



**WESTERN  
AUSTRALIAN  
GOVERNMENT**  
**Gazette**

ISSN 1448-949X (print)

ISSN 2204-4264 (online)

PRINT POST APPROVED PP665002/00041



**PERTH, THURSDAY, 29 JULY 2021 No. 131**

**SPECIAL**

PUBLISHED BY AUTHORITY GEOFF O. LAWN, GOVERNMENT PRINTER

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**SALARIES AND ALLOWANCES ACT 1975**

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**DETERMINATION OF THE REMUNERATION OF  
COMMISSIONERS OF THE WESTERN AUSTRALIAN  
INDUSTRIAL RELATIONS COMMISSION**

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**REMUNERATION OF JUDGES, DISTRICT COURT JUDGES,  
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**DETERMINATION OF THE SALARIES AND ALLOWANCES  
TRIBUNAL FOR CLERKS AND DEPUTY CLERKS OF THE  
PARLIAMENT, PUBLIC SERVICE OFFICE HOLDERS INCLUDED  
IN THE SPECIAL DIVISION OF THE PUBLIC SERVICE AND  
PERSONS HOLDING OFFICES PRESCRIBED IN SALARIES AND  
ALLOWANCES REGULATION NUMBER 3**



## SALARIES AND ALLOWANCES ACT 1975

**DETERMINATION OF THE REMUNERATION OF  
COMMISSIONERS OF THE WESTERN AUSTRALIAN  
INDUSTRIAL RELATIONS COMMISSION**

1. The Salaries and Allowances Tribunal (“Tribunal”) issues this Determination pursuant to section 6(1)(e) of the *Salaries and Allowances Act 1975* (“the Act”).
2. Since February 2018, section 10D of the Act has prevented the Tribunal from making a determination that increases remuneration provided to certain public offices in its jurisdiction, including offices included in section 6(1)(e).
3. This Determination is issued to provide a point of reference for remuneration provided for Commissioners of the Western Australian Industrial Relations Commission at the expiry of these legislative restrictions, on 1 July 2021. From this date, the Tribunal will resume much of its usual discretion to set remuneration for offices included in section 6(1)(e).
4. However, the Tribunal must still comply with section 10G, which prevents the Tribunal from making a determination that—
  - has the effect of providing for the payment or provisions of remuneration on the basis that the remuneration was not paid or provided before 1 July 2021 by reason of the operation of section 10D; or
  - takes into account any increase in the cost of living that occurred between commencement day and 1 July 2021.
5. The conditions in section 8 will also resume on 1 July 2021, requiring the Tribunal to annually inquire into and determine the remuneration for certain office holders in its jurisdiction. As such, the Tribunal will conduct an annual inquiry and issue its next determination no later than 1 July 2022.
6. In accordance with section 10A, this determination has considered the—
  - *Public Sector Wages Policy Statement 2019*; and
  - financial position and fiscal strategy of the State, as stated in the *Government Mid-year Financial Projections Statement of December 2020*.
7. The Tribunal has noted advice received from the Under Treasurer, who stated that while the Western Australian economy appears to be recovering from the severe impact of the COVID-19 pandemic, the outlook is difficult to predict and significant risks remain. The State’s revenue estimates are currently highly sensitive to changes in key economic parameters.
8. The Tribunal notes that remuneration provided to WA Industrial Relations Commissioners has not increased for some time.
9. With the prevailing uncertainty over the economic climate, the Tribunal has determined a \$1,000 increase in the remuneration WA Industrial Relations Commissioners. This increase is in line with those provided to the wider public service in accordance with the *Public Sector Wages Policy*.
10. The determination will now issue.

## SALARIES AND ALLOWANCES ACT 1975

DETERMINATION OF THE REMUNERATION OF COMMISSIONERS OF THE WESTERN  
AUSTRALIAN INDUSTRIAL RELATIONS COMMISSION

Pursuant to Section 6(1)(E)

**PART 1—INTRODUCTORY MATTERS**

*This part deals with some matters that are relevant to the determination generally.*

**1.1 Short Title**

This determination may be cited as the *Commissioners of the Western Australian Industrial Relations Commission Determination No. 1 of 2021*.

**1.2 Commencement**

This determination comes into operation on 1 July 2021.

### 1.3 Content and intent

(1) This determination provides for the salary, allowances and other benefits to be paid, provided or reimbursed to holders of offices of the Western Australian Industrial Relations Commission (‘the Commission’) prescribed for the purposes of section 6(1)(e) of the *Salaries and Allowances Act 1975* (the Act).

(2) The offices to which this determination applies are the offices of the members of the Commission, other than the President, as prescribed in section 20(2) of the *Industrial Relations Act 1979*.

### 1.4 Terms used

In this determination, unless the contrary intention appears—

**Chief Commissioner** means a Chief Commissioner appointed under the *Industrial Relations Act 1979*;

**Senior Commissioner** means a Senior Commissioner appointed under the *Industrial Relations Act 1979*;

**Commissioner** means a commissioner appointed under the *Industrial Relations Act 1979*.

### 1.5 Conditions of service

(1) Pursuant to section 20(10) of the *Industrial Relations Act 1979* a Chief Commissioner, Senior Commissioner and Commissioner have a right to paid leave of absence and to lump sum payments on ceasing to hold office for the money equivalent of leave of absence which shall not be less than those applicable to a permanent public office under the *Public Sector Management Act 1994*.

(2) To the extent that conditions of service affect remuneration (e.g. paid leave of absence), a Chief Commissioner, Senior Commissioner and Commissioner are entitled to the same terms and conditions as contained in the *Public Service Award 1992* and the *Public Service and Government Officers General Agreement 2017*. When there is any inconsistency between the remuneration payable under this determination and the terms of the *Public Service Award 1992* and the *Public Service and Government Officers General Agreement 2017*, the remuneration specified in this determination shall prevail to the extent of any inconsistency.

### 1.6 Salary Packaging

A Chief Commissioner, Senior Commissioner and Commissioner are entitled to participate in salary packaging arrangements for superannuation and novated leases in accordance with the ‘Guidelines for Salary Packaging in the WA Public Sector’ issued by the Department of Mines, Industry Regulation and Safety.

## PART 2—SALARY

*This part deals with the salary payable to a Chief Commissioner, Senior Commissioner or Commissioner for the performance of their duties pursuant to their appointments under the Industrial Relations Act 1979.*

### 2.1 General

The amount of a person’s entitlement to an annual salary shall be calculated on a pro rata basis in accordance with the proportion of full-time hours worked by an office holder.

### 2.2 Offices and salaries

(1) The annual salaries specified in Table 1 of this Part apply to a Chief Commissioner, Senior Commissioner and Commissioner.

(2) The annual salaries specified are inclusive of leave loading entitlements.

**Table 1—Annual salaries payable to a Chief Commissioner, Senior Commissioner and Commissioner**

Office	Annual Salary
Chief Commissioner	\$349,295
Senior Commissioner	\$326,431
Commissioner	\$309,393

## PART 3—MOTOR VEHICLE BENEFITS

*This Part deals with the motor vehicle benefits paid or provided to a Chief Commissioner, Senior Commissioner or Commissioner.*

### 3.1 General

(1) In addition to the salary determined for the holders of offices listed in Part 2 of this Determination, those office holders are entitled to an allowance which may be taken as cash with salary or may be utilised to access a motor vehicle for private use leased through State Fleet.

(2) The motor vehicle (being part of the Government-owned State Fleet) should be managed in accordance with the policies and conditions established and amended from time to time by the Department of Finance (the effective owner of the State Fleet). Applicable terms and conditions are currently set out in the Department of Finance’s document, *State Fleet—Agency General Agreement*.

(3) An individual accessing a vehicle under this Part shall take due care of the condition and security of the vehicle. This includes responsibility for regular servicing and maintenance at government expense according to the manufacturer’s recommended specifications, and making arrangements for

off-street parking at home, whenever practicable, with appropriate security precautions at all times. Theft or damage should be reported to the Fleet Manager.

(4) Motor vehicles leased for office holders under this determination or a previous determination of the Tribunal shall not be changed or cash in lieu taken prior to the expiration of the lease.

(5) While the vehicle may be used anywhere in Western Australia at no cost to the individual, the individual is liable for the cost of fuel and oil incurred when driving interstate. Furthermore, if used outside of Western Australia, the custodian must be in the vehicle at all times that it is being used.

(6) Should the officer choose not to use the vehicle supplied through State Fleet for business, or for travelling to and from work, but allows and authorises the vehicle to be used for private use during business hours by another family member or person, they are not entitled to access another government vehicle for private use, including transport to and from work.

(7) Should the officer choose to take cash in lieu of a motor vehicle supplied through State Fleet, it is not the Tribunal's intent that this should result in additional government expense or an increase in the government fleet to provide transport for the office holder during business hours. Office holders are not entitled to claim mileage allowance for use of private vehicles for work purposes. Neither are they entitled to access another government vehicle for their personal use including transport to and from work.

### 3.2 Notional value of the lease and the cost to the Office Holder

(1) The notional value of the lease (and all associated costs) shall be—

**Table 2: Notional value of motor vehicle lease**

Office	Notional Value of Lease
Chief Commissioner	\$26,900 p.a.
Senior Commissioner	\$25,400 p.a.
Commissioner	\$25,400 p.a.

(2) The notional value of the lease shall be calculated on a pro-rata basis in accordance with the proportion of full-time hours worked by an office holder.

(3) The total lease cost of the chosen vehicle and accessories determined in this section must be borne by the office holder. This includes the purchase cost of any accessories, including installation and removal costs if required, before disposal of the vehicle. No additional costs shall be incurred by the office holder as a result of fluctuations in lease costs during the specified term of the lease.

(4) When the total lease and associated costs of a vehicle and accessories in accordance with this determination is less than the relevant motor vehicle benefit determined in this section, the difference in the cost to Government is to be paid fortnightly as part of the office holder's remuneration.

(5) The method of determining whether an additional contribution must be made by the office holder or the surplus is to be paid to the office holder, shall be based on the notional lease cost to the Government of the vehicle sought (using the formula detailed below), compared with the relevant notional lease value determined for the benefit in this section. The cost at the time of entering into the lease is applicable.

(6) In the event an office holder's vehicle requires modifications to cater for a disability, resulting in total vehicle costs higher than the notional lease values specified in 3.2(1), then the reasonable additional cost may be approved by the Chief Commissioner, in consultation with the Department of the Registrar, Western Australian Industrial Relations Commission.

(7) The notional value of the vehicle benefit must include lease cost, Fringe Benefits Tax (FBT) and all other operating costs based on the relevant figure of nominated kilometres to be travelled annually. The formula to be adopted in valuing the motor vehicle is—

Value of Motor Vehicle = L + R + aD + FBT + I + LCT, where—

L	=	Lease payments
R	=	Registration costs
a	=	Running cost per kilometre
D	=	nominated annual kilometres
FBT	=	Fringe Benefits Tax
I	=	Insurance
LCT	=	Luxury Car Tax

(8) FBT is costed at applicable Australian Taxation Office rates: purchase price (including GST) x Statutory fraction x Gross up (2.0802) x FBT rate (0.470).

(9) Each lease should be tailored to achieve the most cost-effective arrangement based on individual usage.

### 3.3 Choice of Motor Vehicle

(1) When office holders elect to access a leased vehicle under State Fleet arrangements, they may choose any vehicle and accessories in the relevant Western Australian Government Common Use Contract or an "off contract" vehicle and accessories available under Government leasing arrangements in accordance with the following criteria.

(2) Vehicles with V8 engines are not included. Supercharged and turbo-charged engines with a capacity greater than 3.0 litres are not included.

(3) Office holders unable to lease their choice of vehicle within the scope of the arrangements set out in this determination should elect to make their own arrangements to meet their personal transport needs.

### 3.4 Cash Value of the Motor Vehicle Allowance

(1) When officeholders elect to not be provided with a motor vehicle through State Fleet they are entitled to the cash value being paid fortnightly as additional remuneration. The relevant cash value is as specified in Table 3.

**Table 3: Cash Value of a Motor Vehicle**

Office	Notional Value of the Lease
Chief Commissioner	\$26,900 p.a.
Senior Commissioner	\$25,400 p.a.
Commissioner	\$25,400 p.a.

(2) The cash value of the motor vehicle allowance shall be calculated on a pro rata basis in accordance with the proportion of full-time hours worked by an office holder.

(3) A Gold State member electing to take a motor vehicle or the cash equivalent in lieu of a motor vehicle is not entitled to have either amount included for superannuation purposes.

(4) A West State or GESB Super member electing to take a vehicle does not have the cash value of that vehicle included for superannuation. However if the office holder elects to take a cash equivalent in lieu of a motor vehicle then this amount is included for the purposes of superannuation.

## PART 4—TRAVELLING AND ACCOMMODATION ALLOWANCE

*This Part deals with the travelling and accommodation allowance to be paid or reimbursed to a Chief Commissioner, Senior Commissioner and Commissioner.*

### 4.1 General

(1) A Chief Commissioner, Senior Commissioner and Commissioner shall be entitled to claim a travelling and accommodation allowance or reimbursement as specified in this Part while travelling on official business.

(2) Claims for overnight stays in the Perth metropolitan area shall be subject in each case to the approval of the Chief Commissioner.

### 4.2 Allowance or reimbursement payable

(1) When an overnight stay away from home is involved, a travelling and accommodation allowance (inclusive of accommodation, meals and incidentals) shall be payable in accordance with the Australian Taxation Office's reasonable benefit limit rates for the relevant financial year as specified in the ATO's Taxation Determination and when accompanied by certification that the expense was appropriately incurred.

(2) If the reasonably and properly incurred travelling and accommodation expenses exceed the abovementioned specified rates, the actual costs should be reimbursed. Receipts or vouchers must be provided in support of any claim for reimbursement in excess of the specified rate.

(3) Part payment of travelling and accommodation allowances shall apply in the following circumstances—

- (a) When the Chief Commissioner, Senior Commissioner or Commissioner is accommodated in private, non-commercial accommodation, such as the home of a family member or friend, a rate of one third of the specified rate shall be payable.
- (b) When the cost of commercial accommodation is met by an entity other than the Chief Commissioner, Senior Commissioner or Commissioner, an allowance shall be payable in accordance with the Australian Taxation Office's reasonable benefit limit rates for the relevant financial year as specified in the ATO's Taxation Determination for meals and incidentals when accompanied by certification that the expense was appropriately incurred.
- (c) When in the case of commercial accommodation referred to in sub section (b) above, the cost of a meal or meals is met by an entity other than the Chief Commissioner, Senior Commissioner or Commissioner, the amount of travelling allowance shall be reduced by the relevant amount or amounts referred to in the preceding paragraph.

Signed on 24 June 2021.

M SEARES AO  
Chair

B A SARGEANT PSM  
Member.

Salaries and Allowances Tribunal.

**REPORT OF THE SALARIES AND ALLOWANCES TRIBUNAL****REMUNERATION OF JUDGES, DISTRICT COURT JUDGES,  
MASTERS OF THE SUPREME COURT, MAGISTRATES AND THE  
PARLIAMENTARY INSPECTOR OF THE CORRUPTION AND  
CRIME COMMISSION**

1. Section 7 of the *Salaries and Allowances Act 1975* (‘the Act’) requires the Salaries and Allowances Tribunal (‘the Tribunal’) to inquire into and report to the responsible Minister in relation to possible changes in the remuneration paid or provided to—

- Judges;
- District Court Judges;
- Masters of the Supreme Court;
- Magistrates; and
- the Parliamentary Inspector of the Corruption and Crime Commission.

2. The Act states that the Tribunal must recommend the nature and extent of any changes to remuneration, if considered necessary.

3. Since February 2018, section 10E of the Act has prevented the Tribunal from making a report recommending that higher remuneration should be provided to judicial officeholders before 1 July 2021.

4. This Report is intended to be a point of reference for remuneration provided for members of the judiciary at the expiry of these legislative restrictions. From 1 July 2021, the Tribunal will resume much of its usual discretion to set remuneration for members of the judiciary under section 7.

5. However, the Tribunal’s decisions in relation to judicial officeholders remain subject to section 10G, which prevents the Tribunal from making a report that—

- a. has the effect of providing for the payment or provisions of remuneration on the basis that the remuneration was not paid or provided before 1 July 2021 by reason of the operation of section 10E; or
- b. takes into account any increase in the cost of living that occurred between commencement day and 1 July 2021.

6. For the duration of the section 10E restrictions, an amendment to section 8 removed the requirement for the Tribunal to report annually on remuneration provided to judicial officeholders, as would usually be the case. The annual reporting requirement will resume on 1 July 2021. As such, the Tribunal will conduct an annual inquiry and issue its next report no later than 1 July 2022.

