



# **Remuneration and Allowances Act 1990**

## **Act No. 71 of 1990 as amended**

This compilation was prepared on 5 August 2011  
taking into account amendments up to Act No. 75 of 2011

The text of any of those amendments not in force  
on that date is appended in the Notes section

The operation of amendments that have been incorporated may be  
affected by application provisions that are set out in the Notes section

Prepared by the Office of Legislative Drafting and Publishing,  
Attorney-General's Department, Canberra



---

# Contents

<b>Part 1—Preliminary</b>	1
1    Short title [see Note 1].....	1
2    Commencement [see Note 1].....	1
<b>Part 2—Remuneration and allowances</b>	2
3    Operation of Part .....	2
3A   Operation of Remuneration Tribunal Determination .....	3
4    Remuneration and allowances of holders of judicial offices etc. ....	3
5    Remuneration and allowances of Secretaries of Departments and holders of public offices.....	3
6    Senators and Members of the House of Representatives .....	3
7    Ministers and office holders of the Parliament .....	3
8    Appropriation .....	3
8A   Regulations.....	3
<b>Part 3—Amendments of Industrial Relations Act 1988</b> (section 9, 10)	5
<b>Schedule 1—Holders of Judicial and other offices</b>	6
<b>Part 1</b>	6
<b>Part 2</b>	6
<b>Part 3</b>	7
<b>Part 4</b>	8
<b>Part 5</b>	8
<b>Schedule 2—Secretaries of Departments and holders of public           offices</b>	10
<b>Part 1—Secretaries of Departments of State</b>	11
<b>Part 2—Secretaries of Parliamentary Departments</b>	12
<b>Part 3—Full-time holders of public offices</b>	12
<b>Schedule 3—Senators and Members of the House of           Representatives</b>	15
<b>Part 1—Salary sacrifice</b>	15
1A   Definitions.....	15
1B   Meaning of <i>complying superannuation fund</i> .....	16

---

1C	When may a person elect to salary sacrifice? .....	16
1D	The nature of the salary sacrifice election .....	17
1E	How to make an election .....	17
1F	Duration of an election .....	18
1G	Effect of an election.....	18
1H	Variation of an election .....	20
1I	Revocation of an election .....	21
<b>Part 2—Electorate and other allowances</b>		<b>22</b>
2	Electorate allowance.....	22
3	Other allowances .....	22
<b>Schedule 4—Ministers and office holders of the Parliament</b>		<b>23</b>
<b>Notes</b>		<b>27</b>

---

# **An Act relating to certain remuneration and allowances**

## **Part 1—Preliminary**

### **1 Short title** [see Note 1]

This Act may be cited as the *Remuneration and Allowances Act 1990*.

### **2 Commencement** [see Note 1]

- (1) Subject to subsection (2), this Act commences on the day on which it receives the Royal Assent.
- (2) Part 3 commences on 1 July 1990.

## Part 2—Remuneration and allowances

### 3 Operation of Part

- (1) This Part has effect in spite of:
  - (a) anything in any Determination of the Remuneration Tribunal made on or before 1 June 1990; or
  - (b) any provision of an Act, being a provision providing for the remuneration or allowances of the holder of an office to be determined by the Remuneration Tribunal (including section 21 of the *Workplace Relations Act 1996*); or
  - (c) any provision in the *Judicial and Statutory Officers (Remuneration and Allowances) Act 1984* that is inconsistent with this Part.
- (2) Where, after 1 June 1990, the Remuneration Tribunal has made, or makes, a Determination that is inconsistent with a provision of this Act:
  - (a) subject to subsection (3), the Determination operates according to its terms in spite of the provision of this Act; and
  - (b) the provision of this Act ceases to operate.
- (3) A Determination referred to in subsection (2) that purports to take effect from a day earlier than 1 June 1990 takes effect on 1 June 1990.
- (4) Where a resolution disapproving of a Determination referred to in subsection (2) is passed as mentioned in subsection 7(8) of the *Remuneration Tribunal Act 1973*, the provision of the Act overridden by the Determination operates with effect from the day on which the resolution is passed.
- (5) Nothing in this Part affects the operation of:
  - (a) the *Parliamentary Entitlements Act 1990*; or
  - (b) Determinations Nos. 15, 16 and 22 of 1989 of the Remuneration Tribunal dated 16 November 1989.

**3A Operation of Remuneration Tribunal Determination**

Determination No. 12 of 1994 of the Remuneration Tribunal, dated 30 June 1994, does not operate on or after the date of commencement of this section.

**4 Remuneration and allowances of holders of judicial offices etc.**

The holders of the offices specified in Schedule 1 are entitled to remuneration and allowances in accordance with the provisions of that Schedule.

**5 Remuneration and allowances of Secretaries of Departments and holders of public offices**

The holders of the offices specified in Schedule 2 are entitled to remuneration and allowances in accordance with the provisions of that Schedule.

**6 Senators and Members of the House of Representatives**

Schedule 3 has effect.

**7 Ministers and office holders of the Parliament**

The holders of the offices specified in Schedule 4 are entitled to remuneration and allowances in accordance with the provisions of that Schedule.

**8 Appropriation**

The salaries, allowances and contributions payable under this Act are to be paid out of the Consolidated Revenue Fund, and the Fund is accordingly appropriated for that purpose.

**8A Regulations**

The Governor-General may make regulations prescribing matters:

- (a) required or permitted by this Act to be prescribed; or
- (b) necessary or convenient to be prescribed for carrying out or giving effect to this Act.





