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WESTERN AUSTRALIA

SALARIES AND ALLOWANCES ACT 1975

**DETERMINATIONS
OF THE
SALARIES AND ALLOWANCES
TRIBUNAL**

23 AUGUST 2000

WESTERN AUSTRALIA
SALARIES AND ALLOWANCES ACT 1975
DETERMINATIONS
OF THE
SALARIES AND ALLOWANCES TRIBUNAL
23 AUGUST 2000
REASONS FOR DETERMINATIONS

MEMBERS OF PARLIAMENT

Under the Salaries and Allowances Act 1975 this Tribunal is required to make determinations regarding the remuneration to be paid or provided to, *inter alia*, members of the Parliament of Western Australia. The Act provides the Tribunal with complete discretion as to how remuneration is determined and it has become the practice of the Tribunal to publish reasons with its periodic determinations.

In December 1999 this Tribunal, following a major review process, determined the salaries for Office Holders and Members of the State Parliament. This determination does not change those salaries, instead it deals with the electorate and other allowances provided to Members in order that they may service their electorate in a manner that they see appropriate having regard to the effective use of taxpayers monies.

To this end, the Tribunal is committed to a global allocation budget for Members enabling Members to vary their expenditure to suit the individual requirements of their electorate. Initial inquiries indicate that the first step toward the budget will be the amalgamation of the electorate and residential telephone expenditure with the postage and printing and stationery provisions to form a "Communications Provision". Members will be able to draw on this provision to meet their communication needs, including the use of newsletters. It is expected that a further determination covering this aspect will be made prior to, but having effect from, the date of the next State Election.

Electorate allowances have not been adjusted since 1 June 1996. Numerous factors have impacted on the allowances since that time. This review has culminated in the following specific adjustments—

ELECTORATE ALLOWANCES (PART 1 Section 2)

These have been increased by approximately the same percentage as the movement in the Consumer Price Index (CPI) since the last electorate allowance adjustment. This is less than 6 per cent.

AIR CHARTER AND HIRE (PART 1 Section 4)

A survey of a number of charter companies has been undertaken and the increase in costs over benchmark charter flights since the last adjustment varies from 9 to 15 per cent. An increase of 10 per cent in the provision has been made.

Whilst the use of the Charter provision will attract the GST, the Tribunal has been advised that the Input Tax Credit will be available to Government on production of the Tax Invoice thereby negating any reduction in the provision. Members not providing the necessary information to the Ministry of the Premier and Cabinet will have the GST deducted from the provision.

The Tribunal intends to alter aspects of the Air Charter and Hire provision in a future determination.

At present, the Tribunal determines the use of air charter and hire in order that Members can access all parts of their electorates. In addition, Members representing certain electorates, where a commercial air service operates within their electorate, have access to unrestricted air travel between their electorates and Perth and in some cases within their electorates. This latter provision is made by the Treasurer under Section 11A of the Salaries and Allowances Act 1975 and is not the province of this Tribunal.

In 1993 following a request from a Member, the Tribunal gave recognition to the fact that Members frequently need to travel between two towns serviced by commercial air services at times when commercial services are not available, necessitating the use of charter transport. The impact of this effectively reduces a capped benefit at the expense of an uncapped benefit. To reduce the impact on the air charter provision an offset was determined so that only the difference in the cost between the air charter and the commercial flight was debited to the air charter provision.

This has caused an administrative burden and at times disputes over the costs to be debited to the charter allowance. Clearly the use of charter transport in lieu of commercial services is only used as a necessity and results in savings of expenditure in the uncapped air travel provision. In an effort to remedy the current problems, the next determination will have the offset provision removed and an increase in the Air Charter and Hire provision will be made. This will ensure that no reduction in the personal effectiveness of Members occurs.

The Tribunal has recommended on several previous occasions that one body should determine benefits and entitlements for Members. This area is one that would definitely benefit from a single authority.

PRINTING AND STATIONERY (PART 1 Section 5)

The Printing and Stationery provision was included in the determination for the first time in 1998. Members either debit their expenditure to a credit card provided by the Parliament or produce receipts to the Parliament and seek reimbursement. Whilst a monetary limit is provided

in the determination, the Tribunal has no objection to additional expenditure in excess of the limit being debited providing the cost is met from the electorate allowance of the Member concerned.

The matter of what constitutes "printing and stationery" arises from time to time. The intent of the allowance is to assist the Member with items for the electorate office or for use in the Member's parliamentary office. It is not intended that it be used to purchase items intended as gifts or for items generally not considered to be of a printing or stationery nature. It is the Member's responsibility to make these decisions.

TRAVELLING AND ACCOMMODATION ALLOWANCES (PART V)

A number of changes have been made in this Part.

Section 4 relating to Parliamentary Party Meetings has been deleted. The allowance has been broadened and placed at 1.7 within Section 1 of the Part. The eight nights accommodation per financial year can be utilised by Party or Independent Members for accommodation anywhere in Western Australia provided that the purpose of the travel is in connection with matters pertaining to Parliamentary business or an official meeting of that Member's Parliamentary Party.

With the deletion of Section 4 other Sections have been re-numbered. Section 5.4 in the December 1999 determination relating to the claiming of meal allowances for part days where no overnight accommodation is obtained has been deleted with effect from 1 August 2000.

