

**Senate Standing Committee on Education Employment and Workplace
Relations**

**QUESTIONS ON NOTICE
Additional Estimates 2011-2012**

Outcome 5 - Workplace Relations & Economic Strategy

DEEWR Question No. EW0898_12

Senator Abetz provided in writing.

Question

Appointments and Vacancies

Reference is made to the Department's list of appointments and vacancies tabled on 20 February 2012. 1. The acting General Manager started her appointment on 8 December 2011. a. When did the General Manager vacate the position? b. Why did it take so long to appoint an acting General Manager? c. Who was the acting General Manager in the interim? 2. The acting General Manager is due to end her appointment on 7 September 2012. a. Why is this such a long acting role? b. When is it anticipated that a new General Manager will be appointed?

Answer

Ms Bernadette O'Neill was initially appointed as acting General Manager from 8 September 2011 for a term of three months following the resignation of the former General Manager with effect from 7 September 2011. She was further appointed as acting General Manager from 8 December 2011 for a period of nine months or until a substantive appointment was made, whichever was sooner. These appointments were made in accordance with the *Acts Interpretation Act 1901* which provides a maximum period of twelve months for such acting appointments to a vacant office.

The cumulative term of up to 12 months acting was to provide time for a merit-based selection process to be undertaken. However, given that Ms O'Neill was appointed by the Governor-General in Executive Council as General Manager of Fair Work Australia on 24 February 2012 following the merit-based selection process, her acting period was only five and a half months in total.