**Part 3—Amendments of Industrial Relations Act  
1988** (sections 9, 10)

**Note:**

The amendments made by this Part are incorporated in the compilation on ComLaw.

Industrial Relations Act 1988

[now cited as *Workplace Relations Act 1996*].

For access to the wording of the amendments made by this Part, see Act No. 71, 1990.

---

## Schedule 1—Holders of Judicial and other offices

Section 4

1. In respect of the period starting on 1 January 1990 and ending on 30 June 1990, the holders of the offices specified in this Schedule are taken to have been, and to be, entitled to remuneration and allowances at the rates, and subject to the conditions, that would have been applicable to them from 1 January 1990 if Determination No. 11 of the Remuneration Tribunal dated 23 May 1990 had not been made.
2. In respect of periods from or after 1 July 1990, the holders of the offices specified in this Schedule are entitled to salary at the rates set out below with effect from the dates specified.

### Part 1

Office	Rate per annum of Salary	
	from 1.7.90 \$	from 1.1.91 \$
Chief Justice of the High Court	170,503	180,733
Justice of the High Court	154,991	164,290

### Part 2

Office	Rate per annum of Salary	
	from 1.7.90 \$	from 1.1.91 \$
Chief Justice of the Federal Court	143,789	152,416
Chief Justice of the Family Court	143,789	152,416
Chief Justice of the Supreme Court of the Australian Capital Territory	136,031	144,193
Deputy Chief Justice of the Family Court	135,195	143,307
Judge of the Federal Court	131,734	139,638

<b>Office</b>	<b>Rate per annum of Salary</b>	
	<b>from 1.7.90</b> \$	<b>from 1.1.91</b> \$
Judge Administrator of the Family Court	131,734	139,638
Judge assigned to the Appeal Division of the Family Court	131,734	139,638
Senior Judge of the Family Court	131,734	139,638
Any other Judge of the Family Court	131,734	139,638
Judge of the Supreme Court of the Australian Capital Territory	131,734	139,638

### Part 3

<b>Office</b>	<b>Rate per annum of Salary</b>	
	<b>from 1.7.90</b> \$	<b>from 1.1.91</b> \$
President of the Administrative Appeals Tribunal	131,734	139,638
President of the Australian Competition Tribunal	131,734	139,638
President of the Law Reform Commission	131,734	139,638
Solicitor-General	The salary and allowances payable to a Judge of the Federal Court of Australia	

## Part 4

Office	Rate per annum of Salary		
	from 1.7.90 \$	from 1.1.91 \$	from 1.7.91 \$
Master, Supreme Court of the Australian Capital Territory	97,590	104,421	111,710
Judicial Registrar of the Family Court of Australia	88,988	96,463	104,729

## Part 5

Office	Rate per annum of Salary
	from 1.7.90 \$
President, Australian Industrial Relations Commission	143,789
Deputy President, Australian Industrial Relations Commission	131,734
Commissioner, Australian Industrial Relations Commission	92,214

### 3. Additional Remuneration

A Judge who is also Aboriginal Land Commissioner, Chairperson of the Australian Electoral Commission, Chief Judge of the Supreme Court of Norfolk Island, President of the Administrative Appeals Tribunal, President of the Law Reform Commission or President of the Australian Competition Tribunal is to receive \$750 per annum in addition to the rate per annum of salary of the office of Judge.

4. High Court Canberra Allowance

An allowance at the rate of \$16,524 per annum is payable from 5 December 1989 to the Chief Justice and Justices of the High Court of Australia who do not establish their places of residence in Canberra.

5. Travelling Allowance

The rates and conditions of payment of travelling allowance for holders of offices specified in Parts 1 and 2 of clause 2, President of the Administrative Appeals Tribunal, President of the Australian Competition Tribunal, President of the Law Reform Commission, President of the Australian Industrial Relations Commission and Deputy Presidents of the Australian Industrial Relations Commission are as determined in Determination No. 3 of 1990 of the Remuneration Tribunal. The rates of payment of travelling allowance for Commissioners of the Australian Industrial Relations Commission are as determined in Determination No. 18 of 1989 of the Remuneration Tribunal. Other office holders are to have the same rates and conditions of payment of travelling allowance as are determined in clause 4.1 of Part 4 of Determination No. 2 of 1990 of the Remuneration Tribunal.

6. Wage Adjustments

The rates of salary specified in clause 2 are to be adjusted in accordance with safety net review decisions relating to allowances made by the Australian Industrial Relations Commission after the commencement of this Act.

7. Annual Leave Loading

An annual leave loading is payable to:

- (a) the holder of an office specified in Part 4 of clause 2; and
- (b) the holder of an office of Commissioner, Australian Industrial Relations Commission;

on the same terms and conditions applying to persons engaged under the *Public Service Act 1999*.

---

## Schedule 2—Secretaries of Departments and holders of public offices

Section 5

1. Subject to clause 2, in respect of the period starting on 1 January 1990 and ending on 30 June 1990, the holders of the offices specified in this Schedule are taken to have been, and to be, entitled to remuneration and allowances at the rates, and subject to the conditions, that would have been applicable to them from 1 January 1990 if Determination No. 12 of the Remuneration Tribunal dated 23 May 1990 had not been made.
2. (1) In respect of the period:
  - (a) starting when a holder of an office specified in this clause was appointed to that office; and
  - (b) ending on 30 June 1990;the holder of that office is taken to have been, and to be, entitled to salary at the rate set out below.