The Taxation Ruling issued in 1999 has made it evident that the payment of monies for meal allowances where overnight accommodation is not obtained forms part of assessable income and no deduction is permitted. Payments to Members in respect of these claims will now be required on the individual Group Certificates. In addition, the "PAYG Bulletin" Number 1 on the subject of the "Taxing of allowances for the 2000/01 and future income years" requires the payers of allowances to withhold an amount from payments made to various payees.

Meal costs incurred by Members where no overnight accommodation is obtained will become the responsibility of the individual Members and should be met from the electorate allowance. This matter will be kept under review and Members are invited to provide submissions to the Tribunal detailing the additional burden that this change will or has caused.

TRAVELLING ALLOWANCES—RATES OF PAYMENT (PART V—Section 5)

The daily rates have been adjusted to reflect movements in actual accommodation costs.

POSTAGE ALLOWANCES (PART VI)

No change has been made to the allowances provided at this time. It is anticipated that if a communication budget is provided in the next determination, the value of postage will be considered.

TELEPHONE RENTAL AND CALLS (PART VII)

Minor changes have been made to this Part, mainly in the wording. No significant change has been made to the benefit applying.

Satellite telephones: As the result of the major review undertaken in 1999 where more than 30 Members were interviewed, the Tribunal has decided to trial a limited number of satellite telephones. Letters have been sent to the political parties who have Legislative Assembly Members in remote locations inviting them to nominate one Member to participate in the trial. The Member for Pilbara has also been invited to participate. During the trial the cost of calls will remain the responsibility of the Member.

OFFICERS HOLDING OFFICES INCLUDED IN THE SPECIAL DIVISION OF THE PUBLIC SERVICE AND PRESCRIBED OFFICE HOLDERS

The last adjustment to the holders of these offices was made in June 1999.

In the ensuing period, the Tribunal has received many claims for the reclassification of positions and general suggestions that the remuneration levels fall well below that paid in the private sector or interstate public sectors. Government policy requires that at, or shortly before, the expiration of a contract of a Chief Executive Officer the position is advertised nationally and the incumbent is required to apply for a further term. This has led to an emerging trend wherein Chief Executives, upon being advised that their re appointment will be made, seek remuneration in excess of that advertised or made known when the selection process was being undertaken. The Tribunal does not support this practice and holds the view that the classification issue should be resolved prior to the advertising of positions in order that the widest possible field of applicants can be obtained. As has been stated in previous determinations, "any personal salary above that set for the office should be paid only for special and distinguishing reasons."

The Tribunal monitors remuneration movements within the Western Australian Public Sector, interstate Chief Executive remuneration and movements in the private sector market. Evidence before the Tribunal does not indicate that those offices within our jurisdiction are below other interstate public sector bodies having regard to the respective position sizes and the similarity of function. Comparison with the private sector does reveal that in the most senior levels there is a sizeable disparity in remuneration. These comparisons are not easy to make as the range of remuneration options available to Senior Executives in the private sector are not, and cannot be, available to persons being paid, in the main, from the public purse.

The Tribunal has implemented a number of initiatives over the years in an attempt to resolve some of the perceived shortcomings in remuneration levels.

The first step taken by the Tribunal was to provide a salary loading of twenty per cent where a Chief Executive opted to be employed on a contract with no right of return to the public sector, a situation similar to that of the majority of private sector employees.

The second step was the recognition of the "Special Case" at the time of external recruitment of a person when there is some necessity to recognise the exceptional case. This provided an allowance of up to fifteen per cent of the determined salary, subject to conditions imposed by the Tribunal. A copy of the excerpt from the December 1994 determination has been embodied in the attaching determination.

The third step occurred in 1999 when the Tribunal gave recognition to personal service within a position indicated by the achievement of outstanding performance under an agreement between the Chief Executive and his or her Minister. This Personal Merit Allowance or PMA is reviewed on an annual basis and can be withdrawn by the Tribunal at any time. The resultant increase provides an allowance for twelve months to the next classification level and varies from five to ten percent depending on the substantive classification of the person. Other conditions attach to this allowance. A copy of the requirements to be eligible for payment of the PMA is contained in the attached determination.

The abovementioned provides a range of salaries achievable by CEO's, subject to conditions. For example, with the increases contained in this determination, a position classified at the Group 2 maximum level has a salary range from \$122,468 to \$158,573. The provision of the Attraction Allowance extends this to \$168,829. The value of the package ranges from \$153,766 to \$192,759 using the Superannuation Guarantee Levy of 8 per cent plus motor vehicle.

In conducting this review, the Tribunal has had regard for a range of movements that have occurred since the last adjustment. The Average Weekly Ordinary Time Earnings (AWOTE) for the period have increased by 3.6 per cent. Government policy indicates outcomes of 3—6 per cent over the two financial years 1999/00 and 2000/01. National Remuneration Consultants, at a forum held in Perth in March 2000, forecast a movement of 4.2 per cent for the year 2000.

The Tribunal also monitors movement in the salaries provided to members of the Senior Executive Service in Government Departments and Agencies. Whilst the Tribunal does not provide Workplace Agreements for those positions within its jurisdiction, it would be remiss to consider that Chief Executives were not part of the productivity improvement process.

