

Executive Officer Remuneration (Government Entities) Legislation Amendment Bill 2015

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Amendment Bill 2015**

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Western Australia

LEGISLATIVE ASSEMBLY

Executive Officer Remuneration (Government Entities) Legislation Amendment Bill 2015

A Bill for

An Act —

- **to amend the *Salaries and Allowances Act 1975* to make provision for the remuneration of certain executive officers of certain Government entities and for other purposes; and**
- **to amend various other Acts in consequence.**

The Parliament of Western Australia enacts as follows:

1

Part 1 — Preliminary

2

1. Short title

3

This is the *Executive Officer Remuneration (Government
Entities) Legislation Amendment Act 2015*.

4

5

2. Commencement

6

This Act comes into operation as follows —

7

(a) Part 1 — on the day on which this Act receives the
Royal Assent;

8

9

(b) the rest of the Act — on the day after that day.

1 **Part 2 — *Salaries and Allowances Act 1975* amended**

2 **3. Act amended**

3 This Part amends the *Salaries and Allowances Act 1975*.

4 **4. Section 4 amended**

5 (1) In section 4(1) in the definition of ***Chairman*** delete
6 “temporarily in place of the Chairman pursuant to section 34 of
7 the *Interpretation Act 1918*,” and insert:

8
9 to act temporarily in place of the Chairman under the
10 *Interpretation Act 1984* section 52;

11
12 (2) In section 4(1) in the definition of ***member*** delete “temporarily
13 in place of a member under section 34 of the *Interpretation*
14 *Act 1918*,” and insert:

15
16 to act temporarily in place of a member under the *Interpretation*
17 *Act 1984* section 52;

18
19 **5. Section 7C inserted**

20 After section 7B insert:

21
22 **7C. Determinations as to remuneration of certain**
23 **executive officers of Government entities**

24 (1) In this section —
25 ***executive officer***, of an entity specified in column 1 of
26 Schedule 2, means a person specified in column 2 of
27 that Schedule for the entity, subject to subsection (4);

28 ***Government entity*** means an entity —

29 (a) that is specified in column 1 of Schedule 2; and

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- 1 (b) that is prescribed by the regulations for the
2 purposes of this paragraph.
- 3 (2) The Tribunal is to, from time to time as provided by
4 this Act, inquire into and determine the minimum and
5 maximum amounts of remuneration to be paid or
6 provided to executive officers of Government entities.
- 7 (3) Section 6(2) and (3) apply to a determination under
8 subsection (2).
- 9 (4) A person who holds an office mentioned in column 2
10 of Schedule 2 for an entity immediately before the day
11 on which the entity is prescribed by the regulations for
12 the purposes of paragraph (b) of the definition of
13 **Government entity** in subsection (1) is not an executive
14 officer of the entity during the balance of the person's
15 term of office that remained immediately before that
16 day.
17

18 **6. Section 8 amended**

19 In section 8:

- 20 (a) in paragraph (d) delete "another." and insert:
21
22 another; and
23
- 24 (b) after paragraph (d) insert:
25
- 26 (e) not more than a year elapses between one
27 determination under section 7C(2) and another.
28

1 **7. Section 10 amended**

2 (1) In section 10(4):

3 (a) in paragraph (c)(ii) delete “section 7B.” and insert:

4

5 section 7B;

6

7 (b) after paragraph (c) insert:

8

9 and

10 (d) appoint a person nominated from time to time
11 in writing by the chief executive officer of the
12 department of the Public Service principally
13 assisting in the administration of the *Financial*
14 *Management Act 2006* to assist the Tribunal in
15 an inquiry in so far as it relates to the minimum
16 and maximum amounts of remuneration to be
17 paid or provided to executive officers of
18 Government entities referred to in
19 section 7C(2).
20

21 (2) In section 10 after each of subsections (1)(a) and (b) and (4)(a)
22 insert:

23

24 and

25

26 **8. Section 10A amended**

27 In section 10A(2) after “or (e)” insert:

28

29 or 7C(2)

