c) if used in or in relation to legislation administered by the Minister for Finance, whether solely or jointly	(c) a Minister administering the legislation
(d) in other cases	(d) the Minister for Customer Service and Digital Government
Minister for Small Business	Minister for Small Business
Minister for Fair Trading—	
(a) if used in or in relation to legislation administered by the Minister for Work Health and Safety	(a) the Minister for Work Health and Safety
(b) if used in or in relation to legislation administered by the Minister for Building	(b) a Minister administering the legislation
(c) in other cases	(c) the Minister for Better Regulation and Fair Trading
Minister for Planning—	

(a) if used in or in relation to legislation administered by the Premier	(a) the Premier
(b) (Repealed)	(b) (Repealed)
(c) Minister for Planning and Public Spaces	(c) a Minister administering the legislation
(d) in other cases	(d) the Minister for Planning and Public Spaces
Minister for Homes—	
(a) if used in or in relation to legislation administered by the Minister for Lands and Property	(a) the Minister for Lands and Property
(b) in other cases	(b) the Minister for Housing
Minister for Lands and Water—	
(a) if used in or in relation to legislation administered by the Minister for Water	(a) the Minister for Water
(b) in other cases	(b) the Minister for Lands and Property
Minister for Environment and Heritage—	
(a) if used in or in relation to legislation administered by the Minister for Heritage	(a) the Minister for Heritage
(b) in other cases	(b) the Minister for the Environment
Minister for Local Government—	
(a) if used in or in relation to legislation administered by the Minister for the Environment	(a) a Minister administering the legislation
(b) in other cases	(b) the Minister for Local Government

7 Construction of reference in [Appropriation Act 2022](#)

A reference in the [Appropriation Act 2022](#) to the Minister for Infrastructure, required by the [Administrative Arrangements \(Interim Ministerial Changes\) Order 2023](#) to be read as a reference to any Minister referred to in that order, section 4(a)-(p), is to be read as a

reference to the Minister for Transport.

Part 3 Provision consequent on making of Administrative Arrangements (Administrative Changes—Miscellaneous) Order (No 3) 2023

8 Construction of certain references to Ministers

(1) A reference in a document, made or entered into during the relevant period, to a relevant Minister is, if used in or in relation to an Act allocated to the Minister during the relevant period, to be read as a reference to a Minister to whom the administration of the Act is allocated by the *Administrative Arrangements (Administrative Changes—Miscellaneous) Order (No 3) 2023*.

(2) In this section—

relevant Minister means a Minister omitted from an entry in section 6, Table, column 2 by the *Administrative Arrangements (Administrative Changes—Miscellaneous) Order (No 3) 2023*, Schedule 4.

relevant period means the period commencing on 5 April 2023 and ending on the commencement of this section.

Part 4 Provisions consequent on making of Administrative Arrangements (Administrative Changes—Miscellaneous) Order (No 4) 2023

9 Definition

In this part—

transferred part—see section 11.

10 Renaming of Department of Premier and Cabinet

The name of the Department of Premier and Cabinet is changed to the Premier's Department.

11 Transfer of parts of Department of Premier and Cabinet to the Cabinet Office

(1) The following parts of the Department of Premier and Cabinet (a **transferred part**) are transferred to the Cabinet Office—

(a) Office of General Counsel,

(b) Policy Group, other than the following parts—

(i) WestInvest,

- (ii) Emergency Management branch,
- (iii) Women NSW,
- (iv) Flood Inquiry Project Management Office,
- (c) the Shaping Futures branch of the Community Engagement Group.

(2) In this section—

Department of Premier and Cabinet means the Department of that name immediately before the commencement of this order.