Having regard for the above, the Tribunal has determined an increase of 3.5 per cent to those positions included in Section 6(1)(d) and (e) of the Salaries and Allowances Act 1975, with the exception of Registrars of the Courts and senior legal positions, whose salaries are adjusted at the same time as those of the judiciary. The increase will have effect from 1 August 2000.

In keeping with the trend across the public sector to pay annual leave loading with salary, the determined salaries are inclusive of annual leave loading.

CLERKS AND DEPUTY CLERKS OF THE PARLIAMENT

In keeping with previous practices, an adjustment of 3.5 per cent has been applied to these officers with effect from 1 August 2000. Annual leave loading has been incorporated into these salaries.

MOTOR VEHICLES

In 1997, the Tribunal converted the motor vehicle provision to a monetary figure in order to recognise remuneration-packaging costs and to enable greater flexibility to Chief Executive Officers. The values provided represented the cost to Government of the vehicles that had previously been approved for supply. With changing costs, the Tribunal has adjusted the values on a number of occasions. With the introduction of the Goods and Services Tax (GST) and the removal of Sales Tax, increased fuel costs etc, motor vehicle costs will continue to fluctuate for a period of time.

In order to remove any uncertainty as to the values ascribed for the motor vehicles, the Tribunal has provided the makes and models that have previously been used in calculating costs. Persons ordering motor vehicles should obtain a costing of the vehicle they wish to be provided with and compare this cost with those of the benchmark vehicles. The difference at the time of ordering becomes the amount either payable by or to the CEO. The monetary value is retained as that amount available to a CEO who elects not to be provided with a motor vehicle. These values will reduce as from 1 October 2000 recognising the cost savings achieved through the GST.

The determinations will now issue.

Dated at Perth this 23rd day of August 2000.

D. G. BLIGHT AO, Chairman.
R. H. C. TURNER AM, Member.
J. A. S. MEWS, Member,
Salaries and Allowances Tribunal.

DETERMINATIONS
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 August 2000, 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 \$95,000 per annum.

Section 2—Electorate Allowances

The Salaries and Allowances Act provides the Tribunal with the authority to determine allowances for Member's of Parliament. The Act does not provide for the use of these allowances by persons other than Members.

The motor vehicle provided to Members as the result of this determination forms part of the electorate allowance and not part of a salary package. The Tribunal has determined that the motor vehicle can be used for private purposes and from time to time it is expected that electorate staff or a family member will use the vehicle. No provision exists for other persons to use the government owned motor vehicle unless for emergency purposes.

The telephone facilities are provided to both the electorate office and residence. It is accepted that use of these telephones by electorate staff and family members will occur. The use of the office telephones by persons other than staff, unless for Parliamentary and electorate purposes, is not supported by this determination.

In this determination where reference is made to a year or per annum, the intention is a financial year. Benefits provided on a financial year basis cease on 30 June each year and no carryover of any unexpended portion is permitted. The advance purchasing of travel or other benefits in one financial year to be utilised in another financial year is not permitted.

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 but not for Party or political purposes, an electorate allowance of \$21,000 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)

In recognition of 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	1,650
Districts—	
Roleystone, Swan Hills and Wanneroo	1,650
South West Region	8,500
Districts—	
Albany, Bunbury, Dawesville and Mitchell	400
Vasse	2100
Collie and Murray-Wellington.....	3,800
Stirling and Warren Blackwood.....	7,200
Agricultural Region	12000
Districts—	
Geraldton.....	400
Avon and Wagin	7,200
Greenough, Merredin, Moore and Roe.....	10,600
Mining and Pastoral Region	17,500
Districts—	
Kalgoorlie	400
Burrup, Eyre, Kimberley Ningaloo and Pilbara	16,500

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 vehicle, shall be entitled to the supply of a private plated motor vehicle for use on Parliamentary, Electorate and Private business within Western Australia.

Members who do not access a vehicle under this entitlement or who are not entitled to do so shall receive an amount of \$6,600 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.

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, cruise control, 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 Goods and Services Tax, Fringe Benefits Tax and insurance shall be met by the Member.

Where a Member travels 40,000 kilometres or more per year and elects to retain the provided vehicle for 80,000 kilometres, the cost of the vehicle shall be determined by comparing the cost to Government of two standard vehicles over 40,000 kilometres against the Member's vehicle over 80,000 kilometres. Any additional cost in providing the vehicle to the Member shall be deducted from the electorate allowance.

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.

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.

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, or to a place for the purpose of (b) hereunder, 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 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 under mentioned 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 (within Western Australia), but such cost shall not exceed the amounts specified hereunder—

	Per Financial Year \$
Group 1	
Electorate Region	
Mining and Pastoral.....	26,500
Electorate Districts	
Burrup, Eyre, Kimberley	
Ningaloo and Pilbara.....	18,000

	Per Financial Year \$
Group 2	
Electorate Region	
Agriculture	18,000
Electorate Districts	
Greenough, Merredin, Moore and Roe.....	14,500
Avon and Wagin	6,000
Group 3	
Electorate Region	
South West.....	14,500
Electorate Districts	
Stirling and Warren Blackwood.....	6,000

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, taxis and such other modes of transport as may be approved as appropriate in the circumstances by the Salaries and Allowances Tribunal.

