

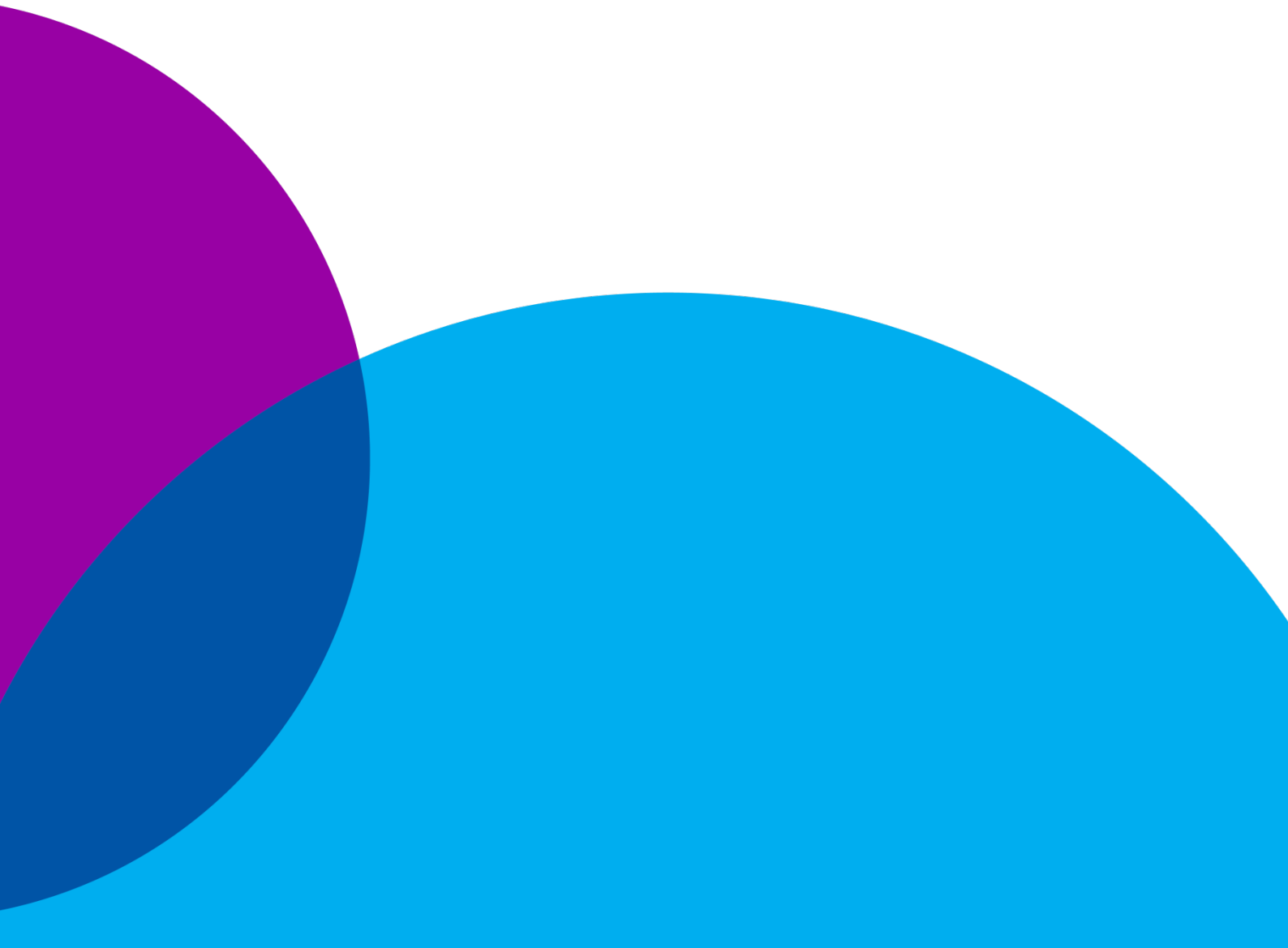


**Government  
of South Australia**

Office of the Commissioner  
for Public Sector Employment

# **AGENCIES AND INSTRUMENTALITIES OF THE CROWN AND CERTAIN COHORTS OF PUBLIC SECTOR EMPLOYMENT**

**Relevant to the functions of the Commissioner for  
Public Sector Employment**



# OFFICE OF THE COMMISSIONER FOR PUBLIC SECTOR EMPLOYMENT

## AGENCIES AND INSTRUMENTALITIES OF THE CROWN AND CERTAIN COHORTS OF PUBLIC SECTOR EMPLOYMENT

Current as at 11 October 2018

**Note:** this document does not include Ministers, other Members of Parliament, the Judiciary, Courts, Tribunal appointees, Tribunals, administrative Committees or Boards, Boards that are not employing authorities or the Legal Services Commission. It also does not include business units of agencies (which are not separate agencies or instrumentalities in any event). Readers will need to also be aware of the application and content of any Award or Enterprise Agreement.

## INTRODUCTION

This list is created with regard to the statutory functions and responsibilities of the Commissioner for Public Sector Employment.

### DEFINITION OF PUBLIC SECTOR AGENCY ETC.

'Public sector agency' is defined in the *Public Sector Act 2009* (PS Act) as:

**public sector agency** means—

- (a) a Minister; or
  - (b) a chief executive of an administrative unit; or
  - (c) an administrative unit; or
  - (d) an employing authority; or
  - (e) any other agency or instrumentality of the Crown; or
  - (f) a body corporate—
    - (i) comprised of persons, or with a governing body comprised of persons, a majority of whom are appointed by the Governor, a Minister or an agency or instrumentality of the Crown; or
    - (ii) subject to control or direction by a Minister; or
  - (g) a person or body declared under subsection (3) to be a public sector agency; or
  - (h) a subsidiary of a Minister or a person or body referred to in a preceding paragraph,
- but does not include—
- (i) a person or body declared under an Act not to be part of the Crown or not to be an agency or instrumentality of the Crown; or
  - (j) a person or body declared under subsection (3) not to be a public sector agency;

Section 24 of the PS Act provides that the Public Service is composed of administrative units, which are departments or attached offices. Public Service employees are employed by a chief executive or agency head on behalf of the Crown in an administrative unit. Agencies not within the Public Service are other public sector agencies and employment in them are part of/is within the wider public sector.

Some entities are instrumentalities of the Crown because they exist for a public purpose and thus a public sector agency per paragraph (e) of the definition of public sector agency in the PS Act. A brief indication of why an entity is an agency or instrumentality of the Crown is included in this document.

Note that the Chief Executive of the Department of the Premier and Cabinet (DPC) is the declared employer of public sector employees for the purposes of the *Fair Work Act 1994* (SA)<sup>1</sup>.

Notations are made as to the extent of coverage of aspects of the PS Act and determinations and guidelines issued by the Commissioner for Public Sector Employment (CPSE).

Under section 19 of the PS Act, the Commissioner for Public Sector Employment may require any public sector agency to provide statistical reports to the Commissioner relating to public sector employment matters at intervals specified by the Commissioner.

The provisions of Parts 6 of the PS Act apply only to administrative units. The provisions of Part 7 of the PS Act apply only to employment in administrative units or other employment as declared by another Act or the *Public Sector Regulations 2010* (PS Regulations).

In essence, the other, general provisions of the PS Act apply to all agencies<sup>2</sup>.

As to application of determinations of the CPSE; in addition to summary comments in the list; application of these instruments is provided by section 16 of the PS Act and regulation 9 of the PS Regulations. All will apply to employment in the Public Service and to other employment under Part 7 of the PS Act, with application determined to the extent any provisions of Part 7 are excluded or modified in their application. Pursuant to regulation 9 of the PS Regulations:

- determinations of the CPSE relating to management of excess employees and special leave with pay apply to any employment under the South Australian Wages Parity Enterprise Agreement; Salaried 2014 or a successor, via regulations 9(3) and (4);
- determinations of the CPSE relating to the management of excess employees apply to employment covered by the Forestry SA Enterprise Agreement or successor via regulations 9(5) and (6); and
- via regulations 9(7) and (8) a determination of the CPSE relating to domestic/family violence leave applies to all agencies and employment.

Thus, the above information must be kept in mind when referring to the generalised content in the tables in this document.

The Code of Ethics for the South Australian Public Sector - which is issued by the CPSE under the PS Act and has the force of regulation – applies to and binds all public sector employees. Some cohorts of employees are also bound by occupation-specific and/or professional codes of conduct.

