



## Remuneration Tribunal

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### **Explanatory Statement: Remuneration Tribunal (Remuneration and Allowances for Holders of Full-time Public Office) Determination 2026**

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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. 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.

#### **Consultation**

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.

#### *Review of Remuneration for Holders of Public Office*

3. The Tribunal's obligations, under sub-sections 7(3) and 8(1)(b) of the Act are to make determinations in respect of remuneration for various offices within its jurisdiction at periods of not more than one year. To meet this obligation, the Tribunal last issued principal determinations on 18 June 2025.
4. In complying with its obligations, the Tribunal takes the opportunity to consider whether any general increase to remuneration for offices is warranted. The Tribunal takes account of economic conditions in Australia, past and projected movements in remuneration in the public and private sectors, and the outcome of the wage reviews undertaken by the Fair Work Commission.
5. The Tribunal did not receive any submissions relating to full-time public offices as part of this review.
6. On 11 June 2026 the Tribunal notified its decision to determine no adjustment to remuneration for public offices in its jurisdiction with effect 1 July 2026.
7. A statement setting out the Tribunal's reasons for its decision is available at [www.remtribunal.gov.au](http://www.remtribunal.gov.au).
8. Remuneration Tribunal (Remuneration and Allowances for Holders of Full-time Public Office) Determination 2026 implements the Tribunal's decision for full-time public offices.

9. Consultation on this outcome was considered unnecessary given the matters contemplated by the Tribunal in making its decision.

*National Environmental Protection Agency, Chief Executive Officer*

10. On 9 January 2026, Senator the Hon Murray Watt, Minister for the Environment and Water, wrote to the Tribunal seeking a determination and travel tier for the new office of Chief Executive Officer, National Environmental Protection Agency. The accompanying submission provided information on the role and responsibilities of the office.

*Repatriation Commission, Deputy President*

11. There was no consultation on this matter. The *Veterans' Entitlements, Treatment and Support (Simplification and Harmonisation) Act 2025* abolishes the office of Deputy President, Repatriation Commission with effect from 1 July 2026.

*Australian Industrial Chemicals Introduction Scheme, Executive Director*

12. There was no consultation on this matter. The temporary special provisions for this office holder were removed as they had expired.

*Murray-Darling Basin Authority, Chief Executive*

13. There was no consultation on this matter. The temporary special provision for this office holder was removed as it had expired.

*Minor variations to wording and numbering*

14. The Tribunal has made minor edits to some wording and to the numbering in Tables 2B, 3B, 5A and 5B, for consistency and clarity within the determination. No consultation occurred on this matter as the amendments do not change the effect of the provisions.

**Exemption from sunseting**

15. 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 *Remuneration Tribunal Act 1973* is exempt from the provisions of paragraph 54(2)(b) of the *Legislation Act 2003*.
16. This exemption has been granted by the Attorney-General because the Remuneration Tribunal has a statutory role independent of government.
17. As the Remuneration Tribunal makes new principal determinations annually, this principal determination is unlikely to have any practical effect beyond the usual 10 year sunseting period. 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**

18. 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:**

**PART 1 - PRELIMINARY**

19. Section 1 specifies the name of the instrument as the Remuneration Tribunal (Remuneration and Allowances for Holders of Full-time Public Office) Determination 2026.
20. Section 2 specifies the commencement date for the instrument as 1 July 2026.
21. Section 3 specifies that the instrument takes effect at the start of 1 July 2026.
22. Section 4 specifies the authority for the instrument, sections 7(3) and (4) of the *Remuneration Tribunal Act 1973*.
23. Section 5 specifies that the determination supersedes the 2025 principal determination.
24. Section 6 specifies that instruments identified in a Schedule to this determination are amended or repealed as indicated.
25. Section 7 specifies definitions for certain words used in the determination.
26. Section 8 provides the meaning of the term total remuneration for the purposes of the determination.
27. Section 9 specifies that the remuneration and benefits provided for in the determination must not be enhanced.

