

AUSTRALIAN CAPITAL TERRITORY  
 REMUNERATION (AMENDMENT) ORDINANCE (NO. 2) 1978  
 AND LAND VALUATION (AMENDMENT) ORDINANCE 1978  
 ORDINANCE NOS. 48 AND 50 OF 1978

EXPLANATORY STATEMENT

The Remuneration Ordinance 1976 prescribes the remuneration which is payable to a part-time member of certain prescribed A.C.T. statutory bodies in respect of his attendance at meetings, engagement on business and overnight absences from his place of residence arising from the business of the body.

The Remuneration Tribunal constituted under the Remuneration Tribunal Act 1973, in a determination which came into effect on 1 July 1978, recommended increases in various fees and allowances payable to part-time holders of statutory offices. The Remuneration (Amendment) Ordinance (No. 2) 1978 maintains the relationship between the Remuneration Ordinance 1976 and the determinations of the Remuneration Tribunal, by increasing the fees and allowances payable to a chairman and a member of a prescribed authority as follows:

	Chairman		Member	
	Old	New	Old	New
	\$	\$	\$	\$
• Daily rate where the duration of the meeting attended on that day or the period during which the chairman or member is engaged with authority approval on that day on business of the authority is				
(a) not less than 3 hours	70	90	55	72
(b) less than 3 hours	no change		35	36
• Travelling allowance	45	49	45	49

The increases are effective from 1 July 1978.

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At present the Remuneration Ordinance 1976 does not enable payment of fees and allowances to be made at the rates applicable to a chairman, to a member who performs the functions and accepts the responsibilities of the chairman, in the absence of a formal appointment of the member to act as chairman. The Remuneration (Amendment) Ordinance (No. 2) 1978 remedies this deficiency.

The Remuneration (Amendment) Ordinance (No. 2) 1978 replaces section 3(2) with a provision to the same effect as section 7(11) of the Remuneration Tribunal Act 1973. Under that section payments which are prescribed, authorised or approved by or under any other law of Australia or any law of a Territory, may be made to part-time holders of public offices where such persons are full-time employees, inter alia, of the Commonwealth. In contrast the Remuneration Ordinance prohibits the payment of fees and allowances to full-time public servants. This enables the Minister for the Capital Territory to authorise by regulation the payment of fees and allowances to part-time statutory office holders who are also full-time employees of the Commonwealth in accordance with criteria for payment which have been determined by the Government.

The Land Valuation (Amendment) Ordinance 1978 enables the Land Commissioner to be paid the same fees and allowances as will be payable to the chairman of a prescribed authority under the Remuneration Ordinance 1976. The Land Commissioner hears appeals from determinations of the Minister setting the rent payable in respect of leases of land under the Leases Ordinance 1918.

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