



PERTH, FRIDAY, 26 APRIL 2002 No. 75 SPECIAL

PUBLISHED BY AUTHORITY JOHN A. STRIJK, GOVERNMENT PRINTER AT 3.00 PM

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SALARIES AND ALLOWANCES ACT 1975

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**DETERMINATION OF THE  
SALARIES AND ALLOWANCES  
TRIBUNAL**



**SALARIES AND ALLOWANCES TRIBUNAL  
DETERMINATIONS MADE IN ACCORDANCE WITH  
SECTION 6(1)(c)(d) and (e) of the  
SALARIES AND ALLOWANCES ACT 1975**

**19 April 2002**

**OFFICERS INCLUDED IN THE SPECIAL DIVISION OF THE PUBLIC SERVICE AND  
THOSE OFFICERS HOLDING OFFICES PRESCRIBED IN THE REGULATIONS  
ATTACHING TO THE SALARIES AND ALLOWANCES ACT 1975**

In December 2001 the Tribunal issued a determination in respect to Special Division and Prescribed Office Holders in accordance with Section 6(1)(d) and (e) of the Salaries and Allowances Act 1975.

The December 2001 determination provided no increase but foreshadowed a further determination following clarification of matters arising from the recommendations contained in the Machinery of Government Taskforce Report. This determination is now considered appropriate.

The remuneration for the office holders in the Special Division of the Public Service and Prescribed Offices has not altered since 1 August 2000, a period of 21 months. In that period of time there has been considerable change in the Western Australian Public Sector particularly in regard to the conditions attaching to the payment of salaries and the method by which increases are granted.

The Tribunal examines a number of factors including, but not limited to, Government salaries and wages policies, wage movement indexes as compiled by the Australian Bureau of Statistics and private remuneration consultants. Regard has also been had to the Wages and Parity policy 2001/03 prepared by the Government to address the unification of salaries for the general public sector.

Having regard to all of the foregoing the Tribunal has determined a 6 per cent increase in salaries for Special Division and Prescribed Office holders. This represents an annual increase of 3.4 per cent over the period concerned. The increase will have effect from 1 May 2002.

**CLERKS OF THE PARLIAMENT**

The Clerks and Deputy Clerks of the Parliament received an increase in September 2001 at the same time as Members of Parliament.

Given the nature of their functions, the Tribunal is more inclined to examine these positions in conjunction with senior administrative positions rather than Members of Parliament, and, accordingly a pro rata adjustment of 2.2 per cent has been made to the salaries of these officers at this time.

The determinations will now issue.

Signed at Perth this 19<sup>th</sup> April 2002.

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

SALARIES AND ALLOWANCES TRIBUNAL

**DETERMINATION****FIRST SCHEDULE—SECTION 6(1)(d) and (e)**

Pursuant to the provisions of the Salaries and Allowances Act 1975 (as amended) the Salaries and Allowances Tribunal determines the remuneration to be paid to the Officers of the Public Service holding offices included in the Special Division of the Public Service and the persons holding Prescribed Offices, shall be in accordance with the following with effect from 1 May 2002.

**PART 1—SALARIES AND OFFICES**

		Tenured	Non-tenured
<b>Group 1</b>	Minimum	\$109,487	\$131,385
	Maximum	\$116,146	\$139,376
<b>Group 2</b>	Minimum	\$123,093	\$147,711
	Maximum	\$129,816	\$155,779
<b>Group 3</b>	Minimum	\$140,209	\$168,251
	Maximum	\$153,519	\$184,222
<b>Group 4</b>	Minimum	\$170,058	\$204,070
	Maximum	\$186,884	\$224,261

The above salaries are inclusive of Annual Leave Loading.

<b>Agency</b>		<b>Classification</b>	
Department of Agriculture	Director General	Group 3	Maximum
Alcohol and Drug Authority	Director	Group 1	Maximum
Office of the Auditor General	Auditor General	Group 4	Minimum
Coastal Shipping Commission	General Manager	Group 2	Minimum
Department for Community Development	Director General	Group 3	Maximum
Department of Conservation and Land Management	Executive Director	Group 3	Maximum
Department of Consumer & Employment Protection	Director General	Group 3	Minimum
Department of Culture and the Arts	Director General	Group 2	Maximum
Curriculum Council of Western Australia	Chief Executive Officer	Group 2	Minimum
Disability Services Commission	Chief Executive Officer	Group 3	Minimum
East Perth Redevelopment Authority	Chief Executive Officer	Group 1	Maximum
Department of Education	Director General	Group 4	Maximum
Department of Education Services	Chief Executive Officer	Group 2	Minimum
Western Australian Electoral Commission	Electoral Commissioner	Group 2	Minimum
	Deputy Electoral Commissioner	Level 8	WAEC
Office of Energy	Coordinator	Group 2	Maximum
Department of Environmental Protection	Chief Executive Officer	Group 1	Maximum
Equal Opportunity Commission	Commissioner	Group 1	Maximum
Fire and Emergency Services Authority	Chief Executive Officer	Group 2	Maximum
Department of Fisheries	Director General	Group 2	Minimum
Forests Products Commission	General Manager	Group 2	Maximum
Government Employees Superannuation Board	Executive Director	Group 3	Minimum
Western Australian Government Railways Commission (RV)	Commissioner	Group 3	Maximum
Department of Health	Commissioner	Group 4	Maximum
	Deputy Director General—Healthcare*	Group 2	Maximum

