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SALARIES AND ALLOWANCES ACT 1975

**DETERMINATION OF THE
SALARIES AND ALLOWANCES
TRIBUNAL**

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

Pursuant to Section 6(1) (a) (ab) & (b)

20 August 2003

Preamble

The *Salaries and Allowances Act 1975* requires the Tribunal, at intervals of not more than twelve months, to inquire into and determine the remuneration to be paid or provided to Ministers of the Crown, the Parliamentary Secretary to the Cabinet, a Parliamentary Secretary appointed under section 44A(1) of the *Constitution Acts Amendment Act 1899*, and officers and Members of the Parliament. The Tribunal issued its last such determination on 21 August 2002.

The Tribunal has now completed a further review. The related inquiry was formally initiated in May 2003 when the Tribunal placed advertisements in the "The West Australian" calling for submissions from interested individuals and organizations. This resulted in receipt of fourteen written submissions, all but two of which were from Members of Parliament themselves.

The issues raised focused principally on the rising costs associated with performing parliamentary and electorate duties. The Tribunal has carefully considered the views put forward and made those adjustments in this determination it considers necessary and appropriate at this time.

One particular matter put forward for Tribunal deliberation related to the availability of additional staffing resources for minor parties in the Parliament. It is the Tribunal's view that under current statutory arrangements, the area is not one over which it has jurisdiction. Another related to recognition of the responsibilities of "shadow" Ministers. This likewise is an issue, which the Tribunal considers it has no capacity to address.

Basic Salary

In accordance with its usual approach the Tribunal has had regard to a wide range of factors in assessing what, if any, adjustment should be made to the basic salary of a Member of Parliament. These include the relevant economic indices published by the Australian Bureau of Statistics, various wage salary forecasts, actual salary movements of comparable positions across Australia, as well the Western Australian Government's wages policy for its public sector workforce.

The Tribunal is aware that Members of Parliament in this State have a basic salary which exceeds that of their peers in Australia. Indeed, even with no increase for Western Australian Members this year to match the 4 per cent increase effective from 1 July 2003 provided by the Federal Remuneration Tribunal to Federal Members (which through statutory ties flows through to most other State parliamentarians), a lead would be maintained.

The disparity in parliamentary salary levels, which has developed between this jurisdiction and others in Australia, is due to historical and other factors. These have been well documented in past determinations of the Tribunal. It is the dominant view of the Tribunal that continuation of the current salary relativity between Western Australian Members and their Federal counterparts requires adjustment, particularly having regard to the relative legislative responsibilities. The Tribunal intends to re-examine this further.

The Tribunal is mindful of the need to ensure that Members in Western Australia are not unduly disadvantaged pending implementation of a realignment and that the purchasing power of the amount previously determined is maintained. Accordingly, having regard to all the economic factors already mentioned, the Tribunal has determined that the basic salary should be increased to \$106,000 per annum. This represents a rise of just over 2.6 per cent.

Allowances

In recognition of cost-of-living increases since its last determination, the Tribunal has made adjustment to a number of the allowances available to Members. The June 2003 Consumer Price Index for Perth of 2.1 per cent is reflected in the new levels set for the electorate and air charter and hire allowances.

Separate action has also been taken to update the overnight accommodation allowance entitlement. Significantly, as a consequence of this the Perth Rate A has moved from \$160 to \$175 per night. This will have the effect of increasing the metropolitan allowance available to qualifying Country Members from \$12 800 to \$14 000 per annum.

The Tribunal sees no purpose in maintaining a dual system of entitlements for Country Members to travel within (or adjacent to) their electorates, dependent on the location of their "principal place of residence". All Members will now receive the same higher entitlement—however, in all cases claims for overnight commercial accommodation will need to be accompanied by receipts. With adoption of this new policy, the need for Members to specify their "principal place of residence" ceases.

Since the determination made in 2000 a satellite telephone trial has been underway. This proceeded on the basis of providing a satellite phone to one Legislative Assembly Member from each of the Labor, Liberal and National Parties and to one Independent Member, who hold electorates in regional areas where the majority of the electorate is not within normal standard mobile phone range. The Tribunal has reviewed the operation of the trial and taking into account feedback from participating Members has concluded that it should now be brought to an end. It is the view of the Tribunal that use of the satellite network should be a matter for individual decision by Country Members. To that end it is the case that the Members have access to an additional electorate allowance to meet the associated costs, if they so choose.