Office	Rate per annum of salary \$
Chairperson, Industry Commission	98,536
Executive Commissioner, Industry Commission	92,390
Commissioner, Industry Commission	88,533
Associate Commissioner, Industry Commission	82,333

(2) The rates and conditions of payment of travelling allowance for the Chairperson and Executive Commissioner of the Industry Commission are as determined in Clause 4.1 of Part 4 of Determination No. 2 of 1990 of the Remuneration Tribunal.

(3) The rates and conditions of payment of travelling allowance for a Commissioner or Associate Commissioner of the Industry Commission are as determined in Clause 4.2 of Part 4 of Determination No. 2 of 1990 of the Remuneration Tribunal.

3. With effect from 1 July 1990, the holders of the offices specified in this Schedule are entitled to salary at the rates set out below.

## **Part 1—Secretaries of Departments of State**

### **Salaries**

<b>Departments of State</b>	<b>Rate per annum of salary</b> \$
Basic rate	111,004
The Secretary to the Department of Defence	126,848
The Secretary to the Department of the Prime Minister and Cabinet	126,848
The Secretary to the Department of the Treasury	126,848
The Secretary to the Department of Administrative Services	117,258
The Secretary to the Attorney-General's Department	117,258
The Secretary to the Department of the Arts, Sport, the Environment, Tourism and Territories	117,258
The Secretary to the Department of Community Services and Health	117,258
The Secretary to the Department of Employment, Education and Training	117,258
The Secretary to the Department of Industrial Relations	117,258
The Secretary to the Department of Finance	117,258
The Secretary to the Department of Foreign Affairs and Trade	117,258
The Secretary to the Department of Immigration, Local Government and Ethnic Affairs	117,258
The Secretary to the Department of Industry, Technology and Commerce	117,258
The Secretary to the Department of Primary Industries and Energy	117,258
The Secretary to the Department of Social Security	117,258
The Secretary to the Department of Transport and Communications	117,258
The Secretary to the Department of Veterans' Affairs	117,258

---

## Part 2—Secretaries of Parliamentary Departments

Parliamentary Departments	Rate per annum of Salary \$
The Clerk of the Senate	99,949
The Clerk of the House of Representatives	99,949

## Part 3—Full-time holders of public offices

Office	Rate per annum of Salary \$
Chief of the Defence Force	126,848
Managing Director, Australian Broadcasting Corporation	126,848
Managing Director, Australian Trade Commission	126,848
Director of Public Prosecutions	124,367
Royal Commissioner, Royal Commission into Aboriginal Deaths in Custody	120,100
Auditor-General for Australia	117,258
Chairperson, Aboriginal and Torres Strait Islander Commission	117,258
Chair, Australian Wheat Board	117,258
Chairperson, Australian Competition and Consumer Commission	117,258
Chairperson, National Board of Employment, Education and Training	117,258
Chief Executive, Commonwealth Scientific and Industrial Research Organisation	Remuneration as determined in Determination No. 1 of 1990
Chief Executive Officer, Civil Aviation Authority	117,258
Commissioner, Australian Federal Police	117,258
Commissioner of Taxation	117,258
Commonwealth Ombudsman	117,258
Comptroller-General of Customs	117,258
First Parliamentary Counsel	117,258

---



<b>Office</b>	<b>Rate per annum of Salary \$</b>
Principal Member, Superannuation Fund Investment Trust	117,258
Public Service Commissioner	117,258
Chairperson, Industry Commission	117,258
Australian Statistician	111,004
Chairperson, Commonwealth Grants Commission	111,004
Chief Executive Officer, Aboriginal and Torres Strait Islander Commission	111,004
Chief Executive Officer, Federal Airports Corporation	111,004
Chief of Navy	111,004
Chief of Army	111,004
Chief of Air Force	111,004
Deputy Managing Director, Australian Trade Commission	111,004
Deputy President (non-judicial), Administrative Appeals Tribunal	111,004
Executive Director, Australian Nuclear Science and Technology Organisation	111,004
Director-General, Australian Security Intelligence Organisation	111,004
Director-General, Office of National Assessments	111,004
Human Rights Commissioner	111,004
Inspector-General of Intelligence and Security	111,004
Insurance and Superannuation Commissioner	111,004
Second Commissioner of Taxation	111,004
Member, National Crime Authority	111,004
Chair, Albury-Wodonga Development Corporation	99,949
Commissioner for Community Relations	99,949
Deputy Chairperson, National Board of Employment, Education and Training	99,949
Electoral Commissioner	99,949
Director, Australian Institute of Criminology	99,949

**Schedule 2** Secretaries of Departments and holders of public offices

---

<b>Office</b>	<b>Rate per annum of Salary \$</b>
Executive Member, Pipeline Authority	99,949
Chief Executive, Parliament House Construction Authority	99,949
General Manager, Australia Council	99,949
Executive Commissioner, Industry Commission	99,949
Commissioner, Industry Commission	92,333
Associate Commissioner, Industry Commission	82,333

4. The rates of salary specified in clause 3 as applicable from 1 July 1990 are to be adjusted in accordance with:
  - (a) wage-setting decisions of the Australian Fair Pay Commission; or
  - (b) if the Australian Fair Pay Commission has not yet made its first wage-setting decision—the Statement of Principles enunciated by the Australian Industrial Relations Commission in its 2005 Safety Net Review Decision.
5. An annual leave loading is payable to Secretaries of Departments and holders of full-time Public Offices on the same terms and conditions applying to persons engaged under the *Public Service Act 1999*.
6. Where a Secretary of a Department or a holder of a full-time Public Office holds an office located in a region or district which is classified for the purposes of District Allowance, the holder of the office is to be paid a District Allowance at the rates and on the conditions prescribed for officers of the Australian Public Service.
7. The rates and conditions of payment of travelling allowance for the holders of offices specified in clause 3 are as determined in Part 4 of Determination No. 2 of 1990 and in Part 1 of Determination No. 18 of 1989 of the Remuneration Tribunal.

