



New South Wales

Annual Reports (Departments) Amendment Regulation 2014

under the

Annual Reports (Departments) Act 1985

His Excellency the Lieutenant-Governor, with the advice of the Executive Council, has made the following Regulation under the *Annual Reports (Departments) Act 1985*.

ANDREW CONSTANCE, MP
Treasurer

Explanatory note

The object of this Regulation is to amend the *Annual Reports (Departments) Regulation 2010* as a consequence of the enactment of the *Government Sector Employment Act 2013*.

This Regulation is made under the *Annual Reports (Departments) Act 1985*, including sections 9 and 20.

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1 Name of Regulation

This Regulation is the *Annual Reports (Departments) Amendment Regulation 2014*.

2 Commencement

This Regulation commences on the day on which it is published on the NSW legislation website.

Schedule 1 Amendment of Annual Reports (Departments) Regulation 2010

[1] Clause 3 Definitions

Omit the definitions of *executive officer*, *executive position*, *level* and *remuneration package* from clause 3 (1).

[2] Clause 3 (1)

Insert in alphabetical order:

senior executive means:

- (a) a Public Service senior executive under the *Government Sector Employment Act 2013*, or
- (b) an executive employed in the NSW Police Force Senior Executive Service, or
- (c) a member of the executive staff of a body who is employed by that body and is not employed in the Public Service.

senior executive band means:

- (a) in the case of a Public Service senior executive—the senior executive band in which the executive is employed under the *Government Sector Employment Act 2013*, or
- (b) in the case of any other senior executive—the senior executive band under the *Government Sector Employment Act 2013* that includes the remuneration package to which the executive is entitled (or that includes the closest remuneration package to the remuneration package to which the executive is entitled).

In the case of an executive employed in the NSW Police Force Senior Executive Service:

- (a) a SES 1–3 executive is taken to be employed in Band 1, and
- (b) a SES 4 or 5 executive is taken to be employed in Band 2, and
- (c) a SES 6 or 7 executive is taken to be employed in Band 3, and
- (d) a SES 8 executive is taken to be employed in Band 4.

[3] Clause 7 Performance of executive officers—additional matter for inclusion in annual reports

Omit the clause.

[4] Clause 8

Omit the clause. Insert instead:

8 Numbers and remuneration of senior executives

- (1) The report of the operations of a Department is to include the following particulars about the staff of the Department:
 - (a) the number of senior executives employed in the Department at the end of the reporting year (including the number employed in each senior executive band and the number of each gender employed in each senior executive band), compared with the numbers at the end of the previous reporting year,
 - (b) the average total remuneration package of senior executives employed in each senior executive band in the Department at the end of the

- reporting year, compared with the average total remuneration package at the end of the previous reporting year,
- (c) the percentage of total employee-related expenditure of the Department in the reporting year that relates to senior executives, compared with the percentage at the end of the previous reporting year.
- (2) For the purposes of this clause:
- (a) an employee of a Department is taken to be a senior executive if the employee is acting in, or seconded or temporarily assigned to, the role of a senior executive in the Department at the end of the reporting year, and
 - (b) a senior executive who is acting in, or seconded or temporarily assigned to, a higher band in a Department at the end of the reporting period is taken to be employed in that higher band, and
 - (c) a transitional former senior executive under Schedule 4 to the *Government Sector Employment Act 2013* is a senior executive for the purposes of this clause.
- (3) In the case of the 2013–2014 reporting year, a comparison with information in the previous reporting year is not required.

[5] Clause 15 Exemption for small Departments to report annually on certain matters

Omit “Equal employment opportunity” from clause 15 (2) (b).

Insert instead “Workforce diversity”.

[6] Schedule 1 Report of operations

Omit the matter relating to Equal employment opportunity. Insert instead:

Workforce diversity A statement setting out the workforce diversity achievements of the Department during the reporting year and the key workforce diversity strategies proposed by the Department for the following year.
Statistical information for the reporting year of such kind, and set out in such form, as is determined by the Secretary of the Treasury.