\*If a Senior Medical Practitioner occupies this position the level of remuneration shall be Group 2 Maximum plus the Incremental Allowance and a loading of 30% in lieu of other allowances normally received.

Agency		Classification	
Department of Health— <i>continued</i>	Deputy Director General—Corporate & Finance	Group 2	Maximum
	Executive Director—Population Health	Group 2	Minimum
	Executive Director—Country Services	Group 1	Maximum
Office of Health Review	Director	Group 1	Maximum
Department of Housing & Works	Director General	Group 3	Maximum
Department of Indigenous Affairs	Director General	Group 2	Minimum
Department of the Registrar Western Australian Industrial Relations Commission	Registrar	Group 1	Minimum
Department of Industry & Technology	Director General	Group 3	Maximum
Office of the Information Commissioner	Commissioner	Group 1	Maximum
Office of the Inspector of Custodial Services	Inspector	Group 1	Maximum
Department of Justice	Director General	Group 3	Maximum
	Crown Solicitor		\$204,020
	Parliamentary Counsel		\$204,020
	Queen's Counsel		\$193,819
	Crown Counsel		\$183,617
	Principal Crown Prosecutor		\$183,617
	Deputy Crown Solicitor		\$173,417
	Deputy Parliamentary Counsel		\$173,417
	Assistant Principal Crown Prosecutor		\$153,362
Department of Land Administration	Chief Executive	Group 2	Maximum
Western Australian Land Authority	Chief Executive Officer	Group 2	Minimum
Library Board of Western Australia	State Librarian	Group 1	Maximum
Department of Local Government & Regional Development	Director General	Group 2	Minimum
Lotteries Commission	Chief Executive Officer	Group 1	Maximum
Main Roads Department	Commissioner	Group 3	Maximum
Mental Health Review Board	President	Group 1	Maximum
Metropolitan (Perth) Passenger Transport Trust	Chief Executive	Group 1	Maximum
Midland Redevelopment Authority	Chief Executive Officer	Group 1	Minimum
Department of Mineral and Petroleum Resources	Director General	Group 3	Maximum
Western Australian Museum	Director	Group 1	Minimum
Parliamentary Commissioner for Administrative Investigations	Commissioner	Group 3	Minimum
	Deputy Commissioner	Group 1	Minimum
Department for Planning & Infrastructure	Director General	Group 4	Minimum
Western Australian Police Service	Commissioner	Group 4	Minimum
	Plus a retention allowance of 15% of determined salary payable to Mr. Matthews.		
	Deputy Commissioner—Operations/State Commander	Group 2	Maximum
	Deputy Commissioner—Administration	Group 2	Minimum
	Assistant Commissioners (6)	Group 1	Minimum

Agency		Classification	
Department of the Premier and Cabinet	Director General	Group 4	Maximum
	Deputy Director General	Group 3	Minimum
Office of the Public Sector Standards Commissioner	Commissioner	Group 4	Minimum
Department of Racing, Gaming and Liquor	Director General	Group 2	Minimum
Rottneest Island Authority	Chief Executive Officer	Group 1	Minimum
Small Business Development Corporation	Managing Director	Group 1	Minimum
Department of Sport and Recreation	Director General	Group 1	Maximum
	Plus a Temporary Special Allowance to Group 2 Minimum to 30 June 2002.		
State Supply Commission	Chief Executive Officer	Group 1	Maximum
Totalisator Agency Board	General Manager	Group 1	Maximum
Tourism Commission - Western Australian	Chief Executive Officer	Group 2	Minimum
	Whilst occupied by Mr R Muirhead the remuneration shall be at the Group 3 Maximum level.		
Department of Training	Director General	Group 3	Maximum
Department of Transport	Director General	Group 3	Maximum
Department of Treasury & Finance	Under Treasurer—	Group 4	Maximum
	Personal salary payable to Mr J Langoulant.		\$257,900
	Executive Director (Finance)	Group 2	Minimum
	Executive Director (Agency Resources)	Group 2	Minimum
	Executive Director (Economic)	Group 2	Minimum
Valuer General	Commissioner State Revenue	Group 2	Minimum
		Group 1	Minimum
Office of Water Regulation	Coordinator	Group 1	Maximum
Waters and Rivers Commission	Chief Executive Officer	Group 2	Minimum
Workers' Compensation and Rehabilitation Commission	Executive Director	Group 1	Maximum
Workplace Agreements Commission	Commissioner	Group 1	Maximum
Zoological Gardens Board	Director	Group 1	Minimum

