



# *Government Gazette*

of the State of

New South Wales

**Number 346–Other  
Friday, 29 July 2022**

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**Fair  
Trading**

## **CO-OPERATIVES NATIONAL LAW (NSW)**

Section 509 the Corporations Act 2001, as applied by section 453 of the  
Co-operatives National Law (NSW)

Notice is hereby given that the Co-operative listed below was deregistered on  
28 July 2022, three months after the date of lodgement of the final return by  
the Liquidator.

### **CO-OPERATIVE DETAILS**

Co-operative: Belmont Sportsmans Club Co-operative Limited  
Co-operative Number: NSWC00499

Dated this 29th day of July 2022 at Bathurst

Robyn Lunney  
Manager, Regulatory Services, Registry and Accreditation  
Delegate of the Registrar of Co-operatives

## ASSOCIATIONS INCORPORATION ACT 2009

### Cancellation of incorporation pursuant to section 74

TAKE NOTICE that the incorporation of the following associations is cancelled by this notice pursuant to section 74 of the Associations Incorporation Act, 2009.

CONTINENCE NURSE SOCIETY AUSTRALIA NSW/ACT INCORPORATED	INC9879440
FORUM OF INDIAN IT COMPANIES IN AUSTRALIA INCORPORATED	INC9879867
FRIENDS OF THE TWEED REGIONAL MUSEUM INCORPORATED	INC9888461
INTERNATIONAL GLUTAMATE INFORMATION SERVICE INCORPORATED	INC9875870
MIGHTY BIG BAND INCORPORATED	INC9895882
PENRITH COMMUNITY AID SERVICE ASSOCIATION INCORPORATED	Y0809225
ULITARRA CONSERVATION SOCIETY INC	Y0499307
THE OPPORTUNITY COLLECTIVE INCORPORATED	INC1601774

Cancellation is effective as at the date of gazettal.

Dated this 28<sup>TH</sup> Day of July 2022

Megan Green  
Delegate of the Commissioner for Fair Trading  
Department of Customer Service

## **ASSOCIATIONS INCORPORATION ACT 2009**

Cancellation of registration pursuant to section 80

TAKE NOTICE that **BEING - MENTAL HEALTH CONSUMERS INCORPORATED - Y2007847** became registered under the Corporations Act 2001 as **BEING – MENTAL HEALTH CONSUMERS LIMITED - ACN 658 643 497** a company limited by guarantee, on 23 JUNE 2022, and accordingly its registration under the Associations Incorporation Act 2009 is cancelled as of that date.

Terri McArthur  
Delegate of the Commissioner,  
NSW Fair Trading  
27 JULY 2022

Judges and Magistrates Group

# Annual Determination

Report and determination under section  
13 of the Statutory and Other Offices  
Remuneration Act 1975

21 July 2022



# Contents

<b>Section 1</b>	<b>4</b>
Background	4
Legislative Framework.....	4
Government Wages Policy .....	4
Economic Analysis .....	5
2021 Determination.....	7
<b>Section 2</b>	<b>4</b>
2022 Annual Review.....	8
Office Holder Submissions .....	8
Government Submission .....	10
Conveyance Allowance .....	11
Superannuation Guarantee Contributions .....	8
<b>Section 3</b>	<b>12</b>
2022 Annual Determination.....	13
General Increase.....	13
<b>Section 4</b>	<b>13</b>
Report on travel allowances for NSW Judges and Magistrates.....	16
Background.....	16
2022 Review .....	16
Principles Adopted .....	16
Conclusion .....	17
<b>Section 5</b>	<b>18</b>
Determinations.....	18
Determination No. 1 – Remuneration of Judges effective on and from 1 July 2022 .....	18

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Determination No. 2 – Remuneration of other Judicial Officers not referred to in determination No.1 effective on and from 1 July 2022 .....	19
Determination No. 3 – Acting Judges rates.....	20
Determination No. 4 – Acting Magistrates rates.....	20
Determination No. 5 – Annual leave loading.....	21
Determination No. 6 – Travel allowances for Judges and Magistrates.....	21

# Section 1

## Background

### Legislative Framework

1. Section 13 of the *Statutory and Other Offices Remuneration Act 1975* (SOOR Act) requires the Statutory and Other Offices Remuneration Tribunal (“the Tribunal”) to make an annual determination of the remuneration to be paid to office holders on and from 1 July in that year. Section 10A defines ‘remuneration’ as salary or allowances paid in money.
2. The Judges and Magistrates Group comprises those public offices listed in the schedules of the SOOR Act (except for the Court and Related Officers Group and the Public Office Holders Group), which have been grouped together by the Tribunal for remuneration purposes. The remuneration for these office holders is determined as a fixed salary amount. Employer on-costs, such as the Superannuation Guarantee Contribution (SGC), are additional to the salary amount determined.

### Government Wages Policy

3. The Tribunal is required, when making determinations under Part 3 of the SOOR Act, to give effect to any policy concerning the remuneration of office holders as declared by the regulations. Section 6AB of the SOOR Act applies to the Tribunal’s determinations in respect of office holders in the Judges and Magistrates Group, the Court and Related Officers Group and the Public Office Holders Group. Government policy concerning the remuneration of office holders to which Part 3 of the SOOR Act applies is declared in the *Statutory and Other Offices Remuneration (Judicial and Other Office Holders) Regulation 2013* (the SOOR Regulation).
4. On 6 June 2022, the NSW Government announced a new public sector wages policy.<sup>1</sup> The two year policy offered non-executive employees a 3 per cent remuneration increase in 2022-23 and 2023-24, with a possible further 0.5 per cent on offer for employees that make a substantial contribution to productivity enhancing reforms. The Government also announced its position to limit executive remuneration increases to 2 per cent in the 2022-23 financial year.

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<sup>1</sup> NSW Government. (2022). *NSW Government lifts wages and recognises health workers*. <https://www.nsw.gov.au/media-releases/budget-2022-public-sector-wages#:~:text=The%20new%20two%2Dyear%20policy,substantial%20contribution%20to%20productivity%20enhancing>



5. The *Industrial Relations (Public Sector Conditions of Employment) Regulation 2014* was amended to reflect this policy but the SOOR Regulation was not amended. Therefore, in accordance with the clause 6 of the SOOR Regulation, any increase the Tribunal may determine in excess of 2.5 per cent, be it a general increase available to all office holders, or an increase provided to an individual office holder or group of office holders based on changes in work value, could be awarded if officer-related cost savings for the office holder (or group of office holders) have been achieved to fully offset the increased officer-related costs resulting from increased payment.
6. The Tribunal observes there have been few examples of officer-related cost savings being successfully identified. The Tribunal notes it remains open to receiving submissions that demonstrate the genuine achievement of officer-related cost savings.
7. Since the introduction of the SOOR Regulation in 2013 office holders in the Judges and Magistrates Group have received general annual increases capped at 2.5 per cent, apart from 2020 when there was a temporary wage pause pursuant to Clause 5A of the SOOR Regulation commencing 29 May 2020 and ending 12 months after that date.

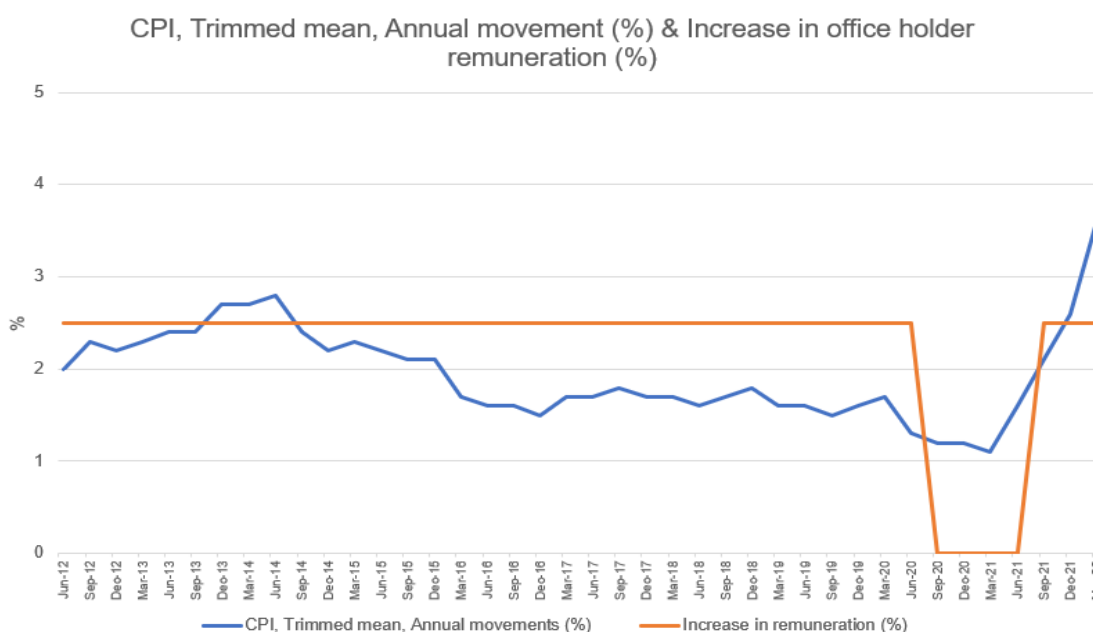
## Economic Analysis

8. As outlined in its 2022-23 Budget papers,<sup>2</sup> the Government expects the economy to grow at an above-trend pace on average across the forecast horizon to 2025-26, supported by strong near-term momentum in the labour market and the resilient state of aggregate balance sheets.
9. A combination of global supply chain shocks and the impacts of COVID-19 have driven increases in inflation across most of the developed world. Underlying inflation, which excludes items that have particularly large price changes during a given period, point to broader inflationary pressures in the economy.
10. Annual headline inflation in Sydney was 4.4 per cent through the year to the March quarter 2022. This was lower than the national headline figure of 5.1 per cent. National underlying inflation rose by 3.5 per cent in the March 2022 quarter, which is above the RBA's target band of 2-3 per cent

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<sup>2</sup> NSW Government. (2022). *NSW Budget 2022-23, No.01 Budget Statement Budget Paper*. [https://www.budget.nsw.gov.au/sites/default/files/2022-06/2022-23\\_03\\_Budget-Paper-No-1-Budget-Statement.pdf](https://www.budget.nsw.gov.au/sites/default/files/2022-06/2022-23_03_Budget-Paper-No-1-Budget-Statement.pdf)

11. The Government expects inflation to peak at a lower rate than has been observed in various other countries. Growth in headline and underlying inflation is expected to peak in late 2022 before easing back to the top of the RBA's 2-3 per cent inflation target by end of 2023. This reflects an anticipated gradual easing of inflationary pressures as global supply chain issues are resolved and the effects of monetary policy normalisation from the RBA, and other global central banks, flow through to the economy.
  
12. The Tribunal acknowledges the short-term impacts of higher than expected inflation. The Tribunal observes however that from June 2012 to June 2020, underlying inflation has for the most part<sup>3</sup> grown at a lower pace than increases in remuneration for the Judges and Magistrates Group.<sup>4</sup>



<sup>3</sup> In 2014 the Tribunal awarded the equivalent of a 2.5 per cent annual increase in remuneration to office holders. For salaried office holders, this was adjusted to 1.88 per cent, inclusive of the increase in the SGC that occurred that year. The lower rate was due to the determination coming into effect 1 July 2014, rather than 1 October as had applied in earlier determinations.

