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SALARIES AND ALLOWANCES ACT 1975

Determination of the Salaries and Allowances Tribunal for Members of Parliament No. 2 of 2024

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PREAMBLE

Statutory context

1. The *Salaries and Allowance Act 1975* (the Act) requires the Salaries and Allowances Tribunal (the Tribunal) to inquire into and determine the remuneration to be paid or provided to Ministers of the Crown, the Parliamentary Secretary to the Cabinet, Parliamentary Secretaries appointed under section 44A(1) of the *Constitution Acts Amendment Act 1899*, member of committees, and officers and Members of the Parliament.
2. Section 8(a) of the Act provides that a Determination relating to offices identified in sections 6(1)(a), 6(1)(ab) and 6(1)(b) must be issued within 12 months of the previous Determination. The Tribunal's most recent Determination in relation to the remuneration of Members of Parliament was issued on 21 June 2024.
3. By issuing this Determination, the Tribunal discharges its obligations under section 8(a).
4. In accordance with section 10A of the Act, decisions by the Tribunal have taken consideration of the:
 - (a) Public Sector Wages Policy 2023 issued on 18 December 2023; and
 - (b) financial position and fiscal strategy of the State, as stated in *WA State Budget 2024-25*.

Considerations

5. The Tribunal has issued this Determination to set the remuneration and allowances to be provided to Members of Parliament following the State General Election on 8 March 2025.
6. This Determination has considered a number of factors including:
 - a. Changes to the electorate boundaries arising from the [2023 Review of Western Australia's Electoral Boundaries](#) undertaken by the Electoral Commissioners pursuant to section 16E of the *Electoral Act 1907*. The most significant change in this review has been the removal of one non-metropolitan Legislative Assembly seat with the amalgamation of the majority of the geographic territory of the seats of North West Central and Moore into the new seat of Mid-West. This change also resulted in flow on effects to other non-metropolitan seats.
 - b. Submissions and findings from the Annual Members' Allowance reporting framework.
 - c. A review of the allowances provided on an annual term or a parliamentary term basis such as the Parliamentary Travel Allowance and Transition Allowance.
 - d. The changes to the Legislative Council as a result of the *Constitutional and Electoral Legislation Amendment (Electoral Equality) Act 2021*.

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7. The change to the Legislative Council, moving from six Regions with six Members per Region, to a single whole of State electorate with 37 Members, has been the most significant consideration during the Tribunal’s review.
8. The Tribunal published a Discussion Paper in October 2023 which outlined the questions it was examining which fell under three broad areas of:
 - a. has the move to a single electorate altered the roles or the requirements of Legislative Council Members?
 - b. does the Tribunal need to re-evaluate its method of defining a regional Member?
 - c. depending on its decisions on the prior two points, the Tribunal will need to re-structure some of its current allowances to suit the constitution of the new Legislative Council.
9. Following the release of the Discussion Paper, the Tribunal called for submissions from interested parties and received submissions from the Labor Party, Liberal Party, National Party, the Greens WA, one current Legislative Council Member and one former Legislative Council Member. The Tribunal considered all of these submissions when making its decisions. No submissions were received from members of the public despite advertisements being placed in *The West Australian* and regional papers, as well as on the Tribunal’s website, in December 2023 calling for submissions from the public.
10. In addition to the Discussion Paper, the Tribunal also formed a discussion group consisting of former Regional Members of the Legislative Council from the four major parties. This group provided invaluable insights into the different ways that Legislative Council Members operate, and the challenges faced in being located in, and representing, regional areas. The Tribunal thanks these Members for their time and knowledge.
11. The Tribunal has also consulted with Parliament House and the Department of the Premier and Cabinet, as administering authorities of the Determination, to ensure the Determination is as efficient and effective as possible by streamlining and simplifying, where possible, the allowances while ensuring the allowance frameworks are clear and defined in their purpose, intent and use.
12. Finally, the Tribunal has conducted extensive research including interstate jurisdictional comparisons to ensure that the allowances provided to Western Australian Members of Parliament are sufficient to enable them to fulfil their duties while also being sustainable and in line with comparators and community expectations.

Decisions

13. The Tribunal has examined the role of a Legislative Council Member and has observed that while a large portion of their duties is based in Parliament with respect to legislation, as a house of review, and other Office Holder duties such as Committee work, there is also a significant representative and advocacy function in the community, that is key to both their roles inside of Parliament House but also as a representative of the community.

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14. Having satisfied itself on the role of a Legislative Council Member and the requirement for Legislative Council Members to be able to perform their representative duties, the Tribunal had to determine if there is a distinction between metropolitan and non-metropolitan Members in relation to the various allowances.
15. As Legislative Council Members will be representing the whole State, the Tribunal has been required to determine how to define non-metropolitan Legislative Council Members and to determine which allowances are applicable to all Legislative Council Members and which to only those deemed eligible.
16. Broadly speaking, there are two types of allowances provided to Members of Parliament. There are those allowances provided to all Members to undertake their Parliamentary and electorate duties, and there are additional allowances provided to non-metropolitan Members to enable them to travel between their homes or electorates and Perth, and within their electorates, and for associated accommodation needs.
17. The Tribunal has determined that non-metropolitan Legislative Council Members will be defined based upon their primary place of residence. A Member must declare to the administering authority the location of their primary place of residence which will be used to determine which allowances they are eligible for. Where a Member has multiple properties, either through ownership or a right to occupancy, the primary place of residence will be based on a number of factors including, but not limited to:
 - a. the Member's residence prior to being elected to Parliament; or
 - b. where a Member's immediate family members reside (partner and/or children); or
 - c. where personal mail is delivered; or
 - d. where the majority of a Member's personal possessions are kept; or
 - e. the address shown on a Member's drivers licence; or
 - f. if the property is owned by the Member, it is the place exempt from capital gains tax as is usually the case for a main place of residence under ATO rules.
18. The Tribunal acknowledges that Legislative Council Office Holders, who are listed in Part 5.5 of this determination and include positions such as Ministers or Presiding Officers, and whose electorate will now include the entire State, may find it difficult to substantiate a number of the above factors, due to the amount of time their office may require the Member to spend in the metropolitan area. Such Legislative Council Office Holders will be able to retain their regional allowances based on other criteria including, but not limited to:
 - a. did the Member have their primary place of residence in a regional area prior to their appointment to office; and

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- b. are they a recognised member of a regional community, through memberships and associations; and
 - c. does the Member maintain an electorate office in a regional area?
19. If the duties of office of Legislative Council Members referred to in paragraph 18 require a predominant amount of time to be spent in the metropolitan area, such that they can not substantiate the normal primary place of residence qualifications, then it is expected the Member would retain a non-metropolitan Member designation for a maximum of one full term of holding office.
 20. Guidelines to assist in determining a primary place of residence will be developed by the Tribunal and the administering authority to assist Members in this designation.
 21. Once a primary place of residence has been declared to the administering authority, allowances are generally provided in line with the boundaries of Legislative Assembly Districts. The Tribunal's assumption is that while Legislative Council Members represent every community within Western Australia, it is unreasonable to expect a Member to travel to, or directly communicate with, every community or citizen in Western Australia in a year. A more likely scenario is that a Member would concentrate the majority of their community work around the community within which they live and then travel/communicate more broadly when specific issues arise in other locations.
 22. On this basis, the Determination allows for a Legislative Council Member whose primary place of residence is located in, for example, the District of Kimberley, access to allowances such as Charter Transport or a higher Motor Vehicle Allowance due to the expectation that the Member would regularly travel throughout the Kimberley region, whereas a Legislative Council Member located in the Perth metropolitan area would not have access to those additional allowances. It should be noted that Members located in Perth still have access to allowances that would allow them to travel to the Kimberley where required, although not on a more regular basis as compared with someone located in the Kimberley.
 23. With the framework for Legislative Council Members set, the Tribunal has determined the amount of and operation of allowances to be effective from the 42nd Parliament.
 24. The Tribunal has made no change to the remuneration of Members of Parliament. The Tribunal provided a 4% increase to the salaries of Members effective from 1 July 2024. The Tribunal intends to undertake its annual inquiry into Members of Parliament in 2025 with any changes in remuneration to be effective from 1 July 2025.
 25. The Tribunal has modernised the terminology in relation to the method of payment by removing the monthly option and providing for remuneration and some allowances to be provided in equal twice-monthly instalments only. The Tribunal is advised that this is the preferred practice for the administering authority.

