



WESTERN
AUSTRALIAN
GOVERNMENT

Gazette

ISSN 1448-949X

PRINT POST APPROVED PP665002/00041

1357



PERTH, WEDNESDAY, 9 APRIL 2008 No. 56

SPECIAL

PUBLISHED BY AUTHORITY JOHN A. STRIJK, GOVERNMENT PRINTER AT 3.30 PM

© STATE OF WESTERN AUSTRALIA

SALARIES AND ALLOWANCES ACT 1975

**DETERMINATION OF THE
SALARIES AND
ALLOWANCES TRIBUNAL**

SALARIES AND ALLOWANCES ACT 1975

Section 6(1)(c)(d) and (e)

**DETERMINATION FOR PUBLIC SERVICE OFFICE HOLDERS INCLUDED IN THE
SPECIAL DIVISION AND PERSONS HOLDING OFFICES PRESCRIBED IN
SALARIES AND ALLOWANCES REGULATION NUMBER 3**

The Tribunal last issued a determination dealing with the holders of Special Division positions and Prescribed Offices on 4 April 2007.

In accordance with section 8 of the *Salaries and Allowances Act 1975*, the Tribunal is required to issue a determination at intervals of not more than 12 months. Accordingly it has undertaken an enquiry into the current classification and remuneration applicable to this group of office holders.

PREAMBLE

This enquiry has been undertaken in a period of outstanding economic growth in Western Australia, record levels of employment nationally and, more recently, financial instability at a global level. It has been a challenging environment in which to determine remuneration levels for Western Australia's senior public sector executives. On information available to the Tribunal, it is understood that private sector remuneration currently exceeds public sector remuneration by between 19 per cent and 45 per cent for positions of similar work value. These are significant differentials, particularly when changes in the employment conditions of senior public servants are taken into account. A significant number of public sector Chief Executive Officers are now employed on five-year contracts and no longer enjoy security of tenure—a factor often used to explain why public sector remuneration should be kept lower than that provided in the private sector. Classifying positions and setting levels of public sector remuneration in these circumstances raises the possibility that senior staff will move to the private sector if the public sector rates are set too low. This could deprive the public sector of some high quality senior staff and reduce the quality of leadership and management in the sector. The Tribunal is cognisant of these issues and aims to set remuneration levels that are sufficiently competitive to attract high quality candidates to Special Division and Prescribed Offices and adequately reward appointees for their responsibilities.

The major “clean sheet” review conducted in 2006 examined the work value of all positions within the jurisdiction of the Tribunal and considered the remuneration awarded to similar positions in other states. As a result, the relativities between classification groups were re-aligned and special allowances attached to certain positions were removed. Increases in remuneration ranged from 7 per cent to 24 per cent for the most senior positions, bringing Western Australian senior positions into line with those in South Australia, below those in New South Wales and Victoria, but above those in Queensland.

The determination of 4 April 2007 provided for an increase of 4.4 per cent across all classification groups of Special Division positions and Prescribed Offices.

Since the 2007 determination, 15 individual determinations for specific positions have been made, as well as a determination on Senior Legal Officers' positions undertaken in the context of the Tribunal's determination on the remuneration of judicial officers. These assessments were undertaken for a range of reasons including claims that market conditions were making the recruitment of staff difficult.

CURRENT ENQUIRY

In discharging the responsibilities given to it by the Parliament, the Tribunal has in the context of its current enquiry adopted the following approach. It has—

- advertised for public submissions;
- written to office-holders inviting submissions about their positions;
- undertaken a series of individual reviews of Special Division positions and Prescribed Offices;
- considered relevant labour market and economic data, and
- sought advice from its Statutory Adviser.

Public Submissions

Submissions to the Tribunal's current enquiry were invited through an advertisement placed in *The West Australian* of 2 February 2008 and on the Tribunal's web site with a closing date of 22 February 2008.

Invitation to Office Holders

The Tribunal wrote to office holders on 4 February 2008 inviting submissions. In so doing, office holders were invited to advise the Tribunal of any significant changes to the work value of their positions and, where relevant, the impact of the current labour market on their positions. The Tribunal judged that changes in work value and in the market were the most likely factors to affect the classification and remuneration of positions.

