



## REMUNERATION TRIBUNAL

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# **Explanatory Statement: Determination 2014/03 Remuneration and Allowances for Holders of Part-Time Public Office**

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1. The Remuneration Tribunal has conducted an enquiry into part-time public offices. This enquiry resulted in the publication of the *Remuneration of Public Offices - Part-time Offices Report* in October 2013 (the Report). As foreshadowed in the Report the Tribunal has determined adjustments to part-time public offices in its jurisdiction with effect on and from 1 March 2014, as it is empowered to do by the *Remuneration Tribunal Act 1973*. The rates in this Determination reflect the rates set out in the Report.
2. In making this Determination the Tribunal has informed itself through consultation in accordance with established practice and as outlined in the Report.
3. As also outlined in the Report, this Determination is a significant revision of the previous principal Determination; it uses simpler language and is structured differently with a separate schedule provided for each remuneration model.

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### **PART 1 – GENERAL**

4. Part 1 specifies the authority for and the date of effect of the Determination and revokes and supersedes the previous principal Determination 2013/11 (as amended) applying to the Offices covered by this Determination. This Part also sets out the structure of the Determination and contains definitions of certain words used in the Determination, including new definitions for normal preparation time and official travel time.

### **PART 2 – FEES**

5. Part 2 and the related Schedules set out the fees for part-time public offices, including those not specified in the Determination. Where fees for an office have been established by the Tribunal under Determination 2013/11 (as amended) following publication of the Report, the fees in Determination 2014/03 have been determined having regard to the movement of fees for comparable bodies.

### **PART 3 – CONDITIONS OF OFFICIAL TRAVEL**

6. Part 3 sets out the entitlements for official travel which are contained in Determination 2013/16 (as amended).

## **SCHEDULE A – ANNUAL FEES**

7. Schedule A sets out the conditions of payment for annual fees and specifies the offices covered by the Schedule. It includes provision for reduction of an annual fee where an office holder is unavailable to perform duties for a period of more than three months.
8. The Schedule includes a number of Primary Industry authorities that formerly appeared in Schedule C of the previous determination.
9. Offices associated with the following bodies have been added to the Determination: Chair, Commonwealth Grants Commission. This office is new to the part-time jurisdiction. Following further review, fees for the offices of the CSIRO Board have increased to \$130,070 (Chair) and \$65,035 (Member). The reference to Frontline Defence Services (AAFCANS) has been replaced with the Army and Air Force Canteen Service (AAFCANS) to reflect a name change to the body.

## **SCHEDULE B – DAILY FEES**

10. Schedule B sets out the conditions of payment for daily fees on a meeting day and non-meeting day and specifies the offices covered by the Schedule.
11. The differing requirements for payment of a daily fee have been rationalised and official travel time has been incorporated into the calculation basis of a fee on a meeting day. On a non-meeting day 20% of a daily fee is payable for each period of work of at least one hour subject to a maximum payment of one daily fee on any one day.
12. The Schedule outlines the arrangements for certification of a Chair's daily fees.
13. Daily fee recipients of the Torres Strait Regional Authority (TSRA), various Primary Industry authorities; and Professional Committees of the former Health and Ageing Portfolio are no longer covered by separate schedules. These offices have been incorporated into Schedule B.

## **SCHEDULE C – ANNUAL MEETING AND ADDITIONAL DAILY FEES**

14. Schedule C sets out the conditions of payment for the annual meeting fee and rationalised additional daily fees. It also specifies the offices covered by the Schedule.
15. Schedule C includes provision for reduction of an annual meeting fee where an office holder is unavailable to perform duties for a period of more than three months.
16. The Schedule outlines the arrangements for certification of a Chair's daily fees.

## **SCHEDULE D – BASE FEE AND MEETING FEE**

17. Schedule D sets out the conditions of payment for the base (annual) fee and meeting (daily) fee. It also specifies the offices covered by the Schedule.
18. Schedule D includes provision for reduction of the base fee where an office holder is unavailable to perform duties for a period of more than three months.
19. The Schedule outlines the arrangements for certification of a Chair's daily fees.
20. The Takeovers Panel (previously in Schedule A) is now specified in Schedule D.

## **SCHEDULE E – ABORIGINAL LAND COUNCIL FEES**

21. Schedule E sets out the conditions of payment for fees to the Aboriginal Land Councils.
22. It includes provision for reduction of an annual fee where an office holder is unavailable to perform duties for a period of more than three months.
23. The Schedule outlines the arrangements for certification of a Chair's daily fees.

Authority: Sub-sections 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 2014/03**

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**

The Legislative Instrument, or Determination, applies increases to the remuneration of Part-Time Public Office Holders on and from 1 March 2014. The Determination is a significant revision of the structure and language of the previous principal Determination 2013/11.

The changes follow a review of the remuneration of the part-time public offices carried out by the Tribunal in compliance with subsections 7(3) and 8(1) of the *Remuneration Tribunal Act 1973*.

The instrument maintains the principle of fair, and current, remuneration for work performed.

#### **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**