



Remuneration and Allowances Amendment Act 1984

No. 73 of 1984

An Act relating to certain remuneration and allowances

[Assented to 25 June 1984]

BE IT ENACTED by the Queen, and the Senate and the 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 Amendment Act 1984*.

Commencement

2. This Act shall come into operation on the day on which it receives the Royal Assent.

PART II—AMENDMENTS OF THE REMUNERATION AND ALLOWANCES ACT 1973

Principal Act

3. The *Remuneration and Allowances Act 1973*¹ is in this Part referred to as the Principal Act.

Salaries and allowances of certain office holders

4. (1) Section 13 of the Principal Act is amended—

- (a) by omitting from sub-section (1) “Schedule 3” and substituting “the Schedule”;
- (b) by omitting from sub-section (1) “that” (wherever occurring) and substituting “the”;
- (c) by omitting from paragraph (1) (b) “annual allowance” and substituting “expenses of office allowance”;
- (d) by inserting in sub-section (2) “or while he was a member of the Inter-State Commission” after “Parliament”;
- (e) by inserting in sub-section (2) “or as a member of the Inter-State Commission, as the case may be” after “courts” (second occurring);
- (f) by omitting from sub-section (2) “annual allowance” and substituting “expenses of office allowance”;
- (g) by inserting in sub-section (2) “or as a member of the Inter-State Commission, as the case may be” after “courts” (last occurring);
- (h) by omitting from sub-section (2) “judicial”;
- (j) by omitting from sub-section (2) “annual allowances” and substituting “expenses of office allowance”;
- (k) by omitting from sub-sections (3) and (4) “annual allowance” (wherever occurring) and substituting “expenses of office allowance”;
- (m) by omitting from sub-section (4) “\$500” and substituting “\$540”; and
- (n) by inserting after sub-section (4) the following sub-section:

“(5) If the person who holds the office (in this sub-section referred to as the ‘relevant office’) of—

- (a) President of the Administrative Appeals Tribunal;
- (b) President of the Trade Practices Tribunal; or
- (c) Chairman of the Law Reform Commission,

also holds the office of a Judge (other than the Chief Judge) of the Federal Court of Australia (in this sub-section referred to as the ‘judicial office’) he shall, while he continues to hold both the judicial office and the relevant office, receive, in respect of the relevant office, in addition to the salary and expenses of office allowance by which he is remunerated in respect of the judicial office, an expenses of office allowance of \$540 per annum.”.

(2) The persons who, during the period that commenced on 6 October 1983 and ended on 30 April 1984 (in this sub-section referred to as the “relevant period”), held the office (in this sub-section referred to as the “relevant office”) of—

- (a) President of the Administrative Appeals Tribunal;
- (b) President of the Trade Practices Tribunal; or
- (c) Chairman of the Law Reform Commission,

are each entitled to receive, in respect of the relevant period in respect of the relevant office, in addition to the salary and annual allowance by which he was remunerated in respect of the relevant period in respect of the office of a Judge of the Federal Court of Australia held by him, an annual allowance of \$500 per annum.

Travelling allowances payable to holders of certain offices

5. Section 13C of the Principal Act is amended—

- (a) by omitting “Schedule 3” from paragraph (a) of the definition of “office to which this section applies” in sub-section (1) and substituting “the Schedule (other than the office of a member (including the President) of the Inter-State Commission)”;
- (b) by omitting paragraphs (c) and (d) of the definition of “office to which this section applies” in sub-section (1) and substituting the following word and paragraph:
 “; or (c) Deputy President of the Australian Conciliation and Arbitration Commission.”; and
- (c) by omitting sub-section (9).

Schedule

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

“SCHEDULE		Sub-section 13 (1)	
Column 1		Column 2	Column 3
Office		Rate per annum of salary	Rate per annum of expenses of office allowance
		\$	\$
PART I			
Chief Justice of the High Court		100,976	5,430
Justice (other than the Chief Justice) of the High Court		91,747	4,885
PART II			
Chief Judge of the Federal Court of Australia		84,690	4,885
Chief Justice of the Supreme Court of the Australian Capital Territory		79,804	4,885
Chief Judge of the Family Court of Australia		77,633	4,885
Chairman of the Commonwealth Grants Commission		77,633	4,885
Judge (other than the Chief Judge) of the Federal Court of Australia		77,633	4,345
Judge (other than the Chief Justice) of the Supreme Court of the Australian Capital Territory		77,633	4,345
President of the Inter-State Commission		77,633	4,345
Senior Judge of the Family Court of Australia		70,032	3,800

