

SALARIES AND ALLOWANCES ACT 1975

DETERMINATION OF THE SALARIES AND ALLOWANCES TRIBUNAL

FOR CLERKS AND DEPUTY CLERKS OF THE PARLIAMENT PUBLIC SERVICE OFFICE HOLDERS INCLUDED IN THE SPECIAL DIVISION OF THE PUBLIC SERVICE AND PERSONS HOLDING OFFICES PRESCRIBED IN SALARIES AND ALLOWANCES REGULATION NUMBER 3

23 June 2015

1. In accordance with Section 6(1)(c), (d) and (e) of the *Salaries and Allowances Act 1975* (“the SA Act”), the Salaries and Allowances Tribunal (“the Tribunal”) is required to inquire into and determine, the remuneration to be paid or provided to –
 - the Clerk of the Legislative Council or Clerk of the Legislative Assembly or the Deputy Clerk of either House;
 - officers of the Public Service holding offices including in the Special Division of the Public Service; and
 - a person holding any other office of a full-time nature, created or established under a law of the State, that is prescribed for the purposes of this section, but not being an office the remuneration for which is determined by or under any industrial award or agreement made or in force under any other law of the State.

2. In discharging its statutory requirements with respect to the remuneration for Clerks of the Parliament and holders of offices in the Special Division of the Public Service and Prescribed offices, the Tribunal’s approach has been to -
 - Advertise for public submissions;
 - Write to all office holders; and
 - Request advice from the Statutory Advisor.

3. Further, in accordance with section 10A of the Act, this determination made by the Tribunal under sections 6(1)(c) (d) and (e) has taken into consideration the:
 - a. Public Sector Wages Policy Statement 2014;
 - b. financial position and fiscal strategy of the State, as stated in the Government's Financial Strategy Statement and Government Financial Projections Statement, released as part of the State Budget on 14 May 2015; and
 - c. submission made on behalf of the State Government.
4. This process provides an opportunity for members of the public, the Government, the office holders or other interested parties to make a submission. It also informs the Tribunal of changes in the roles or responsibilities over the past year and other remuneration issues.
5. No submissions were received from the public. The Government's submission reaffirmed the Tribunal's statutory obligation to have regard to the Wages policy and financial statements as set out in (3) above.
6. In exercising its statutory responsibilities, the Tribunal applies broad principles upon which levels of remuneration are determined for all categories of offices and positions coming within the scope of the SA Act. These principles, particularised to the Clerks of the Parliament, Special Division and Prescribed Office holders, have been applied by the Tribunal to make judgments with respect to the remuneration and entitlements in this determination. These principles are:
 - the value of the offices to the State and our democratic system of government;
 - measures of the "work value" of the offices; and
 - the level of remuneration of the offices within the context of wage and salary rates applying generally in the community.
7. In relation to the work value of positions, there is an expectation that senior executives within the Public Service and other statutory office holders must meet the challenges of changing roles and responsibilities arising from policy initiatives, changing priorities and the demands of the community. To warrant an increase in classification and/or remuneration the changes in the work value of the position must be significant and result in a fundamental change in the character of the office above the demands that an effective senior executive must meet on an ongoing basis. Taking this into account, the Tribunal resolved to not reclassify any Special Division or Prescribed Office holder positions.
8. In relation to the motor vehicle entitlement for office holders, the Tribunal has considered the changes made to the FBT calculations by the Australian Taxation Office and have amended the FBT formula accordingly. No other changes to the motor vehicle entitlements have been made.

9. The Tribunal considered relevant labour market and economic data, as well as the State Government's economic forecasts.
10. In the course of the inquiry, the Tribunal considered a number of serious economic issues evident in the Western Australian economy. In handing down the 2015 Budget, the Treasurer described the current economic situation as "the most challenging economic and fiscal environment the State has faced in at least the last three decades"¹. General government revenue in 2015-16 is estimated to be \$1.6 billion or 5.8% lower than actual revenue in 2013-14.
11. The Tribunal has also noted:
 - the State's economic performance has been affected by the transition of resource projects from construction to production phase, along with substantial drop in commodity prices;
 - declining business confidence reflected in employers reducing capital expenditure and employment levels;
 - declining private sector investment in the economy;
 - increasing unemployment and redundancies, which are predicted to rise further;
 - declining wages in the wider community; and
 - low levels of inflation, which has meant that the cost of living for WA employees has not significantly changed compared to this time last year.
12. The challenging economic environment is apparent throughout the State. In arriving at its decision, among other factors, the Tribunal noted significant numbers of redundancies in the mining sector, pay freezes or pay cuts in the private sector, falling property values in the Pilbara and other areas and the public sector's workforce renewal policy and efficiency measures. The unemployment rate is predicted to increase to 6.25% in 2015/16. This would be the highest level in over a decade.

¹ Treasurer's budget speech http://static.ourstatebudget.wa.gov.au/15-16/2015-16-wa-state-budget_bp1.pdf?

Conclusions

13. The Tribunal has examined the remuneration provided to the Clerks of the Parliament and Special Division and Prescribed Office holders based upon the principles of remuneration set out above and within the framework of salaries for these office holders generally.
14. In light of the serious economic issues evident in the Western Australian economy, the circumstances demand a degree of caution in any decision of the Tribunal. The Tribunal has determined there will be no increase at this time to the classification or remuneration for office holders in this determination.

The determination will now issue.

Signed this 23th day of June 2015

W S Coleman AM
CHAIRMAN

C A Broadbent
MEMBER

B J Moore
MEMBER

SALARIES AND ALLOWANCES TRIBUNAL

**FOR CLERKS AND DEPUTY CLERKS OF THE PARLIAMENT
PUBLIC SERVICE OFFICE HOLDERS INCLUDED IN THE
SPECIAL DIVISION OF THE PUBLIC SERVICE
AND PERSONS HOLDING OFFICES PRESCRIBED IN
SALARIES AND ALLOWANCES REGULATION NUMBER 3
Pursuant to Sections 6(1) (c) (d) and (e)**

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PART 1: INTRODUCTORY MATTERS

This Part deals with matters that are relevant to the determination generally.

