



# **Remuneration Tribunal (Remuneration and Allowances for Holders of Full-time Public Office) Determination 2018**

made under subsections 7(3) and (4) of the

*Remuneration Tribunal Act 1973*

## **Compilation No. 3**

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## About this compilation

### This compilation

This is a compilation of the *Remuneration Tribunal (Remuneration and Allowances for Holders of Full-time Public Office) Determination 2018* that shows the text of the law as amended and in force on 25 September 2018 (the **compilation date**).

The notes at the end of this compilation (the **endnotes**) include information about amending laws and the amendment history of provisions of the compiled law.

### Uncommenced amendments

The effect of uncommenced amendments is not shown in the text of the compiled law. Any uncommenced amendments affecting the law are accessible on the Legislation Register ([www.legislation.gov.au](http://www.legislation.gov.au)). The details of amendments made up to, but not commenced at, the compilation date are underlined in the endnotes. For more information on any uncommenced amendments, see the series page on the Legislation Register for the compiled law.

### Application, saving and transitional provisions for provisions and amendments

If the operation of a provision or amendment of the compiled law is affected by an application, saving or transitional provision that is not included in this compilation, details are included in the endnotes.

### Editorial changes

For more information about any editorial changes made in this compilation, see the endnotes.

### Modifications

If the compiled law is modified by another law, the compiled law operates as modified but the modification does not amend the text of the law. Accordingly, this compilation does not show the text of the compiled law as modified. For more information on any modifications, see the series page on the Legislation Register for the compiled law.

### Self-repealing provisions

If a provision of the compiled law has been repealed in accordance with a provision of the law, details are included in the endnotes.

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## Part 1—Preliminary

### 1 Name

This instrument is the *Remuneration Tribunal (Remuneration and Allowances for Holders of Full-time Public Office) Determination 2018*.

### 3 Authority

This instrument is made under subsections 7(3) and (4) of the *Remuneration Tribunal Act 1973*.

### 4 Determination supersedes previous determination

This instrument supersedes *Determination 2017/11: Remuneration and Allowances for Holders of Full-Time Public Office*.

### 6 Definitions

In this instrument:

**agency**, of an office holder, means:

- (a) the agency to which the office holder is attached; or
- (b) if the office holder is not attached to an agency—the portfolio Department.

**benefit** means:

- (a) any non-monetary benefit provided at the employing authority's expense to or for the benefit of an office holder as a personal benefit, including:
  - (i) a vehicle (see section 15); and
  - (ii) vehicle parking (see section 16); and
- (b) any other benefit received by way of remuneration packaging (see section 12).

**CSS** (short for Commonwealth Superannuation Scheme) has the same meaning as in the *Superannuation Act 1976*.

**DFRDB** (short for Defence Force Retirement and Death Benefits) means the scheme established by the *Defence Force Retirement and Death Benefits Act 1973*.

**employer superannuation contribution** for an office holder means:

- (a) if the office holder is a member of the CSS, PSS, DFRDB or MSBS—the value attributed to the employer superannuation contribution under subsection 13(1), (2), (3) or (4); or

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- (b) if the office holder is a member of the PSSAP—15.4% of ordinary time earnings (within the meaning of the *Superannuation Guarantee (Administration) Act 1992*) for the office holder; or
- (c) if the office holder is a member of another superannuation fund—the amount worked out under subsection 13(6).

Note 1: An office holder's employer superannuation contribution is part of the office holder's total remuneration (see section 7).

Note 2: Superannuation contributions made as a result of remuneration packaging do not form part of an office holder's employer superannuation contribution (see section 12).

**employing authority**, in relation to an office holder, means an entity exercising a power or performing a function in relation to the office holder's employment or remuneration.

**fringe benefits tax** means fringe benefits tax (within the meaning of the *Fringe Benefits Tax Assessment Act 1986* as it applies of its own force or because of the *Fringe Benefits Tax (Application to the Commonwealth) Act 1986*).

**MSBS** (short for Military Superannuation and Benefits Scheme) has the same meaning as **Scheme** has in the *Military Superannuation and Benefits Act 1991*.

**office holder** means a person who holds an office in column 1 of Table 9A.

**office locality**, in relation to an office holder, means the geographic locality of the office holder's usual place of work on official business.

**official business**, in relation to an office holder, means business pertaining to or required by the duties of the office holder's office.

**official travel determination** means the *Remuneration Tribunal (Official Travel) Determination 2018* (or any determination that supersedes that determination).

**PSS** (short for Public Sector Superannuation Scheme) has the same meaning as **Public Sector Superannuation Scheme** has in the *Superannuation Act 1990*.

**PSSAP** (short for Public Sector Superannuation Accumulation Plan) has the same meaning as in the *Superannuation Act 2005*.

**superannuation salary**, for an office holder who is a member of the CSS, PSS, DFRDB or MSBS, is the amount worked out under section 14.