<sup>4</sup> Australian Bureau of Statistics. (2022). *CPI, Trimmed mean and Weighted median, Annual movement (%)*. <https://www.abs.gov.au/statistics/economy/price-indexes-and-inflation/consumer-price-index-australia/latest-release>

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## 2021 Determination

13. After considering submissions received and provisions of section 6AB of the SOOR Act the Tribunal found those office holders the subject of that determination should receive the maximum permissible increase of 2.5 per cent, adjusted to 2.04 per cent for those office holders to which the Superannuation Contribution Guarantee (SGC) increase applies. The increases were consistent with the increases recommended in the Government submission.
14. The conveyance allowance was also increased by 2.5 per cent with effect from 1 July 2021 in accordance with the Tribunal's methodology and the requirements of the SOOR Act.

# Section 2

## 2022 Annual Review

15. On 7 March 2022, the Tribunal wrote to office holders advising of the commencement of the 2022 annual review. The Tribunal did not hold meetings with office holders as part of the 2022 process.

## Office Holder Submissions

16. The Tribunal received six submissions from office holders in the Judges and Magistrates Group. An additional submission was also received from the Magistrates Association of NSW (the Association).
17. A joint submission from the Supreme Court Judges argued the Tribunal should determine to increase the salaries of all judges, and all allowances, by 2.5 per cent. The submission stated that in doing so, the Tribunal would be recognising the hard work performed by the Judges that enables the Court to meet its obligations to those who access it, as well as the broader community at large. The submission detailed the work performed by the Supreme Court, noting this work is essential to the maintenance of the rule of law in NSW and Australia. The submission stated that an increase of 2.5 per cent would assist in maintaining judicial remuneration at a level which, in part, compensates for the increased costs of living over the past 12 months. The submission also examined various economic factors and influences, arguing these indicators further support an increase of 2.5 per cent.
18. The Chief Judge of the District Court's submission outlined that the work of the District Court has been impacted by the various strains of COVID-19 which created a backlog of trials. The District Court built on measures taken in 2020, such as advancements in technology, to assist in addressing the backlog and many judges worked through January shutdown period. The submission supports District Court judges receiving an increase of 2.5 per cent.
19. The Chief Judge of the Land and Environment Court of NSW submits the Tribunal ought to award a general increase of 2.5 per cent, and an increase of at least 2.5 per cent in the conveyance allowance. The submission noted that there had been sharp increases in registrations across all classes of the Court's jurisdiction and that this trend is likely to continue. The submission noted the Court continued to operate through the COVID-19 pandemic and that the adaptation of hybrid modes of hearing matters had facilitated a greater number of matters heard throughout the year.

20. The Chief Magistrate of the Local Court submission outlines a case for an increase of above 2.5 per cent based on an increase in work value. The submission stated that the transfer of a large number of Table Offences from the District Court to the Local Court amounted to savings that could offset an increase above 2.5 per cent. The Chief Magistrate commended the submission of the Association to the Tribunal.
21. The President of the Personal Injury Commission (PIC) indicated that the PIC will accept whatever outcome the Tribunal determines in relation to the Judges and Magistrates Group.
22. The Chief Commissioner of the Industrial Relations Commission (IRC) submission stated that it would not be appropriate for the IRC to make a submission on the quantum of a general increase given the IRC's role in determining salaries for public sector employees from 1 July 2022. Although no submission was made on the quantum of the general increase, the submission did state that IRC members could see no basis on which they should be awarded an increase that is different from the amount of the increase which will apply to employees in the Government sector, or an increase below the cap permitted by the SOOR Regulation.
23. The Tribunal has also considered a submission from the Association. The Association sought a work value increase in the salary of Magistrates to 95% of a District Court judge's salary, and an increase in the salary of the Deputy Chief Magistrate and State Coroner to receive 98% of a District Court judge's salary.
24. The submission has canvassed a broad range of factors that the Association argues justifies the work value increase sought. Many of these factors are not able to be considered by the Tribunal when determining remuneration increases, and these factors are not further dealt with in this determination.
25. The Association states since 1995 the NSW Parliament has passed 40 Acts reclassifying a range of offences that are now able to be finalised summarily (The Table Offences Reform). The net effect of the Table Offences Reform has been to transfer criminal jurisdiction from the District Court to the Local Court, and increase the indictable jurisdiction of the Local Court. This significant devolution of jurisdiction has resulted in additional functions being conferred on the Local Court and a significant increase in the responsibility conferred upon Magistrates.
26. The Association argued that officer-related cost savings have flown from the Table Offences Reform, and the subsequent increase in workload therefore satisfies the criteria for a work value increase in remuneration for Magistrates. The Association submits that the measure of cost savings as a result of the Table

Offences Reform is the difference between the cost of finalisation in the District Court and the Local Court for those post reform offences finalised in the Local Court. The Association has provided sets of calculations it argues demonstrates savings and justifies the work value increase sought.

27. In support of its submission, the Association has provided information and data it has sourced from the NSW Bureau and Crime Statistics and Research, and the Chief Magistrate's Office. The submission includes an extensive discussion of various datapoints, which for brevity are not replicated here.
28. Separately, the Association seeks a determination by the Tribunal in relation to a magistrates entitlement to the Living Away from Home Allowance (s.11(2) of the SOOR Act). Section 11C(3) sets out the circumstances in which office holders are eligible for this allowance. The Association states that Magistrates are required as a condition of employment to undertake a minimum of two years service at a regional country location. The Department of Communities and Justice (DCJ) has adopted a practice of limiting the allowance to a 12 month period. The Association submits there is no legal basis for this practice, and that the entitlement is for the whole period a Magistrate is required to perform country service (this being two years). The Association is seeking reparations from the DCJ to all Magistrates who have been refused the living from home allowance in the second year of country service.

## Government Submission

29. The Secretary, Department of Premier and Cabinet provided the Government submission to the Tribunal on 8 July 2022. The submission recommends the following increases having regard to the increase in SGC from 1 July 2022:

*“With the impact of the COVID-19 pandemic on the NSW economy coupled with inflation, limiting increases to these groups to 2.0 per cent contributes to restoring the budget to a sustainable position to ensure public services can continue to be delivered to the community. This approach also sends a good message to the community, whose main concerns are focussed on front-line workers such as nurses and teachers.*

*An increase of 2.0 per cent in remuneration, effective from 1 July 2022, is recommended for all employees and office holders whose total remuneration package (“TRP”) is determined by the Tribunal and an increase of 1.53 per cent for non-TRP employees and office holders, for the following groups of employees and office holders covered under the Statutory and Other Offices Remuneration Act 1975:*

- *Public Service Senior Executives (including government sector senior executives in the NSW Police Service, NSW Health Service, and the Transport Service)*
- *Public Office Holders Group*
- *Chief and Senior Executive Officers (SES)*
- *Judges and Magistrates Group*
- *Court and Related Officers Group*

*The discounted increases of 1.53 per cent is recommended for non-TRP employees and office holders as this discounted amount takes into account the increase to the Superannuation Guarantee Charge (“SGC”) of 0.5 percentage points from 1 July 2022 and uses the same methodology as applied when superannuation was last increased in 2021. This methodology recognises that superannuation is not payable on superannuation itself and as a result, the cost of the additional SGC is less than a 0.5 per cent pay increase.”*

## **Conveyance Allowance**

30. The annual percentage change from the 2021 March quarter to the 2022 March quarter in the CPI: Motor Vehicles – Sydney (Series ID A2328552A) is 6.3 per cent.<sup>5</sup> To reflect this change, the Tribunal intends to adjust the conveyance allowance by the permissible maximum of 2.5 per cent.

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<sup>5</sup> Australian Bureau of Statistics. (2022). *Table 10. CPI: Group, Sub-group and Expenditure Class, Percentage change from corresponding quarter of previous year by Capital City*. <https://www.abs.gov.au/statistics/economy/price-indexes-and-inflation/consumer-price-index-australia/latest-release>

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## Superannuation Guarantee Contributions

31. From 1 July 2022, the general Superannuation Guarantee Contribution (SGC) increases from 10 per cent to 10.5 per cent.<sup>6</sup>
32. The Tribunal reviewed the impact of the SGC increase on office holders in the 2014 Annual Determination for the Judges and Magistrates Group. The Tribunal determined that it is not required to factor in the cost of SGC increases for those office holders that are potentially entitled to a judicial pension on retirement. The Tribunal determined it is required to take into account the cost of SGC increases for all other office holders in the Group.
33. Whilst the Tribunal acknowledges submissions from office holders about the application of the SGC, the Tribunal's previous determinations on the matter of SGC increases continue to apply. Accordingly, for the 2022 determination, there will be no discounting of the general increase for office holders in Determination No. 1 as there is no cost impact from the SGC for officers who are entitled to a Judges pension. For office holders in Determination No. 2, the general increase will be adjusted to account for the SGC increase.
34. The Government submission outlines the Government's view of appropriate adjustments in respect of the SGC.

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<sup>6</sup> Australian Taxation Office. (2022). *Super guarantee percentage*. [https://www.ato.gov.au/Rates/Key-superannuation-rates-and-thresholds/?=redirected\\_SuperRate&anchor=Superguaranteepercentage#Superguaranteepercentage](https://www.ato.gov.au/Rates/Key-superannuation-rates-and-thresholds/?=redirected_SuperRate&anchor=Superguaranteepercentage#Superguaranteepercentage)



# Section 3

## 2022 Annual Determination

### General Increase

35. The Tribunal thanks those office holders that made a submission, and acknowledges the difficult and uncertain circumstances in which office holders have operated during the course of the pandemic.
36. After considering submissions received and the provisions of section 6AB of the SOOR Act the Tribunal finds those office holders the subject of this determination should receive an increase of 2 per cent, adjusted to 1.53 per cent for some office holders to take into account the SGC increase.
37. The adjustment to take account of the SGC increase is consistent with the Tribunal's previous determinations and with the methodology set out in the Government's submission.
38. This determination is consistent with the increases recommended in the Government submission. The Tribunal agrees that limiting the increase to 2 per cent will assist in restoring the budget to a sustainable position, and ensure that public services can continue to be delivered to the community.
39. The Association has sought a work value increase in the salary of Magistrates to 95% of a District Court judge's salary, and an increase in the salary of the Deputy Chief Magistrate and State Coroner to 98% of a District Court judge's salary. As discussed at [5], the Tribunal is permitted to determine a remuneration increase in excess of 2.5 per cent if officer-related cost savings for the office holder (or group of office holders) have been achieved to fully offset the increased officer-related costs resulting from increased payment.
40. The Tribunal does not accept that the savings claimed by the Association are officer-related cost savings for the purpose of clause 7(1)(b)(i) of the SOOR Regulation. The Tribunal does not accept that the claimed savings are in the nature of work practices or structural changes as required by the SOOR Regulation. The identified savings are savings of the District Court, and cannot be construed as officer-related savings attributable to the Magistrates of the Local Court.
41. In earlier determinations, the Tribunal has noted some erosion of relativities both within the Judges and Magistrates Group and between the Judges and Magistrates Groups and office holders in the Court and Related Officers Group.

