

Public Service Act 1999

**Determination under subsection 24(3) – Non-SES employees - amendment of
determination of 18 September 2013 (No.2)**

I, Eric Abetz, Minister Assisting the Prime Minister for the Public Service, being of the opinion that it is desirable to do so because of exceptional circumstances, hereby amend the Determination made on 18 September 2013 under subsection 24(3) of the *Public Service Act 1999, Determination under subsection 24(3) – Non-SES employees moved between APS agencies to give effect to the Administrative Arrangements Orders made by the Governor-General in Council on 18 September 2013* (as amended on 31 October 2013), as set out in the Schedule, to take effect on and from 30 January 2014.

Dated this 29th day of January 2014

Eric Abetz
Minister Assisting the Prime Minister for the Public Service

SCHEDULE – Amendments

1. After paragraph 5

Add:

- 5A. This Determination ceases to apply to an employee with effect from 30 January 2014 if the employee is an employee in:
- (a) the Attorney-General's Department; or
 - (b) the Australian Trade Commission; or
 - (c) the Department of the Environment; or
 - (d) the Department of Foreign Affairs and Trade; or
 - (e) the Department of Industry; or
 - (f) the Department of the Treasury.
- 5B. However, the annual salary that applies to the employee on 30 January 2014 is the greater of:
- (a) the annual salary that applied to the employee immediately before 30 January 2014; and
 - (b) the annual salary that would, apart from this clause, apply to the employee on 30 January 2014.
- 5C. The annual salary worked out under clause 5B ceases to apply when the salary of the employee is increased by:
- (a) a fair work instrument within the meaning of the *Fair Work Act 2009*; or
 - (b) a transitional instrument within the meaning of the *Fair Work (Transitional Provisions and Consequential Amendments) Act 2009*; or
 - (c) a determination under subsection 24(1) or (3) of the *Public Service Act 1999*; or
 - (d) a written contract of employment.