



## REMUNERATION TRIBUNAL

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### Determination 2013/10

### Remuneration and Allowances for Holders of Full-Time Public Office

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This Determination governs remuneration and allowances for the full-time Public Offices specified in Table 2A.

This Determination specifies the total value an Office Holder is to receive by way of salary and other benefits in respect of carrying out the functions and exercising the powers of his or her office. The salary and benefits provided for in this Determination must not be supplemented.

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#### PART 1 – GENERAL

- 1.1 Authority:** This Determination is issued pursuant to sub-sections 7(3) and 7(4) of the *Remuneration Tribunal Act 1973*.
- 1.2 Effective Date:** This Determination takes effect on and from 1 July 2013 except where specified otherwise.
- 1.3 Effect on Earlier Determinations:** This Determination supersedes and revokes in full Determination 2012/24 (as amended) – *Remuneration and Allowances for Holders of Full-Time Public Office* and also supersedes and revokes the following Determinations (that amended 2012/24): 2013/02.
- 1.4 Definitions:** For the purposes of this Determination, the following definitions apply.

**'Agency'** means the agency to which the Office Holder is attached, or the portfolio department, if the office holder is not attached to an agency.

**'Base Salary'** means the applicable amount specified in Clause 2.1 or Table 2B of this Determination.

**'Benefits'** means all non-monetary benefits provided at the employer's expense to or on behalf of an Office Holder as a personal benefit, including a vehicle (where provided

– refer clause 2.7), the value attributed by the Remuneration Tribunal to the Employer Superannuation Contribution (refer clause 2.6) and any other benefits received by way of remuneration packaging (refer clause 2.5)

**‘Employer’** means the Commonwealth and includes any person authorised to exercise powers, perform acts, grant approvals or give directions for, or on behalf of, the Commonwealth.

**‘Employer’s Superannuation Contribution’** in respect of an Office Holder means payments made by the Commonwealth in respect of the Office Holder to:

- (a) a Commonwealth defined benefit scheme (including the Commonwealth Superannuation Scheme or the Public Sector Superannuation Scheme); or
- (b) another superannuation fund.

**‘Office Holder’** means the holder of an office listed in Column 1 of Table 2A of this Determination.

**‘Total Remuneration’** is the amount shown in clause 2.1 or Table 2B of this Determination. Total Remuneration represents the value, calculated at the total cost to the employer (including Fringe Benefits Tax), of:

- salary (including Base Salary), allowances or lump sum payments;
- Benefits; and
- the Employer’s Superannuation Contribution

but does not include:

- facilities provided as business support as referred to in Part 2;
- allowances specified in Part 3;
- reimbursement of expenses incurred on geographic relocation following appointment as an Office Holder, in accordance with agency policies and practices where approved by the employer;
- travelling allowances and expenditure referred to in Part 4;
- any payment in lieu of recreation leave in accordance with Part 5; and
- any compensation for early loss of office in accordance with Part 6.

## PART 2 – REMUNERATION AND RELATED MATTERS

**2.1 Total Remuneration:** Office Holders are eligible for the annual amounts of Base Salary and Total Remuneration as set out in Columns 2 and 3 of Table 2A below, with effect from 1 July 2013, unless otherwise specified (refer Column 4).

