



Public Service Classification Rules 2000

I, PETER SHERGOLD, Secretary of the Department of Employment, Workplace Relations and Small Business, delegate of the Prime Minister, make these Rules under subsection 23 (1) of the *Public Service Act 1999*.

Dated 17 November 2000

Peter Shergold

Secretary of the Department of Employment, Workplace Relations
and Small Business

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1 **Name of Rules**

These Rules are the *Public Service Classification Rules 2000*.

2 **Commencement**

These Rules commence on gazettal.

3 **Revocation of *Public Service Classification Rules 1999***

The *Public Service Classification Rules 1999*, made on 3 December 1999, are revoked.

4 **Definitions — the dictionary**

- (1) The dictionary at the end of these Rules defines certain words and expressions, and includes references to certain words and expressions that are defined elsewhere in these Rules (*signpost definitions*).

Note The dictionary only includes a signpost definition for a word or expression if the word or expression is used in more than one rule.

- (2) The dictionary includes certain words and expressions relevant to these Rules that are defined in the *Public Service Act 1999*.

Note These definitions are indicated by an asterisk (*) and have been included for information only to assist readers of the rules. Minor changes from the Act definitions are indicated by square brackets ([]).

- (3) A definition in these Rules applies to each use of the word or expression in these Rules, unless the contrary intention appears.

5 Approved classifications

For the purposes of these Rules, a classification is an ***approved classification*** if it is:

- (a) a classification under an award as in force from time to time; or
- (b) a classification mentioned in column 2 of Schedule 1; or
- (c) a training classification mentioned in column 2 of Schedule 2.

Note Subsection 23 (2) of the Act provides that the Classification Rules may apply, adopt or incorporate, with or without modification, any of the provisions of an award, as in force at a particular time or as in force from time to time.

6 Classification of APS employees: general

- (1) An Agency Head must allocate an approved classification to each APS employee in the Agency.
- (2) Subject to rule 7, the classification must be based on the group of duties that are determined by the Agency Head to be the duties to be performed by the employee in the Agency (other than duties temporarily assigned to the employee).

7 Classification of APS employees: section 26 agreement

- (1) This rule applies to an Agency Head if:
 - (a) an ongoing APS employee moves to the Agency Head's Agency in accordance with an agreement entered into under section 26 of the Act; and
 - (b) the agreement applies for:
 - (i) a specified period, in accordance with the agreement and the *Public Service Regulations 1999*; or
 - (ii) the duration of a specified task, in accordance with the agreement and those Regulations.
- (2) The Agency Head must not comply with rule 6.
- (3) The Agency Head must allocate to the employee:
 - (a) the approved classification that was allocated to the employee immediately before moving to the Agency; or
 - (b) another approved classification that is in the same group as the classification mentioned in paragraph (a).

- (4) The allocation of a classification in accordance with subrule (3) does not prevent the employee from:
 - (a) performing the duties that are to be performed by the employee following the move to the Agency; and
 - (b) receiving the pay and other entitlements that are to be paid to the employee following the move to the Agency.

8 Classification of SES employees

For section 34 of the Act, an APS employee is classified as an **SES employee** if the employee's classification is any of the following approved classifications:

- (a) Senior Executive Band 1;
- (b) Senior Executive (Specialist) Band 1;
- (c) Senior Executive Band 2;
- (d) Senior Executive (Specialist) Band 2;
- (e) Senior Executive Band 3;
- (f) Senior Executive (Specialist) Band 3.

9 Classification of duties

- (1) An Agency Head must allocate an approved classification to each group of duties to be performed in the Agency.
- (2) The classification must be the appropriate classification based on the work value requirements of the group of duties.
- (3) If a training classification is allocated to the group of duties, the Agency Head must ensure that the duties include a requirement to undergo training.
- (4) If the group of duties involves work value requirements applying to more than one classification, the Agency Head may allocate more than one classification (a **broadband**) to the group of duties.
- (5) However, subrule (4) does not apply to a group of duties to be performed by an SES employee.

10 Work level standards

- (1) An Agency Head must issue, in writing, work level standards describing the work requirements for each classification applying to a group of duties to be performed in the Agency.
- (2) Work level standards for a classification must reflect the work value requirements for the classification.

11 Movement from a training classification

- (1) If an APS employee who is engaged at a training classification satisfactorily finishes each training requirement for the training classification, the Agency

Head must allocate to the employee a classification mentioned in column 3 of Schedule 2 that relates to the employee's training classification.

- (2) This rule does not apply to the employee if the employee is engaged in accordance with subregulation 3.5 (4) of the *Public Service Regulations 1999* for a specified term, or for the duration of a specified task, for the purpose of the employee gaining skills and experience.

12 Reduction of classification of APS employee

For the purposes of subsection 23 (4) of the Act, the classification of an APS employee is reduced if the Agency Head allocates to the employee a classification that is in a lower classification group than the employee's classification before the reduction.