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26. In reviewing the purpose of the Members’ Allowance, the Tribunal has re-affirmed the intention of the Allowance is to allow Members to undertake their parliamentary duties, which are defined in this Determination. This includes parliamentary and electorate duties but specifically excludes election campaigning, or the production of material intended to or likely to affect voting at an election.
27. The Members’ Allowance has been retained, with a single Allowance applying to all Members, in both Houses. This Allowance (previously known as Electorate Allowance) was originally introduced when Members were responsible for funding their own transport and accommodation costs. A larger allowance has been available to some, but not all, non-metropolitan Members in recognition of the costs incurred in travelling in and representing rural and remote areas.
28. Over time, various Determinations have introduced other allowances to cover the costs of travel and accommodation outside the metropolitan area.
29. In 1989, a significant change occurred, with the Tribunal determining that a leased motor vehicle would be made available to all Members (apart from those Officeholders who previously had one supplied).
30. With the Legislative Council now consisting of one Statewide electorate, and the Members’ Allowance having grown significantly to \$88,000 per annum, the Tribunal is of the view that it is appropriate for the same amount to apply across the State, for both Houses of Parliament, and to ensure that non- metropolitan Members have their transport and other costs covered by the various other allowances provided in this Determination which are shown in Table 1 below.

Table 1: Allowances for Metropolitan (M) and Non-Metropolitan (N) Members

ALLOWANCES	AMOUNTS
Members’ Allowance (M & N)	\$88,000
Motor Vehicle Allowance (M & N)	Ranges from \$27,500 to \$44,500
Travel Allowance - Electorate to/from Perth (N)	Unlimited commercial transport (based on eligibility)
Travel Allowance - Within Electorate (M & N)	Unlimited commercial transport (based on eligibility) 10 return trips within WA for all Legislative Council Members
Air Charter Transport Allowance (N)	Ranges from \$13,000 to \$50,000
Base Accommodation Allowance (M & N)	30 – 60 nights (claimable)
Metropolitan Accommodation Allowance for Members Residing in a Non-Metropolitan District (N)	\$273/night for 90 nights equals total of \$24,570 (based on eligibility)
Additional Metropolitan Accommodation Allowance for Members Residing in a Non-Metropolitan District (N)	\$273/night for 30 nights (claimable)
Additional Metropolitan Accommodation Allowance for Office Holders Residing in a Non-Metropolitan District (N)	\$273/night for 60 nights, equals total of \$16,380 (based on eligibility)
Parliamentary Travel and Study Allowance (M & N)	\$30,000 per term

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31. Through the annual Members' Allowance reporting, the Tribunal has been reviewing the use of the Members' Allowance to pay political party levies or union fees by some, but not all Members. The advice provided to the Tribunal is that political parties require elected Members to contribute a percentage of their *salaries* to the party, which is tax deductible. While Members may endeavour to ensure that once provided, the portion paid from the allowance is not used for excluded purposes such as political party activity, there is no guarantee that this is the case.
32. The Tribunal makes no comment on the legitimacy of political party levies or union fees, but is simply determining that the Members' Allowance is not an appropriate funding source with which to pay these expenses. The Tribunal is reluctant to entrench a system that further increases political party funding when more appropriate avenues for political party funding are already in place, such as the reimbursement of electoral expenditure for candidates through the Western Australian Electoral Commission.
33. The Members' Allowance is provided so that the Member may undertake their duties for the specific benefit of the community for which they are elected to represent. This Determination excludes political party levies and union fees as a legitimate use of the Members' Allowance. The premise of the levies and union fees is that they are a percentage of salary paid to a political organisation, and it is therefore appropriate that they are a personal expense and not to be paid from the Members' Allowance.
34. The Tribunal has determined three levels of Motor Vehicle Allowance based upon the geographic size of an electorate District and the distance from Perth. Legislative Council Members have been provided with an allowance based on the equivalent allowance to a Legislative Assembly Member determined by the location of their primary place of residence. The Motor Vehicle Allowance is set at a value to cover all of the Member's motor vehicle requirements, including the purchase/lease of a vehicle, taxi or hire car needs and, for instance, where a metropolitan based Member flies to a regional/remote location and needs to hire a vehicle.
35. The Tribunal has set higher rates for the larger more remote areas due to the requirement to travel greater distances, requiring a more specific vehicle i.e. 4WD vehicles to access some areas, and higher need for specific safety equipment. The Tribunal is satisfied that the allowance provided is sufficient to cover a Member's needs. However, individual usage and personal selection may mean a Member exceeds this amount. It is each Member's responsibility to either manage their selections within this allowance or be responsible for costs exceeding this amount.
36. The Tribunal has received submissions from Members requesting to have access to government leased vehicles. The Tribunal removed access for Members to government leased vehicles in December 2016 for several reasons, including providing Members with more flexibility with the allowance. However, the Tribunal has heard the arguments presented and has provided an option in this Determination for Members to access government leased vehicles.

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37. For Members to access a government leased vehicle they must abide by the rules and regulations set by State Fleet and the Department of Finance (as effective owners of the State Fleet). This includes abiding by the terms of use and the requirement to return the vehicles as early as possible when a Member ceases to be a Member. The value of specific vehicles is determined by market forces and the annual whole of life costs must include the costs (installation and if necessary, the removal) of all accessories. This includes any safety equipment the Member deems necessary. Members are reminded that the value of safety equipment has been factored into the value of the motor vehicle allowance. If Members are unable to abide by the terms of accessing a government leased vehicle, they are strongly encouraged to take the motor vehicle allowance instead to facilitate their motor vehicle needs based on their own requirements.
38. The electorate travel allowance has been split into two separate allowances. Travel Allowance - Electorate to/from Perth provides Members located in identified Districts, or Legislative Council Members whose primary place of residence is located in one of the Legislative Assembly Districts, the ability to claim the costs of commercial travel to and from their electorate base to Perth to conduct their parliamentary business. The provision of this allowance has not been changed from the previous Parliament.
39. The second is the Travel Allowance – Within Electorate. This aspect of the electorate travel allowance has required alteration as a result of the changes to the Legislative Council. Legislative Assembly Members of identified Districts have retained the ability to utilise commercial transportation within their Districts.
40. For Legislative Council Members, as their electoral region will now encompass the whole of Western Australia, this allowance has been restricted. The Tribunal believes that it is reasonable to expect that the majority of a Legislative Council Member's community work and consultation would occur with the vicinity of the location of their primary place of residence. Therefore, where a Legislative Council Member's primary place of residence is located within one of the identified Legislative Assembly Districts, they have the same ability to utilise commercial transport options as the Assembly Member. Once again this represents a continuation of the current allowance for Legislative Assembly and Council Members.
41. The Tribunal recognises that as Legislative Council Members will now be representing communities throughout the state, Members will need to have the ability to travel to meet their parliamentary requirements. However, the Tribunal does not believe there is a requirement for unlimited travel. The Tribunal has determined that Legislative Council Members may claim up to 10 return travel services throughout Western Australia per financial year. For Legislative Council Members whose primary place of residence is within a relevant non-metropolitan Legislative Assembly District with uncapped commercial travel within that Electoral District, the cap of 10 return travel services is effective for travel outside of their relevant District base.

