



## Statutory Rules

### 1975 No. 57

#### REGULATIONS UNDER THE SCHOOLS COMMISSION ACT 1973.\*

WHEREAS section 7 of the *Schools Commission Act 1973* makes provision for the payment of remuneration and allowances to the holders of certain offices:

AND WHEREAS it is provided—

- (a) by sub-section 3 (1) of the *Remuneration Act 1974* that the holder of an office specified in the Schedule to that Act shall be paid such remuneration as is determined by the Remuneration Tribunal, but, until that remuneration is so determined, he shall be paid such remuneration as is prescribed by regulations made under the Act by virtue of which that office is constituted; and
- (b) by sub-section 3 (2) of the *Remuneration Act 1974* that, subject to the *Remuneration Tribunal Act 1973*, the holder of an office specified in the Schedule to the *Remuneration Act 1974* shall be paid such allowances as are prescribed by regulations made under the Act by virtue of which that office is constituted:

AND WHEREAS each of the offices of Chairman of the Schools Commission, full-time acting Chairman of the Schools Commission, full-time member (other than the Chairman or an acting Chairman) of the Schools Commission and part-time member of the Schools Commission is an office that is—

- (a) constituted by virtue of the *Schools Commission Act 1973*; and
- (b) specified in the Schedule to the *Remuneration Act 1974*;

AND WHEREAS it is provided by sub-section 3 (3) of the *Remuneration Act 1974* that the power to make regulations contained in an Act referred to in section 3 of the *Remuneration Act 1974* extends to the making of regulations for the purposes of that section:

NOW THEREFORE I, THE GOVERNOR-GENERAL of Australia, acting with the advice of the Executive Council, hereby make the following Regulations under the *Schools Commission Act 1973*.

Dated this fifth day of April, 1975.

JOHN R. KERR  
Governor-General.

By His Excellency's Command,

KIM E. BEAZLEY  
Minister of State for Education.

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\* Notified in the *Australian Government Gazette* on 15 April 1975.

*Schools Commission Regulations*

SCHOOLS COMMISSION REGULATIONS

- Citation. 1. These Regulations may be cited as the Schools Commission Regulations.
- Commencement. 2. These Regulations shall be deemed to have come into operation on 14 January 1974.
- Definitions. 3. In these Regulations—  
“Act” means the *Schools Commission Act 1973*;  
“full-time acting Chairman”, “full-time member”, “part-time acting Chairman” and “part-time member” have the same meanings respectively as in section 7 of the Act.
- Remuneration of Chairman. 4. The rate at which remuneration is payable to the Chairman of the Commission is \$25,000 per year.
- Annual allowance of Chairman. 5. The rate at which annual allowance is payable to the Chairman is \$1,200 per year.
- Remuneration of full-time member. 6. The rate at which remuneration is payable to a full-time member, other than the Chairman or an acting Chairman, is \$17,489 per year.
- Remuneration of part-time member. 7. The rate at which remuneration is payable to a part-time member, other than a part-time member who is a full-time acting Chairman, is, in respect of each day on which he performs the duties of the office of part-time member (whether in attending a meeting of the Commission or being engaged with the approval of the Commission on business of the Commission, or both)—  
(a) where the period, or the aggregate of the periods, during which he performs those duties is not more than 3 hours—\$20 per day; or  
(b) where the period, or the aggregate of the periods, during which he performs those duties is more than 3 hours—\$35 per day.
- Travelling allowance of members. 8. (1) Subject to sub-regulation (2) and regulation 9, where a member is, in the course of performing his duties, necessarily absent overnight from the city in which he normally resides, travelling allowance is payable to him at the rate of—  
(a) in the case of the Chairman or a full-time acting Chairman—\$34 per day; and  
(b) in the case of any other member—\$28 per day.  
(2) Travelling allowance payable under sub-regulation (1) is in addition to, and does not include, the cost of conveyance.
- Oversens allowances. 9. (1) Where a member performs duties outside Australia and the external Territories, he is entitled to be paid such allowances as he would be entitled to be paid—  
(a) in the case of the Chairman or a full-time acting Chairman—if he were the Permanent Head of the Department of Education; and  
(b) in the case of any other member—if he were an officer of the Australian Public Service and were included in the Second Division.  
(2) Where a member is entitled to be paid travelling allowance in respect of a period under sub-regulation (1), he is not entitled to be paid travelling allowance in respect of that period under regulation 8.

### *Schools Commission Regulations*

10. (1) A member, other than the Chairman, may make application to the Chairman for permission to use his motor vehicle—

Allowance in respect of use of motor vehicle.

- (a) during a period specified in the application; or
- (b) for travelling on a journey specified in the application,

for the purpose of engaging, with the approval of the Commission, on business of the Commission.

(2) Where—

- (a) application is made to the Chairman by a member under sub-regulation (1); and
- (b) the use by the member of his motor vehicle in accordance with the application would result in greater efficiency in carrying on the business of the Commission and would involve the Commission in less expense than would be the case if public transport or a vehicle owned by Australia were used,

the Chairman shall, by instrument in writing, grant to the member permission to use his motor vehicle in accordance with the application.

(3) Where a member is granted permission under sub-regulation (2) to use his motor vehicle, an allowance is payable to the member in respect of the distance that the member travels in the vehicle in accordance with that permission.

(4) The rate at which an allowance is payable to a member under sub-regulation (3) is—

- (a) in respect of travel during a period specified in the instrument granting him permission to travel in his own vehicle—the rate at which an allowance would be payable to him under regulation 90 of the Public Service Regulations as in force from time to time if he were an officer of the Australian Public Service and were using his motor vehicle in the course of performing his duties as such an officer and the permission granted under sub-regulation (2) were an authority given to him by his Chief Officer under that regulation; or
- (b) in any other case—the rate at which an allowance would be payable to him under regulation 90A of the Public Service Regulations as in force from time to time if he were an officer of the Australian Public Service and were using his motor vehicle in the course of performing his duties as such an officer and the permission granted under sub-regulation (2) were a permission granted to him by his Chief Officer under that regulation.