

**ANNUAL REPORT AND DETERMINATION OF ADDITIONAL  
ENTITLEMENTS FOR MEMBERS OF THE PARLIAMENT OF  
NEW SOUTH WALES**

**by the**

**PARLIAMENTARY REMUNERATION TRIBUNAL**

**pursuant to the**

**Parliamentary Remuneration Act 1989**

**11 June 2014**

**(as amended by erratum in the Government Gazette of 25 July 2014)**

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## **Introduction**

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Section 11 of the *Parliamentary Remuneration Act 1989* (“the Act”) prescribes that the Parliamentary Remuneration Tribunal (“the Tribunal”) shall make an annual Determination as to the additional entitlements for Members and Recognised Office Holders (as defined under the Act) on or before 1 June in each year or on such later date as the President of the Industrial Relations Commission of New South Wales determines.

Section 14(H)(1) of the Act requires that the Tribunal makes a report to the President of the Industrial Relations Commission of New South Wales for each Determination made by the Tribunal. The President is then required, as soon as practicable after receipt of the report, to forward it to the Minister (see section 14(H)(2)).

As is the usual practice of the Tribunal, letters were sent to all Members and the Presiding Officers inviting them to raise with the Tribunal matters they wished to have considered as part of this review. The Tribunal received submissions from the major parties, individual Members and the Presiding Officers. The Tribunal also met with the Presiding Officers and representatives from the NSW Liberal Party, the NSW Nationals and the State Parliamentary Labor Party.

In undertaking the review the Tribunal found that additional time was required to consider all the matters raised and to ensure the Secretary of NSW Treasury had sufficient time to make the submission in relation to the financial implications of the determination. On that basis the Tribunal requested that the President of the Industrial Relations Commission, the Hon Justice Michael Walton, grant a short extension of time for the making of the determination. On 21 May 2014 the President approved an extension to enable the Tribunal to make the annual determination on or before 13 June 2014, pursuant to section 11(2) of the Act. The notice of the extension was published in the 30 May 2014 edition of the Government Gazette.

Section 1 of the Report and Determination contains the Tribunal’s review of the new electoral boundaries, as determined by the NSW Electoral Commission, and the impact of the new boundaries on the groupings of electorates for the purposes of receiving additional entitlements.

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Section 2 of the Report and Determination addresses general matters raised as part of the annual review and those issues that, in the Tribunal’s view, merit further consideration and/or comment. Consistent with the usual practice, the Tribunal has made changes to the Report and Determination that are considered minor or of an administrative nature, without the need for detailed separate reasons being provided.

Section 3 of the Report and Determination provides a general summary of the Determination.

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## **Section 1      Electoral Redistribution**

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### **1. Electoral Redistribution**

Section 27(1)(c) of the *Constitution Act 1902* requires that a redistribution of electoral boundaries take place after two elections have been conducted using the same electoral boundaries. The last redistribution occurred in 2004 and two State General Elections (2007 and 2011) were conducted on those electoral boundaries.

The Electoral District Commissioners undertook a review of the electoral boundaries during 2012 and 2013. Following that review, and in accordance with section 15(3) of the *Parliamentary Electorates and Elections Act 1912* (the Electorates Act), new electorates were proclaimed and came into existence on 19 September 2013, the date of gazettal. While the new electorates take effect from that date, pursuant to section 15(4) of the Electorates Act “former” electorates remain in place for the purposes of any by-elections that may occur prior to the general election. Members remain the elected representatives of those electorates until the next State general election.

The State general election to be held on 28 March 2015 will be contested on the basis of the new electoral boundaries. As with the previous distribution, there remain 93 Members of the Legislative Assembly. The new electoral boundaries alter the size and/or name of a number of current electoral districts, abolish one rural electoral district (Murrumbidgee) and create an additional electoral district in inner Sydney (Newtown). The following districts are determined to be re-named: Cootamundra (formerly Burrinjuck), Holsworthy (formerly Menai), Murray (formerly Murray-Darling), Prospect (formerly Smithfield), Seven Hills (formerly Toongabbie), and Summer Hill (formerly Marrickville).

The NSW Electoral Commission’s 2013 NSW State Districts Redistribution Proposed District Alterations 17 June 2013 p vii (the Electoral Commission’s Report) summarises the reasons for altering the existing electoral boundaries as follows:

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*“The Commissioners have taken the strong views, as reflected in the legislation, that the principle of “one vote, one value” is paramount in the establishment of revised electoral boundaries in 2013, but more importantly, at the time of the next two elections in 2015 and 2019. Therefore, the continuing declining enrolment trend in the western regions of the state, when combined with the growth in the metropolitan inner city region, have warranted the determined abolition of one rural district, Murrumbidgee, and the creation of a new district, Newtown, in Inner Sydney.*

*It has been determined that six districts are to change their name. This has been necessary as some district boundaries have changed sufficiently to move the current district name locality either well towards the district border or even out of the altered district completely.”*

There has also been a significant increase in constituent numbers since the last redistribution as can be seen from the following table.

<b>Electoral Enrolment Statistics</b>	<b>Number of districts</b>	<b>Number of electors in NSW</b>	<b>Average per district</b>
5 March 2007 (constituents at commencement of existing electorates)	93	4,374,029	47,032
13 April 2015 (projected date)	93	4,907,575*	52,770*

\*An estimated 12.19% increase in electors across NSW

## **2. Grouping of Electorates**

The grouping of electorates, for the purposes of providing additional entitlements, is reviewed following a redistribution of electoral districts.

Historically the Tribunal has had regard to the following characteristics - location (i.e. metropolitan or non-metropolitan), size, population density, the distance from Sydney (gauged from Parliament House), regional status and remoteness.

The Tribunal has examined the existing groupings and found that a number of changes are appropriate having regard to the new electoral boundaries.

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The descriptors which apply to the groups outlined below relate to the grouping of electorates for the purposes of receiving the Electoral Allowance. Other entitlements are also “grouped” - including the Sydney Allowance, the Logistic Support Allocation and the Electorate Charter Transport Allowance. Where appropriate the groups/zones that apply to these entitlements have also been adjusted to reflect these changes.

#### **Group 1**

There are currently 49 electoral districts in Group 1. Electoral districts in Group 1 are located in the greater Sydney metropolitan area. These electorates are characterised as being predominantly residential and/or suburban in nature and classified by the NSW Electoral Commission as either inner metropolitan or outer metropolitan.

As highlighted in the Electoral Commission’s Report the increased enrolment trend in the Sydney metropolitan inner city region has warranted the creation of an additional metropolitan electoral district – **Newtown**. The new electorate of Newtown will be the smallest in size and the most densely populated electorate in NSW. Newtown is appropriately included in Group 1 for the purposes of receiving additional entitlements. While there have been changes to the boundaries and titles of a number of other electorates in Group 1 the demographics associated with these electorates have not altered sufficiently to warrant re-allocation to another group for the purposes of receiving additional entitlements.

#### **Group 2**

There are currently 16 electoral districts in Group 2. Electoral districts in Group 2 are located on the fringe of the greater Sydney metropolitan area. These electorates usually contain a range of demographic types including residential, suburban, industrial and/or rural and are classified by the NSW Electoral Commission as either outer-metropolitan, provincial or rural. The majority of constituents in these electorates reside within 150kms of Sydney and are well serviced by major road networks and public transport infrastructure.

The redistribution has resulted in some boundary adjustments for electoral districts in Group 2. However, these changes were not sufficient to warrant the re-naming of any electorates in this group. The average size and population density is comparable to that which existed prior to the



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redistribution. On that basis, no change is warranted to the allocation of electoral districts into Group 2.

#### **Group 3**

There are currently 11 electoral districts in Group 3. Electoral districts in Group 3 usually host a major regional centre and are generally located in coastal regions or adjoin larger provincial areas. The majority of constituents reside more than 150 kms from Sydney and the electorates are generally well serviced by major roads or regional transport facilities i.e. airports.

These electorates contain a range of demographic types and are mostly classified by the NSW Electoral Commission as being rural. Many also have significant towns which provide regional services.

Prior to the redistribution electorates in Group 3 ranged in size from Tweed (510 sq. kms) to Goulburn (7,631 sq. kms). The redistribution has resulted in a number of boundary changes, the most significant being to the district of Goulburn which has increased to 18,827 sq. kms, making it larger than all but two electorates in the current Group 4. Group 4 electorates are also classified as predominantly rural and often include significant regional centres which provide regional services to smaller towns and villages. The majority of constituents in these electorates reside more than 200 kms from Sydney.

Having regard to the increased size and the distance between the City of Goulburn and Sydney (195 km), the electorate of Goulburn is comparable with other electorates in Group 4. On that basis the electorate of Goulburn is moved from Group 3 to Group 4 for the purposes of receiving additional entitlements.

#### **Group 4**

There are currently 9 electoral districts in Group 4. Electoral districts in Group 4 are also classified as predominantly rural and often include significant regional centres which provide regional services to smaller towns and villages. These electorates have characteristics similar to those identified as Group 3 electorates. However, they differ in that the majority of constituents in Group 4 electorates reside more than 200 kms, and generally much further,

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from Sydney. In addition, the average size of Group 4 electorates is considerably larger (15,201 sq. km) than the average of those in Group 3 (2,160 sq. km).

As discussed in the review of Group 3 the electorate of Goulburn is now appropriately included in Group 4. Other electorates in Group 4 have characteristics which indicate that they should remain in that group.

While Clarence is currently classified as a Group 5 electorate, taking into consideration its size and other characteristics, it is more appropriately included in Group 4. The electorate of Clarence covers an area of 13,495 sq. km. This is comparable with the average size of electorates in Group 4, rather than electorates in Group 5.

Clarence is a mid north coast electorate characterised by a regional centre with a number of smaller towns and villages and with substantial tracts of rural and farming land. Having regard to those factors Clarence is considered to be similar to the electorates of Lismore and Oxley. In addition, the electorate's largest town – Grafton – would be characterised as being a mid size regional centre, which is comparable to other electorates in Group 4 including Albury, Orange and Dubbo.

By comparison, electorates in Group 5 are characterised as being larger in area, predominantly rural with smaller towns and remote communities.

**Groups 5, 6 and 7**

There are currently 8 electorates in Groups 5 to 7. The electorate of Murrumbidgee has been abolished following the redistribution (formerly in Group 6). The electorate of Clarence will be now reclassified as a Group 4 electorate. Following those changes six electorates remain to be grouped.

There are two electorates in Group 5 (Monaro and Cootamundra) and two in Group 6 (Upper Hunter and Northern Tablelands). Prior to the redistribution Groups 5 and 6 could be differentiated based on the size of the electorates. Electorates in Group 5 were 30,000 sq. kms or under and those in Group 6 ranged from 30,000 sq. kms to 45,000 sq. kms. The

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redistribution has had an impact on the size of these electorates, warranting a review of these groups.

Having regard to size and distance from Sydney, those electorates with an area of between 20,000 sq. kms and 35,000 sq. kms, where the majority of constituents reside a distance of more than 200 kms from Sydney, will be categorised into the one group – Group 5. Electorates that meet these criteria include Monaro and Cootamundra, and Upper Hunter which will move from Group 6.

The electorate of Northern Tablelands is currently categorised in Group 6. This electorate is 50 per cent larger than the largest electorate in Group 5 (Cootamundra) and the majority of its constituents would reside more than 500 kms from Sydney. Northern Tablelands is sufficiently distinct from electorates in Group 5 to warrant its categorisation in a separate group and will remain in Group 6.

The largest electorates of Barwon and Murray are currently categorised together in Group 7. Prior to the redistribution these electorates were similar in size and occupied approximately 58 per cent of the state, with Murray-Darling adjoining the borders of Victoria, South Australia and Queensland, and Barwon adjacent to the Queensland border. These electorates cover the most remote towns and communities in NSW.

Following the redistribution these electorate continue to cover approximately 58 per cent of the state but their boundaries have changed significantly. The new boundaries reflect the declining enrolment trend in western NSW and the general shift in the population towards metropolitan and coastal areas. Barwon is now the largest electorate at 356,291 sq. kms and over three times the size of Murray at 107,359 sq. kms.

The differentiation between these two electorates, in terms of their coverage, is similar to that which applied prior to the 2004 distribution. At that time Murray-Darling was the larger electorate at 344,624 sq. kms and Barwon the smaller at 116,930 sq. kms. These electorates were in separate groups, Murray-Darling (Group 8) and Barwon (Group 7) which essentially reflected the significant difference in size. Murray-Darling also received a higher level of additional entitlements to reflect the costs associated with servicing the State's largest

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electorate. The additional entitlements included a second electorate office, an entitlement not provided for the electorate of Barwon until after the 2004 redistribution.

Given the shift in electoral boundaries and the significant difference in size, Barwon and Murray will be categorised into two separate groups with Murray to remain the only electorate in Group 7 and Barwon allocated to the restored Group 8.

**Summary of Changes**

<b>Group</b>	<b>Original distribution of Electorates</b>	<b>Revised distribution of electorates</b>	<b>Change</b>
1	49	50	+ Newtown
2	16	16	No change
3	11	10	- Goulburn
4	9	11	+ Goulburn + Clarence
5	3	3	- Clarence + Upper Hunter
6	3	1	- Upper Hunter - Murrumbidgee
7	2	1	- Barwon
8	-	1	+ Barwon
<b>Total</b>	93	93	

**3. Financial Impact of Changes to Groupings**

Additional entitlements, as determined pursuant to Part 3 of the Act, are adjusted each year as part of the annual review. In determining the appropriate increase the Tribunal is not required to have regard to the wages policy and the 2.5 per cent cap on increases in wages and allowances. However, the Tribunal has not increased the additional allowances by more than 2.5 per cent since the cap was introduced in 2011.

Additional entitlements have been adjusted with the view to ensuring the overall increase in cost associated with each entitlement does not exceed 2.25 per cent (see discussion of legislative and judicial decisions in section 2), which is the increase to the basic salary of a member (with the exception of the Electorate Communication Allowance (ECA) which is

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expected to increase by more than 2.25 per cent because of an overall increase in constituents).

As is the usual practice following an electoral redistribution, the Tribunal will make two Determinations - the first will apply from 1 July 2014 to 27 March 2015 (inclusive) and will be based on the current electoral districts, the second from 28 March 2015 to 30 June 2015 and will reflect the new electoral districts.

The first Determination will provide a 2.25 per cent increase for all existing additional entitlements (except the ECA). Members will receive these amounts pro rata for the period 1 July 2014 to 27 March 2015.

