



REMUNERATION TRIBUNAL

Determination 2005/08: Members of Parliament - Travelling Allowance

Pursuant to subsections 7(1), 7(2) and 7(4) of the *Remuneration Tribunal Act 1973*, the Remuneration Tribunal has inquired into travelling allowances payable within Australia and conditions of payment to members of the Parliament and Ministers of State, and determines as set out below.

This Determination supersedes and revokes in full Determination Number 5 of 2004 (*Members of Parliament – Travelling Allowance*) and takes effect on and from the day following the day it is registered in the Federal Register of Legislative Instruments.

PART 1 - RATES

- 1.1** Subject to this determination, the rates in Table 1A shall apply in respect of each overnight stay in commercial accommodation.

Table 1A – Travel Allowance rates for specified & non-specified Members of Parliament

Column 1	Column 2	Column 3
	SPECIFIED OFFICE HOLDERS (refer to clause 1.3)	SENATORS OR MEMBERS (incl Office Holders not specified in clause 1.3)
CAPITAL CITIES		
Canberra	\$170	\$170
Sydney	\$395	\$300
Melbourne	\$395	\$277
Brisbane	\$325	\$255
Perth	\$325	\$248
Adelaide	\$325	\$260
Darwin	\$325	\$248
Hobart	\$325	\$228
COUNTRY CENTRES		
Country Centres not specified below	\$211	\$178

Column 1	Column 2	Column 3
	SPECIFIED OFFICE HOLDERS (refer to clause 1.3)	SENATORS OR MEMBERS (incl Office Holders not specified in clause 1.3)
NORTHERN TERRITORY		
Alice Springs	\$211	\$196
Jabiru	\$300	\$278
Katherine	\$211	\$196
Yulara	\$415	\$393
QUEENSLAND		
Cairns	\$211	\$196
Gold Coast	\$235	\$212
Horn Island	\$238	\$216
Thursday Island	\$260	\$238
Weipa	\$245	\$223
NEW SOUTH WALES		
Bathurst	\$211	\$196
Maitland	\$211	\$196
Newcastle	\$238	\$216
Wagga Wagga	\$211	\$196
Wollongong	\$235	\$208
VICTORIA		
Ararat	\$211	\$196
Ballarat	\$235	\$203
Bendigo	\$211	\$196
Warrnambool	\$211	\$196
SOUTH AUSTRALIA		
Pt Lincoln	\$235	\$207
WESTERN AUSTRALIA		
Albany	\$211	\$196
Broome	\$246	\$224
Bunbury	\$211	\$196
Carnarvon	\$235	\$200
Dampier	\$235	\$203
Halls Creek	\$211	\$196
Kalgoorlie	\$211	\$196
Karratha	\$265	\$243
Kununurra	\$235	\$212
Newman	\$245	\$223

Column 1	Column 2	Column 3
	SPECIFIED OFFICE HOLDERS (refer to clause 1.3)	SENATORS OR MEMBERS (incl Office Holders not specified in clause 1.3)
Northam	\$235	\$208
Pt Hedland	\$247	\$225
Tom Price	\$235	\$200
TASMANIA		
Burnie	\$235	\$202
Devonport	\$235	\$200
Launceston	\$211	\$196
EXTERNAL TERRITORIES		
Christmas Island	\$235	\$208
Cocos (Keeling) Island	\$235	\$198

1.2 For Prime Minister's Travel Allowance rates refer to clause 2.5.

1.3 Specified Office Holders for the purposes of Table 1A, column 2:
Deputy Prime Minister, Treasurer, Leader of the House, Leader of the Government in the Senate, Other Ministers, Parliamentary Secretaries, Leader of the Opposition, President of the Senate, Speaker of the House of Representatives, Deputy Leader of the Opposition, Leader of the Opposition in the Senate, Deputy Leader of the Opposition in the Senate, Chairman of Committees in the Senate, Deputy Speaker in the House of Representatives, Leader of a recognised non-Government party of at least 5 members not otherwise specified herein.

