

A large, bold, black letter 'G' is the central element of the logo. To its left, a white map of Western Australia is set against a background of horizontal black lines.

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SALARIES AND ALLOWANCES ACT 1975

**DETERMINATIONS OF THE
SALARIES AND ALLOWANCES
TRIBUNAL**

10 JUNE 1997

WESTERN AUSTRALIA

SALARIES AND ALLOWANCES ACT 1975DETERMINATIONS
OF THE
SALARIES AND ALLOWANCES TRIBUNAL

10 June 1997

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 of the Tribunal was made on 11 June 1996.

By advertisements in "The West Australian" newspaper on the 15 and 19 March 1997 the Tribunal invited interested persons and organisations to make submissions on any or all of these matters. Thirty six written submissions were received. The Government, in a submission forwarded by the Hon. Premier, stated—

"As you would be aware from the recently announced State Budget, this Government intends to continue the responsible financial management strategy adopted during its first term in office. This strategy has returned Western Australia to a sound financial position. However, the State's strong economic growth has not been matched by a corresponding rise in revenue. Therefore we must continue to exercise restraint and I urge the Tribunal to follow this lead in its deliberations."

The Tribunal has had regard to this request with the following determinations providing no change in the salaries applying to Members of Parliament, minor adjustments to their allowances and a general two per cent increase to Chief Executive Officers and other officers holding offices in the Special Division of the Public Service and Prescribed office holders.

Discussion on particular issues follows.

Members of Parliament

Electorate motor vehicles

Some requests were received from Members of Parliament representing country electorates who, by virtue of the location of their electorate, have no means of attending Parliament other than by motor vehicle. (Unrestricted air travel is available to those Members who have a commercial airport within their electorate).

A review of the costings and appropriateness of the motor vehicles provided by this Tribunal has resulted in a change to the model of motor vehicle to be provided. The introduction of Sales Tax to the cost of these vehicles has placed an additional impost upon Government, particularly where under the current policy a vehicle is changed at 40,000 kilometres. Some Members making submissions have been receiving two new motor vehicles per year.

The determination makes provision for the Member travelling in excess of 40,000 kilometres per year to retain the vehicle for up to 80,000 kilometres.

Air Charter

This Provision has been increased to recognise movements in air charter costs. The use of taxis has been included in this Provision following two requests from country Members re travel upon arriving at regional airports. It is not intended that the use of taxis in the Metropolitan area should be debited to this Provision.

A further condition has been included in this Provision wherein the travel debited must be undertaken by the Member. The statutory responsibility of this Tribunal extends to Members of Parliament and does not include staff or others.

Expense of Office Allowance

The previous determination of this Tribunal subsumed the expense allowance into additional salary for certain office holders. Two distinctions were made, those of the Parliamentary Secretaries appointed under Section 44A(1) of the Constitution Acts Amendment Act 1899, and the Leader of the Opposition.

According to the Leader of the Opposition this allowance has been placed in a separate account, and it is understood that this is being used for genuine miscellaneous office expenditure. As an allowance attaching to the Leader it attracts a personal tax liability where the expenditure is not a deductible item. This is not a matter that the Tribunal can or should resolve, however, it is recommended that the Government consider increasing the budget to the Office of the Leader of the Opposition by the amount of the expense allowance enabling the Tribunal to remove the allowance from the determination.

Travelling and Accommodation Allowances

In view of activities in other jurisdictions, a careful review of the travelling and accommodation allowances has been undertaken by the Tribunal resulting in a number of changes designed to clarify these entitlements.

The allowance provided to a Member representing a country electorate is only available to those Members who maintain a residence in or adjacent to the electorate they represent.

Members claiming accommodation costs within the electorate are required to certify that expenditure has been incurred.

The daily rates have also been adjusted to recognise increased costs.

Postage Allowance

Despite a number of requests for increases to the postage allowance, the Tribunal has not received substantive evidence from Members that would indicate the current allowance is insufficient.

Telephones

In keeping with changing technology the Tribunal has provided for additional telephone lines in both the electorate office and the principal place of residence of a Member.

Superannuation

In its last determination the Tribunal called for a comprehensive review of the Parliamentary Superannuation Scheme. The Tribunal understands such a review is to be announced shortly, or will have been announced by the date of this determination. The Tribunal welcomes this review and will monitor its progress with a view to updating those matters within the jurisdiction of the Tribunal with a subsequent determination.

