



Australian Capital Territory Remuneration Tribunal

## **Determination 18 of 2023**

### **Part-time Public Office Holders**

made under the

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

### **ACCOMPANYING STATEMENT**

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#### **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.

#### **Considerations**

In October 2023, the Tribunal commenced its Spring Sitting to consider the remuneration, allowances and other entitlements of the following office-holders:

- ACT Magistrates;
- ACT Supreme Court judges;
- ACT Civil and Administrative Tribunal members;
- the ACT Integrity Commission (Integrity Commissioner and Chief Executive Officer);
- the Principal Registrar, Courts and Tribunal;
- the Director of Public Prosecutions;
- part-time Holders of Public Office on Boards, Tribunals and Committees; and
- any other positions that have been referred to the Tribunal for consideration.

The Tribunal advertised its Spring Sitting on its website and in the Canberra Times on 1 September 2023. The Tribunal also wrote to the relevant office-holders inviting submissions.

At its meeting in October 2023, the Tribunal met with the Chief Minister, ACT Government Treasury officials and officials responsible for the Enterprise Agreement bargaining for ACT Public Sector non-executive employees. The Tribunal also met with a number of full-time public office-holders, part-time public office holders and departmental officials.

The briefings provided to the Tribunal by ACT Treasury officials outlined the resilient nature of the Territory's economy. ACT Treasury reported that the Territory continues to experience a tight labour market and wages growth, with wage growth particularly notable in the private sector. ACT Treasury noted that employment growth was stronger than expected in the 2022-23 financial year.

On 2 June 2023 the Fair Work Commission announced a 5.75 per cent increase in all award rates, with an effective 8.6 per cent increase to the minimum wage.<sup>1</sup>

The Australian Bureau of Statistics released the Consumer Price Index for the September Quarter on 25 October 2023, which included an increase of 0.8 per cent for the ACT during the September quarter, with a 4.5 per cent increase over the year (September 2022 to September 2023).<sup>2</sup> The national trimmed mean inflation was 5.2 per cent over the year.<sup>3</sup>

While the Tribunal noted that cost of living increases have been high, the Tribunal also noted that the consumer price index (CPI) forecast has a descending trend and the increase to remuneration provided in this determination reflects this.

In its deliberations, the Tribunal continued to give considerable weight to community standards and expectations with particular reference to wage growth nationally and locally, and the Territory's tight job market. The Tribunal also continued to give consideration to the importance of the Territory providing competitive and equitable remuneration, allowances and other entitlements so that it can continue to attract and retain high calibre individuals to deliver quality services to the ACT community. In this context, the Tribunal noted the wage policies and remuneration determinations by its Commonwealth and State/Territory counterparts and the significant increase in wage growth in the ACT private sector. The Tribunal also continues to be cognisant of the future compounding effect of not providing increases in remuneration.

In making this Determination, the Tribunal took account of the ACT Government's current Enterprise Agreement bargaining context. The Tribunal also had regard to the 2023–24 ACT Budget, released in June 2023 by the Chief Minister in his role as Treasurer, which predicted growth in 2023–24 of 3.75 per cent in wage price index (WPI) and 3.25 per cent in CPI.<sup>4</sup>

The Tribunal considered the national and the local contexts, in particular the anticipated movements in wages locally and nationally and the advice that the current economic circumstances in the Territory are robust. It therefore decided that an increase to remuneration of 3.5 per cent is a measured response given the current circumstances.

### New referrals

The Tribunal received referrals from the Chief Minister to determine the remuneration, allowances and other entitlements for each of the following offices:

- Ministerial Advisory Council on Multiculturalism: Chair, Deputy Chair and Members;
- ACT Health System Council: Chair, Deputy Chair and Members;

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<sup>1</sup> [Fair Work Commission Decision 2 June 2023](#)

<sup>2</sup> ACT Treasury, 25 October 2023, CPI – September Quarter 2023  
[https://www.treasury.act.gov.au/data/assets/pdf\\_file/0009/399978/CPI.pdf/recache](https://www.treasury.act.gov.au/data/assets/pdf_file/0009/399978/CPI.pdf/recache)

<sup>3</sup> Australian Bureau of Statistics Release 25 October 2023 <https://www.abs.gov.au/statistics/economy/price-indexes-and-inflation/consumer-price-index-australia/latest-release>

<sup>4</sup> [ACT Budget 2023-2024 Budget Outlook, Chapter 2 Economic Outlook](#), page 17.

