

Parliamentary Remuneration Tribunal

Annual Report and Determination

*Report and determination of salary and additional entitlements for Members of
the Parliament of New South Wales pursuant to the Parliamentary
Remuneration Act 1989*

**28 August
2015**

Parliamentary Remuneration Tribunal

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Parliamentary Remuneration Tribunal

Introduction

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 make 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)).

The NSW State Election was held on 28 March 2015 and the Tribunal considered that the period between the election and 1 June 2015 would not be sufficient time to consider submissions and make a determination. On that basis the Tribunal requested the President of the Industrial Relations Commission, the Hon Justice M J Walton, to grant an extension of time for making the annual determination. On 23 February 2015 the President approved an extension to enable the Tribunal to make the annual determination on or before 31 August 2015, pursuant to section 11(2) of the Act. The notice of the extension was published in the 27 February 2015 edition of the Government Gazette.

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.

During an annual review the Tribunal generally considers submissions which seek changes to the quantum of and/or the conditions which apply to existing entitlements. As part of the 2015 annual review the Tribunal has been asked by the Presiding Officers’ to consider considerable changes aimed at simplifying and reducing the cost of the administration of allowances, while providing greater flexibility. The suggested changes, if adopted, would result in the abolition of a number of existing allowances to create new allowances. Those

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allowances would incorporate much of the existing entitlements but could provide greater flexibility in their application and/or administration. The proposal put forward by the Presiding Officers would not result in an overall increase in the quantum of allowances available to Members or the overall cost to the Parliament. Instead the suggested changes, if approved, should result in improved efficiencies and administrative processes.

With the exception of the introduction of the Electronic Communication Allowance in 2002, the provision of the Additional Temporary Staff budget in 2006 and changes to the quantum of allowances and minor changes in the conditions, there has not been a significant review of all additional entitlements in over a decade. The Tribunal is of the view that the Presiding Officers' proposals have merit but require further review, including extensive consultation with Members, to ensure any new model is compliant with the intent of the PR Act and is able to meet both the needs of Members and the Parliament, and be in keeping with public expectations.

On that basis, the Tribunal will undertake a thorough review of the proposals raised by the Presiding Officers as part of the 2016 annual review. To ensure that sufficient time is available to undertake this review, the Tribunal will commence the 2016 review immediately following the making of the 2015 annual determination. The Tribunal will consult further with the Presiding Officers to clarify their proposals and then write to Members to seek their views.

For this review the Tribunal has considered only the general matters raised by the Presiding Officers and matters raised by Members as they relate to existing entitlements. As per the usual process 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.

The Report and Determination will also contain the Tribunal's review of the Sydney Allowance in respect to eligibility for receiving the greater number of overnight stays. The Tribunal deliberations in respect of general matters raised and the Sydney allowance are contained in **Section 1** of the Report and Determination.

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Section 2 of the Report and Determination provides a general summary of the Determination.

Section 1

1. Basic Salary

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

NSW Government Wages Policy

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 2014* (“the IR Regulation”). The effect of the IR Regulation is that public sector wages cannot increase by more than 2.5 per cent. Clause 6 of the IR Regulation provides the following clarification in relation to superannuation employment benefits:

“...Other policies

(1) *The following policies are also declared, but are subject to compliance with the declared paramount policies:*

(a) *Public sector employees may be awarded increases in remuneration or other conditions of employment but only if employee-related costs in respect of those employees are not increased by more than 2.5 % per annum as a result of the increases awarded together with any new or increased superannuation employment benefits provided (or to be provided) to or in respect of the employees since their remuneration or other conditions of employment were last determined.*

(4) *In subclause (1)(a), **new or increased superannuation employment benefits** means any new or increased payments by an employer to a superannuation scheme or fund of an employee as a consequence of amendments to the Superannuation Guarantee (Administration) Act 1992 of the Commonwealth or the State Authorities Non-contributory Superannuation Act 1987.”*

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2014 Review

The basic salary of Members was increased by 2.25 per cent to \$149,541 per annum, with effect from 1 July 2014. The increase was below the maximum specified in the IR Regulation because of the impact of the Superannuation Guarantee Contribution (the SGC) payable by employers under the *Superannuation Guarantee (Administration) Act 1992* (Cwlth) which increased from 0.25 per cent to 0.50 per cent from 1 July 2014. In accordance with the IR Regulation the SGC increase was required to be funded from within the existing wages cap of 2.5 per cent.

2015 Review

The Tribunal notes that no further adjustments in the SGC are expected until 1 July 2021 and on that basis the basic salary for Members may be increased by 2.5 per cent.