In regard to the second period (28 March 2014 to 30 June 2015) the adjustment to individual entitlements can be more than 2.25 per cent because the redistribution has released additional funds which can be redistributed back to Members.

The following tables identify the savings available to be redistributed, and the allocation of those savings, to the Electoral Allowance, the Logistic Support Allocation and the Electorate Charter Transport Allowance.

For all three entitlements the savings associated with the abolition of Murrumbidgee will be reallocated to the electorate of Barwon in Group 8 in recognition of the significant increase in its size. All other savings will be reallocated across other groups as outlined in the following tables.

**Electoral Allowance**

<b>Electorate</b>	<b>Change</b>	<b>Net Saving</b>	<b>Allocation of Savings</b>
Clarence	Moved from Group 5 to Group 4	\$5,585	Distribute between Groups 1-7
Goulburn	Moved from Group 3 to Group 4		
Upper Hunter	Moved from Group 6 to Group 5		
Murrumbidgee	Abolished	\$34,170	Allocate to Barwon (new Group 8)
<b>Total Net Saving</b>		<b>\$39,755</b>	

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**Logistic Support Allocation**

<b>Electorate</b>	<b>Change</b>	<b>Net Saving</b>	<b>Allocation of Savings</b>
Clarence	Moved from Group 5 to Group 4	\$2,765	Distribute between Groups 3-7#
Goulburn	Moved from Group 3 to Group 4		
Upper Hunter	Moved from Group 6 to Group 5		
Murrumbidgee	Abolished	\$9,750	Allocate to Barwon (new Group 8)
<b>Total Net Saving</b>		<b>\$12,515</b>	

# Net savings are distributed to Groups 3 to 7 on the basis that savings are derived from the transport component of the LSA. These electorates receive a higher transport component to reflect the additional travel costs associated with the distance from Sydney.

**Electorate Charter Transport Allowance**

<b>Electorate</b>	<b>Change</b>	<b>Net Saving</b>	<b>Allocation of Savings</b>
Clarence	Moved from Group 5 to Group 4	\$7,890	Distribute between Groups 5-7
Upper Hunter	Moved from Group 6 to Group 5	\$4,995	
Murrumbidgee	Abolished	\$12,885	Allocate to Barwon (new Group 8)
<b>Total Net Saving</b>		<b>\$25,770</b>	

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## **Section 2            General Matters**

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### **1. Basic Salary**

In accordance with section 4(2) of the Act the Tribunal is required to determine the basic salary of Members.

In determining the basic salary the Tribunal is required, pursuant to section 4(3), to give effect to the same policies on increases in remuneration as those that the Industrial Relations Commission is required to give effect to under section 146C of the *Industrial Relations Act 1996* (“the IR Act”) when making or varying awards or orders relating to the conditions of employment of public sector employees.

The current policy on wages pursuant to section 146(1)(a) of the IR Act is articulated in the *Industrial Relations (Public Sector Conditions of Employment) Regulation 2011* (“the Regulation”). The effect of the Regulation is that public sector wages cannot increase by more than 2.5 per cent.

#### **2013 Review**

The basic salary of Members was increased by 2.25 per cent to \$146,251 per annum, with effect from 1 July 2014. The increase was below the maximum specified in the Regulation because of the impact of changes to the Superannuation Guarantee Contribution (SGC).

The SGC – made in compliance with the *Superannuation Guarantee (Administration) Act 1992* (Cwlth) – was increased by 0.25 per cent with effect from 1 July 2013. The Government advised its intention that the SGC increase be funded from within the existing wages cap of 2.5 per cent. The matter was considered by the Full Bench of the Industrial Relations Commission and on 25 June 2013 the Full Bench found that the increases in remuneration or other conditions of employment, referred to in clause 6(1)(a) of the Regulation, are only those increases resulting from an award or order made or varied by the Commission either by consent or in arbitration proceedings: *Re Crown Employees Wages Staff (Rates of Pay) Award 2011 & Ors [2013]* NSWIRComm 52.

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On 28 June 2013 the Regulation was amended to clarify the application of the Government's public sector policies for the purposes of section 146 of the IR Act in relation to the impact of increases in superannuation employment benefits. The effect of those amendments to the Regulation was that SGC increases were required to be funded from within the existing wages cap of 2.5 per cent.

On that basis, the Tribunal determined that the basic salary of Members increase by 2.25 per cent to \$146,251 instead of 2.5 per cent.

### **2014 Review**

Subsequent to the making of the 2013 Annual Determination, the amendments to the Regulation were disallowed by the Legislative Council on 21 August 2013.

In December 2013 the Government again sought to clarify its policy in relation to the impact of increases in superannuation employment benefits.

On 17 December 2013 the Full Bench of NSW Industrial Relations Commission found that the rise in compulsory super contributions could not be included the 2.5 per cent wages cap and confirmed its earlier findings of June 2013 (referred to above). In December 2013 the Government lodged an appeal in the Supreme Court of NSW Court of Appeal in relation to this matter.

In addition, the Regulation was again amended to reflect the intent of the amendments made on 28 June 2013. The amended Regulation was again disallowed by the Legislative Council on 5 March 2014. The disallowance had the effect of again restoring the original Regulation.

In *Secretary of The Treasury v Public Service Association & Professional Officers' Association Amalgamated Union of NSW [2014] NSWCA 138*, the Court of Appeal found that increases in remuneration or other conditions of employment, referred to in clause 6(1)(a) of the Regulation, include those costs that are not imposed directly on the employer by an award. Such an example being the obligation to pay the SGC increase with reference to the salary or wage paid to the employee. The Court of Appeal ordered that decision of the Industrial



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Relations Commission of 25 June 2013 be quashed and remitted to a member of the Industrial Relations Commission to be dealt with according to law.

The effect of the Court of Appeal's decision is that the SGC increases are required to be funded from within the existing wages cap of 2.5 per cent. The Tribunal notes that the Public Service Association & Professional Officers' Association Amalgamated Union of NSW has lodged an appeal with the High Court of Australia (the High Court) against the decision of the Court of Appeal. There is no automatic right to have an appeal heard by the High Court and parties who wish to appeal must persuade the Court in a preliminary hearing that there are special reasons to cause the appeal to be heard. The Tribunal does not consider it appropriate that the making of this determination be delayed by the current legal proceedings and has made this determination having regard to the current state of the law. On this basis, the Tribunal determines that the basic salary of Members increase by 2.25 per cent to \$149,541 per annum.

## **2. Electoral Allowance**

The Tribunal received three submissions which addressed the general increase in this allowance. These submissions sought either an overall increase of 2.5 per cent, equivalent to the maximum increase in the basic salary for Members, or an increase equivalent to the Consumer Price Index (CPI).

Previously the Tribunal has increased these allowances in line with the annual CPI. In 2011 however, following the amendments to the Act, the Tribunal determined that these allowances would be increased by an amount equivalent to that provided to the basic salary. The Tribunal continues to support this arrangement and therefore determines that the overall cost to the State of these allowances will not increase by more than 2.25 per cent.

The electoral allowance for all groups will increase by 2.25 per cent for the period 1 July 2014 to 27 March 2015. As outlined in Section 1 of this Report and Determination, following the election and the commencement of the new electoral districts, there will be changes to the electoral groupings which will result in some Members receiving an increase and others a decrease in the allowance they are eligible to receive. However, the overall increased cost to the State will not exceed 2.25 per cent for the period 1 July 2014 to 30 June 2015.

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**3. Logistic Support Allocation**

Submissions relating to the Logistic Support Allocation (LSA) also sought a general increase in this allowance of either 2.5 per cent, an increase equivalent to the maximum increase in the basic salary for Members, or an increase equivalent to the CPI.

The Tribunal has determined that an adjustment of 2.25 per cent in the LSA is appropriate and consistent with the increase provided to other additional entitlements.

Like the electoral allowance, there have been changes to the grouping of electorates which will have an impact on the funds available to be expended by individual Members following the March 2015 election. However, the overall increased cost to the State will not exceed 2.25 per cent for the period 1 July 2014 to 30 June 2015.

The conditions that apply to the use of the LSA have also been amended to reflect the introduction of the blackout period, as recommended in the Auditor-General's Financial Audit Report to Parliament of 23 May 2013 (Auditor-General's Report) and supported by the Presiding Officers' in their submission to the Tribunal. The Auditor General's recommendations are outlined in more detail in the discussion relating to the Electorate Communication Allowance. While the Auditor General's recommendation related to the use of that entitlement, the Presiding Officers recommended that any blackout period which applied to the use of the Electorate Communication Allowance also apply equally to the bulk distribution of publications funded from the LSA. The Tribunal supports the recommendation and has amended the LSA general conditions to reflect the revised arrangements.

**4. Sydney Allowance**

The Tribunal received two submissions which addressed the general increase in these allowances. These submissions sought either an overall increase of 2.5 per cent or an increase equivalent to the CPI.

The Tribunal also received a submission in regard to administration of the Sydney Allowance suggesting that Members be given the choice of (1) claiming daily or (2) claiming yearly with reconciliation to the Australian Taxation Office (ATO), to significantly reduce the cost of administering the allowance.

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The Tribunal considers that reconciliation with the ATO would be inappropriate on the basis of previous advice from the Crown Solicitor in regard to the obligations concerning the unspent portion of entitlements, as detailed in the Tribunal's 2000 Report. In accordance with the Act, additional entitlements are to be provided for the purpose of facilitating the efficient performance of the Parliamentary duties of Members or Recognised Office Holders. Any arrangement where an additional entitlement is unspent or unused and retained by the Member may constitute the receipt of a private benefit and would be contrary to the provisions of the Act.

The Tribunal has also had regard to a recommendation contained in the Auditor-General's Report. The Auditor General's Report has recommended that the Tribunal consider amending the Tribunal's Determination to require Members to submit their Sydney Allowance reconciliations twice a year.

The Sydney Allowance is available to Members on either a daily basis or an annual basis. At the end of each year, Members in receipt of the annual entitlement are required to acquit the number of overnight stays and repay the unspent portion of the allowance. Members who receive the Sydney Allowance as an annual fixed allowance are required to provide an annual reconciliation and return unspent money to the Department of Parliamentary Services by 30 September each year. The Auditor General's review found that the annual reconciliation is particularly onerous on the Department's staff as they need to complete around 30 reconciliations in a short period of time. Splitting the annual reconciliation into bi-annual reconciliations at 31 December and 30 June would spread the work across the year and reduce the risk of Members not repaying unspent advances before 30 September.

In the 2009 review the Tribunal extended the time for repayment from 31 August i.e. within 61 days of the end of the financial year, to 30 September i.e. within 90 days of the end of the financial year.

As part of the 2010 review the Tribunal provided for additional sanctions to be imposed on those Members who do not reimburse outstanding amounts by 30 September each year. The provision provides for such Members to have their annual entitlement suspended and to revert to the daily rate of the Sydney Allowance until the reimbursement is made.

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The Tribunal is mindful that issues related to the acquittal arrangements for the annual entitlement continue to be raised in annual reviews. The Tribunal reiterates its expectation, as well as the community's expectation, that Members when required to repay public monies would do so promptly. On this basis, the Tribunal supports the Auditor General's recommendation and has amended the provision whereby Members are required to submit reconciliations bi-annually, rather than annually, at 31 December and 30 June each year. The time for repayment for any unspent portion is unchanged i.e. 30 September each year.

The Tribunal has also reviewed the eligibility requirements for Members to receive the Sydney Allowance following the March 2015 election and the introduction of new electorates.

For the purposes of receiving the Sydney Allowance a Member's principal place of residence must be a minimum of 70 kms from Parliament House. These Members receive up to 105 overnight stays at a daily rate. Members who reside in outer non-metropolitan electorates receive up to 135 overnight stays. Outer non-metropolitan electorates include electorates in Electoral Groups 3 to 7, with the exclusion of the electorate of Kiama.

In 2009 the Tribunal determined that the electorate of Kiama would be moved from electorate Group 2 to electorate Group 3. The re-categorisation was considered appropriate given the significant change in the nature of the electorate following the 2004 electoral redistribution. The redistribution was warranted on the basis of a 71 per cent increase in size. The electorate also changed from a predominantly urbanised coastal electorate to one with substantial tracts of rural and farming land, a feature common to Group 3 electorates. At that time the Tribunal did not consider that a change in categorisation for the purposes of receiving the Sydney Allowance was warranted, as eligibility for the Sydney allowance is primarily based on the distance of the electorate from Sydney which was not significantly altered by the 2004 redistribution of electorates.

While the electorate of Kiama has again increased in size from 1,352 sq. km to 2,275 sq. kms, the additional area predominantly comprises a portion of the Morton National Park. The electorate extends further to the south but the main townships and settled areas remain substantially unchanged and it is unlikely the Member would be required to relocate to a location further from Sydney.

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While having the electorate of Kiama in two groups for the purposes of receiving additional entitlements is an anomaly, it is appropriate that it remain excluded from the group of outer non-metropolitan electorates for the purposes of receiving the Sydney Allowance. The Member is eligible to receive the allowance, but not at the higher rate.

There should be a consistent approach to determining eligibility in respect of the Sydney Allowance. The Tribunal will review the eligibility for receiving the greater number of overnight stays (currently 135) with the view to determining eligibility based on a minimum distance from Parliament House. The Tribunal will consider this matter during the 2015 annual review and invite submissions from Members at that time.

Consistent with other additional entitlements the overnight rates have been increased by 2.25 per cent with effect from 1 July 2014.

#### **5. Committee Allowances**

Historically this allowance has been increased in line with Members' salary increases. In accordance with that practice Committee Allowances will be increased by 2.25 per cent.

