

Determination: Former Premiers – 2001 August 23rd

WESTERN AUSTRALIA SALARIES AND ALLOWANCES ACT 1975 DETERMINATIONS OF THE SALARIES AND ALLOWANCES TRIBUNAL

Pursuant to Section 6B

23 August 2001

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FORMER PREMIERS OF WESTERN AUSTRALIA

Section 6B of the *Salaries and Allowances Act 1975* provides that the Tribunal shall, from time to time, as it sees fit, inquire into and determine the entitlements and benefits to be paid or provided to Former Premiers and others.

The role of the Tribunal in this area commenced in 1987 following amendments to the Act. Prior to this time, benefits for former Premiers, Ministers and Office Holders were determined by the Premier of the day. This situation still prevails in a number of other States and Territories.

Since 1996 the Tribunal has been scaling down the benefits available to Ministers, Office holders and Members as they leave the Parliament. In December 1999 the Tribunal determined that future Members entering the Parliament would not have any post parliamentary entitlement.

The benefits available to former premiers have not changed since a determination made in 1991.

Apart from the history presented to the Tribunal when first undertaking the responsibility for former Premiers' entitlements, the Tribunal's experiences centre around the resignation of four Premiers whose individual periods of service as a Premier range from less than 2 years to 8 years. Three have left the Parliament whilst in their forties whilst the fourth is in his fifties. This trend is not unusual. Of the 26 former Premiers' of Western Australia, 9 have left the office whilst in their 40's and 7 whilst in their 50's.

In giving this matter consideration the Tribunal finds that all Premiers have a residual workload when leaving the office. Numerous factors contribute to the extent of this workload including length of time in office, post parliamentary occupation and desire to remain in public arena.

The extent to which the State assists a former Premier should in the opinion of the Tribunal be restricted to the necessary protocols expected when a person of such high standing leaves office and the facilitation of attendance at official government functions

The 1991 determination provided the following entitlements to former Premiers.

PART 1 - FORMER PREMIERS OF WESTERN AUSTRALIA

The benefits and entitlements granted by virtue of this determination apply to former Premiers who have served not less than one year as Premier.

Section 1 - Office Accommodation & Secretarial Support

Former Premiers who have held the office of Premier shall, after leaving the Parliament, be entitled to the use of an office located within Western Australia in a Government owned or leased building for a period of up to six months.

Equipment and staff may be supplied in the same manner as applying to a Member of Parliament.

Section 2 - Postage Allowance

For a period of six months after leaving the Parliament, a former Premier shall be entitled to receive postage stamps to a maximum value of half the annual amount granted to a serving Member of Parliament.

Section 3 - Motor Vehicle

- 1. For a period of six months after leaving the Parliament, and whilst domiciled in the State of Western Australia, a former Premier, upon request to the Chief Executive, Office of State Administration, shall be entitled to the use of a car and chauffeur.*
- 2. A former Premier shall, after leaving the Parliament, have the option of purchasing the official vehicle which he /she was accustomed to using immediately prior to vacating the office. This option to be exercised within three months of vacating the office.*
- 3. Where a former Premier, who is domiciled in Western Australia, is required or is invited to attend an official function or on special occasions, a former Premier shall upon request to the Chief Executive, Office of State Administration, be entitled to a car and chauffeur from the motor vehicle pool for the purpose of attending the official function or special occasion as the case may be. This entitlement shall continue during the lifetime of the former Premier.*
- 4. Where a former Premier, who is not domiciled in Western Australia, is required or is invited to attend an official function or on special occasions within Australia, a former Premier shall be entitled to the use of a Private Taxi for the purpose of attending the official function or special occasion. The cost to the State, which will occur through reimbursement to the former Premier, on production of receipts, shall not exceed one thousand dollars per financial year. This entitlement shall continue for the same period of time as the former Premier held the office of Premier.*

5. *The availability of motor vehicle servicing and ancillary benefits for vehicles owned by former Premiers, as made available through the Department of the Premier prior to 1987 shall remain for those former Premiers who are receiving the benefit and shall, upon the death of the former Premier, pass to the surviving spouse.*

