



Australian Capital Territory Remuneration Tribunal

Determination 11 of 2014

Part-time Public Office Holders

made under the
Remuneration Tribunal Act 1995

ACCOMPANYING STATEMENT

Background

Section 10 of the *Remuneration Tribunal Act 1995* (the Act) provides for the Remuneration Tribunal (the Tribunal) to inquire into and determine the remuneration, allowances and other entitlements to be paid to a person holding a position or appointment mentioned in schedule 1 of the Act, or specified in an instrument given to the Tribunal by the Chief Minister.

Previous determination: Determination 9 of 2013 (commenced 1 November 2013)

The Tribunal set a general increase of 2 per cent (rounded up to the nearest \$5) for Part-time Public Office Holders.

Further the Chief Minister sought the Tribunal to make determinations on certain Part-time Public Offices relating to the ACT Lesbian, Gay, Bisexual, Transgender, Intersex and Queer (LGBTIG) Community Advisory Council, Capital Metro Project Board, and an Industry Panel established under the *Independent Competition and Regulatory Commission Act 1997*.

The Tribunal also made determinations relating to the ACT Heritage Council, the University of Canberra Council, the Aboriginal and Torres Strait Islander Elected Body and the Land Development Agency Board.

Considerations for the 2014 review

The Tribunal's 2014 review for Part-time Public Office Holders was advertised in July 2014. Meetings of the Tribunal were held during September 2014 and this determination sets out the Tribunal's decision following that review.

In considering remuneration for Part-time Public Office Holders, the Tribunal noted that remuneration for such Office is not intended to replace other employment or salary for Office holders.

No submissions were received from Part-time Public Office Holders for the review.

The Tribunal was mindful of the economic and financial considerations facing the ACT and as enunciated by the Chief Minister in her submission to the Tribunal. ACT Treasury provided a comprehensive briefing to the Tribunal on the prevailing economic circumstances for 2014 and forecasts for the coming years.

The Tribunal also noted the remuneration increases of approximately 1.5 per cent for the majority of ACT Public Servants under the *ACT Public Service Administrative and Related Classifications Enterprise Agreement 2013-2017*.

Decision

The Tribunal determined that there will be a general increase of 1.5% (rounded up to the nearest \$5) which is consistent with remuneration increases for the majority of ACT Public Servants under the *ACT Public Service Administrative and Related Classifications Enterprise Agreement 2013-2017*.

ACT Remuneration Tribunal
November 2014



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1 Commencement

This instrument commences on 1 November 2014.

2 Remuneration

2.1 A Part-time Holder of a Public Office or Appointment shown in columns 1 and 2 shall be entitled to the fee specified in column 3 of Table 1.

Table 1: Remuneration rates for Part-time Holders of Public Office

	COLUMN 1 Board, committee etc	COLUMN 2 Position	COLUMN 3 Remuneration
A	Aboriginal and Torres Strait Islander Elected Body	chair (per annum) deputy chair (per annum) member (per annum)	\$22,585 \$18,070 \$13,550
	Advisor to the Conservator	advisor (per diem)	\$595
	Animal Welfare Advisory Committee	chair (per diem) member (per diem)	\$475 \$400
	Architects Board	chair (per diem) member (per diem)	\$475 \$400
	Asbestos Advisory Board	chair (per diem) member (per diem)	\$475 \$400
B	Board of Senior Secondary Studies	chair (per annum)	\$17,580

	Building Advisory Board	chair (per diem) member (per diem)	\$475 \$400
	Building and Construction Industry Training Fund Board	chair (per annum) member (per diem)	\$17,580 \$400
	Bush Fire Council	chair (per diem) member (per diem)	\$475 \$400
C	Canberra and Young People Death Review Committee	chair (per diem) member (per diem)	\$755 \$690
	Capital Metro Project Board	chair (per annum) member (per annum)	\$70,946 \$42,575
	Children and Young People Official Visitor	chair (per annum)	\$30,585
	Children and Youth Services Council	chair (per diem)	\$475
	Climate Change Council	chair (per diem) member (per diem)	\$475 \$400
	Cultural Council	chair (per diem) member (per diem)	\$475 \$400
	Cultural Facilities Corporation Board	chair (per annum) deputy chair (per annum) member (per annum)	\$24,595 \$12,305 \$8,620
D	Disability Advisory Council	chair (per diem) member (per diem)	\$475 \$400
E	Electoral Commission	chair (per annum) member (per annum)	\$30,375 \$19,045
	Electrical Advisory Board	chair (per diem) member (per diem)	\$475 \$400
	Environment Protection and Technical Advisory Committee	chair (per diem) member (per diem)	\$475 \$400

