

ATTACHMENT F

Relevant Legislative Provision

Acts Interpretation Act 1954

24AA Power to make instrument or decision includes power to amend or repeal

If an Act authorises or requires the making of an instrument or decision—

- (a) the power includes power to amend or repeal the instrument or decision; and
- (b) the power to amend or repeal the instrument or decision is exercisable in the same way, and subject to the same conditions, as the power to make the instrument or decision.

34 Meaning of commonly used words and expressions

repeal includes—

- (a) for a provision of an Act or instrument—repeal the provision by omitting it; and
- (b) for an Act, instrument or provision of an Act or instrument—abrogate or limit its effect or exclude from its application any person, matter or circumstance; and
- (c) for an instrument or a provision of an instrument—revoke or rescind it.

Public Service Act 2008

53 Rulings by commission chief executive

The commission chief executive may make a ruling about—

- (a) a matter relating to any of the commission's or the commission chief executive's functions; or
Examples of what a ruling by the commission chief executive may be about—
 - *recruitment and selection, deployment, training and development of public service employees*
 - *the transfer or redeployment of public service employees surplus to the needs of a department*
 - *overall performance management standards for the public service*
- (b) the overall employment conditions for persons employed or to be employed as—
 - (i) chief executives or senior executives; or
 - (ii) public service officers on contract whose remuneration is equal to, or higher than, the remuneration payable to a senior executive; or
- (baa) the remuneration and conditions of employment of public service employees other than persons mentioned in paragraph (b)(i) or (ii); or
- (ba) a matter relating to the application of chapter 6 or 7 to a former public service employee; or
- (c) other specific matters that, under this Act, the commission chief executive may make a ruling about.

54 Rulings by industrial relations Minister

(1) The industrial relations Minister may make rulings about—

- (a) the remuneration and conditions of employment of non-executive employees; or
- (b) other matters under this Act that the Minister may make a ruling about.

(2) However, a ruling under subsection (1)(b) may only be made for non-executive employees.

(3) In this section—

non-executive employees means public service employees other than—

- (a) chief executives or senior executives; or
- (b) public service officers on contract whose remuneration is equal to, or higher than, the remuneration payable to a senior executive.