

WESTERN AUSTRALIA

LEGISLATIVE COUNCIL

AMENDMENTS AND SCHEDULES

**Supplementary Notice Paper No. 103
Issue No. 2**

THURSDAY, 12 AUGUST 2010

PUBLIC SECTOR REFORM BILL 2009 [103-2]

[c1]When in committee on the *Public Sector Reform Bill 2009*:

Clause 4

Hon Ljiljanna Ravlich: To move -

1/4 Page 4, after line 4 — To insert —

merit criteria, in relation to a person, means —

- (a) the extent to which the person has abilities, aptitude, skills, qualifications, knowledge, experience and personal qualities relevant to the carrying out of the duties in question; and
- (b) if relevant, the way in which the person carried out any previous employment or occupational duties and the extent to which the person has potential for development;

Clause 9

Hon Ljiljanna Ravlich: To move -

2/9 Page 5, after line 15 — To insert —

- (4) A Commissioner's instruction in relation to this section will provide for —
 - (a) the process by which selection under the merit criteria will be undertaken for a stated type of appointment or secondment, providing for a streamlined process where appropriate; and
 - (b) the circumstances under which a competitive assessment of merit is not required.

Clause 20

Hon Ljiljanna Ravlich: To move -

3/20 Page 11, after line 10 — To insert —

- (5A) The Commissioner shall consult widely with relevant stakeholders prior to issuing a Commissioner's instruction, including, but not limited to —
 - (a) employing authorities; and
 - (b) organisations within the meaning of the *Industrial Relations Act 1979*.

Clause 34

Hon Ljiljanna Ravlich: To move -

4/34 Page 26, line 7 — To delete “delegate” and insert —

, in an extreme or emergency situation, delegate, for a defined time,

Hon Ljiljanna Ravlich: To move -

5/34 Page 27, after line 13 — To insert —

- (6) A person to whom a power or duty is delegated under this section is bound by this Act.

Clause 94

Hon Ljiljanna Ravlich: To move -

7/94 Page 75, after line 30 — To insert —

- (8) Disciplinary action against a former employee will only proceed where it is in the public interest. A decision to proceed will be made by the Commissioner in accordance with the relevant Commissioner's instruction on public interest.

Clause 95

Minister for Mines and Petroleum: To move -

10/95 Page 76, after line 19 — To insert —

- (ia) a decision made in respect of the Government officer under section 79(3)(b) or (c) or (4); or

Minister for Mines and Petroleum: To move -

11/95 Page 77, lines 1 to 16 — To delete the lines.

Minister for Mines and Petroleum: To move -

12/95 Page 77, after line 24 — To insert —

- (ia) a decision made in respect of the employee under section 79(3)(b) or (c) or (4); or

Clause 96

Hon Ljiljanna Ravlich: To move -

8/96 Page 82, after line 19 — To insert —

- (d) must consider the evidence available.

Clause 106**Hon Ljiljanna Ravlich:** To move -**9/106** Page 90, after line 9 — To insert —

- (1) In section 94(2)(c) insert after “paragraph (a)” —

subject to the proviso that such an offer shall be at salary, hours and conditions not less than those applicable to that employee’s substantive position

Clause 110**Minister for Mines and Petroleum:** To move -**13/110** Page 94, line 15 — To delete “an employing authority”.**New Clause 53A****Hon Ljiljanna Ravlich:** To move -**6/NC53A** Page 34, after line 28 — To insert —**53A. Section 73 amended**

- (1) In section 73 delete “Notwithstanding” and insert:

(1) Despite

- (2) At the end of section 73 insert:

(2) For the purposes of subsection (1)(b), a person engaged under a contract for services under section 100(1) to assist a political office holder includes a person who is a director of, or engaged or employed by, a body corporate that —

- (a) is engaged under a contract for services under section 100(1) to assist a political office holder; and
- (b) is providing the person to assist a political office holder under the contract for services referred to in paragraph (a).



