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**SALARIES AND ALLOWANCES ACT 1975**

**DETERMINATION OF THE SALARIES AND ALLOWANCES TRIBUNAL**

**FOR CLERKS AND DEPUTY CLERKS OF THE PARLIAMENT,**

**PUBLIC SERVICE OFFICE HOLDERS INCLUDED IN THE**

**SPECIAL DIVISION OF THE PUBLIC SERVICE AND**

**PERSONS HOLDING OFFICES PRESCRIBED IN**

**SALARIES AND ALLOWANCES REGULATION NUMBER 3**

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## PREAMBLE

1. This determination is issued in accordance with the *Salaries and Allowances Act 1975* (the Act) and sets the remuneration to be paid or provided to:
  - (a) the Clerk of the Legislative Council or Clerk of the Legislative Assembly or the Deputy Clerk of either House (section 6(1)(c));
  - (b) officers of the Public Service holding offices including in the Special Division of the Public Service (section 6(1)(d)); and
  - (c) a person holding any other office of a full-time nature, created or established under a law of the State, that is prescribed for the purposes of this section, but not being an office the remuneration for which is determined by or under any industrial award or agreement made or in force under any other law of the State (section 6(1)(e)).
2. Since February 2018, section 10D of the Act has prevented the Tribunal from increasing remuneration provided to certain public offices in its jurisdiction, including offices included in section 6(1)(c), (d) and (e).
3. This Determination is issued as a point of reference for remuneration provided for offices included in section 6(1)(c), (d) and (e) at the expiry of these legislative restrictions, on 1 July 2021. From this date, the Tribunal will resume much of its usual discretion to set remuneration.
4. However, the Tribunal must still comply with section 10G, which prevents the Tribunal from making a determination that:
  - has the effect of providing for the payment or provisions of remuneration on the basis that the remuneration was not paid or provided before 1 July 2021 by reason of the operation of section 10D; or
  - takes into account any increase in the cost of living that occurred between commencement day and 1 July 2021.
5. The conditions in section 8 will also resume on 1 July 2021, requiring the Tribunal to annually inquire into and determine the remuneration for certain office holders in its jurisdiction. As such, the Tribunal will conduct an annual inquiry and issue its next determination no later than 1 July 2022.
6. In accordance with section 10A, this determination has considered the:
  - *Public Sector Wages Policy Statement 2019*; and
  - financial position and fiscal strategy of the State, as stated in the *Government Mid-year Financial Projections Statement* of December 2020.
7. The Tribunal has noted advice received from the Under Treasurer, who stated that while the Western Australian economy appears to be recovering from the severe impact of the COVID-19 pandemic, the outlook is difficult to predict and significant risks remain. The State's revenue estimates are currently highly sensitive to changes in key economic parameters.
8. The Tribunal notes that remuneration provided for offices included in section 6(1)(c), (d) and (e) has not increased for some time.

9. With the prevailing uncertainty over the economic climate, the Tribunal has determined a \$1,000 increase in the remuneration for Clerks of the Parliament and their Deputies, Special Division and Prescribed Office holders. This increase is in line with those provided to the wider public service in accordance with the *Public Sector Wages Policy*.
10. The determination will now issue.

# DETERMINATION

## PART 1 INTRODUCTORY MATTERS

*This Part deals with some matters that are relevant to the Determination generally.*

### 1.1 Short Title

This Determination may be cited as the *Special Division, Prescribed Office Holders and Clerks of the Parliament Determination No. 1 of 2021*.

### 1.2 Commencement

This Determination comes into operation on 1 July 2021.

### 1.3 Content and intent

Pursuant to the *Salaries and Allowances Act 1975* ('the Act') this determination provides for the salary, allowances and other benefits to be paid, provided or reimbursed to:

- (a) the Clerk of the Legislative Council or Clerk of the Legislative Assembly or the Deputy Clerk of either House (section 6(1)(c));
- (b) officers of the Public Service holding offices including in the Special Division of the Public Service (section 6(1)(d); and
- (c) a person holding any other office of a full-time nature, created or established under a law of the State, that is prescribed for the purposes of this section, but not being an office the remuneration for which is determined by or under any industrial award or agreement made or in force under any other law of the State (section 6(1)(e)).

### 1.4 References to Dates

- (1) In this Determination, a reference to "a year" or "per annum" relates to a financial year.
- (2) Where benefits or entitlements are provided with specific reference to "a financial year", these cease on and from 30 June each year and, unless otherwise specified in this Determination, no unexpended amount can be carried over to later financial years.

### 1.5 Terms used

In this Determination, unless the contrary intention appears –

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

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

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

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

**Tribunal** means the Salaries and Allowances Tribunal.

#### **1.6 Conditions of service**

- (1) Unless the conditions of service of a Special Division officer or Prescribed Officer are determined pursuant to a law of the State other than the Act, the conditions of service specified in this determination will apply.
- (2) To the extent that terms and conditions of employment affect remuneration (e.g. paid leave), office holders listed in this Schedule are entitled to the same terms and conditions as contained in the *Public Service Award 1992* as at the date of this determination and the *Public Sector CSA Agreement 2019*.
- (3) Where there is any inconsistency between this determination and the terms and conditions of the *Public Service Award 1992* and the *Public Sector CSA Agreement 2019*, the conditions of service specified in this determination shall prevail to the extent of any inconsistency.