- CIT Cloud Campus Program: Independent Member; and
- Defence and Advanced Technology Industry Advocate.

In considering the remuneration, allowances and entitlements for these new referrals the Tribunal met with officials from the Community Services Directorate, Health Directorate, and the Chief Minister, Treasury and Economic Development Directorate respectively.

### Other matters

The Tribunal received correspondence from the Inspector of Correctional Services, the Chair of the Heritage Council, the Chair of the Long Service Leave Authority Board, the Chair of the Cemeteries and Crematoria Authority Board and the CEO of ACT Natural Resource Management.

### **Decision**

#### Ministerial Advisory Council on Multiculturalism

The Ministerial Advisory Council on Multiculturalism is a statutory body established under the *Multiculturalism Act 2023*. The purpose of the Council is to provide strategic advice to the Minister for Multicultural Affairs on issues around cultural and linguistic diversity in the ACT and to provide a link between the Minister for Multicultural Affairs and culturally diverse people in the ACT community. The Council replaces the previous non-statutory Multicultural Advisory Council. The Tribunal determines that the Chair will be remunerated at \$615 per diem, Deputy Chair at \$570 per diem and Members at \$525 per diem.

#### ACT Health System Council

The ACT Health System Council is a non-statutory body established to provide Ministers with strategic advice on health service planning, the commissioning of services and the future direction of the ACT health system. The Council has been established to provide advice on how better integration between services can improve the effectiveness of the ACT's health system and will draw on national and international expert knowledge from Members. The Council will provide advice on where better value could be created in the health system through strengthened integration and changes in culture. The calibre of members will include Chief Executives of health-based organisations whether public, private or not-for-profit, and Deans of Health or Medical faculties with significant health, clinical and research experience in health system reform and design. The Tribunal determines that the Chair will be remunerated at \$1,200 per diem, Deputy Chair at \$1,000 per diem and Members at \$800 per diem.

#### CIT Cloud Campus Program

The Canberra Institute of Technology (CIT) Cloud Campus Program has been established to deliver an online learning platform that provides a seamless digital and physical learning environment. The Independent Member is a non-statutory role established to advise on the Cloud Campus implementation. The Tribunal determines that the Independent Member will be remunerated at \$570 per diem.

#### Defence and Advanced Technology Industry Advocate

The Defence and Advanced Technology Industry Advocate is a part-time, non-statutory position established to facilitate connections and growth opportunities within the ACT by identifying, aligning, promoting, and championing Defence and related industries. The Tribunal determines that the Advocate will be remunerated at \$85,000 per annum.

### Inspector of Correctional Services

The Inspector of Correctional Services is a statutory position established under the *Inspector of Correctional Services ACT 2017* to provide independent oversight of ACT correctional and youth justice facilities, focusing on continual improvement and prevention of ill-treatment. The Tribunal received a submission from the Inspector of Correctional Services, requesting that the Tribunal consider the full-time nature of the role and outlining that the intention of the legislation may have been for the role to be part-time or ad hoc in nature, but it has evolved past this. The submission requests that the Tribunal determine a per annum rate for the Inspector role and provide conditions of employment in line with that of full-time statutory office-holders.

The Tribunal noted that a review of the Inspector's establishing legislation is ongoing. Consideration of whether a role should be part-time or full time is a policy decision for Government. The Tribunal also noted that remuneration on a per annum basis is appropriate for this role.

In considering the remuneration of the Inspector, the Tribunal had regard to the remuneration paid to equivalent positions in other jurisdictions and similar positions in the Territory. The Tribunal met with officials from the Justice and Community Safety Directorate.

Whilst in 2022, the Inspector was remunerated on a per diem basis to a remuneration amount that could not exceed \$238,765 per annum, in 2023 the Tribunal determines that the Inspector of Correctional Services be remunerated at \$247,122 per annum.