**Table 9A** means the table of total remuneration in section 9.

**Table 10A** means the table of special provisions for certain offices in section 10.

**Table 14A** means the table of superannuation salaries in subsection 14(1).

**Table 14B** means the table of superannuation salaries for specified office holders in subsection 14(2).

**Table 18A** means the table of accommodation allowances in subsection 18(6).

**Table 21A** means the table of reunion fares allowances in subsection 21(4).

**Table 22A** means the table of application and transitional provisions in section 22.

**total remuneration**: see section 7.

## **7 Meaning of total remuneration**

- (1) For the purposes of this instrument, the **total remuneration** of an office holder is the amount, per year, in column 2 of Table 9A.
- (2) The total remuneration of an office holder represents the value, calculated at the total cost to the employing authority of the office holder (including fringe benefits tax), of the following in relation to the office holder:
  - (a) salary, allowances and lump sum payments;
  - (b) benefits;
  - (c) the employer superannuation contribution.
- (3) However, the total remuneration of an office holder does not include the following:
  - (a) the value of facilities provided as business support that are not required to be included in total remuneration under section 17;
  - (b) assistance paid in accordance with Part 5;
  - (c) reimbursement of expenses incurred on geographic relocation following appointment as an office holder, in accordance with agency policies and practices where approved by the employing authority;
  - (d) travel expenses and allowances under the official travel determination;
  - (e) payment in lieu of recreation leave in accordance with the *Remuneration Tribunal (Recreation Leave for Holders of Relevant Offices) Determination 2018* (or any determination that supersedes that determination);
  - (f) compensation for early loss of office in accordance with the *Remuneration Tribunal (Compensation for Loss of Office for Holders of Certain Public Offices) Determination 2018* (or any determination that supersedes that determination).

## **8 Remuneration and benefits not to be supplemented**

The remuneration and benefits provided for in this instrument must not be supplemented.

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**Part 2—Remuneration****9 Total remuneration**

The following table (*Table 9A*) sets out, for the holder of each office in column 1:

- (a) the total remuneration, per year, of the office holder; and
- (b) the special provisions of this instrument that apply to the office holder (if any); and
- (c) the travel tier that applies to the office holder for the purposes of the official travel determination.

<b>Table 9A—Total remuneration</b>			
<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>Office</b>	<b>Total remuneration (per year)</b>	<b>Special provisions</b>	<b>Travel tier</b>
Chair, Australian Prudential Regulation Authority	\$869,360		1
Solicitor-General	\$760,690	Table 10A, item 1	1
Chairperson, Australian Competition and Consumer Commission	\$760,690	Table 10A, item 18	1
Chairperson, Australian Securities and Investments Commission	\$760,690		1
Australian Public Service Commissioner	\$706,350		1
Australian Federal Police Commissioner	\$706,350		1
Director-General, Office of National Assessments	\$706,350		1
Deputy Chair, Australian Prudential Regulation Authority	\$695,480		1
Member, Australian Prudential Regulation Authority	\$652,020		1
Director-General of Security, Australian Security Intelligence Organisation	\$652,020		1
Director-General, Australian Signals Directorate	\$652,020	Table 22A, item 1	1
Australian Border Force Commissioner	\$630,280		1
Deputy Chairperson, Australian Securities and Investments Commission	\$608,550		1
Chair, Productivity Commission	\$597,680		1
Vice Chief of the Defence Force	\$597,680		1
Chief of Navy	\$570,520		1



<b>Table 9A—Total remuneration</b>			
<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>Office</b>	<b>Total remuneration (per year)</b>	<b>Special provisions</b>	<b>Travel tier</b>
Chief of Army	\$570,520		1
Chief of Air Force	\$570,520		1
Deputy Chairperson, Australian Competition and Consumer Commission	\$570,520	Table 10A, item 18	1
Vice President, Fair Work Commission	\$570,520		1
Chief Executive Officer, Australian Digital Health Agency	\$543,350		1
Australian Electoral Commissioner	\$543,350		1
Chair, Australian Energy Regulator	\$543,350		1
Chair/Chief Executive Officer, Clean Energy Regulator	\$543,350		1
Chair, Australian Communications and Media Authority	\$543,350		1
Chief Executive Officer, Digital Transformation Agency	\$543,350		1
Chief Executive Officer, Austrade	\$543,350		1
Chief Executive Officer, National Disability Insurance Scheme Launch Transition Agency	\$543,350	Table 10A, item 3	2
Director of Public Prosecutions	\$543,350		1
Member, Australian Securities and Investments Commission	\$543,350		1
Chief Executive Officer, Australian Criminal Intelligence Commission	\$543,350	Table 22A, item 4	1
Chief Executive Officer, National Health and Medical Research Council	\$516,190		1
Chief Executive, Australian Financial Security Authority	\$489,020		2
Chief Executive Officer, Australian Transaction Reports and Analysis Centre	\$489,020		2
Chief Scientist	\$489,020		1
Director, Bureau of Meteorology	\$489,020		2
Member, Australian Competition and Consumer Commission	\$489,020	Table 10A, item 18	1
Chief Executive Officer, National Housing Finance and Investment Corporation	\$489,020	Table 22A, item 2	2
Deputy President, Fair Work Commission	\$461,850		1
Information Commissioner	\$461,850		1
Chief Executive Officer, Independent Hospital	\$461,850		1