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42. The Tribunal will continue to monitor these electorate travel allowances, specifically the 10 return travel service cap in future years to ensure it is set at an appropriate level.
43. The Tribunal has determined Charter Transport Allowance eligibility on the same basis as the Motor Vehicle and Electorate Travel Allowance, namely Legislative Assembly Members retain their current allowance and eligibility for Legislative Council Members is based upon their primary place of residence. The Tribunal has also updated this allowance by removing the ability for Members to deduct part of the costs of the Charter Allowance based upon indirect commercial flights to the same destination. Advice received by the Tribunal has indicated that the clause was administratively burdensome, is utilised by only a small number of Members and benefits the use of Charter on flights that are serviced by commercial operators rather than the intention of the allowance to allow Members to travel to communities not serviced by commercial flights.
44. The Tribunal has reviewed the usage of the Charter Transport Allowance throughout the current term of Parliament and, while acknowledging some of the usage has been affected by travel restrictions, all of the current usage has been accommodated within the current allowance rates even without applying the regular commercial transport deduction. To ensure that this remains the case, and in response to increases in the costs of Charter Transport, the Tribunal has increased this allowance by \$5,000 per annum.
45. In recognition of the difficulties of accessing remote Aboriginal communities, the Tribunal has included provisions that allow all Legislative Council Members the ability to use Charter Transport to visit regional Aboriginal communities. To access this allowance, the primary purpose of the travel must be visiting regional Aboriginal communities that are recognised as such by the Department of Communities.
46. Minor changes to the Accommodation Allowances have been made to cater for the one Legislative Council region. Modifications of language with respect to Members representing or residing in metropolitan and non-metropolitan districts, as opposed to reference to metropolitan or regional members, has been made. Further, Members whose primary place of residence is located in a certain category will receive the corresponding accommodation rates for those districts. The quantum of nights and rates available have not changed. Additionally, throughout Part 5, explanatory text has been refined to provide clarity and avoid duplication.
47. The Parliamentary Travel and Study Allowance is an allowance provided to Members over the term of a Parliament which allows Members to travel within the State, interstate or overseas, and to participate in short courses or conferences of no more than one week in duration that are directly related to a Member's parliamentary business. This allowance has not been increased since 2013. The Tribunal has decided to increase this allowance by \$3,000 to a total of \$30,000 over the course of the 42nd Parliament in recognition of increases in costs of travel and course enrolment.

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48. The [2023 Review of Western Australia’s Electoral Boundaries](#) resulted in a number of changes to Western Australia’s state electoral boundaries. The outcome of the amalgamation of the majority of the geographical area the North West Central and Moore Districts was for a new District of Mid-West. As the District of North West Central previously received the highest level of allowances, the District of Mid-West has also been provided the highest level of allowances. The Districts of Kalgoorlie and Kimberley have also experience large increases in their geographic area but once again, as they already receive the highest level of allowances, this has remained unchanged.
49. The District of Geraldton has also experienced a large increase in area, increasing from 4,229 sq km to 26,417 sq km. This increase means that the District is now similar in size to the District of Warren-Blackwood. Therefore, the allowances provided to the Member for Geraldton have, where relevant, been increased to match those provided to the District of Warren-Blackwood.
50. No other changes to allowances have been made in this Determination.
51. The Determination will now issue.

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DETERMINATION

Members of Parliament Determination No. 2 of 2024

PART 1 INTRODUCTORY MATTERS

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

1.1 Short title

- (1) This Determination may be cited as the *Members of Parliament Determination No. 2 of 2024*.

1.2 Commencement

- (1) This Determination comes into operation for the 42nd Parliament of Western Australia on:
 - (a) 9 March 2025 for Members of the Legislative Assembly; and
 - (b) 22 May 2025 for Members of the Legislative Council.(Note: Term of Parliament meaning and dates are stated in 1.5)

1.3 Content and intent

- (1) In accordance with section 6(1)(a), (ab), and (b) and section 6AA of the *Salaries and Allowances Act 1975* (the Act), this Determination provides for the remuneration, allowances and other benefits to be paid, provided or reimbursed to Ministers of the Crown, the Parliamentary Secretary to the Cabinet, Parliamentary Secretaries appointed under section 44A(1) of the *Constitution Acts Amendment Act 1899*, members of committees, and officers and Members of the Parliament.
- (2) In accordance with section 10A of the Act, decisions by the Tribunal in relation to sections 6(1)(a) and (ab) have taken consideration of the:
 - (a) Public Sector Wages Policy 2023 issued on 18 December 2023; and
 - (b) financial position and fiscal strategy of the State, as stated in WA State Budget 2024-25.

1.4 References to dates

- (1) A reference to “a year” or “per annum” relates to a financial year.
- (2) Where benefits are provided with specific reference to “a financial year”, they will cease on and from 30 June each year and, unless otherwise specified, no unexpended amount is carried over to later financial years.
- (3) Allowances for one financial year, including those relating to travel, cannot be provided in advance for use in a later year.

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1.5 Terms used

(1) In this Determination, unless the contrary intention appears –

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

Home base means the Member’s primary place of residence as declared to the administering authority or a secondary residence where the Member, or their partner has a right to ongoing occupancy, through ownership or lease of a permanent residence.

Leader of a recognised non-government party means an officer of Parliament identified in section 4(2)(k) of the Act.

Member means a Member of the Parliament of Western Australia.

Metropolitan Legislative Assembly Member means a Member who represents a metropolitan district listed in Schedule 1.

Metropolitan Legislative Council Member means a Member whose primary place of residence is located in a metropolitan district listed in Schedule 1.

Minor Party Whip means an officer of Parliament identified in section 4(2)(l) of the Act.

Non-metropolitan Legislative Assembly Member means a Member who represents a non-metropolitan district listed in Schedule 1.

Non-metropolitan Legislative Council Member means a Member whose primary place of residence is located in a non-metropolitan district listed in Schedule 1.

Office Holder means, unless stated otherwise, an officer of Parliament who is the holder of an office identified in section 4(2) of the Act.

Parliamentary Business means the usual activities related to performing the role of a Member of Parliament, which:

(a) includes:

- (i) parliamentary duties, comprising activities related directly to a Member’s role in Parliament or as an Office Holder (as listed in s4(2) of the Salaries and Allowances Act 1975); and
- (ii) electorate duties, comprising activities that support or serve a Member’s constituents; and

(b) excludes:

- (i) campaigning, such as attending or organising:
 - i. campaign launches;
 - ii. candidate selection or campaign strategy meetings; and
 - iii. general campaigning on behalf of election candidates; and
- (ii) Party political activity, including:

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- i. campaigning for a political Party; and
 - ii. organising and sustaining Party branches, such as recruiting Members to the Party or undertaking administrative activities to support the Party; and
- (iii) the publication, broadcasting, display or distribution of material intended to, calculated or likely to affect voting in an election.

Partner means a person nominated by a Member as their spouse or de facto partner, within the meaning of section 13A of the *Interpretation Act 1984*.

Primary place of residence means a home base declared to the administering authority where the Member, or their partner has a right to ongoing occupancy, through ownership or lease of a permanent residence.

Regional Aboriginal community means a community identified as an Aboriginal Lands Trust Estate or Aboriginal Community
<https://www.wa.gov.au/government/document-collections/aboriginal-lands-trust-estate-and-aboriginal-communities>

Term of Parliament means a term of the Parliament of Western Australia, which:

- (a) for Members of the Legislative Assembly, is deemed to commence the day after a general election and conclude on the day of the general election following the dissolution or expiry of the Legislative Assembly;
- (b) for Members of the Legislative Council, is deemed to commence on 22 May following a general or conjoint election and conclude on 21 May in the year in which seats would ordinarily be vacated by the effluxion of time.

Tribunal means the Salaries and Allowances Tribunal.

1.6 Principles for use of Allowances

- (1) Members must ensure use of allowances provided in this Determination is consistent with the following principles and must:
 - (a) use allowances for Parliamentary business;
 - (b) adhere to any conditions for using allowances;
 - (c) be prepared to be personally responsible and accountable for the use of allowances;
 - (d) be prepared to publicly justify use of allowances;
 - (e) act ethically and in good faith when using, and accounting for the use of, allowances; and
 - (f) provide a benefit to the electorate or community in general.
- (2) In the event a Member exhausts an individual allowance, they must consider using an appropriate alternative allowance, including the Members' Allowance provided in Part 3 of this Determination.

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- (3) The onus is on the Member to submit sufficient evidence as required by the administering agency in accordance with the Guidelines that demonstrates their eligibility for the allowance and that it has been used in accordance with the Determination. In relation to the declaration of a primary place of residence, a Member must notify the administering agency as soon as possible of any changes that affects their eligibility to receive certain allowances.

Loyalty schemes – air travel

- (4) Members using allowances in this Determination for air travel must comply with directions relating to frequent flyer points or benefits under other incentive or loyalty schemes accumulated in the course of air travel undertaken using allowances in this Determination, as set out in 8.1 and 8.2 of [Premier's Circular 2021/02: Guidelines for official air travel by Ministers, Parliamentary Secretaries and Government Officers](#).