In that context the Tribunal is appreciative of the changing communications environment and does recognize the potential for rationalization of the current provisions. Accordingly, it will be examining

the option of consolidating these into a single budgetary allocation, to be utilized on a drawdown basis, to meet the individual requirements of Members, as determined by Members.

General

The Tribunal has sought in this determination where possible to clarify the operation of entitlements provided and to remove uncertainties of interpretation.

To assist with understanding the overall scheme of benefits, it will be noted that the format has been revised, to more clearly categorize or group the range of entitlements and to specify where administrative responsibility lies.

Importantly, the determination confirms that those payments, which are made to Members on a monthly basis regardless of expenditure, become thereupon the property of the Members.

Having regard to the above, the Tribunal has concerns about the practice to date of paying the expense allowance of Parliamentary Secretaries appointed under Section 44A(1) of the *Constitutions Acts Amendment Act 1899* on a monthly basis regardless of expenditure. That Act specifies that Parliamentary Secretaries shall not receive any remuneration and any allowance "...is an allowance for and in respect of expenses necessarily or reasonably incurred in connection with the office of Parliamentary Secretary...". In the circumstances, the Tribunal believes the principles of general accountability and consistency with the requirements of the Act would be better served by the expense allowance being made available on a drawdown basis, as and when related expenditure is actually incurred. Accordingly, provision is made for payment of the allowance on that basis.

It will be noted that the relevant expense allowance of Parliamentary Secretaries remains set at \$1 822 per annum. The Tribunal gave consideration to adjusting the quantum, particularly in the light of representations it received through Hon Jim Brown, the person appointed under the *Salaries and Allowances Act* to assist it with its current inquiry. It resolved however, that it would require receipt of future submissions, detailing related actual expenditure, before contemplating any increase.

The determination will now issue.

Signed this 20th day of August 2003

Professor M C Wood

CHAIRMAN

SALARIES AND ALLOWANCES TRIBUNAL

J A S Mews

MEMBER

M L Nadebaum

MEMBER

DETERMINATION OF THE SALARIES AND ALLOWANCES TRIBUNAL**Pursuant to Section 6(1) (a) (ab) and (b) of the Salaries and Allowances Act 1975**

Pursuant to the provisions of the Salaries and Allowances Act 1975, the Salaries and Allowances Tribunal ("the 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 follows with effect from 1 September 2003, unless otherwise stated—

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[Entitlement administered by: # Parliamentary Services Department, Parliament House
* Office of State Administration, Dept of Premier & Cabinet

PART 1—PAYMENT OF REMUNERATION**Section 1—General**

1.1 The remuneration payable to a Member under this determination shall be calculated and appropriately adjusted from the day on which the Member is elected as a Member and, except as provided by paragraph 1.2 of this Section, cease to be payable as from the day on which the person ceases to be a Member.

1.2 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 this determination until the day fixed for the taking of the poll next following the dissolution or expiry of that House.

1.3 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 (Deputy Speaker) or is the holder of the office of—

- 1.3.1 Leader of the Opposition in that House;
- 1.3.2 Leader of a recognised non-Government Party (as defined in Section 2 of Part 2 of this determination);
- 1.3.3 Deputy Leader of the Opposition in that House;
- 1.3.4 Government Whip in that House; or
- 1.3.5 Opposition Whip in that House

is entitled to receive the salary payable to that office holder by virtue of Section 2 of Part 2 of this determination until—

- 1.3.6 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
- 1.3.7 another person is elected or appointed to the office held by that person,

whichever event shall first occur.

1.4 Remuneration payable under Parts 2, 4, 6 (Section 5) and 7 of this determination shall be paid by equal instalments on the last day of each month and becomes thereupon the property of the Member.

1.5 In this determination where reference is made in the text to "...a year..." or "...per annum...", this should be taken to mean a financial year. Where benefits or entitlements are provided with specific reference in the text to "...a financial year...", these cease on 30 June each year and no carryover of any unexpended portion is permitted. Accordingly, the advance purchasing of relevant benefits such as those relating to travel in one financial year to be utilised in another financial year is not permitted.

