

# ***SALARIES AND ALLOWANCES ACT 1975***

## **DETERMINATION OF THE SALARIES AND ALLOWANCES TRIBUNAL FOR MEMBERS OF UNIVERSITY GOVERNING COUNCILS**

### **PREAMBLE**

#### **Statutory context**

- (1) In accordance with the *Salaries and Allowances Act 1975* (the Act), the Salaries and Allowances Tribunal (the Tribunal) is required to inquire into and determine, on an annual basis, the remuneration provided to members of University Governing Councils.
- (2) The Tribunal's last determination was issued on 25 November 2019.

#### **Inquiry**

- (3) The Tribunal has reviewed the operation of the previous determination and invited submissions from the respective Universities.
- (4) Two submissions were received. Both recommended that no change should be made.

#### **Conclusion**

- (5) The Tribunal has determined there will be no changes to remuneration, due to the challenges currently facing the University sector, and the community generally, from the COVID-19 pandemic. This view is supported by the Universities that provided input into this inquiry.
- (6) The Tribunal acknowledges that, while it has the power to determine the remuneration for University Governing Council members, any remuneration must be met from within University existing budgets and must be for the fulfilment of University strategic objectives.
- (7) By necessity, any remuneration determined should be done so in consultation with each university. The Tribunal will continue to liaise with the sector to ensure the fee structure remains relevant for each University.

The determination will now issue.

# DETERMINATION

## PART 1 INTRODUCTORY MATTERS

*This Part deals with some matters that are relevant to the Determination generally.*

### 1.1 Short Title

This Determination may be cited as the *University Governing Board Members No. 1 of 2020*.

### 1.2 Commencement

This Determination comes into operation on and from 1 January 2021.

### 1.3 Content and intent

- (1) Pursuant to section 6(1)(ea) the *Salaries and Allowances Act 1975* ('the Act') this determination provides for the salary, allowances and other benefits to be paid, provided or reimbursed to a person holding any of the following offices:
- (a) Member of the Council of Curtin University;
  - (b) Member of the Kalgoorlie Campus Council of Curtin University;
  - (c) Member of the Council of Edith Cowan University;
  - (d) Member of the ECU South West Campus (Bunbury) Advisory Board of Edith Cowan University;
  - (e) Member of the Advisory Board of the Academy of Edith Cowan University;
  - (f) Member of the Senate of Murdoch University; or
  - (g) Member of the Senate of the University of Western Australia.

- (2) This Determination fulfils the Tribunal's obligations under section 8 of the Act with respect to offices identified in section 6(1)(ea).

### 1.4 References to Dates

- (1) In this Determination, a reference to "a year" or "per annum" relates to a calendar year.
- (2) Where benefits or entitlements are provided with specific reference to "a year" or "per annum", these cease on and from 31 December each year and, unless otherwise specified in this Determination, no unexpended amount can be carried over to later years.

### 1.5 Pro rata payments

The amount of a person's entitlement to remuneration specified in this determination shall be apportioned on a pro rata basis according to the portion of a year that the person holds office.

### 1.6 Terms used

In this Determination, unless the contrary intention appears –

**Committee Chairperson** means Chairperson of a designated committee of a University Governing Council.

**Committee Member** means a Member of a designated committee of a University Governing Council.

**remuneration** means salary, allowances, fees, emoluments and benefits (whether in money or not).

**Tribunal** means the Salaries and Allowances Tribunal.

## **PART 2            REMUNERATION**

*This Part deals with the remuneration payable to Governing Council members.*

### **2.1      Eligibility Criteria**

- (1) Members are ineligible to receive any remuneration fees if they are:
  - (a) On the public payroll, including all current full time State, Commonwealth and Local Government employees, including Western Australian statutory authorities;
  - (b) Members of Parliament;
  - (c) Current and retired judicial officers;
  - (d) A former Member of Parliament and less than 12 months has passed since they ceased to be a Member of Parliament.
- (2) Part time employees of State, Commonwealth and Local Government public services, including Western Australian statutory authorities are eligible for remuneration fees only if the member can clearly demonstrate that the work of the Governing Council will happen in their own time.
- (3) University Governing Councils may create Committees from within the membership of the Council, such as Audit and Compliance Committees, that are eligible for remuneration at the Committee Chairperson/Member rates described in Part 2.2. In doing so the Governing Council must:
  - (a) Designate each Committee as being eligible for remuneration at the higher level through the policies and procedures of the university; and
  - (b) Ensure that each Committee has sufficient scope and workload to justify the higher level of remuneration.

