



REMUNERATION TRIBUNAL

Explanatory Statement: Determination 2006/03 Remuneration and Allowances for Holders of Public Office

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 – FULL TIME OFFICES

4. Clause 1.1 specifies the Principal Determination (Number 6 of 2005 as amended) for the purposes of Part 1 of the Determination.
5. Clauses 1.2 and 1.3 respectively set remuneration for the Chairman, Pharmaceutical Benefits Advisory Committee as a full-time office, and set a date of effect of 1 January 2006. Following legislative amendment, this office increased from part-time to full-time with effect from that date.
6. Clause 1.4 introduces new accommodation allowance provisions for Members of the Classification Board who have to relocate their place of residence to Sydney to take up their appointment. This follows an in-principle decision of the Remuneration Tribunal on 10 February 2006. Members appointed or reappointed on or after 28 February 2006 will be eligible for an annual allowance of \$11,000, if their individual circumstances accord with agency guidelines on the matter. Members who were current at 28 February 2006 will have a choice between adopting the new allowance or retaining their existing provisions. The allowance does not count as salary for superannuation purposes.

7. Clause 1.5 varies the remuneration packaging clause of the Principal Determination. The two main purposes of this are to give office holders the ability to access the remuneration packaging flexibility which is available to other staff in their agency, as contained in the agency's guidelines on salary packaging, and, in conjunction with variations outlined in clauses 17 and 19 of this Explanatory Statement, to incorporate consistent wording and conditions across certain Tribunal Determinations.

PART 2 – PART TIME OFFICES

8. Clause 2.1 specifies the Principal Determination (Number 5 of 2005 as amended) for the purposes of Part 2 of the Determination.
9. Clause 2.2 deletes the reference to the Chair, Pharmaceutical Benefits Advisory Committee as a part-time office, with a date of effect of 1 January 2006. As the office is included in a different Determination, as noted in clauses 1.2 and 1.3 of this amending Determination (explained at paragraph 5 above), and because the office holder who formerly filled the part-time office now fills the full-time office, this retrospective deletion does not disadvantage any person.
10. Clause 2.3 deletes the footnote relating to the Chair, Pharmaceutical Benefits Advisory Committee, as this footnote now has no relevance. The deletion of this footnote also causes the renumbering of all later footnotes.
11. Clause 2.4 sets remuneration for three new organisations, the Research Quality Framework Implementation Group, the Future Fund and the Low Emissions Technology Demonstration Fund Expert Panel.
12. Clause 2.5 sets a date of effect for the Future Fund and the Low Emissions Technology Demonstration Fund Expert Panel. In each case, the date of effect is the first date on which the Tribunal had determinative jurisdiction over the respective bodies.
13. Clause 2.6 deletes the entries in the Principal Determination for a number of bodies for whom the Tribunal previously set remuneration, but which no longer exist.
14. Clause 2.7 deletes a footnote relating to one of the defunct bodies mentioned above. The deletion of this footnote also causes the renumbering of all later footnotes.
15. Clause 2.8 changes the name for a current entry in the Principal Determination ('Disciplinary Appeal Committee'), in order to clarify up any ambiguity and to better identify the body, which is in fact Disciplinary Appeal Committees under the

Public Employment (Consequential and Transitional) Regulations 1999, abbreviated to Disciplinary Appeal Committees under *PE (CT) Regulations 1999* in the Principal Determination.

PART 3 - PRINCIPAL EXECUTIVE OFFICES

16. Clause 3.1 specifies the Principal Determination (Number 19 of 2005 as amended) for the purposes of Part 3 of the Determination.
17. Clause 3.2 varies the remuneration packaging clauses of the Principal Determination. The two main purposes of this are to give office holders the ability to access the remuneration packaging flexibility which is available to other staff in their agency, as contained in the agency's guidelines on salary packaging; and, in conjunction with variations outlined in clauses 7 and 19 of this Explanatory Statement, to incorporate consistent wording and conditions across certain Tribunal Determinations.

PART 4 - SPECIFIED STATUTORY OFFICES

18. Clause 4.1 specifies the Principal Determination (Number 3 of 2005) for the purposes of Part 4 of the Determination.
19. Clause 4.2 varies the remuneration packaging clauses of the Principal Determination. The two main purposes of this are to give office holders the ability to access the remuneration packaging flexibility which is available to other staff in their agency, as contained in the agency's guidelines on salary packaging; and, in conjunction with variations outlined in clauses 7 and 17 of this Explanatory Statement, to incorporate consistent wording and conditions across certain Tribunal Determinations.

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