4. Where through necessity a charter itinerary involves travel into the Northern Territory or South Australia, Tribunal approval is required prior to the payment being accepted as a debit to this provision.

5. Charges shall only be levied against this provision if the Member undertakes the travel claimed.

6. Claims for reimbursement or accounts received in respect of travel undertaken using this provision must be submitted within 90 days from the date that the travel is undertaken. In exceptional circumstances, the Tribunal may approve an extension of time to submit a claim. Where a claim is made after 90 days and no extension has been granted, payment against the claim will not be made.

Section 5—Printing and Stationery Provision

Every Member of Parliament shall be entitled to obtain printing and stationery requirements, including letterheads and envelopes, to a maximum cost of \$4,500 per annum. Members will be expected to claim reimbursement of costs upon production of receipts or an account in the name of the Member presented to the Parliament for payment. Where a Member exceeds the monetary limit, the costs shall be met from the electorate allowance provided to the Member.

A Member shall not identify any political party affiliation on any printing or stationery purchased under this provision. Similarly, services obtained or items purchased through this provision cannot be used for campaign, electioneering or Party promotional purposes.

PART II—REMUNERATION OF MINISTERS OF THE CROWN

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

- (a) to a person for the time being holding the office of Premier in conjunction with a ministerial office, 132 percent of the basic salary as determined in Part 1, Section 1 of this determination.
- (b) 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.
- (c) to a 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.
- (d) to each person, not being a person referred to in sub-paragraph (a), (b) or (c) of this paragraph, for the time being holding a ministerial office, 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—

	Percentage of Basic Salary %
Leader of the Opposition in the Assembly.....	80
President of the Legislative Council.....	66
Speaker of the Legislative Assembly.....	66

	Percentage of Basic Salary %
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—

	Office Allowance per annum \$
Parliamentary Secretaries.....	1,822

PART V—TRAVELLING AND ACCOMMODATION ALLOWANCES

Section 1

Office Holders on Official Business

The actual costs of accommodation and other associated travelling expenses incurred by the holders of Offices mentioned in this Section should be debited to the Corporate Credit Card provided to the particular Office Holder. The rates contained in this Part are deemed to be indicative of the reasonable travelling costs. Where the costs reasonably and properly incurred exceed the indicative rates and have been debited to an official Corporate Credit Card, the actual costs shall be met.

- 1.1 The indicative daily travelling rate provided to the Premier, a Minister of the Crown, the Parliamentary Secretary of the Cabinet and Parliamentary Secretaries appointed under Section 44A(1) of the Constitution Acts Amendment Act 1899, 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, is contained in Section 6 of this Part.
- 1.2 The Deputy Premier when travelling within Australia on duty representing the Premier shall be entitled to the same indicative allowances, and on the same basis, as the Premier.
- 1.3 Opposition and Third Party Leaders: The indicative travelling allowance provided to 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 the same, 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: The indicative travelling allowance for 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, be the same, and on the same basis, as payable to the permanent occupants.
- 1.5 Members: The indicative travelling allowance for a Member (not being the holder of an office referred to in paragraphs 1.1, 1.2, or 1.3) 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 the same, and on the same basis, as the rate set for a Minister.
- 1.6 Members Deputising—
- (i) On behalf of the Premier: The indicative travelling allowance for 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 the same rate, and on the same basis, 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): for 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 the same rate, and on the same basis, prescribed for a Minister.
- 1.7 Members on Parliamentary or Political Party Business
- In order to provide all Members with the ability to travel to a place within Western Australia for Parliamentary purposes or to attend a parliamentary party meeting, Members shall be entitled to claim reimbursement of accommodation expenditure to a maximum of 8 nights per financial year. The rates contained at the end of this Part should be deemed to be indicative of the maximum reimbursement that can be claimed.
- This provision does not impact on or replace any allowance provided by the Treasurer determined under Section 11A of the Salaries and Allowances Act 1975.

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—
- Sitings of that Member's House of Parliament.
 - Meetings of Select Committees of which that Member is a member.
 - Attendance at official government, parliamentary or vice regal functions.
 - 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, claim travelling allowances in accordance with either the Commercial or Non-Commercial levels contained in 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 other residences. Proof of expenditure must accompany each claim.
- 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 and 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 in accordance with Section 4 of this Part that expenditure was incurred.

Section 4—General Conditions Applying to This Part

- 4.1 For the purpose of this Part, a Member must nominate his or her principal place of residence, and where applicable the address of any other residences, to the President of the Legislative Council or the Speaker of the Legislative Assembly as appropriate.
- 4.2 Claims made for reimbursement of the expenditure incurred must be accompanied by a certification that the expense was incurred on electorate or parliamentary business.
- In the case of commercial accommodation a receipt or certification must accompany claims that commercial accommodation was utilised and that a receipt can be produced;
 - or
 - In the case of non-commercial accommodation claims must be accompanied by a certification that overnight accommodation was utilised in the course of attending to electorate and/or parliamentary business.

For the purposes of this Part, “Commercial accommodation” means accommodation in a commercial establishment such as a hotel, motel or serviced apartment.