Part 2 Remuneration

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<b>Table 9A—Total remuneration</b>			
<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>Office</b>	<b>Total remuneration (per year)</b>	<b>Special provisions</b>	<b>Travel tier</b>
Pricing Authority			
Commonwealth Ombudsman	\$461,850		1
Examiner, Australian Criminal Intelligence Commission	\$461,850		1
Inspector-General of Intelligence and Security	\$461,850		1
Integrity Commissioner, Australian Commission for Law Enforcement Integrity	\$461,850		1
National Disability Insurance Scheme Quality and Safeguards Commissioner	\$461,850	Table 10A, item 4	2
Australian Building and Construction Commissioner	\$434,690		2
Chief Commissioner, Australian Transport Safety Bureau	\$434,690		1
Chief Executive Officer, National Offshore Petroleum Safety and Environmental Management Authority	\$434,690		2
Chair, Tax Practitioners Board	\$434,690		1
Chief Executive Officer, Australian Commission on Safety and Quality in Health Care	\$434,690		1
Chief Executive Officer, Australian Curriculum, Assessment and Reporting Authority	\$434,690		2
Chief Executive, Murray-Darling Basin Authority	\$434,690		1
Deputy Chair, Productivity Commission	\$434,690		1
Fair Work Ombudsman	\$434,690		1
Inspector-General of Taxation	\$434,690		1
President, Australian Human Rights Commission	\$434,690	Table 10A, item 5	1
Parliamentary Budget Officer	\$434,690		2
Chair, Australian Accounting Standards Board	\$407,520		1
Inspector-General Australian Defence Force	\$407,520		2
Chief Commissioner & Chief Executive Officer, Australian Skills Quality Authority	\$407,520		2
Chief Executive Officer, Australian Fisheries Management Authority	\$407,520		1
Chief Executive Officer, Safe Work Australia	\$407,520		2
General Manager, Fair Work Commission	\$407,520		1
Chief Executive Officer, Comcare	\$407,520		2
Member, Australian Energy Regulator	\$407,520		1

<b>Table 9A—Total remuneration</b>			
<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>Office</b>	<b>Total remuneration (per year)</b>	<b>Special provisions</b>	<b>Travel tier</b>
Deputy Chair, Australian Communications and Media Authority	\$407,520		1
Chief Executive Officer, Innovation and Science Australia	\$407,520	Table 10A, item 6	1
Chair, Pharmaceutical Benefits Advisory Committee	\$407,520		1
Chair, Auditing and Assurance Standards Board	\$380,350		1
Director of Military Prosecutions	\$380,350		2
Commissioner, Fair Work Commission	\$380,350		1
Associate Director of Public Prosecutions	\$380,350		1
Chief Executive Officer, Australian Aged Care Quality Agency	\$380,350		2
Chief Executive Officer, Australian Pesticides and Veterinary Medicines Authority	\$380,350		2
Chief Executive Officer, Australian Radiation Protection and Nuclear Safety Agency	\$380,350		1
Director, Australian Institute of Criminology	\$380,350		1
Director, Professional Services Review	\$380,350		1
Director-General, National Archives of Australia	\$380,350		2
General Manager, National Blood Authority	\$380,350		2
Freedom of Information Commissioner	\$380,350		2
Chief Executive Officer, Infrastructure and Project Financing Agency	\$380,350	Table 10A, item 7	1
Privacy Commissioner	\$380,350		2
Chief Executive Officer, Australian Renewable Energy Agency	\$380,350		2
Chief Executive Officer, Infrastructure Australia	\$380,350		1
Chief Executive Officer, Northern Australia Infrastructure Facility	\$380,350	Table 10A, item 9	1
Commissioner, Productivity Commission	\$380,350		2
Registered Organisations Commissioner	\$380,350		2
Member, Australian Communications and Media Authority	\$353,180		1
Deputy Chief Commissioner, Australian Skills Quality Authority	\$353,180		2
Chief Executive Officer, Climate Change Authority	\$353,180		2
Director, Old Parliament House	\$353,180		2

Part 2 Remuneration

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<b>Table 9A—Total remuneration</b>			
<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>Office</b>	<b>Total remuneration (per year)</b>	<b>Special provisions</b>	<b>Travel tier</b>
Chief Executive Officer, National Mental Health Commission	\$353,180		2
Aboriginal and Torres Strait Islander Social Justice Commissioner	\$353,180		2
Age Discrimination Commissioner	\$353,180		2
Aged Care Complaints Commissioner	\$353,180		2
Australian Small Business and Family Enterprise Ombudsman	\$353,180		2
e-Safety Commissioner	\$353,180		2
Principal Member, Veterans' Review Board	\$353,180		1
Chief Executive Officer, National Transport Commission	\$353,180		1
Chief Executive Officer, Australian National Preventative Health Agency	\$353,180		2
Chief Executive Officer, Australian Sports Anti-Doping Authority	\$353,180		2
Chief Executive Officer, Independent Parliamentary Expenses Authority	\$353,180		2
Disability Discrimination Commissioner	\$353,180		2
Human Rights Commissioner	\$353,180		2
National Children's Commissioner	\$353,180		2
Official Secretary to the Governor-General	\$353,180		2
Race Discrimination Commissioner	\$353,180		2
Sex Discrimination Commissioner	\$353,180		2
Chief Executive Officer, Tertiary Education Quality and Standards Agency	\$353,180	Table 10A, item 10	2
Australian Skills Quality Authority Commissioner	\$353,180		2
Chief Executive Officer, Australian Organ and Tissue Donation and Transplantation Authority	\$326,020		2
Administrator of the Northern Territory	\$326,020		1
Chief Executive Officer, Aboriginal Hostels Limited	\$326,020		2
Chief Executive, National Capital Authority	\$326,020	Table 10A, item 11	2
Deputy Commonwealth Ombudsman	\$326,020		2
Deputy Electoral Commissioner	\$326,020		2
Director, National Industrial Chemicals	\$326,020		2

