



**AUSTRALIAN CAPITAL TERRITORY**

**REMUNERATION TRIBUNAL**

**REVIEW OF REMUNERATION,  
ALLOWANCES AND OTHER  
ENTITLEMENTS FOR PART-TIME  
PUBLIC OFFICE HOLDERS IN THE  
AUSTRALIAN CAPITAL TERRITORY  
GOVERNMENT**

**DISCUSSION PAPER**

**May 2016**

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## INTRODUCTION

The Australian Capital Territory (ACT) Remuneration Tribunal (the Tribunal) is an independent entity which was established in 1995 to determine remuneration, allowances and entitlements for ACT office holders, appointees and executives in the public service. Prior to the introduction of the [Remuneration Tribunal Act 1995](#) (the Act), remuneration for these positions was determined by the Commonwealth Remuneration Tribunal.

The Tribunal is required to review salaries, allowances and entitlements for certain positions within the Australian Capital Territory, including ACT Part-Time Public Office Holder (PTPOH) positions, on an annual basis<sup>1</sup>.

The annual review of PTPOH remuneration and entitlements usually occurs at the Spring Review (September-October), and relevant determinations generally come into effect on 1 November of that year.

The Tribunal currently makes a determination on remuneration and entitlements for 66 PTPOH entities in the ACT Government ([Determination 12 of 2015, Attachment A](#)). PTPOHs come under the administration of a directorate and/or a responsible ACT Government Minister.

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<sup>1</sup> Remuneration Tribunal Act 1995, Part 3.

# **THE REVIEW OF REMUNERATION, ALLOWANCES AND OTHER ENTITLEMENTS FOR PART-TIME-PUBLIC OFFICE HOLDERS IN THE ACT GOVERNMENT (The Review)**

The Tribunal is conducting a major review of the remuneration and methodology used to determine the salaries and entitlements of PTPOHs working within boards, committees and other entities connected with the ACT Government.

In considering the remuneration associated with PTPOH positions, the Tribunal is cognizant of the economic outlook for the ACT and Australia more generally. It is unlikely that as a result of the Review, the remuneration for PTPOHs will change significantly.

Evaluating and reviewing the methodologies used to decide the remuneration of officials is an important process in maintaining a consistent and transparent approach at the core of the Tribunal's operational function.

The Review is additional to the Tribunal's scheduled annual reviews and will provide an analysis of the factors that influence the Tribunal's decisions to remunerate PTPOHs.

## **WHY DO A REVIEW?**

The last major review of the remuneration, allowances and other entitlements of PTPOHs was undertaken in 2006. An evaluative review is both timely and necessary to assess whether the current methods used to make determinations continue to be fit for purpose.

The Tribunal considers the timing of the Review to be appropriate given the current fiscal environment and renewed focus on transparency and effective service delivery across ACT Government.

### **HOW WILL THE REVIEW BE DONE?**

The Review, which began in late 2015, is being conducted in three steps. It is anticipated that the full findings and outcomes of the Review will be concluded at the annual Spring Review of 2016<sup>2</sup>.

#### **Step 1: Entity and Directorate Consultation (September 2015 to January 2016)**

Feedback was sought from the entities currently listed in Determination 12 of 2015 on their composition, activity and performance.

A summary of the findings of Step 1 can be found in the 'Stocktake of Current PTPOHs in the ACT Government' section of this paper.

#### **Step 2: Community and Stakeholder Consultation**

Community and Stakeholder consultation is sought through the publication of this discussion paper for a period of six weeks.

The Tribunal seeks input from members of the public, PTPOHs and stakeholders on any of the points of discussion contained in this paper.

The Tribunal will request written submissions from interested parties. Submissions will be published on its website unless there are valid reasons, such as privacy considerations, for maintaining confidentiality.

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<sup>2</sup> The annual Spring Review is anticipated to take place in September 2016 and finalised by November 2016

All correspondence should be directed through one of the channels detailed below:

By email (preferred): [remtrib@act.gov.au](mailto:remtrib@act.gov.au)

By post:       The Chair  
                  ACT Remuneration Tribunal  
                  PO Box 964  
                  CIVIC SQUARE ACT 2601

Using responses received from interested parties, the Tribunal will:

- gauge community, stakeholder and PTPOH views on work value;
- assess the usefulness of the current system used to make determinations; and
- gather information on the exact current nature and functions of entities.

### **Step 3: Extended Research Phase**

After the period for submissions has closed, the Review will enter an extended research stage. The Tribunal will produce a final report on the Review which considers the data and feedback received during Steps 1 and 2; forming a broad picture of the issues, perceptions and influencing factors that affect remuneration of PTPOHs.

The report will form part of the PTPOH determinations at the 2016 Spring Review.

# UNDERSTANDING WORK VALUE

The Tribunal recognises the Government's aim of attracting and retaining skilled and experienced candidates to PTPOH roles. While the ACT boasts a highly educated and experienced community, there is still much competition for suitable candidates between the Commonwealth and ACT Government sectors. The Tribunal wants to ensure that the ACT will always be able to attract and retain the most suitable people for PTPOH positions.

This competitive environment is a factor in deciding remuneration for PTPOHs. However, an equally important concept - work value - is central to the way remuneration should be decided at all work levels and different organisational contexts.

In this section, the main drivers behind real or perceived work value are explained and arguments are presented for the parity of economically and non-economically focussed work.

## THE PRINCIPLES OF JOB EVALUATION

Job Evaluation is *"a method of determining on a systematic basis the relative importance of a number of different jobs"*<sup>3</sup>. It is important to note that the central premise of any Job Evaluation exercise is to analyse the functions, responsibilities and scope of the role itself rather than the expertise of the person occupying the role.

## JOB EVALUATION METHODOLOGIES

Job Evaluation methodologies can vary in the degree of analysis used. For example: 'job ranking' systems rank an organisation's roles according to their relative

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<sup>3</sup> p. 5 Job evaluation: considerations and risks. Advisory booklet. London: Acas (Advisory, Conciliation and Arbitration Service)

importance whereas 'points rating' systems assign points to an individual role according to pre-determined criteria<sup>4</sup>.

The better practice method is clearly the second. The points rating system undertakes job evaluation on a case by case basis and consistent criteria are applied systematically to all roles.

Using work value criteria ultimately assists in supporting a remuneration decision; however, there remains a degree of subjectivity and internal focus if no external comparison is undertaken.

Work value criteria are used to evaluate roles within points rating systems. The criteria are purposefully generic and include:

- the span of control and extent to which the role is autonomous;
- the statutory possession of decision making or advisory powers;
- the degree of knowledge and skill needed to perform the role;
- the potential risks and the economic or non-economic impacts on of the role; and
- the degree of financial and human resources responsibility.

## **SUPPORTING EVIDENCE AND COMPARISON**

Evidentiary support for remuneration decisions is a critically important factor in determinations made by the Tribunal.

Market Pricing is a method of collecting data on pay rates for similar jobs within different organisations or jurisdictions. This exercise is particularly important when considering how to attract and retain appointees. Appointees to PTPOH positions generally have extensive experience within specialist fields such as law, business, medicine or social services.

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<sup>4</sup> CIPD Fact sheet (2015) *Market Pricing and Job Evaluation*.

The Tribunal's objective is to maintain a remuneration methodology that balances the ongoing effectiveness of PTPOH roles, through the attraction of capable and experienced appointees, with the need to prudently and transparently allocate public funds.

Analysis of work value criteria and market data ultimately helps the Tribunal decide where it positions remuneration and provides further evidence to support a decision. The Tribunal's current methodology for deciding remuneration is discussed in more detail in the next section.

### **DECISION MAKING AND ADVISORY FUNCTIONS**

Tribunal methodology has generally attached higher remuneration to entities which are created under a statutory instrument and have decision-making powers when compared to non-statutory or 'advisory' entities. This is also common practice across other jurisdictions.

The higher level of remuneration reflects the statutory entities' (and thereby the PTPOH's) decision making function. Decision making is reasoned to have greater risk and responsibility associated with it than a purely advisory role.

As part of the Review of PTPOHs, the Tribunal will examine and compare the remuneration within statutory and advisory entities and reassess this criterion in light of other influencing factors, such as the often polarising 'economic impact versus non-economic impact' work value debate.

### **ECONOMIC AND NON-ECONOMIC IMPACTS**

The Tribunal acknowledges that PTOPH contribute significant energy and skill to their roles for the 'public good'. Indeed, the remuneration that PTPOHs receive is not an accurate representation of what it would cost to employ someone of equivalent skill or experience.

The ACT economy does not have the resources to achieve parity with the private sector in the way it remunerates PTPOHs. That said, the Tribunal wishes to examine what remuneration for PTPOHs is designed to do in a broader sense. Are the rewards of work, which benefits the people and community of the ACT, intrinsically satisfying? Should the remuneration of PTPOHs purely be in recognition of the input of time and energy invested in the role or is satisfaction of ‘putting back into the community’ enough?

Work incentives for many PTPOHs are not financial. Other motivations, such as the desire to be involved in their communities or contribute to socially or environmentally beneficial projects are strongly represented by PTPOHs.

In order to determine ‘work value’ fairly, the demonstrable contribution, or impact, that an entity makes to the sector which it serves must be considered.

### **ASSESSING AN ENTITY’S IMPACT**

The type of work performed by different PTPOHs varies greatly across the spectrum of entities listed in Attachment A. Broadly, an entity’s operational focus and impacts can be described as either being economic or non-economic.

