

## CLAUSE NOTES

### *State Service Legislation (Miscellaneous Amendments) Bill 2015*

**Clause 1: Short title**

Clause 1 is a formal provision specifying the short title of the proposed Act.

**Clause 2: Commencement on Royal Assent**

Clause 2 is a formal provision specifying that the Bill will commence on the day it receives Royal Assent.

**Clause 3: Consequential Amendments**

Clause 3 states that the Acts to be amended are listed in Schedule 1.

**Clause 4: Repeal of Act**

Clause 4 sets out the process by which the Act is repealed.

## SCHEDULE 1 – CONSEQUENTIAL AMENDMENTS

### *Building and Construction Industry Training Fund Act 1990*

- Item 1: Section 13 (Appointment and powers of administrator) amended  
A reference to the former office of the State Service Commissioner in sub-section 13(10) is replaced with the Minister administering the *State Service Act 2000*.

### *Ombudsman Act 1978*

- Item 1: Schedule 2 (Excluded Administrative Action) amended  
A reference to the former office of the State Service Commissioner in Item 5 is replaced with the Tasmanian Industrial Commission.

### *Personal Information Protection Act 2004*

- Item 1: Section 20 (Referral to other authorities) amended  
Amends sub-section 20(3) to remove reference to the former office of the State Service Commissioner and sub-section 20(1) to remove the relevant cross-reference.

### *Public Interest Disclosure Act 2002*

- Item 1: Section 7 (Persons to whom disclosures may be made) amended  
Amends sub-section 7(1)(c) to remove a reference to the former office of the State Service Commissioner. If a disclosure relates to a member, officer or employee of a State Service Agency, disclosure may be made to that Agency, to the Integrity Commission or to the Ombudsman. The now redundant reference in sub-section (5C) is also removed.
- Item 2: Section 15 (Certain further information also protected) amended  
Removes a reference to the former office of the State Service Commissioner from sub-section 15(2).

- Item 3: Section 23 (Offence to reveal confidential information) amended  
Removes a reference to the former office of the State Service Commissioner from Section 23(1)(a).
- Item 4: Part 4 (Disclosure made to State Service Commissioner) repealed  
Repeals PART FOUR (Sections 26 to 29 inclusive) dealing entirely with procedures around disclosures made to the former office of the State Service Commissioner.
- Item 5: Section 30 (Determination by Ombudsman of disclosure as public interest disclosure) amended  
Repeals sub-section 30(3), which deals entirely with disclosures made to the former office of the State Service Commissioner.
- Item 6: Section 33 (Determination by public body of disclosure as public interest disclosure) amended  
Repeals sub-section 33(3), which deals entirely with disclosures made to the former office of the State Service Commissioner.
- Item 7: Section 87 (Offence to make false disclosure) amended  
Repeals sub-section 87(1)(d) to remove the reference to the former office of the State Service Commissioner.
- Item 8: Section 88 (Protection of Ombudsman and officers) amended  
Removes a reference to the former office of the State Service Commissioner from sub-section 88(1).

*Right to Information Act 2009*

- Item 1: Section 6 (Exclusions of certain persons or bodies) amended  
Removes a reference to the former office of the State Service Commissioner by repealing paragraph (l) from sub-section 6(1).

*Tasmanian Development Act 1983*

- Item 1: Section 32 (Appointment and powers of administrator) amended  
A reference to the former office of the Commissioner for Public Employment in sub-section 33(9) is replaced with Minister administering the *State Service Act 2000*.
- Item 2: Section 33 (Expenses of administration) amended  
A reference to the former office of the State Service Commissioner in sub-section 33(3) is replaced with Minister administering the *State Service Act 2000*.  
An amendment to add the words 'or employee' ensures consistency within this sub-section.

*Threatened Species Protection Act 1995*

- Item 1: Schedule 2 (Members and Meetings of Scientific Advisory Committee and Community Review Committee) amended  
A reference to the former office of the Commissioner for Public Employment in Item 4 is replaced with Minister administering the *State Service Act 2000*.