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WESTERN AUSTRALIA

SALARIES AND ALLOWANCES ACT 1975

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**DETERMINATIONS  
OF THE  
SALARIES AND ALLOWANCES TRIBUNAL**

11 JUNE 1996



## REASONS FOR DETERMINATIONS

### INTRODUCTION

Section 8 of the Salaries and Allowances Act 1975 requires the Tribunal to make a determination at intervals of not more than one year on the remuneration to be paid or provided to Ministers of the Crown, the Parliamentary Secretary of the Cabinet, Parliamentary Secretaries appointed under S 44A(1) of the Constitution Amendment Act 1899, Officers and Members of the Parliament, Clerks and Deputy Clerks of the Legislative Council and Legislative Assembly, Officers of the Public Service holding offices in the Special Division and persons holding statutory offices as prescribed.

The last determination was on 20 November 1995 when the Tribunal decided that there would be no general increases in the remuneration of any of these categories at that time because of widespread industrial disputation in many areas of public employment. It was considered that salary increases to persons at these levels would only aggravate the problem and thus it was in the public interest for a decision to be deferred for six months. This would enable the Tribunal to examine the extent of salary increases obtained in other areas of public employment in the interim.

The Tribunal's intention to reconsider the question was advertised in "The West Australian" newspaper on 20 and 23 March 1996 when the public was advised that further submissions would be considered along with those received last year.

In consequence of matters raised by members of the public in relation to salaries and at the request of the Premier the Tribunal decided to conduct a review of the benefits and entitlements paid or provided to former parliamentarians and invited public submissions by advertisement in "The West Australian" newspaper on 13 and 17 April 1996.

The determinations which follow are the result of an investigation of all relevant matters and consideration of all written and oral submissions.

### MEMBERS OF PARLIAMENT

#### Entitlements of Former Premiers, Ministers and Members of Parliament

After consideration of all submissions, an examination of the history of entitlements to retired politicians, a study of the benefits applicable in the Commonwealth and other States and the recommendation of the Commission on Government, the Tribunal has reached the conclusion that there is no longer substantial merit in providing benefits, other than superannuation, to former politicians and that they should be brought to an end.

We propose that persons who enter Parliament in the future will receive only superannuation entitlements upon retirement in keeping with general community standards. The one exception will be a former Premier who will continue to be eligible for the entitlements which the Tribunal determined in March 1991.

The submissions which we have received fall into three main categories. First, there is the argument that during a politician's service contacts are made which are not easily severable upon retirement. Invitations which require travel continue and organisations with which politicians were closely associated continue to invite them to meetings and require their help and advice. In most instances the retiree wants to continue to assist, believing that the experience gained in politics enables a positive contribution to be made. The elimination of travel benefits after retirement would be a disincentive to the continuation of valuable community service.

We have no doubt that many retired politicians continue their association with organisations and assist individuals and bodies through the wealth of their experience. However, this is not unique to retired politicians. Many persons from both the public and private sectors make positive contributions to society during retirement, usually in honorary capacities and at personal expense.

Although there are a few exceptions, continuing benefits are not available to the general workforce upon retirement. This is the main argument advanced against the continuation of benefits. A strong public view is that there is no obligation on a retired politician to continue to work in retirement and he/she should be able to enjoy that state the same as any other retiree. Any continuing contribution is a matter of choice and should not be funded, even partially, from the public purse. Many submissions to the Tribunal maintained that there was no merit in the continuation of these benefits and they should be "traded" for salary increases as was required of many others on the public payroll.

The third supporting argument is directed to the benefits that are available to retirees from the Federal and other State Parliaments. These vary from State to State and are clearly rewards for long and/or ministerial service. Such benefits are said to be custom and practice of long standing, particularly rail travel, and should not be interfered with.

There is weight in the claim that post service benefits are widespread in Australian Parliaments. For example, former Members with 20 years' service in all Australian Parliaments receive a Life Gold Pass for rail travel on Australian National Rail lines. The former Federal Member may use his pass up to a maximum of 25 return trips per year on rail or on scheduled commercial/commuter air services. Former Federal Ministers, Presidents, Speakers and Leaders of the Opposition with 6 years service in those capacities receive the same benefits while former Ministers of all other State Parliaments with 3 years' service receive the Life Gold Pass for rail travel. Restricted travel benefits are available to other former Members, usually after 7 or 8 years' service, although a Federal Member who has served in only one Parliament is entitled to travel benefits for 6 months after retirement.

Greater benefits are available to former leaders of Government, usually depending on length of service. The "gold pass" for rail travel is a tradition in the parliamentary arena and was given in the days when the cost to the State was minimal. Reciprocal arrangements enabled pass holders to travel on State owned trains, in many instances filling otherwise empty seats. In earlier years salaries and superannuation, if any, for politicians were relatively small and the "gold pass" for politicians was something like the "gold watch" given to other long serving employees upon retirement.

All that has since changed. Salaries have improved considerably and superannuation benefits are above community standards. The Australian National Rail now charges the State for all travel undertaken by "gold pass" holders. Fringe Benefits Tax is a additional cost.

The Tribunal can no longer see the merit in this type of benefit and, notwithstanding the situation elsewhere in Australia, considers that it should end. However, we acknowledge that this and other travel entitlements are of substantial value to politicians, especially Ministers, and their total or partial loss should be a consideration in the Tribunal's overall assessment of the salary question.

Another submission is that it would be quite unfair to deprive retired Members of the benefits to which they were entitled on retirement and which they currently enjoy. Many of these former Members retired on substantially less superannuation than presently available and their salaries and general conditions of service were inferior to those of present Members.

When the Tribunal last considered benefits to former politicians in March 1991 it commented upon this matter as follows—

*"It is convenient at this point to comment on the submission that it would be unfair to interfere with any entitlement which was in place at the time of a Member's retirement. Prima facie, that is a reasonable proposition. If the Tribunal sees the need for change should it not legislate for the future and preserve to present retirees all benefits existing at their retirement?"*

*We have given this matter very serious consideration. As a general rule it seems to us that the proposition has merit. However, as well as having regard for the persons immediately concerned, the Tribunal had an implied obligation to have regard for the community as a whole. Where an entitlement lacks merit and clearly fell outside the limits of the Wage Fixing Principles when it was granted, it is surely not in the public interest to allow that entitlement to apply to anyone. This is especially so where the benefit has a lifetime term. Thus the Tribunal will depart from the general rule for good and cogent reasons".*

In this instance we agree with the Commission on Government that the general rule should be observed. Existing benefits to former Premiers, Ministers and Members will be retained.

Serving Members should recognise that no one has a right to any benefit until retirement and it is open to the Tribunal to treat them the same as it proposes to treat future Members. However, we consider that to completely eliminate expectant entitlements from serving Members would be unfair and this is also the view of the Commission on Government.