The idea of an ‘Impact Agenda’ is articulated in a white paper on publicly funded scientific research<sup>5</sup>. It was a watershed that increased expectations that publicly funded research should have an impact beyond academia and yield demonstrable and direct economic, environmental and social benefits.

For example, the ACT’s Land Development Agency (LDA) Board (operating the LDA itself) impacts the economic and social development of the ACT by developing and selling land on behalf of the ACT Government. Greenfield and urban renewal

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<sup>5</sup> Ferguson, M. (2015) *The research impact agenda: Defining, demonstrating and defending the value of the social sciences*. Australian Review of Public Affairs

projects are undertaken for the development of residential, commercial, industrial, community and non-urban land.

In another example, the ACT Sentence Administration Board makes parole decisions which are of critical and immediate importance to both the public interest and the lives of offenders and victims of crime.

A further example is the ACT Scientific Committee which makes recommendations to the Minister for the Environment and advises the Conservator of Flora and Fauna on threatened species and nature conservation. Clearly, without expert and active management such as this, the risk to the ACT's natural environment and native species is high and one of the 'bush capital's' greatest assets would face a precarious future.

While the impacts in the examples above are clear; it is important to note that it is not always easy to differentiate between purely economic or purely non-economic impacts. It is the Tribunal's view that the historically, non-economically focussed entities have been relatively under-remunerated when compared to more economically focussed entities.

Community perceptions of public service, public institutions and the 'public good' are rapidly evolving. Is it possible, or fair, to say that one entity's work has a greater impact on the ACT than another? If so, how do we translate that impact into the relative payments to PTPOHs?

### **MEASURING NON-ECONOMIC IMPACT**

Economic impact is often easier to quantify than non-economic impact by using measures such as employment growth, investment multipliers, tourism activity and consumer confidence. In recent times, however, more mature models of measuring non-economic impact have emerged from the corporate sector wishing to accurately define the business case for investment in its corporate citizenship.

The London Benchmarking Group (LBG) is an international standard for measuring returns on corporate community investment. Developed and piloted by a transatlantic corporate partnership in 2013, the model uses three measures to calculate the impact of their investment in communities:

- inputs (such as donations and time spent on volunteering and advocacy activities);
- outputs or 'measurable achievements' (such as number of children given scholarships or number of positive headlines about the company in national newspapers); and
- impact or 'long term effects' (such as the creation of future community leaders because of access to education).

A different approach has been taken by the volunteering sector in Western Australia (WA). In a comprehensive 2015 review, Volunteering WA present the economic, social and cultural case for the value of volunteering<sup>6</sup>. The report makes use of statistical data and draws direct links towards economic reasoning for investment in community volunteering. For example, the report states that the cost to the community for one volunteer hour is \$6.15 but for every dollar spent on volunteering the community's return on investment is \$4.50.

Achieving a compelling statistical argument of this kind moves the discussion of the value of non-economically focussed work from a moral or emotive argument to directly comparable economic case.

The LBG model presents a simple and effective formula for the measurement and description of an entity's non-economic impact. On its own terms, description of the long term non-economic impacts as a direct product of work undertaken is a good starting point to discuss work value. However, there is great power in the use of

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<sup>6</sup> *The Economic, Social and Cultural Value of Volunteering to Western Australia*: Institute of Project Management and Volunteering WA, 2015 Available at [https://volunteeringwa.org.au/assets/.../vwa\\_report\\_per\\_cent20book\\_web.pdf](https://volunteeringwa.org.au/assets/.../vwa_report_per_cent20book_web.pdf)

statistical, multi-agency data to support an argument that non-economic impacts are directly comparable and therefore potentially greater than economic impacts.

Should it be accepted that non-economic impact is more difficult to quantify or are models like those outlined above a useful way of gaining more evidence of work value? Is it necessary or possible to challenge the traditional practice of remunerating economically focussed entities at higher rates than their non-economically focussed counterparts by using evidence-based arguments?

# CURRENT METHODOLOGY TO MAKE DETERMINATIONS FOR PART-TIME PUBLIC OFFICE HOLDERS

## ENTITY CLASSIFICATION AND ASSOCIATED PTPOH REMUNERATION STRUCTURE

The process for having an entity included in the PTPOH Determination involves a referral to the Tribunal from the Chief Minister under section 10 (1) of the Act. This referral includes a summary of the roles and responsibilities of the entity, along with a description of how it was established.

This referral is a notifiable instrument<sup>7</sup>. In the last ten years, nineteen referrals for PTPOH positions have been made by the Chief Minister<sup>8</sup>.

There is currently no formal mechanism to advise the Tribunal of the cessation, abolition or replacement of these entities. As a result, some entities have ceased operation, but have remained on relevant determinations.

The Tribunal combines consideration of the ACT PTPOH Remuneration Classification Structure (the Classification Structure) with other considerations when making determinations on the pay and entitlements for PTPOHs.

In 1997, PTPOHs were transferred into the new structure and remunerated at the same level they had been under the Commonwealth's Remuneration Tribunal. A more descriptive Classification Structure, which was based on groupings adopted in Victoria (VIC), was established in 2000<sup>9</sup>. At that time, entities were asked to respond to a questionnaire and were subsequently assessed and placed into the classification structure.

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<sup>7</sup> Notifiable instruments are legislative instruments declared by an authorising law (an Act, subordinate law or disallowable instrument) to be notifiable in the ACT Legislative Assembly.

<sup>8</sup> Some referrals may include multiple entities.

<sup>9</sup> Determination 48 of 2000

In 2002, adjustments were made to the remuneration ranges and classification descriptions in Level 2 to change 'Industry' to 'Key Advisory Bodies' and Level 4 to incorporate 'Advice to Agencies or to Government'.

In 2006 a review of the remuneration and entitlements for PTPOH began. The review did not result in any substantial changes being made.

Other factors that the Tribunal gives consideration to are associated with work value and traditional 'Job Evaluation' criteria. They include:

- management responsibilities;
- legislative responsibilities and level of independence;
- exposure and engagement with risk;
- the level of remuneration necessary to attract and retain an appropriately qualified and skilled candidate;
- the level of remuneration that the Tribunal or other jurisdictions has set for other offices with similar levels of responsibility and accountability;
- the degree to which the entity is accountable and publicly visible;
- the level of authority or influence;
- the requisite or specific skill set requirements (for example, technical including medical specialist knowledge) and whether or not the involvement precludes alternative/existing private sector fee-earning activities;
- the commitment required of the office holder; and
- where the PTPOH is part of a board or committee – whether there is an even distribution of workload, responsibilities or expectations.

The Classification Structure is detailed in Table 1. The Classification groupings demonstrate the historical trend of higher remuneration for statutory entities with extensive financial responsibility.

**Table 1: ACT PTOH Remuneration Classification Structure**

<b>Group 1</b>	
<b>Governing Boards and other Statutory Authorities</b>	
Level 1	Boards, statutory authorities and corporations with turnover or budget or operating surplus more than \$10M and/or significant commercial/industry operations and/or high impact on the development/promotion of the Territory
Level 2	Boards, statutory authorities and corporations with turnover or budget or operating surplus less than \$10M and/or significant commercial/industry operations and/or high impact on the development/promotion of the Territory.
<b>Group 2</b>	
<b>Industry and other Key Advisory Bodies</b>	
Level 1	Significant advisory boards and other bodies advising Government on key strategic matters and/or operating significant Government programs.
Level 2	Other advisory boards and bodies advising Government on matters of Territory wide significance AND/OR operating Government programs.
<b>Group 3</b>	
<b>Quasi/Judicial Tribunals, Boards of Inquiry and Management</b>	
Level 1	Most senior bodies/tribunals providing independent decisions affecting large groups.
Level 2	Bodies/tribunals determining matters of importance to individuals or small groups.
<b>Group 4</b>	
<b>Management Boards and Advisory Committees</b>	
Level 1	Scientific, professional and legal bodies requiring members to be experts in their field, disciplinary boards or boards of appeal.
Level 2	Bodies responsible for reviewing qualification, regulatory or licensing matters and professional, technical, trade or non-professional groups or for providing advice to agencies or Government.
Level 3	Advisory/consultative bodies to Departments and advisory committees considering local matters.
<b>Group 5</b>	
<b>Individual Offices</b>	
Level 1	Part-time offices i.e. not boards, committees or tribunals

## **ANNUAL ADJUSTMENTS**

Once the remuneration for a particular office has been initially established, it is generally only adjusted as a result of the Tribunal's annual review of PTPOHs. The Chief Minister makes a Government submission outlining the case for making a change to the current remuneration of a PTPOH.