## **Schedule 3—Senators and Members of the House of Representatives**

Section 6

### **Part 1—Salary sacrifice**

#### **1A Definitions**

In this Part:

***administering authority*** means:

- (a) in relation to a person who is or will be a senator—the Clerk of the Senate; and
- (b) in relation to a person who is a member of the House of Representatives—the Clerk of the House of Representatives.

***allowance by way of salary*** has the same meaning as in the *Parliamentary Superannuation Act 2004*.

***chosen basic contributions fund***, in relation to a person, means the fund, scheme or account (if any) specified in a notice given by the person that is in force under Division 2 of Part 2 of the *Parliamentary Superannuation Act 2004*.

***complying superannuation fund*** has the meaning given by clause 1B.

***default basic contributions fund*** means the fund or scheme that is the default fund under Division 3 of Part 2 of the *Parliamentary Superannuation Act 2004*.

***month*** means one of the 12 months of the year.

***new scheme contribution period***, in relation to a person, has the same meaning as in the *Parliamentary Superannuation Act 2004*.

***office holder*** has the same meaning as in the *Parliamentary Superannuation Act 2004*.

***parliamentary allowance*** means parliamentary base salary (within the meaning of the *Remuneration Tribunal Act 1973*).

Clause 1B

---

**RSA** has the same meaning as in the *Retirement Savings Accounts Act 1997*.

**salary**, in relation to a Minister of State, does not include any allowance.

**self managed superannuation fund** has the same meaning as in the *Superannuation Industry (Supervision) Act 1993*.

**1B Meaning of complying superannuation fund**

- (1) For the purposes of this Part, a fund or scheme is a **complying superannuation fund** at a particular time if, and only if:
  - (a) the fund or scheme is a complying superannuation fund for the purposes of the *Income Tax Assessment Act 1997* in relation to the year of income in which the time occurs; and
  - (b) the fund or scheme is a superannuation fund as defined by subsection 6(1) of the *Income Tax Assessment Act 1936*.
- (2) In applying paragraph (1)(a) in relation to a fund or scheme and a particular time, the following are to be disregarded:
  - (a) any notice that is given after that time under section 40 of the *Superannuation Industry (Supervision) Act 1993* and that relates to the fund or scheme and the year of income in which the time occurs;
  - (b) any revocation or setting aside, after that time, of a notice given before that time under section 40 of the *Superannuation Industry (Supervision) Act 1993* and that relates to the fund or scheme and the year of income in which the time occurs or an earlier year of income.

**1C When may a person elect to salary sacrifice?**

A person (the **member**) may make an election as described in clause 1D if, and only if:

- (a) the election is made during a new scheme contribution period of the person; or
- (b) the election is made before the start of a new scheme contribution period of the person and at a time when:
  - (i) the person has been elected to the Senate, but his or her entitlement to parliamentary allowance as a senator has not yet commenced; or

- (ii) the person has been chosen or appointed to hold the place of a senator in accordance with section 15 of the Constitution, but his or her entitlement to parliamentary allowance as a senator has not yet commenced.

### **1D The nature of the salary sacrifice election**

- (1) The member may elect to forgo a percentage or amount of the parliamentary allowance that he or she would otherwise expect to receive and instead have contributions (the *additional contributions*) made to a specified fund, scheme or account (the *additional contributions fund*).

Note: An election can be varied or revoked (see clauses 1H and 1I).

- (2) The specified fund, scheme or account must, at the time the election is made, be either:
  - (a) a complying superannuation fund that is not a self managed superannuation fund; or
  - (b) an RSA.
- (3) There can only be one additional contributions fund at any particular time in relation to the member.

### **1E How to make an election**

- (1) An election must be in writing and be signed by the member.
- (2) The election must:
  - (a) specify the percentage or amount (the *specified salary sacrifice*) of parliamentary allowance that is forgone; and
  - (b) specify the name of, and contact details for, the additional contributions fund; and
  - (c) specify the date (the *start date*) from which the election is to have effect, being a date:
    - (i) that is the first day of the next month following the month in which the election is made, or the first day of a later month; and
    - (ii) if the election is made before the start of a new scheme contribution period of the person as permitted by paragraph 1C(b)—that is not before the start of the new scheme contribution period; and

Clause 1F

---

- (d) contain such other information (if any) as is required by the regulations.
  - (3) The specified salary sacrifice must be either:
    - (a) a specified percentage of the monthly amount of parliamentary allowance; or
    - (b) a specified amount per month.
- Note: In deciding what amount or percentage to specify, consideration should be given to the effect of subclause 1G(3).
- (4) The election must be accompanied by evidence that the additional contributions fund will accept the additional contributions. However such evidence is not required if:
    - (a) the additional contributions fund is the default basic contributions fund; or
    - (b) the additional contributions fund is the chosen basic contributions fund of the member, and the evidence that accompanied the notice choosing that fund indicates that the fund will accept the additional contributions.
  - (5) The election must be given to the administering authority.
  - (6) For the purpose of subparagraph (2)(c)(i), the election is *made* when it is given to the administering authority.

**1F Duration of an election**

An election comes into force on the start date for the election and remains in force until whichever of the following occurs first:

- (a) the contribution payable under this Part in respect of the month in which the member next ceases to be entitled to parliamentary allowance has been paid; or
- (b) a revocation of the election takes effect (see clause 1I).

