



Government Gazette

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Anti-Discrimination Act 1977

A. Under the provisions of section 126 of the *Anti-Discrimination Act 1977* (NSW), but for the purposes only of meeting the Applicant's legal obligations pursuant to:

- Manufacturing Licence Agreements;
- Technical Assistance Agreements;
- Proprietary Information Agreements; and/or
- Export licences granted by the US Department of Commerce and/or US State Department;

together with the United States International Traffic in Arms Regulations (**ITAR**) and Export Administration Regulations (**EAR**), as amended from time to time, (together, **the US Regulations**), the Applicant is granted an exemption from the provisions of sections 8, 10 and 51 *Anti-Discrimination Act 1977* to the extent necessary to permit the Applicant to do the following:

- a) ask present and future employees, contractors and contract workers to disclose their full names;
- b) ask present and future employees, contractors and contract workers to declare their exact citizenship (including any dual citizenship) and their country of birth;
- c) require present and future employees, contractors and contract workers to produce a photocopy of their passport(s);
- d) require present and future employees, contractors and contract workers involved in projects which use ITAR Controlled Material, to notify the Applicant of any change to their citizenship or residency status, to the best of their knowledge and belief;
- e) restrict access, by means of transfer if necessary, to controlled technology to particular members of the Applicant's workforce, based on their citizenship or country of birth;

- f) reject applications from prospective employees, contractors and contract workers for positions related to projects which use ITAR Controlled Material, based on the prospective employee, contractor or contract worker's:
 - i. citizenship, as declared;
 - ii. country of birth; or
 - iii. substantive contacts, where such contacts objectively create an unacceptable risk of diversion of ITAR Controlled Material or technology;

but not on the basis of the prospective employee, contractor or contract worker's descent, or ethnic or ethno-religious or national origin;

- g) advertise controlled positions with the Applicant as being subject to the Exemption Order;
- h) record and maintain a register of those employees, contractors and contract workers that are permitted to access ITAR Controlled Material or work on controlled projects due to citizenship, or country of birth status. Access to the register to be limited to only those employees, contractors, contract workers and agents of the Applicant with a need to know;
- i) ask present and future employees, contractors and contract workers to execute a non-disclosure agreement in accordance with the license or technical assistance agreement required by the Department of State, United States of America, in the event they are authorised to have access to ITAR Controlled Material;
- j) ask present and future employees, contractors and contract workers to disclose their substantive contacts with individuals from restricted or prohibited countries listed in the ITAR; and
- k) restrict access, by means of transfer if necessary, to controlled technology to particular members of the Applicant's workforce, based on their substantive contacts, where such contacts objectively create an unacceptable risk of diversion of ITAR Controlled Material or technology; and
- l) record and maintain a register of those employees, contractors and contract workers that are permitted to access ITAR Controlled Material or work on controlled projects due to substantive contacts. Access to the register to be limited to only those employees, contractors, contract workers and agents of the Applicant with a need to know.

B. This Exemption Order does not extend to any other identification, collection, storage or use of information in relation to any employee in respect of that employee's race, colour, nationality, descent or ethnic, ethno-religious or national origin. Except to the extent expressly provided for herein, this

Exemption Order does not excuse, or purport to excuse, the Applicant from complying with its obligations pursuant to the *Anti-Discrimination Act 1977* (NSW) or any other legislation or at common law.

C. The Applicant is required, prior to taking any action permitted by this Exemption Order, to provide all employees, contractors and contract workers, and prospective employees, contractors and contract workers with:

- i. express notice that they may be adversely affected by this exemption if they are not an Australian citizen or if they hold dual citizenship;
- ii. a reasonable explanation in plain English of the nature of any adverse effects of such action to them; and
- iii. information (at the time of recruitment in the case of prospective employees, contractors or contract workers) about how they can apply for Australian citizenship.

D. In addition to the above conditions the Applicant is required to:

1. produce comprehensive anti-discrimination policies governing all aspects of the work and workforce, including management, and with particular regard to race discrimination, vilification and harassment and victimisation;
2. establish concise and comprehensive dispute resolution and grievance procedures to receive, investigate and resolve discrimination complaints and grievances and, in particular, those relating to race discrimination, vilification and harassment and victimisation;
3. implement training programs, including at induction, to ensure that all members of the Applicant's workforce, including management, are fully informed of their rights and obligations under such policies and procedures, particularly with regard to issues of race discrimination, vilification, harassment and victimisation;
4. ensure that all members of the workforce, including management, receive regular education and training in issues of discrimination, particularly race discrimination, vilification, harassment and victimisation;
5. take steps to fully inform the workforce, including management, of their rights under the *Anti-Discrimination Act 1977* (NSW) and, in particular, but not limited to, the complaints procedure under the *Anti-Discrimination Act 1977* (NSW) and to ensure that all members of the workforce, including management, are aware of the rights of aggrieved persons to take their complaints to Anti-Discrimination NSW and through the New South Wales Civil and Administrative Tribunal;

6. take steps to fully inform the workforce, including management, of the requirements of, and their rights and obligations under, the *Racial Discrimination Act 1975* (Cth);
 7. notify Anti-Discrimination NSW if the discriminatory terms and provisions of the relevant US legislation and/or Regulations are repealed or become inoperative, so that this Exemption Order may be revoked or amended.
- E. The Applicant is required to advise Anti-Discrimination NSW, every six months from the date of this Exemption Order, over the period specified in this Order, of:
1. The steps they have taken to comply with all the above conditions, including:
 - a) the number of job applicants rejected for ITAR purposes, including those subsequently appointed to other roles within each reporting period;
 - b) the number of employees retrenched or redeployed due to ITAR requirements and any steps taken to minimise retrenchment or redeployment, and any steps taken generally to mitigate the impact of the Applicant's responsibility under ITAR on the deployment of its workforce within each reporting period;
 - c) the number of vacancies advertised within each reporting period, including the number of such vacancies where candidates were required to satisfy ITAR related requirements.
 2. The implementation and compliance generally with the terms of this Exemption Order.
- F. The Applicant is required to take all reasonable steps to ensure that any employees adversely affected by this Exemption Order, retain employment with the Applicant, and do not suffer a reduction in wages, salary or opportunity for advancement.

If the Applicant, in order to enable it to comply with the US Regulations or related contractual obligations associated with the US Regulations, moves a member of the workforce from one project to another, the Applicant must take reasonable steps both to explain to that person why the transfer has occurred and to avoid any race-based hostility that might result from the transfer.

Where prospective employees adversely affected by this Exemption Order would otherwise have been acceptable to the Applicant as employees, the Applicant is required to consider and, if feasible, implement reasonable and practicable alternatives to rejection, such as employment in other work or obtaining the necessary approvals under the US Regulations.

In this Exemption Order:

- the expression "the Applicant" means Rohde & Schwarz Australia Pty Ltd; and
- the expression "ITAR Controlled Material" means controlled defence articles, technical data and defence services which are the subject of export controls under the US Regulations.

This Exemption is granted for a period of 5 years.

Helen McKenzie

**President
Anti-Discrimination NSW**

26 July 2023

Judges and Magistrates Group

Annual Determination

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

26 July 2023



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Section 1

Background

Legislative Framework

1. Section 13 of the *Statutory and Other Offices Remuneration Act 1975* (SOOR Act) requires 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 Regulation).
4. On 30 May 2023, the NSW Government announced a new policy to freeze the remuneration for public sector senior executives and for judicial and non-judicial office holders for two years, in order to reduce expenditure and achieve budget savings.¹ The freeze would be in place for the 2023-24 and 2024-25 financial years.
5. The *Statutory and Other Offices Remuneration Amendment Act 2023* (SOOR Amendment Act) commenced on 1 June 2023. It amended the SOOR Act to

¹ NSW Government. (2023). *Minns Government acts to freeze NSW public sector senior executive and politicians' pay for 2 years*. <https://www.nsw.gov.au/media-releases/minns-government-acts-to-freeze-nsw-public-sector-senior-executive-and-politicians-pay-for-2-years>

provide for a temporary freeze on increases in remuneration for office holders under Part 3 and executive office holders and senior executives under Parts 3A and 3B.

- Schedule 3 of the SOOR Amendment Act amended the Regulation by omitting the previous clause 5A of the regulation and inserting a new clause 5A imposing a temporary policy that the Tribunal is not to make a determination that has the effect of awarding an increase in remuneration that takes effect before 1 July 2025 to office holders covered by part 3 of the SOOR Act. Clause 5A was amended as follows:

Clause 5A

Omit the clause. Insert instead—

5A Temporary wages policy—Act, s 6AB(3)

(1) A policy that the Tribunal is not to make a determination that has the effect of awarding an increase in remuneration that takes effect before 1 July 2025 is declared.

(2) To avoid doubt, subclause (1) has effect despite clause 6.

(3) This clause expires at the end of the day on 30 June 2025.

Economic Analysis

- As outlined in its 2022-23 Half-Yearly Review of the Budget,² the NSW Treasury noted that the NSW economy grew more strongly than expected at the time of the 2022-23 Budget. Strong momentum in the labour market has persisted with the near-record high participation rate and the unemployment rate near its lowest level in almost 50 years.
- However, the economic growth outlook has been downgraded for 2022-23 to 2024-25 as the tightening of monetary policy moderates economic growth, with the full impact yet to flow through to economic activity.
- Annual headline inflation in Sydney was 7.3 per cent through the year to the March quarter 2023. This was higher than the national headline figure of 7 per cent. National underlying inflation rose by 6.6 per cent in the March 2023 quarter,

² NSW Government. (2023). *2022-23 Half-Yearly Review*.
<https://www.budget.nsw.gov.au/sites/default/files/2023-02/2022-23-Half-Yearly-Budget-Review.pdf>

which is well above the Reserve Bank of Australia's (RBA) target band of 2-3 per cent and the highest rate since December 1990.³

10. The Half-Yearly Review expected inflation to have peaked in the December 2022 quarter and is forecast to decline over the next two years moderating back to the top of the RBA's 2-3 per cent inflation target in 2024. This reflects an anticipated gradual easing of inflationary pressures on both the demand and supply sides such as, the tightening of monetary policy by the RBA and other central banks, easing of supply chain pressures, downward trend on commodity prices and the Australian Government's intervention on energy prices.
11. While the Tribunal acknowledges the continued impacts of sustained higher than expected inflation and the difficulties associated with it, the Tribunal is required to give effect to the temporary wages policy and is unable to award any increases in remuneration for the Judges and Magistrates Group.

2022 Determination

12. After considering submissions received and the provisions of section 6AB of the SOOR Act the Tribunal found those office holders the subject of that determination should receive an increase of 2 per cent, adjusted to 1.53 per cent for those office holders to which the SGC increase applies. The increases were consistent with the increases recommended in the Government submission.
13. The conveyance allowance was also 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.

³ Australian Bureau of Statistics. (2023). *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>

Section 2

2023 Annual Review

14. On 6 March 2023, the Tribunal wrote to office holders advising of the commencement of the 2023 annual review.

Office Holder Submissions

15. The Tribunal received five submissions from office holders in the Judges and Magistrates Group, with most generally supporting a 2.5 per cent increase in salaries, the maximum allowable by the legislation of the time. An additional submission was also received from the Magistrates Association of NSW (the Association). These submissions were all received prior to the passing of the SOOR Amendment Act which mandate no increase before 1 July 2025.
16. A joint submission from the Supreme Court Judges noted that the judges did not seek an increase in 2020 on account of the pandemic and will face a drop in real wages given the current high levels of inflation. The submission cited the difficulty in attracting candidates for potential judicial appointments recently as well as the growing disparity between the remuneration levels of judges and senior public servants. The submission detailed the work performed by the Supreme Court, noting the increase in workload as the broader economy rebounded from the pandemic and the lack of increase in judicial resources.
17. In their submission, the Supreme Court Judges expressed their disappointment in having only received an increase of 2 per cent in the 2022 determination, as well as not having been provided a copy of the Government's submission and an opportunity to respond before the Tribunal made its determination.
18. On behalf of the judges of the Land and Environment Court of NSW, the Chief Judge adopted the submission of the judges of the Supreme Court. The submission noted that there had been continued increases in registrations across all classes of the Court's jurisdiction with some classes now at the highest levels in history. The submission noted the Court continued to operate through the COVID-19 pandemic through hybrid modes of hearing matters, now transitioning back to in-person hearings. The submission also highlighted that judges and commissioners have increased their productivity to hear and dispose of caseload through adoption of hybrid practices.
19. 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.

20. The Chief Judge of the District Court's submission detailed the increase to the Judges' workload arising from the increase to the Court's general jurisdictional limit, and the Walama List, with no additional Judges appointed to deal with the workload. It noted that the Walama List established an alternative sentencing procedure for cases involving Aboriginal and Torres Strait Islander persons which effectively came into operation during April 2022. The aims of the list include the reduction in risk factors related to re-offending and the reduction in the overrepresentation of such persons in custody in NSW. The submission noted the gradually reduced challenges to the work of the Court from COVID-19 and associated prevention measures. The submission also highlighted the increase to work of District Court Judges who preside in the Dust Diseases Tribunal of NSW. A subsequent submission from the Chief Judge provided a calculation of the fortnightly net salary of District Court Judges in the period from June 2016 to March 2023 having reduced by 4.57 per cent after taking the effects of inflation into account.
21. The Tribunal has also considered a submission from the Association. The Association sought an immediate increase of no less than 4 per cent in remuneration to restore relativity to 80 per cent of District Judges remuneration which it claims has been eroded. The submission asserted that this erosion led to gender inequality emerging as more women have been appointed as Magistrates.
22. The Association's submission disagreed with findings of the Tribunal in its 2022 determination that savings attributed by the Association to the Local Court were in fact savings of the District Court and cannot be construed as officer-related savings attributable to the Magistrates of the Local Court. It argued that the Tribunal's rationale was legally wrong, and that the Tribunal should alter its findings. The Association asserted that it has received advice that should the Tribunal adopt the same findings that there may be potential for a judicial review.
23. The Association's submission claimed that any increase in the Magistrates' remuneration should not be reduced by the increase in SGC as this creates an inequitable outcome for Magistrates given Judges do not face the same reduction.
24. The Association also submitted that the Tribunal ought to conduct a new work value assessment for Magistrates as the work performed by Magistrates and the jurisdiction of the Local Courts have increased since the last work value assessment in 1994. The submission cited the Table Offences Reform, increase in criminal and family violence matters, introduction of the industrial jurisdiction in 2013 and the introduction of family protection orders in 2017.

25. The submission also cited an increased risk to the health and safety of Magistrates. The Tribunal wants to be clear that questions of health and safety should be dealt with through the appropriate health and safety mechanisms and are not a matter for the Tribunal.
26. In support of its submission, the Association has provided information and data it has sourced from the Judicial Commission of NSW, and the NSW Bureau and Crime Statistics and Research. The submission includes an extensive discussion of various datapoints, which for brevity are not replicated here.
27. The Chief Magistrate of the Local Court submitted support for the Association's submission and that the Tribunal ought to determine an immediate increase to magistrates' remuneration of 4 per cent to restore relativity with District Court Judges, and that any increase in remuneration should not be reduced by the increase in SGC. The submission highlighted that the last work value assessment of magistrates was in 1994 and the increase in the caseload of the Local Court. It also reiterated the Association's submission that magistrates have demonstrated officer related cost savings due to changes in work practices and argued for a work value increase.
28. The Tribunal will address these office holder submissions in Section 3.

Government Submission

29. The Secretary, Premier's Department provided the Government submission to the Tribunal on 17 July 2023. The submission noted the recent amendments to the SOOR Act by the Government to provide for a temporary two-year freeze on increases in remuneration for office holders under Part 3 and executive office holders and senior executives under Parts 3A and 3B. Excerpts appear below:

"The effect of the amendments to the Act is that the Statutory and Other Offices Remuneration Tribunal (Tribunal) is to give effect to declared government policy set out in regulations made under the Act. Namely, that the Tribunal is not to make determinations that have the effect of awarding an increase in remuneration for Executive Offices and Officers that takes effect before 1 July 2025.

Accordingly, the extent of the NSW Government's submission for 2023 annual determinations is limited to noting the recent amendments to the Act which provide for a two year freeze to increases to the remuneration of Executive Offices and Officers."

Conveyance Allowance

30. The annual percentage change from the 2022 March quarter to the 2023 March quarter in the CPI: Motor Vehicles – Sydney (Series ID A2328552A) is 7.6 per cent.⁴ In accordance with the Regulation and the temporary wages policy there will be no increase to the conveyance allowance.

Superannuation Guarantee Contributions

31. From 1 July 2023, the general SGC increases from 10.50 per cent to 11.00 per cent.⁵
32. As the Tribunal is required to not award an increase in remuneration on this occasion, it is not necessary to deal with the SGC increase.