- 4.3 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—
- 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.
 - 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.
- 4.4 Claims made under 5.3 in respect of the entitlement granted in Section 3 of this Part form part of the annual entitlement.
- 4.5 A claim for travelling allowances under this Part must be submitted within 90 days from the date the travel is completed. In exceptional circumstances the Tribunal may approve an extension of time to submit a claim. Where a claim is made after 90 days and no extension has been granted payment against the claim will not be made.

Section 5—Travelling Allowance—Rates of Payment

COMMERCIAL ACCOMMODATION

	Premier	Ministers, Office Holders	Members
Perth	NIL	NIL	Rate A—\$160
WA North of the 26th parallel	\$350	\$320	Rate B as per the rates in the Public Service Award 1992—Schedule I—for Towns North of the 26th parallel
WA South of the 26th parallel	\$300	\$210	Rate B—\$175
Sydney	\$425	\$350	\$275
Melbourne			
Brisbane	\$360	\$320	\$230
Adelaide	\$310	\$270	\$200
Darwin			
Hobart			

NON COMMERCIAL ACCOMMODATION

Claims made in respect of non-commercial accommodation shall be paid at forty per cent of the applicable commercial rate contained in the above table.

Section 6—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 \$6,000 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

Section 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, 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 Ministry of the Premier and Cabinet.
- (iv) Reimbursement for (ii) and (iii) above is restricted to one residence.

Section 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 five approved telephones lines in that Member's electorate office to be used for—

- Telephones;
- Facsimile;
- Modem connection

Section 3—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.

- (i) Members representing the Mining and Pastoral, Agricultural and South West Regions or any District contained therein, reimbursement to a maximum of \$1800 per annum.
- (ii) Members representing the Metropolitan Regions or any District contained therein, reimbursement to a maximum of \$1200 per annum.

Section 4—Telecard/Teleconferencing

- (i) Where a Member uses a Telecard and seeks to obtain reimbursement through either the electorate office or residential telephone accounts, the Member is to certify that the Member made the calls for electorate or parliamentary purposes. The use of the Telecard is for occasional purposes and not general daily use.
- (ii) The use of Teleconferencing facilities should be kept to a minimum and on an annual basis should not cause an increase in previously established telephone costs. Members claiming for teleconferencing costs must certify the topic of the conference and its relevance to the role of the Member as a Western Australian Member.

Section 5—Satellite Telephone Trial

A satellite telephone will be provided to one Legislative Assembly Member from each of the Labor, Liberal and National Parties who hold electorates in regional areas where the majority of the electorate is not within normal standard mobile telephone range. This benefit is also extended to the

Member for Pilbara. The cost of the telephone, installation and line costs will be met from this determination. Call costs will remain the responsibility of the Members.

This trial will continue until otherwise determined.

Section 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.

Section 7—Definition

In this Part, "calls" include all charges (other than international telegrams and calls) as usually included on normal 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 and 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 23rd day of August 2000

D. G. BLIGHT AO, Chairman.

R. H. C. TURNER AM, Member.

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 and the persons holding Prescribed Offices, shall be in accordance with the following with effect from 1 August 2000.

SECOND SCHEDULE—PART 1

Classification		Tenured		Non tenured (1)	
			Plus PMA (2)		Plus PMA (2)
Group 1	Minimum	\$103,290	\$109,572	\$123,793	\$131,332
	Maximum	\$109,572	\$116,125	\$131,332	\$139,195
Group 2	Minimum	\$116,125	\$122,468	\$139,195	\$146,808
	Maximum	\$122,468	\$132,273	\$146,808	\$158,573
Group 3	Minimum	\$132,273	\$144,829	\$158,573	\$173,640
	Maximum	\$144,829	\$160,432	\$173,640	\$192,364
Group 4	Minimum	\$160,432	\$176,306	\$192,364	\$211,413
	Maximum	\$176,306	\$193,937	\$211,413	\$232,554

As from 1 August 2000, the above salaries are inclusive of Annual Leave Loading.

OFFICE

CLASSIFICATION

Aboriginal Affairs Department

Chief Executive Officer

Group 2 Minimum

Mr Lowe carries a personal classification of Group 3

Minimum plus a Personal Merit Allowance to Group 3

Maximum.