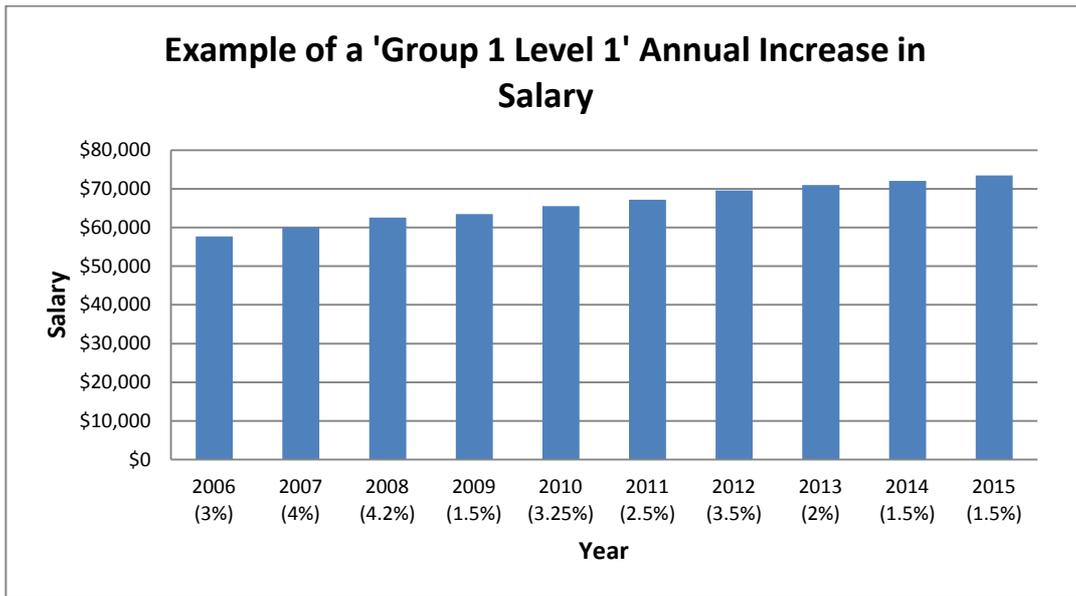
The Tribunal also calls for submissions from PTPOHs themselves and members of the public. It considers current economic and financial conditions and general salary movements in the public sector are also factors when making remuneration adjustments.

The Tribunal's annual review does not routinely involve an individual assessment or comparison of each PTPOH. However, circumstances where adjustment above the annual rate increase of the remuneration for an individual office may be required include but are not limited to:

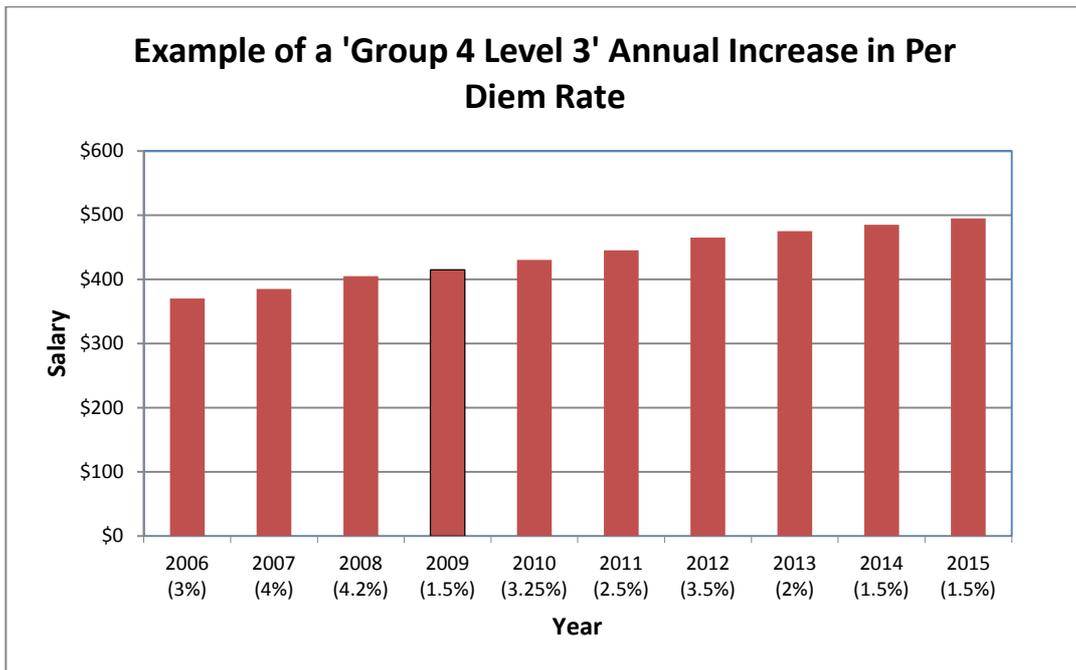
- changes to relevant legislative provisions affecting the office;
- changes to requisite characteristics, skills or qualifications required of the office holder;
- significant changes to the main functions, responsibilities or accountability structures of the office; or
- significant organisational change.

Graphs 1 and 2 show the annual adjustments in the remuneration for PTPOHs. Since 2006, adjustments have fluctuated between 4.2 per cent (2008) as the highest adjustment in remuneration to 1.5 per cent (2009 & 2014) as its lowest adjustment in remuneration. In the last ten years, there has not been a freeze or a decrease in remuneration for PTPOHs.

**Graph 1: Annual dollar increases in salary for Group 1 Level 1 entity from 2006-15**



**Graph 2: Annual dollar increases in per diem rates for Group 4 Level 3 entity from 2006-15**

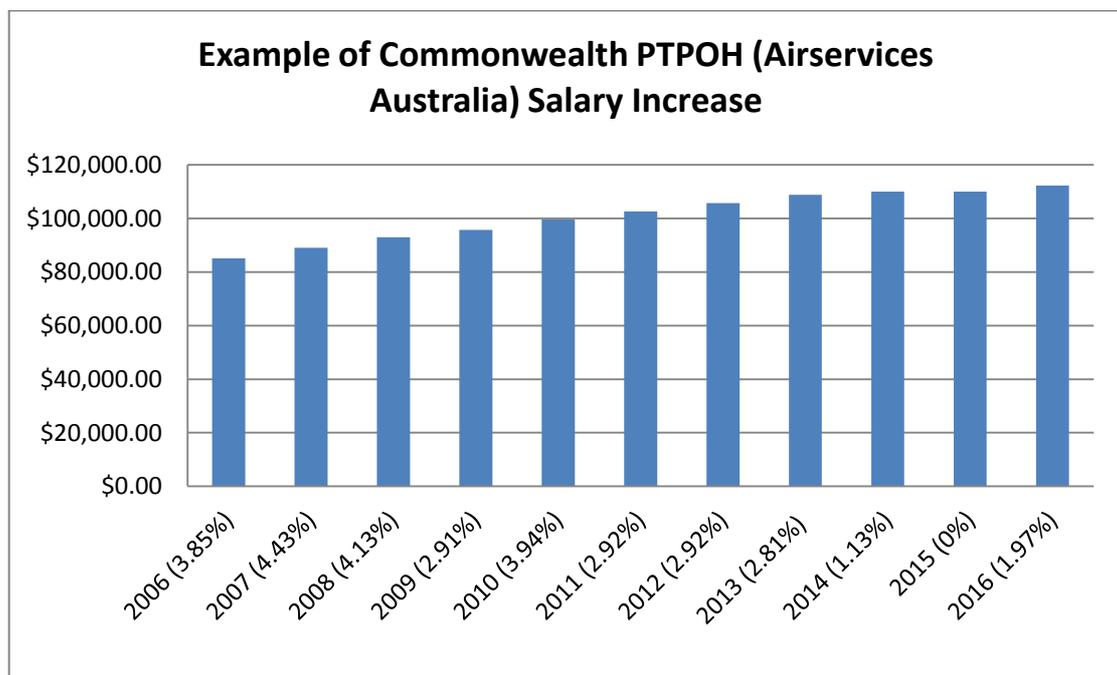


As can be seen from the two examples in Graphs 1 and 2, relatively modest pay increases have occurred over the last ten years. Unless entities are reassessed, they receive a general increase each year. By comparison, ACT Public Service employees covered by the Administrative and Related Classifications Enterprise Agreement

2013-2017 received a general pay increase totalling eight per cent over the last three years<sup>10</sup>.

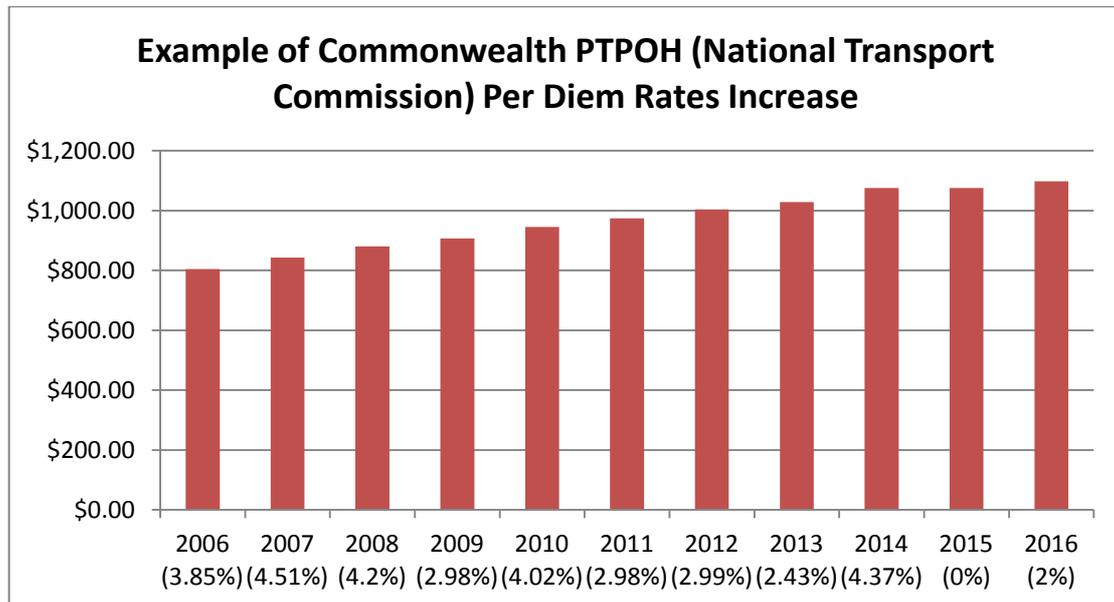
As can be seen in Graphs 3 and 4 below, similar examples from the Commonwealth show an increase of 4 per cent and 7 per cent respectively awarded during the 2013-15 period.