### PART 2—NON TENURED SALARY

The non tenured salary is payable to—

- A person holding a Prescribed Office under Section 6 (1)(e) of the Salaries and Allowances Act and who is appointed on a fixed term contract without any guarantee of continued employment at the expiration of such term;
- An officer holding an office included in Section 6(1)(d) of the Salaries and Allowances Act 1975, who is appointed under the provisions of the Public Sector Management Act 1994 on a fixed term contract without any right of continued employment at the expiration of such term;
- An officer who does not elect to retain a right of return as provided in Section 58 of the Public Sector Management Act 1994;
- A commissioned police officer whose previous commission is revoked upon appointment as Deputy or Assistant Commissioner and who is appointed for a fixed term with no right of return to commissioned rank.

The non tenured salary is calculated by adding twenty per cent to the determined tenured salary.

### PART 3—INCREMENTAL INCREASE

A Chief Executive Officer holding an office included in Section 6 (1)(d) or (e) of the Salaries and Allowances Act 1975, on completion of 3 years continuous service in the same position, shall be entitled to receive, by way of allowance, a one step increment to the next classification level.

The next classification level refers to the salary attaching to the next highest salary to the substantive salary determined for the classification attaching to the position. A person holding a position classified at Group 2 Minimum would receive an allowance to Group 2 Maximum. A person

holding a position classified at Group 3 Maximum would receive an allowance to Group 4 Minimum. The salary level for eligible persons classified at the Group 4 Maximum level is, tenured \$205,573, non-tenured \$246,687.

Persons in receipt of a "personal salary" or a special allowance are not entitled to receive the abovementioned incremental salary unless specifically determined by the Tribunal.

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

#### PART 4—ATTRACTION/RETENTION ALLOWANCE

For the purposes of clarification, the following extract from the 1994 determination is reprinted.

*"On occasions it has been found that a person with outstanding qualities for a special office and who was adjudged to be by far the best potential occupant cannot be recruited because the salary offered is considered to be too far below what might reasonably be expected for a similar post in the private sector or in the major standard States.*

*Consternation has been expressed to the Tribunal that the State could lose the services of a much-needed person for the sake of a relatively small sum that would be more than covered by the contribution he or she would make. We understand the problem and wish to assist in its resolution. However, the following points must be made.*

*When the Public Service Management Bill was before the Parliament much emphasis was placed on the career nature of the Public Service. The Senior Executive Service was said to have been established to furnish high level policy advice, undertake managerial responsibilities and be deployed in such a way so as to promote the efficiency of the public sector.*

*In that event it could reasonably be expected that top management would emerge from its ranks and that external appointments necessitating higher salaries than those now determined would be few and far between.*

*However, whenever external recruitment is considered to be essential every effort should be made to appoint at the rates determined by the Tribunal unless an extraordinary reason dictates otherwise. In the interests of the industrial principle of "a fair go all round" and of a contented top management team it is essential that any personal salary above that set for the office should be paid only for a special and distinguishing reason.*

*As the rates now set at the higher levels are below the market rates we accept that there should be some flexibility to meet the exceptional case. We emphasise, however, that it is the exception and that the undesirable concept of salary "leap frogging" must surely follow if governments and the private sector start bidding in a senior management auction.*

*As Section 6(i)(d) of the Salaries and Allowances Act 1975 authorises the Tribunal to fix the rates for officers holding offices we decide and advise that the Tribunal will consider approving a total personal salary of up to fifteen per cent more than the rate determined for an office in an exceptional case for the purpose of recruitment or retention of an officer subject to—*

- 1. A substantial case being presented by the employer to the Tribunal for consideration.*
- 2. The Tribunal being satisfied that it is in the overall interest of the State for the salary to be awarded.*
- 3. No offer being made to the potential appointee above the rate determined until the Tribunal has decided the matter.*

*Unless already in receipt of this allowance, the allowance will not be provided to officers who are re appointed following the expiration of their contract of employment and who have applied for re appointment."*

#### PART 5—MOTOR VEHICLES

In addition to the salaries determined for persons holding offices included in Section 6(1)(d) and (e), the following amounts represent the cost to government of the motor vehicles approved by the Tribunal for the respective classification levels. The figures have been calculated having regard to the make and model of motor vehicle previously approved for issue to Chief Executives.

