

MINISTERS

24.5.03

4. Previous Minister for Planning now Minister for Infrastructure & Planning includes Minister Assisting the Minister for Infrastructure & Planning.
5. Any doc referring to EPA Act is, (for so long as the Act is jointly administered by Minister for Infrastructure & Planning and Minister Assisting the Minister for Infrastructure & Planning, to be a reference to any of these Ministers, with the exception s.8 of the EPA Act.
6. Previous reference to Ministers in Forestry & National Park Estate Act are now under Minister for Natural Resources (and Minister Assisting the Minister for Natural Resource [Forests] & the Minister for the Environment).
7. Previous Minister for Land & Water Conservation now Minister for Natural Resources.
8. Previous Minister for Agriculture now Minister for Agriculture & Fisheries.
9. Previous Minister for Fisheries now Minister for Agriculture & Fisheries.
10. Previous Minister for Forestry now Minister for Natural Resources or Minister Assisting the Minister for Natural Resources (Forest).
11. Previous Minister for Information Technology now Minister for Natural Resources or Minister Assisting the Minister for Natural Resource (Lands).

12. Previous Minister for Transport now Minister for Transport Services.
13. Previous Minister for Energy now Minister for Energy and Utilities.
14. Previous Minister for Tourism now Minister for Tourism, Sport and Recreation.
15. Previous Minister for Sport and Recreation, now Minister for Tourism, Sport and Recreation.
16. Previous Minister for Fair Trading in respect to legislation administered jointly by Minister for Fair Trading as a reference to either of these Ministers, or if in relation to the "Home Building Act" as a reference to the Minister for Commerce.
17. Previous Special Minister of State now to be administered by Minister of Commerce.
18. Previous Minister for Public Works now Minister for Commerce.
19. Previous Minister for Corrective Services now Minister for Justice.

DEPARTMENTS

20. New Dept of Urban and Transport Planning under Minister for Infrastructure and Planning.
21. All branches in former Dept of Planning are ^{now} added to Dept of Urban and Transport Planning, except
 - (a) The Resources & Conservation Division, and
 - (b) The staff who work principally for the Coastal Council.
- # (c)
22. Previous Infrastructure Co-ordination Unit in the Premier's Dept is now under Dept of Urban & Transport Planning.
23. A new Department of Sustainable Natural Resources is responsible to the Minister for Natural Resources.
24. A new Department of Lands is responsible to the Minister for Natural Resources.
25. The Dept of Land and Water Conservation (DLWC) is abolished with the result:
 - (1) (a) ~~the~~ staff principally involved in the Crown Lands Act now under the Minister Assisting the Minister for Natural Resources (Lands), and
 - (b) omitted.
 - (c) staff principally involved in the Roads Act

are removed from DHWE and added to the Dept of Lands.

(2) Town water, Fish River Water Supply now under Minister of Energy & Utilities.

(3) The Soil Services Unit now added to Dept of Lands

(4) All other branches removed from DHWE and added to new Dept. of Sustainable Natural Resources

(5) Omitted

(6) (a) Reference to Crown Lands Act now administered by Minister for Natural Resources (Lands)

(6) (b) If relating to (2) above, to Minister of Energy & Utilities.

(6) (c) If relating to Soil Services Unit, to Dept of Lands

(6) (d) In any other cases to Dept of Sustainable Natural Resources

26. The Healthy River Commission under the EPA now under Dept of Sustainable Natural Resources

27. The Transport Co-ordination Authority is now under the Minister for Transport Services

28. The Dept of Transport is abolished and branches dispersed

(1) To Transport Co-ordination Authority

(2) Those involved in transport planning now added to Dept of Urban & Transport Planning.

(3) The Dept of Transport is abolished

(4) Reference to Dept of Transport now Transport Co-ordination Authority.

29. Staff of Centennial Park and Moore Park now in Dept of Sport & Recreation

30. The Parramatta Park Trust which was under NPWS is now under Dept of Sport & Tourism.

31. Formation of a new Dept of Commerce under Minister for Commerce & Industrial Relations.

32. All branches of the Dept. of Fair Trading now in Dept of Commerce

33. All branches of the Dept of Industrial Relations now in Dept. of Commerce

34. All branches of Dept of Public Works now in Dept of Commerce

35. The Office of Information Technology is now with Dept of Info. Technology & Management

36. The Office of Western Sydney is now a branch of Dept. of State & Regional Development

37. (1) The Threatened Species Support Unit of NPWS are now in the Dept. of Sustainable Natural Resources

37. (2) The staff in NPWS principally involved in regional parks are now under Dept. of Sport & Recreation.

