



REMUNERATION TRIBUNAL

Determination 2010/21: Remuneration and Allowances for Holders of Public Office, Judicial and Related Offices, and Members of Parliament - Entitlements

- (i) Pursuant to subsections 7(1), 7(3) and 7(4) of the *Remuneration Tribunal Act 1973*, the Remuneration Tribunal has inquired into the remuneration and allowances to be paid to holders of public office, and other matters significantly related thereto, and determines as set out below.
- (ii) This Determination takes effect on and from the day following the day it is registered in the Federal Register of Legislative Instruments unless otherwise specified.

PART 1 – FULL-TIME OFFICES

- 1.1** In this part, Determination Number 10 of 2010 (as amended) is referred to as the Principal Determination.
- 1.2** Table 2A of Part 2 of the Principal Determination is amended by deleting the current entry for “Chairperson, Superannuation Complaints Tribunal (SCT)” and replacing it with the following entry:

Col 1	Col 2	Col 3	Col 4	Col 5	Col 6
Chairperson, Superannuation Complaints Tribunal (SCT)	\$182,570	\$250,080	Nil		Tier 2

- 1.3** Table 2A of Part 2 of the Principal Determination is amended by deleting the current entry for “Deputy Chairperson, SCT” and replacing it with the following entry:

Col 1	Col 2	Col 3	Col 4	Col 5	Col 6
Deputy Chairperson, SCT	\$149,680	\$205,030	Nil		Tier 2

- 1.4 Table 2A of Part 2 of the Principal Determination is amended by deleting the current entry for "Principal Member, Veterans' Review Board (VRB)" and replacing it with the following entry:

Col 1	Col 2	Col 3	Col 4	Col 5	Col 6
Principal Member, Veterans' Review Board (VRB)	\$197,730	\$270,870	Nil		Tier 1

- 1.5 Table 2A of Part 2 of the Principal Determination is amended by deleting the current entry for "Senior Member, VRB" and replacing it with the following entry:

Col 1	Col 2	Col 3	Col 4	Col 5	Col 6
Senior Member, VRB	\$136,410	\$196,920	Nil		Tier 2

- 1.6 Table 2A of Part 2 of the Principal Determination is amended by deleting the current entry for "Principal Member, Social Security Appeals Tribunal (SSAT)" and replacing it with the following entry:

Col 1	Col 2	Col 3	Col 4	Col 5	Col 6
Principal Member, Social Security Appeals Tribunal (SSAT)	\$203,200	\$278,340	Nil		Tier 2

- 1.7 Table 2A of Part 2 of the Principal Determination is amended by deleting the current entry for "Senior Member, SSAT" and replacing it with the following entry:

Col 1	Col 2	Col 3	Col 4	Col 5	Col 6
Senior Member, SSAT	\$174,670	\$239,290	Nil		Tier 2

- 1.8 Table 2A of Part 2 of the Principal Determination is amended by deleting the current entry for "Assistant Senior Member, SSAT" and replacing it with the following entry:

Col 1	Col 2	Col 3	Col 4	Col 5	Col 6
Assistant Senior Member, SSAT	\$130,260	\$178,430	Nil		Tier 2

- 1.9 Table 2A of Part 2 of the Principal Determination is amended by deleting the current entry for "Member, SSAT" and replacing it with the following entry:

Col 1	Col 2	Col 3	Col 4	Col 5	Col 6
Member, SSAT	\$119,640	\$163,870	Nil		Tier 3

- 1.10 Table 2A of Part 2 of the Principal Determination is amended by deleting the current entry for "Principal Member, Refugee Review Tribunal (RRT)" and replacing it with the following entry:

Col 1	Col 2	Col 3	Col 4	Col 5	Col 6
Principal Member, Refugee Review Tribunal (RRT)	\$210,820	\$296,940	\$39,430	2.2.3	Tier 2

- 1.11** Table 2A of Part 2 of the Principal Determination is amended by deleting the current entry for “Principal Member, Migration Review Tribunal (MRT)” and replacing it with the following entry:

Col 1	Col 2	Col 3	Col 4	Col 5	Col 6
Principal Member, Migration Review Tribunal (MRT)	\$210,820	\$296,940	\$39,430	2.2.3	Tier 2

- 1.12** Table 2A of Part 2 of the Principal Determination is amended by deleting the current entry for “Deputy Principal Member, RRT” and replacing it with the following entry:

Col 1	Col 2	Col 3	Col 4	Col 5	Col 6
Deputy Principal Member, RRT	\$172,890	\$243,220	\$19,700	2.2.5	Tier 2

- 1.13** Table 2A of Part 2 of the Principal Determination is amended by deleting the current entry for “Deputy Principal Member, MRT” and replacing it with the following entry:

Col 1	Col 2	Col 3	Col 4	Col 5	Col 6
Deputy Principal Member, MRT	\$172,890	\$243,220	\$19,700	2.2.5	Tier 2

- 1.14** Table 2A of Part 2 of the Principal Determination is amended by deleting the current entry for “Senior Member, RRT” and replacing it with the following entry:

Col 1	Col 2	Col 3	Col 4	Col 5	Col 6
Senior Member, RRT	\$141,880	\$205,030	Nil		Tier 2

- 1.15** Table 2A of Part 2 of the Principal Determination is amended by deleting the current entry for “Senior Member, MRT” and replacing it with the following entry:

Col 1	Col 2	Col 3	Col 4	Col 5	Col 6
Senior Member, MRT	\$141,880	\$205,030	Nil		Tier 2

- 1.16** Table 2A of Part 2 of the Principal Determination is amended by deleting the current entry for “Member, RRT” and replacing it with the following entry:

Col 1	Col 2	Col 3	Col 4	Col 5	Col 6
Member, RRT	\$127,490	\$182,610	Nil	2.2.4	Tier 2

1.17 Table 2A of Part 2 of the Principal Determination is amended by deleting the current entry for "Member, MRT" and replacing it with the following entry:

Col 1	Col 2	Col 3	Col 4	Col 5	Col 6
Member, MRT	\$127,490	\$182,610	Nil		Tier 2

1.18 Sub-clause 2.2.5 of Part 2 of the Principal Determination is amended by replacing the last sentence with:

"Of the Column 4 figure, \$14,400 will count towards salary for superannuation."

1.19 Clauses 1.2 to 1.18 have effect on and from 1 January 2011.

PART 2 – PART-TIME OFFICES

2.1 In this part, Determination Number 11 of 2010 (as amended) is referred to as the Principal Determination.

2.2 Table A1A of Schedule A of the Principal Determination is amended by replacing the current entry for "Commonwealth Grants Commission" with the following entry:

Col 1	Col 2	Col 3	Col 4	Col 5
Commonwealth Grants Commission	(full-time)	95,000	<i>a</i>	1

2.3 Clause 2.2 takes effect on and from 1 January 2011.

2.4 Table A1A of Schedule A of the Principal Determination is amended by replacing the current entry for "Migration Review Tribunal" with the following entry:

Col 1	Col 2	Col 3	Col 4	Col 5
Migration Review Tribunal	-	782	<i>d</i>	A30

2.5 Table A1A of Schedule A of the Principal Determination is amended by replacing the current entry for "Refugee Review Tribunal" with the following entry:

Col 1	Col 2	Col 3	Col 4	Col 5
Refugee Review Tribunal	-	782	<i>d</i>	A31

2.6 Table A1A of Schedule A of the Principal Determination is amended by replacing the current entry for "Superannuation Complaints Tribunal" with the following entry:

Col 1	Col 2		Col 3		Col 4	Col 5
Superannuation Complaints Tribunal	(full-time)		782	<i>d</i>		2

- 2.7 Table A1A of Schedule A of the Principal Determination is amended by replacing the current entry for “Veterans’ Review Board (Senior Member; Member)” with the following entry:

Col 1	Col 2		Col 3		Col 4	Col 5
Veterans’ Review Board (Senior Member; Member)	713	<i>d</i>	636	<i>d</i>		2

- 2.8 Table A1A of Schedule A of the Principal Determination is amended by replacing the current entry for “Social Security Appeals Tribunal (SSAT) Member” with the following entry:

Col 1	Col 2		Col 3		Col 4	Col 5
Social Security Appeals Tribunal (SSAT) Member	-		730	<i>d</i>	A35	3

- 2.9 Clauses 2.4 to 2.8 have effect on and from 1 January 2011.