#### **6. Electorate Communication Allowance**

The Tribunal has received a submission in regard to the application of the provision that relates to Members communicating with prospective constituents following an electoral redistribution. The submission seeks clarification in relation to a Member's entitlements where their electorate is abolished or renamed, and the new or renamed electorate comprises the majority of the constituents who would have resided in the Member's former electorate, prior to the gazettal of the new electoral districts. Provision 2 and Condition 7 of the Electorate Communication Allowance (ECA) are in the following terms:

##### *5.3 Electorate Communication Allowance*

###### *Provisions*

*“ 2. Upon the gazettal of new electoral districts following an electoral redistribution (undertaken pursuant to s 27(1)(c) of the Constitution Act 1902), Members may use their Electorate Communication Allowance to communicate with prospective constituents from neighbouring electorates who at the time of the next election following the*

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*gazettal of the new electoral districts will become constituents of the Member's electorate."*

*Conditions*

*"7. Communication with prospective constituents following gazettal of electoral districts will be limited only to those electors who will transfer from adjoining electorates to the new electorate. Each Member is to receive the details of the prospective constituents from the NSW Electoral Commission."*

In 2006 the Tribunal amended the conditions for the ECA (then known as the Electorate Mailout Account) to enable Members to communicate with prospective constituents arising from electoral redistributions. At the time of its introduction the Tribunal considered whether communicating with prospective constituents arising from electoral redistributions about electorate matters formed part of a Member's parliamentary duties and if the ECA was the appropriate entitlement for this purpose. In the Tribunal's Special Determination of 18 May 2006 the Tribunal found that:

*"19. It seems reasonable to the Tribunal that a Member should be able to communicate with prospective constituents about the electorate to which they have been enrolled. To not do so, it could be argued, would place the prospective constituents at a disadvantage vis-a-vis the existing constituents who remain within the new electorate boundaries and who receive correspondence from the local Member about matters affecting the electorate through letters and/or newsletters."*

*"20. The Tribunal considers that in the context of an electoral redistribution, it is reasonable to expect that the local Member would communicate with prospective constituents about electorate matters. In these circumstances, therefore, the Tribunal considers communicating with each prospective constituent arising from electoral redistributions to be part of a Member's parliamentary duties."*

The Tribunal's review of the new electoral boundaries, as determined by the NSW Electoral Commission, is contained in Section 1 of this Report and Determination. Of relevance to this matter are the six districts that will be changing their name. Appendix 3 of the Electoral Commission's Report details the names of the existing districts that will form part of each

## **Parliamentary Remuneration Tribunal**

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renamed electoral district, including the size in terms of square area and the number of electors.

The Tribunal has reviewed the information relating to the constitution of the six districts that will be changing their name. Each of the re-named districts will comprise the majority of constituents who would have resided in the Member's former electorate prior to the gazettal of the new electoral districts. The Tribunal considers that, on the basis of the findings in the Tribunal's Special Determination of 18 May 2006, it is appropriate, when an electoral redistribution results in the abolition or renaming of an electorate, that Member may communicate with prospective constituents in a new or renamed electorate, subject to the new or renamed electorate comprising the majority of the constituents who would have resided in the Member's former electorate prior to the gazettal of the new electoral districts. The Tribunal has amended this provision accordingly.

The Tribunal has also had regard to a recommendation contained in the Auditor-General's Report for the Tribunal to consider the merits of introducing a blackout period for the ECA expenditure.

The ECA cannot be used for electioneering or political campaigning and any unused funds are to be forfeited at the end of each financial year. In reviewing this entitlement the Auditor-General's Report found that ECA expenditure was significantly higher in the month before the 2011 State election. The Auditor-General's Report found that while the Department of Parliamentary Services did not come across any evidence of electioneering or political campaigning leading up to the 2011 March State election, there is a heightened risk this could occur given the unusually high spend just before the election. The Auditor-General's Report has recommended the introduction of an extended blackout period beyond the date of the issue of the writs should be considered.

The Presiding Officers, in their submission to the Tribunal, advised that:

*"If the Tribunal is minded to adopt the Auditor General's recommendations, its attention is drawn to a recent report of the Legislative Assembly Standing Committee on Parliamentary Privilege and Ethics. In its June 2013 report on "Electioneering, Campaigning and Doorknocking and the role of Electorate Officers", the Committee suggested a pre-election period should mean the period from 26 January in a State election year to the election date."*

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The Legislative Assembly Standing Committee on Parliamentary Privilege and Ethics report of June 2013 “Electioneering, Campaigning and Doorknocking and the role of Electorate Officers” deals specifically with the activities of electorate staff. It recommends the introduction of a pre-election non-campaigning period. While the Standing Committee’s report does not recommend a specified period it mentions a relevant example, being the restriction contained in the *Government Advertising Act 2011* which prohibits government advertising being carried out after 26 January in an election year.

The Tribunal considers it appropriate that a blackout period, commencing on 26 January in an election year, apply to the use of the ECA. Members will not be permitted to use their ECA after 26 January in an election year to communicate with constituents, and/or prospective constituents. This blackout period will extend to the use of the LSA and also cover Members of the Legislative Council.

While Members may use their ECA to communicate with constituents up until this date, the entitlement is not to be used for electioneering or political campaigning. Members are to comply with the relevant guidelines issued by the Parliament in regard to this matter.

The Tribunal has also received a number of submissions requesting that the ECA be increased to reflect increased postage costs. The ECA was last increased by 2.5 per cent in 2011, the first increase since the allowance was introduced in 2002. The Tribunal notes that there has been a recent increase in ordinary postage costs (with the basic postage rate increasing from 60 cents to 70 cents). However, it is considered that this increase would not have a commensurate increase on the costs associated with a Member communicating with their constituents. In using the ECA Members would be expected to take advantage of bulk business postage rates when distributing newsletters. In addition, Members are also able to achieve savings by distributing e-newsletters for which there are no printing or postage costs. While ordinary postage costs have increased by an estimated 17 per cent the Tribunal finds that the impact of this increase on the ECA will be considerably less. On that basis the Tribunal has determined that the base rate for determining the ECA will increase by the general increase of 2.25 per cent.

The actual ECA allocated to each member is determined by multiplying the base rate by the number of electors. Based on the enrolment data available on the NSW Electoral Commissions



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website, the estimated total number of enrolled voters in NSW has increased by 3 per cent from April 2013 to April 2014. The increase to the base rate and the increase in enrolment numbers will result in an overall increase in the value of this entitlement of over 5 per cent. However, as the entitlement is not fully expended by all Members the total funds spent on this entitlement are not expected to exceed 2.25 per cent over the financial year.

As with other additional entitlements the ECA will be adjusted following the election to reflect the commencement of the new electoral districts. In determining the amount of ECA available to Members of the Legislative Assembly for the period 28 March 2015 to 30 June 2015 the Tribunal has had regard to the predicted enrolment statistics contained in the Electoral Commissioner's Report and the average increase in enrolled voters over the last 5 years, based on NSW Electoral Commission data.

The 1 July 2014 to 27 March 2015 and 28 March 2015 to 30 June 2015 allocation will be available to Members on a pro rata basis. Over the year the overall adjustment in costs is not expected to exceed 2.25 per cent.

### **7. Administration of Entitlements**

As outlined in previous determinations the Tribunal encourages the Parliament to work with Members to simplify and streamline the existing administrative practices and procedures to reduce the administrative burden for Members and the Parliament's administrative staff whilst complying with the Tribunal's determination, the relevant legislation and NSW Audit Office requirements.

### **8. Allocation of Staff**

During 2013 the Tribunal undertook a review of the allocation of staff to Members of Parliament.

The Tribunal found that, overall, there was a need for additional support in electorate offices. This was based on the increase in constituent numbers and innovations in technology and communication which have an impact on the number of interactions Members and electorate staff have with electors and the wider community.

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While the Tribunal found that additional support was warranted, it was not satisfied that the workload is sufficient to warrant the additional salary, on-costs and the cost of reconfiguring electorate offices for the existing Additional Temporary Staff (ATS) entitlement to be extended to a third full time electorate officer. Instead the Tribunal determined that the existing additional staff entitlement increase from a budget of 61 days per annum to 70 days per annum.

The Tribunal also determined that Members of the Legislative Assembly who are elected as a member of a minor party will receive the same entitlement to staff as those elected as independents members.

The ATS is now a separate employment classification within the Members' Staff Conditions of Employment – Determination of the Presiding Officers February 2014. The Presiding Officers' have advised that the ATS budget allocation remains unchanged in practice. The global ATS budget is now established with reference to the Senior Electorate Officer (year 3) rate. The Tribunal's determination has been amended to reflect this change.

The Tribunal has again received submissions requesting that the Tribunal extend the allocation of the ATS to a third full time member of staff for all Members of the Legislative Assembly. One submission has suggested that the third full time staff member could be a trainee, which could reduce the salary costs associated with this entitlement and provide employment opportunities for young people.

The Tribunal finds that since undertaking the 2013 there has been no significant changes to warrant a further extension of the ATS at this time.

### **9. Staff Travel within the Electorate**

The matter of staff travel within the electorate has been raised with the Tribunal on a number of occasions. In the 2013 Report and Determination the Tribunal observed:

*“The Tribunal had not been provided with sufficient evidence to support a change to the current arrangements. To consider this matter in more detail the Tribunal will need to be informed as to how widely, and with what frequency, staff travel within the electorate and for what purpose. In addition, the Tribunal will require information on*

## **Parliamentary Remuneration Tribunal 2014 Annual Review – Report and Determination**

*what authority staff undertake travel within the electorate i.e. with the approval of the Member or the Speaker.*

*The Tribunal will write to the Speaker to clarify the existing arrangements in relation to staff travel within the electorate. Should the Tribunal find that further consideration is warranted it will consider this matter as part of the 2014 annual review.”*

On 7 February 2014 the Tribunal wrote to the Presiding Officers and Members seeking submissions on the issue of staff travel. In seeking advice on this matter the Tribunal requested that submissions address the following matters:

- how widely, for what purpose, and with what frequency, staff travel within the electorate
- the mode of travel, costs associated with this travel and the source of funding
- information on what authority staff travel within the electorate - i.e. with the approval of the Member or the Speaker.

The Tribunal received one submission in regard to staff travel that was general in nature. The Tribunal notes that the Members’ Staff Conditions of Employment, Determination of the Presiding Officers of February 2014, includes provisions in regard to staff travel in Chapter 3 – Salary and Allowances. The Tribunal finds that further consideration of this matter as part of the 2014 annual review is not warranted.

### **10. Additional Electorate Offices**

The electorates of Barwon and Murray-Darling are currently provided with two electorate offices.

The Tribunal has received a submission requesting that an additional electorate office be provided to the Member for Barwon and the Member for Northern Tablelands following the redistribution of electorate districts.

The Member for Murray-Darling was provided with a second electorate office as determined by the Tribunal in January 2000. At that time Murray-Darling was the largest electorate in the State covering an area of 344,624 sq. kms. The electorates of Murray-Darling and Barwon

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ceased to be classified into separate groups following the 2007 election and both were classified into Group 7 for the purposes of receiving additional entitlements. In the 2007 Report the Member for Barwon was provided with a second electorate office.

As discussed in Part 1 of this Report and Determination the redistribution has resulted again in significant changes to the electorates of Barwon and Murray. Following the redistribution of electoral districts, the geographical size of Barwon will increase from 221,793 sq. kms to 356,291 sq. kms with a projected increase in the constituency of 23 per cent, which is significantly greater than the average across NSW of 12.9 per cent.

While the size of Barwon is now similar to that of Murray-Darling when it was initially provided with a second electorate office in 2000, it is expected that the increase in constituent numbers will have an impact upon the workload of the Member and their staff. As discussed in the 2013 annual review, the Tribunal found that the general increase in constituent numbers, coupled with innovations in technology and communication, have increased the number of interactions Members and electorate staff have with electors and the wider community. It is reasonable that Members be able to meet and assist the communities they represent, and given the distance between communities and the increased workload, the Tribunal finds that a case now exists for the provision of a third electorate office in the electorate of Barwon following the March 2015 election.

The Tribunal has also been asked to consider the provision of video link facilities between electorate offices in Barwon that can also be accessed at the Parliamentary office, to enable constituents and staff to communicate more readily with the Member. The Tribunal has been advised that Skype software, which supports conference calls, video chats and screen sharing, is used by the Member. The Presiding Officers have advised the Tribunal that Members should have greater flexibility to communicate with Parliament's Administration, other Members of Parliament, staff employed by the Parliament and constituents. The use of the LSA to meet the cost of using Skype or other similar applications is supported by the Presiding Officers subject to the Parliament's ability to support these services in term of network capability and data costs. The Tribunal considers that these services could be beneficial to Members and are appropriately funded from the existing LSA allocation.

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The Tribunal has also considered a request to provide a second electorate office to the electorate of Northern Tablelands. Following the redistribution of electorate districts, the geographical size of Northern Tablelands will increase from 44,737 sq. kms to 53,154 sq. kms with a projected constituency increase of 9 per cent. The Tribunal has determined that Northern Tablelands will be the only electorate to remain in Group 6 – Murrumbidgee has been abolished and Upper Hunter moved to Group 5. With the categorisation of Barwon as outlined above, Murray will be the only electorate in Group 7 and will continue to be provided with two electorate offices. Following the redistribution of electorate districts, the geographical size of Murray will decrease from 250,446 sq. kms to 107,359 sq. kms with a projected constituency increase of 19 per cent. While the projected constituency for the two electorates is similar, there is a marked difference in geographical size. On that basis the Tribunal considers that an additional electorate office is not warranted for the electorate of Northern Tablelands.

### **11. Electorate Charter Transport**

Members of the largest electorates (Electoral Groups 5-7), and the Member for Port Macquarie, are provided with an Electorate Charter Transport Allowance from which is met charter transport costs incurred within their electorates. Charter transport includes aircraft, drive yourself vehicles and any other mode of charter transport deemed appropriate by the Speaker of the Legislative Assembly. Eligible Members are also entitled to the reimbursement against this allowance for the cost of fuel, landing fees and one annual service if they own their own aircraft.

The Tribunal has received a submission which has sought a significant increase in the quantum of this allowance for electorates in current Groups 6 and 7 and a request to extend the use of this entitlement to non-commercial hire arrangements.

As outlined in Part 1 of this Report and Determination the electoral redistribution has had an impact on the grouping and number of electorates eligible to receive this allowance. For the reasons outlined in Part 1 of this Report and Determination, the electorate of Upper Hunter has been moved from Group 5 into Group 4 and will no longer be eligible for the reimbursement of costs associated with this expense (from this allowance). The electorate of Murrumbidgee has been abolished leaving only 6 electorates eligible to receive this allowance.

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The Tribunal has determined that savings associated with the abolition of Murrumbidgee be reallocated to the electorate of Barwon in Group 8 in recognition of the significant increase in its size. Other savings associated with the removal of the electorate of Upper Hunter have been reallocated across other eligible electorates.

The Tribunal has been advised that the availability of charter air operators in far western NSW is limited and Members are required to source operators from outside their electorate which adds significantly to the cost. It has been submitted that Members might be able to make private arrangement with non-commercial aircraft owners and/or pilots and that these services be funded from the Electorate Charter Transport Allowance.

The Tribunal sought advice from the Presiding Officers in relation to any legal and/or safety risks which may be associated with unregulated hire arrangements. The Presiding Officers have advised that these matters were reviewed in 2012 and at that time advice was sought from the Civil Aviation Safety Authority (CASA). That advice indicated that registration and licensing restrictions would prohibit Members from making private air hire arrangements. On that basis, there will be no changes to the conditions of use.

