



## REMUNERATION TRIBUNAL

### **Determination 2004/22: Remuneration and Allowances for Holders of Public Office**

- (i) Pursuant to subsections 7(1), 7(2), 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 various public office holders and Members of Parliament, and other matters significantly related thereto, and determines as set out below.
- (ii) This Determination takes effect on and from the date of signature except where otherwise specified.

#### **PART 1**

#### **PART-TIME HOLDERS OF PUBLIC OFFICES**

- 1.1 In this part, Determination Number 12 of 2004 (as amended) is referred to as the Principal Determination.
- 1.2 The Principal Determination is amended by deleting clause 2.9 (Royal Commission into Centenary House Lease) and inserting the following clause:
  - "2.9 **Remuneration Packaging:** An agency may provide access to remuneration packaging to office holders covered by this Determination. A part-time office holder may elect to take benefits in lieu of her or his part-time office fee or a combination of part-time office fee and benefits.
  - 2.9.1 Any election made in accordance with clause 2.9 must:
    - (a) be in accordance with agency policies and procedures on remuneration packaging applicable to such offices;
    - (b) be consistent with relevant taxation laws and rulings or guidelines applicable to remuneration packaging schemes issued by the Australian Taxation Office; and
    - (c) not result in any cost to the Commonwealth (including in relation to any fringe benefits taxation) additional to the cost which would be incurred if benefits able to be taken as remuneration were taken as remuneration."
- 1.3 **Table A1A of Schedule A** of the Principal Determination is amended by omitting footnote 28, and substituting the following:
  - "<sup>28</sup> **CALDB:** The Deputy Chairman will receive \$808 per diem, and is entitled to Tier 1 travel. Retainers of \$8,072 for the Chairman, \$6,500 for the Deputy Chairman, and \$2,400 for the Members will be payable."

- 1.4 **Table A1A of Schedule A** of the Principal Determination is amended by omitting the figures '60,210' and '25,430' from columns 2 and 4 against the entry for Australian Rail Track Corporation and replacing them with '78,660' and '39,330' respectively.
- 1.5 The Principal Determination is amended by inserting the following clause 2.10 after clause 2.9.
- '2.10 Daily Fee- SCT:** The following sub-clauses apply, (and clauses 2.4 to 2.7 do not apply) in relation to a person who holds office as a member of the Superannuation Complaints Tribunal on a part-time basis.
- 2.10.1 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.
- 2.10.2 The Chairperson of the Superannuation Complaints Tribunal must certify the nature, reasonableness and duration of official business undertaken prior to any payment of fees to such a person.
- 2.10.3 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.
- 2.10.4 The maximum payment in respect of any one day shall be the appropriate daily fee.'
- 1.6 The Principal Determination is amended by omitting **Table C1A of Schedule C** and substituting the Table at Attachment A to this Determination.
- 1.7 Clause 1.3 takes effect from 16 August 2004. Clause 1.4 takes effect from 1 September 2004.

## **PART 2**

### **FULL-TIME HOLDERS OF PUBLIC OFFICE**

- 2.1 In this part, Determination Number 9 of 2002 (as amended) is referred to as the Principal Determination
- 2.2 Table 1 and Table 4.3 of the Principal Determination are amended by deleting the entries, including footnotes, for the office of 'Chief Executive Officer, National Health and Medical Research Council'.
- 2.3 The Principal Determination is hereby revoked.

## **PART 3**

### **MEMBERS OF PARLIAMENT - ENTITLEMENTS**

- 3.1 In this part, Determination Number 14 of 2003 (as amended) is referred to as the Principal Determination.

- 3.2 **Clause 2.6** of the Principal Determination is amended by omitting the current clause and substituting the following in its place:

“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. The Special Minister of State may approve payment of the full cost of the fare for travel on an alternative mode of transport where a senator or member provides a medical certificate which states that he or she is unable to travel by air.”

- 3.3 **Clause 2.23** of the Principal Determination is amended by omitting the first sentence of this clause and substituting the following:

“For the purposes of clauses 2.21 to 2.24 the cost to the Commonwealth of a trip to Canberra in respect of a spouse or a nominee and a dependent child or dependent children will not exceed the cost of a business class air fare, or where a business class air fare is not available, the cost of an economy class air fare for the most reasonable and usual route between the departure and destination points.”

- 3.4 **Clause 4.1** of the Principal Determination is amended by inserting the following words at the end of the clause:

“Where a business class air fare is not available, the cost of an economy class air fare shall apply.”

- 3.5 **Clause 4.4** of the Principal Determination is amended by omitting the first sentence of this clause and substituting the following:

“When more than one person with a travel entitlement travels in the one motor vehicle, payment of private vehicle allowance or the cost of the business class air fare may be made to one person only. Where a business class air fare is not available, the cost of an economy class air fare shall apply.”

## PART 4

## MEMBERS OF PARLIAMENT – TRAVELLING ALLOWANCE

- 4.1 In this part, Determination Number 5 of 2004 (as amended) is referred to as the Principal Determination.

- 4.2 **Clause 2.4** of the Principal Determination is amended by omitting the current clause and substituting the following in its place:

“In order to be paid the commercial accommodation rate, a receipt for the commercial accommodation must be produced or certification must be made that a receipt for the commercial accommodation can be produced (and will be produced upon request). Where no receipt is produced, and no certification is made, or a certification is made but no receipt is produced when requested, a rate of one third of the rate for commercial accommodation as specified in Part 1 is payable, rounded upwards to the nearest dollar. Where the mode of transport includes an en route accommodation component no travelling allowance will be paid.”

