



Ms Sandra Lambert AM
Chair, ACT Remuneration Tribunal
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By email: remtrib@act.gov.au

ACT Remuneration Tribunal – Further examination of the remuneration, allowances and other entitlements for judicial and related offices

Dear Ms Lambert

Thank you for your letter dated 4 August 2021 inviting the President to provide information on the appropriate remuneration, entitlements and allowances for members of the ACT Civil and Administrative Tribunal (ACAT).

In preparing this submission, I have taken into account:

- the guidance provided in your letter about the nature of the work being undertaken by the Remuneration Tribunal;
- the *Guidelines for further examination of the remuneration, allowances and other entitlements for judicial and other offices*; and
- the summary of key themes raised in submissions by the ACAT to the Remuneration Tribunal in 2017, 2018 and 2019.

I acknowledge that the Remuneration Tribunal is engaged in an examination to consider what, if any, changes have occurred to the work value, of the ACAT office holders that might impact on their remuneration, allowances and other entitlements, and that the Remuneration Tribunal:

- will consider the commensurate relativities within the ACT and across other jurisdictions, the nature of the role as a judicial or other position holder and the extent of the jurisdiction of the office holder in the ACT;
- analyse the key issues and commensurate relativities within the ACT and across other jurisdictions; and
- provide an opportunity for the office holders to have input into the analysis.

I note that the Remuneration Tribunal has copies of the following reports:

- *Work Value Assessment and Remuneration advice for three Presidential roles in ACAT*, 24 October 2008
- *Remuneration Review: Full Time Non-Presidential Member ACT Civil and Administrative Tribunal*, 30 September 2013

Because those reports were prepared some years ago (the first before the ACAT commenced to operate), they reflect the organisational structure and functions of the ACAT at those dates. For that reason, they might provide some benchmarking references for your examination, but would

not inform you about what changes have occurred to the work value of the ACAT office holders that might impact on their remuneration, allowances and other entitlements. However, I also note that the Remuneration Tribunal will determine whether updated work value assessments may be warranted to provide additional assistance to the Tribunal. The ACAT would be happy to participate in any such work value assessment.

This submission provides information about changes which have occurred in the past two years in relation to the jurisdiction and operations of the ACAT to assist the Remuneration Tribunal in its analysis.

Expanding jurisdiction

The ACAT continues to experience growth in the size and complexity of its jurisdiction. In the two years since the previous determination by the Remuneration Tribunal, the jurisdiction of the ACAT has expanded as a result of new legislation and the amendment of other legislation.

Among the changes were provisions for the ACAT to deal with:

- complaints made to the ACT Human Rights Commission about retirement village operators;
- applications made to the ACAT by landlords and tenants under the *Residential Tenancies Act 1997* in relation to rent increases, modifications of premises, pets, and issues involving co-tenants, issues with occupancies, family violence, and other matters including bond release applications. A series of *Residential Tenancies (COVID-19 Emergency Response) Declarations* was put in place with arrangements around evictions and rental arrears in the context of COVID-19 during 2020 and 2021;
- a range of matters under the *Motor Accident Injuries Act 2019*;
- applications by the Chief Police Officer to cancel a constructions industry or liquor licence permit on the basis of criminal activity;
- applications for compensation from a lessor or grantor for payments made under an agreement that is void under the *Loose-Fill Asbestos Legislation Amendment Act 2020*;
- discrimination matters or complaints initiated by the ACT Human Rights Commission which involve unlawful acts under the *Discrimination Act 1991*;
- applications for orders and other relief under the *Unit Titles Legislation Amendment Act 2020*;
- dealing with complaints under the *Sexuality and Gender Identity Conversion Practices Act 2020* by someone who has suffered harm as a result of sexuality or gender identity conversion practices;
- additional orders about fences including repairing fences under the *Common Boundaries Act 1981*
- applications by young people (under 16) for leave to apply to the Registrar of Births, Deaths and Marriages to change their names and/or sex on the birth certificate;
- applications for orders to give effect to conciliation agreements under the *Fair Trading (Australian Consumer Law) Act 1992*;
- failure of a guardian or manager to comply with the *Guardianship and Management of Property Act 1991* or the failure of an attorney to comply with the *Powers of Attorney Act 2006*.

