



## SALARIES AND ALLOWANCES ACT 1975

DETERMINATION  
OF THE  
SALARIES AND ALLOWANCES TRIBUNAL

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

August 2006

PREAMBLE

The 1975 requires the Tribunal, at intervals of not more than twelve months, to enquire 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 1899, members of committees, and officers and Members of the Parliament (MPs). The Tribunal issued its last such determination on 18 August 2005. The Tribunal has now completed a further enquiry.

BACKGROUND

***Historical Context***

In this enquiry, the Tribunal has considered how parliamentary remuneration can most effectively be determined. In Western Australia the Tribunal has been charged with the setting of parliamentary remuneration since its inception in 1975. During this period, in a number of its determinations, the Tribunal has commented often along the lines of a parliamentarian being unique. Members are not employees; they are not covered by any form of Work Agreement specifying such matters as remuneration, leave or allowances; they are elected not appointed; have no right of appeal, and their continuity of employment lies in the hands of the electors.

In reaching its determinations in the past, the Tribunal has considered from time to time parliamentary remuneration elsewhere in Australia, public service positions including Chief Executive Officers, non-parliamentary positions with in the Parliament, movements in the State Basic Wage, private sector remuneration levels and work value. The Tribunal last carried out an extensive assessment of work value in 1999.

The Tribunal has always recognised that the Commonwealth Parliament is the superior legislature in Australia and that Members' salaries should reflect an appropriate differential, all things being equal. However, inevitably, all circumstances will not always be equal. In 1999 the Tribunal judged the circumstances were not equal.

The remuneration of a Federal Member is tied to the remuneration of a Principal Executive Officer, Band A in the Australian Public Service. Due to a stagnation in remuneration movements at the Commonwealth level, which, in the opinion of the Tribunal in 1999 was not in accordance with remuneration fixing elsewhere in the community, it determined that adherence to the link was inappropriate. From the 1999 determination until now the Western Australian parliamentary base remuneration has been higher than that of Federal Members. The reasons for the differential have been detailed in earlier determinations.

In 1999, the Tribunal also removed the then-existing post-retirement recreational travel benefits formerly available to Members in this State. The Tribunal then valued these travel benefits at \$10,000 per annum. This benefit was contrasted with the recreational travel benefits then available to qualifying retired Federal Members of up to 25 double return business class airfares to any destination in Australia per annum. This benefit remains and, if taken, has a value of approximately \$160,000 per annum.

The objective expressed in the 1999 determination, which was informed by the Tribunal's very comprehensive review of work value of Western Australian Members, was—

This objective still pertains and is reflected in this determination.

Taking account of all factors, including submissions, conditions elsewhere, Members' expectations and movements in Federal salaries, the Tribunal considers the differentials directly related to Members' work have substantially disappeared. Hence this determination reverts to the position where the base remuneration of a Western Australian Member is below that of a Federal Member.

The current base remuneration of Federal, State and Territory parliamentarians and their linkage to the Federal base remuneration are set out in the table below.

Table 1

JURISDICTION	BASE REMUNERATION OF MP's \$	LINKAGE TO FEDERAL REMUNERATION \$
Commonwealth	118,950	N/A
New South Wales	118,450	500 less
Victoria	117,508	1442 less

JURISDICTION	BASE REMUNERATION OF MP's \$	LINKAGE TO FEDERAL REMUNERATION \$
Queensland	118,450	500 less
South Australia	116,950	2000 less
Tasmania	94,689	85.19 percent of
Northern Territory	115,950	3000 less
Australian Capital Territory	102,086	No linkage

### ***Current Enquiry***

Written submissions from interested individuals and organisations were invited in an advertisement placed in on 2 June 2006. This process provides an opportunity for the members of the public, the Government, Members themselves or any other interested party to make a submission on the appropriate level of parliamentary remuneration. Nine submissions were received—from the Government, political parties, individual Members of Parliament and the general public.

