

1993

THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

HOUSE OF REPRESENTATIVES

PUBLIC SERVICE (PARLIAMENTARY DEPARTMENTS)  
AMENDMENT BILL 1993

EXPLANATORY MEMORANDUM

(Circulated by authority of the Speaker of the  
House of Representatives, the Hon Stephen Martin MP)





## **PUBLIC SERVICE (PARLIAMENTARY DEPARTMENTS) AMENDMENT BILL 1993**

### **OUTLINE**

This bill outlines arrangements for the abolition of the Department of the Parliamentary Reporting Staff and the Department of the Parliamentary Library, and the creation of a new department, the Department of Parliamentary Library and Reporting Services.

Consequential amendments are made to the Archives Act 1983, the Audit Act 1901, the Long Service Leave (Commonwealth Employees) Act 1976 and the Privacy Act 1988.

### **FINANCIAL IMPACT**

The new department's appropriation will be the same as the total of the amounts previously appropriated separately for the Department of the Parliamentary Library and the Department of the Parliamentary Reporting Staff. There is no additional funding requirement as a result of this bill.

## NOTES ON CLAUSES

### Clause 1 - Short title etc.

This is a formal provision which specifies the short title of the Act as the Public Service (Parliamentary Departments) Amendment Act 1993.

### Clause 2 - Commencement

This clause provides that the provisions of the legislation will commence on 1 July 1994.

### Clause 3 - Officers of the Parliament

This clause relates to the appointment of officers (other than the Secretary) to the new department, the exercise of delegations and related matters. The clause amends the Public Service Act 1922 (the principal act) by specifying the name of the new department in place of the Department of the Parliamentary Library and the Department of the Parliamentary Reporting Staff. All provisions previously applying to the Department of the Parliamentary Library and the Department of the Parliamentary Reporting Staff will apply, without any reduction in scope, to the new department.

### Clause 4 - Creation etc. of offices in Parliamentary Departments

The section of the principal act to which this clause applies relates to provisions which enable the Presiding Officers to create, abolish and reclassify offices in parliamentary departments. The clause amends the principal act by substituting the name of the new department in place of the Department of the Parliamentary Library and the Department of the Parliamentary Reporting Staff.

### Clause 5 - Certain acting appointments in Parliamentary Departments

This clause ensures that the arrangements for acting appointments to the position of head of the new department are the same as the arrangements which apply to acting appointments to the current positions of Principal Parliamentary Reporter and Parliamentary Librarian. The clause amends the principal act by removing the names of the previous departments and statutory offices and substituting the name of the new department and the new statutory office of Secretary to the Department of Parliamentary Library and Reporting Services.

### Clause 6 - Annual report to Parliament by Presiding Officers

The section of the principal act to which this clause refers provides that annual reports of parliamentary departments are submitted to the Presiding Officers and that the Presiding Officers lay annual reports before the appropriate House or

Houses of the Parliament. The clause amends the principal act by substituting the name of the new department in place of the Department of the Parliamentary Library and the Department of the Parliamentary Reporting Staff.

#### Clause 7 - Secretaries of Departments

The section of the principal act to which this clause refers excludes parliamentary departments from the requirement to provide an annual report to a Minister for subsequent tabling in the Parliament. The requirements which apply to parliamentary departments are outlined in the notes to clause 6 above. The clause amends the principal act by substituting the name of the new department in place of the Department of the Parliamentary Library and the Department of the Parliamentary Reporting Staff.

#### Clause 8 - Transfer of officers by Secretary from one Department to another

The section of the principal act to which this clause refers relates to arrangements for the transfer of officers from one department to another. These provisions are not affected by the amendments, which substitute the name of the new department in place of the Department of the Parliamentary Library and the Department of the Parliamentary Reporting Staff.

#### Clause 9 - Schedule 2

Schedule 2 of the principal act lists the names of departments covered by the Public Service Act 1922. This clause provides for the list to be updated to reflect the abolition of the Department of the Parliamentary Library and the Department of the Parliamentary Reporting Staff and the creation of the Department of Parliamentary Library and Reporting Services.

#### Clause 10 - Schedule 3

Schedule 3 of the principal act lists the names of the secretaries of departments. This clause provides for the list to be updated to reflect the abolition of the offices of Parliamentary Librarian and Principal Parliamentary Reporter and the creation of the office of Secretary to the Department of Parliamentary Library and Reporting Services.

#### Clause 11 - Transitional provisions for offices in Parliamentary Departments etc.

This clause provides that offices and officers (other than the previous statutory offices of Parliamentary Librarian and Principal Parliamentary Reporter) of the Department of the Parliamentary Reporting Staff and the Department of the Parliamentary Library as at 30 June 1994 immediately and without any further administrative action become offices and officers of the new Department of Parliamentary Library and Reporting Services. The clause ensures the transition of all staff from the two departments to the new department with no

effect on continuity or entitlements of service.

Clause 12 - Amendment of other Acts

This clause provides for the rewording of the Archives Act 1983, the Audit Act 1901, the Long Service Leave (Commonwealth Employees) Act 1976 and the Privacy Act 1988 to take account of the abolition of the Department of the Parliamentary Library and the Department of the Parliamentary Reporting Staff and the creation of the Department of Parliamentary Library and Reporting Services.

Clause 13 - References to abolished Departments etc. in instruments etc.

This clause provides for references to the Department of the Parliamentary Library or the Department of the Parliamentary Reporting Staff or their offices or officers to be read as references to the Department of Parliamentary Library and Reporting Services or its offices or officers in an instrument made under an act or in any award or other industrial determination or order.