7. The Tribunal notes that remuneration provided to judicial officeholders has not increased for some time, which has caused increasing inconsistencies in remuneration provided in Western Australia and other Australian jurisdictions. There is also divergence in remuneration provided to officeholders in the Federal jurisdiction working in Western Australia and those in the State jurisdiction.

8. The Tribunal has noted advice received from the Under Treasurer, who stated that while the Western Australian economy appears to be recovering from the severe impact of the COVID-19 pandemic, the outlook is difficult to predict and significant risks remain. The State’s revenue estimates are currently highly sensitive to changes in key economic parameters.

9. The Tribunal concludes that uncertainty over the economic climate remains the prevailing consideration at this time. As such, the Tribunal recommends a general \$1,000 increase in remuneration provided to judicial officeholders. This accords with increases provided to other office holders in the Tribunal’s jurisdiction and the wider public service.

10. Remuneration for judicial offices is set at rates in the attached Schedule.

**Tabling of Report**

11. The Act requires this report to be tabled in each House of Parliament within five sitting days of the Minister receiving it. Either House of Parliament, within 15 sitting days of the report being tabled in that House, may pass a resolution disapproving the Tribunal’s recommendation.

The report will now issue.

**Schedule****REPORT ON THE REMUNERATION OF JUDGES, DISTRICT COURT JUDGES,  
MASTERS OF THE SUPREME COURT, MAGISTRATES, AND THE PARLIAMENTARY  
INSPECTOR OF THE CORRUPTION AND CRIME COMMISSION****REMUNERATION ARRANGEMENTS****PART 1—REMUNERATION**

1.1 Remuneration shall be payable at the following rates to Judges, Masters and Magistrates with effect from 1 July 2021.

1.2 The annual salary specified in this Part is inclusive of leave loading.

Position	Annual Salary
Chief Justice	\$509,591
President of the Court of Appeal	\$477,012
Senior Puisne Judge	\$455,511
Senior Judge of the Court of Appeal	\$455,511
Puisne Judge	\$442,057
Senior Master of the Supreme Court	\$409,726
Master of the Supreme Court	\$397,951
Chief Judge District Court	\$442,057
Senior Judge District Court	\$409,726
Judge District Court	\$397,951
Chief Magistrate	\$397,951
Deputy Chief Magistrate	\$348,952
Principal Registrar/Magistrate Supreme Court *	\$348,952
Principal Registrar/Magistrate, Family Court *	\$348,952
Magistrates	\$328,484
Registrars/Magistrates Family Court *	\$328,484
Parliamentary Inspector, Corruption and Crime Commission	\$265,234 <sup>#</sup>

\* These office holders hold commissions to be Magistrates while holding the offices of Registrar or Principal Registrar.

<sup>#</sup> Salary amount determined for an officeholder who has not previously held the office of a judge in the Supreme Court or District Court.

**PART 2—TRAVELLING AND ACCOMMODATION ALLOWANCE**

2.1 When an overnight stay away from home is involved, a travelling and accommodation allowance (inclusive of accommodation, meals and incidentals) shall be payable in accordance with the relevant Australian Taxation Office reasonable benefit limit applicable from time to time and where accompanied by certification that the expense was appropriately incurred.

2.2 If reasonably and properly incurred travelling and accommodation expenses exceed the rate specified in 2.1, then actual costs should be reimbursed. Receipts or vouchers must be provided in support of any claim for reimbursement in excess of the specified rate.

2.3 Claims for overnight stays in the Perth metropolitan area should be subject in each case to the approval of the relevant Chief Judicial Officer.

2.4 Part payment of travelling and accommodation allowances shall apply in the following circumstances—

- a. When the Judge, Master or Magistrate is accommodated in private, non-commercial accommodation, such as the home of a family member or friend, a rate of one third of the specified rate shall be payable.
- b. When the cost of commercial accommodation is met by an entity other than the Judge, Master or Magistrate, an allowance shall be payable in accordance with the relevant Australian Taxation Office reasonable benefit limit for meals and incidentals applicable from time to time and where accompanied by certification that the expense was appropriately incurred.
- c. When in the case of commercial accommodation referred to in 2.4.b above, the cost of a meal or meals is met by an entity other than the Judge, Master or Magistrate, the amount of travelling allowance shall be reduced by the relevant amount(s) referred to in the preceding paragraph.

**PART 3—MOTOR VEHICLES**

3.1 The following arrangements apply or continue to apply, as the case may be, to each Judge, Master and full-time Magistrate for the provision of a fully maintained motor vehicle for business and private use.

3.2 All vehicles (being part of the Government-owned State Fleet) should be managed in accordance with the policies and conditions established and amended from time to time by the Department of

Finance (the effective owner of the State Fleet). Applicable terms and conditions are currently set out in the document “State Fleet—Agency General Agreement”.

3.3 Selection of appropriate vehicles should be subject to consultation between the Department supporting the Courts administratively (as the “Agency” responsible for managing the leasing arrangements for vehicles provided to Judges, Masters and Magistrates) and the relevant Court. Although the cost of the vehicles is centrally funded, as a consequence of it being a benefit recommended under the *Salaries and Allowances Act 1975*, the area remains an administrative responsibility of the Department to manage in a cost effective manner.

3.4 In providing for the use of a motor vehicle under this arrangement, the Tribunal requires that office holders and the Department of Justice will take account of the following principles established by the Tribunal. The provision of a motor vehicle should—

- a. meet the operational conveyance needs of the judiciary;
- b. provide for adequate safety and security of judicial office holders;
- c. represent fair value and benefit;
- d. support of the efficient, effective and ethical use of State resources;
- e. be consistent with current principles of environmental sustainability, in particular, fuel efficiency and Government emissions targets;
- f. be commensurate with the status of judicial offices; and
- g. when private use of a vehicle is permitted, provide scope for personal preference in choice of motor vehicle consistent with the above principles.

3.5 For the purposes of determining the value of the motor vehicle lease relative to the value of the relevant benefit set out in this report, the lease value shall be based on a whole of life lease over a minimum of two years/40,000 kilometres. The lease value and term will be determined at the time of ordering the motor vehicle and will be inclusive of the cost of accessories. No additional costs shall be incurred by the office holder as a result of fluctuations in lease costs during the specified term of the lease.

3.6 The notional lease value must include the lease cost, Fringe Benefits Tax (FBT) and all other operating costs based on the relevant figure of nominated kilometres to be travelled annually. The formula to be adopted in valuing the motor vehicle is—

$$L + R + aD + \text{FBT} + I + \text{LCT}, \text{ where}$$

L	=	Lease payments
R	=	Registration costs
a	=	Running cost per kilometre
D	=	nominated annual kilometres
FBT	=	Fringe Benefits Tax
I	=	Insurance
LCT	=	Luxury car tax

3.7 FBT is costed at applicable Australian Taxation Office rates. FBT is costed at purchase price (including GST) x Statutory fraction x Gross up (2.0802) x FBT rate (0.470).

3.8 FBT Exempt Agencies: Where an organisation is exempt from FBT in accordance with Commonwealth Government legislation, a notional amount equal to the standard FBT must be added to the cost of the benefit.

3.9 Motor vehicles leased for judicial office holders shall not be changed prior to the expiration of the lease unless it is for operational reasons approved by the relevant Chief Judicial Officer in consultation with the Department of Justice.

3.10 The Chief Justice is entitled to the provision of a vehicle to the notional value of \$27,300 per annum.

3.11 Judges, Masters and the Chief Magistrate are entitled to the provision of a vehicle to the notional value of \$26,900 per annum.

3.12 Magistrates are entitled to the provision of a vehicle to the notional value of \$25,400 per annum.

3.13 Judges, Masters, and Magistrates may choose any vehicle and accessories in the Common Use Contract or an “off contract” vehicle and accessories available under Government leasing arrangements, the total cost of which does not exceed the maximum cost of accessing a motor vehicle benefit determined in this report. When the total cost of the chosen vehicle and accessories exceeds the maximum cost of accessing a motor vehicle benefit determined in this report, the additional cost must be borne by the individual. This includes the purchase cost of any accessories and the installation cost and removal costs if required before disposal of the vehicle.

3.14 The relevant Chief Judicial Officer, in consultation with the Department of Justice, may approve the reasonable additional cost of modifications to a motor vehicle that result in total vehicle costs higher than the notional lease values specified in Parts 3.10 to 3.12, when the modifications are required to—

- (a) cater for a disability; or
- (b) provide a reasonable level of vehicle safety for an officeholder who is based in a regional area and who requires the vehicle to undertake significant travel for work purposes.

3.15 In order to contain additional administrative costs associated with “off contract” leases, office holders may request cost quotations for not more than three vehicles outside the Government’s Common User Contract for motor vehicles, in the process of selecting a vehicle under this arrangement.

3.16 Vehicles with V8 engines are not included. Turbo charged and super charged engines with a capacity greater than 3.0 litres are not included.

3.17 Each actual lease should be tailored to achieve the most cost-effective arrangement based on individual usage patterns.

3.18 Use of an off road vehicle must be substantiated by operational need and must be approved by the Chief Judicial Officer. Off road vehicles shall be of a standard, the cost of which does not exceed the whole of life notional lease value of the Toyota Prado GXL Auto 3.0 litre Turbo Diesel fitted with “roo” bar (air bag compliant) or the relevant notional value specified in Parts 3.10 to 3.12, whichever is higher. This includes the purchase cost of other essential accessories approved by the relevant Chief Judicial Officer.

3.19 For the Magistrate resident in Kununurra, use of the Government provided vehicle is permitted to and from the Northern Territory for periods of usage up to seven days under the same conditions as if the vehicle were in Western Australia. Under the State Fleet—Agency General Agreement, office holders are required to seek approval from State Fleet for travel outside Western Australia for periods of seven days or more.

3.20 When a Magistrate is employed on a part time basis, a pro rata amount should be added to the remuneration in lieu of a motor vehicle. For this purpose, the full value of the vehicle is assessed at \$24,000 per annum.

3.21 In the event an acting magistrate is employed for less than two years, a pro rata amount should be added to the remuneration in lieu of a motor vehicle. For this purpose, the full value of the vehicle is assessed at \$24,000 per annum.

3.22 In the event that an acting magistrate, at the time of their appointment to act, is already provided a vehicle through Government arrangements that are separate to this Report, then those arrangements may continue and the acting magistrate will receive the difference between the cost of that vehicle, less any contributions made by the acting magistrate, and \$24,000 per annum.

Signed on 24 June 2021.

M SEARES AO  
Chair

B A SARGEANT PSM  
Member.

Salaries and Allowances Tribunal.

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## SALARIES AND ALLOWANCES ACT 1975

**MEMBERS OF PARLIAMENT TRIBUNAL DETERMINATION  
No. 1 OF 2021****PREAMBLE**

(1) The Salaries and Allowances Tribunal (the Tribunal) has issued this Determination to provide a point of reference for remuneration provided to Members of Parliament at the expiry of legislative restrictions that have prevented increases in remuneration.

**Statutory context**

(2) Since February 2018, section 10D of the *Salaries and Allowances Act 1975* (the Act), has prevented the Tribunal from increasing remuneration provided to certain public offices in its jurisdiction, including Members of Parliament.

(3) These restrictions will cease to have effect on 30 June 2021 and the Tribunal will resume much of its usual discretion to set remuneration for Members.

(4) However, the Tribunal must still comply with section 10G, which prevents the Tribunal from issuing a determination that—

- (a) has the effect of providing for the payment or provisions of remuneration on the basis that the remuneration was not paid or provided before 1 July 2021 by reason of the operation of section 10D; or
- (b) takes into account any increase in the cost of living that occurred between commencement day and 1 July 2021.

(5) The conditions in section 8 will also resume on 1 July 2021, requiring the Tribunal to annually inquire into and determine the remuneration for offices under section 6(1)(e). As such, the Tribunal will conduct an annual inquiry and issue its next determination in relation to Members of Parliament no later than 1 July 2022.

(6) In accordance with section 10A, this determination is issued following consideration of the—

- (a) *Public Sector Wages Policy Statement 2019*; and
- (b) financial position and fiscal strategy of the State, as stated in the *Government Mid-year Financial Projections Statement* of December 2020.

**Considerations**

(7) The Tribunal has noted advice received from the Under Treasurer, who stated that while the Western Australian economy appears to be recovering from the severe impact of the COVID-19 pandemic, the outlook is not easy to predict and significant risks remain. The State's revenue estimates are currently highly sensitive to changes in key economic parameters.

(8) The Tribunal recognises that remuneration provided to Members of Parliament has not increased for some time. However, the prevailing uncertainty over the economic climate demands a cautious approach to remuneration for all public offices.

(9) The Tribunal has used the extent of its powers to introduce transparency and accountability to the system of providing allowances to Members. Notwithstanding these changes, the Tribunal notes that Western Australia continues to have fewer accountability mechanisms compared to other Australian jurisdictions.

(10) The Tribunal will monitor the impact of the changes, as they take effect.

**Changes in this determination**

(11) The Tribunal has determined a general \$1,000 increase in remuneration provided to Members of Parliament, which is in line with increases provided to the wider public service in accordance with the Public Sector Wages Policy.

(12) The monetary value of allowances provided to Members is unchanged.

(13) In response to feedback from Members of Parliament and administering agencies, the Tribunal also has—

- (a) noted that each Member of Parliament is responsible for taxation arrangements in relation to remuneration provided in the determination;
- (b) amended categories for use of Members Allowance in order to better reflect Members' expenditure;
- (c) clarified administrative arrangements for Members when claiming quarterly amounts of the Members Allowance;

- (d) permitted the Parliamentary Travel Allowance to be used for assistance in the event a Member is travelling with a child aged up to 15 months; and
- (e) made minor administrative changes.

The Determination will now issue.

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SALARIES AND ALLOWANCES TRIBUNAL  
MEMBERS OF PARLIAMENT TRIBUNAL DETERMINATION NO. 1 OF 2021

**PART 1—INTRODUCTORY MATTERS**

*This Part deals with matters that are relevant to the Determination generally.*

**1.1 Short Title**

This Determination may be cited as the *Members of Parliament Tribunal Determination No. 1 of 2021*.

**1.2 Commencement**

This Determination comes into operation on 1 July 2021.

**1.3 Content and intent**

(1) In accordance with section 6(1)(a), (ab), and (b) and section 6AA of the *Salaries and Allowances Act 1975*, this Determination provides for the salary, allowances and other benefits to be paid, provided or reimbursed to Ministers of the Crown, the Parliamentary Secretary to the Cabinet, Parliamentary Secretaries appointed under section 44A(1) of the *Constitution Acts Amendment Act 1899*, members of committees, and officers and Members of the Parliament.

(2) In accordance with section 10A of the *Salaries and Allowances Act 1975*, decisions by the Tribunal have taken consideration of the—

- (a) *Public Sector Wages Policy Statement 2019*, issued on 5 July 2019; and
- (b) financial position and fiscal strategy of the State, as stated in the *Government Mid-year Financial Projections Statement of December 2020*.

(3) The Tribunal has taken consideration of advice provided by the Under Treasurer, which noted that while the Western Australian economy appears to be recovering from the severe impact of the COVID-19 pandemic, the outlook is difficult to predict and the State's revenue estimates remain highly sensitive to changes in key economic parameters.

**1.4 References to Dates**

(1) A reference to “a year” or “per annum” relates to a financial year.

(2) Where benefits are provided with specific reference to “a financial year”, they will cease on and from 30 June each year and, unless otherwise specified, no unexpended amount is carried over to later financial years.

(3) Allowances for one financial year, including those relating to travel, cannot be provided in advance for use in a later year.

**1.5 Terms Used**

In this Determination, unless the contrary intention appears—

**Commercial accommodation** means accommodation in a commercial establishment such as a hotel, motel or serviced apartment.

**Leader of a recognised non-Government Party** means an officer of Parliament identified in section 4(2)(k) of the *Salaries and Allowances Act 1975*.

**Member** means a Member of the Parliament of Western Australia.

**Metropolitan Member** means a Member who represents—

- (a) any of the following electoral regions—
  - (i) the East Metropolitan Region;
  - (ii) the North Metropolitan Region;
  - (iii) the South Metropolitan Region; or
- (b) any electoral district contained within any of those electoral regions.

**Minor Party Whip** means an officer of Parliament identified in section 4(2)(l) of the *Salaries and Allowances Act 1975*.

