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WESTERN AUSTRALIA
SALARIES AND ALLOWANCES ACT 1975

**DETERMINATION
of the
SALARIES AND ALLOWANCES
TRIBUNAL**

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INTRODUCTION

Section 8 of the Salaries and Allowances Act 1979 requires the tribunal to make a determination at intervals of not more than one year in respect of the matters referred to in Section 6(1), which reads as follows—

“6. (1) The Tribunal shall, from time to time, as provided by this Act, inquire into, and determine, the remuneration to be paid or provided to—

- (a) Ministers of the Crown and the Parliamentary Secretary of the Cabinet;
- (ab) subject to section 44A(4) and (5) of the Constitution Acts Amendment Act 1899, a Parliamentary Secretary appointed under section 44A (1) of that Act.
- (b) officers and members of the Parliament including additional remuneration to be paid or provided to members of Select Committees of a House or Joint Select Committees of Houses, not being in either case Standing Committees.
- (c) Clerk of the Legislative Council or Clerk of the Legislative Assembly or Deputy Clerk of either House.
- (d) officers of the Public Service holding offices included in the Special Division of the Public Service; and
- (e) 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.”

The last determination of the Tribunal was made on the 9th day of June 1993.

By advertisement in *The West Australian* newspaper on 5 March 1994 the Tribunal invited interested persons and organisations to make submissions on any or all of those matters. Twenty-seven written submissions were received and a number of oral presentations were delivered. Once again the public response was poor with only three individuals and one organisation making their views known. One anonymous letter was ignored.

In the process of its inquiry the Tribunal took cognisance of decisions of the Australian and Western Australian Industrial Relations Commissions since its last review, the trend towards enterprise and workplace bargaining in industrial relations, the rates and conditions applicable to comparable positions in the public sector throughout Australia and decisions of tribunals concerning them, information from the Australian Bureau of Statistics and the advice of outside consultants as to the general movement in executive and other wages and salaries in the past year.

The Tribunal also paid regard to a submission of the Government respecting the State's finances and kept well in mind the fragility of economic recovery.

A submission from the Civil Service Association/State Public Services Federation was given serious consideration and warrants comment.

It advised that its membership had not enjoyed a general increase in salary rates since October 1992 (sic). Since then it had tried to gain increases by way of the Enterprise Bargaining Wage Principle with great difficulty, given the budget restrictions imposed on the public sector and the Government's refusal to supplement departmental budgets. It criticised the 1993 Determination of the Tribunal alleging that consideration of market rates invoked a comparative wage justice exercise, something which is unavailable to the general workforce.

In short terms, the argument proceeded that offices within the Tribunal's jurisdiction should be subject to the same constraints as those applicable to the general community and therefore—“the Federation is of the view that any increases should only be granted on the basis of demonstrated improvements in productivity consistent with the Enterprise Bargaining Principle”. A subsidiary argument was to the effect that any increases granted by the Tribunal could deleteriously affect other government employees because the Government refuses to supplement budgets to meet salary increases.

The fact is that officers in the Special Division of the Public Service and other Prescribed Officers do not have the same industrial rights and obligations as the persons over whom the Association/Federation expresses concern.

First, they are excluded from the jurisdiction of the Public Service Arbitrator as expressed in S.80E of the Industrial Relations Act 1979, the Parliament having decreed that their remuneration shall be determined by this Tribunal. Secondly, whereas employees in the public and private sectors may be covered by industrial awards or agreements under the Industrial Relations Act 1979 or may enter into workplace agreements pursuant to the Workplace Agreements Act 1993, these avenues are not available to Special Division or Prescribed Officers. They have no bargaining powers and are reliant solely on this Tribunal for the determination of their remuneration.

Unlike the Industrial Relations Act 1979 which requires the Industrial Relations Commission to give effect to National Wage Decisions unless it is satisfied that there are good reasons not to do so, the Salaries and Allowances Act 1975 places no such requirement on this Tribunal. In the exercise and performance of its functions the Tribunal has all the powers, rights and privileges of a Royal Commission and may inform itself in such manner as it thinks fit.

Nevertheless, the Tribunal has always kept the concept of wage restraint to the forefront when carrying out its responsibilities under the Act. A little history bears repeating.