42. Given the prevailing economic conditions and state of the budget, the Tribunal does not consider it an appropriate time to revisit the issue of judicial relativities.
43. The Association has also submitted that the Tribunal ought to make a determination as to the proper interpretation of s.11C of the SOORT Act, which deals with an office holder's entitlement to the Living Away from Home Allowance (s.11C(2) of the SOOR Act). Section 11C(3) sets out the circumstances in which office holders are eligible for this allowance. The Association states that Magistrates are required as a condition of employment to undertake a minimum of two years service at a regional country location. The Association also states that the Department of Communities and Justice (DCJ) has adopted a practice of limiting the allowance to a 12 month period. The Association submits there is no legal basis for this practice, and that the entitlement is for the whole period a Magistrate is required to perform country service (this being two years). The Association is seeking reparations from the DCJ to all Magistrates who have been refused the living from home allowance in the second year of country service.
44. Section 11C(3)(b) provides that the Minister is required to approve the provision of the Living Away from Home allowance. Section 11C(4A) allows the Minister to delegate the exercise of their functions to the head of a Public Service agency or any person employed in a Public Service agency responsible to the Minister. The Tribunal has no function to approve entitlement to the Living Away from Home allowance, and therefore has no power to make the determination sought by the Association. It is also not within the jurisdiction of the Tribunal to make a determination granting compensation for the alleged retrospective failure to award this Allowance.
45. Judges, Acting Judges and Associate Judges will receive an annual increase of 2 per cent with effect from 1 July 2022.
46. Judicial office holders not eligible to receive a pension under the *Judges' Pension Act 1953*, will receive an annual increase of 1.53 per cent with effect from 1 July 2022.
47. The conveyance allowance is increased by 2.5 per cent with effect from 1 July 2022 in accordance with the Tribunal's methodology and the requirements of the SOOR Act.
48. In fulfilling its functions, the Tribunal consulted with the Secretary of the Department of Premier and Cabinet, in their capacity as Assessor under the SOOR Act. The other assessor role is currently vacant.

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49. Pursuant to section 13 of the SOOR Act, the Tribunal determines that the remuneration to be paid to office holders in the Judges and Magistrates Group, on and from 1 July 2022 shall be as specified in Determination Nos. 1-5.
  50. The Tribunal has also made a Report and Determination on Travel Allowances for NSW Judges and Magistrates, and the rates are specified in Determination No. 6.

# Section 4

## Report on travel allowances for NSW Judges and Magistrates

### Background

52. 'Remuneration' is defined in the SOOR Act, as salary and allowances payable to office holders. Judges and Magistrates are holders of offices specified in Schedule 1 of the SOOR Act.
53. 'Allowance' is defined as follows:
- 'allowance does not include a travelling or subsistence allowance, but includes a travelling or subsistence allowance for travel within Australia by the holder of an office specified in Schedule 1 who is:*
- (a) a Judge or Acting Judge of a court, or*
  - (b) any other judicial officer (within the meaning of the Judicial Officers Act 1986) nominated by the Minister by notice in writing to the Tribunal for the purposes of this definition.'*
54. The Tribunal in this determination will be setting rates for overnight stays in capital cities, for overnight stays in areas other than capital cities and meal rates for day or part of day absences from headquarters. The Tribunal has also determined the conditions upon which the rates are to be paid.

### 2022 Review

55. Historically the Tribunal has had regard to movements in the travel rates as adopted for the NSW Public Sector generally. These rates are based on the reasonable travel allowances as determined by the Australian Taxation Office (ATO). The determination for 2022 being ATO TD2022/10.

### Principles Adopted

56. In making its determinations on travel allowance rates the Tribunal has adopted a number of guiding principles as set out below:

- (a) Travelling allowances are intended to meet the costs necessarily incurred by Judges and Magistrates who are required to travel away from home/place of work on official business. Such costs include accommodation, meals and incidental expenses.
- (b) Allowances are provided to ensure that an officer is not financially disadvantaged as a result of having to travel on official business.
- (c) Office holders are not expected to gain or lose financially as a result of travelling on official business.

57. Where an office holder is accommodated in private, non-commercial accommodation such as the home of a family member or friend, a rate of one third of the specified rate is payable, rounded upwards to the nearest dollar.

## Conclusion

58. In making its determination the Tribunal has had regard to the current travel allowance rates contained in Taxation Ruling TD2022/10. Non-metropolitan accommodation rates and meal rates are also as set out in the Determination.

59. The Tribunal makes Determination No 6 effective on and from 1 July 2022.

## Statutory and Other Offices Remuneration Tribunal

*Signed*

**The Hon. Greg Pearce**

**Dated:** 21 July 2022

# Section 5

## Determinations

### Determination No. 1 – Remuneration of Judges effective on and from 1 July 2022

Position	Salary per annum	Conveyance Allowance (Note 1)
Chief Justice of the Supreme Court	\$556,790	\$24,950
President of the Court of Appeal	\$521,360	\$24,950
Chief Judge of the Land and Environment Court	\$521,360	\$24,950
Judge of the Supreme Court	\$497,580	\$24,950
Judge of the Land and Environment Court	\$497,580	\$24,950
President, Personal Injury Commission	\$497,580	\$24,950
Judge of the District Court	\$445,640	\$22,450
Associate Judge or acting Associate Judge (under the Supreme Court Act 1970)	\$445,640	\$22,450

## Determination No. 2 – Remuneration of other Judicial Officers not referred to in determination No.1 effective on and from 1 July 2022

Position	Salary per annum	Conveyance Allowance (Note 1)
Chief Magistrate	\$439,830	\$22,445
Deputy Chief Magistrate	\$371,650	\$17,955
State Coroner	\$371,650	\$17,955
Chief Industrial Magistrate	\$358,020	\$17,955
Chief Commissioner Industrial Relations Commission	\$354,800	\$17,955
Magistrate	\$351,860	\$17,955
Children's Magistrate	\$351,860	\$17,955
Deputy State Coroner	\$351,860	\$17,955
Commissioner Industrial Relations Commission	\$322,540	\$17,955
Crown Prosecutor	\$314,380	\$17,955
Public Defender	\$314,380	\$17,955
Commissioner Land and Environment Court	\$311,530	\$17,955
Acting Commissioner Land and Environment Court	\$1,295 per day	-

### Conveyance Allowance

**Note 1:** The Conveyance Allowance determined here shall not count towards pension or for superannuation purposes.

**METHODOLOGY:** The Tribunal provides increases to the conveyance allowance based on the CPI: Motor Vehicles – Sydney (Series ID A2328552A) March quarter - having regard to the percentage change from the corresponding quarter of the previous year. In considering any adjustment the following conditions will apply:

- Should the March quarter data indicate a decrease in motor vehicle costs the conveyance allowance will remain unchanged (to comply with the requirements of section 21 of the SOOR Act).
- The annual adjustment will not exceed 2.5 per cent (to comply with section 6AB of the SOOR Act).

## Determination No. 3 – Acting Judges rates

### Supreme Court

The following rate shall be paid for each ordinary court working day on which the acting Judge is occupied in the performance of judicial duties.

Acting Judge of the Supreme Court	\$2,160 per day
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### District Court

The following rate shall be paid for each ordinary court working day on which the acting Judge is occupied in the performance of judicial duties as designated by the Chief Judge in the District Court.

Acting Judge of the District Court	\$1,930 per day
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## Determination No. 4 – Acting Magistrates rates

### Local Court

The following rate shall be paid for each ordinary court working day on which the acting Magistrate is occupied in the performance of duties of a Magistrate.

Acting Magistrate of the Local Court	\$1,460 per day
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## Determination No. 5 – Annual leave loading

Determination of leave loading for Judicial Officers effective on and from 1 July 2022

### Leave Loading

An annual leave loading shall be payable on the same terms and conditions as are applicable to officers and employees of the Public Service of New South Wales, to each of the following office holders.:

- Magistrates
- Chief Commissioner, Industrial Relations Commission
- Commissioners, Industrial Relations Commission

## Determination No. 6 – Travel allowances for Judges and Magistrates

Pursuant to section 13 of the SOOR Act the Tribunal determines that the travel allowances for Judges and Magistrates will be as follows effective on and from 1 July 2022

### A. Travel necessitating an overnight stay

Travel Allowances	
Capital City Rates	Amount
Adelaide	\$407.40
Brisbane	\$455.40
Canberra	\$444.40
Darwin	\$491.40
Hobart	\$394.40
Melbourne	\$463.40
Perth	\$463.40
Sydney	\$463.40
Other Centre Rates	
Newcastle	\$393.40
Wollongong	\$393.40
Other Centres	\$393.40

## Conditions

**General conditions are to be as determined from time to time by the Attorney General.**

**In addition, the following specific conditions will apply.**

- The full daily travel allowance rate is to be paid only where the Judge/Magistrate stays overnight at commercial accommodation. Where the Judge/Magistrate stays overnight at non-commercial accommodation then one third of the daily rate is to be paid.
- Where travel is for a period in excess of 24 hours then meal expenses for the final part day are to be paid.

## **B. Travel not involving an overnight stay**

### **Meal Allowances for travel NOT involving an overnight stay**

<b>Meal</b>	<b>Amount</b>
Breakfast	\$38.20
Lunch	\$54.05
Dinner	\$75.65

## **Statutory and Other Offices Remuneration Tribunal**

*Signed*

**The Hon. Greg Pearce**

**Dated:** 21 July 2022

Court and Related Officers Group

# Annual Determination

Report and determination under section  
13 of the Statutory and Other Offices  
Remuneration Act 1975

21 July 2022



# Contents

<b>Section 1</b>	<b>3</b>
Background	3
Legislative Framework.....	3
Government Wages Policy .....	3
Economic Analysis .....	4
2021 Determination	6
<b>Section 2</b>	<b>7</b>
2022 Annual Review	7
Office Holder Submissions .....	7
Government Submission .....	8
Conveyance Allowance .....	9
Superannuation Guarantee Contributions .....	10
<b>Section 3</b>	<b>11</b>
2022 Annual Determination	11
General Increase.....	11
<b>Section 4</b>	<b>13</b>
Determinations	13
Determination No. 1 – Remuneration of office holders eligible for a Judges’ pension. Effective on and from 1 July 2022 .....	13
Determination No. 2 – Remuneration of other office holders not referred to in determination No.1. Effective on and from 1 July 2022.....	13
Determination No. 3 – Annual Leave Loading .....	14

# Section 1

## Background

### Legislative Framework

1. Section 13 of the *Statutory and Other Offices Remuneration Act 1975* (SOOR Act) requires the Tribunal, each year, to make a determination on the remuneration to be paid to office holders on and from 1 July in that year. Section 10A defines 'remuneration' as salary or allowances paid in money
2. The Court and Related Officers Group comprises those public offices listed in the Schedules of the SOOR Act (except for the Judges and Magistrates Group and the Public Office Holders Group), which have been grouped together by the Tribunal for remuneration purposes. The remuneration for these office holders is determined as a fixed salary amount. Employer on-costs, such as the Superannuation Guarantee Contribution, are additional to the salary amount determined.

