



AUSTRALIAN CAPITAL TERRITORY REMUNERATION TRIBUNAL

Statement 1 of 2007

Members of the ACT Legislative Assembly

The Tribunal has decided to issue a determination for Members of the Legislative Assembly that will:

- enable the Speaker of the Legislative Assembly to approve advance funding for non-Executive Members undertaking travel for studies or investigations and/or in relation to accompanied travel; and
- modify the motor vehicle entitlement for all Members.

Tribunal Consideration

Motor Vehicles

The Tribunal decided to amend its determination in regard, amongst other things, to the provision of motor vehicles for Members of the Legislative Assembly to specify the value ceiling of vehicles available for Member's use and to amend the amount Members may be granted if they do not accept a motor vehicle.

The Tribunal determined that the allowance in lieu of a motor vehicle should be \$17,000 per annum.

Annual review

Remuneration, allowances and other entitlements will be reviewed in April 2007 as part of the Tribunal's annual review.

ACT Remuneration Tribunal
February 2007



**AUSTRALIAN CAPITAL TERRITORY
REMUNERATION TRIBUNAL**

Determination 1 of 2007

Members of the ACT Legislative Assembly

Pursuant to Section 9 of the *Remuneration Tribunal Act 1995* the Remuneration Tribunal has inquired into the remuneration and allowances to be paid, and other entitlements to be granted, to Members of the Legislative Assembly.

This Determination shall take effect from 28 February 2007.

Alan Kerr AM
Chair

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Roberta McRae OAM
Member

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Jill Greenwell
Member

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February 2007



AUSTRALIAN CAPITAL TERRITORY REMUNERATION TRIBUNAL

Determination 1 of 2007

Members of the ACT Legislative Assembly

The Tribunal determines as follows:

Part A - Members of the Legislative Assembly

1. Base Rate of Salary

1.1 The base rate of salary for all Members of the Legislative Assembly shall be \$102,086 per annum.

2. Additional Salary

2.1 A Member of the Legislative Assembly holding an office specified in Column 1 shall be entitled to the rate of additional salary specified in Column 2 while that person is a Member and holds that Office:

Column 1 Office	Column 2 Rate per annum of Additional Salary
Leader of the Opposition	\$71,460
Deputy Leader of the Opposition	\$45,939
Deputy Presiding Officer	\$15,313
Government Whip	\$10,209
Opposition Whip	\$10,209
Presiding Member of a committee, which is concerned with public affairs rather than the domestic affairs of the Legislative Assembly.	\$10,209

Part B - Chief Minister, Deputy Chief Minister, Ministers, and the Presiding Officer

1. Additional Salary

1.1 A Member of the Legislative Assembly holding an Office specified in Column 1 shall be entitled to the rate of additional salary specified in Column 2 while that person is a Member and holds that Office:

Column 1 Office	Column 2 Rate per annum of Additional Salary
Chief Minister	\$112,295
Deputy Chief Minister	\$81,669
Minister	\$71,460
Presiding Officer	\$56,147

Part C - Other Entitlements

1. Travelling Allowance - within Australia

1.1 A person holding an office specified in Column 1 shall be entitled to the rate of travelling allowance specified in Column 2.

The travelling allowance shall be payable where the person incurs costs staying in commercial accommodation. The allowance shall be payable for each overnight stay in commercial accommodation when the person travels outside Canberra, but within Australia, on Assembly business or, in the case of the Chief Minister, Deputy Chief Minister, Minister or Presiding Officer, on Assembly or official business as an office holder.

Column 1 Office	Column 2 Rate of Travelling Allowance per overnight stay
Chief Minister Deputy Chief Minister Minister Presiding Officer Leader of the Opposition	Sydney and Melbourne - \$390 Other capital city - \$315 Other than a capital city - \$205
Other Members	Sydney and Melbourne - \$300 Other capital cities - \$245 Other than a capital city - \$185

1.2 Where the person travelling on official business does not stay in commercial accommodation the rate of travelling allowance shall be \$120 per overnight absence from Canberra.

1.3 For the purposes of travelling allowance “commercial accommodation” means accommodation in a commercial establishment such as a hotel, motel or serviced apartment.

2. Travelling Allowance – Outside Australia

2.1 Where a Member of the Legislative Assembly travels overseas on official or Assembly business he or she may be reimbursed the actual, reasonable costs incurred for accommodation, meals, travel and transfer expenses.

2.2 The Member may be provided with a cash advance against anticipated costs for accommodation, meals, travel and transfer costs and shall acquit the advance by production of evidence of expenditure within eight weeks of the Member’s return to Canberra.

3. Accompanied Travel Entitlement – Executive Members

3.1 An Executive Member of the Legislative Assembly may nominate a person to accompany him or her while travelling outside Canberra on official or Assembly business.

3.2 The entitlement is available where the Executive Member’s nominee travels in the company of the Executive Member for all or part of that travel, and the Executive Member has met the costs associated with the travel.

3.3 The Executive Member is entitled to reimbursement of the nominee’s travel costs up to a maximum of \$20,000 to cover the four-year term of an Assembly. This entitlement is not cumulative and is to be paid on a pro-rata basis where an Executive Member only serves for part of the term.

