



No. 14 of 2021

REPORT OF THE REMUNERATION TRIBUNAL
CONVEYANCE ALLOWANCE – JUDGES, COURT OFFICERS AND
STATUTORY OFFICERS

INTRODUCTION

1. Section 13 of the *Remuneration Act 1990* (“the Act”) provides that the Remuneration Tribunal (“the Tribunal”) has jurisdiction to determine the remuneration payable to members of the judiciary and holders of the public 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 conveyance allowances payable to Judges, Court Officers and certain Statutory Officers. The conveyance allowance is provided for meeting the costs associated with leasing a motor vehicle through Fleet SA.

BACKGROUND

5. The last review of the conveyance allowance was conducted in 2020, which resulted in no increase to the amounts of conveyance allowances within Determination 15 of 2018.

PROCEDURAL HISTORY

6. Section 10(2) of the Act, requires that before the making of a Determination affecting the remuneration of a particular person, or persons of a particular class, the Tribunal must allow that person, or persons of that class, a reasonable opportunity to make submissions.
7. 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.
8. The Tribunal, by letters dated 19 October 2021, sent notifications of the review to the Judicial Remuneration Coordinating Committee (“JRCC”), the Magistrates Association of South Australia (“MASA”), and the Premier, as the Minister responsible for the Act.
9. The Tribunal, by letters dated 28 October 2021, sent notifications of the review to the Electoral Commissioner, Deputy Electoral Commissioner, the Health and Community Services Complaints Commissioner, and the Auditor-General.
10. Additionally, on 19 October 2021, a notice of the review was also placed on the Tribunal’s website.

SUBMISSIONS

11. A submission was received from the JRCC. The JRCC submitted that the Tribunal should review the amount of the conveyance allowance in the usual way.
12. No other submissions were received by the Tribunal in relation to this review.

CONCLUSION

13. The Tribunal has observed movements in the cost basis for Fleet SA vehicles in reviewing the levels of conveyance allowances. Movements in those costs have not shown sufficient justification to apply an increase to the levels of conveyance allowance on this occasion. Accordingly, the levels of conveyance allowance will not be increased.
14. The Tribunal notes that this report and the accompanying Determination acknowledges parking provisions for Fleet SA vehicles available for general use. No monetary amount for these arrangements has been identified.
15. The Tribunal has added the newly created judicial offices established by the *Supreme Court (Court of Appeal) Amendment Act 2019* to the terms of the accompanying Determination.
16. The Tribunal has removed its transitional provision for Judge Hannon of the SAET, as SAET have confirmed that Judge Hannon is no longer serving as a member of the SAET.



Matthew O'Callaghan
PRESIDENT



Deborah Black
MEMBER



Peter de Cure
MEMBER

Dated this 14th day of December 2021