

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

## Contents

<b>Part 1 — Preliminary</b>		
1.	Short title	2
2.	Commencement	2
<b>Part 2 — <i>Salaries and Allowances Act 1975</i> amended</b>		
3.	Act amended	3
4.	Section 4 amended	3
5.	Section 7C inserted	3
	7C. Determinations as to remuneration of certain executive officers of Government entities	3
6.	Section 8 amended	4
7.	Section 10 amended	5
8.	Section 10A amended	5
9.	Schedule 2 inserted	6
<b>Schedule 2 — Entities that may be prescribed as Government entities and their executive officers</b>		
<b>Part 3 — Amendments to other Acts</b>		
<b>Division 1 — <i>Constitution Acts Amendment Act 1899</i> amended</b>		
10.	Act amended	9
11.	Schedule V amended	9
<b>Division 2 — <i>Electricity Corporations Act 2005</i> amended</b>		
12.	Act amended	9
13.	Section 14 amended	10

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

Contents

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14.	Sections 15A and 15B inserted	10
	15A. Remuneration of chief executive officer while corporation is not a Government entity	10
	15B. Remuneration of chief executive officer while corporation is a Government entity	11
	<b>Division 3 — <i>Gold Corporation Act 1987</i> amended</b>	
15.	Act amended	11
16.	Section 7 amended	12
17.	Sections 8A and 8B inserted	12
	8A. Remuneration of chief executive officer, deputy while Gold Corporation is not a Government entity	12
	8B. Remuneration of chief executive officer, deputy while Gold Corporation is a Government entity	13
18.	Section 40 amended	13
19.	Sections 41A and 41B inserted	14
	41A. Remuneration of managing director while Mint is not a Government entity	14
	41B. Remuneration of managing director while Mint is a Government entity	14
20.	Section 51 amended	15
21.	Sections 52A and 52B inserted	15
	52A. Remuneration of managing director while GoldCorp is not a Government entity	15
	52B. Remuneration of managing director while GoldCorp is a Government entity	16
	<b>Division 4 — <i>Port Authorities Act 1999</i> amended</b>	
22.	Act amended	17
23.	Section 14 amended	17
24.	Sections 15A and 15B inserted	17
	15A. Remuneration of CEO while port authority is not a Government entity	17
	15B. Remuneration of CEO while port authority is a Government entity	18
	<b>Division 5 — <i>Racing and Wagering Western Australia Act 2003</i> amended</b>	
25.	Act amended	19
26.	Section 20 amended	19
27.	Sections 21A and 21B inserted	19
	21A. Remuneration of CEO while RWWA is not a Government entity	19

21B.	Remuneration of CEO while RWWA is a Government entity	20
<b>Division 6 — <i>Water Corporations Act 1995</i> amended</b>		
28.	Act amended	21
29.	Section 13 amended	21
30.	Sections 14A and 14B inserted	21
14A.	Remuneration of chief executive officer while corporation is not a Government entity	21
14B.	Remuneration of chief executive officer while corporation is a Government entity	22
<b>Division 7 — <i>Western Australian Land Authority Act 1992</i> amended</b>		
31.	Act amended	23
32.	Section 10 amended	23
33.	Sections 11A and 11B inserted	24
11A.	Remuneration of chief executive officer while Authority is not a Government entity	24
11B.	Remuneration of chief executive officer while Authority is a Government entity	24
<b>Division 8 — <i>Western Australian Treasury Corporation Act 1986</i> amended</b>		
34.	Act amended	25
35.	Section 8 amended	25
36.	Sections 8AA and 8AB inserted	26
8AA.	Remuneration of chief executive officer while Corporation is not a Government entity	26
8AB.	Remuneration of chief executive officer while Corporation is a Government entity	27



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

**s. 6**

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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**

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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]

<b>Column 1: entities</b>	<b>Column 2: executive officers</b>
A corporation as defined in the <i>Electricity Corporations Act 2005</i> section 3(1).	<ol style="list-style-type: none"><li>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.</li><li>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.</li></ol>
Gold Corporation as defined in the <i>Gold Corporation Act 1987</i> section 3(1).	<ol style="list-style-type: none"><li>1. The person appointed under the <i>Gold Corporation Act 1987</i> section 7(4) as the chief executive officer of Gold Corporation.</li><li>2. The person appointed under the <i>Gold Corporation Act 1987</i> section 7(4) as the deputy chief executive officer of Gold Corporation.</li></ol>
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  
Amendment Bill 2015**

Salaries and Allowances Act 1975 amended

**Part 2**

**s. 9**

<b>Column 1: entities</b>	<b>Column 2: executive officers</b>
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"><li>1. The person appointed under the <i>Port Authorities Act 1999</i> section 14(2) as the chief executive officer of the port authority.</li><li>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.</li></ol>
RWWA as defined in the <i>Racing and Wagering Western Australia Act 2003</i> section 3(1).	<ol style="list-style-type: none"><li>1. The person appointed under the <i>Racing and Wagering Western Australia Act 2003</i> section 20(2) as the CEO of RWWA.</li><li>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.</li></ol>
A corporation as defined in the <i>Water Corporations Act 1995</i> section 3(1).	<ol style="list-style-type: none"><li>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.</li></ol>

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

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

**s. 9**

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<b>Column 1: entities</b>	<b>Column 2: executive officers</b>
	<ol style="list-style-type: none"><li>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.</li></ol>
The Authority as defined in the <i>Western Australian Land Authority Act 1992</i> section 4(1).	<ol style="list-style-type: none"><li>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.</li><li>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.</li></ol>
The Corporation as defined in the <i>Western Australian Treasury Corporation Act 1986</i> section 3(1).	<ol style="list-style-type: none"><li>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.</li><li>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.</li></ol>

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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**

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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**

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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

**s. 21**

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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  
Amendment Bill 2015**

**Part 3** Amendments to other Acts

**Division 4** Port Authorities Act 1999 amended

**s. 24**

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- 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  
Amendment Bill 2015**

**Part 3** Amendments to other Acts

**Division 5** Racing and Wagering Western Australia Act 2003 amended

**s. 27**

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- 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).

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

**Part 3** Amendments to other Acts

**Division 6** Water Corporations Act 1995 amended

**s. 30**

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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

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

**Part 3** Amendments to other Acts

**Division 8** Western Australian Treasury Corporation Act 1986 amended

**s. 36**

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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

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