Special Division and Prescribed Office Holders

In its 1996 determination, the Tribunal recognised the need for change in the salary structure of this group by a reduction in the number of classification levels. The introduction of salary bands was also seen as another method of introducing flexibility into the recruitment process. In the knowledge that major changes to public sector management were likely it was considered imprudent for the Tribunal to act at that time. Since then, the Public Sector Management Office has commissioned a review of the grading, remuneration and employment arrangements for senior executives including those positions within the jurisdiction of this Tribunal. It is understood that this review is at draft report stage, and accordingly, no action will be taken pending receipt and consideration of the findings contained in that review document. It may be necessary to revisit this area prior to the statutory time frame for the next determination.

The issue of salary packaging has been raised in determinations for a number of years. In 1996, the Tribunal re-affirmed its support for salary packaging, but recognised the difficulties in moving to a true Total Employment Cost (TEC) due to the varying employer costs associated with the three superannuation schemes that had either been introduced or withdrawn in the last ten years. Since the last determination, the Government has accepted that a limited form of salary packaging can apply to members of the Western Australian Public Service, and this has been effected through the publication titled "Guidelines for Salary Packaging in the WA Public Sector".

The Tribunal has determined that Special Division and Prescribed Office Holders should also be entitled to avail themselves of the packaging options available in Group 1 of the guidelines.

To assist, the total cost to government of the motor vehicle provided to these officers has been costed and, a value for packaging purposes has been listed. The cost has been based on a typical vehicle within the categories available to these officers, and includes the mandatory extras plus air conditioning and tow-bar. Other accessories, if required, will be provided at a cost to the particular office holder.

Flexibility within the make and model of motor vehicle will be at the discretion of the office holder, provided that no additional cost is borne by Government. It is expected that the vehicle will be available for use by that officer whilst the officer is on duty. Where an office holder elects not to be provided with a motor vehicle, a government vehicle or cabcharge will not be available for private travel and/or travel to and from the home or office. Similarly, office holders will not be able to participate in the Executive Vehicle Scheme (EVS) that is available to officers outside of the jurisdiction of the Tribunal.

Those office holders employed in organisations deemed to be "Fringe Benefits Tax (FBT) Exempt" will be required to cost the notional value of the FBT into any benefit made available through salary packaging.

The Tribunal expects that all other Public Sector agencies would adopt the same approach.

The use of salary packaging will be monitored by the Tribunal with adjustments and condition changes made where appropriate.

In light of representations made to the Tribunal, a general increase of 2 per cent has been applied to this group.

Registrars

In November 1994, the Tribunal noted the strong objection by the Registrars to holding office under and subject to the terms of the Public Sector Management Act 1994. Submissions from the Principal Registrar and Registrars of the District Court indicated that agreement had been reached for these positions to be removed from the Public Sector Management Act. At the time of preparing this determination, no advice has been received indicating that the action had been completed. Accordingly, the positions remain in the Second Schedule forming part of the determination.

The examination of the role and responsibilities of the Registrars as undertaken by the Tribunal recognises the differing roles between Chief Executives and the Registrars. This is reflected in the manner in which the remuneration is determined.

A report prepared by Commissioner G L Fielding, of the Western Australian Industrial Relations Commission, in 1995, following an investigation into the claims of registrars, recognised that there may be a need for a slight adjustment to the salaries of Supreme Court Registrars if and when they acquire the authority to deal with much of the chambers work now undertaken by the Masters. This has now occurred and is reflected in the new determined salaries for the Supreme Court Registrars.

Clerks and Deputy Clerks of the Parliament

A joint submission from the Clerks and Deputy Clerks of both Houses sought a percentage relativity with the levels of remuneration applying to the respective positions in the Federal Parliament. The current remuneration levels have been established based on work value assessments of the positions in question. The Tribunal does not accept that a linkage for these positions is appropriate.

Prior to the next determination, it is proposed that further details as to the extent of the duties and other responsibilities will be obtained in order to ascertain whether any adjustment in classification is required.

As part of their submission, the Clerks and Deputy Clerks sought additional leave to compensate for the sitting hours that they are required to be in attendance whilst Parliament is in session. Remuneration determined by this Tribunal takes into account numerous factors including the individual requirements of each position.

The determinations will now issue.

Dated at Perth 10 June 1997.