Attachment A is a summary of those legislative changes.

The ever expanding range of matters conferred on the ACAT demonstrates the confidence that the ACT Legislative Assembly has in the capacity of the ACAT to deal fairly, prompting informally with matters that are significant to the ACT community.

Although it is difficult to make a precise comparison between jurisdictions, the enclosed table (Attachment B) shows that the ACAT has jurisdiction in relation to as many, if not more, types of matters than other civil and administrative tribunals elsewhere in Australia.

The only additional point of comparison is the Tasmanian Civil and Administrative Tribunal (TASCAT), which is scheduled to commence operations on 1 November 2021.

Like the ACAT, TASCAT will be an amalgamation of existing tribunals and one board, namely:

- Guardianship and Administration Board
- Mental Health Tribunal
- Workers Rehabilitation and Compensation Tribunal
- Anti-discrimination Tribunal
- Resource Management and Planning Appeals Tribunal
- Motor Accidents (Liabilities & Compensation) Tribunal
- Forestry Practices Tribunal
- Health Practitioners Tribunals
- Asbestos Compensation Tribunal.

The only tribunals that will not be amalgamated are the Legal Profession Disciplinary Tribunal and the Property Agents Tribunal. Tenancy matters are currently dealt with by the Magistrates Court but might be moved into TASCAT in due course.

Remuneration of full-time ACAT Members

In previous submissions, the ACAT has provided tables showing the rates of remuneration (where available) for the Presidents and other categories of members of those tribunals.

Attachment C is an updated table. As you will see, it was difficult for the ACAT to obtain current information in relation to some tribunals. Consequently, some of the figures are as at 2019. The Remuneration Tribunal might be able to obtain updated information to assist in comparing the levels of remuneration for members of comparable tribunals.

In addition, I note that:

- the President of TASCAT is remunerated as if a Magistrate at \$313,000 (currently 75% of the salary of a puisne Judge of the Supreme Court); and
- it is not possible to make a comparison between remuneration of ACAT and TASCAT members. The initial Deputy Presidents and Senior/General Members of TASCAT will retain their existing remuneration and entitlements. Their rates of pay must not be reduced for the duration of their current term. Consequently, they will commence with significant disparity between rates.

The ACAT makes the following submissions in relation to the remuneration of full-time members.

President: As noted in previous submissions, the qualifications for appointment as President include that they be either a Magistrate or be eligible for appointment as a Magistrate.

It would be appropriate to at least maintain parity between the salary of the President and that of a Magistrate. Arguably, in recognition of the additional statutory functions of the President and the President's oversight of the ACAT (broadly comparable to the role of Chief Magistrate), an additional payment should be made.

Presidential Members: The qualifications and many of the powers and functions of Presidential Members are specified in the *ACT Civil and Administrative Tribunal Act 2008*.

Presidential Members preside in most internal appeals and in a range of other matters. It is necessary for a Presidential Member to preside in hearings and perform other functions under the *Mental Health Act 2015*.

Presidential Members can (and do) exercise powers delegated by the President.

In addition to those statutory requirements and organisational arrangements, Presidential Members exercise leadership and management roles within the ACAT. Unlike some larger tribunals, the ACAT does not have formal divisions. However, under Guidelines revised in 2020, each Presidential Member has case management roles involving work within and external to the ACAT.

Within the ACAT, a case managing member will:

- ensure that each case (or cluster or category of cases with common features) is assessed for such things as the directions which should be made in relation to it (or them)
- ensure that appropriate directions are given (without necessarily having to conduct all directions hearings)
- allocate or provide recommendations to the President about the allocation of individual matters (or cluster or category of cases with common features) to a specific ACAT member or members
- ensure that ACAT members and staff working in a particular area are kept up-to-date with current decisions of the ACAT relevant to their work, relevant practices of the Tribunal, and relevant decisions and practices of other courts and tribunals, as a means of ensuring that members and staff have the requisite knowledge and skills to perform their work
- participate in discussions about proposed new or amending legislation which might affect the ACAT (e.g. conferring additional jurisdiction on the ACAT) and the Integrated Courts Management System, and identify practice update, training, workload and resources issues to which the proposed legislation might give rise
- suggest changes to ACAT practices or authorising laws to enhance the operation of the ACAT or facilitate the better implementation of current law.