**TABLE 2A – FULL-TIME OFFICE HOLDERS – TOTAL REMUNERATION AND OTHER BENEFITS**

<u>Column 1</u> Office	<u>Column 2</u> Base Salary (per annum)	<u>Column 3</u> Total Remuneration for office (per annum)	<u>Column 4</u> Additional clauses applying	<u>Column 5</u> Travel Tier
Chair, Australian Prudential Regulation Authority (APRA)	\$573,440	\$819,200	2.2.10	1
Solicitor-General	\$516,100	\$716,800		1
Chairperson, Australian Competition and Consumer Commission (ACCC)	\$501,760	\$716,800		1
Chairperson, Australian Securities and Investments Commission (ASIC)	\$501,760	\$716,800		1
Deputy Chair, APRA	\$458,760	\$655,360		1
Public Service Commissioner	\$442,990	\$632,840		1
Member, APRA	\$430,080	\$614,400		1
Commissioner, Australian Federal Police	\$422,920	\$604,160		1
Deputy Chairperson, ASIC	\$401,410	\$573,440		1
Chairman, Productivity Commission	\$394,240	\$563,200		1
Director-General of Security, Australian Security Intelligence Organisation	\$387,080	\$552,960		1
Deputy Chairperson, ACCC	\$376,320	\$537,600		1
Vice President, Fair Work Commission	\$376,320	\$537,600	2.2.7	1
Director of Public Prosecutions	\$378,880	\$512,000		1
Chair, Australian Communications and Media Authority (ACMA)	\$358,400	\$512,000		1
Chair, Australian Energy Regulator	\$358,400	\$512,000		1
Chief Executive Officer, Austrade	\$358,400	\$512,000		1
Member, ASIC	\$358,400	\$512,000		1
Vice Chief of the Defence Force	\$358,400	\$512,000		1
Chief of Air Force	\$344,070	\$491,520		1
Chief of Army	\$344,070	\$491,520		1
Chief of Navy	\$344,070	\$491,520		1
Director-General, Office of National Assessments	\$344,070	\$491,520		1
Chair/Chief Executive Officer, Clean Energy Regulator	\$340,480	\$486,400	2.2.4	1
Chief Executive Officer, Australian Crime Commission	\$340,480	\$486,400		1

<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>	<b>Column 5</b>
<b>Office</b>	<b>Base Salary (per annum)</b>	<b>Total Remuneration for office (per annum)</b>	<b>Additional clauses applying</b>	<b>Travel Tier</b>
Director-General, AusAID	\$340,480	\$486,400		1
Chief Executive Officer, Australian Transaction Reports and Analysis Centre	\$322,560	\$460,800		2
Chief Scientist	\$322,560	\$460,800		1
Director, Bureau of Meteorology	\$322,560	\$460,800		2
Member, ACCC	\$322,560	\$460,800		1
Australian Electoral Commissioner	\$311,810	\$445,440		1
Deputy President, Fair Work Commission	\$335,110	\$435,200	2.2.7	1
Information Commissioner	\$309,000	\$435,200		1
Chief Executive Officer, Independent Hospital Pricing Authority	\$304,640	\$435,200		1
Commonwealth Ombudsman	\$304,640	\$435,200		1
Examiner, Australian Crime Commission	\$304,640	\$435,200		1
Inspector-General of Intelligence and Security	\$304,640	\$435,200		1
Integrity Commissioner, Australian Commission for Law Enforcement Integrity	\$304,640	\$435,200		1
Chief Commissioner, Australian Transport Safety Bureau	\$290,820	\$409,600		1
Chief Executive, Insolvency and Trustee Service Australia	\$290,820	\$409,600		2
CEO, National Offshore Petroleum Safety and Environmental Management Authority	\$286,720	\$409,600		2
Chair, Tax Practitioners Board	\$286,720	\$409,600		1
Chief Executive Officer, Australian Commission on Safety and Quality in Health Care (ACSQHC)	\$286,720	\$409,600		1
Chief Executive Officer, Australian Curriculum, Assessment and Reporting Authority (ACARA)	\$286,720	\$409,600		2
Chief Executive Officer, National Disability Insurance Scheme Launch Transition Agency (DisabilityCare Australia)	\$286,720	\$409,600		2
Chief Executive, Murray-Darling Basin Authority	\$286,720	\$409,600	2.2.6	1
Fair Work Ombudsman	\$286,720	\$409,600		1
Inspector-General of Taxation	\$286,720	\$409,600		1
President, Australian Human Rights Commission	\$286,720	\$409,600		1
Parliamentary Budget Officer	\$284,060	\$389,120	2.2.1	2
Chief Commissioner & Chief Executive Officer, Australian Skills Quality Agency	\$281,050	\$384,980		2

