

Remuneration Tribunal (Miscellaneous Provisions) Amendment Regulations 2000 (No. 1) 2000 No. 334

EXPLANATORY STATEMENT

Statutory Rules 2000 No. 334

(Issued by the authority of the Minister for Finance and Administration)

Remuneration Tribunal Act 1973

Remuneration Tribunal (Miscellaneous Provisions) Amendment Regulations 2000 (No. 1)

Section 13 of the *Remuneration Tribunal Act 1973* (the Act) provides that the GovernorGeneral may make Regulations for the purposes of this Act.

Subsection 5(2A) of the Act provides that one of the functions of the Remuneration Tribunal is to provide advice to employing bodies in relation to terms and conditions (including remuneration and allowances) on which principal executive offices (PEOs) are to be held.

Paragraph 3(4)(ra) specifies that a PEO can only be established by Regulation. Subsection 3(1) of the Act defines **employing body** as the entity declared by Regulation to be the employing body of the PEO.

The purpose of the new Regulations is to establish nine new PEOs.

The Remuneration Tribunal has established a PEO structure to enable a PEO and its employing body to negotiate, within parameters set by the Tribunal, productivity and work value increases in remuneration from one year to the next.

It is anticipated that statutory office holders or heads of other Commonwealth businesses will be declared a PEO where it is appropriate for their remuneration to be negotiated between themselves and their employing body.

The employing body will have the authority to set the remuneration for the designated PEO pursuant to Section 12C of the Act and within parameters established by the Remuneration Tribunal.

The new Regulations amend Schedule 1A to the Principal Regulations to add nine PEOs and to list the PEO's employing body.

There are currently eleven public offices declared as PEOs. It has not been necessary to declare an employing body for the eleven existing PEOs. An amendment to the relevant enabling legislation for each of these positions has allowed the Board or some other designated person(s) to determine the PEO's remuneration.

The new Regulations commenced on the date of *Gazettal*.