



## REMUNERATION TRIBUNAL

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# Explanatory Statement: Determination 2005/20 Remuneration and Allowances for Holders of Public Office

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1. The Remuneration Tribunal has inquired into and determined the remuneration and significantly related matters for office holders, as it is empowered to do by the *Remuneration Tribunal Act 1973*.
2. In making this determination the Tribunal has informed itself through consultation in accordance with established practice.
3. Any retrospective application of this determination is in accordance with subsection 12(2) of the *Legislative Instruments Act 2003* as it does not affect the rights of a person (other than the Commonwealth or an authority of the Commonwealth) to that person's disadvantage, nor does it impose any liability on such a person.

### **PART 1 – JUDICIAL AND RELATED OFFICES**

4. Clause 1.1 specifies the Principal Determination (Number 11 of 2005) for the purposes of Part 1 of the Determination.
5. Clause 1.2 amends Part 3 of the Principal Determination to recognise that the Chief Judge Advocate and Registrar of Military Justice may be provided with housing assistance under Australian Defence Force policies and practices.
6. Clause 1.3 amends clause 5.5 of the Principal Determination so that it defines Superannuation Salary in respect of the offices of Chief Judge Advocate and Registrar of Military Justice.
7. Clause 1.4 amends Clause 5.6 of the Principal Determination by applying a broader description of Commonwealth defined benefits superannuation schemes so that the military superannuation schemes are included.
8. Clause 1.5 amends the Principal Determination by including entries to set remuneration for two new offices, the Chief Judge Advocate and the Registrar of Military Justice in the new organisation, the Australian Military Court.
9. Clause 1.6 amends the date of effect for Table 3 of the Principal Determination.

## **PART 2 – FULL TIME OFFICES**

10. Clause 2.1 specifies the Principal Determination (Number 6 of 2005 as amended) for the purposes of Part 2 of the Determination.
11. Clause 2.2 amends the Principal Determination by including entries to set remuneration for two new offices, the Director of Military Prosecutions and the Inspector-General of the Australian Defence Force.
12. Clause 2.3 amends Clause 2.6 of the Principal Determination to include the Director of Military Prosecutions.
13. Clause 2.4 amends Clause 3.1.3 of the Principal Determination to include the Director of Military Prosecutions.

## **PART 3 – PRINCIPAL EXECUTIVE OFFICES**

14. Clause 3.1 specifies the Principal Determination (Number 19 of 2005 as amended) for the purposes of Part 3 of the Determination.
15. Clause 3.2 specifies that where an Employing Body has determined remuneration for a PEO based on the provisions of the superseded PEO Determination (1999/15), any change resulting from the application of the provisions in clause 2.8 of Determination 2005/19 need not be applied until remuneration is next varied.
16. Clause 3.3 specifies the date of effect of 19 December 2005 for clause 3.2 of the Determination.

## **PART 4 – PART TIME OFFICES**

17. Clause 4.1 specifies the Principal Determination (Number 5 of 2005 as amended) for the purposes of Part 4 of the Determination.
18. Clause 4.2 includes an entry to set remuneration for one new organisation, the Australian Fair Pay Commission.
19. Clause 4.3 includes a new footnote to set loadings, and review timeframe, for the Chairman and Commissioner of the Australian Fair Pay Commission.
20. Clause 4.4 specifies a date of effect of 14 December 2005 for clauses 4.2 and 4.3.

**Authority:** Sub-sections 5(2A), 7(3), 7(3D) and 7(4) of  
the *Remuneration Tribunal Act 1973*.