Date Introduced: 23 August 1979  
House: House of Representatives  
Presented by: Hon. J.E. McLeay, Minister for Administrative Services

Purpose

To provide for certain changes to Determination Numbers 6, 7 and 8 of 1979 of the Remuneration Tribunal and to give effect to the recommendations of the Tribunal in its Report No. 2 of 1979.

Background

In its Submission to the Tribunal, the Government opposed any increases in remuneration for offices within the Tribunal's jurisdiction, as an encouragement "to industrial tribunals and parties to act responsibly and exercise maximum restraint". However, the Tribunal decided not to follow that course. On 5 June 1979, pursuant to subsections 7(1), 7(2) and 7(4)(a) of the Remuneration Tribunals Act 1973 it determined increases in the rates of: -

(i) Special allowance to be paid to Ministers of State - Determination No. 6.

(ii) Additional salary and special allowance to be paid to office holders of the Parliament - Determination No. 7 and

(iii) Basic salary to be paid to members of Parliament - Determination No. 8.

In respect to Determination No. 6, the Tribunal's proposed rates were the same as those proposed for 1978 which had been disallowed in 1978. They represented increases over the actual 1978 rates (which were at 1976 levels, the Tribunal having recommended no increase in 1977) of, for example:-

8.3% for the Prime Ministers Allowance  
27.3% for the Deputy Prime Ministers Allowance
In respect to Determination No. 7, the Tribunal proposed additional salary rates which were 4% (the amount of the December 1978 National Wage Decision) higher than those proposed for 1978 which had been disallowed by Parliament. They represented increases over the actual 1978 rate (which was at 1976 levels, the Tribunal having recommended no increase in 1977) of, for example in the case of the Leader of the Opposition, 9%.

In respect of Determination No. 8, the Tribunal proposed basic salary which took into account the 4% December 1978 National Wage increase over the 1978 rate and provided for further increases in accordance with National Wage Decisions made after the determination.

The Tribunal also reported on desirable increases in remuneration payable to Justices and Judges of federal courts and of the Supreme Courts of the Territories and persons who, by virtue of an Act, have the same status as a Justice or Judge of such courts, and other matters significantly related thereto.

All of the above increases have effect from 1 July 1979.

Main Provisions

The Bill is divided into 3 Parts.

Part I

Clause 2 - commencement date for modifications to determinations shall be the date of Royal Assent.


Part II

Clause 3 - modifies Determination No. 6 by substituting rates which are higher than the 1978 rates by a percentage reflecting the National Wage Decisions of December 1978 and June 1979. These rates are lower than those proposed by the Tribunal.

Clause 4 - modifies Determination No. 7 by substituting rates which are higher than the 1978 rates by a percentage reflecting the National Wage Decisions of December 1978 and June 1979. These rates are lower than those proposed by the Tribunal.
Clause 5 - modifies Determination No. 8 by substituting rates which are higher than the 1978 rate by a percentage reflecting the National Wage Decisions of December 1978 and June 1979. This rate is higher than that proposed by the Tribunal but removes the automatic application of National Wage Decisions during the period the determination is in force.

Sub-clauses 3(2), 4(3) and 5(2) give the modified Determinations effect as if they were determinations of the Tribunal.

Clause 6 - the modified Determinations are not subject to Parliamentary disallowance which is usually possible under sub-section 7(8) of the Remuneration Tribunals Act 1973.

Part III

Clause 8 amends the Remuneration and Allowances Act 1973 by substituting a new sub-section 13(4) relating to the salary and allowance of the Chairman of the Law Reform Commission.


30 August 1979

Law & Government Group
LEGISLATIVE RESEARCH SERVICE