1.7 Reporting

- (1) Members must comply with reporting requirements set out for an allowance, including using relevant forms provided.
- (2) Members must maintain appropriate records of use of allowances.
- (3) With respect to allowances provided under Part 4, Part 5 and Part 6, the Tribunal will make inquiries with administering agencies in relation to Members' claims and use of allowances.
- (4) With respect to allowances provided under Part 3, a Member will provide the Tribunal with an annual report on expenditure during the previous financial year. With respect to international expenses incurred in relation to the allowance provided under Part 6, a Member will provide the Tribunal with a report on the travel expenditure.
- (5) A Member's report to the Tribunal must:
 - (a) include certification that expenditure conformed to:
 - i. all conditions of use set out for each allowance; and
 - ii. the principles stated in 1.6; and
 - (b) be submitted to the Tribunal:
 - i. for Part 3 Members' Allowance - within 90 days of the end of the financial year or in the event a Member has completed their parliamentary term, within 90 days of the Member's last day of Parliamentary service;
 - ii. for Part 6 PTSA – within 90 days of undertaking international travel.

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- (6) The Tribunal will publish reports, as provided to the Tribunal under 1.7(3) or 1.7(4), containing details of Members' use of allowances.

1.8 Process for claiming expenses against certain Allowances

- (1) When specified in the Determination, the following conditions apply to certain Allowances against which Members can claim expenses or reimbursement.
- (2) Claims must be submitted to the administering agency within 90 days from the date the expense is incurred.
- (3) The administering agency may extend the time to submit a claim in exceptional circumstances, such as:
 - (a) receipt of invoices being delayed for reasons outside the Member's control;
 - (b) ill health; and
 - (c) bereavement.
- (4) Members must apply in writing for extensions of time and must provide sufficient details of the exceptional circumstances.
- (5) When considering exceptional circumstances under (3), administrative oversight or negligence are not relevant considerations for the administering agency.

1.9 Pro rata payments

- (1) The remuneration and allowances specified in this Determination are based on a full financial year's service. The amount of a person's entitlement to remuneration and allowances specified in this Determination shall be apportioned on a pro rata basis according to the portion of the year that the person holds office.
- (2) Except for the requirements under Part 3.1(14) where a Member ends their term of Parliament and has exceeded the pro rata amount of their allowance, they are not required to reimburse the allowances that have been spent in service to their constituency.

1.10 Taxation arrangements are a matter for the Member

- (1) Taxation arrangements in relation to remuneration and allowances provided in this Determination are a matter between an individual Member and the Australian Taxation Office.

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PART 2 REMUNERATION

2.1 General

- (1) In accordance with the Act, the term ‘remuneration’ is used and not ‘salary’. Superannuation entitlements for Members are not included in this Determination. Information with respect to superannuation can be found in the *Parliamentary Superannuation Act 1970*, and the Tribunal’s Parliamentary Superannuation Determination of 27 February 1987 and the subsequent variations thereto.
- (2) Remuneration payable to a Member under this Determination shall be calculated on and from the day following the day on which the Member’s term of Parliament commences and, except as provided by section 2.1(3) and Part 7, shall cease to be payable at the end of the day on which a person has completed their parliamentary term.
- (3) A person whose parliamentary term has concluded by reason of the dissolution or expiry of the Legislative Assembly is entitled to receive the remuneration provided in this Determination up to and including the date of the election following that dissolution or expiry.
- (4) A person who, immediately before the dissolution or expiry of the Legislative Assembly, is a Member of the Legislative Assembly and holds an office referred to in section 2.1(5) is entitled to receive the base remuneration paid to a Member, and the additional remuneration provided for in section 2.3 in respect of that office, until whichever of the following occurs first:
 - (a) their parliamentary term has concluded, other than by the dissolution or expiry by the effluxion of time of the Legislative Assembly; or
 - (b) another person is elected or appointed to the office.
- (5) The offices referred to in section 2.1(4) are the:
 - (a) Leader of the Opposition;
 - (b) Deputy Leader of the Opposition;
 - (c) Leader of a recognised non-Government party;
 - (d) Chairman of Committees (Deputy Speaker);
 - (e) Government Whip;
 - (f) Opposition Whip; and
 - (g) Minor Party Whip.
- (6) Remuneration under Part 2 of this Determination shall be paid in equal twice-monthly instalments. Remuneration relating to part of a pay period is to be calculated on a pro-rata basis.

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2.2 Base Remuneration

- (1) A Member of Parliament shall be paid a base remuneration of \$173,393 per annum.

2.3 Additional Remuneration for Office Holders

- (1) In addition to the base remuneration stated in 2.2(1), a Member appointed to an office shall be paid additional remuneration, with the total remuneration per annum paid to the Office Holder stated in Table 2.

Table 2: Additional remuneration for Office Holders

OFFICE HELD	TOTAL REMUNERATION
Premier	\$392,584
Deputy Premier	\$334,466
Leader of the Government in the Legislative Council	\$322,841
Minister of the Crown	\$306,236
Leader of the Opposition in the Legislative Assembly	\$306,236
President of the Legislative Council	\$282,989
Speaker of the Legislative Assembly	\$282,989
Leader of the Opposition in the Legislative Council	\$264,724
Deputy Leader of the Opposition in the Legislative Assembly	\$248,118
Leader of a recognised non-Government party	\$248,118
Parliamentary Secretary of the Cabinet	\$248,118
Chairman of Committees in either House (Deputy Speaker)	\$223,209
Government Whip in the Legislative Assembly	\$203,284
Opposition Whip in the Legislative Assembly	\$203,284
Parliamentary Secretary	\$198,303
Government Whip in the Legislative Council	\$198,303
Opposition Whip in the Legislative Council	\$193,321
Chairman of a Standing Committee	\$189,999
Minor Party Whip	\$188,338
Deputy Chairman of a Standing Committee	\$185,848
Member of a Standing Committee	\$185,018

- (2) A person appointed to more than one office shall be paid additional remuneration:
- (a) in respect of only one of the offices to which they have been appointed; and
 - (b) that corresponds to the highest paid office to which they have been appointed, in the event the amounts of additional salary for each office are not the same.

2.4 Salary Packaging

- (1) Salary packaging contributions may be made within the limits prescribed in the “Guidelines for Salary Packaging in the WA Public Sector 2012 - Amended”. A copy of these guidelines can be found at: <https://www.commerce.wa.gov.au/labour->

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[relations/government-instructions](#). Contributions to the Parliamentary Superannuation Scheme may be salary sacrificed up to the maximum amount allowed under the Scheme.

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PART 3 MEMBERS' ALLOWANCE

3.1 General

- (1) An Allowance in this Part is claimed on a quarterly basis to meet expenses related to the Member's Parliamentary business, including expenses for:
 - (a) community engagement and constituent support;
 - (b) communication with the electorate;
 - (c) electorate office equipment and Information Communication Technology;
 - (d) general electorate office expenses; and
 - (e) other expenses related directly to Parliamentary business.
- (2) The Allowance may be used at the Member's discretion, within the parameters set in this Determination.
- (3) The Allowance must not be used for any purpose intended, calculated or likely to affect voting in an election, including for the production of material that includes a Political Party logo, payment of political party levies and union fees.

Amounts that can be claimed

- (4) Subject to 3.1(5) and 3.1(6), a Member may claim each quarter up to a maximum of 25% of the annual amount available to the Member.
- (5) In the event a Member does not claim the full amount of the Allowance in one quarter, a sum equivalent to the unclaimed amount may be claimed in a later quarter in the same year, in addition to the amount in 3.1(4).
- (6) In the event a Member does not claim the full amount of the Allowance in one year, a sum equivalent to the unclaimed amount, up to a maximum of 10% of the Member's annual Allowance, will be preserved for use in the following year.
- (7) The preserved amount in 3.1(6):
 - (a) is available in addition to the Member's usual annual allocation;
 - (b) can be claimed in any quarter in the subsequent financial year, in addition to the allowances available under 3.2; and
 - (c) is foregone at the end of the year subsequent to the year in which it was provided.

Claim process

- (8) A Member's claim of a quarterly amount of an Allowance in this Part must:
 - (a) include certification by the Member that use of the Allowance will be consistent with the principles set out in 1.6(1); and

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- (b) specify the amount that is being claimed; and
 - (c) comply with the conditions for claiming in 3.1(9).
- (9) A Member's claim for a quarterly amount must be provided to the administering authority no later than:
- (a) 30 June, for the period from 1 July to 30 September (for payment on the Member's next available payment processing date after 1 July);
 - (b) 30 September, for the period from 1 October to 31 December (for payment on the Member's next available payment processing date after 1 October);
 - (c) 31 December, for the period from 1 January to 31 March (for payment on the Member's next available payment processing date after 1 January); and
 - (d) 31 March, for the period from 1 April to 30 June (for payment on the Member's next available payment processing date after 1 April).
- (10) In the event a Member does not comply with due dates in 3.1(9), the administering agency will contact the Member to advise that the Member has an additional 14 days, from the due date, to submit a claim.
- (11) If the Member does not submit their claim within the additional 14 days in 3.1(10), then they will not be eligible to receive a quarterly amount for that quarter.

