



REMUNERATION TRIBUNAL

Explanatory Statement: Determination 2000/02: Parliamentary allowances for expenses of office

The Remuneration Tribunal has inquired into and determined allowances for expenses of office for parliamentarians, as it is empowered to do by the *Remuneration Tribunal Act 1973* ("the Act").

Part A – General

Part A specifies the authority for and the date of effect of the determination and administration matters.

Part B – Travelling Allowance and related matters

Part B deals with Travelling Allowance and related matters.

- B1 Clause B1 specifies the Principal Determination (Number 8 of 1998) for the purposes of Part B of the Determination.
- B2 Clause B2 deletes the words "In exceptional circumstances" from Part 2, clause 1(e). This action is consistent with an earlier undertaking by the Tribunal to monitor the operation of the accountability framework.
- It also deletes obsolete clauses relating to advertising committees on the constitutional referendum on the republic issue (existing clauses 10(j) and 10A).
- B3 Clause B3 increases the number of overnight stays for travel within the ten largest electorates, with effect from 1 January 2000, and simplifies existing clause 13(d) to 13(i) by inserting a table on the limits for overnight stays for which travelling allowance may be paid.
- B4 Clause B4 extends the entitlement to a daily expense allowance of \$50 (the Canberra Daily Allowance) for members representing an electorate adjacent to the Australian Capital Territory and whose principal place of residence is within a 30-kilometre radius of Parliament House. This entitlement is in lieu of the allowance of \$145 (the Canberra Allowance), which is paid to senators and members (other than those representing the ACT) when Parliament is sitting.

Part C – Allowances for other expenses of office and related matters

Part C deals with allowances for expenses of office and related matters other than Travelling Allowance.

- C1 Clause C1 specifies the Principal Determination (Number 26 of 1998) for the purposes of Part C of the Determination.
- C2 Clause C2 provides for a Consumer Price Index based adjustment of 3.1 per cent to the rates of Electorate Allowance, with effect from 1 January 2000.
- C3 Clause C3 deletes obsolete clauses relating to advertising committees on the constitutional referendum on the republic issue (clauses 2.2(c) and 2.2A).
- C4 Clause C4 is similar to existing clause 2.4. It extends the entitlement to travel at government expense on scheduled commercial/commuter air services to senators

and members who are members of a parliamentary committee and are required to travel to the Cocos (Keeling) Islands, Christmas Island and Norfolk Island on committee business. Previously when travelling on committee business to these destinations, senators and members were eligible only for travelling allowance.

- C5 Clause C5 modifies spouse, nominee and dependent child travel arrangements to allow senators and members to better balance their work and family responsibilities.

The entitlement has been renamed Family Travel, to better reflect that the purpose of the entitlement is family reunion. Consistent with this purpose, new clause 2.8 requires that travel under this entitlement be to accompany or join a senator or member.

New clause 2.7 seeks to accommodate and recognise the range of modern families by extending the categories of persons who can accompany or join a senator or member to include family members other than spouses and dependent children as well as carers. This broader category of persons is referred to as “designated persons”. As senators and members may now nominate more than one person for the purposes of this entitlement, existing clause 2.8 is obsolete and has been deleted.

New clauses 2.9 to 2.15 set out the conditions and limits on Commonwealth expense of family travel. New clauses 2.9 and 2.10 provide for the class of travel for spouse/nominee and dependent children and are similar to existing clauses 2.12 and 2.20.

New clause 2.11 entitles designated persons to economy class travel unless they are under the age of 12 or accompanying a dependent child under the age of 12, or travelling with the senator and member or his or her spouse.

New clauses 2.12 to 2.14 are similar to existing clauses 2.15, 2.13 and 2.22, and 2.16 respectively. New clause 2.15 is a simplified version of existing clauses 2.17 and 2.25.

New clause 2.16 is similar to existing clause 2.9 (a) and (b) and specifies the number of trips each year for a spouse or nominee.