External to the ACAT, a case managing member will:

- engage with the relevant stakeholder bodies to gauge their responses to, and any concerns about, ACAT practices and ways to improve them; and
- arrange opportunities for stakeholder forums and other similar means of explaining ACAT practices and legislative requirements to stakeholders and seeking their feedback about ways in which the ACAT might improve its operations or activities.

The role of a case managing member is usually be conferred on a full-time Presidential Member.

However, each full-time Senior Member is allocated aspects of the Tribunal's case management work in order to work with a case managing member or members to ensure that:

- there is continuity of work practice; and
- if a case managing member is absent or on leave, another member can confidently and competently step in to undertake or continue the work of the case managing member.

The nature and extent of the work allocated to the Senior Member is a matter for discussion between that Senior Member and the case managing member and the project team leader or leaders in relation to the subject matter of the discussion.

On that basis, the Remuneration Tribunal should consider increasing the current relativity between the remuneration of the President and the full-time Presidential Members (and the full-time Senior Members) to reflect the increased level of responsibility that they exercise.

Senior Members: As noted above, full-time Senior Members exercise a range of leadership and administrative responsibilities in addition to hearing and deciding a range of complex cases. Their level of remuneration relative to Presidential Members should reflect that degree of responsibility.

As well as determining the amount of remuneration paid to full-time Senior Members relative to the amount paid to full-time Presidential Members and the President, it is appropriate 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 qualifications and a range of responsibilities which might be broadly comparable to the roles performed by Senior Members, in particular the ACAT Registrar (Executive 1.4) and ACT Government lawyers appearing before the ACAT (for example, Government Solicitor Level 4)].

In Determination 12 of 2018 the Remuneration Tribunal made such an adjustment for the full-time Senior Member. Although the subsequent determination increased the remuneration for that office by a percentage, I understand that that remuneration fell below the remuneration of the comparable public sector position. I encourage the Remuneration Tribunal to take such adjustments into account when determining the remuneration of the full-time Senior Members.

Overall relativities: If the Remuneration Tribunal adopts the above proposals to:

- link the President's remuneration to that of Magistrates (or some higher proportion); and
- increase the levels of remuneration of full-time Senior Members and full-time Presidential Members

it could determine full-time Presidential Member and full-time Senior Member remuneration as a percentage of the President's remuneration.

If that approach is taken, it would only be necessary each year to review the President's remuneration. The remuneration of other positions would be adjusted automatically, and the internal relativity of remuneration would be preserved.

As a minimum, I recommend that there be an increase to all remuneration in line with the Consumer Price Index or such other increase as the Remuneration Tribunal determines for other public office holders.

Daily fees for sessional Members

The current review of terms and conditions provides an opportunity to review and revise the 'Conditions of payment of daily fees' for part-time non-Presidential Members (Senior Members and Ordinary Members).

As currently worded, the Conditions do not describe accurately the nature of the ACAT's work undertaken by sessional Members and hence are sometimes difficult to administer consistently and fairly. Some Conditions, if applied mechanically, can lead to unfair outcomes. For example:

- (a) If a member works on written reasons for a reserved decision for three hours on three separate days on which there is no hearing then, under the provision relating to 'ACAT business', they would be entitled to payment for three days. If that person spent nine hours on one day on the same task, they would be entitled to payment for one day.

- (b) If a member spends less than one hour on ACAT business (e.g. on pre-mediation contacts with parties) they are not entitled to remuneration.