Note by way of caution that some agencies are mentioned more than once in this document given their different statutory characters and/or in reference to various cohorts of employees. Footnotes or other notations in relation to such agencies further observe this.

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<sup>1</sup> Regulation 4 of the *Public Sector Regulations 2009*.

<sup>2</sup> Unless governed by specific legislation with a provision(s) indicating an intent by Parliament that the general provisions of the PS Act do not apply to a particular class of employee.



## ADMINISTRATIVE UNITS

### Notes:

Administrative Units are Departments or Attached Offices (see section 24 of the PS Act).

Employment in an Administrative Unit is by a chief executive or agency head on behalf of the Crown under Part 7 of the PS Act and this constitutes the South Australian Public Service (see section 25 of the PS Act).

Administrative units are public sector agencies per paragraph (c) of the definition of public sector agency in the PS Act.

All determinations and guidelines of the CPSE apply to employment in an Administrative Unit (with variable application to non-executive as compared to executive employment).

Following are the Administrative Units<sup>3</sup> established under the PS Act:

The Attorney-General's Department

The Auditor-General's Department

The Department for Child Protection

The Department for Correctional Services

Defence SA

The South Australian Electoral Commission<sup>4</sup>

The Department for Energy and Mining

The Department for Education

The Department for Environment and Water

The Office of Green Industries SA<sup>5</sup>

The Department for Environment and Water

The Department for Industries and Skills

The Department for Health and Wellbeing<sup>6</sup>

The Department of Human Services

The Department of Planning, Transport and Infrastructure

The Department for Premier and Cabinet

*Attached Office – attached to the Department for Premier and Cabinet*

- The Office for Recreation and Sport

- The South Australian Productivity Commission

The Department of Primary Industries and Regions

The Environment Protection Authority<sup>7</sup>

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<sup>3</sup> Employing authorities in many of these agencies employ persons as weekly paid employees at common law.

<sup>4</sup> Further mention is made of the Commission as a statutory authority.

<sup>5</sup> Green Industries SA is also a statutory authority and its Chief Executive is both appointed statutorily and engaged by the Premier as an employee.

<sup>6</sup> Further mention is made of cohorts of employees employed under the *Health Care Act 2008* in this agency both the cohort covered by Part 7 of the PS Act and that not covered.

The Department for Trade, Tourism and Investment

The Department for Treasury and Finance

*Attached Office – attached to the Department for Treasury and Finance*

- The Office for the Commissioner for Public Sector Employment

The South Australian Mental Health Commission

The South Australian Police Department<sup>8</sup>

Note: chief executives of administrative units (and it must follow; other agency heads by a different title who are the equivalent of a chief executive; are both an employee of the Premier and a public sector agency, see paragraph (b) of the definition of public sector agency in the PS Act.

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<sup>7</sup> Further mention is made of the Authority as a statutory authority.

<sup>8</sup> Further mention is made of the statutory authority the South Australia Police and cohorts of employment in that agency.

OTHER PUBLIC SECTOR EMPLOYMENT TO WHICH PART 7 OF THE PS ACT APPLIES<sup>9</sup> BY WAY OF SPECIFIC LEGISLATION OR UNDER THE *PUBLIC SECTOR REGULATIONS 2010*<sup>10</sup>

AGENCY AND/OR COHORT OF EMPLOYMENT	NOTES
<p><b>Commissioner for Children and Young People</b></p> <p>Established under the <i>Children and Young People (Oversight and Advocacy) Act 2016</i>.</p> <p>See paragraph (d) of the definition of public sector agency in the PS Act.</p>	<p>Part 7 of the PS Act applies per regulation 13(2h) of the PS Regulations to employment in a classification under the SA Public Salaried Interim Award (SAPSSI Award) or the South Australian Public Sector Wages Parity Enterprise Agreement: Salaried 2012 (WP EBA), or successor.</p> <p>The application of Part 7 is modified such that section s42, 43, 44, 45(3), 46, 53(2) and 54(3) do not apply to this cohort; and section 48 is modified in respect of probationary employment.</p> <p>Determinations and guidelines of the CPSE will apply to these cohorts as modified by necessary implication by reference to the manner in which the application of Part 7 of the PS Act is modified.</p> <p>Note this agency is independent of direction and control by the Crown or any Minister or officer of the Crown, see section 7 of the <i>Children and Young People (Oversight and Advocacy) Act 2016</i>.</p>
<p><b>Courts Administration Authority (CAA)</b></p> <p>Established under the <i>Courts Administration Act 1993</i>.</p> <p>See paragraph (d) of the definition of public sector agency in the PS Act.</p>	<p>Part 7 of the PS Act applies per section 21B of the <i>Courts Administration Act</i>.</p> <p>All determinations and guidelines of the CPSE apply, subject to the following notes.</p> <p>The Premier may not issue directions to the CAA under section 10 of the PS Act (section 21B(4a) of the <i>Courts Administration Act</i>).</p> <p>The CPSE (or a delegate) may not exercise functions under section 14(1)(c) of the PS Act in relation to the CAA (monitoring and reporting on observance of the public sector principles, code of conduct and determinations); or section 14(1)(f) of the PS Act (provide advice on and conduct reviews of public sector employment etc.).</p> <p>Section 9(1) of the PS Act does not apply to employees in prescribed positions in the CAA, as per regulation (power of Premier to transfer employees' employment between agencies).</p>

<sup>9</sup> That is, more broadly than merely the provisions relating to long service leave.

<sup>10</sup> Note that some employment is subject to Part 7 of the PS Act by way of the content of notices issued in the Gazette transferring employees between employment in agencies under section 9(1) of the PS Act (i.e. from an agency to which Part 7 of the PS Act applies to one otherwise not covered by that Part of the Act). There is no attempt to list such employment herein.

	<p>Determinations and guidelines of the CPSE apply, with regard to the independence of the CAA. See, i.e. the Objects of the <i>Courts Administration Act 1993</i>.</p>
<p>Certain employment under section 12 of the <i>Children's Services</i> and section 101B of the <i>Education Act 1972</i> within the Department for Education (i.e. other than employment in the Department as an administrative unit under Part 7 of the PS Act <i>per se</i>).</p>	<p>Part 7 of the PS Act applies per sub-regulation 13(2ad)(a) and (b) of the PS Regulations.</p> <p>Part 7 of the PS Act does not apply to employment in a classification contained in the Pre-School (Kindergarten) Teaching Staff Award or successor; or as an hourly paid instructor or swimming or aquatics instructor in a classification in the Teachers DECS Award or SA School Preschool Education Staff Enterprise Agreement 2012, or successor.</p> <p>The application of Part 7 is modified such that section 45(3) does not apply to these cohorts and executive employment entered prior to the operation of the sub-regulations is not covered. Grievances about employment decisions taken prior to the application of the sub-regulations were/are to be addressed under pre-existing rights/processes (the sub-regulations were operative from 1 July 2016).</p> <p>Determinations and guidelines of the CPSE will apply to these cohorts as modified by necessary implication by reference to the manner in which the application of Part 7 of the PS Act is modified.</p>
<p>Non-executive employment in the <b>Education and Early Childhood Services Registration and Standards Board of South Australia</b> under the <i>Education and Early Childhood Services (Registration and Standards) Regulations 2011</i>.</p> <p>See paragraph (f)(i) of the definition of public sector agency in the PS Act.</p>	<p>Part 7 of the PS Act applies per sub-regulation 13(2a) to employment in the Board in a classification in the SAPSSI Award or WP EBA, or successor.</p> <p>The application of Part 7 is modified such that the following do not apply to this cohort: sections 42, 45(3), 46, 54(2) and 54(3) and section 48 is modified in respect of probationary employment in the Board.</p> <p>Determinations and guidelines of the CPSE will apply to these cohorts as modified by necessary implication by reference to the manner in which the application of Part 7 of the PS Act is modified.</p>
<p>Certain employment under the <b>Health Care Act 2009</b> (HC Act) within the Department for Health and Wellbeing or in an incorporated hospital (Local Health Network) (i.e. other than employment in the actual Department as an administrative unit under Part 7 of the PS Act <i>per se</i>).</p> <p>See paragraph (e) of the definition of public sector agency in the PS Act.</p>	<p>Part 7 of the PS Act applies per sub-regulation 13(2f) of the PS Regulations to employment under the HC Act in a classification in the WP EBA or successor.</p> <p>The application of Part 7 is modified such that section 45(3) does not apply to these cohorts and executive employment entered prior to the operation of the sub-regulations is not covered. Grievances about employment decisions taken prior to the application of the sub-regulations were/are to be addressed under pre-existing rights/processes (the sub-regulations were operative from 1 July 2016).</p> <p>Determinations and guidelines of the CPSE will apply to these cohorts as modified by necessary implication by reference to the manner in which the application of Part 7 of the PS Act is modified.</p>