### Government Wages Policy

3. The Tribunal is required, when making determinations under Part 3 of the SOOR Act, to give effect to any policy concerning the remuneration of office holders as declared by the regulations. Section 6AB of the SOOR Act applies to the Tribunal's determinations in respect of office holders in the Judges and Magistrates Group, the Court and Related Officers Group and the Public Office Holders Group. Government policy concerning the remuneration of office holders to which Part 3 of the SOOR Act applies is declared in the Statutory and Other Offices Remuneration (Judicial and Other Office Holders) Regulation 2013 (the SOOR Regulation).
4. On 6 June 2022, the NSW Government announced a new public sector wages policy.<sup>1</sup> The two year policy offered non-executive employees a 3 per cent remuneration increase in 2022-23 and 2023-24, with a possible further 0.5 per cent on offer for employees that make a substantial contribution to productivity enhancing reforms. The Government also announced its position to limit executive remuneration increases to 2 per cent in the 2022-23 financial year.

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<sup>1</sup> NSW Government. (2022). *NSW Government lifts wages and recognises health workers*. <https://www.nsw.gov.au/media-releases/budget-2022-public-sector-wages#:~:text=The%20new%20two%2Dyear%20policy,substantial%20contribution%20to%20productivity%20enhancing>

5. The *Industrial Relations (Public Sector Conditions of Employment) Regulation 2014* was amended to reflect this policy but the SOOR Regulation was not amended. Therefore, in accordance with the clause 6 of the SOOR Regulation, any increase the Tribunal may determine in excess of 2.5 per cent, be it a general increase available to all office holders, or an increase provided to an individual office holder or group of office holders based on changes in work value, could be awarded if officer-related cost savings for the office holder (or group of office holders) have been achieved to fully offset the increased officer-related costs resulting from increased payment.
6. The Tribunal observes there have been few examples of officer-related cost savings being successfully identified. The Tribunal notes it remains open to receiving submissions that demonstrate the genuine achievement of officer-related cost savings.
7. Since the introduction of the SOOR Regulation in 2013 office holders in the Court and Related Office Holders Group have received general annual increases capped at 2.5 per cent, apart from 2020 when there was a temporary wage pause pursuant to Clause 5A of the SOOR Regulation commencing 29 May 2020 and ending 12 months after that date.

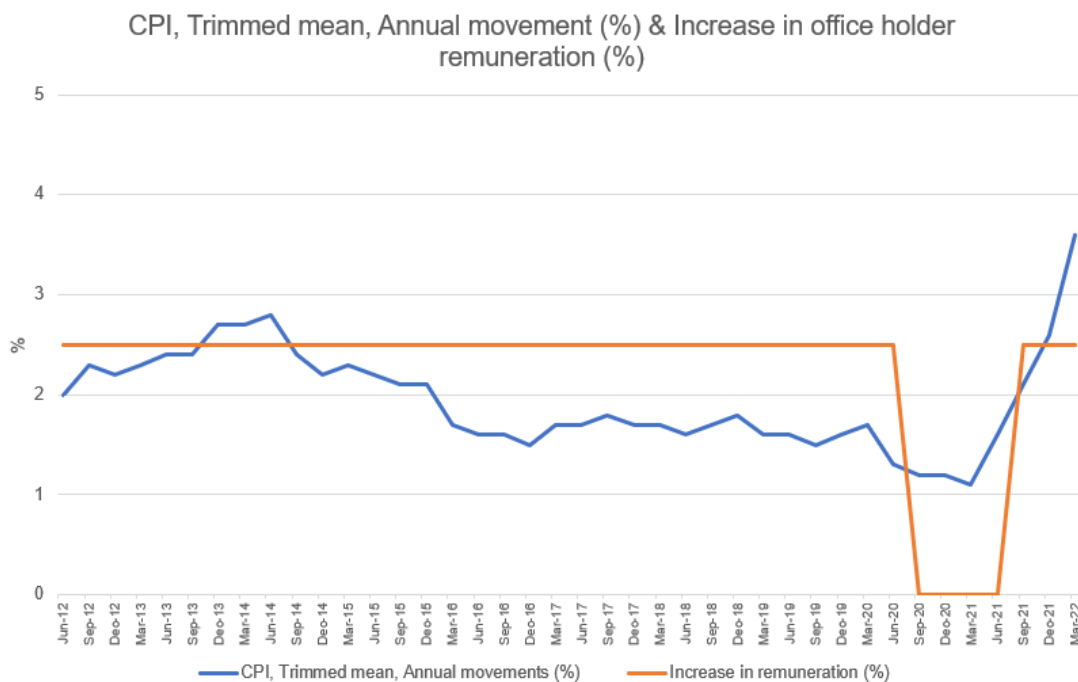
## Economic Analysis

8. As outlined in its 2022-23 Budget papers,<sup>2</sup> the Government expects the economy to grow at an above-trend pace on average across the forecast horizon to 2025-26, supported by strong near-term momentum in the labour market and the resilient state of aggregate balance sheets.
9. A combination of global supply chain shocks and the impacts of COVID-19 has driven increases in inflation across most of the developed world. Underlying inflation, which excludes items that have particularly large price changes during a given period, point to broader inflationary pressures in the economy.
10. Annual headline inflation in Sydney was 4.4 per cent through the year to the March quarter 2022. This was lower than the national headline figure of 5.1 per cent. National underlying inflation rose by 3.5 per cent in the March 2022 quarter, which is above the RBA's target band of 2-3 per cent.

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<sup>2</sup> NSW Government. (2022). *NSW Budget 2022-23, No.01 Budget Statement Budget Paper*. [https://www.budget.nsw.gov.au/sites/default/files/2022-06/2022-23\\_03\\_Budget-Paper-No-1-Budget-Statement.pdf](https://www.budget.nsw.gov.au/sites/default/files/2022-06/2022-23_03_Budget-Paper-No-1-Budget-Statement.pdf)

11. The Government expects inflation to peak at a lower rate than has been observed in various other countries. Growth in headline and underlying inflation is expected to peak in late 2022 before easing back to the top of the RBA’s 2-3 per cent inflation target by end of 2023. This reflects an anticipated gradual easing of inflationary pressures as global supply chain issues are resolved and the effects of monetary policy normalisation from the RBA, and other global central banks, flow through to the economy.
  
12. The Tribunal acknowledges the short-term impacts of higher than expected inflation. The Tribunal observes however that from June 2012 to June 2020, underlying inflation has for the most part<sup>3</sup> grown at a lower pace than increases in remuneration for the Court and Related Office Holders Group.<sup>4</sup>



<sup>3</sup> In 2014 the Tribunal awarded the equivalent of a 2.5 per cent annual increase in remuneration to public office holders. For salaried office holders, this was adjusted to 1.88 per cent, inclusive of the increase in the SGC that occurred that year. The lower rate was due to the determination coming into effect 1 July 2014, rather than 1 October as had applied in earlier determinations.

<sup>4</sup> Australian Bureau of Statistics. (2022). *CPI, Trimmed mean and Weighted median, Annual movement (%)*. <https://www.abs.gov.au/statistics/economy/price-indexes-and-inflation/consumer-price-index-australia/latest-release>

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## 2021 Determination

13. After considering submissions received and provisions of section 6AB of the SOOR Act the Tribunal found those office holders the subject of that determination should receive the maximum permissible increase of 2.5 per cent, adjusted to 2.04 per cent for those office holders to which the Superannuation Contribution Guarantee (SGC) increase applies. The increases were consistent with the increases recommended in the Government submission.
14. The conveyance allowance was also increased by 2.5 per cent with effect from 1 July 2021 in accordance with the Tribunal's methodology and the requirements of the SOOR Act.



# Section 2

## 2022 Annual Review

15. On 7 March 2022, the Tribunal wrote to office holders advising of the commencement of the 2022 annual review. The Tribunal did not hold meetings with office holders as part of this process.

### Office Holder Submissions

16. The Tribunal received four submissions from office holders in the Court and Related Officers Group, generally supporting a 2.5 per cent increase in salaries. One submission also sought an increase in the conveyance allowance.
17. The Director, Deputy Director, and Acting Deputy Directors of Public Prosecutions sought an increase of 2.5 per cent in remuneration. The submission outlined significant resourcing impacts linked to the successful implementation of the Early Appropriate Guilty Plea (EAGP) reforms, along with further increases in workload linked to the pandemic.

The submission noted the effective prosecution of crime continued through the pandemic, with effective service delivery continuing as a result of the hard work of office holders. The role of office holders in making submissions to significant proceedings of higher courts, as well as to law reform inquiries was also highlighted.

18. The Acting Senior Crown Prosecutor, on behalf Crown Prosecutors submitted that both the salary paid to Crown Prosecutors, as well as the conveyance allowance, should be increased by the maximum amount of 2.5% with no reduction for the SGC. The submission argues that the Tribunal is required to take the 0.5% SGC increase into account, but that it is not the only relevant consideration – or indeed the overriding consideration.

The Acting Senior Crown Prosecutor submits that the combination of nil remuneration increase for office holders in FY 2020-21, and continued increases in the Consumer Price Index have resulted in net salary decreases in real terms. The submission states this is a relevant factor that needs to be considered, and that the Tribunal should not discount the otherwise appropriate increase. The submission cites significant changes to the NSW criminal justice system, including amendments to delegations, the EAGP reforms, and case management reforms that collectively have achieved cost savings yet resulted in significant increases to the workload of Crown Prosecutors. The submission argues these reforms, combined with the impacts of the pandemic, justify an increase of 2.5% exclusive of any reduction linked to the SGC increase.

19. The submission from the Senior Public Defender also argued for the maximum salary increase of 2.5%, without any reduction accounting for the increase in the SGC. The submission cites upward pressures on transport and fuel costs, and also asks that consideration be given to further increases in the conveyance allowance. The Senior Public Defender refers to comments by the Premier to deal with the deteriorating wages conditions for government sector employees in the 2022 Budget process, and notes they would welcome the Tribunal's determination after this process has concluded.

The Senior Public Defender also commended the submission from the Senior Crown Prosecutors to the Tribunal, underscoring the impacts of the EAGP reforms on Public Defenders. Reference was made to the volume of adult and child sexual assault matters, and impacts of Government policy initiatives linked to the pandemic, as further justification for the proposed salary increase.

20. The Senior Commissioner of the Land and Environment Court referenced the submissions made on behalf of the Supreme Court of NSW, as well as that made by the Chief Judge of the Land and Environment Court of NSW. The Senior Commissioner submits that the Tribunal should award a general increase of 2.5% in salary (exclusive of any increase to the SGC), and an increase of at least 2.5% in the conveyance allowance. The submission argues that taking into account the increase in the SGC in making the determination would not take into account the salary increase foregone by office holders in 2020, or the productivity of the commissioners and acting commissioners.

The submission states that increasing the commissioner's salary by 2.5% will assist in maintaining remuneration at a level which partly compensates for increased cost of living pressures, and in doing so will ensure that persons of the highest calibre are not discouraged from accepting appointment to the Court. The submission refers to the challenges of the pandemic, and notes that the adaptability of commissioners in meeting these challenges has facilitated a greater number of matters being heard and disposed of. The submission further argues that the allowances (including the conveyance allowance) should be increased, and that there is no basis for not increasing this allowance. An increase of at least 2.5% would reflect the fact that cost of living pressures have increase.

