

Statutory and Other Offices Remuneration Amendment (Judicial and Other Office Holders) Act 2013 No 29

[2013-29]



New South Wales

Status Information

Currency of version

Repealed version for 27 May 2013 to 1 July 2013 (accessed 17 July 2024 at 23:19)

Legislation on this site is usually updated within 3 working days after a change to the legislation.

Provisions in force

The provisions displayed in this version of the legislation have all commenced.

Notes—

- **Repeal**

The Act was repealed by sec 30C of the [Interpretation Act 1987 No 15](#) with effect from 2.7.2013.

Authorisation

This version of the legislation is compiled and maintained in a database of legislation by the Parliamentary Counsel's Office and published on the NSW legislation website, and is certified as the form of that legislation that is correct under section 45C of the [Interpretation Act 1987](#).

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New South Wales

An Act to amend the *Statutory and Other Offices Remuneration Act 1975* to require the Statutory and Other Offices Remuneration Tribunal to give effect to certain government policies in making determinations under Part 3 of that Act concerning the remuneration of judicial and other office holders.

1 Name of Act

This Act is the *Statutory and Other Offices Remuneration Amendment (Judicial and Other Office Holders) Act 2013*.

2 Commencement

This Act commences on a day to be appointed by proclamation.

Schedule 1 Amendment of *Statutory and Other Offices Remuneration Act 1975 (1976 No 4)*

[1] Section 6AA Tribunal to give effect to declared government policy on remuneration of chief executive and senior executive office holders

Omit section 6AA (1). Insert instead:

- (1) This section applies to the determination under Part 3A (Remuneration packages for chief executive and senior executive office holders) of any alteration in the remuneration packages for executive office holders within the meaning of that Part.

[2] Section 6AB

Insert after section 6AA:

6AB Tribunal to give effect to declared government policy on remuneration

of office holders under Part 3

- (1) This section applies to the determination under Part 3 (Remuneration of office holders (other than chief executive or senior executive office holders)) of any alteration in the remuneration to be paid to office holders within the meaning of that Part.
- (2) The Tribunal must, when making a determination to which this section applies, give effect to any policy concerning the remuneration of office holders:
 - (a) that is declared by the regulations to be an aspect of government policy that is required to be given effect to by the Tribunal, and
 - (b) that applies to the matter to which the determination relates.
- (3) Any such regulation may declare a policy by setting out the policy in the regulation or by adopting a policy set out in a relevant document referred to in the regulation.
- (4) This section extends to any inquiries that are pending in the Tribunal on the commencement of this section. A regulation made under this section extends to any inquiries that are pending in the Tribunal on the commencement of the regulation, unless the regulation otherwise provides.
- (5) This section has effect despite any other provision of this Act (other than sections 16 (6) and 21) or any other Act.

Note—

Section 16 (6) provides that a determination under Part 3 may be made so as to apply differently as between two or more persons holding the same office, being an office specified in Schedule 2 or 3 but not Schedule 1.

Section 21 prevents a determination under Part 3 from operating to reduce the rate at which remuneration is paid to the holder of an office specified in Schedule 1.

The offices specified by Schedule 1 include certain judicial offices.

[3] Schedule 6 Savings, transitional and other provisions

Insert at the end of clause 1 (1):

any other Act that amends this Act

[4] Schedule 6

Insert at the end of the Schedule with appropriate Part and clause numbers:

Part Provision consequent on enactment of [Statutory and](#)

Other Offices Remuneration Amendment (Judicial and Other Office Holders) Act 2013

Making of first principal regulation after amendments

Section 5 of the *Subordinate Legislation Act 1989* is taken not to apply to the first regulation made under this Act after the commencement of the *Statutory and Other Offices Remuneration Amendment (Judicial and Other Office Holders) Act 2013*.