



# **Remuneration and Allowances Alteration Act 1986**

**No. 105 of 1986**

**An Act relating to certain remuneration and  
allowances**



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# Remuneration and Allowances Alteration Act 1986

No. 105 of 1986

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## An Act relating to certain remuneration and allowances

[Assented to 23 October 1986]

The Parliament of Australia enacts:

### Part I—Preliminary

#### 1 Short title

This Act may be cited as the *Remuneration and Allowances  
Alteration Act 1986*.

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Section 2

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**2 Commencement**

- (1) Subject to subsection (2), this Act shall come into operation on the day on which it receives the Royal Assent.
- (2) Parts II and III and section 14 shall be deemed to have come into operation on 1 July 1986.

## Part II—Modifications of determinations of the Remuneration Tribunal

### 3 Allowances to be paid to office holders of the Parliament

(1) Determination No. 7 of 1986 of the Remuneration Tribunal dated 6 June 1986 is modified by omitting paragraph 1 and substituting the following paragraph:

#### 1. Additional Salary and Expenses of Office Allowance.

Office	Rate per annum of Additional Salary	Rate per annum of Expenses of Office Allowance
	\$	\$
Leader of the Opposition .....	26,261	12,068
President of the Senate .....	26,261	9,901
Speaker of the House of Representatives .....	26,261	9,901
Deputy Leader of the Opposition .....	15,024	9,901
Leader of the Opposition in the Senate .....	15,024	9,901
Leader of the Third Party in the House of Representatives .....	10,015	9,901
Leader of a recognised non-Government party of at least 5 members not otherwise specified herein .....	7,986	9,901
Chairman of Committees in the Senate .....	7,986	2,041
Chairman of Committees in the House of Representatives .....	7,986	2,041
Deputy Leader of the Opposition in the Senate ..	7,571	2,041
Government Whip in the House of Representatives .....	7,571	2,041
Opposition Whip in the House of Representatives .....	6,624	2,041
Government Whip in the Senate .....	6,211	2,041
Opposition Whip in the Senate .....	6,211	2,041
Chairman, Joint Committee of Public Accounts	5,915	2,041

**Part II** Modifications of determinations of the Remuneration Tribunal

Section 3

Office	Rate per annum of Additional Salary	Rate per annum of Expenses of Office Allowance
	\$	\$
Chairman, Parliamentary Standing Committee on Public Works .....	5,915	2,041
Chairman, Joint Committee on Foreign Affairs and Defence .....	5,915	2,041
Third Party Whip in the House of Representatives .....	4,436	Nil
Leader in the Senate of the National Party .....	4,436	Nil
Chairman, Joint Committee on the Australian Capital Territory .....	2,218	2,041
Chairman, Parliamentary Joint Committee on the National Crime Authority .....	2,218	2,041
Chairman, Senate Legislative and General Purpose Standing Committee on Constitutional and Legal Affairs .....	2,218	2,041
Chairman, Senate Legislative and General Purpose Standing Committee on Education and the Arts .....	2,218	2,041
Chairman, Senate Legislative and General Purpose Standing Committee on Finance and Government Operations .....	2,218	2,041
Chairman, Senate Legislative and General Purpose Standing Committee on Foreign Affairs and Defence .....	2,218	2,041
Chairman, Senate Legislative and General Purpose Standing Committee on National Resources .....	2,218	2,041
Chairman, Senate Legislative and General Purpose Standing Committee on Science, Technology and the Environment .....	2,218	2,041
Chairman, Senate Legislative and General Purpose Standing Committee on Social Welfare	2,218	2,041
Chairman, Senate Legislative and General Purpose Standing Committee on Industry and Trade .....	2,218	2,041
Chairman, House of Representatives Standing		



Section 3

Office	Rate per annum of Additional Salary	Rate per annum of Expenses of Office Allowance
	\$	\$
Committee on Aboriginal Affairs .....	2,218	2,041
Chairman, House of Representatives Standing Committee on Environment and Conservation ..	2,218	2,041
Chairman, House of Representatives Standing Committee on Expenditure .....	2,218	2,041
Chairman, House of Representatives Standing Committee on Transport Safety .....	2,218	2,041
Chairman, House of Representatives Standing Committee on Procedure .....	2,218	2,041
Deputy Government Whip in the House of Representatives .....	2,218	Nil
Chairman of a Parliamentary Committee not otherwise specified herein .....	1,064	Nil
Whip in the Senate of a recognised non-Government party of at least 5 members not otherwise specified herein .....	1,064	Nil
Deputy Government Whip in the Senate .....	1,064	Nil
Deputy Opposition Whip in the Senate .....	1,064	Nil
Deputy Opposition Whip in the House of Representatives .....	1,064	Nil
Deputy Chairman of Committees in the Senate .	1,064	Nil
Deputy Chairman of Committees in the House of Representatives .....	1,064	Nil

