



REMUNERATION TRIBUNAL

Explanatory Statement: Determination 2014/18 Remuneration and Allowances for Holders of Public Office including Judicial and Related Offices

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.

Contents

PART 1 – FULL-TIME OFFICES	1
PART 2 – PART-TIME OFFICES	1
PART 3 – JUDICIAL AND RELATED OFFICES	2

PART 1 – FULL-TIME OFFICES

4. Clause 1.1 specifies the Principal Determination (Number 12 of 2014 as amended) for the purposes of Part 1 of the Determination.
5. Clauses 1.2 and 1.3 set person specific base salary for the incoming Director-General of Security, Australian Security Intelligence Organisation.
6. Clauses 1.4 and 1.5 set person specific base salary for the incoming Chief Executive Officer, Comcare.
7. Clause 1.6 removes person specific total remuneration and Tier 1 travel arrangements previously determined for Patricia Scott, and retains a person specific base salary when her new appointment commences.
8. Clause 1.7 sets the date of effect of Clause 1.6.

PART 2 – PART-TIME OFFICES

9. Clause 2.1 specifies the Principal Determination (Number 8 of 2014 as amended) for the purposes of Part 2 of the Determination.
10. Clause 2.2 sets remuneration for the Chair, Deputy Chair and Directors of the Coal Mining Industry (Long Service Leave Funding) Corporation. These offices were previously remunerated in accordance with 'Offices Not Specified' rates in the former Part-Time Office Holder Determination.
11. Clause 2.3 sets the date of effect of Clause 2.2.

12. Clause 2.4 sets increased remuneration for the Chair, Deputy Chair and Members of the Board of the Australian Nuclear Science and Technology Organisation.
13. Clause 2.5 clarifies a reference to an office in Defence Families of Australia.
14. Clause 2.6 sets remuneration for the referred in offices of National Delegates, National Communications Officer and National Policy Officer of the Defence Families of Australia.
15. Clause 2.7 sets the date of effect of Clauses 2.5 and 2.6.

PART 3 – JUDICIAL AND RELATED OFFICES

16. Clause 3.1 specifies the Principal Determination (Number 9 of 2014 as amended) for the purposes of Part 3 of the Determination.
17. Clause 3.2 further clarifies the use of 'Reference Salary' for payment in lieu of leave on separation.

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 2014/18

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 2014/12 Remuneration and Allowances for Holders of Full-Time Public Office, 2014/08 Remuneration and Allowances for Holders of Part-Time Public Office, and 2014/09 Judicial and Related Offices – Remuneration and Allowances.

The Determination

- sets remuneration for the office of Coal Mining Industry (Long Service Leave Funding) Corporation which was previously remuneration in accordance with ‘Offices Not Specified’ rates in the former Part-Time Determination.
- sets remuneration for the offices which were referred into the Tribunal’s jurisdiction and associated with the Defence Families of Australia.
- sets increased remuneration for the Board of the Australian Nuclear Science and Technology Organisation.
- sets person specific base salary for the incoming Director-General of Security, Australian Security Intelligence Organisation and the Chief Executive Officer, Comcare, so that the retained value of the superannuation benefit for these office holders is more appropriately accounted in their remuneration packages.
- removes person specific Total Remuneration and Tier 1 travel arrangements for Patricia Scott as a Commissioner of the Productivity Commission with effect from commencement of her new appointment, and retains person specific base salary to ensure the retained value of her superannuation benefit is more appropriately reflected in her remuneration package.
- reflects the changes to the superannuation environment for judicial and related offices paid on a total remuneration basis.

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