



No. 3 of 2013

REPORT AND DETERMINATION OF THE REMUNERATION TRIBUNAL
TRAVELLING AND ACCOMMODATION ALLOWANCES
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* (SA) 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 this Act at least once in each year.
- 1.3 The last determination covering these matters was Determination and Report No. 4 of 2012, issued in June 2012.
- 1.4 Section 10(2) of the *Remuneration Act 1990* requires that before making 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.
- 1.5 In accordance with legislative provisions, the Tribunal wrote to the Premier and the Leader and Deputy Leader of the Opposition on 28 May 2013, and to Ministers and all other Members of Parliament on 29 May 2013. The Tribunal's correspondence advised that it intended to review Determination 4 of 2012, and invited written submissions for its consideration.

2. Travelling and Accommodation Allowances for Ministers and the Leader and Deputy Leader of the Opposition

- 2.1 This allowance provides financial assistance to Ministers and the Leader and Deputy Leader of the Opposition for travel and accommodation expenses involved in travelling in an official capacity both within South Australia and interstate.

- 2.2 Having regard to the increased travelling and accommodation allowances granted to the South Australian Public Sector and to Judges, Court Officers and Statutory Officers, the Tribunal is of the view that justification exists to increase these allowances.
- 2.3 The Tribunal has therefore determined to provide equivalent increases to the travelling and accommodation allowances for Ministers of the Crown, the Leader of the Opposition and the Deputy Leader of the Opposition, to operate on and from 1 July 2013.

3. Country Members Accommodation Allowance

- 3.1 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 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.
- 3.2 Having regard to increases in hotel accommodation prices, and increased accommodation allowances granted to the South Australian Public Sector and to Judges, Court Officers and Statutory Officers, the Tribunal is of the view that justification exists to increase the Country Members Accommodation Allowance.
- 3.3 Consequently, the Tribunal has determined to provide equivalent increases to the accommodation allowances for Country Members of Parliament, to operate on and from 1 July 2013.
- 3.4 The Tribunal received submissions that the existing Country Members Accommodation Allowance is unfair to a Member who lives outside Metropolitan Adelaide, but less than 75 kilometres from the GPO, and who is similarly required to stay overnight in Adelaide to attend to parliamentary duties or community duties as a Member of Parliament. These submissions argued that it is not acceptable to expect any Member living outside Metropolitan Adelaide to drive to his or her place of residence after long and late parliamentary sittings, or meetings that finish late at night at a significant distance from where the Member resides.
- 3.5 The Tribunal has acknowledged the potential hazards faced by a Member who lives outside Metropolitan Adelaide but within a 75 kilometre radius in the context of the situations described above, and accordingly the relative unfairness such a Member faces compared to those who qualify for the existing Country Members Accommodation Allowance. In the circumstances, the Tribunal has determined to vary the Country Members Accommodation Allowance to provide an accommodation allowance of up to \$218 per day for a Member whose permanent residence is outside Metropolitan Adelaide but within 75 kilometres of the GPO. The allowance will only be payable when the Member elects to stay in commercial accommodation in lieu of returning to their residence due to parliamentary duties or commitments in the community as a Member of Parliament. The annual amount payable will also be limited to fifteen accommodation nights.

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. Travelling and Accommodation Allowances

2.1 A Minister who actually incurs expenditure when travelling on official business shall be paid:

2.1.1 Outside Metropolitan Adelaide, as defined by the *Development Act 1993*, but within the State - up to two hundred and sixty dollars (\$260) per day for meals and accommodation;

2.1.2 Interstate - up to four hundred and sixty-six dollars (\$466) per day for Sydney and up to four hundred and twenty-one dollars (\$421) per day for places other than Sydney, for meals and accommodation;

2.1.3 Any extra expenditure necessarily incurred in addition to the allowances provided in 2.1.1 and 2.1.2.

2.4 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 eighteen dollars (\$218) 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, four hundred and thirty dollars (\$29,430) for the twelve month period commencing on and from 1 July 2013.

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 outside Metropolitan Adelaide (as defined by the *Development Act 1993*); and

- b) who is required to stay in Metropolitan 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,

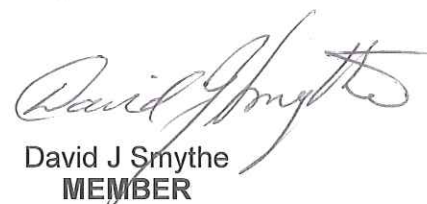
shall be paid an accommodation allowance of up to two hundred and eighteen dollars (\$218) for each such night up to a maximum of fifteen (15) nights during each twelve month period commencing on and from 1 July 2013. The allowance is intended to cover the cost of overnight accommodation and associated breakfast expenses in a commercial hotel or motel and shall only be payable to a Member who qualifies for the allowance under this part.

4. DATE OF OPERATION

The allowances prescribed in Clause 2 and 3 of this Determination shall operate on and from 1 July 2013 unless otherwise prescribed in this Determination and supersede those prescribed previously in Determination No. 4 of 2012.



Deane R Prior
PRESIDENT



David J Smythe
MEMBER

18 June 2013