#### **1.7 Salaries**

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

#### **1.8 Salary Packaging**

An Office holder identified in this determination is entitled to participate in salary packaging arrangements for superannuation and novated leases in accordance with the "Guidelines for Salary Packaging in the WA Public Sector" issued by the Department of Mines, Industry Regulation and Safety.

## FIRST SCHEDULE

### SPECIAL DIVISION AND PRESCRIBED OFFICE HOLDERS

#### PART 1 SALARY

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

##### 1.1 Salary

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

**Table 1: Special Division CEOs**

Office	Department or Agency	Band	Office Holder	Salary
<b>Director General</b>	Biodiversity, Conservation and Attractions	2	M Webb	\$320,881
<b>Chief Executive Officer</b>	Botanic Gardens and Parks Authority	4	M Webb	See Director General, Biodiversity, Conservation and Attractions
<b>Managing Director</b>	Central Regional TAFE	4	W Swetman	\$216,000
<b>Chief Executive Officer</b>	ChemCentre	4	P McCafferty	\$221,056
<b>Director General</b>	Communities	1	M Andrews	\$429,500
<b>Registrar</b>	Department of the Registrar, Western Australian Industrial Relations Commission	4	S Bastian	\$221,056
<b>Director General</b>	Education	1	L Rodgers	\$442,406
<b>Director General</b>	Finance	1	J Cant	\$403,288
<b>Director</b>	Gascoyne Development Commission	4	T Duncanson	\$203,631
<b>Director</b>	Goldfields-Esperance Development Commission	4	K Starcevich	\$203,631
<b>Chief Executive Officer</b>	Government Employees Superannuation Board	2	B Palmer	\$305,151
<b>Director</b>	Great Southern Development Commission	4	N Monks	\$203,631
<b>Managing Director</b>	Insurance Commission of Western Australia	2	R Whithear	\$342,567
<b>Director General</b>	Jobs, Tourism, Science and Innovation	1	R Brown	\$403,288
<b>Director General</b>	Justice	1	A Tomison	\$390,500
<b>Director</b>	Kimberley Development Commission	4	J Gooding	\$203,631
<b>Director General</b>	Local Government, Sport and Cultural Industries	2	Vacant	\$-
<b>Commissioner</b>	Mental Health Commission	2	J McGrath	\$320,881
<b>Chief Executive Officer</b>	Metropolitan Cemeteries Board	4	P Deague	\$221,056
<b>Chief Executive Officer</b>	Metropolitan Redevelopment Authority	3	Vacant	\$-
<b>Director</b>	Mid-West Development Commission	4	G Treasure	\$205,246



Office	Department or Agency	Band	Office Holder	Salary
<b>Chief Executive Officer</b>	Minerals Research Institute of Western Australia	4	N Roocke	\$222,500
<b>Managing Director</b>	North Metropolitan TAFE	3	M Hoad	\$236,539
<b>Managing Director</b>	North Regional TAFE	4	K Doig	\$216,000
<b>Director</b>	Peel Development Commission	4	A Ward	\$203,631
<b>Director</b>	Pilbara Development Commission	4	T Hill	\$211,858
<b>Director General</b>	Planning, Lands and Heritage	2	Vacant	\$-
<b>Director General</b>	Premier and Cabinet	1	Vacant	\$ -
<b>Director General</b>	Primary Industries and Regional Development	2	R Addis	\$320,881
<b>Chief Executive Officer</b>	Public Transport Authority	2	Vacant	See Director General, Department of Transport
<b>Chief Executive Officer</b>	Rottneest Island Authority	4	M Webb	See Director General, Department of Biodiversity, Conservation and Attractions
<b>Chief Executive Officer</b>	School Curriculum and Standards Authority	3	L Rodgers	See Director General, Department of Education
<b>Small Business Commissioner</b>	Small Business Development Corporation	4	D Eaton	\$232,355
<b>Managing Director</b>	South Metropolitan TAFE	3	T Durant	\$236,539
<b>Managing Director</b>	South Regional TAFE	4	D Ganeson-Oats	\$216,000
<b>Director</b>	South West Development Commission	4	M Teede	\$203,631
<b>Chief Executive Officer</b>	State Supply Commission	4	Vacant	\$ -
<b>Director General</b>	Training and Workforce Development	2	Vacant	\$ -
<b>Director General</b>	Transport	1	Vacant	\$-
<b>Under Treasurer</b>	Treasury	1	M Barnes	\$442,406
<b>Director General</b>	Water and Environmental Regulation	2	M Rowe	\$305,151
<b>Chief Executive Officer</b>	Western Australian Land Information Authority	3	G Gammie	\$253,693
<b>Director</b>	Wheatbelt Development Commission	4	R Cossart	\$203,631
<b>Chief Executive Officer</b>	WorkCover Western Australia Authority	4	C White	\$236,539
<b>Chief Executive Officer</b>	Zoological Parks Authority	4	M Webb	See Director General, Biodiversity, Conservation and Attractions

