

PS301*

Public Sector Management Act 1994

Public Sector Management (General) Amendment Regulations (No. 2) 2012

Made by the Governor in Executive Council.

1. Citation

These regulations are the *Public Sector Management (General) Amendment Regulations (No. 2) 2012*.

2. Commencement

These regulations come into operation as follows —

- (a) regulations 1 and 2 — on the day on which these regulations are published in the *Gazette*;
- (b) the rest of the regulations — on the day after that day.

3. Regulations amended

These regulations amend the *Public Sector Management (General) Regulations 1994*.

4. Regulation 8A amended

- (1) In regulation 8A(1) delete the definition of *class*.
- (2) In regulation 8A(1) insert in alphabetical order:

PSC class, in relation to a non-SAT CEO, means the classification of the officer determined under a classification system specified in a Commissioner's instruction;

SAT CEO means a chief executive officer whose office is a SAT office;

SAT class means a salary band classification determined by the Tribunal in relation to SAT office-holders who are CEOs;

- (3) In regulation 8A(3):
 - (a) delete “subregulations (6), (8) and (9),” and insert:

subregulations (6) and (8), the salary component of
 - (b) before “class referred to” insert:

PSC
 - (c) delete “the remuneration determined by the Tribunal to be paid to a SAT office-holder at a salary point, as described by the Tribunal, specified in Column 2.” and insert:

the upper limit of the salary range specified by the Tribunal for the corresponding SAT class indicated in Column 2.

- (d) delete the Table and insert:

Table	
Column 1	Column 2
Below Class 1	Band 4
Class 1 or Band 4	Band 4
Class 2 or Band 4	Band 4
Class 3 or Band 3	Band 3
Class 4 or Band 3	Band 3
Band 2	Band 2
Band 1	Band 1

- (4) Delete regulations 8A(4) and (5) and insert:
- (4) Subject to subregulations (6) and (8), each non-salary component of the remuneration to be accorded a non-SAT CEO in receipt of a salary component of a given amount is not to exceed in value the corresponding non-salary component which might be accorded a SAT CEO in receipt of a salary component of that amount.
- (5) In regulation 8A(7) —
- (a) delete “Subregulations (8) and (9) apply” and insert:
- Subregulation (8) applies
- (b) delete “in a SAT office as a chief executive officer” and insert:
- as a SAT CEO
- (6) Delete regulation 8A(8) and (9) and insert:
- (8) If a person is a person to whom this subregulation applies, for the purpose of section 57(1)(b) of the Act, under a contract of employment entered into between the person and an employing authority —
- (a) the salary component of remuneration to be accorded the person must not exceed the upper limit of the salary range specified by the Tribunal for the SAT class to which the person’s SAT office was assigned immediately before the person ceased to hold the SAT office; and

- (b) each non-salary component of remuneration to be accorded the person is not to exceed in value the corresponding non-salary component which might be accorded a SAT CEO in receipt of a salary component of the same amount as the salary component which the person receives.
- (9) If a determination of the Tribunal is revoked or amended in such a way that the SAT classes referred to in subregulation (3) or their salary ranges can no longer be identified, salary components of remuneration may continue to be accorded under this regulation as if the SAT determination were still in force on the terms in operation immediately before revocation or amendment.
- (10) If a determination of the Tribunal is revoked or amended in such a way that a non-salary component of remuneration which may be accorded a SAT CEO in receipt of a given salary component can no longer be identified, the corresponding non-salary component of remuneration may continue to be accorded under this regulation as if the SAT determination were still in force on the terms in operation immediately before revocation or amendment.

By Command of the Governor,

R. KENNEDY, Clerk of the Executive Council.