



REMUNERATION TRIBUNAL

Explanatory Statement: Determination 2009/23 Remuneration and Allowances for Holders of Public Office, Members of Parliament – Entitlements and Judicial and Related Offices

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 14 of 2009 as amended) for the purposes of Part 1 of the Determination.
5. Clause 1.2 sets remuneration for the new offices of Chair and Members of Health Workforce Australia.
6. Clause 1.3 adjusts the remuneration for the office of Deputy Chair of the Australian Fisheries Management Authority Commission.
7. Clause 1.4 amends the basis of remuneration of the Administrative Review Council's President from an annual fee to a daily fee.
8. Clause 1.5 deletes all reference to NHMRC – Special Expert Committee on Transmissible Spongiform Encephalopathies.
9. Clauses 1.6 to 1.10 delete all references associated with five committees which will be replaced by five new Advisory Committees with effect on and

from 1 January 2010 or 25 January 2010. The associated fees and entitlements have not been changed.

10. Clauses 1.11 to 1.12 delete all reference to a body which is now defunct, with effect on and from 31 December 2009.
11. Clauses 1.13 to 1.14 set remuneration for the new offices of Chair and Member of the Anti-Doping Rule Violation Panel and Anti-Doping Rule Violation Panel – Advisory Board, with effect on and from 1 January 2010.

PART 2 – FULL-TIME OFFICES

12. Clause 2.1 specifies the Principal Determination (Number 18 of 2009 as amended) for the purposes of Part 2 of the Determination.
13. Clause 2.2 deletes a clause relating to the Tribunal providing guidance notes to assist agencies to administer the Principal Determination. There are no current guidance notes produced pursuant to this clause.
14. Clauses 2.3 to 2.7 set remuneration for the new office of Chief Executive of Health Workforce Australia. They also provide a personal loading and accommodation and reunion travel allowances for the appointee to the office of Chief Executive Officer, Mr Mark Cormack, the latter while he maintains his principal place of residence in Canberra.
15. Clauses 2.8 to 2.9 set remuneration for the new office of Chief Executive Officer of the Australian Sports Anti Doping Authority, with effect on and from 1 January 2010.
16. Clauses 2.10 to 2.12 set accommodation and reunion travel allowances for the new appointee to the office of Aboriginal and Torres Strait Islander Social Justice Commissioner, Mr Michael Gooda, while he maintains his principal place of residence in Perth.
17. Clauses 2.13 to 2.14 set remuneration for the Chief Executive Officer of Centrelink, with effect on and from 14 December 2009.

PART 3 – MEMBERS OF PARLIAMENT - ENTITLEMENTS

18. Clause 3.1 specifies the Principal Determination (Number 18 of 2006 as amended) for the purposes of Part 3 of the Determination.
19. Clause 3.2 removes a sub-clause in the Principal Determination which no longer has effect – the entitlement previously provided by this sub-clause is provided by statute.

PART 4 – JUDICIAL AND RELATED OFFICES

20. Clause 4.1 specifies the Principal Determination (Number 17 of 2009 as amended) for the purposes of Part 4 of the Determination.
21. Clause 4.2 sets out how the entitlement to daily fees of Members of the Australian Competition Tribunal should be assessed.

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