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**Section 3            Summary of 2014 Determination**

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Allowance	Amount
Electoral Allowance	2.25 per cent increase
Sydney Allowance	2.25 per cent increase
Logistic Support Allocation	2.25 per cent increase
Electorate Communication Allowance	2.25 per cent increase (base rate only)
Committee Allowance	2.25 per cent increase
Electorate Charter Allowance	2.25 per cent increase
Travel Allowances	Adjusted as per Australian Tax Office Determination 2013/16

**Parliamentary Remuneration Tribunal**

(Signed)

**The Honourable Justice C G Staff**

Dated: 11 June 2014

**Parliamentary Remuneration Tribunal**  
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## **Section 4      The Determination**

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Pursuant to section 10(2) and 11(1) of the Parliamentary Remuneration Act 1989 (“the Act”), the Tribunal makes the Determination appearing hereunder.

With effect on and from 1 July 2014, and pursuant to section 10(6) of the Act, all previous Determinations of the Tribunal are revoked. This Determination shall constitute the annual Determination and shall operate on and from 1 July 2014.

### **1. Definitions**

“Member” or “Members” refers to a duly elected Member or Members of the Parliament of New South Wales (referred to hereinafter in this Determination as “the Parliament”).

In this Determination the expression “additional entitlements” is to be understood in the sense used in Part 3 of the Act.

“Basic salary” has the meaning given by section 4 of the Act,

“Parliamentary duties” has the meaning attributed to it by section 3 of the Act,

“Electoral groups” are the groups of electorates specified in Schedule 1 and Schedule 1A.

For the purpose of the Logistic Support Allocation for Members of the Legislative Council, “Zones” shall be those areas described in Schedule 2A and Schedule 2AAA.

“Approved relative” is a person who meets one of the following criteria:

- Wife or husband of the Member
- A person living in a domestic relationship as defined in the Property (Relationships) Act 1984
- Single or widowed Members may nominate a Member of their immediate family (parents, siblings, children who are not minors i.e. below 16 years of age) as an approved relative.



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Under special circumstances a Member may apply through the Presiding Officers to the Tribunal for an exception to the criteria. This will need to be based on the ability of the Member to meet their parliamentary duties and individual circumstances that apply at the time.

### **2. Guidelines and General Conditions Regarding Additional Entitlements for Members in Connection with Parliamentary Duties**

#### **2.1 Guidelines**

Every class of “additional entitlements” described in this Determination is provided pursuant to section 10(1)(a) of the Act “for the purpose of facilitating the efficient performance of the Parliamentary duties of Members.” The following guidelines shall apply to the receipt, use and operation of additional entitlements (**excluding Electoral Allowance**).

1. Circumstances upon which the additional entitlements may be used for Parliamentary duties.
  - 1.1 Additional entitlements are provided to facilitate the efficient performance of the following particular Parliamentary duties of Members as follows:
    - 1.1.1 Activities undertaken in representing the interests of constituents, but excluding activities of a direct electioneering or political campaigning nature.
    - 1.1.2 Performing electorate work for a Member’s electorate and participation in official and community activities to which the Member is invited because of the Member’s status as a Parliamentary representative.
    - 1.1.3 Attending and participating in sessions of Parliament.
    - 1.1.4 Participation in the activities of Parliamentary committees.
    - 1.1.5 Attending Vice-Regal, Parliamentary and State ceremonial functions.
    - 1.1.6 Attending State, Commonwealth and Local Government functions.
    - 1.1.7 Attending official functions to which a Member is invited because of the Member’s status as a Parliamentary representative, e.g., receptions and other community gatherings hosted by Members of the diplomatic corps,

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educational and religious institutions, community and service organisations, business associations, sporting bodies or other special interest groups.

- 1.1.8 Participation in the activities of recognised political parties, including participation in national, State and regional conferences, branch meetings, electorate council meetings, executive meetings, committee meetings, and meetings of the Members of the Parliamentary political party, its executive and committees.
- 1.1.9 For a Member elected to the Parliament as an independent, participation in activities that are reasonable alternatives to participation in the activities of recognised political parties.
- 1.1.10 A Member who is elected to the Parliament as a representative of a recognised political party and who subsequently resigns from that party Membership and thereafter sits as an independent Member, howsoever described, shall continue to receive the same entitlements as they received as a Member of the party prior to resignation and not the additional entitlements provided to elected independents. The Member is also not entitled to the benefit of the rule in Clause 1.1.9 above.
- 1.1.11 Participation within Australia in the activities of the Commonwealth Parliamentary Association (CPA) as well as activities outside Australia (exclusive of air travel) organised by the CPA provided such activities arise directly from Membership of the New South Wales Branch and officially endorsed by the Branch. Members may utilise Frequent Flyer Points which have been accrued as a result of the use of public funds to purchase international flights or obtain an upgrade in seat class in order to attend CPA activities.
- 1.1.12 Participation in a Parliamentary Group such as the Asia Pacific Friendship Group; provided that, such group is approved in writing by the President of the Legislative Council and the Speaker of the Legislative Assembly.

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2. Where any additional entitlement fixed by this Determination is to be used for the purpose of facilitating Members' participation in the activities of recognised political parties, the Tribunal sets out the following guidelines as to the use of that additional entitlement:
  - 2.1 Parties registered under the *Electorates and Elections Act 1912*, and included in the register of parties maintained by the Electoral Commissioner, are to be treated as recognised political parties.
  - 2.2 Additional entitlements should not be used to fund:
    - 2.2.1 activities such as those associated with party Membership drives;
    - 2.2.2 mail distributions for non-electorate or non-Parliamentary activities;
    - 2.2.3 costs associated with election campaigning for an individual Member;
    - 2.2.4 party fundraising for a Member's own political use and/or other party political Members such as the purchase of raffle tickets, raffle prizes or tickets to attend functions etc, and
    - 2.2.5 costs previously borne by political parties which are not principally related to a Member's Parliamentary or electorate duties;
    - 2.2.6 costs associated with pre-selection activities.
  - 2.3 The electorate office provided for a Member of the Legislative Assembly is not to be used as an election campaign office.
3. The Tribunal sets out the following additional and general guidelines:
  - 3.1 Some intermingling of a Member's Parliamentary duties and private activities is, in practical terms, not always easily avoided, but the onus is always on the Member to show that any expenditure or any claim for reimbursement relates to Parliamentary duties, or to the Parliamentary duties component of costs incurred for intermingled Parliamentary duties and private purposes.

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- 3.2 In the case of Parliamentary work, any activities in which a Member's involvement may reasonably be regarded as deriving from the Member's responsibilities as a Parliamentary representative should be treated as Parliamentary duties.
- 3.3 In the case of a Member's activities within the broader community outside the Member's electorate, activities that may reasonably be regarded as deriving from the Member's status as a Parliamentary representative should be treated as Parliamentary duties.

## **2.2 Conditions**

The following general conditions will apply to all additional entitlements determined hereunder. These conditions are in addition to any special conditions attaching to the provision of allowances or other benefits (as specified later in this Determination):

1. All procurement by Members will be in accordance with the Parliament's purchasing policies.
2. Members must ensure that they have sufficient funds to meet the costs associated with their Parliamentary duties.
3. Each Member shall have, in addition to payments of the Electoral and Sydney Allowance, an account entitled the "Logistic Support Allocation" which shall cover expenditure in the areas of transport (except for electorate to Sydney travel), communications, printing, stationery and office supplies and other purposes related to a Member's Parliamentary duties not specifically excluded by the Parliamentary Remuneration Tribunal, the Parliament's administration or taxation ruling TR 1999/10.
4. The Logistic Support Allocation shall be established and maintained by the Executive Manager, Department of Parliamentary Services. Members should be advised by the Department of Parliamentary Services each month as to the balance of their Logistic Support Allocation.
5. Nothing shall prevent the use of the Electoral Allowance for legitimate electorate expenses which might also fall within the categories of expenses covered by the Logistic Support Allocation.

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6. All accounts and Members' claims must be submitted to the Legislature for payment within 60 days of receipt or occurrence of the expense.
7. All Members' additional entitlements in the nature of fixed allocations and Sydney allowance provided to Members shall be audited annually for compliance. In addition to any internal audit conducted by the Parliament, Members' additional entitlements in the nature of fixed allocations and the Sydney allowance provided to Members shall be the subject of an external audit conducted by the Auditor-General of NSW. The cost of any audit shall be met by the Parliament. Members should ensure they maintain appropriate records of expenditure for the purpose of any audit.
8. Expenditure is only to be incurred in connection with the Parliamentary duties of Members (and in this respect the Member should refer to the guidelines in this Determination and those issued by the Parliament).
9. The various allowances determined here, as well as the Logistic Support Allocation are for the sole use of the Member and are not to be transferred to other persons or organisations including Members. The Member may use his/her entitlements to meet official costs of the approved relative and/or staff employed by the Parliament when that expenditure is in connection with official Parliamentary duties.
10. Benefits accrued by a Member by way of loyalty/incentive schemes such as frequent flyers, as a consequence of the Member using his or her additional entitlements, are to be used only for Parliamentary duties and not for private purposes. Any outstanding benefits of this nature, when the Member ceases to be a Member, are to be forfeited. Members shall be required to complete an annual declaration form provided by the Parliament's administration at the end of each financial year or within 30 days of ceasing to be a Member declaring that they have not used loyalty/reward benefits accrued through the use of their additional entitlements for non-Parliamentary or electorate purposes.
11. Payment of accounts relating to the use of a Member's additional entitlements in the nature of fixed allocations will be paid directly by the Parliament and debited to the Member's account or paid in the first instance by the Member who would then seek reimbursement from the Parliament.

**Parliamentary Remuneration Tribunal**  
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**2.3 List of Tables Relating to Additional Entitlements**

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Table 1	Electoral Allowance Legislative Assembly - 1 July 2014 to 27 March 2015 (inclusive)
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Table 1A	Electoral Allowance Legislative Assembly- 28 March 2015 to 30 June 2015 (inclusive)
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Table 2	Electoral Allowance Legislative Council - 1 July 2014 to 27 March 2015 (inclusive)
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Table 2A	Electoral Allowance Legislative Council- 28 March 2015 to 30 June 2015 (inclusive)
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Table 3	Sydney Allowance Daily Rates – 1 July 2014 to 30 June 2015 (inclusive)
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Table 4	Electorate to Sydney Travel Entitlements Additional Entitlements for Recognised Office Holders - 1 July 2014 to 30 June 2015 (inclusive)
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Table 5	Logistic Support Allowance Annual Allocation - Legislative Assembly - 1 July 2014 to 27 March 2015 (inclusive)
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Table 5A	Logistic Support Allowance Annual Allocation - Legislative Assembly - 28 March 2015 to 30 June 2015 (inclusive)
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Table 6	Logistic Support Allowance Annual Allocation - Legislative Council – 1 July 2014 2015 to 30 June 2015 (inclusive)
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Table 7	Logistic Support Allowance Quantum of the Account - 1 July 2014 to 27 March 2015 (inclusive)
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Table 7A	Logistic Support Allowance Quantum of the Account - 28 March 2015 to 30 June 2015 (inclusive)
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Table 8	Charter Transport Allowance – 1 July 2014 to 27 March 2015 (inclusive)
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Table 8A	Charter Transport Allowance – 28 March 2015 to 30 June 2015 (inclusive)
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Table 9	Travel Allowances Indicative Upper Limits for Recognised Officer Holders – 1 July 2014 to 30 June 2015 (inclusive)
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Table 10	Travel Allowances Group Classifications for Recognised Office Holders – 1 July 2014 to 30 June 2015 (inclusive)
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### **3. Basic Salary**

With effect from 1 July 2014 the basic salary of Members, pursuant to section 4 of the Act, shall be \$149,541 per annum.

### **4. Additional Entitlements in the Nature of Allowances**

#### **4.1 Electoral Allowance**

##### ***Basis***

The allowance is based upon those factors which have historically been taken into account in assessing the quantum of the allowance (including the additional costs associated with the performance by Members of their Parliamentary duties in their electorates) and such other factors as may be determined from time to time as appropriate to be taken into account by the Tribunal under the Act.

##### ***Entitlement***

The allowances shall be paid as follows:

1. Each Member of the Legislative Assembly and the Legislative Council shall receive an electoral allowance. The quantum of that allowance shall be fixed in accordance with the electoral grouping for the electorate of the Member.
2. The allowance payable per annum for each Legislative Assembly electorate group shall be as follows:

<b>Electorate Group</b>	<b>Electoral Allowance</b>
Group 1	\$45,160
Group 2	\$52,885
Group 3	\$62,325
Group 4	\$68,035
Group 5	\$72,365
Group 6	\$79,330
Group 7	\$92,785

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**Table 1A: Electoral Allowance Legislative Assembly- 28 March 2015 to 30 June 2015 (inclusive)**

Electorate Group	Electoral Allowance
Group 1	\$ 45,195
Group 2	\$52,925
Group 3	\$62,375
Group 4	\$68,090
Group 5	\$72,425
Group 6	\$79,395
Group 7	\$92,860
Group 8	\$126,980

3. The electoral allowance for each Member of the Legislative Council shall be as follows:

**Table 2: Electoral Allowance Legislative Council- 1 July 2014 to 27 March 2015 (inclusive)**

Electorate Group	Electoral Allowance
Zone 1	\$52,885
Zone 2	\$52,885
Zone 3	\$52,885

**Table 2A: Electoral Allowance Legislative Council - 28 March 2015 to 30 June 2015 (inclusive)**

Electorate Group	Electoral Allowance
Zone 1	\$52,925
Zone 2	\$52,925
Zone 3	\$52,925

4. The allowance shall be payable calendar monthly in arrears in conjunction with salary payments.

## **4.2 Sydney Allowance**

### ***Purpose and Operation of the Provisions***

The Sydney Allowance is provided to Members who reside in non-metropolitan electorates to compensate for the additional costs including commercial accommodation, meals and incidental costs associated with staying in Sydney to attend sessions of Parliament, meetings of Parliamentary committees or other Parliamentary business.



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Members whose principal place of residence is either a minimum distance of 70 kms by road from Parliament House or the Member resides in an electorate categorised as outer non-metropolitan, as specified in Schedule 2, are eligible to receive the Sydney Allowance.

The Tribunal considers the Member's principal place of residence to be that residence where the Member would normally return and reside when not attending Sydney on Parliamentary duties.

To establish the principal place of residence each Member will be required to complete the Parliament's checklist and certify that the residence nominated is the principal place of residence.

