



REMUNERATION TRIBUNAL

Explanatory Memorandum: Judicial and related offices – remuneration and allowances Determination 2002/21

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. The retrospective application of this determination does not affect the rights of a person (other than the Commonwealth) in a manner prejudicial to that person, nor does it impose any liability on such a person.

PART A – GENERAL

3. Part A sets out the authority for the determination (Clause A1) and its effect with regard to other determinations of the Tribunal (Clause A2), laws of the Commonwealth (Clause A3) and administrative arrangements that other authorities may put in place from time to time (Clause A4).

Part B – REMUNERATION AND RELATED MATTERS

4. Part B deals with the duties, remuneration and related matters for the judicial and related offices specified in Table 1 (Rates of Remuneration – Judicial Offices) and Table 2 (Rates of Remuneration – Non-Judicial Offices).
5. Clauses B1 through B5 deal with the duties and remuneration of persons holding a full-time office.
6. Clauses B6 through B12 deal with the duties and remuneration of persons holding a part-time office, including the interaction of part-time and full-time rates of remuneration.
7. Clauses B13 and B14 deal with the leave entitlements of office holders other than Judges.
8. Clauses B15 through B19 deal with the separation benefits available to office holders other than Judges.
9. Clause B20 specifies the status of Federal Magistrates including the Chief Federal Magistrate for the purposes of entitlements provided for under the determination, including scope to 'cash out' or 'purchase' annual leave within certain limits.

PART C – OFFICIAL TRAVEL AND RELATED MATTERS

10. Part C deals with the conditions governing official travel and related matters for Judicial and related offices.
11. Clauses C1 through C16 provide definitions and information on the operation of Part C along with guiding principles.

12. Clauses C17 through C22 deal with the conditions for travel within Australia and the provision of a 'Canberra allowance' for Justices of the High Court.
13. Clauses C23 through C29 deal with the conditions for international travel.

PART D – COMMONWEALTH PROVIDED VEHICLES IN RESPECT OF JUDGES

14. Part D deals with the provision of privately plated Commonwealth vehicles to members of the Commonwealth Judiciary.
15. Clause D1 provides that the Chief Justice of the High Court of Australia shall be entitled to a Commonwealth car-with-driver service and access to a Commonwealth-provided privately plated vehicle in accordance with the Executive Vehicle Scheme (EVS) Guidelines or reimbursement of private vehicle running costs incurred by the Chief Justice up to \$8,000.
16. Clause D2 provides that any other Judge to whom the determination applies shall be entitled to a Commonwealth-provided privately plated vehicle in accordance with the EVS Guidelines if they elect to forego regular Commonwealth car-with-driver services or reimbursement of private vehicle running costs incurred by the Judge up to \$8,000.
17. Clause D3 provides that Federal Magistrates shall be entitled to a Commonwealth-provided privately plated vehicle in accordance with the EVS Guidelines or reimbursement of private vehicle running costs incurred by the Federal Magistrate up to \$8,000.
18. Clause D4 provides definitions of terms used in Part D.
19. Clause D5 sets the standard of EVS vehicle is a model, or equivalent updated model, available to Judges as set out in Group 3 of the Executive Vehicle Scheme Recommended Retail Price List (the highest available), updated by LeasePlan Australia as at 4 June 2002 (the last time this list will be updated categorising cars according to Groups).
20. Clause D6 provides that the relevant Chief Justice may issue guidelines for the purposes of this Part. Where guidelines are issued under paragraph D6(a), they must take account of established Commonwealth standards for the efficient, effective and ethical use of Commonwealth resources.
21. Clause D7 prohibits the cashing-out of any benefit provided under Part D.

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