Section 4 - Travel

1. *A former Premier shall be entitled to a Life Gold Rail Pass, and the spouse shall likewise be entitled to a Gold Pass but limited to the period of the former Premier's lifetime.*
2. *For a period of 12 months after leaving the Parliament, a former Premier who is required to attend a function resulting from activities directly arising from that role as Premier, shall be entitled to claim the travelling and accommodation costs necessarily incurred.*
3. *At the expiration of the period referred to in 4.2 above, where, as the result of activities directly arising from that role as Premier, a former Premier is invited to an official function to be held at a place outside of Australia, application may be made to the Tribunal detailing the nature of the invitation, the duration, and anticipated cost of travel.*

The Tribunal shall consider and decide whether the application should be approved.

4. *A former Premier shall be entitled to the benefits as made available to former Ministers of the Crown who have held office for not less than three years, as prescribed in Part 2A, 2.2(b) and 2.3.*

Section 5 - Telephones

1. *For twelve months after leaving the Parliament, a former Premier;*
 - a. *(a) who is domiciled in Western Australia shall be entitled to reimbursement of or to have paid the rental and all calls on one nominated private telephone at a private residence nominated by the former Premier.*
 - b. *(b) who is domiciled outside of Western Australia but within Australia shall be entitled to reimbursement of the rental and all calls, on one nominated private telephone at a private residence nominated by the former Premier, to a total value of one thousand five hundred dollars (\$1500) for the twelve month period.*
2. *For the purposes of Section 5.1 "Calls" excludes international calls, international telegrams and Telecard charges.*
3. *Where, in 5.1, a former Premier changes his or her place of domicile resulting in a change in benefit from 5 (1)(a) to 5 (1)(b) or vice versa, the total amount reimbursable under 5 (1)(b) shall be calculated on a pro rata basis for the period.*
4.
 - a. *Former Premiers who retired prior to 20 November 1987 shall be entitled to retain the benefit applying at the time of their retirement.*
 - b. *Former Premiers who retired after the 20 November 1987, and prior to the 1 March 1991, shall be entitled to retain the benefits granted by virtue of the Tribunals determinations dated the 20 November 1987 and 28 June 1990.*

The above determination was issued following an extensive inquiry by the Tribunal and but for a few minor changes is still appropriate today.

The Tribunal is of the view that, for Premiers who have served as a Premier for 4 years or more, the provision of an office in a Government owned or leased building could extend to a maximum of twelve months from the date of leaving the Parliament. Where practical the office should be located in Perth and not in the former Premier's electorate.

After 6 months, a staff member should only be available as and when required by the former Premier.

In 1991, motor vehicles provided to Parliamentary Office holders were purchased by the Government and not leased. To provide the facility for a former Premier to purchase the vehicle that he/she had been using was possible. At the current time, Parliamentary vehicles are leased and the Government has no say as to who the purchaser will be when the vehicle is no longer required. This item is redundant and has been removed.

The Tribunal provided a mechanism in 4.3 of the 1991 determination whereby a former Premier who receives an invitation to an official function outside of Australia could make application to the Tribunal for approval to incur the necessary cost for travel and accommodation. No approvals have been granted under this section.

Reference has been made over the years to the fact that an invitation to an official function within Australia is not covered. The Tribunal considered that travel interstate could be undertaken using the life gold rail pass held by each former Premier. Costs associated with the use of the gold pass have increased considerably over the years. In view of this it would be more cost efficient to the State to allow the use of air travel should the need ever arise.

Section 4.3 has been amended to cater for invitations received within Australia.

Other sections of the determination remain as previously determined.

Dated at Perth 23 August 2001

R H C Turner AM

CHAIRMAN

J A S Mews

MEMBER

SALARIES AND ALLOWANCES TRIBUNAL

DETERMINATION

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

Pursuant to Section 6(B)

23 August 2001

PART 1 - FORMER PREMIERS OF WESTERN AUSTRALIA

The benefits and entitlements granted by virtue of this determination apply to former Premiers who have served not less than one year as Premier.

Section 1 - Office Accommodation & Secretarial Support

Former Premiers shall, after leaving the Parliament, be entitled to the use of an office located within Western Australia in a Government owned or leased building for a period of up to six months. This can be extended to twelve months where a former Premier has served not less than 4 years as Premier. Where practical this office to be located in the Perth Central Business District.