Classification	Cash Value	Benchmark Vehicle (6 cylinder)
Below Group 1 Minimum	\$13,500	Ford Falcon Gli or Commodore Executive
Group 1 Minimum to Group 2 Minimum	\$16,000	Ford Fairmont (not Ghia) or Commodore Berlina
Group 2 Maximum and above	\$19,200	Ford Fairmont Ghia or Calais
For a position where a salary is determined in lieu of a classification		The base salary of the position should be compared to the tenured salaries for the Group1 to Group 4 range and the appropriate value obtained.

Due to the changing costs to Government of providing motor vehicles this Tribunal will vary the above figures from time to time. In calculating costs to determine whether an additional contribution must be made by an individual or the surplus paid as part of salary, the cost to Government of the vehicle sought, using the formula detailed in this determination, must be compared against the more expensive of the benchmark vehicles mentioned above. The difference becomes the contribution required from the individual or the amount to be paid as part of annual salary.

The Cash value should only be used where a person elects not to be provided with a motor vehicle.

For the purposes of determining the Total Employment Cost (TEC) of a position, the above amounts should be included with the determined salary.

Where an office holder wishes to obtain a motor vehicle that varies from the standard above, the motor vehicle costs must include the lease cost, Fringe Benefits Tax and all other operating costs based on a figure of 20,000 kilometres travelled annually.

Non CEO's who wish to vary from the standard above must also obtain the approval of their CEO for the make and model of vehicle required.

The formula to be adopted in valuing the motor vehicle shall be—

$$L + S + R + aD + \text{FBT}$$

Where L	=	Lease payments
S	=	GST
R	=	Registration costs
a	=	Running cost per kilometre
D	=	20,000 kilometres
FBT	=	Fringe Benefits Tax

FBT is costed at purchase price (inc. Sales Tax or GST)  $\times$  Statutory fraction  $\times$  Gross up (1.942)  $\times$  FBT rate (0.485).

In most instances the Fleet Manager will provide a total costing for each vehicle.

The vehicle will be available for business use whilst the officer is on duty.

Where an officer chooses not to be provided with a motor vehicle, under no circumstances will the officer be provided with a Government vehicle or cab charge for home to office travel or any other private use.

Fringe Benefits Tax Exempt Agencies;

Where an organisation is exempt from FBT in accordance with Commonwealth Government legislation, a notional amount equal to the standard FBT must be added to the cost of the benefit.

#### **PART 6—REMUNERATION PACKAGE VALUE**

(1) In addition to the basic salary determined, for the purposes of determining the value of the remuneration package, the amount determined by the Tribunal for the motor vehicle provided and the employer cost of superannuation should be included.

(2) Motor Vehicle: Part 5 contains the determination as to the value ascribed to the motor vehicle that will be provided or that can be taken in lieu of a vehicle for the offices concerned.

(3) Superannuation: Due to the closure of superannuation schemes over the past 15 years, it is not possible to prescribe the value per person of the superannuation benefit. It is generally assumed that where a person was a member of the Western Australian Public Service prior to the 30 December 1995, the value of superannuation is twelve per cent of basic salary. For those who joined the Service after that date the superannuable component is in accordance with that required under the Superannuation Guarantee Levy, which is currently eight per cent of salary. This increases to nine per cent from 1 July 2002.

#### **OTHER BENEFITS**

Salary packaging in respect to superannuation and Novated Leases can be effected in accordance with the "Guidelines for Salary Packaging in the WA Public Sector" document.

Signed at Perth this 19<sup>th</sup> day of April 2002.

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

SALARIES AND ALLOWANCES TRIBUNAL



**DETERMINATION**  
**SECOND SCHEDULE—SECTION 6(1)(C)**

Pursuant to the provisions of the Salaries and Allowances Act 1975 (as amended) the Salaries and Allowances Tribunal determines the remuneration to be paid to the holders of offices included in Section 6(1)(c) of the Act, shall be in accordance with the following, with effect from 1 May 2002.

Clerk of the Legislative Council	\$117,166
Deputy Clerk of the Legislative Council	\$89,242
Clerk of the Legislative Assembly	\$117,166
Deputy Clerk of the Legislative Assembly	\$89,242

**The above mentioned salaries are inclusive of Annual Leave Loading.**

The holders of these Offices shall be entitled to the supply of a fully maintained motor vehicle.

Signed at Perth this 19<sup>th</sup> day of April 2002.

R. H. C. TURNER AM, Chairman.

J. A. S. MEWS, Member.

SALARIES AND ALLOWANCES TRIBUNAL

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