

THE PARLIAMENT OF THE COMMONWEALTH OF
AUSTRALIA

HOUSE OF REPRESENTATIVES

**PUBLIC SERVICE (PARLIAMENTARY
DEPARTMENTS) AMENDMENT BILL 1996**

EXPLANATORY MEMORANDUM

(Circulated by authority of the Hon Stephen Martin MP)



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**PUBLIC SERVICE (PARLIAMENTARY DEPARTMENTS)
AMENDMENT BILL 1996**

OUTLINE

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

There is no additional funding requirement as a result of this bill. The new department's appropriation will be substantially less than the total of the amounts previously appropriated separately for the Department of the Parliamentary Library, the Department of the Parliamentary Reporting Staff and the Joint House Department. The expected savings will be at least \$1.5m per annum.

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 1996*.

Clause 2 - Commencement

This clause provides that the provisions of the legislation will commence on 1 July 1996.

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, the Department of the Parliamentary Reporting Staff and the Joint House Department. All provisions previously applying to the Department of the Parliamentary Library, the Department of the Parliamentary Reporting Staff and the Joint House Department 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 and the Joint House Department.

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 departments are the same as the

arrangements which apply to acting appointments to the current positions of Principal Parliamentary Reporter, Parliamentary Librarian and Secretary, Joint House Department. 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 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, the Department of the Parliamentary Reporting Staff and the Joint House Department.

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, the Department of the Parliamentary Reporting Staff and the Joint House Department.

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, the Department of the Parliamentary Reporting Staff and the Joint House Department.

Clause 9 - Schedule 2

Schedule 2 of the Principal Act lists the names of the secretaries 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, the Department of the Parliamentary Reporting Staff and the Joint House Department and the creation of the Department of Parliamentary 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 the Parliamentary Librarian, Principal Parliamentary Reporter and Secretary, Joint House Department, and the creation of the office of Secretary to the Department of Parliamentary Services.

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

This clause provide that offices and officers (other than the previous statutory offices of Parliamentary Librarian, Principal Parliamentary Reporter, and Secretary, Joint House Department) of the Department of the Parliamentary Reporting Staff, the Department of the Parliamentary Library, and the Joint House Department as at 30 June 1996 immediately and without any further administrative action become offices and officers of the new Department of Parliamentary Services. The clause ensures the transition of all staff from the three 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, the Department of the Parliamentary Reporting Staff and the Joint House Department and the creation of the Department of Parliamentary Services.

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

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