In 1989, with the assistance of external consultants, a massive work value review was undertaken of all positions within the Tribunal's jurisdiction. Without exception, positive findings were made in June 1990 that the remuneration of those under consideration was substantially below that paid to persons occupying positions of similar work value in the general community. However, wage restraint dictated that remedial action needed to be taken slowly and progressively by the exercise of incremental decision making. The Tribunal's determination at the time did little to reduce the difference between the two sectors of employment.

In December 1991, because of the extraordinary financial difficulties of the State coupled with the high rate of unemployment, the Tribunal declined to award increases. However, it made the following statement—

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

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

Notwithstanding that stated intention, the slow and fragile emergence from the economic recession caused the Tribunal to desist from doing anything that could possibly impede economic recovery. Thus in June 1992 it reluctantly decided once again to award no general increase.

By June 1993 the new Government had re-organised some departments and statutory authorities and the McCarrey Report on State Finances and Related Matters was imminent. Because of the probability of early consequential changes to public service management the Tribunal was unwilling, yet again, to take a further step towards correcting the imbalance between the two sectors of employment. However, it ensured that the gap did not widen even further by awarding a 4% increase—the movement in salaries since the 1991 National Wage Case as shown in the Composite Index supplied by consultants. This is the increase to which the CSA/SFSF directs its concern.

Clearly, a Special case was found for these officers four years ago. The long continuing delay in awarding appropriate salaries has been occasioned by this Tribunal's strong emphasis on wage restraint. In view of the circumstances a submission that any increases should now only be granted on the basis of demonstrated improvements in productivity consistent with the Enterprise Bargaining Wage Principle is untenable and must be rejected.

Discussion on particular issues follows.

Members of Parliament

Salaries

Last year the basic salary of a member was increased by 3.6 per cent with an additional 1.5 per cent from 1 January 1994. We see no justification for further change at this time.

While the basic rate is not unreasonable when compared with that paid to members of other parliaments we recognise that any alteration to the basic salary in the Australian Parliament will be automatically reflected in the other States.

As the Commonwealth Remuneration Tribunal advised in its 1993 Review that an extensive examination of members' entitlements would be carried out in 1994 and that a separate report would issue, it is probable that this Tribunal will need to give further consideration to the basic salary question later this year.

There might also be a need to further review the total salaries awarded to Ministers of the Crown and Officers of the Parliament at that time. Although there is prima facie evidence that some upward adjustment may be required in certain cases we are of the view that further investigation is necessary before a positive conclusion can be reached.

Motor Vehicles

The scheme which was introduced by the Tribunal in 1989 has brought its problems with concerns by the Office of State Administration about aspects of its operation and complaints by some members over its limitations.

Two reviews have been carried out by the Office of State Administration (formerly Department of the Premier) as administrators of the scheme and some of the problems have been the subject of comment in both the 1990 and 1991 determinations.

The Tribunal has decided to make changes so that the scheme operates in a manner that conforms to the reasons for its introduction.

The standard vehicle issued to members will be of the Ford Falcon GLi or Commodore Executive (6 cylinder) class, fitted with an automatic transmission, power steering and air conditioning. Members representing country regions and districts may have "Roo" bars and driving lights fitted at no extra cost. The previous 20% "top up" will no longer apply.

A member requiring a vehicle of higher standard will be required to meet the additional leasing, insurance and fringe benefits tax costs.

The fuel levy that has been debited to the electorate allowance will cease from 1 July 1994.

Electorate Allowances

Since the last determination all members were sent questionnaires relating to electorate expenses. Of the 42 responses, 40 provided detail of expenditure incurred and this has been closely examined. In addition, the Executive Officer visited 16 electorate offices in the South West Region and spoke with seven members. Other oral views were expressed either directly to the Tribunal or through the Executive Officer.

Member's expenditure on items vary significantly and there is great difficulty at times in distinguishing between a legitimate electorate expense and one which crosses the line into the electioneering area. Sometimes the line is very thin.

We agree with the comments in the Done Report (Queensland) that electorate allowances should not be set to allow members to "buy" popularity in their electorates and thus gain an advantage over other citizens who may wish to oppose them at election time. However, the allowance should cover the reasonable expenses of a reasonable member.

We have determined to increase the present allowances by 3% which marginally exceeds the 2.74% increase in the consumer price index since the adjustment in December 1991.