**Officeholder** means, unless stated otherwise, an officer of Parliament who is the holder of an office identified in section 4(2) of the *Salaries and Allowances Act 1975*.

**Parliamentary business** means the usual activities related to performing the role of a Member of Parliament, which—

- (a) includes—
  - (i) parliamentary duties, comprising activities related directly to a Member's role in Parliament or as an office holder (as listed in s4(2) of the of the *Salaries and Allowances Act 1975*); and
  - (ii) electorate duties, comprising activities that support or serve a Member's constituents; and
- (b) excludes—
  - (i) campaigning, such as attending or organising—
    - i. campaign launches;
    - ii. candidate selection or campaign strategy meetings; and
    - iii. general campaigning on behalf of election candidates; and
  - (ii) Party political activity, including—
    - i. campaigning for a political Party; and
    - ii. organising and sustaining Party branches, such as recruiting Members to the Party or undertaking administrative activities to support the Party; and
  - (iii) the publication, broadcasting, display or distribution of material intended to, calculated or likely to affect voting in an election.

**Regional Member** means a Member who represents—

- (a) any of the following electoral regions—
  - (i) the Agricultural Region;
  - (ii) the Mining and Pastoral Region;
  - (iii) the South West Region; or
- (b) any electoral district contained within any of those electoral regions.

**Term of Parliament** means a term of the Parliament of Western Australia, which—

- (a) for Members of the Legislative Assembly, is deemed to commence the day after a general election and conclude on the day of the general election following the dissolution or expiry of the Legislative Assembly;
- (b) for Members of the Legislative Council, is deemed to commence on 22 May following a general or conjoint election and conclude on 21 May in the year in which seats would ordinarily be vacated by the effluxion of time.

**Tribunal** means the Salaries and Allowances Tribunal.

### 1.6 Principles for use of allowances

(1) Members must ensure use of allowances provided in this Determination is consistent with the following principles and must—

- (a) use allowances for Parliamentary business;
- (b) adhere to any conditions for using allowances;
- (c) be prepared to be personally responsible and accountable for the use of allowances;
- (d) be prepared to publicly justify use of allowances; and
- (e) act ethically and in good faith when using, and accounting for the use of, allowances.

(2) In the event a Member exhausts an individual allowance, they must consider using an appropriate alternative allowance, including the Members Allowance or Additional Members Allowance provided in Part 3 of this Determination.

#### *Loyalty schemes—air travel*

(3) Members using allowances in this determination for air travel must comply with directions relating to frequent flyer points or benefits under other incentive or loyalty schemes accumulated in the course of air travel undertaken using allowances in this determination, as set out in 8.1 and 8.2 of *Premier's Circular 2014/02: Guidelines for official air travel by Ministers, Parliamentary Secretaries and Government Officers*.

### 1.7 Reporting

(1) Members must comply with reporting requirements set out for an allowance, including using relevant forms provided as appendices to this Determination.

(2) Members must maintain appropriate records of use of allowances.

(3) With respect to allowances provided under Part 4, Part 5 and Part 6, the Tribunal will make inquiries with administering agencies in relation to Members' claims and use of allowances.

(4) With respect to allowances provided under Part 3 and international expenses incurred in relation to the allowance provided under Part 6, a Member will provide the Tribunal with an annual report on expenditure during the previous financial year.

(5) A Member's report to the Tribunal must—

- (a) include certification that expenditure conformed to—
  - (i) all conditions of use set out for each allowance; and
  - (ii) the principles stated in 1.6; and

- (b) be submitted to the Tribunal—
- (i) within 90 days of the end of the financial year; or
  - (ii) in the event a Member has ceased to be a Member, within 90 days of the Member's last day of Parliamentary service.

(6) The Tribunal will publish reports, as provided to the Tribunal under 1.7(3) or 1.7(4), containing details of Members' use of allowances.

### 1.8 Process for claiming expenses against certain Allowances

(1) When specified in the Determination, the following conditions apply to certain Allowances against which Members can claim expenses or reimbursement.

(2) Claims must be submitted to the administering agency within 90 days from the date the expense is incurred.

(3) The administering agency may extend the time to submit a claim in exceptional circumstances, such as—

- (a) receipt of invoices being delayed for reasons outside the Member's control;
- (b) ill health; and
- (c) bereavement.

(4) Members must apply in writing for extensions of time and must provide sufficient details of the exceptional circumstances.

(5) When considering exceptional circumstances under (3), administrative oversight or negligence are not relevant considerations for the administering agency.

### 1.9 Taxation arrangements are a matter for the Member

Taxation arrangements in relation to remuneration, including allowances, provided in this Determination are a matter between an individual Member and the Australian Taxation Office.

## PART 2—REMUNERATION

### 2.1 General

(1) Remuneration payable to a Member under this Determination shall be calculated on and from the day following the day on which the Member is elected as a Member and, except as provided by section 2.1(2) and Part 7, shall cease to be payable at the end of the day on which a person ceases to be a Member.

(2) A person who ceases to be a Member by reason of the dissolution or expiry of the Legislative Assembly is entitled to receive the remuneration provided in this Determination up to and including the date of the election following that dissolution or expiry.

(3) A person who, immediately before the dissolution or expiry of the Legislative Assembly, is a Member of the Legislative Assembly and holds an office referred to in section 2.1(4) is entitled to receive the base remuneration paid to a Member, and the additional remuneration provided for in section 2.3 in respect of that office, until whichever of the following occurs first—

- (a) they cease to be a Member, other than by the dissolution or expiry by the effluxion of time of the Legislative Assembly; or
- (b) another person is elected or appointed to the office.

(4) The offices referred to in section 2.1(3) are the—

- (a) Leader of the Opposition;
- (b) Deputy Leader of the Opposition;
- (c) Leader of a recognised non-Government party;
- (d) Chairman of Committees (Deputy Speaker);
- (e) Government Whip;
- (f) Opposition Whip; and
- (g) Minor Party Whip.

(5) Remuneration under Parts 2 and 3 of this Determination shall be paid in equal instalments either monthly or twice-monthly. Remuneration relating to part of a pay period is to be calculated on a pro-rata basis.

### 2.2 Base Remuneration

A Member of Parliament shall be paid a base remuneration of \$157,536 per annum.

### 2.3 Additional Remuneration for Office Holders

(1) In addition to the base remuneration paid to a Member, a Member appointed to one of the following offices shall be paid additional remuneration, so the total remuneration per annum paid to the officeholder is as stated in the following table—

<i>Office Held</i>	<i>Total Remuneration</i>
Premier	\$356,681
Deputy Premier	\$303,878
Leader of the Government in the Legislative Council	\$293,317

<i>Office Held</i>	<i>Total Remuneration</i>
Minister of the Crown	\$278,230
Leader of the Opposition in the Legislative Assembly	\$278,230
President of the Legislative Council	\$257,109
Speaker of the Legislative Assembly	\$257,109
Leader of the Opposition in the Legislative Council	\$240,514
Deputy Leader of the Opposition in the Legislative Assembly	\$225,427
Leader of a recognised non-Government party	\$225,427
Parliamentary Secretary of the Cabinet	\$225,427
Chairman of Committees in either House (Deputy Speaker)	\$202,796
Government Whip in the Legislative Assembly	\$184,693
Opposition Whip in the Legislative Assembly	\$184,693
Parliamentary Secretary	\$180,167
Government Whip in the Legislative Council	\$180,167
Opposition Whip in the Legislative Council	\$175,641
Chairman of a Standing Committee	\$172,623
Minor Party Whip	\$171,114
Deputy Chairman of a Standing Committee	\$168,852
Member of a Standing Committee	\$168,097

- (2) A person appointed to more than one office shall be paid additional remuneration—
- in respect of only one of the offices to which they have been appointed; and
  - that corresponds to the highest paid office to which they have been appointed, in the event the amounts of additional remuneration for each office are not the same.

#### **2.4 Salary Packaging**

Salary packaging contributions may be made within the limits prescribed in the “Guidelines for Salary Packaging in the WA Public Sector 2012—Amended”. A copy of these guidelines can be found at: <https://www.commerce.wa.gov.au>. Contributions to the Parliamentary Superannuation Scheme may be salary sacrificed up to the maximum amount allowed under the Scheme.

### **PART 3—MEMBERS ALLOWANCE**

#### **3.1 General**

- (1) An Allowance in this Part is claimed on a quarterly basis to meet expenses related to the Member’s Parliamentary business, including expenses for—
- community engagement and constituent support;
  - communication with the electorate;
  - electorate office equipment and Information Communication Technology;
  - general electorate office expenses; and
  - other expenses related directly to Parliamentary business.
- (2) The Allowance may be used at the Member’s discretion, within the parameters set in this Determination.

#### *Amounts that can be claimed*

- (3) Subject to 3.1(4) and 3.1(5), a Member may claim each quarter up to a maximum of 25% of the annual amount available to the Member.
- (4) In the event a Member does not claim the full amount of the Allowance in one quarter, a sum equivalent to the unclaimed amount may be claimed in a later quarter in the same year, in addition to the amount in 3.1(3).
- (5) In the event a Member does not claim the full amount of the Allowance in one year, a sum equivalent to the unclaimed amount, up to a maximum of 10% of the Member’s annual Allowance, will be preserved for use in the following year.
- (6) The preserved amount in 3.1(5)—
- is available in addition to the Member’s usual annual allocation;
  - can be claimed in any quarter in the subsequent financial year, in addition to the allowances available under 3.2 and 3.3; and
  - is foregone at the end of the year subsequent to the year in which it was provided.

#### *Claim process*

- (7) A Member’s claim of a quarterly amount of an Allowance in this Part must—
- include certification by the Member that use of the Allowance will be consistent with the principles set out in 1.6(1); and
  - specify the amount that is being claimed; and
  - comply with the conditions for claiming in 3.1(8).

(8) A Member's claim for a quarterly amount must be provided to the administering authority no later than—

- (a) 30 June, for the period from 1 July to 30 September (for payment in the end of July payroll run);
- (b) 30 September, for the period from 1 October to 31 December (for payment in the end of October payroll run);
- (c) 31 December, for the period from 1 January to 31 March (for payment in the end of January payroll run); and
- (d) 31 March, for the period from 1 April to 30 June (for payment in the end of April payroll run).

(9) In the event a Member does not comply with due dates in 3.1(8), the administering agency will contact the Member to advise that the Member has an additional 14 days, from the due date, to submit a claim.

(10) If the Member does not submit their claim within the additional 14 days in 3.1(9), then they will not be eligible to receive a quarterly amount for that quarter

Members serving part of a Parliamentary term

(11) A Member who serves part of the period between dates specified in 3.1(8) may claim and be provided an amount for that period calculated on a pro rata basis.

(12) With the exception of a Member who ceases to be a Member at the end of a Parliamentary term, a Member who—

- (a) ceases to be a Member between dates specified in 3.1(8); and
- (b) has been provided a quarterly amount for that period;

will be required to repay a proportion of the amount provided to them, calculated on a pro-rata basis for the period served.

#### *Reporting*

(13) Use of this Allowance must be reported to the Tribunal annually, with expenditure reported in aggregate terms according to categories set out at Appendix 1 to this Determination.

(14) The first annual report under 3.1(13) is to report the Member's expenditure undertaken during the 2021-22 financial year.

(15) The annual report must include the Member's certification, in the form set out in Appendix 1, that expenditure has complied with—

- (a) the conditions of use set out for the Allowance; and
- (b) the principles stated in 1.6.

(16) The annual report must identify amounts of the Allowance that were—

- (a) drawn down by the Member and not expended for the purposes set out in this Part; and
- (b) not drawn down by the Member.

### **3.2 Base Members Allowance**

A Base Members Allowance of up to \$78,000 per annum may be claimed by a Member.

### **3.3 Additional Members Allowance**

(1) An Additional Members Allowance may be claimed by a Member representing a Region or District listed in 3.3(2).

(2) The Additional Members Allowance is set according to the characteristics of the Region or District as follows—

<b>Electoral District / Region</b>	<b>Additional Allowance Per Year</b>
Mining and Pastoral Region	\$25,350
Kalgoorlie, Kimberley, North West Central and Pilbara Districts	\$23,900
Agricultural Region	\$20,000
Central Wheatbelt, and Roe Districts	\$17,500
Moore District	\$15,350
South West Region	\$12,250
Warren-Blackwood District	\$10,400

## **PART 4—TRANSPORT AND COMMUNICATION**

### **4.1 Motor Vehicle Allowance**

(1) A Member is entitled to an annual Motor Vehicle Allowance to satisfy all of their motor vehicle requirements, including taxis and hire cars.

(2) This Allowance—

- (a) is provided in addition to remuneration provided under Part 2; and
- (b) shall be paid monthly or twice-monthly.

(3) The amount provided for this Allowance is based upon the characteristics of a Member's electorate and is set as follows—

<b>Electoral Region / District</b>	<b>Allowance Per Annum</b>
Central Wheatbelt, Kalgoorlie, Kimberley, Moore, North West Central, Pilbara, Roe and Warren-Blackwood Districts	\$42,000
Agricultural, Mining and Pastoral and South West Regions	\$42,000
Albany, Collie-Preston, Geraldton, Murray-Wellington and Vasse Districts	\$32,000
All other electorate Districts and Regions	\$25,000

#### *Application to Certain Officeholders*

(4) Subject to section 4.1(5), this Allowance is not provided to a Member who has been appointed to an office for which a Government vehicle has been supplied under arrangements separate to this Determination.

(5) A Member who is appointed to an office for which a Government vehicle is supplied under arrangements separate to this Determination may apply for approval from the Tribunal to receive this Allowance.

(6) An application under 4.1(5) must certify that the Allowance will be used in relation to motor vehicle requirements predominantly in the Member's electoral region or district.

#### **4.2 Electorate Travel**

(1) A Member is eligible to claim this allowance when they represent the—

- (a) Electoral Regions of Mining and Pastoral, Agricultural or the South West; or
- (b) Electoral Districts of Albany, Central Wheatbelt, Geraldton, Kalgoorlie, Kimberley, Moore, North West Central, Pilbara, Roe and Warren-Blackwood.

(2) A Member representing a Region or District specified in 4.2(1) is eligible to claim the costs of scheduled commercial air, rail or bus services—

- (a) between Perth and the Member's Region or District; and
- (b) within the Member's Region or District.

(3) In the event a Member's electorate has no airport or station from which a commercial operator provides regular passenger transport, then an airport or station adjacent to the Member's Region or District can be used for travel to a destination within the Member's electorate or between Perth and the Member's Region or District.

(4) Claims against this Allowance must observe the conditions set out in section 1.8.

#### **4.3 Air Charter Transport**

(1) Members representing Regions or Districts specified in the table in 4.3(2) shall be entitled to use air charter transport to facilitate the undertaking of Parliamentary business.

(2) Expenses in relation to air charter transport shall not exceed the amounts in the following table—

<b>Electoral Region / District</b>	<b>Allowance Per Annum</b>
Kalgoorlie, Kimberley, North West Central and Pilbara Districts	\$45,000
Mining and Pastoral Region	\$35,000
Agricultural Region	\$30,000
Central Wheatbelt, and Roe Districts	\$25,000
Moore District	\$20,000
South West Region	\$20,000
Albany, Geraldton and Warren-Blackwood Districts	\$8,000

(3) The allocation of this Allowance in one year does not apply to travel booked or undertaken in another year.

(4) Charges shall only be levied against this Allowance in the event the Member has actually undertaken the travel claimed.

(5) When travel outside Western Australia cannot be avoided, Members seeking to claim this Allowance must obtain the Tribunal's approval before the travel is undertaken.

(6) This Allowance may be used by Members—

- (a) to charter aircraft under commercial arrangements;
- (b) who, after receiving prior approval from the Tribunal, use—
  - (i) their own private aircraft to travel; or
  - (ii) any other mode of transport when aircraft are not available.

(7) This Allowance does not apply when an airline provides a direct service to and from the relevant destination at times convenient to the Member's business.

(8) Where a Member uses air charter services or a privately owned aircraft to travel between two or more locations that cannot be accessed directly by commercial air services (regular public transport),

the amount deducted from the Member's Charter Transport Allowance shall be the difference between the cost of using air charter transport or a privately owned aircraft for the direct route between the locations and the cost of a business class fare (or where a business class fare is not available, the full economy fare) for the shortest commercial air service for travel to the same locations. The balance of the cost of using air charter transport or a private aircraft shall be paid from the Consolidated Account.

(9) Claims against this Allowance must observe the conditions set out in section 1.8.

#### *Private Aircraft*

(10) Subsections 4.3(11) to 4.3(17) refer to use of this Allowance for costs incurred through travel undertaken in a private aircraft.

