

STATUTORY AND OTHER OFFICES REMUNERATION TRIBUNAL

Report and Determination: President, Deputy President and Registrar Workers Compensation Commission.

REPORT:

Background:

1. On 13 August 2003 the Premier of New South Wales, the Hon Bob Carr MP, directed the Statutory and Other Offices Remuneration Tribunal (SOORT), pursuant to section 14(2) of the *Statutory and Other Offices Remuneration Act 1975* (the Act), to make a determination concerning the salary to be paid to the President, Deputy President and Registrar of the Workers Compensation Commission (WCC).
2. The WCC was established in 2001 to provide a fair and cost effective system for the resolution of disputes under the Workers Compensation legislation. The WCC is intended to provide a timely service to ensure workers' entitlements are paid promptly and that where necessary it provides an independent dispute resolution service that is effective in settling matters between the parties in accordance with the legislation.
3. When the WCC was established the remuneration for the President Deputy Presidents and the Registrar were determined by the Minister. Following advice from the Tribunal the Minister set the following rates for these office holders.

President WCC	\$245,435
Deputy President WCC	\$169,500
Registrar	\$160,240
4. Amendments contained in the Compensation Court Repeal Act 2002 transferred statutory responsibility for remuneration setting for these offices to SOORT. This section of the Act came into effect on and from 4 October 2002.

Review

5. This Special Determination precedes the annual review which will be effective from 1st October 2003. Therefore this special determination provides the opportunity to bring the existing rates up to date so that they can become the basis upon which the annual review will take place.
6. In making this special determination regard will be given to the general increases granted to other public office holders by SOORT since October 2001.
7. The office holders in the next two weeks will be given the opportunity to meet the Tribunal and make further representations as to the rates that they consider should be appropriate from 1st October 2003.

President

8. The Minister initially determined a rate that was higher than that recommended by the Tribunal. The Minister had regard to the special qualifications and experience of the newly appointed President who has existing status of a Supreme Court Judge and of the critical role that the President needed to play in establishing the new Commission arising from the Workers Compensation reforms initiated by the Government.
9. The Tribunal considers that the rate set by the Minister is appropriate for the present occupant and that the rate should continue while the current President remains in office.
10. The Tribunal considers, however, that future appointees should receive remuneration equivalent to a Supreme Court Judge. In this regard it should be noted that the Chief Judge of the Compensation Court (which the Commission effectively replaces) and whose duties and responsibilities were at least equal to those of the President had the status and remuneration of a Supreme Court Judge.
11. As a judicial office the President will be placed in the Judges Magistrates and Related Group and receive the remuneration increases provided to that Group from 4 October 2002.

Deputy Presidents

12. The Tribunal also proposes to include the Deputy Presidents in the Judges Magistrates and Related Group. The primary role of the Deputy Presidents is to hear appeals from the Arbitrators. Appeals from the decisions of the Deputy Presidents' decisions (in point of law) are to the Court of Appeal. The Deputy Presidents will also receive increases determined for the Judges Magistrates and Related Group from 4 October 2002 and 1st July 2003.

Registrar

13. In respect of the Registrar the Tribunal considers that on balance, the office should be included in the Public Office Holder Group. The Tribunal also considers that the Registrar should also receive the 2002 general increases determined for that Group. In the forthcoming Annual Review consideration will be given to whether placement in the Public Office Holders Group continues to be appropriate.

Statutory and Other Offices
Remuneration Tribunal

Gerry Gleeson
Dated 18 August 2003

DETERMINATION

Pursuant to section 14 of the Act the Tribunal determines that the remuneration payable to the President, Deputy Presidents and Registrar of the Workers Compensation Commission shall be as follows:

Office	Amount	Effective from:
President	\$257,005	4 October 2002
President	\$260,900	1 July 2003*
Deputy Presidents	\$177,975	4 October 2002
Deputy Presidents	\$180,820	1 July 2003+
Registrar	\$167,130	4 October 2002

* The President receives a Conveyance Allowance of \$18,000pa effective on and from 1 July 2003.

+ The Deputy Presidents receive a Conveyance Allowance of \$13,000pa effective on and from 1 July 2003.

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Remuneration Tribunal

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Dated 18 August 2003