

NEW SOUTH WALES

REPORT

and

RECOMMENDATIONS

under

SECTION 9(b)

of the

PARLIAMENTARY REMUNERATION ACT 1989

30th November, 1990



THE PARLIAMENTARY  
REMUNERATION TRIBUNAL

The Hon. N.F. Greiner, MP  
Premier, Treasurer and Minister  
for Ethnic Affairs  
8th Floor  
Premier's Department  
Macquarie Street  
SYDNEY NSW 2000

Dear Premier,

The Parliamentary Remuneration Tribunal has the honour to present to you its Recommendations made pursuant to section 9(b) of the Parliamentary Remuneration Act 1989.

Yours faithfully,  
The Parliamentary Remuneration Tribunal

A handwritten signature in cursive script that reads 'J.P. Slattery'.

(The Hon. Mr. Acting Justice J.P. Slattery)

30.11.90



## PARLIAMENTARY REMUNERATION ACT 1989

### REPORT AND RECOMMENDATIONS PURSUANT TO SECTION 9(b) OF THE ACT

#### PRELIMINARY

1. Pursuant to Schedule 2 of the Parliamentary Remuneration Act 1989, I, THE HONOURABLE JOHN PATRICK SLATTERY, being an Acting Judge of the Supreme Court of New South Wales was, on 22 December 1989, appointed by the Chief Justice of the Supreme Court of New South Wales to be the Parliamentary Remuneration Tribunal.
2. The Parliamentary Remuneration Act 1989 ("the Act"), which was assented to on 12 December, 1989, repealed the Parliamentary Remuneration Tribunal Act 1975, and reconstituted a Parliamentary Remuneration Tribunal with new functions. The Act, inter alia, provided for the basic salaries of Members of Parliament to bear a fixed relationship to those of Members of the House of Representatives in the Commonwealth Parliament and for certain prescribed additional salaries and expense allowances to be at rates being a fixed percentage to the rate of basic salary. Pursuant to section 9(a) of the Act, the Parliamentary Remuneration Tribunal determines additional allowances to be payable to a Member or recognised office holder and, pursuant to section 9(b) of the Act, makes recommendations to the Minister on matters referred to it by the Minister, relating to the provision of services, equipment or facilities to a Member or recognised office holder.
3. As appears from paragraph 2, section 9(b) of the Act obliges the Tribunal to make recommendations to the Minister on "matters referred to it by the Minister". On 19 July 1990, the Premier requested the Tribunal to undertake an inquiry pursuant to section 9(b) of the Act. Also, on 2 November 1990 the Premier requested the Tribunal to make a recommendation on travel entitlements.

## PROCEDURE

4. The Tribunal sent letters to all Members of the Legislative Council and of the Legislative Assembly inviting them to forward to it such written submissions as they might wish to make concerning matters referred to in section 9(b).
5. In response to these letters, a number of written submissions from Members of both Houses were received. Additionally, the Tribunal has made other inquiries.

## MATTERS CONSIDERED BY THE TRIBUNAL

6. Most of the submissions received did not refer to new matters but to issues which have been raised before. The Tribunal has re-examined each of these items and, where considered necessary, has dealt with them in the accompanying recommendations. In a number of cases, the Tribunal has considered it inappropriate to make any recommendation, i.e.:-
  1. Accommodation, Members of the Legislative Council
  2. Audio Visual Facilities, Parliament House
  3. Facsimile Facilities for Members
  4. Freedom of Information Entitlements
  5. Hansard, Supply of Bound Volumes to Members
  6. Photocopying Facilities for Members
  7. Postage Stamp Allowances

8. Presentation Items
9. Rail/Bus Travel and Life Gold Passes
10. Taxi Transport

## RECOMMENDATIONS

7. Having enquired into and given due consideration to all matters in respect of which submissions have been made pursuant to section 9(b) of the Act, the Tribunal makes recommendations to the Minister in respect of the following matters:

1. Air Travel Entitlements
2. Electorate Office Equipment
3. Printing Allowance
4. Casual Staff Assistance, Parliament House
5. Staff Assistance for Members of the Legislative Council
6. Telephone Facilities for Members
7. Word Processing Equipment

## THE PARLIAMENTARY REMUNERATION TRIBUNAL

Dated the 30th day of November, 1990.