⁴ Australian Bureau of Statistics. (2023). *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>

⁵ Australian Taxation Office. (2023). *Super guarantee percentage*. https://www.ato.gov.au/Rates/Key-superannuation-rates-and-thresholds/?=redirected_SuperRate&anchor=Superguaranteepercentage#Superguaranteepercentage

Section 3

2023 Annual Determination

No Increase

33. The Tribunal thanks those office holders that made a submission, and acknowledges the difficult circumstances caused by the current high inflationary environment. The Tribunal also acknowledges the challenging situations in which office holders have operated during and after the pandemic as courts returned to full operation.
34. In accordance with the Regulation and the temporary wages policy there will be no general increase in the salaries payable to office holders in the Judges and Magistrates Group with effect from 1 July 2023.
35. This determination is consistent with the temporary wages policy which the Tribunal is required to give effect to pursuant to the Regulation.
36. The Tribunal notes the Supreme Court Judges' disappointment with the outcome and process of the 2022 determination but reiterates that it has not been the Tribunal's practice to share submissions with office holders, noting that all submissions are considered as required by the SOOR Act.
37. The Tribunal notes that the Association has submitted that the Tribunal was wrong in its 2022 determination about the attribution of officer-related savings. The Tribunal made its decision in 2022 after receiving advice from the Crown Solicitor and will not debate that decision.
38. In earlier determinations, the Tribunal has noted some erosion of relativities within the Judges and Magistrates Group and between the Judges and Magistrates Groups and office holders in the Court and Related Officers Group. The current relativity between a Magistrate and a District Court Judge's remuneration is 79 per cent.
39. The Tribunal notes that the Association has raised questions of work value and gender equality related to an erosion of relativities. However, as the Tribunal is required by legislation to give effect to the temporary wages policy, it is not open for the Tribunal to give meaningful consideration to these issues at present.

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40. In fulfilling its functions, the Tribunal consulted with the Secretary, Premier's Department, in their capacity as Assessor under the SOOR Act. The other assessor role is currently vacant.
 41. 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 2023 shall be as specified in Determination Nos. 1-5.
 42. 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

44. '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.
45. '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.'*
46. Determination 6 sets rates for overnight stays in capital cities and other centres and meal rates for travel not involving an overnight stay. The Tribunal has also determined some specific conditions for the payment of travel allowances.

2023 Review

47. 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 2023 being ATO TD2023/3.

Principles Adopted

48. In making its determinations on travel allowance rates the Tribunal has adopted 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.

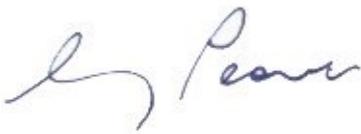
- (b) Allowances are provided to ensure that an officer is not financially disadvantaged as a result of having to travel on official business.
- (c) Office holders are not expected to gain or lose financially as a result of travelling on official business.

49. 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

50. The Tribunal makes Determination No 6 effective on and from 1 July 2023.

Statutory and Other Offices Remuneration Tribunal



The Hon. Greg Pearce

Dated: 26 July 2023

Section 5

Determinations

Determination No. 1 – Remuneration of Judges effective on and from 1 July 2023

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	\$22,445
Associate Judge or acting Associate Judge (under the <i>Supreme Court Act 1970</i>)	\$445,640	\$22,445

Determination No. 2 – Remuneration of other Judicial Officers not referred to in determination No.1 effective on and from 1 July 2023

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

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 temporary wages policy (to comply with Clause 5A of the Regulation).

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 2023

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 2023

A. Travel necessitating an overnight stay

Travel Allowances	
Capital City Rates	Amount
Adelaide	\$414.80
Brisbane	\$460.80
Canberra	\$449.80
Darwin	\$496.80
Hobart	\$438.80
Melbourne	\$468.80
Perth	\$468.80
Sydney	\$468.80
Other Centre Rates	
Newcastle	\$398.80
Wollongong	\$398.80
Other Centres	\$398.80

Conditions

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

In addition, the following specific conditions will apply.

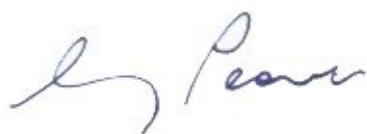
- The full daily travel allowance rate is to be paid only where the Judge/Magistrate stays overnight at commercial accommodation. Where the Judge/Magistrate stays overnight at non-commercial accommodation then one third of the daily rate is to be paid.
- Where travel is for a period in excess of 24 hours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

Meal	Amount
Breakfast	\$38.90
Lunch	\$55.00
Dinner	\$77.00

Statutory and Other Offices Remuneration Tribunal



The Hon. Greg Pearce

Dated: 26 July 2023

Former Chief and Senior Executive Service

Annual Determination

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

26 July 2023



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Section 1

Background

Former Chief Executives and Senior Executives

1. The Chief Executive Service and Senior Executive Services¹ 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 Statutory and Other Offices Remuneration Tribunal (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 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

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

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

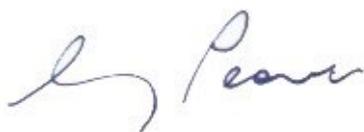
NSW Health Service Senior Executives

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 Public Service senior executives 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.

2023 No Increase

6. For the reasons set out in the Tribunal's 2023 annual determination relating to Public Service senior executives, the Tribunal has determined there will no increase to the minimum and maximum amounts for each of the remuneration ranges in Section 2 of this determination, effective on and from 1 July 2023.
7. This is consistent with the Tribunal's determinations for the Public Service senior executives; and the Public Office Holders; Court Related Office Holders; and Judges and Magistrates Groups and the temporary wages policy which the Tribunal is required to give effect to pursuant to section 6AA of the SOOR Act.
8. In fulfilling its functions, the Tribunal consulted with the Secretary, Premier's Department, in their capacity as Assessor under the SOOR Act. The other assessor role is currently vacant.

Statutory and Other Offices Remuneration Tribunal



The Hon. Greg Pearce

Dated: 26 July 2023

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 2023 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 2023 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 2023 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



The Hon. Greg Pearce

Dated: 26 July 2023

Public Service Senior Executives

Annual Determination

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

26 July 2023



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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 requires the Tribunal, each year, to make a determination on the 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. On 30 May 2023, the NSW Government announced a new policy to freeze the remuneration for public sector senior executives for two years, in order to reduce executive expenditure and achieve budget savings.¹ The freeze would be in place for the 2023-24 and 2024-25 financial years.
10. The *Statutory and Other Offices Remuneration Amendment Act 2023* (SOOR Amendment Act) commenced on 1 June 2023. It amended the SOOR Act to provide for a temporary freeze on increases in remuneration for office holders under Part 3 and executive office holders and senior executives under Parts 3A and 3B.
11. Schedule 1 of the SOOR Amendment Act amended section 6AA of the SOOR Act requiring the Tribunal to give effect to any policy about the remuneration of executive office holders and senior executives that is declared by the regulations to be an aspect of government policy required to be given effect to by the Tribunal. The provisions removed the previous statutory nexus between the wages policy that applies to public sector employees under the *Industrial Relations Act 1996* and allows for a specific policy to be applied under the SOOR Act only in relation to senior executives. Section 6AA was amended as follows:

¹ NSW Government. (2023). *Minns Government acts to freeze NSW public sector senior executive and politicians’ pay for 2 years*. <https://www.nsw.gov.au/media-releases/minns-government-acts-to-freeze-nsw-public-sector-senior-executive-and-politicians-pay-for-2-years>.

Section 6AA Tribunal to give effect to declared government policy on remuneration for public sector staff

Omit section 6AA(2). Insert instead—

(2) *The Tribunal must, when making a determination to which this section applies, give effect to any policy about the remuneration of executive office holders and senior executives—*

(a) that is declared by the regulations to be an aspect of government policy required to be given effect to by the Tribunal, and

(b) that applies to the matter to which the determination relates.

(3) *A regulation under subsection (2) may declare a policy by—*

(a) setting out the policy, or

(b) adopting a policy set out in a document referred to in the regulation.

12. Schedule 2 of the SOOR Amendment Act established the *Statutory and Other Offices Remuneration (Executive Office Holders and Senior Executives) Regulation 2023* (the Regulation). The Regulation implemented the temporary wages policy of a pay freeze for executive office holders and senior executives by requiring the Tribunal not to make a determination that has the effect of awarding an increase in remuneration that takes effect before 1 July 2025. The relevant clause is as follows:

Clause 4 Temporary wages policy—Act, s 6AA(2)

(1) *A policy that the Tribunal is not to make a determination that has the effect of awarding an increase in remuneration that takes effect before 1 July 2025 is declared.*

(2) *To avoid doubt, subclause (1) has effect despite section 5.*

(3) *This section expires at the end of the day on 30 June 2025.*

Economic Analysis

13. As outlined in its 2022-23 Half-Yearly Review of the Budget,² the NSW Treasury noted that the NSW economy grew more strongly than expected at the time of the 2022-23 Budget. Strong momentum in the labour market has persisted with the near-record high participation rate and the unemployment rate near its lowest level in almost 50 years.
14. However, the economic growth outlook has been downgraded for 2022-23 to 2024-25 as the tightening of monetary policy moderates economic growth, with the full impact yet to flow through to economic activity.
15. Annual headline inflation in Sydney was 7.3 per cent through the year to the March quarter 2023. This was higher than the national headline figure of 7 per cent. National underlying inflation rose by 6.6 per cent in the March 2023 quarter, which is well above the RBA's target band of 2-3 per cent and the highest rate since December 1990.³
16. The Half-Yearly Review expected inflation to have peaked in the December 2022 quarter and is forecast to decline over the next two years moderating back to the top of the RBA's 2-3 per cent inflation target in 2024. This reflects an anticipated gradual easing of inflationary pressures on both the demand and supply sides such as, the tightening of monetary policy by the RBA and other central banks, easing of supply chain pressures, downward trend on commodity prices and the Australian Government's intervention on energy prices.
17. While the Tribunal acknowledges the continued impacts of sustained higher than expected inflation and the difficulties associated with it, the Tribunal is required to give effect to the temporary wages policy and is unable to award any increases in remuneration for senior executives.

² NSW Government. (2023). *2022-23 Half-Yearly Review*.

<https://www.budget.nsw.gov.au/sites/default/files/2023-02/2022-23-Half-Yearly-Budget-Review.pdf>

³ Australian Bureau of Statistics. (2023). *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>

2022 Determination

18. On 21 July 2022, the Tribunal determined that remuneration packages for senior executives would be increased by 2 per cent from 1 July 2022. The increases were consistent with the increases recommended in the Government submission.

2022 - 2023 Special Determinations

19. The Tribunal has made six special determinations, pursuant to section 24P of the SOOR Act, since the making of the 2022 annual determination and they are on the NSW Remuneration Tribunals website.⁴ Those determinations amend the 2022 annual determination.
20. Determinations in respect of executives who have vacated the specified role no longer apply.

⁴ Located at <https://www.remtribunals.nsw.gov.au/>

Section 2

2023 Annual Review

Government Submission

21. The Secretary, Premier's Department provided the Government submission to the Tribunal on 17 July 2023. The submission noted the recent amendments to the SOOR Act by the Government to provide for a temporary two-year freeze on increases in remuneration for office holders under Part 3 and executive office holders and senior executives under Parts 3A and 3B. Excerpts appear below:

"The effect of the amendments to the Act is that the Statutory and Other Offices Remuneration Tribunal (Tribunal) is to give effect to declared government policy set out in regulations made under the Act. Namely, that the Tribunal is not to make determinations that have the effect of awarding an increase in remuneration for Executive Offices and Officers that takes effect before 1 July 2025.

Accordingly, the extent of the NSW Government's submission for 2023 annual determinations is limited to noting the recent amendments to the Act which provide for a two year freeze to increases to the remuneration of Executive Offices and Officers."

Superannuation Guarantee Contributions

22. The Tribunal notes that from 1 July 2023, the general Superannuation Guarantee Contribution (SGC) increases from 10.50 per cent to 11.00 per cent.⁵
23. As the Tribunal is required to not award an increase in remuneration on this occasion, it is not necessary to deal with the SGC increase.

⁵ Australian Taxation Office. (2023). *Super guarantee percentage*. https://www.ato.gov.au/Rates/Key-superannuation-rates-and-thresholds/?=redirected_SuperRate&anchor=Superguaranteepercentage#Superguaranteepercentage

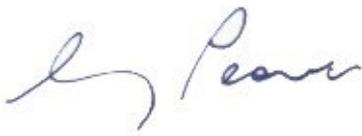
Section 3

2023 Annual Determination

No Increase

24. In accordance with the Regulation and the temporary wages policy, there will be no increase to the minimum and maximum of the remuneration package ranges for Bands 1 to 4. There will also be no increase applied to the remuneration packages for those senior executives named in the determination.
25. This determination is consistent with the temporary wages policy which the Tribunal is required to give effect to pursuant to the Regulation.
26. In fulfilling its functions, the Tribunal consulted with the Secretary, Premier's Department, in their capacity as Assessor under the SOOR Act. The other assessor role is currently vacant.
27. Pursuant to Section 24O of the SOOR Act the Tribunal determines that the remuneration ranges for Bands 1 to 4 on and from 1 July 2023 shall be as specified in Determination No. 1.

Statutory and Other Offices Remuneration Tribunal



The Hon. Greg Pearce

Dated: 26 July 2023

Section 4

Determinations

Determination No. 1 – Remuneration Package Ranges for the PSSEs

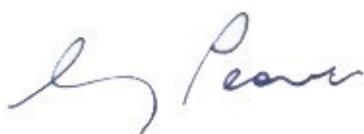
The Tribunal determines that the remuneration package ranges for Public Sector Senior Executive Bands and different remuneration packages that apply to senior executives named effective on and from 1 July 2023 shall be:

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 Peter Duncan AM, Secretary, Premier's Department and Secretary, The Cabinet Office: \$657,750 per annum	
Mr Michael Coutts-Trotter, Secretary, Treasury: \$623,300 per annum	
Mr Murat Dizdar, Secretary, Department of Education: \$623,300 per annum	
Ms Rebecca Fox, Secretary, Department of Regional NSW: \$623,300 per annum	
Ms Emma Hogan, Secretary, Department of Customer Service: \$623,300 per annum	
Ms Elizabeth Mildwater, Secretary, Department of Enterprise, Industry and Trade: \$623,300 per annum	
Ms Susan Pearce, Secretary, Ministry of Health: \$623,300 per annum	
Mr Michael Tidball, Secretary, Department of Communities and Justice: \$623,300 per annum	
Mr Simon Draper, Chief Executive Officer, NSW Reconstruction Authority: \$623,300 per annum	
Band 2 – Executive Director level	
Mr Jason Wharton, Executive Director, Water Infrastructure Development and Delivery, Department of Planning and Environment: \$459,000 per annum	

Mr Andrew Kingsmill, Executive Director, Technical Advisory Services, Energy Corporation of NSW (EnergyCo): \$397,300 per annum

Statutory and Other Offices Remuneration Tribunal



The Hon. Greg Pearce

Dated: 26 July 2023

Public Office Holders Group

Annual Determination

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

26 July 2023



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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), 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 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 (SGC), 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*. There are no office holders currently in the latter group.

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 Regulation).
4. On 30 May 2023, the NSW Government announced a new policy to freeze the remuneration for public sector senior executives for two years, in order to reduce

executive expenditure and achieve budget savings.¹ The freeze would be in place for the 2023-24 and 2024-25 financial years.

5. The *Statutory and Other Offices Remuneration Amendment Act 2023* (SOOR Amendment Act) commenced on 1 June 2023. It amended the SOOR Act to provide for a temporary freeze on increases in remuneration for office holders under Part 3 and executive office holders and senior executives under Parts 3A and 3B.
6. Schedule 3 of the SOOR Amendment Act amended the Regulation by omitting the previous clause 5A of the Regulation and inserting a new clause 5A imposing a temporary policy that the Tribunal is not to make a determination that has the effect of awarding an increase in remuneration that takes effect before 1 July 2025 to office holders covered by part 3 of the SOOR Act. Clause 5A was amended as follows:

Clause 5A

Omit the clause. Insert instead—

5A Temporary wages policy—Act, s 6AB(3)

(1) A policy that the Tribunal is not to make a determination that has the effect of awarding an increase in remuneration that takes effect before 1 July 2025 is declared.

(2) To avoid doubt, subclause (1) has effect despite clause 6.

(3) This clause expires at the end of the day on 30 June 2025.

Economic Analysis

7. As outlined in its 2022-23 Half-Yearly Review of the Budget,² the NSW Treasury noted that the NSW economy grew more strongly than expected at the time of the 2022-23 Budget. Strong momentum in the labour market has persisted with the near-record high participation rate and the unemployment rate near its lowest level in almost 50 years.

¹ NSW Government. (2023). *Minns Government acts to freeze NSW public sector senior executive and politicians' pay for 2 years*. <https://www.nsw.gov.au/media-releases/minns-government-acts-to-freeze-nsw-public-sector-senior-executive-and-politicians-pay-for-2-years>

² NSW Government. (2023). *2022-23 Half-Yearly Review*. <https://www.budget.nsw.gov.au/sites/default/files/2023-02/2022-23-Half-Yearly-Budget-Review.pdf>

8. However, the economic growth outlook has been downgraded for 2022-23 to 2024-25 as the tightening of monetary policy moderates economic growth, with the full impact yet to flow through to economic activity.
9. Annual headline inflation in Sydney was 7.3 per cent through the year to the March quarter 2023. This was higher than the national headline figure of 7 per cent. National underlying inflation rose by 6.6 per cent in the March 2023 quarter, which is well above the RBA's target band of 2-3 per cent and the highest rate since December 1990.³
10. The Half-Yearly Review expected inflation to have peaked in the December 2022 quarter and is forecast to decline over the next two years moderating back to the top of the RBA's 2-3 per cent inflation target in 2024. This reflects an anticipated gradual easing of inflationary pressures on both the demand and supply sides such as, the tightening of monetary policy by the RBA and other central banks, easing of supply chain pressures, downward trend on commodity prices and the Australian Government's intervention on energy prices.
11. While the Tribunal acknowledges the continued impacts of sustained higher than expected inflation and the difficulties associated with it, the Tribunal is required to give effect to the temporary wages policy and is unable to award any increases in remuneration for the Public Office Holders Group.