1.1 Short title

This determination may be cited as the Special Division and Prescribed Office holders Determination No. 1 of 2015.

1.2 Commencement

This determination comes into operation on 1 July 2015.

1.3 Content and intent

- (1) This determination provides for the salary, allowances and other benefits to be paid, provided or reimbursed to officers of the Special Division of the Public Service and the holders of offices prescribed for the purposes of section 6(1)(e) of the Salaries and Allowances Act 1975 ('the SA Act').
- (2) This determination fulfils the Tribunal's obligations provided in section 8 of the *Salaries and Allowances Act 1975*, with respect to making determinations annually.
- (3) This determination also fulfils the Tribunal's obligations provided in section 10A of the *Salaries and Allowances Act 1975*, with respect to government financial matters.

1.4 Terms used

In this determination, unless the contrary intention appears -

remuneration means salary, allowances, fees, emoluments and benefits (whether in money or not);

salary means the portion of remuneration which is paid as money;

Special Division officer means the holder of an office which has been included in the Special Division of the Public Service pursuant to section 38 of the Public Sector Management Act 1994 and for the purposes of section 6(1)(d) of the SA Act;

Prescribed Officer means the holder of an office which has been created or established under a law of the State, that is prescribed for the purposes of section 6(1)(e) of the SA Act.

1.5 Conditions of service

- (1) Unless the conditions of service of a Special Division officer or Prescribed officer are determined pursuant to a law of the State other than the SA Act, the conditions of service specified in this determination will apply.
- (2) To the extent that terms and conditions of employment affect remuneration (e.g. paid leave), office holders listed in this Schedule are entitled to the same terms and conditions as contained in the *Public Service Award 1992* as at the date of this determination and the *Public Service and Government Officers General Agreement 2014*.
- (3) Where there is any inconsistency between this determination and the terms and conditions of the *Public Service Award 1992* and the *Public Service Government Officers General Agreement 2014*, the conditions of service specified in this determination shall prevail to the extent of any inconsistency.

1.6 Salaries

- (1) All salaries stated in the Schedules of this determination are inclusive of annual leave loading.
- (2) A person holding more than one Special Division or Prescribed Office, shall receive remuneration for one such office only, being the office classified or remunerated at the highest level.

1.7 Salary Packaging

- (1) An Office holder identified in this determination is entitled to participate in salary packaging arrangements for superannuation and novated leases in accordance with the "Guidelines for Salary Packaging in the WA Public Sector" document, which can be accessed at -

https://www.commerce.wa.gov.au/sites/default/files/atoms/files/cda_2012_no.04_amendments_to_support_introduction_of_choice_of_superannuation_fund_super_choice.pdf

FIRST SCHEDULE

SPECIAL DIVISION AND PRESCRIBED OFFICE HOLDERS

PART 1: SALARY

This Part deals with the salary payable to Special Division and Prescribed Office Holders listed below.

1.1 Salary

The annual salaries specified in the Tables of this Part apply to the holders of the corresponding offices.

Table: 1 Special Division CEOs

SPECIAL DIVISION CEOs				
Office	Department or Agency	Band	Office Holder	Salary
Director General	Aboriginal Affairs	3	C Weeks	\$248,296
Director General	Agriculture and Food	2	R Delane	\$299,656
Director General	Attorney General	2	C Gwilliam	\$313,735
Chief Executive Officer	Botanic Gardens and Parks Authority	4	M Webb	\$216,804
Managing Director	Central Institute of Technology	4	N Fernandes	\$216,804
Managing Director	Challenger Institute of Technology	4	Vacant	\$-
Chief Executive Officer	ChemCentre	4	P Millington	\$216,804
Director General	Child Protection and Family Support	2	E White	\$299,656
Director General	Commerce	2	B Bradley	\$313,735
Commissioner	Corrective Services	2	J McMahon	\$361,645
Director General	Culture and the Arts	3	D Ord	\$232,058
Managing Director	CY O'Connor Institute	4	J Scott	\$199,636
Registrar	Department of the Registrar, Western Australian Industrial Relations Commission	4	S Bastian	\$216,804
Director General	Disability Services Commission	2	R Chalmers	\$339,723
Managing Director	Durack Institute of Technology	4	Vacant	\$-
Director General	Education	1	S O'Neill	\$434,883
Director General	Education Services	3	R Strickland	\$258,277
Director General	Finance	1	A Nolan	\$396,343
Director General	Fisheries	2	H Brayford	\$299,656
Director	Gascoyne Development Commission	4	S Webster	\$212,047
Managing Director	Goldfields Institute of Technology	4	K Doig	\$199,636
Director	Goldfields-Esperance Development Commission	4	S Flanagan	\$199,636
Chief Executive Officer	Government Employees Superannuation Board	2	H Rosario	\$336,519