<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>	<b>Column 5</b>
<b>Office</b>	<b>Base Salary (per annum)</b>	<b>Total Remuneration for office (per annum)</b>	<b>Additional clauses applying</b>	<b>Travel Tier</b>
Chief Commissioner & Chief Executive Officer, Tertiary Education Quality and Standards Agency (TEQSA)	\$281,050	\$384,980		2
CEO, Health Workforce Australia	\$280,320	\$384,000	2.2.11	2
Chief Executive Officer, Australian Fisheries Management Authority	\$280,320	\$384,000		1
Chief Executive Officer, ComSuper	\$280,320	\$384,000		1
Chief Executive Officer, Safe Work Australia	\$280,320	\$384,000		2
Coordinator-General for Remote Indigenous Services	\$280,320	\$384,000		1
General Manager, Fair Work Commission	\$280,320	\$384,000		1
Principal Member, Migration Review Tribunal (MRT)	\$280,320	\$384,000		1
Principal Member, Refugee Review Tribunal (RRT)	\$280,320	\$384,000		1
Director of Military Prosecutions	\$279,560	\$358,400		2
Inspector-General of the Australian Defence Force	\$279,560	\$358,400		2
Commissioner, Fair Work Commission	\$265,220	\$358,400	2.2.7	1
Deputy Chair, ACMA	\$265,220	\$358,400		1
Associate Director of Public Prosecutions	\$261,640	\$358,400		1
CEO, Australian Pesticides and Veterinary Medicines Authority	\$261,640	\$358,400		2
CEO, Australian Radiation Protection and Nuclear Safety Agency	\$261,640	\$358,400		1
Chief Executive Officer, Australian Organ and Tissue Donation and Transplantation Authority	\$261,640	\$358,400		2
Chief Executive Officer, Climate Change Authority	\$261,640	\$358,400		2
Chief Executive Officer, CrimTrac	\$261,640	\$358,400		2
Director, Australian Institute of Criminology	\$261,640	\$358,400		1
Director, Professional Services Review	\$261,640	\$358,400		1
Director-General, National Archives of Australia	\$261,640	\$358,400	2.2.14	2
Freedom of Information Commissioner	\$261,640	\$358,400		2
Principal Member, Social Security Appeals Tribunal (SSAT)	\$261,640	\$358,400		1
Privacy Commissioner	\$261,640	\$358,400		2
Chairperson, Commonwealth Grants Commission	\$261,640	\$358,400		1

<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>	<b>Column 5</b>
<b>Office</b>	<b>Base Salary (per annum)</b>	<b>Total Remuneration for office (per annum)</b>	<b>Additional clauses applying</b>	<b>Travel Tier</b>
Chief Executive Officer, Australian Renewable Energy Agency (ARENA)	\$254,470	\$358,400		2
Deputy Chair, Productivity Commission	\$254,140	\$348,130	2.2.15	1
Chief Executive Officer, Comcare	\$246,830	\$338,110		2
Deputy Commissioner, ASQA	\$246,400	\$337,520		2
Chief Executive Officer, National Health Performance Authority (NHPA)	\$244,370	\$334,750		2
Member, ACMA	\$249,600	\$332,800		1
Director, Old Parliament House	\$246,280	\$332,800		1
Chief Executive Officer, National Mental Health Commission (NMHC)	\$242,950	\$332,800	2.2.3	2
Aboriginal and Torres Strait Islander Social Justice Commissioner	\$242,950	\$332,800		2
Age Discrimination Commissioner	\$242,950	\$332,800		2
Aged Care Commissioner	\$242,950	\$332,800		2
CEO, National Transport Commission	\$242,950	\$332,800		1
Chairman, Pharmaceutical Benefits Advisory Committee	\$242,950	\$332,800		1
Chief Executive Officer, Australian National Preventative Health Agency (ANPHA)	\$242,950	\$332,800		2
Chief Executive Officer, Australian Sports Anti-Doping Authority (ASADA)	\$242,950	\$332,800	2.2.12	2
Chief Executive Officer, National Water Commission	\$242,950	\$332,800	2.2.5	2
Disability Discrimination Commissioner	\$242,950	\$332,800		2
Human Rights Commissioner	\$242,950	\$332,800		2
Infrastructure Coordinator	\$242,950	\$332,800		1
Member, Australian Energy Regulator	\$242,950	\$332,800		1
National Children's Commissioner	\$242,950	\$332,800		2
Official Secretary to the Governor-General	\$242,950	\$332,800		2
Race Discrimination Commissioner	\$242,950	\$332,800		2
Registrar, Administrative Appeals Tribunal	\$242,950	\$332,800		1
Sex Discrimination Commissioner	\$242,950	\$332,800		2
Commissioner, ASQA	\$238,690	\$326,970		2
Commissioner, TEQSA	\$238,690	\$326,970		2
Commissioner, Productivity Commission	\$235,690	\$322,850	2.2.16	2
Director, Fair Work Building Industry Inspectorate	\$230,990	\$316,420		2
Administrator of the Northern Territory	\$236,550	\$307,200		1

