



No. 8 of 2022

## DETERMINATION OF THE REMUNERATION TRIBUNAL

### Accommodation and Meal Allowances – Judges, Court Officers and Statutory Officers

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#### SCOPE OF DETERMINATION

1. This Determination applies to Judges, Court Officers, and Statutory Officers.

#### INTERPRETATION

2. In this Determination, unless the contrary appears:

**“Commercial Accommodation”** means short term (not permanent) accommodation in a commercial establishment such as a hotel, motel or serviced apartment and must be a genuine arms-length commercial transaction. Commercial Accommodation does not include AirBnB or other “sharing economy” type accommodation.

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

**“Incurs Actual Expenditure”** means an amount of money spent by a Judge, Court Officer or Statutory Officer.

**“Judge”** means any of the following members of the judiciary:

the Chief Justice of the Supreme Court;  
the President of the Court of Appeal;  
the Judges of the Court of Appeal;  
the Puisne Judges of the Supreme Court;  
the Masters of the Supreme Court;  
the Chief Judge of the District Court;  
the Judges of the Environment, Resources and Development Court;  
the Masters of the District Court;  
the Other District Court Judges;  
the Judges of the South Australian Employment Tribunal;  
the Chief Magistrate;  
the Magistrates;  
the Magistrates of the South Australian Employment Tribunal;  
the State Coroner; and  
the Deputy State Coroner.

**“Meals”** means food or drink purchased by a Judge, Court Officer or Statutory Officer in connection with an allowance payable under this Determination.

**“Metropolitan Adelaide”** bears the same meaning as defined in the *Development Act 1993*.

**“Official Duties”** means activities undertaken by a Judge, Court Officer or Statutory Officer in relation to their duties as either a Judge, Court Officer or Statutory Officer.

**“Per Diem”** means per day in relation to the allowances payable under this Determination.

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

the Auditor General;

the Electoral Commissioner;

the Deputy Electoral Commissioner;

the Health and Community Services Complaints Commissioner;

the Deputy President of the South Australian Civil and Administrative Tribunal.

**“Sydney”** means locations which are less than 10km by road from the Sydney General Post Office (by the most direct route), or less than 5km by road from Sydney’s principal airport (by the most direct route).

### **ACCOMMODATION AND MEAL ALLOWANCES**

3. A Judge, Court Officer or Statutory Officer who incurs actual expenditure for both commercial accommodation and meals when travelling for the purpose of performing their official duties and which necessitates absence from home overnight shall be entitled to be paid a per diem accommodation and meal allowance, as follows
  - 3.1. Within Metropolitan Adelaide:
    - 3.1.1. An allowance at the rate of \$350.00 per day for the purpose of meeting expenditure in relation to commercial accommodation and meals.
  - 3.2. Outside Metropolitan Adelaide, but within South Australia:
    - 3.2.1. An allowance at the rate of \$321.00 per day for the purpose of meeting expenditure in relation to commercial accommodation and meals.
  - 3.3. Outside South Australia, but within Australia (other than Sydney):
    - 3.3.1. An allowance at the rate of \$490.00 per day for the purpose of meeting expenditure in relation to commercial accommodation and meals.
  - 3.4. Sydney:
    - 3.4.1. An allowance at the rate of \$558.00 per day for the purpose of meeting expenditure in relation to commercial accommodation and meals.
  - 3.5. Office holders who travel interstate and return on the same day may be reimbursed for lunch only on the basis of actual expenditure up to \$25.80. Reimbursement is not to be made for lunch during single day absences within South Australia.
  - 3.6. 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 3.1, 3.2, 3.3, or 3.4, then a further payment calculated at the rate of one half of the allowance shall be paid with respect to the excess hours.

### **RESTORED HALF-DAY ALLOWANCE FROM 7 December 2020 to 31 December 2022**

4. Determinations 13 of 2020 and 15 of 2021 are to be read as if the following was always included as clause 3.6:

*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 3.1, 3.2, 3.3, or 3.4, then a further payment calculated at the rate of one half of the allowance shall be paid with respect to the excess hours.*

**DATE OF OPERATION**

- 5. This Determination operates from 1 January 2023, with the exception of clause 4 which has immediate effect. It supersedes Determination 15 of 2021.



Matthew O'Callaghan  
**PRESIDENT**



Deborah Black  
**MEMBER**



Peter de Cure AM  
**MEMBER**

Dated: 14 December 2022