- 2.10 Table A1A of Schedule A of the Principal Determination is amended by deleting the current entry for “SSAT Medical Member”.

- 2.11 Clause A35 of the Additional Clauses to Table A1A of Schedule A of the Principal Determination is amended by replacing the current wording with the following:

“A35. Social Security Appeals Tribunal (SSAT): The maximum fees payable each year to part-time SSAT Members are capped at 80% of the sum of the base salary determined for full-time Senior Members. A member who is qualified to practise as a medical practitioner shall receive a minimum annual payment of ten times the daily fee.”

- 2.12 The Principal Determination is amended by deleting Clause A36 of the Additional Clauses to Table A1A of Schedule A.

- 2.13 The Principal Determination is amended by inserting the following Clause after sub-clause 2.10.4 of Part 2:

“2.11 Daily Fee – Social Security Appeals Tribunal (SSAT): The following sub-clauses apply, (and clauses 2.5 to 2.9 do not apply) in relation to a person who holds an office as a member of the SSAT on a part-time basis.

2.11.1 A daily fee is payable once such a person has undertaken official business of five hours duration in aggregate, regardless of the day or days on

which that work is done.

2.11.2 The Principal Member of the SSAT is to certify the nature, reasonableness and duration of official business undertaken prior to any payment of fees to such a person.

2.11.3 Official business may include a hearing, preparation for a hearing, decision writing, checking and travel time other than for travel between the person's home and principal place of work.

2.11.4 In addition to fees specified a part-time member shall be paid a cancellation fee equivalent to 50 per cent of one day's fee for the cancellation of all work on a day with fewer than 5 working days' notice.

2.11.5 The maximum payment in respect of any one day shall be the appropriate daily fee."

2.14 Clauses 2.10 to 2.13 have effect on and from 1 January 2011.

PART 3 – JUDICIAL AND RELATED OFFICES – REMUNERATION AND ALLOWANCES

3.1 In this part, Determination Number 12 of 2010 (as amended) is referred to as the Principal Determination.

3.2 Table 2 of the Principal Determination is amended by deleting the current table "Rates of Remuneration – Non-Judicial Offices" and replacing it with the Table contained in Attachment A to this Determination.

3.3 Clause 3.2 has effect on and from 1 January 2011.

3.4 Table 3 of the Principal Determination is amended by deleting the current table "Rates of Remuneration – Offices on Total Remuneration" and replacing it with the table contained in Attachment B to this Determination.

3.5 Clause 5.5 of Part 5 of the Principal Determination is amended by replacing the first sentence with:

"Regardless of anything else in this Determination, salary for superannuation purposes is the Base Salary shown in Column 3 of Table 3 except where a relevant sub-clause (shown in Column 5 of that Table) varies that amount."

3.6 Part 5 of the Principal Determination is amended by inserting the following Clause after sub-clause 5.7.1:

"5.8 Additional Provisions for Specified Officers

5.8.1 Chief Executive Officer, Family Court of Australia: Mr Richard Foster receives a personal loading of \$34,660, meaning that he receives \$267,910 base salary and \$367,000 Total Remuneration."

3.7 Clauses 3.4 to 3.6 have effect on and from 1 January 2011.

PART 4 – MEMBERS OF PARLIAMENT - ENTITLEMENTS

4.1 In this part, Determination Number 18 of 2006 (as amended) is referred to as the Principal Determination.

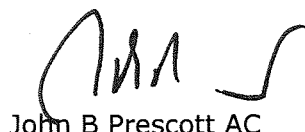
4.2 The Principal Determination is amended by deleting the current wording of Clause 2.6 and replacing it with the following:

"2.6 When a senator or member is travelling by air, rail or sea at government expense, the fare shall not exceed the cost of a business class air fare for the most reasonable and usual route, between the departure and destination points. Where a business class air fare is not published for the destination point, the cost to the Commonwealth of travel by air, rail or sea must not exceed the economy class air fare for the most reasonable and usual route, between the departure and destination points.

