

Public Service Act 1999

Determination under subsection 24(3)

1. I, John Howard, Prime Minister, being of the opinion that it is necessary to do so because of exceptional circumstances, hereby determine that the remuneration and other conditions of employment of the Mersey Hospital APS employees:
 - a) are not determined under the Department of Health and Ageing Collective Agreement 2007-2010, the preserved Australian Pay and Classification Scale derived from the Australian Public Service Award 1998 or the Australian Public Service Award 1998; and
 - b) shall be the same remuneration and other conditions of employment that the employee enjoyed as a Tasmanian State Service employee performing duties at Mersey Campus of the North West Regional Hospital, Tasmania immediately before becoming an APS employee other than those terms and conditions to which the employees are entitled under Commonwealth law; or
 - c) if the Mersey Hospital APS Employee was not previously employed in the Tasmanian State Service, shall be the remuneration and other conditions of employment that he or she would have enjoyed as a Tasmanian State Service employee performing the same duties at Mersey Campus of the North West Regional Hospital, Tasmania other than those terms and conditions to which the employee is entitled under Commonwealth law.
2. In this Determination:

“Mersey Hospital APS Employees” means those APS employees in the Department of Health and Ageing who perform duties in the Mersey Hospital, Tasmania.
3. The reference in clause 1.b) of this Determination to ‘same remuneration and other conditions of employment that the employee enjoyed as a Tasmanian State Service employee performing duties at Mersey Campus of the North West Regional Hospital, Tasmania’ shall be taken as including a reference to any additional, increased or improved remuneration and other conditions of employment that the employee would otherwise be entitled to had the employee remained as an employee or been engaged as an employee any time up until and including 30 June 2008.

Dated this 30 day of October 2007

John Howard
Prime Minister