



**ACT**  
Government

## AUSTRALIAN CAPITAL TERRITORY REMUNERATION TRIBUNAL

### Statement and Determination 20 of 2011

#### Part-Time Presidential Member ACT Civil and Administrative Tribunal

#### Background

Section 10 of the *Remuneration Tribunal Act 1995* (the Act) requires the Remuneration Tribunal (the Tribunal) to inquire into, and determine, the remuneration, allowances and other entitlements to holders of the positions mentioned in Schedule 1 of the Act or notified in writing to the Tribunal by the Chief Minister for the purposes of this section.

The Tribunal last reviewed remuneration and allowances for the part-time Presidential Member of the ACT Civil and Administrative Tribunal in April 2011 and issued Determination 7 of 2011 in June 2011.

This latest review, which sought submissions from interested parties, was notified in the press on 6 August 2011.

#### Tribunal Consideration

The Tribunal considered submissions, prevailing economic factors and comparative data on remuneration. The Tribunal indicated in June 2011 that it wanted to be in a position to consider further comparative material from other jurisdictions and from within the ACT when it became available. The Tribunal has noted that an offer has been made by the Government to bargaining representatives of administrative staff in the ACTPS covered by directorate industrial agreements amounting to a 3.5% increase in remuneration from 18 August 2011 and a further increase of 3.5% from 1 July 2012.

The Tribunal noted that its determination in June 2011 granted increases of 2.5% to the part-time presidential member.

The Tribunal also noted the uncertain economic climate facing the ACT and the impact that the economic uncertainty may have on the budgetary position of the ACT Government. This was evident from a range of published material and reinforced in the Chief Minister's submission. The Tribunal was particularly concerned about possible weakening of the budgetary position and the recent re-emergence of global financial problems. It noted that the ACT is not and should not be a leader amongst Australian jurisdictions in setting remuneration for public officials and that the Tribunal cannot operate in isolation and must take into account public expectations of appropriate salary setting and the long-term capacity of the Government to fund the remuneration of public officials. The Tribunal did not consider it appropriate in the current circumstances to grant a further increase in 2011 in the remuneration of the part-time presidential member.

As a result the Tribunal determined that remuneration for the part-time presidential member is unchanged from that determined in Determination 7 of 2011 made in June 2011.

ACT Remuneration Tribunal  
September 2011

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**ACT**  
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**AUSTRALIAN CAPITAL TERRITORY  
REMUNERATION TRIBUNAL**

**Determination 20 of 2011**

**Part-Time Presidential Member**  
**ACT Civil and Administrative Tribunal**

Pursuant to Section 10 of the *Remuneration Tribunal Act 1995* the Remuneration Tribunal has inquired into the remuneration and allowances to be paid, and other entitlements to be granted to the part-time Presidential Member of the ACT Civil and Administrative Tribunal.

This Determination shall take effect on and from 1 November 2011.

Anne Cahill Lambert AM  
Chair

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Greg Friedewald  
Member

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Dated: September 2011

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**Determination 20 of 2011**

**Part-Time Presidential Member**  
**ACT Civil and Administrative Tribunal**

**The Tribunal determines as follows:**

**1. Remuneration**

1.1 Remuneration of \$127,935 per annum for the part-time Presidential Member.

**2. Salary Packaging**

2.1. The part-time Presidential Member may elect to take remuneration as salary or take a combination of salary and other benefits best suited to his or her personal needs and preferences.

2.2. The salary packaging scheme is to be consistent with taxation laws and guidelines applicable to salary packaging schemes, issued by the Australian Taxation Office.

2.3. The scheme is to be based on the ACT Public Service Salary Packaging Policy and Procedures issued by the Commissioner for Public Administration, with up to 100% of the remuneration being taken as benefits and related costs such as fringe benefits tax.

2.4. The scheme shall be operated and administered so that there will be no additional cost to the ACT Government. In particular, any fringe benefits tax associated with the provision of a benefit is to be included in the salary package.

2.5. The salary for superannuation purposes of the part-time Presidential member is unaffected by participation in the salary packaging scheme.

**3. Travel**

3.1 A part-time Presidential Member shall be entitled to economy class travel for all domestic trips, or parts of trips, less than 4 hours in the air, and business class travel for domestic trips, or parts of trips, exceeding 4 hours in the air, and for all overseas trips for the purposes of Clause 4 of Determination Number 16 of 2007 – ‘Travel allowances for full-time and part-time holders of public office’; and

3.2 Accommodation for the purposes of Clause 6 of the above travel Determination will be 4 star accommodation.

**4. Revocation of Previous Determination**

4.1 Determination 7 of 2011, dated 8 June 2011 is revoked.

**5. Date of Effect**

5.1 This Determination shall take effect on and from 1 November 2011.

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