38. The staff in NSW Fisheries principally involved with the Fisheries Management Act are now in the Dept. of Sustainable Natural Resources

39. The Dept. formerly known as NPWS is now National Parks Service

40. Ministerial responsibility for Departments

(a) The Forestry Commission (incl. State Forests) now under Minister for Sustainable Natural Resources.

(b) The National Parks Service responsible to Minister for the Environment.

(c) The Motor Accident Authority responsible to Minister for Commerce

(d) The Heritage Office responsible to Minister for Infrastructure & Planning

(e) The Department of State & Regional Development responsible to the Treasurer, to the Minister for Regional Development & to the Minister for Small Business.

(f) The Sydney Olympic Park Authority responsible to Minister for Tourism, Sport & Recreation.

(g) The Department of Corrective Services responsible to the Minister for Justice.

(h) The Commission for Children & Young People to be responsible to the Minister for Youth.

#

Orders

Public Sector Employment and Management (General) Order 2003

under the

Public Sector Employment and Management Act 2002

MARIE BASHIR, Governor

I, Professor Marie Bashir AC, Governor of the State of New South Wales, with the advice of the Executive Council, and in pursuance of Chapter 4 of the *Public Sector Employment and Management Act 2002*, make the following Order.

Dated, this second day of April 2003.

By Her Excellency's Command,

BOB CARR, M.P.,
Premier

2 April 2003

SPECIAL SUPPLEMENT

4323

Clause 1 Public Sector Employment and Management (General) Order 2003

Public Sector Employment and Management (General) Order 2003

Part 1 Preliminary

1 Name of Order

This Order is the *Public Sector Employment and Management (General) Order 2003*.

2 Commencement

This Order commences on 2 April 2003.

3 Definition

In this Order:

document means any Act or statutory instrument, or any other instrument, or any contract or agreement.

Part 2 Ministers

4 Construction of references to Minister for Planning

In any document, a reference to the Minister for Planning is to be construed:

- (a) as a reference to the Minister for Infrastructure and Planning, except as provided by paragraph (b), or
- (b) if used in or in relation to legislation administered jointly by the Minister for Infrastructure and Planning and the Minister Assisting the Minister for Infrastructure and Planning (Planning Administration), as a reference to either of those Ministers.

5 Construction of references to Minister administering the Environmental Planning and Assessment Act 1979

- (1) In any document, a reference to the Minister administering the *Environmental Planning and Assessment Act 1979* is, for so long as that Act is jointly administered by the Minister for Infrastructure and Planning, the Minister for Natural Resources and the Minister Assisting the Minister for Infrastructure and Planning (Planning Administration), to be construed as a reference to any of those Ministers.
- (2) Subclause (1) does not apply in relation to section 8 of the *Environmental Planning and Assessment Act 1979*.

6 Construction of references to certain Ministers in Forestry and National Park Estate Act 1998

The references to Ministers (other than to the Minister administering the *Fisheries Management Act 1994*) in sections 14 and 27 of the *Forestry and National Park Estate Act 1998* (and in any forestry agreement or integrated forestry operations approval made or granted under that Act before the commencement of this Order) are to be construed as references only to the Minister for Natural Resources, the Minister Assisting the Minister for Natural Resources (Forests) and the Minister for the Environment.

Clause 7 Public Sector Employment and Management (General) Order 2003

7 Construction of references to Minister for Land and Water Conservation

In any document, a reference to the Minister for Land and Water Conservation is to be construed:

- (a) as a reference to the Minister for Natural Resources, except as provided by paragraph (b), or
- (b) if used in or in relation to legislation administered jointly by the Minister for Natural Resources and the Minister Assisting the Minister for Natural Resources (Lands), as a reference to either of those Ministers.

8 Construction of references to Minister for Agriculture

In any document, a reference to the Minister for Agriculture is to be construed as a reference to the Minister for Agriculture and Fisheries.

9 Construction of references to Minister for Fisheries

In any document, a reference to the Minister for Fisheries is to be construed as a reference to the Minister for Agriculture and Fisheries.

10 Construction of references to Minister for Forestry

In any document, a reference to the Minister for Forestry is to be construed as a reference to the Minister for Natural Resources or to the Minister Assisting the Minister for Natural Resources (Forests).

