



No. 13 of 2020

REPORT OF THE REMUNERATION TRIBUNAL
2020 REVIEW OF ACCOMMODATION AND MEAL ALLOWANCES – JUDGES, COURT
OFFICERS AND STATUTORY OFFICERS

INTRODUCTION AND BACKGROUND

1. Section 13 of the *Remuneration Act 1990* (“the Act”) provides that the Remuneration Tribunal (“the Tribunal”) has jurisdiction to determine the remuneration of members of the judiciary and other offices listed in that section of the Act.
2. Section 14 of the Act provides that the Tribunal has jurisdiction to determine the remuneration, or a specified part of the remuneration, payable in respect of certain offices, if such jurisdiction is conferred upon the Tribunal by any other Act or by the Governor by proclamation.
3. The Act defines remuneration as including; salary, allowances, expenses, fees and any other benefit of a pecuniary nature.
4. This Report deals with the accommodation and meal allowances payable to judicial and other relevant officers.

PROCEDURAL HISTORY

5. Section 10(2) of the Act provides that prior to the making of a Determination, the Tribunal must allow an affected person, or persons of an affected class, a reasonable opportunity to make submissions orally or in writing to the Tribunal.
6. Section 10(4) of the Act provides that the Honourable Premier of South Australia (“the Premier”), as the Minister responsible for the Act may intervene, personally or by counsel or other representative, in proceedings before the Tribunal for the purpose of introducing evidence, or making submissions, on any question relevant to the public interest.
7. On 13 October 2020, the Tribunal wrote to the Judicial Remuneration Coordinating Committee (“JRCC”) and the Magistrates Association of South Australia (“MASA”), notifying of the Tribunal’s intention to review its previous Determination.
8. The Tribunal, by letter dated 13 October 2020, wrote to the Premier, as the Minister responsible for the Act, inviting submissions in relation to this review.
9. The Tribunal, by letters dated 13 October 2020, sent notifications of the review to the Electoral Commissioner, Deputy Electoral Commissioner, the Health and Community Services Complaints Commissioner, and the Auditor-General.
10. In addition, the Tribunal distributed an email notification to the relevant office holders on 13 October 2020. A notification of the review was also placed on the Tribunal’s public website on the same day.

SUBMISSIONS

11. A submission was received by the JRCC. The JRCC submitted that it does not seek any increase in the accommodation and meal allowances fixed by Determination 9 of 2019.
12. No other submissions were received by the Tribunal in relation to this review.

CONCLUSION

13. The Tribunal has considered the submissions put to the Tribunal by the JRCC that the accommodation and meal allowances for judicial and other officers not be increased at the time of this review. The Tribunal considers that submission to have a sound basis, having regard to the economic and social circumstances of the State at the time of this review.
14. Accordingly, no increases have been applied to the amounts of the accommodation and meal allowances on this occasion.
15. In the course of this review, the Tribunal has identified opportunities to make the definitions and terms of the accompanying Determination clearer. Accordingly, the Tribunal has made amendments to the definitions and terms of the accommodation and meal allowances within the accompanying Determination 13 of 2020.



Matthew O'Callaghan
PRESIDENT



Deborah Black
MEMBER



Peter de Cure
MEMBER

Dated this 7th day of December 2020