Explanatory Statement: Determination 2005/11
Judicial and Related Offices – Remuneration and Allowances

1. The Remuneration Tribunal has inquired into and determined the remuneration and significantly related matters for public office holders, as it is empowered to do by the Remuneration Tribunal Act 1973.

2. In making this determination the Tribunal has informed itself through consultation in accordance with established practice.

3. The Determination replaces in full Determination Number 14 of 2004 (as amended) following the annual review of remuneration for judicial and related offices. It specifies remuneration and travel entitlements for holders of judicial and related offices.

4. The salaries and daily fees, and, as appropriate, Total Remuneration figures, specified in Tables 1, 2 and 3 incorporate a 4.1 per cent per annum increase (rounded) effective on and from 1 July 2005 for the judicial and related offices covered by the Determination.

5. The salary and daily fee rates for Deputy Presidents of the Administrative Appeals Tribunal as specified in Table 2 incorporate a further 5 per cent per annum increase (rounded) effective on 1 July 2005.

6. The Determination adopts a numbering rather than an alphabetical system for identifying the parts and clauses. The structure of the Determination is consistent with that used for the previous Judicial and Related Offices Determination 2004/14. Unless otherwise specified in this Statement only minor word changes have been made to the previous Determination in the making of this Determination.

PART 1 – GENERAL

7. Part 1 sets out the authority for and date of effect of the determination and revokes and supersedes the previous Determination (2004/14) applying to the Offices covered by this Determination. The provisions in Part 1 are unchanged from those contained in Part A of Determination 2004/14.

PART 2 – REMUNERATION AND RELATED MATTERS

8. Part 2 sets out the remuneration and related matters for judicial and related offices specified in Table 1 (Rates of Remuneration – Judicial Offices), Table 2 (Rates of Remuneration – Non-Judicial Offices) and Table 3 (Rates of Remuneration – Offices on Total Remuneration).

**PART 3 – OFFICIAL TRAVEL AND RELATED MATTERS**

10. Part 3 sets out the conditions governing official travel and related matters for judicial and related offices.

11. Clause 3.2 has been updated by increasing the rate of the allowance to be paid to justices of the High Court of Australia who do not establish their place of residence in Canberra from $20,000 to $25,000 a year.


**PART 4 – COMMONWEALTH PROVIDED VEHICLES AND REIMBURSEMENT OF PRIVATE VEHICLE RUNNING COSTS FOR JUDGES**


**PART 5 – PROVISIONS FOR OFFICES ON TOTAL REMUNERATION**

14. Part 5 sets out the Total Remuneration arrangements applying to office holders listed in Table 3.

15. The TR for an office has previously been determined on the basis of employer superannuation support of 15 per cent of base salary. The TR rates in Column 4 of Table 3 have been increased to reflect an increase in superannuation support to 15.4 per cent. In addition to the 4.1 per cent annual increase, TR has been further increased by 0.4 per cent of base salary to cover the increase in superannuation support. The change will not entail any real increase in remuneration of office holders who are members of the current Commonwealth defined benefit superannuation schemes. The new rate of 15.4 per cent is consistent with the proposed employer contribution rate to the Public Sector Superannuation Scheme accumulation plan to be introduced on 1 July 2005. The provisions in Clause 5.6 (ii) relating to superannuation have been updated to reflect the change to the employer superannuation support.


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