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SALARIES AND ALLOWANCES ACT 1975

**DETERMINATION OF THE
SALARIES AND ALLOWANCES
TRIBUNAL**

WESTERN AUSTRALIA
SALARIES AND ALLOWANCES ACT 1975
DETERMINATION
OF THE
SALARIES AND ALLOWANCES TRIBUNAL
Pursuant to Section 6(1)(a)(ab) & (b)

21 August 2002

PREAMBLE

A major inquiry examining the work value of parliamentarians was undertaken in 1999. The outcome was a determination issued that year, which placed Western Australian Members at a salary level higher than their interstate and Federal counterparts.

The circumstances underpinning that approach remain unchanged and have been consistently reflected in Tribunal determinations since 1999. At the risk of repetition but for the sake of ensuring a clear appreciation of the issues, it is appropriate to quote from the Tribunal's statement last year when issuing its determination. In reference to the major inquiry it pointed out:

" That review ... removed any entitlement, except superannuation, that Members entering Parliament after the determination would have upon leaving the Parliament. It also reduced to 4 years any residual entitlement that long serving Members would have otherwise been entitled to upon leaving. The Tribunal holds the view that Members should be remunerated for their efforts whilst in the parliament and having regard to the general profile of retiring members, can see no reason for continuing entitlements...

As indicated earlier, the 1999 review either removed or significantly reduced the post-retirement benefits formerly granted to Members. This contrasts with the continuing post-retirement benefits enjoyed by former members of other State Parliaments and is significantly different to the substantial post parliamentary entitlements of former Members of the Federal Parliament.

The Tribunal would prefer consistency, within reason, in all matters relating to the remuneration of Parliamentarians in Australia. This Tribunal acknowledges that its determinations in relation to post-parliamentary service entitlements are inconsistent with those applying in other jurisdictions. This Tribunal has made its determinations in this regard as required under the Salaries and Allowances Act 1975 having regard to what it considers to be all relevant factors. Such independent reviews are not undertaken in all other jurisdictions.

The significance of the action taken by the State Parliament in 2000 in closing the contributory Parliamentary Scheme cannot be underrated. This action combined with the removal of post-retirement benefits places an ongoing responsibility on the Tribunal to ensure that current remuneration is provided at the appropriate level..."

Against that background the Tribunal has again given consideration to what adjustment, if any, should be made to current remuneration levels for Western Australian Members of Parliament. As ever it has remained cognisant of relevant factors impacting within the community. These include movements in senior public sector and judicial offices under the Tribunal's jurisdiction, trends revealed by the Australian Bureau of Statistics "Wage Cost Index" and "Consumer Price Index", as well as the State Government's policy for wages outcomes.

Of particular significance has been the recent decision, implemented in July 2002, to increase the salaries of Federal parliamentarians from \$95 600 to \$98 800 per annum – that is, by 3.3%. As the Tribunal has explained on previous occasions the remuneration of Federal parliamentarians is tied to that of Band A positions in the Commonwealth Government's Principal Executive Office Classification Structure. In a similar manner, the movement in salaries of Members of Parliament in Queensland, New South Wales, Victoria, South Australia, Northern Territory and Tasmania is tied by statute to salary movements in the Federal Parliament.

Having regard to all the circumstances, the Tribunal can see no reason why the current differential in salary should be eroded. Accordingly, it has resolved that a 3.3% increase will apply, bringing the annual salary of a Member to \$103,300 per annum.

ELECTORATE ALLOWANCES

It is the Tribunal's intention to rely increasingly on the "general purpose" electorate allowance to meet Members' needs and to move away from the use of specific or narrowly focussed entitlements. Allocation of resources on a more global basis will provide improved flexibility for Members to manage their own affairs and to pursue their role as they see fit.

In that regard, the Tribunal has made provision in this determination to cease the individual provisions dealing with Printing and Stationery, Postage Allowance and Mobile Telephone Allowance. Effective from 1 October 2002 these will be absorbed within the electorate allowance, which will correspondingly be increased by \$11,700 per annum. For those Members representing South West, Agricultural and Mining & Pastoral Regions or any District contained therein, the current additional \$600 allowance for mobile telephones will be incorporated in the Additional Allowance dealt with under Section 2(2) of Part 1 of the determination.

Consistent with this overall outlook, the Tribunal is inclined not to be receptive to approaches from Members to make special allocations to cover discrete items such as transfer of hands-free mobile phone kits when motor vehicles are changed, the purchase of bound volumes of Hansard and the use of carwash facilities. Cost of such items should be met at the discretion of individual Members from the general electorate allowance.