R. H. C. TURNER AM, Chairman.

J. A. S. MEWS, Member.

SALARIES AND ALLOWANCES TRIBUNAL

DETERMINATION
of the
SALARIES AND ALLOWANCES TRIBUNAL

PURSUANT TO SECTION 6

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 July 1997, 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 \$81,042 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 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
	\$
Metropolitan Regions	1,556
Districts—	
Roleystone, Swan Hills and Wanneroo	1,556
South West Region	8,020
Districts—	
Albany, Bunbury, Dawesville and Mitchell	380
Vasse	1,973
Collie & Murray-Wellington	3,567
Stirling and Warren Blackwood	6,754
Agricultural Region	11,209
Districts—	
Geraldton	380
Avon and Wagin	6,754
Greenough, Merredin, Moore and Roe	9,944
Mining and Pastoral Region	16,587
Districts—	
Kalgoorlie	380
Burrup, Eyre, Kimberley	
Ningaloo & 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 Futura, Commodore Executive or Acclaim (6 cylinder) class, fitted with an automatic transmission, power steering, air conditioning, ABS and driver's airbag, with all running and maintenance costs for up to three years or eighty thousand kilometres met by the State.

Where a Member requires, for operational or personal reasons, a model of vehicle exceeding the standard, all additional costs, including Sales Tax, 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/or electronic animal deterrent devices and driving lights fitted to the supplied vehicle at no additional cost to the Member.

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, and certification that the principal use of the vehicle will be for electorate purposes.

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 Salaries and Allowances Tribunal 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
	\$
Group 1	
Electorate Region	
Mining and Pastoral	24,200
Electorate Districts	
Burrup, Eyre, Kimberley, Ningaloo and Pilbara	16,200
Group 2	
Electorate Region	
Agriculture	16,200
Electorate Districts	
Greenough, Merredin, Moore and Roe	13,000
Avon and Wagin	5,400
Group 3	
Electorate Region	
South West	13,000
Electorate Districts	
Stirling & Warren Blackwood	5,400

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, taxis and such other modes of transport as may be approved as appropriate in the circumstances by the Salaries and Allowances Tribunal.
4. Charges shall only be levied against this provision if the Member undertakes the travel claimed.

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, 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, 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	Percentage of Basic Salary %
Leader of the Opposition in the Assembly	80
President of the Legislative Council	66
Speaker of the Legislative Assembly	66
Leader of the Opposition in the Legislative Council	45
Deputy Leader of the Opposition in the Legislative Assembly	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	45
Parliamentary Secretary of the Cabinet	45
Chairman of Committees in either House	30
Government Whip in the Legislative Assembly	18
Opposition Whip in the Legislative Assembly	18
Government Whip in the Legislative Council	12
Opposition Whip in the Legislative Council	12

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—

	Expense Allowance per annum
	\$
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, and on the same basis, 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, and on the same basis, 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, and on the same basis, 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 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.

2.3 Where a Member representing an electorate mentioned in 2.1 above, has a sole residence in the Metropolitan Regions, that Member shall not be entitled to receive the accommodation allowance contained in this Section.

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, upon certifying that expenditure has been incurred, 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 Blackwood and Murray-Wellington	30 nights
Burrup, Eyre, Kimberley, Ningaloo & Pilbara	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)	425	320	
Other Areas	300	195	
Perth	-	-	Rate A 160
WA South of 26° Lat	-	-	Rate B 135
WA North of 26° Lat	300	270	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 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—

- (i) 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. The rental charges levied for additional telephone sockets shall be included in the reimbursement of rental.
- (ii) one additional telephone line for the use of a facsimile machine; and
- (iii) one additional telephone line for the purposes of computing equipment. Charges for access to computer communications will only be reimbursed where the connection has been made in accordance with contracts provided through the Office of State Administration.
- (iv) Reimbursement for (ii) and (iii) above is restricted to one residence.

2. Electorate Offices, Telephones: 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 two approved telephones in that Member's electorate office.

3. Electorate Offices, Facsimile Machines: Where a Facsimile machine is installed in a Member's electorate office, either utilising the second telephone line in (2) 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.

4. **Electorate Offices, Computer Communications:** Where a Member has a connection for computer communication access, as approved by the Office of State Administration, 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 connection.

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 \$1800 per annum.
- (b) Members representing the Metropolitan Regions or any District contained therein, reimbursement to a maximum of \$1200 per annum.

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 Chief Executive, Office of State Administration.

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 10 June 1997.

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

SALARIES AND ALLOWANCES TRIBUNAL

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 July 1997 unless otherwise stated.