Equipment may be supplied in the same manner as applying to a Member of Parliament. One full time staff person will be provided for 6 months. Where a former Premier has an office entitlement for 12 months, secretarial assistance can be made available as and when required for the remaining 6 month period.

Section 2 - Postage Allowance

For a period of six months after leaving the Parliament, a former Premier shall be entitled to receive postage stamps to a maximum value of half the annual amount granted to a serving Member of Parliament.

Section 3 - Motor Vehicle

1. For a period of six months after leaving the Parliament, and whilst domiciled in the State of Western Australia, a former Premier, upon request to the Director General, Department of the Premier and Cabinet, shall be entitled to the use of a car and driver.
2. Where a former Premier, who is domiciled in Western Australia, is required or is invited to attend an official function or on special occasions, a former Premier shall upon request to the Director General Department of the Premier and Cabinet, be entitled to a car and driver from the motor vehicle pool, or at Government cost, a private taxi, for the purpose of attending the official function or special occasion as the case may be. This entitlement shall continue during the lifetime of the former Premier.
3. Where a former Premier, who is not domiciled in Western Australia, is required or is invited to attend an official function or on special occasions within Australia, a former Premier shall be entitled to the use of a Private Taxi for the purpose of attending the official function or special occasion. The cost to the State, which will occur through reimbursement to the former Premier, on production of receipts, shall not exceed one thousand dollars per financial year.

This entitlement shall continue for the same period of time as the former Premier held the office of Premier.

4. The availability of motor vehicle servicing and ancillary benefits for vehicles owned by former Premiers, as made available through the Department of the Premier prior to 1987 shall remain for those former Premiers who are receiving the benefit and shall, upon the death of the former Premier, pass to the surviving spouse.

Section 4 - Travel

1. A former Premier shall be entitled to a Life Gold Rail Pass, and the spouse shall likewise be entitled to a Gold Pass but limited to the period of the former Premier's lifetime.
2. For a period of 12 months after leaving the Parliament, a former Premier who is required to attend a function resulting from activities directly arising from that role as Premier, shall be entitled to claim the travelling and accommodation costs necessarily incurred.
3. At the expiration of the period referred to in 4.2 above, where, as the result of activities directly arising from that role as Premier, a former Premier is invited to an official function to be held at a place outside of Australia, application may be made to the Tribunal detailing the nature of the invitation, the duration, and anticipated cost of travel.

The Tribunal shall consider and decide whether the application should be approved.

4. A former Premier shall be entitled to the benefits as made available to former Ministers of the Crown who have held office for not less than three years, as prescribed in Part 2A, 2.2(b) and 2.3.

Section 5 - Telephones

1. For twelve months after leaving the Parliament, a former Premier;
 - a. who is domiciled in Western Australia shall be entitled to reimbursement of or to have paid the rental and all calls on one nominated private telephone at a private residence nominated by the former Premier.
 - b. who is domiciled outside of Western Australia but within Australia shall be entitled to reimbursement of the rental and all calls, on one nominated private telephone at a private residence nominated by the former Premier, to a total value of one thousand five hundred dollars (\$1500) for the twelve month period.
2. For the purposes of Section 5.1 "Calls" excludes international calls, international telegrams and Telecard charges.
3. Where, in 5.1, a former Premier changes his or her place of domicile resulting in a change in benefit from 5 (1)(a) to 5 (1)(b) or vice versa, the total amount reimbursable under 5 (1)(b) shall be calculated on a pro rata basis for the period.
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 - a. Former Premiers who retired prior to 20 November 1987 shall be entitled to retain the benefit applying at the time of their retirement.
 - b. Former Premiers who retired after the 20 November 1987, and prior to the 1 March 1991, shall be entitled to retain the benefits granted by

virtue of the Tribunals determinations dated the 20 November 1987 and
28 June 1990.

Signed at Perth 23 August 2001.

R H C Turner AM

J A S Mews

CHAIRMAN

MEMBER

SALARIES AND ALLOWANCES TRIBUNAL