



REMUNERATION TRIBUNAL

Explanatory Statement: Determination 2015/20

Remuneration and Allowances for Holders of Part-Time Public Office

1. The Remuneration Tribunal has inquired into and determined a general adjustment in the remuneration of Public Offices in its jurisdiction with effect on and from 1 January 2016, as it is empowered to do by the *Remuneration Tribunal Act 1973* (the Act).
2. The Chair remuneration in this Determination has been increased by 2 per cent. Member remuneration has also been increased by the amount that maintains the pre-existing Member to Chair fee ratio in each respective authority.
3. The fees in this Determination have been rounded where appropriate.
4. In undertaking its inquiry and making this Determination the Tribunal has informed itself through consultation in accordance with established practice.
5. 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 – GENERAL..... | 1 |
| PART 2 – FEES | 1 |
| PART 3 – CONDITIONS OF OFFICIAL TRAVEL | 1 |
| SCHEDULE A – ANNUAL FEES | 2 |
| SCHEDULE B – DAILY FEES | 2 |
| SCHEDULE C – ANNUAL MEETING AND ADDITIONAL DAILY FEES | 2 |
| SCHEDULE D – BASE FEE AND MEETING FEE..... | 2 |
| SCHEDULE E – ABORIGINAL LAND COUNCILS FEES | 2 |

PART 1 – GENERAL

6. Part 1 specifies the authority for and the date of effect of the Determination and supersedes and revokes the previous principal Determination 2015/08 (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.

PART 2 – FEES

7. Part 2 and the related Schedules set out the fees for part-time Public Offices, including those not specified in the Determination. These fees are effective on and from 1 January 2016, except where specified. Part 2 also sets out payment conditions for both specified and unspecified rates. These conditions are unchanged from those contained in Part 2 of the previous Determination.

PART 3 – CONDITIONS OF OFFICIAL TRAVEL

8. Part 3 sets out the entitlements for official travel which are contained in the Principal Determination 2015/11.

9. The general provisions in Part 3 are unchanged from those contained in Part 3 of the previous Determination.

SCHEDULE A – ANNUAL FEES

10. Schedule A sets out the conditions of payment for annual fees and specifies the offices covered by the Schedule.
11. The general provisions in Schedule A are unchanged from those contained in Schedule A of the previous Determination.

SCHEDULE B – DAILY FEES

12. 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.
13. An additional clause to Table B which set personal remuneration arrangements for a Commissioner of the Tertiary Education Quality Standards Agency (TEQSA) has been removed as that Commissioner no longer has a working pattern that necessitates a separate remuneration arrangement. Personal remuneration arrangements set out for the Hon John Hatzistergos have also been removed now that he is no longer an Examiner of the Australian Crime Commission.
14. Offices associated with the Cooperative Research Centres Committee and the Cooperative Research Centres Appraisal Panel have been removed from Schedule B as the work of these committees is now undertaken under the auspices of the Innovation Australia Board and remunerated as an Innovation Australia Committee.
15. The new office of Associate Member, Climate Change Authority has been added to the Determination. Two offices that have recently come into the Tribunal's jurisdiction, Member, Australian Accounting Standards Board and Member, Auditing and Assurance Standards Board have also been added to Schedule B. The remuneration for the Hon Michael Knight AO, Member Australian Hearing Services, has also been adjusted to take account of superannuation arrangements.
16. Other changes in this Schedule compared to the previous Determination relate to the changing of the order of certain entries in the additional clauses to Table B to take into account amendments made since the previous Determination was made.

SCHEDULE C – ANNUAL MEETING AND ADDITIONAL DAILY FEES

17. Schedule C sets out the conditions of payment for the annual meeting fee and additional daily fees. It also specifies the offices covered by the Schedule.
18. The general provisions in Schedule C are unchanged from those contained in Schedule C of the previous Determination.

SCHEDULE D – BASE FEE AND MEETING FEE

19. 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.
20. The general provisions in Schedule D are unchanged from those contained in Schedule D of the previous Determination.

SCHEDULE E – ABORIGINAL LAND COUNCILS FEES

21. Schedule E sets out the conditions of payment for fees to the Aboriginal Land Councils.
22. The general provisions in Schedule E are unchanged from those contained in Schedule E of the previous Determination.

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 2015/20

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 the Tribunal's 2015 annual review decision of a two per cent remuneration increase (rounded as appropriate) to the Part-Time Public Offices from 1 January 2016.

The Determination supersedes and revokes the previous *Determination 2015/08 – Remuneration and Allowances for Holders of Part-Time Public Office* (as amended).

The changes follow a general review of the remuneration (and significantly related matters of 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 Determination also:

- removes a personal clause for a Commissioner of the Tertiary Education Quality Standards Agency as it no longer applies to that Commissioner;
- removes personal remuneration arrangements for the Hon John Hatzistergos as he is no longer an Examiner of the Australian Crime Commission;
- removes offices associated with the Cooperative Research Centres Committee and the Cooperative Research Centres Appraisal Panel from the Determination as these committees are currently not used;
- sets remuneration for the new office of Associate Member, Climate Change Authority;
- sets remuneration for the new offices of Member, Australian Accounting Standards Board and Member, Auditing and Assurance Standards Board; and
- adjusts remuneration for the Hon Michael Knight AO, Member Australian Hearing Services, to take account of superannuation arrangements.

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.

Remuneration Tribunal