

REMUNERATION TRIBUNAL

Determination Number 5 of 1999

REMUNERATION AND ALLOWANCES FOR HOLDERS OF PUBLIC OFFICES

Pursuant to sub-sections 7(3) and 7(4) and to sub-sections 8(2) and 8(3) of the *Remuneration Tribunal Act 1973*, the Remuneration Tribunal has inquired into the remuneration to be paid to holders of public offices, and other matters significantly related thereto, and determines as hereunder:

PART 1

FULL-TIME HOLDERS OF PUBLIC OFFICES

1.

Office	Basic rate per annum of Salary from 31.3.1999 \$
Managing Director, Australian Broadcasting Corporation ¹	164,600
Managing Director, Australian Trade Commission (AUSTRADE)	164,600
Chairperson, Australian Communications Authority	152,200
Chairperson, Australian Broadcasting Authority	152,200
Chairperson, Aboriginal and Torres Strait Islander Commission (ATSIC) Board of Commissioners	152,200
Chief Executive Officer, Australian National Training Authority	152,200
Chairperson, Productivity Commission	152,200
Chairperson, National Board of Employment, Education and Training (NBEET)	152,200

¹ Loading of 15% additional to basic rate per annum of salary, whilst occupied by Mr B Johns, effective from date of appointment.

Office	Basic rate per annum of Salary from 31.3.1999 \$
Commissioner, Australian Federal Police	152,200
Commonwealth Ombudsman	152,200
First Parliamentary Counsel	152,200
Managing Director, Health Insurance Commission	152,200
President, Human Rights and Equal Opportunity Commission ²	152,200
Chief Executive Officer, ATSIC	144,100
Associate Director of Public Prosecutions	144,100
Chairperson, Council for Aboriginal Reconciliation	144,100
Chief of Navy	144,100
Chief of Army	144,100
Chief of Air Force	144,100
Vice-Chief of the Defence Force	144,100
Deputy Managing Director, AUSTRADE	144,100
Director-General, Australian Security Intelligence Organisation	144,100
Director-General, Office of National Assessments	144,100
Executive Director, Australian Nuclear Science and Technology Organisation	144,100
Executive Director, Special Broadcasting Service ³	144,100

² *For the holder of the office of President appointed on a permanent part-time basis, salary and office holder supplement specified in Part 5 shall be payable on a pro rate basis in accord with the proportion of full-time hours worked subject to the employment being at least half of the full-time rate.*

³ *Loading of 15% additional to basic rate per annum of salary, whilst occupied by Mr Nigel Milan, effective from date of appointment.*

Office	Basic rate per annum of Salary from 31.3.1999 \$
Inspector-General of Intelligence and Security	144,100
Member, National Crime Authority	144,100
Second Commissioner of Taxation	144,100
Chief Executive Officer, Australian Maritime Safety Authority	144,100
The Clerk of the Senate	136,500
The Clerk of the House of Representatives	136,500
Chief Executive Officer, Family Court of Australia	136,500
Managing Director, Australian Tourist Commission	136,500
Administrator of the Northern Territory	129,900
Deputy Chairperson, NBEET	129,900
Director, Australian Institute of Criminology	129,900
Director, Office of Asset Sales and Information Technology Outsourcing ⁴	129,900
Australian Electoral Commissioner	129,900
Deputy Chair, Productivity Commission	129,900
Deputy Chair, Australian Communications Authority	129,900
General Manager, Australia Council	129,900
Head of the Office of Indigenous Policy	129,900
Chief Executive Officer, Australian Radiation Protection and Nuclear Safety Agency	129,900

⁴ *Loading of 15% additional to basic rate per annum of salary, whilst occupied by Mr M Hutchinson, effective from date of appointment.*

Office	Basic rate per annum of Salary from 31.3.1999 \$
Chief Executive Officer, Australia New Zealand Food Authority ⁵	125,500
Deputy Chairperson, Australian Broadcasting Authority	125,500
Member, NBEET who is also Chairperson of the Higher Education Council	125,500
Member, NBEET who is also Chairperson of the Australian Research Council	125,500
Chief Executive Officer, Comcare	125,500
Commissioner, Productivity Commission ⁶	125,500
Commissioner for Superannuation	125,500
Deputy President, Law Reform Commission	125,500
Director, National Gallery of Australia ⁷	125,500
Head, Biodiversity Group	125,500
Director, Australian Transaction Reports and Analysis Centre	125,500
Director, Australian War Memorial	125,500
Executive Member, National Council for the Centenary of Federation ⁸	125,500