**Table 2: Prescribed Office Holders**

Office	Department or Agency	Office Holder	Salary
<b>Commissioner for Equal Opportunity</b>	Equal Opportunity Commissioner	J Byrne	\$253,020
<b>Commissioner</b>	Fire and Emergency Services	D Klemm	\$305,151
<b>General Manager</b>	Forest Products Commission	S West	\$264,900
<b>Chief Health Officer</b>	Health	A Robertson	See Eighth Schedule
<b>Director</b>	Health and Disability Services Complaints Office	S Cowie	\$236,539
<b>Chief Executive Officer</b>	Infrastructure WA	P Helberg	\$344,800
<b>State Librarian</b>	Library Board of Western Australia	M Allen	\$236,539
<b>Commissioner of Main Roads</b>	Main Roads WA	Vacant	See Director General, Department of Transport
<b>President</b>	Mental Health Tribunal	K Whitney	\$243,108
<b>WorkSafe Commissioner</b>	Mines, Industry Regulation and Safety	D Kavanagh	\$201,000
<b>Auditor General</b>	Office of the Auditor General	C Spencer	\$403,288
<b>Chief Psychiatrist</b>	Office of the Chief Psychiatrist	N Gibson	See Seventh Schedule
<b>Commissioner for Children and Young People</b>	Office of the Commissioner for Children and Young People	Vacant	\$236,539
<b>Director of Public Prosecutions</b>	Office of the Director of Public Prosecutions	A Forrester SC	See Fourth Schedule
<b>Deputy Director of Public Prosecutions</b>	Office of the Director of Public Prosecutions	Vacant	See Fourth Schedule
<b>Information Commissioner</b>	Office of the Information Commissioner	C Fletcher	\$236,539
<b>Inspector of Custodial Services</b>	Office of the Inspector of Custodial Services	E Ryan	\$236,539
<b>Solicitor General</b>	Office of the Solicitor General	J Thomson SC	See Sixth Schedule
<b>Commissioner</b>	Parliamentary Commissioner for Administrative Investigations	C Field	\$373,070
<b>Deputy Commissioner</b>	Parliamentary Commissioner for Administrative Investigations	G (Mary) White	\$199,054
<b>Public Sector Commissioner</b>	Public Sector Commission	S O'Neill	\$442,406
<b>Electoral Commissioner</b>	Western Australian Electoral Commission	R Kennedy	\$253,020
<b>Deputy Electoral Commissioner</b>	Western Australian Electoral Commission	C Avent	\$191,776
<b>Commissioner of Police</b>	Western Australian Police Service	C Dawson	\$442,406
<b>Deputy Commissioner</b>	Western Australian Police Service	C Blanch	\$282,139
<b>Deputy Commissioner</b>	Western Australian Police Service	G Dreibergs	\$282,139

Office	Department or Agency	Office Holder	Salary
<b>Assistant Commissioner</b>	Western Australian Police Service	K Properjohn	\$213,337
<b>Assistant Commissioner</b>	Western Australian Police Service	B Royce	\$213,337
<b>Assistant Commissioner</b>	Western Australian Police Service	J McCabe	\$213,337
<b>Assistant Commissioner</b>	Western Australian Police Service	K Whitely	\$213,337
<b>Assistant Commissioner</b>	Western Australian Police Service	P Steel	\$213,337
<b>Assistant Commissioner</b>	Western Australian Police Service	P Zanetti	\$213,337
<b>Assistant Commissioner</b>	Western Australian Police Service	C Donaldson	\$213,337
<b>Assistant Commissioner</b>	Western Australian Police Service	Vacant	\$213,337
<b>Assistant Commissioner</b>	Western Australian Police Service	Vacant	\$213,337
<b>Assistant Commissioner</b>	Western Australian Police Service	Vacant	\$213,337
<b>Assistant Commissioner</b>	Western Australian Police Service	Vacant	\$213,337
<b>Assistant Commissioner</b>	Western Australian Police Service	Vacant	\$213,337
<b>Chief Executive Officer</b>	Western Australian Tourism Commission	Vacant	See Director General, Jobs, Tourism, Science and Innovation

- (2) Where the Deputy Commissioner, Western Australian Electoral Commission (WAEC), acts in the position of Electoral Commissioner, WAEC, for a period of four or more consecutive weeks while the office is substantively vacant or the office holder is on leave, the Deputy Commissioner is entitled to receive the salary awarded in Table 2 Prescribed Office Holders, to the position of Electoral Commissioner for the duration of the acting arrangement.
- (3) A person appointed by the Governor to temporarily act in the Office of the Inspector of Custodial Services, is entitled to receive the same salary that is awarded to the position of Inspector of Custodial Services as set out in 'Table 2 Prescribed Office Holders'. The acting Inspector of Custodial Services is also entitled to the motor vehicle benefits set out in Part 3 and the superannuation entitlements set out in Part 6 of this Determination. The salary and benefits apply on a pro-rata basis for any period in which the Inspector of Custodial Services is absent from duty.