**Graph 3: Annual increase in salary for a Commonwealth PTPOH entity from 2006-16**



<sup>10</sup> Administrative and Related Classifications Enterprise Agreement 2013-2017  
[http://www.jobs.act.gov.au/\\_\\_data/assets/pdf\\_file/0003/646005/Administrative-Agreement.pdf](http://www.jobs.act.gov.au/__data/assets/pdf_file/0003/646005/Administrative-Agreement.pdf)

**Graph 4: Annual increase in per diem rates for a Commonwealth PTPOH entity from 2006-16**



Interestingly, entity data also shows that because the Tribunal has made case by case decisions, some entities which have been categorised in “lower” groups may have much higher salaries than others in that group because of a work value re-assessment and subsequent pay rise.

Given the variations in the range of salaries within the same group: is the current classification system still effective at organising and guiding remuneration of PTPOHs in the ACT?

## PAYMENT METHODS

The Tribunal has historically used two mechanisms for remunerating PTPOHs. Where the work of the entity is of a regular nature and involves weekly meetings an annual fee may be appropriate. Where meetings are ad hoc, irregular or infrequent, a quarterly or daily fee may be more appropriate.

### **ANNUAL FEES**

Annual fees are paid fortnightly, are automated and do not require manual entries or timesheets. For example, if the Chairperson (Chair) of a Board had an annual fee of \$52,000, s/he would receive \$2,000 (gross) per fortnight through the payroll system. Annual fees provide certainty of income to the office holder/employing agency budget and account for the preparation time involved in PTPOH work.

Annual fees allow the Tribunal to build in an appropriate loading for the responsibilities of the PTPOH and recognise any sensitivities and standing of the PTPOH, which does not necessarily correlate to the time commitment involved. The Tribunal's current approach is to apply annual fees to governing boards and other roles that have extensive responsibilities outside of scheduled meetings.

### **DAILY FEES AND PER DIEM FEES**

Historically the Tribunal has favoured *per diem* fees where the commitment is expected to be ad hoc and irregular, where the work is planned, but infrequent, or where the entity makes decisions on case loads which may vary from time to time.

The daily fee remunerates PTPOH for time actually worked and is able to differentiate between individual members of particular entities based on their level of participation.

The drawbacks of daily fees include:

- an inability to appropriately recognise preparation time or other claims;
- the cost of salary packaging is not insignificant;

- higher administrative burden to PTPOHs; and
- some claims need to be approved by the Chair or the employing entity.

Where a combination of the annual fee and daily fee model is used in respect of individual roles on a board (CEO, Chair, Deputy Chair, Member) there is the potential for the daily remunerated appointees to receive a higher level of remuneration than the Chair, depending on frequency of meetings.

The rates in the Tribunal's system are not meant to reflect private consultancy fees, which are negotiable by the parties and are generally higher. The occupants of PTPOH positions are experienced and 'give back' to their communities through their roles.

In some cases, PTPOH roles are performed by current public servants as part of their existing duties or *ex-officio*, noting that in these cases, those public servants do not receive additional remuneration on top of their salary.

The enormous variety of function and responsibilities of these entities makes it difficult to identify commonalities between them. However, the majority of the more recently referred entities have come to attract a standard *per diem* remuneration level.

Are the payment mechanisms of annual salary/per diem used to pay PTPOHs equitable? To what extent should PTPOH remuneration rates be disconnected from private consultancy fees?

## ENTITLEMENTS

Table 2 identifies entitlements provided to PTPOH, and entitlements provided to Full-Time Statutory Office Holder (FTSOH) positions which are not provided to PTPOHs.

**Table 2: Entitlements provided to PTPOHs**

Entitlements provided to both PTPOHs and FTSOHs	Entitlements not provided to POPOHs (in comparison with FTSOHs)
Salary packaging	Employers superannuation contribution
Travel	Executive vehicle & parking space
Accommodation	Fringe Benefits Tax
Meals	Relocation Allowance
Incidental expenses	Frequent Flyer Program
	Leave
	IT, desk and office services

Historically, the Tribunal has aligned entitlements provided to FTSOHs with those provided to ACTPS Executives through the *Public Sector Standards 2006* given the high importance and nature of the roles. These are also full-time positions.

In contrast, entitlements for PTPOHs are not linked to an employment framework, particularly given the ad hoc nature of part-time offices. However, it should be noted that salary packaging, travel, accommodation, meals and incidental expenses are provided to both groups, if PTPOHs are required to undertake any travel in their roles.

The question remains, are there entitlements that PTPOHs should receive in relation to their role in the contemporary environment? For example, given the use of Information communication technology, would a PTPOH's role be enhanced through the provision of an allowance to purchase an electronic device to undertake their PTPOH role?

# GENDER PARTICIPATION FOR ACT GOVERNMENT PART-TIME PUBLIC OFFICE HOLDERS

Current Commonwealth Government policy provides for a gender diversity target of 40 per cent women on Government boards, 40 per cent men, and 20 per cent to be made up of either gender. A bill, currently before the Senate<sup>11</sup>, sought to move from the current non-compulsory policy target to a positive obligation that will apply in relation to each appointment to a Government board.

The ACT Government has a target of achieving and maintaining 50 per cent representation of women on its boards and committees<sup>12</sup>. Gender balance on boards offers diverse perspectives and ultimately ensures that entities are reflective of the communities they serve.

In February 2007, the ACT Government mandated that all proposed appointments to Government boards and committees be referred to the ACT Office for Women. The Office for Women maintains the ACT Women's Register, a database of women experienced and available for appointment on ACT Government and non-government boards and committees.

Since 2008, when the rate of women participating in boards and committees was the highest level of any State or Territory<sup>13</sup>, there has been a decrease in the percentage of women on ACT Government boards and committees overall, down from 48 per cent in 2008 to 42 per cent in 2016.

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<sup>11</sup> The Senate Finance and Public Administration Legislation Committee Australian Government Boards (Gender Balanced Representation) Bill 2015

<sup>12</sup> Page 11

[http://www.communityservices.act.gov.au/\\_data/assets/pdf\\_file/0016/122506/ACT\\_Womens\\_Plan\\_2010\\_-15.pdf](http://www.communityservices.act.gov.au/_data/assets/pdf_file/0016/122506/ACT_Womens_Plan_2010_-15.pdf)

<sup>13</sup> Page 9 ACT Women's Plan 2010-2015

In the ACT Government’s range of entities, 44 per cent of PTPOHs are women. This compares favourably with Commonwealth Government Levels, which are slightly lower at 39 per cent and 40 per cent for 2015 and 2014 respectively (Table 3).

**Table 3: Comparison of gender balance on Boards and Committees between the ACT and Commonwealth Governments.**

	% Women on Boards and Committees <b>2016</b>	% Women on Boards and Committees <b>2015</b>	% Women on Boards and Committees <b>2014</b>
<b>ACT Government</b>	42 %	44 %	44 %
<b>Commonwealth</b>	Not available	39 %	40 %

This slightly more favourable trend is echoed across the ACT Government workforce as a whole with the indicators such as small and decreasing gender pay gap and proportional rise of women earning top salaries (over \$100,000) from 48 per cent to 58 per cent in the past four years<sup>14</sup>.

The Tribunal has observed that the highest paid PTPOHs are more commonly men and during the next phase of this review, will investigate the available data further.

The inclusion of more women on boards and committees has long been advocated by organisations like Women on Boards<sup>15</sup>. Whilst the group advocates the use of targets to ensure gender parity, it says *“transparency in recruitment and selection processes along with improved corporate governance regimes”*<sup>16</sup> is of equal importance in ensuring larger numbers of women are applying and winning positions on boards and committees.

<sup>14</sup> Page 90 ACT Public Service State of the Service Report 2014-15

<sup>15</sup> [https://www.womenonboards.net/en-AU/About-Us/Who-We-Are-\(1\)](https://www.womenonboards.net/en-AU/About-Us/Who-We-Are-(1))

<sup>16</sup> [https://www.womenonboards.net/en-AU/About-Us/Who-We-Are-\(1\)](https://www.womenonboards.net/en-AU/About-Us/Who-We-Are-(1))

The representation of women on ACT Government entities matches Commonwealth Government target levels but falls below the ACT Government target of 50 per cent. Is remuneration to ACT Government entities having any impact on whether women are applying and being appointed to positions on boards and committees?

# STOCKTAKE OF CURRENT PART-TIME PUBLIC OFFICE HOLDERS IN THE ACT GOVERNMENT

The Tribunal currently determines remuneration for entities as outlined in [Attachment B](#).

During Step 1 of this review, feedback was sought from all entities, Chairs and employing ACT directorates on the operation of respective entities. This feedback will inform the Tribunal as to whether an entity is continuing to operate on the terms under which remuneration was originally determined or whether it has evolved.

Information sought from entities included:

- the current status of respective PTPOH entities (abolished or operational);
- whether all positions are filled;
- the current occupants of PTPOH positions within the entity; and
- how regularly the entity meets.

