



## Remuneration Tribunal

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### **Explanatory Statement: Remuneration Tribunal Amendment Determination (No. 7) 2025**

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1. The *Remuneration Tribunal Act 1973* (the Act) establishes the Remuneration Tribunal (the Tribunal) as an independent statutory authority responsible for reporting on and determining the remuneration, allowances and entitlements of key Commonwealth office holders. These include Judges of Federal Courts and most full-time and part-time holders of public offices, including Specified Statutory Offices. An additional function of the Tribunal is to determine a classification structure for Principal Executive Offices and the terms and conditions applicable to each classification within the structure.
2. Section 11 of the Act advises that in the performance of its functions the Tribunal:
  - may inform itself in such manner as it thinks fit;
  - may receive written or oral statements;
  - is not required to conduct any proceeding in a formal manner; and
  - is not bound by the rules of evidence.
3. The Tribunal normally receives submissions on remuneration from a portfolio minister, or a secretary, program manager or employing body (in respect of a Principal Executive Office) with responsibility for the relevant office(s). The Tribunal will normally seek the views of the relevant portfolio minister prior to determining remuneration for an office.
4. The Tribunal may reach a decision based on the information provided in the submission and other publicly available information such as portfolio budget statements, annual reports, corporate plans, legislation and media releases. On occasion it may wish to meet with relevant parties or seek further information from the relevant minister or person making the submission.
5. Amongst other relevant matters in deliberating on appropriate remuneration for an office the Tribunal informs itself on:
  - the main functions, responsibilities and accountabilities of the office;
  - the organisational structure, budget and workforce;
  - the requisite characteristics, skills or qualifications required of the office holder(s);
  - the remuneration of similar, comparator, offices within its jurisdiction; and
  - any non-financial rewards associated with the office, including the status of holding the office.

### **Consultation**

*Climate Change Authority, Chief Executive Officer*

6. On 27 November 2025, Ms Rachael De Hosson, Branch Head, Climate Change Policy Branch, Department of Climate Change, Energy, the Environment, and Water, wrote to the Tribunal seeking the determination of a personal superannuation salary for

Ms Kathleen Rowley, the incoming Chief Executive Officer of the Climate Change Authority.

7. The instrument removes a special provision for the previous office holder. There was no consultation on this matter, as the provision is no longer in force as the office holder's appointment has concluded.

*National Blood Authority, General Manager*

8. On 6 November 2025, Ms Tessie Laracy, Director, People and Communications, National Blood Authority, wrote to the Tribunal seeking the determination of a personal superannuation salary for Adjunct Professor Adriana Platona PSM, the new General Manager of the National Blood Authority.

*Great Barrier Reef Marine Park Authority, Member*

9. On 28 November 2025, Mr John Fraser, Acting Division Head, International Environment, Reef and Ocean Division, Department of Climate Change, Energy, the Environment, and Water, wrote to the Tribunal seeking the determination of reduced remuneration for the Hon Stephen Robertson, Member, Great Barrier Reef Marine Park Authority, in recognition of Mr Robertson's parliamentary pension, and in line with government policy. The letter confirmed Mr Robertson had agreed to the reduction.

**Exemption from sunseting**

10. Under section 12, item 56 of the Legislation (Exemptions and Other Matters) Regulation 2015, an instrument required to be laid before the Parliament under subsection 7(7) of the Act is exempt from the provisions of paragraph 54(2)(b) of the *Legislation Act 2003*.
11. This exemption has been granted by the Attorney-General because the Remuneration Tribunal has a statutory role independent of government.
12. As the Remuneration Tribunal makes new principal determinations annually, this instrument's exemption from sunseting will not have any practical effect. As such, the exemption from sunseting will not have a practical impact on parliamentary oversight of the relevant measures.

**The power to repeal, rescind and revoke, amend and vary**

13. Under subsection 33(3) of the *Acts Interpretation Act 1901*, where an Act confers a power to make, grant or issue any instrument of a legislative or administrative character (including rules, regulations or by-laws), the power shall be construed as including a power exercisable in the like manner and subject to the like conditions (if any) to repeal, rescind, revoke, amend, or vary any such instrument.

**Details of the determination are as follows:**

14. Section 1 specifies the name of the instrument as the Remuneration Tribunal Amendment Determination (No. 7) 2025.
15. Section 2 specifies the commencement date of the instrument as the day after the instrument is registered on the Federal Register of Legislation.
16. Section 3 specifies the authority for the instrument, sections and 7(3) and (4) of the Act.
17. Section 4 outlines the effect of instruments specified in a Schedule to the instrument.

18. Schedule 1 sets out the amendments made to the instruments specified in Schedule 1.

## **SCHEDULE 1—AMENDMENTS**

### ***Remuneration Tribunal (Remuneration and Allowances for Holders of Full-time Public Office) Determination 2025***

- 19. Item 1 removes the personal superannuation salary for Mr Brad Archer, Chief Executive Officer, Climate Change Authority from Table 3B.
- 20. Item 2 establishes personal superannuation salaries for Professor Adriana Platona, General Manager, National Blood Authority and Ms Kathleen Rowley, Chief Executive Officer, Climate Change Authority in Table 3B.

### ***Remuneration Tribunal (Remuneration and Allowances for Holders of Part-time Public Office) Determination 2025***

- 21. Item 3 inserts a reference to a special provision for the Great Barrier Reef Marine Park Authority in Table 3A.
- 22. Item 4 establishes a special provision for the Hon Stephen Robertson in his role as a Member of the Great Barrier Reef Marine Park Authority in Table 3B.