However, while we are not prepared to cancel all post service benefits for sitting Members who continue to serve in the 35th Parliament, we consider that they should remain for a limited time only. Our inquiry has highlighted the imbalance in rewards for those Members who retire at or around the general community retiring age and those who retire at a relatively young age and embark on a new career. The value of lifetime benefits for similar time service is very different and quite inequitable.

The Tribunal has decided that those Members who at the cessation of the 34th Parliament have already "qualified" for benefits under the existing Determination and who continue in the Parliament shall enjoy those benefits for eight years after retirement. Other serving Members who "qualify" later shall be entitled to benefits for four years after retirement in accordance with the provisions of Part 2,2C. Under no circumstances should requests for deferral of benefits be approved.

One other change made by the Tribunal relates to air travel instead of rail. The Determination will permit former Members who have a minimum of 12 years' aggregate service to substitute one interstate air trip per financial year for the prescribed rail trip. Likewise, former Ministers, Office Holders and Members with the equivalent of not less than 20 year's service may also choose air travel in lieu of rail once a year. These changes will be of mutual benefit to recipients and the Treasury.

The Tribunal is very much aware that the withdrawal/limitation of these benefits amounts to a substantial loss in the overall "package" for a politician's service. However, in the light of what has transpired in other sections of public employment, the time appears right for the correction of an obvious anachronism and for an increase in salaries, especially at Ministerial level.

#### Basic Parliamentary Salaries

In November 1995 the Tribunal found that the difference in work value of Members in all Australian Parliaments was marginal and that, all things being equal, the basic salaries of Members should be similar.

The following table compares the basic salaries of parliamentarians across the Nation.

BASIC PARLIAMENTARY SALARY							
Date	Federal	NSW	VIC	QLD	SA	TAS	WA
	\$	\$	\$	\$	\$	\$	\$
Dec. 94	74,460	73,960	73,960	73,960	68,693	66,208	73,910
Jan. 95	75,949	75,449	75,449	75,449	68,693	66,208	73,910
Apr. 95	77,438	76,938	76,938	76,938	68,693	66,208	73,910
Jul. 95	78,987	78,487	78,487	78,487	76,987	67,519	73,910
*Mar. 96	80,251	79,751	79,751	79,751	78,251	67,519	73,910
**Oct. 96	81,856	81,356	81,356	81,356	79,856	***71,343	

\* Comparative rates at time of this determination.

\*\* Future assured rates as the result of legislative ties.

\*\*\* Effective from 1.7.96. Parliament tied basic salary at 88.9% of MHR although Independent Committee of Review recommended \$71,088 from 1.7.95 and \$74,633 from 1.7.96.

The table shows that since the WA basic salary was last adjusted in December 1994 it has slipped well behind that of parliamentarians in all mainland States.

This is because the minimum salary of a Senior Executive Officer Band 2 in the Australian Public Service (APS) has increased through enterprise bargaining. The basic salary of a Member of the House of Representatives (MHR) is fixed by statute to that APS classification and, with the exception of Western Australia, the basic salary of Members in all States is tied by legislation to the basic rate of an MHR.

The salary increases in the APS were obtained without the necessity to trade any major conditions of service, in contrast with what has transpired in many areas of the Public Service of this State.

In November 1995, and to a lesser extent since, the predominant public response to the Tribunal's review has been a demand that politicians should be treated no differently from teachers, nurses, police and public servants in the fixation of salaries. The Tribunal has been urged to disregard salaries paid elsewhere because comparative wage justice is no longer a ground for wage increases, and to consider increases if and only if increases in productivity can be shown and the savings quantified and/or conditions of employment are "traded" for money.

Circumstances have changed considerably since last year. The industrial disputes concerning teachers, nurses and police have now been settled and the administrative arm of government appears to be the remaining area where disputation still exists. Apart from two \$8 "safety net" increases this group has not had a salary increase since November 1991 and to gain increases through workplace or enterprise bargaining agreements the Government has required proof of increased productivity and/or the trading of industrial conditions of employment.

A study of agreements which have been negotiated in approximately half of the Public Service reveals no clear pattern for salary increases. They differ from agency to agency and vary considerably. The results appear to depend almost entirely on the ability of the agency to fund most of the increases from within its budget and pay no regard to work value or, safety net increases aside, to the long period that has elapsed since the last review. This group, with notable exceptions, appears to have been treated differently from teachers, nurses, police and Australian Public Servants, all of whom received substantial increases without major trade-offs.

If the administrative arm of government were the yardstick for politicians' salaries in this State, as is the position with Federal politicians, then the case for a salary increase for WA politicians would not be strong.

However, it is not the function of this Tribunal to concern itself with the merits of salary fixation in the public sector. The parties have recourse to arbitration if they cannot settle their differences amicably. We mention these facts because we consider that those members of the public who made submissions on the matter of "evenhandedness" should be aware that the Tribunal is fully cognisant of the industrial scenes here and elsewhere and that their submissions have been given weight in its overall consideration of politicians' salaries and benefits both during and post service.

While we can empathise with those who feel strongly about "evenhandedness" it is necessary to repeat what the Tribunal said last year—

*"The notion of equality in treatment appears simple in theory but its implementation is extremely difficult. Although not required to do so by the Salaries and Allowances Act this Tribunal has always paid regard to the spirit and intent of the Wage Fixing Principles when making its determinations..... the role of the parliamentarian is unique and it is not possible to apply the Wage Principles in a strict literal sense. Members of Parliament are not employees. They are not covered by awards or agreements which specify such matters as wages, standard hours, annual leave, sick leave, overtime, shift work and a miscellany of other allowances and conditions. They are elected to their positions, not appointed and continuity of appointment is in the hands of the electors. There is no right of appeal. Neither they nor the Tribunal have any bargaining powers. The Wage Principles were not framed with this type of occupation in mind".*

As to the claim that increases should be related solely to productivity improvements we reject as impractical a number of suggestions as to how these could be measured for politicians and can offer no satisfactory alternative. We accept the view expressed by the New Zealand Higher Salaries Commission that—

*"It is no part of the Commission's role to pass judgment on the performance of any Member of Parliament. The task is to determine a rate for the job, no matter who happens to hold it. Historically the evaluation of a politician's performance has been a matter for the electors..." (Parliamentary Salaries and Allowances Determination 25.3.1996).*

History shows that any increase in parliamentary salaries attracts adverse public comment and whenever parliaments have prevented or delayed recommended increases for short term political reasons the task of remedying obvious anomalies later is made extremely difficult because the size of the necessary increase acts as a magnet for public outcry.

