



AUSTRALIAN CAPITAL TERRITORY REMUNERATION TRIBUNAL

Statement Number 111

Chief Magistrate, Magistrates and Special Magistrates

Background

Paragraphs 10(1)(e) and (f) of the *Remuneration Tribunal Act 1995* require 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 November 2001, and issued Statement and Determination Number 93 dated 30 November 2001 following that review.

Tribunal Consideration

This present review was advertised in the Public Notices of *The Canberra Times* on 7 and 10 August 2002. The Chief Magistrate made a written submission on behalf of all Magistrates. The Tribunal considered this at its hearing on 4 October 2002 when the Chief Magistrate, Mr Ron Cahill and Magistrate Mr Shane Madden made an oral submission. The Tribunal reconvened on 11 October 2002 and 21 November 2002 to further consider material provided to the Tribunal. A submission was also received from the Director, General Law Group, Department of Justice and Community Safety.

The Tribunal noted that the Commonwealth Remuneration Tribunal is currently finalising the most comprehensive review of judicial remuneration within its jurisdiction for many years and that the outcome could quite possibly impact on judicial remuneration in other jurisdictions throughout Australia.

In the light of this possible effect the Tribunal had hoped the review would be finalised before the date of the required annual determination for the ACT Judiciary.

The review has not been finalised, and the Tribunal has accordingly determined, based on submissions received and the Wage Cost Index of 3.1% for the 12 months to June 2002, to increase the remuneration of the Chief Magistrate to \$190,735 per annum, Magistrates to \$167,022 per annum and Special Magistrates to \$588 per diem.

The Tribunal will examine this matter again when the results of the Commonwealth review are known.



**AUSTRALIAN CAPITAL TERRITORY
REMUNERATION TRIBUNAL**

Determination Number 111

Chief Magistrate, Magistrates and Special Magistrates

Pursuant to paragraph 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 Chief Magistrate, Magistrates and Special Magistrates.

Bill Lawrence MBE
Chair

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November 2002

Roberta McRae OAM
Member

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Alan Kerr AM
Member

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AUSTRALIAN CAPITAL TERRITORY REMUNERATION TRIBUNAL

Determination Number 111

Chief Magistrate, Magistrates and Special Magistrates

Pursuant to paragraph 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:

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1. Determination Number 93 dated 30 November 2001 is revoked.
2. Remuneration at the rate of \$190,735 per annum shall be payable to the Chief Magistrate.
3. Remuneration at the rate of \$167,022 per annum shall be payable to a Magistrate.
4. Remuneration at the rate of \$588 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 Chief Magistrate's or Magistrate's spouse to accompany the Chief Magistrate or Magistrate, the additional cost of double room over 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 2002.

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