2. Electoral Allowance

The Tribunal received three submissions with two of these seeking an increase of 2.5 per cent. The Tribunal has determined that an adjustment of 2.5 percent to the electoral allowance is appropriate and consistent with the increase determined for the basic salary.

A third submission raised the financial impost on Members who require a parking space to attend Parliament and are required to pay a parking levy, currently an annual levy of \$2,500 or a daily rate, in accordance with the *Parking Space Levy Act 2009* (“the PSL Act”). The submission requested that the Tribunal consider the parking levy cost when determining the electoral allowance.

The Tribunal finds that it is not appropriate to increase the electoral allowance to cover the cost of Members parking at Parliament House. Members, like other members of the community, may choose to drive to their workplace, use public transport or any other mode of transport. Members who have a parking space provided for them at Parliament House are subject to payment of the parking space levy, as provided for under the PSL Act. The levy applies equally to all citizens who receive this benefit and the Tribunal does not find it appropriate to compensate Members for this additional cost. In addition, the *Parking Space Levy Regulation 2009* (“the PSL Regulation”) prevents the cost being funded from the Members additional entitlements.

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Clause 11(4) of the PSL Regulation outlines the obligations of persons in government service positions in respect of the parking space levy in the following terms:

“11 Obligations of persons in government service positions

- (4) *Payments in accordance with those arrangements are to be made by the government employee out of his or her remuneration as a government employee.”*

Clause (6) defines government employee in the following terms

“government employee means a person who holds a government service position”

“government service position means:

- (a) *a position in the Chief Executive Service or Senior Executive Service under the Public Sector Employment and Management Act 2002 or in the NSW Police Force Senior Executive under the Police Act 1990, or*
- (b) *a position in the Government Service, in the NSW Police Force, in the Teaching Service, in the service of a public authority or in the service of Parliament, or*
- (c) *a statutory position (or other position in the service of the Crown) to which an appointment is made by the Governor, a Minister or a Department Head, or*
- (d) *the office of a member of the Legislative Council or of the Legislative Assembly, or*
- (e) *the office of a Minister of the Crown.”*

In accordance with the PSL Regulation Members are required to pay for the parking space level from their remuneration, not allowances.

3. Sydney Allowance

The Tribunal received two submissions seeking a general increase of 2.5 per cent. The Tribunal has determined that an adjustment of 2.5 percent to the Sydney Allowance is appropriate and consistent with the increase to be provided to other additional entitlements.

The Tribunal has also received three submissions addressing the minimum distance criteria for Members to be eligible to receive the greater number of overnight stays (135 days) for the purposes of the Sydney Allowance.

Background

The Sydney Allowance is provided to Members who reside in non-metropolitan electorates to compensate for the additional costs including commercial accommodation, meals and

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incidental costs associated with staying in Sydney to attend sessions of Parliament, meetings of Parliamentary committees or other Parliamentary business.

Eligibility for the basic amount of overnight stays (105) is based on a distance criteria (minimum distance of 70 kilometres (KMs) from Parliament House to the Member's principal place of residence), while eligibility for the greater number of overnight stays (135) is based on an electorate being categorised by the Tribunal in the 'Outer non-metropolitan electorates' group. This group is specified in *Schedule 2AA – Sydney Allowance Grouping* ("Schedule 2AA") of the 2014 Annual Report and Determination ("the 2014 Determination").

2015 Review

As part of the 2015 annual review, the Tribunal invited written submissions from Members and the Parliament on suitable eligibility criteria for receiving the greater number of overnight stays (135 days) for the purposes of the Sydney Allowance in the following terms:

- Submissions in support of a minimum distance criterion should nominate an appropriate distance and the reasons why.
- Submissions suggesting no change to the current arrangement or an alternative to the Tribunal's view (to determining eligibility based on a minimum distance from Parliament House) should outline the reasons to warrant the suggestion.

The Tribunal received three submissions that addressed the suitable eligibility criteria for receiving the greater number of days as summarised hereunder.

Submissions in support of a minimum distance criterion

Two submissions nominated 140 KMs as being the appropriate distance for eligibility to receive the greater number of overnight stays (135 days) as it reflects the existing categorisation of country electorates and is double the distance of the basic Sydney allowance criterion and appears to encompass those Members whose electorates are already covered by Schedule 2AA.

Submissions suggesting no change

One submission did not support any changes to the existing eligibility condition on the basis it is fair, reasonable and working well and there is no evidence supporting change.

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Tribunal's Findings

The Tribunal undertook an analysis of the distance and travelling times from Parliament House to various points within electorates, for those electorates currently categorised in Electoral Groups 2 to 8, to assess the impact of applying a 140 KMs eligibility criterion for the greater number of overnight stays.