<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>	<b>Column 5</b>
<b>Office</b>	<b>Base Salary (per annum)</b>	<b>Total Remuneration for office (per annum)</b>	<b>Additional clauses applying</b>	<b>Travel Tier</b>
Chief Executive Officer, Aboriginal Hostels Limited (AHL)	\$224,260	\$307,200		2
Chief Executive, National Capital Authority	\$224,260	\$307,200		2
Deputy Principal Member, MRT	\$224,260	\$307,200		2
Deputy Principal Member, RRT	\$224,260	\$307,200		2
Gene Technology Regulator	\$224,260	\$307,200	2.2.9	2
Merit Protection Commissioner	\$224,260	\$307,200		2
Principal Member, Veterans' Review Board (VRB)	\$224,260	\$307,200		1
Administrator of the National Health Funding Pool	\$218,120	\$307,200		2
Commissioner, Australian Charities and Not-for-profits Commission	\$218,120	\$307,200		2
Administrator, Christmas and Cocos (Keeling) Islands	\$205,570	\$281,600	2.2.2	2
Administrator, Torres Strait Regional Authority	\$205,570	\$281,600		2
Chairperson, Superannuation Complaints Tribunal (SCT)	\$205,570	\$281,600		2
Chairperson, Torres Strait Regional Authority	\$205,570	\$281,600		2
Deputy Commonwealth Ombudsman	\$205,570	\$281,600		2
Deputy Principal Member, SSAT	\$205,570	\$281,600		2
Director General, Australian Safeguards and Non-Proliferation Office	\$205,570	\$281,600		2
Director, Classification Board	\$205,570	\$281,600	2.2.17	2
Member, Tax Practitioners Board	\$205,570	\$281,600		2
Private Health Insurance Ombudsman	\$205,570	\$281,600		2
Registrar of Aboriginal and Torres Strait Islander Corporations	\$205,570	\$281,600		2
Executive Director of Township Leasing	\$186,880	\$256,000		2
Chief Executive Officer, Telecommunications Universal Service Management Authority (TUSMA)	\$181,760	\$256,000		2
Deputy Chairperson, SCT	\$168,200	\$230,400		2
Deputy Director, Classification Board	\$168,200	\$230,400	2.2.17	2
Senior Member, MRT	\$168,200	\$230,400		2
Senior Member, RRT	\$168,200	\$230,400		2
Senior Member, VRB	\$168,200	\$230,400		2
Director, Tuition Protection Service	\$168,200	\$230,400	2.2.13	2

<u>Column 1</u>	<u>Column 2</u>	<u>Column 3</u>	<u>Column 4</u>	<u>Column 5</u>
Office	Base Salary (per annum)	Total Remuneration for office (per annum)	Additional clauses applying	Travel Tier
Chief Executive Officer, National Health Funding Body	\$163,590	\$230,400		2
Administrator, Norfolk Island	\$149,510	\$204,800	2.2.8	2
Chairman (full-time), Central Land Council	\$149,510	\$204,800		3
Chairman (full-time), Northern Land Council	\$149,510	\$204,800		2
Member, MRT	\$149,510	\$204,800		2
Member, RRT	\$149,510	\$204,800		2
Senior Member, SSAT	\$149,510	\$204,800		2
Senior Classifier, Classification Board	\$154,120	\$179,200		2
Chair (full-time), Anindilyakwa Land Council	\$130,820	\$179,200		2
Member, SSAT	\$130,820	\$179,200		3
Commonwealth Financial Officer for Norfolk Island	\$132,100	\$153,600		2
Classifier, Classification Board	\$110,080	\$128,000	2.2.18	3

**2.2 Alternate Remuneration Provisions:** Where Column 4 of Table 2A contains a reference to this clause in respect of an Office, the provisions of this clause modify Columns 2 and/or 3 of Table 2A. Unless otherwise specified, the rates in this clause will apply from 1 July 2013.

**2.2.1 Parliamentary Budget Officer:** The Parliamentary Budget Officer will receive \$429,120 Total Remuneration and \$300,390 Base Salary for the first term of his or her office.

**2.2.2 Administrator, Christmas and Cocos (Keeling) Islands:** Mr Jon Stanhope will receive \$254,880 Total Remuneration and \$186,060 Base Salary while he occupies the office shown in Column 1 of Table 2A.

**2.2.3 National Mental Health Commission, CEO:** Ms Robyn Kruk will receive \$496,560 Total Remuneration and \$397,260 Base Salary while she occupies the office shown in Column 1 of Table 2A.