Review

To help keep its data up-to-date, the Tribunal has continued its review of Special Division positions and Prescribed Offices by re-examining the classification of all positions that had not been reviewed since its last determination. Mercer (Australia) Pty Ltd (“Mercer”), a leading consultancy organisation with established national expertise in public and private sector remuneration, was engaged to examine 14 of these positions and to report to the Tribunal, particularly regarding any variations to the classification it recommended to the Tribunal previously.

Labour Market and Economic Data

Relevant labour market and economic data were sought from a variety of sources. For example, the Tribunal sought data on the level of remuneration of Special Division and Prescribed Offices in Western Australia compared to similar positions in other Australian jurisdictions. It also considered labour market and economic indices. These included the Wage Price Index, Average Weekly Earnings, the Consumer Price Index and Total Employment Growth. Economic forecasts at a national and state level were also considered.

Advice from Statutory Advisor

The Tribunal requested advice from its Statutory Advisor on the Special Division about any machinery of government changes which might have had an impact upon the classification and remuneration over the last 12 months of any of the positions in this enquiry. It also took account of advice on recent Attraction and Retention Benefits (ARBs) paid to officers reporting to office holders in the Special Division.

CONSIDERATIONS

In the context of its current enquiry, the Tribunal considered all positions in the Special Division and Prescribed Offices, all submissions received, data on the labour market and the Australian economy, as well as remuneration structures for senior public sector offices in other Australian jurisdictions.

When determining appropriate classifications for office holders' positions, the Tribunal took into account a variety of factors including work value, market forces and value to the state. It also had regard for whether positions had been reviewed during the preceding year and whether they had been affected by structural change.

Western Australian Government Submission

The Government presented a submission about remuneration of the Special Division and Prescribed Offices as a whole. It stated that its policy in respect of wage increases for public sector employees was "to achieve outcomes that neither lead nor lag wages in the Western Australian economy, whilst also ensuring these outcomes keep pace with inflation and are economically and industrially sustainable". This submission included key economic indicators and wage growth forecasts. It also contended that it was "necessary at this time for restraint to be demonstrated at the highest levels of Government". In conclusion, the Government supported an increase "in the order of 3 per cent", noting that this would "ensure that Special Division remuneration keeps pace with Consumer Price Index growth".

Submissions from Officer Holders

Twenty six submissions were received from office holders in the Special Division of the Public Service and Prescribed Offices. Nine position holders advised the Tribunal that there had been no substantial changes in their positions and they would not be making submissions.

Submissions from those office holders seeking an increase in the classification of their positions generally proposed that their positions had grown in work value and accountability since the last determination. The Tribunal considered all the submissions as well as the 14 classification reviews that Mercer was directed to undertake.

Labour Market and Economic Data

The table below shows relevant economic and labour market statistics including the most recent quarterly and annual average increases, both nationally and for Western Australia, as well as public sector and private sector comparisons.

Indicator	Quarterly % Increase	Annual Average % increase
Perth—Consumer Price Index—Sep 07 Qtr to Dec 07 Qtr	0.8%	3.0%
National—Consumer Price Index—Sep 2007 Qtr to Dec 2007 Qtr	0.9%	3.0%
WA—Wage Price Index—Dec Qtr 2007	1.3%	5.9%
National—Wage Price Index—Dec Qtr 2007	1.0%	4.2%
WA—Wage Price Index—Dec Qtr 2007—Private Sector	1.3%	6.4%
National—Wage Price Index—Dec Qtr 2007—Private Sector	1.0%	4.3%
WA—Wage Price Index—Dec Qtr 2007—Public Sector	1.2%	4.3%
National—Wage Price Index—Dec Qtr 2007—Public Sector	0.9%	4.1%
WA—Average Weekly Earnings—Dec Qtr 2007	1.8%	9.4%
National—Average Weekly Earnings—Dec Qtr 2007	0.6%	3.8%
WA—Average Weekly Earnings (Full-time Adult Ordinary Time Earnings)—Dec 2007 Qtr	2.1%	7.3%
National—Average Weekly Earnings (Full-time Adult Ordinary Time Earnings)—Dec 2007 Qtr	0.6%	4.7%
WA Total Employment Growth—Feb 2008	-0.1%	3.6%
National Total Employment Growth—Feb 2008	0.3%	2.9%