Members serving part of a Parliamentary term

- (12) A Member who serves part of the period between dates specified in 3.1(9) may claim and be provided an amount for that period calculated on a pro rata basis.
- (13) When an election falls within the dates mentioned in 3.1 (9), payment of that quarter's allowance to Legislative Assembly Members will be pro rata to the date of the election, with the balance being paid once their re-election has been declared by the Western Australian Electoral Commission.
- (14) With the exception of a Member whose parliamentary service has concluded as a result of a general State election, a Member who:
- (a) leaves Parliament between the dates specified in 3.1(9); and
 - (b) has been provided a quarterly amount for that period
- will be required to repay a proportion of the amount provided to them, calculated on a pro rata basis for the period served.

New Members

- (15) Where a Member commences their term of Parliament either at an election or during a Parliamentary term, they will automatically receive the pro rata amount for the remainder of the quarter from which they entered Parliament. Members may

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also request to receive the next quarterly amount automatically. After this period Members must follow the steps outlined in 3.1(9).

Reporting

- (16) Use of this Allowance must be reported to the Tribunal annually, with expenditure reported in aggregate terms according to categories set out at Appendix 1 to this Determination.
- (17) The annual report must include the Member's certification, in the form set out in Appendix 1, that expenditure has complied with:
 - (a) the conditions of use set out for the Allowance; and
 - (b) the principles stated in 1.6.
- (18) The annual report must identify amounts of the Allowance that were:
 - (a) drawn down by the Member and not expended for the purposes set out in this Part; and
 - (b) not drawn down by the Member.

3.2 Members' Allowance

This allowance is provided to all Members to undertake their parliamentary business.

- (1) A Members' Allowance of up to \$88,000 per annum may be claimed by a Member.

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PART 4 TRANSPORT AND COMMUNICATION

4.1 Motor Vehicle Allowance

This allowance is provided to all Members to facilitate their motor vehicle requirements.

- (1) A Member is entitled to an annual Motor Vehicle Allowance to satisfy all their motor vehicle requirements, including taxis and hire cars.
- (2) This Allowance:
 - (a) is provided in addition to remuneration provided under Part 2; and
 - (b) shall be paid twice-monthly.
- (3) The amount provided for this Allowance is based upon the characteristics of a Member's electorate and, subject to Part 4.2, is stated in Table 3.

Table 3: Motor Vehicle Allowance

CATEGORY	ELECTORAL DISTRICT	ALLOWANCE PER ANNUM
1	Central Wheatbelt, Geraldton, Kalgoorlie, Kimberley, Mid-West, Pilbara, Roe and Warren-Blackwood Districts or a Legislative Council Member whose primary place of residence is in a category 1 District	\$44,500
2	Albany, Collie-Preston, Murray-Wellington and Vasse Districts or a Legislative Council Member whose primary place of residence is located in a category 2 District.	\$34,500
3	All other electorate Districts or a Legislative Council Member whose primary place of residence is located in category 3 District.	\$27,500

Application to Certain Office Holders

- (4) Subject to section 4.1(5), this Allowance is not provided to a Member who has been appointed to an office for which a Government vehicle has been supplied under arrangements separate to this Determination.
- (5) A Member who is appointed to an office for which a Government vehicle is supplied under arrangements separate to this Determination may apply for approval from the Tribunal to receive this Allowance.
- (6) An application under 4.1(5) must certify that the Allowance will be used in relation to motor vehicle requirements predominantly in the Member's electorate district or, for a Legislative Council Member, the electorate district in which their primary place of residence is located.

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4.2 Motor Vehicle

The option to lease a government private plated motor vehicle is available to all Members to assist with their motor vehicle requirements.

- (1) A Member may elect to be supplied with a Government leased private plated motor vehicle for their parliamentary business and private use.
- (2) Where a Member elects to receive a Government vehicle, their Motor Vehicle Allowance will be reduced by the annual whole of life cost of the vehicle. Where the annual whole of life cost of the vehicle exceeds their Motor Vehicle Allowance, the difference shall be paid by the Member.
- (3) The vehicle (being part of the Government-owned State Fleet) must be managed in accordance with the policies and condition established and amended from time to time by the Department of Finance (the effective owner of the State Fleet). Applicable terms and conditions are currently set out in the document “State Fleet – General Agreement”.
- (4) Motor vehicles leased under this Determination, or a previous Determination of the Tribunal, shall not be changed or cash in lieu taken prior to the expiration of the lease.
- (5) A Member accessing a vehicle under this Part shall take due care of the condition and security of the vehicle. This includes responsibility for ensuring the vehicle is regularly serviced and maintained according to the manufacturer’s recommended specification, and making arrangements for off-street parking at home, whenever practicable, with appropriate security precautions taken at all times. Any theft or damage must be reported to the Fleet coordinator.
- (6) Members who choose to lease an Electric Vehicle (EV) need to be aware that the costs associated with re-fuelling an electric vehicle are not included in published annual operating costs. Members will therefore bear the costs associated with refuelling EV’s. Members will be responsible for making their own arrangements for at-home EV charging infrastructure and energy costs.
- (7) The annual whole of life cost of the vehicle and accessories must be borne by the Member. This includes the purchase cost of any accessories and the installation costs and removal costs if required, before disposal of the vehicle.

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- (8) The annual whole of life cost of the vehicle must include the lease cost (based on nominated lifespan and kilometres), all applicable taxes and other operating costs. The formula to be adopted in valuing the motor vehicle is:

$$L + R + aD + \text{FBT} + I + \text{LCT}, \text{ where -}$$

L	=	Lease payments
R	=	Registration costs
a	=	Running cost per kilometre
D	=	nominated annual kilometres
FBT	=	Fringe Benefits Tax
I	=	Insurance
LCT	=	Luxury car tax

- (9) To contain additional administrative costs associated with ‘off contract’ leases, Members may request cost quotation for not more than three vehicles outside the Government’s Common User Arrangement for motor vehicles, in the process of selecting a vehicle under this arrangement. Where possible, lease terms should be tailored to coincide with Parliamentary terms.
- (10) The vehicle is a government owned asset and must be returned by the Member upon the completion of their Parliamentary term.
- (11) If Members are unable to comply with the requirements of accessing a Government leased private plated vehicle, they should access the Motor Vehicle Allowance for their individual motor vehicle requirements.

4.3 Travel Allowance – Electorate to/from Perth

This allowance is provided to eligible Members who reside in or have their electorate office located in a non-metropolitan District to travel to and from their electorate and Perth.

- (1) A Member is eligible to claim this Allowance when they represent the:
- (a) Electoral Districts of Albany, Central Wheatbelt, Geraldton, Kalgoorlie, Kimberley, Mid-West, Pilbara, Roe and Warren-Blackwood; or
 - (b) is a Member of the Legislative Council whose primary place of residence is located in one of the Electoral Districts listed in 4.3(1)(a); or
 - (c) has their electorate office located in one of the Electoral Districts listed in 4.3(1)(a).
- (2) An eligible Member specified in 4.3(1) is able to claim the costs of scheduled commercial air, rail or bus services between Perth and the Member’s District, or for eligible Legislative Council Members, between Perth and the equivalent Legislative Assembly District where their primary place of residence or electorate office is located.

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- (3) In the event a Member's electorate has no airport or station from which a commercial operator provides regular passenger transport, then an airport or station adjacent to the Member's District can be used for travel between Perth and the Member's District.
- (4) Claims against this Allowance must observe the conditions set out in section 1.8.

4.4 Travel Allowance - Within Electorate

This allowance is provided to eligible Members who reside in a non-metropolitan District to travel within their electorate.

