



## REMUNERATION TRIBUNAL

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### Determination 2013/22:

### Departmental Secretaries - Classification Structure and Terms and Conditions

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Made under Part II, Division 4 of the *Remuneration Tribunal Act 1973*

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This Determination, amongst other matters:

- assigns each office of Secretary to a classification; and
- amends clauses 2.8 and 2.9 to clarify their application and operation.

#### PART 1 - GENERAL

##### Authority

- 1.1** This Determination is issued pursuant to Division 4 of Part II of the *Remuneration Tribunal Act 1973*.

##### Date of Effect

- 1.2** This Determination takes effect on and from 18 September 2013.

#### PART 2 - SECRETARIES


- 2.1** In this part, Determination Number 14 of 2013 is referred to as the Principal Determination.
- 2.2** Table 2B of Part 2 of the Principal Determination is amended by replacing the table in its entirety with the following table:

**Table 2B – Classification of Offices of Secretary**

Level	Departments
Level 1A	Prime Minister and Cabinet
Level 1B	Treasury
Level 1	Defence; Finance; Foreign Affairs and Trade; Health; Human Services; Industry; Social Services
Level 2	Agriculture; Attorney-General's; Communications; Education; Employment; Environment; Immigration and Border Protection; Infrastructure and Regional Development; Veterans' Affairs

- 2.3** Clause 2.4 of Part 2 of the Principal Determination is amended by replacing the reference to "clauses 2.7 to 2.9" with "clause 2.7, subclauses 2.8(1) and 2.8(2) and subclauses 2.9(1) and 2.9(2)".
- 2.4** Clause 2.7 of Part 2 of the Principal Determination is amended by replacing the reference to "clause 2.9" with "subclause 2.9(1) or subclause 2.9(2)".
- 2.5** Clause 2.8 of Part 2 of the Principal Determination is amended by renumbering the existing clause 2.8 as subclause 2.8(1), adding the words "from time to time" after the word "specified" and by adding below it the following subclause:
- "2.8(2)** If during the period of a person's appointment to an office of Secretary the pay point which applies to that office is lowered, the person is entitled, until that period of appointment ends, to the Total Remuneration specified from time to time for the pay point that would have applied to him or her if the pay point had not been lowered."
- 2.6** Clause 2.9 of Part 2 of the Principal Determination is amended by renumbering the existing clause 2.9 as subclause 2.9(1), replacing the current reference to "clause 2.8" with "subclause 2.8(1)", replacing the current reference to the "Public Service Commissioner" with "Australian Public Service Commissioner" and by adding below it the following subclause:
- "2.9(2)** This subclause applies if, upon the end of the appointment (the 'previous appointment') of a person referred to in subclause 2.8(2), that person is appointed to another office of Secretary or reappointed to the same office of Secretary (the 'current appointment'). If, where this subclause applies, the Secretary of PM&C, after consultation with the President of the Tribunal and the Australian Public Service Commissioner, is satisfied that it is appropriate for the remuneration of the Secretary in respect of the current appointment to be at a higher level than would otherwise apply through the application of clause 2.7, a Pay Point Assignment may assign the person to a pay point not higher than the one that applied to the person immediately before the end of the previous appointment."

Signed this *15* day of October 2013.

  
John C Conde AO  
PRESIDENT

  
John B Prescott AC  
MEMBER

  
Jillian Segal AM  
MEMBER