



No. 7 of 2016

**DETERMINATION AND REPORT OF THE REMUNERATION TRIBUNAL  
INAUGURAL DETERMINATION OF SALARY FOR THE GOVERNOR OF SOUTH AUSTRALIA**

**A. REPORT**

**1. Scope of Determination**

The Remuneration Tribunal (“the Tribunal”) is given jurisdiction under section 14 of the *Remuneration Act 1990* (“the Act”) and section 73 of the *Constitution Act 1934* (“the Constitution Act”), to determine the salary payable to the Governor of South Australia (“the Governor”). Section 8 of the Act requires the Tribunal to review any previous determination of remuneration made under the Act at least once per year.

This Determination and report sets out the salary payable to the Governor, and the grounds on which the Determination is made.

**2. Procedural History**

On 11 February 2016, the *Constitution (Governor’s Salary) Amendment Act 2015* (“the Amending Act”) came into operation. The Amending Act conferred jurisdiction upon the Tribunal to determine the salary of the office of the Governor of South Australia. Prior to this amendment, the salary of the Governor was set by section 73 of the Constitution Act at the rate of 75% of a puisne judge of the Supreme Court of South Australia.

In accordance with section 10(2) of the Act, the Tribunal, by letter dated 11 April 2016, invited the Governor to make a submission in relation to the review of the salary associated with the office of the Governor. The Tribunal also invited the Premier, as Minister responsible for the Act, to make a submission in the public interest.

**3. Governor’s Submission**

The Governor wrote to the Tribunal on 11 May 2016, advising that he does not intend to make a submission in relation to the Tribunal’s Determination of the Governor’s salary in 2016.

**4. Premier’s Submission**

The Crown Solicitor’s Office, on behalf of the Premier, wrote to the Tribunal on 11 May 2016, advising that the Premier does not wish to make a submission in relation to the Determination of the Governor’s salary by the Tribunal.

**5. Summary and Conclusions**

The Amending Act came into operation on 11 February 2016. Prior to this date, the salary of the Governor was \$315,608 per annum. The transitional provisions of the Amending Act provide that the salary of the Governor, as Determined by the Tribunal, cannot be lower than the rate applying before the commencement of the Amending Act.

The Governor and the Premier made no submission in support of any change in the salary of the office of the Governor of South Australia. The Tribunal therefore considers that it is appropriate in the circumstances that the salary of the office of the Governor remain at \$315,608 per annum.

The Tribunal is of the view that the operative date of its Determination should be 11 February 2016. This date is consistent with the commencement date of the Amending Act, as prescribed by proclamation.

**B. DETERMINATION**

1. The Tribunal determines that the salary of the Governor of South Australia shall be \$315,608 per annum.
2. The operative date of this Determination shall be 11 February 2016.



John Lewin  
**PRESIDENT**



Peter Alexander  
**MEMBER**



Pamela Martin  
**MEMBER**

Dated this 6<sup>th</sup> day of June 2016