

STATUTORY AND OTHER OFFICES REMUNERATION TRIBUNAL

Report and Determination for Mr Andrew Cappie-Wood in the role of Secretary of the Department of Justice pursuant to Section 24P of the *Statutory and Other Offices Remuneration Act 1975*.

PREMIER'S DIRECTION

1. On 13 June 2018 the Statutory and Other Offices Remuneration Tribunal (the Tribunal) received a request from the Premier, the Hon Gladys Berejiklian MP, pursuant to section 24P of the *Statutory and Other Offices Remuneration Act 1975* (the SOOR Act) to make a determination as to whether, and (if so) how, the determination of the range of remuneration packages of Band 4 Public Service senior executives (PSSE) should be altered in relation to Mr Andrew Cappie-Wood in the role of Secretary of the Department of Justice.
2. Section 24P of the SOOR Act provides for the Premier to direct the Tribunal to make a special determination in the following terms:

24P Special determinations

If the Minister so directs, the Tribunal is required to make (not later than the day specified in the direction as the day on or before which the determination is to be made) a determination as to whether, and (if so) how, any determination already made should be altered in relation to remuneration packages as are referred to in the direction.

3. The Secretary of the Department of Justice is a PSSE Band 4 – Secretary Level role. The determination already made in respect of PSSE Band 4 – Secretary Level is the Tribunal's 2017 annual determination which provides the following remuneration package range:

Band	Per annum range	
Band 4 - Secretary level	\$463,551	\$535,550

4. This determination will alter the annual determination in respect of the remuneration range for Band 4 in relation to the remuneration package for Mr Cappie-Wood in the role of Secretary of the Department of Justice.

BACKGROUND

5. The Premier has advised that Mr Cappie-Wood is currently a transitional former senior executive and is currently receiving a remuneration package as determined for the Chief and Senior Executive Service.
6. Mr Cappie-Wood's current contract of employment will expire on 1 December 2018. The Premier has advised that she intends to appoint for Mr Cappie-Wood for a further term from

2 December 2018 to 30 June 2019. Mr Cappie-Wood will become a PSSE on the commencement of his new term appointment and will require a remuneration package consistent with remuneration packages for PSSEs.

7. The Premier has advised that it is appropriate for Mr Cappie-Wood to continue to receive his current remuneration package for the term of his new appointment, including any general increase which the Tribunal may determine with effect from 1 July 2018.
8. In accordance with the Premier's request the Tribunal is of the view that the remuneration package for Mr Cappie-Wood in the role of Secretary of the Department of Justice will be \$566,550 per annum. This determination takes into account the general increase the Tribunal proposes to make from 1 July 2018 and no further adjustment is required.
9. The determination is made in accordance with section 24R(3)(a) of the SOOR Act, which provides for the Tribunal to fix a remuneration package for a particular senior executive named in the determination. Consistent with the Premier's request, this determination is personal to Mr Cappie-Wood and is not a determination that applies to the office of Secretary of the Department of Justice or to future appointments to the role.

DETERMINATION

Pursuant to section 24P of the *Statutory and Other Offices Remuneration Act 1975* the Tribunal determines that the range of remuneration packages of Band 4 Public Service senior executives is altered to provide Mr Andrew Cappie-Wood, in the role of Secretary of the Department of Justice, with a remuneration package of \$566,550 per annum, effective from the date of his new appointment being 2 December 2018.

Band	Per annum range			
Band 4 - Secretary level	\$463,551	To	\$535,550	Mr Andrew Cappie-Wood, Secretary, Department of Justice: \$566,550 per annum

Statutory and Other Offices Remuneration Tribunal

Signed

25 June 2018