⁵ *Loading of 5% additional to basic rate per annum of salary, whilst occupied by Mr I Lindenmayer, effective from date of appointment. To be reviewed.*

⁶ *For the holder of an office of Commissioner appointed on a permanent part-time basis, salary and the office-holder supplement specified in Part 5 shall be payable on a pro rata basis in accord with the proportion of full-time hours worked subject to the employment being at least half of the full-time rate.*

⁷ *In addition to basic salary a recruitment and relocation loading of \$25,800 per annum to be paid to Mr B Kennedy from date of his appointment.*

⁸ *Payable on a pro rata basis in accord with the proportion of full-time hours worked, subject to the employment being at least half of the full-time rate.*

Office	Basic rate per annum of Salary from 31.3.1999 \$
Director-General, National Library of Australia	125,500
Employment Advocate	125,500
Associate Member, Australian Communications Authority	125,500
Member, Australian Communications Authority	125,500
Executive Director, Australian Sports Commission ⁹	125,500
Managing Director, Defence Housing Authority	125,500
Chief Executive Officer, National Registration Authority for Agricultural & Veterinary Chemicals	125,500
Principal Member, Immigration Review Tribunal	125,500
Principal Member, Migration Review Tribunal	125,500
Principal Member, Refugee Review Tribunal	125,500
Privacy Commissioner	125,500
Second Parliamentary Counsel	125,500
Chief Executive, Office for Government On-Line (subject to review in June 2000)	125,500
Member, Australian Broadcasting Authority	115,800
Director, Australian Film Television and Radio School	115,800
Chairman, Great Barrier Reef Marine Park Authority	115,800
Director, Australian Centre for International Agricultural Research	115,800

⁹ *Loading of 10% additional to basic rate per annum of salary, whilst occupied by Mr J Ferguson.
To be reviewed.*

Office	Basic rate per annum of Salary from 31.3.1999 \$
Director, Australian Institute of Family Studies	115,800
Director, Australian Institute of Health and Welfare	115,800
Director, Australian Institute of Marine Science	115,800
Chairperson, Indigenous Land Corporation	115,800
Chief Executive, National Capital Authority ¹⁰	115,800
Director, Nuclear Safety Bureau	115,800
Director, Classification Board	115,800
Disability Discrimination Commissioner	115,800
Member, NBEET	115,800
Member, Anti-Dumping Authority	115,800
Deputy President, Repatriation Commission	115,800
Member, Law Reform Commission	115,800
Associate Commissioner, Productivity Commission ¹¹	115,800
Director, National Institute of Occupational Health and Safety	115,800
Managing Director, Film Australia Limited	115,800
Chief Executive Officer, National Road Transport Commission	115,800
Human Rights Commissioner	115,800

¹⁰ *In addition to basic salary a loading of \$21,000 per annum to be paid to Ms A Pegrum from date of her appointment.*

¹¹ *For the holder of an office of Associate Commissioner appointed on a permanent part-time basis, salary and the office-holder supplement specified in Part 5 shall be payable on a pro rata basis in accord with the proportion of full-time hours worked subject to the employment being at least half of the full-time rate.*

Office	Basic rate per annum of Salary from 31.3.1999 \$
Race Discrimination Commissioner	115,800
Sex Discrimination Commissioner	115,800
Supervising Scientist ¹²	115,800
Chief Executive Officer, National Occupational Health and Safety Commission ¹³	115,800
Deputy Commonwealth Ombudsman	115,800
Director, Professional Services Review	112,200
Secretary to Joint House	110,300
Principal Parliamentary Reporter	110,300
Administrator, Christmas and Cocos (Keeling) Islands ¹⁴	106,700
Australian Deputy Electoral Commissioner	104,900
Official Secretary to the Governor-General	104,900
Director, Australian National Maritime Museum	104,900
Director, National Museum of Australia	104,900
Director, Australian Institute of Sport	104,000
Principal, Australian Institute of Aboriginal and Torres Strait Islander Studies	104,000
Deputy Director, Classification Board	104,000
Registrar, Industrial Relations Court	104,000

¹² *Salary to be reviewed on vacancy.*

¹³ *Remuneration of \$125,500 per annum and the office-holder supplement specified in Part 5 as pertaining to that level shall be payable to Mr Alan Rowe from date of his appointment.*