Source: CPI: ABS Cat. 6401.0; WPI ABS Cat. 6345.0; AWE ABS Cat. 6302.0; EG ABS Cat. 6202.0

Growth in major areas of the Western Australian economy has placed pressure on Government services. The annual average growth in the Western Australian public sector Wage Price Index to December 2007 was 4.3 per cent, whereas the comparative figure for the Western Australian private sector was 6.4 per cent. The Average Weekly Earnings statistics demonstrate significant upward movement in remuneration in Western Australia compared with national averages. The labour market at both state and national level is characterised by record low rates of unemployment; Western Australia recording in February 2008, the lowest unemployment in Australia at 2.8 per cent seasonally adjusted. Advice from the Department of Treasury and Finance is that high labour demand combined with low labour supply is expected to result in wage pressures continuing across most industries for the remainder of 2007/08.

These pressures have been reflected in some agencies offering higher remuneration to attract and retain staff across the public sector. Western Australia's Auditor-General noted this in his June 2006 report, *Help Wanted: Public Service Workforce Management*. He found that 115 positions were granted approval for an Attraction and Retention Benefit (ARB) between the time of their introduction in September 2003 and December 2005. (These positions are not in the Tribunal's jurisdiction.) Further specific data on recently approved ARBs was sought by the Tribunal from its Statutory Advisor on the Special Division. Consideration of this information pointed to the potential for ARBs to distort relativities between the remuneration of some Special Division positions and the remuneration of subordinate positions.

Given the current economic conditions, the Tribunal took into account a range of economic forecasts. These included the Wage Price Index and Consumer Price Index forecasts published in the Government's Mid-Year Financial Projections Statement (December 2007). According to these projections, the annual average growth in the Wage Price Index in 2008/09 is expected to be 4.75 per cent, down from 5.5 per cent in 2007/08 while the growth in the Perth Consumer Price Index for 2008/09 is expected to be 2.75 per cent, down from 3.0 per cent in 2007/08.

Interstate Relativities

In order to understand whether Special Division positions and Prescribed Offices in Western Australia were remunerated in line with trends in other states, the Tribunal made enquiries about Australia-wide remuneration movements across comparable remuneration structures for positions covered in this determination. In particular, the Tribunal examined relativities with public sector remuneration in New South Wales, Queensland and South Australia. Overall, it found that the pay structure for tenured office holders in Western Australia's Special Division was below that of comparative structures in New South Wales and South Australia and was on a par with Queensland. The Tribunal is aware that this situation has potential to impact on the capacity to attract and retain senior executives. It is a matter which the Tribunal will keep under review.

LEGAL OFFICERS' AND COURT REGISTRARS' POSITIONS

No further adjustment is made in this determination to the remuneration of legal officers' and court registrars' positions in the Special Division of the Public Service, remuneration for which has already been the subject of separate determinations effective from 1 January 2008.

Three new legal officers' positions were established in the Special Division of the Public Service in November 2007—

- Senior Parliamentary Counsel, Parliamentary Counsel's Office;
- Senior Assistant Parliamentary Counsel, Parliamentary Counsel's Office; and
- Adviser, State Solicitor's Office.

All the legal officers' and court registrars' positions in the Special Division are included in the Schedules which follow for the purposes of consolidation.

CLERKS OF THE PARLIAMENT

The Tribunal determines the remuneration of the Clerks and Deputy Clerks of the Legislative Assembly and of the Legislative Council at the same time as holders of senior positions in the Special Division and Prescribed Office holders. In the context of this determination, the Clerks and Deputy Clerks declined an invitation to make a submission. As there was not evidence of particular changes to roles and responsibilities for these positions over the past 12 months, the Tribunal determined that the Clerks and Deputy Clerks would receive the same remuneration increase as Special Division and Prescribed Officer holders. The current determination is at the Fourth Schedule.

DETERMINATION

In discharging its statutory duties, the Tribunal determines that an increase of 3.9 per cent be awarded for office holders in the Special Division of the Public Service and Prescribed Office holders. The total budget impact of this determination is estimated to be less than \$1 million.