<b>Table 9A—Total remuneration</b>			
<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>Office</b>	<b>Total remuneration (per year)</b>	<b>Special provisions</b>	<b>Travel tier</b>
Notification and Assessment Scheme			
Gene Technology Regulator	\$326,020		2
National Rural Health Commissioner	\$326,020		2
Administrator of the National Health Funding Pool	\$326,020		2
Commissioner, Australian Charities and Not-for-profits Commission	\$326,020		2
Administrator, Christmas and Cocos (Keeling) Islands	\$298,850	Table 10A, item 19	2
Administrator of Norfolk Island	\$298,850		2
Administrator, Torres Strait Regional Authority	\$298,850		2
Chairperson, Superannuation Complaints Tribunal	\$298,850		2
Chairperson, Torres Strait Regional Authority	\$298,850		2
Deputy Australian Building and Construction Commissioner	\$298,850		2
Deputy Chair, Pharmaceutical Benefits Advisory Committee	\$298,850		1
Director General, Australian Safeguards and Non-Proliferation Office	\$298,850		2
Member, Tax Practitioners Board	\$298,850		2
Aged Care Pricing Commissioner	\$298,850		2
Chief Executive Officer, Asbestos Safety and Eradication Agency	\$298,850		2
Registrar of Aboriginal and Torres Strait Islander Corporations	\$298,850		2
Australian Electoral Officer for New South Wales	\$271,680		2
Australian Electoral Officer for Victoria	\$271,680		2
Merit Protection Commissioner	\$271,680		2
Chief Executive Officer, National Health Funding Body	\$271,680		2
Executive Director of Township Leasing	\$271,680		2
Deputy Chairperson, Superannuation Complaints Tribunal	\$244,520		2
Australian Electoral Officer for Queensland	\$244,520	Table 10A, item 14	2
Director, Classification Board	\$244,520	Table 10A, item 15	2
Student Identifiers Registrar	\$244,520		2

Part 2 Remuneration

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**Table 9A—Total remuneration**

<b>Column 1 Office</b>	<b>Column 2 Total remuneration (per year)</b>	<b>Column 3 Special provisions</b>	<b>Column 4 Travel tier</b>
Senior Member, Veterans' Review Board	\$244,520		2
Director, Tuition Protection Service	\$244,520	Table 10A, item 16	2
Australian Electoral Officer for Western Australia	\$217,350		2
Chair (full-time), Central Land Council	\$217,350		2
Chair (full-time), Northern Land Council	\$217,350		2
AAT (former member, Migration Review Tribunal (MRT))	\$217,350	Table 10A, item 12	2
AAT (former member, Refugee Review Tribunal (RRT))	\$217,350	Table 10A, item 12	2
Australian Electoral Officer for South Australia	\$211,690		2
Australian Electoral Officer for Northern Territory	\$198,950		2
Australian Electoral Officer for Tasmania	\$194,390		2
Deputy Director, Classification Board	\$190,180	Table 10A, item 15	2
Chair (full-time), Anindilyakwa Land Council	\$190,180		2
Classifier, Classification Board	\$135,850	Table 10A, item 17	3

**10 Special provisions for certain offices**

The provisions in column 2 of the following table (*Table 10A*) apply to the holders of the offices in column 1.

**Table 10A—Special provisions for certain offices**

<b>Item</b>	<b>Column 1 Office</b>	<b>Column 2 Special provision</b>
1	Solicitor-General	While Dr Stephen Donaghue QC does not establish his principal place of residence in Canberra, he will be paid an annualised amount of \$34,500 per year instead of the daily amounts of travel allowance set out in clauses 3.5 to 3.9 of the official travel determination that would otherwise be payable for travel to Canberra, effective from 2 April 2017.
3	Chief Executive Officer, National Disability Insurance Scheme Launch Transition Agency	Total remuneration for Mr Roberto De Luca is \$709,920 per year for the initial term of his appointment, until 27 August 2020.

**Table 10A—Special provisions for certain offices**

<b>Item</b>	<b>Column 1 Office</b>	<b>Column 2 Special provision</b>
4	National Disability Insurance Scheme Quality and Safeguards Commissioner	Total remuneration for Mr Graeme Head is \$530,400 per year for the initial term of his appointment, until 30 June 2021.
5	President, Australian Human Rights Commission	Total remuneration for Emeritus Professor Rosalind Croucher is \$454,610 per year for the initial term of her appointment, until 29 July 2024.
6	Chief Executive Officer, Innovation and Science Australia	Dr Charlie Day will receive an additional fixed loading of \$50,000 per year, until 25 November 2019.
7	Chief Executive Officer, Infrastructure and Project Financing Agency	Ms Leilani Frew will receive an additional fixed loading of \$75,000 for the term of her appointment, until 9 December 2022.
9	Chief Executive Officer, Northern Australia Infrastructure Facility	Total remuneration for the Chief Executive Officer is \$427,170 per year until 30 June 2021, during the financial assistance phase prescribed in section 8 of the <i>Northern Australia Infrastructure Facility Act 2016</i> .
10	Chief Executive Officer, Tertiary Education Quality and Standards Agency	Total remuneration for Mr Anthony McClaran is \$407,520 per year for the initial term of his appointment, until 9 October 2020.
11	Chief Executive, National Capital Authority	Ms Sally Barnes will receive an additional fixed loading of \$55,380 for the initial term of her appointment, until 10 February 2023.
12	Administrative Appeals Tribunal (AAT) (former member, MRT), and AAT (former member, RRT)	This instrument applies to a full-time office holder of the AAT who is a former member of the MRT or the RRT and is covered by item 5 of Schedule 9 to the <i>Tribunals Amalgamation Act 2015</i> (i.e. for the remaining balance of the former member's term of appointment that commenced before 1 July 2015).
14	Australian Electoral Officer for Queensland	Total remuneration for Mr Thomas Ryan is \$277,790 per year for the initial term of his appointment, until 2 September 2020.
15	Director, Classification Board and Deputy Director, Classification Board	On any occasion when the Deputy Director acts as Director, the Deputy Director is entitled to the remuneration and other conditions determined for the Director.
16	Director, Tuition Protection Service	Total remuneration for Mr Vipin Mahajan is \$271,768 per year.
17	Temporary Classifier	If a person is appointed to the Classification Board as a Temporary Classifier, a daily fee of \$564 is payable to the person, in lieu of other provisions in this Part. The conditions for payment of the daily fee are as set out in Part 4 of the <i>Remuneration Tribunal (Remuneration and Allowances for Holders of Part-time Public Office) Determination 2018</i> .

