



## REMUNERATION TRIBUNAL

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### **Explanatory Statement: Determination 2012/10**

### **Compensation for Loss of Office for Holders of Public Office**

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1. The Remuneration Tribunal has inquired into and determined the provision of compensation for loss of office for a holder of a public office, as it is empowered to do by the *Remuneration Tribunal Act 1973* (the Act).
2. In making this determination the Tribunal has informed itself through consultation in accordance with established practice.
3. Any retrospective application of this determination is in accordance with subsection 12(2) of the *Legislative Instruments Act 2003* as it does not affect the rights of a person (other than the Commonwealth or an authority of the Commonwealth) to that person's disadvantage, nor does it impose any liability on such a person.
4. This Determination is compatible with the human rights or freedoms recognised or declared in the international instruments listed in section 3 of the *Human Rights (Parliamentary Scrutiny) Act 2011*. This Determination does not engage any of the applicable rights or freedoms.

#### **PART 1 – GENERAL**

5. Clause 1.1 specifies the authority for the Determination.
6. Clause 1.2 sets the date of effect of the Determination.
7. Clause 1.3 specifies that the Determination supersedes Determination 2007/07 Compensation for Loss of Office for Public Office Holders which ceased to have effect on 30 June 2012.
8. Clause 1.4 and 1.5 are definitions of new terms, Reference Salary, at Clause 1.4 and Employer's Superannuation Contribution, at Clause 1.5.

#### **PART 2 – COMPENSATION FOR LOSS OF OFFICE**

9. Part 2 sets out the entitlements for compensation for early loss of office which take effect on 1 July 2012.

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