The Tribunal is however, mindful of the fact that the base electorate allowance has not been adjusted since the August 2000 determination. Provision is therefore made to increase the allowance by \$1000 per annum.

AIR CHARTER AND HIRE

As with the electorate allowance, no change was made at the time of the last determination to the amounts specified for Air Charter and Hire.

The Tribunal is providing increases in this determination in line with the latest annual Consumer Price Index figures.

CHAIRPERSONS OF STANDING COMMITTEES

Legislative amendments in 2001 to the *Salaries and Allowances Act 1975* placed the chairpersons and members of Standing Committees under section 6(1) of the Act for remuneration purposes. Chairpersons and members of Select Committees have been subject to the Act since commencement.

Both the President of the Legislative Council and the Speaker of the Legislative Assembly made representations to the Tribunal in late 2001, seeking financial recognition of the additional work and responsibilities assumed by chairpersons of Standing Committees.

In this determination the Tribunal has made appropriate adjustment to recognise Standing Committees for the purposes of providing a travelling allowance rate. It is also to be noted that as a consequence of access to a Government vehicle provided under arrangements not governed by this determination, chairpersons of Committees effectively receive an additional amount of \$6,600 per annum by virtue of Section 2(3) of Part 1 of the determination. As a percentage this is not inconsistent with the quantum of allowances for Committee chairpersons in other jurisdictions, which tends to vary between 7% and 16% of salary.

Furthermore, the involvement of Members in Committee work was an element considered by the Tribunal in its 1999 work-value review of Members. To an extent therefore the function has already been factored into the salary now set.

An additional concern for the Tribunal is the inequitable situation that would arise should chairpersons of Standing Committees receive additional salary whilst Parliamentary Secretaries (who in many ways may be seen to fulfil the role of "Junior Ministers") are specifically precluded under the *Constitution Acts Amendment Act 1899* from such remuneration. Until such time as the Parliament sees fit to make appropriate changes to that legislation, the Tribunal can be expected to remain reserved about making further provision for remuneration.

The matter will be kept under review by the Tribunal.

The determination will now issue.

Signed at Perth 21 August 2002.

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 (1)(a)(ab) and (b)
of the Salaries and Allowances Act 1975

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 September 2002, 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 \$103,300 per annum.

Employee contributions to superannuation may be made on a salary sacrifice basis within the limits prescribed in the "Guidelines For Salary Packaging In The WA Public Sector". A copy of these guidelines can be found at <http://www.doplar.wa.gov.au/public/circular/1198attach.html>

Section 2—Electorate Allowances

The Salaries and Allowances Act provides the Tribunal with the authority to determine allowances for Members 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 with specific reference to "a financial year" 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 duties as the Member sees fit, but not for Party or political purposes, an electorate allowance of \$22,000 per annum, less any expenditure incurred at the request of the Member in seeking a variation to the standard applied in Section 2(3).

This allowance is to increase to \$33,700 per annum with effect on and from 1 October 2002, but shall be reduced this financial year to the extent of any amounts expended up to and including 30 September 2002 by a Member for the purposes of Section 5 of this Part - "Printing and Stationery Provision", Part V - "Postage Allowances" other than for Office Holders and Section 3 of Part VI - "Mobile Telephones".

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.

Electoral Region	Electoral District	Additional Allowance per annum \$
Metropolitan Regions		1,650
	Roleystone, Swan Hills	1,650
	Wanneroo from 1 July 2001	10,500
South West Region		8,500
	Albany, Bunbury, Dawesville and Mitchell	400
	Vasse	2,100
	Collie & Murray-Wellington	3,800
	Stirling and Warren Blackwood	7,200

Electoral Region	Electoral District	Additional Allowance per annum \$
Agricultural Region		12,000
	Geraldton	400
	Avon and Wagin	7,200
	Greenough, Merredin, Moore and Roe	10,600
Mining and Pastoral Region		17,500
	Kalgoorlie	400
	Burrup, Eyre, Kimberley Ningaloo & Pilbara	16,500

For Members representing South West, Agricultural and Mining & Pastoral Regions or any District contained therein, the additional allowance is increased with effect on and from 1 October 2002 by \$600 per annum.

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 Parliamentary, Electorate and Private use 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, driver's airbag and tow-bar, 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 to them.

Members representing the Mining and Pastoral Region or any District contained therein can apply to the Tribunal for the issue of an appropriate diesel powered 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.