Remuneration and Allowances Amendment No. 73, 1984

Column 1	Column 2	Column 3
Office	Rate per annum of salary	Rate per annum of expenses of office allowance
Judge (other than the Chief Judge or a Senior Judge) of the Family Court of Australia	65,689	3,800
Member (other than the President) of the Inter-State Commission	65,417	1,900

PART III—MODIFICATIONS OF DETERMINATIONS OF THE REMUNERATION TRIBUNAL

Allowances to be paid to Ministers of State

7. (1) Determination Number 5 of 1984 of the Remuneration Tribunal dated 5 April 1984 relating to the allowances to be paid to Ministers of State is modified by omitting the table and substituting the following table:

“

Office	Rate per annum of expenses of office allowance
Prime Minister	\$ 21,170
Deputy Prime Minister	12,485
Treasurer	10,585
Leader of the House	10,585
Leader of the Government in the Senate	10,585
Other Ministers	8,685

”

(2) The determination of the Remuneration Tribunal referred to in sub-section (1) as modified by that sub-section has effect as if it were a determination of the Remuneration Tribunal.

Allowances to be paid to office holders of the Parliament

8. (1) Determination Number 6 of 1984 of the Remuneration Tribunal dated 5 April 1984 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 by omitting paragraph 1 and substituting the following paragraph:

“1. Additional salary, and expenses of office allowance

Remuneration and Allowances Amendment No. 73, 1984

Office	Rate per annum of additional salary	Rate per annum of expenses of office allowance
	\$	\$
Leader of the Opposition	24,104	10,585
President of the Senate	24,104	8,685
Speaker of the House of Representatives	24,104	8,685
Deputy Leader of the Opposition	13,789	8,685
Leader of the Opposition in the Senate	13,789	8,685
Leader of a minority non-Government party recognised in the Senate or House of Representatives	7,329	8,685
Chairman of Committees in the Senate	7,329	1,790
Chairman of Committees in the House of Representatives	7,329	1,790
Deputy Leader of the Opposition in the Senate	6,949	1,790
Government Whip in the House of Representatives	6,949	1,790
Opposition Whip in the House of Representatives	6,080	1,790
Government Whip in the Senate	5,701	1,790
Opposition Whip in the Senate	5,701	1,790
Chairman of the Joint Committee of Public Accounts	5,429	1,790
Chairman of the Parliamentary Standing Committee on Public Works	5,429	1,790
Chairman of the Joint Committee on Foreign Affairs and Defence	2,036	1,790
Chairman of the Joint Committee on the Australian Capital Territory	2,036	1,790
Chairman of the Senate Legislative and General Purpose Standing Committee on Constitutional and Legal Affairs	2,036	1,790
Chairman of the Senate Legislative and General Purpose Standing Committee on Education and the Arts	2,036	1,790
Chairman of the Senate Legislative and General Purpose Standing Committee on Finance and Government Operations	2,036	1,790
Chairman of the Senate Legislative and General Purpose Standing Committee on Foreign Affairs and Defence	2,036	1,790
Chairman of the Senate Legislative and General Purpose Standing Committee on National Resources	2,036	1,790
Chairman of the Senate Legislative and General Purpose Standing Committee on Science and the Environment	2,036	1,790
Chairman of the Senate Legislative and General Purpose Standing Committee on Social Welfare	2,036	1,790
Chairman of the Senate Legislative and General Purpose Standing Committee on Trade and Commerce	2,036	1,790
Chairman of the House of Representatives Standing Committee on Aboriginal Affairs	2,036	1,790
Chairman of the House of Representatives Standing Committee on Environment and Conservation	2,036	1,790
Chairman of the House of Representatives Standing Committee on Expenditure	2,036	1,790
Chairman of the House of Representatives Standing Committee on Road Safety	2,036	1,790
Third Party Whip in the House of Representatives	4,071	
Deputy Government Whip in the House of Representatives	2,036	

Office	Rate per annum of additional salary	Rate per annum of expenses of office allowance
Chairman of a Parliamentary Committee not otherwise specified in this paragraph	977	
Second non-Government Party Whip in the Senate	977	
Deputy Government Whip in the Senate	977	
Deputy Opposition Whip in the Senate	977	
Deputy Opposition Whip in the House of Representatives	977	
Deputy Chairman of Committees in the Senate	977	
Deputy Chairman of Committees in the House of Representatives	977	

(2) The determination of the Remuneration Tribunal referred to in sub-section (1) as modified by that sub-section has effect as if it were a determination of the Remuneration Tribunal.