Alcohol and Drug Authority

Group 1 Maximum

Director

Agriculture Western Australia

Group 3 Maximum

Director General

OFFICE	CLASSIFICATION	
Auditor General Plus a Personal Merit Allowance to Group 4 Maximum payable to Mr. D. Pearson.	Group 4	Minimum
Central Drug Coordination Office Director	Group 1	Maximum
Coastal Shipping Commission General Manager	Group 2	Minimum
Commerce and Trade Chief Executive Officer	Group 3	Maximum
Conservation and Land Management Executive Director	Group 3	Maximum
Contract and Management Services—Department of Executive Director	Group 3	Minimum
Culture and the Arts—Ministry for Director General	Group 2	Maximum
Curriculum Council of Western Australia Chief Executive Officer	Group 2	Minimum
Custodial Services, Office of the Inspector of Inspector (plus personal temporary allowance of \$1,120 pa)	Group 1	Maximum
Disability Services Commission Chief Executive Officer	Group 3	Minimum
East Perth Redevelopment Authority Chief Executive Officer	Group 1	Maximum
Education Department of Western Australia Chief Executive Officer	Group 4	Maximum
Education Services—Department of	Group 2	Minimum
Electoral Commission—Western Australian Electoral Commissioner Deputy Electoral Commissioner Salary adjusted in accordance with movements in the Electoral Commission Workplace Agreement	Group 1	Maximum \$69,023 as at 1 Aug 2000
Energy—Office of Coordinator	Group 2	Maximum
Environmental Protection—Department of Chief Executive Officer	Group 1	Maximum
Equal Opportunity Commissioner Plus a Personal Merit Allowance to Group 2 Minimum payable to Ms J. Williams	Group 1	Maximum
Fair Trading—Ministry of Executive Director	Group 1	Maximum
Family and Children's Services—Department of Director General Plus a Personal Merit Allowance to Group 4 Minimum payable to Mr. Fisher.	Group 3	Maximum
Fire and Emergency Services Authority Chief Executive Officer	Group 2	Minimum
Fisheries Department Director Plus a Personal Merit Allowance to Group 2 Maximum payable to Mr. P Rogers.	Group 2	Minimum
Government Employees Superannuation Board Executive Director	Group 2	Maximum

OFFICE	CLASSIFICATION	
Government Railways Commission—Western Australian Commissioner	Group 3	Maximum
Health Department of Western Australia Commissioner—personal salary payable to Mr A Bansemer	Group 4	Maximum \$232,554
Health Review—Office of Director	Group 1	Maximum
Housing—Ministry of Executive Director	Group 3	Maximum
Industrial Relations Commission—Western Australian—Department of the Registrar	Group 1	Minimum
Information Commissioner—Office of Commissioner Plus a Personal Merit Allowance to Group 2 Minimum payable to Ms B. Keighley-Gerardy	Group 1	Maximum
Justice—Ministry of Director General	Group 3	Maximum
Crown Solicitor		\$187,545
Parliamentary Counsel		\$187,545
Queen's Counsel		\$178,168
Crown Counsel		\$168,791
Principal Crown Prosecutor		\$168,791
Deputy Crown Solicitor		\$159,413
Deputy Parliamentary Counsel		\$159,413
Assistant Principal Crown Prosecutor		\$140,659
Land Administration—Department of Chief Executive Plus a Personal Merit Allowance to Group 3 Minimum payable to Mr. A. Skinner	Group 2	Maximum
Land Authority—Western Australian Chief Executive Officer New classification to apply from 1 April 2000	Group 2	Minimum
Library Board of Western Australia State Librarian	Group 1	Maximum
Local Government—Department of Executive Director Plus a Personal Merit Allowance to Group 2 Maximum payable to Mr. J Lynch.	Group 2	Minimum
Lotteries Commission Chief Executive Officer	Group 1	Maximum
Main Roads Department Commissioner	Group 3	Maximum
Mental Health Review Board President	Group 1	Maximum
Midland Redevelopment Authority Chief Executive Officer	Group 1	Minimum
Metropolitan (Perth) Passenger Transport Trust Chief Executive	Group 1	Maximum
Minerals and Energy—Department of Director General	Group 3	Maximum
Museum—Western Australian Director	Group 1	Minimum

OFFICE	CLASSIFICATION	
Parliamentary Commissioner for Administrative Investigations Commissioner	Group 3	Minimum
Plus a Personal Merit Allowance to Group 3 Maximum payable to Mr. M. Allen Deputy Commissioner	Group 1	Minimum
Planning—Ministry for Chief Executive	Group 3	Minimum
Police Service—Western Australian Commissioner	Group 4	Minimum
Plus a retention allowance of 15% of determined salary payable to Mr. Matthews.	Group 2	Maximum
Deputy Commissioner Operations/State Commander (substantive Group 2 Maximum from 1 July 2000)	Group 2	Minimum
Deputy Commissioner Administration	Group 1	Minimum
Assistant Commissioners (6)		
Premier and Cabinet—Ministry of Director General	Group 4	Maximum
Deputy Director General	Group 3	Minimum
Productivity and Labour Relations—Department of Executive Director	Group 2	Minimum
Public Sector Standards Commissioner—Office of Commissioner	Group 4	Minimum
Plus a Personal Merit Allowance to Group 4 Maximum payable to Mr. D Saunders.		
Racing Gaming and Liquor Executive Director	Group 2	Minimum
Plus a Personal Merit Allowance to Group 2 Maximum payable to Mr. B. Sargeant. Mr. Sargeant is also to receive an allowance equivalent to 5 per cent of the substantive salary for the position whilst a member of the Christmas Island Casino Surveillance Authority		
Resources Development—Department of Chief Executive Officer	Group 4	Minimum
Revenue Department—State Commissioner	Group 2	Minimum
Plus a Personal Merit Allowance to Group 2 Maximum payable to Mr. A. Bryant.		
Rottneest Island Authority Chief Executive Officer	Group 1	Minimum
Small Business Development Authority Managing Director	Group 1	Minimum
Sport and Recreation—Ministry of Executive Director	Group 1	Maximum
Plus a Temporary Special Allowance to Group 2 Minimum		
State Supply Commission Chief Executive Officer	Group 1	Maximum
Totalisator Agency Board General Manager	Group 1	Maximum
Plus a Personal Merit Allowance to Group 2 Minimum payable to Mr. R. Bennett.		
Training and Employment—Western Australian Department of Chief Executive Officer	Group 3	Maximum
Plus a Personal Merit Allowance to Group 4 Minimum payable to Mr. I. Hill.		
Transport—Department of Director General	Group 3	Maximum