Section 3—Motor Vehicle Allowance

- 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.

- 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

- 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 with effect from 1 July 2002—

Electorate Region	District	Per Financial Year \$
Mining and Pastoral Region		27,150
	Eyre, Ningaloo and Pilbara	27,150
	Burrup, Kimberley	18,450
Agricultural Region		18,450
	Greenough, Merredin, Moore and Roe	14,850
	Avon and Wagin	6,150
South West Region		14,850
	Stirling & Warren Blackwood	6,150

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

MOTOR VEHICLE HIRE

With effect from 1 July 2002, Members representing the electoral districts of Albany, Geraldton and Kalgoorlie shall be entitled to draw upon the charter provision, to a maximum of \$6,000 per financial year for the purpose of hiring motor vehicles whilst in Perth or the electorate on parliamentary and/or electorate business.

- This provision is available to the Member only, and cannot be used by other persons.
- This provision is made to ensure the Member has transport whilst the provided motor vehicle is in a different location i.e., the electorate or Perth. It cannot be used if the provided motor vehicle is being used for private purposes by a person other than the Member.
- Claims for reimbursement or accounts received in respect of Motor vehicle hire using this provision must be submitted within 90 days from the date that the hire 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 financial year. 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.

This entitlement shall cease with effect from 30 September 2002. With effect on and from 1 October 2002 any unused amount will be absorbed into the general electorate allowance provided for in Section 2(1) of this determination.

**PART II—REMUNERATION OF MINISTERS OF THE CROWN,
the PARLIAMENTARY SECRETARY OF THE CABINET**

and

OFFICERS OF THE PARLIAMENT

1. In addition to the remuneration payable to a Member under Part I of this Determination there is payable to the person for the time being holding the office specified in the table hereunder an additional salary calculated as a percentage of the Basic Salary, namely—

Office held	% of Basic Salary
Premier in conjunction with a ministerial office	132
Deputy Premier in conjunction with a ministerial office	97
Leader of the Government in the Legislative Council in conjunction with a ministerial office	90
Ministerial office	80
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—
- Leader of the Opposition in that House;
 - Leader of a recognised non-Government Party of at least five Members in the Legislative Assembly;
 - Deputy Leader of the Opposition in that House;
 - Government Whip in that House; or
 - Opposition Whip in that House
- is entitled to receive the salary payable to that office holder by virtue of paragraph 1 of this Part until—
- 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
 - another person is elected or appointed to the office held by that person,
- whichever event shall first occur.

PART III—EXPENSE ALLOWANCE

In addition to the remuneration payable under Parts I and II of this determination there shall be payable to Parliamentary Secretaries appointed under Section 44A (1) of the Constitution Acts Amendment Act 1899, an expense of office allowance of \$1,822 per financial year

PART IV—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 5 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 Committee of a House or a Joint 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 (inclusive of meals) 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 reasonable costs that can be claimed. Where the costs reasonably and properly incurred exceed the indicative rates, the actual costs shall be met.

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—
 - **Sittings 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 & 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 must accompany claims or certification 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 26 th parallel	\$350	\$320	Rate B as per the rates in the Public Service Award 1992 – Schedule I – for Towns North of the 26 th parallel
WA South of the 26 th parallel	\$300	\$210	Rate B – \$175

	Premier	Ministers, Office Holders	Members
Sydney	\$425	\$350	\$275
Melbourne Brisbane	\$360	\$320	\$230
Adelaide Darwin Hobart Canberra	\$310	\$270	\$200
Other Areas	\$300	\$220	\$175

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 V—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.

This allowance shall cease with effect from 30 September 2002. With effect on and from 1 October 2002 any unused amount will be absorbed into the general electorate allowance provided for in Section 2(1) of this determination.

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 to Office Holders 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 VI—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 Department 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 telephone 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 & 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.

This entitlement shall cease with effect from 30 September 2002. With effect on and from 1 October 2002 any unused amount will be absorbed into the general electorate allowance provided for in Section 2(1) of this determination.

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

On a trial basis, a satellite telephone has been 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, Department of the Premier and Cabinet.

PART VII—PAYMENT OF REMUNERATION

1. The remuneration payable to a Member under Parts I, (Section 2), V and VI 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, V and VI 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 (Section 2) and V of this determination shall be paid by equal instalments on the last day of each month.

Signed at Perth this 21 August 2002.

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

SALARIES AND ALLOWANCES TRIBUNAL



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