30

s. 9

1 **9. Schedule 2 inserted**

2 After Schedule 1 insert:

3

4 **Schedule 2 — Entities that may be prescribed as**
5 **Government entities and their executive officers**

6

[s. 7C]

Column 1: entities	Column 2: executive officers
A corporation as defined in the <i>Electricity Corporations Act 2005</i> section 3(1).	<ol style="list-style-type: none">1. The person appointed under the <i>Electricity Corporations Act 2005</i> section 14(2) or (3) as the chief executive officer of the corporation.2. A person appointed under the <i>Electricity Corporations Act 2005</i> section 17 to act in place of the chief executive officer of the corporation.
Gold Corporation as defined in the <i>Gold Corporation Act 1987</i> section 3(1).	<ol style="list-style-type: none">1. The person appointed under the <i>Gold Corporation Act 1987</i> section 7(4) as the chief executive officer of Gold Corporation.2. The person appointed under the <i>Gold Corporation Act 1987</i> section 7(4) as the deputy chief executive officer of Gold Corporation.
GoldCorp as defined in the <i>Gold Corporation Act 1987</i> section 3(1).	The person appointed under the <i>Gold Corporation Act 1987</i> section 51(1) as the managing director of GoldCorp.

**Executive Officer Remuneration (Government Entities) Legislation
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Salaries and Allowances Act 1975 amended

Part 2

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Column 1: entities	Column 2: executive officers
The Mint as defined in the <i>Gold Corporation Act 1987</i> section 3(1).	The person appointed under the <i>Gold Corporation Act 1987</i> section 40(1) as managing director of the Mint.
A port authority as defined in the <i>Port Authorities Act 1999</i> section 3(1).	<ol style="list-style-type: none">1. The person appointed under the <i>Port Authorities Act 1999</i> section 14(2) as the chief executive officer of the port authority.2. A person appointed under the <i>Port Authorities Act 1999</i> section 14(6) to act in the office of chief executive officer of the port authority.
RWWA as defined in the <i>Racing and Wagering Western Australia Act 2003</i> section 3(1).	<ol style="list-style-type: none">1. The person appointed under the <i>Racing and Wagering Western Australia Act 2003</i> section 20(2) as the CEO of RWWA.2. A person appointed under the <i>Racing and Wagering Western Australia Act 2003</i> section 20(5) to act in the office of CEO of RWWA.
A corporation as defined in the <i>Water Corporations Act 1995</i> section 3(1).	<ol style="list-style-type: none">1. The person appointed under the <i>Water Corporations Act 1995</i> section 13(2) or (6) as the chief executive officer of the corporation.

**Executive Officer Remuneration (Government Entities) Legislation
Amendment Bill 2015**

Part 2 Salaries and Allowances Act 1975 amended

s. 9

Column 1: entities	Column 2: executive officers
	<ol style="list-style-type: none">2. A person appointed under the <i>Water Corporations Act 1995</i> section 13(5) to act in place of the chief executive officer of the corporation.
The Authority as defined in the <i>Western Australian Land Authority Act 1992</i> section 4(1).	<ol style="list-style-type: none">1. The person appointed under the <i>Western Australian Land Authority Act 1992</i> section 10(3) as the chief executive officer of the Authority.2. A person appointed under the <i>Western Australian Land Authority Act 1992</i> section 10(8) to act in the office of chief executive officer of the Authority.
The Corporation as defined in the <i>Western Australian Treasury Corporation Act 1986</i> section 3(1).	<ol style="list-style-type: none">1. The person appointed under the <i>Western Australian Treasury Corporation Act 1986</i> section 8(2) as the chief executive officer of the Corporation.2. A person appointed under the <i>Western Australian Treasury Corporation Act 1986</i> section 8(5) to act in place of the chief executive officer of the Corporation.

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Part 3 — Amendments to other Acts

Division 1 — *Constitution Acts Amendment Act 1899* amended

10. Act amended

This Division amends the *Constitution Acts Amendment Act 1899*.