11 Construction of references to Minister for Information Technology

In any document, a reference to the Minister for Information Technology is to be construed:

- (a) as a reference to the Minister for Natural Resources or to the Minister Assisting the Minister for Natural Resources (Lands) if the reference is used in or in relation to legislation administered jointly by the Minister for Natural Resources and the Minister Assisting the Minister for Natural Resources (Lands), or
- (b) in any other case, as a reference to the Minister for Commerce.

12 Construction of references to Minister for Transport

In any document, a reference to the Minister for Transport is to be construed as a reference to the Minister for Transport Services.

13 Construction of references to Minister for Energy

In any document, a reference to the Minister for Energy is to be construed as a reference to the Minister for Energy and Utilities.

14 Construction of references to Minister for Tourism

In any document, a reference to the Minister for Tourism is to be construed as a reference to the Minister for Tourism and Sport and Recreation.

15 Construction of references to Minister for Sport and Recreation

In any document, a reference to the Minister for Sport and Recreation is to be construed as a reference to the Minister for Tourism and Sport and Recreation.

16 Construction of certain references to Minister for Fair Trading

In any document, a reference to the Minister for Fair Trading is to be construed:

- (a) if used in or in relation to legislation administered jointly by the Minister for Commerce and the Minister for Fair Trading, as a reference to either of those Ministers, or
- (b) if used in or in relation to the *Home Building Act 1989*, as a reference to the Minister for Commerce.

17 Construction of certain references to Special Minister of State

In any document, a reference to the Special Minister of State is to be construed, if used in or in relation to legislation administered by the Minister for Commerce, as a reference to the Minister for Commerce.

18 Construction of references to Minister for Public Works and Services

In any document, a reference to the Minister for Public Works and Services is to be construed as a reference to the Minister for Commerce.

19 Construction of references to Minister for Corrective Services

In any document, a reference to the Minister for Corrective Services is to be construed as a reference to the Minister for Justice.

2 April 2003

SPECIAL SUPPLEMENT

4327

Clause 20

Public Sector Employment and Management (General) Order 2003

Part 3 Departments

20 Establishment of Department of Urban and Transport Planning

The Department of Urban and Transport Planning is established as a Department of the Public Service responsible to the Minister for Infrastructure and Planning and to the Minister Assisting the Minister for Infrastructure and Planning (Planning Administration).

21 Abolition of Department of Planning and transfer of branches

- (1) All branches (other than staff referred to in subclause (2)) are removed from the Department of Planning and added to the Department of Urban and Transport Planning.
- (2) The following are removed from the Department of Planning and added to the Department of Sustainable Natural Resources:
 - (a) the Resource and Conservation Division,
 - (b) the group of staff who work principally for the Coastal Council,
 - (c) any other group of staff who, in the opinion of the Director-General of the Premier's Department, are principally involved with the administrative responsibilities of the Minister for Natural Resources.
- (3) The Department of Planning is abolished as a Department of the Public Service.
- (4) In any document, a reference to the Department of Planning is to be construed as a reference to the Department of Urban and Transport Planning.

22 Transfer of branch

The Infrastructure Co-ordination Unit is removed from the Premier's Department and added to the Department of Urban and Transport Planning.

23 Establishment of Department of Sustainable Natural Resources

The Department of Sustainable Natural Resources is established as a Department of the Public Service responsible to the Minister for Natural Resources.

24 Establishment of Department of Lands

The Department of Lands is established as a Department of the Public Service responsible to the Minister for Natural Resources and the Minister Assisting the Minister for Natural Resources (Lands).

25 Abolition of Department of Land and Water Conservation and transfer of branches

(1) The groups of staff who, in the opinion of the Director-General of the Premier's Department:

- (a) are principally involved in the administration of the *Crown Lands Act 1989* and other Acts administered by the Minister Assisting the Minister for Natural Resources (Lands), or
- (b) are part of the minor ports unit in the Department of Land and Water Conservation, or
- (c) are principally involved in the administration of the *Roads Act 1993* in relation to Crown roads,

are removed from the Department of Land and Water Conservation and added to the Department of Lands.

(2) The State Water business unit, the Town Water and Recycling Services branch and the group of staff principally involved in the administration of the Fish River Water Supply Scheme are removed from the Department of Land and Water Conservation and added to the Ministry of Energy and Utilities.

(3) The Soil Services Unit is removed from the Department of Land and Water Conservation and added to the Department of Lands.

(4) All other branches are removed from the Department of Land and Water Conservation and added to the Department of Sustainable Natural Resources.