In order to clarify and simplify the Conditions, and remove anomalies that could operate unfairly, I make the following recommendations:

- (a) A member be entitled to payment for periods of ACAT work (other than formal hearings, conferences or mediations) of more than 15 minutes which, when aggregated, amount to 6 hours on a day (or days) when there are no formal meetings.
- (b) The provisions for payment for one day (or a proportion of one day) for formal meetings and other ACAT business should specify that the times spent on different types of ACAT activity conducted on the same day as a formal meeting be aggregated in order to decide whether the member is paid for one day or a proportion of one day, subject to the President approving additional payment in exceptional circumstances.
- (c) The current definition of 'ACAT business' be deleted and the following definitions (or words to similar effect) be included:

ACAT business means any approved ACAT business conducted by or on behalf of the ACAT (such as approved training) or undertaken by a sessional Member of ACAT other than attendance at a formal meeting (such as preparing for a formal meeting and preparing reasons for decision).

Formal meeting means any approved hearing, conference or mediation conducted by a sessional Member of the ACAT

- (d) The payment for reasonable travel time on a day be capped at 1.5 hours for other than exceptional circumstances.
- (e) The amount (if any) payable for reasonable preparation time be at the President's discretion, as the types of proceedings (hearing, conference, mediation), their complexity and the time available for preparation varies significantly between matters.

If the Remuneration Tribunal is willing to undertake such a review of those Conditions of payment of daily fees, the ACAT would be happy to provide specific suggestions in relation to the wording of those revised Conditions.

Conclusion

The ACAT would welcome the opportunity to discuss the matters raised in this submission and to provide any additional information that the Remuneration Tribunal might require or any assistance with the redrafting of specific conditions to accurately reflect the way in which the ACAT operates.

Please direct any inquiries on the first instance to Cath Fallon at cath.fallon@act.gov.au or 02 6205 0609.

Yours sincerely,



Mary-Therese Daniel

Temporary President

26 August 2021



Summary of legislation changes since August 2019

Retirement village complaints and conciliation agreements

1 September 2019

Under new laws, a complaint can be made to the ACT Human Rights Commission (the Commission) about a retirement village operator.

The Commission may try to resolve the complaint by conciliation. If the complaint is not resolved and is closed by the Commission, the person making the complaint can ask for the complaint to be referred to ACAT. This is a new pathway for retirement village cases to come to ACAT.

ACAT can also make orders that give effect to conciliation agreements made at the Commission.

Changes to residential tenancy law

1 November 2019

Due to amendments to the *Residential Tenancies Amendment Act 2019*, new types of applications can be made to ACAT by landlords and tenants.

Parties can apply to ACAT about:

- **Rent increases:** A lessor may apply for approval to increase the rental rate more than the prescribed amount, i.e. more than the percentage increase of the rent's component of CPI plus 10%. A tenant may apply for a review of a proposed increase.
- **Modifications:** A lessor may apply for approval of their refusal to consent to special modifications. A tenant may ask for an order that the lessor unreasonably refused to consent to their request for a general modification.
- **Pets:** Lessors may seek approval to refuse consent to keep an animal, or to impose a condition for keeping a pet. A tenant may ask ACAT to resolve a dispute about whether a condition is reasonable.

New ACAT jurisdiction for motor accident injuries

1 February 2020

The *Motor Accident Injuries Act 2019* gives new jurisdiction to ACAT to:

- decide the disbursement of death benefits
- review decisions by an insurer that are specified in regulations
- review specified decisions of the MAI Commissioner
- review significant occupational impact reports
- determine applications for future treatment payments.

ACAT has had 20 applications since the new scheme commenced on 1 February 2020.

Cancellation and criminal intelligence applications made by the Chief Police Officer

6 June 2020

New laws allow the Chief Police Officer (CPO) to apply to ACAT to cancel a **constructions industry or liquor licence or permit** on the basis of criminal activity. When asking for a licence to be cancelled, the CPO can seek to rely on criminal intelligence information.

A person can also apply to ACAT to revoke a cancellation order.

New asbestos laws

1 July 2020

Under the *Loose-fill Asbestos Legislation Amendment Act 2020*, a residential tenancy agreement, occupancy agreement, assignment or sub-letting entered into on or after 1 July 2020 for premises affected by loose-fill asbestos (Mr Fluffy) is void.