SPECIAL DIVISION CEOs				
Office	Department or Agency	Band	Office Holder	Salary
Director	Great Southern Development Commission	4	B Manning	\$199,636
Managing Director	Great Southern Institute of Technology	4	L Rozlapa	\$199,636
Director General	Housing	1 (Review when vacant)	G Searle	\$396,343
Managing Director	Insurance Commission of Western Australia	2	R Whithear	\$336,519
Director	Kimberley Development Commission	4	J Gooding	\$199,636
Managing Director	Kimberley Training Institute	4	K Dickinson	\$199,636
Director General	Lands	3	C Slattery	\$232,058
Director General	Local Government and Communities	3	J Mathews	\$284,591
Commissioner	Mental Health Commission	2	T Marney	\$361,645
Chief Executive Officer	Metropolitan Cemeteries Board	4	P Deague	\$216,804
Chief Executive Officer	Metropolitan Redevelopment Authority	3	K Kinsella	\$258,277
Director	Mid-West Development Commission	4	G Treasure	\$201,228
Director General	Mines and Petroleum	2	R Sellers	\$339,723
General Manager	Office of the Environmental Protection Authority	3	K Taylor	\$265,014
Director General	Parks and Wildlife	2	J Sharp	\$299,656
Director	Peel Development Commission	4	M Teede	\$199,636
General Manager	Perth Theatre Trust	4	A Ferris	\$201,453
Director	Pilbara Development Commission	4	Vacant	\$-
Managing Director	Pilbara Institute	4	M Boundy	\$199,636
Director General	Planning	2	G McGowan	\$299,656
Managing Director	Polytechnic West	4	J Jamieson	\$199,636
Director General	Premier and Cabinet	1	P Conran	\$434,883
Chief Executive Officer	Public Transport Authority	2	R Waldock	See Director General, Department of Transport
Director General	Racing, Gaming and Liquor	3	B Sargeant	\$284,591
Director General	Regional Development	3	D Addis	\$232,058
Commissioner	Road Safety Commission	4	Vacant	\$-
Chief Executive Officer	Rottneest Island Authority	4	P Amaranti	\$216,804
Chief Executive Officer	School Curriculum and Standards Authority	3	A Blagaich	\$258,277
Small Business Commissioner	Small Business Development Corporation	4	D Eaton	\$227,936
Director	South West Development	4	D Punch	\$199,636

SPECIAL DIVISION CEOs				
Office	Department or Agency	Band	Office Holder	Salary
	Commission			
Managing Director	South West Institute of Technology	4	D Anderson	\$199,636
Director General	Sport and Recreation	3	R Alexander	\$284,591
Director General	State Development	1	S Wood	\$396,343
Executive Director	State Heritage Office	4	G Gammie	\$199,636
Chief Executive Officer	State Supply Commission	4	Vacant	\$-
Director General	Training and Workforce Development	2	R Shean	\$361,645
Director General	Transport	1	R Waldock	\$396,343
Under Treasurer	Treasury	1	M Barnes	\$434,883
Director General	Water	3	M De Lacey	\$248,296
Managing Director	West Coast Institute of Training	4	M Hoad	\$199,636
Chief Executive	Western Australian Land Information Authority	3	M Bradford	\$270,374
Director	Wheatbelt Development Commission	4	W Newman	\$199,636
Chief Executive Officer	WorkCover Western Australia Authority	4	M Reynolds	\$232,058
Chief Executive Officer	Zoological Parks Authority	4	S Hunt	\$232,058

Table: 2 Prescribed Office Holders

PRESCRIBED OFFICE HOLDERS			
Office	Department or Agency	Office Holder	Salary
Commissioner for Equal Opportunity	Equal Opportunity Commissioner	A Lucas	\$248,296
Commissioner	Fire and Emergency Services	W Gregson	\$361,644
General Manager	Forest Products Commission	V Erasmus	\$240,000
Director	Health and Disability Services Complaints Office	A Donaldson	\$232,058
State Librarian	Library Board of Western Australia	M Allen	\$232,058
Commissioner of Main Roads	Main Roads	R Waldock	See Director General, Department of Transport
President	Mental Health Review Board	M Hawkins	\$238,530
Auditor General	Office of the Auditor General	C Murphy	\$396,343
Commissioner for Children and Young People	Office of the Commissioner for Children and Young People	Vacant	\$232,058
Director of Public Prosecutions	Office of the Director of Public Prosecutions	-	See Fourth Schedule
Deputy Director of Public Prosecutions	Office of the Director of Public Prosecutions	-	See Fourth Schedule
Information Commissioner	Office of the Information Commissioner	S Bluemmel	\$232,058

PRESCRIBED OFFICE HOLDERS			
Office	Department or Agency	Office Holder	Salary
Inspector of Custodial Services	Office of the Inspector of Custodial Services	N Morgan	\$232,058
Solicitor General	Office of the Solicitor General	-	See Sixth Schedule
Commissioner	Parliamentary Commissioner for Administrative Investigations	C Field	\$361,645
Deputy Commissioner	Parliamentary Commissioner for Administrative Investigations	G (Mary) White	\$195,127
Public Sector Commissioner	Public Sector Commission	M Wauchope	\$434,883
Electoral Commissioner	Western Australian Electoral Commission	D Kerslake	\$248,296
Deputy Electoral Commissioner*	Western Australian Electoral Commission	C Avent	\$187,957
Commissioner of Police	Western Australian Police Service	K O'Callaghan	\$434,883
Deputy Commissioner Operations	Western Australian Police Service	S Brown	\$276,984
Deputy Commissioner Specialist Services	Western Australian Police Service	G Dreiberghs	\$276,984
Assistant Commissioner (Business Technology) – Chief Information Officer	Western Australian Police Service	Vacant	\$-
Assistant Commissioner Specialist & Support Services	Western Australian Police Service	N Anticich	\$209,199
Assistant Commissioner Metropolitan Region	Western Australian Police Service	K Properjohn	\$209,199
Assistant Commissioner Reform and Business Improvement	Western Australian Police Service	P Zanetti	\$209,199
Assistant Commissioner Intelligence	Western Australian Police Service	Vacant	\$209,199
Assistant Commissioner State Crime	Western Australian Police Service	C Ward	\$209,199
Assistant Commissioner Workforce	Western Australian Police Service	M Fyfe	\$209,199
Assistant Commissioner Judicial Services	Western Australian Police Service	D Bell	\$209,199
Assistant Commissioner Regional WA	Western Australian Police Service	G Budge	\$209,199
Chief Executive Officer	Western Australian Tourism Commission	S Buckland	\$301,794

* Where the Deputy Commissioner, Western Australian Electoral Commission (WAEC), acts in the position of Electoral Commissioner, WAEC, for a period of four or more consecutive weeks while the office is substantively vacant or the office holder is on leave, the Deputy Commissioner is entitled to receive the salary awarded in Table 2 Prescribed Office Holders, to the position of Electoral Commissioner for the duration of the acting arrangement.