Information sought from directorates and Chairs included:

- whether the entity is working the way it was originally intended;
- whether it is envisaged that each entity will continue, or whether any sunset clauses are in place; and
- if it is considered that PTPOH are paid adequately for their contribution to the work of government.

From the responses received, it was found that fourteen entities currently listed for determination have ceased or disbanded and 52 are operational. A full list of current and abolished entities can be found in [Attachment B](#).

General feedback from entities and chairs indicated:

- there is a perceived equity issue between the remuneration of some PTPOHs across different entities;

- it is not clear to some PTPOH why remuneration generally does not reflect commercial rates;
- it was observed that there are no additional payments made for chairing a Sub Committee and no separate remuneration determination made for Sub Committees even though their work sometimes differs significantly from the 'parent' entity;
- it is perceived that the current daily rate does not reflect the commitment or engagement of members or chairs;
- it was acknowledged that members stay in post through a desire to serve their communities; however, the time demands of the role make this difficult to sustain without proper remuneration;
- payment should reflect the risk or nature (binding/advisory) of a PTPOH decisions or actions;
- the work done outside meetings is not effectively remunerated; and
- because financial incentive is sometimes not high, the reasons for being a PTPOH are often related to the passion which they feel for the work of the entity: raising the question of complete suitability for the role.

#### **CLASSIFICATION GROUPINGS FOR CURRENT ENTITIES.**

Table 4 details the number of currently operational entities within each classification grouping.

**Table 4: Number of Operational Entities in each Classification Grouping**

<b>Classification Groupings</b>		<b>Number of Entities</b>
Group 1	Level 1	5
	Level 2	3
Group 2	Level 1	5
	Level 2	7
Group 3	Level 1	1
	Level 2	2
Group 4	Level 1	4
	Level 2	3
	Level 3	20
Group 5	Level 1	2
<b>Total</b>		<b>52</b>

It is interesting to note that the single largest number of entities fall within Group 4 Level 3. This group is described in the classification structure as ‘advisory/consultative bodies to Departments and advisory committees considering local matters’. There are 20 groups represented in Categories 1 and 2 and 30 are counted in Groups 3 and 4 and two entities in Group 5.

The highest remuneration group with a top determined salary of \$73,455 per annum occurs for just two Chairs out of the entire group.

# REMUNERATION OF PART-TIME PUBLIC OFFICE HOLDERS: JURISDICTIONAL COMPARISONS

The ACT has a similar classification structure and methodology for determining the remuneration of PTPOHs to other Australian jurisdictions. The Tribunal and the Commonwealth Remuneration Tribunal, however, were alone in the practice of independently determining the remuneration for PTPOH.

## **DETERMINING AUTHORITIES**

In New South Wales (NSW), Queensland (QLD), Victoria (VIC) and Western Australia (WA); the State or Territory Government administers both policy and remuneration decisions for PTPOHs.

In comparison, the ACT and Commonwealth Tribunals make independent remuneration decisions for the position or office, with Government administration of the appointments and associated policy.

## **THE COMMONWEALTH REMUNERATION TRIBUNAL REVIEW OF THE REMUNERATION OF PART-TIME PUBLIC OFFICES REPORT 2013**

In October 2013 the Commonwealth Remuneration Tribunal published its final report on an extensive review of the remuneration of PTPOHs.

The main finding of the review was the recognition that the “wide variety of offices within the jurisdiction does not lend itself one remuneration model or a discrete set of remuneration principles covering the whole jurisdiction”<sup>17</sup>.

Instead, the Commonwealth Remuneration Tribunal:

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<sup>17</sup> Page 4: *Remuneration of Public Offices Part- Time Offices Report October 2013*

- took the view, when considering the correct level of remuneration for Chairs, that the appropriate remuneration should be based on the responsibilities of the Chair;
- determined that when considering the appropriate level of remuneration for Members, the most important relationship is that of the work value relationship to the Chair; and
- simplified the daily payment methodology which is easier to administer and recognises work performed on work and non-work days.

The key and unique step that the Commonwealth Remuneration Tribunal took as a result of this review was to discontinue the use of a classification system. The activities of the jurisdiction's entities and their scope of work was considered too disparate to categorise into a handful of groupings.

The Commonwealth Remuneration Tribunal's decision to base PTOH remuneration purely on a work value assessment of the of the Chair's responsibilities, while simpler, could be argued to be less transparent than using a categorisation system. Given this consideration, and the different types of entities within the ACT, is such a system suitable for deciding the remuneration of PTOHs in a jurisdictional context?

## **OTHER JURISDICTION'S CLASSIFICATION STRUCTURES**

With the exception of WA<sup>18</sup>, other jurisdictions operate complex and highly delineated classification structures. Table 5 below is a comparative summary of different aspects of jurisdictional classification structures for PTOHs.

<sup>18</sup> Western Australia's Remuneration Tribunal does not have responsibility for remuneration provided to Government Boards or Committees. However, if it assists, the tribunal recommends part-time appointments are calculated on a pro rata basis in accordance with full time hours worked by the office holder (Secretariat correspondence, February 2016).

**Table 5: Comparisons between Jurisdictional PTPOH Classification Structures**

	<b>Determining Authority</b>	<b>Classification System?</b>	<b>Classification Criteria</b>	<b>Highest Salary (Chair)</b>	<b>Lowest Salary (Chair)</b>	<b>Highest Salary (Member)</b>	<b>Lowest Salary (Member)</b>
<b>Commonwealth Government</b>	Remuneration Tribunal	No- each new entity is slotted into the list of existing entities.	No	\$209,630 pa	No fee	\$104,860 pa	No fee
<b>NSW</b>	State Government	Yes	Yes	\$110,001 pa	\$10,000 pa	\$70,001 pa	\$5,000 pa
<b>NT</b>	Remuneration Tribunal	Yes	Yes	\$82,363 pa	\$304 pd	\$44,349 pa	\$228 pd
<b>QLD</b>	State Government	Yes	Yes	\$165,000 pa	\$325 pd	\$70,000 pa	\$250 pd
<b>ACT</b>	Remuneration Tribunal	Yes	Yes	\$73,151 pa	\$475 pd	\$44,080 pa	\$420 pd
<b>VIC</b>	State Government	Yes	Yes	\$69,581 pa	Up to \$246 pd	\$34,792 pa	Up to \$211 pd
<b>WA</b>	State Government	No – use FT (pro rata)	n/a	n/a	n/a	n/a	n/a

The Victorian State Government remuneration classification structure<sup>19</sup> aligns with other jurisdictional examples which divides classification of entities into four or five categories.

Categorisation of entity functions in other jurisdictions is broadly similar to that used by the ACT Tribunal, with the same thematic groups being represented in much the same way in all jurisdictions.

For example, QLD's Remuneration Procedures<sup>20</sup> for PTPOHs groups government entities into five categories:

- Enterprise;
- Governance;
- Regulation;
- Administration and Advice; and
- Adjudication and Determination.

Although the QLD classification structure shows the clearest delineation of categories, it is similar to others insofar as those categories are further broken down into specific levels.

It is clear from all jurisdictional examples that higher remuneration is attached to entities with high value turnovers or oversight of large revenue streams (over \$1 billion in all cases). Lowest levels of remuneration are attached to advisory, regulatory and licensing functions.

A clear example of the pay gap between the top and bottom of the PTPOH remuneration scale is noted in the NSW classification structure. The gap between the highest remuneration and the lowest is a difference of \$190,000 for a Chair and \$95,000 for a Member.

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<sup>19</sup> <http://www.dpc.vic.gov.au/index.php/policies/governance/appointment-and-remuneration-guidelines>

<sup>20</sup> <http://www.premiers.qld.gov.au/publications/categories/policies-and-codes/handbooks/welcome-aboard/remuneration/procedures.aspx>

It could be argued that the gap between the remuneration of PTPOHs reflects the perceived value of the work of the entity. The ACT has one of the smallest gaps between the highest and lowest salary for Chair: should it remain so? Are there equity issues which need to be addressed within the ACT's classification structure?

### **PAYMENT MECHANISMS AND ALLOWANCES**

Jurisdictional examples all demonstrate broad and overlapping salary ranges which provide considerable scope for remuneration discretion. This is particularly evident in cases where there may not be a large difference in the prescribed turnover, assets or profit figures at each level.

While the Victorian model applies annual fees to significant industry and other key advisory boards, other jurisdictions have explored additional models. These include a base annual fee plus daily fee for formal meetings exceeding five hours or extraordinary meetings and an annual meeting fee plus daily fee model.

Both of these models reduce the administrative burden by applying annual payments (regular amounts paid fortnightly) which recognise preparation time and all scheduled meetings.

Considering all of the models discussed above, is it better to have detailed classification structure or are there lessons to learn from the Commonwealth's approach?

# ISSUES NOT IN THE PURVIEW OF THE TRIBUNAL

There are issues which are related to matters of remuneration for PTPOHs that are not the purview of the Tribunal.

## **IMPLEMENTATION OF TRIBUNAL DETERMINATIONS**

The Tribunal is not responsible for how determinations are implemented. Current practice is that the secretariat makes relevant PTPOHs aware through providing determinations to directorates. It is expected that directorates will promulgate the determinations. Further, the secretariat provides determinations direct to relevant areas in Shared Services to enable any salary adjustments.