2022 Determination

12. 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 an increase of 2 per cent, adjusted to 1.53 per cent to take into account the SGC increase. The increases were consistent with the increases recommended in the Government submission.

³ Australian Bureau of Statistics. (2023). *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>

2022 – 2023 Special Determinations

13. The Tribunal has made four special determinations, pursuant to section 14(2) of the SOOR Act, since the making of the 2022 annual determination and they are on the NSW Remuneration Tribunals website.⁴
14. On 23 August 2022, the Tribunal determined that the annual salary for the Independent Review Officer (IRO) established under the *Personal Injury Commission Act 2020* be \$386,889, with effect from 1 March 2021. The backdated effective date was when the office of the IRO replaced the office of the Workers Compensation Independent Review Officer (WIRO).
15. On 20 October 2022, the Tribunal determined the annual salary for two offices of the NSW Independent Casino Commission (NICC) established under the *Casino Control Act 1992*. The Tribunal determined the annual salaries for the Chief Commissioner NICC be \$450,000, and the Commissioner NICC be \$270,000. As the Commissioner NICC role is part time a pro rata amount will be paid.
16. On 20 October 2022, the Tribunal determined the annual salary for three offices of the Independent Liquor and Gaming Authority (ILGA) established under the *Gaming and Liquor Administration Act 2007*. The Tribunal determined the annual salaries for the Chair ILGA be \$320,000, the Deputy Chair ILGA be \$275,000, and the Member ILGA be \$255,000. As all three roles are part time a pro rata amount will be paid.
17. On 28 November 2022, the Tribunal determined that the annual salary for the Commissioner Health Care Complaints Commission (HCCC) be \$390,160, in response to the amendment of the *Health Care Complaints Act 1993* to give effect to remuneration arrangements for the Commissioner HCCC as a statutory office holder.

⁴ Located at <https://www.remtribunals.nsw.gov.au/>

Section 2

2023 Annual Review

18. On 6 March 2023, the Tribunal wrote to office holders advising of the commencement of the 2023 annual review.

Office Holder Submissions

19. The Tribunal received four submissions from office holders in the Public Office Holder Group, with most generally supporting a 2.5 per cent increase in salaries, the maximum allowable by the legislation of the time. These submissions were all received prior to the passing of the SOOR Amendment Act which mandate no increase before 1 July 2025.
20. The Chair of the Electricity Retained Interest Corporation – Ausgrid’s submission supported consideration of a general increase in remuneration in line with the legislation, taking into account the change in the SGC for all members of the Board.
21. The Chair of the Electricity Retained Interest Corporation – Endeavour Energy’s submission similarly supported consideration of a general increase in remuneration in line with the legislation, taking into account the change in the SGC for all members of the Board.
22. The submission from the President and Deputy Presidents of the Mental Health Review Tribunal did not seek an increase to remuneration beyond any general increase in line with the legislation.
23. The submission from the Acting Chief Commissioner of the NSW Independent Casino Commission did not seek an increase to remuneration beyond any general increase in line with the legislation.
24. The President of the Personal Injury Commission (PIC) provided a submission on behalf of the Deputy Presidents, Acting Deputy Presidents and non-presidential members. The submission recommended that a 3 per cent increase should be made in addition to any change in the SGC. The submission noted the current high level of inflation and the need to preserve real wages. The submission also detailed that the PIC commenced its operations on 1 March 2021 during the COVID-19 pandemic and remained open to hear cases. The President also noted that another round of recruitment for the motor accidents division will need to be initiated in the near future which will require attractive remuneration to be offered.

25. The Tribunal previously received submissions from the Executive Manager, Parliamentary Services as outlined in the 2020 and 2021 Annual Determinations:

“19. The Executive Manager, Parliamentary Services indicated his intention, at a future date, to request a review of the office based on changes in work value. Any such request will need to be supported by evidence of officer-related savings to offset any additional increase. The Executive Manager also informed the Tribunal that the Governor has given approval for the title of the role to be changed from Executive Manager, Parliamentary Services to Chief Executive, Parliamentary Services. The Tribunal notes that the SOOR Act has not been amended to reflect this change and the Tribunal will continue to refer to this role as the Executive Manager, Parliamentary Services until such time as Schedule 2, Part 2 is amended.”

“20. In this year’s submission, the Executive Manager, Parliamentary Services again indicated his intention, at a future date, to request a review of the office based on changes in work value, noting that the role has not been re-evaluated for some years. He noted various aspects of the autonomy of the role including recent additional responsibilities and compared the remuneration and scope of responsibilities of the role with that of others in the NSW public service and similar roles in other jurisdictions. It would be a matter for the Executive Manager, Parliamentary Services to obtain an independent assessment of work value and provide evidence of officer-related savings to offset any additional increase as required under the SOOR Regulation.”

26. This year, the Executive Manager, Parliamentary Services, together with the Clerk of the Legislative Assembly and Clerk of the Parliaments each provided separate but coordinated submissions not seeking increases in remuneration but seeking advice on how a review of the offices based on changes in work value may be conducted. The submissions noted that an internal review of the offices have found the current remuneration not comparable with other jurisdictions in Australia or comparable senior executive roles in accordance with the NSW Public Service Senior Executive Remuneration Management Framework. The submissions further point out an apparent disparity with other Public Office Holder salaries.
27. The Tribunal re-states its view that it would be a matter for the relevant officers or the agency providing corporate services support, to obtain independent assessments of work value and provide evidence of officer-related savings to offset any additional increase as required under the Regulation. While the question has no current practical application given the recent amendment to the Regulation, for future reference, an independent work value assessment should be accompanied by information about the relevant legislative provisions establishing the office and its functions, the responsibilities and accountabilities of

the office holder, the structures that surround the relevant office including the reporting and working arrangements, any budget for which the office holder is responsible, the number and level of staff who report to the office holder and the qualification, skills and experience required for appointment. Relevant comparisons with comparable roles would also be relevant.

Government Submission

28. The Secretary, Premier's Department provided the Government submission to the Tribunal on 17 July 2023. The submission noted the recent amendments to the SOOR Act by the Government to provide for a temporary two-year freeze on increases in remuneration for office holders under Part 3 and executive office holders and senior executives under Parts 3A and 3B. Excerpts appear below:

"The effect of the amendments to the Act is that the Statutory and Other Offices Remuneration Tribunal (Tribunal) is to give effect to declared government policy set out in regulations made under the Act. Namely, that the Tribunal is not to make determinations that have the effect of awarding an increase in remuneration for Executive Offices and Officers that takes effect before 1 July 2025.

Accordingly, the extent of the NSW Government's submission for 2023 annual determinations is limited to noting the recent amendments to the Act which provide for a two year freeze to increases to the remuneration of Executive Offices and Officers."

Superannuation Guarantee Contributions

29. From 1 July 2023, the general SGC increases from 10.50 per cent to 11.00 per cent.⁵
30. As the Tribunal is required to not award an increase in remuneration on this occasion, it is not necessary to deal with the SGC increase.

⁵ Australian Taxation Office. (2023). *Super guarantee percentage*. https://www.ato.gov.au/Rates/Key-superannuation-rates-and-thresholds/?=redirected_SuperRate&anchor=Superguaranteepercentage#Superguaranteepercentage

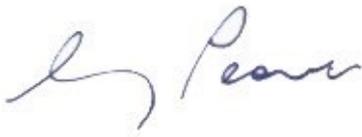
Section 3

2023 Annual Determination

No Increase

31. The Tribunal thanks those office holders that made a submission, and acknowledges the difficult circumstances caused by the current high inflationary environment.
32. In accordance with the Regulation and the temporary wages policy there will be no general increase in the salaries payable to office holders in the Public Office Holders Group with effect from 1 July 2023.
33. This determination is consistent with the temporary wages policy which the Tribunal is required to give effect to pursuant to the Regulation.
34. In fulfilling its functions, the Tribunal consulted with the Secretary, Premier's Department, in their capacity as an 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 to office holders in the Public Office Holders Group on and from 1 July 2023 shall be as specified in Determination No. 1.

Statutory and Other Offices Remuneration Tribunal



The Hon. Greg Pearce

Dated: 26 July 2023

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 2023

Public Office Holder	Salary per annum
Public Service Commissioner	\$560,860
Chief Commissioner, Law Enforcement Conduct Commission	\$529,940
Auditor General	\$521,740
Ombudsman	\$520,385
Commissioner, NSW Crime Commission	\$516,360
Assistant Commissioner, NSW Crime Commission	\$489,180
Chief Commissioner, NSW Independent Casino Commission	\$450,000
President, Mental Health Review Tribunal	\$422,250
Electoral Commissioner	\$406,110
Full-time Commissioner, Law Enforcement Conduct Commission	\$397,455
Commissioner, Health Care Complaints Commission	\$390,160
Independent Review Officer	\$386,889
Valuer General	\$375,685
Deputy President, Mental Health Review Tribunal	\$369,430
Information Commissioner	\$366,335
Deputy President, Personal Injury Commission	\$361,815
Privacy Commissioner	\$353,515
Mental Health Commissioner	\$339,890
Parliamentary Budget Officer	\$335,010
Full-time non-presidential member, Personal Injury Commission: Principal Member (Division Head of the Workers Compensation Division)	\$333,715
Full-time non-presidential member, Personal Injury Commission: Principal Member (Division Head of the Motor Accidents Division)	\$333,715
Inspector of Custodial Services	\$323,070
Chairperson, Independent Liquor and Gaming Authority	\$320,000

Small Business Commissioner	\$318,285
Deputy Chairperson, Law Reform Commission	\$315,120
Full-time non-presidential member, 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, Personal Injury Commission: Principal Member (not legally qualified)	\$276,615
Deputy Chairperson, Independent Liquor and Gaming Authority	\$275,000
Full-time non-presidential member, Personal Injury Commission: Senior Member (legally qualified)	\$273,080
Deputy Mental Health Commissioner	\$272,145
Commissioner, NSW Independent Casino Commission	\$270,000
Member, Independent Liquor and Gaming Authority	\$255,000
Deputy Clerk, Legislative Assembly	\$252,565
Deputy Clerk, Legislative Council	\$252,565
Full-time non-presidential member, Personal Injury Commission: Senior Member (not legally qualified)	\$251,500
Full-time non-presidential member, 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, 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, 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, Personal Injury Commission (part time daily rate) \$1,500

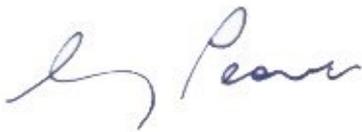
Assessor, *Local Court Act 2007* (daily rate) \$925

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



The Hon. Greg Pearce

Dated: 26 July 2023

Court and Related Officers Group

Annual Determination

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

26 July 2023



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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), 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 (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 Regulation).
4. On 30 May 2023, the NSW Government announced a new policy to freeze the remuneration for public sector senior executives for two years, in order to reduce executive expenditure and achieve budget savings.¹ The freeze would be in place for the 2023-24 and 2024-25 financial years.
5. The *Statutory and Other Offices Remuneration Amendment Act 2023* (SOOR Amendment Act) commenced on 1 June 2023. It amended the SOOR Act to

¹ NSW Government. (2023). *Minns Government acts to freeze NSW public sector senior executive and politicians’ pay for 2 years*. <https://www.nsw.gov.au/media-releases/minns-government-acts-to-freeze-nsw-public-sector-senior-executive-and-politicians-pay-for-2-years>

provide for a temporary freeze on increases in remuneration for office holders under Part 3 and executive office holders and senior executives under Parts 3A and 3B.

- Schedule 3 of the SOOR Amendment Act amended the Regulation by omitting the previous clause 5A of the regulation and inserting a new clause 5A imposing a temporary policy that the Tribunal is not to make a determination that has the effect of awarding an increase in remuneration that takes effect before 1 July 2025 to office holders covered by part 3 of the SOOR Act. Clause 5A was amended as follows:

Clause 5A

Omit the clause. Insert instead—

5A Temporary wages policy—Act, s 6AB(3)

(1) A policy that the Tribunal is not to make a determination that has the effect of awarding an increase in remuneration that takes effect before 1 July 2025 is declared.

(2) To avoid doubt, subclause (1) has effect despite clause 6.

(3) This clause expires at the end of the day on 30 June 2025.

Economic Analysis

- As outlined in its 2022-23 Half-Yearly Review of the Budget,² the NSW Treasury noted that the NSW economy grew more strongly than expected at the time of the 2022-23 Budget. Strong momentum in the labour market has persisted with the near-record high participation rate and the unemployment rate near its lowest level in almost 50 years.
- However, the economic growth outlook has been downgraded for 2022-23 to 2024-25 as the tightening of monetary policy moderates economic growth, with the full impact yet to flow through to economic activity.
- Annual headline inflation in Sydney was 7.3 per cent through the year to the March quarter 2023. This was higher than the national headline figure of 7 per cent. National underlying inflation rose by 6.6 per cent in the March 2023 quarter,

² NSW Government. (2023). *2022-23 Half-Yearly Review*.
<https://www.budget.nsw.gov.au/sites/default/files/2023-02/2022-23-Half-Yearly-Budget-Review.pdf>

which is well above the RBA's target band of 2-3 per cent and the highest rate since December 1990.³

10. The Half-Yearly Review expected inflation to have peaked in the December 2022 quarter and is forecast to decline over the next two years moderating back to the top of the RBA's 2-3 per cent inflation target in 2024. This reflects an anticipated gradual easing of inflationary pressures on both the demand and supply sides such as, the tightening of monetary policy by the RBA and other central banks, easing of supply chain pressures, downward trend on commodity prices and the Australian Government's intervention on energy prices.
11. While the Tribunal acknowledges the continued impacts of sustained higher than expected inflation and the difficulties associated with it, the Tribunal is required to give effect to the temporary wages policy and is unable to award any increases in remuneration for the Court and Related Officers Group.

2022 Determination

12. 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 an increase of 2 per cent, adjusted to 1.53 per cent for those office holders to which the SGC increase applies. The increases were consistent with the increases recommended in the Government submission.
13. The conveyance allowance was also 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.

³ Australian Bureau of Statistics. (2023). *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>

Section 2

2023 Annual Review

14. On 6 March 2023, the Tribunal wrote to office holders advising of the commencement of the 2023 annual review.

Office Holder Submissions

15. The Tribunal received three submissions from office holders in the Court and Related Officers Group, with all generally supporting a 2.5 per cent increase in salaries, the maximum allowable by the legislation of the time. These submissions were all received prior to the passing of the SOOR Amendment Act which mandate no increase before 1 July 2025.
16. The submission from the Director, Deputy Directors, and Acting Deputy Director of Public Prosecutions highlighted the integral role of office holders in high-quality service delivery continuing with upward trends, as well as their commitment to upskilling the profession through various knowledge sharing activities. The submission cited the return to full court operations after the pandemic, the introduction of new initiatives enhancing the processes of the Office of the Director of Public Prosecutions and the broader criminal justice system and a strengthening of direct relationships with criminal justice partners to bolster efficiency and access to justice.
17. The submission of the Senior Crown Prosecutor, on behalf of the NSW Crown Prosecutors highlighted the vital contributions that Crown Prosecutors continue to make to the efficient and just operation of the criminal justice system. The submission cited significant changes to the NSW criminal justice system, including amendments to delegations, the EAGP reforms, and case management reforms that have collectively achieved cost savings yet resulted in significant increases to the workload of Crown Prosecutors. It noted that the combination of no remuneration increase for office holders in FY 2020-21, and very significant increases in the Consumer Price Index have resulted in net salary decreases in real terms. The Senior Crown Prosecutor also argued that Crown Prosecutors will receive little benefit from the increase in the SGC as their contribution amounts are well in excess of the concessional superannuation contribution cap.
18. The Senior Commissioner of the Land and Environment Court adopted 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.⁴ This was on

⁴ The submissions referred to are dealt with in the Judges and Magistrates determination.

behalf of the Commissioners of the Court so far as they bear on the statutory functions of Commissioners. The submission argued that any potential increase should not be reduced on account of the increase in SGC as it 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 stated that qualification required for appointment as Commissioners is significant and an attractive salary is required to attract highly qualified candidates. The submission referred to the significant increases in the case load of the Court over the last five years, while the number of commissioners has remained constant, exacerbated by absences due to leave taken. The submission also made mention of the increase to cost of living pressures.

Government Submission

19. The Secretary, Premier's Department provided the Government submission to the Tribunal on 17 July 2023. The submission noted the recent amendments to the SOOR Act by the Government to provide for a temporary two-year freeze on increases in remuneration for office holders under Part 3 and executive office holders and senior executives under Parts 3A and 3B. Excerpts appear below:

"The effect of the amendments to the Act is that the Statutory and Other Offices Remuneration Tribunal (Tribunal) is to give effect to declared government policy set out in regulations made under the Act. Namely, that the Tribunal is not to make determinations that have the effect of awarding an increase in remuneration for Executive Offices and Officers that takes effect before 1 July 2025.

Accordingly, the extent of the NSW Government's submission for 2023 annual determinations is limited to noting the recent amendments to the Act which provide for a two year freeze to increases to the remuneration of Executive Offices and Officers."

Conveyance Allowance

20. The annual percentage change from the 2022 March quarter to the 2023 March quarter in the CPI: Motor Vehicles – Sydney (Series ID A2328552A) is 7.6 per cent.⁵ In accordance with the Regulation and the temporary wages policy there will be no increase to the conveyance allowance.

