

Public Service Amendment Act 1997

No. 23, 1997

An Act to amend the *Public Service Act 1922*

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Schedule 1—Amendments

Public Service Act 1922



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[*Assented to* *7 April 1997*]

The Parliament of Australia enacts:

##### 1 Short title

This Act may be cited as the *Public Service Amendment Act 1997*.

##### 2 Commencement

This Act commences on the day on which it receives the Royal Assent.

##### 3 Schedule(s)

Each Act that is specified in a Schedule to this Act is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this Act has effect according to its terms.

###### Schedule 1—Amendments

Public Service Act 1922

1 Subsection 63JA(3)

After “63L(8)”, insert “and (9)”.

2 Subsection 63L(1)

After “is”, insert “or was”.

3 At the end of section 63L

Add:

(9) If a person ceases to be an unattached officer but remains an officer:

(a) the person may be charged under this section with any misconduct committed while the person was an unattached officer; and

(b) this Subdivision applies to the person in relation to the charge; and

(c) any action may be taken by or against the person under this Subdivision in relation to the charge;

as if the person had remained an unattached officer.

(10) Subsection (9) applies to a person who ceases to be an unattached officer, whether or not the cessation occurs after that subsection commences.

(11) Subsection (9) applies to misconduct, whether or not the misconduct was committed after that subsection commences.

[*Minister’s second reading speech made in—  
House of Representatives on 4 December 1996  
Senate on 13 February 1997*]

(182/96)