PART 2—SALARY

Section 1—Basic Salary of Members Of Parliament

1.1 There is payable to each Member of Parliament an annual basic salary calculated at the rate of \$106 000 per annum.

Section 2—Additional Salary of Ministers of the Crown, Parliamentary Secretary of the Cabinet and Officers of the Parliament

2.1 In addition to the basic salary payable to a Member under Section 1 of this Part there is payable to the person for the time being holding the office specified in the table hereunder an additional salary per annum calculated as a percentage of the basic salary, namely—

Office held	% of basic salary	Add. salary	Total salary
Premier in conjunction with a ministerial office	132	\$139,920	\$245,920
Deputy Premier in conjunction with a ministerial office	97	\$102,820	\$208,820
Leader of the Government in the Legislative Council in conjunction with a ministerial office	90	\$ 95,400	\$201,400
Ministerial office	80	\$ 84,800	\$190,800
Leader of the Opposition in the Assembly	80	\$ 84,800	\$190,800
President of the Legislative Council	66	\$ 69,960	\$175,960
Speaker of the Legislative Assembly	66	\$ 69,960	\$175,960
Leader of the Opposition in the Legislative Council	45	\$ 47,700	\$153,700
Deputy Leader of the Opposition in the Legislative Assembly	45	\$ 47,700	\$153,700
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 (referred to in this determination as the "Leader of a recognised non-Government Party")	45	\$ 47,700	\$153,700
Parliamentary Secretary of the Cabinet	45	\$ 47,700	\$153,700
Chairman of Committees in either House (Deputy Speaker)	30	\$ 31,800	\$137,800
Government Whip in the Legislative Assembly	18	\$ 19,080	\$125,080
Opposition Whip in the Legislative Assembly	18	\$ 19,080	\$125,080
Government Whip in the Legislative Council	12	\$ 12,720	\$118,720
Opposition Whip in the Legislative Council	12	\$ 12,720	\$118,720

2.2 If a person holds more than one office, that person shall be paid an additional salary under this Section in respect of only one of those offices.

Section 3—Salary Packaging

3.1 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>. Contributions to the Parliamentary Superannuation Scheme may be salary sacrificed up to the maximum amount allowed under the Scheme.

PART 3—EXPENSE ALLOWANCE PAYABLE TO PARLIAMENTARY SECRETARY**Section 1—Expense of Office Allowance**

1.1 In addition to the salary payable under Part 2 of this determination there shall be payable to a Parliamentary Secretary appointed under Section 44A (1) of the Constitution Acts Amendment Act 1899 an expense of office allowance of \$1,822 per financial year.

1.2 Claims for reimbursement of expenditure incurred must be accompanied by certification that the expense was incurred in connection with the office of Parliamentary Secretary.

PART 4—ELECTORATE ALLOWANCES**Section 1—General**

1.1 In consideration of the obligations of a Member effectively to service the needs of an electorate the amounts specified in this Part are provided in the form of an electorate allowance, to be utilized as the Member sees fit.

1.2 Although discretion on expenditure rests with the Member, the Tribunal in no way endorses its use for personal, party or political purposes. In the latter area for example, the Tribunal would not consider it appropriate that a Member identify any political party affiliation on any printing or stationery purchased under this provision. Likewise, use of the funds for campaign, electioneering or political party promotion purposes is not supported. The Tribunal in determining the relevant amounts has not taken into account the cost of such activities.

1.3 The motor vehicle provided to Members under Section 4 of this Part 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. Use of the Government owned motor vehicle by other persons, unless for emergency purposes, is not supported.

Section 2—Basic Electorate Allowance

2.1 In addition to the salary payable under Part 2 of this determination there is payable to a Member an electorate allowance of \$34,400 per annum, less any expenditure incurred at the request of the Member in seeking a variation to the standard applied in Section 4 of this Part.

Section 3—Additional Electorate Allowance

3.1 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 provided under Section 2 of this Part.