Table: 3 Special Division Non-CEOs

SPECIAL DIVISION NON-CEOs				
Office	Department or Agency	Band	Office Holder	Salary
Public Trustee	Attorney General	4	B Roche	\$224,452
Executive Director, Courts and Tribunal Services	Attorney General	4	R Warnes	\$209,199
Executive Director Consumer Protection / Commissioner for Consumer Protection	Commerce	3	A Driscoll	\$224,452
Executive Director, WorkSafe / WorkSafe Western Australia Commissioner	Commerce	4	L McCulloch	\$209,199
Executive Director, Building Commission / Building Commissioner	Commerce	4	P Gow	\$209,199
Executive Director, Labour Relations	Commerce	4	Vacant	\$-
Deputy Commissioner, Youth Justice Services	Corrective Services	3	R Green	\$224,452
Deputy Commissioner, Adult Justice Services	Corrective Services	3	S Maines	\$250,719
Deputy Director General, Finance and Administration	Education	2	Vacant	\$-
Deputy Director General, Schools	Education	3	D Axworthy	\$242,809
Deputy Director General, Building Management and Works	Finance	2	B Sullivan	\$302,760
Deputy Director General, Public Utilities Office	Finance	2	R Challen	\$326,047
Executive Director, Government Procurement	Finance	3	Vacant	\$-
Commissioner of State Revenue	Finance	3	Vacant	\$-
Deputy Commissioner, Support and Capability	Fire and Emergency Services	4	S Fewster	\$224,452
Deputy Commissioner, Operations	Fire and Emergency Services	4	L Bailey	\$224,452
Deputy Director General Health Reform	Health	2	Vacant	\$-
Assistant Director General System, Policy and Planning	Health	2	Vacant	\$-
Assistant Director General Purchasing and System Performance	Health	2	Vacant	\$-
Assistant Director General System and Corporate Governance	Health	3	Vacant	\$-
Managing Director	Main Roads WA	2	S Troughton	\$326,047
Deputy Director General, Approvals and Compliance	Mines and Petroleum	3	T Griffin	\$224,452

SPECIAL DIVISION NON-CEOs				
Office	Department or Agency	Band	Office Holder	Salary
Deputy Director General, Strategic Policy	Mines and Petroleum	3	M Andrews	\$224,452
Deputy Auditor General	Office of the Auditor General	3	G Clarke	\$224,452
Deputy Director General, Economic and Deregulation	Premier and Cabinet	2	D Smith	\$302,760
Deputy Director General, Community and Health Services	Premier and Cabinet	2	R Brown	\$302,760
Assistant Director General, State Security and Emergency Coordination	Premier and Cabinet	4	G Hay	\$224,452
Executive Director, Cabinet and Policy Division	Premier and Cabinet	4	R May	\$224,452
Executive Director, Cabinet and Policy Division	Premier and Cabinet	4	J Catlin	\$224,452
Executive Director, Cabinet and Policy Division	Premier and Cabinet	4	L Genoni	\$224,452
Executive Director, Cabinet and Policy Division	Premier and Cabinet	4	T Leeming	\$224,452
Executive Director, Cabinet and Policy Division	Premier and Cabinet	4	A Rutherford	\$224,452
Deputy Commissioner, Accountability, Policy and Performance	Public Sector Commission	3	F Roche	\$224,452
Deputy Commissioner, Agency Support	Public Sector Commission	3	D Volaric	\$224,452
Managing Director	Public Transport Authority	2	M Burgess	\$276,985
Deputy Director General, State Initiatives	State Development	3	J Ostojich	\$224,452
Deputy Director General, Strategic Policy	State Development	3	N Cusworth	\$224,452
Deputy Director General, Policy, Planning and Investment	Transport	2	Vacant	\$-
Managing Director, Transport Services	Transport	2	N Lyhne	\$276,985
Executive Director, Strategic Policy and Evaluation	Treasury	3	Vacant	\$-
Executive Director, Infrastructure and Finance	Treasury	3	Vacant	\$-
Deputy Under Treasurer	Treasury	2	Vacant	\$-
Executive Director, Strategic Projects and Asset Sales	Treasury	2	Vacant	\$-
Executive Director, Economic	Treasury	3	M Court	\$224,452
Executive Director	Western Australian Police Service	3	A Kannis	\$276,985

PART 2: CLASSIFICATION FRAMEWORK FOR SPECIAL DIVISION OFFICES

This Part deals with the classification framework applicable to Special Division offices listed in Part 1 of this Schedule.

2.1 General

- (1) Special Division offices listed in this Schedule have been assigned by the Tribunal to one of four classifications designated Band 1 to Band 4.
- (2) Each classification (Band 1 to Band 4) has a commensurate annual salary as specified in this Section. The salary is exclusive of other benefits described further below in Parts 3, 4, 5 and 6.
- (3) Chief Executive Officers (CEOs) have been designated a higher salary range within each Band in recognition of the distinction between CEOs with end of line responsibility and non-CEOs in subordinate positions.
- (4) The Tribunal will review the classification of an office when that office becomes vacant and prior to a new appointment being made.

Table: 4 Annual salary range for the classification of Chief Executive Officers in the Special Division of the Public Service

Special Division Chief Executive Officers		
Band	Annual Salary Range	
Band 1	\$361,645	\$508,663
Band 2	\$299,656	\$361,645
Band 3	\$232,058	\$299,656
Band 4	\$199,636	\$232,058

Table: 5 Annual salary range for the classification of non-Chief Executive Officers in the Special Division of the Public Service

Special Division non-Chief Executive Officers		
Band	Annual Salary Range	
Band 1	Not applicable	Not applicable
Band 2	\$276,985	\$326,047
Band 3	\$224,452	\$276,985
Band 4	\$187,957	\$224,452

PART 3: MOTOR VEHICLE BENEFITS

This Part deals with the motor vehicle benefits paid or provided to Office holders listed in Part 1 of this Schedule.

