

**STATUTORY AND OTHER OFFICES REMUNERATION TRIBUNAL  
REPORT AND DETERMINATION PURSUANT TO SECTION 14(2) OF THE ACT  
REPORT:**

1. On 9 December 2016 the Statutory and Other Offices Remuneration Tribunal (the Tribunal) received a direction from the Premier, the Hon Mike Baird MP, to make a determination in respect of the remuneration payable to the office of the Chief Commissioner of the Industrial Relations Commission (the IRC).
2. The Premier advised that the *Statutory and Other Offices Remuneration Act 1975* (the SOOR Act) was amended by the *Industrial Relations Amendment (Industrial Court) Act 2016* (the IR Amendment Act) to include this office in Schedule 2. This is a new position and the Tribunal has not previously made a determination on the remuneration payable to this office.
3. The IR Amendment Act was proclaimed on 8 December 2016 and amended the *Industrial Relations Act 1996* (the IR Act) to abolish the Industrial Court of NSW; appoint the current President of the IRC as a judge of the Supreme Court; transfer the function of the Industrial Court to the Supreme or District Courts or Commission; and reconstitute the IRC so that it consists of a new head (the Chief Commissioner) and the existing Commissioners.
4. The IRC will continue to perform its conciliation and arbitration functions. As the State's industrial relations tribunal the IRC hears matters relating to the industrial relations matters at the workplace. This includes resolving industrial disputes; setting remuneration and other conditions of employment; and hearing and determining other industrial matters. The IRC also conciliates unfair contract and recovery of remuneration matters referred by the Supreme Court.
5. In addition to the responsibilities of a Commissioner of the IRC, the Chief Commissioner will be required to:
  - administer the operation of the IRC
  - in conjunction with the Industrial Registrar, ensure the efficient and effective utilisation of Commission staff and the allocation and finalisation of matters brought before the IRC
  - convene a Full Bench of the IRC when required

- hear and determine industrial matters and disputes
  - prepare an annual report on the activities and performance of the IRC to the Minister and for tabling in Parliament.
6. The appointment requirements as outlined in Section 161 of the IR Act require the Chief Commissioner to be a person who holds or has held a judicial office in Australia or be an Australian lawyer.
  7. In requesting the Tribunal to make this determination the Premier provided supporting information, including a role description, from the Treasurer and Minister for Industrial Relations, the Hon Gladys Berejiklian MP (the Treasurer). The Tribunal has had regard to this information in the making of the determination.
  8. The remuneration for the existing office of Commissioner of the IRC is determined by the Tribunal in the annual determination for the Judges and Magistrates Group. In accordance with the Tribunal's 2016 Annual Determination for this group, a Commissioner receives an annual salary of \$289,100 with an annual conveyance allowance of \$16,990.
  9. The Tribunal is of the view that the office of Chief Commissioner of the IRC should receive an annual salary of \$318,010 with an annual conveyance allowance of \$16,990.

**DETERMINATION:**

Pursuant to section 14(2) of the *Statutory and Other Offices Remuneration Act 1975*, the Tribunal determines that the annual salary for Chief Commissioner of the Industrial Relations Commission shall be as follows, with effect from the date of proclamation to the *Industrial Relations Amendment (Industrial Court) Act 2016* being 8 December 2016:

| Position  | Salary per annum | Conveyance allowance |
|---|------------------|----------------------|
| Chief Commissioner of the Industrial Relations Commission | \$318,010        | \$16,990             |

**Statutory and Other Offices  
Remuneration Tribunal**

*(signed)*

Richard Grellman  
14 December 2016