  
(The Hon. Mr. Acting Justice J.P. Slattery)

## PARLIAMENTARY REMUNERATION ACT 1989

### RECOMMENDATION NO. 1

#### AIR TRAVEL ENTITLEMENTS

Submissions have again been received from Members in relation to their air travel entitlements. Four main issues have been raised, namely:

1. Replacing the current system of air travel warrants with a "global" allocation scheme.
2. Increasing the number of warrants.
3. Reimbursement for use of rental cars and private motor vehicles.
4. Class of travel.

Careful consideration has been given to replacing the current system of air travel warrants with a "global" allocation scheme but no recommendation is made on this occasion. While the proposal is attractive because of the efficiencies which could be achieved, implementation could lead to usage which would be subject to public criticism. In view of the sensitivity of the issue and the difficulty in ensuring that Members would all adopt a similar approach to the use of an allocation or the warrant the Tribunal has refrained from supporting the submissions of Members. The Tribunal further notes the letter from the Premier's Department of 31 May 1990 which advised that the Premier has decided not to proceed with the "global" allocation of funds to Members of Parliament for non-electorate air travel.

In relation to the second matter, the Member for McKell has again requested that additional warrants be granted for the specific purpose of travelling to and from Lord Howe Island. The Tribunal in 1989 recommended that an additional 8 Intrastate warrants per annum, or 32 Intrastate warrants over the life of the Parliament, would be an appropriate allocation and remains convinced of this need.

The Tribunal is advised that during the recent pilots dispute a number of Members used their private motor vehicles for travel to and from Sydney and were reimbursed the cost of the car usage up to the value of an Electorate warrant for each journey. A number of Members have expressed to the Tribunal that this best meets their needs and it would seem that the arrangement is able to be accommodated by the administration at Parliament House. The Tribunal supports the greater flexibility accorded to Members by these arrangements.

A further proposal to allow Members, Spouses, and other approved persons to be reimbursed the cost of accommodation, meals and motor vehicles up to the value of the Intrastate warrants allocated to them is also supported.

A number of Members expressed their concern with the decision taken by Presiding Officers to limit the class of air travel permitted by Members. The Tribunal however is not convinced that the decision has had a significant adverse effect on the Members.

**RECOMMENDATION:**

1. THAT THE MEMBER FOR MCKELL BE GRANTED AN ADDITIONAL 8 INTRASTATE WARRANTS PER ANNUM (32 ADDITIONAL INTRASTATE WARRANTS OVER THE LIFE OF THE PARLIAMENT), FOR THE EXCLUSIVE PURPOSE OF TRAVELLING TO AND FROM LORD HOWE ISLAND.
  
2. THAT MEMBERS BE ALLOWED TO USE RENTAL CARS AND PRIVATE MOTOR VEHICLES FOR TRAVEL TO AND FROM THE ELECTORATE AND SYDNEY AND BE REIMBURSED THE COST OF THE CAR USAGE UP TO THE VALUE OF AN ELECTORATE WARRANT FOR EACH JOURNEY. THE AMOUNT OF REIMBURSEMENT TO BE AT THE RATE OF 40 CENTS PER KILOMETRE FOR THE DISTANCE DRIVEN IN EXCESS OF 25 KILOMETRES ON EACH SINGLE JOURNEY.
  
3. THAT MEMBERS, SPOUSES AND OTHER APPROVED PERSONS BE REIMBURSED THE COST OF ACCOMMODATION, MEALS AND MOTOR VEHICLES UP TO THE VALUE OF AN INTRASTATE AIR TRAVEL WARRANT ALLOCATED TO THEM. THE REIMBURSEMENT IS NOT TO EXCEED THE VALUE OF AN INTRASTATE WARRANT AND IS TO BE CALCULATED AS FOLLOWS:



40 CENTS PER KILOMETRE FOR THE DISTANCE DRIVEN IN EXCESS OF 25 KILOMETRES FOR EACH JOURNEY; PLUS

REIMBURSEMENT OF THE ACTUAL AND REASONABLE EXPENSES, BUT NOT EXCEEDING \$100.00 FOR EACH OVERNIGHT STAY. SUCH REIMBURSEMENT IS SUBJECT TO THE PRODUCTION OF RECEIPTS RELATING TO ACCOMMODATION AND A STATEMENT FROM THE MEMBER CONCERNED OUTLINING OTHER COSTS SUCH AS MEALS AND INCIDENTAL EXPENSES.

**PARLIAMENTARY REMUNERATION ACT 1989**

**RECOMMENDATION NO. 2**

**ELECTORATE OFFICE EQUIPMENT**

Submissions have been received from Members concerning the provision of electorate office equipment. The following items have been requested:

An additional Dictaphone

A Paper Shredder

A Compactor File

A Letter Folding Machine

Members have also submitted that they should be given reasonable access to items on Government Contract. The Tribunal however considers that there may be statutory barriers to Members purchasing items through Government Supply and in so doing, obtaining exemption from sales tax. The Tribunal therefore does not support the Members request.

