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WESTERN AUSTRALIA  
SALARIES AND ALLOWANCES ACT 1975

**DETERMINATION  
of the  
SALARIES AND ALLOWANCES  
TRIBUNAL**

5 DECEMBER 1991

PRELIMINARY STATEMENT



WESTERN AUSTRALIA  
SALARIES AND ALLOWANCES ACT 1975  
**DETERMINATION**  
of the  
**SALARIES AND ALLOWANCES TRIBUNAL**

5 DECEMBER 1991

PRELIMINARY STATEMENT

Section 6 (1) of the Salaries and Allowances Act requires the Tribunal, from time to time, to inquire into and determine the remuneration to be paid to—

Ministers of the Crown and the Parliamentary Secretary of Cabinet.

A Parliamentary Secretary appointed under Section 44A (1) of the Constitution Acts Amendment Act 1899.

Officers and Members of the Parliament including additional remuneration to be paid to Members of Select Committees of a House or Joint Select Committees of Houses.

Officers of the Public Service holding offices included in the Special Division of the Public Service; and

A person holding any other office of a full time nature created or established under a law of the State, that is prescribed, but not being an office the remuneration for which is determined by or under any other law of the State.

By advertisement in "The West Australian" and "Weekend Australian" newspapers on 25 May 1991 the Tribunal invited interested persons and organisations to make submissions with respect to any or all of those matters. Fifty-nine written submissions were received. In addition, a number of oral submissions were made to the Tribunal, considerable research was undertaken into rates and conditions applicable to like positions in the public sector elsewhere in Australia, and close attention was paid to the general picture in private employment.

In view of proceedings before the State Industrial Relations Commission in relation to the 1991 State Wage Case and its effect on public sector awards and the announcement by the Federal Industrial Relations Commission that it would review the Wage Principles especially with respect to enterprise bargaining, the Tribunal considered it prudent to await decisions on those matters before deciding the issues before it.

The Determinations which will now issue and upon which the following comment is made have been finalised in the knowledge of the outcome of those proceedings.

#### Members of Parliament

##### Salaries

On 28 June 1990 the Tribunal issued a Determination on the remuneration of Parliamentarians after considering the review and recommendations of Noble Lowndes, Cullen Egan Dell, a human resources organisation and benefits consulting company. An extensive explanation of the material considered by the Tribunal was given at the time and provision was made for staged increases as well as the reflection of movements occurring in the Government Officers' Salaries Allowances and Conditions Award 1989 as the result of a National Wage decisions.

In the opinion of the Tribunal the present salaries are reasonable at this time and no further increases result from this decision.

##### Electorate Allowances

As these allowances have remained the same since December 1989 the rates have been adjusted to reflect increases in the Consumer Price Index for Western Australia since the September 1989 quarter.

With the exception of the district of Eyre which has been placed at the same level as other large electorates, there are no changes to existing relativities.

The Tribunal will continue to examine claims that these allowances are insufficient, particularly in the larger electorates. However, the material supplied to date does not justify increases beyond those awarded.

##### Motor Vehicles

In its June 1990 Determination the Tribunal advised that a review of the motor vehicle provision would be undertaken during 1990/91 to ascertain whether the current system is achieving maximum efficiency in its cost to Government.

At the request of the Tribunal the Executive Government Services Branch of the Department of the Premier undertook a review with the objectives of—

examining the viability and cost effectiveness of the scheme;

examining the financial and administrative arrangements that had been developed to operate the scheme; and

identifying possible improvements to the efficiency of the scheme, in terms of service to members and operating and cost efficiencies.

The review discloses that the costs of the scheme have well exceeded those envisaged by the Tribunal when it was introduced. The major component of escalating costs is the basic leasing fee which reflects changing operational and market circumstances, in particular the projected resale value of the vehicle. As prices of used cars have plummeted the lessor has been forced to increase lease fees and this has been a major factor contributing to cost over-runs.

Other cost factors revealed by the review relate to the selection of vehicles to the limit of the 120 percent "top up" margin and the inadequacy of fuel and oil levies to meet actual costs. The reviewers recommend that the scheme be continued in the short term but that other ways of providing transport assistance to Members of Parliament be considered. This raises the question of whether it is the function of the Tribunal to determine the manner in which motor vehicles should be supplied or whether it is a matter for the Ministry. It would appear that the definition of "remuneration" in the Salaries and Allowances Act 1975 enables the Tribunal to prescribe the provision of a motor vehicle in its general consideration of allowances but it is extremely doubtful that it can dictate the means by which it is provided.

In these circumstances the Tribunal recommends that the Ministry considers whether there is need to adopt an alternative means of supplying motor vehicles. We propose that the provision remain unaltered pending any review and recommend that before implementation of any change Members of Parliament have the opportunity to present their views to the Tribunal on the effects of proposed changes. This would enable the Tribunal to issue a Determination, if necessary, to coincide with the introduction of any new means of supply.