- (2) Paragraph 3 of Determination No. 7 of the Remuneration Tribunal dated 6 June 1986 shall be taken not to have applied in relation to the decision of the Australian Conciliation and Arbitration Commission given on 26 June 1986 in a National Wage Case.
- (3) The determination of the Remuneration Tribunal referred to in this section as modified by this section has effect as if it were a determination of the Remuneration Tribunal.

Section 4

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

- (1) Determination No. 8 of 1986 of the Remuneration Tribunal dated 6 June 1986 is modified by omitting paragraph 1 and substituting the following paragraph:

1. Allowance by way of basic salary

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Office	Rate per annum of basic salary
Senator or member of the House of Representatives .....	\$45,543

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- (2) Paragraph 2 of Determination No. 8 of the Remuneration Tribunal dated 6 June 1986 shall be taken not to have applied in relation to the decision of the Australian Conciliation and Arbitration Commission given on 26 June 1986 in a National Wage Case.
- (3) The determination of the Remuneration Tribunal referred to in this section as modified by this section has effect as if it were a determination of the Remuneration Tribunal.

**5 Entitlements of members of the Parliament**

- (1) Determination No. 11 of 1986 of the Remuneration Tribunal dated 6 June 1986 is modified:
- (a) by omitting paragraph 7.1;
  - (b) by omitting from sub-subparagraph 7.2(d)(ii) ‘, or nominee as defined,’;
  - (c) by omitting from sub-subparagraph 7.2(d)(iii) ‘, spouse, or nominee as defined,’ and substituting ‘or spouse’;
  - (d) by omitting from subparagraph 7.3(c) ‘or nominee’; and
  - (e) by omitting from paragraph 7.4 ‘or nominee’.
- (2) The determination of the Remuneration Tribunal referred to in this section as modified by this section has effect as if it were a determination of the Remuneration Tribunal.

## **Part III—Amendments of the Judicial and Statutory Officers (Remuneration and Allowances) Act 1984**

### **6 Principal Act**

The *Judicial and Statutory Officers (Remuneration and Allowances) Act 1984* is in this Part referred to as the Principal Act.

### **7 Salaries and expenses of office allowances**

- (1) Section 3 of the Principal Act is amended:
  - (a) by omitting paragraphs (1)(a), (b) and (c) and substituting the following paragraphs:
    - ‘(a) the rate per annum of the salary applicable to the office on and after 1 July 1986 is the rate per annum specified in column 2 of the Schedule in relation to the office; and
    - (b) the rate per annum of the expenses of office allowance applicable to the office is the rate per annum specified in column 3 of the Schedule in relation to the office.’;
  - (b) by omitting from subsection (2) ‘3’ and substituting ‘2’;
  - (c) by omitting from subsections (5) and (6) ‘\$564’ and substituting ‘\$616’; and
  - (d) by omitting from paragraph (8)(b) ‘\$1,984’ and substituting ‘\$2,167’.
- (2) Subsection 3(2) of the Principal Act shall be taken not to have applied in relation to the decision of the Australian Conciliation and Arbitration Commission given on 26 June 1986 in a National Wage Case.

### **8 Travelling allowances payable to Justices of the High Court**

Section 4 of the Principal Act is amended:

- (a) by omitting from sub-subparagraph (4)(a)(i)(A) ‘\$155’ and substituting ‘\$165’; and
- (b) by omitting from sub-subparagraph (4)(a)(i)(B) ‘\$110’ and substituting ‘\$115’.

Section 9

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**9 Additional allowance payable to certain Justices of the High Court**

Section 5 of the Principal Act is amended by omitting from subsection (1) ‘\$10,640’ and substituting ‘\$11,715’.