## Government Submission

21. The Secretary, Department of Premier and Cabinet provided the Government submission to the Tribunal on 8 July 2022. The submission recommends the following increases having regard to the increase in SGC from 1 July 2022:

*“With the impact of the COVID-19 pandemic on the NSW economy coupled with inflation, limiting increases to these groups to 2.0 per cent contributes to restoring the budget to a sustainable position to ensure public services can continue to be delivered to the community. This approach also sends a good message to the community, whose main concerns are focussed on front-line workers such as nurses and teachers.*

*An increase of 2.0 per cent in remuneration, effective from 1 July 2022, is recommended for all employees and office holders whose total remuneration package (“TRP”) is determined by the Tribunal and an increase of 1.53 per cent for non-TRP employees and office holders, for the following groups of employees and office holders covered under the Statutory and Other Offices Remuneration Act 1975:*

- *Public Service Senior Executives (including government sector senior executives in the NSW Police Service, NSW Health Service, and the Transport Service)*
- *Public Office Holders Group*
- *Chief and Senior Executive Officers (SES)*
- *Judges and Magistrates Group*
- *Court and Related Officers Group*

*The discounted increases of 1.53 per cent is recommended for non-TRP employees and office holders as this discounted amount takes into account the increase to the Superannuation Guarantee Charge (“SGC”) of 0.5 percentage points from 1 July 2022 and uses the same methodology as applied when superannuation was last increased in 2021. This methodology recognises that superannuation is not payable on superannuation itself and as a result, the cost of the additional SGC is less than a 0.5 per cent pay increase.”*

## **Conveyance Allowance**

22. The annual percentage change from the 2021 March quarter to the 2022 March quarter in the CPI: Motor Vehicles – Sydney (Series ID A2328552A) is 6.3 per cent.<sup>5</sup> Considering this change the Tribunal will adjust the conveyance allowance by the permissible maximum of 2.5 per cent per cent.

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<sup>5</sup> Australian Bureau of Statistics. (2022). *Table 10. CPI: Group, Sub-group and Expenditure Class, Percentage change from corresponding quarter of previous year by Capital City.* <https://www.abs.gov.au/statistics/economy/price-indexes-and-inflation/consumer-price-index-australia/latest-release>

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## Superannuation Guarantee Contributions

23. From 1 July 2022, the general Superannuation Guarantee Contribution (SGC) increases from 10.00% to 10.50%.<sup>6</sup>
24. The Tribunal reviewed the impact of the SGC increase on office holders in the 2014 Annual Determination for the Court and Related Officers. In respect to office holders in the Court and Related Officers Group, apart from the Director of Public Prosecutions and Solicitor General, the Tribunal determined it is required to take account of the cost of SGC increases in its remuneration determination.
25. Whilst the Tribunal acknowledges submissions from office holders about the application of the SGC, the Tribunal's previous determinations on the matter of SGC increases continue to apply. Accordingly, for the 2022 determination, there will be no discounting of the general increase for office holders in Determination No. 1 as there is no cost impact from the SGC for officers who are entitled to a Judges pension. For office holders in Determination No. 2, the general increase will be adjusted to account for the SGC increase.
26. The Government submission outlines the Government's view of appropriate adjustments in respect of the SGC.

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<sup>6</sup> Australian Taxation Office. (2022). *Super guarantee percentage*. [https://www.ato.gov.au/Rates/Key-superannuation-rates-and-thresholds/?=redirected\\_SuperRate&anchor=Superguaranteepercentage#Superguaranteepercentage](https://www.ato.gov.au/Rates/Key-superannuation-rates-and-thresholds/?=redirected_SuperRate&anchor=Superguaranteepercentage#Superguaranteepercentage)

# Section 3

## 2022 Annual Determination

### General Increase

27. The Tribunal thanks those office holders that made a submission, and acknowledges the difficult and uncertain circumstances in which office holders have operated during the course of the pandemic.
28. After considering submissions received and the provisions of section 6AB of the SOOR Act the Tribunal finds those office holders the subject of this determination should receive an increase of 2 per cent, adjusted to 1.53 per cent for some office holders to take into account the SGC increase.
29. This is consistent with the increases recommended in the Government submission. The Tribunal agrees that limiting the increase to 2 per cent will assist in restoring the budget to a sustainable position, and ensure that public services can continue to be delivered to the community.
30. The adjustment to take account of the SGC increase is consistent with the Tribunal's previous determinations and the methodology set out in the Government's submission.
31. The Director of Public Prosecutions and Solicitor General will receive an annual increase of 2 per cent with effect from 1 July 2022.
32. All other office holders in the Court and Related Officer Group will receive an annual increase of 1.53 per cent with effect from 1 July 2022.
33. The conveyance allowance is increased by 2.5 per cent with effect from 1 July 2022 in accordance with the Tribunal's methodology and the requirements of the SOOR Act.
34. In fulfilling its functions, the Tribunal consulted with the Secretary of the Department of Premier and Cabinet, in their capacity as Assessor under the SOOR Act. The other assessor role is currently vacant.
35. Pursuant to section 13 of the SOOR Act the Tribunal determines that the remuneration to be paid office holders in the Court and Related Officers Group, on and from 1 July 2022 shall be as specified in Determination Nos. 1-3.

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## **Statutory and Other Offices Remuneration Tribunal**

*Signed*

**The Hon. Greg Pearce**

**Dated:** 21 July 2022

# Section 4

## Determinations

### Determination No. 1 – Remuneration of office holders eligible for a Judges' pension. Effective on and from 1 July 2022

Position	Salary per annum	Conveyance Allowance (Note 1)
Director of Public Prosecutions	\$478,300	\$24,950
Solicitor-General	\$478,300	\$24,950

### Determination No. 2 – Remuneration of other office holders not referred to in determination No.1. Effective on and from 1 July 2022

Position	Salary per annum	Conveyance Allowance (Note 1)
Chairperson, Law Reform Commission	\$472,050	\$24,950
Crown Advocate	\$424,850	\$22,445
Deputy Director of Public Prosecutions	\$424,850	\$22,445
Senior Crown Prosecutor	\$382,360	\$17,955
Senior Public Defender	\$382,360	\$17,955
Deputy Senior Crown Prosecutor	\$344,120	\$17,955
Deputy Senior Public Defender	\$344,120	\$17,955
Solicitor for Public Prosecutions	\$344,120	\$17,955
Senior Commissioner Land and Environment Court	\$330,430	\$17,955
Crown Prosecutor	\$314,380	\$17,955
Public Defender	\$314,380	\$17,955
Commissioner Land and Environment Court	\$311,530	\$17,955
Acting Commissioner Land and Environment Court	\$1,295 per day	-

## Conveyance Allowance

**Note 1:** The Conveyance Allowance determined here shall not count towards pension or for superannuation purposes.

**METHODOLOGY:** The Tribunal provides increases to the conveyance allowance based on the CPI: Motor Vehicles – Sydney (Series ID A2328552A) March quarter - having regard to the percentage change from the corresponding quarter of the previous year. In considering any adjustment the following conditions will apply:

- Should the March quarter data indicate a decrease in motor vehicle costs the conveyance allowance will remain unchanged (to comply with the requirements of section 21 of the SOOR Act).
- The annual adjustment will not exceed 2.5 per cent (to comply with section 6AB of the SOOR Act).

## Determination No. 3 – Annual Leave Loading

### Leave Loading

An annual leave loading shall be payable on the same terms and conditions as are applicable to officers and employees of the Public Service of New South Wales.

## Statutory and Other Offices Remuneration Tribunal

*Signed*

**The Hon. Greg Pearce**

**Dated:** 21 July 2022



Former Chief and Senior Executive Service

# Annual Determination

Report and determination under section  
24C of the Statutory and Other Offices  
Remuneration Act 1975

21 July 2022



# Contents

<b>Section 1</b>	<b>3</b>
Background	3
Former Chief Executives and Senior Executives	3
NSW Police Force Senior Executives	3
NSW Health Service Senior Executives	4
2022 General Increase	4
<b>Section 2</b>	<b>5</b>
Determinations	5
Determination No. 1 – Remuneration Package Ranges for the SES	5
Determination No. 2 – Remuneration Package Ranges for Specialist Medical Skills	5
Determination No. 3 – Remuneration Package Ranges for General Medical Skills	6

# Section 1

## Background

### Former Chief Executives and Senior Executives

1. The Chief Executive Service and Senior Executive Services<sup>1</sup> were employed under the provisions of the former *Public Sector Employment and Management Act 2002* (PSEM Act). That Act was repealed in 2013 and replaced with the *Government Sector Employment Act 2013* (GSE Act).
2. There may be a small number, if any, transitional former senior executives subject to the transitional arrangements provided for in Schedule 4 of the GSE Act, and executives employed in the NSW Police Force Senior Executive Service and the NSW Health Service who continue to be eligible for remuneration packages as determined under Part 3A of the *Statutory and Other Offices Remuneration Act 1975* (SOOR Act). For that reason, the Tribunal will continue to make a determination for the SES remuneration ranges. The Tribunal will review these arrangements each year to determine whether further determinations are required.

### NSW Police Force Senior Executives

3. The *Police Act 1990* was amended on 31 October 2017 to provide for NSW Police Force senior executives to be employed in a Public Service senior executive (PSSE) band. The remuneration package of a NSW Police Force senior executive must be within the range determined under the SOOR Act for the band in which the executive is employed. These remuneration ranges are determined in accordance with Part 3B of the SOOR Act and published in the Public Service senior executive determination.
4. In accordance with Schedule 4 of the *Police Act 1990* transitional arrangements are in place for existing police senior executives and administrative senior executives employed under the former senior executive provisions. These executives continue to receive a remuneration package as provided for under the former senior executive provisions, being the ranges determined in this determination pursuant to Part 3A of the SOOR Act. Transitional arrangements will continue until the latest implementation date applicable to each executive

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<sup>1</sup> Unless otherwise stated, the Chief Executive Service and the Senior Executive Service are referred to collectively in the Report and Determination as SES.

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subject to these arrangements after which the new senior executive provisions apply.

## **NSW Health Service Senior Executives**

5. The Tribunal has historically determined remuneration ranges which applied to certain executives in the Health Service - the Specialist Medical Skills Determination and the General Medical Skills Determination. Senior executives in the NSW Health Service are now aligned to the employment arrangements for PSEs under the GSE Act. The Tribunal will retain the Specialist Medical Skills Determination and the General Medical Skills Determination for administrative purposes to cover transitional arrangements.

## **2022 General Increase**

6. For the reasons set out in Tribunal's 2022 annual determination relating to Public Service senior executives, the Tribunal has determined an increase of 2 per cent to the minimum and maximum amounts for each of the remuneration ranges in Section 2 of this determination, effective on and from 1 July 2022.
7. In fulfilling its functions, the Tribunal consulted with the Secretary of the Department of Premier and Cabinet, in their capacity as Assessor under the SOOR Act. The other assessor role is currently vacant.