#### Air Charter and Hire

There have been substantial increases in air charter rates since the allowances were fixed. It has become necessary to adjust the allowances beyond movements in the Consumer Price Index because of the extraordinary cost increases in this industry.

A number of requests were received for substantial increases and for the extension of the allowance to members whose districts are currently ineligible. We see merit in the claims of the members for Avon, Stirling, Wagin and Warren and have made some provision. However, we consider that in the present economic climate the allowances should not be increased or extended beyond those now to be prescribed.

#### Travelling and Accommodation Allowances

Allowances provided in this Part to cover the expenditure of Members necessarily incurred in attending to Parliamentary and Electorate matters have been reviewed and adjusted to reflect the change in actual costs since May 1989.

#### Committees

The importance of Select Committees and the work of their chairperson and members was advanced to the Tribunal with a request that extra remuneration be paid on that account.

Likewise, the Tribunal was apprised of the work of Standing Committees and the additional duties and responsibilities devolving upon chairpersons. It was suggested that extra remuneration be paid to the chairperson of some, but not all, of these committees.

With respect to Standing Committees S.6 (1) (b) of the Act expressly excludes consideration of payment to members. Although the same section of the Act mentions remuneration for members of Select Committees this has been confined in the past to out of pocket expenses incurred in the performance of duties, as envisaged when the legislation was enacted.

The Tribunal is not prepared to grant additional remuneration to chairpersons and members of Select Committees at this time.

It is for the Parliament to decide whether the Tribunal should be empowered to consider additional payments to chairpersons of Standing Committees. No doubt the matter of committees generally would be considered in any general review of the legislation, a matter discussed below.

#### Legislation

Quite a number of requests concerned matters which appeared to be either outside the ambit of the Tribunal's jurisdiction or delicately balanced as to where responsibility lies. Some submissions relating to travelling expenses appear to fall within the province of the Treasurer, pursuant to Section 11A of the Act while others such as the provision of mobile phones, research assistance, office accommodation and equipment and the like would seem to be the responsibility of the Executive.

The Tribunal considers that it would be prudent to review the Salaries and Allowances Act 1975 with the aim of distinguishing clearly the scope of its responsibilities, particularly in view of the decision of the High Court in *Brown v West and Anor*. A request for this to be done will be made to the Hon. Premier.

#### Special Division and Prescribed Office Holders

Since the release of the white paper "Managing Change in the Public Sector" in 1986 there has been significant change in the administration of all Government Departments and Statutory Authorities.

The emphasis has been on the achievement of defined objectives with a leaner workforce and with strict accountability in accordance with the Financial Administration and Audit Act. In short, efforts

have been directed to achieve a commercially oriented public sector, streamlined to provide effective service at reasonable cost.

In statements accompanying Determinations since 1986 the Tribunal has repeatedly announced that information supplied to it from management consultants clearly indicate that public sector salary levels for senior management are not equitable when measured against standards in the private sector. Indeed, in its June 1990 Determination the Tribunal published details of the difference with numerical facts and in graphic form.

Conscious of the need for wage restraint the Tribunal was not prepared last year to remedy this clear imbalance. However, notice was given that it would examine three distinct matters which would impact upon the determined salaries *viz.* contract allowances, performance payments and flexible salary packaging.

Before turning to those matters it is appropriate that we draw attention once again to the fact that the Government and successive Public Service Commissioners have acknowledged the problem and have taken action to overcome it in particular cases, notwithstanding the stated need for wage restraint.

Some positions have been removed from the Tribunal's jurisdiction with resultant increases in remuneration. Others have been created without being prescribed for the purposes of Section 6 of the Act and without any input by the Tribunal as to remuneration. A small number of Chief Executive Officers have been granted allowances in addition to the determined salaries for "additional duties" being performed extraneous to but linked with their primary role as head of their organisation. Some appointees from without the Public Service have been provided with attraction/retention allowances in addition to the determined salaries and more recently a separate contract was entered into with a Chief Executive Officer to perform certain work which, arguably, falls within the compass of his duties and responsibilities as Head of the Department.

These actions have not passed unnoticed by other Chief Executive Officers and their displeasure at differential treatment has been made known to the Tribunal.

This ad hoc approach to salary fixation not only discriminates between officers but circumvents the real issue of what is fair remuneration for these classes of officers in the light of comparison with the private sector and in the context of wage restraint.

Notwithstanding very strong representations from Special Division and Prescribed Office holders for immediate action to improve their position we have reached the conclusion that the extraordinary economic difficulties of the State coupled with the high rate of unemployment in Western Australia warrant further delay in awarding increases in excess of those resulting from the 1990 Determination. The Determination to issue provides no general increase and contains very few changes to individual classifications.

However, this state of affairs cannot continue indefinitely. Public Servants are fair game for community and media snipers and there will always be adverse reaction to rises, whatever their magnitude. That should not deter the Tribunal from determining claims with equity and in accordance with the substantial merits of the case. Under the Wage Principles of both the Federal and State Industrial Relations Commissions provision is made for consideration of special cases and we see no reason why senior management should not have the same right.