Allowances to be paid to members of the Parliament

9. (1) Determination Number 7 of 1984 of the Remuneration Tribunal dated 5 April 1984 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 by omitting paragraph 2 and substituting the following paragraph:

“2. Electorate Allowance

- (i) A Senator shall receive an electorate allowance at the rate of \$15,200 per annum.
- (ii) A member of the House of Representatives shall receive the following electorate allowance:
 - electorate of less than 5,000 square kilometres
 - at the rate of \$15,200 per annum
 - electorate of population of 140,000 or more
 - at the rate of \$18,460 per annum
 - electorate of 5,000 square kilometres or more
 - at the rate of \$22,040 per annum.”

(2) The determination of the Remuneration Tribunal referred to in sub-section (1) as modified by that sub-section has effect as if it were a determination of the Remuneration Tribunal.

Maximum amount to be paid to Parliamentary Secretaries

10. (1) Determination Number 8 of 1984 of the Remuneration Tribunal dated 5 April 1984 relating to the maximum amounts to be paid to Parliamentary Secretaries by way of reimbursement of expenses reasonably incurred by them in respect of their holding appointments as, or performing the

functions of, Parliamentary Secretaries to Ministers of State is modified by omitting paragraph 1 and substituting the following paragraph:

“1. Expenses of Office

A Parliamentary Secretary shall be entitled to be reimbursed for expenses of office reasonably and necessarily incurred in respect of his holding an appointment as, or performing the functions of, a Parliamentary Secretary to a Minister of State, up to a maximum amount of \$4,180 per annum.”

(2) The determination of the Remuneration Tribunal referred to in sub-section (1) as modified by that sub-section has effect as if it were a determination of the Remuneration Tribunal.

Remuneration to be paid to holders of offices in First Division of Australian Public Service, &c.

11. (1) Determination Number 10 of 1984 of the Remuneration Tribunal dated 5 April 1984 relating to the remuneration to be paid to the holders of offices in the First Division of the Australian Public Service and to the holders of public offices is modified by omitting clause (e) of paragraph 1 and substituting the following clause:

“(e) Rate per annum of Allowance

\$ p.a.	\$ p.a.
500	545
750	815
900	975
1,025	1,115
1,250	1,355
1,300	1,410
1,325	1,440
1,400	1,520
1,500	1,630
1,675	1,820
1,750	1,900
1,925	2,090
2,200	2,390
2,500	2,715
2,550	2,770
2,750	2,985
3,500	3,800
4,050	4,395
4,750	5,155
12,000	13,030”.

(2) The determination of the Remuneration Tribunal referred to in sub-section (1) as modified by that sub-section has effect as if it were a determination of the Remuneration Tribunal.

**PART IV—AMENDMENT OF THE MINISTERS OF STATE ACT
1952**

Principal Act

12. The *Ministers of State Act 1952*² is in this Part referred to as the Principal Act.

Salaries of Ministers

13. Section 5 of the Principal Act is amended by omitting “\$590,000” and substituting “\$610,000”.

**PART V—AMENDMENT OF THE INTER-STATE COMMISSION
ACT 1975**

Principal Act

14. The *Inter-State Commission Act 1975*³ is in this Part referred to as the Principal Act.

Remuneration and allowances

15. (1) Section 19 of the Principal Act is amended by omitting sub-section (1) and substituting the following sub-section:

“(1) The members shall be paid remuneration at such respective rates as are fixed by the Parliament.”.

(2) Notwithstanding sub-section 19 (1) of the Principal Act—

- (a) the President shall, in respect of the period that commenced on 15 March 1984 and ended on 18 April 1984 (in paragraph (b) referred to as the “relevant period”), be paid salary at the rate of \$74,575 per annum and an annual allowance at the rate of \$4,000 per annum; and
- (b) a member other than the President shall, in respect of the relevant period, be paid salary at the rate of \$62,841 per annum and an annual allowance at the rate of \$1,750 per annum.

