

Australian Capital Territory

# **Public Sector Management Amendment Standards 2010 (No 5)**

**Disallowable instrument DI2010-206**

made under the

**Public Sector Management Act 1994, s 251 (Management Standards)**

---

I amend the Standards as set out below.

Catherine Hudson  
Commissioner for Public Administration

Date 3 September 2010

Approved under the Public Sector Management Act 1994, s 251 (Management  
Standards)

Jon Stanhope  
Chief Minister

Date 1 September 2010

---



Australian Capital Territory

# Public Sector Management Amendment Standards 2010 (No 5)

Disallowable instrument DI2010-206

made under the

Public Sector Management Act 1994, s 251 (Management Standards)

## Contents

---

	Page
1 Name of instrument	1
2 Commencement	1
3 Legislation amended	1
4 Section 29 Interpretation—Pt 3.1 <i>remuneration</i>	1
5 Section 29A (2)	2
6 Section 29A (4)	3



**1 Name of instrument**

This instrument is the *Public Sector Management Amendment Standards 2010 (No 5)*.

**2 Commencement**

This instrument commences on the day after its notification day.

**3 Legislation amended**

This instrument amends the *Public Sector Management Standards 2006*.

**4 Section 29 Interpretation—Pt 3.1 remuneration**

*after 1st mention of*

***remuneration***

*substitute*

means the cash salary remuneration payable to chief executives and executives as set out in Column 2 ‘Remuneration (per annum)’ of Schedule A of Remuneration Tribunal Determination 2 of 2010 ‘Chief Executives and Executives’, effective 1 July 2010, as varied or any determination of the Remuneration Tribunal, which supersedes Determination 2 of 2010, and applies to chief executives and executives.

*Note* Column 2 ‘Remuneration (per annum)’ of Schedule A of Remuneration Tribunal Determination 2 of 2010 ‘Chief Executives and Executives’, effective 1 July 2010, sets out the cash salary component of chief executive and executive remuneration.

**5 Section 29A (2)**

*substitute*

- (2) The Chief Minister may by instrument approve the payment to a chief executive of a chief executive employment benefit under the following conditions:
- (a) for a chief executive employment benefit that is not in excess of 20% of the chief executive's remuneration, the Chief Minister is satisfied of the requirements of section 29A (3); or
  - (b) for a chief executive employment benefit that is in excess of 20% of the chief executive's remuneration, the Chief Minister:
    - (i) must require an independent job evaluation of the relevant office of chief executive;
    - (ii) must make a decision about whether to approve a chief executive employment benefit based on:
      - (A) the independent job evaluation; and
      - (B) the requirements of section 29A (3); and
      - (C) market rate pressures; and
      - (D) the specialist skill and expert technical knowledge of the chief executive; and
      - (E) any other relevant matter; and
    - (iii) is satisfied that it is appropriate to approve the chief executive employment benefit under this section.

**6 Section 29A (4)**

*substitute*

- (4) If the Chief Minister approves the payment of a chief executive employment benefit under section 29A (2) (a), then that benefit:
- (a) will commence on the date and in the amount specified in the instrument;
  - (b) will, unless specified in the instrument, apply for the term of the chief executive's contract;
  - (c) may, if less than 20% of the chief executive's remuneration, be increased by the Chief Minister at any time during the term of the chief executive's contract; and
  - (d) may be reduced or ended by the Chief Minister if the chief executive's remuneration is increased, but not so as to reduce the amount paid to the chief executive to an amount less than the sum of:
    - (i) the remuneration paid to the chief executive before its increase; and
    - (ii) the benefit.

---

## Endnotes

**1 Notification**

Notified under the Legislation Act on 9 September 2010.

**2 Republications of amended laws**

For the latest republication of amended laws, see [www.legislation.act.gov.au](http://www.legislation.act.gov.au).

---

© Australian Capital Territory 2010