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**Table 10A—Special provisions for certain offices**

Item	Column 1 Office	Column 2 Special provision
		The following do not apply to the person: (a) Part 5 of this instrument; (b) the <i>Remuneration Tribunal (Recreation Leave for Holders of Relevant Offices) Determination 2018</i> ; (c) the <i>Remuneration Tribunal (Compensation for Loss of Office for Holders of Certain Public Offices) Determination 2018</i> .
18	Chairperson, Deputy Chairperson and Member of the Australian Competition and Consumer Commission (ACCC)	Despite the official travel determination, the ACCC may put in place arrangements for Members' travel to Canberra that are more cost effective than the travel entitlements they are otherwise entitled to under this determination.
19	Administrator, Christmas and Cocos (Keeling) Islands	Despite the official travel determination, the Administrator and any immediate family members normally resident with the Administrator on Christmas Island are entitled to 2 return economy class fares per year each between their home and work base.

## 11 Part-time work

- (1) If an office holder's employing authority has approved the office holder to perform the duties of the office on a part-time basis, the total remuneration for that office is to be paid on a pro rata basis in accordance with the proportion of full-time hours worked.
- (2) However, if the proposed hours are less than 60% of the full-time hours, prior agreement of the Tribunal is required for the level of remuneration.

## 12 Remuneration packaging

- (1) Subject to this Part, an office holder may elect to receive the benefit of the total remuneration, other than the employer superannuation contribution, as salary or a combination of salary and benefits if:
  - (a) the election is consistent with relevant taxation laws and rulings or guidelines applicable to salary packaging schemes issued by the Australian Taxation Office; and
  - (b) providing the benefit would not result in a cost to the employing authority (including any fringe benefits tax) that would not be incurred if the office holder received the remuneration in the form of salary.
- (2) To avoid doubt, a superannuation contribution made as a result of an election by an office holder under subsection (1) does not form part of the employer superannuation contribution for the office holder.



## Part 3—Superannuation

### 13 Superannuation

#### *Commonwealth Superannuation Scheme*

- (1) For an office holder who is a member of the CSS:
  - (a) the office holder's annual rate of salary for the purposes of the CSS is the office holder's superannuation salary; and
  - (b) for the purposes of paragraph (a) of the definition of ***employer superannuation contribution*** in section 6, the value attributed to the employer superannuation contribution for the office holder is an amount equal to 15.4% of the office holder's superannuation salary.

Note: For the ***superannuation salary*** for an office holder who is a member of the CSS, see section 14.

#### *Public Sector Superannuation Scheme*

- (2) For an office holder who is a member of the PSS:
  - (a) the office holder's basic salary for the purposes of the PSS is the office holder's superannuation salary; and
  - (b) the amount of the office holder's recognised allowances for the purposes of the PSS is nil; and
  - (c) for the purposes of paragraph (a) of the definition of ***employer superannuation contribution*** in section 6, the value attributed to the employer superannuation contribution for the office holder is an amount equal to 15.4% of the office holder's superannuation salary.

Note: For the ***superannuation salary*** for an office holder who is a member of the PSS, see section 14.

#### *Defence Force Retirement and Death Benefits*

- (3) For an office holder who is a member of the DFRDB:
  - (a) the office holder's annual rate of salary for the purposes of the DFRDB is the office holder's superannuation salary; and
  - (b) for the purposes of paragraph (a) of the definition of ***employer superannuation contribution*** in section 6, the value attributed to the employer superannuation contribution for the office holder is an amount equal to 15.4% of the office holder's superannuation salary.

Note: For the ***superannuation salary*** for an office holder who is a member of the DFRDB, see section 14.

#### *Military Superannuation and Benefits Scheme*

- (4) For an office holder who is a member of the MSBS:

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- (a) the office holder’s annual rate of salary for the purposes of the MSBS is the office holder’s superannuation salary; and
- (b) for the purposes of paragraph (a) of the definition of **employer superannuation contribution** in section 6, the value attributed to the employer superannuation contribution for the office holder is an amount equal to 15.4% of the office holder’s superannuation salary.

Note: For the **superannuation salary** for an office holder who is a member of the MSBS, see section 14.

*Public Sector Superannuation Accumulation Plan*

- (5) For an office holder who is a member of PSSAP, the office holder’s superannuation salary for the purposes of the *Superannuation (PSSAP) Trust Deed* is the office holder’s ordinary time earnings (within the meaning of the *Superannuation Guarantee (Administration) Act 1992*).

*Other superannuation funds*

- (6) For an office holder who is a member of any other superannuation fund, the employer superannuation contribution is the minimum contribution that would, under section 23 of the *Superannuation Guarantee (Administration) Act 1992*, reduce the charge percentage for that office holder to nil.

