

EXPLANATORY STATEMENT

Public Service Act 1999

Public Service Classification Rules Amendment Instrument 2013 (No. 1)

Subsection 23(1) of the *Public Service Act 1999* (the PS Act) provides that the Public Service Minister may, by notice in the *Gazette*, make rules about classifications of APS employees.

Subsection 56(1) of the *Legislative Instruments Act 2003* (the LI Act) provides that where particulars of the making of an instrument are required to be published in the *Gazette*, this requirement is taken to have been met by registration of the instrument on the Federal Register of Legislative Instruments.

Subsection 78(3) of the PS Act provides that the Public Service Minister may in writing delegate to a senior official any of the Public Service Minister's powers or functions under section 23 of the PS Act. The authority to make rules about classifications of APS employees has been delegated to the Public Service Commissioner.

The *Public Service Classification Rules 2000* (Classification Rules) were amended on 27 November 2012 by the *Public Service Classification Rules Amendment Instrument 2012 (No. 1)*. The November 2012 amendments to the Classification Rules included minor drafting errors resulting in the unintended removal of the headings to Rules 5 and 8 of the Classification Rules.

The purpose of the present amendments is simply to restore the headings to Rules 5 and 8. This is effected by items 1 and 2 of Schedule 1.

No consultation was undertaken in respect of these amendments because they are of a minor or machinery nature and the purpose is simply to correct unintended drafting errors. The proposed changes do not have a regulatory impact on business or the not-for-profit sector and no further analysis (in terms of Regulatory Impact Statement) has been undertaken.

These rules are a legislative instrument for the purposes of the LI Act but are not subject to disallowance under section 42 of the LI Act.

The PS Act does not specify any conditions that must be satisfied before exercising the power to make rules under subsection 23(1).

These rules commence on the day after registration.