### Heritage Council

The Heritage Council is a decision-making statutory body established under the *Heritage Act 2004* to identify, assess, conserve and promote places and objects in the ACT with natural and cultural heritage significance. The Tribunal received a submission from the Chair of the Council requesting an increase in remuneration for the Chair, Deputy Chair and Members of the Council due to increased work value. The position of Deputy Chair has not been referred to the Tribunal by the Chief Minister, which is a requirement if the Tribunal is to determine the remuneration for a position. In considering the remuneration of the Heritage Council, the Tribunal had regard to the remuneration paid to similar positions in the Territory. The Tribunal met with officials from the Environment, Planning and Sustainable Development Directorate.

The Tribunal determines that the Chair will be remunerated at \$40,000 per annum and Members will be remunerated at \$650 per diem.

### Long Service Leave Authority Board

The Long Service Leave Authority Board was established in 2010 under the *Long Service Leave (Portable Schemes) Act 2009* to make recommendations to the Minister, determine a levy for industries included in the legislation and make any recommendations to the Minister on laws to be declared. The Tribunal received a submission from the Chair of the Board requesting an increase to remuneration of the Chair, Deputy Chair and Members due to increased work value, and noted the responsibility the Board exercised in relation to the appropriate management of the fund, including an expansion in the size and membership of the fund which has resulted in an increase in the Board's responsibilities. In considering the remuneration of the Long Service Leave Authority Board, the Tribunal had regard to the

remuneration paid to similar positions in the Territory. The Tribunal met with officials from the Chief Minister, Treasury and Economic Development Directorate.

The Tribunal determines that the Chair will be remunerated at \$45,000 per annum, Deputy Chair at \$30,000 per annum and Members at \$650 per diem.

#### Cemeteries and Crematoria Authority

The Cemeteries and Crematoria Authority is a statutory body established under the *ACT Cemeteries and Crematoria Act 2020* to manage and operate public cemeteries, mausoleum and crematorium. The Authority is required to ensure the equitable availability of interment options and maintain burial capacity in the medium to long term for the ACT community.

The Tribunal received a submission from the Chair of the Authority requesting an increase to remuneration of the Chair, Deputy Chair and Members due to increased work value. The position of Deputy Chair has not been referred to the Tribunal by the Chief Minister, which is a requirement if the Tribunal is to determine the remuneration for a position. In considering the remuneration of the Cemeteries and Crematoria Authority, the Tribunal had regard to the increase in scope in the work of the Authority and the expansion of the role of the governing board, as well as the remuneration paid to similar positions in the Territory. The Tribunal met with officials from the Transport Canberra and City Services Directorate.

The Tribunal determines that the Chair will be remunerated at \$30,000 per annum and Members at \$650 per diem.

#### Other Part-time Public Office Holders

All other part-time public office holders being considered as part of the 2023 Spring Sitting will receive a 3.5 per cent increase, rounded up to the nearest \$5, effective from 1 November 2023.

The retrospective application of this Determination to 1 November 2023 does not affect the rights of a person (other than the ACT Government) in a manner prejudicial to that person, nor does it impose any liability on such person.

22 November 2023



## Australian Capital Territory Remuneration Tribunal

# Part-time Public Office Holders

## Determination 18 of 2023

made under the

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

### 1 Commencement

This instrument is taken to have commenced on 1 November 2023.

### 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 or column 4 of Table 1.

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

<b>COLUMN 1</b> <b>Board, committee etc</b>	<b>COLUMN 2</b> <b>Position</b>	<b>COLUMN 3</b> <b>Base remuneration (Per Diem)</b>	<b>COLUMN 4</b> <b>Base remuneration (Per Annum)</b>
ACT Health System Council	Chair	\$1,200	-
	Deputy Chair	\$1,000	-
	Member	\$800	-
ACT Region Catchment Management Coordination Group	Chair	\$615	-
	Member	\$525	-
ACT Natural Resource Management (NRM) Council	Chair	\$615	-
	Member	\$525	-
ACT Judicial Council	Legal Practitioner	\$855	
	Community Representative	\$855	
Aboriginal and Torres Strait Islander Elected Body	Chair	-	\$35,610
	Deputy Chair	-	\$28,500
	Member	-	\$18,910
Animal Welfare Advisory Committee	Chair	\$615	-
	Member	\$525	-
Architects Board	Chair	\$615	-
	Member	\$525	-
Board of Senior Secondary Studies	Chair	-	\$32,750