Notwithstanding the submissions which we have discussed above the Tribunal has decided that it would be unjust for the basic salary of a Western Australian Member of Parliament to lag behind that paid to counterparts in all other Australian States any longer and we propose that the salary be increased by 7.5% from 1 June 1996 and by a further 2% from 1 November 1996.

However, we make it very clear that this decision is not based solely on a comparison of rates paid to politicians elsewhere. The proposed salary has been tested and found to be below that which private consultants consider would be its work value in the private sector of employment.

When these increases are effected the relative position with politicians in the other mainland State Parliaments will be as follows:

Date	NSW \$	VIC \$	QLD \$	SA \$	WA \$
1. 6.96	79,751	79,751	79,751	78,251	79,453
1.11.96	81,356	81,356	81,356	79,856	81,042

#### Salaries—Ministers of the Crown and Officers of the Parliament

In June 1994 the Tribunal advised that it proposed to investigate the need for some upward adjustment in total salaries to Ministers of the Crown and Officers of the Parliament. Research undertaken in this area shows that the duties and responsibilities of these officers are such that if their salaries were assessed on private sector standards they would be substantially higher.

Even if there were any substance in public submissions that the responsibilities of Ministers of the Crown have diminished due to privatisation and outsourcing of work to the private sector, we have no doubt that the duties and responsibilities of Ministers and Officers of the Parliament warrant adjustment, not only when compared with private sector remuneration and that paid to Ministers in other States but even when compared with Chief Executive Officers in their own departments.

The Tribunal has decided that the additional salary and the expense allowance components of their total salary should be increased in accordance with the proposed movement in the base salary but that a further adjustment should be made from the beginning of the 35th Parliament when retirement benefits for Ministers will either cease or be substantially reduced.

At the same time the additional salary and expense allowance will be combined to produce an additional salary for Ministers equal to 80% of the base salary. This conforms to what has happened to expense allowances for others within the Tribunal's jurisdiction since formerly untaxed allowances became subject to taxation. Adjustments will be made to other office holders at the same time to produce results more in keeping with relativities in other States.

When all these changes take place the total salary of a Minister of the Crown in Western Australia will still be in balance with counterparts in the other mainland States as the following table illustrates.

WA	NSW	VIC	SA	QLD
\$145,876	\$157,017	\$157,017	\$145,261	\$137,923

#### Electorate Offices and Research Facilities

In its November 1995 determination the Tribunal advised that most requests from members concerned resource needs in electorate offices. It was then and still is our strong opinion that the Parliament should clarify whether this area is a matter for the Tribunal or whether it is to remain the responsibility of the Ministry of Premier and Cabinet as is the convention. In this regard we draw attention to Recommendation 8.5.1.5. 2 of the Commission on Government in Report No. 2 Part 2 at page 192 regarding research staff.

#### Other Allowances and Provisions

We consider that the electorate allowance should be increased in accordance with the CPI movement since the last adjustment in June 1994. We are not persuaded that any other changes are necessary.

However, as the next election will be conducted on new electoral boundaries the Tribunal publishes hereunder its tentative views on new electorate allowances to operate after the next election.

The Tribunal is prepared to receive and consider submissions as to the adequacy of these proposals so that another determination can be made under section 6(1)(7) of the *Salaries and Allowances Act 1975* as soon as the date fixed for the next State Election is announced.

Basic allowance .....	\$19,512
Metropolitan Regions .....	\$1,556
<b>Districts</b>	
Roleystone, Swan Hills & Wanneroo .....	\$1,556
South West Region .....	\$8,020
<b>Districts</b>	
Albany, Bunbury, Dawesville & Mitchell .....	\$380
Vasse .....	\$1,973
Collie & Murray-Wellington .....	\$3,567
Stirling & Warren-Blackwood .....	\$6,754
Agricultural Region .....	\$11,209
<b>Districts</b>	
Geraldton .....	\$380
Avon & Wagin .....	\$6,754
Greenough, Merredin, Moore & Roe .....	\$9,944
Mining and Pastoral Region .....	16,587
<b>Districts</b>	
Kalgoorlie .....	\$380
Burrup, Eyre, Kimberley, Ningaloo & Pilbara .....	\$15,323

### Superannuation

In June 1993 the Tribunal recommended to Government that the whole question of parliamentary superannuation be re-examined by competent personnel. Although the Tribunal has the jurisdiction to determine certain matters, the scheme of benefits provided by the Parliamentary Superannuation Act is administered by a Board consisting of the Treasurer as chairperson and two appointees from each House of Parliament. This part time Tribunal is reluctant to initiate changes in a piecemeal way and considers that any examination should be conducted by experts in the field who could investigate the matter thoroughly and recommend appropriate legislative changes.

Submissions received in the present review have drawn attention to the closure of government employees' superannuation funds and their replacement with a fund which will provide lesser benefits and is more in keeping with general community standards. They argue that politicians should be treated no differently.

The Tribunal has a concern that the ability of a retired politician to take a large lump sum payment at an age well below what the community regards as the normal retiring age militates against what superannuation schemes were designed to achieve—a reasonable lifestyle in genuine retirement years. This is but one of many matters which require examination by persons other than beneficiaries.

**We recommend to Government that urgent action be taken on this important question, with the aim of enacting legislation before the next election.**

### SPECIAL DIVISION AND PRESCRIBED OFFICE HOLDERS

In the November 1995 Determination we pointed out that the Tribunal had fixed salaries for these officers in December 1994 which were considered fair and reasonable following amendments to the *Public Sector Management Act 1994*. It recognised that the salaries were not as high as those in the private sector but also acknowledged that senior management had not been subjected to the same wage restraint as the general workforce.

Nevertheless, the salaries of those CEO's who have elected to be on the same plane as CEO's in the private sector as regards tenure have increased by between 32.4% and 40.5% since December 1991. The Tribunal has also made provision for the payment of an additional 15% in the exceptional case. In the same time frame officers under their control have had no salary increases apart from two \$8 "safety net" adjustments and what they have been able to achieve in the last six months through workplace or enterprise agreements.

In November 1995 we indicated that as the CEO was responsible for the productivity of his/her agency the time to consider a further increase in the salary structure was when negotiations had concluded in all or most agencies.

Unfortunately little more than half of the agencies have completed agreements in the past six months and the increases and reasons for them are so different that an equitable "across the board" increase above 3.5% could not be applied to Chief Executive Officers. In most instances any increases above that amount have been achieved by the trading of conditions of employment which have no application to these officers. This matter has been discussed already under the heading of Members of Parliament—Basic Salaries, above.

Advice from the Chief Executive Officer, Public Sector Management Office, who is the person appointed by the Minister to assist the Tribunal, is that uncertainty surrounds public sector management and the time is not opportune for radical change. The Government has before it a report which, we understand, recommends sweeping changes to the legislation and management of the Public Sector.

