

Senate Legal and Constitutional Affairs Legislation Committee

Attorney-General's Department

Hearing date: 26 April 2024

Hansard page: 36-37

Nita Green asked the following question:

CHAIR: You took some questions on notice from Senator Ghosh about the level of remuneration for 12 months. Essentially, it was being argued by some witnesses today that those members should be entitled to that amount. I think I know the answer to this question but, just for completeness, could you also take on notice if there's any restriction of trade that would prevent people from getting another job during that 12-month period or whether there's any requirements for members genuinely on things that they can and can't do post-employment that would impact that? I guess what I'm trying to understand is whether someone can be employed by someone else, or can go and get another job, but continue to be paid out a 12-month period. If you can take that on notice, that would be helpful.

The response to the question is as follows:

There are no restrictions imposed on members of the Administrative Appeals Tribunal (AAT) who do not transition to become members of the Administrative Review Tribunal following their loss of office as an AAT member, including restrictions on undertaking alternative employment. There may be restrictions that apply to former members working in specific industries or professions in connection with appearances before the Tribunal or acting as an expert witness in matters before the Tribunal. These are generally provided for under State or Territory laws, or under industry-specific codes or guidelines.