- (1) A Member representing the Electoral Districts of Albany, Central Wheatbelt, Geraldton, Kalgoorlie, Kimberley, Mid-West, Pilbara, Roe and Warren-Blackwood is eligible to claim this allowance on an unlimited basis to travel within their Electoral District.
- (2) A Member of the Legislative Council whose primary place of residence is located in one of the Electoral Districts listed in 4.4(1) is eligible to claim this allowance to:
 - (a) travel within the relevant District where their primary place of residence is located on an unlimited basis; and
 - (b) travel throughout their Electoral Region (Western Australia), capped at a maximum of 10 return travel services per annum.
- (3) A Member of the Legislative Council whose primary place of residence is not located in one of the Electoral Districts listed in 4.4(1) is eligible to claim this allowance to travel throughout their Electoral Region (Western Australia), capped at a maximum of 10 return travel services per annum.
- (4) Claims against this Allowance must observe the conditions set out in section 1.8.

4.5 Air Charter Transport Allowance

This allowance is provided to eligible Members to travel via air charter.

- (1) Members representing Districts specified in the table in 4.5(2) shall be entitled to use air charter transport to facilitate the undertaking of Parliamentary business.
- (2) Expenses in relation to air charter transport shall not exceed the amounts stated Table 4.

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Table 4: Air Charter Transport Allowance

CATEGORY	ELECTORAL DISTRICT	ALLOWANCE PER ANNUM
1	Kalgoorlie, Kimberley, Mid-West, Pilbara Districts or a Legislative Council Member whose primary place of residence is in a category 1 District	\$50,000
2	Roe, Central Wheatbelt Districts or a Legislative Council Member whose primary place of residence is in a category 2 District	\$30,000
3	Albany, Geraldton, Warren-Blackwood Districts or a Legislative Council Member whose primary place of residence is in a category 3 District	\$13,000

- (3) In addition to 4.5(2), all Legislative Council Members and Legislative Assembly Members whose Districts include regional Aboriginal communities are able to access the Charter Transport Allowance to travel to regional Aboriginal communities to facilitate the undertaking of Parliamentary business.
- (4) The allocation of this Allowance in one year does not apply to travel booked or undertaken in another year.
- (5) Charges shall only be levied against this Allowance in the event the Member has actually undertaken the travel claimed.
- (6) When travel outside Western Australia cannot be avoided, Members seeking to claim this Allowance must obtain the Tribunal's approval before the travel is undertaken.
- (7) This Allowance may be used by Members:
 - (a) to charter aircraft under commercial arrangements;
 - (b) who, after receiving prior approval from the Tribunal, use
 - (i) their own private aircraft to travel; or
 - (ii) any other mode of transport when aircraft are not available.
- (8) This Allowance does not apply when an airline provides a direct service to and from the relevant destination at times convenient to the Member's business.
- (9) Claims against this Allowance must observe the conditions set out in section 1.8.

Private Aircraft

- (10) Subsections 4.5(10) to 4.5(16) refer to use of this Allowance for costs incurred through travel undertaken in a private aircraft.
- (11) A Member may apply to the Tribunal for approval to access the Allowance for costs related to use of a private aircraft.

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- (12) An application to the Tribunal must include:
 - (a) verification of ownership of the aircraft;
 - (b) make and model of the aircraft;
 - (c) a nominated hourly rate for reimbursement; and
 - (d) certification that:
 - (i) the Member will not obtain personal profit through arrangements set by the Tribunal; and
 - (ii) claims will be made only in relation to travel for Parliamentary business.
- (13) The Tribunal will set the conditions under which expenses for use of a private aircraft may be claimed under the Air Charter Transport Allowance, including an hourly rate for reimbursement.
- (14) Reimbursement will be provided only to the individual Member who has received the Tribunal's approval to use a private aircraft.
- (15) The administering authority may require a Member to provide flight records and AVdata to certify the details of flights.
- (16) Before proceeding with reimbursement, the administering authority must be satisfied that use of a private aircraft is less expensive than commercial charter transport for the same journey.
- (17) In the event that the actual cost of using a private aircraft is more expensive than commercial charter transport for the same journey, then reimbursement will be limited to the cost of commercial charter transport for the same journey.

4.6 Electorate Office Telephones

This allowance is available for all Members to claim some electorate office telephone expenses.

- (1) A Member is entitled to the payment by the administering agency of all charges, including international calls up to a maximum of \$40 per annum, in relation to three telephone lines in their electorate office.
- (2) Electorate office telephones are to be used for Parliamentary business only.

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PART 5: ACCOMMODATION

5.1 Accommodation Allowances – General Matters

- (1) Claims under this Part must:
 - (a) observe the conditions set out in section 1.8;
 - (b) identify the relevant accommodation allowance being claimed and certify that the expense was incurred in accordance with that allowance;
 - (c) in relation to 5.2, 5.6 and 5.7, include a tax invoice or statutory declaration; and
 - (d) in relation to Metropolitan Accommodation Allowances 5.3 to 5.5, include certification that the Member is eligible for the allowance and that the expense has been incurred in accordance with this determination.
- (2) Accommodation Allowances shall be calculated on a pro rata basis for a Member who becomes eligible for an allowance within a financial year.
- (3) Reimbursement provided under this Part shall be reduced to the extent that the Member's expenses have been, or will be, reimbursed or paid from another source.
- (4) The agency administering allowances provided under 5.2 to 5.5 will provide the Tribunal with an annual report of Members' claims, with claims categorised as "Perth metropolitan", "intrastate", "interstate" or "international".
- (5) A Member residing in a non-metropolitan district may claim metropolitan accommodation allowances when:
 - (a) the Member, or their partner, has a right to ongoing occupancy, through ownership or lease arrangements of their primary place of residence which is:
 - (i) for Legislative Assembly Members – in their non-metropolitan District listed in Schedule 1.
 - (ii) for Legislative Council Members – in a non-metropolitan District listed in Schedule 1.
 - (b) the Non-Metropolitan Member certifies that moneys provided are used to meet accommodation expenses in the metropolitan area.
- (6) The onus is on the Member to submit to the administering agency evidence in accordance with the Guidelines that demonstrates:
 - (a) the right specified in section 5.1(5)(a); and
 - (b) any periods during which the right specified in section 5.1(5)(a) has not applied.

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5.2 Base Accommodation Allowance

This allowance is available for all Members to claim accommodation expenses within Western Australia.

- (1) This is a general accommodation allowance, that may be claimed by any Member to facilitate their Parliamentary business for accommodation and associated expenses incurred within the State and more than a 75 kilometre radius from a Member's home base.
- (2) The maximum number of nights per year claimable by a Member is in accordance with the District that the Member represents or resides in, as stated in Table 5.

Table 5: Base Accommodation Allowance

CATEGORY	ELECTORAL DISTRICT	NIGHTS PER ANNUM
1	Kalgoorlie, Kimberley, Mid-West and Pilbara Districts or a Legislative Council Member whose primary place of residence is in a category 1 District	60
2	Albany, Central Wheatbelt, Collie-Preston, Geraldton, Murray-Wellington, Roe, Vasse and Warren-Blackwood Districts or a Legislative Council Member whose primary place of residence is in a category 2 District	40
3	All other Legislative Assembly Districts or a Legislative Council Member whose primary place of residence is in a category 3 District	30

- (3) The total daily amount for the base accommodation allowance is determined to be the amount specified for accommodation expenses in Table 3 or Table 4 of the relevant Australian Taxation Office's daily travel allowance (published as a Taxation Determination) applicable at the date of travel.
- (4) Claims for non-commercial accommodation shall be paid at 40% of the applicable daily rate.

5.3 Metropolitan Accommodation Allowance for Members Residing in a Non-Metropolitan District

This allowance is provided to eligible Members who reside in a non-metropolitan District for accommodation required to attend sittings of Parliament.

- (1) An eligible Member (in accordance with 5.1(5)) is entitled to an amount of \$273 per night for 90 nights each year for accommodation and associated expenses incurred to attend sittings of Parliament.
- (2) The allowance shall be paid in twice-monthly instalments.

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- (3) Notwithstanding 1.6 of this Determination, a Member claiming this allowance cannot use any other allowance provided in this Part to meet accommodation expenses, incurred in the metropolitan area or elsewhere, on days when Parliament is sitting.
- (4) The only exceptions to 5.3(3) are claims made under 5.5 and 5.6, for which moneys are not provided directly to the Member.

5.4 Additional Metropolitan Accommodation Allowance for Members Residing in a Non-Metropolitan District

This allowance is available for eligible Members who reside in a non-metropolitan District to claim for additional accommodation in the Perth metropolitan area.