3.4 An Executive Member shall not be entitled to receive a per diem travelling allowance in respect of travel by the nominee.

3.5 Where the Chief Minister approves travel at Executive expense for a nominee of an Executive Member, this does not diminish the Accompanied Travel Entitlement. The entitlement continues to be available to the Executive Member who may nominate an additional person to accompany him or her.

3.6 The entitlement is available for use on more than one occasion during the term of an Assembly.

4. Accompanied Travel/Travel for Studies and Investigations Entitlement – Non-Executive Members

4.1 A non-Executive Member of the Legislative Assembly may nominate a person to accompany him or her while travelling outside Canberra on official or Assembly business.

4.2 The entitlement is available where the non-Executive Member’s nominee travels in the company of the non-Executive Member for all or part of that travel, and the non-Executive Member has met the costs associated with the travel.

4.3 A non-Executive Member shall also be entitled to financial assistance from the Assembly for travel for the purpose of undertaking studies or investigations of matters relating to his or her duties and responsibilities as a Member, or to attend conferences or training courses, subject to the following conditions.

4.4 The non-Executive Member is entitled to reimbursement of the costs up to a maximum of \$24,000 to cover the four-year term of an Assembly. This entitlement covers both accompanied travel and travel for studies and related purposes. It is not cumulative and is to be paid on a pro-rata basis where a non-Executive Member only serves for part of the term. The Presiding Officer may approve advance funding in lieu of a reimbursement arrangement.

4.5 A non-Executive Member shall not be entitled to receive a per diem travelling allowance in respect of any travel by the nominee.

4.6 Where the Presiding Officer approves travel at Executive expense for a nominee of a non-Executive Member, this does not diminish the entitlement under this part. The entitlement continues to be available to the non-Executive Member who may nominate an additional person to accompany him or her.

4.7 The entitlement is available for use on more than one occasion during the term of an Assembly.

5. Motor Vehicle

Entitlement to the use of a Vehicle

5.1 A Member of the Legislative Assembly shall, at his or her request, be entitled to the use of a fully maintained private-plated passenger motor vehicle chosen by the Member from within the Territory's leasing arrangements ("vehicle") in accordance with the following conditions.

Value Ceiling

5.2 A Member is not entitled to choose a vehicle where the recommended retail price of that vehicle (including GST) exceeds \$46,890 at the time an order is placed for that vehicle by the Territory's Fleet Manager.

Vehicle Options and Modifications

- 5.3 (a) If a Member has a disability that effects his or her ability to drive a vehicle, the Member shall be entitled to have such modifications or options to the vehicle as a relevant medical practitioner certifies in writing as being reasonably necessary to enable the Member to drive the vehicle.
- (b) A Member shall be entitled to have the vehicle fitted with facilities to allow the operation of a mobile phone from the vehicle.

- (c) A Member shall be entitled to choose optional items of equipment (in addition to those which are provided as part of the standard fit-out of a vehicle and in addition to the facilities referred to in paragraph (b) above), provided that the total cost of the vehicle and the optional items of equipment (but excluding the cost of the facilities referred to in paragraph (b) above) does not exceed the value ceiling specified in this Determination.

General

5.4 A vehicle is provided for use on Assembly and official business and for private purposes. A Member must not, however, use the vehicle for personal gain, or the personal gain of any other person. A Member must not permit another person to use the vehicle for the Member's personal gain or the personal gain of another person.

5.5 When a vehicle is being used for private purposes, it must only be driven by the Member to whom it is allocated, or by a person nominated in writing by that Member to the relevant Corporate area.

5.6 In the case of Executive Members, the Chief Minister, and in the case of non-Executive Members, the Speaker, may provide additional guidelines in relation to the operation and administration of this entitlement.

Allowance in lieu of motor vehicle

5.7 Where a Member elects, either initially or at the end of an existing lease, to take an allowance instead of a vehicle, that Member is entitled to receive a supplementary general allowance of \$17,000 per annum.

6. Class of Air Travel

6.1 Members shall be entitled to business class air travel when travelling on Assembly or official business.

6.2 In the case of Executive Members, the Chief Minister, and in the case of non-Executive Members, the Speaker, may provide guidelines in relation to the operation and administration of this entitlement.

7. Salary Packaging

7.1 Subject to the following conditions, a Member of the Legislative Assembly may elect to take salary shown in this Determination as salary or take a combination of salary and other benefits best suited to his or her personal needs and preferences.

7.2 The salary packaging scheme is to be consistent with taxation laws and guidelines applicable to salary packaging schemes, as issued by the Australian Taxation Office.

7.3 No more than 75% of the total salary shown in this determination is to be taken as benefits and related costs such as fringe benefits tax.

7.4 The scheme shall be operated and administered so that there will be no additional cost to the ACT Government. In particular, any fringe benefits tax associated with the provision of a benefit is to be included in the salary package.

7.5 In the case of Executive Members, the Chief Minister, and in the case of non-Executive Members, the Speaker, may provide guidelines in relation to the operation and administration of this entitlement.

8. Revocation of Previous Determination

8.1 Determination Number 194 made on 31 May 2006 is revoked.

9. Date of Effect

9.1 The date of effect of this Determination is 28 February 2007.