<b>COLUMN 1 Board, committee etc</b>	<b>COLUMN 2 Position</b>	<b>COLUMN 3 Base remuneration (Per Diem)</b>	<b>COLUMN 4 Base remuneration (Per Annum)</b>
Brand Strategic Advisory Board	Chair Member	\$615 \$525	- -
Building Advisory Board	Chair Member	\$615 \$525	- -
Building and Construction Industry Training Fund Board	Chair Member	- \$525	\$21,860 -
Canberra Economic Recovery Advisory Group	Member	-	\$17,400
Canberra Institute of Technology Cloud Campus Program	Independent Member	\$570	-
Canberra Institute of Technology Governing Board	Chair Deputy Chair Member	- - \$675	\$64,410 \$32,215 -
Canberra Region Medical Education Council	Chair External Representative Member	\$615 \$525	-
Cemeteries and Crematoria Authority	Chair Member	- \$650	\$30,000 -
Child and Family Reform Ministerial Advisory Council	Chair Member	\$615 \$525	- -
Children and Young People Death Review Committee	Chair Member	\$960 \$875	- -
Children and Youth Services Council	Chair Member	\$760 \$615	- -
Clinical Leadership Forum	Chair Member	\$615 \$525	- -
City Renewal Authority Board	Chair Deputy Chair Member	- - -	\$81,980 \$65,590 \$43,935
Climate Change Council	Chair Member	\$615 \$525	- -
Corrections Adjudicator	Corrections Adjudicator	\$615	-
Creative Council	Chair Deputy Chair Member	\$615 \$570 \$525	- - -
Cultural Facilities Corporation Board	Chair Deputy Chair Member	- - -	\$30,585 \$15,310 \$10,730
Defence and Advanced Technology Industry Advocate	Advocate	-	\$85,000
Disability Reference Group	Chair Member	\$615 \$525	- -

<b>COLUMN 1 Board, committee etc</b>	<b>COLUMN 2 Position</b>	<b>COLUMN 3 Base remuneration (Per Diem)</b>	<b>COLUMN 4 Base remuneration (Per Annum)</b>
Diversification and Sustainability Support Fund Advisory Board	Chair Member	\$615 \$525	-
Electoral Commission	Chair Member	- -	\$37,770 \$23,690
Electrical Advisory Board	Chair Member	\$615 \$525	- -
Gambling and Racing Commission Board	Chair Member	- -	\$58,205 \$28,235
Government Procurement Board	Chair Member	- -	\$37,110 \$28,965
Heritage Council	Chair Member	- \$650	\$40,000 -
Independent Advisor, Working with Vulnerable People	Independent Advisor	\$615	-
Independent Competition and Regulatory Commission	Senior Commissioner Commissioner	\$1,865 \$1,065	- -
Independent Reviewer, Government Agencies (Campaign Advertising)	Reviewer	\$960	-
Indigenous Education Consultative Body	Chair Member	\$615 \$525	- -
Inspector of Correctional Services	Inspector	-	\$247,122
Insurance Authority Advisory Board	Member	-	\$27,315
Invasive Plants Advisory Group	External Members	\$525	-
Investment Advisory Board	Chair Member	- -	\$37,770 \$28,235
Law Reform and Sentencing Advisory Council	Chair Member	\$615 \$525	- -
Legal Aid Commission	President Member	- \$525	\$22,780
Lesbian, Gay, Bisexual, Transgender, Intersex and Queer (LGBTIQ) Community Advisory Council	Chair Member	\$615 \$525	- -
Light Rail Project Board	Chair Member	- -	\$88,185 \$52,920
Long Service Leave Authority Board	Chair Deputy Chair Member	- - \$650	\$45,000 \$30,000 -