**1G Effect of an election**

- (1) If the member makes an election in accordance with clauses 1C, 1D and 1E, then this clause has effect in relation to each month during the period when the election is in force.
  - (2) Subject to subclauses (3) and (5), the amount (the *basic amount*) of parliamentary allowance to which the member would otherwise be entitled in respect of a month is reduced (but not below zero) by
-

whichever of the following amounts (the **reduction amount**) is applicable:

- (a) if the specified salary sacrifice is a percentage—the amount that is that percentage of the basic amount;
  - (b) if the specified salary sacrifice is an amount—that amount.
- (3) If the reduction amount for a month is greater than the amount (the **maximum reduction**) that is 50% of the sum of:
- (a) the basic amount; and
  - (b) the amount (if any) of salary to which the member is entitled because he or she was a Minister of State for some or all of the month; and
  - (c) the amount (if any) of allowance by way of salary to which the member is entitled because he or she was an office holder for some or all of the month;
- the basic amount for the month is instead reduced by the maximum reduction.
- (4) Subject to subclause (5), the Commonwealth must, in respect of each month, make a contribution to the additional contributions fund, in respect of the member, of an amount equal to the amount by which the basic amount for the month is reduced under subclause (2) or (3).
- (5) If either:
- (a) the additional contributions fund:
    - (i) ceases to exist; or
    - (ii) ceases to accept the additional contributions; or
    - (iii) ceases to be a complying superannuation fund or an RSA; or
    - (iv) becomes a self managed superannuation fund; or
  - (b) the member dies;
- before the Commonwealth makes a contribution as required by subclause (4) in respect of a month, then:
- (c) no reduction under subclause (2) or (3) is to be made in respect of that month; and
  - (d) no contribution under subclause (4) is to be made in respect of that month.

Clause 1H

---

**1H Variation of an election**

- (1) The member may vary an election he or she has made by notice in writing signed by the member and given to the administering authority.
- (2) The only variations that are permitted are:
  - (a) to change the additional contributions fund to another fund or scheme that is, at the time notice is given:
    - (i) a complying superannuation fund that is not a self managed superannuation fund; or
    - (ii) an RSA; or
  - (b) to change the specified salary sacrifice to another specified percentage or amount that complies with subclause 1E(3); or
  - (c) to change the start date to a later date (but only if the start date has not already occurred).
- (3) The notice of variation must specify a date (the *variation date*) from which the variation is to take effect, being a date that is the first day of the next month following the giving of the notice, or the first day of a later month.
- (4) A notice of variation to change the additional contributions fund to another complying superannuation fund or RSA (the *new fund*) must:
  - (a) specify the name of, and contact details for, the new fund; and
  - (b) be accompanied by evidence that the new fund will accept the additional contributions.
- (5) However, evidence referred to in paragraph (4)(b) is not required if:
  - (a) the new fund is the default basic contributions fund; or
  - (b) the new fund is the chosen basic contributions fund of the member, and the evidence that accompanied the notice choosing that fund indicates that the fund will accept the additional contributions.
- (6) If the notice of variation complies with this clause, it varies the election accordingly (subject to any later variations) in relation to months starting on or after the variation date.



## **11 Revocation of an election**

- (1) The member may revoke an election he or she has made by notice in writing signed by the member and given to the administering authority.
- (2) The notice of revocation must specify a date from which the revocation is to take effect, being a date that is the first day of the next month following the giving of the notice, or the first day of a later month.
- (3) If the notice of revocation complies with this clause, the revocation takes effect on the specified date.

## Part 2—Electorate and other allowances

### 2 Electorate allowance

A Senator or Member of the House of Representatives is to receive an electorate allowance as follows:

	Rate per annum of electorate allowance \$
Senator:	22,685
Member: electorate of less than 2,000 square kilometres	22,685
electorate of 2,000 square kilometres or more but less than 5,000 square kilometres	26,975
electorate of 5,000 square kilometres or more	32,895

### 3 Other allowances

A Senator or Member of the House of Representatives is also entitled to the allowances and entitlements provided for by Determination No. 14 of 1990 of the Remuneration Tribunal dated 23 May 1990 (other than clause 10.2), or by any subsequent Determination of the Remuneration Tribunal providing for equivalent allowances or entitlements or for any allowance in the nature of a Social Dislocation Allowance.

---

## Schedule 4—Ministers and office holders of the Parliament

## Section 7

1. In respect of the period starting on 1 January 1990 and ending on 30 June 1990, the holders of the offices specified in this Schedule are taken to have been, and to be, entitled to allowances and additional salary at the rates, and subject to the conditions, that would have been applicable to them from 1 January 1990 if Determination No. 15 of the Remuneration Tribunal dated 23 May 1990 had not been made.
2. In respect of periods after 30 June 1990, no expenses of office allowances are payable to Ministers of State or other office holders of the Parliament.
3. With effect from 1 July 1990, the holders of the offices specified below are entitled to additional salary at the rates set out below.

