



No. 17 of 2016

REPORT OF THE REMUNERATION TRIBUNAL
2016 REVIEW OF ELECTORATE ALLOWANCES FOR MEMBERS OF THE PARLIAMENT OF
SOUTH AUSTRALIA

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 to make a determination or perform any other function required by the PR Act.

Section 4(1)(c) of the PR Act provides that electorate allowances form part of the remuneration of members of the Parliament 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.

2. BACKGROUND

In 2015, the PR Act was amended by the *Parliamentary Remuneration (Determination of Remuneration) Amendment Act 2015* ("the Amending Act") and the expense allowances for Ministers of the Crown and Officers of the Parliament were abolished. The Tribunal has therefore not considered expense allowances as part of its review in 2016, as this component of remuneration now forms part of the common allowance for the members of the Parliament. Accordingly, this review has been conducted in relation to electorate allowances only.

3. PROCEDURAL HISTORY

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 Premier, as the Minister responsible for the Act, and the members of the Parliament on 18 October 2016, notifying the parties of the Tribunal's intention to review the electorate allowance, and inviting submissions with a closing date of 18 November 2016. No submissions were received by the Tribunal.

A formal sitting of the Tribunal was convened in relation to this matter on 5 December 2016.

4. REPORT

The Tribunal has conducted its annual review of electorate allowances for 2016. The electorate allowance is an allowance in respect of discharging parliamentary duties within the electorate the member of Parliament represents. In the absence of any submissions, the Tribunal is unable to discern what expenses of this kind have increased.

Accordingly, the Tribunal will issue an electorate allowance Determination in similar terms as the Tribunal's Determination 2 of 2014, however, the expense allowances for Ministers of the Crown will be removed, pursuant to section 3B(e) of the PR Act, as amended by the *Parliamentary Remuneration (Determination of Remuneration) Amendment Act 2015*, which abolished the expense allowances with effect from the commencement date of the Amending Act.



John Lewin
PRESIDENT



Peter Alexander
MEMBER



Pamela Martin
MEMBER

Dated this 19th day of December 2016.