#### ***Entitlement***

The daily rate (including the number of overnight stays) for the Sydney Allowance for Members whose principal place of residence is either a minimum distance of 70 kms by road from Parliament House or who resides in an outer non-metropolitan electorate shall be in accordance with *Table 2: Sydney Allowance Daily Rates – 1 July 2014 – 30 June 2015* below. Where a Member elects for a daily rate, he/she shall be entitled to the daily rate for the number of overnight stays per annum specified in that Table, except as provided in condition 5.

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*Table 3: Sydney Allowance Daily Rates – 1 July 2014 to 30 June 2015 (inclusive)*

Office	Principal Place of Residence	Overnight Stays p.a.	Overnight in Sydney where accommodation costs are incurred	In transit to and from Sydney where no overnight stay is involved
Minister, Speaker, President, Leader and Deputy Leader of the Opposition (Assembly and Council), Leader of Third Party in Assembly with not less than 10 Members.	A minimum distance by road of 70 kms from Parliament House or the Member resides in an outer non-metropolitan electorate	180	\$278	Actual reasonable expenses for meals and incidentals up to a maximum of \$99.95 per day
Deputy Speaker, Legislative Assembly, Deputy President and Chair of Committees (Legislative Council), Whip and Deputy Whip (Assembly and Council), Parliamentary Secretary, Assistant Speaker Legislative Assembly, Assistant President Legislative Council, Deputy Leader of Third Party in Assembly with not less than 10 Members.	A minimum distance by road of 70 kms from Parliament House or the Member resides in an outer non-metropolitan electorate	140	\$278	As above
Chairs of Standing/Select Committees	A minimum distance by road of 70 kms from Parliament House or the Member resides in an outer non-metropolitan electorate	140	\$278	As above
Legislative Council Members	Outer non-metropolitan electorate	135	\$278	As above
	Minimum distance of 70 kms by road from Parliament House	105	\$278	As above
Legislative Assembly Members	Outer non-metropolitan electorates	135	\$278	As above
	Minimum distance of 70 kms by road from Parliament House	105	\$278	As above

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#### ***Conditions***

The following conditions apply to the Sydney Allowance:

1. A Member can choose to receive the Sydney Allowance as either an annual fixed allowance or a daily rate. The election is to be made at the commencement of each financial year.
2. If a Member chooses to receive the annual fixed allowance the Department of Parliamentary Services of the Legislature will calculate the annual entitlement by multiplying the number of overnight stays for the particular Member or Recognised Office Holder by the daily rate.
3. In order to receive the Allowance each Member must certify to the Executive Manager, Department of Parliamentary Services their principal place of residence.
4. Where a Member chooses to receive the daily rate of allowance the Member shall receive the overnight daily rate as specified in *Table 2: Sydney Allowance Daily Rates – 1 July 2014 – 30 June 2015* (Table 2). The Member is entitled to the number of overnight stays per annum specified in Table 2 without the need to substantiate to the Parliament expenses up to the daily rate.
5. Where a Member chooses to receive the daily rate of allowance and the Member exceeds the number of overnight stays Members will be reimbursed actual costs, up to the daily maximum upon the production of tax invoices/receipts for each such occasion.
6. Members in receipt of the Sydney Allowance when travelling to Sydney for Parliamentary business or home from Sydney and where there is no overnight stay required en-route will be entitled to reasonable actual expenses to the maximum provided in the “In transit....” Column of Table 2. This rate is only applied when the Member is travelling to Sydney or travelling home from Sydney following an overnight stay. Members may not claim the in transit allowance if they have exceeded the allocated number of overnight stays applicable for receipt of the Sydney Allowance.
7. Members may not claim this entitlement in their hometown closest to their principal place of residence, at their nominated home airport or within a 70 kilometre radius of Parliament House for which Sydney Allowance payments are provided.

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8. When in receipt of the annual allowance Members are required to certify halfway and at the end of the financial year the number of occasions they stayed in Sydney and that on each occasion the stay was for Parliamentary business. Members who nominate to receive the annual allowance cannot claim for additional overnight stays in excess of those specified in Table 2.
9. Members are required to maintain records or other relevant proof that clearly document the occasions they stayed in Sydney in connection with their Parliamentary duties. Subject to the proviso below, Members attending Parliament House on Parliamentary business when Parliament is not sitting are required to sign in and out of the Parliamentary Register as proof of being in Sydney. On those occasions where Members are in Sydney on Parliamentary business but are not required to attend Parliament House e.g., attending a function, then the Member must provide sufficient proof to the Executive Manager to substantiate each such occasion. Provided, however, it will be sufficient for Members to provide entries from their diaries, or other forms of documentary proof, acceptable to the Executive Manager to certify as proof of their attendance in Sydney.
10. Members in receipt of the annual amount will be required to provide a reconciliation of their annual payments twice per year. The first reconciliation will be required by 31 January of each year for payments made in the previous period of 1 July to 31 December. A further reconciliation will be required by 31 July of each year for payments made in the subsequent six months. The first reconciliation is only to be used for the purpose of validating the number of nights claimed during the period. Any financial adjustments will be calculated in consideration of the total number of nights validated over the whole financial year. Where applicable, Members will return to Parliament any part of the annual amount that they have not substantiated by 30 September each year or 30 days of ceasing to be a Member.
11. Members who do not reimburse outstanding amounts by 30 September each year are to have their annual entitlement suspended and are to revert to the daily rate of Sydney Allowance until the reimbursement is made.

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12. Members are not to claim the Sydney Allowance if they stay in Government owned or funded accommodation including Parliament House.
13. In determining eligibility Members will need to nominate their principal place of residence immediately following their election to Parliament. Members are not to relocate during the parliamentary term for the purposes of meeting the eligibility criteria.

### **4.3 Committee Allowances**

#### ***Purpose and Operation of the Provision***

Committee Allowances are paid to Chairpersons of Joint, Select and Standing Committees in recognition of the additional responsibilities of the office. Because of the statutory nature of the Public Accounts Committee and their role in Government activities, the annual rate of allowance is payable to Members of these Committees.

#### ***Entitlement***

Members of the Legislative Council and the Legislative Assembly serving as Chairpersons of Joint Committees, Select Committees and Standing Committees shall be paid the sum of \$190.00 for each day upon which they attend a meeting or an official visit of inspection if that day is one upon which the Legislative Council (so far as a Member of the Council is concerned) or the Legislative Assembly (so far as a Member of the Assembly is concerned) is not sitting. This allowance is not payable to Chairpersons in receipt of a salary of office as specified in Schedule 1 of the *Parliamentary Remuneration Act 1989*.

Members of the Public Accounts Committee, other than the Chairperson of the Committee or another Committee in receipt of a salary of office as specified in Schedule 1 of the *Parliamentary Remuneration Act 1989*, shall each receive a committee allowance of \$4,405 per annum.

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**5. Additional Entitlements in the Nature of Fixed Allocations**

**5.1 Electorate to Sydney Travel**

***Purpose and Operation of the Provisions***

1. Members whose principal place of residence is either a minimum distance of 70 kms by road from Parliament House or the Member resides in an electorate categorised as outer non-metropolitan, as specified in Schedule 2 and Schedule 2AA, qualify for return air travel warrants between their electorates and Sydney.
2. These entitlements are provided for the performance of Parliamentary duties.
3. All eligible Members shall receive one hundred and four (104) single economy class journeys per annum between electorate/zone and Sydney.
4. Where eligible, each of the below mentioned recognised office holders shall be entitled to the following additional electorate to Sydney travel entitlements per annum:

<b><i>Table 4: Electorate to Sydney Travel Entitlements Additional Entitlements for Recognised Office Holders – 1 July 2014 to 30 June 2015 (inclusive)</i></b>	
<b>Office holder</b>	<b>Electorate to Sydney travel entitlement</b>
Minister of the Crown	32 single journey entitlements
Speaker of the Legislative Assembly	32 single journey entitlements
President of the Legislative Council	32 single journey entitlements
Leader of the Opposition Assembly and Council	32 single journey entitlements
Leader of Party (not less than 10 Members in the Legislative Assembly)	32 single journey entitlements
Deputy President and Chair of Committees, Legislative Council Assistant Speaker, Legislative Assembly	32 single journey entitlements.
Deputy Speaker	32 single journey entitlements
Deputy Leader of the Opposition Assembly and Council	16 single journey entitlements
Deputy Leader of Party (not less than 10 Members in the Legislative Assembly)	16 single journey entitlements

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***Conditions***

1. All electorate to Sydney travel and return is restricted to economy class.
2. Entitlements may be used to meet the cost of using a private motor vehicle or rental vehicle in lieu of electorate to Sydney air travel. The amount to be reimbursed for this purpose is not to exceed the commercial airfare for an equivalent distance flight.
3. A minimum of one entitlement is required to be surrendered for each single journey; a return trip will require the surrender of at least two warrants.
4. Entitlements are not transferable between Members, or approved relatives, or Members' staff.
5. Members may use electorate to Sydney entitlements to defray part of the cost of intrastate and interstate Parliamentary travel when such travel is via Sydney.
6. Members may charter a plane in lieu of travelling on commercial flights provided that travel is for electorate and/or Parliamentary business and that sufficient entitlements based on the equivalent commercial cost of each person travelling are surrendered. The cost of Members' approved relative travelling on the charter is to be met from the Member's Logistic Support Allocation. It is a condition of all air transport charters that the Member responsible for organising the charter obtains a passenger manifest from the charter operator and attaches it to the invoice when it is sent for payment.
7. A Member's air transport booking for Parliamentary duties and that of their spouse/approved relative and staff are to be made by the Member with an appropriate transport provider.
8. Members will need to maintain records or other relevant evidence that clearly document the occasions they travelled to Sydney in connection with their Parliamentary duties. A copy of this documentation including airline boarding passes if travelling by commercial air is to be retained for subsequent review by internal and/or external auditors if required.

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**5.2 Logistic Support Allocation**

***Purpose and Operation of the Provision***

The purpose of the Logistic Support Allocation is to provide Members with sufficient funds to cover the operational costs of undertaking their Parliamentary duties.

The items in respect of which the LSA may be used must not duplicate services already provided to Members by the Parliament and the expenditure must be consistent with the Determination and in accordance with *Condition 3* under *2.2 Conditions of 2.Guidelines and General Conditions Regarding Additional Entitlements for Member in Connection with Parliamentary Duties*.

***Entitlement***

Each Member and Recognised Office Holder of the Legislative Assembly who resides in one of the following electorate groups will be entitled to an annual allocation for the Logistic Support Allocation as follows:

<b><i>Table 5: Logistic Support Allowance Annual Allocation Legislative Assembly – 1 July 2014 to 27 March 2015 (inclusive)</i></b>	
<b>Electorate Group</b>	<b>LSA</b>
Group 1	\$35,470
Group 2	\$39,695
Group 3	\$42,460
Group 4	\$42,460
Group 5	\$42,460
Group 6	\$45,225
Group 7	\$45,225

<b><i>Table 5A: Logistic Support Allowance Annual Allocation Legislative Assembly – 28 March 2015 to 30 June 2015 (inclusive)</i></b>	
<b>Electorate Group</b>	<b>LSA</b>
Group 1	\$35,470
Group 2	\$39,695
Group 3	\$42,505
Group 4	\$42,505
Group 5	\$42,505
Group 6	\$45,280
Group 7	\$45,280
Group 8	\$54,980



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Each Member and Recognised Office Holder of the Legislative Council who resides in one of the following zones will be entitled to an annual allocation for the Logistic Support Allocation as follows:

Zone	Entitlement
Zone 1 Electorates	\$24,055
Zone 2 Electorates	\$24,770
Zone 3 Electorates	\$36,705

Recognised Office Holders are entitled to further additional entitlements as specified in Schedule 3.

***General Conditions***

The following general conditions shall apply to the Logistic Support Allocation Account:

The Department of Parliamentary Services shall be available to assist Members in self-assessing that use of their LSA is consistent with this Determination. Assistance provided shall be in the form of an advisory service and will include the provision of information and guidelines that have regard to taxation, accounting and funding implications. This advice shall not abrogate Members from their responsibilities in accordance with *Guideline 3.1 under 1.Guidelines, of 2.Guidelines and General Conditions Regarding Additional Entitlements for Member in Connection with Parliamentary Duties* and other provisions of this Determination.

1. Subject to these conditions, each Member shall determine at his/her own discretion the use of the funds within this Account for the purpose and operations specified above.
2. It is the primary responsibility of Members to ensure that they manage their Logistic Support Allocation Account to ensure that they do not over-expend their budget. The Tribunal will not provide for supplementation of this Allocation. However, the Logistic Support Allocation is not intended to restrict the proper use of the Electoral Allowance.
3. Members may not use their LSA to procure goods or services to be used for direct electioneering purposes or political campaigning.

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4. Members will not be permitted to use their LSA for the production and distribution of publications (paper based or electronic) intended for multiple distribution either electronically, by mail, letterbox drop, newspaper supplement/insert or handout during the period from 26 January in a State election year to the election date. This includes all written, drawn or pictorial matter, including advertisements, but not general office correspondence.
5. Any unused LSA remaining in the Members' account at the end of the financial year within the four year Parliamentary term shall be carried over to the following financial year. At the end of each four year term or the earlier dissolution of the Legislative Assembly, any unused LSA are forfeited.
6. Members must personally authorise expenditure from their LSA. Whilst subject to both the general and particular conditions, together with the Parliament's administrative guidelines Members may determine at their discretion use of the LSA available for any purpose and operation provided the total allocation is not exceeded. The following table outlines the basis upon which the Tribunal has established the quantum of the account for future assessment. The table shall also be used for particular purposes such as the calculation of additional entitlements for Recognised Office Holders.