**2.2.4 Clean Energy Regulator, Chair/CEO:** Ms Chloe Munro will receive \$559,900 Total Remuneration and \$391,930 Base Salary until 31 December 2013, while she occupies the office shown in Column 1 of Table 2A.

**2.2.5 National Water Commission, CEO:** Mr James Cameron will receive \$355,780 Total Remuneration and \$259,680 Base Salary until 31 December 2015 while he occupies the office shown in Column 1 of Table 2A.

**2.2.6 Murray-Darling Basin Authority:** The Chief Executive, Dr Rhondda Dickson will receive \$311,329 Base Salary while she occupies the office shown in Column 1 of Table 2A.



- 2.2.7 Fair Work Commission:** Where an appointee as Deputy President or Commissioner of Fair Work Commission is a Judge, the comparative salary for the purposes of s.637(6) of the *Fair Work Act 2009* is the amount in Column 2. Where a holder of the office of Vice President appointed under section 626 of the *Fair Work Act 2009* has residual entitlements under the Fair Work Legislation Amendment Regulation 2012 (No.1), the salary applicable to that office holder is \$433,180.
- 2.2.8 Norfolk Island, Administrator:** Mr Neil Pope will receive Total Remuneration of \$161,200 with \$117,680 Base Salary while he occupies the office shown in Column 1 of Table 2A.
- 2.2.9 Gene Technology Regulator:** Dr Joe Smith will receive \$308,710 Total Remuneration with \$234,620 Base Salary while he occupies the office shown in Column 1 of Table 2A.
- 2.2.10 APRA, Chair:** Dr John Laker will receive \$655,360 Base Salary while he occupies the office shown in Column 1 of Table 2A.
- 2.2.11 Health Workforce Australia, CEO:** Mr Mark Cormack will receive \$407,150 Total Remuneration until 26 January 2015, while he occupies the office shown in Column 1 of Table 2A.
- 2.2.12 Australian Sports Anti-Doping Authority, CEO:** Ms Aurora Andruska will receive \$387,340 Total Remuneration until 9 May 2014, while she occupies the office shown in Column 1 of Table 2A.
- 2.2.13 Tuition Protection Service, Director:** Mr Vipin Mahajan will receive \$252,748 Total Remuneration and \$182,842 Base Salary while he occupies the office shown in Column 1 of Table 2A.
- 2.2.14 National Archives of Australia, Director General:** Mr David Fricker will receive \$277,500 Base Salary while he occupies the office shown in Column 1 of Table 2A.
- 2.2.15 Productivity Commission, Deputy Chair:** Mr Michael Woods will receive \$268,060 Base Salary while he occupies the office shown in Column 1 of Table 2A.
- 2.2.16 Productivity Commission, Commissioner:** Ms Patricia Scott will receive \$532,440 Total Remuneration and \$425,960 Base Salary, and Tier 1 travel entitlements while she occupies the office shown in Column 1 of Table 2A.
- 2.2.17 Classification Board:** On any occasion when the Deputy Director acts as Director, he or she will be entitled to the remuneration and other conditions determined for the Director.
- 2.2.18 Temporary Classifier:** Where a person is appointed to the Classification Board as a Temporary Classifier, a daily fee of \$530 is payable, in lieu of other provisions in this Part. The provisions of Part 3 (Allowances), Part 5 (Recreation leave) and Part 6 (Compensation for early loss of office) do not apply.
- 2.3 Phased Increases:** Additional remuneration adjustments for certain offices set out in Table 2B will apply as shown in the Table.