Issues raised in more than one of the submissions were the need for additional funds to support telecommunications; the implications for air charter travel of the steep increases in the price of fuel; the need for retention of the \$6,950 per annum to Members in lieu of accessing a Government vehicle; the need to review some aspects of the accommodation guidelines; additional remuneration for holders of offices of the Parliament such as Parliamentary Secretaries and Chairs of Standing Committees, and the need for an augmented Electorate Allowance for those rapidly-expanding electorates where the number of electors significantly exceeds the quota.

The submission from the Government proposed that any increase in remuneration should be lower than that of the 7.02 percent awarded to Federal Members and should not exceed 4.0 percent. The Tribunal also was asked to consider the Government's wages policy which seeks outcomes '

In making this determination, the Tribunal has compared remuneration and allowances paid in Western Australia with those paid elsewhere in Australia, considered the submissions it received, noted the movements in a range of economic indicators for salaries and prices and taken advice from its Statutory Advisor.

### **BASE REMUNERATION**

STATE	REMUNERATION	COMMONWEALTH	REMUNERATION
President of the Legislative Council			

The Electorate Allowance, once paid, becomes the property and responsibility of the Member to expend as he/she sees fit. The objective of the more generic allowance is to provide Members with as much flexibility as possible within the limits of appropriate accountability.

The significant increase in the Electorate Allowance awarded in the 2005 determination particularly

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 *Salaries and Allowances Act 1975*, members of committees, officers and Members of the Parliament, as follows with effect from 1 September 2006, unless otherwise stated—

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[Entitlement administered by: # Parliamentary Departments, Parliament House

