

1988

THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

HOUSE OF REPRESENTATIVES

AUSTRALIAN SECURITY INTELLIGENCE ORGANIZATION
AMENDMENT BILL 1988

EXPLANATORY MEMORANDUM

(Circulated by the authority of the Honourable Lionel Bowen MP
Deputy Prime Minister and Attorney-General)

GENERAL OUTLINE

The amendments to the Australian Security Intelligence Organization Act 1979 remove outmoded references to the Chairman of the Public Service Board (an Office which no longer exists) and to the Secretary to the Attorney-General's Department and enable the Minister administering the Act to give guidelines to the Director-General of Security in the exercise of the latter's powers to determine pay and terms and conditions of service of staff. The guidelines will provide a mechanism for ensuring that determinations are consistent with public sector policy on pay and conditions. The amendment to the Australian Security Intelligence Organization Amendment Act 1986 repeal sections 34 and 35 which refer to the now abolished Public Service Board.

FINANCIAL IMPACT

The amendments have no financial impact.

PART 1: PRELIMINARY

Clause 1: Short Title

Clause 2: Commencement

The Act is to commence on the day it receives Royal Assent.

PART II: AMENDMENTS OF THE ASIO ACT 1979

Clause 3: Principal Act

This is defined as the Australian Security Intelligence Organization Act 1979.

Clause 4: Guidelines

This amendment will enable the Minister to give guidelines in accordance with the section to the Director-General in the exercise of his powers of determining salaries and terms and conditions of employment of staff under sections 85 and 86 of the Principal Act.

Clause 5: Designation of Offices etc

Section 85 deals with the designation of offices and the salaries applicable to such offices. The amendment removes references to the Chairman of the Public Service Board (an office which no longer exists) and to the Secretary to the Attorney-General's Department.

Clause 6: Conditions of Employment

Section 86 provides for the determination of terms and conditions of employment. The amendment removes references to the Chairman of the Public Service Board and the Secretary to the Attorney-General's Department.

PART III: AMENDMENT OF THE ASIO AMENDMENT ACT 1986

Clause 7: Principal Act

This is defined as the Australian Security Intelligence Organization Amendment Act 1986.

Clause 8: Repeal of sections 34 and 35

Sections 34 and 35 of the Australian Security Intelligence Organization Amendment Act 1986 would have, when brought into operation, changed the reference to the Chairman of the Public Service Board in sections 85 and 86 of the ASIO Act 1979 to the Public Service Board. These references are otiose since the Board itself has been abolished. Sections 34 and 35 omit references to the Secretary to the Attorney-General's Department. The amendments being made to sections 85 and 86 of the ASIO Act 1979 by this Bill also remove the reference to this officer. Sections 34 and 35 are therefore outmoded.

