



# Prime Minister's Public Service Amendment Directions 2005 (No. 1)

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I, JOHN WINSTON HOWARD, Prime Minister, make these Directions under subsection 21 (1) of the *Public Service Act 1999*.

Dated 6 October 2005

JOHN HOWARD  
Prime Minister

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**1 Name of Directions**

These Directions are the *Prime Minister's Public Service Amendment Directions 2005 (No. 1)*.

**2 Commencement**

These Directions commence on the day after they are registered.

**3 Amendment of *Prime Minister's Public Service Directions 1999***

Schedule 1 amends the *Prime Minister's Public Service Directions 1999*.

## Schedule 1 Amendments

(section 3)

**[1] Clause 1.3, definition of *statutory appointment***

*omit*

**[2] Paragraphs 2.1 (1) (c) and (d)**

*substitute*

(c) as a continuation of employment described in paragraph (a) or (b).

**[3] Subclause 2.1 (1)**

*omit*

an APS employee

*insert*

an ongoing APS employee

**[4] After clause 2.1**

*insert*

*Note* These Directions do not prevent an Agency Head from granting leave without pay for purposes that are not mentioned in clause 2.1 (for example, granting leave without pay to take up a statutory appointment).

**[5] Clause 2.2, boxed note**

*omit*

**[6] After clause 2.2**

*insert*

**2.3 Transitional — *Prime Minister's Public Service Amendment Directions 2005 (No. 1)***

(1) This clause applies if:

(a) an Agency Head granted an application by an APS employee under subclause 2.1 (1), as in force before the commencement of the *Prime Minister's Public Service Amendment Directions 2005 (No. 1)*, for leave without pay to undertake employment:

(i) in a full-time statutory appointment; or

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- (ii) as a continuation of employment in a full-time statutory appointment; and
  - (b) the period of leave has not expired.

*Note* Subclause 2.1 (1) was amended in 2005 by the *Prime Minister's Public Service Amendment Directions 2005 (No. 1)* to make new arrangements for the grant of leave without pay. The Amendment Directions commenced on the day after they were registered in accordance with the *Legislative Instruments Act 2003*.

- (2) The grant of leave without pay is not affected by the amendments of subclause 2.1 (1) made by those Directions.
- (3) If the APS employee applies to his or her Agency Head, in writing, for leave without pay to undertake employment as a continuation of that employment, the Agency Head may grant the application.
- (4) If the APS employee notifies his or her Agency Head, in writing, that the APS employee wishes to return to the Agency to undertake duties, subclauses 2.2 (2) to (4) apply to the Agency Head.