<b>Table 7: Logistic Support Allowance Quantum of the Account – 1 July 2014 to 27 March 2015 (inclusive)</b>					
<b>Electorate Group or Zone</b>	<b>Transport</b>	<b>Communication –electronic</b>	<b>Communication –non- electronic</b>	<b>Printing and Stationery, Office Supplies &amp; Services</b>	<b>Total Logistic Support Allowance</b>
<b>Legislative Assembly</b>					
Group 1	\$5,535	\$4,840	\$16,295	\$8,800	\$35,470
Group 2	\$8,315	\$6,285	\$16,295	\$8,800	\$39,695
Group 3	\$11,080	\$6,285	\$16,295	\$8,800	\$42,460
Group 4	\$11,080	\$6,285	\$16,295	\$8,800	\$42,460
Group 5	\$11,080	\$6,285	\$16,295	\$8,800	\$42,460
Group 6	\$13,845	\$6,285	\$16,295	\$8,800	\$45,225
Group 7	\$13,845	\$6,285	\$16,295	\$8,800	\$45,225
<b>Legislative Council</b>					
Zone 1 Electorates	\$5,535	\$5,570	\$4,150	\$8,800	\$24,055
Zone 2 Electorates	\$5,535	\$6,285	\$4,150	\$8,800	\$24,770
Zone 3 Electorates	\$13,845	\$9,910	\$4,150	\$8,800	\$36,705

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<i>Table 7A: Logistic Support Allowance Quantum of the Account – 28 March 2015 to 30 June 2015 (inclusive)</i>					
<b>Electorate Group or Zone</b>	<b>Transport</b>	<b>Communication –electronic</b>	<b>Communication –non- electronic</b>	<b>Printing and Stationery, Office Supplies &amp; Services</b>	<b>Total Logistic Support Allowance</b>
<b>Legislative Assembly</b>					
Group 1	\$5,535	\$4,840	\$16,295	\$8,800	\$35,470
Group 2	\$8,315	\$6,285	\$16,295	\$8,800	\$39,695
Group 3	\$11,125	\$6,285	\$16,295	\$8,800	\$42,505
Group 4	\$11,125	\$6,285	\$16,295	\$8,800	\$42,505
Group 5	\$11,125	\$6,285	\$16,295	\$8,800	\$42,505
Group 6	\$13,900	\$6,285	\$16,295	\$8,800	\$45,280
Group 7	\$13,900	\$6,285	\$16,295	\$8,800	\$45,280
Group 8	\$22,155	\$7,730	\$16,295	\$8,800	\$54,980
<b>Legislative Council</b>					
Zone 1 Electorates	\$5,535	\$5,570	\$4,150	\$8,800	\$24,055
Zone 2 Electorates	\$5,535	\$6,285	\$4,150	\$8,800	\$24,770
Zone 3 Electorates	\$13,845	\$9,910	\$4,150	\$8,800	\$36,705

***Particular Conditions***

**1. Transport (Other than Electorate or Electorate to Sydney transport)**

- 1.1 A Member may use any form of transport within Australia subject to the requirement that the transport was used for Parliamentary or electorate duties and that the cost was reasonable.
  
- 1.2 A Member may travel to any place in Australia, subject to the requirement that all such travel must be for Parliamentary duties and that there must be, at the time of the making of the relevant reservation, sufficient funds in that Member's Account to pay for the expenses involved. The cost of travel undertaken within the Member's electorate, whether travel undertaken by the Member, staff of the Member or Member's approved relative should not be funded from the LSA.
  
- 1.3 All transport costs associated with approved relative or Members' staff travel (excluding travel costs associated with staff training) are to be provided from the Logistic Support Allocation Account. Staff training costs are to be met by the Legislature.

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- 1.4 Members and their approved relatives, when travelling in connection with the Member's Parliamentary duties, may claim reasonable actual accommodation and meal expenses from the Member's LSA. The reimbursement of these expenses may not exceed the travel allowance rates as determined for Group 2 in *Table 8: Travel Allowances – Indicative Upper Limits for Recognised Office Holders*. Staff employed by the Parliament who travel with their Member or separately for Parliamentary business purposes may be paid travel allowances in accordance with the Members' Staff Conditions of Employment – Determination of the Presiding Officers.
- 1.5 A Member and his or her approved relative may travel together or separately in connection with attendance at a function in the course of Parliamentary duties.
- 1.6 A Member, his or her approved relative and staff employed by the Parliament, may use taxis or hire cars for Parliamentary duties.
- 1.7 A Member's air transport booking for Parliamentary duties and that of their spouse/approved relative and staff are to be made by the Member with an appropriate transport provider.
- 1.8 Members should ensure that records are maintained that clearly document the occasions that staff employed by the Parliament stayed in Sydney or other locations when travelling in connection with the Member's Parliamentary duties. Such documentation including airline boarding passes if applicable is to be retained for subsequent review by internal and external auditors if required.
- 1.9 A Member may use charter transport in connection with Parliamentary duties, but only within the limits of the Member's individual LSA. No passenger, except the Member's approved relative and staff employed by the Parliament accompanying the Member on Parliamentary duties, may be carried at the cost of the Member's LSA entitlement. Where more than one Member is travelling on the air charter, the total air charter costs should be shared equally between the Members travelling.
- 1.10 It is a condition of all air transport charters that the Member responsible for organising the charter obtain a passenger manifest from the charter operator and attach it to the invoice when it is submitted for payment to the Legislature.

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1.11 Members together with their approved relative will need to maintain records or other relevant evidence that clearly document the occasions they travelled in connection with their Parliamentary duties. A copy of this documentation including airline boarding passes if travelling by commercial air flights is to be retained for subsequent review by internal and external auditors if required.

**2. Communication – electronic**

2.1 The Tribunal accepts that there will be some private usage in connection with mobile telephones supplied by the Parliament and electronic communication equipment installed at public expense in a Member's principal place of residence. To ensure the Legislature does not pay Fringe Benefits Tax for the private usage of electronic equipment, the Department of Parliamentary Services will undertake a survey over an appropriate period of time to ascertain public/private percentage use of Members' home telecommunication services. Once established, Members will be reimbursed the Parliamentary business cost of each home telecommunication call or usage account and an adjustment shall be made to previous accounts reimbursed from the effective date of this Determination on or from the date of election, whichever is the later.

2.2 Members may utilise any telecommunication services or network features with the exception of overseas calls, charged information/service calls, reverse charge calls and Timecard calls.

2.3 The following Recognised Office Holders shall be entitled to 100 per cent reimbursement for electronic-communication costs.

- Ministers
- Presiding Officers
- Leader of the Opposition (Assembly and Council)
- Leader of a Party not less than 10 Members in the Legislative Assembly
- Deputy Speaker
- Deputy President and Chair of Committees, Legislative Council
- Assistant Speaker, Legislative Assembly
- Deputy Leader of the Opposition (Assembly and Council)
- Deputy Leader of a Party with not less than 10 Members in the Legislative Assembly
- Parliamentary Secretaries (Assembly and Council)
- Government and Opposition Whips (Assembly and Council)
- Whip of a third party with not less than 10 Members (Legislative Assembly)

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- Deputy Whips (Legislative Assembly).

- 2.4 Call charges pertaining to a data line installed at Legislative Council Members' home offices be reimbursed at the rate of 100 per cent where Members do not have a broadband service connected, subject to the line being used for Parliamentary duties.
- 2.5 Members will be required to meet the cost of all overseas calls, other charged information/service calls, reverse charge calls and Telecard calls.
- 2.6 Members are to meet the cost of their portable communication equipment and the associated operating costs from the LSA. The purchase of such items is to be in accordance with the Parliament's procurement policies and administrative guidelines.

**3. Communication - non-electronic**

Members are permitted to purchase postage stamps or other mail distribution and delivery services to enable them to undertake their Parliamentary duties.

**4. Printing, Stationery, Office Supplies and Services**

- 4.1 Members may only use the printing, stationery, office supplies and services entitlement for Parliamentary duties.
- 4.2 The entitlement may be used to purchase printing, stationery, office supplies and services from the Parliament or other providers and in accordance with Parliamentary procurement policies and practices.
- 4.3 A Member may not use their printing, stationery, office supplies and services allowances to procure goods or services to be used for direct electioneering purposes or political campaigning.
- 4.4 The purchase of computer software from the LSA is subject to the following conditions:
- The software will not be supported by the Parliament's I.T. Section.
  - The software is required to be removed from the computers supplied by the Parliament if there is any conflict with the Parliament's computer network.
  - The software is not to be used for political campaigning or electioneering purposes.

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4.5 Members may use the entitlement to engage a suitably qualified independent professional to manage their financial record keeping to monitor their use of their additional entitlements in the form of fixed allocations to ensure they do not exceed their entitlements. These services are not to be used for any other purpose including the preparation of the Member's tax return.

### **5.3 Electorate Communication Allowance**

#### ***Purpose of the provision***

Each Member of the Legislative Assembly will be provided with an amount as specified in Schedule 4 and Schedule 4A for the following specific purposes:

1. For preparing and distributing letters/newsletters to each constituent in his/her electorate. This includes paper based communication methods and e-newsletters. Members are provided with an annual amount based on the cost of issuing two newsletters/letters per enrolled voter per annum. Members may issue additional newsletters/letters subject to available funds in their ECA and the Parliament's administrative guidelines.
2. Upon the gazettal of new electoral districts following an electoral redistribution (undertaken pursuant to s 27(1)(c) of the *Constitution Act 1902*), Members may use their ECA to communicate with prospective constituents from neighbouring electorates who at the time of the next election following the gazettal of the new electoral districts will become constituents of the Member's electorate.
3. When an electoral redistribution results in the abolition or renaming of an electorate, that Member may communicate with prospective constituents in a new or renamed electorate, subject to the new or renamed electorate comprising the majority of the constituents who would have resided in the Member's former electorate prior to the gazettal of the new electoral districts.

#### ***Conditions***

1. The ECA shall be established and maintained by the Executive Manager Department of Parliamentary Services. Members should be advised by the Department of Parliamentary Services each month as to the balance of their Account.

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2. Members are to fund the cost of preparing, printing and distributing letters/newsletters to each constituent in his/her electorate and for no other purpose. This includes paper based communication methods and e-newsletters.
3. All procurement by Members will be in accordance with the Parliament's purchasing policies.
4. No supplementation to the allocation will be considered. Any additional costs are to be met from the Member's LSA.
5. Unused ECA allocations are to be forfeited at the end of each financial year.
6. Printing and distribution of paper based or e-newsletter from the ECA is to be in accordance with the Parliament's administrative guidelines.
7. Communication with prospective constituents is permitted following the gazettal of electoral districts. Each Member is to receive the details of the prospective constituents from the NSW Electoral Commission. For Members whose electorates are substantially unchanged by the electoral redistribution communication will be limited only to those electors who will transfer from adjoining electorates. For Members whose electorates are abolished or renamed, those Members may communicate with prospective constituents in a new or renamed electorate, where that electorate comprises the majority of the constituents who would have resided in the Member's former electorate prior to the gazettal of the new electoral districts.
8. Communications with constituents/prospective constituents will be limited to matters affecting the Member's electorate.
9. Members will not be permitted to use their ECA for the production and distribution of publications (paper based or electronic) intended for multiple distribution either electronically, by mail, letterbox drop, newspaper supplement/insert or handout during the period from 26 January in a State election year to the election date. This includes all written, drawn or pictorial matter, including advertisements, but not general office correspondence.



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**5.4 Electorate Charter Transport for Members of the Legislative Assembly**

***Purpose and operation of the provision***

Members of the largest electorates (Electoral Groups 5-8) and the Member for Port Macquarie shall be provided with an allowance from which is met charter transport costs incurred within their electorates. For the purposes of this allowance “charter transport” means charter transport used with and for the service of the Member’s electorate and includes charter aircraft, drive yourself vehicles and any other mode of charter transport that may be deemed appropriate in the circumstances by the Speaker of the Legislative Assembly.

***Entitlement***

Members of the Legislative Assembly in the following Electorate Groups shall be entitled to Charter Transport Allowance up to the maximum amount shown below:

<b><i>Table 8: Charter Transport Allowance – 1 July 2014 to 27 March 2015 (inclusive)</i></b>	
<b>Electorates</b>	<b>Amount</b>
Group 5 (incl. Port Macquarie)	\$7,890
Group 6	\$12,885
Group 7	\$23,825

<b><i>Table 8A: Charter Transport Allowance – 28 March 2015 to 30 June 2015 (inclusive)</i></b>	
<b>Electorates</b>	<b>Amount</b>
Group 5 (incl. Port Macquarie)	\$9,380
Group 6	\$15,315
Group 7	\$28,320
Group 8	\$36,710

***Conditions***

The following conditions shall apply in respect of Charter Transport Allowance:

1. This Allowance shall only be used in connection with Parliamentary duties within the Member’s electorate and shall not be used during election campaigns or for other electioneering or party political activities. For the purpose of this condition the last day available for the issue of the writs shall be used as the effective commencement date of the election campaign.

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2. Only the cost of the Member's approved relative or Member of staff accompanying the Member may be met from this Allowance.
3. It is a condition of all air transport charters that the Member responsible for organising the charter obtains a passenger manifest from the charter operator and attaches it to the invoice when it is submitted for payment to the Parliament.
4. The charter transport shall only be used within and for the service of the Member's electorate. Where the closest source of available charter transport to the Member's electorate, electorate office or principal place of residence is outside the boundaries of the electorate, the reasonable additional expenses consequently incurred may be included in the reimbursement available under this Determination.
5. Members may use their Charter Transport Allowance to fly to an airfield located outside their electorate in circumstances where there is no suitable airfield located in the part of the electorate being visited by the Member. In these circumstances the Member would fly to the relevant airfield outside his/her electorate and then drive back to the electorate to conduct electorate business.
6. Members may also use the Charter Transport Allowance to attend regional or other meetings within an adjoining electorate relating to matters affecting their electorate. Members will need to maintain and retain records to verify that the purpose of the journey relates to electorate business for subsequent audit review if required.
7. A Member representing the Electorate of Murray Darling and a Member representing the Electorate of Barwon who flies his/her own aircraft, may claim reimbursement against this allowance for the cost of fuel, landing fees and one annual service.
8. The Member for Port Macquarie may use the Charter Transport Allowance to undertake up to four return trips to Lord Howe Island per year, flying from Port Macquarie or from Sydney subject to available flights. The entitlement is only to be used for transport costs between the electorate and Lord Howe Island and does not extend to the Member's approved relative or staff employed by the Parliament.

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**5.5 Travelling Allowances for Recognised Office Holders**

<i>Table 9: Travelling Allowances Indicative Upper Limits for Recognised Office Holders – 1 July 2014 to 30 June 2015 (inclusive)</i>			
<b>Office Holders</b>	<b>Destinations</b>	<b>Amount</b>	<b>Where no overnight stay is required</b>
<b>Group 1</b>	Darwin	\$450.70	Actual reasonable meal expenses
	Perth	\$492.70	
	Melbourne	\$431.70	
	Brisbane	\$418.70	
	Canberra	\$412.70	
	Adelaide	\$375.70	
	Hobart	\$361.70	
	Other areas	\$356.70	
<b>Group 2</b>	Darwin	\$414.20	Actual reasonable meal expenses
	Perth	\$400.20	
	Melbourne	\$373.20	
	Brisbane	\$396.20	
	Canberra	\$368.20	
	Adelaide	\$353.20	
	Hobart	\$321.20	
	Other areas	\$253.00	

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### ***Group classifications***

Recognised Office Holders are classified into one of the following two groups.

