2025

THE LEGISLATIVE ASSEMBLY FOR THE

AUSTRALIAN CAPITAL TERRITORY

ELEVENTH ASSEMBLY

Determination 1 of 2025 - Head of Service, Directors-General and Executives

Presented by
Andrew Barr MLA
Chief Minister
10 April 2025

Australian Capital Territory Remuneration Tribunal

Determination 1 of 2025

Head of Service, Directors-General and Executives

made under the

Remuneration Tribunal Act 1995, section 10 (Inquiries about holders of certain positions)

ACCOMPANYING STATEMENT

Background

Under section 10 of the *Remuneration Tribunal Act 1995* (the Act), the Remuneration Tribunal (the Tribunal) is required to inquire into, and determine, the remuneration, allowances and other entitlements for holders of certain public offices. This includes the Head of Service, Directors-General and people engaged as an executive (known collectively as executives) under the *Public Sector Management Act 1994*.

Considerations

In March 2025, the Tribunal commenced its Autumn Sitting to consider the remuneration, allowances and other entitlements of the following officeholders:

- Members of the Legislative Assembly (including the Chief Minister, Deputy Chief Minister, and other Ministers and Members of the Legislative Assembly holding particular offices);
- the Head of Service, Directors-General and ACT Public Service Executives; and
- Full-time Statutory Officeholders, referred to in Section 10(1) of the *Remuneration Tribunal Act 1995*, including the Clerk of the Legislative Assembly, the Auditor-General and Electoral Commissioner.

The 2025 Autumn Sitting was advertised on the Remuneration Tribunal ACT website and in the Canberra Times on 14 December 2024. The Tribunal also wrote to the relevant officeholders inviting submissions.

At its meeting in March 2025, the Tribunal met with the Chief Minister, ACT Government Treasury officials and officials responsible for the Enterprise Agreement bargaining for ACT Public Sector non-executive employees. The Tribunal also met with a number of full-time public officeholders and departmental officials.

The ACT Government briefing provided an overview of the local economy and an update on implementation of the Machinery of Government changes, announced after the 2024 ACT election, designed to deliver improved standards of service to the Canberra community. The ACT Government noted that a number of current Enterprise Agreements are expiring and would be renegotiated over the next 12 to 18 months with a continued focus on the lowest paid public service employees.

The briefing provided to the Tribunal by ACT Treasury confirmed that the ACT economy is strong and continues to grow at a faster rate than the Australian economy, reflecting ACT Government, Commonwealth and private sector investment and expenditure in the region. The ACT Government and Treasury indicated that despite this positive outlook for the economy, the ACT budget faces significant fiscal challenges.

The labour market continues to be tight with high participation rates in the public and private sectors, requiring the ACT to compete if it is to attract and retain high calibre people. Therefore, the Tribunal sought to balance considerations around the strength in the labour market, community expectations and the Territory's fiscal circumstances, which impact on the affordability of pay increases.

The Australian Bureau of Statistics released the Consumer Price Index for the December 2024 Quarter, which included an increase of 0.1 per cent for the ACT during the quarter[1], and a 2.2 per cent increase over the year (December 2023 to December 2024). [2] The national mean inflation was 2.4 per cent over the year.[3] While inflation has moderated, cost of living pressures persist. In this context the Tribunal continues to be cognisant of the future compounding effect of not providing increases in remuneration.

The Tribunal considered the local and national contexts and decided that an increase to remuneration of 2 per cent is a measured response given the current circumstances.

Decision

The Tribunal determines to provide an increase of 2 per cent to the base remuneration of officeholders covered by this Determination. The increase will commence on 1 July 2025.

