



Australian Capital Territory Remuneration Tribunal

Retired Master of the Supreme Court

Determination 6 of 2014

made under the

Remuneration Tribunal Act 1995, section 10 (Inquiries about holders of certain positions)

ACCOMPANYING STATEMENT

Background

Under section 10 of the *Remuneration Tribunal Act 1995*, the Remuneration Tribunal (Tribunal) is required to inquire into, and determine, the salary, allowances and other entitlements to be paid to the holders of Judicial positions listed in Schedule 1 of the Act, on this occasion being the Master of the Supreme Court.

The Supreme Court Act 1933 states that the maximum age of the Master shall be age 70 (Section 40(3)), but provides for the Master to continue to hold office for the purposes of the transitional proceedings (Section 60A). This outgoing position is the subject of this determination, and is referred to throughout the Determination as the Retired Master of the Supreme Court in order to differentiate from the current Master of the Supreme Court.

Consideration

The Tribunal considered information provided by the Retired Master in response to the Tribunal's request for a progress update, in which he indicated that he had six remaining judgments to deliver and hoped to have completed this by 30 June 2014. He requested that current arrangements remain in place until then, acknowledging that any entitlement to remuneration would cease immediately if he completed his work prior to that date.

The Tribunal determined that no change would be made to salary or entitlements for the Retired Master of the Supreme Court, and that the next review of remuneration for the position would be conducted during Spring 2014 if the Master's work had not concluded by then.

ACT Remuneration Tribunal
April 2014



Australian Capital Territory Remuneration Tribunal

Retired Master of the Supreme Court

Determination 6 of 2014

made under the

Remuneration Tribunal Act 1995, section 10 (Inquiries about holders of certain positions)

1 Commencement

This Determination commences on 1 July 2014.

2 Remuneration

The Retired Master of the Supreme Court is entitled to remuneration of \$350,668 per annum.

3 Salary packaging for the Retired Master

3.1 The Retired Master may elect to take their remuneration mentioned as:

- a) salary; or
- b) a combination of salary and other benefits (a **salary package**).

3.2 Salary packaging must be consistent with:

- a) taxation laws and guidelines issued by the Australian Taxation Office; and
- b) any salary packaging policy and/or procedures issued for the ACT Public Service, with up to 100% of the remuneration able to be taken as benefits and related costs such as fringe benefits tax.

3.3 Salary packaging must be administered without additional cost to the employer and any fringe benefits tax associated with the provision of a benefit must be included in the salary package.

3.4 Salary for superannuation purposes is not affected by salary packaging.

4 Travelling Allowance for the Master — within Australia

- 4.1 If the Master undertakes official travel within Australia, the employer will pay a travelling allowance as follows:
- a) If the cost of accommodation is not met—\$345 for each overnight stay in a capital city or \$290 for each overnight stay in a non-capital city; or
 - b) If the cost of accommodation is met—\$85 for each overnight stay; or
 - c) If the cost of accommodation and one meal is met—\$70 for each overnight stay; or
 - d) If the cost of accommodation and all meals is met—\$55 for each overnight stay; or
 - e) \$55 for travel that involves an absence from home of at least 10 hours, but does not involve an overnight stay;
 - f) \$55 for travel that involved an overnight stay if the total absence from home is at least 10 hours longer than a multiple of 24 hours.
- 4.2 If the employer meets the travel cost for the Master’s spouse to accompany the Master, the additional accommodation cost of a double room over a single room will be paid by the employer. The additional cost will be \$10.

5 Travelling Allowance for the Master — outside Australia

If the Master undertakes official travel outside Australia, the employer will pay a travelling allowance equivalent to what would be paid to a person who is an executive employed under the *Public Sector Management Act 1994*.

6 Definitions

In this Determination:

employer means the Australian Capital Territory and includes any person authorised to act on behalf of the Australian Capital Territory.

fringe benefits tax means the tax assessed under the *Fringe Benefits Tax Assessment Act 1986*.

7 End date

This Determination is effective from 1 July 2014 until 31 October 2014 or until all the Retired Master of the Supreme Court judgements are delivered, whichever occurs first.

Anne Cahill Lambert AM
Chair



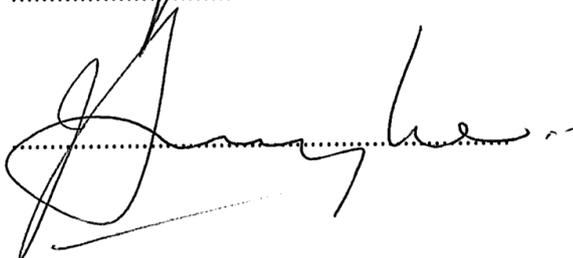
.....

Colin Adrian
Member



.....

James Smythe
Member



.....

30 April 2014