OFFICE	CLASSIFICATION	
Treasury Department	Group 4	Maximum
Under Treasurer—personal salary payable to Mr J Langoulant		\$243,125
Executive Director (Finance)	Group 2	Minimum
Executive Director (Agency Resources)	Group 2	Minimum
Executive Director (Economic)	Group 2	Minimum
Valuer General	Group 1	Minimum
Water Regulation—Office of Chief Executive Officer	Group 1	Maximum
Waters and Rivers Commission Chief Executive Officer	Group 2	Minimum
Workers' Compensation and Rehabilitation Commission Executive Director	Group 1	Maximum
Plus a Personal Merit Allowance to Group 2 Minimum payable to Mr. H Neesham		
Workplace Agreements Commission Commissioner	Group 1	Maximum
Worksafe Western Australia	Group 2	Maximum
Zoological Gardens Board Director	Group 1	Minimum
Plus an allowance to Group 1 Maximum, whilst the position is occupied by Mr. B Easton.		

1. NON TENURED SALARY

The non tenured salary is payable 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.

2. PERSONAL MERIT ALLOWANCE

A Chief Executive Officer holding an office included in the Second Schedule, Part 1 of this determination, subject to satisfactorily meeting the undermentioned eligibility conditions, is entitled to receive, by way of a "Personal Merit Allowance" (PMA), additional remuneration.

(A) CHIEF EXECUTIVE OFFICERS EMPLOYED UNDER THE PUBLIC SECTOR MANAGEMENT ACT 1994

ELIGIBILITY CONDITIONS

- (1) Completion by the Chief Executive Officer of at least 3 years continuous service at the same classification; and
- (2) Assessment of performance in the following manner—
 - (a) through a Performance Agreement made under Section 47 of the Public Sector Management Act 1994.

Minimum requirement: rating of "superior-outstanding"—ie rating assessment of 4 or 5; and
 - (b) review by—
 - (i) the Director General, Ministry of the Premier and Cabinet or the Under Treasurer; and
 - (ii) an appointed member of the Salaries and Allowances Tribunal;

drawing on data contained in (a) above, together with other relevant material/sources of information as necessary, including reviewing assessments of compliance undertaken in relation to—

Financial management (by Auditor General)

Human Resource management (by Commissioner for Public Sector Standards) and meeting with responsible Minister, if necessary.

- (3) Copies of all assessments undertaken are to be forwarded to the Tribunal for reference purposes.

(B) HEADS OF AGENCIES HOLDING OFFICES INCLUDED IN SECTION 6(1)(e) OF THE SALARIES AND ALLOWANCES ACT 1975—(PRESCRIBED OFFICE HOLDERS)

ELIGIBILITY CONDITIONS

- (1) Chief Executive Officers holding offices included in Section 6(1)(e) of the Salaries and Allowances Act (commonly known as “Prescribed Offices”) who are employed under the Public Sector Management Act 1994—

as per the eligibility conditions contained in (A) above.

- (2) Officers holding offices included in Section 6(1)(e) of the Salaries and Allowances Act (commonly known as “Prescribed Offices”) with the status of Head of Agency who are not employed under the Public Sector Management Act 1994—

completion by the Head of Agency of 3 years continuous service at the same classification; and

an assessment conducted by the Tribunal, having regard, where possible, to the eligibility conditions contained in (A).

(C) GENERAL—APPLYING TO ALL PARTS

The Personal Merit Allowance is not available to those persons who are in receipt of remuneration in excess of that determined by the Tribunal as the standard for the classification of the office held.

The quantum of the additional remuneration shall be the difference between the substantive salary for the position and the salary attaching to the next classification. For those persons holding offices at the Group 4 maximum level, the additional remuneration shall be the percentage difference between Group 4 minimum and Group 4 maximum tenured salaries.

The PMA is provided as recognition of sustained superior performance and is subject to annual assessment. It continues unless a further determination cancelling the allowance is issued.

The value of the motor vehicle shall be assessed on the substantive classification determined for the office held.

3. ATTRACTION/RETENTION ALLOWANCE

For the purposes of clarification, the following extract from the 1994 determination is reprinted.

On occasions it has been found that a person with outstanding qualities for a special office and who was adjudged to be by far the best potential occupant cannot be recruited because the salary offered is considered to be too far below what might reasonably be expected for a similar post in the private sector or in the major standard States.

Consternation has been expressed to the Tribunal that the State could lose the services of a much-needed person for the sake of a relatively small sum that would be more than covered by the contribution he or she would make. We understand the problem and wish to assist in its resolution. However, the following points must be made.

When the Public Service Management Bill was before the Parliament much emphasis was placed on the career nature of the Public Service. The Senior Executive Service was said to have been established to furnish high level policy advice, undertake managerial responsibilities and be deployed in such a way so as to promote the efficiency of the public sector.

In that event it could reasonably be expected that top management would emerge from its ranks and that external appointments necessitating higher salaries than those now determined would be few and far between.

