

STATUTORY AND OTHER OFFICES REMUNERATION TRIBUNAL

Report and Determination for Mr Peter Duncan AM in the role of Secretary, Premier's Department, and Secretary, The Cabinet Office, pursuant to Section 24P of the *Statutory and Other Offices Remuneration Act 1975*.

PREMIER'S DIRECTION

1. In correspondence dated 26 June 2023 the Statutory and Other Offices Remuneration Tribunal (the Tribunal) received a request from the Premier, the Hon Chris Minns 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 should be altered in relation to Mr Peter Duncan in the dual roles of Secretary, Premier's Department (PD), and Secretary, The Cabinet Office (TCO).
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 roles are both Public Service senior executive (PSSE) Band 4 – Secretary Level roles. The determination already made in respect of PSSE Band 4 – Secretary Level is the Tribunal's 2022 annual determination which provides the following remuneration package range:

Band	Per annum range		
Band 4 - Secretary level	\$509,251	to	\$588,250

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 Duncan in the roles of Secretary PD and Secretary TCO.

BACKGROUND

5. Mr Duncan is currently the acting Secretary, Department Premier and Cabinet (DPC). On 1 July 2023, DPC will be abolished and replaced with PD and TCO.
6. The Premier has advised that Mr Duncan is to be appointed on an interim basis to the dual roles of Secretary PD and Secretary TCO, from 1 July 2023 until 31 August 2023, or if required, until such time that the recruitment process is finalised. The Premier has advised that it is appropriate that Mr Duncan receive a total remuneration package consistent with his current remuneration acting Secretary of DPC, being \$657,750 per annum.
7. Mr Duncan is a former longstanding NSW public servant. Among other senior roles, he has been CEO of Roads and Maritime Services, Director General of the Department of Services Technology and Administration, and for 3 years was Deputy Director General of the Department of Premier and Cabinet, with extensive periods acting as the Director General.
8. In accordance with the Premier's recommendation the Tribunal determines that Mr Duncan in the roles of Secretary of PD and Secretary TCO shall receive one remuneration package of \$657,750 per annum, for the duration of either or both appointments.
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 senior executive named in the determination. Consistent with the Premier's request, this determination is personal to Mr Duncan and is not a determination that applies to the office of Secretary of PD, Secretary TCO or to future appointments to these roles.

DETERMINATION

Pursuant to section 24P of the *Statutory and Other Offices Remuneration Act 1975* the Tribunal determines that the 2022 range of remuneration packages of Band 4 Public Service senior executives is altered to provide Mr Duncan, in the roles of Secretary of PD and Secretary TCO (held either together or separately), with one remuneration package of \$657,750 per annum effective on and from the date of his appointment, being 1 July 2023 until 31 August 2023, or until such time that recruitment for Secretary PD and Secretary TCO is finalised.

Band	Per annum range			
Band 4 - Secretary level	\$509,251	to	\$588,250	Mr Peter Duncan AM, Secretary PD and Secretary TCO: \$657,750 per annum.

Statutory and Other Offices Remuneration Tribunal



The Hon. Greg Pearce

Date 29 June 2023