Last year the Tribunal demonstrated the relative standing of senior management employees in the public and private sectors by taking a Special Group 3 officer as one example. Recent information received from consultants Noble Lowndes Cullen Egan Dell updates that example as follows—

Special/Group 3  
Historical Comparison of Salary Movements

1975	Base Salary	27770
1990	Salary Adjusted in Accordance with—	100342
	Consumer Price Movements	
	Average Weekly Earnings	105761
	Private Sector salary movements	115310
	Private Sector senior management salary movements	131369
	Combined index (arithmetical average of above)	112943
1991	Actual Salary and Allowances	88483

Although the gap between the salaries of senior managers in the public and private sectors is wide it cannot be overlooked that while the former has been subjected to wage restraint similar to that imposed on the workforce generally the latter appears to be the main area in the economy which has been unregulated. This has tended to enlarge the traditional difference between the two classes of executives.

The problem is not endemic to Western Australia. With the exception of New South Wales, top public servants around Australia appear to be in much the same position when compared with the private sector. In 1989 the N.S.W. Statutory and other Offices Remuneration Tribunal determined salaries on a more market-related basis using data similar to that supplied to us by our consultants. In the same year the N.S.W. Government offered flexible remuneration to senior executives (based on total employment cost to Government) which reflects practices in the market place.

Indeed, as reported by the O.E.C.D. in 1989, there is an international trend towards greater flexibility in the remuneration of senior executives in public employment as Governments seek to improve their performance and accountability.

The reality is that if Governments wish to transform the traditional Public Service into one that is more commercially orientated they must be prepared to budget for remuneration packages closer to those which apply in the private sector. Thus the Tribunal sees merit in the N.S.W. trend. Adjusting individual classifications and/or paying special allowances to overcome recruitment and retention problems is no answer. It exacerbates the situation and causes resentment. Lateral glancing at salaries in other States does little to overcome the basic problem, a fact demonstrated by professional engineers as early as the 1960's in their historic salary cases before the then Commonwealth Conciliation and Arbitration Commission.

We give notice that it is the intention of the Tribunal to issue a Determination in the first half of 1992 which will be the first step in a process designed to narrow the gap between the two sectors to an acceptable level. The staged approach to rectify the imbalance is necessary in the present economic climate.

The Tribunal agrees, in principle, that flexible remuneration packages similar to those which operate in the private sector should be introduced. However, further study of this concept is necessary before a final decision can be made on its implementation. It would appear that the definition of "remuneration" in Section 4 of the Salaries and Allowances Act 1975 would require amendment before the Tribunal could provide for non-cash benefits. A request for this to be done will be made to Government.

We acknowledge that in comparing the lot of executives in the public and private sectors of employment permanent tenure of office is an important consideration. There is a strong prima facie case for contracted officers who do not enjoy the benefit of permanent appointment to receive more salary than permanent officers. This is a matter which might need to be addressed in remuneration packaging. However, if the Act is not amended to enable the Tribunal to embark upon this course or if there is an inordinate delay an alternative course is available for adoption.

We make it clear that whenever the proposals outlined above are enacted care will be taken to ensure that "over-determination" payments made to some officers and discussed earlier will be absorbed as far as possible. There will be no double counting.

The Tribunal will examine further the matter of Performance Pay. However, we see difficulties with this concept in many areas of government administration. One suggestion canvassed was movement from a position-based classification system in top managerial positions to a person-based system. Prima facie, such a system has appeal and is worthy of further investigation.

The Determinations will now issue.

Dated at Perth this 5th day of December 1991.

B. J. COLLIER, Chairman.  
M. F. BEESON, Member.  
R. H. C. TURNER, Member,  
Salaries and Allowances Tribunal.

#### DETERMINATION—FIRST SCHEDULE

Pursuant to the provisions of the Salaries and Allowances Act 1975 (as amended), the Salaries and Allowances Tribunal determines the remuneration to be paid to Ministers of the Crown, the Parliamentary Secretary of Cabinet, Officers and Members of the Parliament, as hereunder, with effect from 1 December 1991.

#### PART 1—REMUNERATION OF MEMBERS GENERALLY

##### Section 1—Basic Salary

There is payable to each Member an annual salary calculated at the rate of \$65754 per annum—

##### Section 2—Electorate Allowances

###### Section 2 (1)

In addition to the basic salary there is payable to a Member, in respect of the expenses of discharging that Members duties, an electorate allowance of \$17568 per annum, less any expenditure incurred at the request of the Member in seeking a variation to the standard applied in Section 2 (3).

###### Section 2 (2)

To recognise the increased expenditure incurred by Members servicing large and/or non metropolitan electorates, the following amounts shall be paid in addition to the basic electorate allowance.