<i>Table 10: Travelling Allowances Group Classifications for Recognised Office Holders – 1 July 2014 to 30 June 2015 (inclusive)</i>
<b>Group 1</b>
Premier
Deputy Premier
Senior and Other Ministers
President of the Legislative Council and Speaker of the Legislative Assembly
Chairman of Select, Joint Standing, Standing and Public Accounts Committees
Leader of the Opposition in the Legislative Assembly and Legislative Council
Deputy Leader of the Opposition in the Legislative Assembly
Deputy Speaker in the Legislative Assembly
Deputy President and Chair of Committees in the Legislative Council
Assistant Speaker Legislative Assembly
Assistant President Legislative Council
Parliamentary Secretary (Leader of the House) Legislative Assembly
Deputy Leader of the Opposition in the Legislative Council
<b>Group 2</b>
Deputy Leader in the Legislative Council (other than the Leader or Deputy Leader of the Opposition) of a recognised political party not fewer than 9 Members of which are Members of the Legislative Council and of which no Member is a Minister
Leader and Deputy Leader of a Recognised Political Party of which not less than ten Members are Members of the Legislative Assembly
Government and Opposition Whips
Deputy Government and Deputy Opposition Whips
Parliamentary Secretary
Whip in the Legislative Assembly of a recognised political party, not fewer than 10 Members of whom are Members of the Legislative Assembly
Deputy Whip in the Legislative Assembly of a recognised political party, not fewer than 40 Members of which are Members of the Legislative Assembly
Members of Select, Joint Standing, Standing and Public Accounts Committees.

### ***Conditions***

The following conditions shall apply in respect of this allowance:

1. Recognised Office Holders are to be reimbursed travelling expenses when travel is undertaken in association with their role as a Recognised Office Holder only. These

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allowances will not apply when a Member travels on Parliamentary business in their own capacity.

2. Recognised Office Holders are eligible to claim reasonable actual travelling expenses for overnight absences from Sydney or their electorate/principal home residence. Where no overnight absence is involved Recognised Office Holders may claim reasonable actual meal expenses. Indicative upper limits for travel expenditure are outlined in *Table 8: Travelling Allowances Indicative Upper Limits for Recognised Office Holders*.
3. The payment of actual travelling expenses will be paid subject to the production of tax invoices/receipts relating to accommodation, meal and other incidental expenses by the Recognised Office Holder concerned.
4. A Recognised Office Holder whose approved relative accompanies him or her to a State or other official function and who consequently incurs expenses in respect of meals and accommodation exceeding the allowance to which he or she is entitled, shall be entitled to be reimbursed the additional expenses associated with the approved relative.
5. Those Recognised Office Holders for whom non-Parliamentary funded budgets are provided are to meet travel allowance costs from those budgets and not from the Parliament.

## **5.6 Equipment, Services and Facilities**

Members of the Legislative Assembly and the Legislative Council shall be provided by the Parliament with the equipment, services and facilities necessary to perform their Parliamentary duties as follows:

1. All Members shall receive at Parliament House, Sydney, a fitted out, equipped and maintained office, and secretarial services.
2. Each Member of the Legislative Assembly shall receive a fitted out, equipped and maintained Electorate Office to an appropriate standard. The Member for Barwon shall be provided with an additional two electorate offices (a total of three) and the Member for Murray one additional electorate office (a total of two).

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3. Section 18 of the *Members of Parliament Staff Act 2013* provides for the number of staff to be determined by the Tribunal. The number of staff allocated to Members and special office holders (as specified) is as follows:
- 3.1 Subject to (3.2) below, each Member of the Legislative Assembly shall have two staff members employed at each electoral office.
- 3.2 Each Member of the Legislative Assembly elected as an Independent or a Cross Bench Member shall have an additional staff member employed at his/her electoral office.
- 3.3 Each Member of the Legislative Assembly, not elected as an Independent or a Cross Bench Member, shall be provided with an annual budget specific for the recruitment of temporary staff. The budget is to provide for an additional staff member to work in the electorate office or at Parliament House. The budget is to be the equivalent of the salary of a Senior Electorate Officer for a period of 70 days per annum. Within this budget, Members have the flexibility to use this entitlement to employ additional staff.
- 3.4 Each Member of the Legislative Council, who is not a Minister, shall be entitled to one staff member. When the staff member is on annual recreation leave or other extended period of leave, a relief staff member may be employed for the period of absence.
- 3.5 Each Member of the Legislative Council, who is not a Minister, and who is elected as a cross bench Member shall be entitled to two staff members.
- 3.6 Ministers shall receive a reasonable allocation of staff members.
- 3.7 The Whip of each recognised political party of not less than 10 Members to each be provided with one member of staff.
- 3.8 This provision specifies the minimum staffing required in electorate offices. Nothing in this Determination removes from the employer of staff the obligations arising under the *Work Health and Safety Act 2011*.

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**THE PARLIAMENTARY REMUNERATION TRIBUNAL**

(Signed)

The Honourable Justice C G Staff

Dated: 11 June 2014

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**6. Schedules: 1 July 2014 to 27 March 2015**

Schedules 1, 2, 2A, 3 and 4 will apply on and from 1 July 2014 until 27 March 2015 (inclusive)

**Schedule 1 - Electoral Groupings**

<b>Group 1 Electorates</b>		
1. Auburn	17. Fairfield	33. Mount Druitt
2. Balmain	18. Granville	34. Mulgoa
3. Bankstown	19. Heffron	35. North Shore
4. Baulkham Hills	20. Hornsby	36. Oatley
5. Blacktown	21. Kogarah	37. Parramatta
6. Cabramatta	22. Ku-ring-gai	38. Penrith
7. Camden	23. Lakemba	39. Pittwater
8. Campbelltown	24. Lane Cove	40. Riverstone
9. Canterbury	25. Liverpool	41. Rockdale
10. Castle Hill	26. Londonderry	42. Ryde
11. Coogee	27. Macquarie Fields	43. Smithfield
12. Cronulla	28. Manly	44. Strathfield
13. Davidson	29. Maroubra	45. Sydney
14. Drummoyne	30. Marrickville	46. Toongabbie
15. East Hills	31. Menai	47. Vacluse
16. Epping	32. Miranda	48. Wakehurst
		49. Willoughby
<b>Group 2 Electorates</b>		
1. Blue Mountains	7. Lake Macquarie	13. Wallsend
2. Charlestown	8. Newcastle	14. Wollondilly
3. Gosford	9. Shellharbour	15. Wollongong
4. Hawkesbury	10. Swansea	16. Wyong
5. Heathcote	11. Terrigal	
6. Keira	12. The Entrance	
<b>Group 3 Electorates</b>		
1. Ballina	5. Kiama	9. Port Stephens
2. Cessnock	6. Maitland	10. South Coast
3. Coffs Harbour	7. Myall Lakes	11. Tweed
4. Goulburn	8. Port Macquarie	
<b>Group 4 Electorates</b>		
1. Albury	4. Dubbo	7. Oxley
2. Bathurst	5. Lismore	8. Tamworth
3. Bega	6. Orange	9. Wagga Wagga
<b>Group 5 Electorates</b>		
1. Burrinjuck	2. Clarence	3. Monaro
<b>Group 6 Electorates</b>		
1. Murrumbidgee	2. Upper Hunter	3. Northern Tablelands
<b>Group 7 Electorates</b>		
1. Barwon	2. Murray Darling	



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**Schedule 2 - Sydney Allowance Grouping**

<b>Outer non-metropolitan electorates</b>		
1. Albury	11. Goulburn	20. Oxley
2. Ballina	12. Lismore	21. Port Macquarie
3. Barwon	13. Maitland	22. Port Stephens
4. Bathurst	14. Monaro	23. South Coast
5. Burrinjuck	15. Murray-Darling	24. Tamworth
6. Bega	16. Murrumbidgee	25. Tweed
7. Cessnock	17. Myall Lakes	26. Upper Hunter
8. Clarence	18. Northern Tablelands	27. Wagga Wagga
9. Coffs Harbour	19. Orange	
10. Dubbo		

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**Schedule 2A - Legislative Council Zones**

<b>Zone 1 Electorates</b>		
1. Auburn	18. Granville	35. North Shore
2. Balmain	19. Heffron	36. Oatley
3. Bankstown	20. Hornsby	37. Parramatta
4. Baulkham Hills	21. Kogarah	38. Penrith
5. Blacktown	22. Ku-ring-gai	39. Pittwater
6. Cabramatta	23. Lakemba	40. Riverstone
7. Camden	24. Lane Cove	41. Rockdale
8. Campbelltown	25. Liverpool	42. Ryde
9. Canterbury	26. Londonderry	43. Smithfield
10. Castle Hill	27. Macquarie Fields	44. Strathfield
11. Coogee	28. Manly	45. Sydney
12. Cronulla	29. Maroubra	46. Toongabbie
13. Davidson	30. Marrickville	47. Vaucluse
14. Drummoyne	31. Menai	48. Wakehurst
15. East Hills	32. Miranda	49. Willoughby
16. Epping	33. Mount Druitt	
17. Fairfield	34. Mulgoa	
<b>Zone 2 Electorates</b>		
1. Blue Mountains	7. Kiama	13. The Entrance
2. Charlestown	8. Lake Macquarie	12. Wallsend
3. Gosford	9. Newcastle	13. Wollondilly
4. Hawkesbury	10. Shellharbour	14. Wollongong
5. Heathcote	11. Swansea	15. Wyong
6. Keira	12. Terrigal	
<b>Zone 3 Electorates</b>		
1. Albury	10. Dubbo	19. Orange
2. Ballina	11. Goulburn	20. Oxley
3. Barwon	12. Lismore	21. Port Macquarie
4. Bathurst	13. Maitland	22. Port Stephens
5. Bega	14. Monaro	23. South Coast
6. Burrinjuck	15. Murrumbidgee	24. Tamworth
7. Cessnock	16. Murray-Darling	25. Tweed
8. Clarence	17. Myall Lakes	26. Upper Hunter
9. Coffs Harbour	18. Northern Tablelands	27. Wagga Wagga

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**Schedule 3 - Recognised Office Holder and Other Member Entitlements**

Recognised Office Holder	Transport	Communication (electronic)	Communication ( non- electronic)	Printing & Stationery
Presiding Officer	30%		55%(A) 175%(C)	40%
Minister				40%
Deputy Speaker, Chair of Committees				40%
Leader of the Opposition	20%(A)		140%(A) 175%(C)	40%
Deputy Leader of the Opposition	10%		15%(C)	40%
Whips			15%(C)	40%
Party Leader (not less than 10 Members)	15%			40%
Deputy Party Leader (not less than 10 Members LA or 9 Members LC)	10%			40%
Leader of the National Party (in Opposition with not less than 10 Members in LA)	15%		15%	40%
Other Recognised Office Holders				40%
Independent Members				20%

Recognised Office Holders and Members referred to in Schedule 3 receive additional entitlements for only one office; that office being the office which attracts the greater level of entitlement. These entitlements, as they apply to Recognised Office Holders, are to be available only for Recognised Office Holder duties.

Where entitlements formerly provided for the Recognised Office Holder's approved relative these have been included in the allocation.

Where an entitlement is followed by (A) or (C) it applies only to the Office Holder in either the Assembly or the Council.

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**Schedule 4 - Electorate Communication Allowance**

Electoral District	Number Of Electors (As at April 2014 as Provided by the State Electoral Office)	Annual Entitlement
1. Albury	51,958	\$69,624
2. Auburn	56,666	\$75,932
3. Ballina	52,435	\$70,263
4. Balmain	56,150	\$75,241
5. Bankstown	53,573	\$71,788
6. Barwon	46,104	\$61,779
7. Bathurst	53,104	\$71,159
8. Baulkham Hills	53,590	\$71,811
9. Bega	53,170	\$71,248
10. Blacktown	52,905	\$70,893
11. Blue Mountains	51,186	\$68,589
12. Burrinjuck	51,261	\$68,690
13. Cabramatta	52,992	\$71,009
14. Camden	58,537	\$78,440
15. Campbelltown	48,778	\$65,363
16. Canterbury	54,042	\$72,416
17. Castle Hill	53,952	\$72,296
18. Cessnock	55,845	\$74,832
19. Charlestown	49,583	\$66,441
20. Clarence	53,757	\$72,034
21. Coffs Harbour	53,677	\$71,927
22. Coogee	53,545	\$71,750
23. Cronulla	52,985	\$71,000
24. Davidson	50,609	\$67,816
25. Drummoyne	58,221	\$78,016
26. Dubbo	52,204	\$69,953
27. East Hills	50,373	\$67,500
28. Epping	51,199	\$68,607
29. Fairfield	55,311	\$74,117
30. Gosford	53,967	\$72,316
31. Goulburn	54,073	\$72,458
32. Granville	56,108	\$75,185
33. Hawkesbury	55,722	\$74,667
34. Heathcote	50,378	\$67,507
35. Heffron	59,854	\$80,204
36. Hornsby	52,652	\$70,554
37. Keira	50,772	\$68,034
38. Kiama	53,895	\$72,219
39. Kogarah	52,262	\$70,031
40. Ku-Ring-Gai	53,425	\$71,590
41. Lake Macquarie	52,784	\$70,731
42. Lakemba	54,849	\$73,498
43. Lane Cove	50,467	\$67,626
44. Lismore	52,535	\$70,397
45. Liverpool	55,482	\$74,346
46. Londonderry	52,707	\$70,627
47. Macquarie Fields	58,965	\$79,013