The Tribunal sees the need for change in the salary structure by a reduction in the number of Groups and the possible appointment to a classification rather than to a specific job. This would provide greater flexibility in the movement of officers. The introduction of salary bands is seen as another method of introducing flexibility into the recruitment process and contract negotiations. A performance/bonus type reward scheme is another option worthy of further consideration although there would be problems with its implementation.

In the knowledge that major changes to public sector management are likely it would be imprudent for the Tribunal to proceed with any alterations to the salary structure at present. It is possible that some of the options which we have mentioned will be the subject of legislation as they may be seen to be more related to management than to salary fixation. In any event we will make no changes until we know exactly what is proposed and then it might be necessary to engage private consultants, experienced in public sector reform in other States, to assist.

The Tribunal re-affirms its support for salary packaging but is unable to move effectively in this direction until there are legislative changes. It is understood that this question is currently being considered by Government following receipt of a report from a working group examining its introduction across the public sector generally. With the closure of two superannuation schemes which cover most serving officers at this level there are problems in determining a total employment cost for classifications which contain officers under different superannuation arrangements.

From time to time the Tribunal is told of difficulties in recruiting a desired person to a CEO position because the remuneration package is not sufficiently attractive. That problem will grow if the total employment cost figure contains an amount no higher than that provided under the new superannuation arrangements and should not be overlooked by those examining salary packaging.

The Tribunal will increase salaries in Part 1 by 3.5% from 1 June 1996.

The salaries of officers in Part 2 have been adjusted also after a consideration of written submissions.

The classification question of Deputy Registrars in the District Court as referred to in the last determination of this Tribunal is still unresolved. It appears that the matter is now related to a wider examination being conducted on the role of Registrars in the courts. Until this is finalised the status quo will be maintained.

The determinations will now issue

Dated at Perth this 11th day of June 1996

B. J. COLLIER AM, Chairman.

R. H. C. TURNER AM, Member

J. A. S. MEWS, Member

SALARIES AND ALLOWANCES TRIBUNAL.

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**DETERMINATION**  
**of the**  
**SALARIES AND ALLOWANCES TRIBUNAL**  
**PURSUANT TO SECTION 6B**

**ENTITLEMENTS OF FORMER PREMIERS**  
**MINISTERS AND MEMBERS OF PARLIAMENT**

Except as provided hereunder no entitlements shall apply to any Member who is elected to the 35th or succeeding Parliaments

**PART 1—FORMER PREMIERS OF WESTERN AUSTRALIA**

The benefits and entitlements granted by virtue of this determination apply to former Premiers who have served not less than one year as Premier.

**1. OFFICE ACCOMMODATION & SECRETARIAL SUPPORT**

1.1 Former Premiers who have held the office of Premier shall, after leaving the Parliament, be entitled to the use of an office located within Western Australia in a Government owned or leased building for a period of up to six months.

Equipment and staff may be supplied in the same manner as applying to a Member of Parliament.

**2. POSTAGE ALLOWANCE**

2.1 For a period of six months after leaving the Parliament, a former Premier shall be entitled to receive postage stamps to a maximum value of half the annual amount granted to a serving Member of Parliament.

**3. MOTOR VEHICLE**

3.1 For a period of six months after leaving the Parliament, and whilst domiciled in the State of Western Australia, a former Premier, upon request to the Chief Executive, Office of State Administration, shall be entitled to the use of a car and chauffeur.

3.2 A former Premier shall, after leaving the Parliament, have the option of purchasing the official vehicle which he/she was accustomed to using immediately prior to vacating the office. This option to be exercised within three months of vacating the office.

3.3 Where a former Premier, who is domiciled in Western Australia, is required or is invited to attend an official function or on special occasions, a former Premier shall upon request to the Chief Executive, Office of State Administration, be entitled to a car and chauffeur from the motor vehicle pool for the purpose of attending the official function or special occasion as the case may be. This entitlement shall continue during the lifetime of the former Premier.

3.4 Where a former Premier, who is not domiciled in Western Australia, is required or is invited to attend an official function or on special occasions within Australia, a former Premier shall be entitled to the use of a Private Taxi for the purpose of attending the official function or special occasion. The cost to the State, which will occur through reimbursement to the former Premier, on production of receipts, shall not exceed one thousand dollars per financial year. This entitlement shall continue for the same period of time as the former Premier held the office of Premier.

3.5 The availability of motor vehicle servicing and ancillary benefits for vehicles owned by former Premiers, as made available through the Department of the Premier prior to 1987 shall remain for those former Premiers who are receiving the benefit and shall, upon the death of the former Premier, pass to the surviving spouse.

**4. TRAVEL**

4.1 A former Premier shall be entitled to a Life Gold Rail Pass, and the spouse shall likewise be entitled to a Gold Pass but limited to the period of the former Premier's lifetime.

4.2 For a period of 12 months after leaving the Parliament, a former Premier who is required to attend a function resulting from activities directly arising from that role as Premier, shall be entitled to claim the travelling and accommodation costs necessarily incurred.



4.3 At the expiration of the period referred to in 4.2 above, where, as the result of activities directly arising from that role as Premier, a former Premier is invited to an official function to be held at a place outside of Australia, application may be made to the Tribunal detailing the nature of the invitation, the duration, and anticipated cost of travel.

The Tribunal shall consider and decide whether the application should be approved.

4.4 A former Premier shall be entitled to the benefits as made available to former Ministers of the Crown who have held office for not less than three years, as prescribed in Part 2A, 2.2(b) and 2.3.

## 5. TELEPHONES

5.1 For twelve months after leaving the Parliament, a former Premier;

- (a) who is domiciled in Western Australia shall be entitled to reimbursement of or to have paid the rental and all calls on one nominated private telephone at a private residence nominated by the former Premier.
- (b) who is domiciled outside of Western Australia but within Australia shall be entitled to reimbursement of the rental and all calls, on one nominated private telephone at a private residence nominated by the former Premier, to a total value of one thousand five hundred dollars (\$1500) for the twelve month period.

5.2 For the purposes of Section 5.1, "Calls" excludes international calls, international telegrams and Telecard charges.

5.3 Where, in 5.1, a former Premier changes his or her place of domicile resulting in a change in benefit from 5 (1)(a) to 5 (1)(b) or vice versa, the total amount reimbursable under 5 (1)(b) shall be calculated on a pro rata basis for the period.

5.4 (a) Former Premiers who retired prior to 20 November 1987 shall be entitled to retain the benefit applying at the time of their retirement.

(b) Former Premiers who retired after the 20 November 1987, and prior to the 1 March 1991, shall be entitled to retain the benefits granted by virtue of the Tribunals determinations dated the 20 November 1987 and 28 June 1990.