1.4 For the purposes of this determination:

- (a) 'Canberra' includes locations within a 30 kilometre radius from Parliament House;
- (b) 'commercial accommodation' means accommodation in a commercial establishment such as a hotel, motel or serviced apartment;
- (c) 'Sydney', 'Melbourne', 'Brisbane', 'Perth' and 'Adelaide' mean locations within a radius of ten kilometres from the General Post Office or five kilometres from the major airport servicing the city;
- (d) 'Darwin' and 'Hobart' mean locations within a radius of five kilometres from the General Post Office or five kilometres from the major airport servicing the city; and
- (e) unless the contrary intention appears, any reference to the size of an electorate which is used to determine levels of entitlements refers to the land area of the electorate only.

PART 2 - CONDITIONS OF PAYMENT

Definitions and General Provisions

2.1 For the purposes of this Part -

- (a) 'Office holder', includes the President of the Senate, the Speaker of the House of Representatives, the Leader and the Deputy Leader of the Opposition, the Leader and the Deputy Leader of the Opposition in the Senate, the Deputy President and Chairman of Committees in the Senate, the Deputy Speaker in the House of Representatives and the Leader of a recognised party of at least five members in the Parliament;
- (b) 'Parliamentary Committee', includes committees concerned with public affairs and committees concerned with the domestic affairs of Parliament;
- (c) The 'home base' of a senator or member shall be his or her principal place of residence. The home base shall be nominated to the Special Minister of State. In the case of a Minister or office-holder required to spend continuous periods in Canberra on official business, the home base shall be the place of residence which the Minister or office-holder maintains and to which he or she would ordinarily return if the Minister or office holder was not required to spend the continuous periods in Canberra on official business;
- (d) A reference to a meeting of a parliamentary political party, of its executive, or one of its committees, and the national conference of a political party, refers only to meetings or conferences which are properly constituted, having been convened by an office holder of the parliamentary political party or by a person designated by the party as a person who may nominate the venue for such meetings;
- (e) A claim for travelling allowance for an overnight stay or overnight stays under a provision of this determination must be submitted within 60 days from the date the travel is completed. Upon receipt of a written request from a senator or member, the Special Minister of State, or his or her nominee, may approve an extension of time to submit a claim. Where a claim is submitted after the 60 day period has elapsed, and where the Special Minister of State, or his or her nominee, has not approved an extension of time, payment of a claim will not be made;
- (f) Where a claim for travelling allowance for an overnight stay or overnight stays is made or received under a provision of this determination, a person is not entitled to claim or receive travelling allowance or reimbursement of travelling expenses under any other source of entitlement for the same overnight stay or overnight stays; and
- (g) A reference to 'year' means a period commencing 1 July and ending on the following 30 June.

Canberra

2.2 The Canberra rate in Table 1A is payable upon validation of arrival and departure times in Canberra in the form of documentary evidence of travel to and from Canberra in accordance with guidelines issued by the Special Minister of State.

Private Non-Commercial Accommodation - other than Canberra

2.3 Where a senator or member is accommodated in private, non-commercial accommodation such as the home of a family member or friend, a rate of one third of the rate for commercial accommodation in Table 1A is payable, rounded upwards to the nearest dollar.

Commercial Accommodation - other than Canberra

2.4 In order to be paid the commercial accommodation rate, a receipt for the commercial accommodation must be produced or certification must be made that a receipt for the commercial accommodation can be produced (and will be produced upon request). Where no receipt is produced, and no certification is made, or a certification is made but no receipt is produced when requested, a rate of one third of the rate for commercial accommodation as specified in Part 1 is payable, rounded upwards to the nearest dollar. Where the mode of transport includes an en route accommodation component no travelling allowance will be paid.

The Prime Minister

2.5 The Prime Minister shall be provided with accommodation and sustenance up to a limit of \$495 for each overnight stay in a place other than an official establishment or the Prime Minister's home base. If no receipt is produced or certification made that a receipt can be produced on request, the Prime Minister is entitled to one-third of \$495 (rounded upwards to the nearest whole dollar). Accommodation and sustenance at official establishments shall be provided at government expense.

2.5.1 In exceptional circumstances, the Commonwealth may pay the accommodation and sustenance costs incurred by the Prime Minister where those costs exceed the travelling allowance entitlement provided in clause 2.5 and where:

- (i) those costs are incurred in respect of overnight stays in a place other than an official establishment or the Prime Minister's home base; and
- (ii) the overnight stay is occasioned by official business as the Prime Minister.

