

Parliamentary Service Rule 2021

Explanatory notes for SL 2021 No. 136

made under the

Parliamentary Service Act 1988

General Outline

Short title

Parliamentary Service Rule 2021

Authorising law

Section 55 of the *Parliamentary Service Act 1988*

Policy objectives and the reasons for them

The Parliamentary Service Rule 2010 (the Rule) was made in August 2010, and in accordance with the provisions of the *Statutory Instruments Act 1992* was due to expire on 1 September 2020. However, in August 2020, the Rule was included in amendments to the Statutory Instruments Regulation 2012 to exempt it from expiry for 12 months as the Rule was in the process of being remade.

The Rule makes provision for a variety of human resources related activities within the Parliamentary Service including:

- Provisions for the conduct of appeals against promotional appointments and disciplinary action;
- Identifying appealable and non-appealable positions;
- Identifying positions exempted from the vacancy advertising requirements of the *Parliamentary Service Act 1988*;
- Providing for a number of public sector Ministerial Directives to have application within the Parliamentary Service; and
- Making provision for the direct appointment of staff, without advertising, in certain circumstances.

The Rule is important for the efficient and effective operation of the Parliamentary Service and the Speaker of the Queensland Parliament will re-make the Rule in accordance with the provisions of section 55 of the *Parliamentary Service Act 1988*.

Achievement of policy objectives

The Rule will achieve the policy objectives by facilitating a variety of contemporary human resource practices within the Parliamentary Service which contribute to the efficient and effective operation of the Queensland Parliament.

Consistency with policy objectives of authorising law

The Rule is consistent with authorising law in that it supports the operation of the Queensland Parliament and assists the Speaker and the Clerk of the Parliament to manage the Parliamentary Service.

Inconsistency with policy objectives of other legislation

The Rule is not inconsistent with the policy objectives of other legislation.

Benefits and costs of implementation

The Rule will be beneficial as it will maintain contemporary human resource practices within the Parliamentary Service.

There are no costs to the Parliament or the Government in implementing the Rule as it is administrative in nature and is maintaining existing human resource practices.

Consistency with fundamental legislative principles

The Rule is consistent with fundamental legislative principles as set out in the *Legislative Standards Act 1992*.

Consultation

Consultation has occurred between the Parliamentary Service and the Department of the Premier and Cabinet and between the Department of the Premier and Cabinet and the Public Service Commission.

The Rule is about the internal management of the Parliamentary Service, which under The Queensland Government Guide to Better Regulation is an agency assessed exclusion (category (c)). As a consequence, no consultation with the Office of Best Practice Regulation is required.