## PART 2—FORMER MINISTERS OF THE CROWN, FORMER MEMBERS OF THE LEGISLATIVE ASSEMBLY AND LEGISLATIVE COUNCIL

**2A The benefits and entitlements hereunder shall apply to persons who retired from the Parliament prior to this date or who are members of the 34th Parliament and who retire at or before the conclusion of the present term of office for which they were elected.**

1. Former Members who have a Minimum of Twelve Years Service in Aggregate

1.1 Former members of the Western Australian Parliament who have not less than 12 years nor more than 20 years service in aggregate shall be entitled to a Life Pass enabling free rail travel on Western Australian Railways.

1.2 The Pass is not transferable and can only be used by the person in whose favour the pass is issued.

1.3 The Pass entitles the holder to free sleeping berths, when available, but does not cover the cost of any meals.

1.4 A former member may be accompanied, subject to the same conditions as applying to the holder of the pass, by his or her spouse, de facto or dependent children on one return rail journey per annum within the State.

1.5 Should the holder of a Life Pass be re-elected to Parliament, the Pass must be returned to the Secretary of the Western Australian Government Railways Commission immediately upon taking up office. The Pass will be re-issued upon the members termination of service.

1.6 Application may be made, to the Office of State Administration, by former members domiciled in Western Australia for the issue of Travel Warrants enabling the former member, and whilst accompanying the former Member, the spouse, to undertake—

- (a) one return interstate rail trip per financial year. These warrants shall cover the cost of the rail trip, and shall not extend to cover the cost of meals and refreshments; or
- (b) one return air trip within Australia with maximum cost equivalent to the full economy return air fare from Perth to Sydney.

1.7 Interstate Warrants are not cumulative or transferable.

2. Former Ministers, Office Holders and Members who have held the offices listed for the specified time, or those satisfying the following criteria.

Cabinet Ministers:

3 years

President of the Legislative Council and  
Speaker of the Legislative Assembly:

3 years

Former member who has served in more than one of the above positions.

Aggregate of 3 years

Leader of the Opposition in the Legislative Assembly:

6 years

Member who has served as a Cabinet Minister and as the Leader of the Opposition in the Legislative Assembly:

Aggregate of 3 years (Note half the period of service as Leader of the Opposition is added to the period of service as a Cabinet Minister)

Former members who have a service of not less than 20 years.

Former members who have held offices included in sections 4(2), 6(1)(a) and 6 (1)(ab) of the Salaries and Allowances Act for periods which, when combined with the period performing their normal Parliamentary function totals a period of service of not less than 20 years.

#### TRAVEL

2.1 Former Members satisfying the criteria under Part 2A, section 2 may make application for the issue of a Parliamentary Design Railway of Australia Life Gold Pass. The Pass entitles holders to unlimited travel and ancillary services, except meals, on all railways of Australia.

2.2 Former Members utilising this benefit may be accompanied by their spouse on—

- (a) one return interstate rail journey per financial year; or
- (b) one return air trip within Australia with maximum cost equivalent to the full economy return air fare from Perth to Sydney.
- (c) the entitlement granted under (b) above is not to be used in conjunction with any entitlement under 2.3.

2.3 Former Members satisfying the criteria under Part 2A, section 2 and who are domiciled within Australia shall be entitled to draw upon the Office of State Administration, for the purpose of obtaining travel within Australia on scheduled commercial/commuter air services, rail services, or by motor coach or other vehicles operating as regular carriers, an amount not exceeding two thousand two hundred and fifty dollars (\$2250) per annum.

**2B The benefits and entitlements hereunder shall apply to members of the 34th Parliament who retire after the commencement of their next term of office and who would have qualified under the provisions of Part 2A if they had retired at the conclusion of their present term.**

1. Former Members who have a Minimum of Twelve Years Service in Aggregate

1.1 Former members of the Western Australian Parliament who have not less than 12 years nor more than 20 years service in aggregate shall be entitled to a Pass enabling free rail travel on Western Australian Railways for a period of eight years after retirement.

1.2 The Pass is not transferable and can only be used by the person in whose favour the pass is issued.

1.3 The Pass entitles the holder to free sleeping berths, when available, but does not cover the cost of any meals.

1.4 A former member may be accompanied, subject to the same conditions as applying to the holder of the pass, by his or her spouse, de facto or dependent children on one return rail journey per annum within the State.

1.5 Should the holder of a Life Pass be re-elected to Parliament, the Pass must be returned to the Secretary of the Western Australian Government Railways Commission immediately upon taking up office. The Pass will be re-issued upon the members termination of service.

1.6 Application may be made, to the Office of State Administration, by former members domiciled in Western Australia, for the issue of Travel Warrants enabling the former member, and whilst accompanying the former Member, the spouse, for a period of eight years after retirement, to undertake—

- (a) one return interstate rail trip per financial year. These warrants shall cover the cost of the rail trip, and shall not extend to cover the cost of meals and refreshments; or
- (b) one return air trip within Australia with maximum cost equivalent to the full economy return air fare from Perth to Sydney.

1.7 Interstate Warrants are not cumulative or transferable.

2. Former Ministers, Office Holders and Members who have held the offices listed for the specified time, or those satisfying the following criteria.

Cabinet Ministers:

3 years

President of the Legislative Council and  
Speaker of the Legislative Assembly:

3 years

Former member who has served in more than one of the above positions.

Aggregate of 3 years

Leader of the Opposition in the Legislative Assembly:

6 years

Member who has served as a Cabinet Minister and as the Leader of the Opposition in the Legislative Assembly:

Aggregate of 3 years (Note half the period of service as Leader of the Opposition is added to the period of service as a Cabinet Minister)

Former members who have a service of not less than 20 years.

Former members who have held offices included in sections 4(2), 6(1)(a) and 6(1)(ab) of the Salaries and Allowances Act for periods which, when combined with the period performing their normal Parliamentary function totals a period of service of not less than 20 years.

#### TRAVEL

2.1 Former Members satisfying the criteria under Part 2B, section 2 may make application for the issue of a Parliamentary Design Railway of Australia Gold Pass for a period of eight years after retirement.. The Pass entitles holders to unlimited travel and ancillary services, except meals, on all railways of Australia.

2.2 Former Members utilising this benefit may be accompanied by their spouse on—

- (a) one return interstate rail journey per financial year; or
- (b) one return air trip within Australia with maximum cost equivalent to the full economy return air fare from Perth to Sydney.
- (c) the entitlement granted under (b) above is not to be used in conjunction with any entitlement under 2.3.