¹⁴ *Travelling Allowance of \$245 per overnight stay in Sydney and \$210 per overnight stay in any other capital city and \$175 per overnight stay in other than a capital city. Other travel conditions as per 6.1(b) to (g).*

Office	Basic rate per annum of Salary from 31.3.1999 \$
Director, Merit Protection and Review Agency	104,000
Director of Safeguards	104,000
Industrial Registrar, Australian Industrial Relations Commission	104,000
Private Health Insurance Ombudsman	104,000
Deputy Principal Member, Refugee Review Tribunal	104,000
Commissioner, Repatriation Commission	104,000
Chairperson, Superannuation Complaints Tribunal	104,000
Director, ATSIIC Office of Evaluation and Audit ¹⁵	104,000
Director of Affirmative Action	104,000
National Convenor, Social Security Appeals Tribunal	104,000
Principal Member, Veterans' Review Board	104,000
Administrator, Torres Strait Regional Authority	95,100
Australian Electoral Officer for New South Wales	95,100
Australian Electoral Officer for Victoria	95,100
Chairperson, Torres Strait Regional Authority ¹⁶	95,100
Counsellor (category 1), NBEET	95,100
Deputy Chairperson, ATSIIC Board of Commissioners ¹⁷	95,100

¹⁵ *Travelling Allowance of \$245 per overnight stay in Sydney and \$210 per overnight stay in any other capital city and \$175 per overnight stay in other than a capital city. Other travel conditions as per Part 6.1(b) to (g).*

¹⁶ *Travelling Allowance rates and conditions in accordance with Part 6.1.*

¹⁷ *Travelling Allowance of \$245 per overnight stay in Sydney and \$210 per overnight stay in any other capital city and \$175 per overnight stay in other than a capital city. Other travel conditions as per Part 6.1(b) to (g).*

Office	Basic rate per annum of Salary from 31.3.1999 \$
Chief Executive Officer, Australian Sports Drug Agency	95,100
Director, Chemicals Notification and Assessment	95,100
Registrar, Administrative Appeals Tribunal	95,100
Registrar, National Native Title Tribunal	95,100
Executive Director, National Standards Commission	95,100
Managing Director, Frontline Defence Services (AAFCANS)	95,100
Member, Australian Film Commission	95,100
General Manager, Aboriginal Hostels Ltd	95,100
Australian Electoral Officer for Queensland	84,400
Senior Member, Immigration Review Tribunal	84,400
Executive Officer, National Environment Protection Council Service Corporation	84,400
Director, Private Health Insurance Administration Council	84,400
Senior Member, Migration Review Tribunal	84,500
Senior Member, Refugee Review Tribunal	84,400
Deputy Chairperson, Superannuation Complaints Tribunal	84,400
General Manager, Torres Strait Regional Authority	84,400
Director of War Graves	84,400
Member, Merit Protection and Review Agency	84,400

Office	Basic rate per annum of Salary from 31.3.1999 \$
Senior Member, Social Security Appeals Tribunal ¹⁸	84,400
Australian Electoral Officer for South Australia	75,300
Australian Electoral Officer for Western Australia	75,300
Member, Immigration Review Tribunal	75,300
Member, Migration Review Tribunal	75,300
Chairman (full-time), Northern Land Council	75,300
Counsellor (category 2), NBEET	75,300
Commissioner, ATSIC Board of Commissioners	75,300
Member, Refugee Review Tribunal	75,300
Senior Member, Veterans' Review Board	75,300
Administrator, Norfolk Island ¹⁹	75,300
Chief Executive Officer, ESRA	73,440
Australian Electoral Officer for the Northern Territory	68,000
Australian Electoral Officer for Tasmania	68,000
Chairperson, ATSIC Regional Council ²⁰	68,000
Member, Veterans' Review Board	68,000

¹⁸ *Salary and the office-holder supplement specified in Part 5 shall be payable on a pro rata basis in accord with the proportion of full-time hours worked subject to the employment being at least half of the full-time rate.*

¹⁹ *First class or business class travel, whichever is available, within Australia, travelling allowance of \$245 per overnight stay in Sydney, \$210 per overnight stay in any other capital city and \$175 per overnight stay in other than a capital city. Other travel conditions as per 6.1(b) to (g).*

²⁰ *Travelling allowance of \$245 per overnight stay in Sydney, \$210 per overnight stay in any other capital city and \$175 per overnight stay in other than a capital city. Other travel conditions as per 6.1(b) to (g).*