<b>COLUMN 1 Board, committee etc</b>	<b>COLUMN 2 Position</b>	<b>COLUMN 3 Base remuneration (Per Diem)</b>	<b>COLUMN 4 Base remuneration (Per Annum)</b>
Major Projects Canberra Independent Advisory Boards	Chair Member	- -	\$88,185 \$52,920
Management Assessment Panel	Chair	\$615	-
Medicines Advisory Committee	Chair Member	\$615 \$525	- -
Mental Health Advisory Council	Chair Member	\$615 \$525	- -
Ministerial Advisory Council on Ageing	Chair Member	\$615 \$525	- -
Ministerial Advisory Council on Women	Chair	\$590	-
Ministerial Advisory Council on Multiculturalism	Chair Deputy Chair Member	\$615 \$570 \$525	- - -
Multi-Hazard Advisory Council	Chair Member	\$615 \$525	- -
Natural Resource Management Advisory Committee	Chair Member	\$615 \$525	- -
Official Visitors Board	Chair Visitor	- \$615	\$27,315 -
Our Booris Our Way Implementation Oversight Committee	Chair Member	\$900 \$795	- -
Plumbing Advisory Board	Chair Member	\$615 \$525	- -
Priority Investment Program Advisory Panel	Chair Member	\$615 \$525	- -
Public Interest Monitor Panel	Member	\$1,260	-
Public Sector Standards Commissioner	Public Sector Standards Commissioner	-	\$185,650
Racing Appeals Tribunal	President Deputy President Member Assessor	\$960 \$875 \$580 \$580	- - - -
Radiation Advisory Committee	Chair Member	\$615 \$525	- -
Registration Standards Advisory Board	Chair Member	\$615 \$525	- -
Renewable Energy Innovation Fund Industry Advisory Board	Chair Member	\$615 \$525	- -

<b>COLUMN 1 Board, committee etc</b>	<b>COLUMN 2 Position</b>	<b>COLUMN 3 Base remuneration (Per Diem)</b>	<b>COLUMN 4 Base remuneration (Per Annum)</b>
Restricted Medical Treatment Assessment Board	President Member	\$1,555 \$1,235	- -
Scientific Committee	Chair Member	\$615 \$525	- -
Sentence Administration Board	Chair Deputy Chair Member	- - \$1,155	\$106,190 \$95,165 -
Suburban Land Agency Board	Chair Deputy Chair Member	- - -	\$81,980 \$65,590 \$43,935
Survey Practice Advisory Committee	Member	\$515	-
Teacher Quality Institute Board	Chair	-	\$21,860
Territory Records Advisory Council	Chair Member	\$780 \$615	- -
Therapeutic Support Panel	Deputy Chair Member	\$920 \$875	- -
Tree Advisory Panel	Chair Member	\$615 \$525	- -
Veterans' Advisory Council	Chair	\$590	-
Veterinary Practitioners Board	President Member	\$615 \$525	- -
Veterinary Practitioners Committee of Inquiry	Chair Member	\$960 \$860	- -
Work Safety Council	Chair	-	\$21,860
Youth Advisory Council	Chair	\$615	-

- 2.2 A public servant who serves as a Part-time Public Office Holder is not entitled to receive remuneration, allowances or entitlements provided in this Determination, unless in exceptional circumstances.
- 2.3 The Chief Minister, Treasury and Economic Development Directorate will determine these exceptional circumstances.

### **3. Conditions of Payment of Daily Fees (per diem)**

#### **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 office holders 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 an office holder of the authority with the approval of the chairperson, the nominated presiding officer (if applicable) or the authorised secretariat, other than attendance at a formal meeting and official travel on a meeting day;

- (c) 'normal preparation time' means the time that an office holder of an authority ordinarily requires to prepare for a formal meeting of business of the authority. It can occur on either a day of a meeting/event/activity or on another day. Preparation time spent by an office holder that the chairperson, nominated presiding officer (if applicable) or the authorised secretariat considers is excessive to normal preparation time may be treated as 'business of the authority';
- (d) the daily fee for a formal meeting includes a component to cover normal preparation time. Where the chairperson, nominated presiding officer (if applicable) or the authorised secretariat of the authority considers it appropriate, that a period of preparation time beyond this warrants recognition, then the chairperson, nominated presiding officer (if applicable) or authorised secretariat may determine that payment in accordance with the scheduled daily fee shall be payable for such periods as 'business of the authority'; and

Example:

A formal committee meeting is scheduled which usually consists of two hours of meeting time. A committee member undertakes one hour of preparation time. The total time commitment is three hours, so the committee member would be eligible for the daily fee.