**Table 3: Special Division Non-CEOs**

Office	Department or Agency	Band	Office Holder	Salary
<b>Deputy Director General</b>	Biodiversity, Conservation and Attractions	3	P Dans	\$228,819
<b>Deputy Director General, Community Services</b>	Communities	2	R Green	\$282,140
<b>Deputy Director General, Governance, Integrity and Reform</b>	Communities	4	C Stoddart	\$228,819
<b>Deputy Director General, Education Business Services</b>	Education	2	Vacant	\$-
<b>Deputy Director General, Public Schools</b>	Education	2	S Baxter	\$282,140
<b>Deputy Director General, Student Achievement</b>	Education	2	J Bell	\$282,140
<b>Executive Director, School Curriculum and Standards</b>	Education	3	A Blagaich	\$242,451
<b>Deputy Director General, Buildings and Contracts</b>	Finance	2	S Whitmarsh	\$296,000
<b>Deputy Director General, Advisory Services</b>	Finance	3	K Ingham	\$241,000
<b>Chief Customer Officer, Service WA</b>	Finance	3	H Farrell	\$228,819
<b>Commissioner Revenue WA</b>	Finance	3	N Suchenia	\$228,819
<b>Deputy Commissioner, Operations</b>	Fire and Emergency Services	4	C Waters	\$228,819
<b>Assistant Director General Strategy and Governance</b>	Health	2	N O'Keefe	\$288,365
<b>Assistant Director General Purchasing and System Performance</b>	Health	2	A Kelly	\$294,590
<b>Deputy Director General, Industry Science and Innovation</b>	Jobs, Tourism, Science and Innovation	3	L Dawson	\$228,819
<b>Deputy Director General Resources and Project Facilitation</b>	Jobs, Tourism, Science and Innovation	3	C Clark	\$228,819
<b>Deputy Director General Strategy and International Engagement</b>	Jobs, Tourism, Science and Innovation	3	S Spencer	\$228,819
<b>Managing Director</b>	Jobs, Tourism, Science and Innovation	3	Vacant	\$ -
<b>Commissioner of Corrective Services (Deputy Director General)</b>	Justice	3	Vacant	\$ -
<b>Executive Director, Courts and Tribunal Services</b>	Justice	4	J Stampalia	\$213,336
<b>Public Trustee</b>	Justice	4	B Roche	\$228,819
<b>Managing Director</b>	Main Roads WA	2	P Woronzow	\$308,301
<b>Coordinator of Energy</b>	Mines, Industry Regulation and Safety	2	Vacant	\$ -
<b>Deputy Director General, Resource and Environmental Regulation</b>	Mines, Industry Regulation and Safety	3	P Gorey	\$228,819
<b>Deputy Director General, Industry Regulation and Consumer Protection</b>	Mines, Industry Regulation and Safety	3	K Berger	\$228,819
<b>Deputy Director General, Safety Regulation</b>	Mines, Industry Regulation and Safety	3	I Munns	\$228,819
<b>Deputy Auditor General</b>	Office of the Auditor	2	S Labuschagne	\$282,140
<b>Deputy Director General</b>	Premier and Cabinet	2	S Black	\$308,301
<b>Deputy Director General</b>	Premier and Cabinet	2	E Roper	\$308,301
<b>Executive Director State Services</b>	Premier and Cabinet	4	Vacant	\$-
<b>Government Chief Information Officer</b>	Premier and Cabinet	4	G Italiano	\$221,000

Office	Department or Agency	Band	Office Holder	Salary
<b>Deputy Director General Industry and Economic Development</b>	Primary Industries and Regional Development	3	N Grazia	\$228,819
<b>Deputy Director General Sustainability and Biosecurity</b>	Primary Industries and Regional Development	3	H Brayford	\$255,480
<b>Managing Director</b>	Public Transport Authority	2	M Burgess	\$308,301
<b>Managing Director</b>	Transport	2	Vacant	\$ -
<b>Managing Director</b>	Transport	2	I Cameron	\$282,140
<b>Managing Director Metronet</b>	Transport	2	A Kannis	\$308,301
<b>Managing Director Westport</b>	Transport	3	Vacant	\$ -
<b>Deputy Under Treasurer</b>	Treasury	2	M Court	\$308,301
<b>Executive Director, Public Utilities Office</b>	Treasury	2	Vacant	\$ -
<b>Executive Director, Economic</b>	Treasury	3	Vacant	\$-
<b>Executive Director, Infrastructure and Finance</b>	Treasury	3	R Watson	\$255,480
<b>Executive Director, Strategic Policy and Evaluation</b>	Treasury	3	A Jones	\$282,140
<b>Executive Director</b>	Western Australian Police Service	3	F Pasquale	\$272,510

## PART 2 CLASSIFICATION FRAMEWORK FOR SPECIAL DIVISION OFFICES

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

### 2.1 General

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

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

SPECIAL DIVISION CHIEF EXECUTIVE OFFICERS		
Band	Annual Salary Range	
Band 1	\$368,070	\$517,293
Band 2	\$305,151	\$368,070
Band 3	\$236,539	\$305,151
Band 4	\$203,631	\$236,539

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

SPECIAL DIVISION NON-CHIEF EXECUTIVE OFFICERS		
Band	Annual Salary Range	
Band 1	Not applicable	Not applicable
Band 2	\$282,140	\$331,938
Band 3	\$228,819	\$282,140
Band 4	\$191,776	\$228,819