12 Construction of references to Department of Premier and Cabinet and Secretary of Department of Premier and Cabinet

- (1) A reference in a document to the Department of Premier and Cabinet is to be read as—
 - (a) if used in relation to a transferred part—the Cabinet Office, or
 - (b) otherwise—the Premier’s Department.
- (2) A reference in a document to the Secretary of the Department of Premier and Cabinet is to be read as—
 - (a) if used in relation to a transferred part—the Secretary of the Cabinet Office, or
 - (b) otherwise—the Secretary of the Premier’s Department.
- (3) An existing reference in a document if used in, or in relation to, a provision of an Act or instrument specified in the table to this section is to be read as a reference to the corresponding new reference set out in the table.
- (4) Subsection (3) prevails to the extent of an inconsistency with subsections (1) and (2).

Table

Provision of Act or instrument	Existing reference	New reference
<i>Anzac Memorial (Building) Act 1923</i> , section 9A	the Department of Premier and Cabinet	the Department of Communities and Justice
<i>Children’s Guardian Act 2019</i> , section 51(2)(c)	Secretary of the Department of Premier and Cabinet	Secretary of the Premier’s Department
<i>Coroners Act 2009</i> , section 101E(3)(a)	the Department of Premier and Cabinet	the Premier’s Department

Electoral Act 2017 , section 111	Secretary of the Department of Premier and Cabinet	Secretary of the Cabinet Office
Electricity Network Assets (Authorised Transactions) Act 2015 , section 8(3) and (6), definition of Price Commissioner	Secretary of the Department of Premier and Cabinet	Secretary of the Cabinet Office
Environmental Planning and Assessment Act 1979 , section 9.2	Secretary of the Department of Premier and Cabinet	Secretary of the Premier's Department
Government Information (Information Commissioner) Act 2009 , section 24(1)(c)	Secretary of the Department of Premier and Cabinet	Secretary of the Premier's Department
Government Information (Public Access) Regulation 2018 , Schedule 3	Department of Premier and Cabinet	Department of Enterprise, Investment and Trade
Government Sector Employment Act 2013 , sections 18, 49, definition of Industrial Relations Secretary and note and 83(1), definition of DPC Secretary	Secretary of the Department of Premier and Cabinet	Secretary of the Premier's Department
Government Sector Employment (General) Rules 2014 , rule 52(5), definition of DPC Secretary	Secretary of the Department of Premier and Cabinet	Secretary of the Premier's Department
Greater Cities Commission Act 2022 , sections 6(1)(d)(i) and 12(4), definition of authorised person or body , paragraph (f)	the Department of Premier and Cabinet	the Cabinet Office
Independent Commission Against Corruption Regulation 2017 , Schedule to the NSW Ministerial Code of Conduct	Secretary of the Department of Premier and Cabinet	Secretary of the Cabinet Office
Infrastructure NSW Act 2011 , section 8(2)(d)	Secretary of the Department of Premier and Cabinet	Secretary of the Cabinet Office
Jobs for NSW Act 2015 , section 5(2)(d)	Secretary of the Department of Premier and Cabinet	Secretary of the Premier's Department
Local Government Act 1993 , section 400J(2)(c) and 400T(2)(a)	Secretary of the Department of Premier and Cabinet	Secretary of the Premier's Department

<i>Local Government (General) Regulation 2021</i> , section 112(2)(a)(iv)	Secretary of the Department of Premier and Cabinet	Secretary of the Premier's Department
<i>Members of Parliament Staff Act 2013</i> , section 10 and Schedule 2, clause 8(2)	Secretary of the Department of Premier and Cabinet	Secretary of the Premier's Department
<i>Members of Parliament Staff Act 2013</i> , Schedule 2, clauses 7(1) and 8(1)	the Department of Premier and Cabinet	the Premier's Department
<i>Music Festivals Act 2019</i> , section 15(a)(i)	the Department of Premier and Cabinet	the Cabinet Office
<i>Parliamentary Budget Officer Act 2010</i> , section 16	the Department of Premier and Cabinet	the Cabinet Office
<i>Payroll Tax Act 2007</i> , section 66F(12), definition of Jobs Plus administrator , paragraph (c)	the Department of Premier and Cabinet	the Premier's Department
<i>Public Health Regulation 2022</i> , section 92(1)(d)(ii)	Secretary of the Department of Premier and Cabinet	Secretary of the Department of Planning and Environment
<i>Road Transport (General) Regulation 2021</i> , Schedule 4, definition of Class 6 officer , paragraph (b)	the Department of Premier and Cabinet	the Department of Planning and Environment
<i>State Environmental Planning Policy (Transport and Infrastructure) 2021</i> , section 3.21(10)(b)	Secretary of the Department of Premier and Cabinet	Secretary of the Department of Planning and Environment
<i>State Records Act 1998</i> , section 7(4A)	the Department of Premier and Cabinet	the Cabinet Office
<i>State Records Act 1998</i> , section 16(1)	Secretary of the Department of Premier and Cabinet	Secretary of the Cabinet Office
<i>Statutory and Other Offices Remuneration Act 1975</i> , section 7(1)(a)	Secretary of the Department of Premier and Cabinet	Secretary of the Premier's Department
<i>Victims Rights and Support Act 2013</i> , section 112A(3), definition of victims rights agency , paragraph (c)	the Department of Premier and Cabinet	the Cabinet Office

