**Remuneration and Allowances Act 1979**

**No. 140 of 1979**

An Act relating to certain remuneration and allowances.

BE IT ENACTED by the Queen, and the Senate and House of Representatives of the Commonwealth of Australia, as follows:

PART I—PRELIMINARY

**Short title**

**1.** This Act may be cited as the *Remuneration and Allowances Act* 1979.

**Commencement**

**2.** (1) Subject to sub-section (2), this Act shall come into operation on the day on which it receives the Royal Assent.

(2) The amendments made by sections 9 and 10 shall be deemed to have taken effect on 1 July 1979.

PART II—MODIFICATIONS OF DETERMINATIONS OF THE REMUNERATION TRIBUNAL

**Allowances to be paid to Ministers of State**

**3.** (1) Determination Number 6 of 1979 of the Remuneration Tribunal dated 5 June 1979 relating to the allowances to be paid to Ministers of State is modified with effect from the commencement of this section by omitting the Table and substituting the following Table:

|  |  |
| --- | --- |
| Office | Rate per annum of Special Allowance |
|  | $ |
| Prime Minister | 14,167 |
| Deputy Prime Minister | 7,084 |
| Treasurer | 7,084 |
| Leader of the House | 7,084 |
| Leader of the Government in the Senate | 7,084 |
| Other Ministers | 5,903 |

(2) Determination Number 6 of 1979 of the Remuneration Tribunal as modified by sub-section (1) has effect as if it were a determination of the Remuneration Tribunal.

**Allowances to be paid to office holders of the Parliament**

**4.** (1) Determination Number 7 of 1979 of the Remuneration Tribunal dated 5 June 1979 relating to the allowances to be paid to members of the Parliament by reason of their holding particular offices, or performing particular functions, in or in relation to the Parliament or either House of the Parliament is modified with effect from the commencement of this section by omitting the Table in paragraph 1 and substituting the following Table:

|  |  |  |
| --- | --- | --- |
| Office | Rate per annum of Additional Salary | Rate per annum of Special Allowance |
|  | $ | $ |
| Leader of the Opposition | 12,611 | 7,084 |
| President of the Senate | 11,269 | 5,903 |
| Speaker of the House of Representatives | 11,269 | 5,903 |
| Deputy Leader of the Opposition | 9,123 | 5,635 |
| Leader of the Opposition in the Senate | 9,123 | 5,635 |
| Deputy Leader of the Opposition in the Senate | 4,561 | 1,181 |
| Chairman of Committees in the Senate | 4,830 | 1,181 |
| Chairman of Committees in the House of Representatives | 4,830 | 1,181 |
| Government Whip in the House of Representatives | 4,561 | 1,181 |
| Opposition Whip in the House of Representatives | 4,025 | 1,181 |
| Government Whip in the Senate | 3,756 | 1,181 |
| Opposition Whip in the Senate | 3,756 | 1,181 |
| Chairman of the Joint Committee of Public Accounts | 1,073 | 590 |
| Chairman of the Parliamentary Standing Committee on Public Works | 1,073 | 590 |
| Third Party Whip in the House of Representatives | 2,683 | .. |
| Deputy Government Whip in the House of Representatives | 1,342 | .. |
| Chairman of a Parliamentary Committee other than Public Accounts or Public Works | 644 | .. |
| Third Party Whip in the Senate | 644 | .. |
| Deputy Government Whip in the Senate | 644 | .. |
| Deputy Opposition Whip in the Senate | 644 | .. |
| Deputy Opposition Whip in the House of Representatives | 644 | .. |
| Deputy Chairman of Committees in the Senate | 644 | .. |
| Deputy Chairman of Committees in the House of Representatives | 644 | .. |

(2) Determination Number 7 of 1979 of the Remuneration Tribunal dated 5 June 1979 relating to the allowances to be paid to members of the Parliament by reason of their holding particular offices, or performing particular functions in, or in relation to, the Parliament or either House of the Parliament is modified with effect from the commencement of this section by omitting from paragraph 2 “of $1,090 per annum, for” and substituting “referred to in paragraph 1 payable to”.

(3) Determination Number 7 of 1979 of the Remuneration Tribunal as modified by sub-sections (1) and (2) has effect as if it were a determination of the Remuneration Tribunal.

**Allowances to be paid to members of the Parliament**

**5.** (1) Determination Number 8 of 1979 of the Remuneration Tribunal dated 5 June 1979 relating to the allowances (including allowances in accordance with section 48 of the Constitution) to be paid to members of the Parliament by reason of their membership of the Parliament is modified with effect from the commencement of this section by omitting paragraph 1 (including the footnote to that paragraph) and substituting the following paragraph:

1. Basic salary

|  |  |
| --- | --- |
| Office | Rate per annum of Basic Salary |
|  | $ |
| Senator or member | 27,575 |

(2) Determination Number 8 of 1979 of the Remuneration Tribunal as modified by sub-section (1) has effect as if it were a determination of the Remuneration Tribunal.