New clause 2.17 is similar to existing clause 2.9 but increases the family travel entitlement of senators and members representing the Australian Capital Territory (ACT) to the interstate entitlement of other senators and members.

New clause 2.18 is similar to existing clause 2.20 and specifies the number of trips each year for the dependent child(ren) of a senator or member.

New clause 2.19 provides that designated persons may travel at Commonwealth expense subject to the pooling and substitution arrangements for spouse/nominee and/or dependent children trips.

New clauses 2.20 to 2.23 extend the pooling of spouse, nominee and dependent children travel entitlements (existing clauses 2.18, 2.21 and 2.24) to cover travel by designated persons and allow spouse/nominee interstate travel to be accessed by dependent children and designated persons.

New clause 2.24 specifies the circumstances under which the spouse or nominee of a senator or member may travel independently. New clause 2.25 is similar to existing clause 2.11.

- C6 Clause C6 is similar to existing clause 3.5 and requires a senator or member provided with a short-term self-drive car in Canberra on the weekends to meet the fuel costs. This clause also enables the senator or member to use the car for private purposes, but not for commercial purposes.

- C7 Clause C7 inserts a new clause 3.14 to extend the mode of transport that can be

used by dependent children and designated persons when travelling under the family travel provisions to cover transfers by taxis and hire car.

- C8 Clause C8 makes minor amendments following the introduction of the new *Public Service Act 1999*. Apart from renumbering of clauses and cross-references, new clauses 5.7 to 5.10 are simplified versions of existing clauses 5.7 to 5.11.
- C9 Clause C9 amends the Charter Aircraft/Drive Yourself Vehicle entitlement and provides for renumbering of clauses. New clause 6.2 provides for a 5.7 per cent across the board adjustment to the maximum levels of reimbursement a year, effective from 1 January 2000, based on cost increases arising from a Tribunal survey of charter costs.
- C10 Clause C10 amends existing clause 6.8(c) to enable senators and members to be accompanied by their dependent child(ren) on charter transport where such travel is cost neutral.
- C11 Clause C11 provides for the deletion of existing clause 6.9 and the cessation from 1 July 2000 of the requirement that a senator or member must advise the special Minister of State, wherever possible prior to charter travel taking place, of the names and reasons for travel of all passengers.
- C12 Clause C12 puts in place a new clause 7.2(i), which is similar to existing clause 7.2(i) but has been amended to specify the qualifying period for a Life Gold Pass for Parliamentary Secretaries. For the purposes of this entitlement, Parliamentary Secretaries have the same qualifying period as Senators and Members. This means that the qualifying period for Ministers in existing clause 7.2(i) and the accelerated eligibility provisions in existing clause 7.2(ii) do not apply to Parliamentary Secretaries.
- C13 Clause C13 is similar to existing clause 7.4 but has been extended to enable the spouse of a Life Gold Pass holder to travel for the purposes of joining the holder.
- C14 Clause C14 amends provisions dealing with telephones in private residences. From the next billing period following the date of this Determination, the Commonwealth will meet rental and transfer costs two telephone lines to a senator's or member's private residence.
- C15 Clause C15 provides for a new clause 10.2, which is a simplified version of existing clause 10.5.
- C16 Clause C16 replaces existing clauses 10.6 and 10.7 with a new clause 10.3 and increases the annual Information Services Delivery Entitlement from \$22,000 to \$25,000 a year, to reflect changes in electorate sizes, costs and new technologies including the Internet.
- C17 Clause 17 deletes obsolete clauses relating to carryover provisions (existing clauses 10.12 and 10.13) and renumbers clauses and cross-references. New clauses 10.4 to 10.9 are the same as previous clauses 10.8 to 10.11 and 10.14 and 10.15.

The retrospective application of this determination does not affect the rights of a person (other than the Commonwealth) in a manner prejudicial to that person, nor does it impose any liability on such a person.

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