



REMUNERATION TRIBUNAL

Explanatory Statement: Determination 2008/15 Members of Parliament – Travelling Allowance

1. The Remuneration Tribunal has inquired into and determined the remuneration and significantly related matters for office holders, as it is empowered to do by the *Remuneration Tribunal Act 1973*.
2. In making this determination the Tribunal has informed itself through consultation in accordance with established practice.
3. Any retrospective application of this determination is in accordance with subsection 12(2) of the *Legislative Instruments Act 2003* as it does not affect the rights of a person (other than the Commonwealth or an authority of the Commonwealth) to that person's disadvantage, nor does it impose any liability on such a person.
4. The Determination updates and replaces in full Determination Number 15 of 2007 as amended (the previous determination) and takes effect on and from 30 August 2008.

PART 1 – RATES

5. Clauses 1.1, 1.2, and 1.3 specify the domestic travelling allowance rates for Specified Office Holders and senators and members and varies the list of Specified Office Holders to include Chief Government Whip in the House of Representatives, Chief Opposition Whip in the House of Representatives, Government Whip in the Senate and Opposition Whip in the Senate. The travelling allowance rates in Table 1A have been updated with effect from 31 August 2008.
6. Clause 1.4 contains the definitions for certain words for the purposes of the Determination.

PART 2 – CONDITIONS OF PAYMENT

7. Clause 2.1 sets out the definitions and general principles that apply to this Part and varies the definition of 'Office Holder' to include Chief Government Whip in the House of Representatives, Chief Opposition Whip in the House of Representatives, Government Whip in the Senate and Opposition Whip in the Senate.

8. Clauses 2.2 to 2.4 set out the conditions for the payment of travelling allowance.
9. Clauses 2.5 to 2.9 set out the travelling allowance provisions for the Prime Minister, Ministers and Office Holders.
10. Clauses 2.10 to 2.14 set out the travelling allowance provisions for senators and members. Clause 2.14 varies the rate of daily expense allowance payable to a senator or member from the Australian Capital Territory or a member representing an electorate adjacent to the Australian Capital Territory, whose principal place of residence is within a 30 kilometre radius of Parliament House, from \$67 to \$70 for each day of attendance in Canberra for parliamentary business.
11. Clauses 2.15 to 2.18 set out the travelling allowance provisions for senators and members representing the External Territories.
12. Clauses 2.19 to 2.27 set out the travelling allowance provisions for Party Leaders, the Second Deputy Speaker in the House of Representatives, Chief/Primary Whips, Whips, Chairs of Parliamentary Committees, and Shadow Ministers.
13. Clause 2.28 specifies that the Special Minister of State may make procedural rules to give effect to the determination.

Authority: Sub-sections 7(1), 7(2) and 7(4)
of the *Remuneration Tribunal Act 1973*