3.1 General

- (1) In addition to the salary determined for the office holders listed in Part 1 of this Schedule, those office holders have an entitlement to an allowance which may be taken as cash with salary or may be utilised to access a motor vehicle for private use leased through State Fleet.
- (2) The vehicle (being part of the Government-owned State Fleet) should be managed in accordance with the policies and conditions established and amended from time to time by the Department of Finance (the effective owner of the State Fleet). Applicable terms and conditions are currently set out in the document "State Fleet – Agency General Agreement".
- (3) A person holding more than one Special Division or Prescribed Office, shall be entitled to a motor vehicle or cash in lieu of a motor vehicle for one such office only, being the office classified or remunerated at the highest level.
- (4) 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 should be reported to the Fleet Manager.

- (5) Motor vehicles leased for office holders under this determination or a previous determination of the Tribunal shall not be changed or cash in lieu taken prior to the expiration of the lease.
- (6) 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.
- (7) Should the officer choose not to use the vehicle, supplied through State Fleet, for business, or 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, they are not entitled to access another government vehicle for their private use, including transport to and from work.
- (8) Should the officer choose to take cash in lieu of a motor vehicle supplied through State Fleet, it is not the Tribunal's intent that this should result in additional government expense or an increase in the government fleet to provide transport for the office holder during business hours. The office holder is not entitled to claim a mileage allowance for use of their private vehicle for work purposes. Neither are they entitled to access another government vehicle for their personal use including transport to and from work.

3.2 Notional value of the lease and the cost to the Office Holder

- (1) The notional value of the lease (and all associated costs) shall be:

Table: 6 Notional Value of a Motor Vehicle

Salary of Office Holder	Notional value of the lease
Below \$246,397 p.a.	\$20,300 p.a.
Equal to or above \$246,397 p.a.	\$22,650 p.a.

- (2) The notional value of the lease shall be calculated on a pro rata basis in accordance with the proportion of full-time hours worked by an office holder.
- (3) Office holders located in non-metropolitan locations that require a four wheel drive vehicle for operational reasons, can apply to the employing authority for the issue of a four wheel drive vehicle in lieu of the entitlement mentioned in this Section. Four wheel drive vehicles shall be of a standard, the cost of which does not exceed the Toyota Prado GXL Automatic 3.0 litre Turbo Diesel.

- (4) The total lease cost of the chosen vehicle and accessories determined in this section, must be borne by the office holder. This includes the purchase cost of any accessories and the installation cost and removal costs if required, before disposal of the vehicle. No additional costs shall be incurred by the office holder as a result of fluctuations in lease costs during the specified term of the lease.
- (5) Where the total lease and associated costs of a vehicle and accessories in accordance with this determination is less than the relevant motor vehicle benefit determined in this section, the difference in the cost to Government is to be paid fortnightly as part of the office holder's remuneration.
- (6) The method of determining whether an additional contribution must be made by the office holder or the surplus is to be paid to the office holder, shall be based on the notional lease cost to the Government of the vehicle sought (using the formula detailed below), compared with the relevant notional lease value determined for the benefit in this section. The cost at the time of entering into the lease is applicable.
- (7) The notional value of the vehicle benefit must include the lease cost, Fringe Benefits Tax (FBT) 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 outlined in Table 7 below.

Table: 7 Value of a Motor Vehicle Formula

Value of a Motor Vehicle =		
L + R + aD + FBT + I + LCT, where		
L	=	Lease payments
R	=	Registration costs
a	=	Running cost per kilometre
D	=	nominated annual kilometres
FBT	=	Fringe Benefits Tax
I	=	Insurance
LCT	=	Luxury Car Tax

- (8) FBT is costed at applicable Australian Taxation Office rates. FBT is costed at purchase price (including GST) x Statutory fraction x Gross up (2.1463) x FBT rate (0.490). A 'Fringe Benefits Tax Exempt Agency' means 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.
- (9) Each lease should be tailored to achieve the most cost-effective arrangement based on individual usage patterns.

3.3 Choice of motor vehicle

- (1) Where an office holder elects to access a leased vehicle under State Fleet arrangements, he/she may choose any vehicle and accessories in the relevant Western Australian Government Common Use Contract or an “off contract” vehicle and accessories available under Government leasing arrangements in accordance with the following criteria.
- (2) Vehicles with V8 engines are not included. Supercharged and turbo-charged engines with a capacity greater than 3.0 litres are not included.
- (3) Office holders unable to lease their choice of vehicle within the scope of the arrangements set out in this determination should elect to make their own arrangements to meet their personal transport needs.

3.4 Cash value of the motor vehicle benefit

- (1) 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 relevant cash value is to be determined in accordance with the following criteria:

Table: 8 Cash Value of a Motor Vehicle

Salary of Office Holder	Cash Value
Below \$246,397 p.a.	\$20,300 p.a.
Equal to or above \$246,397 p.a.	\$22,650 p.a.

- (2) The cash value of a motor vehicle shall be calculated on a pro rata basis in accordance with the proportion of full-time hours worked by an office holder.

PART 4: DISTRICT AND TRAVEL ALLOWANCES

This Part deals with the district and travel allowances paid or provided to Office holders listed in this Part.

4.1 District Allowances

- (1) Officer holders listed in this Section shall be entitled to applicable district allowances in accordance with the *District Allowance (Government Officers) General Agreement 2010* (including any subsequent rate adjustment) and the relevant provisions of the *Public Service Award 1992* as at the date of this determination. Applicable FBT shall be payable by the relevant department or agency.

(2) For the purposes of calculating the standard rate, dependant rate or partial dependant rate applicable under the *District Allowance (Government Officers) General Agreement 2010*, the standard rates set out in Table 9 below shall form the basis of the calculations unless and until determined otherwise by the Tribunal.