31 March 2025

[1] Australian Bureau of Statistics Release 29 January 2025 https://www.abs.gov.au/statistics/economy/price-indexes-and-inflation/consumer-price-index-australia/latest-release

[2] ACT Treasury, 29 January 2025, CPI – December Quarter 2024 https://www.treasury.act.gov.au/__data/assets/pdf_file/0009/399978/CPI.pdf/_recache

[3] Australian Bureau of Statistics Release 29 January 2025 https://www.abs.gov.au/statistics/economy/price-indexes-and-inflation/consumer-price-index-australia/latest-release

Australian Capital Territory Remuneration Tribunal

Determination 1 of 2025

Head of Service, Directors-General and Executives

made under the

Remuneration Tribunal Act 1995, section 10 (Inquiries about holders of certain positions)

1 Commencement

1.1 This instrument is taken to have commenced on 1 July 2025.

2 Remuneration

2.1 The following table sets out the full-time remuneration per year for a person engaged at an executive classification level specified in column 1.

TABLE 2.1

Column 1 **Executive classification level**	Column 2 **Base Remuneration**	Column 3[4] **Total Remuneration**
Level 1.1	$178,307	$209,807
Level 1.2	$193,386	$224,886
Level 1.3	$208,454	$239,954
Level 1.4	$223,464	$254,964
Level 2.1	$238,606	$270,606
Level 2.2	$259,627	$291,627
Level 2.3	$280,637	$312,637
Level 2.4	$301,737	$333,737
Level 3.1	$322,848	$355,348
Level 3.2	$335,801	$368,301
Level 3.3	$349,130	$381,630
Level 3.4	$362,257	$394,757
Level 4.1	$375,274	$408,274
Level 4.2	$386,124	$419,124
Level 4.3	$400,050	$433,050
Level 4.4 (Head of Service)	$436,050	$469,050

[4] Includes additional remuneration payable to ACTPS Senior Executives, associated with the previous provision of executive vehicles, as determined by this Tribunal and as provided for in Section 51 of the *Public Sector Management Standards 2016*.

2.2 Where an executive has an employer-provided vehicle, column 2 of Table 2.1 is the total remuneration payable.

2.3 If a person engaged at a level listed in column 1 of Table 2.1 is also engaged in or appointed to another office under ACT legislation, the person must only receive remuneration for the office that has the highest remuneration.

2.4 The person engaged as the Head of Service is to be paid additional remuneration of $10,000 per annum above the remuneration of an executive level 4.4 specified in column 3 of Table 2.1. This additional remuneration is included as base remuneration and is recognised as salary for superannuation purposes.

3 Salary packaging

3.1 An executive may elect to take the remuneration mentioned in Table 2.1 as:

a) salary; or

b) a combination of salary and other benefits (a ***salary package***).

3.2 Salary packaging must be consistent with:

a) taxation laws and guidelines issued by the Australian Taxation Office; and

b) any salary packaging policy and/or procedures issued for the ACT Public Service, with up to 100% of the remuneration able to be taken as benefits and related costs such as fringe benefits tax.

3.3 If an executive is working for a Public Benevolent Institution, the benefit items that normally incur fringe benefits tax must not incur more than $17,000 grossed up taxable value per fringe benefits tax year, without prior approval from:

a) for directors-general—the head of service; and

b) for executives—the relevant director-general.

3.4 Salary packaging must be administered without additional cost to the employer and any fringe benefits tax associated with the provision of a benefit must be included in the salary package.

3.5 Salary for superannuation purposes is not affected by salary packaging.

4 Vehicle

4.1 If an executive has an employer-provided vehicle, Part 13 – Transitional Public Sector Management Amendment Standards 2021 (No 1) of the *Public Sector Management Standards 2016* applies.

5 Employer provided benefits

5.1 An executive is entitled to either the employer provided benefits mentioned below or the relevant cash payment in lieu of the benefit mentioned below.

5.2 An employer-provided benefit, or cash payment in lieu of an employer-provided benefit, is in addition to the remuneration specified in clause 2 of this determination and does not affect salary for superannuation purposes.

5.3 For the avoidance of doubt, the value of an allowance or entitlement set out in this Determination is fixed and cannot be transferred to any other component of the total remuneration package.

Note: travel entitlements are provided under the *Public Sector Management Standards 2006 (repealed)*.

6 Vehicle parking space

6.1 An executive is entitled to a parking space in accordance with section 52A of the *Public Sector Management Standards 2016*.

