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**SALARIES AND ALLOWANCES ACT 1975**

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**DETERMINATIONS OF THE  
SALARIES AND ALLOWANCES  
TRIBUNAL**

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**16 DECEMBER 1998**



## WESTERN AUSTRALIA

**SALARIES AND ALLOWANCES ACT 1975**DETERMINATION  
OF THE  
SALARIES AND ALLOWANCES TRIBUNAL

16 December 1998

## MEMBERS OF PARLIAMENT

Whilst this determination provides no change for Members of Parliament, it is appropriate to provide an update on parliamentary superannuation.

The "Report on Parliamentary and Judicial Superannuation Arrangements in Western Australia" undertaken by the Parliamentary and Judicial Superannuation Review Committee and presented to the Premier in February 1998 contained a number of recommendations not only in respect to parliamentary and judicial superannuation, but also to the level of remuneration that should apply to them. The Minister for Finance has recently given notice that the Government will take the necessary action to close the Parliamentary Superannuation Scheme to new members.

In respect to parliamentarians, the Report recommended that:

11. The Salaries and Allowances Tribunal determine a remuneration package comprising salary and superannuation components for Members of the proposed new superannuation arrangements.
12. The Salaries and Allowances Tribunal undertake a work-load and work-value study of the functions and responsibilities performed by Members of Parliament.
13. The Government make available to the Salaries and Allowances Tribunal such resources as are necessary to carry out the work-load and work-value study recommended by the Committee.
14. The Salaries and Allowances Tribunal have regard for the annual cost of salary and superannuation currently incurred for a typical Member.
15. The Salaries and Allowances Tribunal recognise the principles reflected in Recommendation 5.6 of the National Commission of Audit's June 1996 report to the Commonwealth Government, which states—

*The Government should initiate further work to examine the replacement of its current defined benefit superannuation schemes with accumulation schemes. The objective of this change is to increase remuneration flexibility rather than to reduce the total value of overall remuneration packages.*

The Tribunal has considered the above mentioned recommendations and is of the view that in addition to conducting a review to determine a "remuneration package" incorporating salary and superannuation components, the review should also include other aspects of remuneration provided to Members of Parliament. It is envisaged that the review will encompass allowances such as the electorate, postage and travelling allowances. Draw down provisions including air charter, printing and stationery, imprest and unrestricted air travel should also be examined.

Although action has not yet been placed before the Parliament to close the scheme to new members, the Tribunal intends to commence a review early in the New Year. The review, which is expected to take up to six months will be undertaken by the members of the Tribunal and the Executive Officer with some use of external consultants.

## SPECIAL DIVISION AND PRESCRIBED OFFICE HOLDERS

In June 1998 this Tribunal issued a Determination and Report in accordance with Section 8 of the *Salaries and Allowances Act 1975* (the Act). In that determination reference was made to the introduction of a "personal merit allowance" for the holders of offices not aligned to the remuneration of members of the judiciary. The Tribunal indicated that, subject to the development of satisfactory criteria, the allowance would operate from 1 January 1999.

In conjunction with the Ministry of the Premier and Cabinet, eligibility conditions have been prepared which will enable a trial, for a period of two years, of an assessment based recognition system that will enable eligible Chief Executive Officers and other Heads of Agencies contained within Section 6 (1)(d) and (e) of the Act, to receive additional "personal" remuneration. The assessment process is not automatic; eligible persons will need to apply for consideration, and be subject to a thorough evaluation of their performance, having regard to performance agreements entered into under Section 47 of the *Public Sector Management Act 1994*, together with a Peer Assessment Group review involving the Under Treasurer, the Director General, Ministry of the Premier and Cabinet and a third representative with further information from the offices of the Auditor General and the Public Sector Standards Commissioner.

The assessment of certain statutory offices and those of the Peer Assessment Group members will be undertaken by the Tribunal, adhering, where possible to the same conditions applying to others.

The personal merit allowance will be provided for a period of twelve months, and will lapse, unless a further satisfactory assessment has been undertaken. Every allowance will be the subject of a determination.

This determination also includes a few new positions placed within the Special Division of the Public Service since the last determination, and a number of classification variations. In the main, the determination as issued by this Tribunal in June 1998 remains relevant.

Dated at Perth this 16th day of December 1998.

D. G. BLIGHT, Chairman.  
R. H. C. TURNER AM, Member.  
J. A. S. MEWS, Member.

SALARIES AND ALLOWANCES TRIBUNAL.

