



No. 10 of 2019

REPORT OF THE REMUNERATION TRIBUNAL
CONVEYANCE ALLOWANCE – JUDGES, COURT OFFICERS AND
STATUTORY OFFICERS

INTRODUCTION

1. Section 13 of the *Remuneration Act 1990* (“the Act”) provides that the Remuneration Tribunal (“the Tribunal”) has jurisdiction to determine the remuneration payable to members of the judiciary and holders of the public offices listed in that section of the Act.
2. Section 14 of the Act provides that the Tribunal has jurisdiction to determine the remuneration, or a specified part of the remuneration, payable in respect of certain offices, if such jurisdiction is conferred upon the Tribunal by any other Act or by the Governor by proclamation.
3. The Act defines remuneration as including; salary, allowances, expenses, fees and any other benefit of a pecuniary nature.
4. This report deals with the conveyance allowances payable to Judges, Court Officers and certain Statutory Officers. Conveyance allowance is provided for meeting the costs associated with leasing a motor vehicle through Fleet SA.

BACKGROUND

5. The last review of the conveyance allowance was conducted in 2018, which resulted in the making of Determination 15 of 2018. That Determination provided for three levels of conveyance allowance amounts as follows:
 - 5.1. \$17,541 per annum;
 - 5.2. \$16,551 per annum; and
 - 5.3. \$15,298 per annum.

PROCEDURAL HISTORY

6. Section 10(2) of the Act, requires that before the making of a Determination affecting the remuneration of a particular person, or persons of a particular class, the Tribunal must allow that person, or persons of that class, a reasonable opportunity to make submissions.
7. Section 10(4) of the Act provides that the Honourable Premier of South Australia (“the Premier”), as the Minister responsible for the Act may intervene, personally or by counsel or other representative, in proceedings before the Tribunal for the purpose of introducing evidence, or making submissions, on any question relevant to the public interest.
8. The Tribunal, by letters dated 19 August 2019, sent notifications of the review to the Judicial Remuneration Coordinating Committee (“JRCC”), the Magistrates Association of South Australia (“MASA”), and the Premier, as the Minister responsible for the Act.

9. The Tribunal, by letters dated 19 August 2019, sent notifications of the review to the Electoral Commissioner, Deputy Electoral Commissioner, the Health and Community Services Complaints Commissioner, and the Auditor-General.
10. On 19 August 2019, the Tribunal distributed an email notification of the review to the relevant office holders. Additionally, a notice of the review was also placed on the Tribunal's website, on the same date.

SUBMISSIONS

11. The JRCC submitted that the Tribunal should review the amount of the conveyance allowance in the usual way and otherwise make a determination that reflects the terms of Determination No. 15 of 2018.
12. No other submissions were received by the Tribunal.

CONCLUSION

13. The Tribunal has conducted a review of the relevant information concerning the cost of leasing motor vehicles. No increase in the costs analysed in that information is indicated which would justify any variation in the current level of the conveyance allowances.
14. Accordingly, no variation will be made to the terms of the previous Determination 15 of 2018¹.
15. Determination 15 of 2018 shall continue in operation until further determination by the Tribunal.



John Lewin
PRESIDENT



Peter Alexander
MEMBER



Pamela Martin
MEMBER

Dated this 21st day of November 2019