
PUBLIC SECTOR MANAGEMENT

PS301*

Public Sector Management Act 1994

**Public Sector Management (General)
Amendment Regulations 1999**

Made by the Governor in Executive Council.

1. Citation

These regulations may be cited as the *Public Sector Management (General) Amendment Regulations 1999*.

2. Regulations amended

The amendments in these regulations are to the *Public Sector Management (General) Regulations 1994**.

[* Reprinted as at 18 December 1997.]

3. Regulation 5 amended

Regulation 5(ba) is deleted.

4. Regulation 8A inserted

After regulation 8 the following regulation is inserted —

“

8A. Prescribed arrangements for purposes of section 57(1)(b) of Act in relation to CEOs

(1) In this regulation —

“**class**”, in relation to a non-SAT CEO, means the classification of the officer determined by the Minister under a classification system approved by the Minister under section 3(2) of the Act;

“**non-SAT CEO**” means a chief executive officer whose office is not a section 6(1) office;

“**SAT office**” means an office referred to in section 6(1)(d) or (e) of the *Salaries and Allowances Act 1975*;

“**Tribunal**” means the Salaries and Allowances Tribunal established by the *Salaries and Allowances Act 1975*.

- (2) For the purposes of section 57(1)(b) of the Act, the remuneration to be accorded a non-SAT CEO under a contract of employment between the CEO and the CEO’s employing authority must be in accordance with this regulation.
- (3) The remuneration to be accorded a non-SAT CEO of a class referred to in Column 1 of the Table to this subregulation must not exceed 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.

Table

Column 1	Column 2
Below class 1	Group 1 minimum
Class 1	Group 1 minimum
Class 2	Group 1 maximum
Class 3	Group 2 minimum
Class 4	Group 2 maximum

- (4) If the remuneration to be paid to the SAT office-holder referred to in subregulation (3) consists of more than one component, then each component of the remuneration to be accorded the non-SAT CEO must not exceed the corresponding component of the remuneration to be paid to the holder of the SAT office.
- (5) If a determination of the Tribunal that is in force provides that the SAT office-holder referred to in subregulation (3) is to be paid an allowance if the holder’s performance in the office meets eligibility conditions determined by the Tribunal (“**personal merit allowance**”), then, unless the CEO’s remuneration includes an allowance under subregulation (6), the remuneration to be accorded the non-SAT CEO may include an allowance, not exceeding that personal merit allowance, to be paid if the non-SAT CEO’s employing authority is satisfied that the CEO meets similar conditions.
- (6) If the CEO’s employing authority is satisfied that the remuneration otherwise payable under this regulation (“**SX**”) would be insufficient in order to recruit or

retain a person as a particular non-SAT CEO because it is less than the remuneration that the employing authority is satisfied would be payable to a person were he or she to be employed outside the Public Sector to perform similar functions to those of that particular non-SAT CEO (“\$Y”), then the remuneration to be accorded that non-SAT CEO may include an allowance that does not exceed the amount by which \$Y exceeds \$X.

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5. Regulation 24 amended

Regulation 24(2) is repealed and the following subregulation is inserted instead —

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- (2) For the purposes of the management of the Public Sector, compensatory loadings or allowances payable for loss or absence of indefinite tenure of offices, posts or other employment in the Public Sector, other than —
- (a) offices referred to in section 6(1)(d) and (e) of the *Salaries and Allowances Act 1975*; and
 - (b) offices of non-SAT CEOs, as defined in regulation 8A,

are prescribed matters for the purposes of section 99(c) of the Act.

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By Command of the Governor,

M. C. WAUCHOPE, Clerk of the Executive Council.