**Travelling allowances to shadow ministers**

**6.** (1) Determination Number 9 of 1979 of the Remuneration Tribunal dated 5 June 1979 relating, among the other matters, to the travelling allowances to be paid to members of the Parliament by reason of their holding particular offices, or performing particular functions, in or in relation to the Parliament or either House of the Parliament is modified with effect from the commencement of this section by omitting paragraph 20 and substituting the following paragraph:

“20. A senator or member who is a shadow minister may, when travelling outside his electorate in the performance of duties or functions connected with his office of shadow minister, be paid travelling allowance in respect of not more than forty overnight stays per annum.”.

(2) Determination Number 9 of 1979 of the Remuneration Tribunal as modified by sub-section (1) has effect as if it were a determination of the Remuneration Tribunal.

**Modified Determination not subject to Parliamentary disallowance**

**7.** Sub-section 7(8) of the *Remuneration Tribunals Act* 1973 does not apply to a determination of the Remuneration Tribunal to which section 3, 4, 5 or 6 of this Act applies.

PART III—AMENDMENTS OF THE REMUNERATION AND ALLOWANCES ACT 1973

**Citation**

**8.** The *Remuneration and Allowances Act* 1973 is in this Part referred to as the Principal Act.

**Salaries and allowances of holders of certain offices**

**9.** Section 13 of the Principal Act is amended—

(a) by omitting from paragraph (c) of sub-section (1) “(if any)”;

(b) by omitting sub-section (4) and substituting the following sub-section:

“(4) If the person who holds the office of Chairman of the Law Reform Commission also holds the office of—

(a) Judge (other than Chief Judge) of the Federal Court of Australia;

(b) Judge (other than Chief Judge) of the Supreme Court of the Australian Capital Territory;

(c) Judge (other than Chief Judge) of the Supreme Court of the Northern Territory; or

(d) Deputy President of the Australian Conciliation and Arbitration Commission,

he shall, while he continues to hold both those offices, receive, in respect of his office as Chairman of the Law Reform Commission, in addition to the salary and annual allowance by which he is remunerated in respect of the other office held by him, an annual allowance at the rate of $275 per annum.”; and

(c) by omitting from sub-section (5) “$55” and substituting “$60”.

**Schedule**

**10.** Schedule 3 to the Principal Act is repealed and the following Schedule substituted:

SCHEDULE 3 Section 13

|  |  |  |  |
| --- | --- | --- | --- |
| Column 1 | Column 2 Rate per annum of Salary | Column 3 Rate per annum of Annual Allowance | Column 4 Rate per day of Travelling Allowance |
|  | $ | $ | $ |
| PART I |  |  |  |
| Chief Justice of the High Court | 65,000 | 3,900 | 67 |
| Justice (other than the Chief Justice) of the High Court | 59,000 | 3,250 | 67 |
| PART II |  |  |  |
| Chief Judge of the Federal Court of Australia | 55,000 | 2,975 | 60 |
| Chief Judge of the Supreme Court of the Australian Capital Territory | 51,500 | 2,975 | 60 |
|
| Chief Judge of the Supreme Court of the Northern Territory | 51,500 | 2,975 | 60 |
|
| Chief Judge of the Family Court of Australia | 50,000 | 2,975 | 60 |
| President of the Administrative Appeals Tribunal | 50,000 | 2,975 | 60 |
| President of the Trade Practices Tribunal | 50,000 | 2,975 | 60 |
| Director-General of Security | 50,000 | 2,975 | 60 |
| Chairman of the Commonwealth Grants Commission | 50,000 | 2,975 | 60 |
| Judge (other than the Chief Judge) of the Federal Court of Australia | 50,000 | 2,700 | 60 |
| Judge (other than the Chief Judge) of the Supreme Court of the Australian Capital Territory | 50,000 | 2,700 | 60 |
| Judge (other than the Chief Judge) of the Supreme Court of the Northern Territory | 50,000 | 2,700 | 60 |

|  |  |  |  |
| --- | --- | --- | --- |
| Column 1 | Column 2 Rate per annum of Salary | Column 3 Rate per annum of Annual Allowance | Column 4 Rate per day of Travelling Allowance |
|  | $ | $ | $ |
| Chief Judge of the Australian Industrial Court | 48,000 | 2,700 | 60 |
| Judge (other than the Chief Judge) of the Australian Industrial Court | 46,000 | 2,700 | 60 |
| Judge of the Federal Court of Bankruptcy | 46,000 | 2,700 | 60 |
| Senior Judge of the Family Court of Australia | 44,000 | 2,700 | 60 |
| Judge (other than the Chief Judge or a Senior Judge) of the Family Court of Australia | 40,500 | 2,700 | 60 |

**NOTES**

1. Act No. 140, 1979; assented to 23 November 1979.

2. Act No. 14, 1973, as amended. For previous amendments *see* Act No. 203, 1973; No. 216, 1973 (as amended by No. 20, 1974); No. 8, 1975; Nos. 83, 170 and 182, 1976; Nos. 81 and 111, 1977; and No. 166, 1978.