Office	Basic rate per annum of Salary from 31.3.1999 \$
Regional Council Administrator, ATSIC	68,000
Senior Classifier, Classification Board	68,000
Chairman, (full time) Central Land Council	65,800
Social Security Appeals Tribunal ²¹	
Member in charge of a large registry	63,000
Member in charge of a medium registry	59,400
Member in charge of a small registry	58,200
Member	53,600
Classifier, Classification Board	53,600

²¹ *Salary and the office-holder supplement specified in Part 5 shall be payable on a pro rata basis in accord with the proportion of full-time hours worked subject to the employment being at least half of the full-time rate.*

PART 2NON-TENURED REMUNERATION

- 2.1 The holder of an office with a basic rate of salary of \$144,100 or more who elects to forego all preferential rights under the *Public Service Act 1922* or any other employing Act of the Commonwealth to take up, or return to, full time employment with the Commonwealth in another capacity at the conclusion of the appointment, is entitled to be paid a loading of 15% of the basic rate per annum of salary from the date of so electing.

PART 3

- 3.1 The holder of an office who does not satisfy the conditions for non-tenured remuneration specified in Part 2 of this Determination shall be remunerated in accordance with the provisions of either Part 4 or Part 5 of this Determination.

PART 4PERFORMANCE REMUNERATION

- 4.1 The holders of the offices specified in Table 4.3 below shall be entitled to the basic rate per annum of salary set out in Part 1, and further, shall be entitled to an amount of performance based remuneration, if so assessed by their Board or Council, up to a maximum amount per annum as follows:

Level 1	\$20,000
Level 2	\$15,000
Level 3	\$12,500
Level 4	\$10,000

- 4.2 The amount of performance remuneration to be paid up to the relevant maximum will be assessed by the Board or Council of the relevant authority in accordance with criteria consistent with Guidelines advised by the Remuneration Tribunal from time to time.

4.3

Office	Level
Managing Director, Australian Broadcasting Corporation	1
Chief Executive Officer, Australian National Training Authority	1
Managing Director, Australian Trade Commission (AUSTRADE)	1
Managing Director, Health Insurance Commission	1
Deputy Managing Director, AUSTRADE	1
Executive Director, Australian Nuclear Science and Technology Organisation	1
Executive Director, Special Broadcasting Service	1
Chief Executive Officer, Australian Maritime Safety Authority	1
General Manager, Australia Council	2
Chief Executive Officer, Comcare	2
Chief Executive Officer, National Occupational Health and Safety Commission	2
Director-General, National Library of Australia	2
Executive Director, Australian Sports Commission	2
Managing Director, Australian Tourist Commission	2
Managing Director, Defence Housing Authority	2
Director, Australian Institute of Marine Science	2
Director, National Gallery of Australia	2
Chief Executive, National Capital Authority	2

Office	Level
Director, Australian War Memorial	2
Director, National Museum of Australia	3
Chief Executive Officer, National Registration Authority for Agricultural and Veterinary Chemicals	2
Director, Australian National Maritime Museum	3
Principal, Australian Institute of Aboriginal and Torres Strait Islander Studies	3
Chief Executive Officer, Australian Sports Drug Agency	3
Executive Director, National Standards Commission	3
Managing Director, Frontline Defence Services (AAFCANS)	3
Director, Australian Institute of Sport	3
General Manager, Aboriginal Hostels Ltd	3
Director, Private Health Insurance Administration Council	4

PART 5OFFICE-HOLDER SUPPLEMENT

5.1 The holder of an office who is not specified in Table 4.3 above shall be entitled to remuneration supplementary to the applicable basic rate of salary as follows:

5.2

Basic Salary for the Office Within the Range \$	Supplementary Remuneration per annum from 1.7.1998 \$
173,900 - 136,500	11,500
136,499 - 110,300	8,500
110,299 - 75,300	5,750
75,299 - 53,600	4,500

PART 6TRAVELLING ALLOWANCEWithin Australia

6.1 Offices specified in Part 1 with a basic rate of salary of \$129,900 or more per annum shall be paid travelling allowance in accordance with the following:

- (a) Where an office holder stays overnight at a locality on official business, the office holder is entitled to be paid travelling allowance at the following rates for each overnight stay away from headquarters:

Sydney:	\$350 per night
Other Capital City:	\$290 per night
Other than Capital City:	\$200 per night

- (b) An allowance of \$60 shall be payable where travel involves an absence from home of at least 10 hours, but does not involve an overnight stay.

