

2025

**THE LEGISLATIVE ASSEMBLY FOR THE
AUSTRALIAN CAPITAL TERRITORY**

ELEVENTH ASSEMBLY

Remuneration Tribunal Determination 7 of 2025 – ACT Magistrates Court

**Presented by
Andrew Barr MLA
Chief Minister
September 2025**



Australian Capital Territory Remuneration Tribunal

Determination 7 of 2025

ACT Magistrates Court Judicial Positions

made under the

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

ACCOMPANYING STATEMENT

Background

Under section 10 of the *Remuneration Tribunal Act 1995* (the Act), the Remuneration Tribunal (the Tribunal) must inquire into and determine the remuneration, allowances and other entitlements to be paid to the holders of judicial positions mentioned in Schedule 1 to the Act, including the Chief Magistrate, Magistrates and Special Magistrates.

Considerations

In August 2025, 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 31 May 2025. The Tribunal also wrote to the relevant office-holders inviting submissions.

At its meeting in August 2025, 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 full-time and part-time public office holders, and Directorate officials.

The ACT Government briefing provided an overview of the local economy and a summary of the Machinery of Government changes, implemented in July 2025, designed to deliver improved standards of service to the Canberra community. The ACT Government noted that

current Enterprise Agreements are expiring in 2026 and confirmed that bargaining had commenced with a continued focus on the lowest paid public service employees.

The briefing provided to the Tribunal by ACT Treasury confirmed that the ACT economy remains strong. The ACT recorded Wage Price Index (WPI) growth of 3.6 per cent over the year (June 2024 – June 2025)¹, and the labour market continues to be robust with high participation rates and low unemployment relative to other jurisdictions.

The Australian Bureau of Statistics released the Consumer Price Index (CPI) for the June 2025 Quarter, which included an increase of 0.3 per cent for the ACT during the quarter², and a 1.6 per cent increase over the year (June 2024 to June 2025).³ The national annual CPI inflation was 2.1 per cent over the year, with trimmed mean inflation trending down from 2.9 percent in the March 2025 quarter to 2.7 percent in the June 2025 quarter.⁴ While inflation has moderated, cost of living pressures persist. In this context the Tribunal remains alert to the future compounding effect of not providing increases in remuneration.

The ACT Government indicated that while there is a positive outlook for the economy, the ACT budget faces fiscal pressures. Therefore, the Tribunal sought to balance considerations around the strength in the labour market, community expectations and the Territory's fiscal circumstances, which impact on the affordability of pay increases.

The Tribunal considered the local and national contexts and decided that an increase to remuneration of 2 per cent is a prudent response given the current circumstances.

Decision

The Tribunal determines to increase remuneration by 2 per cent for ACT Magistrates Court judicial positions, with effect from 1 November 2025.

1 September 2025

¹ [Australian Bureau of Statistics Release 13 August 2025](#)

² [Australian Bureau of Statistics Release 30 July 2025](#)

³ [ACT Treasury, 30 July 2025, CPI – June Quarter 2025](#)

⁴ [Australian Bureau of Statistics Release 30 July 2025](#)



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1. Commencement

This instrument is taken to have commenced on 1 November 2025.

2. Remuneration

Chief Magistrate

- 2.1 The Chief Magistrate is entitled to remuneration of \$488,143 per annum.

Magistrates

- 2.2 A Magistrate is entitled to remuneration of \$428,571 per annum.

- 2.3 Additional salary of \$7,500 per annum is payable to the Chief Magistrate and Magistrates. This salary is to be paid on a pro rata basis for a magistrate working on a part-time basis.

Special Magistrates

- 2.3 If a Special Magistrate undertakes judicial duties for 3 hours or more on any given day, they are entitled to the daily remuneration calculated at the rate of 1/230 of the annual remuneration paid to a Magistrate. When determining whether the Special Magistrate has been engaged for 3 hours or more the Chief Magistrate may include reasonable travelling time.

- 2.4 If a Special Magistrate undertakes judicial duties for less than 3 hours, they are entitled to three fifths of the daily remuneration rate.

- 2.5 **Judicial duties** includes the following:

- court sitting time, as listed by the Chief Magistrate;
- preparation, decision writing and judicial education approved by the Chief Magistrate;
- reasonable travelling time other than for travel between the person's home and principal place of work.

Special Magistrate - Northern Territory

- 2.6 No remuneration is payable to a Special Magistrate if they are a Magistrate under the Magistrates Act (NT) and they are already entitled to remuneration determined under the laws of the Northern Territory.

Part-time work

- 2.7 For a magistrate working on a part-time basis in accordance with section 7C of the *Magistrates Act 1930*, the remuneration, allowances and entitlements for the Magistrate are to be paid on a pro rata basis in accordance with the proportion of full-time hours worked.
- 2.8 For the purposes of clause 2.4, 'remuneration, allowances and entitlements' does not include any pro-rata business support entitlements, official travel entitlements, training and development entitlements and relocation and security assistance entitlements prescribed under the *Magistrates Court (Conditions of Appointment) Decision 2019*, NI2019-262, or its replacement, made under section 7C of the Magistrates Court Act, or travel allowance under this Determination. The full-time rates of these entitlements are provided to part-time Magistrates.

3. Travel Allowance

- 3.1 For travel on official business the Chief Magistrate or a Magistrate is entitled to the reasonable amounts for daily travel allowance expenses according to salary levels and destinations specified in Australian Taxation Office – [Taxation Determination 2024/3 Income tax: what are the reasonable travel and overtime meal allowance expense amounts for the 2024-25 income year?](#) or its replacement.
- 3.2 Where the cost of accommodation is met by the employer or another organisation, the rate for accommodation in the Australian Taxation Office Determination is not payable. Where the cost of accommodation and any meal is met by the employer or another organisation, the rates for accommodation and that meal in the Australian Taxation Office Determination are not payable.
- 3.3 Where the cost of accommodation and all meals are met by the employer or another organisation, only the rate for incidentals in the Australian Taxation Determination is payable.

4. Salary Packaging

- 4.1 A person appointed to an office listed in clause 2 of this Determination may elect to take their remuneration mentioned as:
- a) salary; or
 - b) a combination of salary and other benefits (a ***salary package***).
- 4.2 Salary packaging must be consistent with:
- c) taxation laws and guidelines issued by the Australian Taxation Office; and
 - d) any salary packaging policy and/or procedures issued for the ACT Public Service, with up to 100% of the remuneration able to be taken as benefits and related costs such as fringe benefits tax.

4.3 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.

4.4 Salary for superannuation purposes is not affected by salary packaging.

5. Other entitlements

Other entitlements such as vehicle, parking, official travel and leave arrangements are outlined in the *Magistrates Court (Conditions of Appointment) Decision 2019*, NI2019-262, or its replacement.

6. Employer's superannuation contribution

6.1 A person, appointed to an office mentioned in clause 2 of this Determination, is only eligible for the employer's superannuation contribution in this determination if their superannuation entitlements are not provided for elsewhere.

6.2 Superannuation entitlements for a person appointed to an office listed in clause 2 of this Determination are consistent with clause D7 in the *ACT Public Sector Administrative and Related Classifications Enterprise Agreement 2023-2026* or its replacement.

6.3 The value of the employer's superannuation contribution must not be paid in cash to the person appointed to an office mentioned in clause 2 of this Determination.

7. Definitions

In this Determination:

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*.

8. Revocation of previous determination

Determination 9 of 2024 is revoked.

Ms Sandra Lambert AM
Chair

Ms Pam Davoren PSM
Member

Mr Michael Manthorpe PSM FIPAA
Member

1 September 2025