**10 Travelling allowances payable to holders of certain offices**

Section 6 of the Principal Act is amended:

- (a) by omitting from sub-subparagraph (4)(a)(i)(A) ‘\$140’ and substituting ‘\$145’; and
- (b) by omitting from sub-subparagraph (4)(a)(i)(B) ‘\$105’ and substituting ‘\$110’.

**11 Travelling allowances payable to members of the Inter-State Commission**

Section 6A of the Principal Act is amended:

- (a) by omitting from subparagraphs (2)(a)(i) and (b)(i) ‘\$95’ and substituting ‘\$100’;
- (b) by omitting from subparagraph (2)(a)(ii) ‘\$140’ and substituting ‘\$145’;
- (c) by omitting from subparagraph (2)(a)(iii) ‘\$105’ and substituting ‘\$110’;
- (d) by omitting from subparagraph (2)(b)(ii) ‘\$110’ and substituting ‘\$115’; and
- (e) by omitting from subparagraph (2)(b)(iii) ‘\$85’ and substituting ‘\$89’.

**12 Allowance payable to Solicitor-General**

- (1) Section 7 of the Principal Act is amended by omitting from subsection (1) ‘at the rate of \$10,640 per annum’ and substituting ‘at such rate as is determined by the Remuneration Tribunal’.
- (2) If no determination made after the commencement of this section by the Remuneration Tribunal is in force for the purposes of subsection 7(1) of the Principal Act as amended by this Act, the rate of the allowance payable by virtue of that subsection shall be \$11,715 per annum.

### 13 Schedule

The Schedule to the Principal Act is repealed and the following Schedule is substituted:

## ‘Schedule

Subsection 3(1)

Column 1	Column 2	Column 3
	Rate per annum of salary	Rate per annum of expenses of office allowance
	\$	\$
PART I		
Chief Justice of the High Court .....	122,883	6,191
Justice (other than Chief Justice) of the High Court .....	111,652	5,569
PART II		
Chief Judge of the Federal Court of Australia .....	103,064	5,569
Chief Justice of the Supreme Court of the Australian Capital Territory .....	97,117	5,569
Chief Judge of the Family Court of Australia .....	94,476	5,569
Chairman of the Commonwealth Grants Commission ..	94,476	5,569
Judge (other than the Chief Judge) of the Federal Court of Australia .....	94,476	4,953
Judge (other than the Chief Justice) of the Supreme Court of the Australian Capital Territory .....	94,476	4,953
President of the Inter-State Commission .....	94,476	4,953
Senior Judge of the Family Court of Australia .....	85,028	4,332
Judge (other than the Chief Judge or a Senior Judge) of the Family Court of Australia .....	80,304	4,332

## Part IV—Miscellaneous

### 14 Exclusion of subsection 7(8) of the *Remuneration Tribunals Act 1973*

Subsection 7(8) of the *Remuneration Tribunals Act 1973* does not apply in relation to a determination of the Remuneration Tribunal referred to in section 3 or 4 of this Act or in relation to such a determination as modified by this Act.

### 15 Recovery of overpayments

- (1) Where:
  - (a) a person has been paid an amount by way of:
    - (i) parliamentary salary; or
    - (ii) parliamentary superannuation benefit; and
  - (b) the amount so paid exceeds the amount that the person would have been entitled to be paid if Part II had been enacted, and had come into operation, on 1 July 1986;the person is liable to pay to the Commonwealth the amount of the excess.
- (2) Where a person is liable to pay an amount to the Commonwealth under subsection (1):
  - (a) the amount may be recovered, as a debt due to the Commonwealth, by action in a court of competent jurisdiction; and
  - (b) the amount may be deducted from any other amount that is payable to the person by way of parliamentary salary or parliamentary superannuation benefit, as the case requires.
- (3) In this section:

***parliamentary salary*** means an allowance paid to a member of the Parliament, being:

  - (a) an allowance of the kind referred to as basic salary in paragraph 1 of Determination No. 8 of 1986 of the Remuneration Tribunal dated 6 June 1986; or

- (b) an allowance of the kind referred to as additional salary in paragraph 1 of Determination No. 7 of 1986 of the Remuneration Tribunal dated 6 June 1986.

***parliamentary superannuation benefit*** means a retiring allowance, annuity or other benefit payable under the *Parliamentary Contributory Superannuation Act 1948*.