ELECTORAL REGION	ELECTORAL DISTRICT	ADDITIONAL ALLOWANCE PER ANNUM
Metropolitan Regions		\$ 2,300
	Roleystone, Swan Hills	\$ 2,300
	Wanneroo	\$11,350
South West Region		\$ 9,900
	Mandurah	\$ 600
	Albany, Bunbury, Dawesville and Mitchell	\$ 1,650
	Vasse	\$ 3,350
	Collie & Murray-Wellington	\$ 5,100
	Stirling and Warren Blackwood	\$ 8,600
Agricultural Region		\$13,500
	Geraldton	\$ 1,650
	Avon and Wagin	\$ 8,600
	Greenough, Merredin, Moore and Roe	\$12,050
Mining and Pastoral Region		\$19,100
	Kalgoorlie	\$ 1,650
	Burrup, Eyre, Kimberley Ningaloo & Pilbara	\$18,100

Section 4—Motor Vehicle

4.1 Every Member of Parliament, with the exception of those Members who as a result of an office held are supplied with a Government owned motor vehicle under arrangements not covered by this determination, shall be entitled to the supply of a Government owned private plated motor vehicle for parliamentary, electorate and private use within Western Australia.

4.2 Members who choose not to access a vehicle under this entitlement, or who are not entitled to do so as a result of the exception specified in paragraph 4.1 of this Section, shall receive an amount of \$6,750 per annum in lieu thereof.

4.3 A Member, who is supplied with a Government owned motor vehicle as a result of an office held, may make application to the Tribunal for the issue of an electorate motor vehicle (in lieu of the monetary amount). The application should detail the reasons why a second vehicle is required and provide certification that the principal use of the vehicle will be for electorate purposes.

4.4 Motor vehicles issued to Members through this provision shall be of a standard, the cost of which does not exceed the more expensive of a Ford Futura or Commodore Acclaim (6 cylinder), 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.

4.5 Members representing the Mining and Pastoral Region or any District contained therein can apply to the Tribunal for the issue of a four wheel drive vehicle in lieu of that mentioned in paragraph 4.4 of this Section, provided that the vehicle will be used predominantly in the Region or District to which the Member has been elected. Four wheel drive vehicles shall be of a standard, the cost of which does not exceed the more expensive of the Toyota Landcruiser 100 GXL Manual 4.2 Litre Diesel Wagon or the Nissan Patrol ST Manual 3.0 Litre Diesel.

4.6 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, radiator insect screens and driving lights fitted to the supplied vehicle at no additional cost to them.

4.7 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.

4.8 Where a Member requires for operational or personal reasons a model of vehicle, the cost of which exceeds the benchmarks specified in paragraphs 4.4 and 4.5 or on the basis referred to in paragraph 4.7 of this Section, all additional costs (including Goods and Services Tax, Fringe Benefits Tax and insurance) shall, subject to there being sufficient funds, be met from the Member's basic electorate allowance under Section 2 of this Part or the air charter and hire allowance under Section 2 of Part 5. In that event, the relevant allowance shall immediately be reduced proportionately.

PART 5—TRAVELLING ALLOWANCES

Section 1—Motor Vehicle Allowance

1.1 Where a Member elects not to access a Government owned private plated motor vehicle under Section 4 of Part 4, and uses a privately owned vehicle to travel—

1.1.1 between the Member's residence and Perth, or to a place for the purposes listed in subparagraph (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 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 Tribunal as the case may require, a scheduled commercial air service could have been used for the travel referred to in the previous paragraph, the motor vehicle allowance payable under this section shall not exceed the value of the commercial air fare.

1.1.2 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 1.1.1 of this Section, the Member shall be paid an allowance under this Section for the motor vehicle travel in excess of 100 kilometres return.

Section 2—Air Charter and Hire Allowance

2.1 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, less any expenditure incurred at the request of the Member in seeking a variation to the standard applied in Section 4 of Part 4, with effect from 1 July 2003—

ELECTORATE REGION	DISTRICT	PER FINANCIAL YEAR
Mining and Pastoral Region		\$27,700
	Eyre, Ningaloo and Pilbara	\$27,700
	Burrup, Kimberley	\$18,850
Agricultural Region		\$18,850
	Greenough, Merredin, Moore and Roe	\$15,150
	Avon and Wagin	\$ 6,300
South West Region		\$15,150
	Stirling & Warren Blackwood	\$ 6,300

2.2 "Charter transport" includes charter aircraft, drive yourself vehicles, hire of driver, taxis and such other modes of transport as may be approved as appropriate in the circumstances by the Tribunal.