11. Schedule V amended

In Schedule V Part 1 Division 2:

- (a) after the item that begins with “Senior executive officer” insert:

An office —

- (a) referred to in the *Salaries and Allowances Act 1975* section 6(1)(d) or (e); or
- (b) held by a person specified in column 2 of Schedule 2 to that Act for a Government entity as defined in section 7C(1) of that Act, whether or not the person is an executive officer as defined in that subsection.
- (b) delete the item relating to the *Salaries and Allowances Act 1975*.

Division 2 — *Electricity Corporations Act 2005* amended

12. Act amended

This Division amends the *Electricity Corporations Act 2005*.

**Executive Officer Remuneration (Government Entities) Legislation
Amendment Bill 2015**

Part 3 Amendments to other Acts

Division 2 Electricity Corporations Act 2005 amended

s. 13

1 **13. Section 14 amended**

2 (1) In section 14(2)(b) before “to” insert:

3

4 subject to sections 15A and 15B,

5

6 (2) After section 14(5) insert:

7

8 (6) Subsection (5) does not apply to the exercise by the
9 board of the power to determine or set remuneration to
10 which section 15A or 15B applies.

11

12 **14. Sections 15A and 15B inserted**

13 After section 14 insert:

14

15 **15A. Remuneration of chief executive officer while**
16 **corporation is not a Government entity**

17 (1) In this section —

18 *remuneration* has the meaning given in the *Salaries*
19 *and Allowances Act 1975* section 4(1).

20 (2) This section applies when the corporation to which it
21 relates is not a Government entity as defined in the
22 *Salaries and Allowances Act 1975* section 7C(1).

23 (3) The remuneration, including any variation to the
24 remuneration, of the chief executive officer of a
25 corporation is to be determined by the board on the
26 recommendation of the Minister.

27 (4) Subsection (3) —

28 (a) applies regardless of whether the chief
29 executive officer was appointed on, before or
30 after the day on which the *Executive Officer*

1 *Remuneration (Government Entities)*
2 *Legislation Amendment Act 2015* Part 3 comes
3 into operation; but

4 (b) does not require the board to re-determine the
5 remuneration of the person who, immediately
6 before that day, holds office as the
7 corporation's chief executive officer.

8 **15B. Remuneration of chief executive officer while**
9 **corporation is a Government entity**

- 10 (1) In this section —
11 *remuneration* has the meaning given in the *Salaries*
12 *and Allowances Act 1975* section 4(1).
13 (2) This section applies when the corporation to which it
14 relates is a Government entity as defined in the
15 *Salaries and Allowances Act 1975* section 7C(1).
16 (3) The remuneration of the chief executive officer of a
17 corporation who is an executive officer, as defined in
18 the *Salaries and Allowances Act 1975* section 7C(1), is
19 to be set by the board within the range determined by
20 the Salaries and Allowances Tribunal under
21 section 7C(2) of that Act.
22 (4) Any variation to the remuneration of the chief
23 executive officer of a corporation who, because of the
24 *Salaries and Allowances Act 1975* section 7C(4) is not
25 an executive officer as defined in section 7C(1) of that
26 Act, is to be determined by the board on the
27 recommendation of the Minister.
28

29 **Division 3 — Gold Corporation Act 1987 amended**

30 **15. Act amended**

31 This Division amends the *Gold Corporation Act 1987*.

**Executive Officer Remuneration (Government Entities) Legislation
Amendment Bill 2015**

Part 3 Amendments to other Acts

Division 3 Gold Corporation Act 1987 amended

s. 16

1 **16. Section 7 amended**

2 In section 7(4)(a) after “to” insert:

3

4 sections 8A and 8B and

5

6 **17. Sections 8A and 8B inserted**

7 After section 7 insert:

8

9 **8A. Remuneration of chief executive officer, deputy**
10 **while Gold Corporation is not a Government entity**

11 (1) In this section —

12 *remuneration* has the meaning given in the *Salaries*
13 *and Allowances Act 1975* section 4(1).

14 (2) This section applies when Gold Corporation is not a
15 Government entity as defined in the *Salaries and*
16 *Allowances Act 1975* section 7C(1).

