

Australian Capital Territory

Supreme Court (Master) Conditions of Appointment 2017 (No 1)

NI2017-242

made under the

Supreme Court Act 1933, s41B (Conditions of appointment generally)

1 Name of instrument

This instrument is the *Supreme Court (Master) Conditions of Appointment 2017 (No 1)*.

2 Commencement

This instrument commences on the day after it is signed.

3 Revocation

This instrument revokes all earlier determinations of conditions of the Master.

4 Terms

The Executive determines that, subject to specific determinations made by the Remuneration Tribunal under the *Remuneration Tribunal Act 1995* relevant to the Master, the conditions set out in schedule 1 apply to the Master.

Gordon Ramsay MLA
Attorney-General
12 May 2017

Mick Gentleman MLA
Minister
12 May 2017

SCHEDULE 1: Master's conditions of appointment

Type	Condition
Remuneration	The Master is entitled to remuneration of \$396,909 per annum or as determined by the ACT Remuneration Tribunal from time to time.
Salary Packaging	<p>Unless otherwise determined by the ACT Remuneration Tribunal, the Master may elect to take remuneration as either a salary or a combination of salary and other benefits (salary package).</p> <p>Salary packaging must be consistent with:</p> <ul style="list-style-type: none"> a. taxation laws and guidelines issued by the Australian Taxation Office; and b. any salary packaging policy and/or procedures issued for the ACT Public Service, with up to 100 per cent of the remuneration able to be taken as benefits and related costs such as fringe benefits tax. <p>Salary packaging must be administered without additional cost to the employer and any fringe benefits tax associated with the provision of a benefit must be included in the salary package.</p> <p>Salary for superannuation purposes is not affected by salary packaging</p>
Leave – Recreation	<p>The Master is entitled to 30 working days recreation leave annually which may only be taken with the approval of the Chief Justice.</p> <p>The 30 working days leave is accrued on 1 January each year.</p> <p>The Master's recreation leave credit includes any existing recreation leave accrued either through prior service in the Australian Public Service or in the service of an Australian State or Territory, or through employment in a Commonwealth or Territory authority, that in any case ceased not more than two months prior to being appointed as the Master.</p>
Leave – Long Service, Maternity etc.	<p>The Master is entitled to long service leave. Three months of long service leave on full-pay accrues after 10 years of recognised service, and thereafter at the rate of nine calendar days per year. The Master is entitled to access long service leave after seven years of eligible employment. Long service leave is to be calculated on calendar days.</p> <p>The Master may, at the times approved by the Chief Justice, elect to take long service leave in accordance with the Supreme Court Judges' Guidebook. Unused credits are to be paid out at the conclusion of employment.</p> <p>The Master is entitled to maternity leave as if the Master is an executive for the purposes of the Public Sector Management Standards.</p>

Leave – Illness and Special Circumstances	The Master is entitled to such leave on account of illness or other special circumstances as is approved by the Chief Justice.
Accrued Leave Entitlements	<p>Where the Master ceases to be the Master, other than by death, and does not carry forward a recreation leave credit or a long service leave credit to other Commonwealth or Territory employment, he or she is entitled to be paid the salary equivalent of the unused entitlement at the time he or she ceased to be the Master.</p> <p>If the Master dies, and a recreation leave credit or a long leave service credit is not otherwise payable to the Master estate, the Master’s estate is entitled to be paid the salary equivalent of the unused entitlement at the time of death.</p>
Superannuation	<p>Regardless of anything else in this instrument, a Master’s annual rate of salary for superannuation purposes is the remuneration of the Master determined by the Remuneration Tribunal.</p> <p>If the Master is a member of the Commonwealth Superannuation Scheme (CSS) or the Public Sector Superannuation Scheme (PSS), or has a preserved or deferred benefit in one of these schemes, the employer superannuation contributions will be paid to that scheme.</p> <p>If the Master is not a member of CSS or PSS he or she may elect to join the default scheme for the ACT Government or have employer superannuation contributions directed to a superannuation fund nominated by the Master provided that the fund complies with all relevant superannuation legislation requirements of the relevant taxation legislation. In choosing a superannuation fund, it is the Masters responsibility to meet any employee requirements of the fund.</p> <p>If the Master is not a member of the CSS or PSS the employer superannuation contribution is 16% of the remuneration determined by the ACT Remuneration Tribunal.</p>
Vehicle	The Master is entitled to a privately plated vehicle in accordance with the Supreme Court Judges’ Vehicle Entitlement Guidelines and a parking space in the Court facility. If there are no Supreme Court Judges’ Vehicle Entitlement Guidelines then a vehicle will be provided as if the Master had the same entitlements as a judge of the Federal Court of Australia.
Travelling - Domestic	<p>A Master’s absence on official business is subject to the approval of the Chief Justice.</p> <p>Where official travel is approved, the Master may be accompanied by his or her domestic partner on 1 occasion of such official travel within Australia each year at Territory expense.</p>
Travelling – International	Any international travel by the Master on official business is subject to the approval of the Chief Justice.

Telecommunications Services	The Master is entitled to be reimbursed by the Territory for the costs of one or more telecommunications under the Mobile Devices – Judiciary Policy.
Removal Expenses/Relocation Costs	<p>If, at the time the Master takes office, the normal place of residence of the Master is more than 100km from Canberra City and, as a result of the appointment, the Master is relocated to the Canberra area then the Master is entitled to be reimbursed the actual, receipted, reasonable costs of relocating his or her residence to the ACT up to the amount of \$51,533.</p> <p>The amount payable must not exceed \$51,533 unless there are exceptional circumstances agreed to by the Chief Justice.</p> <p>This entitlement does not apply to any expenses incurred at the conclusion of the appointment.</p>