2.3 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.

2.4 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.

2.5 With effect from 1 July 2003, Members representing the electoral districts of Albany, Geraldton and Kalgoorlie shall be entitled to draw upon the charter provision, to a maximum of \$6,300 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 made to ensure the Member has transport whilst the motor vehicle provided under Section 4 of Part 4 is in a different location i.e., the electorate or Perth.

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

2.7 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 3—Taxi Fare Allowance

3.1 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 or from Parliament House or 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 6—ACCOMMODATION ALLOWANCES

Section 1—General

1.1 For the purposes of this Part the allowances are only claimable where overnight accommodation is involved and they include incidental expenses such as meals.

1.2 Claims made must be accompanied by certification that the expense was incurred on official Government, electorate and/or parliamentary business.

1.3 In the case of commercial accommodation, a receipt must accompany claims.

1.4 "Commercial accommodation" means accommodation in a commercial establishment such as a hotel, motel or serviced apartment.

1.5 Where a Member claiming under Section 6 of this Part secures overnight accommodation, either travelling from or to any of his or her places 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—

1.5.1 if departure from any 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.

1.5.2 if arrival back at any 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.

1.6 Claims made under paragraph 1.5 of this Section in respect of the entitlement granted in Section 6 of this Part form part of the annual entitlement.

1.7 A claim for accommodation 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 2—Expenses of Office Holders on Official Business

2.1 The actual costs of accommodation 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 Section 7 of 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.

2.2 The indicative daily accommodation allowances 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, are contained in Section 7 of this Part.

2.3 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.

2.4 Opposition and Third Party Leaders: The indicative accommodation 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 (as defined in Section 2 of Part 2), 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.

2.5 Temporary Appointments: The indicative accommodation 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 2.2, 2.3 or 2.4 of this Section, 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.

2.6 Members: The indicative accommodation allowance for a Member (not being the holder of an office referred to in paragraphs 2.2, 2.3 or 2.4 of this Section) in securing overnight accommodation when travelling on duty within Australia, as an official representative of the Government shall be the same, and on the same basis, as the rate set for a Minister.

2.7 Members deputising—

2.7.1 On behalf of the Premier: The indicative accommodation 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 any place of residence of that Member, is the same rate, and on the same basis, prescribed for a Minister.

2.7.2 On behalf of the Leader of the Opposition in the Legislative Assembly, or the Leader of a recognised non-Government Party (as defined in Section 2 of Part 2): The indicative accommodation allowance for a Member who at the written request of the above mentioned Leader, 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 any place of residence of that Member is the same rate, and on the same basis, prescribed for a Minister.

Section 3—Expenses of Members on Parliamentary Committee Business

3.1 The indicative accommodation allowance for a Member in securing overnight accommodation when travelling on duty within Australia, as an official representative of a 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. The rates contained in Section 7 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.

Section 4—Expenses of Members on Parliamentary or Parliamentary Political Party Business

4.1 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 in Section 7 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.

4.2 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.

4.3 For the purposes of guidance in the use of this entitlement it is pointed out that—

4.3.1 If the purpose of the travel were that of promoting lay Party political business (for example, campaigning or fundraising activity or pursuing the development of local branches of the Party) its use would not generally be considered appropriate.

It is recognised however that separation of roles is not always clear-cut, as lay Party political business may often involve policy formulation activity, which then translates into or informs the Member's stance on matters raised in Parliament.

4.3.2 Ultimately therefore, the matter of claiming the entitlement (where a meeting of Parliamentary Party colleagues is not involved) is one for judgement by the Member, who should be satisfied and able to demonstrate that the activity has direct relevance to the performance of his or her functions in the Parliament.

Section 5—Metropolitan Expenses of Members representing Regions or Districts Therein

5.1 In consideration of metropolitan accommodation and related expenses associated with—

5.1.1 sittings of that Member's House of Parliament

5.1.2 meetings of committees of which that Member is a member

5.1.3 attendance at official government, parliamentary or vice regal functions

5.1.4 any other official duties pertaining to parliamentary or electorate matters

there shall be payable to a Member who maintains a place of residence in or adjacent to and represents the Mining and Pastoral, Agricultural or South West Region, or any District contained within those Regions, an amount per annum based on 80 nights at Rate A set out in Section 7.1 of this Part.