17 (3) The remuneration, including any variation to the
18 remuneration, of the chief executive officer or the
19 deputy chief executive officer of Gold Corporation is
20 to be determined by the Board on the recommendation
21 of the Minister.

22 (4) Subsection (3) —

23 (a) applies regardless of whether the chief
24 executive officer or the deputy chief executive
25 officer was appointed on, before or after the
26 day on which the *Executive Officer*
27 *Remuneration (Government Entities)*
28 *Legislation Amendment Act 2015* Part 3 comes
29 into operation; but

30 (b) does not require the Board to re-determine the
31 remuneration of the person who, immediately
32 before that day, holds office as Gold

1 Corporation's chief executive officer or deputy
2 chief executive officer.

3 **8B. Remuneration of chief executive officer, deputy**
4 **while Gold Corporation is a Government entity**

- 5 (1) In this section —
6 *remuneration* has the meaning given in the *Salaries*
7 *and Allowances Act 1975* section 4(1).
8 (2) This section applies when Gold Corporation is a
9 Government entity as defined in the *Salaries and*
10 *Allowances Act 1975* section 7C(1).
11 (3) The remuneration of the chief executive officer, or the
12 deputy chief executive officer, of Gold Corporation
13 who is an executive officer, as defined in the *Salaries*
14 *and Allowances Act 1975* section 7C(1), is to be set by
15 the Board within the range determined by the Salaries
16 and Allowances Tribunal under section 7C(2) of that
17 Act.
18 (4) Any variation to the remuneration of the chief
19 executive officer, or the deputy chief executive officer,
20 of Gold Corporation who, because of the *Salaries and*
21 *Allowances Act 1975* section 7C(4), is not an executive
22 officer as defined in section 7C(1) of that Act, is to be
23 determined by the Board on the recommendation of the
24 Minister.
25

26 **18. Section 40 amended**

27 In section 40(3)(a) before “shall” insert:

28

29 subject to sections 41A and 41B,
30

1 **19. Sections 41A and 41B inserted**

2 After section 40 insert:

3

4 **41A. Remuneration of managing director while Mint is**
5 **not a Government entity**

6 (1) In this section —

7 *remuneration* has the meaning given in the *Salaries*
8 *and Allowances Act 1975* section 4(1).

9 (2) This section applies when the Mint is not a
10 Government entity as defined in the *Salaries and*
11 *Allowances Act 1975* section 7C(1).

12 (3) The remuneration, including any variation to the
13 remuneration, of the managing director of the Mint is
14 to be determined by the Board on the recommendation
15 of the Minister.

16 (4) Subsection (3) —

17 (a) applies regardless of whether the managing
18 director was appointed on, before or after the
19 day on which the *Executive Officer*
20 *Remuneration (Government Entities)*
21 *Legislation Amendment Act 2015* Part 3 comes
22 into operation; but

23 (b) does not require the Board to re-determine the
24 remuneration of the person who, immediately
25 before that day, holds office as the managing
26 director of the Mint.

27 **41B. Remuneration of managing director while Mint is a**
28 **Government entity**

29 (1) In this section —

30 *remuneration* has the meaning given in the *Salaries*
31 *and Allowances Act 1975* section 4(1).

- 1 (2) This section applies when the Mint is a Government
2 entity as defined in the *Salaries and Allowances*
3 *Act 1975* section 7C(1).
- 4 (3) The remuneration of the managing director of the Mint
5 who is an executive officer, as defined in the *Salaries*
6 *and Allowances Act 1975* section 7C(1), is to be set by
7 the Board within the range determined by the Salaries
8 and Allowances Tribunal under section 7C(2) of that
9 Act.
- 10 (4) Any variation to the remuneration of the managing
11 director of the Mint who, because of the *Salaries and*
12 *Allowances Act 1975* section 7C(4) is not an executive
13 officer as defined in section 7C(1) of that Act, is to be
14 determined by the Board on the recommendation of the
15 Minister.
16

17 **20. Section 51 amended**

18 In section 51(3)(a) before “shall” insert:

19

20 subject to sections 52A and 52B,
21

22 **21. Sections 52A and 52B inserted**

23 After section 51 insert:
24

25 **52A. Remuneration of managing director while**
26 **GoldCorp is not a Government entity**

- 27 (1) In this section —
28 *remuneration* has the meaning given in the *Salaries*
29 *and Allowances Act 1975* section 4(1).

