



REMUNERATION TRIBUNAL

**Determination 2014/21:
Remuneration and Allowances for Holders of Public Office
including Principal Executive Office – Classification
Structure and Terms and Conditions**

- (i) Pursuant to subsections 7(3), 7(4) and 5(2A) 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.

Contents

PART 1 – FULL-TIME OFFICES..... 1
PART 2 – PART-TIME OFFICES 1
PART 3 – PRINCIPAL EXECUTIVE OFFICE – CLASSIFICATION STRUCTURE AND TERMS AND CONDITIONS 2

PART 1 – FULL-TIME OFFICES

- 1.1** In this part, Determination Number 12 of 2014 (as amended) is referred to as the Principal Determination.
- 1.2** Table 2A of Part 2 of the Principal Determination is amended by deleting “2.2.2” from Column 4 of the entry for “Administrator, Christmas and Cocos (Keeling) Islands”.
- 1.3** Part 2 of the Principal Determination is amended by deleting “Clause 2.2.2”.
- 1.4** Table 3B of part 3 of the Principal Determination is amended by inserting the following entry after the entry for “Mr Ben McDevitt, Chief Executive Officer, Australian Sports Anti-Doping Authority”.

<u>Column 1</u>	<u>Column 2</u>	<u>Column 3</u>
Mr Barry Haase	Administrator of Christmas Island and Cocos (Keeling) Islands	\$17,000

- 1.5** Clause 1.4 takes effect on and from 5 October 2014.

PART 2 – PART-TIME OFFICES

- 2.1** In this part, Determination Number 08 of 2014 (as amended) is referred to as the Principal Determination.
- 2.2** Table B3 of the Principal Determination is amended by deleting the entry for “Regional Development Australia Fund Advisory Panel”.

- 2.3** Table B3 of the Principal Determination is amended by replacing the current entry for the 'Australian Institute of Aboriginal and Torres Strait Islander Studies (AIATSIS)' with the following entry and placing it after the entry for "Administrative Review Council":

Column 1	Column 2	Column 3	Column 4	Column 5	Column 6
Australian Institute of Aboriginal and Torres Strait Islander Studies (AIATSIS)	1,076		807		2

- 2.4** Table B3 of the Principal Determination is amended by inserting the following entries after the entry for "Military Superannuation and Benefits Scheme Reconsideration Committee":

Column 1	Column 2	Column 3	Column 4	Column 5	Column 6
Uluru – Kata Tjuta Board of Management	615		462		2
Kakadu Board of Management	615		462		2
Booderee Board of Management	512		384		2

- 2.5** Clause 2.4 takes effect on and from 1 July 2014.

PART 3 – PRINCIPAL EXECUTIVE OFFICE – CLASSIFICATION STRUCTURE AND TERMS AND CONDITIONS

- 3.1** In this part, Determination Number 09 of 2013 is referred to as the Principal Determination.
- 3.2** Clause 6.1 of Part 6 of the Principal Determination is amended by replacing "6.3" with "6.4" and replacing the wording in sub-clause (d) and inserting sub-clauses (e) and (f) as follows:
- (d) the appointment was terminated prematurely on account of mental or physical incapacity; or
 - (e) the person becomes bankrupt, applies to take the benefit of any law for the relief of bankrupt or insolvent debtors, compounds with his or her creditors or makes an assignment of his or her remuneration for the benefit of his or her creditors; or
 - (f) the person is offered suitable alternative employment (including in a Commonwealth company or authority) in accordance with clause 6.2.
- 3.3** Part 6 of the Principal Determination is amended by removing clauses 6.3 to 6.5 and adding the following:
- 6.3** For the purposes of clause 6.2, an offer of suitable alternative employment is taken to have been made to the person, if the person is on leave without pay or some other form of authorised absence from APS employment and is able to resume that employment following the termination of their appointment.
- 6.4 Compensation:** Where the Commonwealth does not offer suitable alternative employment under Clause 6.2, the Agency will pay the office holder 1/3 of one month of an office holder's Reference Salary per month of service remaining, in lieu of obligations such as provision of notice or payment instead of notice or redundancy pay and subject to:
- (a) a minimum payment of four months of an office holder's Reference Salary; and

- (b) a maximum payment of one year of an office holder's Reference Salary.
- 6.5 Unexpired period:** Under clause 6.4, the Employing Body may calculate service remaining by excluding any period of Commonwealth service in alternative employment to be performed during the remaining term of appointment, where the alternative employment commenced immediately after the termination, and may require a PEO to sign a release in return for the payment.
- 6.6 Comprehensive Coverage:** Clauses 6.1 to 6.5 deal comprehensively with the subject of payments related to an office holder ceasing to hold office, regardless of the basis upon which the office holder ceases to hold office.

Signed this 12th day of November 2014


John C Conde AO
PRESIDENT


John B Prescott AC
MEMBER