<p>Non-executive employment in the <b>Legal Profession Conduct Commissioner</b></p> <p>Established under the <i>Legal Practitioners Act 1981</i>.</p> <p>See paragraph (d) of the definition of public sector agency in the PS Act.</p>	<p>Part 7 of the PS Act applies per sub-regulation 13(2d) of the PS Regulations to employment in a classification under the SAPSSI Award or WP EBA, or successor.</p> <p>The application of Part 7 is modified such that sections 42, 43, 44, 45(3), 46, 53(2) and 54(3) do not apply to this cohort. Section 48 is modified in respect of probationary employment.</p> <p>Determinations and guidelines of the CPSE will apply to these cohorts as modified by necessary implication by reference to the manner in which the application of Part 7 of the PS Act is modified.</p>
<p>Non-executive employment in the <b>Lifetime Support Authority</b></p> <p>Established under the <i>Motor Vehicle Accidents (Lifetime Support Scheme) Act 2013</i>.</p> <p>See paragraph (f)(i) of the definition of public sector agency in the PS Act.</p>	<p>Part 7 of the PS Act applies per sub-regulation 13(2d) of the PS Regulations to employment in a classification under the SAPSSI Award or WP EBA, or successor.</p> <p>The application of Part 7 is modified such that sections 42, 43, 44, 45(3), 46, 53(2) and 54(3) do not apply to this cohort. Section 48 is modified in respect of probationary employment.</p> <p>Determinations and guidelines of the CPSE will apply to these cohorts as modified by necessary implication by reference to the manner in which the application of Part 7 of the PS Act is modified.</p>
<p>Certain employment in <b>TAFE SA</b></p> <p>Established under the <i>TAFE SA Act 2012</i>.</p> <p>See paragraph (d) of the definition of public sector agency in the PS Act.</p>	<p>Part 7 of the PS Act applies to an employee per sub-regulation 13(2a) of the PS Regulations, employed on or after 1 November 2012, if the employee is employed in duties classified under the SAPSSI Award or WP EBA, or successor.</p>
<p>Certain employment in <b>the Urban Renewal Authority (t/a Renewal SA)</b></p> <p>Established under the <i>Urban Renewal Act 1995</i>.</p> <p>See paragraph (f)(i) of the definition of public sector agency in the PS Act.</p>	<p>Part 7 of the PS Act, Divisions 3 and 4 apply per sub-regulation 13(2) of the PS Regulations to an employee if, immediately before the commencement of the PS Regulations, Part 7, Division 3 of the <i>Public Sector Management Act 1995</i> applied to the employment of the employee.</p>

OTHER PUBLIC SECTOR STATUTORY AUTHORITIES OR CORPORATIONS<sup>11</sup> WITH POWER AS EMPLOYMENT AUTHORITIES<sup>12</sup> - AND REFERENCE TO PARTICULAR EMPLOYMENT COHORTS<sup>13</sup>

AGENCY AND/OR COHORT OF EMPLOYMENT	NOTES
<p><b>The Australian Children’s Performing Arts Company (Windmill)</b></p> <p>Established as a subsidiary of the Minister by the <i>Public Corporations (Australian Children’s Performing Arts Company) Regulations 2001</i>.</p> <p>See paragraph (f)(i) of the definition of public sector agency in the PS Act.</p>	<p>Section 51 of Part 7 and Schedule 1, Part 6 of the PS Act apply per regulation 13(1)(e) of the PS Regulations – long service leave.</p> <p>Determinations of the CPSE, as with guidelines, apply by way of guidance and may be applied as policy in so far as is possible/appropriate.</p>
<p><b>Aboriginal Lands Trust</b></p> <p>Established under the <i>Aboriginal Lands Trust Act 2013</i>.</p> <p>See paragraph (f)(i) of the definition of public sector agency in the PS Act.</p>	<p>Section 51 of Part 7 and Schedule 1, Part 6 of the PS Act apply per regulation 13(1)(e) of the PS Regulations – long service leave.</p> <p>Determinations of the CPSE, as with guidelines, apply by way of guidance and may be applied as policy in so far as is possible/appropriate.</p>
<p><b>Adelaide Festival Centre Corporation</b></p> <p>Established under the <i>Adelaide Festival Corporation Act 1998</i>.</p> <p>And the Adelaide Festival Centre Trust.</p> <p>Established under the <i>Adelaide Festival Centre Trust Act 1971</i>.</p> <p>See paragraph (f)(i) of the definition of public sector agency in the PS Act.</p>	<p>Section 51 of Part 7 and Schedule 1, Part 6 of the PS Act apply per regulation 13(1)(e) of the PS Regulations – long service leave.</p> <p>Determinations of the CPSE, as with guidelines, apply by way of guidance and may be applied as policy in so far as is possible/appropriate.</p>
<p><b>Adelaide Film Festival</b></p> <p>Established as a subsidiary of the Minister by the <i>Public Corporations</i></p>	<p>Section 51 of Part 7 and Schedule 1, Part 6 of the PS Act apply per regulation 13(1)(e) of the PS Regulations – long service leave.</p>

<sup>11</sup> Not part of the Public Service and not otherwise mentioned above – or if mentioned above, listed again to refer to other particular employment cohorts.

<sup>12</sup> Not all employing authorities employ people on behalf of the Crown despite having authority to. Note also that for some agencies, the employing authority is not the particular entity/Board but the chief executive of an administrative unit.

<sup>13</sup> Note that where reference is made to the application of documents issued by the CPSE to employment that is direct employment in an employing authority, readers need to be aware that where such authorities are staffed with Public Service employees, all determinations and guidelines will apply (varied to the extent the application of Part 7 of the PS Act is varied, if that is the case).

<p><i>(Adelaide Film Festival) Regulations 2002.</i></p> <p>See paragraph (f)(i) of the definition of public sector agency in the PS Act.</p>	<p>Determinations of the CPSE, as with guidelines, apply by way of guidance and may be applied as policy in so far as is possible/appropriate.</p>
<p><b>Adelaide Venue Management Corporation</b></p> <p>Established under the <i>Public Corporations (Adelaide Venue Management Corporation) Regulations 2013.</i></p> <p>See paragraph (f)(i) of the definition of public sector agency in the PS Act.</p>	<p>Section 51 of Part 7 and Schedule 1, Part 6 of the PS Act apply per regulation 13(1)(e) of the PS Regulations – long service leave.</p> <p>Determinations of the CPSE, as with guidelines, apply by way of guidance and may be applied as policy in so far as is possible/appropriate.</p>
<p><b>Board of the Botanic Gardens and State Herbarium</b></p> <p>Established under the <i>Botanic Gardens and State Herbarium Act 1978.</i></p> <p>See paragraph (f)(i) of the definition of public sector agency in the PS Act.</p>	<p>Section 51 of Part 7 and Schedule 1, Part 6 of the PS Act apply per regulation 13(1)(e) of the PS Regulations – long service leave.</p> <p>Determinations of the CPSE, as with guidelines, apply by way of guidance and may be applied as policy in so far as is possible/appropriate.</p>
<p><b>Carrick Hill Trust</b></p> <p>Established under the <i>Carrick Hill Trust Act 1986.</i></p> <p>See paragraph (f)(i) of the definition of public sector agency in the PS Act.</p>	<p>Section 51 of Part 7 and Schedule 1, Part 6 of the PS Act apply per regulation 13(1)(e) of the PS Regulations – long service leave.</p> <p>Determinations of the CPSE, as with guidelines, apply by way of guidance and may be applied as policy in so far as is possible/appropriate to any direct employment; however, the Trust is staffed by Public Service employees employed in the Department assisting to administer the Trust.</p>
<p>Employment under the <i>Children’s Services Act</i> and <i>Education Act</i> <u>not</u> covered by Part 7 of the PS Act (aside from re LSL).</p> <p>See also mention above of the agency as an administrative unit and in respect of other employment in the agency under Part 7 of the PS Act.</p>	<p>Employment of employees employed by the Chief Executive of the Department for Education other than in their role as Chief Executive of the administrative unit and administered by the Department – i.e. officers of the teaching service.</p> <p>Section 51 of Part 7 and Schedule 1, Part 6 of the PS Act apply per regulation 13(1)(e) of the PS Regulations – long service leave and the <i>Education Regulations 2018</i> in respect of retention leave and certain other leave for teaching staff.</p> <p>Determinations of the CPSE, as with guidelines, apply by way of guidance and may be applied as policy in so far as is possible/appropriate.</p>
<p><b>Construction Industry Training Board</b></p> <p>Established under the <i>Construction Industry Training Fund Act 1993</i></p>	<p>Section 51 of Part 7 and Schedule 1, Part 6 of the PS Act apply per regulation 13(1)(e) of the PS Regulations – long service leave.</p> <p>Determinations of the CPSE, as with guidelines, apply by</p>