## **Statutory and Other Offices Remuneration Tribunal**

*Signed*

**The Hon. Greg Pearce**

**Dated:** 21 July 2022

# Section 2

## Determinations

### Determination No. 1 – Remuneration Package Ranges for the SES

The Tribunal determines that the remuneration package ranges for executive office holders effective on and from 1 July 2022 shall be:

CES/SES	per annum range
Remuneration Level 8	\$509,251 to \$588,250
Remuneration Level 7	\$405,951 to \$509,250
Remuneration Level 6	\$361,301 to \$405,950
Remuneration Level 5	\$313,201 to \$361,300
Remuneration Level 4	\$287,201 to \$313,200
Remuneration Level 3	\$252,851 to \$287,200
Remuneration Level 2	\$237,751 to \$252,850
Remuneration Level 1	\$201,350 to \$237,750

### Determination No. 2 – Remuneration Package Ranges for Specialist Medical Skills

The Tribunal determines that the remuneration package ranges for offices identified as requiring specialist medical skills effective on and from 1 July 2022 shall be:

CES/SES	per annum range
Remuneration Level 6	\$372,100 to \$455,750
Remuneration Level 5	\$370,600 to \$439,150
Remuneration Level 4	\$364,200 to \$422,700
Remuneration Level 3	\$347,450 to \$403,250
Remuneration Level 2	\$326,100 to \$378,400
Remuneration Level 1	\$300,800 to \$345,300

## Determination No. 3 – Remuneration Package Ranges for General Medical Skills

The Tribunal determines that the remuneration package ranges for offices identified as requiring general medical skills effective on and from 1 July 2022 shall be:

CES/SES	per annum range
Remuneration Level 2	\$261,800 to \$303,800
Remuneration Level 1	\$240,650 to \$276,250

### Statutory and Other Offices Remuneration Tribunal

*Signed*

**The Hon. Greg Pearce**

**Dated:** 21 July 2022

Public Office Holders Group

# Annual Determination

Report and determination under section  
13 of the Statutory and Other Offices  
Remuneration Act 1975

21 July 2022



# Contents

<b>Section 1</b>	<b>3</b>
Background	3
Legislative Framework.....	3
Government Wages Policy .....	3
Economic Analysis .....	4
2021 Determination	6
<b>Section 2</b>	<b>7</b>
2022 Annual Review	7
Office Holder Submissions .....	7
Government Submission .....	7
Superannuation Guarantee Contributions .....	8
<b>Section 3</b>	<b>9</b>
2022 Annual Determination	9
<b>Section 4</b>	<b>10</b>
Determinations	10
Determination No. 1 – Public Office Holder Group.....	10



# Section 1

## Background

### Legislative Framework

1. Section 13 of the *Statutory and Other Offices Remuneration Act 1975* (SOOR Act) requires that each year the Tribunal make a determination on the remuneration to be paid to office holders on and from 1 July in that year. Section 10A defines 'remuneration' as salary or allowances paid in money.
2. The Public Office Holders Group comprises those public offices, listed in the schedules of the SOOR Act (except for the Judges and Magistrates Group and the Court and Related Officers Group), which have been grouped together by the Tribunal for remuneration purposes. The remuneration for these office holders is determined as a fixed salary amount. Employer on-costs, such as the Superannuation Guarantee Contribution, are additional to the salary amount determined. This group also comprises any office holders who, pursuant to section 11A of the SOOR Act, have elected to receive, and for whom the Minister has approved access to, remuneration packaging arrangements that are provided to Public Service senior executives under the *Government Sector Employment Act 2013*.

### Government Wages Policy

3. The Tribunal is required, when making determinations under Part 3 of the SOOR Act, to give effect to any policy concerning the remuneration of office holders as declared by the regulations. Section 6AB of the SOOR Act applies to the Tribunal's determinations in respect of office holders in the Judges and Magistrates Group, the Court and Related Officers Group and the Public Office Holders Group. Government policy concerning the remuneration of office holders to which Part 3 of the SOOR Act applies is declared in the *Statutory and Other Offices Remuneration (Judicial and Other Office Holders) Regulation 2013* (the SOOR Regulation).
4. On 6 June 2022, the NSW Government announced a new public sector wages policy.<sup>1</sup> The two year policy offered non-executive employees a 3 per cent remuneration increase in 2022-23 and 2023-24, with a possible further 0.5 per

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<sup>1</sup> NSW Government. (2022). *NSW Government lifts wages and recognises health workers*. <https://www.nsw.gov.au/media-releases/budget-2022-public-sector-wages#:~:text=The%20new%20two%2Dyear%20policy,substantial%20contribution%20to%20productivity%20enhancing>

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cent on offer for employees that make a substantial contribution to productivity enhancing reforms. The Government also announced its position to limit executive remuneration increases to 2 per cent in the 2022-23 financial year

5. The *Industrial Relations (Public Sector Conditions of Employment) Regulation 2014* was amended to reflect this policy but the SOOR Regulation was not amended. Therefore, in accordance with the clause 6 of the SOOR Regulation, any increase the Tribunal may determine in excess of 2.5 per cent, be it a general increase available to all office holders, or an increase provided to an individual office holder or group of office holders based on changes in work value, could be awarded if officer-related cost savings for the office holder (or group of office holders) have been achieved to fully offset the increased officer-related costs resulting from increased payment.
6. The Tribunal observes there have been few examples of officer-related cost savings being successfully identified. The Tribunal notes it remains open to receiving submissions that demonstrate the genuine achievement of officer-related cost savings.
7. Since the introduction of the SOOR Regulation in 2013 office holders in the Public Office Holders Group have received general annual increases capped at 2.5 per cent, apart from 2020 when there was a temporary wage pause pursuant to Clause 5A of the SOOR Regulation commencing 29 May 2020 and ending 12 months after that date.

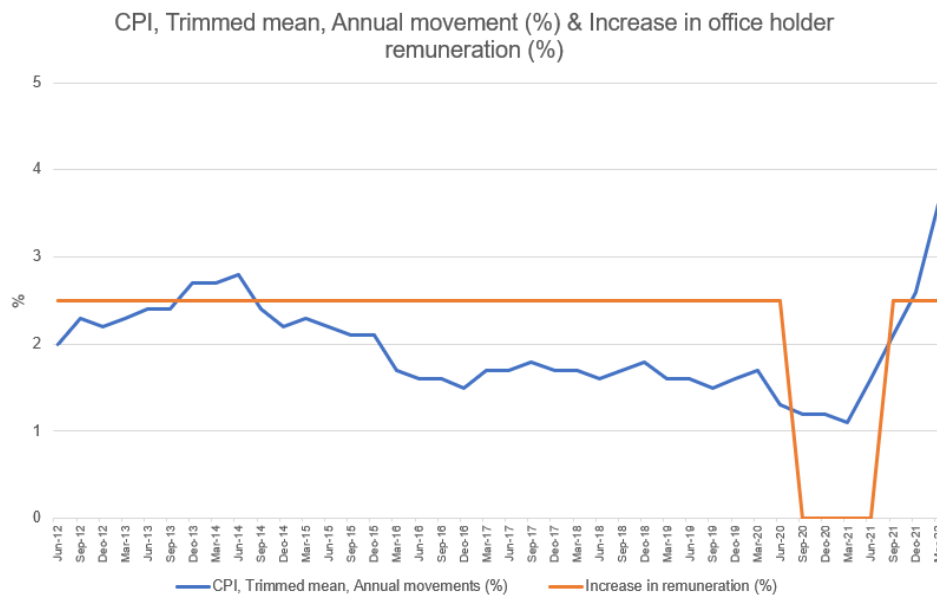
## Economic Analysis

8. As outlined in its 2022-23 Budget papers,<sup>2</sup> the Government expects the economy to grow at an above-trend pace on average across the forecast horizon to 2025-26, supported by strong near-term momentum in the labour market and the resilient state of aggregate balance sheets.
9. A combination of global supply chain shocks and the impacts of COVID-19 has driven increases in inflation across most of the developed world. Underlying inflation, which excludes items that have particularly large price changes during a given period, point to broader inflationary pressures in the economy.

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<sup>2</sup> NSW Government. (2022). *NSW Budget 2022-23, No.01 Budget Statement Budget Paper*. [https://www.budget.nsw.gov.au/sites/default/files/2022-06/2022-23\\_03\\_Budget-Paper-No-1-Budget-Statement.pdf](https://www.budget.nsw.gov.au/sites/default/files/2022-06/2022-23_03_Budget-Paper-No-1-Budget-Statement.pdf)

10. Annual headline inflation in Sydney was 4.4 per cent through the year to the March quarter 2022. This was lower than the national headline figure of 5.1 per cent. National underlying inflation rose by 3.5 per cent in the March 2022 quarter, which is above the RBA's target band of 2-3 per cent.
11. The Government expects inflation to peak at a lower rate than has been observed in various other countries. Growth in headline and underlying inflation is expected to peak in late 2022 before easing back to the top of the RBA's 2-3 per cent inflation target by end of 2023. This reflects an anticipated gradual easing of inflationary pressures as global supply chain issues are resolved and the effects of monetary policy normalisation from the RBA, and other global central banks, flow through to the economy.
12. The Tribunal acknowledges the short-term impacts of higher than expected inflation. The Tribunal observes however that from June 2012 to June 2020, underlying inflation has for the most part<sup>3</sup> grown at a lower pace than increases in remuneration for the Public Office Holders Group.<sup>4</sup>



<sup>3</sup> In 2014 the Tribunal awarded the equivalent of a 2.5 per cent annual increase in remuneration to public office holders. For salaried office holders, this was adjusted to 1.88 per cent, inclusive of the increase in the SGC that occurred that year. The lower rate was due to the determination coming into effect 1 July 2014, rather than 1 October as had applied in earlier determinations.

<sup>4</sup> Australian Bureau of Statistics. (2022). *CPI, Trimmed mean and Weighted median, Annual movement (%)*. <https://www.abs.gov.au/statistics/economy/price-indexes-and-inflation/consumer-price-index-australia/latest-release>

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## 2021 Determination

13. On 5 August 2021, the Tribunal determined that office holders in the Public Office Holders Group would receive the maximum permissible increase of 2.5 per cent, adjusted to 2.04 per cent to take into account the (Superannuation Guarantee Contributions) SGC increase. The increases were consistent with the increases recommended in the Government submission.

# Section 2

## 2022 Annual Review

14. On 7 March 2022, the Tribunal wrote to office holders advising of the commencement of the 2022 annual review. The Tribunal did not hold meetings with office holders as part of this process.

## Office Holder Submissions

15. The Tribunal received one submission from office holders in the Public Office Holder Group. This submission was from the Chair of the Electricity Retained Interest Corporation – Ausgrid. The submission sought an increase of 2.5 per cent in remuneration, taking into account the change in the SGC for all members of the Board.

## Government Submission

16. The Secretary, Department of Premier and Cabinet provided the Government submission to the Tribunal on 8 July 2022. The submission recommends the following increases having regard to the increase in SGC from 1 July 2022:

*“With the impact of the COVID-19 pandemic on the NSW economy coupled with inflation, limiting increases to these groups to 2.0 per cent contributes to restoring the budget to a sustainable position to ensure public services can continue to be delivered to the community. This approach also sends a good message to the community, whose main concerns are focussed on front-line workers such as nurses and teachers.*

*An increase of 2.0 per cent in remuneration, effective from 1 July 2022, is recommended for all employees and office holders whose total remuneration package (“TRP”) is determined by the Tribunal and an increase of 1.53 per cent for non-TRP employees and office holders, for the following groups of employees and office holders covered under the Statutory and Other Offices Remuneration Act 1975:*

- *Public Service Senior Executives (including government sector senior executives in the NSW Police Service, NSW Health Service, and the Transport Service)*
- *Public Office Holders Group*
- *Chief and Senior Executive Officers (SES)*
- *Judges and Magistrates Group*
- *Court and Related Officers Group*

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*The discounted increases of 1.53 per cent is recommended for non-TRP employees and office holders as this discounted amount takes into account the increase to the Superannuation Guarantee Charge (“SGC”) of 0.5 percentage points from 1 July 2022 and uses the same methodology as applied when superannuation was last increased in 2021. This methodology recognises that superannuation is not payable on superannuation itself and as a result, the cost of the additional SGC is less than a 0.5 per cent pay increase.”*

## Superannuation Guarantee Contributions

17. From 1 July 2022, the general Superannuation Guarantee Contribution (SGC) increases from 10.00% to 10.50%.<sup>5</sup>
18. In dealing with the SGC increases, the Tribunal has determined that it is required to take into account the cost of SGC increases, except where office holders have elected to receive a total remuneration package pursuant to s.11A of the SOOR Act.
19. The Tribunal’s previous determinations on the matter of SGC increases continue to apply. Accordingly, for the 2022 determination, for office holders in Determination No. 1, it is open to the Tribunal to determine an annual increase in remuneration of up to 2.5 per cent adjusted accordingly to account for the SGC increase. There are currently no office holders who have elected to receive a total remuneration package pursuant to section 11A of the SOOR Act.

