



REMUNERATION TRIBUNAL

Explanatory Statement: Determination 2010/09 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.

PART 1 – GENERAL

4. Part 1 specifies the authority for and the date of effect of the Determination and revokes and supersedes the previous principal Determination 2009/11 applying to the Offices covered by this Determination. It also contains definitions of certain words and references used in the Determination. These provisions were specified in other parts of the previous principal Determination.

PART 2 – RATES

5. Part 2 sets out the domestic travelling allowance rates for Specified Office Holders, senators and members and the Prime Minister. These rates have been updated with effect from 29 August 2010. The Canberra rate in Table 2A has increased to \$233 per overnight stay.
6. The Prime Minister's rate in Clause 2.2 for accommodation and sustenance for each overnight stay in a place other than an official establishment or the Prime Minister's home base has been updated to a limit of \$526.

PART 3 – CONDITIONS OF PAYMENT

7. Part 3 sets out the conditions for payment of travelling allowance. Clauses 3.1 to 3.6 set out general conditions of payment.
8. Clauses 3.7 to 3.11 set out the specific travelling allowance provisions applying to the Prime Minister, Ministers and Office Holders. Clause 3.8.2 entitles Ministers (other than the Prime Minister) and specified Parliamentary office holders in exceptional circumstances to an allowance for meals and incidental costs only. This allowance has been increased up to a limit of \$155 per day.
9. Clauses 3.12 to 3.16 set out the travelling allowance provisions for senators and members. Clause 3.16 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 \$74 to \$77 for each day of attendance in Canberra for parliamentary business.
10. Clauses 3.17 to 3.20 set out the travelling allowance provisions for senators and members representing the External Territories.
11. Clauses 3.21 to 3.29 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.
12. Table 3A has been amended to note that the electorate of Kalgoorlie has been abolished and the electorate of Durack created. The Tribunal will review the entitlement for the Member for Durack in the future.

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