### **2.2      Remuneration**

- (1) Members of certain University Governing Councils are eligible to receive remuneration fees specified in the Table below, subject to the eligibility criteria in Part 2.1.
- (2) Each eligible member must make an annual application to the respective Governing Council to receive the remuneration specified for their position. Once an application has been made, the University must remunerate the member according to their applicable rate. If an eligible member does not make an annual application, their remuneration fees will be \$0.
- (3) Each member is entitled to the remuneration applicable to one category only, the remuneration levels are not cumulative.
- (4) An eligible member may accept or decline the remuneration payments in full. In deciding whether to accept or decline remuneration payments, eligible members should be mindful that accepting such payment may mean that the member is no longer deemed a volunteer

for the purposes of, for example, work health and safety legislation thereby potentially increasing their exposure to relevant liabilities. If members have any questions they should seek the advice of their respective University.

- (5) If an eligible member has entered into an arrangement with an employer which provides that the remuneration payments are to be paid to the employer as part of the member's conditions of employment, payment will be made to the employer.
- (6) Remuneration payments will be subject to PAYG tax under Australian Taxation Office legislation. Employer superannuation guarantee contributions, levies and payroll tax will be payable by the University.

**TABLE 1: Annual remuneration for University Governing Councils members**

	Chancellor	Pro Chancellor	Committee Chairperson	Committee Member	Council Member (non-student)	Council Member (student)
Council of Curtin University	\$80,000	\$40,000	\$35,000	\$20,000	\$15,000	\$5,000
Senate of Murdoch University	\$80,000	\$40,000	\$35,000	\$20,000	\$15,000	\$5,000
Council of ECU	\$40,000	\$20,000	\$15,000	\$10,000	\$5,000	\$2,500
Senate of UWA	\$0	\$0	\$0	\$0	\$0	\$0
Kalgoorlie Campus Council of Curtin University	\$0	\$0	\$0	\$0	\$0	\$0
ECU South West Campus Advisory Board	\$0	\$0	\$0	\$0	\$0	\$0
Advisory Board of the Academy of ECU	\$0	\$0	\$0	\$0	\$0	\$0

## **PART 3        EXPENSES**

*This Part deals with the reimbursement of reasonable out of pocket expenses incurred in carrying out approved duties of the office.*

### **3.1        General**

- (1) All members of a Governing Council may, upon application to the University, be reimbursed for reasonable out of pocket expenses for which they are not otherwise reimbursed.
- (2) The expenses must have been incurred while performing Council approved duties.
- (3) Reimbursements should not be used so that a member receives any personal benefit from the reimbursement.
- (4) Each University should develop guidelines on what is considered an approved expense.
- (5) Any reimbursements must be approved by the Council or by an appropriate approving authority of the University.
- (6) All claims for reimbursement must be supported by documentation such as receipts.

### **3.2        Reimbursement of Expenses**

- (1) Travel expenses to and from approved University events may be claimed, subject to the approval of the Governing Council shall not exceed the rates contained in the [Public Sector Commissioner's Circular 2009-20](#).
- (2) Professional development expenses may be covered/reimbursed subject to the approval of the University.
- (3) Any other reasonable out of pocket expenses may be approved subject to the relevant approvals of the University Governing Council.

Signed on 23 November 2020

M Seares AO  
CHAIR

B A Sargeant PSM  
MEMBER

C Murphy PSM  
MEMBER

**SALARIES AND ALLOWANCES TRIBUNAL**