## **PART 3            MOTOR VEHICLE BENEFITS**

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

### **3.1        General**

- (1) In addition to the salary determined for the office holders listed in Part 1 of this Schedule, those office holders have an entitlement to an allowance which may be taken as cash with salary or may be utilised to access a motor vehicle for private use leased through State Fleet.
- (2) The vehicle (being part of the Government-owned State Fleet) should be managed in accordance with the policies and conditions established and amended from time to time by the Department of Finance (the effective owner of the State Fleet). Applicable terms and conditions are currently set out in the document "State Fleet – Agency General Agreement".
- (3) A person holding more than one Special Division or Prescribed Office, shall be entitled to a motor vehicle or cash in lieu of a motor vehicle for one such office only, being the office classified or remunerated at the highest level.
- (4) An individual accessing a vehicle under this Part shall take due care of the condition and security of the vehicle. This includes responsibility for ensuring the vehicle is regularly serviced and maintained at government expense according to the manufacturer's recommended specifications, and making arrangements for off-street parking at home, whenever practicable, with appropriate security precautions taken at all times. Any theft or damage should be reported to the Fleet Manager.
- (5) Motor vehicles leased for office holders under this determination or a previous determination of the Tribunal shall not be changed or cash in lieu taken prior to the expiration of the lease.
- (6) While the vehicle may be used anywhere in Western Australia at no cost to the individual, if the vehicle is driven interstate, the individual is liable for the cost of fuel and oil while interstate. Furthermore, if used outside of Western Australia, the custodian must be in the vehicle at all times that it is being used.
- (7) Should the officer choose not to use the vehicle, supplied through State Fleet, for business, or for travelling to and from work, but allows and authorises the vehicle to be used for private use during business hours by another family member or person, they are not entitled to access another government vehicle for their private use, including transport to and from work.

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

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

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

**Table 6: Notional Value of a Motor Vehicle**

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

- (2) The notional value of the lease shall be calculated on a pro rata basis in accordance with the proportion of full-time hours worked by an office holder.
- (3) Office holders located in non-metropolitan locations that require a four wheel drive vehicle for operational reasons, can apply to the employing authority for the issue of a four wheel drive vehicle in lieu of the entitlement mentioned in this Section. Four wheel drive vehicles shall be of a standard, the cost of which does not exceed the Toyota Prado GXL Automatic 3.0 litre Turbo Diesel.
- (4) The total lease cost of the chosen vehicle and accessories determined in this section, must be borne by the office holder. This includes the purchase cost of any accessories and the installation cost and removal costs if required, before disposal of the vehicle. No additional costs shall be incurred by the office holder as a result of fluctuations in lease costs during the specified term of the lease.
- (5) In the event an office holder's motor vehicle requires modifications to cater for a disability, resulting in total vehicle costs higher than the notional lease values in Table 6, then the reasonable additional cost may be approved by the office holder's employing authority.
- (6) Where the total lease and associated costs of a vehicle and accessories in accordance with this determination is less than the relevant motor vehicle benefit determined in this section, the difference in the cost to Government is to be paid fortnightly as part of the office holder's remuneration.
- (7) The method of determining whether an additional contribution must be made by the office holder or the surplus is to be paid to the office holder, shall be based on the notional lease cost to the Government of the vehicle sought (using the formula detailed below), compared with the relevant notional lease value determined for the benefit in this section. The cost at the time of entering into the lease is applicable.



- (8) The notional value of the vehicle benefit must include the lease cost, Fringe Benefits Tax (FBT) and all other operating costs based on the relevant figure of nominated kilometres to be travelled annually. The formula to be adopted in valuing the motor vehicle is outlined in Table 7.

**Table 7: Value of a Motor Vehicle Formula**

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

- (9) FBT is costed at applicable Australian Taxation Office rates. FBT is costed at purchase price (including GST) x Statutory fraction x Gross up (2.0802) x FBT rate (0.470). A 'Fringe Benefits Tax Exempt Agency' means where an organisation is exempt from FBT in accordance with Commonwealth Government legislation, a notional amount equal to the standard FBT must be added to the cost of the benefit.
- (10) Each lease should be tailored to achieve the most cost-effective arrangement based on individual usage patterns.

### **3.3 Choice of motor vehicle**

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

### 3.4 Cash value of the motor vehicle benefit

- (1) Where a person elects not to be provided with a motor vehicle through State Fleet he/she is entitled to the cash value being paid fortnightly as additional remuneration. The relevant cash value is to be determined in accordance with the following criteria:

**Table 8: Cash Value of a Motor Vehicle**

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

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

## PART 4 DISTRICT AND TRAVEL ALLOWANCES

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

### 4.1 District Allowances

- (1) Officer holders listed in this Section shall be entitled to the applicable district allowances, if they are residing in the relevant region of their department or agency, in accordance with the *District Allowance (Government Officers) General Agreement 2010* and the relevant provisions of the *Public Service Award 1992* as at the date of this determination. Applicable FBT shall be payable by the relevant department or agency.
- (2) For the purposes of calculating the standard rate, dependant rate or partial dependant rate applicable under the *District Allowance (Government Officers) General Agreement 2010* the standard rates set out in Table 9 below shall form the basis of the calculations unless and until determined otherwise by the Tribunal.

