



Ms Sandra Lambert AM
Chair, ACT Remuneration Tribunal
PO Box 964
CIVIC SQUARE ACT 2608

29 September 2023

By email: remtrib@act.gov.au

Dear Ms Lambert,

ACT Remuneration Tribunal – annual review into the remuneration and allowances for ACT Civil and Administrative Tribunal members

I refer to your letter dated 1 September 2023 inviting the President of the Tribunal to make a submission in relation to the Remuneration Tribunal’s annual review of the remuneration and allowances to be paid, and other entitlements to be granted, to members of the ACT Civil and Administrative Tribunal (ACAT).

The ACAT’s submissions in relation to the 2021 and 2022 annual reviews detail the functions of the ACAT and outlined the comparative roles of presidential, senior and ordinary members. That background information remains current, and I refer to those submissions as providing context to this submission.

There are three distinct proposals raised for the Remuneration Tribunal’s current review:

1. As a minimum, an increase to remuneration of all members in line with the Consumer Price Index or such other increase as the Remuneration Tribunal determines for other public office holders would be appropriate.
2. The Remuneration Tribunal is also requested to ensure that the level of remuneration for full-time Senior Members does not fall below that payable to other public sector positions for which the occupant has certain qualification and a range of responsibilities which might be broadly comparable to the roles performed by full-time Senior Members, in particular the ACAT Registrar (Executive 1.4) and ACT Government lawyers appearing before the ACAT (e.g. Government Solicitor Level 4).
3. The Remuneration Tribunal is invited to consider increasing the daily rate of sessional ordinary members relative to sessional senior members. The initial determinations of remuneration (in 2009 and 2010) were predicated on a business model which involved ordinary members undertaking ‘less complex’ work than senior members. The characterisation of work as ‘complex’ and ‘less complex’ is not always straightforward, for example legally straightforward matters may be extraordinarily difficult to conduct due to the needs or conduct of the parties. Members are allocated to matters on the basis of holding appropriate qualifications and experience: thus, ordinary members may be allocated to difficult and complicated matters for which the current daily rate may not be considered appropriate recompense.



As a practical matter, the ACAT suggests that minor re-wording of the determination be considered in order to clarify the interaction between Tables 15 and 16 and paragraphs 16.4 and 17.3: this would ensure that the determination is applied as intended and appropriately.

I would welcome the opportunity to discuss the matters raised in this submission and provide any additional information that the Remuneration Tribunal might require.

Please direct any enquiries in the first instance to Brenton Hutchison at brenton.hutchison@act.gov.au or 6207 1438.

Yours sincerely



Mary-Therese Daniel

President