



REMUNERATION TRIBUNAL

Explanatory Statement: Determination 2016/03: Remuneration and Allowances for Holders of Public Office and 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 *Legislation 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 21 of 2015 as amended) for the purposes of Part 1 of the Determination.
5. Clause 1.2 sets accommodation allowance for the incoming Chief Scientist.
6. Clause 1.3 sets increased reunion travel allowance for the Administrator of Norfolk Island.
7. Clause 1.4 sets the commencement date of Clause 1.3.
8. Clause 1.5 removes the clause number from the Infrastructure Australia, Chief Executive Officer entry.
9. Clause 1.6 removes all reference to an obsolete clause containing a loading determined for a specified period for the Chief Executive Officer of Infrastructure Australia.
10. Clause 1.7 removes all reference to the Chief Executive Officer, Telecommunications Universal Service Management Authority. The office has been abolished.
11. Clause 1.8 amends the name of the office following the legislative changes to the office.

PART 2 – PART-TIME OFFICES

12. Clause 2.1 specifies the Principal Determination (Number 20 of 2015 as amended) for the purposes of Part 2 of the Determination.
13. Clauses 2.2 and 2.3 remove all reference to the Road Safety Remuneration Tribunal, the Australian River Co. Ltd, Biological Diversity Advisory Committee and Health Workforce Australia. These offices have been abolished. The Australian Institute of Health and Welfare entry has moved to the Annual Fee table.

14. Clause 2.4 removes all reference to Health Workforce Australia and the Telecommunications Universal Service Management Agency. These offices have been abolished.
15. Clause 2.5 sets increased remuneration for the Australian Institute of Health and Welfare, Chair and changes the Member fee from a daily fee to an annual fee.
16. Clause 2.6 sets remuneration for the Australia Post, People, Safety and Culture Subcommittee, Chair and Member.
17. Clause 2.7 sets the commencement date of Clause 2.6.

PART 3 – JUDICIAL AND RELATED OFFICES

18. Clause 3.1 specifies the Principal Determination (Number 18 of 2015 as amended) for the purposes of Part 3 of the Determination.
19. Clause 3.2 restores the remuneration for the office of the Chief Judge Advocate to the rate of remuneration that would have applied had the Tribunal's 2009 annual review adjustment applied to that office. The current incumbent's remuneration is unaffected as remuneration has been authorised via regulations since that time.

Authority: Subsections 7(3) and 7(4)
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 2016/03

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

This Determination amends Principal Tribunal Determinations:

2015/21: Remuneration and Allowances for Holders of Full-Time Public Office;
2015/20: Remuneration and Allowances for Holders of Part-Time Public Office; and
2015/18: Judicial and Related Offices – Remuneration and Allowances.

The Determination removes all references to the following offices/bodies which have been abolished or absorbed into Government Departments:

- Road Safety Remuneration Tribunal;
- Australian River Co. Ltd;
- Telecommunications Universal Service Management Authority and Agency;
- Health Workforce Australia; and
- Biological Diversity Advisory Committee.

The Determination sets increased remuneration for the office of the Australian Institute of Health and Welfare and moves member from the Daily fee table to the Annual fee Table.

The Determination also removes a clause setting a loading for a period that expired in April 2016 for the Chief Executive Officer, Infrastructure Australia.

In addition, the Determination:

- sets accommodation allowance for the Chief Scientist;
- sets increased reunion travel allowance for the Administrator of Norfolk Island reflecting the current valuation of flights between Norfolk Island and Brisbane;
- corrects the name of the Aged Care Complaints Commission following the legislative name change;
- sets remuneration for the Australian Post, People, Safety and Culture sub-committee;
- restores remuneration for the Chief Judge Advocate by including the Tribunal's 2009 Annual Review adjustment previously not determined for this office.

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