



AUSTRALIAN CAPITAL TERRITORY REMUNERATION TRIBUNAL

Statement Number 156

Special Magistrate – Appointment of Northern Territory Magistrate

Background

Section 10(1)(f) of the *Remuneration Tribunal Act 1995* (the Act) provides authority for the Tribunal to determine remuneration and other entitlements for Magistrates.

The Department of Justice and Community Safety has written to the Tribunal requesting that an amendment be made to the existing Determination (Number 140) in relation to remuneration and entitlements in the situation where a Northern Territory Magistrate is appointed as a Special Magistrate in the ACT.

Tribunal Decision

The Tribunal has determined that where a Northern Territory Magistrate is appointed to the position of a Special Magistrate in the ACT, the Northern Territory Magistrate shall not be paid remuneration, allowances or entitlements for the period of appointment. That is, while the Northern Territory Magistrate is an ACT Special Magistrate the Northern Territory Magistrate will retain the Magistrate's existing Northern Territory Magistrate remuneration and entitlements.

The date of effect of the decision is 1 September 2004.

Remuneration Tribunal
September 2004



AUSTRALIAN CAPITAL TERRITORY
REMUNERATION TRIBUNAL

Determination Number 156

Special Magistrate – Appointment of Northern Territory Magistrate

Pursuant to sub-section 10(1) 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 a Special Magistrate.

This Determination shall take effect from 1 September 2004.

Alan Kerr AM
Chair

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September 2004

Roberta McRae OAM
Member

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Jill Greenwell
Member

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AUSTRALIAN CAPITAL TERRITORY REMUNERATION TRIBUNAL

Determination Number 156

Special Magistrate – Appointment of Northern Territory Magistrate

The Tribunal determines as follows:

1. The Tribunal has determined that Determination 140 made on 18 December 2003 is varied by inserting the following sentence to Clause 4 after the words ‘Special Magistrate’.

“However, the Tribunal determines that no remuneration is payable to a Special Magistrate in respect of any period during which the Special Magistrate is entitled, as a magistrate for the purposes of the Northern Territory *Magistrates Act*, to remuneration determined under the law of the Northern Territory for a magistrate.”

2. **This Determination shall take effect from 1 September 2004.**