13 Delegation

- (1) An Agency Head may, in writing, delegate to a person any of the Agency Head's powers or functions under these Rules (other than this rule).
- (2) However, an Agency Head cannot delegate powers or functions to an outsider without the prior written consent of the Commissioner.
- (3) A person (the *first delegate*) to whom powers or functions are delegated under subrule (1) may, in writing, delegate any of the powers or functions to another person (the *second delegate*).
- (4) However, if the first delegate is subject to directions about the exercise of a power or function delegated under subrule (3), the first delegate must give corresponding directions to the second delegate.
- (5) A power or function that is exercised or performed by a person under a delegation under subrule (3) is taken, for the purposes of these Rules, to have been exercised or performed by the person who originally delegated the corresponding power or function under subrule (1).
- (6) A person exercising powers or functions under a delegation under this rule must comply with any directions of the Agency Head who delegated the power or function.
- (7) For subrule (2):
outsider means a person other than:
 - (a) an APS employee; or
 - (b) a person appointed to an office by the Governor-General, or by a Minister, under a law of the Commonwealth.

Schedule 1 Approved classifications

(rule 5)

Column 1 APS Group	Column 2 Classification
Group 1	APS Level 1 Assistant Protective Service Officer
Group 2	APS Level 2 Protective Service Officer Grade 1
Group 3	APS Level 3 APS Meat Inspector 1 Customs Level 1 Protective Service Officer Grade 2
Group 4	APS Level 4 APS Meat Inspector 2 DPIE Band 1 Senior Protective Service Officer
Group 5	APS Level 5 APS Meat Inspector 3 Customs Level 2 Protective Service Assistant Inspector
Group 6	APS Level 6 APS Meat Inspector 4 Customs Level 3 DPIE Band 2 Examiner of Patents Medical Officer Class 1 Valuer
Group 7	Antarctic Medical Practitioner Level 1 Customs Level 4 Executive Level 1 Medical Officer Class 2 Protective Service Inspector Protective Service Superintendent
Group 8	Antarctic Medical Practitioner Level 2 Customs Level 5 DPIE Band 3 Executive Level 2 Medical Officer Class 3 Medical Officer Class 4 Protective Service Chief Superintendent

Column 1 APS Group	Column 2 Classification
Group 9	Antarctic Medical Practitioner Level 3 Chief of Division Grade 1 Chief Research Scientist Grade 1 Medical Officer Class 5 Senior Executive Band 1 Senior Executive (Specialist) Band 1
Group 10	Chief of Division Grade 2 Chief Research Scientist Grade 2 Medical Officer Class 6 Senior Executive Band 2 Senior Executive (Specialist) Band 2
Group 11	Chief of Division Grade 3 DPIE Band 4 Senior Executive Band 3 Senior Executive (Specialist) Band 3

Schedule 2 Training classifications

(rules 5 and 11)

Column 1 Group	Column 2 Training classification	Column 3 Operational classification
APS Trainees	Apprentice APS (Trades)	APS Level 2
	Cadet APS	APS Level 3
	Cadet APS (Research Scientist)	APS Level 6
	Graduate APS	APS Level 3
	Trainee APS (Administrative)	APS Level 1
	Trainee APS (Technical)	APS Level 3
Agency Trainees	Aboriginal Cadet	Customs Level 1
	Customs Trainee	Customs Level 1
	Cadet APS	Customs Level 1
	Customs Trainee Graduate	Customs Level 2
	Valuer-in-training	Valuer

Dictionary

(rule 3)

Note Words and expressions defined in the *Public Service Act 1999* are indicated by an asterisk (*) (see subrule 4 (2)). Minor changes from the Act are indicated by square brackets ([]). Except where otherwise indicated, the definitions are found in section 7 of the Act.

Act means the *Public Service Act 1999*.

***Agency** means:

- (a) a Department; or
- (b) an Executive Agency; or
- (c) a Statutory Agency.

***Agency Head** means:

- (a) the Secretary of a Department; or
- (b) the Head of an Executive Agency; or
- (c) the Head of a Statutory Agency.

approved classification see rule 5.

***APS** means the Australian Public Service established by section 9 [of the Act].

***APS employee** means:

- (a) a person engaged under section 22 [of the Act]; or
- (b) a person who is engaged as an APS employee under section 72 [of the Act].

***award** has the same meaning as in the *Workplace Relations Act 1996*.

classification includes a training classification.

classification group means a group of classifications mentioned in column 1 of Schedule 1.

***SES** means the Senior Executive Service established by section 35 [of the Act].

***SES employee** has the meaning given by section 34 [of the Act].

Note See rule 6 in relation to the classification of SES employees.

training classification means a classification mentioned in column 2 of Schedule 2.