



## REMUNERATION TRIBUNAL

### Determination 2003/23:

### Remuneration and Allowances for Holders of Public 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 various public office holders, and other matters significantly related thereto, and determines as set out below.
- (ii) This Determination takes effect on and from 1 January 2004 except where specified otherwise.

#### **PART 1** FULL-TIME OFFICE HOLDERS

- 1.0 In this part, Determination Number 11 of 2003 (as amended) is referred to as the Principal Determination.
- 1.1 Part 2, **Table 2A** of the Principal Determination is amended by deleting the entries for Chairperson, ATSI Board of Commissioners; Deputy Chairperson, ATSI Board of Commissioners; Commissioner, ATSI Board of Commissioners; Chairperson, ATSI Regional Council; Chairperson, Torres Strait Regional Authority; and Administrator, Torres Strait Regional Authority and replacing them with the following entries:

Chairperson, ATSI Board of Commissioners	\$187,770	\$247,550	-	2.9	Tier 1
Deputy Chairperson, ATSI Board of Commissioners	\$115,980	\$157,940	-	2.9	Tier 1
Commissioner, ATSI Board of Commissioners	\$93,120	\$131,120	-	2.9	Tier 1
Chairperson, ATSI Regional Council	\$87,970	\$106,750	-	2.9	Tier 2
Chairperson, Torres Strait Regional Authority	\$115,980	\$176,160	-	2.9	Tier 2
Administrator, Torres Strait Regional Authority	\$115,980	\$176,160	-	2.9	Tier 2

- 1.2 Part 2 of the Principal Determination is amended by deleting clause 2.8 and replacing it with the following:

**2.8 Vehicles:** Where an Office Holder accepts an offer of an agency owned or leased vehicle for private use, the office holder's Total Remuneration will be reduced by the actual cost of the vehicle to the agency plus parking and fringe benefits taxation, less a reasonable amount (if any) reflecting business usage patterns. Where an Office Holder has access to an agency owned or leased vehicle for private use, the Office Holder will be considered to have accepted an offer of a vehicle for the purposes of this provision.

Any business usage amount is to be assessed on log book records for a 12 week representative period. Where the annual business kilometres are less than 5,000 it will be based on the 'cents per kilometre' method. Where business kilometres are 5,000 kilometres or more, the percentage of business use to total kilometres travelled per annum will be applied to the total cost of the vehicle.'

- 1.3 Part 2 of the Principal Determination is amended by deleting clause 2.9 and replacing it with the following:

**2.9 ATSI Transitional Provisions:** The provisions set out in Schedule A may apply to ATSI Commissioners and ATSI Regional Council Chairpersons.'

- 1.4 Part 2 of the Principal Determination is amended by deleting clauses 3.3, 3.3.1, 5.2 and 5.3.

- 1.5 The Principal Determination is amended by attaching Schedule A as an appendix as follows:

#### **' SCHEDULE A – ATSI TRANSITIONAL PROVISIONS**

In December 2002 the Tribunal moved most full-time offices to the total remuneration approach.

In recognition of the significant changes and complexity in moving some ATSI offices to Total Remuneration including related changes to remote locality benefits, the following transitional provisions may apply to some office holders.

**A1. ATSI Regional Council:** For the period from 19 December 2002 to 30 June 2003 the remuneration levels for the Chairperson and Administrator of the ATSI Regional Council offices are varied to \$85,400 Base Salary and \$98,300 Total Remuneration for each office, in lieu of that contained in Determination 2002/23.

**A2. Availability of accrued remote locality benefits:** Where a holder of an office of ATSI Commissioner or Chairperson ATSI Regional Council, accrued or received remote locality benefits in the period from 19 December 2002 to 31 December 2003, those benefits will not form part of Total Remuneration provided any such benefits are utilised by 1 January 2006. No remote locality benefits will accrue from 1 January 2004.

**A3. Personal loadings:** The ATSI Office holders listed in Column 1 of Table A3.A will receive an additional \$6,000 per annum in recognition of the high level of remote locality benefits received prior to 1 January 2004, while they continue to occupy the office shown in column 2.

**TABLE A3.A**

<b>Column 1 Name</b>	<b>Column 2 ATSI Office</b>	<b>Column 3 Location</b>
Elia Doolah	Commissioner	Thursday Island
Ian Trust	Commissioner	Kununurra
Robbie Salee	Commissioner	Injinoo Community

Darren Farmer	Commissioner	Jigalong
George Hamilton	Chairperson, Regional Council	Kununurra
Dickie Bedford	Chairperson, Regional Council	Derby
Tony Binalany	Chairperson, Regional Council	Nhulunbuy
Michael Berto	Chairperson, Regional Council	Katherine
Kevin Neade	Chairperson, Regional Council	Elliott - Tennant Creek
Eddie Woodley	Chairperson, Regional Council	Mapoon
Bruce Hogan	Chairperson, Regional Council	Tjuntjunjarra Community

**A4. RCC Remote Locality Benefits:** ATSI Regional Council Chairpersons will be eligible for District Allowance and remote localities Recreation Leave for the period from 19 December 2002 to 31 December 2003. The level of entitlements will be calculated on the same basis as that applying to Commissioners during that period.

**A5. Transitional vehicle caps:** Should the cost to the agency of the personal use of a vehicle for an office in Column 1 of Table A5.B exceed the amount shown in Column 2, the value of that vehicle will be taken to be the amount in Column 2 for the purposes of assessing Total Remuneration, until the expiration of the lease arrangement in place at 1 January 2004.

**TABLE A5B**

Column 1 ATSI Office	Column 2 Maximum vehicle cost
Chairperson	\$25,000
Deputy Chair	\$18,500
Commissioner	\$18,500

**A6. Vehicle exclusion:** The cost of any private use of an agency vehicle by an ATSI Commissioner (excluding the Chairperson or Deputy Chairperson) will not be deducted from the Total Remuneration set for the office for the period 18 December 2002 to 31 December 2003 inclusive.'

Signed this 25<sup>th</sup> day of November 2003



John C Conde AO  
PRESIDENT



Janet E Grieve  
MEMBER



John D C Allen  
MEMBER