(11) A Member may apply to the Tribunal for approval to access the Allowance for costs related to use of a private aircraft.

(12) An application to the Tribunal must include—

- (a) verification of ownership of the aircraft;
- (b) make and model of the aircraft;
- (c) a nominated hourly rate for reimbursement; and
- (d) certification that—
  - (i) the Member will not obtain personal profit through arrangements set by the Tribunal; and
  - (ii) claims will be made only in relation to travel for Parliamentary business.

(13) The Tribunal will set the conditions under which expenses for use of a private aircraft may be claimed under the Air Charter Transport Allowance, including an hourly rate for reimbursement.

(14) Reimbursement will be provided only to the individual Member who has received the Tribunal's approval to use a private aircraft.

(15) The administering authority may require a Member to provide flight records and AVdata to certify the details of flights.

(16) Before proceeding with reimbursement, the administering authority must be satisfied that use of a private aircraft is less expensive than commercial charter transport for the same journey.

(17) In the event that the actual cost of using a private aircraft is more expensive than commercial charter transport for the same journey, then reimbursement will be limited to the cost of commercial charter transport for the same journey.

#### **4.4 Electorate Office Telephones**

(1) A Member is entitled to the payment by the administering agency of all charges, including international calls up to a maximum of \$40 per annum, in relation to five telephone lines in their electorate office.

(2) Electorate office telephones are to be used for Parliamentary business only.

### **PART 5—ACCOMMODATION**

#### **5.1 Accommodation—General Matters**

(1) For the purposes of this Part—

**Home base** means a Member's place of residence.

**Partner** means a person nominated by a Member as their spouse or de facto partner, within the meaning of section 13A of the *Interpretation Act 1984*.

(2) Accommodation Allowances may only be claimed for overnight accommodation and associated expenses incurred by a Member in relation to their Parliamentary business.

(3) Claims under this Part must—

- (a) observe the conditions set out in section 1.8;
- (b) identify the relevant Accommodation Allowance being claimed and certify that the expense was incurred in accordance with that Allowance; and
- (c) include a tax invoice or statutory declaration.

(4) Accommodation Allowances shall be calculated on a pro rata basis for a Member who becomes eligible for an Allowance within a financial year.

(5) Reimbursement provided under this Part shall be reduced to the extent that the Member's expenses have been, or will be, reimbursed or paid from another source.

(6) The agency administering allowances provided under 5.2, 5.3, 5.4 and 5.5 will provide the Tribunal an annual report of Members' claims, with claims categorised as "Perth metropolitan", "intrastate", "interstate" or "international".

#### **5.2 Base Accommodation Allowance**

(1) A Member is entitled to a Base Accommodation Allowance to facilitate their Parliamentary business.

(2) This Allowance may be claimed for accommodation and associated expenses incurred within the State and more than a 75 kilometre radius from the Member's home base.

(3) The maximum number of nights per year claimable by a Member is as follows, according to the Region or District that the Member represents—

<b>Electoral Region / District</b>	<b>Nights</b>
Metropolitan Members	30
Bunbury, Dawesville, Geraldton and Mandurah Districts	30
Albany, Warren-Blackwood, Central Wheatbelt, Collie-Preston, Moore, Murray-Wellington, Vasse and Roe Districts	40
Kalgoorlie, Kimberley, North West Central and Pilbara Districts	60
Agricultural, Mining and Pastoral, South West Regions	80

(4) The total daily amount for the Base Accommodation Allowance is determined to be the amount specified for accommodation expenses in Table 3 or Table 4 of the relevant Australian Taxation Office's daily travel allowance (published as a Taxation Determination) applicable at the date of travel.

(5) Claims for non-commercial accommodation shall be paid at 40% of the applicable daily rate.

### **5.3 Regional Members: Metropolitan Accommodation Allowance**

(1) A Regional Member may claim this Allowance when—

- (a) the Regional Member, or their partner, has a right to ongoing occupancy, through ownership or lease arrangements, at a residence in, or adjacent to, their Electoral Region or District; and
- (b) the Regional Member certifies that moneys provided are used to meet accommodation expenses in the metropolitan area.

(2) The onus is on the Regional Member to submit to the administering agency evidence that demonstrates—

- (a) the right specified in section 5.3(1)(a); and
- (b) any periods during which the right specified in section 5.3(1)(a) has not applied.

(3) An eligible Regional Member is entitled to an amount of \$273 per night for 90 nights each year for accommodation and associated expenses incurred to attend sittings of Parliament.

(4) The allowance shall be paid monthly or twice-monthly.

(5) Notwithstanding 1.6 of this Determination, a Regional Member claiming this Allowance cannot use any other Allowance provided in this Part to meet accommodation expenses, incurred in the metropolitan area or elsewhere, on days when Parliament is sitting.

(6) The only exceptions to 5.3(5) are claims made under 5.6 and 5.7, for which moneys are not provided directly to the Member.

### **5.4 Regional Members: Additional Metropolitan Accommodation**

(1) This allowance may be claimed when the Member, or their partner, has a right to ongoing occupancy, through ownership or lease arrangements, at a residence in, or adjacent to, their Electoral Region or District.

(2) In addition to the Allowance provided in section 5.3, eligible Regional Members may claim an amount of \$273 per night, up to a maximum of 30 nights per year, for metropolitan accommodation and related expenses associated with—

- (a) official Parliamentary committee business;
- (b) official Government, Parliamentary or Vice Regal functions; and
- (c) other official duties relating to Parliamentary or electorate matters.

(3) Claims under this section cannot be made—

- (a) in relation to nights included in section 5.3 to facilitate attendance at sittings of Parliament; or
- (b) by Regional Office Holders specified in section 5.5(1).

(4) The onus is on the Member to submit to the administering agency evidence that demonstrates—

- (a) the right in section 5.4(1); and
- (b) any periods during which the right in section 5.4(1) has not applied.

### **5.5 Regional Office Holders: Additional Metropolitan Accommodation**

(1) For the purposes of this section, a Regional Office Holder is a Regional Member who holds one of the following offices—

- (a) Premier;
- (b) Deputy Premier;
- (c) Minister of the Crown;
- (d) Leader of the Opposition in the Legislative Assembly;
- (e) President of the Legislative Council;
- (f) Speaker of the Legislative Assembly;
- (g) Leader of the Opposition in the Legislative Council; and
- (h) Leader of a recognised non-Government Party.

(2) This allowance can only be provided when a Regional Office Holder, or their partner, has a right to ongoing occupancy, through ownership or lease arrangements, at a residence in, or adjacent to, their Electoral Region or District.

(3) In addition to the amount provided in section 5.3, eligible Regional Office Holders are entitled to an Allowance for metropolitan accommodation and related expenses incurred to facilitate their Parliamentary business, including Cabinet and Executive Council responsibilities, and other functions of the office they hold.

(4) Eligible Regional Office Holders are entitled to an amount of \$273 per night for 60 nights per year.

(5) The allowance shall be paid in monthly or twice-monthly instalments.

(6) For an eligible Regional Office Holder appointed during a financial year to an office listed in section 5.5(1), this Allowance shall be calculated on a pro rata basis.

(7) The onus is on the Member to submit to the administering agency evidence that demonstrates—

(a) the right in section 5.5(2); and

(b) any periods during which the right in section 5.5(2) has not applied.

### 5.6 Office Holders

(1) The following Office Holders are entitled to claim overnight accommodation and associated expenses related to their office that are incurred within Australia and more than a 75 kilometre radius from their home base—

(a) Premier;

(b) Deputy Premier;

(c) Ministers;

(d) Leader of the Opposition in the Legislative Assembly;

(e) Leader of the Opposition in the Legislative Council;

(f) Leader of a Recognised Non-Government Party;

(g) Parliamentary Secretary to the Cabinet; and

(h) Parliamentary Secretaries.

(2) The actual costs of accommodation claimed under this section can be debited to the Corporate Credit Card provided to the Office Holder.

(3) The total daily amount that may be claimed under this section is determined to be the relevant amount specified for accommodation expenses in Table 3, Table 4 or Table 8 of the Australian Taxation Office's daily travel allowance (published as a Taxation Determination) applicable at the date of travel.

(4) Claims for non-commercial accommodation shall be paid at 40% of the applicable daily rate.

(5) Where an Office Holder reasonably and properly incurs costs exceeding the rates specified in section 5.6(3) and has debited a Corporate Credit Card provided to them, the actual costs shall be met.

(6) A Member appointed to act temporarily in an office listed in section 5.6(1) is entitled, for the duration of the temporary appointment, to claim an allowance under this section on the same basis as a permanent Office Holder, provided they have been requested in writing by the Office Holder to deputise on business related to that office.

### 5.7 Members on Parliamentary Committee Business

(1) A Member may claim accommodation expenses when travelling as an official representative of a Parliamentary committee or delegation, including a standing, select or a joint committee.

(2) The total daily amount that may be claimed under this section is determined to be the relevant amount set for accommodation expenses in Table 3, Table 4 or Table 8 of the Australian Taxation Office's daily travel allowance (published as a Taxation Determination) applicable at the date of travel.

(3) Claims for non-commercial accommodation shall be paid at 40% of the applicable daily rate.

(4) Where the costs reasonably and properly incurred exceed the rates contained in section 5.7(2), the actual costs shall be met.

## PART 6—PARLIAMENTARY TRAVEL AND STUDY ALLOWANCE

### 6.1 Parliamentary Travel and Study Allowance

(1) In this section—

**conferences** means meetings, seminars and short courses (excluding complete tertiary degrees or diploma courses) conducted by professional bodies, educational organisations or special interest groups.

(2) Under this Part, a Member may claim up to \$27,000 in a Parliamentary term for expenses or reimbursement incurred for—

(a) travel, accommodation and incidental expenses while undertaking Parliamentary business; and

(b) attendance at conferences and courses which inform and assist in the performance of their functions as a Member of Parliament.

(3) A Member who serves part of a term of Parliament may claim an amount calculated on a pro rata basis according to that part of the term of Parliament.

(4) This Allowance must not be claimed for expenses paid for or reimbursed by any other party.

(5) A Member shall not use this Allowance for expenses incurred in the period between the issue of a writ pursuant to the *Electoral Act 1907* for a general election, conjoint election or a by-election relevant to their Electorate District or Region, and the day fixed by the writ or writs for the taking of the poll.

(6) In addition to 6.1(5), a Member of the Legislative Council who will cease to be a Member following a general election or by-election is not able to claim the Allowance in the period between that election and the day they cease to be a Member.

(7) A Member may apply to the Tribunal for approval to access the Allowance in the periods specified in 6.1(5) and 6.1(6), including when a Member has—

- (a) prior to the issue of a writ, appropriately claimed expenses for travel to be undertaken after the writ is issued; or
- (b) incurred expenses for a conference or short-course and the relevant conference or short-course has commenced.

(8) Expenses must be incurred for the benefit of the Member only, except when a Member—

- (a) requires physical or medical assistance, in which case a person may accompany the Member in order to render such assistance; or
- (b) is caring for a dependent child up to 15 months of age, in which case a person may accompany the Member in order to assist with care for the child.

#### *Claim process*

(9) Claims for expenses or reimbursement must be submitted to the administering agency and must include certification that—

- (a) use of moneys complies with conditions set out in section 1.6; and
- (b) expenses relate to the Member's Parliamentary business.

#### *Reporting*

(10) The agency administering this Allowance will provide the Tribunal with an annual report of Members' claims under this Part, with claims categorised as "Perth metropolitan", "intrastate", "interstate" or "international".

#### *Reporting by Members on international travel*

(11) A Member who uses this Allowance to undertake international travel must comply with reporting requirements set out in 6.1(12).

(12) Within 90 days of expending moneys, Members must submit to the Tribunal a report, in the form provided at Appendix 2 to this Determination, including details of—

- (a) how moneys have been expended; and
- (b) the expected benefit to the State from the expenditure.

### **6.2 Applicable rates**

(1) The applicable rate for claims or reimbursements under this section is determined to be—

- (a) for travel within Australia, the relevant amounts for commercial accommodation, meals and incidentals set out in Table 3 and Table 4 of the Australian Taxation Office's daily travel allowance (published as a Taxation Determination) applicable at the date the expense is incurred; and
- (b) for international travel—
  - (i) up to \$400 per day for commercial accommodation; and
  - (ii) the relevant amounts for meals and incidentals set out in Table 8 and Table 9 of the Australian Taxation Office's daily travel allowance (published as a Taxation Determination) applicable at the date the expense is incurred.

(2) For non-commercial accommodation, the daily amount of claims or reimbursements shall be 40% of the amounts specified in section 6.2(1).

## **PART 7—TRANSITION ALLOWANCE**

### **7.1 Transition Allowance**

(1) This Allowance is provided to facilitate a Member's post-Parliamentary transition, which may include accessing resettlement advice and services, financial counselling, re-employment counselling, training costs and any other costs incurred as the Member considers necessary.

(2) Subject to 7.2, a Member may claim this Allowance upon ceasing to be Member.

(3) This Allowance is available for 6 months only from the day after a Member ceases to be a Member.

(4) The commencement of the period set in 7.1(3) shall be deferred for a Member who has ceased to be a Member but is seeking to be a candidate in the next election, or is a candidate in the next election, and the period will commence the day after it is confirmed through the election's result that the person will not resume as a Member.

(5) The maximum amount of the Allowance is a proportion of the Base Remuneration, set in 2.2, calculated according to a Member's length of service as a Member, as follows—

<b>Period of Parliamentary Service</b>	<b>Maximum Amount of Base Remuneration</b>
One term of Parliament	3 months
More than one term, but less than three terms of Parliament	6 months
Three terms of Parliament or more	9 months

(6) Calculations, under 7.1(5), of the maximum amount of the Allowance that may be claimed by a Member must—

- (a) consider only the Member's continuous period of service, which is concluding; and
- (b) disregard separate periods of service in previous Parliaments, for which the Member has claimed the Transition Allowance or received the Resettlement Allowance provided in previous Tribunal determinations.

*Claiming the Transition Allowance*

(7) A Member may claim the Allowance by submitting an application to the administering agency that—

- (a) includes certification that the Member is eligible to be provided the Allowance; and
- (b) specifies the amount(s) being claimed.

(8) A Member may elect to be provided the Allowance in up to two instalments.

(9) In exceptional circumstances, such as ill health and bereavement, a Member may apply to the administering agency to adjust the number of instalments specified in 7.1(8).

(10) An application under 7.1(9) must be in writing and must provide sufficient details of the exceptional circumstances.

**7.2 Ineligible Members**

This Allowance is not available to a Member who—

- (a) is entitled to superannuation benefits through the Parliamentary Pension Scheme;
- (b) has not complied with reporting requirements set out in this Determination; or
- (c) is disqualified from membership of the Legislature under section 32(1)(b) of the *Constitution Acts Amendment Act 1899*.

Signed on 24 July 2021.

M SEARES AO  
Chair

B A SARGEANT PSM  
Member.

Salaries and Allowances Tribunal.

**Appendix 1**

MEMBER'S REPORT: USE OF MEMBERS ALLOWANCES

MEMBER: \_\_\_\_\_

ELECTORATE: \_\_\_\_\_

*In accordance with 1.7 and Part 3 of this Determination, within 90 days of the end of a financial year, Members must submit to the Tribunal a report of expenditure using Members Allowances, including—*

- a completed form (below) with details in aggregate terms of how moneys were expended;
- certification (below) that—
  - o use of moneys has complied with principles set out in section 1.6; and
  - o conditions of use set out for the Members Allowance.