Office	Rate per annum of Additional Salary \$
Leader of the Opposition	48,343
President of the Senate	45,337
Speaker of the House of Representatives	45,337
Deputy Leader of the Opposition	31,817
Leader of the Opposition in the Senate	31,817
Leader of the Third Party in the House of Representatives	25,791
Leader of a recognised non-Government party of at least 5 members not otherwise specified herein	23,348
Chairman of Committees in the Senate	12,440
Chairman of Committees in the House of Representatives	12,440
Deputy Leader of the Opposition in the Senate	11,942
Government Whip in the House of Representatives	11,942

**Schedule 4** Ministers and office holders of the Parliament

<b>Office</b>	<b>Rate per annum of Additional Salary</b> \$
Opposition Whip in the House of Representatives	10,802
Government Whip in the Senate	10,305
Opposition Whip in the Senate	10,305
Third Party Whip in the House of Representatives	5,337
Leader in the Senate of the National Party	5,337
Deputy Government Whip in the House of Representatives	2,669
Whip in the Senate of a recognised non-Government party of at least 5 members not otherwise specified herein	1,279
Deputy Government Whip in the Senate	1,279
Deputy Opposition Whip in the Senate	1,279
Deputy Opposition Whip in the House of Representatives	1,279
Deputy Chairman of Committees in the Senate	1,279
Deputy Chairman of Committees in the House of Representatives	1,279
Chairs of Parliamentary Committees	
Chair, Joint Committee of Public Accounts and Audit	9,949
Chairman, Parliamentary Standing Committee on Public Works	9,949
Chair, Joint Committee on Foreign Affairs, Defence and Trade	9,949
Chair, Joint Standing Committee on Electoral Matters	6,310
Chair, Parliamentary Joint Committee on the National Crime Authority	6,310
Chair, Parliamentary Joint Committee on ASIO, ASIS and DSD	6,310
Chair, Senate Legislative and General Purpose Standing Committee on Community Affairs	6,310

<b>Office</b>	<b>Rate per annum of Additional Salary</b> \$
Chair, Senate Legislative and General Purpose Standing Committee on Employment, Education and Training	6,310
Chair, Senate Legislative and General Purpose Standing Committee on Environment, Recreation and the Arts	6,310
Chair, Senate Legislative and General Purpose Standing Committee on Finance and Public Administration	6,310
Chair, Senate Legislative and General Purpose Standing Committee on Foreign Affairs, Defence and Trade	6,310
Chair, Senate Legislative and General Purpose Standing Committee on Industry, Science and Technology	6,310
Chair, Senate Legislative and General Purpose Standing Committee on Infrastructure	6,310
Chair, Senate Legislative and General Purpose Standing Committee on Legal and Constitutional Affairs	6,310
Chair, House of Representatives Standing Committee on Aboriginal Affairs	6,310
Chair, House of Representatives Standing Committee on Community Affairs	6,310
Chair, House of Representatives Standing Committee on Environment, Recreation and the Arts	6,310
Chair, House of Representatives Standing Committee on Employment, Education and Training	6,310
Chair, House of Representatives Standing Committee on Finance and Public Administration	6,310
Chair, House of Representatives Standing Committee on Industry, Science and Technology	6,310

**Schedule 4** Ministers and office holders of the Parliament

---

<b>Office</b>	<b>Rate per annum of Additional Salary</b> \$
Chair, House of Representatives Standing Committee on Transport, Communications and Infrastructure	6,310
Chair, House of Representatives Standing Committee on Legal and Constitutional Affairs	6,310
Chair, House of Representatives Standing Committee on Procedure	6,310
Chair of a Parliamentary Committee not otherwise specified in this clause	1,738

4. Whenever the annual rate of salary payable to Senators and Members of the House of Representatives is, after the commencement of this section, increased under Schedule 3 because of an increase in the minimum SES Band 2 annual salary as defined in that Schedule, the rate per annum of additional salary payable to the holders of offices specified in clause 3 is increased by the same proportion.
5. Whenever clause 4 operates to increase the rate of additional salary payable to the holders of offices specified in clause 3:
  - (a) the increase has effect from the date of the increase in the annual rate of salary payable to Senators and Members of the House of Representatives; and
  - (b) the rate per annum of additional salary as increased is taken to be the rate of additional salary for the purposes of any subsequent operation of that clause.
6. In this Schedule:

*parliamentary committee* means a committee concerned with public affairs rather than the domestic affairs of Parliament.

## Table of Acts

**Notes to the *Remuneration and Allowances Act 1990*****Note 1**

The *Remuneration and Allowances Act 1990* as shown in this compilation comprises Act No. 71, 1990 amended as indicated in the Tables below.

The *Remuneration and Allowances Act 1990* was amended by the *Workplace Relations Amendment (Work Choices) (Consequential Amendments) Regulations 2006 (No. 1)* (SLI 2006 No. 50). The amendments are incorporated in this compilation.

For application, saving or transitional provisions made by the *Australian Communications and Media Authority (Consequential and Transitional Provisions) Act 2005*, see Act No. 45, 2005.

All other relevant information pertaining to application, saving or transitional provisions prior to 1 October 2001 is not included in this compilation. For subsequent information see Table A.

**Table of Acts**

Act	Number and year	Date of Assent	Date of commencement	Application, saving or transitional provisions
<i>Remuneration and Allowances Act 1990</i>	71, 1990	20 June 1990	Part 3 (ss. 9, 10): 1 July 1990 Remainder: Royal Assent	
<i>Remuneration and Allowances (Amendment) Act 1990</i>	72, 1990	20 June 1990	20 June 1990 (see s. 2)	—
<i>Industrial Relations Legislation Amendment Act (No. 2) 1990</i>	108, 1990	18 Dec 1990	Ss. 8, 13 and 21: 1 Feb 1991 (see s. 2(4) and <i>Gazette</i> 1991, No. S18) Ss. 22–24: 1 Mar 1989 S. 26: 1 Jan 1990 S. 33: 25 Mar 1991 (see <i>Gazette</i> 1991, No. S73) Remainder: Royal Assent	—