<p>See paragraph (f)(i) of the definition of public sector agency in the PS Act.</p>	<p>way of guidance and may be applied as policy in so far as is possible/appropriate.</p>
<p><b>The CTP Regulator</b></p> <p>Established by the <i>Compulsory Third Party Insurance Regulation Act 2016</i>.</p> <p>See paragraph (e) of the definition of public sector agency in the PS Act.</p>	<p>Section 51 of Part 7 and Schedule 1, Part 6 of the PS Act apply per regulation 13(1)(e) of the PS Regulations – long service leave.</p> <p>Determinations of the CPSE, as with guidelines, apply by way of guidance and may be applied as policy in so far as is possible/appropriate.</p>
<p><b>Dairy Authority of South Australia</b></p> <p>Established under the <i>Primary Produce (Food Safety Schemes) (Dairy) Regulations 2017</i>.</p> <p>See paragraph (f)(i) of the definition of public sector agency in the PS Act.</p>	<p>Section 51 of Part 7 and Schedule 1, Part 6 of the PS Act apply per regulation 13(1)(e) of the PS Regulations – long service leave.</p> <p>Determinations of the CPSE, as with guidelines, apply by way of guidance and may be applied as policy in so far as is possible/appropriate.</p>
<p><b>Dog and Cat Management Board</b></p> <p>Established by the <i>Dog and Cat Management Act 1995</i>.</p> <p>See paragraph (f)(ii) of the definition of public sector agency in the PS Act.</p>	<p>Section 51 of Part 7 and Schedule 1, Part 6 of the PS Act apply per regulation 13(1)(e) of the PS Regulations – long service leave.</p> <p>Determinations of the CPSE, as with guidelines, apply by way of guidance and may be applied as policy in so far as is possible/appropriate to any direct employment; however, aside from the Board Secretary and one executive level employee, the Board is staffed by Public Service employees employed in the Department assisting to administer the Board – the Department of Environment and Water.</p>
<p><b>Electoral Districts and Boundaries Commission</b></p> <p>Established under the <i>Constitution Act 1934</i>.</p> <p>See paragraph (e) of the definition of public sector agency in the PS Act.</p>	<p>Note that an office within the staff of the Commission may be held in conjunction with an office in the Public Service.</p> <p>For direct employment, determinations of the CPSE, as with guidelines, will apply by way of guidance and may be applied as policy in so far as is possible/appropriate.</p>
<p><b>Electricity Transmission Corporation</b></p> <p>Established under the <i>Electricity Corporations Act 1994</i>.</p> <p>See paragraph (e) of the definition of public sector agency in the PS Act.</p>	<p>Section 51 of Part 7 and Schedule 1, Part 6 of the PS Act apply per regulation 13(1)(e) of the PS Regulations – long service leave.</p> <p>Determinations of the CPSE, as with guidelines, apply by way of guidance and may be applied as policy in so far as is possible/appropriate.</p>
<p><b>Essential Services Commission</b></p> <p>Established by the <i>Essential Services Commission Act 2002</i>.</p> <p>See paragraph (e) of the definition of</p>	<p>Section 51 of Part 7 and Schedule 1, Part 6 of the PS Act apply per regulation 13(1)(e) of the PS Regulations – long service leave.</p> <p>For direct employment, determinations of the CPSE, as with guidelines, apply by way of guidance and may be</p>

<p>public sector agency in the PS Act.</p>	<p>applied as policy in so far as is possible/appropriate. Note the Commission may be staffed by Public Service employees employed in an administrative unit however the agency directly engages employees at this time.</p> <p>Note the Commission is not subject to Ministerial direction in the performance of its functions.</p>
<p><b>Forestry SA</b></p> <p>Established under the <i>South Australian Forestry Act 2000</i>.</p> <p>See paragraph (f)(i) of the definition of public sector agency in the PS Act.</p>	<p>Section 51 of Part 7 and Schedule 1, Part 6 of the PS Act apply per regulation 13(1)(e) of the PS Regulations – long service leave.</p> <p>Determinations of the CPSE, as with guidelines, apply by way of guidance and may be applied as policy in so far as is possible/appropriate.</p>
<p><b>Funds SA</b></p> <p>Established under the <i>Superannuation Funds Management Corporation of South Australia Act 1995</i>.</p> <p>See paragraph (e) of the definition of public sector agency in the PS Act.</p>	<p>Section 51 of Part 7 and Schedule 1, Part 6 of the PS Act apply per regulation 13(1)(e) of the PS Regulations – long service leave.</p> <p>CEO is appointed by the Governor. For other direct employment, determinations of the CPSE, as with guidelines, apply by way of guidance and may be applied as policy in so far as is possible/appropriate. Note the Corporation may be staffed by Public Service employees employed in an administrative unit but currently directly employs.</p>
<p><b>General Reserve Trust</b></p> <p>Established under the <i>National Parks and Wildlife Act 1972</i>.</p> <p>See paragraph (e) of the definition of public sector agency in the PS Act.</p>	<p>Section 51 of Part 7 and Schedule 1, Part 6 of the PS Act apply per regulation 13(1)(e) of the PS Regulations – long service leave.</p> <p>For any direct employment, determinations of the CPSE, as with guidelines, apply by way of guidance and may be applied as policy in so far as is possible/appropriate.</p>
<p><b>The Governor, Government House and the Governor’s Establishment</b></p> <p>See paragraph (e) of the definition of public sector agency in the PS Act.</p>	<p>Appointment of staff of Governor’s Establishment may be via <i>Constitution Act</i> or may be engaged in a public sector agency and made available to assist the Governor.</p>
<p><b>Health Advisory Councils (as incorporated)</b></p> <p>Established under the <i>Health Care Act 2008</i>.</p> <p>[*the Government announced intent to dissolve Councils in 2018 State Budget]</p> <p>See paragraph (e) of the definition of public sector agency in the PS Act.</p>	<p>Section 51 of Part 7 and Schedule 1, Part 6 of the PS Act apply per regulation 13(1)(e) of the PS Regulations – long service leave.</p> <p>For any direct employment, determinations of the CPSE, as with guidelines, apply by way of guidance and may be applied as policy in so far as is possible/appropriate. Councils are assisted by Public Service or other public sector employees employed in DHW.</p>

<p><b>Health and Community Services Complaints Commissioner</b></p> <p>Established under the <i>Health and Community Services Complaints Act 2004</i>.</p> <p>See paragraph (e) of the definition of public sector agency in the PS Act.</p>	<p>Section 51 of Part 7 and Schedule 1, Part 6 of the PS Act apply per regulation 13(1)(e) of the PS Regulations – long service leave.</p> <p>For any direct employment, determinations of the CPSE, as with guidelines, apply by way of guidance and may be applied as policy in so far as is possible/appropriate. The Commissioner is assisted by Public Service or other public sector employees employed in DHW.</p>
<p><b>Health Services Charitable Gifts Board</b></p> <p>Established under the <i>Health Services Charitable Gifts Act 2011</i>.</p> <p>See paragraph (f)(i) of the definition of public sector agency in the PS Act.</p>	<p>Section 51 of Part 7 and Schedule 1, Part 6 of the PS Act apply per regulation 13(1)(e) of the PS Regulations – long service leave.</p> <p>Determinations of the CPSE, as with guidelines, apply by way of guidance and may be applied as policy in so far as is possible/appropriate.</p>
<p><b>HomeStart Finance</b></p> <p>Established under the <i>Housing and Urban Development (Administrative Arrangements) (HomeStart Finance) Regulations 2007</i>.</p> <p>See paragraph (e) of the definition of public sector agency in the PS Act.</p>	<p>Section 51 of Part 7 and Schedule 1, Part 6 of the PS Act apply per regulation 13(1)(e) of the PS Regulations – long service leave.</p> <p>Determinations of the CPSE, as with guidelines, apply by way of guidance and may be applied as policy in so far as is possible/appropriate.</p>
<p><b>Incorporated Hospitals, or Local Health Networks, the:</b></p> <ul style="list-style-type: none"> <li>• Central Adelaide Local Health Network;</li> <li>• Country Health Local Health Network;</li> <li>• Northern Adelaide Local Health Network;</li> <li>• Southern Adelaide Local Health Network; and</li> <li>• South Australian Ambulance Service.</li> </ul> <p>Established under the <i>Health Care Act 2008</i>.</p> <p>See paragraph (e) of the definition of public sector agency in the PS Act.</p> <p>See also mention of the Department of Health and Wellbeing as an administrative unit and in respect of other employment under Part 7 of the PS Act within the agency (and involving employees performing duties in Local Health Networks).</p>	<p>Note, Governing Boards of Local Health Networks (LHNs) are the employing authority of only the chief executive officers of LHNs.</p> <p>The chief executive of DHW is the employing authority of all other employees employed under the <i>Health Care Act</i> and working in a LHN, including the South Australian Ambulance Service. This of course includes those cohorts employed under that Act whose employment is not covered by Part 7 of the PS Act (i.e. health professionals etc.).</p> <p>Section 51 of Part 7 and Schedule 1, Part 6 of the PS Act apply per regulation 13(1)(e) of the PS Regulations – long service leave.</p> <p>Determinations of the CPSE, as with guidelines, apply by way of guidance and may be applied as policy in so far as is possible/appropriate. In large part, determinations and guidelines of the CPSE are reflected in the SA Health (Health Care Act) Human Resources Manual.</p>