Electorate District or Region	Additional Allowance per annum
	\$
Metropolitan Regions	1401
Districts—Armadale, Darling Range, Peel Roleystone, Swan Hills and Wanneroo	1401
South West Region	7221
Districts—	
Albany, Bunbury and Mitchell	342
Murray, Vasse and Wellington	1777
Collie	3212
Stirling and Warren	6082
Agricultural Region	10092
Districts—	
Geraldton	342
Avon and Wagin	6082
Greenough, Merredin, Moore and Roe	8953
Mining and Pastoral Region	14935
Districts—	
Kalgoorlie	2454
Ashburton, Eyre, Kimberley Northern Rivers & Pilbara	13796

#### Section 2 (3)

Every Member of Parliament shall be entitled to the supply of a private plated motor vehicle for use on Parliamentary, Electorate and Private business.

Motor vehicles issued to Members through this provision will be supplied through operational leasing facilities and will be maintained by the leasing company concerned. The annual leasing cost per Member shall not exceed the cost to Government of a Commodore Executive or Ford Falcon GL automatic sedan with air conditioning.

Should a Member request the supply of a lease vehicle wherein the cost to Government exceeds the cost of the vehicles nominated above by more than twenty per cent, the additional leasing and insurance costs will be debited to the electorate allowance payable in 2 (1).

Members representing the Mining and Pastoral Region or any District contained therein, and who reside within the Region can apply for the issue of an appropriate four wheel drive vehicle in lieu of that mentioned above. Members seeking such a vehicle must contact the office of the Tribunal prior to making their application.

In the case of a Member who elects not to seek the issue of a Government supplied motor vehicle pursuant to this Section, that member shall receive an amount of \$5850 per annum in lieu thereof.

#### Section 2 (4)

Where a Member obtains through Section 2 (3) a Government supplied motor vehicle, an amount of \$1900 per annum in the case of a Member representing a metropolitan Region or District, and \$2700 per annum in the case of a Member representing a country Region or District, will be deducted from that allowance applying in Section 2 (1) to cover the cost of fuel and oil. Members fuel purchased through fuel cards or accounts will then be met by the Ministry.

#### Section 3—Motor Vehicle Allowance

1. Where a Member elects not to seek the issue of a government supplied motor vehicle, pursuant to Section 2 (3), and uses a privately owned vehicle to travel between the Member's residence and Perth, the Member shall be paid a motor vehicle allowance at current Public Service rates for the shortest practicable route provided such travel:

- (a) is not less than 100 kilometres return, and
- (b) is for the purpose of attending—
  - (i) a sitting of Parliament or a meeting of that Members parliamentary political party, or
  - (ii) a meeting of a parliamentary select committee of which that Member is a Member, or
  - (iii) an official government, parliamentary or vice regal function but such allowance shall be limited to kilometres travelled in excess of 100.

2. Where in the opinion of the President of the Legislative Council or the Speaker of the Legislative Assembly, as the case may require, a scheduled commercial air service could have been used for the travel referred to in paragraph 1, the motor vehicle allowance payable under this section shall not exceed the value of the commercial air fare.

3. Where a Member elects not to seek the issue of a government supplied motor vehicle, pursuant to Section 2 (3), and uses a privately owned vehicle to travel between the Member's residence and the nearest airport, in order to travel to and from Perth by aircraft for the purposes listed in subparagraph (b) of paragraph 1, the Member shall be paid an allowance under this section for the motor vehicle travel in excess of 100 kilometres return.

#### Section 4—Air Charter and Hire

1. Members representing the undermentioned electorates shall, except where scheduled airlines are operating at reasonably convenient times, be entitled at Government cost to use charter transport within and for the service of their electorates, but such cost shall not exceed the amounts specified hereunder—

	Per Financial Year
	\$
Group 1	
Electorate Region	
Mining and Pastoral	18000
Electorate Districts	
Ashburton, Eyre, Kimberley, Northern Rivers and Pilbara	12000
Group 2	
Electorate Region	
Agriculture	12000
Electorate Districts	
Greenough, Merredin, Moore and Roe	9600
Avon and Wagin	4000
Group 3	
Electorate Region	
South West	9600
Electorate Districts	
Stirling, Warren	4000

2. "Charter transport" includes charter aircraft, drive yourself vehicles and such other modes of transport as may be approved as appropriate in the circumstances by the President of the Legislative Council or the Speaker of the Legislative Assembly as the case may require.

#### PART II—REMUNERATION OF MINISTERS OF THE CROWN

1. In addition to the remuneration payable by virtue of Part 1 of this Determination, there is payable—

- (a) to a person for the time being holding the office of Premier in conjunction with a ministerial office, a salary calculated at the rate of \$69910 per annum.
- (b) to the person for the time being holding the office of Deputy Premier in conjunction with a ministerial office, a salary calculated at the rate of \$53195 per annum.
- (c) to the person for the time being holding the office of Leader of the Government in the Legislative Council in conjunction with a ministerial office, a salary calculated at the rate of \$47105 per annum.
- (d) to each person, not being a person referred to in sub—paragraph (a), (b) or (c) of this paragraph, for the time being holding a ministerial office a salary calculated at the rate of \$39509 per annum.

