JUDICIAL AND STATUTORY OFFICERS (REMUNERATION AND ALLOWANCES) BILL 1984

Date Introduced: 5 September 1984
House: House of Representatives
Presented by: Hon. L.F. Bowen, M.P., Minister for Trade

Short Digest of Bill

Purpose

To implement recent recommendations of the Remuneration Tribunal relating to remuneration of Judges of the High Court, Federal Court, Family Court and A.C.T. Supreme Court, the Chairman of the Commonwealth Grants Commission and the President and members of the Inter-State Commission.

Background

The Remuneration Tribunal, established under the Remuneration Tribunals Act 1973, reported on 29 June 1984 following a general review of certain salaries and travelling allowances. The review was the first general review since 6 August 1982, the intervening period having been marked by a 12 month period of statutory prohibition of most Tribunal inquiries [see Bills Digest for Salaries and Wages Pause Bill 1982].

The remuneration of Judges was reported in the Remuneration Tribunal's Report No. 5 of 1984, while its Report No. 6 of 1984 covered the remuneration of the President and members of the Inter-State Commission. The Tribunal's Reports recommended a salary increase of 11.7 per cent to be phased in, with 6 per cent effective from 1 July 1984 and 5.7 per cent from 1 January 1985. The Tribunal further determined that the rates of salary should be adjusted in line with subsequent National Wage Case decisions of the Australian Conciliation and Arbitration Commission. The Tribunal also recommended that increases in travelling allowances should reflect increases in costs.

Main Provisions

The Bill is to be deemed to have commenced on 1 July 1984 (clause 2). Clause 3 provides for phased-in salary increases in respect of judicial and other offices, as well as the annual rates of expenses of office allowance
applicable to each office. These are detailed in the Schedule to the Bill. Furthermore, provision is made for the application of any National Wage increase after 1 July 1984 to each of the increased rates of salary (sub-clause 3(2)).

Remuneration of members, other than the President, of the Inter-State Commission is not set out in the Schedule. Instead, the appropriate salary will be the rate payable to a Level 6 officer in the Australian Public Service (sub-clause 3(8)).

Travelling allowance is payable to Justices of the High Court under clause 4 of the Bill in connection with the Justice's duties in a place other than the A.C.T. or the locality of the Justice's sole or principal place of residence. A rate of $140 for an overnight stay in a capital city, and $100 elsewhere, is prescribed.

Clause 5 provides for an additional allowance of $9,900 per annum for those Justices of the High Court who do not live in, or in the vicinity of, the A.C.T. The allowance was introduced following establishment of a permanent High Court in Canberra, to assist those Justices who do not establish their sole or permanent place of residence in Canberra.

Travelling allowance is payable to other judicial officeholders and to the President and Deputy Presidents of the Australian Conciliation and Arbitration Commission under clause 6. Rates within Australia are $125 for an overnight stay in a capital city, and $95 elsewhere. Rates for travel outside Australia are those applicable to the office of Secretary to a Department.

Clause 7 authorises regulations providing for the holder of a full-time statutory office to receive remuneration and expenses of office allowance where the appointee is at the time of appointment a statutory officeholder, Australian Public Service officer, or public corporation employee.

The matters dealt with in clauses 3 to 7 of the Bill are similar to those covered in sections 13, 13A, 13B, 13C and 17 of the Remuneration and Allowances Act 1973. These sections are repealed by clause 8. Regulations already made under section 17 are to continue as if they were made pursuant to clause 7 of the Bill.

For further information, if required, contact:

15 February 1985

Law & Government Group
LEGISLATIVE RESEARCH SERVICE