



**Government  
of South Australia**

TRS19D1113

Hon Stephen Mullighan MP  
Member for Lee  
Unit 1, 62 Semaphore Road  
SEMAPHORE SA 5019

[lee@parliament.sa.gov.au](mailto:lee@parliament.sa.gov.au)

**Treasurer**  
Level 8  
State Administration Centre  
200 Victoria Square  
Adelaide SA 5000  
GPO Box 2264  
Adelaide SA 5001  
DX 56203 Victoria Square  
Tel 08 8226 1866  
[treasurer.dtf@sa.gov.au](mailto:treasurer.dtf@sa.gov.au)

  
Dear Mr Mullighan

**APPLICATION UNDER THE *FREEDOM OF INFORMATION ACT 1991***

I refer to your applications made under the *Freedom of Information Act 1991* (FOI Act), dated 9 May 2019.

Your application seeks access to:

*"All minutes, briefings and correspondence titled 'Assistants to Members of the South Australian Parliament – Eligibility to Apply for Public Sector Positions' as described on the Objective document management system, between 12 July 2018 and 9 May 2019."*

The legislative prescribed timeframe to determine this application has expired and is now deemed to have refused you access to all documents relevant to your application. I refer to my letter dated 26 May 2019 where I sought additional time to make my determination.

The purpose of this letter is to advise you of my determination. An extensive search was conducted within this office. A total of 1 document was identified as answering the terms of your application

I grant you access in full to 1 document; a copy of which is enclosed.

Please note, in compliance with Premier and Cabinet Circular PC045 - *Disclosure Logs for Non-Personal Information Released through Freedom of Information* (PC045), the Department of Treasury and Finance is now required to publish a log of all non-personal information released under the *Freedom of Information Act 1991*.

In accordance with this Circular, any non-personal information determined for release as part of this application, may be published on the DTF website. A copy of PC045 can be found at the following address: <http://dpc.sa.gov.au/what-we-do/services-for-government/premier-and-cabinet-circulars>. Please visit the website for further information.

As I am determining this application as Principal Officer, Section 29(6) of the Act does not provide for an internal review. If you are dissatisfied with my determination you are entitled to exercise your rights of external review with the Ombudsman.

Alternatively, you can apply to the South Australian Civil and Administrative Tribunal. If you wish to seek a review, Section 39(3) of the Act states you must do so within 30 calendar days of receiving the determination.

If you require any further information, please contact Vicky Cathro on 8226 9769.

Yours sincerely

A handwritten signature in black ink, appearing to read "Rob Lucas".

**Hon Rob Lucas MLC**  
*Principal Officer*

15 June 2019

MINUTE

MINUTE'S OFFICE

19/12/18

File No: T18/038

Physical ID: TRS18D2665



MINUTES forming ENCLOSURE

File ES16/0301

Doc No ES18D0417

To The Treasurer

Through: A/Executive Director, Organisation and Governance 13/12/18

**ASSISTANTS TO MEMBERS OF THE SOUTH AUSTRALIAN PARLIAMENT –  
ELIGIBILITY TO APPLY FOR PUBLIC SECTOR POSITIONS**

Timing: ROUTINE — For consideration

**Recommendations/Issues:** It is recommended that you:

- Sign the attached letter to Ms Erma Ranieri, Commissioner for Public Sector Employment requesting staff to Members of the South Australian Parliament whose employment ceases due to the resignation of the Honourable Jay Weatherill MP and the Honourable John Rau MP, be granted temporary access to apply for public sector positions advertised on the 'I Work for SA' website for a period of 15 months from the date their employment ceases.

Approved / Not-Approved

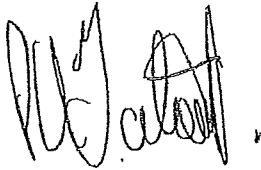
Hon Rob Lucas MLC  
Treasurer

6/1/19

**Key Points:**

- To seek temporary employment status for staff engaged to support Members of the South Australian Parliament whose positions are terminated due to resignation of their Member. Your approval is sought in line with the provisions previously granted to Assistants when a Member of the South Australian Parliament resigns. The terminations are in accordance with the *Assistants to the Members of the South Australian Parliament Enterprise Agreement 2016*, clause 20.8.
- It has been past practice that Assistants to the Members of the South Australian Parliament who have had their employment terminated due to the resignation of their Member, have been granted temporary access to apply for public sector positions advertised in the 'Notice of Vacancies' for a period of 15 months from their last working day.

- Assistants are public sector employees engaged under section 72 of the *Public Sector Act 2009* but not public servants. They are not eligible to apply for public sector positions other than those advertised externally, during the normal course of their employment.
- The Commissioner for Public Sector Employment has the discretion to grant a temporary exemption to allow Assistants who have had their employment terminated through no fault of their own, following an election, the Member's death or resignation, access to apply for these positions. The attached letter to the Commissioner requests that this exemption be extended to all staff whose employment is terminated due to resignation.
- The Assistants will not be guaranteed positions via this process. They must apply through the same competitive selection procedure as other public sector employees.
- A draft letter to the Commissioner for Public Sector Employment is attached for your consideration.



Paul Tatarelli  
MANAGER, ELECTORATE SERVICES

12 December 2018

Contact Officer:	Paul Tatarelli
Telephone:	822 62995
Email address:	Paul.Tatarelli@sa.gov.au

Attachments:

- *Letter to the Commissioner for Public Employment*

The Hon Rob Lucas MLC



**Government  
of South Australia**

TRS18D2665

Ms Erma Ranieri  
Commissioner for Public Sector Employment  
SAC Building  
Level 16  
200 Victoria Square  
ADELAIDE SA 5000

Treasurer  
Level 8  
State Administration Centre  
200 Victoria Square  
Adelaide SA 5000  
GPO Box 2264  
Adelaide SA 5001  
DX 56203 Victoria Square  
Tel 08 8226 1866  
treasurer.dtf@sa.gov.au

[erma.ranieri@sa.gov.au](mailto:erma.ranieri@sa.gov.au)

  
Dear Commissioner

I write to you seeking temporary employment status for Electorate Office Assistants to Members of Parliament who have recently retired, the Honourable Jay Weatherill MP and the Honourable John Rau MP.

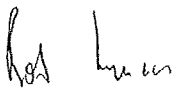
Staff to Members of the South Australian Parliament are engaged under Section 72 of the *Public Sector Act 2009*. They are considered Public Sector employees but are only able to apply for positions which are advertised externally. It has been past practice that staff to Members of Parliament who have had their employment terminated due to the resignation of the Member, have been granted temporary access to apply for Public Service roles for a period of 15 months from their last working day.

Accordingly, your approval is now sought to provide temporary access to apply for Public Service roles for staff to Members of Parliament whose employment is terminated through no fault of their own.

Temporary access to public service roles would not guarantee them a role and they would be required to apply through the same merit based selection process as all other public sector employees.

Should any further information be required in relation to this matter, please contact Mr Paul Tatarelli, Manager Electorate Services, Department of Treasury and Finance on telephone 8226 2995.

Yours sincerely



**Hon Rob Lucas MLC**  
Treasurer

1 January 2019