



REMUNERATION TRIBUNAL

Explanatory Statement: Determination 2009/08 Remuneration and Allowances for Holders of Public Office and Members of Parliament - Entitlements

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 – PART-TIME OFFICES

4. Clause 1.1 specifies the Principal Determination (Number 7 of 2008 as amended) for the purposes of Part 1 of the Determination.
5. Clause 1.2 deletes all references to three bodies which are now defunct: Office of Asset Sales Selection Panels, Australian Hearing Services Advisory Committee and Australian Safety and Compensation Council.
6. Clauses 1.3 and 1.4 set remuneration for the new office of Chair, Safe Work Australia Council, with effect on and from 31 March 2009.
7. Clauses 1.5 and 1.6 set remuneration for the new office of Minimum Wage Panel Members – Fair Work Australia, with effect on and from 1 July 2009.
8. Clause 1.7 and 1.8 set remuneration for the Chair of Indigenous Business Australia, with effect on and from 1 July 2009. This office was previously a full-time office.

9. Clauses 1.9 and 1.10 set remuneration for the new offices of Chair and Director, Australian Solar Institute, with effect on and from 10 June 2009.

PART 2 – FULL-TIME OFFICES

10. Clause 2.1 specifies the Principal Determination (Number 8 of 2008 as amended) for the purposes of Part 2 of the Determination.
11. Clauses 2.2 to 2.5 set remuneration for the new offices of Deputy President and Commissioner of Fair Work Australia, with effect on and from 1 July 2009. In addition, for the purposes of section 637 of the *Fair Work Act 2009*, Clause 2.4 provides that where a Judge (other than the Chief Justice of the Federal Court) is appointed to one of these offices, the base salary of the Fair Work Australia office holder is the appropriate comparative salary to establish any additional allowance which might be payable.
12. Clauses 2.6 and 2.7 remove all references to the Chair, Indigenous Business Australia, with effect on and from 1 July 2009. This office is now a Part-Time Office.

PART 3 – MEMBERS OF PARLIAMENT - ENTITLEMENTS

13. Clause 3.1 specifies the Principal Determination (Number 18 of 2006 as amended) for the purposes of Part 3 of the Determination.
14. Clauses 3.2 to 3.3 remove access to a Telephone Services Charge Card with effect on and from 1 July 2009.

PART 4 – JUDICIAL AND RELATED OFFICES

15. Clause 4.1 specifies the Principal Determination (Number 9 of 2008) for the purposes of Part 4 of the Determination.
16. Clauses 4.2 and 4.3 provide that the President of Fair Work Australia shall receive Tier 1 travel entitlements when travelling within Australia on official business, with effect from 1 July 2009.

Authority: Sub-sections 7(1), 7(3), 7(4) and 7(4B) of the *Remuneration Tribunal Act 1973*.