Table: 9 District Allowances

Office	Department or Agency	Office Holder	Annual District Allowance (Standard Rate)
Managing Director	Durack Institute of Technology	Vacant	\$1,239
Director	Gascoyne Development Commission	S Webster	\$4,387
Director	Goldfields-Esperance Development Commission	S Flanagan	\$2,399
Managing Director	Goldfields Institute of Technology	K Doig	\$2,354
Director	Kimberley Development Commission	J Gooding	\$9,230
Managing Director	Kimberley TAFE	K Dickinson	\$8,361
Director	Mid West Development Commission	G Treasure	\$1,239
Director	Pilbara Development Commission	Vacant	\$12,865
Managing Director	Pilbara Institute	M Boundy	\$12,865

4.2 Travel Allowances – Annual Leave Travel Concessions

Office holders listed in this Section are entitled to travel allowances in accordance with the Public Service Award 1992 (as at the date of this determination) and described in clause 23(10) of that Award as “Annual Leave Travel Concessions”.

Table: 10 Travel Allowances – Annual Leave Travel Concessions

Office	Department or Agency	Office Holder
Director	Gascoyne Development Commission	S Webster
Director	Goldfields-Esperance Development Commission	S Flanagan
Managing Director	Goldfields Institute of Technology	K Doig
Director	Kimberley Development Commission	J Gooding
Managing Director	Kimberley TAFE	K Dickinson
Director	Pilbara Development Commission	Vacant
Managing Director	Pilbara Institute	M Boundy

PART 5: HOUSING AND UTILITIES

This Part deals with the housing and utilities subsidies paid or provided to Office holders listed in this Part.

5.1 Rental subsidies

- (1) Office holders identified in this section shall be entitled to applicable Government Regional Officers Housing (GROH) rental subsidies which are aligned generally to Department of Housing policies including the *Tenant Rent Setting Framework Policy (August 2006)*.
- (2) The rental subsidy shall be payable to GROH for the benefit of the office holders up to the specified value in Table 11, based on rates calculated using the Department of Housing on-line rent calculator which can be accessed at:

http://www.housing.wa.gov.au/currenttenants/governmentemployeehousing/rentcalculation/Pages/groh_rent_calc.aspx
- (3) Applicable FBT shall be paid by the office holder's department or agency.
- (4) Where the office holder's tenancy is for a portion of the year, the maximum annual rental subsidy shall apply on a pro rata basis.
- (5) Office holders are to advise the Tribunal of GROH rent adjustments as soon as practicable after they occur. The Tribunal will ordinarily take these rent adjustments into account when conducting the annual review of remuneration for Special Division and Prescribed Office holders and when a new office holder is appointed.

Table: 11 Rental Subsidies

Office	Department or Agency	Office Holder	Maximum Annual Rental Subsidy
Director	Gascoyne Regional Development Commission	S Webster	\$13,000
Managing Director	Goldfields Institute of Technology	K Doig	\$13,300
Director	Mid West Development Commission	G Treasure	\$15,100
Director	Pilbara Development Commission	Vacant	\$13,600
Managing Director	Pilbara Institute	M Boundy	\$13,700

5.2 Home ownership subsidies

- (1) Office holders identified in this section shall be entitled to applicable Government home loan subsidies which are aligned generally to the Department of Housing's *Home Ownership Subsidy Scheme for Government Employees in Regional Western Australia (November 2001)*.
- (2) The home ownership subsidy shall be payable for the benefit of the office holder up to the maximum specified in Table 12 below.
- (3) The subsidy shall be paid in accordance with and for the period specified in the relevant Home Loan Subsidy Agreement between the office holder and their Department or agency identified in Table 12 below.
- (4) Applicable FBT shall be paid by the office holder's department or agency.

Table: 12 Home Ownership Subsidies

Office	Department or Agency	Office Holder	Maximum Annual Home Ownership Subsidy
Director	Kimberley Development Commission	J Gooding	\$9,100 (\$175 per week)

5.3 Electricity subsidies

- (1) Office holders listed in this Section shall be entitled to claim electricity subsidies as specified in Table 13 below. These electricity subsidies are based generally on the air conditioning subsidies applicable under the Department of Housing's *Government Housing Air Conditioning Policy (October 2001)*.
- (2) Claims made under this Section must be accompanied by a tax invoice for electricity utilised at the residence ordinarily occupied by the office holder within the relevant Development Commission region where the office holder's department or agency is located.
- (3) A claim for an electricity subsidy made under this Section must be submitted within 90 days of the due payment date of the tax invoice. In the case of exceptional circumstances, the administering authority may approve an extension of time to submit a claim. Any application made to the administering authority seeking an extension of time to submit a claim under this Section, should be in writing and explain the exceptional circumstances leading to the need for extra time to submit a

claim. Exceptional circumstances, for which an extension will be approved, will only be where the office holder has demonstrated that the claim submission has been delayed for reasons outside the office holder's control or in circumstances where ill health or bereavement has prevented a claim being made on time. Where delays in submitting a claim have been due to administrative oversight or negligence, the Tribunal does not regard these as circumstances appropriate to grant an extension of time to submit a claim. Where a claim is made after 90 days and no extension has been granted, payment against the claim will not be made.

(4) Applicable FBT shall be paid by the office holder's department or agency.

Table: 13 Electricity Subsidies

Office	Department or Agency	Office Holder	Maximum Annual Electricity Subsidy
Director	Gascoyne Development Commission	S Webster	\$1,771
Managing Director	Goldfields Institute of Technology	K Doig	\$1,665
Director	Kimberley Development Commission	J Gooding	\$2,896
Managing Director	Kimberley TAFE	K Dickinson	\$1,554
Director	Pilbara Development Commission	Vacant	\$3,000
Managing Director	Pilbara Institute	M Boundy	\$2,999

PART 6: SUPERANNUATION ENTITLEMENTS

This Part deals with the superannuation entitlements paid or provided to Office holders listed in Part 1 of this Schedule.

6.1 Superannuation Entitlements

(1) Employer superannuation contributions are payable in accordance with the obligations applicable under the *Superannuation Guarantee (Administration) Act 1992* (Cth), the *State Superannuation Act 2000* and the *State Superannuation Regulations 2001* or the *Fire and Emergency Services Regulations 1986*, as the case may be, unless determined otherwise in this Schedule.