*Members must submit the report to submissions@sat.wa.gov.au.*

*A report on Members' expenditure will be published on the Tribunal's website.*

**MEMBERS ALLOWANCES (PART 3 OF DETERMINATION)**

**BASE MEMBERS ALLOWANCE (PART 3.2) and ADDITIONAL MEMBERS ALLOWANCE (PART 3.3)**

<b>TOTAL ANNUAL MEMBERS ALLOWANCE AVAILABLE TO MEMBER</b>	
<b>AMOUNT DRAWN DOWN</b>	
<b>AMOUNT NOT DRAWN DOWN</b>	
<b>AMOUNT NOT DRAWN DOWN AND CARRIED OVER TO NEXT FINANCIAL YEAR</b> (maximum 10% of total annual Members Allowance)	\$
<b>REPORTED EXPENDITURE</b>	
• community engagement and constituent support	
• communication with the electorate	
• electorate office equipment and Information Communication Technology	
• general electorate office expenses	
• other expenses related directly to Parliamentary business	
<b>TOTAL EXPENDITURE</b>	\$
<b>TOTAL DRAWN DOWN THAT WAS NOT EXPENDED</b>	\$

**CERTIFICATION****To be signed by Member of Parliament before submission**

*This report reflects all expenditure in the last financial year using the Members Allowance provided under Part 3 of the Members of Parliament Tribunal Determination.*

*Expenditure detailed in this report conforms to the—*

- *conditions of use set out for the Members Allowance; and*
- *principles for use of allowances provided in this Determination, which state that Members must—*
  - (a) *use allowances for parliamentary business—*
  - (b) *adhere to any conditions for using allowances;*
  - (c) *be prepared to be personally responsible and accountable for the use of allowances;*
  - (d) *be prepared to publicly justify use of allowances; and*
  - (e) *act ethically and in good faith when using, and accounting for the use of allowances.*

Signed: \_\_\_\_\_

Date: \_\_\_\_\_

\_\_\_\_\_

*Appendix 2*

**MEMBER'S REPORT: USE OF PARLIAMENTARY TRAVEL AND  
STUDY ALLOWANCE**

MEMBER: \_\_\_\_\_

ELECTORATE: \_\_\_\_\_

*In accordance with Part 6 of this Determination, within 90 days of expending moneys for international expenses using the Parliamentary Travel and Study Allowance, Members must submit to the Tribunal—*

- *certification (see below) that—*
  - o *use of moneys has complied with principles set out in section 1.6; and*
  - o *expenses related to the Member's Parliamentary business; and*
- *a report including details of—*
  - o *how moneys were expended (see form below); and*
  - o *the expected benefit to the State from the expenditure.*

*Members must submit the certification and report to [submissions@sat.wa.gov.au](mailto:submissions@sat.wa.gov.au).*

*Reports provided by Members will be published on the Tribunal's website.*

**PARLIAMENTARY TRAVEL AND STUDY ALLOWANCE (PART 7 OF DETERMINATION)  
INTERNATIONAL EXPENSES ONLY:**

<b>ALLOWANCE CLAIMED</b>	<b>\$</b>
<b>REPORTED EXPENDITURE:</b>	
• Airfares o Please list international destinations	
• Fees for conferences or short courses	
• Accommodation o Number of nights	
• Incidentals	
• Other (please identify)	
<b>TOTAL EXPENDITURE</b>	<b>\$</b>
<b>TOTAL SURPLUS/DEFICIT</b>	<b>\$</b>

**CERTIFICATION****To be signed by Member of Parliament before submission**

*This report reflects all expenditure for international expenses using the Parliamentary Travel and Study Allowance.*

*Expenditure detailed in this report conforms to the—*

- *conditions of use of the Parliamentary Travel and Study Allowance; and*
- *principles for use of allowances provided in this 1.6 of this Determination, which states that Members must—*
  - (a) *use allowances for parliamentary business;*

- 
- (b) adhere to any conditions for using allowances;*
  - (c) be prepared to be personally responsible and accountable for the use of allowances;*
  - (d) be prepared to publicly justify use of allowances; and*
  - (e) act ethically and in good faith when using, and accounting for the use of allowances.*

Signed: \_\_\_\_\_

Date: \_\_\_\_\_

\_\_\_\_\_

## SALARIES AND ALLOWANCES ACT 1975

**DETERMINATION OF THE REMUNERATION OF SENIOR  
AND ORDINARY MEMBERS OF THE STATE  
ADMINISTRATIVE TRIBUNAL**

1. The Salaries and Allowances Tribunal (“Tribunal”) issues this Determination pursuant to section 6(1)(e) of the *Salaries and Allowances Act 1975* (“the Act”).
2. Since February 2018, section 10D of the Act has prevented the Tribunal from making a determination that increases remuneration provided to certain public offices in its jurisdiction, including offices included in section 6(1)(e).
3. This Determination is issued as a point of reference for remuneration provided to State Administrative Tribunal members at the expiry of these legislative restrictions, on 1 July 2021. From this date, the Tribunal will resume much of its usual discretion to set remuneration for offices included in section 6(1)(e).
4. However, the Tribunal must still comply with section 10G, which prevents the Tribunal from issuing a determination that—
  - a. has the effect of providing for the payment or provisions of remuneration on the basis that the remuneration was not paid or provided before 1 July 2021 by reason of the operation of section 10D; or
  - b. takes into account any increase in the cost of living that occurred between commencement day and 1 July 2021.
5. The conditions in section 8 will also resume on 1 July 2021, requiring the Tribunal to annually inquire into and determine the remuneration for offices under section 6(1)(e). As such, the Tribunal will conduct an annual inquiry and issue its next determination no later than 1 July 2022.
6. In accordance with section 10A, this determination is issued following consideration of the—
  - *Public Sector Wages Policy Statement 2019*; and
  - financial position and fiscal strategy of the State, as stated in the *Government Mid-year Financial Projections Statement of December 2020*.
7. The Tribunal has noted advice from the Under Treasurer, who stated that while the Western Australian economy appears to be recovering from the severe impact of the COVID-19 pandemic, the outlook is difficult to predict and significant risks remain. The State’s revenue estimates are currently highly sensitive to changes in key economic parameters.
8. The Tribunal notes that remuneration provided to Senior and Ordinary Members of the State Administrative Tribunal has not increased for some time.
9. With the prevailing uncertainty over the economic climate, the Tribunal has determined a \$1,000 increase in the remuneration for Senior and Ordinary Members of the State Administrative Tribunal. This increase is in line with those provided to the wider public service in accordance with the *Public Sector Wages Policy*.
10. The determination will now issue.

## SALARIES AND ALLOWANCES ACT 1975

DETERMINATION OF THE REMUNERATION OF SENIOR AND ORDINARY  
MEMBERS OF THE STATE ADMINISTRATIVE TRIBUNAL

Pursuant to Section 6(1)(E)

**PART 1—INTRODUCTORY MATTERS**

*This part deals with some matters that are relevant to the determination generally.*

**1.1 Short Title**

This determination may be cited as the *Senior and Ordinary Members of the State Administrative Tribunal Determination No. 1 of 2021*.

**1.2 Commencement**

This determination comes into operation on 1 July 2021.

### 1.3 Content and intent

(1) This determination provides for the salary, allowances and other benefits to be paid, provided or reimbursed to holders of offices of the State Administrative Tribunal prescribed for the purposes of section 6(1)(e) of the *Salaries and Allowances Act 1975* (the Act).

(2) The offices to which this determination applies are the Senior and Ordinary Members of the State Administrative Tribunal as prescribed in regulation 3 of the *Salaries and Allowances Regulations 1975*.

### 1.4 Terms used

In this determination, unless the contrary intention appears—

**Senior Member** means a Senior Member appointed under the *State Administrative Tribunal Act 2004*;

**Ordinary Member** means an Ordinary Member appointed under the *State Administrative Tribunal Act 2004*.

### 1.5 Conditions of service

(1) Pursuant to section 119(4) of the *State Administrative Tribunal Act 2004* the Governor may determine the leave of absence to which a Senior or an Ordinary Member is entitled and any other terms and conditions of service as a Senior or an Ordinary Member.

(2) To the extent that conditions of service affect remuneration (e.g. paid leave of absence), a Senior and an Ordinary Member are entitled to the same terms and conditions as contained in the *Public Service Award 1992* and the *Public Service and General Officers Agreement 2017*. Where there is any inconsistency between the remuneration payable under this determination and as determined by the Governor under section 119(1) of the *State Administrative Tribunal Act 2004*, the remuneration specified in this determination shall prevail to the extent of the inconsistency.

(3) In accordance with section 119(3) of the *State Administrative Tribunal Act 2004*, the emoluments and benefits to which a Senior and an Ordinary Member are entitled cannot, during the member's term of office, be changed to be less favourable without the member's consent.

### 1.6 Salary Packaging

A Senior and an Ordinary Member are entitled to participate in salary packaging arrangements for superannuation and novated leases in accordance with the "Guidelines for Salary Packaging in the WA Public Sector", issued by the Department of Mines, Industry Regulation and Safety.

## PART 2—SALARY

*This part deals with the salary payable to a Senior or an Ordinary Member for the performance of their duties pursuant to their appointments under the State Administrative Tribunal Act 2004.*

### 2.1 General

The amount of a person's entitlement to an annual salary shall be calculated on a pro rata basis in accordance with the proportion of full-time hours worked by an office holder.

### 2.2 Offices and salaries

The annual salaries specified in Table 1 of this Part apply to Senior and Ordinary Members.

**Table 1—Annual salaries payable to Senior and Ordinary Members**

Office	Annual Salary
Senior Member	\$328,486
Ordinary Member	\$246,615

## PART 3—MOTOR VEHICLE BENEFITS

*This Part deals with motor vehicle benefits paid or provided to a Senior or an Ordinary Member.*

### 3.1 General

(1) In addition to the salary determined for the holders of offices listed in Part 2 of this Determination, those office holders are entitled to an allowance which may be taken as cash with salary or may be utilised to access a motor vehicle for private use leased through State Fleet.

(2) The motor vehicle (being part of the Government-owned State Fleet) should be managed in accordance with the policies and conditions established and amended from time to time by the Department of Finance (the effective owner of the State Fleet). Applicable terms and conditions are currently set out in the Department of Finance's document, *State Fleet—Agency General Agreement*.

(3) An individual accessing a vehicle under this Part shall take due care of the condition and security of the vehicle. This includes responsibility for regular servicing and maintenance at government expense according to the manufacturer's recommended specifications, and making arrangements for off-street parking at home, whenever practicable, with appropriate security precautions at all times. Theft or damage should be reported to the Fleet Manager.

(4) Motor vehicles leased for office holders under this determination or a previous determination of the Tribunal shall not be changed or cash in lieu taken prior to the expiration of the lease.

(5) While the vehicle may be used anywhere in Western Australia at no cost to the individual, the individual is liable for the cost of fuel and oil incurred when driving interstate. Furthermore, if used outside of Western Australia, the custodian must be in the vehicle at all times that it is being used.

(6) Should the officer choose not to use the vehicle supplied through State Fleet for business, or for travelling to and from work, but allows and authorises the vehicle to be used for private use during business hours by another family member or person, they are not entitled to access another government vehicle for private use, including transport to and from work.

(7) Should the officer choose to take cash in lieu of a motor vehicle supplied through State Fleet, it is not the Tribunal's intent that this should result in additional government expense or an increase in the government fleet to provide transport for the office holder during business hours. Office holders are not entitled to claim mileage allowance for use of private vehicles for work purposes. Neither are they entitled to access another government vehicle for their personal use including transport to and from work.

### 3.2 Notional value of the lease and the cost to the Office Holder

(1) The notional value of the lease (and all associated costs) per annum is \$24,000.

(2) The notional value of the lease shall be calculated on a pro rata basis in accordance with the proportion of full-time hours worked by an office holder.

(3) The total lease cost of the chosen vehicle and accessories determined in this section must be borne by the office holder. This includes the purchase cost of any accessories, including installation and removal costs if required, before disposal of the vehicle. No additional costs shall be incurred by the office holder as a result of fluctuations in lease costs during the specified term of the lease.

(4) Where the total lease and associated costs of a vehicle and accessories in accordance with this determination is less than the relevant motor vehicle benefit determined in this section, the difference in the cost to Government is to be paid fortnightly as part of the office holder's remuneration.

(5) The method of determining whether an additional contribution must be made by the office holder or the surplus is to be paid to the office holder, shall be based on the notional lease cost to the Government of the vehicle sought (using the formula detailed below), compared with the relevant notional lease value determined for the benefit in this section. The cost at the time of entering into the lease is applicable.

(6) In the event an office holder's vehicle requires modifications to cater for a disability, resulting in total vehicle costs higher than the notional lease values specified in 3.2(1), then the reasonable additional cost may be approved by the President of the State Administrative Tribunal in consultation with the Department of Justice.

(7) The notional value of the vehicle benefit must include lease cost, Fringe Benefits Tax (FBT) and all other operating costs based on the relevant figure of nominated kilometres to be travelled annually. The formula to be adopted in valuing the motor vehicle is—

Value of Motor Vehicle = L + R + aD + FBT + I + LCT, where

L	=	Lease payments
R	=	Registration costs
a	=	Running cost per kilometre
D	=	nominated annual kilometres
FBT	=	Fringe Benefits Tax
I	=	Insurance
LCT	=	Luxury Car Tax

(8) FBT is costed at applicable Australian Taxation Office rates: purchase price (including GST) x Statutory fraction x Gross up (2.0802) x FBT rate (0.470).

(9) Each lease should be tailored to achieve the most cost-effective arrangement based on individual usage.

### 3.3 Choice of Motor Vehicle

(1) Where office holders elect to access a leased vehicle under State Fleet arrangements, they may choose any vehicle and accessories in the relevant Western Australian Government Common Use Contract or an "off contract" vehicle and accessories available under Government leasing arrangements in accordance with the following criteria.

(2) Vehicles with V8 engines are not included. Supercharged and turbo-charged engines with a capacity greater than 3.0 litres are not included.

(3) Office holders unable to lease their choice of vehicle within the scope of the arrangements set out in this determination should elect to make their own arrangements to meet their personal transport needs.

### 3.4 Cash Value of the Motor Vehicle Allowance

(1) Where officeholders elect to not be provided with a motor vehicle through State Fleet they are entitled to the cash value being paid fortnightly as additional remuneration. The relevant cash value is \$24,000 per annum.

(2) The cash value of the motor vehicle allowance shall be calculated on a pro rata basis in accordance with the proportion of full-time hours worked by an office holder.

The determination will now issue.

Signed on 24 June 2021.

M SEARES AO  
Chair

B A SARGEANT PSM  
Member.

Salaries and Allowances Tribunal.



## SALARIES AND ALLOWANCES ACT 1975

GOVERNMENT ENTITIES TRIBUNAL DETERMINATION  
No. 1 of 2021

## PREAMBLE

1. Under section 7C of the *Salaries and Allowances Act 1975* (the Act) the Tribunal must “determine the minimum and maximum amounts of remuneration to be paid or provided to executive officers of Government entities”.
2. Section 7C was included in the Act in 2016 and commenced in August 2018. However, before the Tribunal issued its first determination under section 7C, the Act was further amended, in February 2018, with inclusion of section 10F, which—
  - prohibited the Tribunal from issuing any increases in remuneration until 1 July 2021; and
  - required the Tribunal to “determine the amount of remuneration to be paid or provided to executive officers of Government entities”.
3. The provisions of section 10F will expire on 1 July 2021.
4. A Chief Executive Officer position is only subject to the Tribunal’s determinations following the expiry of a contract that was in place when section 7C commenced.

## DECISION

5. The Tribunal has extensively reviewed the Government Trading Enterprises (GTE) environment and has developed a three band model for remuneration.
6. The remuneration ranges account for the increase in the Commonwealth Superannuation Guarantee to 10%.
7. From 1 July 2021, respective GTE boards will be required to set or adjust remuneration of their CEOs within these bands.
8. Under the provisions of the Act, the Tribunal will, from this point forward, conduct annual reviews of the remuneration framework.

## PART 1—INTRODUCTORY MATTERS

*This Part deals with some matters that are relevant to the determination generally.*

## 1.1 Short title

This determination may be cited as the *Government Entities Tribunal Determination No. 1 of 2021*.

## 1.2 Commencement

This Determination comes into operation on 1 July 2021.

## 1.3 Content and intent

- (1) This Determination is issued pursuant to section 7C of the *Salaries and Allowances Act 1975* (the Act) and applies to Executive Officers of Government entities specified in Schedule 2 of the Act.
- (2) The total remuneration package specified in this Determination includes all components of remuneration provided to an Executive Officer.
- (3) This Determination fulfils the Tribunal’s obligations under section 7C of the Act and applies to offices identified in Schedule 2 of the Act that have been prescribed in regulations.
- (4) In accordance with section 10A of the Act, decisions by the Tribunal in relation to section 7C have considered the—
  - (a) *Public Sector Wages Policy Statement 2019*, issued on 5 July 2019; and
  - (b) financial position and fiscal strategy of the State, as stated in the Government Mid-year Financial Projections Statement of December 2020

## 1.4 Terms used

In this determination, unless the contrary intention appears—

**Band** means the minimum and maximum amounts of remuneration set in Part 2 of this Determination.

**Executive Officer** has the meaning provided in section 7C(1) and (4) of the Act.

**Government Entity** means an entity specified in column 1 of Schedule 2 of the Act.

**Remuneration** has the meaning provided in section 4 of the Act.

**Tribunal** means the Salaries and Allowances Tribunal.

### 1.5 Pro rata payments

(1) The total remuneration package for Executive Officers specified in this determination is based on a person serving in the office on a full-time basis. The relevant amount shall be payable on a pro rata basis when the position is undertaken on a part time basis.