Superannuation Guarantee Contributions

21. From 1 July 2023, the general SGC increases from 10.50 per cent to 11.00 per cent.⁶
22. As the Tribunal is required to not award an increase in remuneration on this occasion, it is not necessary to deal with the SGC increase.

⁵ Australian Bureau of Statistics. (2023). *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>

⁶ Australian Taxation Office. (2023). *Super guarantee percentage*. https://www.ato.gov.au/Rates/Key-superannuation-rates-and-thresholds/?=redirected_SuperRate&anchor=Superguaranteepercentage#Superguaranteepercentage

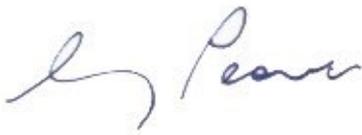
Section 3

2023 Annual Determination

No Increase

23. The Tribunal thanks those office holders that made a submission, and acknowledges the difficult circumstances caused by the current high inflationary environment. The Tribunal also acknowledges the challenging situations in which office holders have operated during and after the pandemic as courts returned to full operation.
24. In accordance with the Regulation and the temporary wages policy there will be no general increase in the salaries payable to office holders in the Court and Related Officers Group with effect from 1 July 2023.
25. This determination is consistent with the temporary wages policy which the Tribunal is required to give effect to pursuant to the Regulation.
26. In fulfilling its functions, the Tribunal consulted with the Secretary, Premier's Department, in their capacity as Assessor under the SOOR Act. The other assessor role is currently vacant.
27. Pursuant to section 13 of the SOOR Act the Tribunal determines that the remuneration to be paid to office holders in the Court and Related Officers Group, on and from 1 July 2023 shall be as specified in Determination Nos. 1-3.

Statutory and Other Offices Remuneration Tribunal



The Hon. Greg Pearce

Dated: 26 July 2023

Section 4

Determinations

Determination No. 1 – Remuneration of office holders eligible for a Judges' pension. Effective on and from 1 July 2023

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 2023

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:

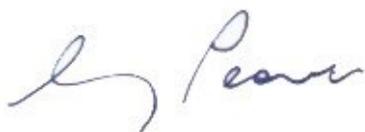
- Should the March quarter data indicate a decrease in motor vehicle costs the conveyance allowance will remain unchanged (to comply with the requirements of section 21 of the SOOR Act).
- The temporary wages policy (to comply with Clause 5A of the Regulation).

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



The Hon. Greg Pearce

Dated: 26 July 2023

ASSOCIATIONS INCORPORATION ACT 2009

Cancellation of registration pursuant to section 80

TAKE NOTICE that **CHALLENGE NORTH SHORE INCORPORATED – Y1727222** became registered under the Corporations Act 2001 as **CHALLENGE NORTH SHORE LTD - ACN 669 083 274** a company limited by guarantee, on 23 June 2023, 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
2 August 2023

ASSOCIATIONS INCORPORATION ACT 2009

Cancellation of registration pursuant to section 80

TAKE NOTICE that **COMMUNITY MINDS INCORPORATED – INC1500600** became registered under the Corporations Act 2001 as **COMMUNITY MINDS LTD - ACN 667 686 286** a company limited by guarantee, on 21 June 2023, 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
2 August 2023

ASSOCIATIONS INCORPORATION ACT 2009

Cancellation of registration pursuant to section 80

TAKE NOTICE that **SYDNEY STEPPING STONE INC – Y0746909** became registered under the Corporations Act 2001 as **STEPPING STONE HOUSE LIMITED - ACN 669 798 583** a company limited by guarantee, on 18 July 2023, 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
2 August 2023

ASSOCIATIONS INCORPORATION ACT 2009

Cancellation of Registration pursuant to Section 74

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

ALBURY/WODONGA CHRONIC PAIN SUPPORT GROUP INCORPORATED	Y2284716
AUSTRALIAN MAANSHAN ASSOCIATION INCORPORATED	INC1701271
BOOMERANG BAGS TEA GARDENS HAWKS NEST INCORPORATED	INC1701334
CHIFLEY SWIMMING CLUB INCORPORATED	INC2000235
CLUB TURRAMURRA INC	Y0332602
COFFS COAST INFRASTRUCTURE ALLIANCE INC	INC1701027
COOTAMUNDRA SPORTS & TRIATHLON CLUB INCORPORATED	INC9895072
EDEN PONY CLUB INC	Y0596948
FUTURE PORTS 2050 INCORPORATED	INC2100597
GREAT LAKES TOURISM INDUSTRY ASSOCIATION INCORPORATED	INC1900147
HANDS IN MISSIONS INCORPORATED	INC9889225
HUMANITY EVENTS INC	INC2100626
HUNTER VALLEY MILKOS ASSOCIATION INCORPORATED	Y2893832
KABLE AVENUE INDOOR BOWLS INCORPORATED	INC9881166
NEW SOUTH WALES FAR WEST SMALL BUSINESS ASSOCIATION INC	INC2000481
NSW AUSTRALIAN PEACEKEEPER & PEACEMAKER VETERANS' ASSOCIATION INCORPORATED	INC9885359
POINTING OUT AUSTRALIA INCORPORATED	INC1601219
SOCIETY OF EX-BUDHANILKANTHA STUDENTS - AUSTRALIA INCORPORATED	INC1500871

TAXI OWNERS SMALL BUSINESS ASSOCIATION INCORPORATED	INC1700980
TEMORA ASSISTING PEOPLE IN NEED INCORPORATED	INC9894769
THE FRIENDS OF THE SCOTS PRESBYTERIAN CHURCH FINLEY ASSOCIATION INC	INC1500813
WAGGA WAGGA KOORINGAL MEN'S PROBUS CLUB INCORPORATED	INC1600696
WOLLUNDRY LADIES PROBUS CLUB OF WAGGA WAGGA INC	Y0956944
WOMEN'S WALKS SOUTHERN HIGHLANDS INCORPORATED	INC2000920

Cancellation is effective as at the date of gazettal.

Dated this 2nd day of August 2023.

Diane Duggan
 Delegate of the Commissioner
 NSW Fair Trading



Home Building Act 1989 (NSW)

Qualifications and Experience requirements for an endorsed Contractor licence and Qualified Supervisor or Tradesperson Certificate for Plumbing, Gas fitting and related Specialist Work.

I, Natasha Mann, Commissioner for Fair Trading, Department of Customer Service under the Home Building Act 1989 (NSW):

1. Revoke all previous Instruments in so far as they deal with the same matters as this Instrument; and
2. Determine, pursuant to sections 20(2) and 25(2) of the Home Building Act 1989 (NSW), the possession of qualifications or the passing of examinations or practical tests, or both, and the possession of experience of such a kind and for such a period, as specified in the applicable Tables in the Instrument to be necessary for an applicant for the issue of a supervisor or tradesperson certificate and contractor licence in the following categories:
 - (a) Plumbing
 - (b) Draining
 - (c) Gas fitting
 - (d) Liquefied petroleum gas fitting
 - (e) Advanced liquefied petroleum gas fitting
 - (f) Water plumbing
 - (g) Water plumbing – fire sprinkler systems
 - (h) Water plumbing – fire protection systems
 - (i) Water plumbing – urban irrigation

This Instrument commences on the date on which it is signed.

Natasha Mann
Commissioner for Fair Trading
Department of Customer Service

Date: 17/07/2023

Explanation

The Commissioner for Fair Trading, Department of Customer Service is at the date of this Instrument the “Secretary” under the *Home Building Act 1989* and the *Home Building Regulation 2014*. See paragraph (a) of the definition of “Secretary” in clause 1(1) of Schedule 1 to the *Home Building Act 1989*.

Interpretation

In this Instrument:

“**the Act**” means the Home Building Act 1989 (NSW);

“**Apprenticeship**” means an apprenticeship completed in Australia in Plumbing, or Fire Protection, or (formerly) Gas Fitting

“**Certificate of Proficiency**” means a certificate issued by either (a) the NSW Commissioner for Vocational Training; or (b) the former Vocational Training Review Panel of New South Wales recognising that the holder has gained industry experience and has been awarded a relevant qualification by a Registered Training Organisation;

“**Commencement Date**” means the date on which this Instrument is signed by the Commissioner for Fair Trading;

“**Craft Certificate**” means a certificate issued by either (a) the NSW Commissioner for Vocational Training; or (b) the former Vocational Training Review Panel of New South Wales recognising that the holder has gained the necessary industry experience but has not been awarded a relevant qualification by a Registered Training Organisation;

“**Experience**” means experience lawfully gained by the applicant (whether during or after completion of an Apprenticeship) in Australia as a *bona fide* employee who has been paid during the relevant period of employment in accordance with an award or enterprise agreement, and this is verified in the Relevant Application Form;

“**Registered Training Organisation**” has the same meaning as in the *National Vocational Education and Training Regulator Act 2011* (Cth);

“**Relevant Application Form**” means the relevant application form for the supervisor or tradesperson certificate or endorsed contractor licence that is being applied for, which is published on the NSW Fair Trading website, including the required attachments to that form. (Note – Applications are to be made in accordance with section 12 of the *Licensing and Registration (Uniform Procedures) Act 2002*).

“**Traineeship**” means a traineeship completed in Australia in Plumbing being a vocation defined by the NSW Commissioner for Vocational Training as a Traineeship.

Table 1: Endorsed Contractor Licence or Qualified Supervisor Certificate

Column 1 Category	Column 2 Qualifications ¹	Column 3 Experience
<p>1. A Plumbing, Draining, Gas fitting and/or Liquefied Petroleum Gas fitting endorsed (individual) contractor licence or qualified supervisor certificate</p>	<p>(a) Completion of one of the following:</p> <ul style="list-style-type: none"> (i) Certificate IV in Plumbing and Services (Operations), i.e., all the units required for the completion of the Operations stream of the Certificate IV in Plumbing and Services, CPC40920; or (ii) A Traineeship which includes Certificate IV in Plumbing and Services (Operations), i.e., all the units required for the completion of the Operations stream of the Certificate IV in Plumbing and Services, CPC40920; <p>OR</p> <p>Completion of one of the following, (a)(iii) to (a)(vi), before 1 November 2024:</p> <ul style="list-style-type: none"> (iii) Certificate III in Plumbing CPC32420 and the units of competency set out in subparagraph (b)(i to vii) below; or (iv) Certificate III in Plumbing CPC32413/ CPC32412/ CPC32411/ CPC32408/ BCP30103 including all modules that verify completion of the water stream, sanitary stream, draining stream and gas services stream and the units of competency set out in subparagraph (b)(i to vii) below; or (v) An Apprenticeship which includes Certificate III in Plumbing CPC32420 and the units of competency set out in subparagraph (b)(i to vii) below; or (vi) An Apprenticeship which includes Certificate III in Plumbing CPC32413/ CPC32412/ CPC32411/ CPC32408/ BCP30103 including all modules that verify completion of the water stream, sanitary stream, draining stream and gas services stream and the units of competency set out in subparagraph (b)(i to vii) below. <p>(b) Completion of the following units of competency:</p> <ul style="list-style-type: none"> (i) Either CPCPWT4011/ CPCPWT4011A or B Design and size heated and cold water services and systems, or CPCPWT4001A/ BCPWT4001A Plan, size and layout hot and cold water services and systems; and (ii) Either CPCCBC4012/ CPCCBC4012A or B/ BCGBC4012A or B Read and interpret plans and specifications; and (iii) Either CPCPDR4011/ CPCPDR4011A or B Design and size sanitary drainage systems, or CPCPDR4001A/ BCPDR4001A Plan, size and layout sanitary drainage systems; and (iv) Either CPCPDR4012/ CPCPDR4012A or B Design and size stormwater drainage systems, or CPCPDR4002A/ BCPDR4002A Plan, size and layout stormwater drainage systems; and (v) Either CPCPDR4013/ CPCPDR4013A or B Design and size domestic treatment plant disposal systems, or CPCPDR4003A/ BCPDR4003A Plan, size and layout domestic treatment plant disposal systems; and 	<p>AND</p> <p>Evidence of completion of an apprenticeship or traineeship and at least two (2) years' combined industry experience in the work covered by the units set out in paragraph 1.A (b)(i-vii)</p> <p>OR</p> <p>At least two (2) years' combined industry experience in the work covered by the units set out in paragraph 1.A (b)(i-vii) and that this experience was obtained after completion of Certificate III in Plumbing.</p> <p>Note: The Secretary or their delegate may require Evidence of Employment to confirm any employment periods to verify that the applicant is capable of doing or supervising the work.</p>

¹ Qualifications may also include any equivalent qualifications as determined by the Secretary

	<p>(vi) Either CPCPSN4011/ CPCPSN4011A or B Design and size sanitary plumbing systems, or CPCPSN4001A/ BCPSN4001A Plan, size and layout sanitary pipework and fixtures; and</p> <p>(vii) Either CPCPGS4011/ CPCPGS4011A or B or C Design and size consumer gas installations, or CPCPGS4001A/ BCPGS4001A Plan, size and layout consumer gas installations.</p>	
<p>1.B Plumbing endorsed (individual) contractor licence or qualified supervisor certificate</p>	<p>(a) Completion of one of the following:</p> <p>(i) Certificate IV in Plumbing & Services (Operations), i.e., all the units required for the completion of the Operations stream of the Certificate IV in Plumbing and Services, CPC40920; or</p> <p>(ii) A Traineeship which includes Certificate IV in Plumbing and Services (Operations), i.e., all the units required for the completion of the Operations stream of the Certificate IV in Plumbing and Services, CPC40920;</p> <p>OR</p> <p>Completion of one of the following, (a)(iii) to (a)(vi), before 1 November 2024:</p> <p>(iii) Certificate III in Plumbing CPC32420 and the units of competency set out in subparagraph (b)(i to vi) below; or</p> <p>(iv) Certificate III in Plumbing CPC32413/ CPC32412/ CPC32408/ BCP30103 including all modules that verify completion of the water stream and sanitary stream and the units of competency set out in subparagraph (b)(i to vi) below; or</p> <p>(v) An Apprenticeship which includes Certificate III in Plumbing CPC32420 and the units of competency set out in subparagraph (b)(i to vi) below; or</p> <p>(vi) An Apprenticeship which includes Certificate III in Plumbing CPC32413/ CPC32412/ CPC32411/ CPC32408/ BCP30103 including all modules that verify completion of the water stream and sanitary stream and the units of competency set out in subparagraph (b)(i to vi) below.</p> <p>(b) Completion of the following units of competency:</p> <p>(i) Either CPCPWT4011/ CPCPWT4011A or B Design and size heated and cold water services and systems or CPCPWT4001A/ BCPWT4001A Plan, size and layout hot and cold water services and systems; and</p> <p>(ii) Either CPCCBC4012/ CPCCBC4012A or B/ BCGBC4012A or B Read and interpret plans and specifications; and</p> <p>(iii) Either CPCPDR4011/ CPCPDR4011A or B Design and size sanitary drainage systems or CPCPDR4001A/ BCPDR4001A Plan, size and layout sanitary drainage systems; and</p> <p>(iv) Either CPCPDR4012/ CPCPDR4012A or B Design and size stormwater drainage systems, or CPCPDR4002A/ BCPDR4002A Plan, size and layout stormwater drainage systems; and</p> <p>(v) Either CPCPDR4013/ CPCPDR4013A or B Design and size domestic treatment plant disposal systems or CPCPDR4003A/ BCPDR4003A Plan, size and layout domestic treatment plant disposal systems; and</p> <p>(vi) Either CPCPSN4011/ CPCPSN4011A or B Design and</p>	<p>AND</p> <p>Evidence of completion of an apprenticeship or traineeship and at least two (2) years' combined industry experience in the work covered by the units set out in paragraph 1.B (b)(i-vi);</p> <p>OR</p> <p>At least two (2) years' combined industry experience in the work covered by the units set out in paragraph 1.B (b)(i-vi) and that this experience was obtained after completion of Certificate III in Plumbing.</p> <p>Note: The Secretary or their delegate may require Evidence of Employment to confirm any employment periods to verify that the applicant is capable of doing or supervising the work.</p>

	size sanitary plumbing systems or CPCPSN4001A/ BCPSN4001A Plan, size and layout sanitary pipework and fixtures.	
1.C Draining endorsed (individual) contractor licence or qualified supervisor certificate	<p>(a) Completion of one of the following:</p> <ul style="list-style-type: none"> (i) Certificate III in Plumbing CPC32420 and the units of competency set out in paragraph (b) and subparagraph (c)(ii to iv); or (ii) An Apprenticeship which includes Certificate III in Plumbing CPC32420 and the units of competency set out in paragraph (b) and subparagraph (c)(ii to iv); or (iii) Certificate II in Drainage CPC20720 and the units of competency set out in paragraph (b) and subparagraph (c)(ii to iv); <p>OR</p> <p>Completion of one of the following, (a)(iv) to (a)(ix) before 1 November 2024:</p> <ul style="list-style-type: none"> (iv) Certificate III in Plumbing CPC32420 and the units of competency set out in subparagraph (c)(i to iv); or (v) Certificate III in Plumbing / CPC32413/ CPC32412/ CPC32411/ CPC32408/ BCP30103 including all modules that verify completion of the draining stream and the units of competency set out in subparagraph (c)(i to iv) below; or (vi) An Apprenticeship which includes Certificate III in Plumbing CPC32420 and the units of competency set out in subparagraph (c)(i to iv); or (vii) An Apprenticeship which includes Certificate III in Plumbing CPC32413/ CPC32412/ CPC32411/ CPC32408/ BCP30103 including all modules that verify completion of the draining stream and the units of competency set out in subparagraph (c)(i to iv) below; or (viii) Certificate II in Drainage CPC20720 and the units of competency set out in subparagraph (c)(i to iv); or (ix) Certificate II in Drainage CPC20712/ CPC20711/ CPC20708/ BCP20103 and the units of competency set out in subparagraph(c)(i to iv) below. <p>(b) Completion of the units of competency specified in Table 5 of this Instrument.</p> <p>(c) Completion of the following units of competency:</p> <ul style="list-style-type: none"> (i) CPCCBC4012 / CPCCBC4012A/ BCGBC4012A or B Read and interpret plans and specifications; and (ii) Either CPCPDR4011/ CPCPDR4011A or B Design and size sanitary drainage systems or CPCPDR4001A/ BCPDR4001A Plan, size and layout sanitary drainage systems; and (iii) Either CPCPDR4012/ CPCPDR4012A or B Design and size stormwater drainage systems or CPCPDR4002A/ BCPDR4002A Plan, size and layout stormwater drainage systems; and (iv) Either CPCPDR4013/ CPCPDR4013A or B Design and size domestic treatment plant disposal systems or CPCPDR4003A/ BCPDR4003A Plan, size and layout domestic treatment plant disposal systems. 	<p>AND</p> <p>Evidence of completion of an apprenticeship and at least two (2) years' combined industry experience in the work covered by the units set out in paragraph 1.C (c)(i-iv);</p> <p>OR</p> <p>At least two (2) years' combined industry experience in the work covered by the units set out in paragraph 1.C (c)(i-iv) and that this experience was obtained after completion of Certificate III in Plumbing.</p> <p>Note: The Secretary or their delegate may require Evidence of Employment to confirm any employment periods to verify that the applicant is capable of doing or supervising the work.</p>