\* State Administration, Department of the Premier & Cabinet

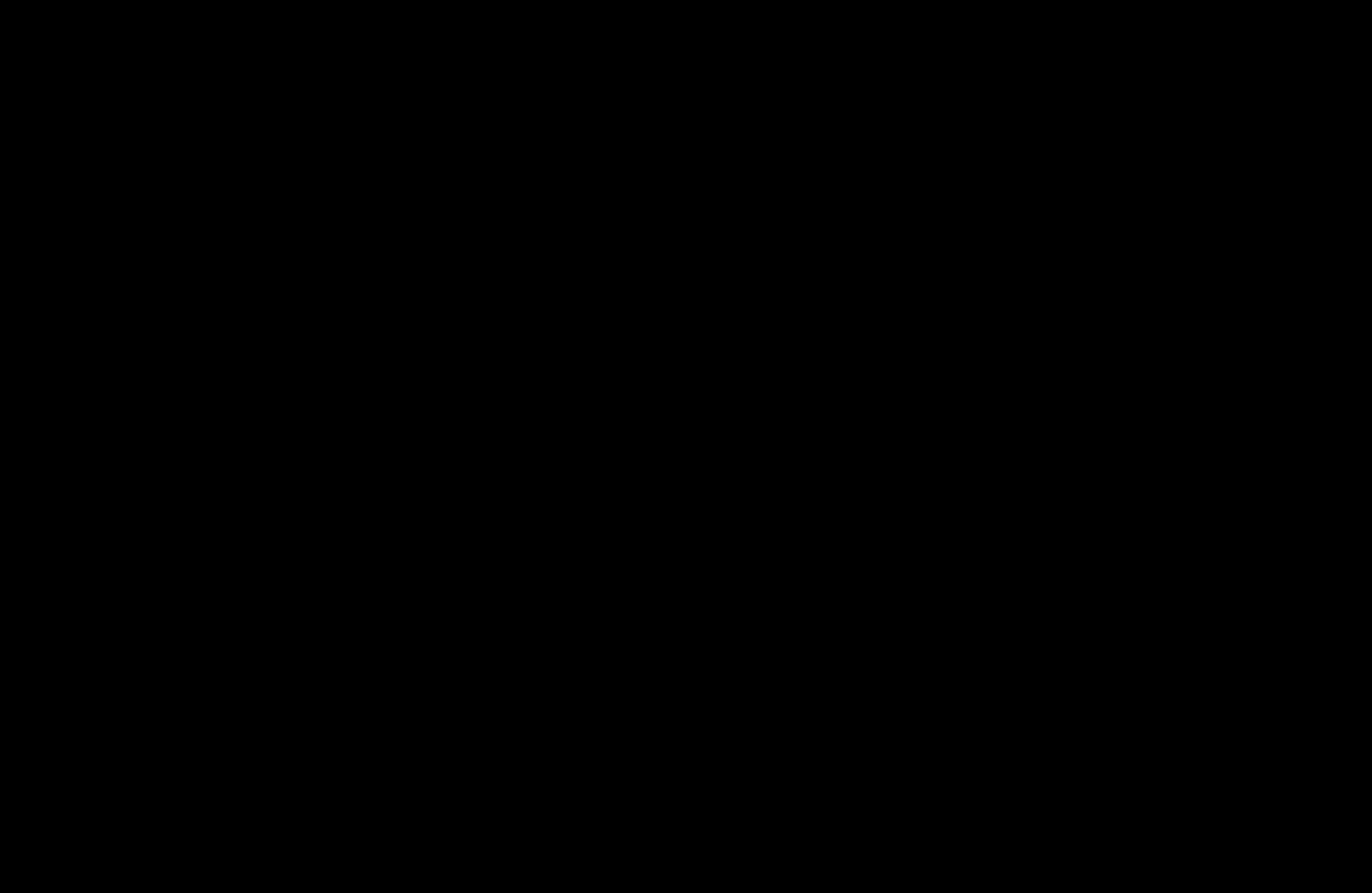
PART 1: PAYMENT OF REMUNERATION

SECTION 1: GENERAL

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

1.2 Where a Member of the Legislative Assembly ceases to be a Member by reason of the dissolution of that House or the expiry by the effluxion of time, the Member is, notwithstanding that Member's cessation of membership, entitled to continue to receive the remuneration provided in this





ELECTORAL REGION	ELECTORAL DISTRICT	ADDITIONAL ALLOWANCE PER ANNUM
South West Region		\$8,400
	Stirling and Warren-Blackwood	\$6,900
Agricultural Region		\$12,400
	Avon and Wagin	\$ 6,900
	Greenough, Merredin, Moore and Roe	\$10,800
Mining and Pastoral Region		\$18,600
	Central Kimberley-Pilbara, Kimberley, Murchison-Eyre, and North West Coastal	\$17,500

## SECTION 4: MOTOR VEHICLE

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: CHARTER TRANSPORT ALLOWANCE

2.1 "Charter transport" includes charter aircraft, drive yourself vehicles, hire of driver, hire of taxis, and such other modes of transport as may be approved as appropriate in the circumstances by the Tribunal. In the case of taxi hire whilst in Perth or the electorate on parliamentary and/or electorate business, this provision is made available 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.

**PART 6: ACCOMMODATION ALLOWANCE****SECTION 1: GENERAL**

1.1 For the purposes of this Part the allowances are only claimable where overnight accommodation is involved and meals.

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

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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 of the Crown.

2.7.2 On behalf of the Leader of the Opposition in the Legislative Assembly, or the Leader of

6.2 The maximum number of nights claimable per financial year shall be—

Avon, Capel, Collie-Wellington, Greenough, Merredin, Moore, Murray, Roe, Stirling, Vasse, Wagin and Warren-Blackwood	60 nights
Central Kimberley- Pilbara, Kimberley, Murchison-Eyre and North West Coastal	80 nights
Regions—Mining and Pastoral, Agricultural and Southwest	100 nights