- (e) 'official travel time' is the reasonable period, certified by the chairperson, the nominated presiding officer (if applicable) or the authorised secretariat, that an office holder spends travelling on official business away from the metropolitan area of the capital city or the environs of the town in which the office holder lives.
- (f) The Tribunal considers that preparation time and travel time are legitimate claims.

#### Work periods consisting of not less than three hours (formal meetings and 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, nominated presiding officer (if applicable) or the authorised secretariat, shall in each case certify whether the period of three hours has elapsed and in so certifying may have regard to reasonable preparation time and travelling time incurred by an office holder; and
- (b) the maximum payment in respect of any one day shall be the appropriate daily fee.

Example:

A formal one hour committee meeting is scheduled. The matter to be discussed at the meeting is complex. A committee member undertakes three hours of preparation time. The total time commitment is four hours, so the committee member would be eligible for the daily fee.

#### Work periods consisting of less than three hours (formal meetings and business of the authority)

3.3 A Part-time Holder of a Public Office may be paid in respect of less than three hours for formal meetings and/or on business of the authority, 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 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, nominated presiding officer (if applicable) or the authorised secretariat, and in so certifying the chairperson, presiding officer (if applicable) or the authorised secretariat may have regard to reasonable travelling time; and
- (e) preparation time shall only be included in accordance with 3.1.

Examples:

A formal one hour committee meeting is scheduled. No preparation time was required. The reasonable travelling time was 30 minutes. The total time commitment is one hour and 30 minutes. The committee member would be eligible for two-fifths of the daily fee.

A two hour committee event is scheduled and classified as 'business of the authority'. No preparation time was required. The reasonable travelling time was 30 minutes. The total time commitment is two hours and 30 minutes. The committee member would be eligible for three-fifths of the daily fee.

#### Work aggregate periods consisting of less than three hours (business of the authority)

- 3.4 A Part-time Holder of a Public Office may also be paid a daily fee in respect of aggregate periods associated with business of the authority which is 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, nominated presiding officer (if applicable) or the authorised secretariat, and in so certifying the chairperson, nominated presiding officer (if applicable) or the authorised secretariat may have regard to reasonable travelling time incurred by an office holder; and
  - (e) preparation time shall only be included in accordance with 3.1.

Examples:

A committee member attends a one hour committee event over four days which is not a formal meeting day. The event is classified as 'business of the authority'. No preparation time was required. The reasonable travelling time for each day was 30 minutes. The total time commitment is six hours. The committee member would be eligible for the daily fee.

A committee member attends a one hour committee event over three days which is not a formal meeting day. The event is classified as 'business of the authority'. No preparation time was required. The reasonable travelling time for each day was 30 minutes. The total time commitment for the events is four hours and 30 minutes. The committee member would not be eligible for the daily fee. If the member had another 30 minutes, they would be eligible for the daily fee.

#### Cancellation fee

- 3.5 A cancellation fee is payable equivalent to 50% of one day's fee for cancellation of all work on a day with less than five working days' notice.

#### 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 their personal needs and preferences.
- 4.2 Salary packaging must be consistent with taxation laws and guidelines issued by the Australian Taxation Office.
- 4.3 Any salary packaging policy and/or 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 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.
- 4.5 Salary for superannuation purposes of each person holding a Part-time Public Office is not affected by salary packaging.