## **COMPENSATION FOR USE OF PERSONAL IT EQUIPMENT**

Current working practices of PTPOHs would be greatly restricted without a home computer and internet connection. The Tribunal notes that some consideration should be given to how the use of personal IT equipment could be compensated. For example, per diem or annual fees could offset costs incurred through purchasing and maintain IT resources.

## **PRIVATE OR GOVERNMENT EMAIL ACCOUNTS**

The Tribunal notes that the use of personal email accounts is a common practice among PTPOH. For security and transparency reasons, this may not be an ideal mechanism for communication. Consideration could be given to the use of government hosted email accounts to facilitate a more secure communication channel.

## **NON-REMUNERATION OF PTPOHS**

The Tribunal is unclear as to why some members of some boards and committees are not remunerated for their services. In a recent example the Liquor Advisory

Board advertised for (un-remunerated) members of the ACT Community and members of the Aboriginal and Torres Strait Islander Community to apply. The Tribunal will give further consideration to the issue of PTPOHs who are not remunerated with a view to gaining greater clarity on the issue.

Are there advisory bodies currently operating which could be appropriately remunerated, particularly if the PTPOH are doing similar work to others who are remunerated for their services?

## **NEXT STEPS**

This Issues Paper will be circulated to PTPOHs, ACT Government directorates and the ACT Community for comment for a period of six weeks. Following closure of comments, the Tribunal will collate the information for consideration at its 2016 Spring Review.

## FINALLY

The Tribunal is conscious of the substantial contribution to the ACT economy, community and society more broadly that is made by the occupants of PTPOH positions. It is aware that the remuneration of many of these entities is just a small way of recognising their contribution. The Tribunal is also mindful of the great skill set that PTPOHs bring to the functioning of the ACT Government. Often these office holders see their role as giving back to society at the end of their formal career.

It is unlikely that this review will significantly increase remuneration for PTPOHs. Rather the intent is to ensure that there is equity and a clear and transparent process. The Tribunal places equal value on economic and non-economic impact and is keen to ensure that its determination for PTPOHs adequately reflects this principle.

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Australian Capital Territory Remuneration Tribunal

## Determination 12 of 2015

### Part-time Public Office Holders

made under the  
Remuneration Tribunal Act 1995

## ACCOMPANYING STATEMENT

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### Background

Section 10 of the *Remuneration Tribunal Act 1995* (the Act) provides for the Remuneration Tribunal (the Tribunal) to inquire into and determine the remuneration, allowances and other entitlements to be paid to a person holding a position or appointment mentioned in schedule 1 of the Act, or specified in an instrument given to the Tribunal by the Chief Minister.

**Previous determination: Amended Determination 11 of 2014** (commenced 1 November 2014)

The Tribunal determined that there will be a general increase of 1.5% (rounded up to the nearest \$5).

### Considerations for the 2015 review

The Tribunal's 2015 review for Part-time Public Office Holders was advertised in August 2015. Letters were sent to ACT government directorates notifying of the review.

Meetings of the Tribunal were held during September 2015 and this determination sets out the Tribunal's decision following that review.

In considering remuneration for Part-time Public Office Holders, the Tribunal noted that remuneration for such Office is not intended to replace other employment or salary for Office holders.

No submissions were received from Part-time Public Office Holders for the review.

The Tribunal received correspondence from the Minister for Education and Training notifying the Government Schools Education Council and the Non-Government Schools Education Council ceased on 1 July 2015.

## ATTACHMENT A

The Tribunal was mindful of the current economic and financial considerations facing the ACT and as outlined by the Chief Minister in his government submission. ACT Treasury provided a comprehensive briefing to the Tribunal on the prevailing economic circumstances for 2015 and forecasts for the coming years.

The Tribunal noted the remuneration increases to occur in the 2015-16 financial year for the majority of ACT Public Servants under the *ACT Public Service Administrative and Related Classifications Enterprise Agreement 2013-2017*.

### **Decision**

The Tribunal determined that there will be a general increase of 2% (rounded up to the nearest \$5) for Part-time Public Office Holders.

The following positions have been included to this determination:

- Chair and Member of the Medicines Advisory Committee (in line with Determination 1 of 2015);
- Chair, Deputy Chair and Members, CIT Governing Board (in line with Determination 5 of 2015); and
- Chair, Schools Education Advisory Committee on Digital Citizenship (in line with Determination 13 of 2015).

The following positions have been removed from this determination:

- Chair, Government Schools Education Council; and
- Chair, Non-Government Schools Education Council.

The Tribunal further advised that a root and branch review is being undertaken in November 2015 which will provide a more comprehensive analysis of Part-time Public Office Holders in the ACT government.

ACT Remuneration Tribunal  
October 2015



Australian Capital Territory Remuneration Tribunal

## Part-time Public Office Holders

### Determination 12 of 2015

made under the  
Remuneration Tribunal Act 1995

#### 1 Commencement

This instrument commences on 1 November 2015.

#### 2 Remuneration

2.1 A Part-time Holder of a Public Office or Appointment shown in columns 1 and 2 shall be entitled to the fee specified in column 3 of Table 1.

Table 1: Remuneration rates for Part-time Holders of Public Office

	<b>COLUMN 1 Board, committee etc</b>	<b>COLUMN 2 Position</b>	<b>COLUMN 3 Remuneration</b>
<b>A</b>	Aboriginal and Torres Strait Islander Elected Body	chair (per annum)	\$23,385
		deputy chair (per annum)	\$18,710
		member (per annum)	\$14,030
	Advisor to the Conservator	advisor (per diem)	\$620
	Animal Welfare Advisory Committee	chair (per diem)	\$495
		member (per diem)	\$420
Architects Board	chair (per diem)	\$495	
	member (per diem)	\$420	
Asbestos Advisory Board	chair (per diem)	\$495	
	member (per diem)	\$420	
<b>B</b>	Board of Senior Secondary Studies	chair (per annum)	\$18,200
	Building Advisory Board	chair (per diem)	\$495
		member (per diem)	\$420
	Building and Construction Industry Training Fund Board	chair (per annum)	\$18,200
member (per diem)		\$420	
Bush Fire Council	chair (per diem)	\$495	
	member (per diem)	\$420	

## ATTACHMENT A

<b>C</b>	Canberra and Young People Death Review Committee	chair (per diem) member (per diem)	\$785 \$720
	Canberra Institute of Technology Governing Board	Chair (per annum) Deputy Chair (per annum) Member (per diem)	\$35,700 \$17,850 \$420
	Capital Metro Project Board	chair (per annum) member (per annum)	\$73,455 \$44,080
	Children and Young People Official Visitor	chair (per annum)	\$31,665
	Children and Youth Services Council	chair (per diem)	\$495
	Climate Change Council	chair (per diem) member (per diem)	\$495 \$420
	Cultural Council	chair (per diem) member (per diem)	\$495 \$420
	Cultural Facilities Corporation Board	chair (per annum) deputy chair (per annum) member (per annum)	\$25,465 \$12,740 \$8,925
	<b>D</b>	Disability Advisory Council	chair (per diem)
member (per diem)			\$420
<b>E</b>	Electoral Commission	chair (per annum)	\$31,450
		member (per annum)	\$19,720
	Electrical Advisory Board	chair (per diem)	\$495
		member (per diem)	\$420
Environment Protection and Technical Advisory Committee	chair (per diem)	\$495	
	member (per diem)	\$420	
<b>F</b>	Exhibition Park Corporation Board	chair (per annum)	\$22,515
		deputy chair (per annum)	\$12,940
		member (per annum)	\$7,980
<b>F</b>	Flora and Fauna Committee	chair (per diem)	\$495
		member (per diem)	\$420
<b>G</b>	Gambling and Racing Commission Board	chair (per annum)	\$48,475
		member (per annum)	\$23,515
<b>G</b>	Government Procurement Board	chair (per annum)	\$30,905
		member (per annum)	\$24,125
<b>H</b>	Heritage Council	chair (per diem)	\$630
		member (per diem)	\$495
<b>H</b>	Housing Review Committee	chair (per diem)	\$630
		member (per diem)	\$495
<b>I</b>	Independent Competition and Regulatory Commission	Snr Commissioner (per diem)	\$1,540
		Commissioner (per diem)	\$875
	Independent Reviewer	reviewer (per diem)	\$785
<b>I</b>	Indigenous Education Consultative Body	chair (per diem)	\$495
		member (per diem)	\$420

## ATTACHMENT A

	Industry Panel	presiding member (per diem) member (per diem)	\$1,540 \$875
	Insurance Authority Advisory Board	member (per annum)	\$22,745
	Investment Advisory Board	chair (per annum) member (per annum)	\$31,450 \$23,515
<b>J, K, L</b>	Land Development Agency Board	chair (per annum) deputy chair (per annum) member (per annum)	\$73,455 \$58,780 \$44,080
	Legal Aid Commission	president (per annum) member (per diem)	\$18,960 \$420
	Lesbian, Gay, Bisexual, Transgender, Intersex and Queer (LGBTIQ) Community Advisory Council	chair (per diem)	\$495
	Local Hospital Network Council	chair (per annum) member (per diem)	\$24,655 \$495
	Long Service Leave Authority Board	chair (per annum) deputy chair (per annum) member (per diem)	\$25,465 \$12,740 \$420
<b>M</b>	Management Assessment Panel	chair (per diem)	\$495
	Ministerial Advisory Council on Ageing	chair (per diem)	\$475
	Medicines Advisory Committee	chair (per diem) member (per diem)	\$495 \$420
	Ministerial Advisory Council on Women	chair (per diem)	\$475
	Muslim Advisory Council / Multicultural Advisory Council	chair (per diem)	\$475
<b>N</b>	Namadgi Advisory Board	joint chair (per diem)	\$495
		member (per diem)	\$420
<b>O</b>	Official Visitor	visitor (per diem)	\$495
<b>P</b>	Plumbing Advisory Board	chair (per diem)	\$495
		member (per diem)	\$420
	Public Art Panel	chair (per diem)	\$495
		member (per diem)	\$420
Public Cemeteries Board	chair (per diem)	\$495	
	member (per diem)	\$420	
	Public Interest Monitor Panel	member (per diem)	\$1,035
<b>Q,R</b>	Racing Appeals Tribunal	president (per diem)	\$785
		deputy president (per diem)	\$720
		member (per diem)	\$420
		assessor (per diem)	\$300
	Radiation Council	chair (per diem) member (per diem)	\$495 \$420
<b>S</b>	Screen Investment Fund Committee	Chair (per diem)	\$495
		Member (per diem)	\$420