- (1) In addition to the allowance provided in section 5.3, eligible Members may claim an amount of \$273 per night, up to a maximum of 30 nights per year, for metropolitan accommodation and related expenses associated with:
 - (a) official Parliamentary committee business;
 - (b) official Government, Parliamentary or Vice Regal functions; and
 - (c) other official duties relating to Parliamentary or electorate matters.
- (2) Claims under this section cannot be made:
 - (a) in relation to nights included in section 5.3 to facilitate attendance at sittings of Parliament; or
 - (b) by Office Holders specified in section 5.5(1).

5.5 Additional Metropolitan Accommodation Allowance for Office Holders Residing in a Non-Metropolitan District

This allowance is provided to eligible Office Holders who reside in a non-metropolitan District for accommodation expenses in the Perth metropolitan area related to their Office Holder position.

- (1) In addition to the amount provided in section 5.3, the following Office Holders, who reside in a non-metropolitan district, are entitled to an allowance for metropolitan accommodation and related expenses incurred to facilitate their Parliamentary business, including Cabinet and Executive Council responsibilities, and other functions of the office they hold:
 - (a) Premier;
 - (b) Deputy Premier;
 - (c) Minister of the Crown;
 - (d) Leader of the Opposition in the Legislative Assembly;
 - (e) President of the Legislative Council;
 - (f) Speaker of the Legislative Assembly;

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- (g) Leader of the Opposition in the Legislative Council; and
 - (h) Leader of a recognised non-Government Party
- (2) Eligible Office Holders are entitled to an amount of \$273 per night for 60 nights per year.
- (3) The allowance shall be paid in twice-monthly instalments.
- (4) For an eligible Office Holder appointed during a financial year to an office listed in section 5.5(1), this allowance shall be calculated on a pro rata basis.

5.6 Office Holder Accommodation Within Australia

This allowance is available for Office Holders to claim accommodation expenses within Australia.

- (1) The following Office Holders are entitled to claim overnight accommodation and associated expenses related to their office that are incurred within Australia and more than a 75 kilometre radius from their home base -
- (a) Premier;
 - (b) Deputy Premier;
 - (c) Ministers;
 - (d) Leader of the Opposition in the Legislative Assembly;
 - (e) Leader of the Opposition in the Legislative Council;
 - (f) Leader of a Recognised Non-Government Party;
 - (g) Parliamentary Secretary to the Cabinet; and
 - (h) Parliamentary Secretaries.
- (2) The actual costs of accommodation claimed under this section can be debited to the Corporate Credit Card provided to the Office Holder.
- (3) The total daily amount that may be claimed under this section is determined to be the relevant amount specified for accommodation expenses in Table 3, Table 4 or Table 8 of the Australian Taxation Office's daily travel allowance (published as a Taxation Determination) applicable at the date of travel.
- (4) Claims for non-commercial accommodation shall be paid at 40% of the applicable daily rate.
- (5) Where an Office Holder reasonably and properly incurs costs exceeding the rates specified in section 5.6(3) and has debited a Corporate Credit Card provided to them, the actual costs shall be met.

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- (6) A Member appointed to act temporarily in an office listed in section 5.6(1) is entitled, for the duration of the temporary appointment, to claim an allowance under this section on the same basis as a permanent Office Holder, provided they have been requested in writing by the Office Holder to deputise on business related to that office.

5.7 Members on Parliamentary Committee Business Accommodation

This allowance is available for Members on Parliamentary committee business to claim accommodation expenses.

- (1) A Member may claim accommodation expenses when travelling as an official representative of a Parliamentary committee or delegation, including a standing, select or a joint committee.
- (2) The total daily amount that may be claimed under this section is determined to be the relevant amount set for accommodation expenses in Table 3, Table 4 or Table 8 of the Australian Taxation Office's daily travel allowance (published as a Taxation Determination) applicable at the date of travel.
- (3) Claims for non-commercial accommodation shall be paid at 40% of the applicable daily rate.
- (4) Where the costs reasonably and properly incurred exceed the rates contained in section 5.7(2), the actual costs shall be met.

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PART 6 PARLIAMENTARY TRAVEL AND STUDY ALLOWANCE

6.1 Parliamentary Travel and Study Allowance

This allowance is available for all Members to claim travel and study expenses.

- (1) In this section, **conferences and courses** means meetings, seminars or other types of conferences/courses that incur fees normally associated with attending conferences/courses of no more than 1 week in duration conducted by professional bodies, educational organisations or special interest groups. Conferences/Courses should be directly related to a Member's parliamentary business.
- (2) Under this Part, a Member may claim up to \$30,000 in a Parliamentary term for expenses or reimbursement incurred for:
 - (a) travel, accommodation and incidental expenses while undertaking Parliamentary business; and
 - (b) attendance at conferences and courses which inform and assist in the performance of their functions as a Member of Parliament.
- (3) A Member who serves part of a term of Parliament may claim an amount calculated on a pro rata basis according to that part of the term of Parliament.
- (4) This Allowance must not be claimed for expenses paid for or reimbursed by any other party.
- (5) A Member shall not use this Allowance for expenses incurred in the period between the issue of a writ pursuant to the *Electoral Act 1907* for a general election, conjoint election or a by-election relevant to their Electorate District or Region, and the day fixed by the writ or writs for the taking of the poll.
- (6) In addition to 6.1(5), a Member of the Legislative Council who will end their parliamentary service following a general election or by-election is not able to claim the Allowance in the period between that election and the day they leave Parliament.
- (7) A Member may apply to the Tribunal for approval to access the Allowance in the periods specified in 6.1(5) and 6.1(6), including when a Member has:
 - (a) prior to the issue of a writ, appropriately claimed expenses for travel to be undertaken after the writ is issued; or
 - (b) incurred expenses for a conference or short-course and the relevant conference or short-course has commenced.

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- (8) Expenses must be incurred for the benefit of the Member only, except when a Member:
- (a) requires physical or medical assistance, in which case a person may accompany the Member in order to render such assistance; or
 - (b) is caring for a dependent child up to 12 months of age, in which case a person may accompany the Member in order to assist with care for the child.

Claim process

- (9) Claims for expenses or reimbursement must be submitted to the administering agency and must include certification that:
- (a) use of moneys complies with conditions set out in section 1.6; and
 - (b) expenses relate to the Member's Parliamentary business.

Reporting

- (10) The agency administering this Allowance will provide the Tribunal with an annual report of Members' claims under this Part, with claims categorised as "Perth metropolitan", "intrastate", "interstate" or "international".

Reporting by Members on international travel

- (11) A Member who uses this Allowance to undertake international travel must comply with reporting requirements set out in 6.1(12).
- (12) Within 90 days of expending moneys, Members must submit to the Tribunal a report, in the form provided at Appendix 2 to this Determination, including details of:
- (a) how moneys have been expended; and
 - (b) the expected benefit to the State from the expenditure.

Applicable Rates

- (13) The applicable rate for claims or reimbursements under this section is determined to be:
- (a) for travel within Australia, the relevant amounts for commercial accommodation, meals and incidentals set out in Table 3 and Table 4 of the Australian Taxation Office's daily travel allowance (published as a Taxation Determination) applicable at the date the expense is incurred; and
 - (b) for international travel:
 - (i) up to \$400 per day for commercial accommodation; and
 - (ii) the relevant amounts for meals and incidentals set out in Table 8 and Table 9 of the Australian Taxation Office's daily travel allowance

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(published as a Taxation Determination) applicable at the date the expense is incurred.

- (14) For non-commercial accommodation, the daily amount of claims or reimbursements shall be 40% of the amounts specified in section 6.2(1).

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PART 7 TRANSITION ALLOWANCE

7.1 Transition Allowance

This allowance is available for Members to claim to assist with post-Parliamentary transition.

- (1) This Allowance is provided to facilitate a Member’s post-Parliamentary transition, which may include accessing resettlement advice and services, financial counselling, re-employment counselling, training costs and any other costs incurred as the Member considers necessary.
- (2) Subject to 7.2, a Member may claim this Allowance upon ceasing to be Member.
- (3) This Allowance can be claimed up to 6 months from the day after a Member leaves Parliament.
- (4) The commencement of the period set in 7.1(3) shall be deferred for a Member who has finalised their parliamentary term but is seeking to be a candidate in the next election, or is a candidate in the next election, and the period will commence the day after it is confirmed through the election’s result that the person will not resume as a Member.
- (5) The maximum amount of the Allowance is a proportion of the Base Remuneration, set in 2.2, calculated according to a Member’s length of service as a Member, as stated in Table 6.
- (6) Where a Member serves less than one complete term of Parliament, they are entitled to the pro rata amount of 3 months base remuneration based upon the length of their service, as stated in Table 6.

