

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

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Note: This table relates only to the provisions of this instrument as originally made.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Each instrument that is specified in a Schedule to this instrument is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this instrument has effect according to its terms.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”.