	Exhibition Park Corporation Board	chair (per annum) deputy chair (per annum) member (per annum)	\$22,710 \$12,495 \$7,705
F	Flora and Fauna Committee	chair (per diem) member (per diem)	\$475 \$400
G	Gambling and Racing Commission Board	chair (per annum) member (per annum)	\$46,820 \$22,710
	Government Procurement Board	chair (per annum) member (per annum)	\$29,850 \$23,300
	Government School Education Council	chair (per annum)	\$17,580
H	Heritage Council	chair (per diem) member (per diem)	\$605 \$475
	Housing Review Committee	chair (per diem) member (per diem)	\$605 \$475
I	Independent Competition and Regulatory Commission	Snr Commissioner (per diem) Commissioner (per diem)	\$1,485 \$845
	Independent Reviewer	reviewer (per diem)	\$755
	Indigenous Education Consultative Body	chair (per diem) member (per diem)	\$475 \$400
	Industry Panel	presiding member (per diem) member (per diem)	\$1,485 \$845
	Insurance Authority Advisory Board	member (per annum)	\$21,970
	Investment Advisory Board	chair (per annum) member (per annum)	\$30,375 \$22,710
J, K, L	Land Development Agency Board	chair (per annum) deputy chair (per annum) member (per annum)	\$70,950 \$56,770 \$42,575

	Legal Aid Commission	president (per annum) member (per diem)	\$18,315 \$400
	Lesbian, Gay, Bisexual, Transgender, Intersex and Queer (LGBTIQ) Community Advisory Council	chair (per diem)	\$475
	Local Hospital Network Council	chair (per annum) member (per diem)	\$23,810 \$475
	Long Service Leave Authority Board	chair (per annum) deputy chair (per annum) member (per diem)	\$24,595 \$12,305 \$400
M	Management Assessment Panel	chair (per diem)	\$475
	Ministerial Advisory Council on Ageing	chair (per diem)	\$455
	Ministerial Advisory Council on Women	chair (per diem)	\$455
	Muslim Advisory Council / Multicultural Advisory Council	chair (per diem)	\$455
N	Namadgi Advisory Board	joint chair (per diem) member (per diem)	\$475 \$400
	Non-Government School Education Council	chair (per annum)	\$17,580
O	Official Visitor	visitor (per diem)	\$475
P	Plumbing Advisory Board	chair (per diem) member (per diem)	\$475 \$400
	Public Art Panel	chair (per diem) member (per diem)	\$475 \$400
	Public Cemeteries Board	chair (per diem) member (per diem)	\$475 \$400
	Public Interest Monitor Panel	member (per diem)	\$1,000

R	Racing Appeals Tribunal	president (per diem) deputy president (per diem) member (per diem) assessor (per diem)	\$755 \$690 \$400 \$290
	Radiation Council	chair (per diem) member (per diem)	\$475 \$400
S	Sentence Administration Board	chair (per annum) deputy chair (per annum) member (per diem)	\$70,950 \$56,770 \$690
	Screen Investment Fund Committee	chair (per diem) member (per diem)	\$475 \$400
	Skills Commission	chair (per diem) member (per diem)	\$475 \$400
	Sport and Recreation Council	chair (per diem) member (per diem)	\$475 \$400
	Survey Practice Advisory Committee	member (per diem)	\$400
T	Teacher Quality Institute Board	chair (per annum)	\$17,580
	Tidbinbilla/Birrigai Board of Management	member (per diem)	\$400
	Treatment Assessment Panel	chair (per diem) member (per diem)	\$475 \$400
	Tree Advisory Panel	chair (per diem) member (per diem)	\$475 \$400
U	University of Canberra Council	member (per annum)	\$5,000
	Urban Design Advisory Committee	chair (per diem) member (per diem)	\$475 \$400
V	Veterinary Surgeons Board of Inquiry	chair (per diem) member (per diem)	\$755 \$675

W	Work Safety Council	chair (per annum)	\$17,580
X,Y, Z	Youth Advisory Council	chair (per diem)	\$475

3. Conditions of Payment of Daily Fees

3.1 In this section:

(a) a reference to an “authority” is a reference to a commission, board, committee, tribunal or other body or office, the member or members of which are entitled to be paid daily fees referred to in this Determination;

(b) a reference to “business of the authority” means any business of the authority conducted by a member of the authority with the approval of the authority, other than attendance at a formal meeting; and

(c) the daily fee for a formal meeting includes a component to cover normal preparation time, but where the chairperson of the authority considers it appropriate that a period of preparation time beyond this warrants recognition, then the chairperson may determine that payment in accordance with the scheduled fee shall be payable for such periods as “business of the authority”.

3.2 A Part-time Holder of a Public Office in an authority shall be paid a daily fee in respect of such period, not less than three hours, on any one day on which he or she attends a formal meeting of an authority, and/or is engaged on business of the authority, subject to the following conditions:

(a) the chairperson or nominated presiding officer, shall in each case certify whether the period of three hours has elapsed and in so certifying may have regard to reasonable travelling time incurred by an office holder; and

(b) the maximum payment in respect of any one day shall be the appropriate daily fee.