Air Charter and Hire

The vast size of this State creates problems for members servicing remote areas which are not generally encountered in other parts of the continent. This is recognised by the Commonwealth Tribunal in its allocation of reimbursement costs for air charter/vehicle hire.

The Tribunal is satisfied that a twenty five per cent increase in the present allowances is necessary at this time. However, it is not persuaded that there is a need to extend the allowance to other regions/electorates.

Other Miscellaneous Claims

Numerous other matters raised by members have received consideration. Many claims were regarded as being outside the jurisdiction of the Tribunal and others were refused either because they lacked sufficient substantiation or were seen to be covered by the electorate allowance.

Electorate Office Staff/Air Travel/Leader of the Opposition and Related Matters

Many of the submissions related to staffing and facilities in electorate offices or requests for allowances to pay for additional support staff and/or equipment. Others concerned resources available to the Leader of the Opposition in both Houses.

It was also strongly submitted that there was a need for determinations on allowances in cash or kind for Shadow Ministers, Government and Opposition Deputy Whips and others who performed additional functions in the Parliament. The Tribunal was asked to make a recommendation to the Parliament that the Salaries and Allowances Act be changed so that this could be done.

For many years there has been confusion as to the respective roles of the Executive Government, the Joint House Committee and the Tribunal in determining some of the various entitlements of Ministers, Members of Parliament and other Parliamentary Office Holders. Where there has been a history of certain matters being dealt with by others the Tribunal has been disinclined to move into those areas although, arguably, some are within its jurisdiction.

It would be beneficial to all concerned if the Parliament clarified these matters as soon as possible and the Tribunal so recommends.

In our view the question concerning Shadow Ministers and others is not one about which we should make a recommendation. However, it should be said that the Tribunal's records disclose that since the days when the late Premier Sir David Brand was Leader of the Opposition there have been on-going complaints about the resources available to Leaders of the Opposition and Shadow Ministers. The strength with which opinions are held appears to diminish with a change in government, regardless of which party gains power.

Special Division and Prescribed Office Holders

With the Public Sector Management Bill 1993 currently before the Parliament it is likely that substantial changes will take place in the responsibilities and conditions of employment of many of those officers at an early date. Accordingly, the alterations to the salary structure which were forecast by the Tribunal last year should now await the outcome of the proposed legislation.

However, Section 8 of the Salaries and Allowances Act requires that a determination be made at this time. Consistent with the approach outlined earlier in this statement, salaries will increase by 4 per cent to ensure that the relative position between the public and private sectors does not widen pending the issue of a further Determination later in the year.

In June 1992 the Tribunal recognised that contracted officers who do not enjoy the benefits of permanent appointment should receive more salary than persons of the same classification who have permanent tenure of office. Recently the Commonwealth Remuneration Tribunal assessed the amount at twenty per cent, accepting a Federal Government submission that this is appropriate and reasonable compensation for relinquishing tenure. We agree with this view and have made the necessary adjustment.

This allowance will not apply to persons who are already in receipt of a contract allowance or a salary in excess of that prescribed for the job occupied or are paid an amount in addition to salary, however described. The only exception will be if the person relinquishes those extra payments or if the Tribunal approves payment of the allowance in the circumstances of a particular case.

The determination will now issue.

Dated at Perth this 3rd day of June 1994.

B. J. COLLIER, Chairman.
R. H. C. TURNER, Member.
J. A. S. MEWS, Member.

DETERMINATION—FIRST SCHEDULE

Pursuant to the provisions of the Salaries and Allowances Act 1975 (as amended), the Salaries and Allowances Tribunal determines the remuneration to be paid to Ministers of the Crown, the Parliamentary Secretary of Cabinet, Officers and Members of the Parliament, as hereunder, with effect from 3 June 1994.

PART I—REMUNERATION OF MEMBERS GENERALLY

Section 1—Basic Salary

There is payable to each Member an annual salary calculated at the rate of \$69 143 per annum.

Section 2—Electorate Allowances

Section 2(1)

In addition to the basic salary there is payable to a Member, in respect of the expenses of discharging that Members duties, an electorate allowance of \$18 095 per annum, less any expenditure incurred at the request of the Member in seeking a variation to the standard applied in Section 2(3).