<p>1.D Gas fitting and/or Liquefied Petroleum Gas fitting endorsed (individual) contractor licence or qualified supervisor certificate</p>	<p>(a) Completion of one of the following:</p> <ul style="list-style-type: none"> (i) Certificate III in Plumbing CPC32420 and the units of competency set out in paragraph (b) and (c)(ii); or (ii) An Apprenticeship which includes Certificate III in Plumbing CPC32420 and the units of competency set out in paragraph (b) and subparagraph (c)(ii); or (iii) Certificate III in Gas fitting CPC32720 and the units of competency set out in paragraph (b) and subparagraph (c)(ii); <p>OR</p> <p>Completion of one of the following, (a)(iv) to (a)(x) before 1 November 2024:</p> <ul style="list-style-type: none"> (iv) Certificate III in Plumbing CPC32420 and the units of competency set out in subparagraph (c)(i to ii); or (v) Certificate III in Plumbing CPC32413/ CPC32412/ CPC32411/ CPC32408/ BCP30103 including all modules that verify completion of the gas services stream and the units of competency set out in subparagraph (c)(i to ii) below; or (vi) An Apprenticeship which includes Certificate III in Plumbing CPC32420 and includes the units of competency set out in subparagraph (c)(i to ii); or (vii) An Apprenticeship which includes Certificate III in Plumbing CPC32413/ CPC32412/ CPC32411/ CPC32408/ BCP30103 including all modules that verify completion of the gas services stream and the units of competency set out in subparagraph (c)(i to ii) below; or (viii) Certificate III in Gas fitting CPC32720 and the units of competency set out in subparagraph (c)(i to ii); or (ix) Certificate III in Gas fitting CPC32713/ CPC32712/ CPC32711/ CPC32708/ BCP30403 and the units of competency set out in subparagraph (c)(i to ii) below; or (x) An Apprenticeship which includes Certificate III in Gas fitting CPC32713/ CPC32712/ CPC32711/ CPC32708/ BCP30403 and the units of competency set out in subparagraph (c)(i to ii) below; <p>(b) Completion of the units of competency specified in Table 5 of this Instrument.</p> <p>(c) Completion of the following units of competency:</p> <ul style="list-style-type: none"> (i) CPCCBC4012/ CPCCBC4012A/ BCGBC4012A or B Read and interpret plans and specifications; and (ii) Either CPCPGS4011/ CPCPGS4011A or B or C Design and size consumer gas installations or CPCPGS4001A/ BCPGS4001A Plan, size and layout consumer gas installations. 	<p>AND</p> <p>Evidence of completion of an apprenticeship and at least two (2) years' combined industry experience in the work covered by the units set out in paragraph 1.D (c)(i-ii);</p> <p>OR</p> <p>At least two (2) years' combined industry experience in the work covered by the units set out in paragraph 1.D (c)(i-ii) and that this experience was obtained after completion of Certificate III in Plumbing.</p> <p>Note: The Secretary or their delegate may require Evidence of Employment to confirm any employment periods to verify that the applicant is capable of doing or supervising the work.</p>
<p>1.E Advanced Liquefied Petroleum Gas fitting endorsed (individual) contractor licence or qualified supervisor certificate</p>	<p>(a) Completion of one of the following:</p> <ul style="list-style-type: none"> (i) Certificate III in Plumbing CPC32420 and the units of competency set out in paragraph (b) and subparagraph (c)(ii to iv); or (ii) Certificate III in Gas fitting CPC32720 and the units of competency set out in paragraph (b) and subparagraph (c)(ii to iv); 	<p>AND</p> <p>Evidence of completion of an apprenticeship and at least two (2) years' combined industry experience in the work covered by the units set out in paragraph 1.E (c)(i- iv);</p>

	<p>OR</p> <p>Completion of one of the following, (a)(iii) to (a)(vi) before 1 November 2024:</p> <p>(iii) Certificate III in Plumbing CPC32420 and the units of competency set out in subparagraph (c)(i to iv); or</p> <p>(iv) Certificate III in Plumbing CPC32413/ CPC32412/ CPC32411/ CPC32408/ BCP30103 including all modules that verify completion of the gas services stream and the units of competency set out in subparagraph (c)(i to iv) below; or</p> <p>(v) Certificate III in Gas fitting CPC32720 and the units of competency set out in subparagraph (c)(i to iv); or</p> <p>(vi) Certificate III in Gas fitting CPC32713/ CPC32712/ CPC32711/ CPC32708/ BCP30403 and the units of competency set out in subparagraph (c)(i to iv) below;</p> <p>(b) Completion of the units of competency specified in Table 5 of this Instrument</p> <p>(c) Completion of the following units of competency:</p> <p>(i) CPCBC4012/ CPCBC4012A/ BCGBC4012A or B Read and interpret plans and specifications; and</p> <p>(ii) CPCPGS3060/ CPCPGS3060A/ CPCPGS3035A/ CPCPGS3005A/ BCPGS3005A Install LP gas storage of aggregate capacity exceeding 500 litres and less than 8KL; and</p> <p>(iii) CPCPGS3050/ CPCPGS3050A/ CPCPGS3020A/ CPCPGS3010A/ BCPGS3010A Install Type B appliance flues; and</p> <p>(iv) Either CPCPGS4011/ CPCPGS4011A or B or C Design and size consumer gas installations or CPCPGS4001A/ BCPGS4001A Plan, size and layout consumer gas installations.</p>	<p>OR</p> <p>At least two (2) years' combined industry experience in the work covered by the units set out in paragraph 1.E (c)(i-iv) and that this experience was obtained after completion of Certificate III in Plumbing.</p> <p>Note: The Secretary or their delegate may require Evidence of Employment to confirm any employment periods to verify that the applicant is capable of doing or supervising the work.</p>
<p>1.F Water Plumbing endorsed (individual) contractor licence or qualified supervisor certificate</p>	<p>(a) Completion of one of the following:</p> <p>(i) Certificate IV Plumbing & Services (Operations), i.e., all the units required for the completion of the Operations stream of the Certificate IV in Plumbing and Services, CPC40920; or</p> <p>(ii) A Traineeship which includes Certificate IV in Plumbing and Services (Operations), i.e., all the units required for the completion of the Operations stream of the Certificate IV in Plumbing and Services, CPC40920;</p> <p>OR</p> <p>Completion of one of the following, (a)(iii) to (a)(vi), before 1 November 2024:</p> <p>(iii) Certificate III in Plumbing CPC32420 and the units of competency set out in subparagraph (b)(i to ii) below; or</p> <p>(iv) Certificate III in Plumbing CPC32413/ CPC32412/ CPC32411/ CPC32408/ BCP30103 and the units of competency set out in subparagraph (b)(i to ii) below; or</p> <p>(v) An Apprenticeship which includes Certificate III in Plumbing CPC32420 and the units of competency set out in subparagraph (b)(i to ii) below; or</p>	<p>AND</p> <p>Evidence of completion of an apprenticeship or traineeship and at least two (2) years' combined industry experience in the work covered by the units set out in paragraph 1.F (b)(i-ii);</p> <p>OR</p> <p>At least two (2) years' combined industry experience in the work covered by the units set out in paragraph 1.F (b)(i-ii) and that this experience was obtained after completion of Certificate III in Plumbing.</p> <p>Note: The Secretary or their delegate may require Evidence of Employment to confirm any employment periods to verify that the applicant is capable of doing or supervising the work.</p>

	<p>(vi) An Apprenticeship which includes Certificate III in Plumbing CPC32413/ CPC32412/ CPC32411/ CPC32408/ BCP30103 and the units of competency set out in subparagraph (b)(i to ii) below.</p> <p>(b) Completion of the following units of competency:</p> <p>(i) Either CPCPWT4011/ CPCPWT4011A or B Design and size heated and cold water services and systems, or CPCPWT4001A/ BCPWT4001A Plan, size and layout hot and cold water services and systems; and</p> <p>(ii) Either CPCBC4012/ CPCBC4012A/ BCGBC4012A or B Read and interpret plans and specifications.</p>	
<p>1.G Water Plumbing - Fire Protection Systems endorsed (individual) contractor licence or qualified supervisor certificate</p>	<p>(a) Completion of one of the following:</p> <p>(i) Certificate III Plumbing CPC32420 and the units of competency set out in paragraph (b) and subparagraph (c)(i to viii); or</p> <p>(ii) An Apprenticeship which includes Certificate III in Plumbing CPC32420 and the units of competency set out in paragraph (b) and subparagraph (c)(i to viii); or</p> <p>(iii) Certificate III in Fire Protection CPC32820 and the units of competency set out in paragraph (b) and subparagraph (c)(viii); or</p> <p>(iv) An Apprenticeship which includes Certificate III in Fire Protection CPC32820 and the units of competency set out in paragraph (b) and subparagraph (c)(viii);</p> <p>OR</p> <p>Completion of one of the following, (a)(v) to (a)(xii), before 1 November 2024:</p> <p>(v) Certificate III Plumbing CPC32420 and the units of competency set out in subparagraph (c)(i to ix); or</p> <p>(vi) Certificate III in Plumbing CPC32413/ CPC32412/ CPC32411/ CPC32408/ BCP30103 including the units of competency set out in subparagraph (c)(i to ix) inclusive below; or</p> <p>(vii) An Apprenticeship which includes Certificate III Plumbing CPC32420 and the units of competency set out in subparagraph (c)(i to ix); or</p> <p>(viii) An Apprenticeship which includes Certificate III in Plumbing CPC32413/ CPC32412/ CPC32411/ CPC32408/ BCP30103 including the units of competency set out in subparagraph (c)(i to ix) inclusive below; or</p> <p>(ix) Certificate III in Fire Protection CPC32820 and the units of competency set out subparagraph (c)(viii to ix); or</p> <p>(x) Certificate III in Fire Protection CPC32813/ CPC32812/ CPC32811/ CPC32808/ BCP30503 including the units of competency set out in subparagraph (c)(viii) and (ix) below; or</p> <p>(xi) An Apprenticeship which includes Certificate III in Fire Protection CPC32820 and the units of competency set out in subparagraph (c)(viii to ix); or</p> <p>(xii) An Apprenticeship which includes Certificate III in Fire Protection CPC32813/ CPC32812/ CPC32811/ CPC32808/ BCP30503 including the units of</p>	<p>Not required.</p>

	<p>competency set out in subparagraph (c)(viii) and (ix) below;</p> <p>(b) Completion of the units of competency specified in Table 5 to this Instrument.</p> <p>(c) Completion of the following units of competency:</p> <p>(i) Either CPCPWT3020/ CPCPWT3020A /CPCPWT3010A Connect and install storage tanks to a domestic water supply, or CPCPFS2021/ CPCPFS2021A Connect static storage systems for fixed fire protection systems, or CPCPFS2001A/ BCPFS2001A Connect static storage tanks; and</p> <p>(ii) CPCPFS2022/ CPCPFS2022A/ CPCPFS2012A/ CPCPFS2002A/ BCPFS2002A Install portable fire equipment; and</p> <p>(iii) CPCPFS3044/ CPCPFS3044A/ CPCPFS3012A/ CPCPFS3002A/ BCPFS3002A Install distribution and range pipes; and</p> <p>(iv) CPCPFS3045/ CPCPFS3045A/ CPCPFS3013A/ CPCPFS3003A/ BCPFS3003A Fit off sprinkler heads, controls and ancillary equipment; and</p> <p>(v) CPCPFS3034/ CPCPFS3034A/ CPCPFS3014A/ CPCPFS3004A/ BCPFS3004A Install control valve assemblies, actuating devices and local alarms; and</p> <p>(vi) Either CPCPFS3046/ CPCPFS3046A Test the integrity of water-based fire protection systems using pressure, or CPCPFS3015A/ CPCPFS3005A/ BCPFS3005A Test fire protection systems for pressure; and</p> <p>(vii) CPCPFS3038/ CPCPFS3038A/ CPCPFS3018A/ CPCPFS3008A/ BCPFS3008A Test and maintain fire hydrant and hose reel installations; and</p> <p>(viii) Either CPCPWT4011/ CPCPWT4011A or B Design and size heated and cold water services and systems, or CPCPWT4001A/ BCPWT4001A Plan, size and layout hot and cold water services and systems; and</p> <p>(ix) CPCCBC4012/ CPCCBC4012A/ BCGBC4012A or B Read and interpret plans and specifications.</p>	
<p>1.H Water Plumbing - Fire Sprinkler Systems endorsed (individual) contractor licence or qualified supervisor certificate</p>	<p>(a) Completion of one of the following:</p> <p>(i) Certificate III in Plumbing CPC32420 and the units of competency set out in paragraph (b) and subparagraph (c)(i to iv); or</p> <p>(ii) An Apprenticeship which includes Certificate III in Plumbing CPC32420 and the units of competency set out in paragraph (b) and subparagraph (c)(i to iv); or</p> <p>(iii) Certificate III in Fire Protection CPC32820 and the units of competency set out in paragraph (b); or</p> <p>(iv) An Apprenticeship which includes Certificate III in Fire Protection CPC32820 and the units of competency set out in paragraph (b);</p> <p>OR</p> <p>Completion of one of the following, (a)(v) to (a)(xii), before 1 November 2024:</p> <p>(v) Certificate III in Plumbing CPC32420 including the units of competency set out in subparagraph (c)(i to iv) below; or</p>	<p>Not required.</p>

	<p>(vi) Certificate III in Plumbing CPC32413/ CPC32412/ CPC32411/ CPC32408/ BCP30103 including the units of competency set out in subparagraph (c)(i to iv) below; or</p> <p>(vii) An Apprenticeship which includes Certificate III in Plumbing CPC32420 and the units of competency set out in subparagraph (c)(i) to (iv); or</p> <p>(viii) An Apprenticeship which includes Certificate III in Plumbing CPC32413/ CPC32412/ CPC32411/ CPC32408/ BCP30103 including the units of competency set out in subparagraph (c)(i to iv) below; or</p> <p>(ix) Certificate III in Fire Protection CPC32820; or</p> <p>(x) Certificate III in Fire Protection CPC32813/ CPC32812/ CPC32811/ CPC32808/ BCP30503; or</p> <p>(xi) An Apprenticeship which includes Certificate III in Fire Protection CPC32820; or</p> <p>(xii) An Apprenticeship which includes Certificate III in Fire Protection CPC32813/ CPC32812/ CPC32811/ CPC32808/ BCP30503;</p> <p>(b) Completion of the units of competency specified in Table 5 of this Instrument.</p> <p>(c) Completion of the following units of competency:</p> <p>(i) CPCPFS3044/ CPCPFS3044A/ CPCPFS3012A/ CPCPFS3002A/ BCPFS3002A Install distribution and range pipes; and</p> <p>(ii) CPCPFS3045/ CPCPFS3045A/ CPCPFS3013A/ CPCPFS3003A/ BCPFS3003A Fit off sprinkler heads, controls and ancillary equipment; and</p> <p>(iii) CPCPFS3034/ CPCPFS3034A/ CPCPFS3024A/ CPCPFS3014A/ CPCPFS3004A/ BCPFS3004A Install control valve assemblies, actuating devices and local alarms; and</p> <p>(iv) Either CPCPFS3046/ CPCPFS3046A Test the integrity of water-based fire protection systems using pressure or CPCPFS3015A/ CPCPFS3005A/ BCPFS3005A Test fire protection systems for pressure.</p>	
<p>1.I Water Plumbing - Urban Irrigation endorsed (individual) contractor licence or qualified supervisor certificate</p>	<p>(a) Completion of one of the following:</p> <p>(i) Certificate III in Plumbing CPC32420 and the units of competency set out in paragraph (b) and subparagraph (c)(i to iii); or</p> <p>(ii) Certificate III in Irrigation Technology AHC32419/ AHC32422 including the units of competency set out in paragraph (b) and subparagraph (g)(i to ii) below;</p> <p>OR</p> <p>Completion of one of the following, (a)(iii) to (a)(ix), before 1 November 2024:</p> <p>(iii) Certificate III in Plumbing CPC32420 including the units of competency set out in subparagraph (c)(i to iv); or</p> <p>(iv) Certificate III in Plumbing CPC32413/ CPC32412/ CPC32411/ CPC32408/ BCP30103 including the units of competency set out in subparagraph (c)(i to iv) below; or</p> <p>(v) Certificate II in Urban Irrigation CPC20912/ CPC20911/ CPC20908/ BCP20303; or</p>	<p>AND</p> <p>Evidence of completion of an apprenticeship and at least two (2) years' combined industry experience in the work covered by the units set out in paragraph 1.I (a)(i) or (ii) or (iii) or (iv) or (v) or (vi) or (vii) or (viii) or (ix) and their relevant additional units of competency as specified;</p> <p>OR</p> <p>At least two (2) years' combined industry experience in the work covered by the units set out in paragraph 1.I (a)(i) or (ii) or (iii) or (iv) or (v) or (vi) or (vii) or (viii) or (ix) and their relevant additional</p>