(5) The Department of Land and Water Conservation is abolished as a Department of the Public Service.

(6) In any document, a reference to the Department of Land and Water Conservation is to be construed:

- (a) if used in or in relation to the *Crown Lands Act 1989* or any other Act administered by the Minister Assisting the Minister for Natural Resources (Lands), as a reference to the Department of Lands, or

Clause 25 Public Sector Employment and Management (General) Order 2003

- (b) if used in relation to that part of the Department referred to in subclause (2), as a reference to the Ministry of Energy and Utilities, or
- (c) if used in relation to the Soil Services Unit, as a reference to the Department of Lands, or
- (d) in any other case, as a reference to the Department of Sustainable Natural Resources.

26 Transfer of Healthy Rivers Commission staff to Department of Sustainable Natural Resources

The group of staff who, in the opinion of the Director-General of the Premier's Department, work principally for the Healthy Rivers Commission are removed from the Environment Protection Authority and added to the Department of Sustainable Natural Resources.

27 Establishment of Transport Co-ordination Authority

The Transport Co-ordination Authority is established as a Department of the Public Service responsible to the Minister for Transport Services.

28 Abolition of Department of Transport and transfer of branches

- (1) All branches (other than staff referred to in subclause (2)) are removed from the Department of Transport and added to the Transport Co-ordination Authority.
- (2) The group of staff in the Department of Transport who, in the opinion of the Director-General of the Premier's Department, are principally involved in transport planning are removed from the Department of Transport and added to the Department of Urban and Transport Planning.
- (3) The Department of Transport is abolished as a Department of the Public Service.
- (4) In any document, a reference to the Department of Transport is to be construed as a reference to the Transport Co-ordination Authority.

29 Transfer of staff attached to Centennial Park and Moore Park Trust to Department of Sport and Recreation

The group of staff attached to the Centennial Park and Moore Park Trust are removed from the Premier's Department and added to the Department of Sport and Recreation.

30 Transfer of staff attached to Parramatta Park Trust and to regional parks to Department of Sport and Recreation

The groups of staff who, in the opinion of the Director-General of the Premier's Department:

- (a) are attached to the Parramatta Park Trust, or
- (b) are principally responsible for the administration of regional parks under the *National Parks and Wildlife Act 1974*,

are removed from the National Parks and Wildlife Service and added to the Department of Sport and Recreation.

31 Establishment of Department of Commerce

The Department of Commerce is established as a Department of the Public Service responsible to the Minister for Commerce, the Minister for Industrial Relations and, in respect of legislation administered by the Minister for Fair Trading, to the Minister for Fair Trading.

32 Abolition of Department of Fair Trading and transfer of branches

- (1) All branches are removed from the Department of Fair Trading and added to the Department of Commerce.
- (2) The Department of Fair Trading is abolished as a Department of the Public Service.
- (3) In any document, a reference to the Department of Fair Trading is to be construed as a reference to the Department of Commerce, except as provided by subclause (4).
- (4) A reference to the Director-General of the Department of Fair Trading (including a reference that is required by previous Orders to be construed as a reference to the Director-General of the Department of Fair Trading), being a reference in or in relation to legislation administered by the Minister for Fair Trading or the *Home Building Act 1989*, is to be construed:
 - (a) as a reference to the Commissioner for Fair Trading, Department of Commerce, or
 - (b) if there is no such position in that Department, as a reference to the Director-General of that Department.

Clause 33 Public Sector Employment and Management (General) Order 2003

33 Abolition of Department of Industrial Relations and transfer of branches

- (1) All branches are removed from the Department of Industrial Relations and added to the Department of Commerce.
- (2) The Department of Industrial Relations is abolished as a Department of the Public Service.
- (3) In any document, a reference to the Department of Industrial Relations is to be construed as a reference to the Department of Commerce.

34 Abolition of Department of Public Works and Services and transfer of branches

- (1) The group of staff in the Department of Public Works and Services who, in the opinion of the Director-General of the Premier's Department, are principally responsible for asset and procurement policy are removed from that Department and added to the Treasury.
- (2) All other branches are removed from the Department of Public Works and Services and added to the Department of Commerce.
- (3) The Department of Public Works and Services is abolished as a Department of the Public Service.
- (4) In any document, a reference to the Department of Public Works and Services is to be construed:
 - (a) if used in relation to that part of the Department referred to in subclause (1), as a reference to the Treasury, or
 - (b) in any other case, as a reference to the Department of Commerce.