Section 2(2)

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

Electorate District or Region	Additional Allowance per annum
	\$
Metropolitan Regions	1 443
Districts—	
Armadale, Darling Range, Peel	1 443
Roleystone, Swan Hills and Wanneroo	
South West Region	7 438
Districts—	
Albany, Bunbury and Mitchell	352
Murray, Vasse and Wellington	1 830
Collie	3 308
Stirling and Warren	6 264
Agricultural Region	10 395
Districts—	
Geraldton	352
Avon and Wagin	6 264
Greenough, Merredin, Moore and Roe	9 222

Electorate District or Region	Additional Allowance per annum
Mining and Pastoral Region	15 383
Districts—	
Kalgoorlie	2 528
Ashburton, Eyre, Kimberley	
Northern Rivers & Pilbara	14 210

Section 2(3)

Every Member of Parliament, with the exception of those Members who, as a result of the Office held, are provided with a government owned vehicle, shall be entitled to the supply of a private plated motor vehicle for use on Parliamentary, Electorate and Private business within Western Australia.

Motor vehicles issued to Members through this provision will be of the Ford Falcon GLi or Commodore Executive (6 cylinder) class, fitted with an automatic transmission, power steering and air conditioning, with all running and maintenance costs met by the State.

Where a Member requires, for operational or personal reasons, a model of vehicle exceeding the standard, all additional costs, including Fringe Benefits Tax and insurance shall be met by the Member.

Members representing the South West, Agricultural or Mining and Pastoral Regions, and any District contained therein are entitled to have "Roo" Bars and driving lights fitted to the supplied vehicle at no additional cost.

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

In the case of a Member who elects not to seek the issue of a Government supplied motor vehicle pursuant to this Section, that member shall receive an amount of \$5 850 per annum in lieu thereof.

A Member who is supplied with a Government owned vehicle as a result of an Office held, may make application to the Tribunal for the issue of an electorate vehicle. The application should detail the reasons why a second vehicle is required.

Section 3—Motor Vehicle Allowance

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

- (a) is not less than 100 kilometres return, and
- (b) is for the purpose of attending—
 - (i) a sitting of Parliament or a meeting of that Members parliamentary political party,
 - or
 - (ii) a meeting of a parliamentary select committee of which that Member is a Member,
 - or
 - (iii) an official government, parliamentary or vice regal function

but such allowance shall be limited to kilometres travelled in excess of 100.

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

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

Section 4—Air Charter and Hire

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

	Per Financial Year
	\$
Group 1	
Electorate Region Mining and Pastoral	22 500
Electorate Districts Ashburton, Eyre, Kimberley Northern Rivers and Pilbara	15 000
Group 2	
Electorate Region Agriculture	15 000
Electorate Districts Greenough, Merredin, Moore and Roe	12 000
Avon and Wagin	5 000
Group 3	
Electorate Region South West	12 000
Electorate Districts Stirling, Warren	5 000

2. Where a Member uses air charter facilities to travel between two or more towns serviced by commercial air services (regular public transport), and there is no direct service between those towns, the total cost of the charter shall be met from consolidated revenue. However, the provision available to the Member shall only be debited with the difference between the cost of the commercial flight and that charged by the air charter company.

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

PART II—REMUNERATION OF MINISTERS OF THE CROWN

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

- (a) to a person for the time being holding the office of Premier in conjunction with a ministerial office, a salary calculated at the rate of \$73 513 per annum.
- (b) to the person for the time being holding the office of Deputy Premier in conjunction with a ministerial office, a salary calculated at the rate of \$55 937 per annum.
- (c) to the person for the time being holding the office of Leader of the Government in the Legislative Council in conjunction with a ministerial office, a salary calculated at the rate of \$49 533 per annum.
- (d) to each person, not being a person referred to in sub-paragraph (a), (b) or (c) of this paragraph, for the time being holding a ministerial office a salary calculated at the rate of \$41 545 per annum.

