

Remuneration While Acting in CEO Positions, Prescribed Offices and Positions in the Special Division

Commissioner's Instruction 34

Statement of intent

To set a consistent process for determining remuneration for people acting in CEO Positions, Prescribed Offices and Positions in the Special Division.

Scope and application

This Instruction determines remuneration entitlements of people acting in:

- positions in the Special Division of the Public Service
- positions prescribed under section 6(1)(e) of the *Salaries and Allowances Act 1975* (prescribed offices)
- CEO positions in departments and Senior Executive Service organisations not in the Special Division of the Public Service.

References

This Instruction should be read in conjunction with section 38 of the *Public Sector Management Act 1994* and regulation 8A of the Public Sector Management (General) Regulations 1994.

Instruction

1. A person acting in a position in the Special Division of the Public Service is to be paid at the minimum rate applicable to the position's classification/salary band.
 - 1.1 Where special circumstances exist, the person acting is to be paid at the rate approved by the Public Sector Commissioner.



2. A person acting in a prescribed office must be paid as provided for in the enabling legislation.
 - 21 Where the enabling legislation does not provide a rate, the person acting is to be paid at the rate determined by the Salaries and Allowances Tribunal (SAT) for the office holder.
 - 22 Where no current SAT determination exists or the office is vacant, the employer must determine the rate after consultation with the Public Sector Commissioner.
3. A person acting in a CEO position in a department or an SES organisation not in the Special Division of the Public Service is to be paid at the minimum rate of the SAT-determined classification band that corresponds to the position's classification as set out in regulation 8A(3) of the Public Sector Management (General) Regulations 1994.
 - 31 Where special circumstances exist, the person acting is to be paid at the rate approved by the Public Sector Commissioner.
4. Where people covered by points 1 to 3 above are acting in a position for 3 months or longer, they should also be provided either with:
 - a motor vehicle at no cost and consistent with the WA government fleet policy where it is practical and cost effective to do so or
 - payment in lieu of a vehicle equivalent to that afforded by the SAT determination for the position's classification band.