(2) Superannuation contributions to the Gold State Super scheme are based on the concept of remuneration set out in Regulation 5 of the *State Superannuation Regulations 2001*. Contributions to an accumulation scheme, whether a GESB accumulation scheme or a scheme of choice, are determined by the concept of Ordinary Time Earnings (OTE) defined in the *Superannuation Guarantee (Administration) Act 1992* (Cth) and 'over OTE items' as defined in the *State Superannuation Regulations 2001*. The Department of Treasury document titled *Ordinary Time Earnings and the Treatment of Allowances and Payments for Superannuation Remuneration Purposes – General Principles* provides useful guidance on this matter. The document can be found on the Department of Treasury web site at:

[http://www.treasury.wa.gov.au/cms/uploadedFiles/Treasury/State finances/ote treatment allowances payments superannuation remuneration general principles.pdf?n=1655](http://www.treasury.wa.gov.au/cms/uploadedFiles/Treasury/State%20finances/ote_treatment_allowances_payments_superannuation_remuneration_general_principles.pdf?n=1655)

(3) Superannuation contributions to the Fire and Emergency Services Superannuation Fund are governed by the *Superannuation Guarantee (Administration) Act 1992* (Cth) and the *Fire and Emergency Services Regulations 1986*.

(4) The position of Inspector of Custodial Services, while held by Mr N Morgan shall be paid superannuation in accordance with the *UniSuper*.

(5) The position of CEO, Metropolitan Cemeteries Board, while held by Mr P Deague shall be paid superannuation in accordance with the *WA Local Government Superannuation Plan*.

(6) A Gold State member electing to take a motor vehicle or the cash equivalent in lieu of a motor vehicle is not entitled to have either amount included for superannuation purposes.

(7) A West State or GESB Super member electing to take a vehicle does not have the cash value of that vehicle included for superannuation. However if the office holder elects to take a cash equivalent in lieu of a motor vehicle then this amount is included for the purposes of superannuation.

Signed this 23th day of June 2015

W S Coleman AM
CHAIRMAN

C A Broadbent
MEMBER

B J Moore
MEMBER

SALARIES AND ALLOWANCES TRIBUNAL

SECOND SCHEDULE

SENIOR LEGAL OFFICES

Pursuant to section 6(1)(d) of the *Salaries and Allowances Act 1975* the Salaries and Allowances Tribunal determines the remuneration to be paid per annum to the holders of the offices listed below and is as follows.

PART 1 - SALARY

This part deals with the salary payable to the holders of Senior Legal Offices listed below in Part 1 of this Schedule.

1.1 Salary

The annual salaries specified in the Table of this Part apply to the holders of the corresponding offices.

Table: 14 Remuneration and Offices

OFFICE	DEPARTMENT OR AGENCY	BAND	OFFICE HOLDER	Annual Salary
State Solicitor	Attorney General	1	P Evans	\$434,644
Parliamentary Counsel	Attorney General	1	W Munyard	\$434,644
State Counsel – Queen’s/Senior Counsel	Attorney General	2	G Tannin SC	\$391,888
State Counsel	Attorney General	2	Vacant	\$-
Deputy State Solicitor – Queen’s/Senior Counsel	Attorney General	2	Vacant	\$-
Deputy State Solicitor	Attorney General	2	J Young	\$370,265
Deputy State Solicitor – Commercial	Attorney General	2	N Egan	\$370,265
Deputy Parliamentary Counsel	Attorney General	2	A Harvey	\$370,265
Deputy Parliamentary Counsel	Attorney General	2	G Jamieson	\$370,265
Deputy State Counsel	Attorney General	3	Vacant	\$-
Senior Adviser, State Solicitor’s Office	Attorney General	3	J O’Halloran	\$348,811
Senior Parliamentary Counsel	Attorney General	3	G Lawn	\$328,082
Senior Parliamentary Counsel	Attorney General	3	Vacant	\$-
Director Legal Services	Office of the Director of Public Prosecutions	3	M Bugg	\$328,082
Consultant State Prosecutor – Queen’s/Senior Counsel	Office of the Director of Public Prosecutions	3	Vacant	\$-
Consultant State Prosecutor	Office of the Director of Public Prosecutions	3	Vacant	\$-
Consultant State Prosecutor	Office of the Director of Public Prosecutions	3	C Barbagallo	\$328,082

OFFICE	DEPARTMENT OR AGENCY	BAND	OFFICE HOLDER	Annual Salary
Consultant State Prosecutor	Office of the Director of Public Prosecutions	3	A Forrester	\$328,082
Consultant State Prosecutor	Office of the Director of Public Prosecutions	3	J Scholz	\$328,082
Consultant State Prosecutor	Office of the Director of Public Prosecutions	3	B Meertens	\$328,082 (Review when vacant)
Senior Adviser, State Solicitor's Office	Attorney General	3	K Glancy	\$272,234
Adviser, State Solicitor's Office	Attorney General	4	A Sefton	\$259,409
Senior Assistant Parliamentary Counsel	Attorney General	4	L O'Dwyer	\$247,000
Adviser, State Solicitor's Office	Attorney General	4	A Komninos	\$240,000
Adviser, State Solicitor's Office	Attorney General	4	I Petersen	\$240,000

PART 2: CLASSIFICATION FRAMEWORK

This part deals with the classification framework applicable to the holders of Senior Legal Offices listed in Part 1 of this Schedule.

2.1 General

- (1) Offices listed in this Schedule have been assigned by the Tribunal to one of four classifications designated Band 1 to Band 4.
- (2) Each classification (Band 1 to Band 4) has a commensurate indicative annual salary as specified in this Section.
- (3) The Tribunal will review the classification and salary of an office when that office becomes vacant and prior to a new appointment being made.

Table: 15 Indicative annual salary range for the classification of Senior Legal Offices

SENIOR LEGAL OFFICES		
Band	Salary Range	
Band 1	\$405,614	\$467,174
Band 2	\$340,474	\$405,614
Band 3	\$272,234	\$340,474
Band 4	\$240,000	\$272,234

PART 3 - MOTOR VEHICLE BENEFITS

This Part deals with the motor vehicle benefits paid or provided to Office holders listed in this schedule.

