



REMUNERATION TRIBUNAL

Determination 2004/18: Remuneration and Allowances for Holders of Public Offices

- (i) Pursuant to subsections 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 date of signature except where otherwise specified.

PART 1

JUDICIAL AND RELATED OFFICES

- 1.1 In this part, Determination Number 14 of 2004 (as amended) is referred to as the Principal Determination.
- 1.2 Table 2 of the Principal Determination is amended by deleting '736 a day (1)' for the part-time office of the Federal Court of Australia, Registrar, and substituting: '\$736 a day (1)'.
- 1.3 Table 2 of the Principal Determination is amended by deleting the footnote marker '(1)' for the part time office fee for the Australian Competition Tribunal Member and substituting footnote marker '(2)'.
- 1.4 Clause 1.3 takes effect on and from 1 July 2004.
- 1.5 The Principal Determination is amended by deleting clause E8 and substituting the following clause:

"High Court of Australia CEO. Mr Chris Doogan has a personal loading for loss of tenure of 15% of base salary which is included in superannuation salary. As this loading is included in superannuation salary, Mr Doogan also receives an additional allowance, calculated at 15% of the loss of tenure loading."
- 1.6 Clause 1.5 takes effect on and from 18 May 2004.
- 1.7 The Principal Determination is amended by deleting clause B9 and substituting:

"The following clauses apply, (and clauses B6-8 do not apply) in relation to a person who holds office as a member of the Administrative Appeals Tribunal on a part-time basis.

 - (a) 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.
 - (b) The President of the Administrative Appeals Tribunal must certify the nature, reasonableness and duration of official business undertaken prior to any payment of fees to such a person.
 - (c) Official business may include a hearing, preparation for a hearing, reading submissions, decision writing and travel time other than for travel between the person's home and principal place of work."

- 1.8 The principal Determination is amended by deleting clauses B18 to B20 and substituting the following clauses:

"B18 A full-time office holder, including a Federal Magistrate, but otherwise excluding judges, may elect to take benefits in lieu of base salary but must take at least 50% of their base salary as salary.

B19 A part-time office holder, other than a judge, 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, where this is in accordance with agency policies and procedures on salary packaging.

B20 Any election made in accordance with clauses B18 or B19 shall be consistent with relevant taxation laws and rulings or guidelines applicable to salary packaging schemes issued by the Australian Taxation Office.

B21 Any election made in accordance with clauses B18 or B19 must not result in 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 salary were taken as salary."

PART 2

PART - TIME HOLDERS OF PUBLIC OFFICE

- 2.1 In this part, Determination Number 12 of 2004 (as amended) is referred to as the Principal Determination.
- 2.2 **Table A1A of Schedule A** of the Principal Determination is amended by deleting the entry for ComLand Limited and its associated entries in columns 2 to 6.
- 2.3 **Table A1A of Schedule A** of the Principal Determination is amended by deleting 'Defence Housing Authority' in Column 1 and inserting 'Defence Housing Authority#'.
- 2.4 **Table A1A of Schedule A** of the Principal Determination is amended by:
- omitting from Column 1 the 'Australian Tourist Commission ⁷' and substituting 'Tourism Australia ⁷'; and
 - deleting '25,430' from Column 4 and inserting '30,110'.
- 2.5 **Table A1A of Schedule A** of the Principal Determination is amended by deleting the text in footnote 7 and inserting:
- 'A member who is appointed as a Deputy Chair will receive \$38,180 per annum, except the Deputy Chair of Tourism Australia who will receive \$40,000 per annum.'
- 2.6 **Table A1A of Schedule A** of the Principal Determination is amended by deleting the entry for the Tourism Forecasting Council and its associated entries in columns 2 to 6.
- 2.7 **Table A1A of Schedule A** of the Principal Determination is amended by deleting the entry for the Australian Franchising Policy Council and its associated entries in columns 2 to 6.
- 2.8 **Table A1A of Schedule A** of the Principal Determination is amended by deleting '38,180' from Column 4 and inserting '46,670' against the entry for the Reserve Bank of Australia.
- 2.9 **Clause B1.1 of Schedule B** of the Principal Determination is amended by inserting 'Implantable Medical Devices Tracking Sub-committee' after the 'General Practice Policy Group' entry.
- 2.10 The clauses in this Part take effect on and from 1 July 2004.

PART 3**FULL - TIME HOLDERS OF PUBLIC OFFICE**

- 3.1 In this part, Determination Number 9 of 2002 (as amended) is referred to as the Principal Determination.
- 3.2 In accordance with clause 4.2 of the Principal Determination, the Remuneration Tribunal determines that the Chief Executive Officer of the National Health and Medical Research Council, Professor Alan Pettigrew, shall be paid a performance bonus of \$15,000 for the period 1 January 2003 to 31 December 2003.

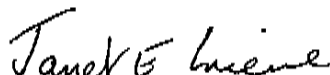
PART 4**PRINCIPAL EXECUTIVE OFFICES**

- 4.1 In this part, Determination Number 15 of 1999 (as amended) is referred to as the Principal Determination.
- 4.2 The Principal Determination is amended by omitting clause C1 and substituting the following:
- C1 The provisions of Determination 2004/03 – Official Travel by Office Holders – apply to offices covered by this Determination, subject to any exclusions or limitations in this Determination. In establishing entitlements under Determination 2004/03, the Travel Tier for an office is that advised to the employing body by the Minister with portfolio responsibility for the *Remuneration Tribunal Act 1973* or any subsequent advice by the Remuneration Tribunal.

Signed this 20th day of July 2004



John C Conde AO
PRESIDENT



Janet E Grieve
MEMBER



John D C Allen
MEMBER