



## REMUNERATION TRIBUNAL

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### **Explanatory Statement: Determination 2007/14 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 – RECREATION LEAVE**

4. Clause 1.1 specifies the Principal Determination (Number 9 of 2007) for the purposes of Part 1 of the Determination.
5. Clause 1.2 removes the reference to payment in lieu on separation or death from the specific list of matters to which agency policies and practices may be applied. This has been done to prevent the possible misconception that these policies and procedures can override Clause 2.6 of the Principal Determination, which stipulates the superannuation salary is to be used when making calculations related to payments in lieu of recreation leave.

#### **PART 2 – PART-TIME OFFICES**

6. Clause 2.1 specifies the Principal Determination (Number 10 of 2007) for the purposes of Part 2 of the Determination.
7. Clauses 2.2 and 2.3 delete all references to offices associated with four obsolete bodies or authorities.

8. Clauses 2.4 and 2.5 reflect name changes for two bodies. The associated fees and entitlements are not new or changed.

### **PART 3 – JUDICIAL AND RELATED OFFICES**

9. Clause 3.1 specifies the Principal Determination (Number 11 of 2007) for the purposes of Part 3 of the Determination.
10. Clause 3.2 amends the definition of Total Remuneration to make it clear that payments in lieu of recreation leave and any separation benefits should be excluded from this calculation.
11. Clause 3.3 removes a clause specific to the former Chief Executive and Principal Registrar of the High Court, Mr Chris Doogan; causing the renumbering of a subsequent clause relating to the Registrar, National Native Title Tribunal, Mr Chris Doepel.
12. Clause 3.4 causes references in a remuneration table to the two clauses relating to Messrs Doogan and Doepel to be deleted and amended respectively.

### **PART 4 – FULL-TIME OFFICES**

13. Clause 4.1 specifies the Principal Determination (Number 13 of 2007) for the purposes of Part 4 of the Determination.
14. Clause 4.2 corrects the reference to the Director General of Security, Australian Security Intelligence Organisation. According to the *Australian Security Intelligence Organisation Act 1979*, this is the full title of the office. The associated fees and entitlements are not new or changed.
15. Clauses 4.3 and 4.4 set remuneration for the new office of Executive Director of Township Leasing with effect from 1 July 2007.
16. Clauses 4.5 to 4.8 provide that, with effect on and from 3 September 2007, a person holding a dual appointment as Principal Member of the Migration Review Tribunal and the Refugee Review Tribunal will be entitled to Tier 1 travel and will receive an additional amount of Total Remuneration. This amount is to be included in superannuation salary.
17. Clauses 4.9 and 4.10 delete all references to the Reunion Travel provided to the former Principal Member of the Migration Review Tribunal and Refugee Review Tribunal, Mr Steve Karas, with effect on and from 3 September 2007.

18. Clause 4.11 provides for an increase in the reunion travel allowance for Mr Tom Calma, the Aboriginal and Torres Strait Islander Social Justice Commissioner.

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