Having considered the Members' submissions, the Tribunal is of the view that there is merit in providing an additional dictaphone to Members.

**RECOMMENDATION:**

1. THAT MEMBERS BE PROVIDED WITH AN ADDITIONAL DICTAPHONE, ON REQUEST.

**PARLIAMENTARY REMUNERATION ACT 1989**

**RECOMMENDATION NO. 3**

**PRINTING ALLOWANCE**

Submissions have again been received in relation to the Printing Allowance.

The Tribunal considers that the Printing Allowance should be adjusted to cover the increase in the cost of printed material since the Tribunal's last review.

The Tribunal acknowledges that the First Report of the Select Committee on the Resources of the New South Wales Legislative Council dated August 1990 recommends that all allowances at present available to Members should be consolidated and suitable controls on expenditure developed. The Tribunal supports, in principle, the consolidation of allowances.

**RECOMMENDATION:**

THAT THE PRINTING ALLOWANCE BE A CREDIT WITH THE GOVERNMENT INFORMATION SERVICE, THE GOVERNMENT STORES LOCATED IN PARLIAMENT HOUSE, AND/OR COMMERCIAL PRINTING OPERATIONS, AND BE INCREASED TO \$510 PER ANNUM, CUMULATIVE OVER THE LIFE OF THE PARLIAMENT, WITH EFFECT FROM 1 JANUARY 1991.

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**RECOMMENDATION NO. 4**

**CASUAL STAFF ASSISTANCE, PARLIAMENT HOUSE**

The Tribunal has in recent years recommended that a pool of casual Clerk/Stenographers be created to assist Office Holders (other than Ministers) and Shadow Office Holders (including Shadow Ministers) in the Legislative Council and Legislative Assembly, particularly the Whips, Shadow Leader of the House, and Chairman of Committees, when the House is in Session and for one week prior to the House sitting and for one week following the House rising.

Submissions have again been received concerning the provision of staff assistance to Members of the Legislative Assembly and Members of the Legislative Council to allow them to adequately perform their duties.

Members have urgent clerical and stenographic requirements which cannot reasonably be met by electorate office staff or the Members' secretaries at the House. The nature of the work has been clearly identified as pertaining to the work of the Parliament rather than as party political work. The Tribunal strongly holds the view that the provision of casual clerical/stenographic staff during Parliamentary Sessions and for one week prior to and one week following such Sessions would go some way towards resolving the problem.

The view of the Tribunal is supported by the First Report of the Select Committee on the Resources of the New South Wales Legislative Council dated August 1990 which identifies the need for additional support services during sittings of Parliament and suggests that temporary staff be engaged and shared as necessary.

While the Tribunal's earlier recommendation was restricted to Office Holders it has now been established that there is an overwhelming case to provide additional support services to all Members.

**RECOMMENDATION:**

THAT A POOL OF CASUAL CLERK/STENOGRAPHERS BE CREATED TO ASSIST MEMBERS OF THE LEGISLATIVE COUNCIL AND MEMBERS OF THE LEGISLATIVE ASSEMBLY, OTHER THAN MINISTERS, WHEN THE HOUSE IS IN SESSION AND FOR ONE WEEK PRIOR TO THE HOUSE SITTING AND FOR ONE WEEK FOLLOWING THE HOUSE RISING.



**PARLIAMENTARY REMUNERATION ACT 1989**

**RECOMMENDATION NO. 5**

**STAFF ASSISTANCE FOR MEMBERS OF THE LEGISLATIVE COUNCIL**

The Tribunal has again been presented with strong submissions from individual Legislative Council Members and the Parties about the need to provide a staff member to give secretarial and other assistance to each Legislative Council Member. The First Report of the Select Committee on the Resources of the New South Wales Legislative Council dated August 1990 similarly identifies the provision of a Research/Secretarial Assistant to each Member of the Legislative Council as their first priority. There is no doubt as to the validity of the submissions made which refer to the difficulties, even when the Legislative Council is not sitting, of obtaining prompt shorthand and typing services. Furthermore, it is inefficient to require Members to attend to the time consuming work involved in performing general office duties such as opening mail, filing, making and receiving telephone calls, etc. which could be undertaken by a secretary.