13 Transfer of Hawkesbury-Nepean Valley Flood Risk Management Directorate and Northern Rivers Reconstruction Corp Division to NSW Reconstruction Authority Staff

Agency

- (1) The Hawkesbury-Nepean Valley Flood Risk Management Directorate in the Infrastructure NSW Staff Agency is transferred to the NSW Reconstruction Authority Staff Agency.
- (2) The Northern Rivers Reconstruction Corp Division of the Department of Regional NSW is transferred to the NSW Reconstruction Authority Staff Agency.

14 Construction of references following transfer of Hawkesbury-Nepean Valley Flood Risk Management Directorate and Northern Rivers Reconstruction Corp Division to NSW Reconstruction Authority Staff Agency

- (1) A reference in a document to the Infrastructure NSW Staff Agency, if used in relation to the Hawkesbury-Nepean Valley Flood Risk Management Directorate, is to be read as a reference to the NSW Reconstruction Authority Staff Agency.
- (2) A reference in a document to the Department of Regional NSW, if used in relation to the Northern Rivers Reconstruction Corp Division, is to be read as a reference to the NSW Reconstruction Authority Staff Agency.

Part 5 Provisions consequent on making of [Administrative Arrangements \(Administrative Changes—Miscellaneous\) Order \(No 5\) 2023](#)

15 Transfers to Department of Planning and Environment

The following are transferred to the Department of Planning and Environment—

- (a) all parts of the following Public Service agencies—
 - (i) Greater Cities Commission Staff Agency,
 - (ii) Western Parkland City Authority Staff Agency,
- (b) the parts of the Department of Transport that enable the following to exercise functions—
 - (i) Centennial Park and Moore Park Trust,
 - (ii) Greater Sydney Parklands Trust,
 - (iii) Luna Park Reserve Trust,
 - (iv) Parramatta Park Trust,
 - (v) Place Management NSW,
 - (vi) Royal Botanic Gardens and Domain Trust,

(vii) Western Sydney Parklands Trust.

16 Abolition of staff agencies

The following Public Service agencies are abolished—

- (a) Greater Cities Commission Staff Agency,
- (b) Western Parkland City Authority Staff Agency.

17 Construction of references to abolished staff agencies and transferred parts

- (1) A reference in a document to either of the following is to be read as a reference to the Department of Planning and Environment—
 - (a) Greater Cities Commission Staff Agency,
 - (b) Western Parkland City Authority Staff Agency.
- (2) A reference in a document to the Department of Transport is, if used in relation to a part transferred by section 15(b), to be read as a reference to the Department of Planning and Environment.
- (3) The reference in the *Place Management NSW Act 1998*, section 29(2)(b) to the Secretary of the Department of Planning and Environment, required by the *Administrative Arrangements (Administrative Changes—Miscellaneous) Order (No 2) 2022*, clause 9 to be read as a reference to the Secretary of the Department of Transport, is to be read as a reference to the Secretary of the Department of Planning and Environment.