A person can apply to ACAT for compensation from the lessor or grantor for any rent or other payment made under a void agreement.

The ACT Human Rights Commission can refer discrimination cases to ACAT on its own initiative

28 August 2020

Changes to the *Human Rights Commission Act 2005* allow a Commission-initiated discrimination matter or complaint to be referred to ACAT (by the Commission) when it involves an unlawful act under the *Discrimination Act 1991*.

Amendments to the Residential Tenancies Act 1997

25 August 2020

A summary of the key changes to the *Residential Tenancies Act 1997* are:

- Setting requirements for ACAT to be satisfied about before terminating a lease if the tenant has used the premises for an illegal purpose
- Requiring a lessor to have made more than 2 applications for termination and possession before ACAT can make orders about payment of future rent
- Allowing ACAT to make orders it considers appropriate in residential tenancy matters including declaratory orders
- Allowing defects in notices to be corrected by ACAT if the person receiving the notice would not be in a significantly worse position if the notice or service of the notice was not corrected
- Enabling ACAT to suspend an order for a new tenancy agreement arising from family violence and protection orders in certain circumstances for up to three weeks
- Clarifying that a referral from Rental Bonds is an ACAT application for the resolution of a dispute.

Unit Titles - changes to legislation

1 November 2020

The *Unit Titles Legislation Amendment Act 2020* amends legislation associated with the units plans.

Some key changes for ACAT are:

- There are new reviewable decisions in the *Community Title Act 1923* and the *Land Titles Act 1925*.
- There are new basis on which orders corporations may apply to ACAT for authority to enter into contracts and change rules during the developer period, how general and sinking fund contributions can be amended, and unit owners can apply for a declaration that an alternative rule is invalid.
- An owners corporation can apply for an order about a grantee, and a grantee may apply to ACAT for an order about an owners corporation.
- There are some new kinds of orders that ACAT can make.
- A developer can apply to ACAT for a declaration that they can vote on a motion about defective building work, in certain circumstances.

New laws about conversion practices

4 March 2021

Under the *Sexuality and Gender Identity Conversion Practices Act 2020* a complaint can be made to the ACT Human Rights Commission (the Commission) by someone who has suffered harm as a result of sexuality and gender identity conversion practices.

The Commission may try to resolve the complaint by conciliation. If not resolved, the person making the complaint may ask the Commission to refer the complaint to ACAT.

Once referred, ACAT can make various types of orders if it is satisfied that the person complained about engaged in a harmful practice.

Reforms for occupancies and residential tenancies

3 March 2021

Further reforms have been made to the *Residential Tenancies Act 1997*.

New type of rental bond referral

There are a range of reforms, including a new type of referral to ACAT from ACT Rental Bonds.

If a bond release application is made to ACT Rental Bonds and the names of the tenants in the bond application do not match the names of the tenants on record, ACT Rental Bonds can refer the matter to ACAT. ACAT can decide who is entitled to receive the bond and make an order directing the release of the bond.

Co-tenants

The reforms introduce a 'co-tenant' as a new class of tenant and there are provisions about:

- a *tenancy dispute* will now include a dispute between co-tenants
- how a co-tenant can leave a co-tenancy (including by ACAT order) and repayment of the bond to the leaving co-tenant
- becoming a co-tenant under an existing tenancy and when a lessor can refuse consent to a new person becoming a co-tenant.

Occupancies

There are new provisions about occupancies including:

- new occupancy principles
- what should be included in an occupancy agreement
- requiring security deposits to be lodged with ACT Rental Bonds and disputes to be treated in a similar way to bonds
- power for the ACAT Registrar to issue a warrant for eviction on application from a grantor
- an occupant can make an occupancy dispute complaint to the Human Rights Commission and this complaint may be referred to ACAT in certain circumstances.