**Table 9: District Allowances**

Office	Department or Agency	Office Holder	Annual District Allowance (Standard Rate)
Managing Director	Central Regional TAFE	W Swetman	\$1,239
Director	Gascoyne Development Commission	T Duncanson	\$4,387
Director	Kimberley Development Commission	J Gooding	\$7,436
Director	Mid West Development Commission	G Treasure	\$1,239
Managing Director	North Regional TAFE	K Doig	\$8,361
Director	Pilbara Development Commission	T Hill	\$9,449

### 4.2 Travel Allowances – Annual Leave Travel Concessions

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

**Table 10: Travel Allowances – Annual Leave Travel Concessions**

Office	Department or Agency	Office Holder
Director	Gascoyne Development Commission	T Duncanson
Director	Kimberley Development Commission	J Gooding
Managing Director	North Regional TAFE	K Doig
Director	Pilbara Development Commission	T Hill

## PART 5 HOUSING AND UTILITIES

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

### 5.1 Rental Subsidies

- (1) Office holders listed in this section are entitled to the applicable Government Regional Officers Housing (GROH) rental subsidies, if they are residing in the relevant region of their department or agency, in accordance with the Department of Housing *Tenant Rent Setting Framework Policy (July 2016)* (as at the date of this determination).
- (2) The rental subsidy shall be payable to GROH for the benefit of the office holders and is to be calculated using the Department of Housing on-line rent calculator which can be accessed at:  
  
[http://www.housing.wa.gov.au/currenttenants/governmentemployeehousing/rentcalculator/Pages/groh\\_rent\\_calc.aspx](http://www.housing.wa.gov.au/currenttenants/governmentemployeehousing/rentcalculator/Pages/groh_rent_calc.aspx)
- (3) In the event the full rental cost is more than the rental subsidy, the difference is to be borne by the office holder. However, Departments or Agencies can apply to the Employing Authority for approval for the difference to be borne by the Department or Agency.
- (4) Applicable FBT shall be paid by the office holder's department or agency.

**Table 11: Rental Subsidies**

Office	Department or Agency	Office Holder
Director	Gascoyne Development Commission	T Duncanson
Director	Mid West Development Commission	G Treasure
Managing Director	North Regional TAFE	K Doig
Director	Pilbara Development Commission	T Hill

## 5.2 Home ownership subsidies

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

**Table 12: Home Ownership Subsidies**

Office	Department or Agency	Office Holder	Maximum Annual Home Ownership Subsidy
Managing Director	Central Regional TAFE	B Swetman	\$9,100 (\$175 per week)

## 5.3 Electricity subsidies

- (1) Office holders listed in this Section shall be entitled to claim electricity subsidies as specified in Table 13 below.
- (2) Claims made under this Section must be accompanied by a tax invoice for electricity utilised at the residence ordinarily occupied by the office holder, within the region where the office holder's department or agency is located.
- (3) A claim for an electricity subsidy made under this Section must be submitted within 90 days of the due payment date of the tax invoice. In the case of exceptional circumstances, the administering authority may approve an extension of time to submit a claim. Any application made to the administering authority seeking an extension of time to submit a claim under this Section, should be in writing and explain the exceptional circumstances leading to the need for extra time to submit a claim. Exceptional circumstances, for which an extension will be approved, will only be where the office holder has demonstrated that the claim submission has been delayed for reasons outside the office holder's control or in circumstances where ill health or bereavement has prevented a claim being made on time. Where delays in submitting a claim have been due to administrative oversight or negligence, the Tribunal does not regard these as circumstances appropriate to grant an extension of time to submit a claim. Where a claim is made after 90 days and no extension has been granted, payment against the claim will not be made.

- (4) Applicable FBT shall be paid by the office holder's department or agency.
- (5) Any gap between the electricity subsidy as stated in Table 13 and the full electricity amounts is payable by the office holder.

**Table 13: Electricity Subsidies**

Office	Department or Agency	Office Holder	Maximum Annual Electricity Subsidy
Director	Gascoyne Development Commission	T Duncanson	\$1,455
Director	Kimberley Development Commission	J Gooding	\$2,477
Managing Director	North Regional TAFE	K Doig	\$1,554
Director	Pilbara Development Commission	T Hill	\$2,735

## PART 6 SUPERANNUATION ENTITLEMENTS

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

### 6.1 Superannuation Entitlements

- (1) Employer superannuation contributions are payable in accordance with the obligations applicable under the *Superannuation Guarantee (Administration) Act 1992* (Cth), the *State Superannuation Act 2000* and the *State Superannuation Regulations 2001* or the *Fire and Emergency Services Regulations 1986*, as the case may be, unless determined otherwise in this Schedule.
- (2) Superannuation contributions to the Gold State Super scheme are based on the concept of remuneration set out in Regulation 5 of the *State Superannuation Regulations 2001*. Contributions to an accumulation scheme, whether a GESB accumulation scheme or a scheme of choice, are determined by the concept of Ordinary Time Earnings (OTE) defined in the *Superannuation Guarantee (Administration) Act 1992* (Cth) and ‘over OTE items’ as defined in the *State Superannuation Regulations 2001*. The Department of Treasury document titled *Ordinary Time Earnings and the Treatment of Allowances and Payments for Superannuation Remuneration Purposes – General Principles* provides useful guidance on this matter. The document can be found on the Department of Treasury web site at:  
  