**PART 2 – REMUNERATION**

28. Part 2 sets out the total remuneration and other related matters (such as special provisions for certain offices) effective from 1 July 2026.
29. Remuneration and travel tier for the new office of Chief Executive Officer, National Environmental Protection Agency is established in Table 2A.
30. The office of Deputy President, Repatriation Commission has been removed from Table 2A, as the office has been abolished.
31. Minor changes have been made to ensure consistency and clarity within the determination, including updating references to special provisions.
32. The provisions in Part 2 otherwise remain unchanged from those contained in Part 2 of the previous determination, as amended.

**PART 3 – SUPERANNUATION**

33. Part 3 sets out the superannuation arrangements and other related matters, including superannuation salary for specified offices and office holders.
34. Table 3A prescribes the value of total remuneration for which superannuation salary is calculated at either 70% or 73%.
35. Table 3B prescribes the superannuation salaries for specified offices and office holders. The Table has been renumbered for clarity and consistency.
36. The provisions in Part 3 otherwise remain unchanged from those contained in Part 3 of the previous determination, as amended.

**PART 4 – VEHICLES AND BUSINESS SUPPORT**

37. Part 4 sets out the entitlements for vehicle and business support.
38. The provisions of this Part remain unchanged from those contained in Part 4 of the previous determination.

## **PART 5 – TRAVEL AND ACCOMMODATION ASSISTANCE**

39. Part 5 sets out the entitlements for travel and accommodation assistance, including accommodation and reunion assistance for specified office holders. Tables 5A and 5B have been renumbered for clarity and consistency.
40. Accommodation and reunion travel assistance for Mr Graeme Barden, Executive Director, Australian Industrial Chemicals Introduction Scheme, have been removed from Tables 5A and 5B as the period of assistance has expired.
41. Reunion travel assistance for Mr Andrew McConville, Chief Executive, Murray-Darling Basin Authority, has been removed from Table 5B as the period of assistance has expired.
42. The provisions of this Part otherwise remain unchanged from those contained in Part 5 of the previous determination, as amended.

## **SCHEDULE 1 – REPEALS**

43. Schedule 1 specifies the instrument which has been repealed, namely Remuneration Tribunal (Remuneration and Allowances for Holders of Full-time Public Office) Determination 2025.

**Authority:** Sub-sections 7(3) and (4)  
*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 (Remuneration and Allowances for Holders of Full-time Public Office) Determination 2026**

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**

The legislative instrument, or determination, formalises the Tribunal's decision to determine no adjustment to remuneration for full-time public offices from 1 July 2026. The decision follows a review of remuneration (and significantly related matters) carried out by the Tribunal consistent with sub-section 7(3) of the *Remuneration Tribunal Act 1973*.

The determination supersedes the previous Remuneration Tribunal (Remuneration and Allowances for Holders of Full-time Public Office) Determination 2025 (as amended). It also establishes the remuneration of one new office, reflects the abolition of one office and the cessation of 3 expired special provisions.

#### **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 continue to be fairly remunerated in respect of the work they undertake as public office holders. Specifically, the instrument:

- Maintains all relevant terms of the superseded determination.
- Establishes remuneration and travel tier for the office of Chief Executive Officer, National Environmental Protection Agency.
- Reflects the abolition of the office of Deputy President, Repatriation Commission.
- Reflects the expiration of temporary accommodation and reunion travel assistance for Mr Graeme Barden, Executive Director, Australian Industrial Chemicals Introduction Scheme, which expired on 30 June 2026.
- Reflects the expiration of the temporary reunion travel assistance for Mr Andrew McConville, Chief Executive, Murray-Darling Basin Authority, which expired on 18 June 2026.

By establishing remuneration, allowances and entitlements based on an assessment of the work value of offices and reviewing those conditions annually, the instrument supports 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.

## **Conclusion**

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

## **The Remuneration Tribunal**