



# AUSTRALIAN CAPITAL TERRITORY REMUNERATION TRIBUNAL

## Statement Number 162

### Chief Magistrate, Magistrates & Special Magistrates

#### Background

Section 10(1)(e) and (f) of the *Remuneration Tribunal Act* 1995 requires the Tribunal to inquire into, and determine, the remuneration and allowances to be paid, and other entitlements to be granted, to the Chief Magistrate and Magistrates.

The Tribunal last reviewed remuneration and allowances for the Chief Magistrate and Magistrates in October 2003, and issued Statement and Determination Number 140 dated 18 December 2003.

#### Submissions

Written submissions, received from the Acting Chief Magistrate on behalf of all Magistrates, the Chief Magistrate on return from leave, and the Department of Justice and Community Safety, were considered by the Tribunal at its hearing on 22 October 2004.

#### Tribunal Consideration

##### General comments and salary adjustment

The Tribunal noted that the Commonwealth Remuneration Tribunal granted an increase in the remuneration of the Commonwealth Judiciary with effect from 1 July 2004. This was the 5% foreshadowed in its 2002 review and 4% that included an economic adjustment.

The Tribunal determined that the remuneration paid to the Chief Magistrate, Magistrates and Special Magistrates will increase by 2.5% to maintain a degree of relativity with other jurisdictions, and 3.9% of the adjusted amount to account for economics factors.

There is to be no change to the allowance of \$5,000 per annum paid for the requirement to perform coronial and other duties.



AUSTRALIAN CAPITAL TERRITORY  
REMUNERATION TRIBUNAL

Determination Number 162

Chief Magistrate, Magistrates & Special Magistrates

Pursuant to section 10(1)(e) and (f) 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 Chief Magistrate and Magistrates.

This Determination shall take effect from 1 November 2004.

Alan Kerr AM .....  
Chair

November 2004

Roberta McRae OAM .....  
Member

Jill Greenwell .....  
Member

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## AUSTRALIAN CAPITAL TERRITORY REMUNERATION TRIBUNAL

### Determination Number 162

#### Chief Magistrate, Magistrates & Special Magistrates

Pursuant to section 10(1)(e) and (f) of the *Remuneration Tribunal Act 1995* the Remuneration Tribunal has inquired into the remuneration and allowances to be paid to the Chief Magistrate and Magistrates and determines as follows: -

1. Determination Number 140 dated 18 December 2003 is revoked.
2. Remuneration at the rate of \$228,861 per annum shall be payable to the Chief Magistrate. This remuneration includes an allowance of \$5,000 per annum to reflect that there may be a requirement to undertake coronial, tribunal or presidential duties.
3. Remuneration at the rate of \$201,029 per annum shall be payable to a Magistrate. This remuneration includes an allowance of \$5,000 per annum to reflect that there may be a requirement to undertake coronial, tribunal or presidential duties.
4. Remuneration at the rate of \$689 per diem shall be payable to a Special Magistrate.
5. Travelling Allowance (within Australia)
  - (a) For travel on official business outside Canberra but within Australia the Chief Magistrate or Magistrate shall be entitled to \$345 per overnight stay in a capital city or \$175 per overnight stay in other than a capital city.
  - (b) An allowance of \$55 shall be payable where travel involves an absence from home of at least 10 hours, but does not involve an overnight stay.
  - (c) Where the absence specified in sub-paragraph (a) exceeds a multiple of 24 hours by at least 10 hours, an extra \$55 shall be payable in addition to the appropriate overnight stay payments.
  - (d) Where the Government meets the travel cost for the spouse of the Chief Magistrate or a Magistrate to accompany the Chief Magistrate or Magistrate, the additional cost of a double room over a single room accommodation shall be added to the appropriate overnight stay payment. Such additional cost shall be assessed at \$10 unless vouched.
  - (e) Where the cost of accommodation is met, travelling allowance at the rate of \$85 only shall be payable per overnight stay.

(f) Where the costs of accommodation and a meal per day are met, travelling allowance at the rate of \$70 only shall be payable per overnight stay.

(g) Where the costs of accommodation and all meals are met, travelling allowance at the rate of \$55 only shall be payable per overnight stay.

6. This determination shall take effect from 1 November 2004.

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