



## AUSTRALIAN CAPITAL TERRITORY REMUNERATION TRIBUNAL

### Statement 13 of 2009

#### 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 January 2009 and issued Determination 1 of 2009, dated 30 January 2009.

The latest inquiry was notified in the press on 15 August 2009.

### Tribunal Consideration

Written submissions were received and considered by the Tribunal at its meeting on 29 October 2009.

The Tribunal determined an increase 1.5% with effect from 1 November 2009.

The Tribunal determined that, in future, remuneration for the Part-time Presidential Member would be reviewed at the same time as the Full-time Holders of Public Office, namely in the first half of the calendar year.

ACT Remuneration Tribunal  
December 2009

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**AUSTRALIAN CAPITAL TERRITORY  
REMUNERATION TRIBUNAL**

**Determination 13 of 2009**

**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 November 2009.

Alan Kerr AM  
Chair

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Roberta McRae OAM  
Member

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Jill Greenwell  
Member

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Dated: December 2009

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## AUSTRALIAN CAPITAL TERRITORY REMUNERATION TRIBUNAL

### Determination 13 of 2009

#### 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 \$120,885 should be paid to 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 CSS or the 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 and includes any person authorised to act on behalf of the Australian Capital Territory 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. Date of Effect**

- 7.1 This Determination shall take effect on and from 1 November 2009.

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