



Government Gazette

OF

WESTERN AUSTRALIA

(Published by Authority at 3.30 p.m.)

No. 18]

PERTH: MONDAY, 19th FEBRUARY

[1973

Western Australia

PARLIAMENTARY SALARIES AND ALLOWANCES ACT, 1967-72

REPORT

OF THE

PARLIAMENTARY SALARIES
TRIBUNAL

1973

The Honourable Sir Reginald Sholl	.....	.....	.....	Chairman
Mr. J. M. Groom, F.C.A., F.A.S.A.	.....	.....	.....	Member
Sir Reginald Rushton, A.C.A., F.A.S.A.	.....	.....	.....	Member

K. E. Mann, A.A.S.A.
Secretary

PARLIAMENTARY SALARIES AND ALLOWANCES ACT, 1967-72

PARLIAMENTARY SALARIES TRIBUNAL

THIRD REPORT—1973

1. On the 29th June, 1971, we published in accordance with the above statute the Tribunal's Second Report (the First Report having been published in 1968), and concurrently we published a determination which came into operation, in accordance with sections 7 (4) and (5) and 10 (2) of the Act, on the 16th September, 1971. As from that date, the first determination of the Tribunal, dated the 6th September, 1968, was revoked.

2. In Part III of our determination of 1971 we fixed salaries over and above the salaries payable to them as members under Part I of the determination, for the Officers of Parliament defined as such by section 4 (2) of the Act. Among these Officers were the Government and Opposition Whips in each House of the Parliament, they being specifically mentioned in paragraphs (g), (h), (i) and (j) of section 4 (2).

3. In paragraph 32 of our report which accompanied the 1971 determination we recorded that the Leader of the Country Party (The Honourable Mr. C. D. Nalder) had raised with us the question of the recognition and remuneration of the Country Party Whip in each House and that, after discussion, he had agreed with us that legislation would be necessary to constitute such gentlemen Officers of Parliament since they could not in the prevailing circumstances be regarded as Opposition Whips, and it was only in relation to the Officers specified by the statute that our power to fix special additional salaries was available.

4. Following that report an amending Act (Parliamentary Salaries and Allowances Act Amendment Act, 1972,—No. 82 of 1972) was passed by the Parliament and assented to on the 20th November last. This statute amended the principal Act

(a) by adding to the statutory list of Officers of Parliament in section 4 (2) the following Officer or Officers:—

“the person who is the Whip in the Legislative Council or the Legislative Assembly of a party of at least seven members other than a party whose leader is the Premier or the Leader of the Opposition and the first mentioned party in the case of the Whip in the Legislative Council has seven members or more in that House or in the case of the Whip in the Legislative Assembly has seven or more members in that House” ;

(b) by adding to section 7 a new subsection (7) as follows:—

“(7) Notwithstanding any other provision of this Act, if the Tribunal at any time after the commencement of the Parliamentary Salaries and Allowances Act Amendment Act, 1972, but before the date of revocation of the determination made by it on the 29th day of June, 1971, makes a determination solely as to the salary to be payable to such a Whip in the Legislative Council or such a Whip in the Legislative Assembly, or to both such Whips, as are described in paragraph (1) of subsection (2) of section 4 of this Act—

(a) that lastmentioned determination may be revoked with effect from the same day as that firstmentioned determination is revoked; and

(b) the next succeeding determination made in respect of such a Whip or such Whips may take effect immediately upon that revocation.”

5. In accordance with section 9 (1) (b) of the Act, His Excellency the Governor caused the Tribunal to be called together to inquire into the appropriate salary or salaries to be paid to such persons as are Officers of Parliament within the definition of section 4 (2) (1) as now amended.

6. We communicated with and obtained the views of

(1) the Leader of the Country Party (The Honourable Mr. C. D. Nalder); and

(2) the Leader of the Opposition (The Honourable Sir Charles Court).

The Premier, the President and the Speaker all indicated that they did not desire to make any specific recommendations.

7. Both Mr. Nalder and Sir Charles Court considered that a lesser salary than that payable to the Government and Opposition Whips would be appropriate in the case of the Country Party Whips. Sir Charles Court commented:—

“I feel the position is one which rates less remuneration than the official Government and Opposition Whips. In the final analysis they are the ones directly responsible to the Premier and the Leader of the Opposition for the state of the House so far as members, pairs, arrangements for speakers to participate in debates, etc., are concerned. The Third Party Whip's role is confined to arrangements for his own small team and liaison with the other two Whips to ensure there is no overlapping or misunderstanding when divisions take place and speakers are required.”