*No cash in lieu*

- (7) The value attributed to the employer superannuation contribution under this section is referable to a non-salary component of total remuneration and may not be the subject of an election to take an equivalent amount of salary instead.

**14 Superannuation salary for the purposes of CSS, PSS, DFRDB and MSBS**

- (1) Subject to subsection (2), the **superannuation salary** for an office holder who is a member of the CSS, PSS, DFRDB or MSBS is worked out in accordance with the following table (**Table 14A**).

**Table 14A—Superannuation salary—general**

Item	If the office holder’s total remuneration is ...	the office holder’s superannuation salary is ...
1	\$434,690 or more	70% of the office holder’s total remuneration (rounded up to the nearest \$10).
2	less than \$434,690	73% of the office holder’s total remuneration (rounded up to the nearest \$10).

- (2) If an office or an office holder is specified in column 1 of the following table (**Table 14B**), the amount in column 2 is the superannuation salary for a holder of that office, or for that office holder.

**Table 14B—Superannuation salary for specified office holders**

<b>Item</b>	<b>Column 1 Office or office holder</b>	<b>Column 2 Superannuation salary</b>
1	Mr Duncan Lewis, Director-General of Security, Australian Security Intelligence Organisation	\$514,810
2	Mr Nick Warner, Director-General, Office of National Assessments	\$511,380
3	Director of Public Prosecutions	\$385,780
3A	Ms Sandra Parker, Fair Work Ombudsman (see Table 22A, item 3)	\$361,425
4	Ms Jennifer Taylor, Chief Executive Officer, Comcare	\$356,450
5	Mr Michael Manthorpe, Commonwealth Ombudsman	\$350,210
6	Mr Phillip Glyde, Chief Executive Officer, Murray-Darling Basin Authority	\$349,250
7	Deputy President, Fair Work Commission	\$341,770
8	Mr David Fricker, Director-General, National Archives of Australia	\$293,520
9	Director of Military Prosecutions	\$285,270
10	Administrator of the Northern Territory	\$241,260
11	Mr Vipin Mahajan, Director, Tuiation Protection Service	\$201,110
12	Deputy Director, Classification Board	\$163,560
13	Classifier, Classification Board	\$116,840

## Part 4—Vehicles and business support

### 15 Vehicles

- (1) If an office holder:
  - (a) accepts an offer of a vehicle owned or leased by the office holder's agency for private use; or
  - (b) has access to a vehicle owned or leased by the office holder's agency for private use;the actual cost of the vehicle to the agency (including fringe benefits tax), less a reasonable amount (if any) reflecting business usage patterns, is taken to be a benefit.
- (2) For the purposes of subsection (1):
  - (a) if the annual business kilometres are less than 5,000—the business usage amount is to be based on the “cents per kilometre” method; or
  - (b) if the annual business kilometres are 5,000 or more:
    - (i) any business usage amount is to be assessed on log book records for at least a 12 week representative period; and
    - (ii) the percentage of business use to total kilometres travelled per year is to be applied to the total cost of the vehicle.

### 16 Vehicle parking

If an office holder accepts an offer of a car park at Commonwealth expense, the actual cost (including fringe benefits tax) of the car park to the agency is taken to be a benefit.

### 17 Business support

If an office holder is provided with communications, information technology or other office facilities necessary for the efficient conduct of the office holder's office, incidental private use of those facilities does not require the value of the facilities to be included in total remuneration.

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## Part 5—Travel and accommodation assistance

### 18 Accommodation assistance

- (1) An office holder in column 1 of Table 18A is eligible to be reimbursed for qualifying accommodation costs while the office holder:
  - (a) occupies the office in column 2; and
  - (b) has a principal place of residence in a locality (the **PPR locality**) other than the office locality.

#### *Commercial accommodation*

- (2) For the purposes of subsection (1), if the office holder is in commercial accommodation in the office locality, the following are **qualifying accommodation costs** up to the amount (per year) in column 3 of Table 18A:
  - (a) the costs of the commercial accommodation;
  - (b) settling-in costs (including one-off utility connection costs);
  - (c) if the commercial accommodation does not include cooking facilities—the cost of meals.

#### *Private, non-commercial accommodation*

- (3) For the purposes of subsection (1), if the office holder is in private, non-commercial accommodation (such as the home of a family member or friend) in the office locality, the costs of the private, non-commercial accommodation are **qualifying accommodation costs** up to one third of the amount (per year) in column 3 of Table 18A.

#### *Exclusions*

- (4) Assistance is not payable under this section while the office holder lives in premises owned by the office holder in the office locality.
- (5) An office holder is not eligible to access travel allowance entitlements under the official travel determination in the PPR locality or the office locality while the office holder remains eligible to receive assistance under this section.

#### *Amounts of accommodation assistance*

- (6) Amounts of accommodation assistance are set out in the following table (**Table 18A**).