## ATTACHMENT A

	Schools Education Advisory Committee on Digital Citizenship	Chair (per diem)	\$495
	Sentence Administration Board	chair (per annum)	\$73,515
		deputy chair (per annum)	\$58,780
		member (per diem)	\$720
	Skills Commission	chair (per diem)	\$495
		member (per diem)	\$420
	Sport and Recreation Council	chair (per diem)	\$495
		member (per diem)	\$420
	Survey Practice Advisory Committee	member (per diem)	\$420
<b>T</b>	Teacher Quality Institute Board	chair (per annum)	\$18,200
	Tidbinbilla/Birrigai Board of Management	member (per diem)	\$420
	Treatment Assessment Panel	chair (per diem)	\$495
		member (per diem)	\$420
Tree Advisory Panel	chair (per diem)	\$495	
	member (per diem)	\$420	
<b>U</b>	University of Canberra Council	member (per annum)	\$5175
	Urban Design Advisory Committee	chair (per diem)	\$495
		member (per diem)	\$420
<b>V</b>	Veterinary Surgeons Board of Inquiry	chair (per diem)	\$785
		members (per diem)	\$705
<b>W</b>	Work Safety Council	chair (per annum)	\$18,200
<b>X,Y, Z</b>	Youth Advisory Council	chair (per diem)	\$495

### 3. Conditions of Payment of Daily Fees

#### 3.1 In this section:

(a) a reference to an “authority” is a reference to a commission, board, committee, tribunal or other body or office, the member or members of which are entitled to be paid daily fees referred to in this Determination;

(b) a reference to “business of the authority” means any business of the authority conducted by a member of the authority with the approval of the authority, other than attendance at a formal meeting; and

(c) the daily fee for a formal meeting includes a component to cover normal preparation time, but where the chairperson of the authority considers it appropriate that a period of preparation time beyond this warrants recognition, then the chairperson may determine that payment in accordance with the scheduled fee shall be payable for such periods as “business of the authority”.

#### 3.2 A Part-time Holder of a Public Office in an authority shall be paid a daily fee in respect of such period, not less than three hours, on any one day on which he or she attends a formal meeting of an authority, and/or is engaged on business of the authority, subject to the following conditions:

## ATTACHMENT A

- (a) the chairperson or nominated presiding officer, shall in each case certify whether the period of three hours has elapsed and in so certifying may have regard to reasonable travelling time incurred by an office holder; and
  - (b) the maximum payment in respect of any one day shall be the appropriate daily fee.
- 3.3 A Part-time Holder of a Public Office may be paid in respect of formal meetings of less than three hours subject to the following conditions:
  - (a) for formal meetings aggregating less than two hours, an amount equal to two-fifths of the daily fee;
  - (b) for formal meetings, or formal meetings and business of the authority on the day of the meeting, of two hours or more, but less than three hours on any one day, an amount equal to three-fifths of the daily fee;
  - (c) the maximum payment in respect of any one day shall be the appropriate daily fee;
  - (d) eligibility for each payment shall be certified by the chairperson or nominated presiding officer and in so certifying the chairperson may have regard to reasonable travelling time in accordance with 3.2; and
  - (e) preparation time shall only be included in accordance with 3.1.
- 3.4 A Part-time Holder of a Public Office may also be paid a daily fee in respect of aggregates of periods of business of the authority of less than three hours undertaken on behalf of the authority, subject to the following conditions:
  - (a) individual periods of business must be on other than formal meeting days and each period must be for a minimum of one hour;
  - (b) to attract payment of a daily fee, aggregated periods shall total at least five hours;
  - (c) the maximum period in respect of any one day shall be the appropriate daily fee;
  - (d) eligibility for each payment shall be certified by the chairperson, and in so certifying the chairperson may have regard to reasonable travelling time in accordance with 3.2; and
  - (e) preparation time shall only be included in accordance with 3.1.
- 4. Salary Packaging**
  - 4.1 Subject to the following conditions, a person holding an office mentioned in Table 1 of this Determination may elect to take remuneration shown in Column 3 of Table 1 as salary or take a combination of salary and other benefits best suited to his or her personal needs and preferences.
  - 4.2 The scheme is to be consistent with taxation laws and guidelines applicable to salary packaging schemes, issued by the Australian Taxation Office.
  - 4.3 The scheme is to be based on any salary packaging policy and procedures issued for the ACT Public Service, with up to 100% of the relevant remuneration shown in Column 3 of Table 1 being taken as benefits and related costs such as fringe benefits tax.

4.4 The scheme shall be operated and administered so that there will be no additional cost to the ACT Government. In particular, any fringe benefits tax associated with the provision of a benefit is to be included in the salary package.

4.5 The salary for superannuation purposes of each person holding a Part-time Public Office is unaffected by participation in the salary packaging scheme.

### **5. Travel**

5.1 If an office holder is required to travel for official purposes, the employer must pay the cost of travel, accommodation, meals and incidental expenses.

5.2 The office holder may then travel by one or more of the following:

- a) commercially provided road or rail transport;
- b) commercially provided flights;
- c) private motor vehicle.

5.3 Commercially provided travel should be selected on the basis of:

- a) what is most convenient to the relevant office holder; and
- b) seeking the most reasonable costs.

5.4 If the office holder travels on commercially provided road or rail transport the employer will pay the fares for that travel.

5.5 If the office holder travels on commercially provided flights the employer will pay the fares to the following standard:

- a) for domestic flights less than 4 hours — economy class;
- b) for domestic flights of 4 hours or more — business class;
- c) for international flights — business class.

5.6 If the office holder is approved to travel by private motor vehicle the employer will pay the owner of the vehicle an allowance calculated in accordance with the Motor Vehicle Allowance set out in the relevant Enterprise Agreement.

### **6. Accommodation**

6.1 If a relevant office holder must stay overnight while on official travel, the employer will pay the commercial accommodation to the following standard:

- a) for domestic accommodation — 4.5 stars;
- b) for international accommodation — 4.5 stars.

6.2 The employer will pay for a relevant office holder to stay in commercial accommodation above the 4.5 star standard if:

- a) the cost is reasonable; and
- b) to do so would better enable business objectives to be met.

Examples where business objectives may be better met:

- to allow the office holder to stay in the commercial accommodation where a meeting, conference or seminar they are attending is being held
- to allow the office holder who is traveling with a Minister to stay in the same commercial accommodation as that Minister if the Minister is entitled to a higher standard of accommodation

**7. Meals**

7.1 If the office holder is absent from Canberra for more than ten hours while on official travel, the employer will reimburse actual, reasonable expenses for meals.

**8. Incidental expenses**

8.1 The employer will be reimburse reasonable expenses directly related to official travel, including:

- a) taxi or bus fares to or from an airport; and
- b) taxi and public transport costs at a temporary location; and
- c) airport taxes or charges.

**9. Definitions**

**domestic travel** means official travel to a destination within Australia.

**employer** means the Australian Capital Territory and includes any person authorised to act on behalf of the Australian Capital Territory.

**international travel** means official travel to a destination outside Australia.

**reasonable expenses** means legitimate work-related expenses incurred while conducting official business efficiently and effectively.

**relevant Enterprise Agreement** means the Enterprise Agreement that covers staff in the area of the ACTPS that administers the travelling allowance for the relevant office holder.

**office holder** means a person appointed to one of the offices mentioned in Table 1.

**10. Revocation of previous Determination**

Amended Determination 11 of 2014, Determination 1 of 2015 and Determination 5 of 2015 are revoked.

Anne Cahill Lambert AM  
Chair

.....

Dr Colin Adrian  
Member

.....

James Smythe PSM  
Member

.....

