



Australian Capital Territory Remuneration Tribunal

## **ACT Region Catchment Management Coordination Group, Brand Strategic Advisory Board, Veterinary Surgeons Board, ACT Disability Expert Panel**

### **Determination 15 of 2015**

made under the  
*Remuneration Tribunal Act 1995*

## **ACCOMPANYING STATEMENT**

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### **Background**

Under section 10 of the *Remuneration Tribunal Act 1995*, the Remuneration Tribunal (the Tribunal) must inquire into and determine the remuneration, allowances and other entitlements of the holders of positions referred to the Tribunal by the Chief Minister.

The Chief Minister requested that the Tribunal determine the remuneration, allowances and other entitlements to be granted to the following positions:

- Chair and Community Representative of the ACT Region Catchment Management Coordination Group (referral dated 2 October 2015);
- Chair and Members of the Brand Strategic Advisory Board (referral dated 2 October 2015);
- Chair and Members of the Veterinary Surgeons Board (referral dated 5 November 2015); and
- Chair and Members of the Disability Expert Panel (referral dated 9 November 2015).

### **Consideration**

#### ACT and Region Catchment Management Coordination Group (The Coordination Group)

The Tribunal noted the Coordination Group is established under section 67 (a) of the *Water Resources Act 2007* which has the function of advising the ACT Minister for the Environment about matters relating to catchment management. The purpose of the group is to strengthen integrated catchment management in the ACT and surrounding region.

The Tribunal considered the information provided by the Environment and Planning Directorate (EPD) regarding the role and responsibility of the position of the Chair and the Community Representative, and compared the responsibilities with similar Part-time Public

Office Holders. In addition, the Tribunal noted written correspondence from the Director-General EPD about the Coordination Group, including its Charter.

#### Brand Strategic Advisory Board (BSAB)

The Tribunal noted the aim of the BSAB is to provide advice and guidance to the Brand Program Manager, the Brand Project Officer and the wider ACT Government in relation to marketing, investments and partnerships for Brand Canberra and its development within Canberra and the wider Canberra Region.

The Tribunal considered the information provided by the Chief Minister, Treasury and Economic Development Directorate, regarding the role and responsibility of the position of the Chair and Members, and compared the responsibilities with similar Part-time Public Office Holders. In addition, the Tribunal noted the Terms of Reference of the BSAB.

#### Veterinary Surgeons' Board

The Tribunal noted the ACT Veterinary Surgeons Board is established under the *Veterinary Surgeons Act 2015* and has a number of functions relating to regulation, licensing and professional standards relating to veterinary practice.

The Tribunal considered the information provided by the Territory and Municipal Services Directorate regarding the role and responsibility of the position of the Chair and Members, and compared the responsibilities with similar Part-time Public Office Holders.

The Tribunal also noted the recommendation to retitle the existing Veterinary Board of Inquiry (currently included in Determination 12 of 2015) and to review the remuneration of the Chair and Members of this body.

#### Disability Expert Panel

The Tribunal noted the ACT National Disability Insurance Scheme (NDIS) Expert Panel was formed in 2012 in recognition of the significant impact the NDIS reform will have on people with disability, those who care for people with disability, the disability services sector and the ACT Government.

In June 2014, Disability ACT reviewed the scope and purpose of the ACT NDIS Expert Panel in partnership with panel members. As a result, the terms of reference were revised to include work that was previously the responsibility of the Disability Advisory Council, which ceased to operate in March 2014. Under the revised terms of reference, the ACT NDIS Expert Panel has evolved to the ACT Disability Expert Panel.

The Tribunal considered the information provided by the Community Services Directorate regarding the role and responsibility of the position of the Chair and Members, and compared the responsibilities with similar Part-time Public Office Holders.

### **Decision**

The Tribunal determined remuneration of \$495 per diem for the Chair and \$420 per diem for the Members/Community Representative in respect of the ACT Region Catchment Management Coordination Group, the Brand Strategic Advisory Board, the ACT Disability Expert Panel and the Veterinary Surgeons' Board with effect from 11 November 2015.

The positions will be included in the determination relating to Part-time Public Office Holders at the Tribunals 2016 Spring review.

The Tribunal decided not to retitle the Veterinary Surgeons' Board of Inquiry as retitling a Part-time Public Office is outside of its role and functions. Further the Tribunal decided not to review the remuneration attaching to the Chair and Members of the Veterinary Surgeons Board of Inquiry as these positions are subject to a current determination (Determination 12 of 2015).

ACT Remuneration Tribunal

December 2015



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### **1. Commencement**

This instrument commences on 11 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*

COLUMN 1 Board, committee etc	COLUMN 2 Position	COLUMN 3 Remuneration
ACT Region Catchment Management Coordination Group	chair (per diem)	\$495
	member (per diem)	\$420
Brand Strategic Advisory Board	chair (per diem)	\$495
	member (per diem)	\$420
ACT Disability Expert Panel	chair (per diem)	\$495
	member (per diem)	\$420
Veterinary Surgeons Board	chair (per diem)	\$495
	member (per diem)	\$420

### **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:

(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.

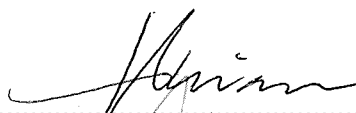
**relevant Enterprise Agreement** means the Enterprise Agreement that covers staff in the area of the ACTPS that administers the travelling allowance for the relevant office holder.

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

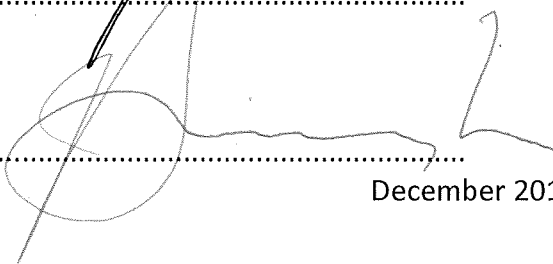
Anne Cahill Lambert AM  
Chair



Dr Colin Adrian  
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James Smythe PSM  
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December 2015

