



LEGISLATIVE ASSEMBLY
FOR THE AUSTRALIAN CAPITAL TERRITORY

SELECT COMMITTEE ON ESTIMATES 2024-2025

Ms Nicole Lawder MLA (Chair), Ms Suzanne Orr MLA (Deputy Chair),
Miss Laura Nuttall MLA

**ANSWER TO QUESTION TAKEN ON NOTICE
DURING PUBLIC HEARINGS**

Asked by: Ms Elizabeth Lee MLA

Addressed to: Chief Minister

Redirected to: N/A

Reference: Uncorrected Hansard Transcript pp 130-131

In relation to: Head of Service advice on Public Sector Management Standards

Hearing Date: 5 August 2024

QTON lodgement date: 6 August 2024

Answer Due Date: 8 August 2024

MS LEE: In terms of the changes that you have made to the Public Sector Management Standards, where did you get—whose advice did you seek to make those changes?

Mr Barr: The Head of Service.

MS LEE: And that was it? That was the entirety of it?

Mr Barr: In relation to that matter, I am not sure where the Head of Service actually consulted with the Government Solicitors Office, yes.

MS LEE: And perhaps a question for Ms Leigh then, what prompted you to I suppose advise Mr Barr on that and seek advice from GSO to make those changes?

Ms Leigh: I need to search my ...(indistinct)... [4.35.54] to recall precisely. I recall a discussion with the GSO about the operation of Public Sector Management Act, and it being drawn to my attention that there was a difference between the provisions as they related to the executive of the public service and statutory office holders. I was surprised by that. And I asked for further information which then led into that change being made.

MS LEE: Okay. And was that in light of what was happening obviously with—

Ms Leigh: That is what I—I just—I remember the discussion I had. It was with the Solicitor General. I am just trying to recall in what context it came up.

THE CHAIR: Could you take that on notice?

Ms Leigh: Yes, I can.

THE CHAIR: Thank you.

Ms Leigh: If I can work out what the context was, I am happy to.

MS LEE: You did not keep notes from that meeting?

Ms Leigh: I would have to have a look. I just remember the discussion because I remember the surprise. But I would be—I am standing more on the spot.

MS LEE: Do you recall the date?

Ms Leigh: No.

[...]

MS LEE: All right. So just confirming that you are taking on notice, if you can get more details about that meeting?

Ms Leigh: Yes, Ms Lee.

Andrew Barr MLA: The answer to the Member's question is as follows:

The changes to the Public Sector Management Standards that were notified on 6 February 2024, were prompted by a Commonwealth Remuneration Tribunal determination that had the effect of amending the circumstances in which a Commonwealth department secretary would be entitled to monies.

The Office of Industrial Relations and Workforce Strategy (CMTEDD) then undertook a review of the arrangements in the Territory relating to the payment of similar monies to senior executives and statutory office holders. In the ACT these arrangements are outlined in the Public Sector Management Standards.

The amendments that were made to the Standards in February 2024 updated the circumstances in which Territory senior executives and statutory officeholders are entitled to monies at the end of their respective engagements or appointments in circumstances where their engagements or appointments are ended early by their respective engager or appointer.

Approved for circulation to the Select Committee on Estimates 2024-2025

Signature: 

Date: 7.8.24

By the Chief Minister, Andrew Barr MLA