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30 JUL 2014

REMUNERATION TRIBUNAL

Please address
all communications to
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ADELAIDE SA 5001

www.remunerationtribunal.sa.gov.au

29 July 2014

The Hon Jay Weatherill MP
Premier of South Australia
GPO Box 2343
ADELAIDE SA 5001

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Dear Premier

Review of Government Boards and Committees

I refer to your letter of 8 July 2014, in which you advise that the Government proposes to reform government boards and committees, and to effectively abolish every board and committee unless it can be demonstrated that it has an essential purpose that cannot be met through other means.

You have written to me as President of the Remuneration Tribunal of South Australia, and as invited by you, I hereby provide reason as to why I believe the Remuneration Tribunal should be exempt from being abolished.

The role of the Remuneration Tribunal is to review and make determinations, independent of Government, with respect to the salaries, allowances, expenses, fees and other benefits of a pecuniary nature payable to judges, magistrates, industrial judicial officers, numerous statutory office holders, members of the Electoral Districts Boundaries Commission and elected members of local councils. While in terms of existing legislation the Remuneration Tribunal is not responsible for reviewing and determining the basic and additional salaries of Members of Parliament, the Tribunal does determine the electoral allowances, rules relating to travel expenditure, accommodation and meal allowances whilst travelling for Members of Parliament.

The Tribunal is not only responsible for the remuneration determination roles and responsibilities imposed under the *Remuneration Act 1990*, but also under the following statutes:

- *City of Adelaide Act 1998*
- *Constitution Act 1934*
- *District Court Act 1991*
- *Electoral Act 1985*
- *Fair Work Act 1994*
- *Local Government Act 1999*
- *Magistrates Act 1983*
- *Parliamentary Remuneration Act 1990*
- *Supreme Court Act 1935*

Furthermore, in terms of Section 14 of the *Remuneration Act 1990*, the Tribunal has jurisdiction to determine the remuneration or a specified part of the remuneration payable in respect of any office where such jurisdiction is conferred on the Tribunal by the Governor by Proclamation. There are several examples where the Governor has conferred jurisdiction to determine the remuneration of certain statutory office holders (eg: the Auditor-General).

In terms of Section 11 of the *Remuneration Act 1990*, the Tribunal has the powers of a Royal Commission.

In summary, the role of the Tribunal is one of determining the remuneration of officers of public office where the determination needs to be undertaken by a body independent of the Government to ensure there is no political interference in the decision making process. It is against that background, role and responsibility that there is a clear need for the Remuneration Tribunal not to be dissolved and its existence maintained. It is not possible to have the remuneration determining role and responsibility, with clear independence of Government, the Judiciary and the Parliament, met through other means.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Deane Prior', with a long horizontal line extending to the right.

Deane Prior
PRESIDENT

PREM14D03911



Hon Jay Weatherill MP
Premier of South Australia

Ms Deane Prior
President
Remuneration Tribunal
GPO Box 2343
ADELAIDE SA 5001

Dear Ms Prior

Thank you for your letter of 29 July 2014 to the Premier of South Australia, the Hon Jay Weatherill MP, about the review of Government Boards and Committees.

Your letter is currently receiving attention.

Yours sincerely

A handwritten signature in black ink, appearing to read "Jay Weatherill", enclosed within a dashed oval.

**Premier's Correspondence Unit
Office of the Premier**

30 July 2014