Ministers of State (other than the Prime Minister) and Office Holders

2.6 Travelling allowance shall be payable to a Minister (other than the Prime Minister) or an office holder for each overnight stay in a place other than his or her home base when that stay is occasioned primarily by:

- (a) sittings of the House of Parliament or direct travel to or from such sittings; or
- (b) official business as a Minister or as an office holder; or
- (c) meetings of or the formal business of parliamentary committees of which he or she is a member or direct travel to or from such meetings; or
- (d) meetings in Canberra of his or her parliamentary political party, of its executive or of its committees (see clause 2.1(d)) or direct travel to or from such meetings; or
- (e) meetings of his or her parliamentary political party executive (see clause 2.1(d)) in a capital city or direct travel to or from such meetings; or
- (f) meetings, other than in Canberra, of a parliamentary political party, or of its executive, or of its committees, and attendance at the national conference of a political party, of which he or she is a member (see clause 2.1(d)) up to a maximum of ten overnight stays per annum in total, and direct travel to or from such meetings or conferences.

2.6.1 In exceptional circumstances the Commonwealth may pay the accommodation costs incurred by a Minister where those costs are incurred in respect of overnight stays in a place other than his or her home base or Canberra when that stay is occasioned primarily by the sittings, official business and meetings specified in clauses 2.6(a) to 2.6(f) above.

2.6.2 Where the costs of accommodation are met in accordance with clause 2.6.1, travelling allowance may be paid for meals only up to a limit of \$80 per day, except where the mode of transport includes an en route accommodation component in which case no travelling allowance on account of meals will be paid. Any claim for travelling allowance shall be subject to provision of receipts and made on a reimbursement basis.

2.7 The Deputy Prime Minister when acting Prime Minister is entitled to travelling allowance in accordance with clause 2.5.

2.8 Where the spouse of a Minister or an office holder travels in the company of the Minister or office holder at government expense an additional amount of \$10 shall be added to the rate in Part 1.

2.9 A Minister or an office holder travelling between Western Australia or the Northern Territory and Canberra on parliamentary business who is required to break a journey, may be paid travelling allowance in accordance with the rates in Part 1.

Senators and Members

2.10 Travelling allowance shall be payable to a senator or member for each overnight stay in a place other than his or her home base when that stay is occasioned primarily by:

- (a) sittings of the House of Parliament or direct travel to or from such sittings; or
- (b) meetings of or the formal business of parliamentary committees of which he or she is a member or direct travel to or from such meetings; or
- (c) attendance at functions representing a Minister or a Presiding Officer on official business as a Minister or Presiding Officer, or direct travel to or from such functions, provided the Minister or Presiding Officer nominates the function in advance in a written request to the senator or member to represent him or her; or
- (d) meetings in Canberra of his or her parliamentary political party, of its executive or of its committees (see clause 2.1(d)) or direct travel to or from such meetings; or
- (e) meetings of his or her parliamentary political party executive (see clause 2.1(d)) in a capital city or direct travel to or from such meetings; or
- (f) meetings, other than in Canberra, of a parliamentary political party, or of its executive, or of its committees, and attendance at the national conference of a political party, of which he or she is a member (see clause 2.1(d)) up to a maximum of ten overnight stays per annum in total, and direct travel to or from such meetings or conferences; or
- (g) attendance at official government, parliamentary or vice-regal functions; or
- (h) meetings of a non-statutory body which a senator or member has been nominated to attend by resolution of either House, where the senator or member performs duties principally as a representative or alternate representative, of the Parliament; or
- (i) attendance at properly constituted meetings of a Government advisory committee or task force provided that the senator or member is a member of the committee or task force.

2.11 A senator or member travelling between Western Australia or the Northern Territory and Canberra on parliamentary business who is required to break a journey may be paid travelling allowance in accordance with the rates in Part 1.

2.12 Except as provided in clauses 2.13, 2.14, 2.15 and 2.16, travelling allowance is not payable to a senator or member for an overnight stay within the electoral division of the House of Representatives which contains the home base of the senator or member.