This determination also reflects changes to classification by the Tribunal in respect of the following positions—

- Chief Executive Officer, Botanic Gardens and Parks Authority
- Chief Executive Officer, Zoological Parks Authority
- Director General, Department of Environment and Conservation
- Director General, Department of Housing and Works
- Director General, Department of Sport and Recreation
- Director, Western Australian Museum

The Tribunal considered that the Chief Executive Officer positions of the Botanic Gardens and Parks Authority and the Zoological Parks Authority should be reclassified from Group 1 Minimum to Group 1 Maximum. In making these reclassifications, the Tribunal recognised matters having an impact on the accountability and expertise of the positions including increased jurisdiction, an expanding international role and growth in the number and magnitude of research programs.

The position of Director General, Department of Environment and Conservation, has been reclassified from Group 3 Minimum to Group 3 Maximum. Matters taken into account by the Tribunal in making this determination included the increased accountability and judgement resulting from a more complex policy environment and the impact of legislative change.

The classification of the position of Director General, Department of Housing and Works, has been varied from Group 3 Maximum to Group 4 Minimum. The Tribunal took into account a range of matters in respect of this reclassification including increased accountability for the newly established Office of Strategic Projects and the major capital works program.

A reclassification of the position of Director General, Department of Sport and Recreation, from Group 1 Maximum to Group 2 Maximum has been determined. This decision was based on factors including an increase in the level of accountability and judgement and greater responsibility for the number, cost and complexity for facilities projects.

The position of the Director, Western Australian Museum, has been reclassified from Group 1 Minimum to Group 1 Maximum. The Tribunal has taken into account such matters as the increased accountability of the position and Government initiatives for expanded operations of the Museum.

The resulting levels of remuneration are set out in the First Schedule, which follows.

The determination will now issue.

Signed at Perth this 4th day of April 2008.

Professor M. C. WOOD, Chairman.
W. S. COLEMAN, AM, Member.
M. L. NADEBAUM, Member.
Salaries And Allowances Tribunal.

First Schedule

HOLDERS OF OFFICES INCLUDED IN THE SPECIAL DIVISION OF THE PUBLIC SERVICE AND PRESCRIBED OFFICES

Pursuant to section 6(1)(d) and (e) of the *Salaries and Allowances Act 1975* the Salaries and Allowances Tribunal determines the remuneration to be paid to the officers of the Public Service who hold offices included in the Special Division and those who hold Prescribed Offices. The remuneration is effective from 1 May 2008.

PART 1—REMUNERATION AND OFFICES

		Tenured Remuneration	Non-tenured Remuneration
Group 1	Minimum	\$140,890	\$169,069
	Maximum	\$149,460	\$179,352
Group 2	Minimum	\$160,652	\$192,781
	Maximum	\$172,563	\$207,076
Group 3	Minimum	\$199,191	\$239,029
	Maximum	\$218,101	\$261,720
Group 4	Minimum	\$257,275	\$308,729
	Maximum	\$282,731	\$339,276

The remuneration is inclusive of **Annual Leave Loading**. This was effective from 1 August 2000.

AGENCY	OFFICE	CLASSIFICATION	
Department of Agriculture and Food	Director General	Group 3	Maximum
Alcohol and Drug Authority	Chief Executive Officer	Group 1	Maximum
Department of the Attorney General	Director General	Group 3	Minimum
	Executive Director, Courts and Tribunal Services	Group 1	Maximum
	State Solicitor		\$294,511*
	Parliamentary Counsel		\$294,511*
	State Counsel—Queen's/Senior Counsel		\$279,783*
	State Counsel		\$265,059*
	Deputy State Solicitor		\$250,333*
	Deputy Parliamentary Counsel		\$250,333*