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<sup>5</sup> Australian Taxation Office. (2022). *Super guarantee percentage*. [https://www.ato.gov.au/Rates/Key-superannuation-rates-and-thresholds/?=redirected\\_SuperRate&anchor=Superguaranteepercentage#Superguaranteepercentage](https://www.ato.gov.au/Rates/Key-superannuation-rates-and-thresholds/?=redirected_SuperRate&anchor=Superguaranteepercentage#Superguaranteepercentage)

# Section 3

## 2022 Annual Determination

20. After considering submissions received and provisions of section 6AB of the SOOR Act the Tribunal finds those office holders the subject of this determination should receive an increase of 2 per cent, adjusted to 1.53 per cent to take into account the SGC increase.
21. This is consistent with the increases recommended in the Government submission. The Tribunal agrees that limiting the increase to 2 per cent will assist in restoring the budget to a sustainable position, and ensure that public services can continue to be delivered to the community.
22. In fulfilling its functions, the Tribunal consulted with the Secretary of the Department of Premier and Cabinet, in their capacity as Assessor under the SOOR Act. The other assessor role is currently vacant.
23. Pursuant to Section 13 of the SOOR Act the Tribunal determines that an increase of 1.53 per cent will apply to office holders in the Public Office Holders Group on and from 1 July 2022, as specified in Determinations No. 1.

## Statutory and Other Offices Remuneration Tribunal

*Signed*

**The Hon. Greg Pearce**

**Dated:** 21 July 2022

# Section 4

## Determinations

### Determination No. 1 – Public Office Holder Group

#### Annual determination of the remuneration of the Public Office Holder Group effective on and from 1 July 2022

Public Office Holder	Salary per annum
Public Service Commissioner	\$560,860
Chief Commissioner of the Law Enforcement Commission	\$529,940
Auditor General	\$521,740
Ombudsman	\$520,385
Commissioner, NSW Crime Commission	\$516,360
Assistant Commissioner, NSW Crime Commission	\$489,180
President, Mental Health Review Tribunal	\$422,250
Electoral Commissioner	\$406,110
Full-time Commissioner of the Law Enforcement Conduct Commission	\$397,455
Valuer General	\$375,685
Workers Compensation Independent Review Officer	\$374,880
Deputy President Mental Health Review Tribunal	\$369,430
Information Commissioner	\$366,335
Deputy President of the Personal Injury Commission	\$361,815
Privacy Commissioner	\$353,515
Mental Health Commissioner	\$339,890
Parliamentary Budget Officer	\$335,010
Full-time non-presidential member of the Personal Injury Commission: Principal Member (Division Head of the Workers Compensation Division)	\$333,715
Full-time non-presidential member of the Personal Injury Commission: Principal Member (Division Head of the Motor Accidents Division)	\$333,715
Inspector of Custodial Services	\$323,070
Small Business Commissioner	\$318,285
Deputy Chairperson, Law Reform Commission	\$315,120



Full-time non-presidential member of the Personal Injury Commission: Principal Member (legally qualified)	\$300,440
Commissioner, Law Reform Commission	\$299,855
Clerk of the Legislative Assembly	\$294,220
Clerk of the Parliaments	\$294,220
Executive Manager, Parliamentary Services	\$294,220
Full-time non-presidential member of the Personal Injury Commission: Principal Member (not legally qualified)	\$276,615
Full-time non-presidential member of the Personal Injury Commission: Senior Member (legally qualified)	\$273,080
Deputy Mental Health Commissioner	\$272,145
Deputy Clerk, Legislative Assembly	\$252,565
Deputy Clerk, Legislative Council	\$252,565
Full-time non-presidential member of the Personal Injury Commission: Senior Member (not legally qualified)	\$251,500
Full-time non-presidential member of the Personal Injury Commission: General Member (legally qualified)	\$249,675
Registrar, Aboriginal Land Rights Act 1983	\$233,330
Assessor ( <i>Local Court Act 2007</i> )	\$223,255
Full-time non-presidential member of the Personal Injury Commission: General Member (not legally qualified)	\$216,760
Chairperson, Board of the Aboriginal Housing Office	\$174,210
Part-time Chairperson of a Board of Governors of a Corporation constituted by the <i>Electricity Retained Interest Corporations Act 2015</i>	\$171,540
Member of the New South Wales Aboriginal Land Council (Note 1)	\$166,800
Part-time Member of a Board of Governors of a Corporation constituted by the <i>Electricity Retained Interest Corporations Act 2015</i>	\$91,485
Chairperson, Infrastructure NSW	\$89,660
President Mental Health Review Tribunal (part time daily rate)	\$1,755
Deputy President Mental Health Review Tribunal (part time daily rate)	\$1,535
Acting Deputy President of the Personal Injury Commission (part time daily rate)	\$1,500
Assessor <i>Local Court Act 2007</i> (daily rate)	\$925

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**Note 1:** The Chairperson shall receive an allowance of 10% (i.e. a total of \$183,480 per annum) and the Deputy Chairperson shall receive an allowance of 5% (i.e. a total of \$175,140 per annum).

### **Leave Loading**

An annual leave loading shall be payable on the same terms and conditions as are applicable to officers and employees of the Public Service of New South Wales.

### **Statutory and Other Offices Remuneration Tribunal**

*Signed*

**The Hon. Greg Pearce**

**Dated:** 21 July 2022

Public Service Senior Executives

# Annual Determination

Report and determination under section  
24O of the Statutory and Other Offices  
Remuneration Act 1975

21 July 2022



# Contents

<b>Section 1</b>	<b>3</b>
Background	3
Legislative Framework.....	3
Government Wages Policy .....	4
Economic Analysis .....	5
2021 Determination	7
2021 - 2022 Special Determinations.....	7
<b>Section 2</b>	<b>8</b>
2022 Annual Review	8
Government Submission .....	8
Superannuation Guarantee Contributions .....	9
<b>Section 3</b>	<b>10</b>
2022 Annual Determination	10
<b>Section 4</b>	<b>11</b>
Determinations	11
Determination No. 1 – Remuneration Package Ranges for the PSSEs .....	11

# Section 1

## Background

### Legislative Framework

1. Senior executives employed under the *Government Sector Employment Act 2013* (GSE Act) are referred to as Public Service senior executives (PSSEs).
2. Section 35 of the GSE Act provides that the Minister may determine bands in which senior executives are to be employed. The following four bands were determined by the then Premier on 14 February 2014:

Band 4	Secretary level
Band 3	Deputy Secretary level
Band 2	Executive Director level
Band 1	Director level

3. Section 40 of the GSE Act provides for the remuneration package of a PSSE to be within the range determined under the *Statutory and Other Offices Remuneration Act 1975* (SOOR Act) for the band in which the executive is employed. Remuneration packages are expressed as a total cost of employment, whether the amount is monetary remuneration for the executive, or partly as that remuneration and partly as the cost to the employer of the executive's employment benefits.
4. Section 240 of the SOOR Act provides for the Tribunal to make an annual determination of remuneration packages for senior executives on and from 1 July in that year.
5. The Tribunal's determination provides for remuneration ranges for Bands 1 to 4 and specific remuneration packages for individual office holders identified in the determination.
6. This determination, made under Part 3B of the SOOR Act, also applies to any senior executive employed in the following aligned services:
  - NSW Police Force senior executive to whom Part 5 of the *Police Act 1990* applies, also the Commissioner of Police
  - NSW Health Service senior executive to whom Part 3 of Chapter 9 of the *Health Services Act 1997* applies

- Transport Service senior executive to whom Part 7A of the *Transport Administration Act 1988* applies.
7. Executive employment arrangements for Health Service senior executives, Transport Service senior executives and NSW Police Force senior executives align with those of PSSEs to the extent provided for in the legislation governing their employment.
  8. A small number of 'transitional former senior executives' and NSW Police Force senior executives may continue to be eligible for remuneration packages as determined under Part 3A of the SOOR Act. The remuneration ranges in the Former Chief and Senior Executive Service determination apply to these executives.

## Government Wages Policy

9. In determining remuneration for PSSEs the Tribunal is required pursuant to section 6AA of the SOOR Act to give effect to the same policies on increases in remuneration as those that the Industrial Relations Commission (IRC) is required to give effect to under section 146C of the *Industrial Relations Act 1996* (the IR Act) when making or varying awards or orders relating to the conditions of employment of public sector employees.
10. On 6 June 2022, the NSW Government announced a new public sector wages policy.<sup>1</sup> The two year policy offered non-executive employees a 3 per cent remuneration increase in 2022-23 and 2023-24, with a possible further 0.5 per cent on offer for employees that make a substantial contribution to productivity enhancing reforms. The Government also announced its position to limit executive remuneration increases to 2 per cent in the 2022-23 financial year.
11. The current policy on wages pursuant to section 146(1)(a) of the IR Act is specified in the *Industrial Relations (Public Sector Conditions of Employment) Regulation 2014* (the IR Regulation). The effect of the IR Regulation is that public sector remuneration including any new or increased superannuation cannot increase by more than 3 per cent per annum. Any increase beyond 3 per cent

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<sup>1</sup> NSW Government. (2022). *NSW Government lifts wages and recognises health workers*. <https://www.nsw.gov.au/media-releases/budget-2022-public-sector-wages#:~:text=The%20new%20two%2Dyear%20policy,substantial%20contribution%20to%20productivity%20enhancing>

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can only be awarded if sufficient employee-related cost savings have been achieved to fully offset the increased employee-related costs.

12. The Tribunal observes there have been few examples of employee-related cost savings being successfully identified. The Tribunal notes it remains open to receiving submissions that demonstrate the genuine achievement of employee-related cost savings.
13. While the Tribunal is required to give effect to the Government's wages policy in the making of this determination, it is open to the Tribunal to determine an increase of up to 3 per cent or no increase at all.