2.13 In addition to the entitlement in clause 2.10, a member whose electorate is 10,000km² or more in area, or a senator, who:

- (a) travels in his or her electorate on parliamentary or electorate business; and
- (b) stays overnight in a place other than his or her home base; and

(c) makes a claim identifying the places and nights of absence,

may be paid travelling allowance at the relevant 'Country Centres' rate in Table 1A for a senator or member for each overnight stay, subject to the limits in the table below:

Table 2A – Maximum number of overnight stays per year

Chamber	State or Territory/Electorate	Overnight stays a year
Senators	Except from the Northern Territory and Western Australia	6
	From the Northern Territory ^a	66
	From Western Australia	10
Members	Electorate of 10,000 to 19,999 km ²	12
	Electorate of 20,000 to 99,999 km ²	20
	Electorate of 100,000 to 499,999 km ²	30
	Electorate of 500,000 to 999,999 km ²	45
	Electorate of Lingiari	66
	Electorate of Kalgoorlie	75

^a *Subject to review.*

2.13.1 A member representing an electorate of 300,000 km² or more shall be entitled to access up to five overnight transit stops per annum from the overnight stays as provided in clause 2.13, at the nearest major transport centre, where they are not able to access their electorate through direct flights from within their electorate.

2.13.2 A member representing an electorate of less than 10,000 km² in area, whose electorate includes islands or separate regional areas located outside the boundary of, and which are at least 100 kms from, the main body of his or her electorate, may access up to a maximum of six overnight stays per annum, for electorate business on those islands or in the separate regional areas.

2.14 A senator or member from the Australian Capital Territory or a member representing an electorate adjacent to the Australian Capital Territory and whose principal place of residence is within a 30 kilometre radius of Parliament House shall be paid a daily expense allowance of \$60 for each day that he or she attends in Canberra:

- (a) sittings of his or her House of Parliament; or
- (b) meetings of his or her parliamentary political party, of its executive or of one of its committees (see clause 2.1(d)); or
- (c) meetings of a Parliamentary Committee of which he or she is a member.

External Territories

- 2.15** A senator from the Northern Territory or the Member for Lingiari who visits the Cocos (Keeling) Islands and/or Christmas Island and the member for Canberra and senators from the Australian Capital Territory who visit Norfolk Island for electorate business shall be paid additional travelling allowance up to a maximum of eleven overnight stays per annum, unless prevailing airline schedules prevent the senator or member from completing his or her journey within that maximum number of days. This entitlement shall apply to senators from the Northern Territory and the Australian Capital Territory only while the total representation from those Territories in both Houses does not exceed eight senators and members in the Parliament.
- 2.16** A senator from the Northern Territory or the member for Lingiari who is required to break his or her journey when travelling to or from the Cocos (Keeling) Islands or Christmas Island on electorate business may be paid travelling allowance for that overnight stay in accordance with the rates in Part 1.
- 2.17** A senator or member who visits an external territory (other than Antarctica) on parliamentary business shall be paid a travelling allowance as specified.
- 2.18** A senator or member who visits an external territory other than in accordance with clause 2.15, shall be paid travelling allowance provided that, prior to embarking on the visit, he or she submits to the Special Minister of State a statement in writing setting out fully:
- (a) that the purpose or purposes of the journey was for Parliamentary Committee business as formally authorised by the Parliamentary Committee; and
 - (b) the period of the visit and proposed itinerary.

Party Leaders

- 2.19** The Leader of a recognised party of at least five members in the Parliament shall be paid travelling allowance for each overnight stay when travelling in the performance of duties or functions connected with the office of leader providing:
- (a) in the case of a senator, the travel is outside the electoral division of the House of Representatives which contains his or her home base; or
 - (b) in the case of a member, the travel is outside his or her electorate;

and further providing that travelling allowance payable during visits to the Cocos (Keeling) Islands, Christmas Island, and Norfolk Island shall be limited to a maximum of eleven overnight stays per annum, unless prevailing airline schedules prevent him or her from completing the journey within that maximum number of days.