2.3 Former Members satisfying the criteria under Part 2B, section 2 and who are domiciled within Australia shall be entitled to draw upon the Office of State Administration, for the purpose of obtaining travel within Australia on scheduled commercial/commuter air services, rail services, or by motor coach or other vehicles operating as regular carriers, an amount not exceeding two thousand two hundred and fifty dollars (\$2250) per annum for a period of eight years after retirement.

**2C The benefits and entitlements hereunder shall apply to members of the 34th Parliament at the date of this determination who retire after the commencement of their next term of office and who would not have qualified under the provisions of Part 2A if they had retired at the conclusion of their present term.**

1. Former Members who have a Minimum of Twelve Years Service in Aggregate

1.1 Former members of the Western Australian Parliament who have not less than 12 years nor more than 20 years service in aggregate shall be entitled to a Pass enabling free rail travel on Western Australian Railways for a period of four years after retirement.

1.2 The Pass is not transferable and can only be used by the person in whose favour the pass is issued.

1.3 The Pass entitles the holder to free sleeping berths, when available, but does not cover the cost of any meals.

1.4 A former member may be accompanied, subject to the same conditions as applying to the holder of the pass, by his or her spouse, de facto or dependent children on one return rail journey per annum within the State.

1.5 Should the holder of a Life Pass be re-elected to Parliament, the Pass must be returned to the Secretary of the Western Australian Government Railways Commission immediately upon taking up office. The Pass will be re-issued upon the members termination of service.

1.6 Application may be made, to the Office of State Administration, by former members domiciled in Western Australia, for the issue of Travel Warrants enabling the former member, and whilst accompanying the former Member, the spouse, for a period of four years after retirement, to undertake—

- (a) one return interstate rail trip per financial year. These warrants shall cover the cost of the rail trip, and shall not extend to cover the cost of meals and refreshments; or
- (b) one return air trip within Australia with maximum cost equivalent to the full economy return air fare from Perth to Sydney.

1.7 Interstate Warrants are not cumulative or transferable.

2. Former Ministers, Office Holders and Members who have held the offices listed for the specified time, or those satisfying the following criteria.

Cabinet Ministers:

3 years

President of the Legislative Council and  
Speaker of the Legislative Assembly:

3 years

Former member who has served in more than one of the above positions.

Aggregate of 3 years

Leader of the Opposition in the Legislative Assembly:

6 years

Member who has served as a Cabinet Minister and as Leader of the Opposition in the Legislative Assembly:

Aggregate of 3 years (Note half the period of service as Leader of the Opposition is added to the period of service as a Cabinet Minister)

Former members who have a service of not less than 20 years.

Former members who have held remunerated office included in sections 4(2), 6(1)(a) and 6(1)(ab) of the Salaries and Allowances Act for periods which, when combined with the period performing their normal Parliamentary function totals a period of service of not less than 20 years.

Former members who have held non remunerated offices included in section 4(2) of the Salaries and Allowances Act shall be entitled to aggregate three months service for every one year period served in that office.

**TRAVEL**

2.1 Former Members satisfying the criteria under Part 2C, section 2 may make application for the issue of a Parliamentary Design Railway of Australia Gold Pass for a period of four years after retirement. The Pass entitles holders to unlimited travel and ancillary services, except meals, on all railways of Australia.

2.2 Former Members utilising this benefit may be accompanied by their spouse on—

- (a) one return interstate rail journey per financial year; or
- (b) one return air trip within Australia with maximum cost equivalent to the full economy return air fare from Perth to Sydney.
- (c) the entitlement granted under (b) above is not to be used in conjunction with any entitlement under 2.3.

2.3 Former Members satisfying the criteria under Part 2C, section 2 and who are domiciled within Australia shall be entitled to draw upon the Office of State Administration, for the purpose of obtaining travel within Australia on scheduled commercial/commuter air services, rail services, or by motor coach or other vehicles operating as regular carriers, an amount not exceeding two thousand two hundred and fifty dollars (\$2250) per annum for a period of four years after retirement.

**3. GENERAL—APPLYING TO ALL PARTS**

3.1 Where, in the opinion of the Tribunal, a former member has provided information that warrants special consideration, the Tribunal may, at its discretion provide a benefit or benefits in accordance with that applying in this determination.

3.2 For the purposes of this Determination, the following general conditions apply:

All travel taken under the entitlements granted in this Determination shall be for non commercial purposes only.

Reference to the term "de facto" is made in the context of the definition applying in the Parliamentary Superannuation Act.

Dependent children are deemed to be full time students under the age of 18 years at the time of travel.

The travel allowance determined in 2A, 2B and 2C, paragraph 2.3 may be used for the purpose of obtaining travel for spouses, de factos and members' dependent children only when accompanying the former member.

The allowance cannot be converted as a cash benefit.

The allowance is to lapse at the end of each financial year.

Dated at Perth this 11th day of June 1996.

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

SALARIES AND ALLOWANCES TRIBUNAL.

**DETERMINATION  
of the  
SALARIES AND ALLOWANCES TRIBUNAL**

PURSUANT TO SECTION 6

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, a Parliamentary Secretary appointed under Section 44A (1) of the Constitution Acts Amendment Act 1899, Officers and Members of the Parliament, as hereunder with effect from 1 June 1996, unless otherwise stated.

PART I—REMUNERATION OF MEMBERS GENERALLY

Section 1—Basic Salary

There is payable to each Member an annual salary calculated at the rate of \$79,453 per annum. This salary will increase to \$81,042 per annum with effect from 1 November 1996.

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 member's duties, an electorate allowance of \$19,512 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
	\$
<b>Metropolitan Regions</b> .....	1,556
Districts—	
Armadale, Darling Range, Peel Roleystone, Swan Hills and Wanneroo .....	1,556
<b>South West Region</b> .....	8,020
Districts—	
Albany, Bunbury and Mitchell .....	380
Murray, Vasse and Wellington .....	1,973
Collie .....	3,567
Stirling and Warren .....	6,754
<b>Agricultural Region</b> .....	11,209
Districts—	
Geraldton .....	380
Avon and Wagin .....	6,754
Greenough, Merredin, Moore and Roe .....	9,944
<b>Mining and Pastoral Region</b> .....	16,587
Districts—	
Kalgoorlie .....	2,726
Ashburton, Eyre, Kimberley Northern Rivers & Pilbara .....	15,323

#### 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, can apply for the issue of an appropriate four wheel drive vehicle in lieu of that mentioned above, provided that the vehicle will be used predominantly in the Region or District to which the Member has been elected. 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 \$6,300 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 member's 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.