**TABLE 2B – FULL-TIME OFFICES – TRANSITIONAL ARRANGEMENTS**

<b>Office</b>	<b>Adjustments</b>		
<i>Date of effect</i>	<b>1 July 2013</b>	<b>1 Jan 2014</b>	<b>1 July 2014</b>
<b>Commissioner, Australian Federal Police</b>			
Total Remuneration	\$604,160	\$634,880	\$665,600
<i>Base salary</i>	\$422,920	\$444,420	\$465,920
<b>Director-General Australian Security Intelligence Organisation</b>			
Total Remuneration	\$552,960	\$593,920	\$614,400
<i>Base salary</i>	\$387,080	\$415,750	\$430,080
<b>Vice Chief of the Defence Force</b>			
Total Remuneration	\$512,000	\$537,600	\$563,200
<i>Base salary</i>	\$358,400	\$376,320	\$394,240
<b>Chief of Navy</b>			
Total Remuneration	\$491,520	\$512,000	\$537,600
<i>Base salary</i>	\$344,070	\$358,400	\$376,320
<b>Chief of Army</b>			
Total Remuneration	\$491,520	\$512,000	\$537,600
<i>Base salary</i>	\$344,070	\$358,400	\$376,320
<b>Chief of Air Force</b>			
Total Remuneration	\$491,520	\$512,000	\$537,600
<i>Base salary</i>	\$344,070	\$358,400	\$376,320
<b>Director-General, Office of National Assessments</b>			
Total Remuneration	\$491,520	\$512,000	\$537,600
<i>Base salary</i>	\$344,070	\$358,400	\$376,320
<b>Australian Electoral Commissioner</b>			
Total Remuneration	\$445,440	\$486,400	\$512,000
<i>Base salary</i>	\$311,810	\$340,480	\$358,400
<b>CEO, Insolvency &amp; Trustee Service Australia</b>			
Total Remuneration	\$409,600	\$435,200	\$460,800
<i>Base salary</i>	\$290,820	\$304,480	\$322,560
<b>Public Service Commissioner</b>			
Total Remuneration	\$632,840	\$649,220	\$665,600
<i>Base salary</i>	\$442,990	\$454,460	\$465,920

**2.4 Part-time work:** Where approval is given by the employer for an Office Holder to perform the duties of an Office on a part-time basis, the Base Salary and Total Remuneration contained in Table 2A will be payable on a pro-rata basis in accordance with the proportion of full-time hours worked. Where proposed hours are less than 60 per cent of the full-time rate, prior agreement of the Remuneration Tribunal is required to the remuneration level.

**2.5 Remuneration packaging:** Subject to this Part, an Office Holder may elect to receive the benefit of the Total Remuneration, other than the value of the Employer's

Superannuation Contribution, in cash as salary or as a combination of salary and Benefits. The Office Holder must take at least 50 per cent of Superannuation Salary as salary, except where agency policies and procedures on salary packaging allow otherwise. Any election must be consistent with relevant taxation laws and rulings or guidelines applicable to salary packaging schemes issued by the Australian Taxation Office. Any election must not result in a cost to the employer (including in relation to any fringe benefits taxation) additional to the cost which would be incurred if all of the Total Remuneration elements able to be taken as salary were taken as salary.

## **2.6 Superannuation Salary**

### **2.6.1** For an Office Holder who is a member of the Commonwealth Superannuation Scheme:

- (a) the Officer Holder's annual rate of salary for the purposes of the scheme is the Officer Holder's Base Salary; and
- (b) the value attributed to the Employer's Superannuation Contribution is taken to be 15.4% of the Office Holder's Base Salary.

### **2.6.2** For an Office Holder who is a member of the Public Sector Superannuation Scheme:

- (a) the Office Holder's basic salary for the purposes of the scheme is the Office Holder's Base Salary; and
- (b) the amount of the Officer Holder's recognised allowances for the purpose of the scheme is zero; and
- (c) the value attributed to the Employer's Superannuation Contribution is taken to be 15.4% of the Officer Holder's Base Salary.

### **2.6.3** For an Office Holder who is a member of the Public Sector Superannuation Accumulation Plan, the Office Holder's superannuation salary for the purposes of the scheme is the Office Holder's ordinary time earnings (OTE).

### **2.6.4** For an Office Holder who is a member of the Defence Force Retirement and Death Benefits Scheme:

- (a) the Office Holder's annual rate of salary for the purposes of the scheme is the Office Holder's Base Salary; and
- (b) the value attributed to the Employer's Superannuation Contribution is taken to be 15.4% of the Office Holder's Base Salary.

### **2.6.5** For an Office Holder who is a member of the Military Superannuation and Benefits Scheme:

- (a) the Office Holder's annual rate of salary for the purposes of the scheme is the Office Holder's Base Salary; and
- (b) the value attributed to the Employer's Superannuation Contribution is taken to be 15.4% of the Office Holder's Base Salary.

### **2.6.6** For an Office Holder who is a member of any other superannuation fund, the Employer's Superannuation Contribution is to be made at the rate elected by the Office Holder, which must not be less than a rate that would, under section 23 of the *Superannuation Guarantee (Administration) Act 1992*, reduce the charge percentage in relation to that Office Holder to zero.