SALARIES AND ALLOWANCES TRIBUNAL

DETERMINATION  
SECOND SCHEDULE  
PART 1

As per the determination dated 3 June 1998 and published in *Government Gazette* number 112 of 1998 dated 5 June 1998, with the following variations and additions:

VARY

Aboriginal Affairs Chief Executive Officer	Group 2	Minimum Plus a personal allowance to Group 3 Minimum whilst Mr H Lowe occupies the position.
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VARY

Fremantle Hospital Chief Executive	Group 2	Maximum Plus a personal allowance to Group 3 Minimum for a period of twelve months from the date of appointment and subject to annual review.
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VARY

Premier and Cabinet—Ministry of Director General	Group 4	Maximum With effect from 1 December 1998
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ADD

Deputy Director General	Group 3	Minimum With effect from 3 November 1998
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ADD

Valuer General	Group 1	Minimum With effect from 3 November 1998
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INSERT

Insert after paragraph (v) in Part 1(2)—Specific determinations

**PERSONAL MERIT ALLOWANCE**

A chief executive officer holding an office included in the Second Schedule, Part 1 of this determination, may apply to the Salaries and Allowances Tribunal to receive, by way of a "Personal Merit Allowance" (PMA), additional remuneration, subject to satisfactorily meeting the undermentioned eligibility conditions.

**(A) CHIEF EXECUTIVE OFFICERS EMPLOYED UNDER THE PUBLIC SECTOR MANAGEMENT ACT 1994**

**ELIGIBILITY CONDITIONS**

- (1) Completion by the Chief Executive Officer of at least 3 years continuous service at the same classification; and
- (2) Assessment of performance in the following manner:
  - (a) Performance Agreements under Section 47 of the Public Sector Management Act 1994.  
**Minimum requirement:** rating of "superior-outstanding"—ie rating assessment of 4 or 5;  
and
  - (b) Review by Peer Assessment Group (PAG) comprising:
    - (i) Director General, Ministry of the Premier and Cabinet
    - (ii) Under Treasurer; and
    - (iii) a peer representative;

drawing on data contained in (a) above, together with other relevant material/sources of information as necessary, including reviewing assessments of compliance undertaken in relation to:

Financial management (by Auditor General)

Human Resource management (by Commissioner for Public Sector Standards)

and

meeting with responsible Minister, if necessary.

**Minimum requirement:** written report from PAG recommending endorsement by Minister for Public Sector Management for payment of PMA.

- (3) Minister for Public Sector Management to consider report of PAG and provide written endorsement for presentation to this Tribunal for consideration and determination.

A copy of all assessments undertaken to be forwarded to the Tribunal for reference purposes.

**(B) HEADS OF AGENCIES HOLDING OFFICES INCLUDED IN SECTION 6(1)(e) OF THE SALARIES AND ALLOWANCES ACT 1975—(PRESCRIBED OFFICE HOLDERS)**

**ELIGIBILITY CONDITIONS**

Chief Executive Officers holding offices included in Section 6(1)(e) of the Salaries and Allowances Act (commonly known as "Prescribed Offices") who are employed under the Public Sector Management Act 1994:

As per the eligibility conditions contained in (A) above.

Officers holding offices included in Section 6(1)(e) of the Salaries and Allowances Act (commonly known as "Prescribed Offices") with the status of Head of Agency who are not employed under the Public Sector Management Act 1994:

Completion by the Head of Agency of 3 years continuous service at the same classification; and  
An assessment conducted by the Tribunal, having regard, where possible, to the eligibility conditions contained in (A).

**(C) PEER ASSESSMENT GROUP MEMBERS**

As far as practicable, as per the eligibility conditions contained in (A) with other conditions as required by the Tribunal having regard to the circumstances.

**(D) GENERAL—APPLYING TO ALL PARTS**

The Personal Merit Allowance is not available to those persons who are in receipt of an Attraction/Retention Allowance as determined by the Tribunal.

The quantum of the additional remuneration shall be up to a maximum of the difference between the substantive salary for the position and the next highest salary point. For those persons holding offices on the maximum salary level (Group 4 maximum), the additional remuneration shall be up to the percentage difference between Group 4 minimum and Group 4 maximum.

The PMA is provided as recognition of sustained superior performance and is subject to annual assessment. It ceases 12 months from the date of commencement unless a further determination is issued.

The value of the motor vehicle shall be assessed on the substantive classification determined for the office held.

VARY

PART 2

With effect from 1 December 1998.

Crown Solicitor	\$180,332
Parliamentary Counsel	\$180,332
Queen's Counsel	\$171,315
Crown Counsel	\$162,299
Principal Crown Prosecutor	\$162,299
Deputy Crown Solicitor	\$153,282
Deputy Parliamentary Counsel	\$153,282
Assistant Principal Crown Prosecutor	\$135,556
Supreme Court	
Principal Registrar	\$154,905
Registrar	\$137,179
District Court	
Principal Registrar	\$144,266
Registrar	\$135,556
Deputy Registrar	\$121,886

Dated at Perth this 16th day of December 1998

D. G. BLIGHT, Chairman.  
R. H. C. TURNER AM, Member.  
J. A. S. MEWS, Member.

SALARIES AND ALLOWANCES TRIBUNAL.







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