



**ACT**  
Government

**AUSTRALIAN CAPITAL TERRITORY  
REMUNERATION TRIBUNAL**

**Statement and Determination 8 of 2011**

**Special Magistrates**

**Background**

Sub-section 10(1) of the *Remuneration Tribunal Act 1995* provides for the Remuneration Tribunal (the Tribunal) to inquire into, and determine, the remuneration, allowances and other entitlements to be granted to Magistrates.

The Tribunal received a submission from the Attorney-General to consider setting part-day remuneration for Special Magistrates given the practice in the Magistrates' Court for Special Magistrates to be engaged for only a few hours at a time.

The Tribunal last reviewed remuneration and entitlements for the Chief Magistrate, Magistrates and Special Magistrates in October 2010 and issued Determination 10 of 2010, dated 1 December 2010.

**Tribunal Determination**

The Tribunal decided that part-day remuneration was appropriate for Special Magistrates where they did not sit for at least 3 hours on any given day. The Tribunal amended Determination 10 of 2010 to reflect this decision. The date of effect is 1 July 2011.

ACT Remuneration Tribunal  
June 2011

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REMUNERATION TRIBUNAL**

**Statement and Determination 8 of 2011**

**Special Magistrates**

Under section 10(1) of the *Remuneration Tribunal Act 1995*, the Remuneration Tribunal has inquired into the remuneration, allowances and other entitlements to be paid to the Chief Magistrate, Magistrates and Special Magistrates.

This Determination is effective on and from 1 July 2011.

Alan Kerr AM  
Chair

  
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Anne Cahill Lambert AM  
Member

  
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Greg Friedewald  
Member

  
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Dated: June 2011

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Under section 10(1) of the *Remuneration Tribunal Act 1995* the Remuneration Tribunal has inquired into the remuneration, allowances and other entitlements to be paid to Special Magistrates.

1. Determination 10 of 2010, dated 1 December 2010 is amended as follows:

Clause 4:

In the first sentence insert the following words after 'Per diem remuneration shall be payable to a Special Magistrate' –

‘, where the Special Magistrate sits for 3 hours or more on any given day. The Chief Magistrate may have regard to reasonable travelling time incurred by the Special Magistrate when determining whether the Special Magistrate has been engaged for 3 hours or more on any given day.’

New Clause 5:

Where a Special Magistrate sits for less than 3 hours on a given day then the remuneration payable for that day shall be three-fifths of the per diem salary calculated in accordance with the formula in clause 4 above.

2. The Determination will take effect on and from 1 July 2011

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