

STATUTORY AND OTHER OFFICES REMUNERATION TRIBUNAL

REPORT AND DETERMINATION PURSUANT TO SECTION 14(2) OF THE STATUTORY AND OTHER OFFICES REMUNERATION ACT 1975 – PRESIDENT, VICE-PRESIDENT, DEPUTY PRESIDENTS AND ACTING JUDGE OF INDUSTRIAL RELATIONS COMMISSION

(as amended by erratum in Government Gazette of 17 May 2024)

Request for determination

1. The Premier and the Special Minister of State jointly administer the *Statutory and Other Offices Remuneration Act 1975* (SOOR Act). Pursuant to section 14 of the SOOR Act, the Premier has directed the Tribunal to make a special determination regarding the remuneration for the offices of the President, Vice-President, Deputy Presidents and Acting Judge of the Industrial Relations Commission (IRC).
2. In giving this direction, the Premier recommended that the appropriate salaries are those that would have the relevant offices in the same position relative to other judicial officers as they were prior to the abolition of the Industrial Court in 2016.

The President, Vice-President, Deputy Presidents and Acting Judge, Industrial Relations Commission

3. The *Industrial Relations Amendment Act 2023* commences from the date of proclamation. It amends the *Industrial Relations Act 1996* (IR Act) to re-establish the Industrial Court of NSW and the offices of the President, Vice-President and Deputy Presidents of the IRC. It also amends the SOOR Act.
4. Section 147 of the IR Act will provide that the offices of the President, Vice-President and Deputy Presidents of the IRC are referred to as Presidential Members. Section 149 will provide that those Members may be appointed as a member of the Commission in Court Session, which is to be known as the Industrial Court of New South Wales: s151A.
5. The Industrial Court will be established by Section 152 of the IR Act as a superior court of record and has equivalent status to the Supreme Court and the Land and Environment Court.

6. In addition to the responsibilities of a Presidential Member of the IRC, the President 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
 - prepare an annual report on the activities and performance of the IRC to the Minister and for tabling in Parliament.
7. The Vice-President is the Acting President when the President is absent from duty.
8. The Deputy President may be appointed as the Acting President if both the President and Vice-President are absent from duty.
9. The amendments to the IR Act provide for the appointment of acting judicial members.
10. Clause 7 of schedule 2 of the IR Act requires that the remuneration of judicial members who are appointed to the offices of President, Vice-President or Deputy Presidents, IRC must be determined by the Tribunal.
11. The same clause also requires that judicial members who are appointed to the offices of President, Vice-President or Deputy Presidents, IRC to have the same remuneration and other rights as a Judge of the Supreme Court, other than the Chief Justice or the President or a Judge of the Court of Appeal.
12. The Tribunal determines the salary of the President IRC as \$521,360 per annum, the Vice-President IRC as \$497,580 per annum and Deputy President IRC as \$497,580 per annum. These figures represent annual salaries, not a total remuneration package, and therefore exclude superannuation contribution costs.
13. The Tribunal also determines the salary of an Acting Judge IRC as \$2,160 per day.
14. The Tribunal also determines the conveyance allowance of the President IRC, Vice-President IRC and Deputy President IRC as \$24,950.

Determination

This determination amends the 2023 Annual Determination SOORT Judges and Magistrates Group, dated 26 July 2023.

Pursuant to section 14(2) of the SOOR Act, the Tribunal determines the annual salary for the President of the Industrial Relations Commission, Vice-President of the Industrial Relations Commission and Deputy Presidents of the Industrial Relations Commission shall be as follows. The Tribunal also determines the daily rate for the Acting Judge of the Industrial Relations Commission shall be as follows. The determination will take effect on and from the commencement of the *Industrial Relations Amendment Act 2023*.

Office	Salary per annum	Conveyance Allowance
President of the Industrial Relations Commission	\$521,360 per annum	\$24,950
Vice-President of the Industrial Relations Commission	\$497,580 per annum	\$24,950
Deputy Presidents of the Industrial Relations Commission	\$497,580 per annum	\$24,950
Acting Judge of the Industrial Relations Commission	\$2,160 per day	N/A

Statutory and Other Offices Remuneration Tribunal



The Hon. Greg Pearce

19 April 2024