Fences

16 June 2021

The *Courts and Other Justice Legislation Amendment Act 2021* included amendments to the *Common Boundaries Act 1981* so that:

- ACAT can:
 - make an order about a fence notice which does not meet the requirements of the *Common Boundaries Act 1981*
 - If the parties agree – waive the need for a fence notice or the requirement to wait 30 days after sending a fence notice to apply to ACAT
- When considering whether to make an order about repairing a fence, ACAT can also make an order about where the fence should be.

Births, Deaths and Marriages Registration Amendment Act 2020

20 August 2021

The new provisions under the *Births, Deaths and Marriages Registration Amendment Act 2020* (BDMR Act) commence on 20 August 2021.

The amendments allow a young person (under 16) without parental consent to apply to ACAT for leave to apply to the Registrar of Births, Deaths and Marriages to change their given names and/or sex on their birth certificate, or apply for a registered details certificate.

Fair Trading (Australian Consumer Law) Act 1992

27 August 2021

The new amendments under the *Justice Legislation Amendment Act 2020* in relation to the FT (ACL) Act will commence on 27 August 2021.

The amendments introduce a new section 55B to the ACAT Act, to enable a party to a Fair Trading conciliation agreement to apply to ACAT for orders to give effect to the agreement.

Guardians, managers and attorneys

9 September 2021

The *Courts and Other Justice Legislation Amendment Act 2021* included amendments about:

- Failure of a guardian or manager to comply with the *Guardianship and Management of Property Act 1991*
- Failure of an attorney to comply with the *Powers of Attorney Act 2006*.

These amendments will start on 9 September 2021. If a guardian, manager or attorney does not comply with their legislative obligations, the amendments allow ACAT to order them to pay compensation for any loss or account for any profit made as a result of noncompliance.

Comparison – Jurisdiction of Civil and Administrative Tribunals Nationally

Attachment B

	ACAT	NCAT	QCAT	NTCAT	WA SAT	SACAT	VCAT
Civil Disputes ¹	Y - \$25k	Y - \$40K	Y - \$25k	Y - \$25K	N	N	P – Goods & Services
Building & Construction	N	Y	P – After ext process	N	Y	N	Y
Change of Identity details / people related certificates	P – young people's identity only	N	N	N	P – review decisions of a board	Y	N
Children & Young People ²	Y	Y	Y	~	Y	Y	Y
Clinical Research	N	N	Y	N	N	N	N
Common Boundaries	Y	Y	Y	N	N	N	P – water flow disputes only
Conversion Practice Complaints	Y	N	N	N	N	N	N
Discrimination	Y	Y	Y	Y	Y	Y	Y
Energy & Water	Y	N	N	N	N	N	N
Guardianship & Administration	Y	Y	Y	Y	Y	Y	Y
Internal Appeals ³	Y	Y	Y	Y	N	Y	N
Motor Accident Injuries	Y	N	N	N	N	N	N
Mental Health	Y	N	N	N	P – hears appeals from the MH Tribunal	Y	P – reviews decisions of the MH Tribunal
Occupational Discipline ⁴	Y	Y	Y	Y	Y	Y	Y
Occupational Licensing ⁵	Y	Y	Y	Y	Y	Y	Y
Retirement Villages	Y			~	Y	Y	P – exc some residents
Retail Leases	N	Y	Y	N	Y	N	Y
Review Administrative Decisions ⁶	Y	Y	Y	Y	Y	Y	Y
Superannuation	N	N	N	N	N	Y	N
Tenancy Disputes ⁷	Y	Y	Y	Y	N	Y	Y
Unit Titles / Strata	Y	Y	Y	P	Y	N	Y
Voluntary Assisted Dying	N	N	N	N	N	N	Y

Note: TASCAT is expected to commence operation in Tasmania in late 2021.

P: Partial Jurisdiction (highlighted in Orange).

N: Do not consider these matters (highlighted in Red).

Y: Consider these matters (highlighted in Green).

~Unknown

¹ Civil disputes jurisdiction varies but can include consumer disputes, damages, debt applications, motor vehicles etc

² Some CATs have a specific jurisdiction for this matter type and other CATs deal with some aspects of these matters within their "Review Administrative Decisions" jurisdictions.

