



No. 6 of 2015

REPORT AND DETERMINATION OF THE REMUNERATION TRIBUNAL
TRAVELLING AND ACCOMMODATION ALLOWANCES – JUDICIAL OFFICERS,
COURT OFFICERS AND STATUTORY OFFICERS

SCOPE OF DETERMINATION

The Remuneration Tribunal is given jurisdiction under section 13 of the *Remuneration Act 1990* (“the Act”), to determine the remuneration payable to judicial officers and certain other court officers. The Tribunal is also given jurisdiction under section 14 of the Act to determine the remuneration payable to holders of certain statutory public offices. The Act defines remuneration as including; salary, allowances, expenses, fees and any other benefit of a pecuniary nature.

This Determination deals with the travelling and accommodation allowances payable to judicial officers, certain other court officers, and those statutory officers whose position comes within the ambit of section 14.

Section 8 of the Act requires the Tribunal to sit at least once in each year for the purpose of determining, or reviewing previous determinations made under the Act.

A. REPORT

Travelling and Accommodation Allowances payable to Judges, Court Officers and Statutory Officers have been varied to reflect the increased costs that have occurred since the Tribunal last adjusted them on 10 July 2014 (Determination No. 5 of 2014). The increases to existing rates are in line with annual adjustments made to travelling and accommodation allowances for the South Australian public sector.

B. DETERMINATION

1. Interpretation

“**Court Officer**” means a Commissioner of the Environment, Resources and Development Court.

“**Judge**” means any of the following members of the judiciary:
the Chief Justice of the Supreme Court;
Puisne Judges of the Supreme Court;
Masters of the Supreme Court;
the Chief Judge of the District Court;
Judges of the Environment, Resources and Development Court;
Masters of the District Court;
Other District Court Judges;
the Chief Magistrate (as a Judge of the District Court);
the Deputy Chief Magistrate;
Stipendiary Magistrates;
the Supervising Industrial Magistrate;
other Industrial Magistrates;
the State Coroner;
the Deputy State Coroner;

the Senior Judge of the Industrial Relations Court and President of the Workers Compensation Tribunal;
the President of the Industrial Relations Commission and Judge of the Industrial Relations Court;
other Judges of the Industrial Relations Court who hold joint commissions in Fair Work Australia and the Industrial Relations Commission of South Australia.

“Statutory Officer” means any of the following statutory office holders:

Deputy Presidents of the Industrial Relations Commission;
Commissioners of the Industrial Relations Commission;
the Auditor General;
the Electoral Commissioner;
the Deputy Electoral Commissioner;
the Employee Ombudsman; and
the Health and Community Services Complaints Commissioner.

2. **Travelling and Accommodation Allowances**

A person who actually incurs expenditure when travelling on official business and which necessitates absence from home overnight shall be paid an allowance as follows:

- 2.1 Within Metropolitan Adelaide as defined by the *Development Act 1993* – at the rate of two hundred and ninety eight (\$298) for each day which involves an overnight absence, plus any extra expenditure necessarily incurred.
- 2.2 Outside Metropolitan Adelaide as defined by the *Development Act 1993* but within the State – at the rate of two hundred and eighty five dollars (\$285) for each day that involves an overnight absence, plus any extra expenditure necessarily incurred.
- 2.3 Interstate – at the rate of five hundred and sixteen dollars (\$516) for Sydney and four hundred and forty six dollars (\$446) for cities other than Sydney for each day which involves an overnight absence, plus any extra expenditure necessarily incurred.
- 2.4 When an additional period of less than 24 hours absence occurs without overnight accommodation consecutive with and immediately following a period of absence in paragraph 2.1, 2.2 or 2.3, then a further payment calculated at the rate of one half of the allowance shall be paid with respect to the excess hours.
- 2.5 Reimbursement is not to be made for lunch during single day absences within South Australia.
- 2.6 Employees who travel interstate and return on the same day may be reimbursed for lunch on the basis of actual expenditure up to twenty-three dollars and forty five cents (\$23.45).

3. **Date of Operation**

The allowances prescribed in Clause 2 of this Determination shall operate on and from 7 December 2015, and supersede those prescribed in previous Determinations covering persons whose office is listed herein.

Dated this 3rd day of December 2015.



John Lewin
PRESIDENT



Nicola Vincent
MEMBER



Peter Alexander
MEMBER