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<b>Electoral District</b>	<b>Number Of Electors (As at April 2014 as Provided by the State Electoral Office)</b>	<b>Annual Entitlement</b>
48. Maitland	58,019	\$77,745
49. Manly	53,112	\$71,170
50. Maroubra	54,460	\$72,976
51. Marrickville	58,404	\$78,261
52. Menai	52,515	\$70,370
53. Miranda	48,755	\$65,332
54. Monaro	53,197	\$71,284
55. Mount Druitt	53,244	\$71,347
56. Mulgoa	54,285	\$72,742
57. Murray-Darling	46,317	\$62,065
58. Murrumbidgee	49,416	\$66,217
59. Myall Lakes	53,714	\$71,977
60. Newcastle	53,577	\$71,793
61. North Shore	56,149	\$75,240
62. Northern Tablelands	52,339	\$70,134
63. Oatley	50,972	\$68,302
64. Orange	53,493	\$71,681
65. Oxley	51,845	\$69,472
66. Parramatta	55,849	\$74,838
67. Penrith	50,285	\$67,382
68. Pittwater	53,521	\$71,718
69. Port Macquarie	53,648	\$71,888
70. Port Stephens	53,987	\$72,343
71. Riverstone	66,693	\$89,369
72. Rockdale	53,321	\$71,450
73. Ryde	51,359	\$68,821
74. Shellharbour	51,825	\$69,446
75. Smithfield	55,381	\$74,211
76. South Coast	55,139	\$73,886
77. Strathfield	52,177	\$69,917
78. Swansea	53,148	\$71,218
79. Sydney	65,784	\$88,151
80. Tamworth	52,608	\$70,495
81. Terrigal	51,717	\$69,301
82. The Entrance	54,021	\$72,388
83. Toongabbie	51,335	\$68,789
84. Tweed	52,570	\$70,444
85. Upper Hunter	51,956	\$69,621
86. Vacluse	55,545	\$74,430
87. Wagga Wagga	52,891	\$70,874
88. Wakehurst	53,720	\$71,985
89. Wallsend	51,126	\$68,509
90. Willoughby	52,833	\$70,796
91. Wollondilly	55,392	\$74,225
92. Wollongong	54,124	\$72,526
93. Wyong	56,096	\$75,169

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**7. Schedules 28 March 2015 to 30 June 2015**

Schedules 1A, 2AA, 2AAA, 3 and 4A will apply on and from 28 March 2015 until 30 June 2015 (inclusive)

**Schedule 1A - Electoral Groupings**

<b>Group 1 Electorates</b>		
1. Auburn	18. Granville	35. North Shore
2. Balmain	19. Heffron	36. Oatley
3. Bankstown	20. Holsworthy	37. Parramatta
4. Baulkham Hills	21. Hornsby	38. Penrith
5. Blacktown	22. Kogarah	39. Pittwater
6. Cabramatta	23. Ku-ring-gai	40. Prospect
7. Camden	24. Lakemba	41. Riverstone
8. Campbelltown	25. Lane Cove	42. Rockdale
9. Canterbury	26. Liverpool	43. Ryde
10. Castle Hill	27. Londonderry	44. Seven Hills
11. Coogee	28. Macquarie Fields	45. Strathfield
12. Cronulla	29. Manly	46. Summer Hill
13. Davidson	30. Maroubra	47. Sydney
14. Drummoyne	31. Miranda	48. Vacluse
15. East Hills	32. Mount Druitt	49. Wakehurst
16. Epping	33. Mulgoa	50. Willoughby
17. Fairfield	34. Newtown	
<b>Group 2 Electorates</b>		
1. Blue Mountains	7. Lake Macquarie	13. Wallsend
2. Charlestown	8. Newcastle	14. Wollondilly
3. Gosford	9. Shellharbour	15. Wollongong
4. Hawkesbury	10. Swansea	16. Wyong
5. Heathcote	11. Terrigal	
6. Kiera	12. The Entrance	
<b>Group 3 Electorates</b>		
1. Ballina	5. Maitland	9. South Coast
2. Cessnock	6. Myall Lakes	10. Tweed
3. Coffs Harbour	7. Port Macquarie	
4. Kiama	8. Port Stephens	
<b>Group 4 Electorates</b>		
1. Albury	5. Dubbo	9. Oxley
2. Bathurst	6. Goulburn	10. Tamworth
3. Bega	7. Lismore	11. Wagga Wagga
4. Clarence	8. Orange	
<b>Group 5 Electorates</b>		
1. Cootamundra	2. Monaro	3. Upper Hunter
<b>Group 6 Electorates</b>		
1. Northern Tablelands		
<b>Group 7 Electorates</b>		
1. Murray		
<b>Group 8 Electorates</b>		
1. Barwon		

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**Schedule 2AA - Sydney Allowance Grouping**

Outer non-metropolitan electorates		
1. Albury	11. Goulburn	19. Oxley
2. Ballina	12. Lismore	20. Port Macquarie
3. Barwon	13. Maitland	21. Port Stephens
4. Bathurst	14. Monaro	22. South Coast
5. Bega	15. Murray	23. Tamworth
6. Cessnock	16. Myall Lakes	24. Tweed
7. Clarence	17. Northern Tablelands	25. Upper Hunter
8. Coffs Harbour	18. Orange	26. Wagga Wagga
9. Cootamundra		
10. Dubbo		

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**Schedule 2AAA - Legislative Council Zones**

<b>Zone 1 Electorates</b>		
1. Auburn	18. Granville	35. North Shore
2. Balmain	19. Heffron	36. Oatley
3. Bankstown	20. Holsworthy	37. Parramatta
4. Baulkham Hills	21. Hornsby	38. Penrith
5. Blacktown	22. Kogarah	39. Pittwater
6. Cabramatta	23. Ku-ring-gai	40. Prospect
7. Camden	24. Lakemba	41. Riverstone
8. Campbelltown	25. Lane Cove	42. Rockdale
9. Canterbury	26. Liverpool	43. Ryde
10. Castle Hill	27. Londonderry	44. Seven Hills
11. Coogee	28. Macquarie Fields	45. Strathfield
12. Cronulla	29. Manly	46. Summer Hill
13. Davidson	30. Maroubra	47. Sydney
14. Drummoyne	31. Miranda	48. Vacluse
15. East Hills	32. Mount Druitt	49. Wakehurst
16. Epping	33. Mulgoa	50. Willoughby
17. Fairfield	34. Newtown	
<b>Zone 2 Electorates</b>		
1. Blue Mountains	7. Kiama	13. The Entrance
2. Charlestown	8. Lake Macquarie	14. Wallsend
3. Gosford	9. Newcastle	15. Wollondilly
4. Hawkesbury	10. Shellharbour	16. Wollongong
5. Heathcote	11. Swansea	17. Wyong
6. Keira	12. Terrigal	
<b>Zone 3 Electorates</b>		
1. Albury	10. Dubbo	19. Oxley
2. Ballina	11. Goulburn	20. Port Macquarie
3. Barwon	12. Lismore	21. Port Stephens
4. Bathurst	13. Maitland	22. South Coast
5. Bega	14. Monaro	23. Tamworth
6. Cessnock	15. Murray	24. Tweed
7. Clarence	16. Myall Lakes	25. Upper Hunter
8. Coffs Harbour	17. Northern Tablelands	26. Wagga Wagga
9. Cootamundra	18. Orange	



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**Schedule 3 - Recognised Office Holder and Other Member Entitlements**

Recognised Office Holder	Transport	Communication (electronic)	Communication (non- electronic)	Printing & Stationery
Presiding Officer	30%		55%(A) 175%(C)	40%
Minister				40%
Deputy Speaker, Chair of Committees				40%
Leader of the Opposition	20%(A)		140%(A) 175%(C)	40%
Deputy Leader of the Opposition	10%		15%(C)	40%
Whips			15%(C)	40%
Party Leader (not less than 10 Members)	15%			40%
Deputy Party Leader (not less than 10 Members LA or 9 Members LC)	10%			40%
Leader of the National Party (in Opposition with not less than 10 Members in LA)	15%		15%	40%
Other Recognised Office Holders				40%
Independent Members				20%

Recognised Office Holders and Members referred to in Schedule 3 receive additional entitlements for only one office; that office being the office which attracts the greater level of entitlement. These entitlements, as they apply to Recognised Office Holders, are to be available only for Recognised Office Holder duties.

Where entitlements formerly provided for the Recognised Office Holder's approved relative these have been included in the allocation.

Where an entitlement is followed by (A) or (C) it applies only to the Office Holder in either the Assembly or the Council.

**Parliamentary Remuneration Tribunal**  
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**Schedule 4A - Electorate Communication Allowance**

<b>Electoral District</b>	<b>Predicated Number of Electors<sup>1</sup></b>	<b>Annual Entitlement</b>
1. Albury	54,060	\$74,603
2. Auburn	53,393	\$73,682
3. Ballina	53,681	\$74,080
4. Balmain	53,394	\$73,683
5. Bankstown	52,437	\$72,363
6. Barwon	56,253	\$77,629
7. Bathurst	54,180	\$74,769
8. Baulkham Hills	53,876	\$74,348
9. Bega	54,515	\$75,231
10. Blacktown	53,710	\$74,120
11. Blue Mountains	53,760	\$74,189
12. Cabramatta	54,360	\$75,016
13. Camden	50,915	\$70,263
14. Campbelltown	52,781	\$72,838
15. Canterbury	55,398	\$76,449
16. Castle Hill	53,466	\$73,783
17. Cessnock	51,890	\$71,608
18. Charlestown	54,211	\$74,811
19. Clarence	54,309	\$74,946
20. Coffs Harbour	52,635	\$72,637
21. Coogee	53,325	\$73,589
22. Cootamundra	53,103	\$73,282
23. Cronulla	55,393	\$76,442
24. Davidson	54,550	\$75,279
25. Drummoyne	52,582	\$72,564
26. Dubbo	52,951	\$73,073
27. East Hills	54,178	\$74,766
28. Epping	54,915	\$75,783
29. Fairfield	53,775	\$74,209
30. Gosford	53,758	\$74,187
31. Goulburn	54,859	\$75,705
32. Granville	52,935	\$73,050
33. Hawkesbury	53,195	\$73,409
34. Heathcote	55,261	\$76,261
35. Heffron	52,512	\$72,467
36. Holsworthy	53,758	\$74,187
37. Hornsby	54,856	\$75,701
38. Keira	55,638	\$76,781
39. Kiama	53,193	\$73,406
40. Kogarah	54,324	\$74,967
41. Ku-ring-gai	53,561	\$73,914
42. Lake Macquarie	53,506	\$73,838
43. Lakemba	53,785	\$74,223
44. Lane Cove	54,170	\$74,755
45. Lismore	53,305	\$73,561

<sup>1</sup> The Tribunal has had regard to the predicted enrolment statistics contained in the Electoral Commissioner's Report and the average increase in enrolled voters over the last 5 years, based on NSW Electoral Commission data.

**Parliamentary Remuneration Tribunal**  
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<b>Electoral District</b>	<b>Predicated Number of Electors<sup>1</sup></b>	<b>Annual Entitlement</b>
46. Liverpool	53,638	\$74,021
47. Londonderry	53,098	\$73,275
48. Macquarie Fields	53,572	\$73,929
49. Maitland	52,187	\$72,018
50. Manly	53,655	\$74,045
51. Maroubra	53,051	\$73,211
52. Miranda	55,026	\$75,936
53. Monaro	52,465	\$72,402
54. Mount Druitt	53,119	\$73,305
55. Mulgoa	52,334	\$72,221
56. Murray	55,005	\$75,906
57. Myall Lakes	55,282	\$76,289
58. Newcastle	53,681	\$74,080
59. Newtown	51,910	\$71,636
60. North Shore	52,715	\$72,747
61. Northern Tablelands	55,122	\$76,068
62. Oatley	54,729	\$75,527
63. Orange	54,802	\$75,627
64. Oxley	53,947	\$74,447
65. Parramatta	54,372	\$75,033
66. Penrith	53,747	\$74,171
67. Pittwater	53,500	\$73,829
68. Port Macquarie	54,081	\$74,632
69. Port Stephens	53,372	\$73,654
70. Prospect	54,043	\$74,579
71. Riverstone	51,694	\$71,338
72. Rockdale	53,078	\$73,247
73. Ryde	54,395	\$75,065
74. Seven Hills	54,187	\$74,779
75. Shellharbour	56,459	\$77,913
76. South Coast	52,276	\$72,140
77. Strathfield	53,491	\$73,818
78. Summer Hill	53,762	\$74,192
79. Swansea	54,180	\$74,769
80. Sydney	51,921	\$71,651
81. Tamworth	54,325	\$74,968
82. Terrigal	54,692	\$75,475
83. The Entrance	54,301	\$74,936
84. Tweed	52,680	\$72,699
85. Upper Hunter	53,787	\$74,226
86. Vacluse	54,393	\$75,063
87. Wagga Wagga	54,285	\$74,914
88. Wakehurst	54,027	\$74,558
89. Wallsend	55,114	\$76,057
90. Willoughby	53,427	\$73,730
91. Wollondilly	52,534	\$72,496
92. Wollongong	56,163	\$77,505
93. Wyong	52,581	\$72,562

# Parliamentary Remuneration Tribunal

## 2014 Annual Review – Report and Determination

### Advice of the Secretary of NSW Treasury

The following comments on the Parliamentary Remuneration Tribunal's 2014 Determination are made pursuant to Section 12A of the *Parliamentary Remuneration Act 1989*.

#### **Financial Impact of the 2014 Determination**

Members' entitlements are estimated to increase by around \$714,000 (or around 3.47%) over the 2013 Determination, which is around \$232,000 above the budgeted annual escalation.

I note that the additional cost is due to an increase in the total value of the Electorate Communication Allowance (ECA), which, apart from the proposed 2.25% base rate increase, also accounts for the projected increase in enrolment numbers.

Provided the ECA and / or other entitlements are not fully expended by Members, as has been the case in the past, the Legislature should be able to manage the additional cost within its existing budget controls.

The table below shows the proposed changes in various entitlements as per the draft 2014 Determination compared to the 2013 Determination. All allowances (except the ECA and Travel Allowance) are estimated to increase by 2.25%.

ENTITLEMENT	2013 <sup>(1)</sup>	2014	CHANGE	
	\$'000	\$'000	\$'000	%
Electoral Allowance	7,060	7,219	159	2.25
Sydney Allowance	2,207	2,256	49	2.25
Logistic Support Allocation	4,675	4,780	105	2.25
Electorate Communication Allowance <sup>(2)</sup>	6,504	6,901	397	6.11
Committee Allowance <sup>(3)</sup>	21.5	22.0	0.5	2.25
Electorate Charter Transport Allowance - LA Members	115	118	3	2.25
Travelling Allowance for Recognised Office Holders <sup>(4)</sup>	n.a	n.a	-	-
<b>TOTAL</b>	<b>20,582</b>	<b>21,296</b>	<b>714</b>	<b>3.47</b>
<b>Increase covered by budgeted annual escalation</b>			<b>482</b>	
<b>Additional increase due to changes in entitlements</b>			<b>232</b>	

Notes:

1. Revised estimates consistent with the 2013 Determination.
2. Increase in the allowance above the proposed base rate increase of 2.25% is due to the projected increase in the total number of electors in NSW.
3. Includes members of Public Accounts Committee only.
4. Travelling allowances are adjusted annually in-line with Australian Taxation Office rulings. No estimate is provided as the allowance rate varies depending on travel destination.

  
Philip Gaetjens  
Secretary

- 6 JUN 2014