



No. 3 of 2018

REPORT OF THE REMUNERATION TRIBUNAL
2018 REVIEW OF SALARY OF THE GOVERNOR OF SOUTH AUSTRALIA

INTRODUCTION

1. The Remuneration Tribunal (“the Tribunal”) has 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 His Excellency the Governor of South Australia (“the Governor”). Section 8 of the Act provides that the Tribunal must sit at least once in each year for the purpose of determining, or reviewing previous determinations of remuneration made under the Act.

BACKGROUND

2. On 11 February 2016, the *Constitution (Governor’s Salary) Amendment Act 2015* (“the Amending Act”) came into operation. The Amending Act confers 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 fixed by the Constitution Act at the amount of 75% of the salary of a puisne judge of the Supreme Court of South Australia. This arrangement no longer applies.
3. In 2016, the Tribunal issued its inaugural Determination¹ of salary of the Governor of South Australia, resulting in that salary being fixed at \$315,608 per annum, operative from 11 February 2016.
4. In 2017, the Tribunal conducted its annual review, resulting in the making of a Determination² which increased the level of salary for the Governor of South Australia to \$323,183.

SUBMISSIONS

5. In accordance with section 10(2) of the Act, the Tribunal, by letter dated 9 April 2018, invited the Governor to make a submission in relation to the review of the salary applicable to the office of the Governor. In addition, the Tribunal invited the Premier, as the Minister responsible for the Act, to make submissions in the public interest.
6. The Official Secretary to the Governor wrote to the Tribunal on 11 April 2018, advising that the Governor does not intend to make a submission in relation to the Tribunal’s Determination of the Governor’s salary in 2018.

¹ Determination 7 of 2016 – Inaugural Determination of Salary for the Governor of South Australia

² Determination 7 of 2017 – 2017 Review of Salary of the Governor of South Australia

7. The Crown Solicitor's Office, on behalf of the Premier, notified the Tribunal on 26 April 2018 that the Premier does not wish to make a submission in relation to the determination of the Governor's salary by the Tribunal.

CONCLUSION

8. Both of the Determinations referred to in paragraph 3 and 4 above, caused the continuation of the level of the salary of the Governor to be maintained at the level equivalent to seventy five per cent of that of a puisne judge of the Supreme Court of South Australia. After due consideration of the unique nature of the office of the Governor, and in the absence of any submissions which advocate a change to this policy, the Tribunal has determined that the Governor's salary should be maintained in that relationship from time-to-time, except and until the Tribunal determines otherwise.
9. The operative date of its Determination will be 1 June 2018.



John Lewin
PRESIDENT



Peter Alexander
MEMBER



Pamela Martin
MEMBER

Dated this 3rd day of May 2018