

Annual Determination

Report and Determination under section
13 of the *Statutory and Other Offices
Remuneration Act 1975*

22 July 2025

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Section 1

Background

Legislative Framework

1. Section 13 of the *Statutory and Other Offices Remuneration Act 1975* (the SOOR Act) requires the Statutory and Other Offices Remuneration Tribunal (the Tribunal) to make an annual determination for the remuneration to be paid to office holders each year. Section 10A defines 'remuneration' as salary or allowances paid in money.
2. The Governor is an office holder listed in Schedule 1 of the SOOR Act.
3. By the operation of Schedule 6 of the SOOR Act and earlier decisions of the Tribunal, the effective date of the annual determination as it applies to the Governor is 1 October in each review year.

NSW Government Wages Policy

4. When making determinations under Part 3 of the SOOR Act, the Tribunal is required to give effect to any policy concerning the remuneration of Office Holders as declared by the regulations. Section 6AB of the SOOR Act applies to the Tribunal's determinations in respect to the Governor.
5. *The Statutory and Other Offices Remuneration Amendment Act 2023* commenced on 1 June 2023. It amended the SOOR Act to provide for a temporary freeze in remuneration for Office Holders under Part 3 and Executive Office Holders and Senior Executives under Parts 3A and 3B. The temporary freeze expired on 30 June 2025.
6. On 23 August 2024 the *Statutory and Other Offices Remuneration Regulation 2024* (SOOR Regulation) commenced. The SOOR Regulation repealed and

replaced the *Statutory and Other Offices Remuneration (Judicial and Other Office Holders) Regulation 2013*, with amendments.

7. In anticipation of the scheduled expiry of provisions relating to the 2 year freeze, the *Statutory and Other Offices Remuneration Amendment Regulation 2024* (Amendment Regulation) was made. It amends the *Statutory and Other Offices Remuneration (Judicial and Other Office Holders) Regulation 2024* by renaming the regulation to reflect its expanded application; repealed the *Statutory and Other Offices (Executive Office Holders and Senior Executives) Regulation 2023*; and importantly; and importantly inserted a new provision under clause 6A to ensure that when making a determination, the Tribunal takes into account the NSW Government's fiscal position. It states:

"the Tribunal must have regard to the fiscal position and outlook of the Government, and the likely effect of making the determination on the position and outlook."

2024 Annual Determination

8. The Tribunal was required to give effect to the *Statutory and Other Offices Remuneration (Judicial and Other Office Holders) Regulation 2013* and the temporary wages policy. For this reason, on 15 July 2024, the Tribunal determined that there would be no increase applied to the salary payable to the Governor from 1 October 2024.

Section 2

2025 Annual Review

NSW Government Submission

9. In January 2025, the Tribunal invited the Secretary of the Premier's Department to make a submission on behalf of the NSW Government prior to making its Annual Report and Determination.
10. The Secretary of the Premier's Department provided the NSW Government submission to the Tribunal on 4 April 2025. The submission supported an increase of 3.5% consistent with the NSW Government's Fair Pay and Bargaining Policy 2024-25.

11. The submission contends that:

“an increase to remuneration which exceeds 3.5 per cent would pose a risk to the NSW's budget position, current credit ratings and increase the State's debt burden.”

Superannuation Guarantee Contributions

12. From 1 July 2025, the general Superannuation Guarantee Contribution (SGC) increases from 11.50% to 12.00%¹
13. As explained in earlier determinations, the Tribunal's previous approach to superannuation increases, in respect to office holders not eligible to receive a judicial pension was to adjust remuneration for office holders not entitled to a judicial pension to account for the cost of SGC rises.

¹ Australian Taxation Office, [Super Guarantee](#), ATO, 2025

14. This was due to the practical impact of the NSW Government Wages Policy in place at that time, and the *Statutory and Other Offices Remuneration (Judicial and Other Office Holders) Regulation 2013*, which has since been repealed. This regulation required that the Tribunal take into account the cost of SGC increases in determining remuneration.
15. Given that there is a new Regulation and NSW Government Wages Policy (Fair Pay and Bargaining Policy 2024-25) in place, the Tribunal is of the view that it is no longer required to reduce any increase in remuneration to take account of scheduled statutory SGC increases.
16. It is notable that the remuneration set out in this determination is for salary exclusive on any SGC payments, and that SGC contributions are limited by a maximum contribution base that sits below the level of salary for most judicial officers and other office holders. This limits the overall impact of adjustments to the SGC rate.
17. For this reason, the Tribunal has determined that the remuneration increase will be **in addition** to the SGC increase effective from 1 July 2025.

Section 3

2025 Annual Determination

General Increase

18. After considering the submission received and the provisions of s 6AB of the SOOR Act, the Tribunal finds the salary payable to the Governor should receive an increase of **3.5%**. This increase **is in addition** to any SGC increases provided.
19. In making this Annual Determination, the Tribunal consulted with the Secretary of the Premier's Department, in their capacity as Assessor under the SOOR Act. The other assessor role is currently vacant.
20. Pursuant to s 13 and to Part 3 of Schedule 6 of the SOOR Act, the Tribunal determines that the remuneration to be paid to the holder of the office of Governor on and from 1 October 2025 shall be as specified in **Determination No. 1**.

Statutory and Other Offices Remuneration Tribunal

A handwritten signature in blue ink, appearing to read 'Michael Knight', with a long horizontal flourish extending to the right.

The Hon. Michael Knight AO

Dated: 22 July 2025

Section 4

Determinations

Determination No. 1 – Remuneration of the office of the Governor of NSW effective on and from 1 October 2025

Public Office Holder	Salary per annum
Governor	\$539,980

Statutory and Other Offices Remuneration Tribunal



The Hon. Michael Knight AO

Dated: 22 July 2025