AGENCY	OFFICE	CLASSIFICATION	
	Senior Parliamentary Counsel		\$235,610*
	Senior Adviser, State Solicitor's Office		\$235,610*
	Senior Assistant Parliamentary Counsel		\$191,433*
	Adviser, State Solicitor's Office		\$191,433*
Office of the Auditor General	Auditor General	Group 4	Minimum
	Deputy Auditor General	Group 2	Minimum
Botanic Gardens and Parks Authority	Chief Executive Officer	Group 1	Maximum
Chemistry Centre	Chief Executive Officer	Group 1	Minimum
Department for Child Protection	Director General	Group 3	Maximum
Office of the Commissioner for Children and Young People	Commissioner	Group 1	Maximum
Coastal Shipping Commission	General Manager	Group 2	Minimum
Department for Communities	Director General	Group 2	Maximum
Department of Consumer and Employment Protection	Director General	Group 3	Minimum
	WorkSafe Western Australia Commissioner	Group 1	Maximum
	Commissioner for Fair Trading	Group 1	Maximum
	Fair Employment Advocate	Group 1	Minimum
Department of Corrective Services	Commissioner	Group 3	Maximum
	Deputy Commissioner, Community & Juvenile Justice	Group 1	Maximum
	Deputy Commissioner, Adult Custodial	Group 1	Maximum
	Deputy Commissioner, Offender Management and Professional Standards	Group 1	Minimum
Department of Culture and the Arts	Director General	Group 2	Minimum
Curriculum Council of Western Australia	Chief Executive Officer	Group 1	Maximum
Disability Services Commission	Director General	Group 3	Minimum
Office of the Director of Public Prosecutions	Director of Public Prosecutions		\$327,235 as a Puisne Judge*
	Director Legal Services		\$265,059*
	Consultant State Prosecutor—Queen's/Senior Counsel		\$279,783*
	Consultant State Prosecutor		\$221,384*
East Perth Redevelopment Authority	Chief Executive Officer	Group 2	Maximum
Department of Education and Training	Director General	Group 4	Maximum
	Deputy Director General, Finance and Administration	Group 3	Minimum
	Deputy Director General, Schools	Group 2	Maximum
	Deputy Director General, Training	Group 2	Maximum
Department of Education Services	Chief Executive Officer	Group 2	Minimum
Western Australian Electoral Commission	Electoral Commissioner	Group 1	Maximum
	Deputy Electoral Commissioner		\$114,810
Office of Energy	Coordinator of Energy	Group 2	Maximum

AGENCY	OFFICE	CLASSIFICATION	
Department of Environment and Conservation	Director General	Group 3	Maximum
	Deputy Director General, Parks and Conservation	Group 2	Minimum
	Deputy Director General, Environment	Group 2	Minimum
Equal Opportunity Commission	Commissioner for Equal Opportunity	Group 1	Maximum
Fire and Emergency Services Authority	Chief Executive Officer	Group 3	Minimum
	Chief Operations Officer	Group 1	Maximum
Department of Fisheries	Chief Executive Officer	Group 3	Minimum
Forests Products Commission	General Manager	Group 2	Minimum
Government Employees Superannuation Board	Executive Director	Group 3	Minimum
Department of Health	Executive Director—Chief Finance Officer	Group 2	Minimum
	Executive Director, Health Systems Support	Group 2	Minimum
Office of Health Review	Director	Group 1	Maximum
Department of Housing and Works	Director General	Group 4	Minimum
Department of Indigenous Affairs	Commissioner for Aboriginal Planning	Group 2	Minimum
Department of the Registrar Western Australian Industrial Relations Commission	Registrar	Group 1	Minimum
Department of Industry and Resources	Director General	Group 4	Minimum
Office of the Information Commissioner	Information Commissioner	Group 1	Minimum
Office of the Inspector of Custodial Services	Inspector of Custodial Services	Group 1	Maximum
Western Australian Land Information Authority	Chief Executive	Group 2	Maximum
	Valuer General	Group 1	Minimum
Library Board of Western Australia	State Librarian	Group 1	Maximum
Department of Local Government and Regional Development	Director General	Group 2	Maximum
Main Roads Department	Commissioner of Main Roads	Group 3	Maximum
Mental Health Review Board	President	Group 1	Minimum
Midland Redevelopment Authority	Chief Executive Officer	Group 1	Minimum
Western Australian Museum	Director of the Museum	Group 1	Maximum
Parliamentary Commissioner for Administrative Investigations	Commissioner	Group 3	Minimum
	Deputy Commissioner	Group 1	Minimum
Department for Planning and Infrastructure	Director General	Group 4	Minimum
Western Australian Police Service	Commissioner	Group 4	Minimum
	Executive Director	Group 2	Minimum
	Deputy Commissioner, Operations	Group 2	Maximum
	Deputy Commissioner, Specialist Services	Group 2	Maximum
	Assistant Commissioner, Corruption Prevention and Investigation	Group 1	Maximum
	Assistant Commissioner, Regional WA	Group 1	Maximum
	Assistant Commissioner, Counter Terrorism & State Security	Group 1	Minimum
	Assistant Commissioner, South Metropolitan	Group 1	Minimum
	Assistant Commissioner, North Metropolitan	Group 1	Minimum

