



REMUNERATION TRIBUNAL

**Determination 2014/04:
Remuneration and Allowances for Holders of Public Office
including Judicial and Related Offices**

- (i) Pursuant to subsections 7(3) and 7(4) of the *Remuneration Tribunal Act 1973*, the Remuneration Tribunal has inquired into the remuneration and allowances to be paid to certain holders of public office, and other matters significantly related thereto, and determines as set out below.
- (ii) This Determination takes effect on and from the day following the day it is registered in the Federal Register of Legislative Instruments unless otherwise specified.

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PART 1 – FULL-TIME OFFICES

- 1.1** In this part, Determination Number 10 of 2013 (as amended) is referred to as the Principal Determination.
- 1.2** Table 3A of Part 3 of the Principal Determination is amended by inserting the following entry after the entry for "Mr Bruce Gosper, Chief Executive Officer, Austrade".

<u>Column 1</u>	<u>Column 2</u>	<u>Column 3</u>
Mr Timothy Wilson	Human Rights Commissioner, Australian Human Rights Commission	\$40,000

- 1.3** Table 3B of Part 3 of the Principal Determination is amended by inserting the following entry after the entry for "Mr M Cormack, Chief Executive Officer, Health Workforce Australia".

<u>Column 1</u>	<u>Column 2</u>	<u>Column 3</u>
Mr Timothy Wilson	Human Rights Commissioner, Australian Human Rights Commission	\$16,800

- 1.4** Clauses 1.2 and 1.3 take effect on and from 17 February 2014.

PART 2 – PART-TIME OFFICES

- 2.1** In this part, Determination Number 3 of 2014 is referred to as the Principal Determination.

- 2.2 Table B3 of Schedule B of the Principal Determination is amended by deleting the entry for the "Tasmanian Freight Equalisation Scheme Review Authority".
- 2.3 Clause 7.1 of Part 2 of the Principal Determination is amended by deleting the number "6" and replacing it with the number "7".
- 2.4 Clause 2.3 takes effect on and from 1 March 2014.
- 2.5 Table B3 of the Principal Determination is amended by inserting the following entry after the entry for the "Australian Community Pharmacy Authority".

Column 1	Column 2	Column 3	Column 4	Column 5	Column 6
Australian Grape and Wine Authority Selection Committee	922				2

- 2.6 Clause A8 of the Additional Sub-Clauses to Table A of the Principal Determination is amended by replacing the amount "\$32,160" with "\$32,590".
- 2.7 Clause A10 of the Additional Sub-Clauses to Table A of the Principal Determination is amended by replacing the amount "\$69,020" with "\$70,480".
- 2.8 Clause A13 of the Additional Sub-Clauses to Table A of the Principal Determination is amended by replacing the words "an annual fee" with "a personal loading" and deleting the words "and not the amount specified in column 2".
- 2.9 Clauses 2.6, 2.7 and 2.8 take effect on and from 1 March 2014.

PART 3 – JUDICIAL AND RELATED OFFICES

- 3.1 In this part, Determination Number 12 of 2013 (as amended) is referred to as the Principal Determination.
- 3.2 The Principal Determination is amended by deleting the sub-heading "**Payment of daily fees**" located immediately prior to clause 2.5.
- 3.3 The Principal Determination is amended by deleting the words "**Use of daily fees:** A person who is eligible to receive a daily fee may not be paid more than one daily fee in respect of any one day" at the beginning of clause 2.5, and replacing them with the words:

"Payment of daily fees: A person who holds a part-time office specified in Table 2 is entitled to be paid the daily fee specified in Table 2 (unless paid under clause 2.4 or 2.5A). A person who is eligible to receive a daily fee may not be paid more than one daily fee in respect of any one calendar day."
- 3.4 The Principal Determination is amended by deleting the words "The following clauses apply, (and clauses 2.5.1-2.5.3 do not apply) in relation to a person who holds office as a member of the Administrative Appeals Tribunal on a part-time basis." in the first sentence of clause 2.5.4 and replacing them with:

"The provisions of this clause apply, (and clauses 2.5.1-2.5.3 do not apply) in relation to a person who holds office as a member of the Administrative Appeals Tribunal on a part-time basis, other than those members to whom clause 2.5A applies."
- 3.5 The Principal Determination is amended by adding new clause 2.5A, with its sub-clauses 2.5A1 to 2.5A.2 inclusive, between clauses 2.5 and 2.6, as follows:

2.5A Payment of annual fees to AAT members: Administrative Appeals Tribunal members identified in clause 2.5A.1 or 2.5A.2 will, for the period that the provisions of clause 2.5A.1 or 2.5A.2 apply to them, be paid an annual fee in accordance with Table 2A. Neither clause 2.4 nor 2.5 applies to a member for the period that clause 2.5A applies. The annual fee payable to a member, as specified in the cell of Table 2A relevant to the member's office and work pattern, is payable on a periodic basis throughout each year and covers all activities undertaken by the member in performing the duties of their office. Part years are paid on a proportionate basis.

2.5A.1 A person who holds office as a member of the Administrative Appeals Tribunal on a part-time basis and who is subject to a direction under section 20 of the *Administrative Appeals Tribunal Act 1976* by the President of the Administrative Appeals Tribunal to work a specified number of days each week for a continuous period of 12 months or more; or

2.5A.2 A person who holds office as a member of the Administrative Appeals Tribunal on a part-time basis and who is subject to a direction under section 20 of the *Administrative Appeals Tribunal Act 1976* by the President of the Administrative Appeals Tribunal to work a specified number of days each week for a period of less than 12 months if that period ends on the day that the person's appointment as a part-time member expires.

3.6 The Principal Determination is amended by deleting the current words in subclause 2.7.1(ii) and replacing them with:

"the person was appointed on a part-time basis and is paid in accordance with clause 2.4, 2.5 or 2.5A;"

3.7 The Principal Determination is amended by deleting the title of Table 2 "Table 2 Rates of Remuneration – Non-Judicial Offices" and replacing it with the following title:

"Table 2 Full-Time salary and Part-time daily fees – Non-Judicial Offices"

3.8 The Principal Determination is amended by including Table 2A after Table 2 and its footnotes, as follows:

Table 2A ANNUAL FEES – PART-TIME NON-JUDICIAL OFFICES

Column 1	Column 2	Column 3	Column 4	Column 5
Office in Administrative Appeals Tribunal	1 day per week \$	2 days per week \$	3 days per week \$	4 days per week \$
Deputy President	78,000	156,000	234,000	312,000
Senior Member	61,560	123,120	184,680	246,240
Member	51,820	103,640	155,460	207,280

3.9 The Principal Determination is amended by deleting the current wording of footnote 4 to Table 2 and replacing it with:

(4) In addition to the fees specified a part-time member shall be paid a cancellation fee equivalent to 50 per cent of one day's fee where all of a day's work is cancelled with fewer than 5 working days' notice (this includes the circumstance where a hearing does not proceed on a day on which a member has attended).

Signed this 14th day of April 2014.

J.C. Conde
John C Conde AO
PRESIDENT

JBP
John B Prescott AC
MEMBER

Jillian Segal
Jillian Segal AM
MEMBER