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

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

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

Office	Salary per annum
	\$
Leader of the Opposition in the Legislative Assembly	41 545
President of the Legislative Council	31 158
Speaker of the Legislative Assembly	31 158
Leader of the Opposition in the Legislative Council	22 851
Deputy Leader of the Opposition in the Legislative Assembly	22 851
The person who not being a Minister of the Crown is the leader of a party in the Legislative Assembly of at least five Members other than a party whose leader is the Premier or the Leader of the Opposition	22 851
Parliamentary Secretary of the Cabinet	22 851
Chairman of Committees in either House	12 464
Government Whip in the Legislative Assembly	10 386
Opposition Whip in the Legislative Assembly	10 386
Government Whip in the Legislative Council	6 232
Opposition Whip in the Legislative Council	6 232

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

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

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

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

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

whichever event shall first occur.

PART IV—EXPENSE ALLOWANCE

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

Office	Allowance per annum
	\$
Premier	22 659
Deputy Premier	4 721
Leader of the Government in the Legislative Council	4 721
Ministers of the Crown (other than the Premier, Deputy Premier, and the Leader of the Government in the Legislative Council)	3 115
Leader of the Opposition in the Legislative Assembly	3 115
President of the Legislative Council	2 494
Speaker of the Legislative Assembly	2 494

	Office Allowance per annum
	\$
*Leader of a Recognised non-Government Party	2 494
Leader of the Opposition in the Legislative Council	2 078
Parliamentary Secretaries	1 661
Deputy Leader of the Opposition in the Legislative Assembly	1 661
Parliamentary Secretary of the Cabinet	1 661
Chairman of Committees in the Legislative Council	1 246
Chairman of Committees in the Legislative Assembly	1 246

*As defined in Part III paragraph 1.

PART V—TRAVELLING AND ACCOMMODATION ALLOWANCES

Section 1

Office Holders on Official business

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

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

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

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

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

1.6 Members Deputising:

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

Section 2

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

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

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

Section 3—Travelling within the Member's Electorate

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

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

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

30 nights—Avon, Collie, Greenough, Merredin, Moore, Murray, Roe, Stirling, Vasse, Wagin, Warren and Wellington.

40 nights—Ashburton, Eyre, Pilbara, Kimberley & Northern Rivers.

50 nights—Regions—Mining and Pastoral, Agricultural and Southwest.

(ii) Where a Member exceeds the number of nights specified in 3.2 (i), a further entitlement equivalent to the original may be claimed, subject to the following additional criteria:

(a) The principal place of residence of the Member must be in or adjacent to the electorate to which the Member has been elected, provided that the residence is not located in the Metropolitan Regions; and

(b) Where overnight accommodation is claimed, the Member must produce evidence that expenditure was incurred. Where a part day is claimed, the Member must certify that the meals claimed were purchased.

Section 4—Parliamentary Party Meetings

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

Members of Parliament who are not members of a Parliamentary political party or those whose Parliamentary party membership is less than five members shall also be entitled to claim the accommodation allowance up to a maximum of 8 nights per financial year for travel to places other than in Perth but within Western Australia on business relating to their Parliamentary duties.

Section 5—General Conditions Applying to This Part

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

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

(i) If departure from principal place of residence is:

before 8.00am—100 per cent of the daily rate.

8.00am or later but prior to 1.00pm—90 per cent of the daily rate.

1.00pm or later but prior to 6.00pm—75 per cent of the daily rate.

6.00pm or later—50 per cent of the daily rate.

(ii) If arrival back at principal place of residence is—

8.00am or later but prior to 1.00pm—10 per cent of the daily rate.

1.00pm or later but prior to 6.00pm—25 per cent of the daily rate.

6.00pm or later but prior to 11.00pm—50 per cent of the daily rate.

11.00pm or later—100 per cent of the daily rate.

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

(i) Where a Member or Office Holder travels in accordance with the provisions of Sections 1 and 3 of this Part, and the travel does not occasion an overnight stay, that Member or Office Holder may claim the partial allowance provided that certification is made that each meal was actually purchased.

(ii) Where a Member or Office Holder travels in accordance with the provisions of Sections 1 and 3 of this Part, and utilises accommodation for a period that does not include an overnight stay, an amount of fifty per cent of the appropriate daily rate may be claimed in addition to the partial allowance.

