



## REMUNERATION TRIBUNAL

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# **Explanatory Statement: Determination 2014/21: Remuneration and Allowances for Holders of Public Office including Principal Executive Office – Classification Structure and Terms and Conditions**

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1. The Remuneration Tribunal has inquired into and determined the remuneration and significantly related matters for certain 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. 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.

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### **PART 1 – FULL-TIME OFFICES**

4. Clause 1.1 specifies the Principal Determination (Number 12 of 2014 as amended) for the purposes of Part 1 of the Determination.
5. Clauses 1.2 and 1.3 remove all reference to special remuneration arrangements applying to the former Administrator of Christmas and Cocos (Keeling) Islands.
6. Clause 1.4 sets reunion allowance for the Administrator of Christmas Island and Cocos (Keeling) Islands.
7. Clause 1.5 sets the date of effect of Clause 1.4.

### **PART 2 – PART-TIME OFFICES**

8. Clause 2.1 specifies the Principal Determination (Number 08 of 2014 as amended) for the purposes of Part 2 of the Determination.
9. Clause 2.2 removes all reference to the Regional Development Australia Fund Advisory Panel. This Panel has been terminated.
10. Clause 2.3 sets increased remuneration for the Chair and Council of the Australian Institute of Aboriginal and Torres Strait Islander Studies.
11. Clause 2.4 sets remuneration for the offices of Chair and Members of the Uluru – Kata Tjuta, Kakadu and Booderee Boards of Management.
12. Clause 2.5 sets the date of effect of Clause 2.4

### **PART 3 – PRINCIPAL EXECUTIVE OFFICE – CLASSIFICATION STRUCTURE AND TERMS AND CONDITIONS**

13. Clause 3.1 specifies the Principal Determination (Number 9 of 2013) for the purposes of Part 3 of the Determination.
14. Clauses 3.2 and 3.3 set revised arrangements for compensation for loss of office provisions, and specifically excludes APS employees who are able to resume their APS employment.

**Authority:** Subsections 7(3), 7(4) and 5(2A) of the *Remuneration Tribunal Act 1973*.

## **Statement of Compatibility with Human Rights**

*Prepared in accordance with Part 3 of the Human Rights (Parliamentary Scrutiny) Act 2011*

### **Remuneration Tribunal Determination 2014/21**

This Legislative Instrument is compatible with the human rights and freedoms recognised or declared in the international instruments listed in section 3 of the *Human Rights (Parliamentary Scrutiny) Act 2011*.

#### **Overview of the Legislative Instrument**

This Determination amends Principal Tribunal Determinations 2014/12: Remuneration and Allowances for Holders of Full-Time Public Office: and 2014/08: Remuneration and Allowances for Holders of Part-Time Public Office.

The Determination:

- removes all reference to the Regional Development Australia Fund Advisory Panel, the Panel has been terminated.
- deletes all reference to the person specific remuneration clause for the former Administrator of Christmas Island and Cocos (Keeling) Islands.
- sets reunion travel allowance for the incoming Administrator of Christmas Island and Cocos (Keeling) Islands.
- sets a revised daily rate for the Australian Institute of Aboriginal and Torres Strait Islander Studies, Chair and Council.
- sets remuneration for the Boards of Management of Uluru – Kata Tjuta, Kakadu and Booderee. The Boards were previously remunerated in accordance with 'Offices Not Specified' rates in the former Part-Time Determination.
- Sets revised entitlements for compensation for early loss of office. The determination has no retrospective impact, as entitlements accrue only on the date of termination, thereby only impacting offices terminated on or after the day following the date of registration.

The instrument maintains the principles of fair, and current, remuneration for work performed and just and favourable conditions of work.

#### **Human rights implications**

This Legislative Instrument does not engage any of the applicable rights or freedoms.

#### **Conclusion**

This Legislative Instrument is compatible with human rights as it does not raise any human rights issues.

**The Remuneration Tribunal**