



New South Wales

Annual Reports (Statutory Bodies) Amendment Regulation 2014

under the

Annual Reports (Statutory Bodies) Act 1984

His Excellency the Lieutenant-Governor, with the advice of the Executive Council, has made the following Regulation under the *Annual Reports (Statutory Bodies) Act 1984*.

ANDREW CONSTANCE, MP
Treasurer

Explanatory note

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

This Regulation is made under the *Annual Reports (Statutory Bodies) Act 1984*, including sections 7 and 17.

Annual Reports (Statutory Bodies) Amendment Regulation 2014

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Annual Reports (Statutory Bodies) Act 1984

1 Name of Regulation

This Regulation is the *Annual Reports (Statutory Bodies) 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 (Statutory Bodies) 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 officer employed in the Transport Senior Service under the *Transport Administration Act 1988*, or
- (c) a person who is concerned in, or takes part in, the management of a statutory State owned corporation or any of its subsidiaries (regardless of the person's designation and whether or not the person is a director of the corporation), or
- (d) a member of the executive staff of a university, or
- (e) 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 that Act 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).

[3] Clause 11 Performance of executive officers—additional matter for inclusion in annual reports

Omit the clause.

[4] Clause 14

Omit the clause. Insert instead:

14 Numbers and remuneration of senior executives

- (1) The report of the operations of a statutory body is to include the following particulars about the staff of the statutory body:
 - (a) the number of senior executives employed in the statutory body 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 statutory body 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 statutory body 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 statutory body 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 statutory body 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 statutory body 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 20 Exemption for small statutory bodies to report annually on certain matters

Omit clause 20 (2). Insert instead:

- (2) In making any such determination, the Secretary may take into consideration the number of members of staff of the statutory body.

[6] Clause 20 (3) (b)

Omit “Equal employment opportunity”. Insert instead “Workforce diversity”.

[7] 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 statutory body during the reporting year and the key workforce diversity strategies proposed by the statutory body 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.
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