2. If a person holds more ministerial offices than one, that person shall be paid a salary under this Part in respect of one only of those offices.



PART III—REMUNERATION OF OFFICERS OF PARLIAMENT AND THE  
PARLIAMENTARY SECRETARY OF THE CABINET

1. In addition to the remuneration payable to a Member by virtue of Part I of this Determination there is payable to the person for the time being holding the office specified in the table hereunder a salary of the amount and at the rate specified, namely—

Office	Salary per annum
	\$
Leader of the Opposition in the Legislative Assembly	39509
President of the Legislative Council	29631
Speaker of the Legislative Assembly	29631
Leader of the Opposition in the Legislative Council	21731
Deputy Leader of the Opposition in the Legislative Assembly	21731
The person who not being a Minister of the Crown is the leader of a party in the Legislative Assembly of at least five Members other than a party whose leader is the Premier or the Leader of the Opposition	21731
Parliamentary Secretary of the Cabinet	21731
Chairman of Committees in either House	11853
Government Whip in the Legislative Assembly	9877
Opposition Whip in the Legislative Assembly	9877
Government Whip in the Legislative Council	5927
Opposition Whip in the Legislative Council	5927

2. Where the Legislative Assembly is dissolved or expires by effluxion of time, a person who is the Parliamentary Secretary of the Cabinet or immediately before the dissolution or expiry by effluxion of time was the Chairman of Committees in the House or is the holder of the office of—

- (a) Leader of the Opposition in that House;
- (b) Leader of a recognised non—Government Party of at least five Members in the Legislative Assembly;
- (c) Deputy Leader of the Opposition in that House;
- (d) Government Whip in that House; or
- (e) Opposition Whip in that House

is entitled to receive the salary payable to that office holder by virtue of paragraph 1 of this Part and the allowance, if any, payable to the office holder under Part IV of this Determination until—

- (i) that person ceases to be a Member by reason of an event other than the dissolution or expiry by effluxion of time of the Legislative Assembly; or
- (ii) another person is elected or appointed to the office held by that person

whichever event shall first occur.

PART IV—EXPENSE ALLOWANCE

In addition to the remuneration payable under Parts I, II and III of this Determination there shall be payable to the holders for the time being of the following offices the following allowances, namely—

Office	Allowance per annum
	\$
Premier	22659
Deputy Premier	4721
Leader of the Government in the Legislative Council	4721
Ministers of the Crown (other than the Premier, Deputy Premier, and the Leader of the Government in the Legislative Council)	3115
Leader of the Opposition in the Legislative Assembly	3115
President of the Legislative Council	2494
Speaker of the Legislative Assembly	2494
*Leader of a Recognised non-Government Party	2494
Leader of the Opposition in the Legislative Council	2078
Parliamentary Secretaries	1661
Deputy Leader of the Opposition in the Legislative Assembly	1661
Parliamentary Secretary of the Cabinet	1661
Chairman of Committees in the Legislative Council	1246
Chairman of Committees in the Legislative Assembly	1246

\*As defined in Part III paragraph 1.

## PART V—TRAVELLING AND ACCOMMODATION ALLOWANCES

**Section 1****Office Holders on Official business**

1.1 There shall be payable to the Premier, a Minister of the Crown, an Honorary Minister and the Parliamentary Secretary of the Cabinet, when travelling within Australia on official duty as the holder of that position, who actually incurs expense on overnight accommodation at a place situated outside a radius of 50 kilometres of the Perth GPO, by way of reimbursement travelling allowances at the rate per day set in this Part.

1.2 The Deputy Premier when travelling within Australia on duty representing the Premier shall be entitled to the same allowances as the Premier.

1.3 Opposition and Third Party Leaders: The Leader of the Opposition in the Legislative Council, the Leader of the Opposition in the Legislative Assembly and the Leader of a Recognised Non-Government Party, when travelling within Australia on duty as such Leader, shall be entitled to the same allowances as a Minister and so also shall the Deputy Leader of the Opposition in the Legislative Assembly when travelling within Australia on duty whether for and in the place of the Leader or as such Deputy Leader only.

1.4 Temporary Appointments: A Member who, for the time being, is appointed to act in lieu of the permanent occupant in any of the positions referred to in paragraphs 1.1, 1.2 or 1.3, shall, for the time he or she is acting in that position, receive the same travelling allowance as payable to the permanent occupants.

1.5 Members: A Member (not being the holder of an office referred to in paragraphs 1.1, 1.2, or 1.3) who actually incurs expense in securing overnight accommodation when travelling on duty within Australia, as an official representative of the Government or Parliamentary committee or delegation including a Member of a Select Committee of a House or a Joint Select Committee of Houses shall be entitled to travelling allowances at the rate set for a Minister.

