



No. 12 of 2016

DETERMINATION AND REPORT OF THE REMUNERATION TRIBUNAL
ACCOMMODATION AND MEAL ALLOWANCES FOR
MINISTERS OF THE CROWN AND OFFICERS AND MEMBERS OF PARLIAMENT

A. REPORT

1. Introduction

- 1.1 Section 4(1)(c) of the *Parliamentary Remuneration Act 1990*, confers jurisdiction on the Remuneration Tribunal to determine from time to time electorate allowances and other allowances and expenses for Members of Parliament.
- 1.2 Section 3 of the *Remuneration Act 1990*, defines such allowances and expenses as remuneration, and section 8(2) of the Act requires the Tribunal to review previous determinations of remuneration under the Act at least once in each year.
- 1.3 The last Determination in relation to accommodation and meal allowances was Determination and Report 8 of 2014. The Tribunal conducted its annual review of that Determination in 2015 and decided to leave the Travelling and Accommodation allowances as provided for in Determination 8 of 2014. A report was issued by the Tribunal in those terms.

2. Procedural History

- 2.1 Section 10(2) of the *Remuneration Act 1990*, requires that before the making of a Determination affecting the remuneration of a particular person, or persons of a particular class, the Tribunal must allow that person, or persons of that class, a reasonable opportunity to make submissions.
- 2.2 The Tribunal wrote to those parties who are within the scope of this Determination on 1 August 2016 inviting submissions. The correspondence to the parties gave notice of the Tribunal's intention to review Determination 8 of 2014 generally, and in addition, the Tribunal notified the parties that the following specific areas of Determination 8 of 2014 would be reviewed:
 - Confirm whether payment of an allowance is conditional upon overnight absence and/or when actual expenditure has occurred;
 - Confirm what types of expenses are to be met by the allowance; and
 - Clarify the meaning of "*plus any extra expenditure necessarily incurred*".
- 2.3 The closing date for submissions was 29 August 2016, and no submissions were received from the parties.

3. Accommodation and Meal Allowances for Ministers of the Crown and the Leader and Deputy Leader of the Opposition

- 3.1 This allowance provides financial assistance to Ministers of the Crown and the Leader and Deputy Leader of the Opposition, for accommodation and meal expenses involved in travelling in an official capacity within South Australia and interstate.
- 3.2 Having regard to the increased accommodation and meal allowances granted to the South Australian public sector, the Tribunal is of the view that justification exists to increase these allowances.
- 3.3 The Tribunal has therefore determined to provide equivalent increases to the accommodation and meal allowances for Ministers of the Crown, the Leader of the Opposition and the Deputy Leader of the Opposition.

4. Country Members Accommodation Allowance

- 4.1 This allowance provides financial assistance to a Member of either House of Parliament whose usual place of residence is more than 75 kilometres by road (by the most direct route) from the Adelaide General Post Office ("GPO"), and who is required to stay in Adelaide overnight in order to attend to either parliamentary duties or the Member's duty to be actively involved in community affairs. A modest level of financial assistance is also provided to a Member whose permanent residence is outside metropolitan Adelaide but who does not qualify for the existing accommodation allowance because they do not live more than 75 kilometres from the GPO.
- 4.2 Having regard to the increased accommodation allowances granted to the South Australian public sector, the Tribunal is of the view that justification exists to increase the allowances for Country Members of Parliament.
- 4.3 Consequently, the Tribunal has determined to provide equivalent increases to the accommodation allowances for Country Members of Parliament.

B. DETERMINATION

1. Scope of Determination

This Determination applies to Ministers of the Crown, the Leader and Deputy Leader of the Opposition, and to Country Members of Parliament.

2. Accommodation and Meal Allowances

- 2.1 A Minister who actually incurs expenditure when travelling on official business and which necessitates absence from home overnight shall be paid an allowance as follows:
 - 2.1.1 Outside Metropolitan Adelaide, as defined by the *Development Act 1993*, but within the State - at the rate of two hundred and seventy eight dollars (\$278) per day for accommodation and meals;
 - 2.1.2 Interstate - at the rate of four hundred and ninety nine dollars (\$499) per day for Sydney, and at the rate of four hundred and forty one dollars (\$441) per day for places other than Sydney, for accommodation and meals;
 - 2.1.3 Provided that, where it is necessary and appropriate, reasonable additional expenditure to that prescribed by the allowances in 2.1.1 and 2.1.2 for the purposes of accommodation and meals may be incurred.

2.2 The allowances provided by this clause shall also be payable to the Leader of the Opposition for expenditure actually incurred when travelling on official business, and to the Deputy Leader of the Opposition when he or she deputises, at the Leader's request, for the Leader of the Opposition in his or her official capacity.

3. Country Members Accommodation Allowance

Part A

A Member of either House of Parliament:

- a) whose usual place of residence is more than 75 kilometers by road from the General Post Office at Adelaide (by the most direct route); and
- b) who is required to stay in Adelaide overnight in order to attend not only to parliamentary duties but also to the Member's duty to be actively involved in community affairs and to represent and assist constituents in dealings with governmental and other public agencies and authorities,

shall be paid an accommodation allowance of two hundred and twenty two dollars (\$222) for each such night up to a maximum of one hundred and thirty five (135) nights per annum, with the total allowance payable not to exceed twenty nine thousand, nine hundred and seventy dollars (\$29,970) for the twelve month period commencing on and from 1 July 2016.

Part B

A Member of either House of Parliament:

- a) whose usual place of residence is less than 75 kilometers by road from the General Post Office at Adelaide (by the most direct route), but is outside Metropolitan Adelaide (as defined by the *Development Act 1993*); and
- b) who is required to stay in Adelaide overnight in order to attend not only to parliamentary duties but also to the Member's duty to be actively involved in the community,

shall be paid an accommodation allowance of two hundred and twenty two dollars (\$222) for each such night up to a maximum of fifteen (15) nights during each twelve month period commencing on and from 1 July 2016.

4. Date of Operation

The allowances prescribed in clauses 2 and 3 of this Determination shall operate with effect from 27 September 2016, and supersede those prescribed previously in Determination No. 8 of 2014.



John Lewin
PRESIDENT



Peter Alexander
MEMBER



Pamela Martin
MEMBER

Dated this 27th day of September 2016