



Speech by


Hon. Campbell Newman

MEMBER FOR ASHGROVE

Hansard Tuesday, 31 July 2012

PUBLIC SERVICE AND OTHER LEGISLATION AMENDMENT BILL

Introduction

 **Hon. CKT NEWMAN** (Ashgrove—LNP) (Premier) (11.59 am): I present a bill for an act to amend the Public Interest Disclosure Act 2010, the Public Sector Ethics Act 1994, the Public Service Act 2008 and the Industrial Relations Act 1999 for particular purposes. I table the bill and the explanatory notes. I nominate the Finance and Administration Committee to consider the bill.

Tabled paper: Public Service and Other Legislation Amendment Bill 2012 [\[605\]](#).

Tabled paper: Public Service and Other Legislation Amendment Bill 2012, explanatory notes [\[606\]](#).

I am pleased to introduce the Public Service and Other Legislation Amendment Bill 2012. The bill amends three acts that sit within my portfolio: the Public Service Act 2008, the Public Sector Ethics Act 1994 and the Public Interest Disclosure Act 2010. The remaining amendments in the bill relate to the Industrial Relations Act 1999, which sits within the portfolio of the Attorney-General and Minister for Justice. These amendments reflect our focus on restoring public sector accountability, while at the same time streamlining processes to ensure that the acts are administered as effectively and efficiently as possible. I will now discuss each amendment in more detail.

The changes to the Public Service Act 2008 will complete the final stage of the transfer of the public service appeals function from the Public Service Commission to the Queensland Industrial Relations Commission. The Public Service Commission has been given a new focus on driving our public sector efficiency agenda. Amendments that this House passed in June 2012—which I draw to the attention of honourable members—transferred responsibility for hearing and deciding public service appeals to the Queensland Industrial Relations Commission. This bill simply completes that process by transferring administrative functions for public service appeals to the Queensland Industrial Relations Commission registry, to take effect from 1 January 2013.

The changes to the Public Sector Ethics Act 1994 will replace the annual requirement for public sector ethics education and training with one that will see public servants receiving this as part of induction programs and also at regular intervals from 1 January 2013. The changes also set out what must be included in public servants' ethics education and training. We are absolutely committed to ensuring that departmental chief executives are given maximum flexibility to provide ethical training at the point of induction and at regular intervals as needed, rather than simply requiring blind compliance with a requirement for annual training. The amendments to the Public Sector Ethics Act 1994 that I have introduced today will help us achieve this.

A further improvement are the amendments to the Public Interest Disclosure Act 2010 which will transfer the public interest disclosure oversight agency role to the Queensland Ombudsman from 1 January 2013. In practice, the oversight role for what is commonly called 'whistleblowing' involves monitoring how agencies manage public interest disclosures, reviewing the way agencies deal with these

disclosures and offering education and advice about public interest disclosures. This role is currently being performed by the Public Service Commission.

Transfer of this function to the Queensland Ombudsman is an entirely logical step, given that the Ombudsman already receives public interest disclosures in relation to maladministration and also works closely with other integrity agencies, such as the Crime and Misconduct Commission in dealing with whistleblowing. It is also closely aligned with one of the Ombudsman's core functions—handling complaints of maladministration and improving administrative decisions within the public sector. Centralising the whistleblower functions will inject greater independence into the process for dealing with public interest disclosures.

I now turn to the amendments to the Industrial Relations Act 1999. The first amendment will assist in streamlining the administrative functions of the Queensland Industrial Relations Commission by allocating responsibility for the administration of the commission from the president to the vice-president, including the allocation of the commission's business. The amendment reflects similar arrangements in the higher courts in Queensland where certain administrative functions are allocated to other officers of the court to assist the head of the court in carrying out his or her work. For example, in the Supreme and District courts, judge administrators are appointed to assist the chief justice in arranging the business of and administering the court.

The second amendment to the Industrial Relations Act 1999 will give the Queensland Industrial Relations Commission the discretion to allow legal representation, where the commission is satisfied it is appropriate, for a party to be represented by a lawyer. In addition, the changes will provide an entitlement to legal representation in matters before the commission, which are typically more complex or legalistic. This amendment will ensure that parties are able to access legal support in putting complex legal matters before the commission. Such matters often have significant and binding consequences for the parties, and it is essential that legal assistance is able to be provided in such circumstances. I commend the bill to the House.

First Reading



Hon. CKT NEWMAN (Ashgrove—LNP) (Premier) (12.05 pm): I move—

That the bill be now read a first time.

Question put—That the bill be now read a first time.

Motion agreed to.

Bill read a first time.

Referral to the Finance and Administration Committee

Madam DEPUTY SPEAKER (Miss Barton): In accordance with standing order 131, the bill is now referred to the Finance and Administration Committee.