PART 1

	\$
Special/Group 1	92,484
Special/Group 2	98,152
Special/Group 3	104,064
Special/Group 4	109,786
Special/Group 5	118,631
Special/Group 6	129,958
Special/Group 7	144,034
Special/Group 8	158,355

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—(S6)
- S CULTURE AND ARTS—MINISTRY OF—
Chief Executive Officer—(S4)
- S CURRICULUM COUNCIL OF WESTERN AUSTRALIA—DEPARTMENT OF THE—
Chief Executive Officer—(S3)
- S DISABILITY SERVICES COMMISSION—
Chief Executive Officer—(S5)
- S EDUCATION DEPARTMENT
Chief Executive Officer—(S8)
- S EDUCATION SERVICES—DEPARTMENT OF—
Chief Executive Officer—(S3)
- P ELECTORAL COMMISSION—(WESTERN AUSTRALIAN)—
Electoral Commissioner—(S2)
Deputy Electoral Commissioner— \$75,916
- 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—(S3)
- 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)
- S INDUSTRIAL RELATIONS COMMISSION, WESTERN AUSTRALIAN—
Chief Executive Officer, Department of the Registrar—(S1)
With effect from 8 October 1996
- 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)
- S LOTTERIES COMMISSION—
Chief Executive Officer—(S1)
- P MAIN ROADS DEPARTMENT—
Commissioner—(S6)
- P METROPOLITAN (PERTH) PASSENGER TRANSPORT TRUST—
Chief Executive—(S2)
- S MINERALS AND ENERGY—DEPARTMENT OF—
Director General—(S6)
- P MUSEUM—(WESTERN AUSTRALIAN)—
Director—(S1)
- P PARLIAMENTARY COMMISSIONER FOR ADMINISTRATIVE INVESTIGATIONS—
Commissioner—(S5)
Deputy Commissioner—(S1)
- 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—(S7)
- 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)
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)

PART 2

	\$
Crown Solicitor	166,841
Parliamentary Counsel	166,841
Queen's Counsel	158,500
Crown Counsel	150,157
Deputy Crown Solicitor	141,815
Deputy Parliamentary Counsel	141,815
Supreme Court—	
Principal Registrar	143,315
Registrar	126,914
District Court—	
Principal Registrar	133,473
Registrar	125,414
Deputy Registrar	112,768

PART 3

Director of Public Prosecutions—

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

The holders of Offices contained in this 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 10 June 1997.

R. H. C. TURNER AM, Chairman.
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.

	\$
Clerk of the Legislative Council	91,832
Deputy Clerk of the Legislative Council	70,217
Clerk of the Legislative Assembly	91,832
Deputy Clerk of the Legislative Assembly	70,217

The holders of Offices contained in this 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 10 June 1997.

R. H. C. TURNER AM, Chairman.
J. A. S. MEWS, Member.
SALARIES AND ALLOWANCES TRIBUNAL

DETERMINATION—FOURTH SCHEDULE

SALARY PACKAGING

A person holding an office contained in the Second Schedule, Parts 1 and 2 and the Third Schedule of these determinations wishing to exercise salary packaging options may, in accordance with the "Guidelines for Salary Packaging in the WA Public Sector", access those benefits contained in Group 1 of the guidelines.

In addition to the salaries determined for persons holding offices included in the Second Schedule, Parts 1 and 2, and Third Schedule of this determination, the following amounts represent the cost to government of the motor vehicles approved by the Tribunal for the respective classification levels—

Below Special 1	\$11,300 (Contract item 1006)
Special 1 to Special 3	\$13,000 (Contract item 1007)
Special 4 to Special 8	\$14,500 (Contract item 1008)

For the purposes of determining the Total Employment Cost (TEC) of a position the above amounts should be included with the determined salary.

Where an office holder wishes to obtain a motor vehicle that varies from the standard mentioned above, the motor vehicle costs must include the lease cost, plus Sales Tax plus Fringe Benefits Tax and all other operating costs based on a figure of 20,000 kilometres travelled annually.

The formula to be adopted in valuing the motor vehicle shall be—

L + S + R + aD + FBT	
Where L	= Lease payments
S	= Sales Tax
R	= Registration costs
a	= Running cost per kilometre
D	= 20,000 kilometres
FBT	= Fringe Benefits Tax

FBT is costed at purchase price (inc. Sales Tax) x Statutory fraction x Gross up (1.942) x FBT rate (0.485)

In most instances, the Fleet Manager will provide a total costing for each vehicle.

The vehicle will be available for business use by that officer whilst the officer is on duty.

Where an officer chooses not to be provided with a motor vehicle, under no circumstances will the officer be provided with a Government vehicle or cab charge for home to office travel or any other private use.

Fringe Benefits Tax Exempt Agencies

Where a benefit is exempt from FBT in accordance with Commonwealth Government legislation, a notional amount equal to the standard FBT must be levied to the cost of the benefit.

OTHER BENEFITS

Salary packaging in respect to superannuation and Novated Leases can be effected in accordance with the "Guidelines for Salary Packaging in the WA Public Sector" document.

Dated at Perth 10 June 1997.

R. H. C. TURNER AM, Chairman.
J. A. S. MEWS, Member.
SALARIES AND ALLOWANCES TRIBUNAL