**1.6 Members Deputising—**

- (i) On behalf of the Premier: A Member who, at the written request of the Premier, deputises for the Premier at a function, and who actually incurs expense on overnight accommodation at a place situated outside a radius of 50 kilometres from that Member's principal place of residence or second residence, is entitled to claim allowances under this Part, at the rate prescribed for a Minister.
- (ii) On behalf of the Leader of the Opposition in the Legislative Assembly, or the Leader of a recognised non government party (as defined in Part III paragraph 1): A Member who, at the written request of the above mentioned Leaders, deputises for the Leader at a function, and who actually incurs expense on overnight accommodation, at a place situated outside a radius of 50 kilometres from that Member's principal place of residence or second residence is entitled to claim allowances under this Part, at the rate prescribed for a Minister. The maximum number of claims allowed per Party under this section is limited to 24 per financial year.

**Section 2**

2.1 There shall be payable to a Member who represents the Mining and Pastoral, Agricultural or South West Regions or any District contained within those Regions an amount per financial year based on 80 nights at Rate A for accommodation and associated expenditure incurred for the following purposes—

1. Sittings of that Members House of Parliament.
2. Meetings of Select Committees of which that Member is a member.
3. Attendance at official government, parliamentary or vice regal functions.
4. Any other official duties pertaining to parliamentary or electorate matters.

2.2 Where by virtue of a Members parliamentary role, a member, representing an electorate mentioned in (2.1) above, maintains a second residence or wholly resides in the Perth Metropolitan area, the allowance shall be paid on the same basis as though that Member resided in the District or Region to which he or she has been elected. This allowance is granted to cover costs associated with the second residence or travel to and from that Members electorate and accommodation costs therein.

**Section 3—Travelling within the Members Electorate**

In addition to that applying in Section 2 of this Part—

3.1 Members representing the District or Regions listed in 3.2 may claim travelling allowances at Rate B for each overnight stay at a place in or adjacent to their electorate, but not within a radius of 50 kilometres of the Member's principal place of residence or second residence.

3.2 (i) The maximum number of nights claimable per financial year shall be—

- 30 nights—Avon, Collie, Greenough, Merredin, Moore, Murray, Roe, Stirling, Vasse, Wagin, Warren and Wellington.
- 40 nights—Ashburton, Eyre, Pilbara, Kimberley & Northern Rivers.
- 50 nights—Regions—Mining and Pastoral, Agricultural and Southwest.

- (ii) Where a Member exceeds the number of nights specified in 3.2 (i), a further entitlement equivalent to the original may be claimed, subject to the following additional criteria—
- (a) The principal place of residence of the Member must be in or adjacent to the electorate to which the Member has been elected, provided that the residence is not located in the Metropolitan Regions; and
  - (b) Where overnight accommodation is claimed, the Member must produce evidence that expenditure was incurred. Where a part day is claimed, the Member must certify that the meals claimed were purchased.

#### Section 4—Parliamentary Party Meetings

A Member attending a meeting of his or her Parliamentary party other than in Perth but within Western Australia shall be entitled to claim the Accommodation allowance up to a maximum of 8 nights per financial year, at the appropriate Members rates contained at the end of this Part.

#### Section 5—General Conditions Applying to This Part

5.1 For the purpose of this Part, a Member must nominate his or her principal place of residence, and where applicable the address of the second residence, to the President of the Legislative Council or the Speaker of the Legislative Assembly.

5.2 Where a Member or office holder claiming under sections 1 and 3 of this Part secures overnight accommodation, either travelling from or to his or her principal place of residence for the purposes outlined in each Section, travels for part of a day, reimbursement will be made in accordance with the following formulae—

- (i) If departure from principal place of residence is—
  - before 8.00am—100 per cent of the daily rate.
  - 8.00am or later but prior to 1.00pm—90 per cent of the daily rate.
  - 1.00pm or later but prior to 6.00pm—75 per cent of the daily rate.
  - 6.00pm or later—50 per cent of the daily rate.
- (ii) If arrival back at principal place of residence is—
  - 8.00am or later but prior to 1.00pm—10 per cent of the daily rate.
  - 1.00pm or later but prior to 6.00pm—25 per cent of the daily rate.
  - 6.00pm or later but prior to 11.00pm—50 per cent of the daily rate.
  - 11.00pm or later—100 per cent of the daily rate.

5.3 Partial payment of the appropriate daily travelling allowance calculated at the rate of ten per cent for breakfast, fifteen per cent for lunch and twenty five per cent for dinner may be claimed in the following circumstances—

- (i) Where a Member or Office Holder travels in accordance with the provisions of Sections 1 and 3 of this Part, and the travel does not occasion an overnight stay, that Member or Office Holder may claim the partial allowance provided that certification is made that each meal was actually purchased.
- (ii) Where a Member or Office Holder travels in accordance with the provisions of Sections 1 and 3 of this Part, and utilises accommodation for a period that does not include an overnight stay, an amount of fifty per cent of the appropriate daily rate may be claimed in addition to the partial allowance.