	<p>(vi) Certificate III in Irrigation RTE31303 including the units of competency set out in subparagraph (d)(i to iii) below; or</p> <p>(vii) Certificate III in Irrigation AHC32410 including the units of competency set out in subparagraph (e)(i to iii) below; or</p> <p>(viii) Certificate III in Irrigation AHC32416/ AHC32412 including the units of competency set out in subparagraph (f)(i to ii) below; or</p> <p>(ix) Certificate III in Irrigation Technology AHC32419/ AHC32422 including the units of competency set out in subparagraph (g)(i) to (ii) below;</p> <p>(b) Completion of the units of competency specified in Table 5 of this Instrument.</p> <p>(c) Completion of the following units of competency:</p> <p>(i) CPCPIG2021/ CPCPIG2021A/ CPCPIG2011A/ CPCPIG2001A/ BCPIG2001A Design domestic urban irrigation systems; and</p> <p>(ii) CPCPIG3021/ CPCPIG3021A/ CPCPIG3011A/ CPCPIG3001A/ BCPIG3001A Set out, install and commission irrigation systems; and</p> <p>(iii) CPCPIG3022/ CPCPIG3022A/ CPCPIG3012A/ CPCPIG3002A/ BCPIG3002A Install and commission domestic irrigation pumps; and</p> <p>(iv) CPCPWT3027 Install backflow prevention devices, or CPCPWT3027A/ CPCPWT3017A/ CPCPWT3007A/ BCPWT3007A Connect irrigation systems from drinking water supply.</p> <p>(d) Completion of the following units of competency:</p> <p>(i) Either CPCPWT3017A/ CPCPWT3007A/ BCPWT3007A Connect irrigation systems from drinking water supply or BCS3050A Connect irrigation system from drinkable water (potable); and</p> <p>(ii) RTE3601A Install irrigation systems; and</p> <p>(iii) RTE3605A Troubleshoot irrigation systems.</p> <p>(e) Completion of the following units of competency:</p> <p>(i) CPCPWT3027A/ CPCPWT3017A/ CPCPWT3007A/ BCPWT3007A Connect irrigation systems from drinking water supply; and</p> <p>(ii) AHCIRG302A Install irrigation systems; and</p> <p>(iii) AHCIRG306A Troubleshoot irrigation systems.</p> <p>(f) Completion of the following units of competency:</p> <p>(i) CPCPWT3027A/ CPCPWT3017A/ CPCPWT3007A/ CPWT3007A Connect irrigation systems from drinking water supply; and</p> <p>(ii) AHCIRG306A Troubleshoot irrigation systems.</p> <p>(g) Completion of the following units of competency:</p> <p>(i) CPCPWT3027 Install backflow prevention devices; or CPCPWT3027A Connect irrigation systems from drinking water supply; and</p> <p>(ii) AHCIRG338 Troubleshoot irrigation systems.</p>	<p>units of competency as specified.</p> <p>Note: The Secretary or their delegate may require Evidence of Employment to confirm any employment periods to verify that the applicant is capable of doing or supervising the work.</p>
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Table 2 – Tradesperson Certificate		
Column 1 Category	Column 2 Qualifications ²	Column 3 Experience
2.A Plumbing, Draining, Gas fitting Tradesperson certificate	<p>(a) Completion of one of the following:</p> <ul style="list-style-type: none"> (i) Certificate III in Plumbing CPC32420; or (ii) An Apprenticeship which includes Certificate III in Plumbing CPC32420; or (iii) Certificate III in Plumbing CPC32413/ CPC32412/ CPC32411/ CPC32408/ BCP30103 including all modules that verify completion of the water stream, sanitary stream, draining stream and gas services stream; or (iv) An Apprenticeship which includes Certificate III in Plumbing CPC32413/ CPC32412/ CPC32411/ CPC32408/ BCP30103 including all modules that verify completion of the water stream, sanitary stream, draining stream and gas services stream. 	Not required.
2.B Plumbing tradesperson certificate	<p>(a) Completion of one of the following:</p> <ul style="list-style-type: none"> (i) Certificate III in Plumbing CPC32420; or (ii) An Apprenticeship which includes Certificate III in Plumbing CPC32420; or (iii) Certificate III in Plumbing CPC32413/ CPC32412/ CPC32411/ CPC32408/ BCP30103 including all modules that verify completion of the water stream and sanitary stream; or (iv) An Apprenticeship which includes Certificate III in Plumbing CPC32413/ CPC32412/ CPC32411/ CPC32408/ BCP30103 including all modules that verify completion of the water stream and sanitary stream. 	Not required.
2.C Draining tradesperson certificate	<p>(a) Completion of one of the following:</p> <ul style="list-style-type: none"> (i) Certificate III in Plumbing CPC32420; or (ii) An Apprenticeship which includes Certificate III in Plumbing CPC32420; or (iii) Certificate III in Plumbing CPC32413/ CPC32412/ CPC32411/ CPC32408/ BCP30103 including all modules that verify completion of the draining stream; or (iv) An Apprenticeship which includes Certificate III in Plumbing CPC32413/ CPC32412/ CPC32411/ CPC32408/ BCP30103 including all modules that verify completion of the draining stream; or (v) Certificate II in Drainage CPC20720/ CPC20712/ CPC20711/ CPC20708/ BCP20102. 	Not required.

² Qualifications may also include any equivalent qualifications as determined by the Secretary

<p>2.D Gas fitting tradesperson certificate</p>	<p>(a) Completion of one of the following:</p> <ul style="list-style-type: none"> (i) Certificate III in Plumbing CPC32420; or (ii) An Apprenticeship which includes Certificate III in Plumbing CPC32420; or (iii) Certificate III in Plumbing CPC32413/ CPC32412/ CPC32411/ CPC32408/ BCP30103 including all modules that verify completion of the gas services stream; or (iv) An Apprenticeship which includes Certificate III in Plumbing CPC32413/ CPC32412/ CPC32411/ CPC32408/ BCP30103 including all modules that verify completion of the gas services stream; or (v) Certificate III in Gas fitting CPC32720; or (vi) Certificate III in Gas fitting CPC32713/ CPC32712/ CPC32711/ CPC32708/ BCP30403; or (vii) Completion of an Apprenticeship which includes Certificate III in Gas fitting CPC32713/ CPC32712/ CPC32711/ CPC32708/ BCP30403. 	<p>Not required.</p>
<p>2.E Water Plumbing tradesperson certificate</p>	<p>(a) Completion of one of the following:</p> <ul style="list-style-type: none"> (i) Certificate III in Plumbing CPC32420; or (ii) Certificate III in Plumbing CPC32413/ CPC32412/ CPC32411/ CPC32408/ BCP30103 including all modules that verify completion of the water stream; or (iii) An apprenticeship in Plumbing which includes the Certificate III in Plumbing CPC32420; or (iv) An apprenticeship in Plumbing which includes the Certificate III in Plumbing CPC32413/ CPC32412/ CPC32411/ CPC32408/ BCP30103 including all modules that verify completion of the water stream. 	<p>Not required.</p>
<p>2.F Water Plumbing - Fire Protection Systems tradesperson certificate</p>	<p>(a) Completion of one of the following:</p> <ul style="list-style-type: none"> (i) Certificate III in Plumbing CPC32420/ CPC32413/ CPC32412/ CPC32411/ CPC32408/ BCP30103 and the units of competency set out in subparagraph (b)(i to vii) inclusive below; or (ii) An Apprenticeship which includes Certificate III in Plumbing CPC32420/ CPC32413/ CPC32412/ CPC32411/ CPC32408/ BCP30103 including the units of competency set out in subparagraph (b)(i to vii) inclusive below; or (iii) Certificate III in Fire Protection CPC32820/ CPC32813/ CPC32812/ CPC32811/ CPC32808/ BCP30503; or (iv) An Apprenticeship which includes Certificate III in Fire Protection CPC32820/ CPC32813/ CPC32812/ CPC32811/ CPC32808/ BCP30503; <p>(b) Completion of the following units of competency:</p> <ul style="list-style-type: none"> (i) Either CPCPWT3020/ CPCPWT3020A/ CPCPWT3010A Connect and install storage tanks to a domestic water supply; or CPCPFS2021/ CPCPFS2021A/ CPCPFS2011A Connect static storage systems for fixed fire protection systems or CPCPFS2001A/ BCPFS2001A Connect static 	<p>Not required.</p>

	<p>storage tanks; and</p> <p>(ii) CPCPFS2022/ CPCPFS2022A/ CPCPFS2012A/ CPCPFS2002A/BCPFS2002A Install portable fire equipment; and</p> <p>(iii) CPCPFS3044/ CPCPFS3044A/ CPCPFS3012A/ CPCPFS3002A/ BCPFS3002A Install distribution and range pipes; and</p> <p>(iv) CPCPFS3045/CPCPFS3045A/ CPCPFS3013A/CPCPFS3003A/ BCPFS3003A Fit off sprinkler heads, controls and ancillary equipment; and</p> <p>(v) CPCPFS3034/ CPCPFS3034A CPCPFS3014A/ CPCPFS3004A/BCPFS3004A Install control valve assemblies, actuating devices and local alarms; and</p> <p>(vi) Either CPCPFS3046/ CPCPFS3046A Test the integrity of water-based fire protection systems using pressure or CPCPFS3015A/ CPCPFS3005A/ BCPFS3005A Test fire protection systems for pressure; and</p> <p>(vii) CPCPFS3038/ CPCPFS3038A/ CPCPFS3018A/ CPCPFS3008A/ BCPFS3008A Test and maintain fire hydrant and hose reel installations.</p>	
<p>2.G Water Plumbing - Urban irrigation tradesperson certificate</p>	<p>(a) Completion of one of the following:</p> <p>(i) Certificate III in Plumbing CPC32420/ CPC32413/ CPC32412/ CPC32411/ CPC32408/ BCP30103 and the units of competency set out in subparagraph (b)(i to iii) below; or</p> <p>(ii) An apprenticeship which includes Certificate III in Plumbing CPC32420/ CPC32413/ CPC32412/ CPC32411/ CPC32408/ BCP30103 including the units of competency set out in subparagraph (b)(i to iii) below; or</p> <p>(iii) Certificate III in Irrigation Technology AHC32419/ AHC32422 including the units of competency set out in subparagraph (c)(i to ii) below; or</p> <p>(iv) Certificate II in Urban Irrigation CPC20912/ CPC20911/ CPC20908/ BCP20303; or</p> <p>(v) Certificate III in Irrigation RTE31303 including the units of competency set out in subparagraph (d)(i to iii) below; or</p> <p>(vi) Certificate III in Irrigation AHC32410 including the units of competency set out in subparagraph (e)(i to iii) below; or</p> <p>(vii) Certificate III in Irrigation AHC32416/ AHC32412 including the units of competency set out in subparagraph (f)(i to ii) below;</p> <p>(b) Completion of the following units of competency:</p> <p>(i) CPCPIG2021/ CPCPIG2021A/ CPCPIG2011A/ CPCPIG2001A/ BCPIG2001A Design domestic urban irrigation systems; and</p> <p>(ii) CPCPIG3021/ CPCPIG3021A/ CPCPIG3011A/ CPCPIG3001A/ BCPIG3001A Set out, install and commission irrigation systems; and</p> <p>(iii) CPCPIG3022/ CPCPIG3022A/ CPCPIG3012A/ CPCPIG3002A/BCPIG3002A Install and commission domestic irrigation pumps.</p>	<p>Not required.</p>

	<p>(c) Completion of the following units of competency:</p> <p>(i) CPCPWT3027 Install backflow prevention devices; and</p> <p>(ii) AHCIRG338 Troubleshoot irrigation systems.</p> <p>(d) Completion of the following units of competency:</p> <p>(i) Either CPCPWT3017A/ CPCPWT3007A/ BCPWT3007A Connect irrigation systems from drinking water supply or BCS3050A Connect irrigation system from drinkable water (potable); and</p> <p>(ii) RTE3601A Install irrigation systems; and</p> <p>(iii) RTE3605A Troubleshoot irrigation systems.</p> <p>(e) Completion of the following units of competency:</p> <p>(i) CPCPWT3027A/ CPCPWT3017A/ CPCPWT3007A/ CPWT3007A Connect irrigation systems from drinking water supply; and</p> <p>(ii) AHCIRG302A Install irrigation systems; and</p> <p>(iii) AHCIRG306A Troubleshoot irrigation systems.</p> <p>(f) Completion of the following units of competency:</p> <p>(i) CPCPWT3027A/ CPCPWT3017A/ CPCPWT3007A/ CPWT3007A Connect irrigation systems from drinking water supply; and</p> <p>(ii) AHCIRG306A Troubleshoot irrigation systems.</p>	
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Table 3 – Transitional arrangement	
Category	Qualifications & Experience
3.A Any of the categories listed in Column 1 of Table 1	<p>Licence or Certificate held before the Commencement Date</p> <p>A New South Wales endorsed contractor licence, supervisor certificate or tradesperson certificate in the same category ever held before the Commencement Date will meet the requirement for issue of an equivalent authority.</p>
3.B Any of the categories listed in Column 1 of Table 1	<p>Previous Restricted or Conditioned Licence or Certificate held before the Commencement Date but not at the Commencement Date</p> <p>A New South Wales endorsed contractor licence, supervisor certificate or tradesperson certificate in the same category with restrictions or conditions held within five (5) years of the date on which the application for a new endorsed contractor licence, supervisor certificate or tradesperson certificate is made.</p> <p>Where it is deemed that a previously held Certificate or Licence falls within the scope of work of any of the above categories in this Instrument, the Secretary will issue the current equivalent category with or without conditions to carry out the same scope of work.</p>
3.C Any of the categories listed in Column 1 of Table 1	<p>Licence or Certificate current at time of Commencement Date</p> <p>A New South Wales endorsed contractor licence, supervisor certificate or tradesperson certificate in the same category current at time of Commencement Date.</p>
3.D Any of the categories listed in Column 1 of Table 1	<p>Qualifications and Experience enrolled immediately before 13 May 2009</p> <p>The qualifications and experience set out in Column 2 and 3 of Table 4 for the endorsed contractor licence, supervisor certificate or tradesperson certificate listed in column 1 of Table 4, provided that, immediately before 13 May 2009, the applicant was enrolled in the course or program listed therein.</p>

Table 4 – Superseded Qualifications

Column 1 Category	Column 2 Qualifications	Column 3 Experience
<p>1. Plumbing, draining, gas fitting and liquid petroleum gas fitting endorsed contractor licence or supervisor certificate</p>	<p>(a) One of the following:</p> <ul style="list-style-type: none"> (i) 7996 – Certificate III in Plumbing – Trade; or (ii) 1409 – Certificate in Plumbing – Trade; or (iii) 1472 – Statement in Plumbing Overseas Conversion; <p>AND</p> <p>(b) One of the following:</p> <ul style="list-style-type: none"> (i) 1496 – Certificate IV Plumbing Technology -Waste Disposal Services II, Water Supply Services II, Gas Services II; or (ii) 1484 – Advanced Certificate in Plumbing Technology – Waste Disposal Services II, Water Supply Services II, Gas Services II; or (iii) 8081 – Plumbing Technology Certificate IV – Waste Disposal Services II, Water Supply Services II, Gas Services II. 	<p>AND</p> <p>At least six (6) years’ general Plumbing, Draining, Gas fitting and LP Gas fitting experience on the relevant referee’s statement form for a superseded qualification;</p> <p>OR</p> <p>Craft Certificate or Certificate of Proficiency that verifies completion of an apprenticeship in Plumbing Draining & Gas fitting;</p> <p>AND</p> <p>A minimum of at least two (2)years’ post apprenticeship general Plumbing, Draining, Gas fitting and LP Gas fitting experience on the relevant referee’s statement form for a superseded qualification</p> <p>Note: The Secretary or their delegate may require Evidence of employment to confirm any employment periods to verify that the applicant is capable of doing or supervising the work.</p>
<p>2. Plumbing endorsed contractor licence or supervisor certificate</p>	<p>(a) One of the following:</p> <ul style="list-style-type: none"> (i) 7996 – Certificate III in Plumbing – Trade; or (ii) 1409 – Certificate in Plumbing – Trade; or (iii) 1472 – Statement in Plumbing Overseas Conversion; <p>AND</p> <p>(b) One of the following:</p> <ul style="list-style-type: none"> (i) 1496 – Certificate IV Plumbing Technology –Waste Disposal Services II, Water Supply Services II; or (ii) 1484 – Advanced Certificate in Plumbing Technology – Waste Disposal Services II, Water Supply Services II; or (iii) 8081 – Plumbing Technology Certificate IV –Waste Disposal Services II, Water Supply Services II. 	<p>AND</p> <p>At least six (6) years’ general Plumbing experience on the relevant referee’s statement form for a superseded qualification;</p> <p>OR</p> <p>Craft Certificate or Certificate of Proficiency that verifies completion of an apprenticeship in Plumbing;</p> <p>AND</p> <p>A minimum of at least two (2) years’ post apprenticeship general Plumbing experience on the relevant referee’s statement form for a superseded qualification</p> <p>Note: The Secretary or their delegate may require Evidence of Employment to confirm any employment periods to verify that the applicant is capable of doing or supervising the work.</p>

