



## Full Day Hansard Transcript (Legislative Council, 22 May 2013, Proof) Proof

Extract from NSW Legislative Council Hansard and Papers Wednesday, 22 May 2013 (Proof).

### STATUTORY AND OTHER OFFICES REMUNERATION AMENDMENT (JUDICIAL AND OTHER OFFICE HOLDERS) BILL 2013

#### Second Reading

**The Hon. MATTHEW MASON-COX** (Parliamentary Secretary) [4.19 p.m.], on behalf of the Hon. Greg Pearce: I move:

That this bill be now read a second time.

The Government's wages policy is about delivering fair wage increases to the hardworking public sector. It is also about ensuring that the State's budget can be brought under control to facilitate the delivery of infrastructure and services to the State and its people. In recent times judicial salary increases have significantly outpaced those of all other public sector officers. Since 2011 the Industrial Relations Commission and the Statutory and Other Offices Remuneration Tribunal [SOORT] have been required to apply the wages policy to salary determinations for the public service and certain statutory office holders, while an absolute cap of 2.5 per cent applies to increases of remuneration for members of Parliament, mayors and local councillors.

Currently, however, the Statutory and Other Offices Remuneration Tribunal is not required to apply the wages policy when it determines the remuneration of judicial officers. It is appropriate to extend the wages policy to judicial officers who are also paid from the public purse, and therefore to require the Statutory and Other Offices Remuneration Tribunal to apply the wages policy when it determines the remuneration of judicial officers. The bill will enable this to be done. The bill will amend the Statutory and Other Offices Remuneration Act 1975 to require the Statutory and Other Offices Remuneration Tribunal to give effect to any policy concerning the remuneration of office holders declared by the regulations when making certain determinations under part 3 of the Act regarding the remuneration of judicial and other office holders. A regulation is being prepared to declare the wages policy for this purpose.

This will mean that, like the public service and statutory office holders, the Statutory and Other Offices Remuneration Tribunal will only be able to award increases in remuneration for a judicial officer that increase certain costs by more than 2.5 per cent per annum if sufficient savings for the judicial officer have been achieved to offset the increased cost. The Government supports an independent judiciary. This bill does not affect their independence. I note that the Statutory and Other Offices Remuneration Tribunal is already required to apply the wages policy to other independent office holders, such as the Ombudsman and the Director of Public Prosecutions.

In addition, the bill will maintain existing requirements to ensure that the Statutory and Other Offices Remuneration Tribunal cannot reduce the rate at which remuneration is paid to a judicial officer and cannot make a determination that applies differently to two or more persons holding the same judicial office. Given the pressures on the State's budget, it is fair then to extend the wages policy to judicial officers. It is important that persons paid from the public purse be subject to the wages policy in order to deliver fair wage increases while also ensuring that the State's budget can be brought under control to facilitate the delivery of infrastructure and services. Accordingly, I commend the bill to the House.