

EXPLANATORY STATEMENT

Determination Number 26 of 1998

Remuneration Tribunal Act 1973

1. The Remuneration Tribunal is empowered to inquire into and determine the allowances to be paid to members of the Parliament by reason of their membership of the Parliament or by reason of their holding particular offices, or performing particular functions in, or in relation to the Parliament or either House of Parliament.
2. This Determination replaces Determination Number 1 of 1998 (the previous determination) following a review of transportation and postage entitlements.

Electorate Allowance

3. New Clause 1 is the same as Clause 1 of the previous determination.

Travel Entitlements – Scheduled Commercial Transport

4. New Clause 2.1 is similar to Clause 2.1 of the previous determination. However, the entitlement is extended to include travel at government expense for the purpose of official business. New Clause 2.2 defines official business for the purposes of Clause 2.1.
5. Clauses 2.6 to 2.7 of the previous determination are obsolete and are omitted.
6. Apart from renumbering clauses and cross-references, new Clauses 2.3 to 2.27 are the same as Clauses 2.2 to 2.5 and 2.9 to 2.25 of the previous determination.

Car Transport

7. New Clause 3.1 is similar to Clause 3.1 of the previous determination. However, the entitlement is extended to include car transport at government expense for the purpose of official business. New Clause 3.2 entitles a senator or member to be provided with car transport when travelling on official business and defines official business in the same manner as new Clause 2.2.
8. New Clause 3.3 enables the Special Minister of State (the Special Minister) to approve the mode of car transport provided to a senator or member.
9. New Clause 3.4 enables a senator or member to use car transport in Canberra for personal emergencies such as dental and medical treatment, funerals and other compassionate circumstances and reasonable personal services such as religious services and banking when these are not available at Parliament House.

10. New Clause 3.5 requires a senator or member provided with a short-term self-drive car in Canberra on the weekends between sitting weeks and after a sitting week followed by parliamentary committee business to meet the fuel costs. The Clause also enables the senator or member to use the car for private purposes, but not for commercial purposes.
11. New Clause 3.6 enables a senator or member provided with a long-term self drive car in Canberra to use the car for private purposes, but not for commercial purposes. New Clause 3.7 requires the senator or member to meet the personal cost contribution and other provisions in the Executive Vehicle Scheme (EVS) guidelines for the Senior Executive Service (SES) of the Australian Public Service (APS) except for the provisions relating use of vehicles on approved leave. The provision is similar to the requirement for vehicles provided in accordance with Clause 5.8.
12. Apart from renumbering clauses and cross references, new Clauses 3.8 to 3.11 are the same as Clauses 3.2 to 3.6 of the previous determination. New Clause 3.12 is reworded in order to clarify the spouse travel entitlement for attendance at official functions in previous Clause 3.7.

Private Vehicle Allowance

13. New Clauses 4.1 to 4.5 are the same as Clauses 4.1 to 4.5 of the previous determination.

Provision of Vehicle

14. New Clauses 5.1 to 5.3 are similar to Clauses 5.1 to 5.3 of the previous determination. The Clauses entitle a senator or member to request a standard private plated vehicle or a non-standard private plated vehicle (such as a four wheel drive) and enable the Special Minister to develop guidelines for providing non-standard vehicles.
15. New Clause 5.4 is similar to Clause 5.9 of the previous determination. The Clause entitles members of the six largest electorates and senators representing the Northern Territory to request a four wheel drive vehicle, in addition to a standard or non-standard vehicle in Clause 5.1.
16. New Clause 5.5 is similar to Clause 5.4 of the previous determination. It provides that where a senator or member is provided with a non-standard vehicle in accordance with Clause 5.1, his or her charter transport entitlement or electorate allowance is reduced by the difference in the lease costs between a standard vehicle and the non-standard vehicle.
17. New Clause 5.6 is similar to Clause 5.11 of the previous determination. It provides that where a senator or member from the six largest electorates and a senator representing the Northern Territory is provided with an additional four-wheel drive vehicle his or her charter transport entitlement or electorate allowance is reduced by the lease cost of the four-wheel drive vehicle.

18. New Clause 5.7 specifies the purposes for which a vehicle or vehicles provided to a Senator or Member under Clauses 5.1 and 5.4 may be used.
19. New Clause 5.8 is similar to Clause 5.5 of the previous determination. It provides that a senator or member provided with a vehicle in accordance with Clauses 5.1 and 5.3 shall meet the personal cost contribution and other provisions in the EVS guidelines for the SES of the APS except for the provisions relating to use of vehicles on periods of approved leave.
20. Apart from renumbering clauses and cross references, new Clauses 5.9 to 5.11 are the same as Clauses 5.6 to 5.8 of the previous determination.

Charter Aircraft/Drive Yourself Vehicles

21. New Clause 6.1 defines the modes of charter transport that can be used. It is similar in terms to the first sentence of Clause 6.1 of the previous determination.
22. Apart from references to dates of effect that have become obsolete and are therefore deleted, new Clauses 6.2 to 6.4 are the same as Clauses 6.2 to 6.4 of the previous determination..
23. New Clauses 6.5 to 6.9 nominate persons that can accompany a senator or member when using the charter transport entitlement and specify the conditions under which a person or persons, other than a spouse, a member of staff or another senator or member, can accompany the senator or member.
24. New Clause 6.10 is the same as Clause 6.5 of the previous determination.

Life Gold Pass

25. New Clauses 7.1 to 7.8 are the same as Clauses 7.1 to 7.8 of the previous determination. A minor error is corrected in Clause 7.7 where a life gold pass holder was incorrectly referred to as a senator or member and the reference to “official travel” is amended to read “Life Gold Pass travel entitlement”.

Severance and Overseas Travel

26. New Clauses 8.1 to 9.12 are the same as Clauses 8.1 to 9.12 of the previous determination, except for Clause 8.5 where the reference to “official travel” is amended to read “severance travel entitlements”.

Office Facilities

27. New Clauses 10.1 to 10.5 are the same as Clauses 10.1 to 10.5 of the previous determination.

28. Clauses 10.6 to 10.8 of the previous determination ceased to operate on 30 June 1998 and are omitted. Apart from renumbering clauses and cross references, new Clauses 10.6 to 10.11 are the same as Clauses 10.9 to 10.14 of the previous determination.
29. New Clause 10.12 enables a re-elected senator or member in the 1998/99 financial year to call-forward an advance of up to 25 per cent of his or her next year's Information Delivery Services entitlement.
30. Clause 10.13 provides that where such an advance is made the senator or member's 1999/2000 financial year's entitlement is reduced by the amount called-forward. Clauses 10.10 to 10.13 will be further reviewed in 1999.
31. Apart from renumbering of clauses and cross references, new Clauses 10.14 and 10.15 are the same as Clauses 10.15 and 10.16. Clause 10.17 of the previous determination is obsolete and has been omitted from this determination.

General

32. New Clauses 11.1 to 11.3 are the same as Clauses 11.1 to 11.13 as the previous determination.

Authority: Sub-sections 7(1) and 7(4)
of the *Remuneration Tribunal Act 1973*.