Section 6—Travelling Allowance—Rates of Payment

	Premier	Ministers etc	Members
	\$	\$	\$
Capital City (Excluding Perth)	400	300	
Other Areas	275	175	
Perth	—	—	Rate A 134
WA South of 26° Lat	—	—	Rate B 105
WA North of 26° Lat	275	250	Rate B as per the Public Service Award 1992 Schedule I

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

Section 7—Taxi Fares

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

PART VI—POSTAGE ALLOWANCES

There shall be payable to every Member of Parliament, for parliamentary or electorate business, but not for party or personal business, a postage and lettergram allowance at the rate of \$4 730 per annum. This allowance shall be paid monthly.

OFFICE HOLDERS

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

	Rate Per Annum
	\$
Leader of the Opposition in the Legislative Assembly	7 681
Leader of the Opposition in the Legislative Council	5 756
Leader of a recognised Non Government Party	5 756
Deputy Leader of the Opposition in the Legislative Assembly	3 841

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

PART VII—TELEPHONE RENTAL AND CALLS

1. Private Residence: Every Member of Parliament (other than Ministers, the President of the Legislative Council, the Speaker of the Legislative Assembly, the Leader of the Opposition in the Legislative Assembly and the Chairman of Committees, and any others whose private telephone rentals and calls are paid in full from public funds) shall receive—

- (a) as an allowance or emolument, payment to that Member by way of reimbursement, of the rental and 85 per centum of all charges for calls incurred by that Member in respect of one standard telephone in that Member's private residence or, where that Member reasonably maintains more than one residence by reasons of membership of Parliament, in each such residence.

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

2. Electorate Offices, First Telephone: Every Member of Parliament provided with an electorate office shall receive, as an allowance or emolument, payment to that Member by way of reimbursement, of the rental and all charges for calls incurred by that Member in respect of an approved telephone in that Member's electorate office.

3. Electorate Offices, Second Telephone: Where a Member of Parliament has a second telephone in the electorate office, the Member shall receive as an allowance or emolument, payment to that Member by way of reimbursement, of the rental and all charges for calls incurred by the Member in respect of that second telephone.

4. **Electorate Offices, Facsimile Machines:** Where a Facsimile machine is installed in a Member's electorate office, either utilising the second telephone line in (3) above or as a third telephone line, the Member shall receive as an allowance or emolument, payment to that Member by way of reimbursement, of the rental and all charges for calls incurred by the Member in respect of that facsimile machine.

5. **Mobile Telephones:** Where a Member of Parliament has a mobile telephone for Parliamentary and electorate use, the Member shall be entitled to receive, as an allowance or emolument, reimbursement of the access and call costs incurred in accordance with the following—

(a) Members representing the Mining & Pastoral, Agricultural and South West Regions or any District contained therein, reimbursement to a maximum of \$130 per month.

(b) Members representing the Metropolitan Regions or any District contained therein, reimbursement to a maximum of \$80 per month.

6. **Reimbursement of Telephone Charges:** In so far as a Member of Parliament pays or is charged with any telephone calls made by the Member from Parliament House, that Member shall receive, as an allowance or emolument, payment by way of reimbursement of all such charges.

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

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

PART VIII—PAYMENT OF REMUNERATION

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

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

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

Dated at Perth this 3rd day of June 1994.

B. J. COLLIER, Chairman.

R. H. C. TURNER, Member.

J. A. S. MEWS, Member.

DETERMINATION—SECOND SCHEDULE

Pursuant to the provisions of the Salaries and Allowances Act 1975 (as amended) the Salaries and Allowances Tribunal determines the remuneration to be paid to the Officers of the Public Service holding offices included in the Special Division of the Public Service (S) and the persons holding Prescribed Offices (P), shall be in accordance with the following, with effect from 3 June 1994.

PART 1

Special/Group 1	\$85 887
Special/Group 2	\$91 150
Special/Group 3	\$95 703
Special/Group 4	\$100 964
Special/Group 5	\$107 021
Special/Group 6	\$115 048
Special/Group 7	\$125 403
Special/Group 8	\$138 571

In addition to the foregoing salary rates a contract allowance at the rate of twenty per cent of the determined salary per annum shall be paid to—

(a) A person holding a Prescribed Office under Section 6 (1)(e) of the Salaries and Allowances Act and who is appointed on a fixed term contract without any guarantee of continued employment at the expiration of such term.

(b) An officer whose office is within the Special Division of the Public Service, who is not appointed under Section 41(1)(a) of the Public Service Act 1978, and who is appointed under contract for a fixed term without any right of continued employment at the expiration of such term.