(2) The total remuneration package specified in this determination shall be apportioned on a pro rata basis according to the portion of a year that the person holds office.

### 1.6 References to Dates

In this Determination, a reference to “a year” or “per annum” relates to a financial year.

### 1.7 Government Entity Band allocations

Unless the contrary intention appears, government entities in this determination are allocated to the bands as set out in Part 3 of this determination.

## PART 2—CLASSIFICATION FRAMEWORK FOR EXECUTIVE OFFICERS OF GOVERNMENT ENTITIES

*This Part deals with the classification framework applicable to Executive Officers under section 7C of the Act.*

### 2.1 General

(1) This Part sets the minimum and maximum amounts of remuneration for each Band in which an Executive Officer is classified.

(2) A Government Entity must ensure the total remuneration package provided to its Executive Officer complies with Band ranges specified in 2.2(1), according to the Band classification of the office specified in Part 3.

(3) The Tribunal, from time to time, may review the Band classification of an Executive Officer.

### 2.2 Band Ranges

(1) The Band ranges for annual total remuneration packages provided to Executive Officers in Government Entities are as follows—

Band	Total Remuneration Range	
Band 1	\$475,000	\$700,000
Band 2	\$300,000	\$529,000
Band 3	\$200,000	\$387,000

(2) The total remuneration package provided to an Executive Officer must be within the amounts specified in 2.2(1), according to the Band classification of the office specified in Part 3.

## PART 3—TOTAL REMUNERATION PACKAGE

*This Part deals with the remuneration payable to Executive Officers.*

### 3.1 General

(1) Executive offices have been classified in Bands listed in 3.2.

(2) Each Band classification (Band 1 to Band 3) has a corresponding Total Remuneration Package (TRP) range, as specified in Part 2.

(3) A TRP must comprise all components of remuneration provided as a reward for service, which typically includes, but is not limited to, base salary, superannuation and a private motor vehicle allowance.

(4) The only exclusions from the TRP are—

- (a) employer obligations, such as professional development relevant to the executive officer’s role, reimbursement for work expenses or the cost of recruitment and relocation; and
- (b) items considered to be a “tool of trade” necessary to undertake the duties of an executive officer and which are not provided as a reward for service.

### 3.2 Executive Officer Remuneration

(1) Executive Officers in Government entities are classified in Bands as follows—

Government Entity	Band Classification
Bunbury Water Corporation (Aqwest)	3
Busselton Water Corporation	3
Fremantle Port Authority	1
Gold Corporation (Perth Mint)	1
Horizon Power	2
Kimberley Port Authority	3
Mid-West Ports Authority	3
Pilbara Ports Authority	1
Racing and Wagering WA	2

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<b>Government Entity</b>	<b>Band Classification</b>
Southern Ports Authority	3
Synergy	1
WA Land Authority	2
WA Treasury Corporation	2
Water Corporation	1
Western Power	1

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(2) Notwithstanding 3.2(1), the maximum total remuneration package to be provided to the Executive Officer of Horizon Power is \$563,175 until the office is vacated by the current officeholder.

Signed on 24 June 2021.

M SEARES AO  
Chair

B A SARGEANT PSM  
Member.

Salaries and Allowances Tribunal.

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## SALARIES AND ALLOWANCES ACT 1975

**DETERMINATION OF THE SALARIES AND ALLOWANCES  
TRIBUNAL FOR CLERKS AND DEPUTY CLERKS OF THE  
PARLIAMENT, PUBLIC SERVICE OFFICE HOLDERS INCLUDED  
IN THE SPECIAL DIVISION OF THE PUBLIC SERVICE AND  
PERSONS HOLDING OFFICES PRESCRIBED IN SALARIES AND  
ALLOWANCES REGULATION NUMBER 3**

**PREAMBLE**

1. This determination is issued in accordance with the *Salaries and Allowances Act 1975* (the Act) and sets the remuneration to be paid or provided to—
  - (a) the Clerk of the Legislative Council or Clerk of the Legislative Assembly or the Deputy Clerk of either House (section 6(1)(c));
  - (b) officers of the Public Service holding offices including in the Special Division of the Public Service (section 6(1)(d)); and
  - (c) a person holding any other office of a full-time nature, created or established under a law of the State, that is prescribed for the purposes of this section, but not being an office the remuneration for which is determined by or under any industrial award or agreement made or in force under any other law of the State (section 6(1)(e)).
2. Since February 2018, section 10D of the Act has prevented the Tribunal from increasing remuneration provided to certain public offices in its jurisdiction, including offices included in section 6(1)(c), (d) and (e).
3. This Determination is issued as a point of reference for remuneration provided for offices included in section 6(1)(c), (d) and (e) at the expiry of these legislative restrictions, on 1 July 2021. From this date, the Tribunal will resume much of its usual discretion to set remuneration.
4. However, the Tribunal must still comply with section 10G, which prevents the Tribunal from making a determination that—
  - has the effect of providing for the payment or provisions of remuneration on the basis that the remuneration was not paid or provided before 1 July 2021 by reason of the operation of section 10D; or
  - takes into account any increase in the cost of living that occurred between commencement day and 1 July 2021.
5. The conditions in section 8 will also resume on 1 July 2021, requiring the Tribunal to annually inquire into and determine the remuneration for certain office holders in its jurisdiction. As such, the Tribunal will conduct an annual inquiry and issue its next determination no later than 1 July 2022.
6. In accordance with section 10A, this determination has considered the—
  - *Public Sector Wages Policy Statement 2019*; and
  - financial position and fiscal strategy of the State, as stated in the *Government Mid-year Financial Projections Statement* of December 2020.
7. The Tribunal has noted advice received from the Under Treasurer, who stated that while the Western Australian economy appears to be recovering from the severe impact of the COVID-19 pandemic, the outlook is difficult to predict and significant risks remain. The State's revenue estimates are currently highly sensitive to changes in key economic parameters.
8. The Tribunal notes that remuneration provided for offices included in section 6(1)(c), (d) and (e) has not increased for some time.
9. With the prevailing uncertainty over the economic climate, the Tribunal has determined a \$1,000 increase in the remuneration for Clerks of the Parliament and their Deputies, Special Division and Prescribed Office holders. This increase is in line with those provided to the wider public service in accordance with the *Public Sector Wages Policy*.
10. The determination will now issue.

**DETERMINATION****PART 1—INTRODUCTORY MATTERS**

*This Part deals with some matters that are relevant to the Determination generally.*

**1.1 Short Title**

This Determination may be cited as the *Special Division, Prescribed Office Holders and Clerks of the Parliament Determination No. 1 of 2021*.

**1.2 Commencement**

This Determination comes into operation on 1 July 2021.

**1.3 Content and intent**

Pursuant to the *Salaries and Allowances Act 1975* (‘the Act’) this determination provides for the salary, allowances and other benefits to be paid, provided or reimbursed to—

- (a) the Clerk of the Legislative Council or Clerk of the Legislative Assembly or the Deputy Clerk of either House (section 6(1)(c));
- (b) officers of the Public Service holding offices including in the Special Division of the Public Service (section 6(1)(d)); and
- (c) a person holding any other office of a full-time nature, created or established under a law of the State, that is prescribed for the purposes of this section, but not being an office the remuneration for which is determined by or under any industrial award or agreement made or in force under any other law of the State (section 6(1)(e)).

**1.4 References to Dates**

- (1) In this Determination, a reference to “a year” or “per annum” relates to a financial year.
- (2) Where benefits or entitlements are provided with specific reference to “a financial year”, these cease on and from 30 June each year and, unless otherwise specified in this Determination, no unexpended amount can be carried over to later financial years.

**1.5 Terms used**

In this Determination, unless the contrary intention appears—

**remuneration** means salary, allowances, fees, emoluments and benefits (whether in money or not);

**salary** means the portion of remuneration which is paid as money;

**Special Division officer** means the holder of an office which has been included in the Special Division of the Public Service pursuant to section 38 of the *Public Sector Management Act 1994* and for the purposes of section 6(1)(d) of the Act;

**Prescribed Officer** means the holder of an office which has been created or established under a law of the State, that is prescribed for the purposes of section 6(1)(e) of the Act.

**Tribunal** means the Salaries and Allowances Tribunal.

**1.6 Conditions of service**

- (1) Unless the conditions of service of a Special Division officer or Prescribed Officer are determined pursuant to a law of the State other than the Act, the conditions of service specified in this determination will apply.
- (2) To the extent that terms and conditions of employment affect remuneration (e.g. paid leave), office holders listed in this Schedule are entitled to the same terms and conditions as contained in the *Public Service Award 1992* as at the date of this determination and the *Public Sector CSA Agreement 2019*.
- (3) Where there is any inconsistency between this determination and the terms and conditions of the *Public Service Award 1992* and the *Public Sector CSA Agreement 2019*, the conditions of service specified in this determination shall prevail to the extent of any inconsistency.

**1.7 Salaries**

- (1) All salaries stated in the Schedules of this determination are inclusive of annual leave loading.
- (2) A person holding more than one Special Division or Prescribed Office, shall receive remuneration for one office only, being the office classified or remunerated at the highest level.

**1.8 Salary Packaging**

An Office holder identified in this determination is entitled to participate in salary packaging arrangements for superannuation and novated leases in accordance with the “Guidelines for Salary Packaging in the WA Public Sector” issued by the Department of Mines, Industry Regulation and Safety.

**First Schedule**  
SPECIAL DIVISION AND PRESCRIBED OFFICE HOLDERS  
**PART 1—SALARY**

*This Part deals with the salary payable to Special Division and Prescribed Office Holders listed below.*

**1.1 Salary**

(1) The annual salaries specified in the Tables of this Part apply to the holders of the corresponding offices.

**Table 1—Special Division CEOs**

Office	Department or Agency	Band	Office Holder	Salary
Director General	Biodiversity, Conservation and Attractions	2	M Webb	\$320,881
Chief Executive Officer	Botanic Gardens and Parks Authority	4	M Webb	See Director General, Biodiversity, Conservation and Attractions
Managing Director	Central Regional TAFE	4	W Swetman	\$216,000
Chief Executive Officer	ChemCentre	4	P McCafferty	\$221,056
Director General	Communities	1	M Andrews	\$429,500
Registrar	Department of the Registrar, Western Australian Industrial Relations Commission	4	S Bastian	\$221,056
Director General	Education	1	L Rodgers	\$442,406
Director General	Finance	1	J Cant	\$403,288
Director	Gascoyne Development Commission	4	T Duncanson	\$203,631
Director	Goldfields-Esperance Development Commission	4	K Starcevich	\$203,631
Chief Executive Officer	Government Employees Superannuation Board	2	B Palmer	\$305,151
Director	Great Southern Development Commission	4	N Monks	\$203,631
Managing Director	Insurance Commission of Western Australia	2	R Whithear	\$342,567
Director General	Jobs, Tourism, Science and Innovation	1	R Brown	\$403,288
Director General	Justice	1	A Tomison	\$390,500
Director	Kimberley Development Commission	4	J Gooding	\$203,631
Director General	Local Government, Sport and Cultural Industries	2	Vacant	\$-
Commissioner	Mental Health Commission	2	J McGrath	\$320,881
Chief Executive Officer	Metropolitan Cemeteries Board	4	P Deague	\$221,056
Chief Executive Officer	Metropolitan Redevelopment Authority	3	Vacant	\$-
Director	Mid-West Development Commission	4	G Treasure	\$205,246
Chief Executive Officer	Minerals Research Institute of Western Australia	4	N Roocke	\$222,500
Managing Director	North Metropolitan TAFE	3	M Hoad	\$236,539
Managing Director	North Regional TAFE	4	K Doig	\$216,000
Director	Peel Development Commission	4	A Ward	\$203,631

Office	Department or Agency	Band	Office Holder	Salary
Director	Pilbara Development Commission	4	T Hill	\$211,858
Director General	Planning, Lands and Heritage	2	Vacant	\$-
Director General	Premier and Cabinet	1	Vacant	\$ -
Director General	Primary Industries and Regional Development	2	R Addis	\$320,881
Chief Executive Officer	Public Transport Authority	2	Vacant	See Director General, Department of Transport
Chief Executive Officer	Rottneest Island Authority	4	M Webb	See Director General, Department of Biodiversity, Conservation and Attractions
Chief Executive Officer	School Curriculum and Standards Authority	3	L Rodgers	See Director General, Department of Education
Small Business Commissioner	Small Business Development Corporation	4	D Eaton	\$232,355
Managing Director	South Metropolitan TAFE	3	T Durant	\$236,539
Managing Director	South Regional TAFE	4	D Ganeson-Oats	\$216,000
Director	South West Development Commission	4	M Teede	\$203,631
Chief Executive Officer	State Supply Commission	4	Vacant	\$ -
Director General	Training and Workforce Development	2	Vacant	\$ -
Director General	Transport	1	Vacant	\$-
Under Treasurer	Treasury	1	M Barnes	\$442,406
Director General	Water and Environmental Regulation	2	M Rowe	\$305,151
Chief Executive Officer	Western Australian Land Information Authority	3	G Gammie	\$253,693
Director	Wheatbelt Development Commission	4	R Cossart	\$203,631
Chief Executive Officer	WorkCover Western Australia Authority	4	C White	\$236,539
Chief Executive Officer	Zoological Parks Authority	4	M Webb	See Director General, Biodiversity, Conservation and Attractions

Table 2—Prescribed Office Holders

Office	Department or Agency	Office Holder	Salary
Commissioner for Equal Opportunity	Equal Opportunity Commissioner	J Byrne	\$253,020
Commissioner	Fire and Emergency Services	D Klemm	\$305,151
General Manager	Forest Products Commission	S West	\$264,900
Chief Health Officer	Health	A Robertson	See Eighth Schedule
Director	Health and Disability Services Complaints Office	S Cowie	\$236,539
Chief Executive Officer	Infrastructure WA	P Helberg	\$344,800

<b>Office</b>	<b>Department or Agency</b>	<b>Office Holder</b>	<b>Salary</b>
State Librarian	Library Board of Western Australia	M Allen	\$236,539
Commissioner of Main Roads	Main Roads WA	Vacant	See Director General, Department of Transport
President	Mental Health Tribunal	K Whitney	\$243,108
WorkSafe Commissioner	Mines, Industry Regulation and Safety	D Kavanagh	\$201,000
Auditor General	Office of the Auditor General	C Spencer	\$403,388
Chief Psychiatrist	Office of the Chief Psychiatrist	N Gibson	See Seventh Schedule
Commissioner for Children and Young People	Office of the Commissioner for Children and Young People	Vacant	\$236,539
Director of Public Prosecutions	Office of the Director of Public Prosecutions	A Forrester SC	See Fourth Schedule
Deputy Director of Public Prosecutions	Office of the Director of Public Prosecutions	Vacant	See Fourth Schedule
Information Commissioner	Office of the Information Commissioner	C Fletcher	\$236,539
Inspector of Custodial Services	Office of the Inspector of Custodial Services	E Ryan	\$236,539
Solicitor General	Office of the Solicitor General	J Thomson SC	See Sixth Schedule
Commissioner	Parliamentary Commissioner for Administrative Investigations	C Field	\$373,070
Deputy Commissioner	Parliamentary Commissioner for Administrative Investigations	G (Mary) White	\$199,054
Public Sector Commissioner	Public Sector Commission	S O'Neill	\$442,406
Electoral Commissioner	Western Australian Electoral Commission	R Kennedy	\$253,020
Deputy Electoral Commissioner	Western Australian Electoral Commission	C Avent	\$191,776
Commissioner of Police	Western Australian Police Service	C Dawson	\$442,406
Deputy Commissioner	Western Australian Police Service	C Blanch	\$282,139
Deputy Commissioner	Western Australian Police Service	G Dreiberger	\$282,139
Assistant Commissioner	Western Australian Police Service	K Properjohn	\$213,337
Assistant Commissioner	Western Australian Police Service	B Royce	\$213,337
Assistant Commissioner	Western Australian Police Service	J McCabe	\$213,337
Assistant Commissioner	Western Australian Police Service	K Whitely	\$213,337
Assistant Commissioner	Western Australian Police Service	P Steel	\$213,337
Assistant Commissioner	Western Australian Police Service	P Zanetti	\$213,337
Assistant Commissioner	Western Australian Police Service	C Donaldson	\$213,337
Assistant Commissioner	Western Australian Police Service	Vacant	\$213,337
Assistant Commissioner	Western Australian Police Service	Vacant	\$213,337

Office	Department or Agency	Office Holder	Salary
Assistant Commissioner	Western Australian Police Service	Vacant	\$213,337
Assistant Commissioner	Western Australian Police Service	Vacant	\$213,337
Assistant Commissioner	Western Australian Police Service	Vacant	\$213,337
Chief Executive Officer	Western Australian Tourism Commission	Vacant	See Director General, Jobs, Tourism, Science and Innovation

(2) Where the Deputy Commissioner, Western Australian Electoral Commission (WAEC), acts in the position of Electoral Commissioner, WAEC, for a period of four or more consecutive weeks while the office is substantively vacant or the office holder is on leave, the Deputy Commissioner is entitled to receive the salary awarded in Table 2 Prescribed Office Holders, to the position of Electoral Commissioner for the duration of the acting arrangement.