<p><b>Independent Commissioner Against Corruption and Office for Public Integrity</b></p> <p>Established by the <i>Independent Commissioner Against Corruption Act 2012</i>.</p> <p>See paragraph (e) of the definition of public sector agency in the PS Act.</p>	<p>Section 51 of Part 7 and Schedule 1, Part 6 of the PS Act apply per regulation 13(1)(e) of the PS Regulations – long service leave.</p> <p>Determinations of the CPSE, as with guidelines, apply by way of guidance and may be applied as policy in so far as is possible/appropriate.</p>
<p><b>The Industry Advocate</b></p> <p>Established under the <i>Industry Advocate Act 2017</i>.</p>	<p>Section 51 of Part 7 and Schedule 1, Part 6 of the PS Act apply per regulation 13(1)(e) of the PS Regulations – long service leave.</p> <p>For any direct employment, determinations of the CPSE, as with guidelines, apply by way of guidance and may be applied as policy in so far as is possible/appropriate. The Advocate is currently assisted by employees employed in the Department for Industries and Skills.</p>
<p><b>Jam Factory Craft and Design</b></p> <p>Established under the <i>Associations Incorporation Act 1985</i>.</p> <p>See paragraph (e) of the definition of public sector agency in the PS Act. Entity is established for a public purpose.</p>	<p>The entity and employees engaged in it are within the Federal industrial relations system.</p> <p>Section 51 of Part 7 and Schedule 1, Part 6 of the PS Act apply per regulation 13(1)(e) of the PS Regulations – long service leave.</p> <p>Determinations of the CPSE, as with guidelines, apply by way of guidance and may be applied as policy in so far as is possible/appropriate.</p>
<p><b>Natural Resources Management Boards</b></p> <p>Established under the <i>Natural Resources Management Act 2004</i>.</p> <p>See paragraph (f)(i) of the definition of public sector agency in the PS Act.</p>	<p>Section 51 of Part 7 and Schedule 1, Part 6 of the PS Act apply per regulation 13(1)(e) of the PS Regulations – long service leave.</p> <p>For any direct employment, determinations of the CPSE, as with guidelines, apply by way of guidance and may be applied as policy in so far as is possible/appropriate.</p> <p>Boards are currently staffed with Public Service Employees in the Department for Environment and Water.</p>
<p><b>The Ombudsman (and the Office of the Ombudsman)</b></p> <p>Established under the <i>Ombudsman Act 1972</i>.</p> <p>See paragraph (e) of the definition of public sector agency in the PS Act.</p>	<p>Section 51 of Part 7 and Schedule 1, Part 6 of the PS Act apply per regulation 13(1)(e) of the PS Regulations – long service leave.</p> <p>For any direct employment, determinations of the CPSE, as with guidelines, apply by way of guidance and may be applied as policy in so far as is possible/appropriate. The Office of the Ombudsman is currently staffed with Public Service Employees in the Attorney-General's Department.</p>

<p><b>The Phylloxera and Grape Industry Board of South Australia</b></p> <p>Established under the <i>Phylloxera and Grape Industry Act 1995</i>.</p> <p>See paragraph (f)(i) of the definition of public sector agency in the PS Act.</p>	<p>Section 51 of Part 7 and Schedule 1, Part 6 of the PS Act apply per regulation 13(1)(e) of the PS Regulations – long service leave.</p> <p>Determinations of the CPSE, as with guidelines, apply by way of guidance and may be applied as policy in so far as is possible/appropriate.</p>
<p><b>The Rail Commissioner</b></p> <p>Established under <i>Rail Commissioner Act 2009</i>.</p> <p>See paragraph (e) of the definition of public sector agency in the PS Act.</p>	<p>The Rail Commissioner and employees engaged by the Commissioner are in the Federal industrial relations system. The Commissioner is usually also the Chief Executive of the Department for Planning, Transport and Infrastructure (or like agency. Also usually is Commissioner of Highways).</p> <p>Section 51 of Part 7 and Schedule 1, Part 6 of the PS Act apply per regulation 13(1)(e) of the PS Regulations – long service leave.</p> <p>Determinations of the CPSE, as with guidelines, apply by way of guidance and may be applied as policy in so far as is possible/appropriate.</p>
<p><b>The Return to Work Corporation of South Australia</b></p> <p>Established under the <i>Return to Work Corporation of South Australia Act 1994</i>.</p> <p>See paragraph (f)(i) of the definition of public sector agency in the PS Act.</p>	<p>Section 51 of Part 7 and Schedule 1, Part 6 of the PS Act apply per regulation 13(1)(e) of the PS Regulations – long service leave.</p> <p>Determinations of the CPSE, as with guidelines, apply by way of guidance and may be applied as policy in so far as is possible/appropriate.</p>
<p><b>The SACE Board of South Australia</b></p> <p>Established under the <i>SACE Board of South Australia Act 1983</i>.</p> <p>See paragraph (f)(i) of the definition of public sector agency in the PS Act.</p>	<p>Section 51 of Part 7 and Schedule 1, Part 6 of the PS Act apply per regulation 13(1)(e) of the PS Regulations – long service leave.</p> <p>Determinations of the CPSE, as with guidelines, apply by way of guidance and may be applied as policy in so far as is possible/appropriate.</p>
<p><b>The Small Business Commissioner</b></p> <p>Established under the <i>Small Business Commissioner Act 2011</i>.</p> <p>See paragraph (e) of the definition of public sector agency in the PS Act.</p>	<p>Section 51 of Part 7 and Schedule 1, Part 6 of the PS Act apply per regulation 13(1)(e) of the PS Regulations – long service leave.</p> <p>For any direct employment, determinations of the CPSE, as with guidelines, apply by way of guidance and may be applied as policy in so far as is possible/appropriate. The Commissioner is currently staffed with Public Service employees in the Department of Industry and Skills.</p>