**Executive Officer Remuneration (Government Entities) Legislation
Amendment Bill 2015**

Part 3 Amendments to other Acts

Division 3 Gold Corporation Act 1987 amended

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- 1 (2) This section applies when GoldCorp is not a
2 Government entity as defined in the *Salaries and*
3 *Allowances Act 1975* section 7C(1).
- 4 (3) The remuneration, including any variation to the
5 remuneration, of the managing director of GoldCorp is
6 to be determined by the Board on the recommendation
7 of the Minister.
- 8 (4) Subsection (3) —
- 9 (a) applies regardless of whether the managing
10 director was appointed on, before or after the
11 day on which the *Executive Officer*
12 *Remuneration (Government Entities)*
13 *Legislation Amendment Act 2015* Part 3 comes
14 into operation; but
- 15 (b) does not require the Board to re-determine the
16 remuneration of the person who, immediately
17 before that day, holds office as the managing
18 director of GoldCorp.
- 19 **52B. Remuneration of managing director while**
20 **GoldCorp is a Government entity**
- 21 (1) In this section —
22 **remuneration** has the meaning given in the *Salaries*
23 *and Allowances Act 1975* section 4(1).
- 24 (2) This section applies when GoldCorp is a Government
25 entity as defined in the *Salaries and Allowances*
26 *Act 1975* section 7C(1).
- 27 (3) The remuneration of the managing director of
28 GoldCorp who is an executive officer, as defined in the
29 *Salaries and Allowances Act 1975* section 7C(1), is to
30 be set by the Board within the range determined by the
31 Salaries and Allowances Tribunal under section 7C(2)
32 of that Act.

- 1 (4) Any variation to the remuneration of the managing
2 director of GoldCorp who, because of the *Salaries and*
3 *Allowances Act 1975* section 7C(4) is not an executive
4 officer as defined in section 7C(1) of that Act, is to be
5 determined by the Board on the recommendation of the
6 Minister.
7

8 **Division 4 — *Port Authorities Act 1999* amended**

9 **22. Act amended**

10 This Division amends the *Port Authorities Act 1999*.

11 **23. Section 14 amended**

- 12 (1) In section 14(2)(b) delete “the *Salaries and Allowances*
13 *Act 1975*,” and insert:

14 sections 15A and 15B,
15
16

- 17 (2) After section 14(3) insert:
18

- 19 (4A) Subsection (3) does not apply to the exercise by the
20 board of the power to determine or set remuneration to
21 which section 15A or 15B applies.
22

23 **24. Sections 15A and 15B inserted**

24 After section 14 insert:
25

26 **15A. Remuneration of CEO while port authority is not a**
27 **Government entity**

- 28 (1) In this section —
29 *remuneration* has the meaning given in the *Salaries*
30 *and Allowances Act 1975* section 4(1).

**Executive Officer Remuneration (Government Entities) Legislation
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Part 3 Amendments to other Acts

Division 4 Port Authorities Act 1999 amended

s. 24

- 1 (2) This section applies when the port authority to which it
2 relates is not a Government entity as defined in the
3 *Salaries and Allowances Act 1975* section 7C(1).
- 4 (3) The remuneration, including any variation to the
5 remuneration, of the CEO of a port authority is to be
6 determined by the board on the recommendation of the
7 Minister.
- 8 (4) Subsection (3) —
- 9 (a) applies regardless of whether the CEO was
10 appointed on, before or after the day on which
11 the *Executive Officer Remuneration*
12 *(Government Entities) Legislation Amendment*
13 *Act 2015* Part 3 comes into operation; but
- 14 (b) does not require the board to re-determine the
15 remuneration of the person who, immediately
16 before that day, holds office as the port
17 authority's CEO.