**Table of Acts**

Act	Number and year	Date of Assent	Date of commencement	Application, saving or transitional provisions
<i>Remuneration and Allowances Legislation Amendment Act 1992</i>	52, 1992	22 June 1992	Part 3 (ss. 13, 14): 27 June 1991 Ss. 16 and 17(1): 20 June 1990 S. 17(2): 1 July 1990 S. 19(1): 1 Jan 1990 Remainder: Royal Assent	—
<i>Industrial Relations Legislation Amendment Act (No. 2) 1994</i>	158, 1994	15 Dec 1994	Schedule 2: Royal Assent (a)	—
<i>Competition Policy Reform Act 1995</i>	88, 1995	20 July 1995	S. 77: 6 Nov 1995 (see <i>Gazette</i> 1995, No. S423) (b)	—
<i>Workplace Relations and Other Legislation Amendment Act 1996</i>	60, 1996	25 Nov 1996	Schedule 19 (item 42): Royal Assent (c)	S. 2(2) and (6) (am. by 77, 1996, Sch. 3 [items 1, 2])
<b>as amended by</b>				
<i>Workplace Relations and Other Legislation Amendment Act (No. 2) 1996</i>	77, 1996	19 Dec 1996	Schedule 3 (items 1, 2): (d)	—
<i>Defence Legislation Amendment Act (No. 1) 1997</i>	1, 1997	19 Feb 1997	Schedules 1 and 3: 30 Apr 1997 (see <i>Gazette</i> 1997, No. S91) Remainder: Royal Assent	—
<i>Audit (Transitional and Miscellaneous) Amendment Act 1997</i>	152, 1997	24 Oct 1997	Schedule 2 (items 1144–1148): 1 Jan 1998 (e)	—
<i>Public Employment (Consequential and Transitional) Amendment Act 1999</i>	146, 1999	11 Nov 1999	Schedule 1 (items 772–775): 5 Dec 1999 (see <i>Gazette</i> 1999, No. S584) (f)	—
<i>Australian Security Intelligence Organisation Legislation Amendment Act 1999</i>	161, 1999	10 Dec 1999	Schedule 3 (items 1, 54, 55): (g)	—
<i>Intelligence Services (Consequential Provisions) Act 2001</i>	153, 2001	1 Oct 2001	29 Oct 2001 (see s. 2)	S. 4 and Sch. 1 (items 7–9) [see Table A]



**Table of Acts**

Act	Number and year	Date of Assent	Date of commencement	Application, saving or transitional provisions
<i>Parliamentary Superannuation and Other Entitlements Legislation Amendment Act 2004</i>	87, 2004	25 June 2004	26 June 2004	—
<i>Australian Communications and Media Authority (Consequential and Transitional Provisions) Act 2005</i>	45, 2005	1 Apr 2005	Schedule 1 (items 119, 120) and Schedule 4: 1 July 2005 (see s. 2(1))	Sch. 4 [see Note 1]
<i>Human Services Legislation Amendment Act 2005</i>	111, 2005	6 Sept 2005	Schedule 2 (item 710): 1 Oct 2005	—
<i>Superannuation Legislation Amendment (Simplification) Act 2007</i>	15, 2007	15 Mar 2007	Schedule 1 (items 276, 406(1)–(3)): (h)	Sch. 1 (item 406(1)–(3)) [see Table A]
<i>Statute Law Revision Act 2008</i>	73, 2008	3 July 2008	Schedule 4 (items 443–445): 4 July 2008	—
<i>Remuneration and Other Legislation Amendment Act 2011</i>	75, 2011	25 July 2011	Schedule 2 (items 8–16, 21): 5 Aug 2011 (see F2011L01603)	Sch. 2 (item 21) [see Table A]

## Act Notes

---

- (a) The *Remuneration and Allowances Act 1990* was amended by Schedule 2 only of the *Industrial Relations Legislation Amendment Act (No. 2) 1994*, subsection 2(1) of which provides as follows:
- (1) Subject to this section, this Act commences on the day on which it receives the Royal Assent.
- (b) The *Remuneration and Allowances Act 1990* was amended by section 77 only of the *Competition Policy Reform Act 1995*, subsection 2(2) of which provides as follows:
- (2) Part 3 commences on a day to be fixed by Proclamation. However, if Part 3 does not commence by Proclamation within the period of 6 months beginning on the day on which this Act receives the Royal Assent, then it commences on the first day after the end of that period.
- (c) The *Remuneration and Allowances Act 1990* was amended by Schedule 19 (item 42) only of the *Workplace Relations and Other Legislation Amendment Act 1996*, subsection 2(1) of which provides as follows:
- (1) Subject to this section, this Act commences on the day on which it receives the Royal Assent.
- (d) The *Workplace Relations and Other Legislation Amendment Act 1996* was amended by Schedule 3 (items 1 and 2) only of the *Workplace Relations and Other Legislation Amendment Act (No. 2) 1996*, subsection 2(4) of which provides as follows:
- (4) The items of Schedule 3 are taken to have commenced immediately after the *Workplace Relations and Other Legislation Amendment Act 1996* received the Royal Assent.
- The *Workplace Relations and Other Legislation Amendment Act 1996* received the Royal Assent on 25 November 1996.
- (e) The *Remuneration and Allowances Act 1990* was amended by Schedule 2 (items 1144–1148) only of the *Audit (Transitional and Miscellaneous) Amendment Act 1997*, subsection 2(2) of which provides as follows:
- (2) Schedules 1, 2 and 4 commence on the same day as the *Financial Management and Accountability Act 1997*.
- The *Financial Management and Accountability Act 1997* commenced on 1 January 1998.
- (f) The *Remuneration and Allowances Act 1990* was amended by Schedule 1 (items 772–775) only of the *Public Employment (Consequential and Transitional) Amendment Act 1999*, subsections 2(1) and (2) of which provide as follows:
- (1) In this Act, **commencing time** means the time when the *Public Service Act 1999* commences.
  - (2) Subject to this section, this Act commences at the commencing time.
- (g) The *Remuneration and Allowances Act 1990* was amended by Schedule 3 (items 1, 54 and 55) only of the *Australian Security Intelligence Organisation Legislation Amendment Act 1999*, subsection 2(2) of which provides as follows:
- (2) Subject to subsections (3) to (6), Schedule 3 commences immediately after the commencement of the other Schedules to this Act.
- The other Schedules commenced on 10 December 1999.
- (h) Subsection 2(1) (item 2) of the *Superannuation Legislation Amendment (Simplification) Act 2007* provides as follows:
- (1) Each provision of this Act specified in column 1 of the table commences, or is taken to have commenced, in accordance with column 2 of the table. Any other statement in column 2 has effect according to its terms.