#### Section 6—Travelling Allowance—Rates of Payment

	Premier	Ministers Etc	Members
	\$	\$	\$
Capital City (Excluding Perth)	400	300	
Other Areas	275	175	
Perth	—	—	Rate A 134
WA South of 26° Lat	—	—	Rate B 105
WA North of 26° Lat	275	250	Rate B as per the Government Officers, Salaries Allowances & Conditions Award 1989 Schedule J

Provided that where the expenses reasonably and properly incurred exceed the above allowance, the actual costs should be reimbursed

#### Section 7—Taxi Fares

A Member shall be entitled to claim reimbursement of taxi fares necessarily incurred when travelling to or from any airport, or helipad in the Metropolitan area or the Perth Rail Terminal to Parliament House, or to the Members residence in the Metropolitan area for the purpose of

attending a sitting of Parliament, attending party meetings or meetings of Parliamentary Committees.

#### PART VI—POSTAGE ALLOWANCES

There shall be payable to every Member of Parliament, for parliamentary or electorate business, but not for party or personal business, a postage and lettergram allowance at the rate of \$4520 per annum. This allowance shall be paid monthly.

##### Office Holders

The holders of the following offices, in addition to the allowance granted as a Member, shall receive an annual allowance, payable monthly, for the purchase of postal and Lettergram facilities for the Office held. The allowance is not to be used for Electorate, party or personal business.

	Rate Per Annum
Leader of the Opposition in the Legislative Assembly	7340
Leader of the Opposition in the Legislative Council	5500
Leader of a recognised Non Government Party	5500
Deputy Leader of the Opposition in the Legislative Assembly	3670

The allowances provided in this Part shall be adjusted proportionately in accordance with any percentage variation in the basic minimum first class letter rate as fixed by Australia Post; the said increase to operate from the date on which such increased postal rates commence.

#### PART VII—TELEPHONE RENTAL AND CALLS

##### 1. Private Residence—

(a) Every Member of Parliament (other than Ministers, the President of the Legislative Council, the Speaker of the Legislative Assembly, the Leader of the Opposition in the Legislative Assembly and the Chairman of Committees, and any others whose private telephone rentals and calls are paid in full from public funds) shall receive, as an allowance or emolument, payment to that Member by way of reimbursement, of the rental and 85 per centum of all charges for calls incurred by that Member in respect of one standard telephone in that Member's private residence or, where that Member reasonably maintains more than one residence by reasons of membership of Parliament, in each such residence.

(b) The rental charges levied for additional telephone sockets shall be included in the reimbursement of rental in (a) above.

2. Definition: In this Part, "calls" include all charges (other than international telegrams and calls) as usually included on Telecom Australia accounts rendered to subscribers.

"Standard telephone" and "Approved telephone" refers to the telephones considered appropriate from time to time, by the Director General, Ministry of the Premier and Cabinet.

#### PART VIII—PAYMENT OF REMUNERATION

1. The remuneration payable to a Member under Parts I, (Section 2), VI and VII of this Determination shall be calculated from the day on which the Member is elected as a Member, and except as provided by paragraph 3 of this Part, cease to be payable as from the day on which the person ceases to be a Member.

2. Where a Member of the Legislative Assembly ceases to be a Member thereof by reason of the dissolution of that House or the expiry thereof by effluxion of time, the Member is notwithstanding that Member's cessation of membership, entitled to continue to receive the remuneration provided in Parts I, VI and VII of this Determination until the day fixed for the taking of the poll next following the dissolution or expiry of that House.

3. Remuneration payable under Parts I (Sections 1 & 2), II, III, IV, V (Section 2) and VI of this Determination shall be paid by equal instalments on the last day of each month.

Dated at Perth this 5th day of December 1991.

B. J. COLLIER, Chairman.

M. F. BEESON, Member.

R. H. C. TURNER, Member.

Salaries and Allowances Tribunal.

#### DETERMINATION—SECOND SCHEDULE

Pursuant to the provisions of the Salaries and Allowances Act 1975 (as amended) the Salaries and Allowances Tribunal determines the remuneration to be paid to the Officers of the Public Service holding offices included in the Special Division of the Public Service and the persons holding Prescribed Offices, on and from the dates specified hereunder.

Offices in the Special Division of the Public Section can be identified by the prefix "S".  
Prescribed Offices can be identified by the prefix "P".

## Salary rates—

Special/Group 1 .....	\$ 79408
Special/Group 2 .....	\$ 84273
Special/Group 3 .....	\$ 88483
Special/Group 4 .....	\$ 93347
Special/Group 5 .....	\$ 98947
Special/Group 6 .....	\$106368
Special/Group 7 .....	\$115942
Special/Group 8 .....	\$128116

## S Aboriginal Affairs Planning Authority—

Commissioner—(S1)

## S Agriculture—Department of—

Director—(S5)

## S Arts—Department for the—

Executive Director—(S2)

## P Auditor General—Office of—

Auditor General—(S6)

## S Authority for Intellectually Handicapped Persons—

Director—(S4)

## S Building Management Authority—

Executive Director—(S5)

## P Coastal Shipping Commission—(Western Australian)—

General Manager—(S3)

## S Community Services—Department for—

Director General—(S5)

## P Conservation and Land Management—Department of—

Executive Director—(S5)

## S Consumer Affairs—Ministry of—

Executive Director—(S2)

## P Corporate Affairs Department—

Commissioner—(S1)

## S Corrective Services—Department of—

Executive Director—(S5)

## S Crown Law Department—

Under Secretary—(S4)

## S Education—Ministry of—

Chief Executive Officer—(S8)

## P Electoral Commission—(Western Australian)—

Electoral Commissioner—(S4)

Deputy Electoral Commissioner—The salary payable from time to time to the holder of a Level 8 office in the Western Australian Public Service.