## SECTION 7: ACCOMMODATION ALLOWANCE—RATES OF PAYMENT

7.1 Commercial accommodation—

	PREMIER	MINISTERS OF THE CROWN, OFFICE HOLDERS	MEMBERS
Perth	NIL	NIL	\$210
WA North of the 26th parallel	\$455	\$440	As per the rates in the Public Service Award 1992—Schedule—Locality North of 26 degrees South Latitude
WA South of the 26th parallel	\$300	\$210	\$175
Sydney	\$425	\$350	\$300
Melbourne	\$400	\$380	\$280
Brisbane, Adelaide	\$330	\$310	\$260
Darwin	\$330	\$310	\$250
Hobart, Canberra	\$330	\$310	\$230
Other Areas	\$300	\$220	\$185

7.2 Non-commercial accommodation—

Claims made in respect of non-commercial accommodation shall be paid at 40 percent of the applicable commercial rate contained in the above table.

## PART 7: TELEPHONE ALLOWANCE

### 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 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.

1.3 For the purposes of guidance in the use of entitlements under this Part, it is pointed out the Tribunal would envisage the maintenance of a residence to involve an arrangement, under which a legal right to ongoing occupancy by the Member exists, founded on ownership of the relevant property by that Member (or his or her partner) or a formal tenant's rental or leasing agreement entered into by that Member.

### SECTION 2: PRIVATE RESIDENCE(S)

2.1 Every Member of Parliament (other than Ministers of the Crown, 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 under arrangements not dealt with by this determination) shall receive payment by way of reimbursement of 85 percent of all charges for calls incurred by that Member.

2.2 Every Member of Parliament (other than Ministers of the Crown, 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 under arrangements not dealt with by this determination) shall receive payment by way of reimbursement of the rental of up to three telephone lines.

2.3 Where a Member reasonably maintains more than one residence by reasons of membership of Parliament an additional line shall be reimbursed however the charges for calls on this line shall be included within the 85 percent reimbursement in Section 2.1.

2.4 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 OFFICE(S)

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 up to five approved telephone lines in that Member's electorate office.

## SECTION 4: PARLIAMENT HOUSE

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 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 he/she 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 audio or video conferencing costs must certify the topic of the conference and its relevance to the role of the Member as a Member of the Western Australian Parliament.

## SECTION 6: POSTAL SERVICES FOR CERTAIN OFFICE HOLDERS

6.1 The holders of the following offices shall receive an annual allowance in consideration of the need to purchase postal services 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

6.2 The Tribunal in determining the relevant amounts has not taken into account the cost of activities, such as campaigning, electioneering or political party promotion.

6.3 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: REGIONAL SITTINGS OF THE PARLIAMENT

## SECTION 1: GENERAL

1.1 Claims for reimbursement under this Part shall be subject generally to the conditions set out in Section 1 of Part 6.

1.2 For the purposes of this Part the rates contained in Section 7 of Part 6 should be deemed to be indicative of the reasonable accommodation costs that can be claimed. Where the costs reasonably and properly exceed the indicative rates, the actual costs shall be met.

## SECTION 2: SITTINGS OF THE PARLIAMENT OTHER THAN IN PERTH

2.1 Subject to paragraph 2.2 of this Section, where a sitting of either House of the Parliament is held at a location other than Parliament House in Perth, Members are entitled to reimbursement of all costs or expenses incurred for the purposes of—

2.1.1 Travel to and from the location of the sitting. Use of charter aircraft (other than through the Government's air charter arrangements) is not permitted unless the location of the sitting is not serviced by regular air services.

2.1.2 Travel, accommodation and meals at the location of the sitting for the following periods—

- (a) the duration of the sitting
- (b) up to two nights prior to the commencement of the sitting
- (c) up to two nights after the sitting ceases.

2.2 The reimbursement provided by this determination shall be reduced to the extent that the expenses of Members are entitled to be reimbursed or paid from any other source, including any provision or arrangement of the Parliament or Executive Government, or any determination dealing with fares made by the Treasurer under Section 11A of the

Signed this 18th day of August 2006.

Professor M. C. WOOD,  
Chairman.  
Salaries and Allowances Tribunal.

J. A. S. MEWS,  
Member.

M. L. NADEBAUM,  
Member.

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