



REMUNERATION TRIBUNAL

Explanatory Statement: Determination 2010/12 Judicial and Related Offices – Remuneration and Allowances

1. The Remuneration Tribunal has inquired into and determined the remuneration and significantly related matters for public 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. The Determination replaces in full Determination 2009/17 (as amended) following the annual review of remuneration for all offices in the Tribunal's jurisdiction, including judicial and related offices. It specifies remuneration and travel entitlements for holders of judicial and related offices.
4. The salaries and daily fees, and, as appropriate, Total Remuneration figures, specified in Tables 1, 2 and 3 incorporate a 4.1 per cent increase (rounded) effective on and from 1 August 2010 for the judicial and related offices covered by the Determination.
5. The structure of the Determination is consistent with that used for the previous Determination 2009/17.

PART 1 – GENERAL

6. Part 1 sets out the authority for and date of effect of the determination and revokes and supersedes the previous Determination 2009/17 applying to the Offices covered by this Determination. The provisions in Part 1 are substantively unchanged from those contained in Part 1 of the previous Determination.

PART 2 – REMUNERATION AND RELATED MATTERS

7. Part 2 sets out the remuneration and related matters for judicial and related offices specified in Table 1 (Rates of Remuneration – Judicial Offices), Table 2 (Rates of Remuneration – Non-Judicial Offices) and Table 3 (Rates of Remuneration – Offices on Total Remuneration).
8. Clause 2.2 provides an increase from \$1,917 to \$1,996 a year in the additional expense allowance for judges who also hold part-time offices to reflect the movement in judicial salaries since the allowance was last reviewed.
9. Other provisions in Part 2 are substantively unchanged from those contained in Part 2 of Determination 2009/17.

PART 3 – OFFICIAL TRAVEL AND RELATED MATTERS

10. Part 3 sets out the conditions governing official travel and related matters for judicial and related offices.
11. Clause 3.2 has been updated by increasing the rate of the allowance to be paid to justices of the High Court of Australia who do not establish their place of residence in Canberra from \$28,650 to \$30,400 a year. The level of increase is consistent with the increase in travelling allowance rates for Canberra.
12. Clause 3.3 has been amended to reflect changes to the military justice system following the High Court's decision in Lane v Morrison.
13. Other provisions in Part 3 are substantively unchanged from those contained in Part 3 of Determination 2009/17.

PART 4 – COMMONWEALTH PROVIDED VEHICLES AND REIMBURSEMENT OF PRIVATE VEHICLE RUNNING COSTS FOR JUDGES

14. Part 4 sets out the conditions relating to provision of car-with-driver service, privately plated Commonwealth vehicles and reimbursement of private vehicle running costs to members of the Commonwealth judiciary.
15. The provisions in Part 4 are substantively unchanged from Determination 2009/17, except that the private vehicle running costs figure in clauses 4.3, 4.4 and 4.5 has been adjusted consistent with changes in the relevant consumer price index.

PART 5 – PROVISIONS FOR OFFICES ON TOTAL REMUNERATION

16. Part 5 sets out the Total Remuneration arrangements applying to office holders listed in Table 3.
17. The provisions in Part 5 are substantively unchanged from those contained in Part 5 of Determination 2009/17.

TABLES IN DETERMINATION

18. Table 1 has been amended to remove the reference to Judicial Registrars of the Family Court of Australia. There are no longer any such office holders.
19. Table 2 has been amended to remove reference to the Member, Federal Police Disciplinary Tribunal, an office abolished by legislation. The reference to Military Judge has also been removed pursuant to the High Court's decision in Lane v Morrison.
20. Table 3 has been amended to reflect changes to the military justice system following the High Court's decision in Lane v Morrison.

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