#### 5. Employer's superannuation contribution

- 5.1 A person, appointed to an office listed in clause 2 of this Determination, is only eligible for the employer's superannuation contribution if their superannuation entitlements are not provided elsewhere.
- 5.2 Superannuation entitlements for a person appointed to an office listed above are consistent with clause D7 in the *ACT Public Sector Administrative and Related Classifications Enterprise Agreement 2023-2026* or its replacement.
- 5.3 The value of the employer's superannuation contribution must not be paid in cash to a person appointed to an office listed in clause 2 of this Determination.

#### 6. Travel arrangements

- 6.1 In this clause:

**home base** means the town or city in which the traveller's principal place of residence is located.

**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.

**traveller** means a person, appointed to an office that this Determination applies to, who is travelling away from their home base for official purposes.

- 6.2 If a traveller is required to travel for official purposes, the employer must pay the cost of the transport and accommodation expenses outlined below. The reasonable amounts set out in the relevant Australian Taxation Office Determinations<sup>5</sup> relating to meal and incidental expenses will be paid to the traveller as a reimbursement. These expenses are not to be paid to the traveller where their home base is within the ACT or surrounding districts and the travel for official purposes is within the ACT or surrounding districts.

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<sup>5</sup> [Australian Taxation Office – Taxation Determination 2023/3 Income tax: what are the reasonable travel and overtime meal allowance expense amounts for the 2023-24 income year?](#)

- 6.3 All reasonable expenses incurred by a traveller can be reimbursed.
- 6.4 All official travel is to be appropriately authorised prior to travel and must not be authorised by the traveller under any circumstances. This includes all official travel paid for privately or by the Territory.
- 6.5 The traveller may travel by one or more of the following:
- a) commercially provided road or rail transport;
  - b) commercially provided flights;
  - a) private motor vehicle.
- 6.6 Commercially provided travel should be selected on the basis of:
- a) what is most convenient to the relevant person; and
  - b) seeking the most reasonable costs.
- 6.7 If a traveller travels on commercially provided road or rail transport the employer will pay the fares for that travel.
- 6.8 A traveller must use the Territory's travel manager, which has been procured through a competitive process, as a preferred provider of travel and related services. The travel manager has been instructed to book all travel at the lowest logical fare.
- 6.9 If a traveller 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.
- 6.10 If a traveller 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 in the *ACT Public Sector Administrative and Related Classifications Enterprise Agreement 2023-2026* or its replacement.

## **7. Accommodation**

- 7.1 It is standard practice that where an executive traveller 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.
- 7.2 The employer will pay for a traveller to stay in commercial accommodation above the 4.5 star standard and the amounts set out in the relevant Australian Taxation Office Determinations, 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 a traveller 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 the Minister, if the Minister is entitled to a higher standard of accommodation.

## **8. Meals**

- 8.1 If a traveller is absent from their home base for more than ten hours while on official travel, the employer will reimburse actual, reasonable expenses for meals up to the amounts set out in the relevant Australian Taxation Office Determinations.

## **9. Incidental expenses**

- 9.1 The employer will reimburse all reasonable expenses and legitimate expenses directly related to official travel, including up to the amounts set out in the relevant Australian Taxation Office Determinations:
- a) taxi, ridesharing (such as uber) or bus fares to or from an airport; and
  - b) taxi, ridesharing (such as uber) and public transport costs at a temporary location; and
  - c) airport taxes or charges.

## **10. Frequent Flyer points**

- 10.1 Frequent flyer points cannot be accrued or used by a traveller as a result of travel and accommodation paid for by the employer for official travel.

## **11. Definitions**

**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*.

**home base** means the town or city in which the traveller's principal place of residence is located.

**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.

**traveller** means a person, listed under clause 2 of this Determination, who is travelling away from their home base for official purposes.

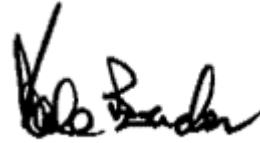
## **12. Revocation of previous Determinations**

Determination 13 of 2022 is revoked.

Ms Sandra Lambert AM  
Chair

A handwritten signature in black ink, appearing to read 'Sandra Lambert', with a long horizontal flourish extending to the right.

Mr Dale Boucher PSM  
Member

A handwritten signature in black ink, appearing to read 'Dale Boucher', with a large, stylized initial 'D'.

22 November 2023