REMUNERATION TRIBUNALS BILL 1978

Date Introduced: 14 November 1978
House: Senate
Presented by: Senator the Honourable F.M. Chaney, Minister for Administrative Services

Purpose

To break the nexus between the Remuneration Tribunal and the Academic Salaries Tribunal.

Background

The Remuneration Tribunal was established in 1973 and consists of three members appointed on a part-time basis one of whom is appointed as Chairman. The person appointed as Chairman is required to be a judge or retired judge of a court of a State or be eligible for appointment as such a judge.

No person can be appointed to the Tribunal if he is or has been during the preceding seven years a member of Parliament, federal or Territory Supreme Court judge or the holder of various other categories of office the salaries and allowances for which are determined by the Tribunal.

In 1974 an Academic Salaries Tribunal was established. It consists of the Chairman of the Remuneration Tribunal. When the new Tribunal was established the disqualifications for Chairman of the Remuneration Tribunal were increased so that no person can be appointed as Chairman if he is or has been during the preceding seven years a member of the full-time staff of an institution of tertiary education.

The existing Chairman of the Remuneration Tribunal and person constituting the Academic Salaries Tribunal, the Honourable Mr. Justice W.B. Campbell, has been elected Chancellor of the University of Queensland. Although not disqualified from remaining as the Academic Salaries Tribunal he had indicated that his close involvement with university affairs makes it inappropriate for him to remain as the Tribunal. This does not affect his position as Chairman of the Remuneration Tribunal.
This Bill amends the Remuneration Tribunals Act 1973 to deal with the fact that the Academic Salaries Tribunal will no longer be constituted by the Chairman of the Remuneration Tribunal and makes other minor amendments.

Provisions

Clause 3 omits from section 4 the disqualification on the Chairman of the Remuneration Tribunal being or having been within the previous seven years a member of the full-time staff of an institution of tertiary education. As the Tribunals will be separately constituted there is no longer any need for the disqualification.

Clause 4 amends section 12B so that the Academic Salaries Tribunal is to consist of a person appointed by the Governor-General on a part-time basis for a period not exceeding five years. The disqualification previously applying to the Chairman of the Remuneration Tribunal now applies directly to such a person so that persons who are, or have been, during the preceding seven years, full-time staff of an institution of tertiary education may not be appointed. There are provisions for resignation, removal from office and for particular inquiries to be heard by another person appointed by the Minister if the person constituting the Tribunal is unavailable.

Clause 6 saves the determinations of the old Tribunal as if they had been made under the Act as amended.

20 November 1978
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