AGENCY	OFFICE	CLASSIFICATION	
	Assistant Commissioner, Traffic and Operations	Group 1	Minimum
	Assistant Commissioner, Specialist Crime	Group 1	Minimum
	Assistant Commissioner, Professional Development	Group 1	Minimum
Department of the Premier and Cabinet	Director General	Group 4	Maximum
	Deputy Director General	Group 3	Maximum
	Executive Director Policy Division	Group 3	Minimum
	Assistant Director General, State Security and Emergency Co-ordination	Group 2	Minimum
Office of the Public Sector Standards Commissioner	Commissioner for Public Sector Standards	Group 3	Minimum
Public Transport Authority	Chief Executive Officer	Group 3	Maximum
Department of Racing, Gaming and Liquor	Director General	Group 2	Maximum
Rottneest Island Authority	Chief Executive Officer.	Group 1	Maximum
Small Business Development Corporation	Managing Director	Group 1	Minimum
Department of Sport and Recreation	Director General	Group 2	Maximum
State Supply Commission	Chief Executive Officer	Group 1	Maximum
Western Australian Tourism Commission	Chief Executive Officer	Group 2	Minimum
Department of Treasury and Finance	Under Treasurer	Group 4	Maximum
	Executive Director (Finance)	Group 2	Minimum
	Executive Director (Agency Resources)	Group 2	Minimum
	Executive Director (Economic)	Group 2	Minimum
	Executive Director, Office of Government Procurement	Group 2	Minimum
	Commissioner State Revenue	Group 2	Minimum
	Executive Director, Shared Services	Group 2	Minimum
Department of Water	Director General	Group 2	Minimum
Waters and Rivers Commission	Chief Executive Officer	Group 2	Minimum
Workcover Western Australia Authority	Chief Executive Officer	Group 1	Maximum
Zoological Parks Authority	Chief Executive Officer	Group 1	Maximum

* Note: With effect from 1 January 2008

PART 2—NON-TENURED REMUNERATION

Non-tenured remuneration is payable to—

- A person holding a Prescribed Office included in 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 Commissioner, Deputy Commissioner or Assistant Commissioner and who is appointed for a fixed term with no right of return to commissioned rank.

Non-tenured remuneration is calculated by adding twenty-percent to the determined tenured remuneration. Unless otherwise indicated, remuneration shown in Part 1 is at the tenured rate.

PART 3—INCREMENTAL ALLOWANCE

A person holding a chief executive officer position included in section 6(1)(d) or (e) of the *Salaries and Allowances Act 1975*, on completion of three years of continuous service at the same level, is entitled to receive by way of allowance a one step increment to the next classification level. The incremental allowance does not constitute a basis for any further increments.

For example, under the entitlement, a chief executive officer classified at Group 2 Minimum would receive an allowance to Group 2 Maximum, or if classified at Group 3 Maximum would receive an allowance to Group 4 Minimum. The incremental remuneration level for eligible persons classified at the Group 4 Maximum level is—

- Tenured \$311,004
- Non-tenured \$373,205

Persons in receipt of a “personal remuneration” or a special allowance are not entitled to receive the abovementioned incremental remuneration unless specifically determined by the Tribunal. The incremental allowance is payable where an allowance attaches to the position itself.

The value of the motor vehicle set out in Part 4 is to be assessed on the actual classification held—that is, receipt of the incremental allowance does not involve upward adjustment of the motor vehicle entitlement.

PART 4—MOTOR VEHICLES

In addition to the remuneration determined for the officers and persons holding offices listed in Part 1, the office-holders have an entitlement to a motor vehicle for private use provided through State Fleet in accordance with the criteria below.

Benchmark Vehicle

Where a Benchmark Vehicle is sought through State Fleet, the entitlement is to one of the following vehicles, subject to anticipated market changes of vehicle models.