Section 19

**Table 18A—Accommodation assistance**

<b>Item</b>	<b>Column 1 Office holder</b>	<b>Column 2 Office</b>	<b>Column 3 Assistance (per year)</b>
1	Ms June Oscar	Aboriginal and Torres Strait Islander Social Justice Commissioner	\$40,000
2	Mr Nick Ryan	Chief Executive Officer, Australian Aged Care Quality Agency	\$40,000
3	Ms Kate Jenkins	Sex Discrimination Commissioner, Australian Human Rights Commission	\$40,000
4	Mr Michael Griffin	Integrity Commissioner, Australian Commission for Law Enforcement Integrity	\$34,500
4A	Dr Irene Ioannakis	Commissioner, Australian Skills Quality Authority (until 10 September 2022. See also Table 22A, item 5)	\$34,500
6	Dr Charlie Day	Chief Executive Officer, Innovation and Science Australia	\$34,500
7	Dr Alan Finkel	Chief Scientist	\$34,500
8	The Hon Margaret Stone	Inspector-General of Intelligence and Security	\$34,500
9	Mr Mark Bielecki	Registered Organisations Commissioner	\$34,500
10	Mr Tony Usher	Chief Executive Officer, Aboriginal Hostels Limited	\$34,500
11	Dr Chris Parker	Chief Executive Officer, Australian Pesticides and Veterinary Medicines Authority (until 31 December 2019)	\$32,000
12	Mr Robert Fitzgerald	Commissioner, Productivity Commission	\$22,000

**19 Accommodation assistance—special provisions**

*Member of the Classification Board*

- (1) Subject to individual qualification for this allowance, to be decided by the employing authority in accordance with agency guidelines, a member of the Classification Board who has, or had, to relocate to Sydney to take up the appointment is to be paid an accommodation allowance of \$13,500 per year. This allowance does not represent salary for superannuation.

*Defence chiefs*

- (2) The employing authority may approve housing assistance in accordance with agency policy and practices for the Vice-Chief of the Defence Force, the Chief of Navy, the Chief of Air Force, the Chief of Army and the Director of Military Prosecutions.

**20 Accommodation in official residence**

If an office requires the office holder to reside in an official residence, the office holder's total remuneration does not include the value of accommodation in the residence or the running costs of the residence.

**21 Reunion travel assistance**

- (1) An office holder in column 1 of Table 21A may receive travel costs of up to the amount (per year) in column 3 for travel back to the locality of the office holder's principal place of residence (the **PPR locality**) for the purpose of family reunion, while the office holder occupies the office in column 2.
- (2) If the office holder certifies that the workload and responsibilities of the office prevent the office holder from travelling to the PPR locality for reunion purposes, the costs of reunion travel by the office holder's partner, or a child or children of the office holder or of the office holder's partner, who resides at the office holder's principal place of residence, can be funded. Funding paid in accordance with this subsection counts towards the limit in subsection (1).
- (3) Travel by a person other than the office holder funded in accordance with subsection (2) must be at economy class, and only for direct travel between the PPR locality and the office locality.
- (4) Amounts of reunion travel assistance are set out in the following table (**Table 21A**).

<b>Item</b>	<b>Column 1 Office holder</b>	<b>Column 2 Office</b>	<b>Column 3 Assistance (per year)</b>
1	Ms Natasha Griggs	Administrator of Christmas and Cocos (Keeling) Islands	\$41,840
2	Mr Eric Hutchinson	Administrator of Norfolk Island	\$41,400
2A	Dr Irene Ioannakis	Commissioner, Australian Skills Quality Authority (until 10 September 2022. See also Table 22A, item 6)	\$30,240
3	Ms June Oscar	Aboriginal and Torres Strait Islander Social Justice Commissioner	\$27,000
4	Mr Tony Usher	Chief Executive Officer, Aboriginal Hostels Limited	\$25,224
6	Dr Charlie Day	Chief Executive Officer, Innovation and Science Australia	\$18,500
7	Ms Kate Jenkins	Sex Discrimination Commissioner, Australian Human Rights Commission	\$18,500
8	Mr Mark Bielecki	Registered Organisations Commissioner	\$16,824
9	The Hon Margaret Stone	Inspector-General of Intelligence and Security	\$14,376

**Part 5** Travel and accommodation assistance

Section 21

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**Table 21A—Reunion travel assistance**

<b>Item</b>	<b>Column 1 Office holder</b>	<b>Column 2 Office</b>	<b>Column 3 Assistance (per year)</b>
10	Mr Michael Griffin	Integrity Commissioner, Australian Commission for Law Enforcement Integrity	\$13,896
11	Mr Nick Ryan	Chief Executive Officer, Australian Aged Care Quality Agency	\$12,216
12	Mr Tim Kelsey	Chief Executive Officer, Australian Digital Health Agency	\$10,000
13	Mr Robert Fitzgerald	Commissioner, Productivity Commission	\$9,950



## Part 6—Application and transitional provisions

### 22 Application and transitional provisions—general

The following table (*Table 22A*) sets out application and transitional provisions for the provisions in column 1:

<b>Table 22A—Application and transitional provisions</b>		
<b>Item</b>	<b>Column 1 Provision</b>	<b>Column 2 Application and transitional provisions</b>
1	Table 9A, item dealing with Director-General, Australian Signals Directorate	This item applies on and after 1 July 2018 (see the <i>Remuneration Tribunal Amendment Determination (No. 1) 2018</i> ).
2	Table 9A, item dealing with Chief Executive Officer, National Housing Finance and Investment Corporation	This item applies on and after 19 July 2018 (see the <i>Remuneration Tribunal Amendment Determination (No. 1) 2018</i> ).
3	Table 14B, item 3A (Ms Sandra Parker, Fair Work Ombudsman)	This item applies on and after 15 July 2018 (see the <i>Remuneration Tribunal Amendment Determination (No. 1) 2018</i> ).
4	Table 9A, item dealing with Chief Executive Officer, Australian Criminal Intelligence Commission	This item applies on and after 9 July 2018 (see the <i>Remuneration Tribunal Amendment Determination (No. 2) 2018</i> ).
5	Table 18A, item 4A (Dr Irene Ioannakis, Commissioner, Australian Skills Quality Authority)	This item applies on and after 3 August 2018 (see the <i>Remuneration Tribunal Amendment Determination (No. 2) 2018</i> ).
6	Table 21A, item 2A (Dr Irene Ioannakis, Commissioner, Australian Skills Quality Authority)	This item applies on and after 3 August 2018 (see the <i>Remuneration Tribunal Amendment Determination (No. 2) 2018</i> ).