Mr. Nalder considered that the salary should be at least 50% of the salary of the Government and Opposition Whips in the relevant House.

8. We have considered the matter and have come to the conclusion that not enough has been shown to us in relation to the work of the Country Party Whips to warrant us at present in fixing the salary at more than \$200 per annum in each House. As we have said, an opportunity was afforded by us for the submission of relevant material but nothing was furnished which would give any clearer basis of comparison with the position and duties of the Government and Opposition Whips than the observations of Sir Charles Court which we have quoted. Furthermore, the qualification of such a Whip to be considered an Officer of Parliament is that his party must have seven or more members in the relevant House, and we understand that in each case the Country Party at present has the minimum requisite number in the Council and the Assembly respectively. It may be that in the event of larger representation, or possibly on more detailed evidence of the duties of these gentlemen in comparison with those of the Government and Opposition Whips respectively, the Tribunal may find it proper hereafter,—for instance, when it sits to review the whole range of parliamentary remuneration in 1974,—to increase this salary, but in the present circumstances the award will be as stated.

9. We append hereto as Appendix I a determination which, to agree with section 7 (7) as amended, relates solely to the salaries of the Third Party Whips referred to. We have incorporated therein the necessary additional provisions regarding termination of office, adjustment of salary, payment of salary, and commencement of salary.

Dated the 31st day of January, 1973.

REGINALD R. SHOLL,
Chairman,

J. M. GROOM,
Member,

R. F. RUSHTON,
Member,

Parliamentary Salaries Tribunal

APPENDIX I

Western Australia

PARLIAMENTARY SALARIES AND ALLOWANCES ACT, 1967-72

THE PARLIAMENTARY SALARIES TRIBUNAL, pursuant to the provisions of the abovementioned Act, and particularly the provisions of the Parliamentary Salaries and Allowances Act Amendment Act, 1972, DO TH HEREBY MAKE the following determination.

DETERMINATION

REMUNERATION OF OFFICERS OF PARLIAMENT WHO ARE FOR THE TIME BEING WHIPS IN THE LEGISLATIVE COUNCIL OR THE LEGISLATIVE ASSEMBLY WITHIN THE MEANING OF SECTION 4 (2) (I) OF THE PARLIAMENTARY SALARIES AND ALLOWANCES ACT, 1967-72

1. In addition to the remuneration payable to him by virtue of Part I of the determination of the Parliamentary Salaries Tribunal, dated the 29th day of June, 1971, there is payable to the person for the time being holding the office specified in the first column of the Table hereunder a salary of the amount and at the rate specified in the second column thereof, namely:—

Office	Salary per Annum
The person who is the Whip in the Legislative Council of a party of at least seven members other than a party whose leader is the Premier, or the Leader of the Opposition, and the first mentioned party has seven members or more in that House	\$200.00
The person who is the Whip in the Legislative Assembly of a party of at least seven members other than a party whose leader is the Premier, or the Leader of the Opposition, and the first mentioned party has seven members or more in that House	\$200.00

2. Where the Legislative Assembly is dissolved or expires by effluxion of time, a person who is the holder of the office secondly mentioned in the Table set out in Clause 1 above is entitled, notwithstanding the dissolution or expiry of that House, to receive the salary payable to him by virtue of paragraph 1 of this determination until the date fixed for the taking of the poll next following the dissolution or expiry of that House.

3. The salary rates prescribed by Clause 1 hereof shall during the currency of this determination be varied at any time and from time to time to the extent necessary to give effect to any decision of the Commonwealth Conciliation and Arbitration Commission in a national wage case:—

- (a) made after the signing of this determination and before its revocation or expiration; and
- (b) based on general economic grounds.

4. Remuneration payable under this determination shall be paid by equal instalments on the last day of each month.

5. This determination shall be deemed to have come into force on and taken effect from the 20th day of November, 1972, being the date on which by Act No. 82 of 1972 the persons above referred to became Officers of Parliament.

Dated this 31st day of January, 1973.

REGINALD R. SHOLL,
Chairman,

J. M. GROOM,
Member,

R. F. RUSHTON,
Member,

Parliamentary Salaries Tribunal