

STATUTORY AND OTHER OFFICES REMUNERATION TRIBUNAL

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

PREMIER'S DIRECTION

1. In correspondence dated 13 April 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 role of acting Secretary, Department of Premier and Cabinet (DPC).
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 DPC is a Public Service senior executive (PSSE) Band 4 – Secretary Level role. 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 role of Acting Secretary of DPC.

BACKGROUND

5. The Premier has advised that Mr Duncan is to be appointed to the role of acting Secretary DPC, from 17 April until 16 July 2023. The Premier has advised that it is appropriate that Mr Duncan receive a total remuneration package consistent with current remuneration Secretary of DPC, being \$657,750.
6. In determining appropriate remuneration, the Tribunal also had regard to the responsibilities of the role and Mr Duncan's experience. In addition to being the current Commissioner and Deputy Chair of the Independent Planning Commission NSW, Mr Duncan is a former Chief Executive Officer of Roads and Maritime Services, and former Deputy Director General Department of Premier and Cabinet.
7. In accordance with the Premier's recommendation the Tribunal determines that Mr Duncan in the role of acting Secretary of DPC shall receive remuneration of \$657,750 per annum for the duration of the appointment.
8. 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 DPC 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 2022 range of remuneration packages of Band 4 Public Service senior executives is altered to provide Mr Duncan, in the role of acting Secretary of DPC, with a remuneration package of \$657,750 per annum effective on and from the date of his appointment, being 17 April 2023 until 16 July 2023.

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

Statutory and Other Offices Remuneration Tribunal

A handwritten signature in blue ink, appearing to read 'Greg Pearce', written in a cursive style.

The Hon. Greg Pearce

17 April 2023