5.2 Where a Member referred to in paragraph 5.1 of this Section also maintains for the purposes of the Member's parliamentary role a place of residence in the Metropolitan Regions, the allowance shall be paid on the same basis as though that Member resided solely in or adjacent to the District or Region to which he or she has been elected. In this circumstance the allowance is granted to cover costs associated with maintaining residences in both areas.

5.3 Where a Member referred to in paragraph 5.1 of this Section has a residence or residences solely in the Metropolitan Regions, that Member shall not be entitled to receive the allowance contained in this Section.

Section 6—Members' Expenses within the Electorate

6.1 In addition to that applying in Section 5 of this Part Members representing the District or Regions listed in paragraph 6.2 of this Section may claim accommodation and associated expenses in accordance with either the commercial or non-commercial levels contained in Rate B set out in Section 7 of this Part for each overnight stay at a place in or adjacent to their electorate, but not within a radius of 50 kilometres of any residence of the Member.

6.2 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	60 nights
Burrup, Eyre, Kimberley Ningaloo & Pilbara	80 nights
Regions—Mining and Pastoral, Agricultural and Southwest	100 nights

Section 7—Accommodation Allowance—Rates of Payment

7.1 Commercial accommodation—

	PREMIER	MINISTERS, OFFICE HOLDERS	MEMBERS
Perth	NIL	NIL	Rate A—\$175
WA North of the 26th parallel	\$355	\$340	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	\$285
Melbourne			
Brisbane	\$360	\$340	\$255
Adelaide			
Darwin	\$310	\$290	\$215
Hobart			
Canberra			
Other Areas	\$300	\$220	\$180

7.2 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.

PART 7—POSTAGE ALLOWANCES

Section 1—Office Holders

1.1 The holders of the following offices shall receive an annual allowance in consideration of the need to purchase postal and lettergram facilities for the office held.

OFFICE HOLDER	RATE PER ANNUM
Leader of the Opposition in the Legislative Assembly	\$10,000
Leader of the Opposition in the Legislative Council	\$ 7,500
Leader of a recognised non-Government Party (as defined in Section 2 of Part 2)	\$ 7,500
Deputy Leader of the Opposition in the Legislative Assembly	\$ 5,000

1.2 Although discretion on expenditure rests with the relevant office holder, the Tribunal does not endorse usage of the allowance for electorate, party or personal business.

1.3 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 is to operate from the date on which such increased postal rates commence.

PART 8—TELEPHONE ALLOWANCES**Section 1—General**

1.1 In this Part, “calls” include all charges (other than international telegrams and calls) as usually included on normal accounts rendered to subscribers.

1.2 “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.

1.3 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.

Section 2—Private Residence

2.1 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 (Deputy Speaker), and any others whose private telephone rentals and calls are paid in full from public funds under arrangements not dealt with by this determination) 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—

2.1.1 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.

2.1.2 One additional telephone line for the use of a facsimile machine; and

2.1.3 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.

2.2 Reimbursement for additional telephone lines provided under paragraphs 2.1.2 and 2.1.3 is restricted to one residence.

2.3 Claims for reimbursement must be submitted within 90 days from the date that an account is received. 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 3—Electorate Offices

3.1 Every Member of Parliament provided with an electorate office shall receive as an allowance payment 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—

3.1.1 Telephones

3.1.2 Facsimile

3.1.3 Modem connection

Section 4—Reimbursement of Parliament House Telephone Charges

4.1 In so far as a Member of Parliament pays or is charged for any telephone calls and / or use of teleconferencing facilities made by the Member from Parliament House, that Member shall receive as an allowance payment by way of reimbursement of all such charges.

Section 5—Telecard / Teleconferencing

5.1 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.

5.2 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 6—Conclusion of the Satellite Telephone Trial

6.1 The provision of a satellite telephone on a trial basis is concluded. Where any participating Member wishes to continue access to the service, he or she may retain possession of the phone already provided, with all future associated operating costs being met by that Member.

Signed this 20th day of August 2003

Professor M C Wood
CHAIRMAN
SALARIES AND ALLOWANCES TRIBUNAL

J A S Mews
MEMBER

M L Nadebaum
MEMBER



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