3.1 Motor Vehicle Entitlement

The holders of the offices listed in this Schedule have an entitlement to the provision of a fully maintained leased motor vehicle for private use to the notional value of \$22,650 per annum. In all other respects, the motor vehicle entitlements set out in Part 3 of the First Schedule of this determination apply to office holders listed in this Schedule.

Signed this 23th day of June 2015

W S Coleman AM
CHAIRMAN

C A Broadbent
MEMBER

B J Moore
MEMBER

SALARIES AND ALLOWANCES TRIBUNAL

THIRD 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.

PART 1 - SALARY

This part deals with the salary payable to the holders of the offices listed below

Table: 16 Annual salary for Court Registrars

OFFICE	ANNUAL SALARY
Supreme Court	
Principal Registrar	\$334,950
Registrar	\$296,620
District Court	
Principal Registrar	\$311,947
Registrar	\$293,113
Deputy Registrar	\$284,319

PART 2 - MOTOR VEHICLE BENEFITS

This Part deals with the motor vehicle benefits paid or provided to Office holders listed in this schedule.

2.1 Motor Vehicle Entitlement

The holders of the offices listed in this Schedule have an entitlement to the provision of a fully maintained leased motor vehicle for private use to the notional value of \$24,000 per annum. In all other respects, the motor vehicle entitlements set out in Part 3 of the First Schedule of this determination apply to office holders listed in this Schedule.

Signed this 23th day of June 2015

W S Coleman AM
CHAIRMAN

C A Broadbent
MEMBER

B J Moore
MEMBER

SALARIES AND ALLOWANCES TRIBUNAL

FOURTH SCHEDULE

DIRECTOR OF PUBLIC PROSECUTIONS AND

DEPUTY DIRECTOR OF PUBLIC PROSECUTIONS

Pursuant to section 6(1)(e) of the *Salaries and Allowances Act 1975* the Salaries and Allowances Tribunal determines the remuneration to be paid or provided to the holder of the offices of the Director of Public Prosecutions and the Deputy Director of Public Prosecutions.

PART 1 – SALARY AND ALLOWANCES

This Part deals with the salary and allowances payable to the Director of Public Prosecutions and the Deputy Director of Public Prosecutions.

1.1 Director of Public Prosecutions

- (1) The holder of the office of Director of Public Prosecutions is to be paid a salary of \$479,327 per annum.
- (2) All other allowances payable from time to time are the same as provided to a Puisne Judge of the Supreme Court of Western Australia.
- (3) Pursuant to clause 2(a) of the Director of Public Prosecutions Act 1991 the Director of Public Prosecutions has the same annual leave, sick leave and long service leave entitlements as an officer of the public service.

1.2 Deputy Director of Public Prosecutions

- (1) The holder of the office of Deputy Director of Public Prosecutions is to be paid a salary of \$391,888 per annum.
- (2) All other allowances payable from time to time are the same as provided to a District Court Judge of Western Australia.

PART 2 - MOTOR VEHICLE BENEFITS

This Part deals with the motor vehicle benefits paid or provided to the Director of Public Prosecutions and the Deputy Director of Public Prosecutions.

2.1 Motor Vehicle Entitlement

The Director of Public Prosecutions and the Deputy Director of Public Prosecutions each have an entitlement to the provision of a fully maintained leased motor vehicle for private use to the notional value of \$26,900 per annum. In all other respects, the motor vehicle entitlements set out in Part 3 of the First Schedule of this determination apply to these office holders.

Signed this 23th day of June 2015

W S Coleman AM
CHAIRMAN

C A Broadbent
MEMBER

B J Moore
MEMBER

SALARIES AND ALLOWANCES TRIBUNAL

FIFTH SCHEDULE

CLERKS AND DEPUTY 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 or provided to Clerk of the Legislative Council or Clerk of the Legislative Assembly or the Deputy Clerk of either House.

PART 1 - SALARY

This part deals with the salary payable to the holders of the offices listed below.

Table: 17 Annual salary for the Clerks and Deputy Clerks of the Parliament

OFFICE	ANNUAL SALARY
Clerk of the Legislative Council	\$216,138
Deputy Clerk of the Legislative Council	\$166,216
Clerk of the Legislative Assembly	\$216,138
Deputy Clerk of the Legislative Assembly	\$166,216

PART 2 - MOTOR VEHICLE BENEFITS

This Part deals with the motor vehicle benefits paid or provided to Office holders listed in this Schedule.

2.1 Motor Vehicle Entitlement

The holders of the offices listed in this Schedule have an entitlement to the supply of a fully maintained motor vehicle for business and private use.

Signed this 23th day of June 2015

W S Coleman AM
CHAIRMAN

C A Broadbent
MEMBER

B J Moore
MEMBER

SALARIES AND ALLOWANCES TRIBUNAL

SIXTH SCHEDULE

SOLICITOR-GENERAL

Pursuant to section 4 of the *Solicitor-General Act 1969* the Salaries and Allowances Tribunal determines the remuneration to be paid or provided to the holder of the office of the Solicitor-General.

PART 1 - REMUNERATION

This Part deals with the remuneration payable to the holder of the office listed below

The holder of the office of Solicitor-General is entitled to remuneration of \$586,349 per annum inclusive of salary, motor vehicle entitlement and superannuation.

PART 2 – MOTOR VEHICLE BENEFITS

2.1 Motor Vehicle Entitlement

For the purpose of superannuation the notional value of the motor vehicle entitlements is \$26,900 per annum. In all other respects, the motor vehicle entitlements set out in Part 3 of the First Schedule of this determination apply to the Solicitor-General.

Signed this 23th day of June 2015

W S Coleman AM
CHAIRMAN

C A Broadbent
MEMBER

B J Moore
MEMBER

SALARIES AND ALLOWANCES TRIBUNAL