(3) A person appointed by the Governor to temporarily act in the Office of the Inspector of Custodial Services, is entitled to receive the same salary that is awarded to the position of Inspector of Custodial Services as set out in 'Table 2 Prescribed Office Holders'. The acting Inspector of Custodial Services is also entitled to the motor vehicle benefits set out in Part 3 and the superannuation entitlements set out in Part 6 of this Determination. The salary and benefits apply on a pro-rata basis for any period in which the Inspector of Custodial Services is absent from duty.

**Table 3—Special Division Non-CEOs**

Office	Department or Agency	Band	Office Holder	Salary
Deputy Director General	Biodiversity, Conservation and Attractions	3	P Dans	\$228,819
Deputy Director General, Community Services	Communities	2	R Green	\$282,140
Deputy Director General, Governance, Integrity and Reform	Communities	4	C Stoddart	\$228,819
Deputy Director General, Education Business Services	Education	2	Vacant	\$-
Deputy Director General, Public Schools	Education	2	S Baxter	\$282,140
Deputy Director General, Student Achievement	Education	2	J Bell	\$282,140
Executive Director, School Curriculum and Standards	Education	3	A Blagaich	\$242,451
Deputy Director General, Buildings and Contracts	Finance	2	S Whitmarsh	\$296,000
Deputy Director General, Advisory Services	Finance	3	K Ingham	\$241,000
Chief Customer Officer, Service WA	Finance	3	H Farrell	\$228,819
Commissioner Revenue WA	Finance	3	N Suchenia	\$228,819
Deputy Commissioner, Operations	Fire and Emergency Services	4	C Waters	\$228,819
Assistant Director General Strategy and Governance	Health	2	N O'Keefe	\$288,365
Assistant Director General Purchasing and System Performance	Health	2	A Kelly	\$294,590
Deputy Director General, Industry Science and Innovation	Jobs, Tourism, Science and Innovation	3	L Dawson	\$228,819
Deputy Director General Resources and Project Facilitation	Jobs, Tourism, Science and Innovation	3	C Clark	\$228,819
Deputy Director General Strategy and International Engagement	Jobs, Tourism, Science and Innovation	3	S Spencer	\$228,819
Managing Director	Jobs, Tourism, Science and Innovation	3	Vacant	\$ -

Office	Department or Agency	Band	Office Holder	Salary
Commissioner of Corrective Services (Deputy Director General)	Justice	3	Vacant	\$ -
Executive Director, Courts and Tribunal Services	Justice	4	J Stampalia	\$213,336
Public Trustee	Justice	4	B Roche	\$228,819
Managing Director	Main Roads WA	2	P Woronzow	\$308,301
Coordinator of Energy	Mines, Industry Regulation and Safety	2	Vacant	\$ -
Deputy Director General, Resource and Environmental Regulation	Mines, Industry Regulation and Safety	3	P Gorey	\$228,819
Deputy Director General, Industry Regulation and Consumer Protection	Mines, Industry Regulation and Safety	3	K Berger	\$228,819
Deputy Director General, Safety Regulation	Mines, Industry Regulation and Safety	3	I Munns	\$228,819
Deputy Auditor General	Office of the Auditor	2	S Labuschagne	\$282,140
Deputy Director General	Premier and Cabinet	2	S Black	\$308,301
Deputy Director General	Premier and Cabinet	2	E Roper	\$308,301
Executive Director State Services	Premier and Cabinet	4	Vacant	\$-
Government Chief Information Officer	Premier and Cabinet	4	G Italiano	\$221,000
Deputy Director General Industry and Economic Development	Primary Industries and Regional Development	3	N Grazia	\$228,819
Deputy Director General Sustainability and Biosecurity	Primary Industries and Regional Development	3	H Brayford	\$255,480
Managing Director	Public Transport Authority	2	M Burgess	\$308,301
Managing Director	Transport	2	Vacant	\$ -
Managing Director	Transport	2	I Cameron	\$282,140
Managing Director Metronet	Transport	2	A Kannis	\$308,301
Managing Director Westport	Transport	3	Vacant	\$ -
Deputy Under Treasurer	Treasury	2	M Court	\$308,301
Executive Director, Public Utilities Office	Treasury	2	Vacant	\$ -
Executive Director, Economic	Treasury	3	Vacant	\$-
Executive Director, Infrastructure and Finance	Treasury	3	R Watson	\$255,480
Executive Director, Strategic Policy and Evaluation	Treasury	3	A Jones	\$282,140
Executive Director	Western Australian Police Service	3	F Pasquale	\$272,510

## PART 2—CLASSIFICATION FRAMEWORK FOR SPECIAL DIVISION OFFICES

*This Part deals with the classification framework applicable to Special Division offices listed in Part 1 of this Schedule.*

### 2.1 General

(1) Special Division offices listed in this Schedule have been assigned by the Tribunal to one of four classifications designated Band 1 to Band 4.

(2) Each classification (Band 1 to Band 4) has a commensurate annual salary as specified in this Section. The salary is exclusive of other benefits described further below in Parts 3, 4, 5 and 6.

(3) Chief Executive Officers (CEOs) have been designated a higher salary range within each Band in recognition of the distinction between CEOs with end of line responsibility and non-CEOs in subordinate positions.

(4) The Tribunal will review the classification of an office when that office becomes vacant and prior to a new appointment being made.

**Table 4—Annual salary range for the classification of Chief Executive Officers in the Special Division of the Public Service**

SPECIAL DIVISION CHIEF EXECUTIVE OFFICERS		
Band	Annual Salary Range	
Band 1	\$368,070	\$517,293
Band 2	\$305,151	\$368,070
Band 3	\$236,539	\$305,151
Band 4	\$203,631	\$236,539

**Table 5—Annual salary range for the classification of non-Chief Executive Officers in the Special Division of the Public Service**

SPECIAL DIVISION NON-CHIEF EXECUTIVE OFFICERS		
Band	Annual Salary Range	
Band 1	Not applicable	Not applicable
Band 2	\$282,140	\$331,938
Band 3	\$228,819	\$282,140
Band 4	\$191,776	\$228,819

### PART 3—MOTOR VEHICLE BENEFITS

*This Part deals with the motor vehicle benefits paid or provided to Office holders listed in Part 1 of this Schedule.*

#### 3.1 General

(1) In addition to the salary determined for the office holders listed in Part 1 of this Schedule, those office holders have an entitlement to an allowance which may be taken as cash with salary or may be utilised to access a motor vehicle for private use leased through State Fleet.

(2) The vehicle (being part of the Government-owned State Fleet) should be managed in accordance with the policies and conditions established and amended from time to time by the Department of Finance (the effective owner of the State Fleet). Applicable terms and conditions are currently set out in the document "State Fleet—Agency General Agreement".

(3) A person holding more than one Special Division or Prescribed Office, shall be entitled to a motor vehicle or cash in lieu of a motor vehicle for one such office only, being the office classified or remunerated at the highest level.

(4) An individual accessing a vehicle under this Part shall take due care of the condition and security of the vehicle. This includes responsibility for ensuring the vehicle is regularly serviced and maintained at government expense according to the manufacturer's recommended specifications, and making arrangements for off-street parking at home, whenever practicable, with appropriate security precautions taken at all times. Any theft or damage should be reported to the Fleet Manager.

(5) Motor vehicles leased for office holders under this determination or a previous determination of the Tribunal shall not be changed or cash in lieu taken prior to the expiration of the lease.

(6) While the vehicle may be used anywhere in Western Australia at no cost to the individual, if the vehicle is driven interstate, the individual is liable for the cost of fuel and oil while interstate. Furthermore, if used outside of Western Australia, the custodian must be in the vehicle at all times that it is being used.

(7) Should the officer choose not to use the vehicle, supplied through State Fleet, for business, or for travelling to and from work, but allows and authorises the vehicle to be used for private use during business hours by another family member or person, they are not entitled to access another government vehicle for their private use, including transport to and from work.

(8) Should the officer choose to take cash in lieu of a motor vehicle supplied through State Fleet, it is not the Tribunal's intent that this should result in additional government expense or an increase in the government fleet to provide transport for the office holder during business hours. The office holder is not entitled to claim a mileage allowance for use of their private vehicle for work purposes. Neither are they entitled to access another government vehicle for their personal use including transport to and from work.

#### 3.2 Notional value of the lease and the cost to the Office Holder

(1) The notional value of the lease (and all associated costs) shall be—

**Table 6—Notional Value of a Motor Vehicle**

Salary of Office Holder	Notional value of the lease
Below \$246,397 p.a.	\$20,300 p.a.
Equal to or above \$246,397 p.a.	\$22,650 p.a.

- (2) The notional value of the lease shall be calculated on a pro rata basis in accordance with the proportion of full-time hours worked by an office holder.
- (3) Office holders located in non-metropolitan locations that require a four wheel drive vehicle for operational reasons, can apply to the employing authority for the issue of a four wheel drive vehicle in lieu of the entitlement mentioned in this Section. Four wheel drive vehicles shall be of a standard, the cost of which does not exceed the Toyota Prado GXL Automatic 3.0 litre Turbo Diesel.
- (4) The total lease cost of the chosen vehicle and accessories determined in this section, must be borne by the office holder. This includes the purchase cost of any accessories and the installation cost and removal costs if required, before disposal of the vehicle. No additional costs shall be incurred by the office holder as a result of fluctuations in lease costs during the specified term of the lease.
- (5) In the event an office holder's motor vehicle requires modifications to cater for a disability, resulting in total vehicle costs higher than the notional lease values in Table 6, then the reasonable additional cost may be approved by the office holder's employing authority.
- (6) Where the total lease and associated costs of a vehicle and accessories in accordance with this determination is less than the relevant motor vehicle benefit determined in this section, the difference in the cost to Government is to be paid fortnightly as part of the office holder's remuneration.
- (7) The method of determining whether an additional contribution must be made by the office holder or the surplus is to be paid to the office holder, shall be based on the notional lease cost to the Government of the vehicle sought (using the formula detailed below), compared with the relevant notional lease value determined for the benefit in this section. The cost at the time of entering into the lease is applicable.
- (8) The notional value of the vehicle benefit must include the lease cost, Fringe Benefits Tax (FBT) and all other operating costs based on the relevant figure of nominated kilometres to be travelled annually. The formula to be adopted in valuing the motor vehicle is outlined in Table 7.

**Table 7—Value of a Motor Vehicle Formula**

<b>Value of a Motor Vehicle =</b>		
L + R + aD + FBT + I + LCT, where		
L	=	Lease payments
R	=	Registration costs
a	=	Running cost per kilometre
D	=	nominated annual kilometres
FBT	=	Fringe Benefits Tax
I	=	Insurance
LCT	=	Luxury Car Tax

- (9) FBT is costed at applicable Australian Taxation Office rates. FBT is costed at purchase price (including GST) x Statutory fraction x Gross up (2.0802) x FBT rate (0.470). A 'Fringe Benefits Tax Exempt Agency' means where an organisation is exempt from FBT in accordance with Commonwealth Government legislation, a notional amount equal to the standard FBT must be added to the cost of the benefit.
- (10) Each lease should be tailored to achieve the most cost-effective arrangement based on individual usage patterns.

### 3.3 Choice of motor vehicle

- (1) Where an office holder elects to access a leased vehicle under State Fleet arrangements, he/she may choose any vehicle and accessories in the relevant Western Australian Government Common Use Contract or an "off contract" vehicle and accessories available under Government leasing arrangements in accordance with the following criteria.
- (2) Vehicles with V8 engines are not included. Supercharged and turbo-charged engines with a capacity greater than 3.0 litres are not included.
- (3) Office holders unable to lease their choice of vehicle within the scope of the arrangements set out in this determination should elect to make their own arrangements to meet their personal transport needs.

### 3.4 Cash value of the motor vehicle benefit

- (1) Where a person elects not to be provided with a motor vehicle through State Fleet he/she is entitled to the cash value being paid fortnightly as additional remuneration. The relevant cash value is to be determined in accordance with the following criteria—

**Table 8—Cash Value of a Motor Vehicle**

<b>Salary of Office Holder</b>	<b>Cash Value</b>
Below \$246,397 p.a.	\$20,300 p.a.
Equal to or above \$246,397 p.a.	\$22,650 p.a.

- (2) The cash value of a motor vehicle shall be calculated on a pro rata basis in accordance with the proportion of full-time hours worked by an office holder.

**PART 4—DISTRICT AND TRAVEL ALLOWANCES**

*This Part deals with the district and travel allowances paid or provided to Office holders listed in this Part.*

**4.1 District Allowances**

(1) Officer holders listed in this Section shall be entitled to the applicable district allowances, if they are residing in the relevant region of their department or agency, in accordance with the *District Allowance (Government Officers) General Agreement 2010* and the relevant provisions of the *Public Service Award 1992* as at the date of this determination. Applicable FBT shall be payable by the relevant department or agency.

(2) For the purposes of calculating the standard rate, dependant rate or partial dependant rate applicable under the *District Allowance (Government Officers) General Agreement 2010* the standard rates set out in Table 9 below shall form the basis of the calculations unless and until determined otherwise by the Tribunal.

**Table 9—District Allowances**

Office	Department or Agency	Office Holder	Annual District Allowance (Standard Rate)
Managing Director	Central Regional TAFE	W Swetman	\$1,239
Director	Gascoyne Development Commission	T Duncanson	\$4,387
Director	Kimberley Development Commission	J Gooding	\$7,436
Director	Mid West Development Commission	G Treasure	\$1,239
Managing Director	North Regional TAFE	K Doig	\$8,361
Director	Pilbara Development Commission	T Hill	\$9,449

**4.2 Travel Allowances—Annual Leave Travel Concessions**

Office holders listed in this section are entitled to travel allowances in accordance with the *Public Service Award 1992* (as at the date of this determination) and described in clause 23(10) of that Award as “Annual Leave Travel Concessions”.

**Table 10—Travel Allowances—Annual Leave Travel Concessions**

Office	Department or Agency	Office Holder
Director	Gascoyne Development Commission	T Duncanson
Director	Kimberley Development Commission	J Gooding
Managing Director	North Regional TAFE	K Doig
Director	Pilbara Development Commission	T Hill

**PART 5—HOUSING AND UTILITIES**

*This Part deals with the housing and utilities subsidies paid or provided to Office holders listed in this Part.*

**5.1 Rental Subsidies**

(1) Office holders listed in this section are entitled to the applicable Government Regional Officers Housing (GROH) rental subsidies, if they are residing in the relevant region of their department or agency, in accordance with the Department of Housing *Tenant Rent Setting Framework Policy (July 2016)* (as at the date of this determination).

(2) The rental subsidy shall be payable to GROH for the benefit of the office holders and is to be calculated using the Department of Housing on-line rent calculator which can be accessed at—

[http://www.housing.wa.gov.au/currenttenants/governmentemployeehousing/rentcalculation/Pages/groh\\_rent\\_calc.aspx](http://www.housing.wa.gov.au/currenttenants/governmentemployeehousing/rentcalculation/Pages/groh_rent_calc.aspx)

(3) In the event the full rental cost is more than the rental subsidy, the difference is to be borne by the office holder. However, Departments or Agencies can apply to the Employing Authority for approval for the difference to be borne by the Department or Agency.

(4) Applicable FBT shall be paid by the office holder’s department or agency.

**Table 11—Rental Subsidies**

Office	Department or Agency	Office Holder
Director	Gascoyne Development Commission	T Duncanson
Director	Mid West Development Commission	G Treasure
Managing Director	North Regional TAFE	K Doig
Director	Pilbara Development Commission	T Hill

### 5.2 Home ownership subsidies

(1) Office holders identified in this section shall be entitled to applicable Government home loan subsidies which are aligned generally to the Department of Housing's *Home Ownership Subsidy Scheme for Government Employees in Regional Western Australia (November 2001)*.