- (c) Where the absence specified in paragraph (a) exceeds a multiple of 24 hours by at least 10 hours, an extra \$60 shall be payable in addition to the appropriate overnight stay payments.
 - (d) Where the Government meets the travel costs of a spouse accompanying an office holder, the additional cost of double room over single room accommodation shall be added to the rate of overnight stay. Such additional cost shall be assessed at \$10 unless vouched.
 - (e) Where the costs of accommodation are met, travelling allowance of \$80 only shall be payable.
 - (f) Where the costs of accommodation and a meal per day are met, travelling allowance of \$65 only shall be payable.
 - (g) Where the costs of accommodation and all meals per day are met, travelling allowance of \$30 only shall be payable.
- 6.2 Offices specified in Part 1 with salaries at or between \$75,300 and \$125,500 per annum, shall be entitled to the rates and conditions of travelling allowance determined from time to time for officers of the Senior Executive Service of the Australian Public Service.
- 6.3 Offices specified in Part 1 with salaries at or below \$68,000 shall be entitled to the rates and conditions of travelling allowance determined from time to time for officers of the Senior Officer structure of the Australian Public Service.

Overseas

- 6.4 A holder of a full-time public office who is entitled to receive travelling allowance within Australia at the Sydney rate of \$350 per overnight stay shall be entitled to receive travelling, equipment and other overseas allowances at the rates and on the conditions determined under section 82D of the *Public Service Act 1922* for Secretaries of Departments.
- 6.5 A holder of a full-time public office who is entitled to receive travelling allowance within Australia at rates determined for the Senior Executive Service of the Australian Public Service shall be entitled to receive travelling, equipment and other overseas allowances at the rates and on the conditions determined under section 82D of the *Public Service Act 1922* for the Senior Executive Service of the Australian Public Service.
- 6.6 Office holders not covered by paragraphs 6.4 or 6.5 shall be entitled to receive the general rates and conditions determined under section 82D of the *Public Service Act 1922*.

PART 7DISTRICT ALLOWANCE AND RECREATION LEAVE

- 7.1 Where a Commissioner of the Aboriginal and Torres Strait Islander Commission holds an office located in a region or district which is classified for the purposes of District Allowance, the holder of the office shall also be paid a District Allowance at the rates and on the conditions prescribed for officers of the Australian Public Service. Additionally, a Commissioner holding an office in one of the following locations shall also be paid District Allowance as if the Commissioner were an officer of the Australian Public Service residing at a locality of the District Allowance grade specified opposite the location:

Hope Vale Qld	Grade C
Brewarrina, NSW	Grade A
Kanpa, WA	Grade D
Warrakurna, WA	Grade D
Flinders Is, Tas	Grade B
Menzies, WA	Grade A

- 7.2 With effect from date of appointment as a full-time office-holder, a Commissioner of the Aboriginal and Torres Strait Islander Commission holding an office in one of the following locations, shall accrue, in addition to the recreation leave otherwise applicable under Determination 33 of 1994, a credit at an annual rate equal to the sum of the credit otherwise applicable and the number of days specified opposite the location:

Hope Vale Qld	5 days
Brewarrina, NSW	2 days
Kanpa, WA	7 days
Warrakurna, WA	7 days
Flinders Is, Tas	3 days
Menzies, WA	2 days

PART 8

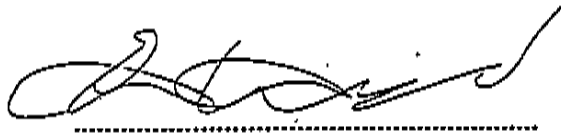
APPLICATION

8.1 This Determination takes effect on and from 31 March 1999.

8.2 This Determination supersedes Determination Number 19 of 1994 (as amended).

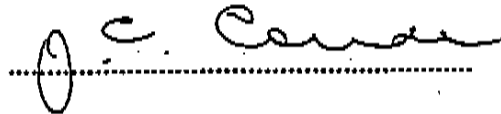
Dated this ^{Tw}24th day of March one thousand nine hundred and ninety nine.

Richard G. Humphry AO
President



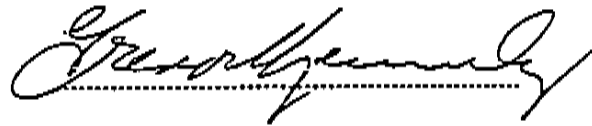
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John C. Conde AO
Member



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Trevor Kennedy AM
Member



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