

**WESTERN
AUSTRALIAN
GOVERNMENT
Gazette**

4953



PERTH, FRIDAY, 25 AUGUST 2000 No. 179

SPECIAL

PUBLISHED BY AUTHORITY JOHN A. STRIJK, GOVERNMENT PRINTER AT 3.45 PM

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

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

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 vua(e L32b)8.5(3(by)8.8(u67 TD086(d)-26.5(u)1

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

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.

	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"

Percentage of
Basic Salary
%

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.

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

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
Director

Group 1 Maximum

Agriculture Western Australia
Director General

Group 3 Maximum

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—En at—		

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

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 Assistant Commissioners (6)	Group 1	Minimum
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		
Plus a Personal Merit Allowance to 5.8 (Acc 8.2(a) 7.5 (iup 242 (on) 14A) 5.8A) 5.A3 Tw ((M) u0 -1.0533 TD0.0038 Tc-0.0023 Tw 13		

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 continuation

(b) 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 continuation

Group 1 8 . 2 e a g 7 . 4 (l a) (g

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 1975—

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.

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.