### **2.6.7 No cash in lieu:** The value attributable by virtue of this clause to the Employer's Superannuation Contribution is referable to a non-salary component of Total Remuneration and may not be the subject of an election to take an equivalent amount of salary instead.

- 2.7 Vehicles:** Where an Office Holder accepts an offer of an agency owned or leased vehicle for private use, the Office Holder's Total Remuneration will be reduced by the actual cost of the vehicle to the agency and fringe benefits taxation, less a reasonable amount (if any) reflecting business usage patterns. Where an Office Holder has access to an agency owned or leased vehicle for private use, the Office Holder will be considered to have accepted an offer of a vehicle for the purposes of this provision. Any business usage amount is to be assessed on log book records for at least a 12 week representative period. Where the annual business kilometres are less than 5,000 it will be based on the 'cents per kilometre' method. Where business kilometres are 5,000 kilometres or more, the percentage of business use to total kilometres travelled per annum will be applied to the total cost of the vehicle.
- 2.7.1 Vehicle parking:** Where an Office Holder accepts an offer of a car park at Commonwealth expense, the actual cost (including fringe benefits tax) of the car park to the Agency will be a Benefit for Total Remuneration purposes.
- 2.8 Business Support:** Where an Office Holder is provided with communications, information technology and other office facilities necessary for the efficient conduct of his or her office, incidental private use of those facilities by the Office Holder does not necessitate the value of the facilities being included in Total Remuneration.

## **PART 3 – ALLOWANCES**

- 3.1 Accommodation Allowance:** The Office Holders listed in Column 1 of Table 3A will be eligible to receive an accommodation allowance (subject to expenditure) as shown in Column 3 of Table 3A whilst they occupy the office shown in Column 2. This amount is to assist the Office Holder in meeting settling-in and commercial rental accommodation costs (including one-off utility connection costs) in the office location:
- (a) while they also continue to have a property other than in the office location, as their principal place of residence; and
  - (b) it will not be paid for such periods that they live in premises owned by them at the office location.

An Office Holder will not be eligible to access travel allowance entitlements in the home locality or the office locality whilst they remain eligible to receive the accommodation allowance. However, where in terms of the ongoing arrangement it would clearly be more cost effective for the agency to provide travel allowance entitlements in the office locality, the agency should decide at the earliest practical opportunity to pay travel allowance rather than the accommodation allowance.

Where the commercial accommodation does not include cooking facilities, the cost of meals may form part of the payment, within the accommodation cap set for an Office Holder.

**TABLE 3A – ACCOMMODATION ALLOWANCES**

<b>Column 1 Office Holder</b>	<b>Column 2 Office</b>	<b>Column 3 Allowance (pa)</b>
Mr Bruce Gosper	Chief Executive officer, Austrade	\$40,000
Mr M Gooda	Aboriginal and Torres Strait Islander Social Justice Commissioner, Australian Human Rights Commission	\$32,780
Ms Kareena Arthy	Chief Executive Officer, Australian Pesticides and Veterinary Medicines Authority	\$28,600
Mr M Cormack	Chief Executive Officer, Health Workforce Australia	\$28,500
Ms L Sylvan	Chief Executive Officer, Australian National Preventive Health Agency	\$28,500
Ms C Munro	Chair/Chief Executive Officer, Clean Energy Regulator	\$28,500
Mr Paul O'Connor	Chief Executive Officer, Comcare	\$28,500
Mr Robert Fitzgerald	Commissioner, Productivity Commission	\$22,000

**3.1.1 Classification Board:** Subject to individual qualification for this allowance, to be decided by the employer in accordance with agency guidelines, Members who have, or had, to relocate to Sydney to take up their appointment will be paid an accommodation allowance of \$13,500 per annum. The allowance does not represent salary for superannuation.

**3.1.2 Defence Chiefs:** The employer may approve housing assistance in accordance with agency policy and practices for the Vice-Chief of the Defence Force, the Chief of Navy, the Chief of Air Force, the Chief of Army and the Director of Military Prosecutions.

**3.1.3 Official residence:** Where residing in an official residence is a requirement of an office, total remuneration does not include the value of accommodation in the official residence, or the running costs of the premises.

**3.1.4 Non-commercial accommodation:** Where an Office Holder listed in Column 1 of Table 3A elects to be accommodated in private, non-commercial accommodation, such as the home of a family member or friend, a rate of one third of the accommodation allowance in Column 3 of Table 3A is payable in lieu of the amount specified in Column 3.