Provided that:

The allowance shall not be paid to a person who is already in receipt of a contract allowance or who is paid, for any reason, a salary in excess of that determined by the Tribunal for the office that is held, or is paid an amount additional to the salary, however described, unless the Tribunal approves in the circumstances of a particular case.

Offices:

- S ABORIGINAL AFFAIRS PLANNING AUTHORITY:
Commissioner—(S1)
- S ALCOHOL AND DRUG AUTHORITY:
Director—(S2)
- S AGRICULTURE—DEPARTMENT OF:
Director General—(S5)
- S ARTS—DEPARTMENT FOR THE:
Executive Director—(S2)
- P AUDITOR GENERAL—OFFICE OF:
Auditor General—(S7)
- S BUILDING MANAGEMENT AUTHORITY:
Executive Director—(S5)
- P COASTAL SHIPPING COMMISSION—(WESTERN AUSTRALIAN):
General Manager—(S3)
- S COMMERCE AND TRADE—DEPARTMENT OF:
Chief Executive Officer—(S6)
- S COMMUNITY DEVELOPMENT—DEPARTMENT FOR:
Director General—(S5)
- P CONSERVATION AND LAND MANAGEMENT—DEPARTMENT OF:
Executive Director—(S5)
- S DISABILITY SERVICES COMMISSION:
Chief Executive Officer—(S4)
- S EDUCATION DEPARTMENT
Chief Executive Officer—(S8)
- S EDUCATION POLICY AND COORDINATION BUREAU:
Chief Executive Officer—(S3)
plus a contract allowance of \$18 388 per annum.
- P ELECTORAL COMMISSION—(WESTERN AUSTRALIAN):
Electoral Commissioner—(S4)
Deputy Electoral Commissioner—\$70 500
- P EQUAL OPPORTUNITY COMMISSION:
Commissioner—(S1)
- S FAIR TRADING—MINISTRY OF:
Executive Officer—(S2)
- P FIRE BRIGADES BOARD—(WESTERN AUSTRALIAN):
Executive Chairman—(S3)
- S FISHERIES DEPARTMENT:
Director—(S2)
- P FREMANTLE HOSPITAL:
Chief Executive Officer—(S4)
- P FREMANTLE PORT AUTHORITY:
General Manager—(S4)
- S GOVERNMENT EMPLOYEES SUPERANNUATION BOARD:
Executive Director—(S3)
- S GOVERNMENT PROPERTY OFFICE:
Chief Executive—(S1)
- P GOVERNMENT RAILWAYS COMMISSION—(WESTERN AUSTRALIAN):
Commissioner—(S6)
- S HEALTH DEPARTMENT OF WESTERN AUSTRALIA:
Commissioner—(S8)
plus a contract allowance of \$19 986 per annum
- S HOUSING COMMISSION—(STATE):
Executive Director—(S5)
- S JUSTICE—MINISTRY OF:
Director General—(S6)
- P KING EDWARD MEMORIAL HOSPITAL:
Chief Executive Officer—(S3)