(2) The home ownership subsidy shall be payable for the benefit of the office holder up to the maximum specified in Table 12 below.

(3) The subsidy shall be paid in accordance with and for the period specified in the relevant Home Loan Subsidy Agreement between the office holder and their Department or agency identified in Table 12 below.

(4) Applicable FBT shall be paid by the office holder's department or agency.

**Table 12—Home Ownership Subsidies**

Office	Department or Agency	Office Holder	Maximum Annual Home Ownership Subsidy
Managing Director	Central Regional TAFE	B Swetman	\$9,100 (\$175 per week)

### 5.3 Electricity subsidies

(1) Office holders listed in this Section shall be entitled to claim electricity subsidies as specified in Table 13 below.

(2) Claims made under this Section must be accompanied by a tax invoice for electricity utilised at the residence ordinarily occupied by the office holder, within the region where the office holder's department or agency is located.

(3) A claim for an electricity subsidy made under this Section must be submitted within 90 days of the due payment date of the tax invoice. In the case of exceptional circumstances, the administering authority may approve an extension of time to submit a claim. Any application made to the administering authority seeking an extension of time to submit a claim under this Section, should be in writing and explain the exceptional circumstances leading to the need for extra time to submit a claim. Exceptional circumstances, for which an extension will be approved, will only be where the office holder has demonstrated that the claim submission has been delayed for reasons outside the office holder's control or in circumstances where ill health or bereavement has prevented a claim being made on time. Where delays in submitting a claim have been due to administrative oversight or negligence, the Tribunal does not regard these as circumstances appropriate to grant an extension of time to submit a claim. Where a claim is made after 90 days and no extension has been granted, payment against the claim will not be made.

(4) Applicable FBT shall be paid by the office holder's department or agency.

(5) Any gap between the electricity subsidy as stated in Table 13 and the full electricity amounts is payable by the office holder.

**Table 13—Electricity Subsidies**

Office	Department or Agency	Office Holder	Maximum Annual Electricity Subsidy
Director	Gascoyne Development Commission	T Duncanson	\$1,455
Director	Kimberley Development Commission	J Gooding	\$2,477
Managing Director	North Regional TAFE	K Doig	\$1,554
Director	Pilbara Development Commission	T Hill	\$2,735

## PART 6—SUPERANNUATION ENTITLEMENTS

*This Part deals with the superannuation entitlements paid or provided to Office holders listed in Part 1 of this Schedule.*

### 6.1 Superannuation Entitlements

(1) Employer superannuation contributions are payable in accordance with the obligations applicable under the *Superannuation Guarantee (Administration) Act 1992* (Cth), the *State Superannuation Act 2000* and the *State Superannuation Regulations 2001* or the *Fire and Emergency Services Regulations 1986*, as the case may be, unless determined otherwise in this Schedule.

(2) Superannuation contributions to the Gold State Super scheme are based on the concept of remuneration set out in Regulation 5 of the *State Superannuation Regulations 2001*. Contributions to an accumulation scheme, whether a GESB accumulation scheme or a scheme of choice, are determined by the concept of Ordinary Time Earnings (OTE) defined in the *Superannuation Guarantee (Administration) Act 1992* (Cth) and 'over OTE items' as defined in the *State Superannuation Regulations 2001*. The Department of Treasury document titled *Ordinary Time Earnings and the Treatment of Allowances and Payments for Superannuation Remuneration Purposes—General Principles* provides useful guidance on this matter. The document can be found on the Department of Treasury web site at—

[http://www.treasury.wa.gov.au/cms/uploadedFiles/\\_Treasury/State\\_finances/ote\\_treatment\\_allowances\\_payments\\_superannuation\\_remuneration\\_general\\_principles.pdf?n=1655](http://www.treasury.wa.gov.au/cms/uploadedFiles/_Treasury/State_finances/ote_treatment_allowances_payments_superannuation_remuneration_general_principles.pdf?n=1655)

(3) Superannuation contributions to the Fire and Emergency Services Superannuation Fund are governed by the *Superannuation Guarantee (Administration) Act 1992* (Cth) and the *Fire and Emergency Services Regulations 1986*.

(4) The position of CEO, Metropolitan Cemeteries Board, while held by Mr P Deague, shall be paid superannuation in accordance with the *WA Local Government Superannuation Plan*.

(5) A *Gold State* member electing to take a motor vehicle or the cash equivalent in lieu of a motor vehicle is not entitled to have either amount included for superannuation purposes.

(6) A *West State* or *GESB Super* member electing to take a vehicle does not have the cash value of that vehicle included for superannuation. However if the office holder elects to take a cash equivalent in lieu of a motor vehicle then this amount is included for the purposes of superannuation.

Signed on 24 June 2021.

M SEARES AO  
Chair

B A SARGEANT PSM  
Member.

Salaries and Allowances Tribunal.

### **Second Schedule**

#### **SENIOR LEGAL OFFICES**

Pursuant to section 6(1)(d) of the *Salaries and Allowances Act 1975* the Salaries and Allowances Tribunal determines the remuneration to be paid per annum to the holders of the offices listed below and is as follows.

#### **PART 1—SALARY**

*This Part deals with the salary payable to the holders of Senior Legal Offices listed below in Part 1 of this Schedule.*

##### **1.1 Salary**

The annual salaries specified in Table 14 of this Part apply to the holders of the corresponding offices.

**Table 14—Remuneration and Offices**

<b>Office</b>	<b>Department or Agency</b>	<b>Band</b>	<b>Office Holder</b>	<b>Annual Salary</b>
State Solicitor, SSO	Justice	1	N Egan	\$442,164
Parliamentary Counsel, PCO	Justice	1	G Lawn	\$442,164
State Counsel, SSO	Justice	2	A Sefton	\$388,766
Deputy State Solicitor, SSO	Justice	2	A Komninos	\$376,819
Deputy State Solicitor, SSO	Justice	2	Vacant	\$-
Deputy State Solicitor— Commercial, SSO	Justice	2	C Bydder	\$376,819
Deputy Parliamentary Counsel, PCO	Justice	2	U Couper	\$376,819
Senior Adviser, SSO	Justice	3	J O'Halloran	\$355,043
Deputy State Counsel, SSO	Justice	3	Vacant	\$-
Senior Parliamentary Counsel, PCO	Justice	3	Vacant	\$-
Senior Consultant State Prosecutor	Office of the Director of Public Prosecutions	3	J Whalley SC	\$344,003 *
Senior Consultant State Prosecutor	Office of the Director of Public Prosecutions	3	L Christian SC	\$344,003 *
Senior Consultant State Prosecutor	Office of the Director of Public Prosecutions	3	J Scholz	\$334,003
Senior Consultant State Prosecutor	Office of the Director of Public Prosecutions	3	P Usher	\$334,003
Senior Consultant State Prosecutor	Office of the Director of Public Prosecutions	3	Vacant	\$-
Consultant State Prosecutor	Office of the Director of Public Prosecutions	4	Vacant	\$-
Consultant State Prosecutor	Office of the Director of Public Prosecutions	4	Vacant	\$-

Office	Department or Agency	Band	Office Holder	Annual Salary
Consultant State Prosecutor	Office of the Director of Public Prosecutions	4	Vacant	\$-
Consultant State Prosecutor	Office of the Director of Public Prosecutions	4	Vacant	\$-
Consultant State Prosecutor	Office of the Director of Public Prosecutions	4	Vacant	\$-
Consultant State Prosecutor	Office of the Director of Public Prosecutions	4	Vacant	\$-
Director Legal Services	Office of the Director of Public Prosecutions	3	M Bugg	\$334,003
Adviser, SSO	Justice	4	M Payne	\$251,705
Adviser, SSO	Justice	4	K Chivers	\$251,705
Adviser, SSO	Justice	4	Vacant	\$-
Adviser, SSO	Justice	4	I Petersen	\$251,705
Senior Parliamentary Counsel, PCO	Justice	4	D Djurdjevic	\$244,600
Senior Parliamentary Counsel, PCO	Justice	4	R Jacobs	\$244,600

Abbreviations: SSO—State Solicitor's Office / PCO—Parliamentary Counsel's Office

\* includes \$10,000 premium in recognition of appointment as Senior Counsel.

## PART 2—CLASSIFICATION FRAMEWORK

*This Part deals with the classification framework applicable to the holders of Senior Legal Offices listed in Part 1 of this Schedule.*

### 2.1 General

- (1) Offices listed in this Schedule have been assigned by the Tribunal to one of four classifications designated Band 1 to Band 4.
- (2) Each classification (Band 1 to Band 4) has a commensurate indicative annual salary as specified in this Section.
- (3) The Tribunal will review the classification and salary of an office when that office becomes vacant and prior to a new appointment being made.

**Table 15—Indicative annual salary range for the classification of Senior Legal Offices**

SENIOR LEGAL OFFICES		
Band	Annual Salary Range	
Band 1	\$412,698	\$475,182
Band 2	\$346,581	\$412,698
Band 3	\$277,318	\$346,581
Band 4	\$244,600	\$277,318

## PART 3—MOTOR VEHICLE BENEFITS

*This Part deals with the motor vehicle benefits paid or provided to Office holders listed in this schedule.*

The holders of the offices listed in this Schedule have an entitlement to the provision of a fully maintained leased motor vehicle for private use to the notional value of \$22,650 per annum. In all other respects, the motor vehicle entitlements set out in Part 3 of the First Schedule of this determination apply to office holders listed in this Schedule.

Signed on 24 June 2021.

M SEARES AO  
Chair

B A SARGEANT PSM  
Member.

Salaries and Allowances Tribunal.

**Third Schedule**  
**COURT REGISTRARS**

Pursuant to section 6(1)(d) of the *Salaries and Allowances Act 1975* the Salaries and Allowances Tribunal determines the remuneration to be paid to the holders of the offices listed.

**PART 1—SALARY**

*This Part deals with the salary payable to the holders of the offices listed below*

**Table 16—Annual salary for Court Registrars**

Office	Annual Salary
<b>Supreme Court</b>	
Principal Registrar	\$341,979
Registrar	\$302,959
<b>District Court</b>	
Principal Registrar	\$318,562
Registrar	\$299,389
Deputy Registrar	\$290,437

**PART 2—MOTOR VEHICLE BENEFITS**

*This Part deals with the motor vehicle benefits paid or provided to Office holders listed in this schedule.*

The holders of the offices listed in this Schedule have an entitlement to the provision of a fully maintained leased motor vehicle for private use to the notional value of \$24,000 per annum. In all other respects, the motor vehicle entitlements set out in Part 3 of the First Schedule of this determination apply to office holders listed in this Schedule.

Signed on 24 June 2021.

M SEARES AO  
Chair

B A SARGEANT PSM  
Member.

Salaries and Allowances Tribunal.

**Fourth Schedule**

**DIRECTOR OF PUBLIC PROSECUTIONS AND DEPUTY DIRECTOR OF  
PUBLIC PROSECUTIONS**

Pursuant to section 6(1)(e) of the *Salaries and Allowances Act 1975* the Salaries and Allowances Tribunal determines the remuneration to be paid or provided to the holder of the offices of the Director of Public Prosecutions and the Deputy Director of Public Prosecutions.

**PART 1—SALARY AND ALLOWANCES**

*This Part deals with the salary and allowances payable to the Director of Public Prosecutions and the Deputy Director of Public Prosecutions.*

**1.1 Director of Public Prosecutions**

- (1) The holder of the office of Director of Public Prosecutions is to be paid a salary of \$487,517 per annum.
- (2) All other allowances payable from time to time are the same as provided to a Puisne Judge of the Supreme Court of Western Australia.
- (3) As stated in section 2(b) of the *Director of Public Prosecutions Act 1991*, the Director of Public Prosecutions has the same annual leave, sick leave and long service leave entitlements as an officer of the public service.

**1.2 Deputy Director of Public Prosecutions**

- (1) The holder of the office of Deputy Director of Public Prosecutions is to be paid a salary of \$398,766 per annum.
- (2) All other allowances payable from time to time are the same as provided to a District Court Judge of Western Australia.

**PART 2—MOTOR VEHICLE BENEFITS**

*This Part deals with the motor vehicle benefits paid or provided to the Director of Public Prosecutions and the Deputy Director of Public Prosecutions.*

**2.1 Motor Vehicle Entitlement**

The Director of Public Prosecutions and the Deputy Director of Public Prosecutions each have an entitlement to the provision of a fully maintained leased motor vehicle for private use to the notional

value of \$26,900 per annum. In all other respects, the motor vehicle entitlements set out in Part 3 of the First Schedule of this determination apply to these office holders.

Signed on 24 June 2021.

M SEARES AO  
Chair

B A SARGEANT PSM  
Member.

Salaries and Allowances Tribunal.

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***Fifth Schedule***

**CLERKS AND DEPUTY CLERKS OF THE PARLIAMENT**

Pursuant to section 6(1)(c) of the *Salaries and Allowances Act 1975* the Salaries and Allowances Tribunal determines the remuneration to be paid or provided to Clerk of the Legislative Council or Clerk of the Legislative Assembly or the Deputy Clerk of either House.

**PART 1—SALARY**

*This Part deals with the salary payable to the holders of the offices listed below.*

**Table 17—Annual salary for the Clerks and Deputy Clerks of the Parliament**

<b>Office</b>	<b>Annual Salary</b>
Clerk of the Legislative Council	\$220,380
Deputy Clerk of the Legislative Council	\$169,709
Clerk of the Legislative Assembly	\$220,380
Deputy Clerk of the Legislative Assembly	\$169,709

**PART 2—MOTOR VEHICLE BENEFITS**

*This Part deals with the motor vehicle benefits paid or provided to Office holders listed in this Schedule.*

The holders of the offices listed in this Schedule have an entitlement to the supply of a fully maintained motor vehicle for business and private use.

Signed on 24 June 2021.

M SEARES AO  
Chair

B A SARGEANT PSM  
Member.

Salaries and Allowances Tribunal.

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***Sixth Schedule***

**SOLICITOR-GENERAL**

Pursuant to section 4 of the *Solicitor-General Act 1969* the Salaries and Allowances Tribunal determines the remuneration to be paid or provided to the holder of the office of the Solicitor-General.

**PART 1—REMUNERATION**

The holder of the office of Solicitor-General is entitled to remuneration of \$597,903 per annum inclusive of salary, motor vehicle entitlement and superannuation. This remuneration is provided on the basis that the holder of the office of Solicitor-General has not retained the right to private practice.

**PART 2—MOTOR VEHICLE BENEFITS**

For the purpose of superannuation the notional value of the motor vehicle entitlements is \$26,900 per annum. In all other respects, the motor vehicle entitlements set out in Part 3 of the First Schedule of this determination apply to the Solicitor-General.

Signed on 24 June 2021.

M SEARES AO  
Chair

B A SARGEANT PSM  
Member.

Salaries and Allowances Tribunal.

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***Seventh Schedule***  
**CHIEF PSYCHIATRIST**

Pursuant to Section 510 of the *Mental Health Act 2014* the Salaries and Allowances Tribunal determines the remuneration to be paid or provided to the holder of the office of the Chief Psychiatrist.

**PART 1—REMUNERATION**

The holder of the office of Chief Psychiatrist is entitled to remuneration of \$488,200 per annum inclusive of salary, motor vehicle entitlement and superannuation.

**PART 2—MOTOR VEHICLE BENEFITS**

For the purpose of superannuation the notional value of the motor vehicle entitlements is \$22,650 per annum. In all other respects, the motor vehicle entitlements set out in Part 3 of the First Schedule of this determination apply to the Chief Psychiatrist.

Signed on 24 June 2021.

M SEARES AO  
Chair

B A SARGEANT PSM  
Member.

Salaries and Allowances Tribunal.

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***Eighth Schedule***

**CHIEF HEALTH OFFICER**

Pursuant to Section 12 of the *Public Health Act 2016* the Salaries and Allowances Tribunal determines the remuneration to be paid or provided to the holder of the office of Chief Health Officer.

**PART 1—REMUNERATION**

The holder of the office of Chief Health Officer is entitled to remuneration of \$494,051 per annum inclusive of salary, motor vehicle entitlements and superannuation.

**PART 2—MOTOR VEHICLE ENTITLEMENTS**

For the purpose of superannuation the notional value of the motor vehicle entitlement is \$22,650 per annum. In all other respects, the motor vehicle entitlements set out in Part 3 of the First Schedule of this determination apply to the Chief Health Officer.

Signed on 24 June 2021.

M SEARES AO  
Chair

B A SARGEANT PSM  
Member.

Salaries and Allowances Tribunal.

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