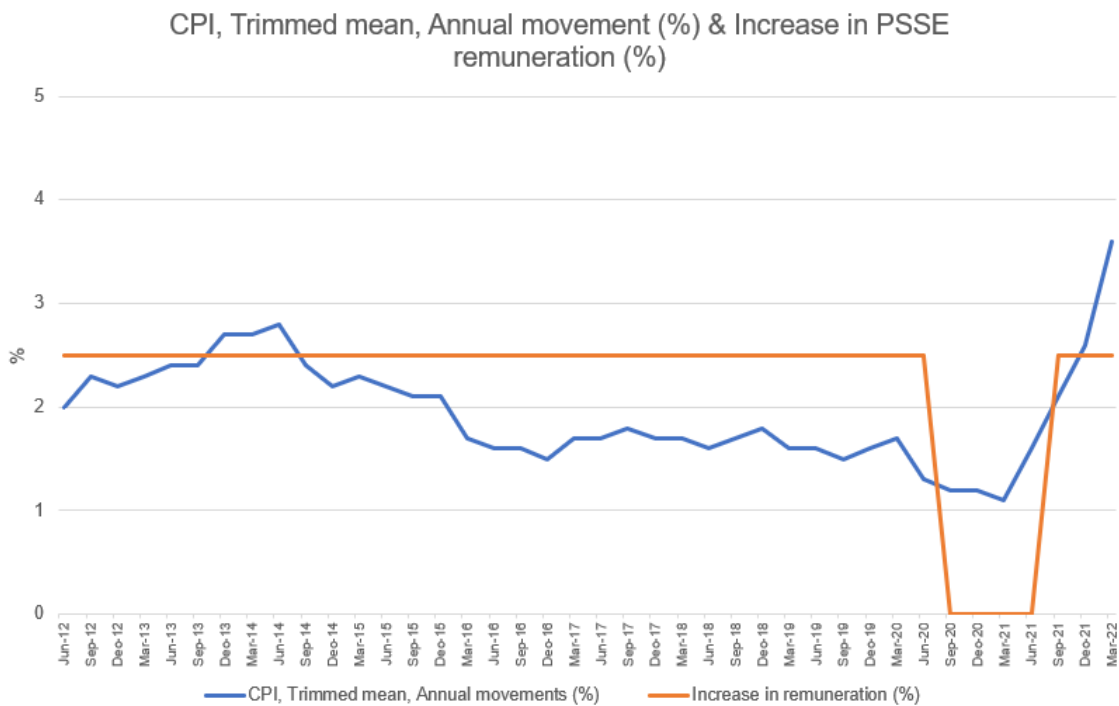
## Economic Analysis

14. As outlined in its 2022-23 Budget papers,<sup>2</sup> the Government expects the economy to grow at an above-trend pace on average across the forecast horizon to 2025-26, supported by strong near-term momentum in the labour market and the resilient state of aggregate balance sheets.
15. A combination of global supply chain shocks and the impacts of COVID-19 has driven increases in inflation across most of the developed world. Underlying inflation, which excludes items that have particularly large price changes during a given period, point to broader inflationary pressures in the economy.
16. Annual headline inflation in Sydney was 4.4 per cent through the year to the March quarter 2022. This was lower than the national headline figure of 5.1 per cent. National underlying inflation rose by 3.5 per cent in the March 2022 quarter, which is above the RBA's target band of 2-3 per cent.
17. The Government expects inflation to peak at a lower rate than has been observed in various other countries. Growth in headline and underlying inflation is expected to peak in late 2022 before easing back to the top of the RBA's 2-3 per cent inflation target by end of 2023. This reflects an anticipated gradual easing of inflationary pressures as global supply chain issues are resolved and the effects of monetary policy normalisation from the RBA, and other global central banks, flow through to the economy.

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<sup>2</sup> NSW Government. (2022). *NSW Budget 2022-23, No.01 Budget Statement Budget Paper*. [https://www.budget.nsw.gov.au/sites/default/files/2022-06/2022-23\\_03\\_Budget-Paper-No-1-Budget-Statement.pdf](https://www.budget.nsw.gov.au/sites/default/files/2022-06/2022-23_03_Budget-Paper-No-1-Budget-Statement.pdf)

18. The Tribunal acknowledges the short-term impacts of higher than expected inflation. The Tribunal observes however that from June 2012 to June 2020, underlying inflation has for the most part<sup>3</sup> grown at a lower pace than increases in remuneration for the PSSE group.<sup>4</sup>



<sup>3</sup> In 2014 the Tribunal awarded the equivalent of a 2.5 per cent annual increase in remuneration to PSSEs. For PSSEs, this was adjusted to 1.88 per cent, due to the determination coming into effect 1 July 2014, rather than 1 October as had applied in earlier determinations.

<sup>4</sup> Australian Bureau of Statistics. (2022). *CPI, Trimmed mean and Weighted median, Annual movement (%)*. <https://www.abs.gov.au/statistics/economy/price-indexes-and-inflation/consumer-price-index-australia/latest-release>



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## 2021 Determination

19. On 5 August 2021, the Tribunal determined that remuneration packages for senior executives would be increased by 2.5 per cent from 1 July 2021.

## 2021 - 2022 Special Determinations

20. The Tribunal has made eleven special determinations, pursuant to section 24P of the SOOR Act, since the making of the 2021 annual determination and they are on the NSW Remuneration Tribunals website.<sup>5</sup>
21. The determinations made under section 24P amend the 2021 annual determination. These determinations are further amended to adjust the remuneration amounts provided for in this determination. The same adjustment has been made to existing determinations and all determinations made under section 24P are listed in Section 4.
22. Determinations in respect of executives who have vacated the specified role no longer apply.

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<sup>5</sup> Located at <https://www.remtribunals.nsw.gov.au/>

# Section 2

## 2022 Annual Review

### Government Submission

23. The Secretary, Department of Premier and Cabinet provided the Government submission to the Tribunal on 8 July 2022. The submission recommends the following increases having regard to the increase in SGC from 1 July 2022:

*“With the impact of the COVID-19 pandemic on the NSW economy coupled with inflation, limiting increases to these groups to 2.0 per cent contributes to restoring the budget to a sustainable position to ensure public services can continue to be delivered to the community. This approach also sends a good message to the community, whose main concerns are focussed on front-line workers such as nurses and teachers.*

*An increase of 2.0 per cent in remuneration, effective from 1 July 2022, is recommended for all employees and office holders whose total remuneration package (“TRP”) is determined by the Tribunal and an increase of 1.53 per cent for non-TRP employees and office holders, for the following groups of employees and office holders covered under the Statutory and Other Offices Remuneration Act 1975:*

- *Public Service Senior Executives (including government sector senior executives in the NSW Police Service, NSW Health Service, and the Transport Service)*
- *Public Office Holders Group*
- *Chief and Senior Executive Officers (SES)*
- *Judges and Magistrates Group*
- *Court and Related Officers Group*

*The discounted increases of 1.53 per cent is recommended for non-TRP employees and office holders as this discounted amount takes into account the increase to the Superannuation Guarantee Charge (“SGC”) of 0.5 percentage points from 1 July 2022 and uses the same methodology as applied when superannuation was last increased in 2021. This methodology recognises that superannuation is not payable on superannuation itself and as a result, the cost of the additional SGC is less than a 0.5 per cent pay increase.”*

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## Superannuation Guarantee Contributions

24. From 1 July 2022, the general Superannuation Guarantee Contribution (SGC) increases from 10.00% to 10.50%.<sup>6</sup>
25. Under the SOOR Act, it is open to the Tribunal to determine an annual increase in remuneration of up to 3 per cent inclusive of increases to superannuation contributions. This is because PSSEs receive a total remuneration package, which includes contributions to a superannuation scheme.
26. As a result, the Tribunal is not required to adjust its annual increase for PSSEs to take into account the SGC increase.

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<sup>6</sup> Australian Taxation Office. (2022). *Super guarantee percentage*. [https://www.ato.gov.au/Rates/Key-superannuation-rates-and-thresholds/?=redirected\\_SuperRate&anchor=Superguaranteepercentage#Superguaranteepercentage](https://www.ato.gov.au/Rates/Key-superannuation-rates-and-thresholds/?=redirected_SuperRate&anchor=Superguaranteepercentage#Superguaranteepercentage)

# Section 3

## 2022 Annual Determination

27. Having regard to the provisions of section 6AA of the SOOR Act, the Tribunal has determined an increase of 2 per cent to the minimum and maximum of the remuneration ranges for Bands 1 to 4. This increase is also applied to the remuneration packages for those senior executives named in the determination. The new rates are set out in Determination No. 1.
28. This is consistent with the increases recommended in the Government submission. The Tribunal agrees that limiting the increase to 2 per cent will assist in restoring the budget to a sustainable position, and ensure that public services can continue to be delivered to the community.
29. In fulfilling its functions, the Tribunal consulted with the Secretary of the Department of Premier and Cabinet, in their capacity as Assessor under the SOOR Act. The other assessor role is currently vacant.

### **Statutory and Other Offices Remuneration Tribunal**

*Signed*

**The Hon. Greg Pearce**

**Dated:** 21 July 2022

# Section 4

## Determinations

### Determination No. 1 – Remuneration Package Ranges for the PSSEs

The Tribunal determines that the remuneration package ranges for Public Sector Senior Executive Bands and different remuneration packages that apply to senior executives named effective on and from 1 July 2022 shall be:

Public Sector Senior Executive Bands	
Band	per annum range
Band 4 – Secretary level	\$509,251 to \$588,250
Band 3 – Deputy Secretary level	\$361,301 to \$509,250
Band 2 – Executive Director level	\$287,201 to \$361,300
Band 1 – Director level	\$201,350 to \$287,200

Different remuneration packages that apply to the senior executives named	
Band 4 – Secretary level	
Ms Karen Webb, Commissioner of Police: \$679,050 per annum	
Mr Michael Coutts-Trotter, Secretary, Department of Premier and Cabinet: \$657,750 per annum	
Dr Paul Grimes, Secretary, The Treasury: \$623,300 per annum	
Ms Susan Pearce, Secretary, Ministry of Health: \$623,300 per annum	
Mr Michael Cassel, Secretary, Department of Planning and Environment: \$623,300 per annum	
Ms Georgina Harrisson, Secretary, Department of Education: \$623,300 per annum	
Mr Robert Sharp, Secretary, Department of Transport: \$623,300 per annum	
Mr Gary Barnes, Secretary, Department of Regional NSW: \$623,300 per annum	
Mr Michael Tidball, Secretary, Department of Communities and Justice: \$623,300 per annum	
Ms Emma Hogan, Secretary, Department of Customer Service: \$623,300 per annum	
Ms Amy Brown, Secretary, Department of Enterprise, Industry and Trade: \$623,300 per annum	
Band 3 – Deputy Secretary level	
Mr Simon Draper, Chief Executive Officer and Co-ordinator General, Infrastructure NSW: \$623,300 per annum	

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Dr Jim Bentley, Chief Executive Officer, Water NSW, Department of Planning, Industry and Environment: \$614,850 per annum

Dr Nigel Lyons, Deputy Secretary, Strategy and Resources, Ministry of Health: \$557,650 per annum

Dr Sarah Hill, Chief Executive Officer of Western Parkland Authority: \$581,400 per annum

### **Band 2 – Executive Director level**

Mr Jon Spark, Executive Director, Financial Investigations, NSW Crime Commission: \$396,800 per annum

Mr Andrew Kingsmill, Executive Director, Technical Advisory Services at the Department of Planning Industry and Environment: \$397,300 per annum

Mr Jason Wharton, Executive Director, Water Infrastructure Development and Delivery, Department of Planning and Environment: \$459,000 per annum

## **Statutory and Other Offices Remuneration Tribunal**

*Signed*

**The Hon. Greg Pearce**

**Dated:** 21 July 2022