- S LAND ADMINISTRATION DEPARTMENT OF:
Executive Director (Under Secretary)—(S3)
- P LIBRARY BOARD OF WESTERN AUSTRALIA:
State Librarian—(S1)
- S LOCAL GOVERNMENT—DEPARTMENT OF:
Executive Director—(S2)
- P MAIN ROADS DEPARTMENT:
Commissioner—(S6)
Dr K C Michael, Commissioner of Main Roads shall receive a special allowance of twenty per cent of determined salary whilst undertaking the role of Public Service Commissioner in association with that of his substantive office.
- P MEAT COMMISSION—(WESTERN AUSTRALIAN):
Chief Executive Officer—(S2)
- P METROPOLITAN (PERTH) PASSENGER TRANSPORT TRUST:
Chairman/Chief Executive—(S4)
- S MINES—DEPARTMENT OF:
Director General—(S6)
- P MUSEUM—(WESTERN AUSTRALIAN):
Director—(S1)
- P OCCUPATIONAL HEALTH, SAFETY AND WELFARE—DEPARTMENT OF:
Commissioner—(S4)
- P PARLIAMENTARY COMMISSIONER FOR ADMINISTRATIVE INVESTIGATIONS:
Commissioner—(S5)
- S PLANNING AND URBAN DEVELOPMENT—DEPARTMENT OF:
Chief Executive—(S4)
- P POLICE DEPARTMENT:
Commissioner—(S7)
Deputy Commissioner—(S3)
Assistant Commissioner:
General & Traffic Operations—(S1)
Crime Operations—(S1)
Personnel—(S1)
Operations Support—(S1)
Policy Planning & Evaluation—(S1)
- S PREMIER AND CABINET—MINISTRY OF THE:
Director-General—(S8)
- P PRINCESS MARGARET HOSPITAL FOR CHILDREN:
Chief Executive Officer—(S3)
- S PRODUCTIVITY AND LABOUR RELATIONS:
Executive Director—(S3)
- P PUBLIC SERVICE COMMISSION:
Commissioner—(S7)
Assistant Commissioner—(S3)
- S RACING AND GAMING—OFFICE OF:
Executive Director—(S2)
- S RESOURCES DEVELOPMENT—DEPARTMENT OF:
Chief Executive Officer—(S7)
- P ROYAL PERTH HOSPITAL:
Chief Executive Officer—(S5)
- S SECONDARY EDUCATION AUTHORITY:
Director—(S2)
- P SIR CHARLES GAIRDNER HOSPITAL:
Chief Executive Officer—(S5)
- S SOUTH WEST DEVELOPMENT AUTHORITY:
Executive Director—(S1)
- S SPORT AND RECREATION—MINISTRY OF:
Executive Director—(S2)

- P STATE ENERGY COMMISSION OF WESTERN AUSTRALIA:
 Deputy Commissioner—(S4)
 Asst Commissioner
 —Electricity Supply—(S3)
 —Gas—(S3)
 —Generation—(S3)
 —Finance & Admin—(S3)
 —Expansion Projects—(S3)
 —Human Resources—(S2)
- S STATE SERVICES—DEPARTMENT OF:
 Chief Executive Officer—(S4)
- S TAXATION DEPARTMENT—(STATE):
 Commissioner—(S3)
- P TOTALISATOR AGENCY BOARD:
 General Manager—(S1)
- P TOURISM COMMISSION—(WESTERN AUSTRALIAN):
 Chairman and Chief Executive Officer—(S1)
- S TRAINING—WESTERN AUSTRALIAN DEPARTMENT OF:
 Chief Executive Officer—(S6)
- S TRANSPORT—DEPARTMENT OF:
 Director General—(S4)
- S TREASURY DEPARTMENT:
 Under Treasurer—(S8)
- P WATER AUTHORITY OF WESTERN AUSTRALIA:
 Managing Director—(S6)
- S WATERWAYS COMMISSION:
 Executive Director—(S1)
- S WORKERS' COMPENSATION AND REHABILITATION COMMISSION:
 Executive Director—(S2)

PART 2

Director of Public Prosecutions:

Salary payable from time to time of a Puisne judge of the Supreme Court of Western Australia.

Supreme Court:

Principal Registrar \$116 209 Registrar \$102 958

District Court:

Principal Registrar \$109 531

Registrar \$102 958

Deputy Registrar \$92 661

The holders of Offices contained in Parts 1 and 2 of the Second Schedule shall be entitled to the supply of a fully maintained motor vehicle of a type specified from time to time by the Tribunal, for business and personal use within Western Australia.

Dated at Perth this 3rd day of June 1994

B. J. COLLIER, Chairman.
 R. H. C. TURNER, Member.
 J. A. S. MEWS, Member.

DETERMINATION—THIRD SCHEDULE

Pursuant to the provisions of the Salaries and Allowances Act 1975 (as amended) the Salaries and Allowances Tribunal determines the remuneration to be paid to the holders of offices included in Section 6(1)(c) of the Act, shall be in accordance with the following, with effect from 3 June 1994.

Clerk of the Legislative Council \$85 280

Deputy Clerk of the Legislative Council \$65 208

Clerk of the Legislative Assembly \$85 280

Deputy Clerk of the Legislative Assembly \$65 208

Dated at Perth this 3rd day of June 1994.

B. J. COLLIER, Chairman.
 R. H. C. TURNER, Member.
 J. A. S. MEWS, Member.

SALARIES AND ALLOWANCES TRIBUNAL.

