on. The Treasurer is right in saying that there is an inconsistency there. I suppose this fixes up the inconsistency. Is the government giving any consideration to precluding the lump-sum payment ability, or is that not possible without legislation?

Mr REED: Mr Chairman, with due respect, it is a nonsensical question. If we were considering that, this amendment would not be before us for discussion at this point. My objective in bringing this to the attention of the Leader of the Opposition was that, if she was of the view that this was unclear or created an advantage that she believed members should not have, she would have been more sincere and looked at other options and suggested that both forms of access to superannuation payments should be halted rather than just arguing against this one.

I think that for the honourable member to say as she did that both she and the Chief Minister favour pensions, thus assuming that all other members would likewise favour a pension, is rather high-handed. She does not think others should have a choice. The government is prepared to give members a choice as to whether they take a lump-sum payout or a pension. Further, in the case of members who retire from this House and then decide to stand for election to another, rather than an entitlement only to a lump-sum payout, they should have both options available to them – that is, the pension as well. That is the intent of this bill, and if the Leader of the Opposition is so minded as to oppose it, she should have been more futuristic and visionary in her opposition.

Amendment agreed to.

Bill, as amended, agreed to.

Supreme Court (Judges Pensions) Amendment Bill (Serial 59):

Bill, by leave, taken as a whole and agreed to.

Superannuation Amendment Bill (Serial 60):

Bill, by leave, taken as a whole and agreed to.

Superannuation Guarantee (Safety Net) Amendment Bill (Serial 61):

Bill, by leave, taken as a whole and agreed to.

Bills reported; report adopted.

Mr REED (Treasurer): Madam Speaker, I move that the bills be now read a third time.

Motion agreed to; bills read a third time.

DISCHARGE OF BUSINESS FROM NOTICE PAPER

Mr COULTER (Leader of Government Business): Madam Speaker, I move that the *Mental Health and Related Services Bill* (Serial 39) be discharged from the Notice Paper.

Motion agreed to.

PUBLIC SECTOR EMPLOYMENT AND MANAGEMENT AMENDMENT BILL (Serial 69)

Continued from 29 April 1998.

Mr STIRLING (Nhulunbuy): Madam Speaker, the minister in his second-reading speech commented that this act was passed in 1993. The minister responsible was then, as he is now, the Attorney-General, and I was also his shadow then. The act has worked well in those 5 years. The minister pointed out that the amendments before us today have largely arisen from a review carried out over the past 18 months.

I had discussions with the secretary of the Community and Public Sector Union, Janet Crews, the secretary of the Liquor, Hospitality and Miscellaneous Workers Union, Rob Hitchcock, the secretary of the Australian Nurses Federation, John Haines, and the secretary of the Australian Education Union, Mark Crossin, on the proposed changes and I thank them for their input. Mr Nelson from the Leader of the Opposition's office and I also attended a pretty comprehensive briefing with the commissioner. A number of concerns that I had were laid to rest and I thank him for his time and for putting me straight.

The minister further explained that the amendments were minor. I think that is true of most of them, but there are a couple which I believe do carry more significance in how the public sector is managed. I go to clause 7, amending section 30 of the act which deals with the procedure for filling vacancies within the public sector. I would describe that as more than minor.

At present, where duties are to be performed for more than 6 months, the CEO under subsection (1)(a) 'shall advertise for applications from persons and employees who wish to be appointed, promoted or transferred to perform the duties', or under (1)(b) 'may with the approval of the commissioner select without advertising an employee who satisfies the requirements of section 31'.

Clause 7 amends section 30(1)(b) by inserting 'a person or' before 'employee', which gives the CEO