2.20 The Deputy Leader of a recognised party of at least five members in the Parliament may be paid travelling allowance in respect of not more than fifty-five overnight stays per annum when travelling outside his or her electorate in the performance of duties or functions connected with the office of Deputy Leader providing:

- (a) in the case of a senator, the travel is outside the electoral division of the House of Representatives which contains his or her home base; or
- (b) in the case of a member, the travel is outside his or her electorate.

Second Deputy Speaker in the House of Representatives

2.21 The Second Deputy Speaker in the House of Representatives when travelling on duties or functions connected with that office shall be entitled to be paid travelling allowance in respect of each overnight stay occasioned by such duties or functions.

Chief Whips

2.22 The Chief Whips of all parties in either the Senate or the House of Representatives when travelling to Canberra on duties or functions connected with their offices, other than when the Parliament is sitting, shall be entitled to be paid travelling allowance in respect of each overnight stay in Canberra occasioned by such duties or functions.

Whips

2.23 Whips of all parties in either the Senate or the House of Representatives when travelling to Canberra on duties or functions connected with their offices at the request of the Chief Whip, or when travelling to Canberra in place of the Chief Whip, other than when the Parliament is sitting, shall be entitled to be paid travelling allowance in respect of each overnight stay in Canberra occasioned by such duties or functions.

Chairs of Parliamentary Committees

2.24 The chair of a parliamentary committee shall be paid travelling allowance in respect of each overnight stay in a place other than his or her home base when travelling on Parliamentary Committee business.

Shadow Ministers

2.25 Subject to clauses 2.25.1, 2.25.2 and 2.25.3, a senator or member who is a Shadow Minister may be paid travelling allowance in respect of not more than fifty-five overnight stays per annum when travelling in the performance of duties or functions connected with the office of Shadow Minister providing:

- (a) in the case of a senator, the travel is outside the electoral division of the House of Representatives which contains his or her home base;

- (b) in the case of a member, the travel is outside his or her electorate; and
- (c) in the case of the Shadow Minister with responsibility for the external territories, the travel is to the Cocos (Keeling) Islands, Christmas Island and Norfolk Island, in the performance of duties or functions connected with the office of Shadow Minister.

2.25.1 In the case of the relevant Shadow Minister with responsibility for the external territories, that Shadow Minister may use a maximum of seven overnight stays per annum, within the maximum of fifty-five overnight stays per annum available to each Shadow Minister, for travel as outlined in clause 2.25.3, provided that, with reasonable notice prior to departure, he or she submits to the Opposition Leader and the Special Minister of State a statement in writing setting out:

- (a) his or her intention to travel to the external territory or territories;
- (b) an overview of the purpose or purposes of the visit; and
- (c) the period of the visit and proposed itinerary.

2.25.2 The provisions outlined in 2.25.1 shall apply to only one relevant Shadow Minister at any point in time.

2.25.3

- (a) Except as provided under clause 2.25.3 (b)(i), if during the course of a financial year there is more than one Shadow Minister with responsibility for the external territories, any subsequent relevant Shadow Ministers shall be entitled to only the remainder of any entitlement referred to in clause 2.25.1 that has not already been used in the financial year.
- (b) If during the course of a financial year:
 - (i) a general election occurs; and
 - (ii) there is a change of government,

the relevant Shadow Minister following the change of government shall be entitled to a proportionate amount of the benefit referred to in clause 2.25.1 worked out by the formula set out in sub-section 6(1) of the *Parliamentary Entitlements Act 1990*. An amount so worked out must be rounded to the nearest whole number that is greater than zero.

2.26 The number of Shadow Ministers qualifying for this entitlement shall at no stage exceed the number of Ministers. For the purpose of calculating the number of Shadow Ministers, all Opposition office holders as defined in clause 2.1 shall be counted.

2.27 The Opposition may 'pool' this entitlement, other than the entitlement referred to in 2.25.1, into a block of nights travelling allowance per annum to be allocated at the discretion of the Leader.

General

2.28 Procedural rules to give full effect to this Determination shall be such as may be made from time to time by the Special Minister of State.

Signed this 9th day of May 2005



John C Conde AO
PRESIDENT



Janet E Grieve
MEMBER



John D C Allen
MEMBER