<p><b>The South Australian Government Finance Authority, (incorporating the South Australian Insurance Corporation and Fleet SA)</b></p> <p>Established under the <i>Government Finance Authority Act 1982</i>.</p> <p>See paragraph (e) of the definition of public sector agency in the PS Act.</p>	<p>Section 51 of Part 7 and Schedule 1, Part 6 of the PS Act apply per regulation 13(1)(e) of the PS Regulations – long service leave.</p> <p>For any direct employment, determinations of the CPSE, as with guidelines, apply by way of guidance and may be applied as policy in so far as is possible/appropriate. The agency is currently staffed with Public Service employees in the Department for Treasury and Finance.</p> <p>The Authority is constituted of the Under Treasurer.</p>
<p><b>South Australian Housing Trust</b></p> <p>Established by the <i>South Australian Housing Trust Act 1995</i>.</p> <p>See paragraph (e) of the definition of public sector agency in the PS Act.</p>	<p>Note: the Trust has a large cohort of employees covered by Part 7 of the PS Act by way of the content of proclamations of the Premier in the context of transfers of their employment under section 9(1) of the PS Act.</p> <p>Currently, the A/Chief Executive of the Trust is exercising prerogative power to engage employees on behalf of the Crown.</p> <p>For any employee whose employment is not covered by Part 7 of the PS Act:</p> <p>Section 51 of Part 7 and Schedule 1, Part 6 of the PS Act apply per regulation 13(1)(e) of the PS Regulations – long service leave. And,</p> <p>Determinations of the CPSE, as with guidelines, apply by way of guidance and may be applied as policy in so far as is possible/appropriate.</p>
<p><b>South Australian Multicultural and Ethnic Affairs Commission</b></p> <p>Established by the <i>South Australian Multicultural and Ethnic Affairs Commission Act 1980</i>.</p> <p>See paragraph (f)(i) of the definition of public sector agency in the PS Act.</p>	<p>Section 51 of Part 7 and Schedule 1, Part 6 of the PS Act apply per regulation 13(1)(e) of the PS Regulations – long service leave.</p> <p>For any direct employment, determinations of the CPSE, as with guidelines, apply by way of guidance and may be applied as policy in so far as is possible/appropriate. The Commission is currently staffed with Public Service employees in the Attorney-General's Department.</p>
<p><b>South Australia Police</b> (as a separate entity to the administrative unit, the South Australian Police Department. See above mention of the Department as an administrative unit).</p> <p>Established under the <i>Police Act 1998</i>.</p> <p>See paragraph (e) of the definition of public sector agency in the PS Act.</p>	<p>Commissioner of Police is employing authority of Police, Police Cadets engaged under the <i>Police Act</i>. Is also employing authority of Protective Security Officers engaged under the <i>Protective Security Act 2007</i>.</p> <p>Section 51 of Part 7 and Schedule 1, Part 6 of the PS Act apply per regulation 13(1)(e) of the PS Regulations – long service leave.</p> <p>Determinations of the CPSE, as with guidelines, apply by way of guidance and may be applied as policy in so far as is possible/appropriate.</p>

<p><b>South Australian Tourism Commission</b></p> <p>Established under the <i>South Australian Tourism Commission Act 1993</i>.</p> <p>See paragraph (f)(ii) of the definition of public sector agency in the PS Act.</p>	<p>Section 51 of Part 7 and Schedule 1, Part 6 of the PS Act apply per regulation 13(1)(e) of the PS Regulations – long service leave.</p> <p>Determinations of the CPSE, as with guidelines, apply by way of guidance and may be applied as policy in so far as is possible/appropriate.</p>
<p><b>South Australian Water Corporation (t/a SA Water)</b></p> <p>Established under the <i>South Australian Water Corporation Act 1994</i>.</p> <p>See paragraph (f)(i) of the definition of public sector agency in the PS Act.</p>	<p>The Corporation and employees engaged by its Chief Executive are in the Federal industrial relations system.</p> <p>Section 51 of Part 7 and Schedule 1, Part 6 of the PS Act apply per regulation 13(1)(e) of the PS Regulations – long service leave.</p> <p>Determinations of the CPSE, as with guidelines, apply by way of guidance and may be applied as policy in so far as is possible/appropriate.</p>
<p><b>State Lotteries Commission</b></p> <p>Established under the <i>State Lotteries Act 1966</i>.</p> <p>See paragraph (f)(ii) of the definition of public sector agency in the PS Act.</p>	<p>Section 51 of Part 7 and Schedule 1, Part 6 of the PS Act apply per regulation 13(1)(e) of the PS Regulations – long service leave.</p> <p>Determinations of the CPSE, as with guidelines, apply by way of guidance and may be applied as policy in so far as is possible/appropriate.</p>
<p><b>State Opera of South Australia</b></p> <p>Established under the <i>State Opera of South Australia Act 1976</i>.</p> <p>See paragraph (e) of the definition of public sector agency in the PS Act.</p>	<p>Section 51 of Part 7 and Schedule 1, Part 6 of the PS Act apply per regulation 13(1)(e) of the PS Regulations – long service leave.</p> <p>Determinations of the CPSE, as with guidelines, apply by way of guidance and may be applied as policy in so far as is possible/appropriate.</p>
<p><b>State Theatre Company of South Australia</b></p> <p>Established under the <i>State Theatre Company of South Australia Act 1972</i>.</p> <p>See paragraph (f)(i) of the definition of public sector agency in the PS Act.</p>	<p>Section 51 of Part 7 and Schedule 1, Part 6 of the PS Act apply per regulation 13(1)(e) of the PS Regulations – long service leave.</p> <p>Determinations of the CPSE, as with guidelines, apply by way of guidance and may be applied as policy in so far as is possible/appropriate.</p>
<p><b>StudyAdelaide</b></p> <p>Established under the <i>Public Corporations (StudyAdelaide) Regulations 2011</i>.</p> <p>See paragraph (f)(i) of the definition of public sector agency in the PS Act.</p>	<p>Section 51 of Part 7 and Schedule 1, Part 6 of the PS Act apply per regulation 13(1)(e) of the PS Regulations – long service leave.</p> <p>For any direct employment, determinations of the CPSE, as with guidelines, apply by way of guidance and may be applied as policy in so far as is possible/appropriate.</p>

<p><b>TAFE SA</b></p> <p>Established under the <i>TAFE SA Act 2012</i>.</p> <p>See paragraph (d) of the definition of public sector agency in the PS Act.</p>	<p>For employment in TAFE SA not covered by Part 7 of the PS Act (i.e. Lecturers and Hourly Paid Instructors), section 51 of Part 7 and Schedule 1, Part 6 of the PS Act apply per regulation 13(1)(e) of the PS Regulations – long service leave.</p> <p>Determinations of the CPSE, as with guidelines, apply by way of guidance and may be applied as policy in so far as is possible/appropriate.</p>
<p><b>Tandanya National Aboriginal Cultural Institute</b></p> <p>Established under the <i>Associations Incorporation Act 1985</i>.</p> <p>See paragraph (e) of the definition of public sector agency in the PS Act. Entity is established for a public purpose.</p>	<p>The entity and employment in it is within the Federal industrial relations system.</p> <p>Section 51 of Part 7 and Schedule 1, Part 6 of the PS Act apply per regulation 13(1)(e) of the PS Regulations – long service leave.</p> <p>Determinations of the CPSE, as with guidelines, apply by way of guidance and may be applied as policy in so far as is possible/appropriate.</p>
<p><b>Teachers Registration Board</b></p> <p>Established under the <i>Teachers Registration and Standards Act 2004</i>.</p> <p>See paragraph (f)(i) of the definition of public sector agency in the PS Act.</p>	<p>Section 51 of Part 7 and Schedule 1, Part 6 of the PS Act apply per regulation 13(1)(e) of the PS Regulations – long service leave.</p> <p>Determinations of the CPSE, as with guidelines, apply by way of guidance and may be applied as policy in so far as is possible/appropriate.</p>
<p><b>TechInSA</b></p> <p>Established under the <i>Public Corporations (TechInSA) Regulations 2016</i>.</p> <p>See paragraph (f)(i) of the definition of public sector agency in the PS Act.</p>	<p>Section 51 of Part 7 and Schedule 1, Part 6 of the PS Act apply per regulation 13(1)(e) of the PS Regulations – long service leave.</p> <p>Determinations of the CPSE, as with guidelines, apply by way of guidance and may be applied as policy in so far as is possible/appropriate.</p>
<p><b>Training Advocate</b></p> <p>Established under the <i>Training and Skills Development Act 2008</i>.</p> <p>See paragraph (f)(ii) of the definition of public sector agency in the PS Act.</p>	<p>Section 51 of Part 7 and Schedule 1, Part 6 of the PS Act apply per regulation 13(1)(e) of the PS Regulations – long service leave.</p> <p>For any direct employment, determinations of the CPSE, as with guidelines, apply by way of guidance and may be applied as policy in so far as is possible/appropriate. However, the agency is staffed by Public Servants in the Department of Industry and Skills.</p>
<p><b>Training and Skills Development Commission</b></p> <p>Established under the <i>Training and Skills Development Act 2008</i>.</p> <p>See paragraph (f)(ii) of the definition of public sector agency in the PS Act.</p>	<p>Act apply per regulation 13(1)(e) of the PS Regulations – long service leave.</p> <p>For any direct employment, determinations of the CPSE, as with guidelines, apply by way of guidance and may be applied as policy in so far as is possible/appropriate. However, the agency is staffed by Public Servants in the Department of Industry and Skills.</p>