Classification	Benchmark Vehicle (6 cylinder)
Below Group 1 Minimum	Ford Falcon XT or Holden Commodore Omega
Group 1 Minimum to Group 2 Minimum	Ford Fairmont (not Ghia) or Holden Berlina
Group 2 Maximum and above	Ford Fairmont Ghia or Holden Calais
For a position where a remuneration is determined in lieu of a classification	The tenured remuneration of the position should be compared to the tenured remuneration for the Group 1 to Group 4 range and the appropriate value obtained

Non-Benchmark Vehicle

Where a vehicle and accessories other than a Benchmark Vehicle is sought through State Fleet, the difference in cost to Government—

- where greater, is to be paid fortnightly by the individual; or
- where lesser, is to be paid fortnightly as part of the individual’s remuneration.

The method of determining whether an additional contribution must be made by the individual or the surplus paid as part of remuneration shall be based on the actual cost to Government of the vehicle sought (using the formula detailed below), compared against the more expensive of the Benchmark Vehicles mentioned above. The cost at the time of entering into the lease is applicable.

Where an individual wishes to obtain a motor vehicle that varies from the Benchmark Vehicle, the motor vehicle costs must include the lease cost, Fringe Benefits Tax and all other operating costs based on the relevant figure of nominated kilometres to be travelled annually. The formula to be adopted in valuing the motor vehicle is—

$L + R + aD + \text{FBT}$, where

- L = Lease payments
- R = Registration costs
- a = Running cost per kilometre
- D = nominated annual kilometres*
- FBT = Fringe Benefits Tax

*Note: To the extent that in line with State Fleet policy agencies may in practice already have adopted this approach (i.e. departed from the originally specified 20,000 km per annum calculation base) this is endorsed.

FBT is costed at applicable Australian Taxation Office rates. For the year ending 31 March 2008 FBT is costed at purchase price (including GST) x Statutory fraction x Gross up (2.0647) x FBT rate (0.465).

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.

Should an officer choose other than a Benchmark Vehicle, it may have implications on their superannuable remuneration.

Non-chief executive officers who wish to vary from the Benchmark Vehicle must also obtain the approval of their chief executive officer for the make and model of vehicle required.

The cost of vehicle accessories over and above those available to Senior Executive Service members as set out in the "WA Government Fleet Policy and Guidelines" should be borne by the individual.

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

Cash Value

Where a person elects not to be provided with a motor vehicle through State Fleet he/she is entitled to the cash value being paid fortnightly as additional remuneration. The cash values are paid in accordance with the following criteria.

Classification	Cash Value
Below Group 1 Minimum	\$16,900
Group 1 Minimum to Group 2 Minimum	\$18,900
Group 2 Maximum and above	\$22,000
For a position where a remuneration is determined in lieu of a classification	The tenured remuneration of the position should be compared to the tenured remuneration for the Group 1 to Group 4 range and the appropriate value obtained

General

The provision of vehicles remains an administrative responsibility of the Department to manage in a cost effective manner.

An individual accessing a vehicle under this Part shall take due care of the condition and security of the vehicle. This includes responsibility for ensuring the vehicle is regularly serviced and maintained at government expense according to the manufacturer's recommended specifications, and making arrangements for off-street parking at home, whenever practicable, with appropriate security precautions taken at all times. Any theft or damage, however slight, should be reported to the Fleet Manager with a view to repairs being effected at the earliest opportunity.

While the vehicle may be used anywhere in Western Australia at no cost to the individual, if the vehicle is driven interstate, the individual is liable for the cost of fuel and oil while interstate. Furthermore, if used outside of Western Australia, the custodian must be in the vehicle at all times that it is being used.

Should the officer choose not to use the vehicle, supplied through State Fleet, for business (eg. for travelling to and from work), but allows and authorises the vehicle to be used for private use during business hours by another family member or person, he/she is not entitled to access another government vehicle for his/her private use.

PART 5—REMUNERATION PACKAGE VALUE

For the purposes of calculating the value of the remuneration package the employer cost of superannuation should be included in addition to the remuneration and the amount determined by the Tribunal for the motor vehicle provided.