³ The breadth and type of appeal available varies by jurisdiction. Some matters may only be appealed to superior jurisdictions.

⁴ The types of occupations and professions that CATs can discipline varies in each Jurisdiction.

⁵ The types of licensing matters that CATs can review varies in each Jurisdiction.

⁶ The types of decisions that CATs can review vary in each Jurisdiction.

⁷ WA SAT only deals with tenancy disputes in Residential Parks

National Member Remuneration

ACAT Title	ACAT	VCAT	NCAT	QCAT	SACAT	NTCAT	WA - SAT
President (Head of Jurisdiction)	\$371,546	\$468,020 (Supreme Court Judge) from 17/09/2019	\$475,920 (Supreme Court Judge) (as of 1/7/2020)	\$468,020 (Supreme Court Judge) from 1/7/2019	\$468,020 (Supreme Court Judge) from 1/1/2020	\$368,940 (Local Court, Deputy Chief Judge) *	\$442,057 (Supreme Court Judge) from 1/07/2019
Full Time Presidential Member	\$278,660	\$369,755 (Vice President – County Court)	\$325,721 (Deputy President – Magistrate) (as of 1/1/2020)		\$335,760 (position of Deputy President)		\$397,951 (Deputy President – District Court Judge)
Part-time Presidential Member	n/a	n/a	\$1,367 per day (Deputy President)			n/a	
Full Time Senior Member	\$189,243	\$295,765	\$245,873 (as of 1/1/2020)	\$236,407 *		n/a	\$328,486
Full Time Ordinary Member	N/A	\$259,062	\$211,890 (as of 1/1/2020)	\$224,655	\$146,369*	\$237,574 – \$254,729*	\$245,615
Sessional Senior Member	\$1130 per diem	\$1,259 per day	\$640 – Senior Member** \$955 – Senior Member \$982 – Principal Member (as of 2 April 2019)		N/A	\$719 *	
Sessional Senior Member (presiding)	\$1243 per diem (ie. per diem plus 10%)	N/A	N/A		N/A	\$959 *	
Sessional Ordinary Member	\$525 per diem	\$1,100 per day	\$640 daily (as of 2 April 2019)	\$400 for session fee	\$296.28 for a 4hr block (\$74.07p/h)*	\$509 - \$1209 depending on jurisdiction and matter *	
Sessional Ordinary Member (presiding)	\$577.50 per diem (ie. per diem plus 10%)	\$1,217 per day	\$828 daily (as of 2 April 2019)	\$520 for session fee			

*Rates have been carried over from 2019 Remuneration Tribunal submission

**Non-presiding member with a professional qualification

National Member Remuneration

ACAT Title	ACAT	VCAT	NCAT	QCAT	SACAT	NTCAT	WA - SAT
Other Noteworthy items				A member may be paid multiple sessions for a single day. *	Ordinary Member appointed as Psychiatrist paid \$229.07 p/hr *		
Professional Development			\$534.00 professional development fee		75% of hourly rate*		
Decision Writing				Paid as part of the session *	Paid at the hourly rate when not completed within normal session *	Paid - \$73-\$173 p/h - Max daily rate. *	

Note: Some data is based on publicly available information and is current as at August 2021. Other sources are listed below:

1. *Remuneration and terms and conditions of non-judicial VCAT Members* www.justice.vic.gov.au accessed 19 August 2021.
2. Rates provided by NCAT Principal Registrar & Executive Director, 19 August 2021 & *Judges and Magistrates Group Annual Determination* www.remtribunals.nsw.gov.au accessed 19 August 2021.
3. *QCAT Tribunal Recruitment Information Kit* accessed at www.qcat.qld.gov.au on 19 August 2021.
4. *Determination of the Remuneration Tribunal* www.remtribunal.sa.gov.au accessed 19 August 2021.
5. Rates provided by NTCAT Registrar, 3 September 2019.
6. WA Salaries and Allowances Tribunal, accessed 18 & 19 August 2021.

*Rates have been carried over from 2019 Remuneration Tribunal submission

**Non-presiding member with a professional qualification