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
	\$
<b>Group 1</b>	
Electorate Region	
Mining and Pastoral .....	22,500
Electorate Districts	
Ashburton, Eyre, Kimberley	
Northern Rivers and Pilbara .....	15,000
<b>Group 2</b>	
Electorate Region	
Agriculture .....	15,000
Electorate Districts	
Greenough, Merredin, Moore and Roe .....	12,000
Avon and Wagin .....	5,000
<b>Group 3</b>	
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 a business class fare (or where a business class is not available, then the full economy fare) on a 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. (a) In addition to the remuneration payable by virtue of Part 1 of this Determination, there is payable—
  - (i) 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 \$79,026 per annum, increasing to \$80,607 with effect from 1 November 1996.
  - (ii) 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 \$60,132 per annum, increasing to \$61,335 with effect from 1 November 1996.
  - (iii) 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 \$53,248 per annum, increasing to \$54,313 with effect from 1 November 1996.
  - (iv) 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 \$44,661 per annum, increasing to \$45,554 with effect from 1 November 1996
- (b) With effect from the date of the first sitting of the 35th Western Australian Parliament the Expense of Office allowance will be subsumed into the additional salaries for the undermentioned offices and the remuneration will be calculated as a percentage of the basic salary payable under Part 1, Section 1 of the determination in accordance with the following—
  - (i) to a person for the time being holding the office of Premier in conjunction with a ministerial office, 132 percent of the basic salary as determined in Part 1, Section 1 of this determination.
  - (ii) to a person for the time being holding the office of Deputy Premier in conjunction with a ministerial office, 97 percent of the basic salary as determined in Part 1, Section 1 of this determination.
  - (iii) 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, 90 percent of the basic salary as determined in Part 1, Section 1 of this determination.

(iv) 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, eighty (80) percent of the basic salary as determined in Part 1, Section 1 of this determination.

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 from 1.6.96 \$	Salary per annum from 1.11.96 \$	Percentage of Basic Salary see Note (a) %
Leader of the Opposition in the Assembly .....	44,661	45,554	80
President of the Legislative Council .....	33,495	34,165	66
Speaker of the Legislative Assembly .....	33,495	34,165	66
Leader of the Opposition in the Legislative Council .....	24,565	25,056	45
Deputy Leader of the Opposition in the Legislative Assembly .....	24,565	25,056	45
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 .....	24,565	25,056	45
Parliamentary Secretary of the Cabinet .....	24,565	25,056	45
Chairman of Committees in either House .....	13,399	13,667	30
Government Whip in the Legislative Assembly .....	11,165	11,388	18
Opposition Whip in the Legislative Assembly .....	11,165	11,388	18
Government Whip in the Legislative Council .....	6,699	6,833	12
Opposition Whip in the Legislative Council .....	6,699	6,833	12

Note (a) With effect from the date of the first sitting of the 35th Western Australian Parliament the remuneration will be calculated as a percentage of the basic salary payable under Part 1, Section 1 of the determination, as shown.

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 from 1.6.96 \$	Allowance per annum from 1.11.96 \$
Premier .....	24,358	24,845
Deputy Premier .....	5,075	5,177
Leader of the Government in the Legislative Council .....	5,075	5,177
Ministers of the Crown (other than the Premier, Deputy Premier, and the Leader of the Government in the Legislative Council) ..	3,349	3,416

Office	Allowance per annum from 1.6.96 \$	Allowance per annum from 1.11.96 \$
Leader of the Opposition in the Legislative Assembly .....	11,825	12,062
President of the Legislative Council .....	2,681	2,735
Speaker of the Legislative Assembly .....	2,681	2,735
*Leader of a Recognised non-Government Party .....	2,681	2,735
Leader of the Opposition in the Legislative Council .....	2,234	2,279
Parliamentary Secretaries .....	1,786	1,822
Deputy Leader of the Opposition in the Legislative Assembly .....	1,786	1,822
Parliamentary Secretary of the Cabinet .....	1,786	1,822
Chairman of Committees in the Legislative Council .....	1,339	1,366
Chairman of Committees in the Legislative Assembly .....	1,339	1,366

\*As defined in Part III paragraph 1.

From the date of the first sitting of the 35 th Western Australian Parliament, the above expense of office allowances will cease.

Office	Office Allowance per annum Payable from the date of the 1st Sitting of the 35th Parliament \$
Leader of the Opposition in the Legislative Assembly .....	8,646
Parliamentary Secretaries .....	1,822

## 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 Member's 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 Member's 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 member's 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—

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

(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 rate 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 143
WA South of 26° Lat .....	—	—	Rate B 118
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 member's 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 \$5,400 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 .....	9,000
Leader of the Opposition in the Legislative Council .....	6,750
Leader of a recognised Non Government Party .....	6,750
Deputy Leader of the Opposition in the Legislative Assembly .....	4,500

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 11th day of June 1996.

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

SALARIES AND ALLOWANCES TRIBUNAL.

#### DETERMINATION—SECOND SCHEDULE

Pursuant to the provisions of the Salaries and Allowances Act 1975 (as amended) the Salaries and Allowances Tribunal determines the remuneration to be paid to the Officers of the Public Service holding offices included in the Special Division of the Public Service (S) and the persons holding Prescribed Offices (P), shall be in accordance with the following, with effect from 1 June 1996.

##### PART 1

Special/Group 1 .....	\$ 90,671
Special/Group 2 .....	\$ 96,227
Special/Group 3 .....	\$102,024
Special/Group 4 .....	\$107,633
Special/Group 5 .....	\$116,305
Special/Group 6 .....	\$127,410
Special/Group 7 .....	\$141,210
Special/Group 8 .....	\$155,250

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 who is appointed under the provisions of the Public Sector Management Act 1994 on a fixed term contract without any right of continued employment at the expiration of such term.
- (c) an officer who does not elect to retain a right of return as provided in Section 58 of the Public Sector Management Act 1994.
- (d) a commissioned police officer whose previous commission is revoked upon appointment as Deputy or Assistant Commissioner and who is appointed for a fixed term with no right of return to commissioned rank.