35 Abolition of Department of Information Technology and Management and transfer of branches

- (1) The Office of Information Technology is removed from the Department of Information Technology and Management and added to the Department of Commerce.
- (2) The Forestry Industry Structural Adjustment Unit is removed from the Department of Information Technology and Management and added to the Department of Sustainable Natural Resources.
- (3) The group of staff comprising the Office of Western Sydney in the Department of Information Technology and Management are removed from that Department and added to the Department of State and Regional Development.

-
- (4) All other branches are removed from the Department of Information Technology and Management and added to the Department of Lands.
 - (5) The Department of Information Technology and Management is abolished as a Department of the Public Service.
 - (6) In any document, a reference to the Department of Information Technology and Management is to be construed:
 - (a) if used in relation to the Office of Information Technology, as a reference to the Department of Commerce, or
 - (b) if used in relation to the Forestry Industry Structural Adjustment Unit, as a reference to the Department of Sustainable Natural Resources, or
 - (c) if used in relation to the Office of Western Sydney, as a reference to the Office of Western Sydney, Department of State and Regional Development, or
 - (d) in any other case, as a reference to the Department of Lands.

36 Establishment of Office of Western Sydney

The Office of Western Sydney is established as a branch of the Department of State and Regional Development.

37 Transfer of certain staff from National Parks and Wildlife Service

- (1) The Threatened Species Support Unit and any other group of staff in the National Parks and Wildlife Service who, in the opinion of the Director-General of the Premier's Department, are principally involved in the administration of the provisions of the *National Parks and Wildlife Act 1974* administered by the Minister for Natural Resources, or in the administration of the *Threatened Species Conservation Act 1995*, are removed from the National Parks and Wildlife Service and added to the Department of Sustainable Natural Resources.
- (2) The group of staff in the National Parks and Wildlife Service who, in the opinion of the Director-General of the Premier's Department, are principally involved in the administration of the provisions of the *National Parks and Wildlife Act 1974* relating to regional parks are removed from the National Parks and Wildlife Service and added to the Department of Sport and Recreation.

Clause 38

Public Sector Employment and Management (General) Order 2003

38 Transfer of certain staff from NSW Fisheries

The group of staff in NSW Fisheries who, in the opinion of the Director-General of the Premier's Department, are principally involved in the administration of the provisions of Part 7A of the *Fisheries Management Act 1994* are removed from NSW Fisheries and added to the Department of Sustainable Natural Resources.

39 Change of name of National Parks and Wildlife Service

- (1) The name of the Department of the Public Service called the "National Parks and Wildlife Service" is changed to the "National Parks Service".
- (2) In any document, a reference to the National Parks and Wildlife Service or to the Director-General of National Parks and Wildlife is to be construed:
 - (a) if used in or in relation to the provisions of the *National Parks and Wildlife Act 1974* administered by the Minister for Natural Resources, or the *Threatened Species Conservation Act 1995*, as a reference to the Department of Sustainable Natural Resources or to the Director-General of that Department, respectively, or
 - (b) in any other case, as a reference to the National Parks Service or to the Director-General of that Service, respectively.

40 Ministerial responsibility for certain Departments

The following Departments of the Public Service are to be responsible to the Ministers specified in respect of those Departments:

- (a) the Forestry Commission (including State Forests) is to be responsible to the Minister for Natural Resources and to the Minister Assisting the Minister for Natural Resources (Forests).
- (b) the National Parks Service is to be responsible to the Minister for the Environment.
- (c) the Motor Accidents Authority and the WorkCover Authority are to be responsible to the Minister for Commerce.
- (d) the Heritage Office is to be responsible to the Minister for Infrastructure and Planning and to the Minister Assisting the Minister for Infrastructure and Planning (Planning Administration).

Public Sector Employment and Management (General) Order 2003

Clause 40

- (e) the Department of State and Regional Development is to be responsible to the Treasurer, to the Minister for Regional Development and to the Minister for Small Business
- (f) the Sydney Olympic Park Authority is to be responsible to the Minister for Tourism and Sport and Recreation
- (g) the Department of Corrective Services is to be responsible to the Minister for Justice
- (h) the Commission for Children and Young People is to be responsible to the Minister for Youth

41 Amendment of Schedule 1 to Public Sector Employment and Management Act 2002

Schedule 1 (Departments) to the *Public Sector Employment and Management Act 2002* is amended as set out in Schedule 1.

Page