18 **15B. Remuneration of CEO while port authority is a**
19 **Government entity**

- 20 (1) In this section —
21 **remuneration** has the meaning given in the *Salaries*
22 *and Allowances Act 1975* section 4(1).
- 23 (2) This section applies when the port authority to which it
24 relates is a Government entity as defined in the
25 *Salaries and Allowances Act 1975* section 7C(1).
- 26 (3) The remuneration of the CEO of a port authority who
27 is an executive officer, as defined in the *Salaries and*
28 *Allowances Act 1975* section 7C(1), is to be set by the
29 board within the range determined by the Salaries and
30 Allowances Tribunal under section 7C(2) of that Act.
- 31 (4) Any variation to the remuneration of the CEO of a port
32 authority who, because of the *Salaries and Allowances*

1 *Act 1975* section 7C(4) is not an executive officer as
2 defined in section 7C(1) of that Act, is to be
3 determined by the board on the recommendation of the
4 Minister.
5

6 **Division 5 — *Racing and Wagering Western Australia***
7 ***Act 2003* amended**

8 **25. Act amended**

9 This Division amends the *Racing and Wagering Western*
10 *Australia Act 2003*.

11 **26. Section 20 amended**

12 (1) In section 20(2)(b) before “to” insert:

13

14 subject to sections 21A and 21B,

15

16 (2) After section 20(5) insert:

17

18 (6) Sections 21A and 21B apply to a person appointed
19 under subsection (5) to act in the office of CEO as if
20 the references in those provisions to the CEO were
21 references to the person so acting.
22

23 **27. Sections 21A and 21B inserted**

24 After section 20 insert:

25

26 **21A. Remuneration of CEO while RWWA is not a**
27 **Government entity**

28 (1) In this section —

29 *remuneration* has the meaning given in the *Salaries*
30 *and Allowances Act 1975* section 4(1).

**Executive Officer Remuneration (Government Entities) Legislation
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Part 3 Amendments to other Acts

Division 5 Racing and Wagering Western Australia Act 2003 amended

s. 27

- 1 (2) This section applies when RWWA is not a Government
2 entity as defined in the *Salaries and Allowances*
3 *Act 1975* section 7C(1).
- 4 (3) The remuneration, including any variation to the
5 remuneration, of the CEO is to be determined by the
6 board on the recommendation of the Minister.
- 7 (4) Subsection (3) —
- 8 (a) applies regardless of whether the CEO was
9 appointed on, before or after the day on which
10 the *Executive Officer Remuneration*
11 *(Government Entities) Legislation Amendment*
12 *Act 2015* Part 3 comes into operation; but
- 13 (b) does not require the board to re-determine the
14 remuneration of the person who, immediately
15 before that day, holds office as the CEO.
- 16 **21B. Remuneration of CEO while RWWA is a**
17 **Government entity**
- 18 (1) In this section —
19 **remuneration** has the meaning given in the *Salaries*
20 *and Allowances Act 1975* section 4(1).
- 21 (2) This section applies when RWWA is a Government
22 entity as defined in the *Salaries and Allowances*
23 *Act 1975* section 7C(1).
- 24 (3) The remuneration of the CEO who is an executive
25 officer, as defined in the *Salaries and Allowances*
26 *Act 1975* section 7C(1), is to be set by the board within
27 the range determined by the Salaries and Allowances
28 Tribunal section 7C(2) of that Act.
- 29 (4) Any variation to the remuneration of the CEO who,
30 because of the *Salaries and Allowances Act 1975*
31 section 7C(4) is not an executive officer as defined in

1 section 7C(1) of that Act, is to be determined by the
2 board on the recommendation of the Minister.
3

4 **Division 6 — *Water Corporations Act 1995* amended**

5 **28. Act amended**

6 This Division amends the *Water Corporations Act 1995*.

7 **29. Section 13 amended**

8 (1) In section 13(2)(b) before “to” insert:
9

10 subject to sections 14A and 14B,
11

12 (2) After section 13(3) insert:
13

14 (4A) Subsection (3) does not apply to the exercise by the
15 board of the power to determine or set remuneration to
16 which section 14A or 14B applies.
17

18 **30. Sections 14A and 14B inserted**

19 After section 13 insert:
20

21 **14A. Remuneration of chief executive officer while
22 corporation is not a Government entity**

23 (1) In this section —

24 *remuneration* has the meaning given in the *Salaries
25 and Allowances Act 1975* section 4(1).