## Endnotes

Endnote 1—About the endnotes

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## Endnotes

### Endnote 1—About the endnotes

The endnotes provide information about this compilation and the compiled law.

The following endnotes are included in every compilation:

Endnote 1—About the endnotes

Endnote 2—Abbreviation key

Endnote 3—Legislation history

Endnote 4—Amendment history

### Abbreviation key—Endnote 2

The abbreviation key sets out abbreviations that may be used in the endnotes.

### Legislation history and amendment history—Endnotes 3 and 4

Amending laws are annotated in the legislation history and amendment history.

The legislation history in endnote 3 provides information about each law that has amended (or will amend) the compiled law. The information includes commencement details for amending laws and details of any application, saving or transitional provisions that are not included in this compilation.

The amendment history in endnote 4 provides information about amendments at the provision (generally section or equivalent) level. It also includes information about any provision of the compiled law that has been repealed in accordance with a provision of the law.

### Editorial changes

The *Legislation Act 2003* authorises First Parliamentary Counsel to make editorial and presentational changes to a compiled law in preparing a compilation of the law for registration. The changes must not change the effect of the law. Editorial changes take effect from the compilation registration date.

If the compilation includes editorial changes, the endnotes include a brief outline of the changes in general terms. Full details of any changes can be obtained from the Office of Parliamentary Counsel.

### Misdescribed amendments

A misdescribed amendment is an amendment that does not accurately describe the amendment to be made. If, despite the misdescription, the amendment can be given effect as intended, the amendment is incorporated into the compiled law and the abbreviation “(md)” added to the details of the amendment included in the amendment history.

If a misdescribed amendment cannot be given effect as intended, the abbreviation “(md not incorp)” is added to the details of the amendment included in the amendment history.

**Endnote 2—Abbreviation key**

ad = added or inserted	o = order(s)
am = amended	Ord = Ordinance
amdt = amendment	orig = original
c = clause(s)	par = paragraph(s)/subparagraph(s) /sub-subparagraph(s)
C[x] = Compilation No. x	pres = present
Ch = Chapter(s)	prev = previous
def = definition(s)	(prev...) = previously
Dict = Dictionary	Pt = Part(s)
disallowed = disallowed by Parliament	r = regulation(s)/rule(s)
Div = Division(s)	reloc = relocated
ed = editorial change	renum = renumbered
exp = expires/expired or ceases/ceased to have effect	rep = repealed
F = Federal Register of Legislation	rs = repealed and substituted
gaz = gazette	s = section(s)/subsection(s)
LA = <i>Legislation Act 2003</i>	Sch = Schedule(s)
LIA = <i>Legislative Instruments Act 2003</i>	Sdiv = Subdivision(s)
(md) = misdescribed amendment can be given effect	SLI = Select Legislative Instrument
(md not incorp) = misdescribed amendment cannot be given effect	SR = Statutory Rules
mod = modified/modification	Sub-Ch = Sub-Chapter(s)
No. = Number(s)	SubPt = Subpart(s)
	<u>underlining</u> = whole or part not commenced or to be commenced

## Endnotes

### Endnote 3—Legislation history

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### Endnote 3—Legislation history

<b>Name</b>	<b>Registration</b>	<b>Commencement</b>	<b>Application, saving and transitional provisions</b>
Remuneration Tribunal (Remuneration and Allowances for Holders of Full-time Public Office) Determination 2018	27 June 2018 (F2018L00897)	1 July 2018 (s 2(1) item 1)	
Remuneration Tribunal Amendment (Official Travel) Determination 2018	20 Aug 2018 (F2018L01143)	Sch 1 (item 6): 26 Aug 2018 (s 2(1) item 1)	—
Remuneration Tribunal Amendment Determination (No. 1) 2018	4 Sept 2018 (F2018L01258)	Sch 1 (items 1–11): 5 Sept 2018 (s 2(1) item 1)	—
Remuneration Tribunal Amendment Determination (No. 2) 2018	24 Sept 2018 (F2018L01339)	Sch 1 (items 2–9): 25 Sept 2018 (s 2(1) item 1)	—

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**Endnote 4—Amendment history**

<b>Provision affected</b>	<b>How affected</b>
<b>Part 1</b>	
s 2 .....	rep LA s 48D
s 5 .....	rep LA s 48C
s 6 .....	am F2018L01143; F2018L01258
<b>Part 2</b>	
s 9 .....	am F2018L01258; F2018L01339
s 10 .....	am F2018L01258; F2018L01339
<b>Part 3</b>	
s 14 .....	am F2018L01258
<b>Part 5</b>	
s 18 .....	am F2018L01258; F2018L01339
s 21 .....	am F2018L01258; F2018L01339
<b>Part 6</b>	
Part 6 .....	ad F2018L01258
s 22 .....	ad F2018L01258
	am F2018L01339
Schedule 1 .....	rep LA s 48C

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