2.6.1 Special circumstances: Where a senator or member provides a medical certificate stating that he or she is unable to travel by air, the Special Minister of State may approve payment of the full cost of the fare for travel by an alternative mode, or modes, of transport. The Special Minister of State may also approve car transport to the embarkation point, and from the point of arrival nearest the destination, if there is no other provision in this Determination which applies to that part of the trip. If travel under this provision necessarily includes an overnight journey, the senator or member should have access to private sleeper accommodation, where available."

Signed this 20 day of December 2010.


John C Conde AO
PRESIDENT


John B Prescott AC
MEMBER


Ms Jillian Segal AM
MEMBER

Table 2 RATES OF REMUNERATION – NON-JUDICIAL OFFICES
Effective on and from 1 January 2011

Column 1	Column 2	Column 3	Column 4	Column 5
Authority	Office	Full-Time Office Base Salary \$	Part-Time Office Daily Fee \$	Travel Tier
Federal Court of Australia	Registrar (1)	<i>(see table 3)</i>	935	1
	Assessor (Full-time)	187,680	-	2
	Assessor (Part-time)	187,680	867	1
Copyright Tribunal	Deputy President (non-Judicial) (1)	-	935	1
	Member (1)	-	935	1
Australian Competition Tribunal	Member (2)	-	867	1
Australian Law Reform Commission	President (non-Judicial)	312,600	-	1
	Deputy President	225,300	-	1
	Member (Full-time)	178,080	-	2
	Member (Part-time) (3)	178,080	867	1
Administrative Appeals Tribunal	Deputy President (1) (4)	308,240	1,422	1
	Senior Member (1) (4)	243,290	1,125	1
	Member (4) (5)	204,670	943	1
National Native Title Tribunal	Deputy President (1)	<i>(see table 3)</i>	1,230	1
	Member (1)	<i>(see table 3)</i>	902	1
Defence Force Discipline Appeal Tribunal	Member	-	742	1
Australian Security Intelligence Organisation	Prescribed Authority	-	1,310	1

- (1) For part-time office holders a minimum annual payment of ten times the daily fee applies, whether the office holder receives a fee based on daily rates or on hourly rates (under 2.4).
- (2) For part-time office holders an additional annual payment of \$20,780 a year applies.
- (3) For part-time office holders an additional annual payment of \$20,780 a year applies.
- (4) In addition to fees specified a part-time member shall be paid a cancellation fee equivalent to 50 per cent of one day's fee for the cancellation of all work on a day with fewer than 5 working days' notice.
- (5) An AAT part-time Member appointed prior to 12 August 2004 will continue to receive an additional annual payment of ten times the daily fee whether they receive a fee based on daily rates or on hourly rates (under 2.4). An AAT Member appointed, or reappointed, after 12 August 2004 shall receive a minimum annual payment of ten times the daily fee whether they receive a fee based on daily rates or on hourly rates (under 2.4).

RATES OF REMUNERATION – OFFICES ON TOTAL REMUNERATION					
Table 3					
Effective on and from 1 January 2011					
Column 1	Column 2	Column 3	Column 4	Column 5	Column 6
Authority	Office	Base Salary \$	Total Remuneration \$	Reference Sub-clause	Travel Tier
High Court of Australia	Chief Executive and Principal Registrar	267,910	367,000		1
Federal Court of Australia	Registrar	267,910	367,000		1
Family Court of Australia	Chief Executive Officer	235,160	332,340	5.8.1	1
Federal Magistrates Court	Chief Executive Officer	210,440	300,610		1
National Native Title Tribunal	President (non-judicial)	283,000	390,500		1
	Deputy President	266,620	354,760		1
	Member	195,320	272,410		1
	Registrar	182,370	257,490		2
Military Justice System	Chief Judge Advocate	262,230	328,450	-	2
	Registrar of Military Justice	171,280	197,660	-	2