3.3 A Part-time Holder of a Public Office may be paid in respect of formal meetings of less than three hours subject to the following conditions:

(a) for formal meetings aggregating less than two hours, an amount equal to two-fifths of the daily fee;

(b) for formal meetings, or formal meetings and business of the authority on the day of the meeting, of two hours or more, but less than three hours on any one day, an amount equal to three-fifths of the daily fee;

(c) the maximum payment in respect of any one day shall be the appropriate daily fee;

(d) eligibility for each payment shall be certified by the chairperson or nominated presiding officer and in so certifying the chairperson may have regard to reasonable travelling time in accordance with 3.2; and

(e) preparation time shall only be included in accordance with 3.1.

- 3.4 A Part-time Holder of a Public Office may also be paid a daily fee in respect of aggregates of periods of business of the authority of less than three hours undertaken on behalf of the authority, subject to the following conditions:
- (a) individual periods of business must be on other than formal meeting days and each period must be for a minimum of one hour;
 - (b) to attract payment of a daily fee, aggregated periods shall total at least five hours;
 - (c) the maximum period in respect of any one day shall be the appropriate daily fee;
 - (d) eligibility for each payment shall be certified by the chairperson, and in so certifying the chairperson may have regard to reasonable travelling time in accordance with 3.2; and
 - (e) preparation time shall only be included in accordance with 3.1.

4. Salary Packaging

- 4.1 Subject to the following conditions, a person holding an office mentioned in Table 1 of this Determination may elect to take remuneration shown in Column 3 of Table 1 as salary or take a combination of salary and other benefits best suited to his or her personal needs and preferences.
- 4.2 The scheme is to be consistent with taxation laws and guidelines applicable to salary packaging schemes, issued by the Australian Taxation Office.
- 4.3 The scheme is to be based on any salary packaging policy and procedures issued for the ACT Public Service, with up to 100% of the relevant remuneration shown in Column 3 of Table 1 being taken as benefits and related costs such as fringe benefits tax.
- 4.4 The scheme shall be operated and administered so that there will be no additional cost to the ACT Government. In particular, any fringe benefits tax associated with the provision of a benefit is to be included in the salary package.
- 4.5 The salary for superannuation purposes of each person holding a Part-time Public Office is unaffected by participation in the salary packaging scheme.

5. Travel

- 5.1 If an office holder is required to travel for official purposes, the employer must pay the cost of travel, accommodation, meals and incidental expenses.
- 5.2 The office holder may then travel by one or more of the following:
- a) commercially provided road or rail transport;
 - b) commercially provided flights;
 - c) private motor vehicle.
- 5.3 Commercially provided travel should be selected on the basis of:
- a) what is most convenient to the relevant office holder; and
 - b) seeking the most reasonable costs.
- 5.4 If the office holder travels on commercially provided road or rail transport the employer will pay the fares for that travel.

5.5 If the office holder travels on commercially provided flights the employer will pay the fares to the following standard:

- a) for domestic flights less than 4 hours — economy class;
- b) for domestic flights of 4 hours or more — business class;
- c) for international flights — business class.

5.6 If the office holder is approved to travel by private motor vehicle the employer will pay the owner of the vehicle an allowance calculated in accordance with the Motor Vehicle Allowance set out in the relevant Enterprise Agreement.

6. Accommodation

6.1 If a relevant office holder must stay overnight while on official travel, the employer will pay the commercial accommodation to the following standard:

- a) for domestic accommodation — 4.5 stars;
- b) for international accommodation — 4.5 stars.

6.2 The employer will pay for a relevant office holder to stay in commercial accommodation above the 4.5 star standard if:

- a) the cost is reasonable; and
- b) to do so would better enable business objectives to be met.

Examples where business objectives may be better met:

- to allow the office holder to stay in the commercial accommodation where a meeting, conference or seminar they are attending is being held
- to allow the office holder who is traveling with a Minister to stay in the same commercial accommodation as that Minister if the Minister is entitled to a higher standard of accommodation

7. Meals

7.1 If the office holder is absent from Canberra for more than ten hours while on official travel, the employer will reimburse actual, reasonable expenses for meals.

8. Incidental expenses

8.1 The employer will reimburse reasonable expenses directly related to official travel, including:

- a) taxi or bus fares to or from an airport; and
- b) taxi and public transport costs at a temporary location; and
- c) airport taxes or charges.

9. Definitions

domestic travel means official travel to a destination within Australia.

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

international travel means official travel to a destination outside Australia.

reasonable expenses means legitimate work-related expenses incurred while conducting official business efficiently and effectively.

relevant Enterprise Agreement means the Enterprise Agreement that covers staff in the area of the ACTPS that administers the travelling allowance for the relevant office holder.

office holder means a person appointed to one of the offices mentioned in Table 1.

10. Revocation of previous Determination

Determination 9 of 2013 is revoked.

Anne Cahill Lambert AM
Chair

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Dr Colin Adrian
Member

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James Smythe PSM
Member

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November 2014