- 4.3 **Clause 2.6.2** of the Principal Determination is amended by omitting the current clause and substituting the following in its place:

“Where the costs of accommodation are met in accordance with clause 2.6.1, travelling allowance may be paid for meals only up to a limit of \$80 per day, except where the mode of transport includes an en route accommodation component in which case no travelling allowance on account of meals will be paid. Any claim for travelling allowance shall be subject to provision of receipts and made on a reimbursement basis.”

Signed this 27<sup>th</sup> day of October 2004



John C Conde AO  
PRESIDENT



Janet E Grieve  
MEMBER



John D C Allen  
MEMBER

**ATTACHMENT A to Determination 2004/22**

**Table C1A – Primary Industry Statutory Marketing Authorities – fees and travel tier. (Rates are effective from 27 October 2004 unless otherwise specified).**

Column 1	Column 2	Column 3	Column 4	Column 5	Column 6
Authority/Office	Chairperson		Member		Travel Tier
	\$	Frequency	\$	Frequency	
Wheat Export Authority	69,930	p/a	31,530	p/a	Tier 1
Australian Fisheries Management Authority <sup>1</sup>	60,210	p/a	27,930	p/a	Tier 1
Grains Research and Development Corporation <sup>2</sup>	42,000	p/a	24,000	p/a	Tier 1
Australian Wine and Brandy Corporation	38,180	p/a	21,820	p/a	Tier 2
Fisheries Research and Development Corporation	38,180	p/a	21,820	p/a	Tier 1
Land and Water Resources Research and Development Corporation	38,180	p/a	21,820	p/a	Tier 1
Rural Industries Research and Development Corporation	38,180	p/a	21,820	p/a	Tier 1
National Land and Water Resources Audit Advisory Council	38,180	p/a	448	p/d	Tier 1
Cotton Research and Development Corporation	30,110	p/a	15,390	p/a	Tier 2
Forest and Wood Products Research and Development Corporation <sup>3</sup>	30,110	p/a	15,390	p/a	Tier 2
Grape and Wine Research and Development Corporation	30,110	p/a	15,390	p/a	Tier 2
Sugar Research and Development Corporation <sup>4</sup>	30,110	p/a	15,390	p/a	Tier 2

<sup>1</sup> **Australian Fisheries Management Authority:** A member who is appointed as a Deputy Chair will receive \$38,180 per annum.

<sup>2</sup> The Chair of the **Grains Research and Development Corporation's** Finance and Audit Committee will receive an additional annual fee of \$10,910; whilst a member of the same committee will receive an additional annual fee of \$5,454.

<sup>3</sup> Member of the **Forest and Wood Products Research and Development Corporation**, in addition to his or her annual fee, shall receive a per diem fee of \$590 when conducting the business of the Market Knowledge and Development Advisory Group or the Hardwood Advisory Group. The per diem fee is to be paid in accordance with the provisions of **Part 2** of this Determination. Travelling allowance will be at the Tier 2 rate.

<sup>4</sup> A Non-executive Director of the **Sugar Research and Development Corporation** who is the Chair of the Audit Committee will receive an additional \$6,545 per annum. Non-executive Directors of the Sugar Research and Development Corporation who are members of the Audit Committee will receive an additional \$3,273 per annum.

Column 1	Column 2	Column 3	Column 4	Column 5	Column 6
Authority/Office	Chairperson		Member		Travel Tier
	\$	Frequency	\$	Frequency	
Tobacco Research and Development Corporation	26,620	p/a	503	p/d	Tier 2
Fishing Industry Policy Council	26,620	p/a	No fee	-	Tier 2
Northern Prawn Fisheries Management Advisory Committee	15,820	p/a	307	p/d	Tier 2
South East Trawl Management Advisory Committee	15,820	p/a	307	p/d	Tier 2
Australian Dairy Corporation Selection Committee	612	p/d	No fee	-	Tier 1
Australian Fisheries Management Authority Selection Committee <sup>5</sup>	612	p/d	No fee	-	Tier 1
Australian Wine and Brandy Corporation Selection Committee	612	p/d	No fee	-	Tier 1
Fisheries Research and Development Corporation Selection Committees	612	p/d	No fee	-	Tier 1
Research and Development Corporations Selection Committees	612	p/d	No fee	-	Tier 1
Research and Development Councils Selection Committees <sup>6</sup>	612	p/d	No fee	-	Tier 1
Tobacco Research and Development Corporation Selection Committee	612	p/d	No fee	-	Tier 1
Committees of Research and Development Corps <sup>7</sup>	503	p/d	448	p/d	Tier 2
Statutory Fishing Rights Allocation Review Panel	503	p/d	448	p/d	Tier 2
Other Management Advisory Committees, Australian Fisheries Management Authority. Category A; Category B <sup>8</sup>	448 or Nil (see footnote)	p/d	307	p/d	Tier 2
Rural Industries State Research Committees	382	p/d	307	p/d	Tier 2

<sup>5</sup> A member of the **Australian Fisheries Management Authority** Selection Committee appointed under section 29(1)(b) of the *Fisheries Administration Act 1991* shall be paid a fee of \$404 per diem.

<sup>6</sup> A member of a Selection Committee for a **Research and Development Council** appointed under section 126(2)(b) of the *Primary Industries and Energy Research and Development Act 1989* shall be paid a fee of \$404 per diem.

<sup>7</sup> **Research & Development Corps:** Committees established under the *Primary Industries and Energy Research Development Act 1989*.

<sup>8</sup> **Australian Fisheries Management Authorities Other Management Advisory Committees (MACs):** The Chairman of each MAC will be paid either Category A = 448 per diem, or Category B = no fee, as determined by the Minister within whose portfolio responsibility the public office is located. The Member's fee of \$307 will be paid to Members of all MACs.