



REMUNERATION TRIBUNAL

Explanatory Statement: Determination 2015/01: 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.

Contents

PART 1 – FULL-TIME OFFICES.....	1
PART 2 – PART-TIME OFFICES	2
PART 3 – SPECIFIED STATUTORY 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 accommodation and reunion travel allowances for the incoming Integrity Commissioner, Australian Law Enforcement Integrity Commission.
6. Clause 1.4 sets the date of effect of Clauses 1.2 and 1.3.
7. Clauses 1.5 and 1.6 remove all reference to accommodation and reunion travel allowances for Ms L Sylvan, the former CEO, Australian National Preventive Health Agency.
8. Clause 1.7 extends the end date of the specific remuneration paid to the current Chair/CEO, Clean Energy Regulator.
9. Clause 1.8 sets increased remuneration for the office of Clean Energy Regulator.
10. Clause 1.9 removes the Chief Commissioner from the full-time Determination. This office now appears in the part-time determination. Clause 1.9 also sets revised remuneration for the Chief Executive Officer of the Tertiary Education Quality and Standards Agency (TEQSA).
11. Clause 1.10 removes the Commissioner, TEQSA from the full-time determination. This office now appears in the part-time determination.
12. Clause 1.11 sets the date of effect of Clauses 1.9 and 1.10.
13. Clauses 1.12 and 1.13 remove all reference to person specific remuneration arrangements applying to the former Deputy Chair, Productivity Commission.

PART 2 – PART-TIME OFFICES

14. Clause 2.1 specifies the Principal Determination (Number 08 of 2014 as amended) for the purposes of Part 2 of the Determination.
15. Clause 2.2 removes all reference to the National Precincts Board, General Practice Education and Training Limited and the Albury-Wodonga Development Corporation. These offices have been abolished or absorbed into Government Departments.
16. Clause 2.3 removes all reference to Clause A8 and Clause A10. These clauses are no longer required.
17. Clause 2.4 removes the Clause number from the Moorebank Intermodal Terminal entry. This provision expired on 31 December 2014.
18. Clause 2.5 removes the Clause number from the Murray-Darling Basin Authority entry. This provision expired on 31 January 2015.
19. Clause 2.6 sets remuneration for the new office of Australian Sports Drug Medical Advisory Committee – Review Members.
20. Clause 2.7 sets reduced remuneration for the Chair and Members of the Higher Education Standards Panel.
21. Clause 2.8 sets remuneration for the Chief Commissioner and Commissioners of the Tertiary Education Quality and Standards Agency (TEQSA).
22. Clause 2.9 sets person specific remuneration, accommodation and reunion travel allowances for Emeritus Professor Clifford Walsh while working four days full-time per week.
23. Clause 2.10 sets the date of effect of clauses 2.8 and 2.9.

PART 3 – SPECIFIED STATUTORY OFFICES

24. Clause 3.1 specifies the Principal Determination (Number 7 of 2014) for the purposes of Part 3 of the Determination.
25. Clause 3.2 corrects the Determination Number of the *Compensation for Loss of Office for Holders of Public Office* Determination.
26. Clause 3.3 sets the date of effect of Clause 3.2

Authority: Subsections 7(3), 7(4) and 7(4B)
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 2015/01

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 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 Determination 2014/07: Specified Statutory Offices – Remuneration and Allowances.

The Determination:

Removes all reference to the following offices/bodies which have been abolished or absorbed into Government Departments.

- National Precincts Board;
- General Practice Education and Training Limited;
- Albury-Wodonga Development Corporation.

The Determination also removes all references to person specific clauses that set remuneration provisions that have now expired for:

- former Deputy Chair, Productivity Commission
- former Chief Executive Officer, Australian National Preventive Health Agency;
- Chair, Deputy Chair and Member of Moorebank Intermodal Terminal;
- former Director, Moorebank Intermodal Terminal;
- former Chair, Murray-Darling Basin Authority.

In addition, the Determination:

- Sets accommodation and reunion travel allowances for the incoming Integrity Commissioner, Australian Law Enforcement Integrity Commission.
- Sets remuneration for the new office of Australian Sports Drug Medical Advisory Committee – Review Members.
- Sets increased remuneration for the office and extends the end date that the specified remuneration is to be paid to the current CEO/Chair of the Clean Energy Regulator.
- Under changes to the TEQSA Amendment Bill 2014 the determination splits the Chief Commissioner and Chief Executive Officer (CEO) positions, and sets revised remuneration for the CEO. It moves the Chief Commissioner and Commissioner to the part-time determination and sets a daily rate. It sets person specific remuneration and allowances for Commissioner, Emeritus Professor Walsh while his work routine is four full-time days per week.
- Sets reduced remuneration for the Chair and Members of the Higher Education Standards Panel. The revised remuneration reflects reduced responsibilities in the role and workload of the Panel. The determination has no retrospective impact, as the first formal meeting of the new Panel is expected to occur in June 2015.
- Amends an incorrect reference to a Determination number in the Specified Statutory Offices – Remuneration and Allowances Determination.

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