

2026

**THE LEGISLATIVE ASSEMBLY FOR THE
AUSTRALIAN CAPITAL TERRITORY**

ELEVENTH ASSEMBLY

**Government Response to Standing Committee on Public Accounts and Administration -
Report No. 3 - Inquiry into Public Sector (Closing the Gap) Legislation Amendment Bill 2025**

**Presented by
Andrew Barr MLA
Chief Minister
February 2026**

Mr James Milligan MLA
Chair
Standing Committee on Public Accounts and Administration
GPO Box 1020
CANBERRA ACT 2601
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Dear Mr Milligan

We write in response to the Standing Committee on Public Accounts and Administration's report on the Public Sector (Closing the Gap) Legislation Amendment Bill 2025 (Bill), tabled on 21 October 2025. As the Committee is aware, the Bill was introduced in the Legislative Assembly (Assembly) as a Private Member's Bill by Mr Thomas Emerson MLA on 26 June 2025. The Bill was passed with government amendments on 2 December 2025 and formally commences on 1 July 2026.

The ACT Government acknowledges the Committee's work in its inquiry into the Bill and provides the following responses to its five recommendations as contained in the report.

Recommendation 1: The Committee recommends that the Assembly pass the Bill with amendments

The Government notes this recommendation and that it was directed to the Assembly. The Government notes the Assembly passed the Bill, with amendments, on 2 December 2025.

Recommendation 2: The Committee recommends that the Assembly pass the amendment, provided in Mr Emerson's submission, that restricts the closing the gap principle obligation to SES members

The Government notes this recommendation and that it was directed to the Assembly. The Government notes the Assembly passed amendments to restrict the closing the gap principle obligation to SES members and statutory office-holders on 2 December 2025.

Recommendation 3: The Committee recommends that the Assembly pass an amendment to the Bill to change the commencement date to 1 July 2026

The Government notes this recommendation and that it was directed to the Assembly. The Government notes the Assembly passed amendments to change the Bill's commencement date to 1 July 2026.

Recommendation 4: The Committee recommends the Assembly consider supporting any further minor technical amendments to the Bill

The Government notes this recommendation and that it was directed to the Assembly. The Government notes that the Assembly passed further and minor technical amendments to the Bill on 2 December 2025.

Recommendation 5: The Committee recommends a post-implementation review is undertaken twelve months after commencement to evaluate the effectiveness and consequences of the legislation

The Government notes this recommendation. The Bill was passed on 2 December 2025 by the Assembly with an amendment requiring the Minister to review the operation of the amendments 18 months after their commencement, being as soon as practicable after 1 January 2028 (new section 253). Under this new provision, the Minister must present a report of the review to the Legislative Assembly within six months after the review is started. As provided in the Government's Supplementary Explanatory Statement, the statutory requirement responds to recommendation 5 of the Standing Committee's report. The timeframe chosen allows a reasonable time for implementation, evaluation and measurement, enabling the collection of an evidence base to support a review to be undertaken and tabled before the end of this term of Government.

A copy of the Government's Supplementary Explanatory Statement is **attached** to this letter.

The Government remains firmly committed to implementing the National Agreement on Closing the Gap to drive better outcomes for Aboriginal and Torres Strait Islander people. We trust that this response adequately addresses the Committee's recommendations.

Yours sincerely



Andrew Barr MLA
Chief Minister