<p><b>Urban Renewal Authority</b> (t/a Renewal SA)</p> <p>Established under the <i>Urban Renewal Act 1995</i>.</p> <p>See paragraph (e) of the definition of public sector agency in the PS Act.</p>	<p>Act apply per regulation 13(1)(e) of the PS Regulations – long service leave.</p> <p>For any employment to which Part 7 of the PS Act does not apply, determinations of the CPSE, as with guidelines, apply by way of guidance and may be applied as policy in so far as is possible/appropriate.</p>
<p><b>Weekly paid employment</b></p>	<p>A number of agencies engage persons as weekly paid employees. In DHW, such employees are engaged under the <i>Health Care Act</i>. In other agencies, it is pursuant to a prerogative power at common law.</p> <p>Unless an industrial instrument provides for long service leave entitlements, section 51 of Part 7 and Schedule 1, Part 6 of the PS Act apply per regulation 13(1)(e) of the PS Regulations – long service leave.</p> <p>Determinations of the CPSE, as with guidelines, apply by way of guidance and may be applied as policy in so far as is possible/appropriate. The document, Conditions of Employment for Weekly Paid Employment also applies.</p>
<p><b>West Beach Trust</b> (t/a Adelaide Shores)</p> <p>Established under the <i>West Beach Recreation Reserve Act 1987</i>.</p> <p>See paragraph (f)(ii) of the definition of public sector agency in the PS Act.</p>	<p>Section 51 of Part 7 and Schedule 1, Part 6 of the PS Act apply per regulation 13(1)(e) of the PS Regulations – long service leave.</p> <p>Determinations of the CPSE, as with guidelines, apply by way of guidance and may be applied as policy in so far as is possible/appropriate.</p>

CERTAIN OTHER PUBLIC SECTOR STATUTORY AUTHORITIES OR CORPORATIONS WITHOUT POWER AS EMPLOYMENT AUTHORITIES - AND REFERENCE TO PARTICULAR EMPLOYMENT COHORTS<sup>14</sup>

<p><b>Accident Towing Register</b></p> <p>Established under the <i>Motor Vehicles (Accident Towing Roster Scheme) Regulations 2015</i>.</p> <p>See paragraph (e) of the definition of public sector agency in the PS Act.</p>	<p>N/A</p>
<p><b>Adelaide Cemeteries Authority</b></p> <p>Established under the <i>Adelaide Cemeteries Authority Act 2001</i>.</p> <p>See paragraph (e) of the definition of public sector agency in the PS Act.</p>	<p>Employment is by an employing authority, currently the Chief Executive of the Department of Premier and Cabinet.</p> <p>Section 51 of Part 7 and Schedule 1, Part 6 of the PS Act apply per regulation 13(1)(e) of the PS Regulations – long service leave.</p> <p>Determinations of the CPSE, as with guidelines, apply by way of guidance and may be applied as policy in so far as is possible/appropriate.</p>
<p><b>Agent-General</b></p> <p>Established under the <i>Agent General Act 1901</i>.</p> <p>See paragraph (e) of the definition of public sector agency in the PS Act.</p>	<p>N/A</p>
<p><b>Animal Welfare Advisory Committee</b></p> <p>Established under the <i>Animal Welfare Act 1985</i>.</p> <p>See paragraph (e) of the definition of public sector agency in the PS Act.</p>	<p>N/A</p>
<p><b>Architectural Practice Board</b></p> <p>Established under the <i>Architectural Practices Act 2009</i>.</p> <p>See paragraph (f)(i) of the definition of public sector agency in the PS Act.</p>	<p>N/A</p>

<sup>14</sup> Note that where reference is made to the application of documents issued by the CPSE to employment that is direct employment in an employing authority, readers need to be aware that where such authorities are staffed with Public Service employees, all determinations and guidelines will apply (varied to the extent the application of Part 7 of the PS Act is varied, if that is the case).

<p><b>Catchment Water Management Boards</b></p> <p>Established under the <i>Water Resources Act 1997</i>.</p> <p>See paragraph (e) of the definition of public sector agency in the PS Act.</p>	<p>N/A</p>
<p><b>Central Inspection Authority</b></p> <p>Established under the <i>Road Traffic Act 1961</i>.</p> <p>See paragraph (e) of the definition of public sector agency in the PS Act.</p>	<p>N/A</p>
<p><b>Child Development Council</b></p> <p>Established under the <i>Children and Young People (Oversight and Advocacy Bodies) Act 2016</i>.</p> <p>See paragraph (e) of the definition of public sector agency in the PS Act.</p>	<p>Utilises Public Service employees employed in the Department for Child Protection.</p>
<p><b>Commissioner of Highways</b></p> <p>Established under the <i>Highways Act 1926</i>.</p> <p>See paragraph (e) of the definition of public sector agency in the PS Act.</p>	<p>Usually appointee is also in the role of Chief Executive of the Department for Planning, Transport and Infrastructure (or like agency. Is also usually Rail Commissioner).</p>
<p><b>Commissioner for Kangaroo Island</b></p> <p>Established under the <i>Commissioner for Kangaroo Island Act 2014</i>.</p> <p>[*Note the Government has stated an intent in the 2018 Budget to dissolve the agency].</p> <p>See paragraph (e) of the definition of public sector agency in the PS Act.</p>	<p>Staffed with Public Service employees employed in the Department of Planning, Transport and Infrastructure.</p> <p>Note the Commissioner may be a Public Service employee.</p>
<p><b>Principal and other Community Visitors</b></p> <p>Established under the <i>Mental Health Act 2009</i>.</p> <p>See paragraph (e) of the definition of public sector agency in the PS Act.</p>	<p>N/A</p>

<p><b>Commissioner of State Taxation</b></p> <p>Established under the <i>Taxation Administration Act 2017</i>.</p> <p>See paragraph (e) of the definition of public sector agency in the PS Act.</p>	<p>Is also a Public Service employee employed in the Department of Treasury and Finance. Is assisted by Public Service employees in that agency also.</p>
<p><b>Commissioner for Victims of Crime and Victims of Crime Advisory Committee</b></p> <p>Established under the <i>Victims of Crime Act 2001</i>.</p> <p>See paragraph (e) of the definition of public sector agency in the PS Act.</p>	<p>The statutory officer and any Committee assisted by Public Service employees employed in the Attorney-General's Department.</p>
<p><b>Construction Industry Long Service Board</b></p> <p>Established under the <i>Construction Industry Long Service Leave Act 1987</i>.</p> <p>See paragraph (f) of the definition of public sector agency in the PS Act.</p>	<p>N/A</p>
<p><b>Controlled Substances Advisory Council</b></p> <p>Established under the <i>Controlled Substances Act 1984</i>.</p> <p>See paragraph (e) of the definition of public sector agency in the PS Act.</p>	<p>N/A</p>
<p><b>Director of Mines and Mining Registers</b></p> <p>Established under the <i>Mining Act 1971</i>.</p> <p>See paragraph (e) of the definition of public sector agency in the PS Act.</p>	<p>Public Service employees in Department for Energy and Mining.</p>
<p><b>Director of Public Prosecutions</b></p> <p>Established under the <i>Director of Public Prosecutions Act 1991</i>.</p> <p>See paragraph (e) of the definition of public sector agency in the PS Act.</p>	<p>Employees assisting the Director, in the Office for the Director of Public Prosecutions, are Public Service employees employed in the Attorney-General's Department.</p>

<p><b>Economic Development Board</b></p> <p>Established under the <i>Economic Development Act 1993</i>.</p> <p>See paragraph (f)(ii) of the definition of public sector agency in the PS Act.</p>	<p>N/A</p>
<p><b>Electoral Commissioner</b></p> <p>Established under the <i>Electoral Act 1985</i>.</p> <p>See paragraph (e) of the definition of public sector agency in the PS Act.</p>	<p>Officer is also Chief Executive of the Electoral Commission. As indicated, the Commission is an administrative unit.</p>
<p><b>Electricity Supply Industry Planning Council</b></p> <p>Established under the <i>Electricity Act 1996</i>.</p> <p>See paragraph (e) of the definition of public sector agency in the PS Act.</p>	<p>N/A</p>
<p><b>Employment in an Employment Opportunity Program</b> under section 65 of the PS Act</p> <ul style="list-style-type: none"> <li>• Aboriginal Employment Program;</li> <li>• Disability Employment Program;</li> <li>• Work Visas; and</li> <li>• Traineeships, Cadetships, Apprenticeships and Graduate Employment.</li> </ul>	<p>Part 7 applied per employment contract and thus determinations of the CPSE have application by this means also.</p>
<p><b>Employment under sections 71 and 72 of the PS Act</b></p> <ul style="list-style-type: none"> <li>• Ministerial staff and other special staff including being staff of a Member of Parliament.</li> </ul>	<p>Section 51 of Part 7 and Schedule 1, Part 6 of the PS Act apply per regulation 13(1)(e) of the PS Regulations – long service leave.</p> <p>Determinations of the CPSE, as with guidelines, apply by way of guidance and may be applied as policy in so far as is possible/appropriate.</p>
<p><b>Environment Protection Authority</b></p> <p>Established under the <i>Environment Protection Act 1993</i> (EP Act).</p> <p>See paragraph (f)(i) of the definition of public sector agency in the PS Act.</p>	<p>As indicated, agency is also an administrative unit and thus employees Public Service Employees. Chief Executive had Board have powers and functions under the EP Act.</p>



