



No. 18 of 2016

REPORT OF THE REMUNERATION TRIBUNAL
ANNUAL REVIEW OF REIMBURSEMENT OF EXPENSES APPLICABLE TO THE
ELECTORATE OF FINNISS – TRAVEL BY FERRY

1. PREAMBLE

The *Remuneration Act 1990* (“the Act”) was introduced to establish an independent tribunal to determine the remuneration payable to members of the judiciary, and the remuneration or part of the remuneration payable in respect of certain other offices. Section 14 of the Act provides that additional jurisdiction may be conferred on the Tribunal by any other Act, or by proclamation of the Governor. Section 3A of the *Parliamentary Remuneration Act 1990* (“the PR Act”) confers jurisdiction on the Remuneration Tribunal (“the Tribunal”) to make a determination or perform any other function required by the PR Act.

Section 3A(3) of the PR Act provides that the Tribunal may make a different provision according to the member, the electorate, the House of Parliament or the circumstances to which the Determination is to apply. The last Determination in relation to reimbursement of expenses applicable to the electorate of Finnis is Determination 5 of 2015, which applies to the specific circumstances within the electorate of Finnis, where ferry travel by sea is routinely required to move around the electorate for the purposes of parliamentary business.

2. PROCEDURAL HISTORY

Section 8(2) of the Act requires the Tribunal to review its Determination annually, and section 10(2) of the Act, 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.

The Tribunal wrote to the parties who are subject to this Determination on 18 October 2016, notifying the parties of the Tribunal’s intention to review the specific reimbursement of ferry travel expenses associated with the electorate of Finnis, and inviting submissions with a closing date of 18 November 2016. No submissions were received by the Tribunal.

3. REPORT

The Tribunal has conducted its annual review of Determination 5 of 2015. The level of the allowance for the electorate of Finnis is fixed in Determination 5 of 2015. The allowance is based on the reimbursement of expenses actually and necessarily incurred, by the member for Finnis, for the purposes of travel by ferry between Kangaroo Island and the Fleurieu Peninsula, for electoral purposes. The reimbursement is currently capped at an amount of \$3,380, and in the absence of any submission that the allowance is inadequate for this purpose, the Tribunal considers that there is no

necessity to vary the allowance. Accordingly, the terms of the Tribunal's Determination 5 of 2015 shall continue to apply.

The Electoral Districts Boundaries Commission has recently determined a realignment of South Australia's electoral boundaries, which will affect the electorate of Finniss, with effect at the next election of members of the House of Assembly. The Tribunal will review the Determination, having regard to the electorate within which Kangaroo Island is situated, subsequent to that election.



John Lewin
PRESIDENT



Peter Alexander
MEMBER



Pamela Martin
MEMBER

Dated this 19th day of December 2016.