October 2015

## ATTACHMENT B

Category	Current remuneration	Name of entity	Entity Type	Current Remuneration
Group 1 Level 1	Chair \$35,700 pa; Deputy Chair \$17,850 pa; Member \$420 pd	<b>Canberra Institute of Technology Governing Board</b>	Statutory	Chair \$35,700 pa; Deputy Chair \$17,850 pa; Member \$420 pd
Group 1 Level 1	Chair \$73,455 pa; Member \$44,080 pa	<b>Capital Metro Project Board</b>	Advisory	Chair \$73,455 pa; Member \$44,080 pa
Group 1 Level 1	Chair \$25,465 pa; Deputy Chair \$12,740 pa; Member \$8,295 pa	<b>Cultural Facilities Corporation Board</b>	Statutory	Chair \$25,465 pa; Deputy Chair \$12,740 pa; Member \$8,295 pa
Group 1 Level 1	Chair \$48,475 pa; Member \$23,515 pa	<b>Gambling and Racing Commission Board</b>	Statutory	Chair \$48,475 pa; Member \$23,515 pa
Group 1 Level 1	Chair \$73,455 pa; Deputy Chair \$58,780 pa; Member \$44,080 pa	<b>Land Development Agency Board</b>	Statutory	Chair \$73,455 pa; Deputy Chair \$58,780 pa; Member \$44,080 pa
Group 1 Level 2	Reviewer \$785 pd	<b>Independent Reviewer</b>	Statutory	Reviewer \$785 pd
Group 1 Level 2	Chair \$785 pd; Member \$720 pd	<b>Children and Young People Death Review Committee</b>	Statutory	Chair \$785 pd; Member \$720 pd
group 1 level 2	Chair \$22,515 pa; Deputy Chair \$12,940 pa; Member \$7,980 pa	<b>Exhibition Park Corporation Board</b>	Statutory	Chair \$22,515 pa; Deputy Chair \$12,940 pa; Member \$7,980 pa
<a href="#">Group 2 Level 1</a>	Chair \$23,385 pa; Deputy Chair \$18,710 pa; Member \$14,030 pa	<b>Aboriginal and Torres Strait Islander Elected Body</b>	Statutory	Chair \$23,385 pa; Deputy Chair \$18,710 pa; Member \$14,030 pa
group 2 level 1	Chair \$31,450 pa; Member \$19,720 pa	<b>Electoral Commission</b>	Statutory	Chair \$31,450 pa; Member \$19,720 pa
Group 2 level 1	Chair \$30,905 pa; Member \$24,125 pa	<b>Government Procurement Board</b> (NB response is from the Chair, which is an ex-officio position)	Statutory	Chair \$30,905 pa; Member \$24,125 pa
Group 2 level 1	member \$22,745 pa	<b>Insurance Authority Advisory Board</b>	Statutory	member \$22,745 pa
Group 2 Level 1	Chair \$31,450 pa; Member \$23,515 pa	<b>Investment Advisory Board</b>	Advisory	Chair \$31,450 pa; Member \$23,515 pa
Group 2 Level 2	Chair \$18,200 pa	<b>Board of Senior Secondary Studies</b>	Statutory	Chair \$18,200 pa
Group 2 Level 2	Chair \$18,200 pa; member 420 pd	<b>Building and Construction Industry Training Fund Board</b>	Statutory	Chair \$18,200 pa; member 420 pd
group 2 level 2	President \$18,960 pa; Member \$420 pd	<b>Legal Aid Commission</b>	Statutory	President \$18,960 pa; Member \$420 pd
Group 2 Level 2	Chair \$25,465 pa; Deputy Chair \$12,740 pa; Member \$420 pd	<b>Long Service Leave Authority Board</b> (NB response from CEO/Registrar ACTLSLA)	Statutory	Chair \$25,465 pa; Deputy Chair \$12,740 pa; Member \$420 pd
Group 2 Level 2	Chair \$495 pd	<b>Schools Education Advisory Committee on Digital Citizenship</b>	Advisory	Chair \$495 pd
Group 1 Level 2	Chair \$18,200 pa	<b>Teacher Quality Institute Board</b>	Statutory	Chair \$18,200 pa

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Category	Current remuneration	Name of entity	Entity Type	Current Remuneration
Group 2 Level 2	Chair \$18,200 pa	<b>Work Safety Council (09-10?)</b>	Statutory	Chair \$18,200 pa
Group 3 Level 1	Snr Commissioner \$15,40 pd; Commissioner \$875	<b>Independent Competition and Regulatory Commission</b>	Statutory	Snr Commissioner \$15,40 pd; Commissioner \$875
Group 3 Level 2	President \$785 pd; Deputy President \$720 pd; Member \$420 pd; Assessor \$300 pd	<b>Racing Appeals Tribunal</b>	Statutory	President \$785 pd; Deputy President \$720 pd; Member \$420 pd; Assessor \$300 pd
Group 3 Level 2	Chair \$73,515 pa; Deputy Chair \$58,780 pa; Member \$720 pd	<b>Sentence Administration Board</b>	Statutory	Chair \$73,515 pa; Deputy Chair \$58,780 pa; Member \$720 pd
Group 4 Level 1	Chair \$495 pd; Member \$420 pd	<b>Climate Change Council</b>	Statutory	Chair \$495 pd; Member \$420 pd
Group 4 Level 1	Chair \$495 pd; Member \$420 pd	<b>Medicines Advisory Committee</b>	Advisory	Chair \$495 pd; Member \$420 pd
Group 4 Level 1	Member \$1,035 pd	<b>Public Interest Monitor Panel</b>	Statutory	Member \$1,035 pd
Group 4 Level 1	Chair \$785 pd; Member \$705 pd	<b>Veterinary Surgeons Board (now replaced by Professional Standards Panel/ Personal Assessment Panel)</b>	Statutory	Chair \$785 pd; Member \$705 pd
Group 4 Level 2	Chair \$495 pd; Member \$420 pd	<b>Architects Board</b>	Statutory	Chair \$495 pd; Member \$420 pd
Group 4 Level 2	Chair \$495 pd; Member \$420 pd	<b>Electrical Advisory Board</b>	Advisory	Chair \$495 pd; Member \$420 pd
Group 4 Level 2	Chair \$495 pd; Member \$420 pd	<b>Plumbing Advisory Board (Plumber's Drainers and Gasfitters)</b>	Advisory	Chair \$495 pd; Member \$420 pd
Group 4 Level 3	Chair \$495 pd; Member \$420 pd	<b>Animal Welfare Advisory Committee</b>	Statutory	
Group 4 Level 3	Chair \$495 pd; Member \$420 pd	<b>Asbestos Advisory Board</b>	Advisory	
Group 4 level 3	Chair \$495 pd; Member \$420 pd	<b>Building Advisory Board</b>	Advisory	
Group 4 Level 3	Chair \$495 pd; Member \$420 pd	<b>Bush Fire Council</b>	Advisory	
Group 4 Level 3	Chair \$495 pd	<b>Children and Youth Services Council (Interim Children and Youth Service Ministerial Advisory Council)</b>	Statutory	
Group 4 Level 3	Chair \$630 pd; Member \$495 pd	<b>Heritage Council</b>	Statutory	
Group 4 Level 3	Chair \$495 pd; Member \$420 pd	<b>Indigenous Education Consultative Body</b>	Advisory	
Group 4 Level 3	Chair \$495 pd	<b>Lesbian, Gay, Bisexual, Transgender, Intersex and Queer (LGBTIQ) Community Advisory Council</b>	Advisory	
Group 4 Level 3	Chair \$475 pd	<b>Ministerial Advisory Council on Ageing</b>	Advisory	
Group 4 Level 3	Chair \$475 pd	<b>Ministerial Advisory Council on Women</b>	Advisory	
Group 4 Level 3	Chair \$495 pd; Member \$420 pd	<b>Public Cemeteries Board</b>	Statutory	
Group 4 Level 3	Chair \$495 pd; Member \$420 pd	<b>Radiation Council</b>	Statutory	

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Category	Current remuneration	Name of entity	Entity Type	Current Remuneration
Group 4 Level 3		<b>Scientific Committee</b> (Formerly Flora and Fauna Committee )		
Group 4 Level 3	Chair \$495 pd; Member \$420 pd	<b>Screen Production Panel</b> (formerly Screen Investment Fund Committee)	Advisory	
Group 4 Level 3	Member \$420 pd	<b><u>Survey Practice Advisory Committee</u></b>	Advisory	
Group 4 Level 3	Member \$420 pd	<b>Tidbinbilla/Birrigai Board of Management</b>	Advisory	
Group 4 Level 3	Chair \$495 pd; Member \$420 pd	<b><u>Tree Advisory Panel</u></b>	Statutory	
Group 4 Level 3	Member \$5,175 pa	<b><u>University of Canberra Council</u></b>	Statutory	
Group 4 Level 3	Chair \$495 pd	<b>Youth Advisory Council</b>	Advisory	
Group 4 Level 3	Chair \$475 pd	<b><u>Muslim Advisory Council / Multicultural Advisory Council</u></b>	Advisory	
Group 5	Chair \$31,665 pa	<b><u>Children and Young People Official Visitor</u></b>	Statutory	
Group 5	Visitor \$495 pd	<b>Official Visitor</b>	Statutory	

## ATTACHMENT B

	<b>Name of Entity</b>	<b>Entity Type</b>	<b>Category (if known)</b>
Abolished	<b>Advisor to the Conservator</b>	Advisory	
	<b>Cultural Council</b>	advisory	
	<b>Disability Advisory Council</b>	Advisory	Group 4 Level 3
	<b>Environment Protection and Technical Advisory Committee</b>	Advisory	Group 4 Level 3
	<b>Housing Review Committee</b>	Advisory	Group 4 Level 1
	<b>Industry Panel</b>	Advisory	
	<b>Local Hospital Network Council</b>	Statutory	
	<b>Management Assessment Panel</b>	Advisory	
	<b>Namadgi Advisory Board</b>	Advisory	
	<b>Public Art Panel</b>	Advisory	
	<b>Skills Commission</b>	Advisory	
	<b>Sport and Recreation Council</b>	Advisory	
	<b>Treatment Assessment Panel</b>	Statutory	
	<b>Urban Design Advisory Council</b>	Advisory	