<p><b>Equal Opportunity Commission</b></p> <p>Established under the <i>Equal Opportunity Act 1985</i>.</p> <p>See paragraph (e) of the definition of public sector agency in the PS Act.</p>	<p>The Act establishes the Commissioner for Equal Opportunity as a statutory office. The Office is staffed by Public Service employees employed in the Attorney-General's Department.</p>
<p><b>History Trust of South Australia</b></p> <p>Established under the <i>History Trust of South Australia Act 1981</i>.</p> <p>See paragraph (f)(i) of the definition of public sector agency in the PS Act.</p>	<p>Note that employment is by an employing authority, as per proclamation published in the Government Gazette. This is and has been the chief executive of an administrative unit, currently, DPC.</p>
<p><b>Joint Parliamentary Services Committee and persons engaged as employees by the Committee on behalf of the Crown</b></p> <p>Established under the <i>Parliament (Joint Services) Act 1985</i>.</p> <p>See paragraph (e) of the definition of public sector agency in the PS Act.</p>	<p>This is a nuanced instrumentality the CPSE has no role in respect of.</p>
<p><b>Liquor and Gambling Commissioner</b></p> <p>Established under the <i>Liquor Licencing Act 1997</i>.</p> <p>See paragraph (e) of the definition of public sector agency in the PS Act.</p>	<p>Is a Public Servant employed in the Attorney-General's Department and is assisted by other Public Servants in that agency.</p>
<p><b>Marine Parks Council</b></p> <p>Established under the <i>Marine Parks Act 2007</i>.</p> <p>See paragraph (e) of the definition of public sector agency in the PS Act.</p>	<p>N/A</p>
<p><b>Native Vegetation Council</b></p> <p>Established under the <i>Native Vegetation Act 1991</i>.</p> <p>See paragraph (e) of the definition of public sector agency in the PS Act.</p>	<p>Secretary and staff assisting Council are Public Service employees employed in the Department for Environment and Water.</p>
<p><b>Office for the Ageing</b></p>	<p>Director and staff are Public Service employees employed in the DHW.</p>

<p>Established under the <i>Office for the Ageing Act 1995</i>.</p> <p>See paragraph (e) of the definition of public sector agency in the PS Act.</p>	
<p><b>Outback Communities Authority</b></p> <p>Established under the <i>Outback Communities (Administration and Management) Act 2009</i>.</p> <p>See paragraph (e) of the definition of public sector agency in the PS Act.</p>	N/A
<p><b>Parole Board</b></p> <p>Established under the <i>Correctional Services Act 1982</i>.</p> <p>See paragraph (e) of the definition of public sector agency in the PS Act.</p>	N/A
<p><b>Passenger Transport Standards Committee</b></p> <p>Established under <i>Passenger Transport Act 1994</i>.</p> <p>See paragraph (e) of the definition of public sector agency in the PS Act.</p>	N/A
<p><b>Premier's Climate Change Council</b></p> <p>Established under the <i>Climate Change and Greenhouse Emissions Reduction Act 2007</i>.</p> <p>See paragraph (e) of public sector agency in the definition of the PS Act.</p>	N/A
<p><b>Privacy Committee</b></p> <p>Established by Cabinet by proclamation.</p> <p>See paragraph (e) of the definition of public sector agency in the PS Act.</p>	Members are Public Service employees.
<p><b>Public Advocate</b></p> <p>Established under the <i>Guardianship and Administration Act 1993</i>.</p> <p>See paragraph (e) of the definition of public sector agency in the PS Act.</p>	N/A

<p><b>Registrar of Motor Vehicles</b></p> <p>Established under the <i>Motor Vehicles Act 1959</i>.</p> <p>See paragraph (e) of the definition of public sector agency in the PS Act.</p>	<p>Is a Public Service employee and assisted by Public Service employees in the Department for Planning, Transport and Infrastructure.</p>
<p><b>Solicitor-General</b></p> <p>Established under the <i>Solicitor-General Act 1972</i>.</p> <p>See paragraph (e) of public sector agency in the definition of the PS Act.</p>	<p>The public officer is assisted by solicitors employed as Public Servants in the Attorney-General's Department.</p>
<p><b>South Australian Classification Council</b></p> <p>Established under the <i>Classifications (Publications, Films and Computer Games) Act 1995</i>.</p> <p>See paragraph (e) of the definition of public sector agency in the PS Act.</p>	<p>Administrative support provided by Public Service employees in the Attorney-General's Department.</p>
<p><b>South Australian Country Arts Trust</b></p> <p>Established under the <i>South Australian Country Arts Trust Act 1992</i>.</p> <p>See paragraph (f)(i) of the definition of public sector agency in the PS Act.</p>	<p>Note that employment is by an employing authority, as per proclamation published in the Government Gazette. This is and has been the chief executive of an administrative unit, currently, DPC.</p>
<p><b>South Australian Film Corporation</b></p> <p>Established under the <i>South Australian Film Corporation Act 1972</i>.</p> <p>See paragraph (f)(i) of the definition of public sector agency in the PS Act.</p>	<p>Note that employment is by an employing authority, as per proclamation published in the Government Gazette. This is and has been the chief executive of an administrative unit, currently, the Department for Industry and Skills.</p>
<p><b>Libraries Board of South Australia</b></p> <p>Established under the <i>Libraries Act 1982</i>.</p> <p>See paragraph (f)(i) of the definition of public sector agency in the PS Act.</p>	<p>Staffed by Public Service employed in the Department for Industry and Skills.</p>

<p><b>South Australian Museum</b></p> <p>Established under the <i>South Australian Museums Act 1976</i>.</p> <p>See paragraph (f)(i) of the definition of public sector agency in the PS Act.</p>	<p>Staffed by Public Service employees employed in the Department for Industry and Skills.</p>
<p><b>South Australian Superannuation Board</b></p> <p>Established under the <i>Superannuation Act 1988</i>.</p> <p>See paragraph (f)(i) of the definition of public sector agency in the PS Act.</p>	<p>N/A</p>
<p><b>State Procurement Board</b></p> <p>Established under the <i>State Procurement Act 2004</i>.</p> <p>See paragraph (f)(i) of the definition of public sector agency in the PS Act.</p>	<p>N/A</p>
<p><b>Technical Regulator</b></p> <p>Established under the <i>Electricity Act 1996</i>.</p> <p>See paragraph (e) of the definition of the PS Act.</p>	<p>May be held in conjunction with employment in the Public Service.</p>
<p><b>Committees established under the Urban Renewal Act 1995</b></p> <p>See paragraph (e) of the definition of public sector agency in the PS Act.</p>	<p>N/A</p>
<p><b>Valuer-General</b></p> <p>Established under the <i>Valuation of Land Act 1971</i>.</p> <p>See paragraph (e) of the definition of public sector agency in the PS Act.</p>	<p>Is a Public Service employee.</p>
<p><b>Wilderness Council</b></p> <p>Established under the <i>Wilderness Protection Act 1992</i>.</p> <p>See paragraph (e) of the definition of</p>	<p>N/A</p>

public sector agency in the PS Act.	
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Disclaimer: whilst considerable effort has been applied to ensure the information in this document is accurate within its stated parameters, no guarantee is given it is exhaustive. It is not a substitute for specialised advice.

If you have a query arising from this document or would like to suggest amendment/addition to it, please send an email to [PublicSectorHR@sa.gov.au](mailto:PublicSectorHR@sa.gov.au)

As indicated, this list is populated with regard to the functions of the OCPSE. Various other lists are maintained throughout the sector, all for different, specific purposes.