## S Employment and Training—Department of—

Executive Director—(S2)

## S Employment, Vocational Education and Training—Department of—

Chief Executive Officer—(S5).

## P Fire Brigades Board—(Western Australian)—

Executive Chairman—(S3)

## S Fisheries Department—

Director—(S2)

## P Fremantle Hospital—

Chief Executive Officer—(S3)

## P Fremantle Port Authority—

General Manager—(S4)

## S Government Accommodation—Office of—

Director—(S1)

- S Government Employees Superannuation Board—  
Executive Director—(S3)
- P Government Railways Commission—(Western Australian)—  
Commissioner—(S6)
- S Health Department of Western Australia—  
Commissioner—(S8), plus a contract allowance of \$18748 per annum
- S Higher Education—Office of—  
Chief Executive Officer—(S3)  
plus a contract allowance of \$17250 per annum.
- S Housing Commission—(State)—  
General Manager—(S5)
- P King Edward Memorial Hospital—  
Chief Executive Officer—(S3)
- S Land Administration Department of—  
Executive Director (Under Secretary)—(S3)
- P Library Board of Western Australia—  
State Librarian—(S1)
- S Local Government—Department of—  
Secretary—(S2)
- P Main Roads Department—  
Commissioner—(S6)  
Asst Commissioner—(S3)
- S Marine and Harbours—Department of—  
General Manager—(S3)
- P Meat Commission—(Western Australian)—  
Chief Executive Officer—(S2)
- P Metropolitan (Perth) Passenger Transport Trust—  
Chairman/Chief Executive—(S4)
- S Mines—Department of—  
Director General—(S6)
- P Museum—(Western Australian)—  
Director—(S1)
- P Occupational Health, Safety and Welfare—Department of—  
Commissioner—(S4)
- P Parliamentary Commissioner for Administrative Investigations—  
Commissioner—(S5)
- S Planning and Urban Development—Department of—  
Chief Executive—(S4)
- P Police Department—  
Commissioner—(S6)  
Deputy Commissioner—(S3)  
Assistant Commissioner—  
Traffic Operations—(S1)  
Crime Operations—(S1)  
Personnel—(S1)  
Operations Support—(S1)  
General Operations—(S1)
- S Premier and Cabinet—Ministry of the—  
Director—General—(S8)  
Department of the Premier  
Chief Executive—(S4)  
Department of the Cabinet  
Chief Executive—(S4)
- P Princess Margaret Hospital for Children—  
Chief Executive Officer—(S3)
- S Productivity and Labour Relations—  
Executive Director—(S3)

- P Public Service Commission—  
Commissioner—(S7)  
Assistant Commissioner—(S3)
- S Racing and Gaming—Office of—  
Executive Director—(S2)
- P Royal Perth Hospital—  
Chief Executive Officer—(S5)
- S Secondary Education Authority—  
Director—(S2)
- S Services—Department of—  
Executive Director—(S4)
- P Sir Charles Gairdner Hospital—  
Chief Executive Officer—(S5)
- S South West Development Authority—  
Executive Director—(S1)
- S Sport and Recreation—Ministry of—  
Executive Director—(S2)
- S State Development—Department of—  
Chief Executive Officer—(S5)
- P State Energy Commission of Western Australia—  
Deputy Commissioner—(S4)  
Asst Commissioner—Electricity Supply—(S3)  
—Gas—(S3)  
—Generation—(S3)  
—Finance & Admin—(S3)  
—Expansion Projects—(S3)  
—Human Resources—(S2)
- S Taxation Department—(State)—  
Commissioner—(S3)
- S Technical and Further Education, Dept of—  
Executive Director—(S4)
- P Totalisator Agency Board—  
General Manager—(S1)
- P Tourism Commission—(Western Australian)—  
Chairman and Chief Executive Officer—(S1)
- S Transport—Department of—  
Director General—(S4)
- S Treasury Department—  
Under Treasurer—(S8)
- P Water Authority of Western Australia—  
Managing Director—(S6)
- S Workers Compensation and Rehabilitation Commission—  
Executive Director—(S1)

Dated at Perth this 5th day of December 1991.

B. J. COLLIER, Chairman.  
M. F. BEESON, Chairman.  
R. H. C. TURNER, Member.  
Salaries and Allowances Tribunal.