7 Employer's superannuation contribution

7.1 An executive is only eligible for the employer's superannuation contribution if their superannuation entitlements are not provided elsewhere.

7.2 Superannuation entitlements for executives are consistent with clause D7 in the *ACT Public Sector Administrative and Related Classifications Enterprise Agreement 2021-2022* or its replacement.

7.3 The value of the employer's superannuation contribution must not be paid in cash to an executive.

8 Relocation allowance

8.1 In this clause, ***ACT*** means the Australian Capital Territory and its surrounding district, including Queanbeyan.

8.2 Relocation allowance is provided to assist an individual with the costs to relocate from their home location to the ACT in order to take up the engagement as an executive.

8.3 The executive may be reimbursed an amount of up to $55,000, for receipted, reasonable costs of the following:

a) packing personal effects and furniture belonging to the person and their family;
b) necessary storage of personal effects and furniture;
c) removal costs and associated insurance of personal effects and furniture;
d) unpacking of personal effects and furniture;
e) costs of travel, accommodation and meals between the former location and the ACT;
f) temporary accommodation costs at the former location and in the ACT up to a maximum aggregate period of six months, or, in exceptional circumstances, nine months with the approval of the ACT Remuneration Tribunal (Tribunal);
g) costs of disconnection and reconnection of utilities;
h) cost of stamp duty and legal and professional services associated with the sale of the residence at the former location and/or the purchase of a residence or lease on a block of land in the ACT;
i) subject to the specific approval of the Tribunal, any other reasonable expenses necessarily incurred in relocating to the ACT.

8.4 The Tribunal may decide to reimburse a higher amount of allowance if the Tribunal agrees—

a) there are unusual or exceptional circumstances; and
b) the unusual or exceptional circumstances were unforeseen or unable to be dealt with without exceeding $55,000.

8.5 If an executive thinks that unusual and exceptional circumstances exist, they may ask the Tribunal to consider the matter and determine whether the maximum relocation allowance can be exceeded. A request must be in writing and must include—

a) details of the unusual or exceptional circumstances; and

b) details of the relocation; and

c) expenses incurred by the executive; and

d) the expected total relocation expenses of the executive; and

e) the level of assistance the executive considers should be provided; and

f) any other relevant information.

8.6 If the executive terminates their employment with the Territory as an executive within twelve months of the date of their engagement, the executive may be required by the Head of Service to repay the following amount:

a) If the executive terminates employment within six months from the date of their engagement—100% of the amount reimbursed under section 8.3 and section 8.4;

b) If the executive terminates employment more than six months and less than twelve months from the date of their engagement—50% of the amount reimbursed under section 8.3 and section 8.4.

Note: Relocation allowance does not apply to any expenses incurred at the conclusion of employment with the Territory.

9 Other entitlements

9.1 For the avoidance of doubt, under section 113 and 115 of the *Public Sector Management Standards 2016*, the following provisions of the *Public Sector Management Standards 2006 (repealed)* continue to apply to executives:

a) part 3.6 (recognition of prior service on appointment or engagement);

b) part 4.1 (continuity of service);

c) part 5.5 (payment in lieu of entitlements on cessation of employment or death);

d) part 9.6 (executive employee and statutory office-holder leave and other entitlements).

9.2 Leave entitlements, salary sacrifice arrangements and vacation childcare subsidy are provided to executives under Division 5.6 of the *Public Sector Management Standards 2016*, as amended from time to time.

10 Definitions

10.1 In this Determination:

Public Benevolent Institution means a charity whose main purpose is to relieve poverty, sickness, suffering or disability.

employer means the Australian Capital Territory and includes any person authorised to act on behalf of the Australian Capital Territory.

executive means the Head of Service, a Director-General or an ACTPS Executive.

fringe benefits tax means the tax assessed under the *Fringe Benefits Tax Assessment Act 1986*.

11 Revocation of previous Determination

11.1 Determination 1 of 2024 is revoked.

Ms Sandra Lambert AM
Chair

Ms Pam Davoren PSM
Member

Mr Michael Manthorpe PSM FIPAA
Member

31 March 2025