[http://www.treasury.wa.gov.au/cms/uploadedFiles/Treasury/State\\_finances/ote\\_treatment\\_allowances\\_payments\\_superannuation\\_remuneration\\_general\\_principles.pdf?n=1655](http://www.treasury.wa.gov.au/cms/uploadedFiles/Treasury/State_finances/ote_treatment_allowances_payments_superannuation_remuneration_general_principles.pdf?n=1655)
- (3) Superannuation contributions to the Fire and Emergency Services Superannuation Fund are governed by the *Superannuation Guarantee (Administration) Act 1992* (Cth) and the *Fire and Emergency Services Regulations 1986*.
- (4) The position of CEO, Metropolitan Cemeteries Board, while held by Mr P Deague, shall be paid superannuation in accordance with the *WA Local Government Superannuation Plan*.
- (5) A *Gold State* member electing to take a motor vehicle or the cash equivalent in lieu of a motor vehicle is not entitled to have either amount included for superannuation purposes.
- (6) A *West State* or *GESB Super* member electing to take a vehicle does not have the cash value of that vehicle included for superannuation. However if the office holder elects to take a cash equivalent in lieu of a motor vehicle then this amount is included for the purposes of superannuation.

Signed on 24 June 2021.

M Seares AO

B A Sargeant PSM

CHAIR

MEMBER

**SALARIES AND ALLOWANCES TRIBUNAL**



## SECOND SCHEDULE SENIOR LEGAL OFFICES

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

### PART 1 SALARY

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

#### 1.1 Salary

The annual salaries specified in Table 14 of this Part apply to the holders of the corresponding offices.

**Table 14: Remuneration and Offices**

Office	Department or Agency	Band	Office Holder	Annual Salary
State Solicitor, SSO	Justice	1	N Egan	\$442,164
Parliamentary Counsel, PCO	Justice	1	G Lawn	\$442,164
State Counsel, SSO	Justice	2	A Sefton	\$388,766
Deputy State Solicitor, SSO	Justice	2	A Komninos	\$376,819
Deputy State Solicitor, SSO	Justice	2	Vacant	\$-
Deputy State Solicitor – Commercial, SSO	Justice	2	C Bydder	\$376,819
Deputy Parliamentary Counsel, PCO	Justice	2	U Couper	\$376,819
Senior Adviser, SSO	Justice	3	J O'Halloran	\$355,043
Deputy State Counsel, SSO	Justice	3	Vacant	\$-
Senior Parliamentary Counsel, PCO	Justice	3	Vacant	\$-
Senior Consultant State Prosecutor	Office of the Director of Public Prosecutions	3	J Whalley SC	\$344,003*
Senior Consultant State Prosecutor	Office of the Director of Public Prosecutions	3	L Christian SC	\$344,003*
Senior Consultant State Prosecutor	Office of the Director of Public Prosecutions	3	J Scholz	\$334,003
Senior Consultant State Prosecutor	Office of the Director of Public Prosecutions	3	P Usher	\$334,003
Senior Consultant State Prosecutor	Office of the Director of Public Prosecutions	3	Vacant	\$-
Consultant State Prosecutor	Office of the Director of Public Prosecutions	4	Vacant	\$-
Consultant State Prosecutor	Office of the Director of Public Prosecutions	4	Vacant	\$-
Consultant State Prosecutor	Office of the Director of Public Prosecutions	4	Vacant	\$-
Consultant State Prosecutor	Office of the Director of Public Prosecutions	4	Vacant	\$-

Office	Department or Agency	Band	Office Holder	Annual Salary
<b>Consultant State Prosecutor</b>	Office of the Director of Public Prosecutions	4	Vacant	\$-
<b>Consultant State Prosecutor</b>	Office of the Director of Public Prosecutions	4	Vacant	\$-
<b>Director Legal Services</b>	Office of the Director of Public Prosecutions	3	M Bugg	\$334,003
<b>Adviser, SSO</b>	Justice	4	M Payne	\$251,705
<b>Adviser, SSO</b>	Justice	4	K Chivers	\$251,705
<b>Adviser, SSO</b>	Justice	4	Vacant	\$-
<b>Adviser, SSO</b>	Justice	4	I Petersen	\$251,705
<b>Senior Parliamentary Counsel, PCO</b>	Justice	4	D Djurdjevic	\$244,600
<b>Senior Parliamentary Counsel, PCO</b>	Justice	4	R Jacobs	\$244,600

Abbreviations: SSO - State Solicitor's Office / PCO – Parliamentary Counsel's Office

\* includes \$10,000 premium in recognition of appointment as Senior Counsel.

## PART 2 CLASSIFICATION FRAMEWORK

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

### 2.1 General

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

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

SENIOR LEGAL OFFICES		
Band	Annual Salary Range	
Band 1	\$412,698	\$475,182
Band 2	\$346,581	\$412,698
Band 3	\$277,318	\$346,581
Band 4	\$244,600	\$277,318

### **PART 3            MOTOR VEHICLE BENEFITS**

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

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

Signed on 24 June 2021.