Table 6: Transition allowance

PERIOD OF PARLIAMENTARY SERVICE	MAXIMUM AMOUNT OF BASE REMUNERATION
One term of Parliament	3 months
More than one term, but less than three terms of Parliament	6 months
Three terms of Parliament or more	9 months

- (7) Calculations, under 7.1(5), of the maximum amount of the Allowance that may be claimed by a Member must:
 - (a) consider only the Member’s continuous period of service, which is concluding; and
 - (b) disregard separate periods of service in previous Parliaments, for which the Member has claimed the Transition Allowance or received the Resettlement Allowance provided in previous Tribunal Determinations.

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Claiming the Transition Allowance

- (8) A Member may claim the Allowance by submitting an application to the administering agency that:
 - (a) includes certification that the Member is eligible to be provided the Allowance;
 - (b) includes an official acknowledgement from the Salaries and Allowances Tribunal that the Member has submitted the relevant financial year's Members' Allowance and any other outstanding reports required of the Member; and
 - (c) specifies the amount(s) being claimed.
- (9) A Member may elect to be provided the Allowance in up to two instalments.
- (10) In exceptional circumstances, such as ill health and bereavement, a Member may apply to the administering agency to adjust the number of instalments specified in 7.1(9).
- (11) An application under 7.1(10) must be in writing and must provide sufficient details of the exceptional circumstances.

Ineligible Members

- (12) This Allowance is not available to a Member who:
 - (a) is entitled to superannuation benefits through the Parliamentary Pension Scheme; or
 - (b) has not complied with reporting requirements set out in this Determination; or
 - (c) is disqualified from membership of the Legislature under section 32(1)(b) of the *Constitution Acts Amendment Act 1899*.

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SCHEDULE 1 – ELECTORAL DISTRICTS

Metropolitan Districts:
Armadale
Balcatta
Baldivis
Bassendean
Bateman
Belmont
Bibra Lake
Bicton
Butler
Cannington
Carine
Churchlands
Cockburn
Cottesloe
Darling Range
Forrestfield
Fremantle
Girrawheen
Hillarys
Jandakot
Joondalup
Kalamunda
Kingsley
Kwinana
Landsdale
Maylands
Midland
Mindarie
Morley
Mount Lawley
Nedlands
Oakford
Perth
Riverton
Rockingham
Scarborough
Secret Harbour
South Perth
Southern River
Swan Hills
Thornlie
Victoria Park
Wanneroo
West Swan

Non-Metropolitan Districts:
Kimberley
Kalgoorlie
Mid-West
Pilbara
Roe
Central Wheatbelt
Geraldton
Warren-Blackwood
Albany
Murray-Wellington
Collie-Preston
Vasse
Bunbury
Dawesville
Mandurah

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E Prof M Seares AO
CHAIR

Hon. J Day
MEMBER

Dr M Schaper
MEMBER

SALARIES AND ALLOWANCES TRIBUNAL

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APPENDIX 1 – MEMBERS’ ALLOWANCE REPORT

MEMBERS’ ALLOWANCE: ANNUAL USAGE REPORT

MEMBER: _____

ELECTORATE: _____

In accordance with 1.7 and Part 3 of this Determination, within 90 days of the end of a financial year, Members must submit to the Tribunal a report of expenditure using Members’ Allowances, including:

- a completed form (below) with details in aggregate terms of how moneys were expended;
- certification (below) that:
 - use of moneys has complied with principles set out in section 1.6; and
 - conditions of use set out for the Members’ Allowance.

Members must submit the report to submissions@sat.wa.gov.au.

A report on Members’ expenditure will be published on the Tribunal’s website.

MEMBERS’ ALLOWANCE (PART 3 OF DETERMINATION)	
TOTAL ANNUAL MEMBERS’ ALLOWANCE AVAILABLE TO MEMBER	\$88,000
AMOUNT DRAWN DOWN (annual amount claimed from Parliament House)	
AMOUNT NOT DRAWN DOWN (Any amount not claimed through Parliament House. This does not include money that was claimed but not spent during the financial year)	
AMOUNT NOT DRAWN DOWN AND CARRIED OVER TO NEXT FINANCIAL YEAR (maximum 10% of total annual Members’ Allowance)	
REPORTED EXPENDITURE	
<i>Members should report <u>all</u> expenditure, including expenditure that falls above the amount drawn down, that falls within the categories related to a Member’s Parliamentary business as stated under Part 3.1(1) of the Members of Parliament Determination.</i>	
• Community engagement and constituent support	
• Communication with the electorate	
• Electorate office equipment and Information Communication Technology	
• General electorate office expenses	
• Other expenses related directly to Parliamentary business (please provide examples of the types of expenses claimed under this allowance below)	
• Example 1	
• Example 2	
• Example 3	

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TOTAL EXPENDITURE	\$
TOTAL DRAWN DOWN THAT WAS NOT EXPENDED / OVER EXPENDED	\$
CERTIFICATION	

To be signed by Member of Parliament before submission

This report reflects all expenditure in the last financial year using the Members' Allowance provided under Part 3 of the Members of Parliament Tribunal Determination.

Expenditure detailed in this report conforms to the:

- *conditions of use set out for the Members' Allowance; and*
- *principles for use of allowances provided in this Determination, which state that Members must:*
 - (a) use allowances for parliamentary business;*
 - (b) adhere to any conditions for using allowances;*
 - (c) be prepared to be personally responsible and accountable for the use of allowances;*
 - (d) be prepared to publicly justify use of allowances; and*
 - (e) act ethically and in good faith when using, and accounting for the use of allowances.*

Signed: _____

Date: _____

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APPENDIX 2 – INTERNATIONAL TRAVEL REPORT

PARLIAMENTARY TRAVEL AND STUDY ALLOWANCE: INTERNATIONAL TRAVEL REPORT

MEMBER: _____

ELECTORATE: _____

In accordance with Part 6 of this Determination, within 90 days of expending moneys for international expenses using the Parliamentary Travel and Study Allowance, Members must submit to the Tribunal:

- *a report including details of:*
 - *how moneys were expended (see form below); and*
 - *the expected benefit to the State from the expenditure.*
- *certification (see below) that:*
 - *use of moneys has complied with principles set out in section 1.6; and*
 - *expenses related to the Member's Parliamentary business.*

Members must submit the certification and report to submissions@sat.wa.gov.au

Reports provided by Members will be published on the Tribunal's website.

PARLIAMENTARY TRAVEL AND STUDY ALLOWANCE (PART 6 OF DETERMINATION)

INTERNATIONAL EXPENSES ONLY

TRAVEL DATES:

DESTINATIONS VISITED:

ALLOWANCE CLAIMED:

\$

REPORTED EXPENDITURE:

• Airfares

• Fees for conferences or short courses

• Accommodation

○ Number of nights

• Incidentals

• Other (please identify)

TOTAL EXPENDITURE

\$

TOTAL SURPLUS/DEFICIT

\$

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EXPECTED BENEFIT TO THE STATE FROM THE EXPENDITURE

Please outline the following:

1. What was the rationale for the travel/why is the travel warranted.....

2. Why was travel required to achieve this.....

3. In what way will the travel benefit the electorate and/or State.....

4. What was the community driver to undertake this travel.....

5. Which was the host organisation for any conference(s) attended. Which other organisations/individuals did you meet with and in which locations.....

6. What will be the outcome of this travel.....

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CERTIFICATION

To be signed by Member of Parliament before submission

This report reflects all expenditure for international expenses using the Parliamentary Travel and Study Allowance.

Expenditure detailed in this report conforms to the:

- *conditions of use of the Parliamentary Travel and Study Allowance; and*
- *principles for use of allowances provided in this 1.6 of this Determination, which states that Members must:*
 - (a) use allowances for parliamentary business;*
 - (b) adhere to any conditions for using allowances;*
 - (c) be prepared to be personally responsible and accountable for the use of allowances;*
 - (d) be prepared to publicly justify use of allowances; and*
 - (e) act ethically and in good faith when using, and accounting for the use of allowances.*

Signed: _____

Date: _____