In its Report of 19 December, 1988, the Tribunal referred to the deeper involvement in parliamentary affairs of Legislative Council Members which has occurred as a result of them now serving on a full-time basis. Most Members are now more heavily involved in the parliamentary process than when the December 1988 Report was prepared.

The Tribunal is of the view that for reasons of heavy workload, confidentiality and parliamentary efficiency it would be desirable for sufficient staff to be employed at Parliament House so that each Legislative Council Member can have a dedicated secretary/assistant. It is envisaged that the existing secretarial and research staff attached to the Legislative Council would be appropriately supplemented and distributed amongst Councillors.

**RECOMMENDATION:**

**THAT EACH MEMBER OF THE LEGISLATIVE COUNCIL BE ABLE TO APPOINT ONE STAFF MEMBER.**

**PARLIAMENTARY REMUNERATION ACT 1989**

**RECOMMENDATION NO. 6**

**TELEPHONE FACILITIES FOR MEMBERS**

Members have again raised a number of issues affecting the use of telephone facilities. The Tribunal has examined each of the issues raised to determine their usefulness as well as the need for such facilities and has discussed with Telecom the likely costs involved. The Tribunal has also reviewed the facilities currently available to Members.

**Additional Telephone Line**

Submissions have again been received concerning the need for a second telephone line (apart from the Member's silent line and the fax line) in electorate offices to handle the increased volume of calls. It is the Tribunal's view that an additional line is justified. This would result in the need to update the existing Commander telephone systems.

**Extensions in Members' Homes**

The Tribunal has, in recent years, supported the submissions of Members that the cost of provision of an extension in Members' homes should be met by the Government to enable them to take official calls in quiet and in private.

### **Installation of Car Phones**

The Tribunal received submissions on the merits of making available to Members the use of mobile and/or portable telephones. The Tribunal's investigations have shown, however, that the cost of such equipment is high. This high cost would not justify their allocation to Members. No recommendation is, therefore, made.

### **Telephone Answering Machines**

In 1987 the Government approved of the provision of telephone answering machines for the homes of Members of both Houses of Parliament.

Submissions have been received from Members seeking the provision of an answering machine in their Parliamentary Offices however the Tribunal is not satisfied that a need has been established.

The Tribunal considers that the staffing of Electorate Offices and at Parliament House is sufficient to provide a telephone answering service to the Members.

### **Telephone Director Service**

It was submitted that Members should be given facility to switch through the Electorate Office telephones to Parliament House. The Tribunal has considered this request but is of the opinion that the cost involved is too high to warrant the installation of the facility.

The Tribunal is further satisfied that staffing support is sufficient to provide a telephone answering service to the Members.

### **Imagegrams and Lettergrams**

Members have sought the reimbursement of the full-cost of Imagegrams and Lettergrams but the Tribunal is not prepared to accede to the request as it is considered that a minor part of the expenditure should be borne by the Member for accountability reasons.

### **RECOMMENDATION:**

1. THAT, ON APPLICATION BY THE MEMBER, THE GOVERNMENT PROVIDE AN ADDITIONAL TELEPHONE LINE FOR MEMBERS' ELECTORATE OFFICES WITH NECESSARY ADJUSTMENTS TO THE TELEPHONE SYSTEM.
2. THAT THE COST OF PROVISION OF AN EXTENSION IN MEMBERS' HOMES, TO ENABLE THEM TO TAKE OFFICIAL CALLS IN PRIVACY AND QUIET, BE MET BY THE GOVERNMENT.



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**RECOMMENDATION NO. 7**

**WORD PROCESSING EQUIPMENT**

The Tribunal has once again received submission from Members seeking to avail themselves of the latest technology concerning word processing equipment.

While some Members sought the provision of separate word processing equipment to Chairmen of Committees and Shadow Ministers, the Tribunal has declined to recommend that these be provided. The Tribunal is not satisfied that a need has been established by the Members for the separate word processing equipment. On balance, the Tribunal is satisfied that the present arrangements should be sufficient to meet the needs of Chairmen of Committees and Shadow Ministers.

The majority of submissions sought for the Tribunal to recommend the upgrading of the existing word processing software packages. The Tribunal is satisfied that the existing word processing software packages are outdated and lack the additional functional features available on later versions. The Tribunal is advised that the latest word processing packages would provide the Members with reasonable desk top publishing facilities. The Members request is therefore supported.

**RECOMMENDATION:**

**THAT THE WORD PROCESSING SOFTWARE PACKAGES BE UPGRADED TO A LATER VERSION ie. WORDPERFECT 5.1.**