M Seares AO

CHAIR

B A Sargeant PSM

MEMBER

**SALARIES AND ALLOWANCES TRIBUNAL**

## THIRD SCHEDULE

### COURT REGISTRARS

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

#### **PART 1        SALARY**

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

**Table 16: Annual salary for Court Registrars**

OFFICE	ANNUAL SALARY
<b>Supreme Court</b>	
Principal Registrar	\$341,979
Registrar	\$302,959
<b>District Court</b>	
Principal Registrar	\$318,562
Registrar	\$299,389
Deputy Registrar	\$290,437

#### **PART 2        MOTOR VEHICLE BENEFITS**

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

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

Signed on 24 June 2021.

M Seares AO  
CHAIR

B A Sargeant PSM  
MEMBER

**SALARIES AND ALLOWANCES TRIBUNAL**

**FOURTH SCHEDULE**

**DIRECTOR OF PUBLIC PROSECUTIONS AND**

**DEPUTY DIRECTOR OF PUBLIC PROSECUTIONS**

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

**PART 1        SALARY AND ALLOWANCES**

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

**1.1        Director of Public Prosecutions**

- (1) The holder of the office of Director of Public Prosecutions is to be paid a salary of \$487,517 per annum.
- (2) All other allowances payable from time to time are the same as provided to a Puisne Judge of the Supreme Court of Western Australia.
- (3) As stated in section 2(b) of the *Director of Public Prosecutions Act 1991*, the Director of Public Prosecutions has the same annual leave, sick leave and long service leave entitlements as an officer of the public service.

**1.2        Deputy Director of Public Prosecutions**

- (1) The holder of the office of Deputy Director of Public Prosecutions is to be paid a salary of \$398,766 per annum.
- (2) All other allowances payable from time to time are the same as provided to a District Court Judge of Western Australia.

## **PART 2        MOTOR VEHICLE BENEFITS**

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

### **2.1        Motor Vehicle Entitlement**

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

Signed on 24 June 2021.

M Seares AO	B A Sargeant PSM
CHAIR	MEMBER
<b>SALARIES AND ALLOWANCES TRIBUNAL</b>	

## FIFTH SCHEDULE

### CLERKS AND DEPUTY CLERKS OF THE PARLIAMENT

Pursuant to section 6(1)(c) of the *Salaries and Allowances Act 1975* the Salaries and Allowances Tribunal determines the remuneration to be paid or provided to Clerk of the Legislative Council or Clerk of the Legislative Assembly or the Deputy Clerk of either House.

#### PART 1 SALARY

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

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

Office	Annual Salary
Clerk of the Legislative Council	\$220,380
Deputy Clerk of the Legislative Council	\$169,709
Clerk of the Legislative Assembly	\$220,380
Deputy Clerk of the Legislative Assembly	\$169,709

#### PART 2 MOTOR VEHICLE BENEFITS

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

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

Signed on 24 June 2021.

M Seares AO

CHAIR

B A Sargeant PSM

MEMBER

**SALARIES AND ALLOWANCES TRIBUNAL**

**SIXTH SCHEDULE**  
**SOLICITOR-GENERAL**

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

**PART 1        REMUNERATION**

The holder of the office of Solicitor-General is entitled to remuneration of \$597,903 per annum inclusive of salary, motor vehicle entitlement and superannuation. This remuneration is provided on the basis that the holder of the office of Solicitor-General has not retained the right to private practice.

**PART 2        MOTOR VEHICLE BENEFITS**

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

Signed on 24 June 2021.

M Seares AO	B A Sargeant PSM
CHAIR	MEMBER
<b>SALARIES AND ALLOWANCES TRIBUNAL</b>	



## **SEVENTH SCHEDULE**

### **CHIEF PSYCHIATRIST**

Pursuant to Section 510 of the *Mental Health Act 2014* the Salaries and Allowances Tribunal determines the remuneration to be paid or provided to the holder of the office of the Chief Psychiatrist.

#### **PART 1        REMUNERATION**

The holder of the office of Chief Psychiatrist is entitled to remuneration of \$488,200 per annum inclusive of salary, motor vehicle entitlement and superannuation.

#### **PART 2        MOTOR VEHICLE BENEFITS**

For the purpose of superannuation the notional value of the motor vehicle entitlements is \$22,650 per annum. In all other respects, the motor vehicle entitlements set out in Part 3 of the First Schedule of this determination apply to the Chief Psychiatrist.

Signed on 24 June 2021.

M Seares AO

B A Sargeant PSM

CHAIR

MEMBER

**SALARIES AND ALLOWANCES TRIBUNAL**

## **EIGHTH SCHEDULE**

### **CHIEF HEALTH OFFICER**

Pursuant to Section 12 of the *Public Health Act 2016* the Salaries and Allowances Tribunal determines the remuneration to be paid or provided to the holder of the office of Chief Health Officer.

#### **PART 1        REMUNERATION**

The holder of the office of Chief Health Officer is entitled to remuneration of \$494,051 per annum inclusive of salary, motor vehicle entitlements and superannuation.

#### **PART 2        MOTOR VEHICLE ENTITLEMENTS**

For the purpose of superannuation the notional value of the motor vehicle entitlement is \$22,650 per annum. In all other respects, the motor vehicle entitlements set out in Part 3 of the First Schedule of this determination apply to the Chief Health Officer.

Signed on 24 June 2021.

M Seares AO

CHAIR

B A Sargeant PSM

MEMBER

**SALARIES AND ALLOWANCES TRIBUNAL**