However, whenever external recruitment is considered to be essential every effort should be made to appoint at the rates determined by the Tribunal unless an extraordinary reason dictates otherwise. In the interests of the industrial principle of “a fair go all round” and of a contented top management team it is essential that any personal salary above that set for the office should be paid only for a special and distinguishing reason.

As the rates now set at the higher levels are below the market rates we accept that there should be some flexibility to meet the exceptional case. We emphasise, however, that it is the exception and that the undesirable concept of salary “leap frogging” must surely follow if governments and the private sector start bidding in a senior management auction.

As Section 6(i)(d) of the Salaries and Allowances Act 1975 authorises the Tribunal to fix the rates for officers holding offices we decide and advise that the Tribunal will consider approving a total personal salary of up to fifteen per cent more than the rate determined for an office in an exceptional case for the purpose of recruitment or retention of an officer subject to—

1. A substantial case being presented by the employer to the Tribunal for consideration.

2. The Tribunal being satisfied that it is in the overall interest of the State for the salary to be awarded.
3. No offer being made to the potential appointee above the rate determined until the Tribunal has decided the matter.

Unless already in receipt of this allowance, the allowance will not be provided to officers who are re appointed following the expiration of their contract of employment and who have applied for re appointment.

4. REMUNERATION PACKAGE VALUE

- (1) In addition to the basic salary determined, for the purposes of determining the value of the remuneration package the amount determined by the Tribunal for the motor vehicle provided and the employer cost of superannuation should be included.
- (2) Motor Vehicle: the Fourth Schedule contains the determination as to the value ascribed to the motor vehicle that will be provided or can be taken in lieu of a vehicle for the offices concerned.
- (3) Superannuation: Due to the closure of superannuation schemes over the past 15 years, it is not possible to prescribe the value per person of the superannuation benefit. It is generally assumed that where a person was a member of the Western Australian Public Service prior to the 30 December 1995, the value of superannuation is twelve per cent of basic salary. For those who joined the Service after that date the superannuable component is in accordance with that required under the Superannuation Guarantee Levy, which is currently eight per cent of salary.

SECOND SCHEDULE—PART 2

Supreme Court—	
Principal Registrar.....	\$161,101
Registrar.....	\$142,534
District Court—	
Principal Registrar.....	\$150,036
Registrar.....	\$140,659
Deputy Registrar.....	\$126,593

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

SECOND SCHEDULE—PART 3

Office of the Director of Public Prosecutions—
 Director of Public Prosecutions Salary payable from time to time of Puisne Judge of the Supreme Court of Western Australia.

The holder of this office shall be entitled to a motor vehicle of the type provided to members of the judiciary.

Dated at Perth this 23rd day of August 2000.

D. G. BLIGHT AO, 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, with effect from 1 August 2000.

Clerk of the Legislative Council.....	\$110,534
Deputy Clerk of the Legislative Council.....	\$84,191
Clerk of the Legislative Assembly.....	\$110,534
Deputy Clerk of the Legislative Assembly.....	\$84,191

As of 1 August 2000 the above mentioned salaries are inclusive of Annual Leave Loading.

The holders of these Offices shall be entitled to the supply of a fully maintained motor vehicle of a type or value specified from time to time by the Tribunal, for business and personal use within Western Australia.

Dated at Perth this 23rd day of August 2000.

D. G. BLIGHT AO, Chairman.
 R. H. C. TURNER AM, Member.
 J. A. S. MEWS, Member,
 Salaries and Allowances Tribunal.

DETERMINATION—FOURTH SCHEDULE**SALARY PACKAGING**

A person holding an office contained in the Second and Third Schedule of this determination 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 & 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. The figures have been calculated having regard to the make and model of motor vehicle previously approved for issue to Chief Executives.

Classification	Cash Value to 30 Sep 2000	Cash Value from 1 Oct 2000	Benchmark Vehicle (6 cylinder)
Below Group 1 Minimum	\$15,500	\$13,500	Ford Falcon Gli or Commodore Executive
Group 1 Minimum to Group 2 Minimum	\$18,000	\$16,000	Ford Fairmont (not Ghia) or Commodore Berlina
Group 2 Maximum and above	\$21,500	\$19,200	Ford Fairmont Ghia or Calais

Due to the changing costs to Government of providing motor vehicles, particularly with the transition from the payment of Sales Tax to the Goods and Services Tax (GST), the above figures will be varied from time to time by this Tribunal. In calculating costs to determine whether an additional contribution must be made by an individual or the surplus paid as part of salary the cost to Government of the vehicle sought, using the formula detailed in this determination, must be compared against the more expensive of the benchmark vehicles mentioned above. The difference becomes the contribution required from the individual or the amount to be paid as part of annual salary.

The Cash value should only be used where a person elects not to be provided with a motor vehicle. The downward adjustment has effect from 1 October 2000.

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 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—

$L + S + R + aD + \text{FBT}$

Where L =Lease payments
 S =Sales Tax or GST
 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 or GST) 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 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 an organisation 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 this 23rd day of August 2000.

D. G. BLIGHT AO, Chairman.
 R. H. C. TURNER AM, Member.
 J. A. S. MEWS, Member,
 Salaries and Allowances Tribunal.

