




Speech by

Freya Ostapovitch

MEMBER FOR STRETTON

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PUBLIC SERVICE AND OTHER LEGISLATION AMENDMENT BILL

 **Mrs OSTAPOVITCH** (Stretton—LNP) (5.21 pm): I rise to support the Public Service and Other Legislation Amendment Bill 2012. To begin with, may I give my appreciation to the Finance and Administration Committee and our hardworking support staff, who do an amazing job. The objectives of the bill are: to improve the operation of existing key Public Service legislation and facilitate the government's reform agenda through greater alignment and efficiencies in discharging its public sector integrity functions; to make changes to the administration of the Queensland Industrial Relations Commission, the QIRC, to support the orderly and expeditious exercise of the QIRC's jurisdiction and powers; and to expand parties' rights to access legal representation in matters heard in the QIRC.

As for the reasons for the bill, with regard to the Public Service aspects of the bill, the government is refocusing the Public Service Commission away from a regulatory function towards a public sector efficiency agenda. The bill amends the Public Sector Ethics Act 1994 to require Public Service employees to receive ethics training as part of induction programs and at regular intervals. In addition to being a key part of the government's public sector reform agenda, the bill builds upon the statutory objectives contained in the Public Service Act 2008, the Public Sector Ethics Act 1994 and the Public Interest Disclosure Act 2012. There are no direct financial considerations, aside from the indirect benefits of a more efficient alignment and better streamlining of the government's public sector integrity functions.

There are two amendments I would like to comment on. The first is the amendment of section 12K, education and training. Clause 21 replaces section 12K with a new section 12K. The new section 12K removes the requirement for annual ethics education training and replaces this with a requirement for Public Service agency chief executives to ensure their employees are given access to appropriate education and training as part of an induction program and at regular intervals. In order to provide clarity to chief executives of Public Service agencies about the ethics education and training to be provided, clause 22 inserts into section 12K(2) a paragraph that sets out the requirements of this education and training. This paragraph is similar to that contained in section 21(2). Section 21(2) applies to the broader public sector but does not capture Public Service agencies—'Public Service' agencies being only a subset of 'public sector' agencies.

Lastly, I will comment on the amendment of section 319. Clause 23 amends section 319 of the Industrial Relations Act 1999 to remove subsection 319(2)(b), which provides for legal representation in matters before the commission. The new arrangements essentially create three instances where legal representation will be allowed in the commission. Firstly, any party has the right to choose to be represented by a lawyer in proceedings before the commission brought under chapter 4—other than section 110—section 149, section 230, section 274A and section 277. Secondly, for proceedings other than those listed above, a party may be represented by a lawyer if all other parties consent. Finally, where consent is not given, a party may apply to the commission to be represented by a lawyer and the commission may allow legal representation if the commission is satisfied the relevant grounds have been met. I commend the Public Service and Other Legislation Amendment Bill 2012 to the House.