**PART VI—AMENDMENTS OF THE REMUNERATION
TRIBUNALS ACT 1973**

Principal Act

16. The *Remuneration Tribunals Act 1973*⁴ is in this Part referred to as the Principal Act.

Establishment of Remuneration Tribunal

17. Section 4 of the Principal Act is amended by omitting from sub-section (3) “of 5 years but” and substituting “not exceeding 5 years, but”.

Functions of Tribunal

18. Section 5 of the Principal Act is amended by adding at the end thereof the following sub-section:

“(2) In the performance of its functions, the Tribunal shall have regard to—

- (a) the Principles of Wage Determination established from time to time by the Australian Conciliation and Arbitration Commission; and
- (b) decisions given from time to time by the Australian Conciliation and Arbitration Commission in National Wage Cases.”.

Inquiries and reports by Tribunal

19. Section 6 of the Principal Act is amended by inserting in paragraph (2) (a) “(other than the Northern Territory)” after “Territories”.

Inquiries and determinations by Tribunal

20. Section 7 of the Principal Act is amended—

- (a) by omitting from sub-section (1) “functions in” and substituting “functions, in”; and
- (b) by inserting after sub-section (3A) the following sub-section:

“(3B) The power of the Tribunal to determine the remuneration to be paid to the holder of an office includes the power to determine that the remuneration to be paid to the holder of the office is to be the same as the remuneration payable from time to time to the holder of another office, or to each of the holders of other offices included in a class of offices, specified or referred to in, or ascertained in accordance with, the determination and so includes that last-mentioned power notwithstanding that the remuneration payable to the holder of that other office or to each of the holders of those other offices, as the case may be, is determined by some other Commonwealth tribunal or authority.”.

PART VII—AMENDMENT OF THE TRADE PRACTICES ACT 1974

Principal Act

21. The *Trade Practices Act 1974*^s is in this Part referred to as the Principal Act.

Remuneration and allowances of members of Trade Practices Tribunal

22. Section 33 of the Principal Act is amended by omitting sub-sections (1), (2) and (3).

PART VIII—MISCELLANEOUS

Application

23. The amendments made by Part II and the modifications made by Part III, in so far as they affect the payment of remuneration and allowances to a person, apply in respect of each pay period of the person commencing on or after 6 April 1984.

Exclusion of sub-section 7 (8) of *Remuneration Tribunals Act 1973*

24. Sub-section 7 (8) of the *Remuneration Tribunals Act 1973* does not apply in relation to—

- (a) any determination of the Remuneration Tribunal that was made on 5 April 1984; or
- (b) in the case of such a determination that is modified by a provision of Part III of this Act—that determination as so modified.

NOTES

1. No. 14, 1973, as amended. For previous amendments, see Nos. 203 and 216, 1973; No. 8, 1975; Nos. 83, 170 and 182, 1976; Nos. 81 and 111, 1977; No. 166, 1978; No. 140, 1979; No. 164, 1980; No. 121, 1981; Nos. 26 and 78, 1982; and No. 128, 1983.
2. No. 1, 1952, as amended. For previous amendments, see No. 1, 1956; No. 18, 1959; Nos. 1 and 71, 1964; No. 93, 1966; No. 1, 1967; No. 102, 1968; No. 43, 1971; Nos. 14 and 216, 1973; No. 82, 1978; No. 141, 1979; No. 165, 1980; No. 121, 1981; No. 78, 1982; and No. 128, 1983.
3. No. 109, 1975, as amended. For previous amendments, see No. 142, 1983.
4. No. 215, 1973, as amended. For previous amendments, see No. 80, 1974; No. 96, 1975; Nos. 60 and 178, 1978; Nos. 26, 108, 136 and 155, 1979; No. 160, 1980; Nos. 61, 74 and 176, 1981; Nos. 78 and 111, 1982; and Nos. 39 and 128, 1983.
5. No. 51, 1974, as amended. For previous amendments, see Nos. 56 and 63, 1975; Nos. 88 and 157, 1976; Nos. 81, 111 and 151, 1977; Nos. 206 and 207, 1978; No. 73, 1980; Nos. 61 and 176, 1981; No. 80, 1982; and No. 39, 1983.