<p>3. Draining endorsed contractor licence or supervisor certificate</p>	<p>(a) One of the following:</p> <ul style="list-style-type: none"> (i) 1273 – Certificate II in Draining; or (ii) 1415 – Statement in Draining; or (iii) 7996 – Certificate III in Plumbing – Trade; or (iv) 1409 – Certificate in Plumbing – Trade; or (v) 1472 – Statement in Plumbing Overseas Conversion; <p>AND</p> <p>(b) One of the following</p> <ul style="list-style-type: none"> (i) 1496 – Certificate IV in Plumbing Technology – Waste Disposal Services II; or (ii) 1484 – Advanced Certificate in Plumbing Technology – Waste Disposal Services II; or (iii) 8081 – Plumbing Technology Certificate IV –Waste Disposal Services II. 	<p>AND</p> <p>At least two (2) years' exclusive Draining Experience on the relevant referee's statement form for a superseded qualification.</p> <p>Note: The Secretary or their delegate may require Evidence of Employment to confirm any employment periods to verify that the applicant is capable of doing or supervising the work.</p>
<p>4. Gas fitting endorsed contractor licence or supervisor certificate</p>	<p>(a) One of the following:</p> <ul style="list-style-type: none"> (i) 7996 – Certificate III in Plumbing – Trade; or (ii) 1409 – Certificate in Plumbing – Trade; or (iii) 1472 – Statement in Plumbing Overseas Conversion; <p>AND</p> <p>(b) One of the following:</p> <ul style="list-style-type: none"> (i) 1496 – Certificate IV Plumbing Technology – Gas Supply Services II; or (ii) 1484 – Advanced Certificate in Plumbing Technology – Gas Supply Services II; or (iii) 8081 – Plumbing Technology Certificate IV –Gas Supply Services II. 	<p>AND</p> <p>At least four (4) years' exclusive Gas fitting on the relevant referee's statement form for a superseded qualification.</p> <p>Note: The Secretary or their delegate may require Evidence of Employment to confirm any employment periods to verify that the applicant is capable of doing or supervising the work.</p>
<p>5. Liquefied Petroleum Gas fitting endorsed contractor licence or supervisor certificate</p>	<p>(a) Liquid Petroleum Gas Installation (Restricted)Course;</p> <p>OR</p> <p>(b) One of the following:</p> <ul style="list-style-type: none"> (i) 7996 – Certificate III in Plumbing – Trade; or (ii) 1409 – Certificate in Plumbing - Trade; or (iii) 1472 – Statement in Plumbing Overseas Conversion; <p>AND</p> <p>(c) One of the following:</p> <ul style="list-style-type: none"> (i) 1496 – Certificate IV in Plumbing Technology – Gas Supply Services II; or (ii) 1484 – Advanced Certificate in Plumbing Technology – Gas Supply Services II; or (iii) 8081 – Plumbing Technology Certificate IV –Gas Supply Services II. 	<p>AND</p> <p>At least two (2) years' exclusive Liquefied Petroleum Gas fitting experience on the relevant referee's statement form for a superseded qualification</p> <p>Note: The Secretary or their delegate may require Evidence of Employment to confirm any employment periods to verify that the applicant is capable of doing or supervising the work.</p>
<p>6. Advanced Liquefied petroleum Gas fitting endorsed contractor licence or supervisor certificate</p>	<p>(a) Liquid Petroleum Gas Installation (Restricted)Course;</p> <p>AND</p> <p>(d) Liquid Petroleum Gas Installation (Unrestricted)Course.</p>	<p>AND</p> <p>At least two (2) years' exclusive Liquefied Petroleum Gas fitting Experience plus one (1) year Advanced Liquefied Petroleum Gas</p>

		<p>fitting Experience on the relevant referee's statement form for a superseded qualification</p> <p>Note: The Secretary or their delegate may require Evidence of Employment to confirm any employment periods to verify that the applicant is capable of doing or supervising the work.</p>
<p>7. Water Plumbing endorsed contractor licence or supervisor certificate</p>	<p>(a) 1430 – Certificate in Plumbing Water Supply; OR</p> <p>(b) One of the following: (i) 7996 – Certificate III in Plumbing – Trade; or (ii) 1409 – Certificate in Plumbing - Trade; or (iii) 1472 – Statement in Plumbing Overseas Conversion; or</p> <p>AND</p> <p>(c) One of the following: (i) 1496 – Certificate IV in Plumbing Technology – Water Supply Services II; or (ii) 1484 – Advanced Certificate in Plumbing Technology – Water Supply Services II; or (iii) 8081 – Plumbing Technology Certificate IV –Water Supply Services II.</p>	<p>AND</p> <p>At least four (4) years' exclusive Water Plumbing on the relevant referee's statement form for a superseded qualification</p> <p>Note: The Secretary or their delegate may require Evidence of Employment to confirm any employment periods to verify that the applicant is capable of doing or supervising the work.</p>
<p>8. Water Plumbing – Fire Protection Systems endorsed contractor licence or supervisor certificate</p>	<p>(a) One of the following: (i) 1200 – Certificate III in Sprinkler Fitting; or (ii) 1272 – Certificate III in Fire Protection; or (iii) 1486 – Certificate in Fire Sprinkler Fitting –Trade; or (iv) 7996 – Certificate III in Plumbing - Trade.</p>	<p>AND</p> <p>Craft Certificate or Certificate of Proficiency that verifies completion of an apprenticeship in Fire Sprinkler Fitting;</p> <p>OR</p> <p>At least four (4) years' exclusive Water Plumbing – Fire Protection Systems experience on the relevant referee's statement form for a superseded qualification</p> <p>Note: The Secretary or their delegate may require Evidence of Employment to confirm any employment periods to verify that the applicant is capable of doing or supervising the work.</p>
<p>9. Water Plumbing – Fire Sprinkler Systems endorsed contractor licence or supervisor certificate</p>	<p>(a) One of the following: (i) 1200 – Certificate III in Sprinkler Fitting; or (ii) 1272 – Certificate III in Fire Protection; or (iii) 1486 – Certificate in Fire Sprinkler Fitting – Trade; or (iv) 1423 – Certificate in Sprinkler Fitting – Trade.</p>	<p>AND</p> <p>Craft Certificate or Certificate of Proficiency that verifies completion of an apprenticeship in Fire Sprinkler Fitting;</p> <p>OR</p> <p>At least four (4) years' exclusive Water Plumbing – Fire Sprinkler Systems experience on the</p>

		<p>relevant referee's statement form for a superseded qualification</p> <p>Note: The Secretary or their delegate may require Evidence of Employment to confirm any employment periods to verify that the applicant is capable of doing or supervising the work.</p>
<p>10. Water Plumbing – Urban Irrigation endorsed contractor licence or supervisor certificate</p>	<p>(a) 1473 – Statement in Plumbing – Urban Irrigation Systems.</p>	<p>AND</p> <p>At least three (3) years' exclusive Water Plumbing – Urban Irrigation experience on the relevant referee's statement form for a superseded qualification</p> <p>Note: The Secretary or their delegate may require Evidence of Employment to confirm any employment periods to verify that the applicant is capable of doing or supervising the work.</p>
<p>11. Plumbing, Draining, Gas fitting Tradesperson Certificate</p>	<p>(a) One of the following:</p> <ul style="list-style-type: none"> (i) 7996 – Certificate III in Plumbing; or (ii) 1409 – Certificate in Plumbing – Trade; or (iii) 1472 – Statement in Plumbing Overseas Conversion. 	<p>AND</p> <p>Craft Certificate or Certificate of Proficiency that verifies completion of an apprenticeship in Plumbing, Draining & Gas fitting;</p> <p>OR</p> <p>At least four (4) years' general Plumbing, Draining and Gas fitting Experience on the relevant referee's statement form for a superseded qualification</p> <p>Note: The Secretary or their delegate may require Evidence of Employment to confirm any employment periods to verify that the applicant is capable of doing or supervising the work.</p>
<p>12. Plumbing Tradesperson Certificate</p>	<p>(a) One of the following:</p> <ul style="list-style-type: none"> (i) 7996 – Certificate III in Plumbing; or (ii) 1409- Certificate in Plumbing – Trade; or (iii) 1472 – Statement in Plumbing Overseas Conversion. 	<p>AND</p> <p>Craft Certificate or Certificate of Proficiency that verifies completion of an apprenticeship in Plumbing;</p> <p>OR</p> <p>At least four (4) years' general Plumbing experience on the relevant referee's statement form for a superseded qualification</p> <p>Note: The Secretary or their delegate may require Evidence of</p>

		Employment to confirm any employment periods to verify that the applicant is capable of doing or supervising the work.
13. Draining Tradesperson Certificate	(a) One of the following: (i) 7996 – Certificate III in Plumbing; or (ii) 1409 – Certificate in Plumbing – Trade; or (iii) 1472 – Statement in Plumbing Overseas Conversion.	AND Craft Certificate or Certificate of Proficiency that verifies completion of an apprenticeship in Draining; OR At least four (4) years’ general Draining experience on the relevant referee’s statement form for a superseded qualification Note: The Secretary or their delegate may require Evidence of Employment to confirm any employment periods to verify that the applicant is capable of doing or supervising the work.
14. Gas fitting Tradesperson Certificate	(a) One of the following: (i) 7996 - Certificate III in Plumbing; or (ii) 1409 – Certificate in Plumbing – Trade; or (iii) 1472 – Statement in Plumbing Overseas Conversion.	AND Craft Certificate or Certificate of Proficiency that verifies completion of an apprenticeship in Gas fitting; OR At least four (4) years’ general Gas fitting Experience on the relevant referee’s statement form for a superseded qualification Note: The Secretary or their delegate may require Evidence of Employment to confirm any employment periods to verify that the applicant is capable of doing or supervising the work.
15. Water Plumbing – Fire Protection Systems Tradesperson Certificate	(a) One of the following: (i) 1200 – Certificate III in Sprinkler Fitting; or (ii) 1272 – Certificate III in Fire Protection; or (iii) 1486 – Certificate in Fire Sprinkler Fitting – Trade; or 1423 – Certificate in Sprinkler Fitting – Trade.	AND Craft Certificate or Certificate of Proficiency that verifies completion of an apprenticeship in Fire Sprinkler Fitting; OR At least four (4) years’ general Experience in either or both of Water Plumbing – Fire Sprinkler Systems and Water Plumbing – Fire Protection Systems experience on the relevant referee’s statement form for a superseded qualification Note: The Secretary or their

		delegate may require Evidence of Employment to confirm any employment periods to verify that the applicant is capable of doing or supervising the work.
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TABLE 5

The following units of competencies are required for the issue of a licence in categories 1.C; 1.D; 1.E; 1.G; 1.H; and 1.I:

- (i) BSBESB402 Establish legal and risk management requirements of new business ventures; **and**
- (ii) CPCBC4012 Read and interpret plans and specifications; **and**
- (iii) CPCPCM4011 Carry out work-based risk control processes; **and**
- (iv) CPCPCM4012 Estimate and cost work; **and**
- (v) CPCPCM4015 Access and interpret regulatory requirements for the plumbing and services industry.

Workers Compensation (Public Hospital Rates) Order 2023
under the

Workers Compensation Act 1987

I, Adam Dent, Chief Executive, State Insurance Regulatory Authority, pursuant to section 62 (1A) of the *Workers Compensation Act 1987* make the following Order.

Dated this 1st day of August 2023



Adam Dent
Chief Executive
State Insurance Regulatory Authority

1. Name of Order

This Order is the *Workers Compensation (Public Hospital Rates) Order 2023*.

2. Commencement

This Order commences on 7 August 2023.

3. Application of Order

- (1) This Order applies to the hospital treatment of a worker at a public hospital (excluding Visiting Medical Officer, Salaried Medical Officer and Anaesthetist services), being treatment or service of a type referred to in clauses 5 to 7 and provided on or after the date of commencement of this Order, whether the treatment relates to an injury that is received before, on or after that date.
- (2) Fees for Visiting Medical Officer, Salaried Medical Officer and Anaesthetist services are contained in the relevant State Insurance Regulatory Authority medical services fees order.
- (3) The Secretary of the Ministry of Health may make an order that provides that, under clause 5 of this Order, a hospital is not classified as a particular type of public hospital when the hospital provides treatment to a specified class of patient.

4. Definitions

(1) In this Order:

adjustments for safety and quality means adjustments to the National Weighted Activity Unit (NWAU) for sentinel events, hospital acquired complications (HACs), and avoidable hospital readmissions in accordance with the *National Efficient Price Determination 2023-24*.

classification refers to a classification of hospital, category of patient or otherwise (or any combination of them), specified in Column 2 of the Tables to clauses 5 and 6 of this Order respectively.

the Act means the *Workers Compensation Act 1987*.

the IHACPA means the Independent Health and Aged Care Pricing Authority.

the State Insurance Regulatory Authority (SIRA) means the agency constituted under section 17 of the State Insurance and Care Governance Act 2015.

(2) A reference to treatment or services in this Order is (consistent with the definition of “hospital treatment” in section 59 of the Act) a reference to treatment or services provided at a public hospital or at any rehabilitation centre conducted by such a hospital.

5. Fees for hospital patient services generally

(1) The amount for which an employer is liable under the Act for hospital treatment of a worker, being treatment provided to a worker within a classification specified in column 2 of the Tables to this clause is:

(a) in the case of Acute Admitted Patient Services – All Hospitals, admitted on or after 7 August 2023 for each patient episode, the amount specified in column 3 of Table 1. This amount is calculated in accordance with the formula outlined under Table 1 and the IHACPA’s National Efficient Price Determination 2023-24;

or

(b) in the case of Emergency Department Admitted and Emergency Department Non-Admitted Patient Services, except in small rural hospitals, for each Emergency Department episode or Emergency Department presentation, the amount specified in column 3 of Table 1. This amount is calculated in accordance with the formulas outlined under Table 1 and the IHACPA’s National Efficient Price Determination 2023-24;

or

(c) in the case of Emergency Department Non-Admitted Patient Services of small rural hospitals not collecting nor required to collect patient level data, for each occasion of service, the corresponding amount

specified in column 3 of Table 2.

- (2) This clause does not apply to hospital treatment or services of a type referred to in clauses 6 to 7 of this Order.
- (3) In this clause and the Tables to this clause:

Acute Admitted Patient Services – All Hospitals means acute care for an admitted patient in which the primary clinical purpose or treatment goal is to:

- manage labour (obstetric)
- cure illness or provide definitive treatment of injury
- perform surgery
- relieve symptoms of illness or injury (excluding palliative care)
- reduce severity of an illness or injury
- protect against exacerbation and/or complication of an illness and/or injury which could threaten life or normal function or
- perform diagnostic or therapeutic procedures.

Emergency Department (ED) Admitted Patient Services means services and treatment provided within a hospital emergency department where a person has been admitted.

Emergency Department (ED) Non-admitted Patient Services means services and treatment provided within a hospital emergency department where a person has not been admitted.

AR-DRG version 11.0 refers to a group within the classification system known as Australian Refined Diagnostic Related Groups version 11.0 (also known as AR-DRG V11.0).

critical care, in relation to a patient, has the same meaning as it has in the “NSW Department of Health – Department of Health Reporting System (DOHRS)” issued by the Department of Health in June 2000 or in any subsequent revision of that document issued by that Department.

dialysis refers to a procedure used in treating kidney disease, by which uric acid and urea are removed from circulating blood by means of a dialyzer.

National Efficient Price (NEP) means the National Efficient Price 2023-2024, as set out at Chapter 2 of the IHACPA’s *National Efficient Price Determination 2023-24*. The NEP is \$6,032 per National Weighted Activity Unit 2022-23 (NWAU (23)).

National Weighted Activity Unit (NWAU) means National Weighted Activity Unit 2023-24 (NWAU (23)) *National Efficient Price Determination 2023-24*.

outpatient means a patient who does not undergo a formal admission

process.

psychiatric hospital means a public hospital classified as a psychiatric hospital in an order published in the Gazette by the Secretary of the Department of Health.

public hospital means a public hospital within the meaning of section 59 of the Act.

Sub – Acute/Non – Acute Admitted Patient Services & Outpatient Services means admitted patient care that does not meet the definition of Acute Admitted Patient Services – All Hospitals.

Transitional Living Unit Bed means a bed that is staffed 24 hours a day and is officially approved by NSW Health under the Brain Injury Rehabilitation Program for the accommodation of patients requiring transitional living care services following a brain injury.

