

Legislative Council—No 63

As introduced and read a first time, 9 September 2020

South Australia

**Public Sector (Annual Public Meeting)
Amendment Bill 2020**

A BILL FOR

An Act to amend the *Public Sector Act 2009*.

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The Parliament of South Australia enacts as follows:

Part 1—Preliminary

1—Short title

This Act may be cited as the *Public Sector (Annual Public Meeting) Amendment Act 2020*.

2—Amendment provisions

In this Act, a provision under a heading referring to the amendment of a specified Act amends the Act so specified.

Part 2—Amendment of *Public Sector Act 2009*

3—Insertion of section 12A

After section 12 insert:

12A—Agencies to hold annual public meeting

- (1) Each public sector agency must, once in each year (or with such greater frequency as the public sector agency may determine) in connection with the report required to be presented by the agency under section 12, hold a meeting (an *annual public meeting*) that must comply with the requirements—
 - (a) set out in this section; and
 - (b) prescribed by the regulations (if any); and
 - (c) of any circular issued by the Department of the Premier and Cabinet for the purposes of this section.
- (2) An annual public meeting must be held no later than 6 months after the end of the financial year to which the report required under section 12 relates, but no earlier than 1 month after that report has been submitted to the agency's Minister in accordance with that section.

- (3) A public sector agency must, at least 14 days before holding its annual public meeting, publish a notice in the Gazette and on a publicly accessible website determined by the agency that sets out the following:
- 5 (a) the date and time of the annual public meeting;
- (b) if the meeting is to be held in person—the name and address of the place at which the meeting will be held;
- (c) if the meeting is to be held by telephone or other electronic means—the manner in which a person may attend and participate in the meeting;
- 10 (d) any other relevant matters.
- (4) An annual public meeting of an agency must be attended by the principal officer of the agency.
- (5) An annual public meeting of an agency must be conducted in a manner that ensures that—
- 15 (a) members of the public have a reasonable opportunity to ask questions, express views and obtain information about the report required to be presented by the agency under section 12 in respect of the financial year to which the report relates; and
- 20 (b) questions asked at a meeting are answered by the agency—
- (i) if possible—in reasonable detail at the meeting; or
- (ii) to the extent that compliance with subparagraph (i) is not possible—within 28 days after the annual public meeting—
- 25 (A) by providing detailed written answers to the person who asked the questions by post or email to an address provided by the person for that purpose; and
- 30 (B) by publishing all detailed written answers on a publicly accessible website determined by the agency.
- (6) In this section—
- principal officer***, in relation to an agency, means—
- 35 (a) if the agency consists of a single person (including a corporation sole but not any other body corporate)—that person; or
- (b) if the agency consists of an unincorporated board or committee—the presiding officer; or
- 40 (c) in any other case—the chief executive officer of the agency or a person designated by the regulations as principal officer of the agency.