**Act Notes**

---

<b>Commencement information</b>		
<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>
<b>Provision(s)</b>	<b>Commencement</b>	<b>Date/Details</b>
2. Schedule 1	Immediately after the commencement of Schedule 1 to the <i>Tax Laws Amendment (Simplified Superannuation) Act 2007</i> .	15 March 2007

---



**Table of Amendments****Table of Amendments**

ad. = added or inserted   am. = amended   rep. = repealed   rs. = repealed and substituted

Provision affected	How affected
<b>Part 2</b>	
S. 3 .....	am. No. 72, 1990; No. 52, 1992; No. 60, 1996; No. 75, 2011
S. 3A .....	ad. No. 158, 1994
S. 6 .....	rs. No. 75, 2011
S. 8 .....	am. No. 87, 2004
S. 8A .....	ad. No. 146, 1999
Schedule 1 .....	am. No. 108, 1990; No. 52, 1992; No. 88, 1995; No. 146, 1999; SLI 2006 No. 50; No. 73, 2008
Schedule 2 .....	am. No. 72, 1990; No. 88, 1995; Nos. 1 and 152, 1997; Nos. 146 and 161, 1999; Nos. 45 and 111, 2005; SLI 2006 No. 50; No. 73, 2008
Schedule 3 .....	am. No. 72, 1990; No. 158, 1994; No. 146, 1999; No. 87, 2004; No. 15, 2007; No. 75, 2011
Schedule 4 .....	am. No. 158, 1994; No. 152, 1997; No. 161, 1999; No. 153, 2001

**Table A**

---

**Table A**

**Application, saving or transitional provisions**

*Intelligence Services (Consequential Provisions) Act 2001* (No. 153, 2001)

**4 Regulations**

The Governor-General may make regulations providing for matters of a transitional nature (including any saving or application provision) arising out of the enactment of the *Intelligence Services Act 2001*, or the amendments made by this Act.

**Schedule 1**

**7 Definitions**

In this Part, unless the contrary intention appears:

**commencement day** means the day on which Part 1 commences.

**new committee** means the Parliamentary Joint Committee on ASIO, ASIS and DSD established under the *Intelligence Services Act 2001*.

**old committee** means the Parliamentary Joint Committee on the Australian Security Intelligence Organisation constituted under Part VA.

**Part VA** means Part VA of the *Australian Security Intelligence Organisation Act 1979*, as in force immediately before the commencement day.

**transfer time** means the time at which the new committee is first established.

**8 Continuation of old committee**

Despite the repeal of Part VA:

- (a) the old Committee continues in existence until the transfer time, under the name it had immediately before the commencement day, as if the amendments made by Part 1 had not been made; and
- (b) the *Australian Security Intelligence Organisation Act 1979* and the *Remuneration and Allowances Act 1990* continue to operate in respect of the old committee until the transfer time as if the amendments made by Part 1 had not been made.

**9 Records etc.**

At the transfer time, any records that were in the custody, or under the control, of the old committee immediately before the transfer time are transferred to the new committee by force of this item.

---

*Superannuation Legislation Amendment (Simplification) Act 2007*  
(No. 15, 2007)

**Schedule 1****406 Application**

- (1) The amendments made by this Schedule apply to the 2007-2008 income year and later years.
- (2) Despite subitem (1), those amendments apply to the 2007-2008 financial year and later years, to the extent that they relate to Division 292 of the *Income Tax Assessment Act 1997*.
- (3) Despite subitem (1), those amendments apply on and after 1 July 2007, to the extent that they relate to any of the following:
  - (a) Divisions 82 and 83 of the *Income Tax Assessment Act 1997*;
  - (b) Divisions 301 to 307 of that Act.

---

*Remuneration and Other Legislation Amendment Act 2011* (No. 75, 2011)

**Schedule 2****21 Transitional—temporary saving of old law allowances**

- (1) This item applies to the following provisions as in force immediately before the commencement of this Schedule:
  - (a) clause 1 of Schedule 3 to the *Remuneration and Allowances Act 1990*;
  - (b) regulations made for the purposes of paragraph 1(2)(b) of that Schedule;
  - (c) the definition of *parliamentary allowance* in clause 1A of that Schedule;
  - (d) subsection 5(2C) of the *Remuneration Tribunal Act 1973*.

**Table A**

---

- (2) Despite the repeals and amendments made by this Schedule, those provisions continue in force until the coming into force of the first determination:
- (a) that is made under subsection 7(1) of the *Remuneration Tribunal Act 1973* at or after the commencement of this Schedule; and
  - (b) that determines the annual allowance payable for the purposes of section 48 of the Constitution.