**3.2 Reunion Travel:** The Office Holders shown in Column 1 of Table 3B may receive travel costs of up to the amount shown in Column 3 from their employer for travel back to their principal place of residence for the purposes of family reunion while they continue to occupy the office shown in Column 2. Where the agency decides, as provided in Clause 3.1 of this Determination, to pay an office holder travel allowance instead of accommodation allowance, any reunion travel allowance in Table 3B for that Office Holder will cease to apply at the same time.

**TABLE 3B – REUNION TRAVEL**

<b>Column 1 Office Holder</b>	<b>Column 2 Office</b>	<b>Column 3 Allowance (pa)</b>
Mr M Cormack	Chief Executive Officer, Health Workforce Australia	\$21,220
Ms Kareena Arthy	Chief Executive Officer, Australian Pesticides and Veterinary Medicines Authority	\$17,000
Mr Paul O'Connor	Chief Executive Officer, Comcare	\$16,800
Ms C Munro	Chair/Chief Executive Officer, Clean Energy Regulator	\$12,936
Mr M Gooda	Aboriginal and Torres Strait Islander Social Justice Commissioner, Australian Human Rights Commission	\$10,200
Ms L Sylvan	Chief Executive Officer, Australian National Preventive Health Agency	\$10,032
Mr Robert Fitzgerald	Commissioner, Productivity Commission	\$9,950

## **PART 4 – OFFICIAL TRAVEL**

### **General Travel Provisions**

- 4.1** The provisions of Determination 2004/03 (as amended) – *Official Travel by Office Holders* – (or any Determination that supersedes 2004/03), apply to offices covered by this Determination, subject to any exclusions or limitations in this Determination. In establishing entitlements, the Travel Tier identified in this Determination for an office will apply under Determination 2004/03 (or any Determination that supersedes 2004/03).
- 4.1.1** **ACCC:** the ACCC may put in place arrangements for Members' travel to Canberra that are more cost effective than the travel entitlements they are otherwise entitled to under this Determination.
- 4.1.2** **Administrator, Christmas and Cocos (Keeling) Islands:** The Administrator, and any immediate family members normally resident with him/her on Christmas Island shall be entitled to two return economy class fares per annum each between their home and work base.
- 4.1.3** **Administrator, Norfolk Island:** For the period of his appointment, Mr Neil Pope and his immediate family members normally resident with him on Norfolk Island shall be entitled to two return economy class fares per annum each between Melbourne and his work base.
- 4.1.4** **Commonwealth Financial Officer for Norfolk Island:** For the period of her appointment, Ms Alison Savary and any immediate family members normally resident with her on Norfolk Island shall be entitled to one return economy class fare each between Norfolk Island and Canberra.

## PART 5 – RECREATION LEAVE

- 5.1 Recreation Leave entitlements:** The provisions of Determination 2012/11 (as amended) – *Recreation Leave for Full-Time Holders of Relevant Offices* apply to full-time<sup>1</sup> Offices listed in Column 1 of Table 2A in this Determination to the extent specified in that Determination.
- 5.1.1 Commonwealth Financial Officer for Norfolk Island:** For the period of her appointment, Ms Alison Savary is entitled to three days recreation leave per annum, additional to any entitlements in Clause 5.1.
- 5.1.2 Administrator, Christmas and Cocos (Keeling) Islands:** The Administrator is entitled to seven days recreation leave per annum additional to any entitlement in Clause 5.1.
- 5.1.3 Administrator, Norfolk Island:** For the period of his appointment, Mr Neil Pope is entitled to three days recreation leave per annum, additional to any entitlement in Clause 5.1.

## PART 6 – COMPENSATION FOR EARLY LOSS OF OFFICE

- 6.1** Compensation for early loss of office for an Office Holder will be in accordance with the provisions of *Determination 2012/10: Compensation for Loss of Office for Holders of Public Office*.
- 6.2** Where an Office Holder serves the full term of appointment, no entitlement to payment under this part arises.

Signed this 18<sup>th</sup> day of June 2013.

Signed  
John C Conde AO  
PRESIDENT

Signed  
John B Prescott AC  
MEMBER

Signed  
Jillian Segal AM  
MEMBER

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<sup>1</sup> Note that the Remuneration Tribunal may only determine recreation leave in respect of full-time office holders – refer s7(3AA) of RT Act. Leave (if any) for Part-time Office Holders is determined by the relevant Minister or the Governor-General.