



REMUNERATION TRIBUNAL

Explanatory Statement: Determination 2014/01

Remuneration and Allowances for Holders of Public Office

1. The Remuneration Tribunal has inquired into and determined the remuneration and significantly related matters for certain office holders, as it is empowered to do by the *Remuneration Tribunal Act 1973*.
2. In making this determination the Tribunal has informed itself through consultation in accordance with established practice.
3. Any retrospective application of this determination is in accordance with subsection 12(2) of the *Legislative Instruments Act 2003* as it does not affect the rights of a person (other than the Commonwealth or an authority of the Commonwealth) to that person's disadvantage, nor does it impose any liability on such a person.

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PART 1 – FULL-TIME OFFICES

4. Clause 1.1 specifies the Principal Determination (Number 10 of 2013 as amended) for the purposes of Part 1 of the Determination.
5. Clauses 1.2 and 1.3 remove all reference to accommodation and reunion travel allowances for Ms Kareena Arthy, as these are no longer required.
6. Clause 1.4 clarifies the Travelling Allowance determined previously for the Solicitor-General.
7. Clauses 1.5 and 1.6 remove all reference to the person specific remuneration set for the former CEO of the National Mental Health Commission.
8. Clauses 1.7 and 1.8 set specific remuneration for Mr Malcolm Snow as Chief Executive, National Capital Authority.
9. Clause 1.9 sets the date of effect of Clauses 1.7 and 1.8.
10. Clause 1.10 removes all reference to Director-General, AusAID. This office is no longer in the Tribunal's jurisdiction.
11. Clause 1.11 replaces the amounts in Columns 2 and 3 of Table 2A with the amounts listed in Table 2B under 1 Jan 2014 for the Offices listed in that table. The remuneration of these offices increased from 1 January 2014.
12. Clause 1.12 removes all reference to the Chairperson, Commonwealth Grants Commission. The Chairperson is now a Part-time office.
13. Clause 1.13 sets the date of effect of Clause 1.12.

PART 2 – PART-TIME OFFICES

14. Clause 2.1 specifies the Principal Determination (Number 11 of 2013 as amended) for the purposes of Part 2 of the Determination.
15. Clause 2.2 sets remuneration for the Chair and Members of the newly established Prime Minister’s Indigenous Advisory Council.
16. Clause 2.3 sets the date of effect of Clause 2.2.
17. Clause 2.4 removes all reference to the Advisory Panel on the Marketing in Australia of Infant Formula. This body has been abolished.
18. Clause 2.5 removes all reference to the Aged Care Standards and Accreditation Agency. This body has been replaced by the Australian Aged Care Quality Advisory Council.

Authority: Subsections 7(3) and 7(4) of the *Remuneration Tribunal Act 1973*.

Statement of Compatibility with Human Rights

Prepared in accordance with Part 3 of the Human Rights (Parliamentary Scrutiny) Act 2011

Remuneration Tribunal Determination 2014/01

This Legislative Instrument is compatible with the human rights and freedoms recognised or declared in the international instruments listed in section 3 of the *Human Rights (Parliamentary Scrutiny) Act 2011*.

Overview of the Legislative Instrument

This Determination amends Principal Tribunal Determinations 2013/10: Remuneration and Allowances for Holders of Full-Time Public Office: and 2013/11: Remuneration and Allowances for Holders of Part-Time Public Office.

The Determination removes all references to the following offices/bodies which have been abolished or are no longer within the Tribunal's jurisdiction:

- Chair, Advisory Panel on the Marketing in Australia of Infant Formula;
- Chair and Members, Aged Care Standards and Accreditation Agency;
- Director-General, AusAID.

It also sets remuneration and related matters for offices associated with the newly established Prime Minister's Indigenous Advisory Council.

In addition, the Determination:

- removes the accommodation and reunion travel allowances previously determined for the Chief Executive Officer (CEO) of the Australian Pesticides and Veterinary Medicines Authority, as these are no longer required;
- clarifies the operation of the travel allowance previously determined for the current Solicitor-General;
- removes the person specific remuneration set for the former CEO of the National Mental Health Commission and sets person specific remuneration for the new Chief Executive of the National Capital Authority;
- reflects the current remuneration arrangements for the Commissioner, Australian Federal Police; Director-General, Australian Security Intelligence Organisation; Vice Chief of the Defence Force; Chief of Navy; Chief of Army; Chief of Air Force; Director-General, Office of National Assessments; Australian Electoral Commissioner, CEO, Australian Financial Security Authority; and Australian Public Service Commissioner; and
- removes the office of Chairperson of the Commonwealth Grants Commission from the full-time Determination as it is now a part-time office.

The instrument maintains the principles of fair, and current, remuneration for work performed and just and favourable conditions of work.

Human rights implications

This Legislative Instrument does not engage any of the applicable rights or freedoms.

Conclusion

This Legislative Instrument is compatible with human rights as it does not raise any human rights issues.

The Remuneration Tribunal