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LEGISLATIVE ASSEMBLY
FOR THE AUSTRALIAN CAPITAL TERRITORY

SUPREME COURT ACT 1933

**SUPREME COURT (REMUNERATION AND
ALLOWANCES) REGULATIONS**

EXPLANATORY STATEMENT

Circulated by authority of

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EXPLANATORY STATEMENT

SUPREME COURT (REMUNERATION AND ALLOWANCES) REGULATIONS

OUTLINE

Section 4A of the *Supreme Court Act 1933* provides that the Executive may appoint a suitably qualified person as an acting Judge of the Supreme Court.

Section 73 of the *Australian Capital Territory (Self-Government) Act 1988* of the Commonwealth provides for the remuneration and allowances of specified office holders to be either specified by a Territory enactment or determined by the Commonwealth Remuneration Tribunal. A Judge of the Supreme Court is one of the specified office holders.

Section 75 of the *Supreme Court Act* empowers the Executive to make regulations, not inconsistent with the Act, prescribing matters required or permitted by the Act to be prescribed or necessary or convenient to be prescribed for giving effect to the Act.

The Supreme Court (Remuneration and Allowances) Regulations set out an acting Judge's entitlement to remuneration and travelling allowance.

SUBSTANTIVE DETAILS

Regulation 1 specifies the short title of the Regulations.

Regulation 2 provides that the Regulations will commence upon notification in the *Gazette*.

Subregulation 3(1) provides that an acting Judge is entitled to receive \$1,500 for each day on which the acting Judge is engaged in the business of the Court.

Subregulation 3(2) provides that an acting Judge is to receive \$300 for each night spent away from his or her home in connection with the business of the Court.

FINANCIAL IMPLICATIONS

In respect of daily remuneration, the financial impact of the Regulations is directly linked to the number of days on which an acting Judge sits.

With regard to overnight travelling allowance, the entitlement depends on whether the acting Judge's home is in, or away from, Canberra and, in the latter case, the number of nights spent away from that home.