



## AUSTRALIAN CAPITAL TERRITORY REMUNERATION TRIBUNAL

### Statement 5 of 2010

#### Part-Time Holder of Public Office

#### Part-Time Presidential Member ACT Civil and Administrative Tribunal

### Background

Section 10 of the *Remuneration Tribunal Act 1995* (the Act) requires the Remuneration Tribunal (the Tribunal) to inquire into, and determine, the remuneration, allowances and other entitlements to holders of the positions mentioned in Schedule 1 of the Act or notified in writing to the Tribunal by the Chief Minister for the purposes of this section.

The Tribunal last reviewed remuneration and allowances for the part-time Presidential Member of the ACT Civil and Administrative Tribunal in October 2009 and issued Determination 13 of 2009, dated 7 December 2009.

### Tribunal Consideration

The Tribunal decided to review the part-time Presidential Member position at the same time as the General President and Appeals President (the two full-time Presidential positions), as remuneration for the part-time Presidential Member is 50% of the remuneration determined for these positions.

The Tribunal has determined remuneration of \$249,629 per annum for the General President and Appeals President, with effect from 1 July 2010, an increase of 3.25%.

The Tribunal determined remuneration for the part-time Presidential Member of \$124,815 with effect from 1 July 2010.

ACT Remuneration Tribunal  
June 2010

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**AUSTRALIAN CAPITAL TERRITORY  
REMUNERATION TRIBUNAL**

**Determination 5 of 2010**

**Part-Time Holder of Public Office**

**Part-Time Presidential Member  
ACT Civil and Administrative Tribunal**

Pursuant to Section 10 of the *Remuneration Tribunal Act 1995* the Remuneration Tribunal has inquired into the remuneration and allowances to be paid, and other entitlements to be granted to the part-time Presidential Member of the ACT Civil and Administrative Tribunal.

This Determination shall take effect on and from 1 July 2010.

Alan Kerr AM  
Chair .....

Roberta McRae OAM  
Member .....

Anne Cahill Lambert  
Member .....

Dated: June 2010

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## **AUSTRALIAN CAPITAL TERRITORY REMUNERATION TRIBUNAL**

### **Determination 5 of 2010**

#### **Part-Time Holder of Public Office**

#### **Part-Time Presidential Member ACT Civil and Administrative Tribunal**

#### **The Tribunal determines as follows:**

##### **1. Remuneration**

1.1 Remuneration of \$124,815 per annum for the part-time Presidential Member.

##### **2. Salary Packaging**

- 2.1 The part-time Presidential Member may elect to take remuneration as salary or take a combination of salary and other benefits best suited to his or her personal needs and preferences.
- 2.2 The salary packaging scheme is to be consistent with taxation laws and guidelines applicable to salary packaging schemes, issued by the Australian Taxation Office.
- 2.3 The scheme is to be based on the ACT Public Service Salary Packaging Policy and Procedures issued by the Commissioner for Public Administration, with up to 100% of the remuneration being taken as benefits and related costs such as fringe benefits tax.
- 2.4 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.
- 2.5 The salary for superannuation purposes of the part-time Presidential member is unaffected by participation in the salary packaging scheme.

### **3. Employer's Superannuation Contribution**

- 3.1 In the case of a part-time Presidential Member who is a member of the Commonwealth Superannuation Scheme (CSS) or the Public Sector Superannuation Scheme (PSS) the employer shall continue to meet its requirements under the *Superannuation Act 1976* (Cth) and the *Superannuation Act 1990* (Cth) as they apply to those persons who are contributory members of the CSS and PSS established under those Acts.
- 3.2 In the case of a part-time Presidential Member who is not a member of the CSS or PSS, the value of the employer's superannuation contribution that is to be contributed on behalf of the part-time Presidential Member to an agreed superannuation fund nominated by the part-time Presidential Member is:
- (a) 9% of the remuneration component; or
  - (b) 10% of the remuneration component, if the part-time Presidential Member contributes 3% or more of his or her remuneration component to the agreed superannuation fund nominated by the part-time Presidential Member in the form of personal superannuation contributions.
- 3.3 The employer must contribute any nominated amount on behalf of the part-time Presidential Member to an agreed superannuation fund nominated by the part-time Presidential Member.
- 3.4 This amount is the personal superannuation contributions of the part-time Presidential Member to the nominated superannuation fund.
- 3.5 The value of the employer's superannuation contribution must not be paid in cash to a part-time Presidential Member.

### **4. Parking**

- 4.1 The part-time Presidential Member shall elect whether he or she wishes to retain the parking entitlement or to be paid in cash, the value of which is \$2,500 per annum.

### **5. Travel**

- 5.1 A part-time Presidential Member shall be entitled to economy class travel for all domestic trips, or parts of trips, less than 4 hours in the air, and business class travel for domestic trips, or parts of trips, exceeding 4 hours in the air, and for all overseas trips for the purposes of Clause 4 of Determination Number 16 of 2007 – 'Travel allowances for full-time and part-time holders of public office'; and
- 5.2 Accommodation for the purposes of Clause 6 of the above travel Determination will be 4 star accommodation.

## **6. Definitions**

In this schedule: -

*Agreed superannuation fund* means a fund complying with the requirements of the *Income Tax Assessment Act 1936* (Cth) and complying with the *Superannuation Industry (Supervision) Act 1993* (Cth) where relevant.

*Employer* means the Australian Capital Territory (ACT) and includes any person authorised to act on behalf of the ACT in relation to any act, approval or direction to be done, granted or exercised, by or on behalf of the Australian Capital Territory under contract.

## **7. Revocation of Previous Determination**

7.1 Determination 13 of 2009, dated 7 December 2009 is revoked.

## **8. Date of Effect**

8.1 This Determination shall take effect on and from 1 July 2010.