



REMUNERATION TRIBUNAL

Explanatory Statement: Determination 2000/16

- (i) Specifies the authority for making the determination.
- (ii) Specifies that Remuneration Tribunal Determination 1999/16 takes effect on and from 1 December 2000 except where specified otherwise.

PART 1 FULL-TIME HOLDERS OF PUBLIC OFFICE

- 1.1 Specifies Remuneration Tribunal Determination 1999/05 for full-time holders of public office as the Principal Determination.
- 1.2 Specifies that the Principal Determination is amended by deleting the existing Part 2, Part 3, Part 4 and Part 5 and replacing them with amended text, an explanation of which follows:

PART 2 ADDITIONAL REMUNERATION FOR NON-TENURED OFFICERS

- 2.1 Clause 2.1 specifies that certain office holders who have a basic salary of \$148,800 or more at 1 December 2000 are eligible to receive non-tenure remuneration at the rate of 15% of their basic salary effective on and from 1 December 2000 where they have:
 - relinquished their right of return to full-time Commonwealth employment; and
 - written to the Public Service Commissioner before 31 March 2001 confirming they have relinquished this right.
- 2.2 Clause 2.2 specifies that certain office holders who have a basic salary of \$148,800 or more at 1 December 2000 are eligible to receive non-tenure remuneration at the rate of 15% of reference salary C in the Principal Executive Office structure where they have:
 - relinquished their right of return to full-time Commonwealth employment; and
 - written to the Public Service Commissioner on or after 31 March 2001 confirming they have relinquished this right.
- 2.3 Clause 2.3 specifies that certain office holders occupying offices that were created between 1 December 2000 and 31 March 2001 with a basic rate of salary of \$148,800 or more will be entitled to receive non-tenure remuneration at the rate of 15% of reference salary C in the Principal Executive Office structure where they have:
 - relinquished their right of return to full-time Commonwealth employment; and

- written to the Public Service Commissioner on or after 31 March 2001 confirming they have relinquished this right.

PART 3 ACCESS TO PERFORMANCE REMUNERATION OR SUPPLEMENTARY REMUNERATION

- 3.1 Clause 3.1 specifies that eligible office holders occupying certain offices at 1 December 2000 and not currently receiving performance or supplementary remuneration, but now eligible to do so, may make a submission to the Remuneration Tribunal proposing receipt of performance remuneration before 31 March 2001. The date of effect of any decision by the Tribunal will be either 1 December 2000 or the date that the office holder commenced in the office – whichever is the later.
- 3.2 Clause 3.2 specifies that eligible office holders occupying certain offices at 1 December 2000 and not currently receiving performance or supplementary remuneration, but now eligible to do so, may make a submission to the Remuneration Tribunal proposing receipt of supplementary remuneration in lieu of performance remuneration before 31 March 2001. The date of effect of any decision by the Tribunal will be either 1 December 2000 or the date that the office holder commenced in the office – whichever is the later.
- 3.3 Clause 3.3 relates to office holders referred to in Clauses 3.1 and 3.2 who did not make a submission to the Remuneration Tribunal by 31 March 2001. It specifies that they continue to be able to make a submission but the date of effect of any decision taken by the Tribunal will be a date not earlier than the date of receipt by the Tribunal of the submission.
- 3.4 Clause 3.4 specifies that eligible office holders that were appointed to an eligible office since 1 December 2000 may make a submission to the Remuneration Tribunal proposing the receipt of performance remuneration or supplementary remuneration in lieu of performance remuneration. The date of effect of any decision taken by the Tribunal will be a date not earlier than the date of receipt by the Tribunal of the submission.
- 3.5 Clause 3.5 specifies that an office holder can only receive either performance pay or supplementary remuneration in lieu of performance pay.

PART 4 PERFORMANCE REMUNERATION

- 4.1 Clause 4.1 specifies the maximum levels of performance remuneration that are to be received by eligible office holders.
- 4.2 Clause 4.2 specifies that the amount of performance remuneration that is to be paid to an eligible office holder is to be assessed in accordance with guidelines issued by the Tribunal. It also specifies that a Remuneration Tribunal determination is required before performance remuneration can be paid.
- 4.3 Clause 4.3 specifies the offices to which the payment of performance remuneration relates.
- 4.4 Clause 4.4 specifies that the Remuneration Tribunal has the authority to award performance remuneration to an eligible office holder.

PART 5 CALCULATION OF SUPPLEMENTARY REMUNERATION IN LIEU OF PERFORMANCE REMUNERATION

- 5.1 Clause 5.1 specifies the office holders eligible to receive supplementary remuneration in lieu of performance remuneration.
- 5.2 Clause 5.2 specifies the amount of supplementary remuneration in lieu of performance remuneration.
- 5.3 Clause 5.3 specifies that the Remuneration Tribunal may seek information about the payment of supplementary remuneration in lieu of performance remuneration.