



# **Remuneration Tribunal (Miscellaneous Provisions) Amendment (Holders of Judicial Office) Regulations 2024**

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I, the Honourable Sam Mostyn AC, Governor-General of the Commonwealth of Australia, acting with the advice of the Federal Executive Council, make the following regulations.

Dated 10 October 2024

Sam Mostyn AC  
Governor-General

By Her Excellency's Command

Patrick Gorman  
Assistant Minister for the Public Service  
Parliamentary Secretary to the Minister for the Public Service

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## 1 Name

This instrument is the *Remuneration Tribunal (Miscellaneous Provisions) Amendment (Holders of Judicial Office) Regulations 2024*.

## 2 Commencement

- (1) Each provision of this instrument specified in column 1 of the table commences, or is taken to have commenced, in accordance with column 2 of the table. Any other statement in column 2 has effect according to its terms.

Commencement information		
Column 1	Column 2	Column 3
Provisions	Commencement	Date/Details
1. Sections 1 to 4 and anything in this instrument not elsewhere covered by this table	The day after this instrument is registered.	11 October 2024
2. Schedule 1, Part 1	The day after this instrument is registered.	11 October 2024
3. Schedule 1, Part 2	14 October 2024.	14 October 2024

Note: This table relates only to the provisions of this instrument as originally made. It will not be amended to deal with any later amendments of this instrument.

- (2) Any information in column 3 of the table is not part of this instrument. Information may be inserted in this column, or information in it may be edited, in any published version of this instrument.

## 3 Authority

This instrument is made under the *Remuneration Tribunal Act 1973*.

## 4 Schedules

Each instrument that is specified in a Schedule to this instrument is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this instrument has effect according to its terms.

## **Schedule 1—Amendments**

### **Part 1—Amendments commencing day after registration**

#### ***Remuneration Tribunal (Miscellaneous Provisions) Regulations 2017***

##### **1 At the end of the instrument**

Add:

##### **8 Remuneration for some holders of a judicial office**

Subsection 7(12) of the Act does not apply to a person who:

- (a) holds, or performs the duties of, the office of a member of the Administrative Appeals Tribunal; and
- (b) holds a judicial office in the service of the Government of a State or of a country other than Australia, other than on a full-time basis.

##### **9 Application provisions—*Remuneration Tribunal (Miscellaneous Provisions) Amendment (Holders of Judicial Office) Regulations 2024***

- (1) Section 8 applies in relation to working out whether a person is entitled to be paid remuneration for the day on which that section commenced or for any later day.
- (2) Section 8 applies in relation to a person who holds, or performs the duties of, the office of a member of the Administrative Appeals Tribunal, whether the person became the holder of the office before, on or after the day on which that section commenced.
- (3) Section 8 applies in relation to a person who holds a judicial office, whether the person became the holder of the office before, on or after the day on which that section commenced.

## **Part 2—Amendments commencing on 14 October 2024**

### ***Remuneration Tribunal (Miscellaneous Provisions) Regulations 2017***

#### **2 Paragraph 8(a)**

Omit “Administrative Appeals Tribunal”, substitute “Administrative Review Tribunal”.