Motor Vehicle: Part 4 contains the determination as to the value ascribed to the motor vehicle that will be provided or the amount that can be taken in lieu of a vehicle. Should an officer choose to take cash in lieu of a vehicle, it may have implications on their Gold State superannuable remuneration. A key issue here is that the Cash Value of the vehicle is not included in the officer's remuneration for Gold State superannuation purposes. Also if the officer chooses a vehicle with a value below the benchmark vehicle then the surplus returned in additional remuneration is not included in the officer's remuneration for Gold State superannuation purposes.

An initial guide on this issue can be obtained on the Government Employees' Superannuation Board's (GESB) website at www.gesb.wa.gov.au/employers. (Then go to Publications and Forms, Guides, Salaries and Allowances Guide. Then use the Bookmark tag on the left hand side of the screen to scroll to Part Two, Salaries and Allowances Index and scroll to 'in lieu of a motor vehicle' heading.) Further information can be obtained from the GESB's Members' Services Centre.

Superannuation: Due to the closure of superannuation schemes over the past 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 sector prior to the 30 December 1995, the value of superannuation is twelve per cent of basic remuneration. For those who joined after that date, the superannuable component is in accordance with that required under the Superannuation Guarantee Levy.

Please note that in the latter part of 2008, it is expected that Western Australian public sector employees will have the capacity to choose the superannuation fund into which their employer superannuation guarantee contributions are deposited. Accordingly, individuals should seek advice from their relevant fund manager or financial adviser in respect of matters mentioned above that might affect their superannuable remuneration.

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, which can be accessed at—
http://www.docep.wa.gov.au/LabourRelations/PDF/Circulars/7_07.pdf.

Signed at Perth this 4th day of April 2008.

Professor M. C. WOOD, Chairman.
 W. S. COLEMAN, AM, Member.
 M. L. NADEBAUM, Member.
 Salaries And Allowances Tribunal.

Second Schedule
COURT REGISTRARS

Pursuant to section 6(1)(d) of the *Salaries and Allowances Act 1975* the Salaries and Allowances Tribunal determines the remuneration to be paid to the holders of the offices listed below and is as follows with effect from 1 January 2008—

Supreme Court	Principal Registrar	\$252,984
	Registrar	\$224,037
District Court	Principal Registrar	\$235,610
	Registrar	\$221,384
	Deputy Registrar	\$199,061

The remuneration is inclusive of Annual Leave Loading.

The holders of these offices have an entitlement to a motor vehicle selected only from Items 1001 to 1008 and 2001 to 2007 inclusively of the Government's Common Use Contract No 012A1994 as amended from time to time. The vehicle entitlement here is provided under the conditions set out in the first Schedule, Part 4 of this Determination.

Signed at Perth this 4th day of April 2008.

Professor M. C. WOOD, Chairman.
 W. S. COLEMAN, AM, Member.
 M. L. NADEBAUM, Member.
 Salaries And Allowances Tribunal.

Third Schedule
DIRECTOR OF PUBLIC PROSECUTIONS

Pursuant to section 6(1)(e) of the *Salaries and Allowances Act 1975* the Salaries and Allowances Tribunal determines that the holder of the office of Director of Public Prosecutions is entitled to the remuneration and allowances payable from time to time to a Puisne Judge of the Supreme Court of Western Australia.

The holder of the office is entitled to a motor vehicle of the type provided to a Puisne Judge.

Signed at Perth this 4th of April 2008.

Professor M. C. WOOD, Chairman.
 W. S. COLEMAN, AM, Member.
 M. L. NADEBAUM, Member.
 Salaries And Allowances Tribunal.

Fourth Schedule
CLERKS OF THE PARLIAMENT

Pursuant to section 6(1)(c) of the *Salaries and Allowances Act 1975* the Salaries and Allowances Tribunal determines the remuneration to be paid to the holders of the offices listed below and is as follows with effect from 1 May 2008—

Clerk of the Legislative Council	\$185,462
Deputy Clerk of the Legislative Council	\$141,512
Clerk of the Legislative Assembly	\$185,462
Deputy Clerk of the Legislative Assembly	\$141,512

The remuneration is inclusive of Annual Leave Loading.

The holders of these offices also are entitled to the supply of a fully maintained motor vehicle for business and private use.

Signed at Perth this 4th day of April 2008.

Professor M. C. WOOD, Chairman.
 W. S. COLEMAN, AM, Member.
 M. L. NADEBAUM, Member.
 Salaries And Allowances Tribunal.