26 (2) This section applies when the corporation to which it
27 relates is not a Government entity as defined in the
28 *Salaries and Allowances Act 1975* section 7C(1).

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Amendment Bill 2015**

Part 3 Amendments to other Acts

Division 6 Water Corporations Act 1995 amended

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- 1 (3) The remuneration, including any variation to the
2 remuneration, of the chief executive officer of a
3 corporation is to be determined by the board on the
4 recommendation of the Minister.
- 5 (4) Subsection (3) —
- 6 (a) applies regardless of whether the chief
7 executive officer was appointed on, before or
8 after the day on which the *Executive Officer
9 Remuneration (Government Entities)
10 Legislation Amendment Act 2015* Part 3 comes
11 into operation; but
- 12 (b) does not require the board to re-determine the
13 remuneration of the person who, immediately
14 before that day, holds office as the
15 corporation's chief executive officer.

16 **14B. Remuneration of chief executive officer while**
17 **corporation is a Government entity**

- 18 (1) In this section —
19 *remuneration* has the meaning given in the *Salaries
20 and Allowances Act 1975* section 4(1).
- 21 (2) This section applies when the corporation to which it
22 relates is a Government entity as defined in the
23 *Salaries and Allowances Act 1975* section 7C(1).
- 24 (3) The remuneration of the chief executive officer of a
25 corporation who is an executive officer, as defined in
26 the *Salaries and Allowances Act 1975* section 7C(1), is
27 to be set by the board within the range determined by
28 the Salaries and Allowances Tribunal under
29 section 7C(2) of that Act.
- 30 (4) Any variation to the remuneration of the chief
31 executive officer of a corporation who, because of the
32 *Salaries and Allowances Act 1975* section 7C(4) is not
33 an executive officer as defined in section 7C(1) of that

1 Act, is to be determined by the board on the
2 recommendation of the Minister.
3

4 **Division 7 — *Western Australian Land Authority***
5 ***Act 1992 amended***

6 **31. Act amended**

7 This Division amends the *Western Australian Land Authority*
8 *Act 1992*.

9 **32. Section 10 amended**

10 (1) In section 10(3)(b) before “to” insert:
11

12 subject to sections 11A and 11B,
13

14 (2) Delete section 10(4).

15 (3) After section 10(5) insert:
16

17 (6A) Subsection (5) does not apply to the exercise by the
18 board of the power to determine or set remuneration to
19 which section 11A or 11B applies.
20

21 (4) After section 10(8) insert:
22

23 (9) Sections 11A and 11B apply to a person appointed
24 under subsection (8) to act in the office of chief
25 executive officer as if the references in those
26 provisions to the chief executive officer were
27 references to the person so acting.
28

1 **33. Sections 11A and 11B inserted**

2 After section 10 insert:

3

4 **11A. Remuneration of chief executive officer while**
5 **Authority is not a Government entity**

6 (1) In this section —

7 *remuneration* has the meaning given in the *Salaries*
8 *and Allowances Act 1975* section 4(1).

9 (2) This section applies when the Authority is not a
10 Government entity as defined in the *Salaries and*
11 *Allowances Act 1975* section 7C(1).

12 (3) The remuneration, including any variation to the
13 remuneration, of the chief executive officer is to be
14 determined by the board on the recommendation of the
15 Minister.

16 (4) Subsection (3) —

17 (a) applies regardless of whether the chief
18 executive officer was appointed on, before or
19 after the day on which the *Executive Officer*
20 *Remuneration (Government Entities)*
21 *Legislation Amendment Act 2015* Part 3 comes
22 into operation; but

23 (b) does not require the board to re-determine the
24 remuneration of the person who, immediately
25 before that day, holds office as the chief
26 executive officer.