#### **Authority:**

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

## **Statement of Compatibility with Human Rights**

*Prepared in accordance with Part 3 of the Human Rights (Parliamentary Scrutiny) Act 2011*

### **Remuneration Tribunal Amendment Determination (No. 7) 2025**

This Disallowable Legislative Instrument is compatible with the human rights and freedoms recognised or declared in the international instruments listed in section 3 of the *Human Rights (Parliamentary Scrutiny) Act 2011*.

#### **Overview of the Instrument**

This instrument amends the principal determinations:

- Remuneration Tribunal (Remuneration and Allowances for Holders of Full-time Public Office) Determination 2025
- Remuneration Tribunal (Remuneration and Allowances for Holders of Part-time Public Office) Determination 2025

This instrument establishes special provisions for 3 office holders and removes an expired special provision for a former office holder.

#### **Human rights implications**

This instrument engages the right to work in Article 6 of the *International Covenant on Economic, Social and Cultural Rights* (ICESCR) and the right to the enjoyment of just and favourable conditions of work, primarily contained in Article 7 of ICESCR.

##### ***Right to work and to just and favourable conditions of work***

Article 6 of the ICESCR recognises ‘... *the right of everyone to the opportunity to gain his living by work which he freely chooses or accepts* ...’ The right to just and favourable conditions of work include, but is not limited to, ensuring ‘*fair wages and equal remuneration for work of equal value without distinction of any kind*’, and ‘*a decent living for themselves and their families*’ (Article 7(1)(a)).

Consistent with Articles 6 and 7 of the ICESCR, this instrument ensures that individuals appointed to the public offices subject to the determination are fairly remunerated in respect of the work they undertake as public office holders. Specifically, the instrument:

- Removes a special provision (personal superannuation salary) for Mr Brad Archer, former Chief Executive Officer, Climate Change Authority, whose term has concluded;
- Establishes a special provision (personal superannuation salary) for Professor Adriana Platona, General Manager, National Blood Authority;
- Establishes a special provision (personal superannuation salary) for Ms Kathleen Rowley, Chief Executive Officer, Climate Change Authority;
- Establishes a special provision (a reduced annual fee) for the Hon Stephen Robertson, Member of the Great Barrier Reef Marine Park Authority, with consideration to his Queensland parliamentary pension and reflecting his agreement.

By establishing remuneration, allowances and entitlements based on an assessment of the current work value of the offices, the instrument directly promotes the principle of ensuring ‘*fair wages and equal remuneration for work of equal value*’ per Article 7(1)(a) of the ICESCR and more broadly contributes to ‘... *the right of everyone to the opportunity to gain his living by work which he freely chooses or accepts* ...’ per Article 6 of the ICESCR.

The instrument prescribes a reduced annual fee than would otherwise be payable to the Hon Stephen Robertson as a Member of the Great Barrier Reef Marine Park Authority. This potentially limits the right to fair wages and equal wages for work of equal value per Article 7 of the ICESCR.

Subsection 7(3) of the *Remuneration Tribunal Act 1973* requires the Remuneration Tribunal (the Tribunal) to inquire into, and determine, the remuneration to be paid to the holders of public offices. This provides the Tribunal the discretion to determine a different level of remuneration for a particular holder of a public office, including a lower amount of remuneration than would otherwise be provided, having regard to the individual circumstances of the public office holder. The determination of a reduced annual fee is therefore authorised by law.

Established Government policy aims to ensure fair and consistent treatment of public office holders who are former Commonwealth, State and Territory parliamentarians in receipt of a parliamentary pension – regardless of whether the parliamentary pension is provided under the *Parliamentary Contributory Superannuation Act 1948* (Cth) (PCS Act) or State or Territory legislation. Where possible, this objective is addressed through a reduction to the amount of the parliamentary pension that is payable to the person. The amount is only reduced if the amount of remuneration that is ordinarily payable in respect of the public office exceeds a certain threshold. Where it is not practicable to reduce the pension, the amount of remuneration determined for the person in respect of their appointment to the public office is reduced instead. Prior to appointment to the public office, the former parliamentarian is required to agree to the reduced pension or reduced remuneration.

Mr Robertson is a former member of the Legislative Assembly of Queensland and is in receipt of a parliamentary pension. The Tribunal has determined the (ordinary) annual fee for the part-time office of Member of the Great Barrier Reef Marine Park Authority as \$53,390 (Table 3A, Remuneration Tribunal (Remuneration and Allowances for Holders of Part-time Public Office) Determination 2025 refers); but determined Mr Robertson’s annual fee of \$45,625 as a special provision, in alignment with the Government’s policy.

Within the broader context of public funding of Mr Robertson’s parliamentary pension, the reduced annual fee as a Member of the Great Barrier Reef Marine Park Authority represents only a limited interference with the right to equal wages. The amount of the reduced fee is calculated in conformance with the methodology prescribed by the PCS Act. As a former parliamentarian in receipt of a parliamentary pension, Mr Robertson does not represent a particularly vulnerable group vis a vis this limitation. Finally, Mr Robertson consented to the reduction in annual fee as part of his appointment as a Member of the Great Barrier Reef Marine Park Authority. The limitation is therefore reasonable and proportionate.

## **Conclusion**

This instrument is compatible with human rights because it enhances and promotes the protection of human rights, and in particular, the right to work and to just and favourable conditions of work through maintaining the principle of fair, and current, remuneration for work performed.

To the extent that the instrument limits human rights, these limitations are lawful, reasonable and proportionate.

## **The Remuneration Tribunal**