Table 1

(For all patients **admitted prior to 7 August 2023**, please refer to the *Workers Compensation (Public Hospital Rates) Order 2022* for the appropriate fee)

Acute Admitted, Emergency Department Admitted and Emergency Department Non-Admitted Patient Services, except in small rural hospitals - patients admitted on or after 7 August 2023.		
Payment Classification Code	Item	Fee
PUH 001	Acute Admitted	(NWAU(23) – 11%) x NEP (\$6,032)
	ED Admitted	(NWAU(23) – 11%) x NEP (\$6,032)
	ED Non-admitted	NWAU(23) x NEP (\$6,032)

- The payment for Acute Admitted Patient Services is to cover all inpatient services normally provided including medical, consumables, surgically planted prostheses, nursing, accommodation, meals, theatre use, intensive care, imaging, pathology and other diagnostic services, in hospital allied health professional services, inpatient pharmaceuticals, medical supplies, discharge planning, and aids and appliances immediately necessary to facilitate discharge.
- The payment for Emergency Department Admitted and Non-Admitted Patient Services covers all medical, consumables, surgically planted prostheses, nursing, imaging, pathology and other diagnostic services, allied health professional services, pharmaceuticals and medical supplies during the episode of Emergency Department care.

NOTES TO TABLE 1

Acute Admitted Patient Services – All Hospitals

The patient episode reflecting the applicable *AR-DRG version 11.0* grouping aligned to the *NWAU (23)* with adjustments applied (including adjustments for safety and quality)

as applicable in accordance with the IHACPA publication *National Efficient Price Determination 2023-24*. The *NWAU (23)* is adjusted to reflect that Visiting Medical Officers (VMOs) and Staff Specialists bill separately for compensable admitted patients. The removal of assessed VMO and Staff Specialist costs reduces each *NWAU* by 11% creating an *adjusted NWAU (23)* for the purposes of charging this category of compensable patients.

The *NWAU* is rounded to the nearest 3 decimal places.

multiplied by

The *NEP* of \$6,032 as determined by the IHACPA.

Emergency Department (ED) Admitted Patient Services - All Hospitals excluding EDs of small rural hospitals not collecting nor required to collect patient level data.

The ED episode reflecting the applicable Australian Emergency Care Classification (*AECC*) *version 1.0* or *Urgency Disposition Group (UDG)* *version 1.3* grouping aligned to the *NWAU (23)* with adjustments applied (including adjustments for safety and quality) as applicable in accordance with the IHACPA publication *National Efficient Price Determination 2023-24*. The *NWAU (23)* is adjusted to reflect that Visiting Medical Officers (VMOs) and Staff Specialists bill separately for compensable admitted patients. The removal of assessed VMO and Staff Specialist costs reduces each *NWAU* by 11% creating an *adjusted NWAU (23)*, which is applicable for the purposes of charging ED admitted compensable patients.

The *NWAU* is rounded to the nearest 3 decimal places.

multiplied by

The *NEP* of \$6,032 as determined by the IHACPA.

Emergency Department (ED) of small rural hospitals not collecting nor required to collect patient level data per occasion of service at set rates as specified in Table 2 of this Order.

Emergency Department (ED) Non-admitted Patient Services - All Hospitals excluding EDs of small rural hospitals not collecting nor required to collect patient level data.

The patient ED presentation reflecting the applicable *AECC version 1.0* or *UDG version 1.3* grouping aligned to the *NWAU (23)* with adjustments applied (including adjustments for safety and quality) as applicable in accordance with the IHACPA publication *National Efficient Price Determination 2023-24*.

The *NWAU* is rounded to the nearest 3 decimal places.

multiplied by

The *NEP* of \$6,032 as determined by the IHACPA.

Emergency Department (ED) Non-admitted Services of small rural hospitals not collecting nor required to collect patient level data - per occasion of service at the amount specified in column 3 in Table 2 of this Order.

Table 2

Sub – Acute/ Non – Acute Admitted Patient Services & Outpatient Services and ED Patient Services Small Rural Hospitals - patients admitted on or after 7 August 2023.		
Payment Classification Code	Item	Fee
PUH 002	Public hospital (sub-acute & non-acute) – inpatient Incorporating: <ul style="list-style-type: none"> ◆ Public Hospital ◆ Public Psychiatric hospital ◆ Other (eg residential aged care facility) 	\$1,379/day \$579/day \$324/day
	Dialysis	\$777 (per session)
PUH 003	Public hospital – outpatient occasion of service (excluding physiotherapy, psychology and exercise physiology services – use relevant WC gazetted fees for these services with code PUH003) and ED of small rural hospitals not collecting patient level data <ul style="list-style-type: none"> ◆ Public Hospital ◆ Public Psychiatric Hospital ◆ Other (e.g. residential aged care facility) 	\$147/occasion \$103/occasion \$103/occasion

6. Fees for brain injury rehabilitation services

- (1) The amount for which an employer is liable under the Act for hospital treatment of a worker, being brain injury rehabilitation services within a classification specified in column 2 of Table 3, is the corresponding amount specified in column 3 of that Table.
- (2) This clause does not apply to hospital treatment or services of a type referred to in clause 5, 7, 8, 9, 10 or 11 of this Order.
- (3) In this clause and the Table to this clause:

Category A patient means a patient being assessed for or receiving active rehabilitation.

Category B patient means a patient receiving personal and nursing support who is resident in a brain injury rehabilitation program services unit.

Category X patient means a patient needing an extremely high level of support.

outpatient means a patient who does not undergo a formal admission process.

Table 3

Brain Injury Rehabilitation Program Services - patients admitted on or after 7 August 2023.		
Payment Classification Code	Item	Fee (\$)
PBI 001	Admitted patient Brain Injury Rehabilitation Service Incorporating: <ul style="list-style-type: none"> ◆ Category A patient ◆ Category B patient ◆ Category X patient 	\$1,429/day \$914/day \$2,033/day
PBI 002	Admitted patient Transitional Living Unit Bed Incorporating: <ul style="list-style-type: none"> ◆ Category A patient ◆ Category B patient 	\$1,021/day \$506/day
PBI 003	Non-admitted patient services	\$98 per half hour
PBI 004	Outpatient medical clinic appointments Incorporating: <ul style="list-style-type: none"> ◆ Initial assessment ◆ Follow up assessment 	\$337 \$169
PBI005	Group Activities <ul style="list-style-type: none"> ◆ Directly supervised by qualified allied health clinician ◆ Not directly supervised by qualified allied health clinician 	\$62 per half hour \$46 per half hour

7. Fees for spinal injury rehabilitation services

- (1) Spinal injury rehabilitation rates apply exclusively to services provided at Royal Rehabilitation Centre Sydney.
- (2) The rate for inpatient spinal injury rehabilitation services is that which applies for public hospital patients, that is \$1,379 per day (Payment classification code **PSI001**)
- (3) The rate for outpatient/outreach spinal injury rehabilitation services is that which applies for the Brain Injury Rehabilitation Program Services non-admitted patient services rate, that is, \$98 per half hour or part thereof (Payment classification code **PSI002**).

8. Fees for physiotherapy outpatient services

The amount for which an employer is liable under the Act for hospital treatment of a worker, being physiotherapy services provided to the worker as an outpatient, is according to the relevant *Workers Compensation (Physiotherapy, Chiropractic, Osteopathy Fees) Order (Schedule A)* in effect at the date the service is delivered.

9. Fees for psychology outpatient services

The amount for which an employer is liable under the Act for hospital treatment of a worker, being psychology services provided to the worker as an outpatient,

is according to the relevant *Workers Compensation (Psychology and Counselling Fees) Order (Schedule A)* in effect at the date the service is delivered.

10. Fees for exercise physiology outpatient services

The amount for which an employer is liable under the Act for hospital treatment of a worker, being exercise physiology services provided to the worker as an outpatient, is according to the relevant *Workers Compensation (Accredited Exercise Physiology Fees) Order (Schedule A)* in effect at the date the service is delivered.

11. Charges for health records and medical reports

- (1) In this clause a **health record** means a documented account, whether in hard or electronic form, of a worker's health, illness and treatment during each visit or stay at a health service. Health records include summary of injuries or copies of clinical notes or medical records supplied in response to a request that is accompanied by a written consent of the injured person.
- (2) In this clause a **medical report** includes the preparation of a report by a treating medical practitioner or health professional appointed or employed by the health institution/hospital supplied in response to a request. Where examination of the patient is required in order to prepare the report, the cost of the examination is included in the fee.
- (3) The charges for health records (Payment classification code **PHR002**) and medical reports (Payment classification code **PHR001**) are charged in accordance with the rates set out in NSW Health IB2019_036, subject to the categorisations set out in NSW Health PD2006_050 (except where rates are otherwise provided under specific legislation). Reports charging both of those rates or categorisations are amended or revised from time to time and can be found at the following NSW Health websites:

https://www1.health.nsw.gov.au/pds/ActivePDSDocuments/IB2019_036.pdf

http://www1.health.nsw.gov.au/pds/Pages/doc.aspx?dn=PD2006_050

**Motor Dealers and Repairers (Declaration of Declared Trade Show – AgQuip Field Days)
Order 2023**

under the

Motor Dealers and Repairers Regulation 2014

I, Anoulack Chanthivong, Minister for Better Regulation and Fair Trading, Minister for Industry and Trade, Minister for Innovation, Science and Technology, Minister for Building, Minister for Corrections in pursuance of clause 5A of the Motor Dealers and Repairers Regulation 2014, make the following Order.

Date: 2/08/2023

Anoulack Chanthivong MP

Minister for Better Regulation and Fair Trading
Minister for Industry and Trade
Minister for Innovation, Science and Technology
Minister for Building
Minister for Corrections

Explanatory note

Under clause 5A of the Motor Dealers and Repairers Regulation 2014, the Minister for Better Regulation and Fair Trading, may, by order published in the Gazette, declare that a specified event, held at a place where a number of motor dealers, motor vehicle manufacturers or other industry participants display motor vehicles, is a declared trade show.

The object of this Order is to declare AgQuip Field Days to be held at the AgQuip Site, 134 Black Jack Road, Gunnedah NSW 2340 to be a declared trade show for the period of 22 August 2023 to 24 August 2023 (inclusive). The effect of the Order is to exempt motor dealers whose ordinary place of business is outside NSW from the need to hold a NSW motor dealer's licence in order to offer or display a motor vehicle for sale at the AgQuip Field Days trade show. To receive the benefit of the exemption, eligible persons will need to satisfy the conditions of this Order and the Regulation.

The exemption will have effect only for the duration of the trade show and applies to participation in the AgQuip Field Days trade show only to the extent that it involves advising persons with respect to the quality, performance and characteristics of motor vehicles and making offers to, or receiving offers from, persons to enter into agreements for the sale of motor vehicles (other than second-hand motor vehicles).

1 Name of Order

This Order is the Motor Dealers and Repairers (Declaration of Declared Trade Show – AgQuip Field Days) Order 2023.

2 Commencement

This Order commences on the day on which it is published in the NSW Government Gazette.

3 Definitions

In this Order:

Eligible person has the same meaning given to it in clause 5A of the Regulation.

AgQuip Field Days means the AgQuip Field Days trade show held at the AgQuip Site, 134 Black Jack Road, Gunnedah NSW 2340.

Second-hand motor vehicle has the same meaning given to it in the Act.

The Act means the *Motor Dealers and Repairers Act 2013*.

The Regulation means the Motor Dealers and Repairers Regulation 2014.

4 Declaration of Declared Trade Show

AgQuip Field Days is declared to be a declared trade show for the period beginning at 12:01am on 22 August 2023 and ending at 11:59pm on 24 August 2023.

5 Conditions

An eligible person must comply with the following conditions and the Regulation in order to receive the benefit of the exemption conferred by this Order:

- a) when making offers to, or receiving offers from, persons to enter into agreements for the sale of motor vehicles (other than second-hand motor vehicles) an eligible person must advise those persons in writing:
 - i. that the sale will be effected in the jurisdiction where the eligible person's ordinary place of business is;
 - ii. that the sale will not be subject to the dealer obligations or consumer protections provided under the Act or the Regulation;
 - iii. that the sale will be subject to the relevant dealer obligations, if any, or consumer protections that apply in the jurisdiction where the eligible person's ordinary place of business is;
 - iv. consumer protection under the Australian Consumer Law extends across all state and territory boundaries;
 - v. where the pick-up location would be for the vehicle if a sale is effected;
 - vi. where the location would be for servicing and repair work for the vehicle if a sale is effected; and
 - vii. of information regarding extended warranties including matters such as the location of servicing and repair work for these warranties.

- b) display a sign at the stall or other place of business operated by the eligible person at the declared trade show that:
 - i. uses language and a format, and is in a position, that makes the sign easy to read by any person approaching the stall or place, and
 - ii. includes the registered business name, or company name, address and inter-State or Territory licence name or number (if applicable) of the business ordinarily operated by the eligible person, and
 - iii. identifies the eligible person as a person who ordinarily operates an interstate or Territory business, and
 - iv. states that the contract of sale must be signed outside of New South Wales.

Motor Accident Injuries Act 2017

Clause 34, Motor Accident Injuries Regulation 2017 – Notice of recognition of replacement AMA List

Under clause 34 the *Motor Accident Injuries Regulation 2017*, the State Insurance Regulatory Authority gives notice that it recognises the document called '*Australian Medical Association List of Medical Services and Fees, 1 November 2022 Edition. Version 1.2 – Update 6 July 2023*' published by the Australian Medical Association as the AMA List.

This Notice is to take effect on the date this notice is published in the Gazette.

Dated 24 July 2023



ADAM DENT
Chief Executive
State Insurance Regulatory Authority

Motor Accidents Compensation Act 1999

Clause 20, Motor Accidents Compensation Regulation 2020 – Notice of recognition of replacement AMA List

Under clause 20 the *Motor Accidents Compensation Regulation 2020*, the State Insurance Regulatory Authority gives notice that it recognises the document called '*Australian Medical Association List of Medical Services and Fees, 1 November 2022 Edition. Version 1.2 – Update 6 July 2023*' published by the Australian Medical Association as the AMA List.

This Notice is to take effect on the date this notice is published in the Gazette.

Dated 24 July 2023

A handwritten signature in blue ink, appearing to read 'Adam Dent', is enclosed in a light blue rectangular box.

ADAM DENT
Chief Executive
State Insurance Regulatory Authority

Workers Compensation (Ambulance Services Fees) Order 2023
under the
Workers Compensation Act 1987

I, Adam Dent, Chief Executive of the State Insurance Regulatory Authority, pursuant to section 63 of the *Workers Compensation Act 1987*, make the following Order.

Dated this 1st day of August 2023



Adam Dent
Chief Executive
State Insurance Regulatory
Authority

EXPLANATORY NOTE

Provision of Ambulance Services in New South Wales is restricted to the Ambulance Service of NSW and the entities listed under section 67E (3) of the *Health Services Act 1997*. This Order sets the maximum amount for which an employer is liable for Ambulance Services provided to a NSW worker to be the fees fixed under section 67L of the *Health Services Act 1997* as of 7 August 2023.

1. Name of Order

This Order is the *Workers Compensation (Ambulance Services Fees) Order 2023*.

2. Commencement

This Order commences on 7 August 2023.

3. Application of Order

This Order applies to Ambulance Services provided on or after the date of commencement, whether it relates to an injury received before, on or after that date.

4. Fees for Ambulance Services

The maximum amounts for which an employer is liable for Ambulance Services provided to a NSW worker under the Act are listed in Schedule A. These are the fees prescribed under section 67L of the *Health Services Act 1997* as of 7 August 2023.

5. Scope of Order (Additional Information)

(a) The fees in Schedule A are payable only to:

- The Ambulance Service of New South Wales;
- The St John Ambulance Australia (NSW);
- The Royal Flying Doctor Service of Australia (NSW Section);
- The mines rescue company within the meaning of the *Coal Industry Act 2001* in the exercise of mines rescue functions;
- A member of the New South Wales Mines Rescue Brigade established under the *Coal Industry Act 2001*; or,
- Any person (or class of persons) prescribed by regulations made under the *Health Services Act 1997*.

6. Goods and Services Tax

No GST is payable on the fees in Schedule A.

7. Definitions

In this order:

Ambulance Services means the conveyance of an injured worker to or from a medical practitioner or hospital. This does not include conveyance of an injured worker from one public hospital to another.

Ambulance Service Provider is the Ambulance Service of NSW or the other entities listed in clause 5 above.

The State Insurance Regulatory Authority means the body corporate and NSW Government agency constituted under section 17 of the *State Insurance and Care Governance Act 2015*.

Emergency service means the provision of Ambulance Services by road ambulance, fixed wing aircraft or helicopter or a combination of these, from the scene of an accident, illness or injury to a public hospital or other destination.

GST means the goods and services tax payable under the GST Law.

GST Law has the same meaning as in the *A New Tax System (Goods and Services Tax) Act 1999 (Cth)*.

Non-emergency service means an ambulance road service that is booked no later than 6pm on the day prior to service delivery with the service to commence and be completed between the hours of 8am and 6pm on the nominated service delivery date. An emergency service fee will be charged for any other service.

The Act means the *Workers Compensation Act 1987*.

8. Parts of the Order

- (1) Schedule A to this Order forms part of the Order.
- (2) The Explanatory Note does not form part of the Order.

Schedule A

Ambulance Service Fees

Rates	2023			
	Road		Fixed Wing	Helicopter
	Emergency Service	Non-Emergency Service	Emergency Service	Emergency Service
Call-Out	\$840	\$338	\$840	\$840
Variable Rate (per km)	\$7.58	\$2.09	\$7.58	\$7.58

Notes:

- All fees are to be paid against payment classification code **TRA001**
- Fees in Schedule A for Ambulance Services are only payable to Ambulance Service Providers.