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 DEPARTMENT  
Chief Executive Officer—(S3)
- S ALCOHOL AND DRUG AUTHORITY:  
Director—(S2)
- S AGRICULTURE—DEPARTMENT OF:  
Director General—(S6)
- S ARTS—DEPARTMENT FOR THE:  
Executive Director—(S2)
- P AUDITOR GENERAL—OFFICE OF:  
Auditor General—(S7)
- S BUILDING MANAGEMENT AUTHORITY:  
Executive Director—(S5)
- S CENTRAL DRUG COORDINATION OFFICE:  
Director—(S2)
- P COASTAL SHIPPING COMMISSION—(WESTERN AUSTRALIAN):  
General Manager—(S3)
- S COMMERCE AND TRADE—DEPARTMENT OF:  
Chief Executive Officer—(S6)
- P CONSERVATION AND LAND MANAGEMENT—DEPARTMENT OF:  
Executive Director—(S5)
- S DISABILITY SERVICES COMMISSION:  
Chief Executive Officer—(S5)
- S EDUCATION DEPARTMENT  
Chief Executive Officer—(S8)
- S EDUCATION POLICY AND COORDINATION BUREAU:  
Chief Executive Officer—(S3)
- P ELECTORAL COMMISSION—(WESTERN AUSTRALIAN):  
Electoral Commissioner—(S2)  
Deputy Electoral Commissioner— \$74,427
- S ENERGY—OFFICE OF  
Coordinator—(S4)
- S ENVIRONMENTAL PROTECTION—DEPARTMENT OF:  
Chief Executive Officer—(S2)
- P EQUAL OPPORTUNITY COMMISSION:  
Commissioner—(S2)
- S FAIR TRADING—MINISTRY OF:  
Executive Officer—(S2)
- S FAMILY AND CHILDREN'S SERVICES:  
Director General—(S5)
- 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—(S5)
- S GOVERNMENT EMPLOYEES SUPERANNUATION BOARD:  
Executive Director—(S4)
- S GOVERNMENT PROPERTY OFFICE:  
Chief Executive—(S2)
- P GOVERNMENT RAILWAYS COMMISSION—(WESTERN AUSTRALIAN):  
Commissioner—(S6)
- S HEALTH DEPARTMENT OF WESTERN AUSTRALIA:  
Commissioner—(S8)
- P HEALTH REVIEW—OFFICE OF:  
Director—(S2)

- S HOUSING COMMISSION—(STATE):  
Executive Director—(S5)
- P INFORMATION COMMISSIONER—OFFICE OF:  
Commissioner— (S2)
- S JUSTICE—MINISTRY OF:  
Director General —(S6)
- S KING EDWARD MEMORIAL HOSPITAL AND PRINCESS MARGARET HOSPITAL:  
Chief Executive Officer—(S5)
- S LAND ADMINISTRATION DEPARTMENT OF:  
Chief Executive—(S4)
- S LAND AUTHORITY—WESTERN AUSTRALIAN:  
Chief Executive Officer—(S2)
- P LIBRARY BOARD OF WESTERN AUSTRALIA:  
State Librarian—(S2)
- S LOCAL GOVERNMENT—DEPARTMENT OF:  
Executive Director—(S2)
- P MAIN ROADS DEPARTMENT:  
Commissioner—(S6)
- P METROPOLITAN (PERTH) PASSENGER TRANSPORT TRUST:  
Chief Executive—(S4)
- S MINERALS AND ENERGY—DEPARTMENT OF:  
Director General—(S6)
- P MUSEUM—(WESTERN AUSTRALIAN):  
Director—(S1)
- S NON GOVERNMENT EDUCATION—OFFICE OF WESTERN AUSTRALIAN:  
Chief Executive Officer—(S2)
- P PARLIAMENTARY COMMISSIONER FOR ADMINISTRATIVE INVESTIGATIONS:  
Commissioner—(S5)  
Deputy Commissioner—(S1) with effect from 13.2.96.
- S PLANNING—MINISTRY FOR:  
Chief Executive—(S5)
- P POLICE DEPARTMENT:  
Commissioner—(S7)  
Deputy Commissioner—(S3)  
Assistant Commissioners —(S1)—5 positions.
- S POLICY OFFICE  
Chief Executive—(S4)
- S PREMIER AND CABINET—MINISTRY OF THE:  
Director-General—(S6)
- S PRODUCTIVITY AND LABOUR RELATIONS:  
Executive Director —(S3)
- S PUBLIC SECTOR MANAGEMENT OFFICE  
Chief Executive—(S4)
- P PUBLIC SECTOR STANDARDS COMMISSION:  
Commissioner—(S8)\*
- S RACING, GAMING & LIQUOR—OFFICE OF:  
Executive Director—(S3)  
plus an allowance of 5% per annum whilst a member of the Territory of Christmas Island Casino Surveillance Authority
- S RESOURCES DEVELOPMENT—DEPARTMENT OF:  
Chief Executive Officer—(S7)
- S REVENUE DEPARTMENT (STATE) :  
Commissioner—(S3)
- S ROTTNESST ISLAND AUTHORITY:  
Chief Executive Officer—(S1)  
with a temporary allowance to (S2).
- P ROYAL PERTH HOSPITAL:  
Chief Executive Officer—(S5)

- S SECONDARY EDUCATION AUTHORITY:  
Director—(S2)
- P SIR CHARLES GAIRDNER HOSPITAL:  
Chief Executive Officer—(S5)
- S SPORT AND RECREATION—MINISTRY OF:  
Executive Director—(S2)
- S STATE ADMINISTRATION—OFFICE OF  
Chief Executive—(S4)
- S STATE SERVICES—DEPARTMENT OF:  
Chief Executive Officer—(S4)
- S STATE SUPPLY COMMISSION:  
Chief Executive Officer—(S2)
- P TOTALISATOR AGENCY BOARD:  
General Manager—(S2)
- S TRAINING—WESTERN AUSTRALIAN DEPARTMENT OF:  
Chief Executive Officer—(S6)
- S TRANSPORT—DEPARTMENT OF:  
Director General—(S6)
- P TREASURY CORPORATION—WESTERN AUSTRALIAN:  
Chief Executive Officer—(S6)
- S TREASURY DEPARTMENT:  
Under Treasurer—(S8)
- P WATER CORPORATION:  
Managing Director—(S6)
- S WATER REGULATION—OFFICE OF:  
Chief Executive Officer—(S2)
- S WATERS & RIVERS COMMISSION:  
Chief Executive Officer—(S3)
- S WORKERS' COMPENSATION AND REHABILITATION COMMISSION:  
Executive Director—(S2)
- P WORKPLACE AGREEMENTS COMMISSION:  
Commissioner—(S1)
- P WORKSAFE WESTERN AUSTRALIA  
Commissioner—(S4)
- \* Personal to present occupant.

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PART 2

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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 .....	\$134,240
Registrar .....	\$118,720

District Court:

Principal Registrar .....	\$126,340
Registrar .....	\$118,720
Deputy Registrar .....	\$106,740

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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 11th day of June 1996

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

SALARIES AND ALLOWANCES TRIBUNAL.

## 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.

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Clerk of the Legislative Council .....	\$90,031
Deputy Clerk of the Legislative Council .....	\$68,840
Clerk of the Legislative Assembly .....	\$90,031
Deputy Clerk of the Legislative Assembly .....	\$68,840

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Dated at Perth this 11th day of June 1996

B. J. COLLIER AM, Chairman.

R. H. C. TURNER AM, Member.

J. A. S. MEWS, Member.

SALARIES AND ALLOWANCES TRIBUNAL.

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