27 **11B. Remuneration of chief executive officer while**
28 **Authority is a Government entity**

29 (1) In this section —

30 *remuneration* has the meaning given in the *Salaries*
31 *and Allowances Act 1975* section 4(1).

- 1 (2) This section applies when the Authority is a
2 Government entity as defined in the *Salaries and*
3 *Allowances Act 1975* section 7C(1).
- 4 (3) The remuneration of the chief executive officer who is
5 an executive officer, as defined in the *Salaries and*
6 *Allowances Act 1975* section 7C(1), is to be set by the
7 board within the range determined by the Salaries and
8 Allowances Tribunal under section 7C(2) of that Act.
- 9 (4) Any variation to the remuneration of the chief
10 executive officer who, because of the *Salaries and*
11 *Allowances Act 1975* section 7C(4) is not an executive
12 officer as defined in section 7C(1) of that Act, is to be
13 determined by the board on the recommendation of the
14 Minister.

15
16 **Division 8 — *Western Australian Treasury Corporation***
17 ***Act 1986* amended**

18 **34. Act amended**

19 This Division amends the *Western Australian Treasury*
20 *Corporation Act 1986*.

21 **35. Section 8 amended**

22 (1) In section 8(2)(b) before “to” insert:
23

24 subject to sections 8AA and 8AB,
25

26 (2) After section 8(3) insert:
27

28 (4A) Subsection (3) does not apply to the exercise by the
29 board of the power to determine or set remuneration to
30 which section 8AA or 8AB applies.
31

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Division 8 Western Australian Treasury Corporation Act 1986 amended

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1 (3) After section 8(5) insert:
2

3 (6) Sections 8AA and 8AB apply to a person appointed
4 under subsection (5) to act in place of the chief
5 executive officer as if the references in those
6 provisions to the chief executive officer were
7 references to the person so acting.
8

9 **36. Sections 8AA and 8AB inserted**

10 After section 8 insert:
11

12 **8AA. Remuneration of chief executive officer while**
13 **Corporation is not a Government entity**

14 (1) In this section —

15 *remuneration* has the meaning given in the *Salaries*
16 *and Allowances Act 1975* section 4(1).

17 (2) This section applies when the Corporation is not a
18 Government entity as defined in the *Salaries and*
19 *Allowances Act 1975* section 7C(1).

20 (3) The remuneration, including any variation to the
21 remuneration, of the chief executive officer is to be
22 determined by the board on the recommendation of the
23 Minister.

24 (4) Subsection (3) —

25 (a) applies regardless of whether the chief
26 executive officer was appointed on, before or
27 after the day on which the *Executive Officer*
28 *Remuneration (Government Entities)*
29 *Legislation Amendment Act 2015* Part 3 comes
30 into operation; but

- 1 (b) does not require the board to re-determine the
2 remuneration of the person who, immediately
3 before that day, holds office as the chief
4 executive officer.

5 **8AB. Remuneration of chief executive officer while**
6 **Corporation is a Government entity**

- 7 (1) In this section —
8 *remuneration* has the meaning given in the *Salaries*
9 *and Allowances Act 1975* section 4(1).
- 10 (2) This section applies when the Corporation is a
11 Government entity as defined in the *Salaries and*
12 *Allowances Act 1975* section 7C(1).
- 13 (3) The remuneration of the chief executive officer who is
14 an executive officer, as defined in the *Salaries and*
15 *Allowances Act 1975* section 7C(1), is to be set by the
16 board within the range determined by the Salaries and
17 Allowances Tribunal under section 7C(2) of that Act.
- 18 (4) Any variation to the remuneration of the chief
19 executive officer who, because of the *Salaries and*
20 *Allowances Act 1975* section 7C(4) is not an executive
21 officer as defined in section 7C(1) of that Act, is to be
22 determined by the board on the recommendation of the
23 Minister.
24
-