When an eligibility criterion of 140 KMs is applied the electorates in Schedule 2AA would continue to be eligible to receive the greater number of overnight stays. Members of three other electorates could also possibly become eligible for the greater number of overnight stays, depending upon the Members principal place of residence within those electorates.

Introducing a consistent approach to determining eligibility in respect of the Sydney Allowance will have no effect on those electorates currently eligible to receive the greater number of overnight stays. On that basis the Tribunal determines that Schedule 2AA is abolished and eligibility to receive the greater number of overnight will be based on a minimum distance of 140 KMs from Parliament House and the Members principal place of residence. Section 4.2 – Sydney Allowance in the determination has been amended as follows:

Members whose principal place of residence is a minimum distance of 70 KMs by road from Parliament House are eligible to receive the Sydney Allowance.

Members may receive the lower or greater amount of overnight stays on the basis of the following distance criteria:

- Members whose principal place of residence is a distance of between 70 KMs and 140 KMs by road from Parliament House are eligible to receive the Sydney Allowance at the lower amount of overnight stays.
- Members whose principal place of residence is a distance greater than 140 KMs by road from Parliament House are eligible to receive the Sydney Allowance at the greater amount of overnight stays.

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4. Logistic Support Allowance

The Tribunal received four submissions that addressed the Logistic Support Allocation (LSA) with one seeking a general increase of 2.5 per cent and another seeking a general increase of 2.5 per cent plus an increase of \$20,000 for the electorate of Barwon. Another submission requested that the communications non-electronic component be increased to reflect the increase in postage stamps from 70 cents to \$1.00 (43 per cent) effective from 1 July 2015. The Tribunal notes that the proposed price increase to postage stamps that was reported in the news media has not yet eventuated. The Australian Postal Corporation is required to lodge a price notification to the Australian Competition and Consumer Commission (ACCC) and no such notification is available on the ACCC website.

The scope of the entitlements currently provided for under the LSA, including communication expenses, will be the subject of further review having regard to the Presiding Officers' submission. On that basis the Tribunal finds that an increase of 2.5 per cent for the LSA is appropriate.

In respect of the electorate of Barwon, the Tribunal has been requested to consider an increase of \$20,000 in both the LSA and the electorate charter transport allowance. As noted in the 2014 Determination with effect from the 2015 general election the electorate of Barwon increased in size from 221,793 sq. kms to 356,291 sq. kms, with a projected increase in constituents of 23 per cent. In recognition of the additional workload associated with the increase in constituents and the distance between communities within the electorate, the Tribunal determined that the electorate of Barwon would be provided with a third electorate office.

In addition to the third electorate office in 2014 the Tribunal determined that the LSA and electorate charter transport allowances available to the Member for Barwon would be increased by an amount of more than 2.5 per cent in recognition of the significant increase in the size of the electorate. The increase above 2.5 per cent was cost neutral and funded from savings associated with the redistribution.

The Tribunal has reviewed the quantum of the LSA in respect of the electorate of Barwon and found that a further increase is warranted. The quantum of LSA available to the Member for Barwon (\$54,980) is only \$9,700 more than the quantum available to the Member for Murray (\$45,280). This is disproportionate given that the electorate of Barwon

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is more than 3 times the size of the electorate of Murray. On that basis, the Tribunal has determined that in addition to the general increase of 2.5 per cent, the LSA for Group 8 electorates (Barwon) will be increased by an additional \$20,000. For the purpose of establishing the quantum of the account for future purposes \$10,000 shall be allocated for Transport and \$10,000 for Communication – electronic. In accordance with condition 6 of the LSA the Member may determine at their discretion the use of the LSA for any purpose and operation, subject to the conditions of the LSA, provided the total allocation is not exceeded.

5. Committee Allowances

The Tribunal received two submissions seeking a general increase of 2.5 per cent. Historically this allowance has been increased in line with Members' salary increases. In accordance with that practice Committee Allowances will be increased by 2.5 per cent.

6. Electorate Communication Allowance

The Tribunal received four submissions with two of these seeking an increase of 2.5 per cent. The third submission requested that the allowance be increased to reflect the increase in postage stamps from 70 cents to \$1.00 (43 per cent) effective from 1 July 2015. The Tribunal noted above that the proposed price increase in postage stamps has not eventuated.

The scope of the entitlements currently provided for under the ECA will be the subject of further review having regard to the Presiding Officers' submission. On that basis an increase of 2.5 per cent is determined for the ECA.

7. Allocation of Staff

The Tribunal received five submissions addressing the allocation of staff. Two submissions addressed the replacement of the Legislative Assembly Research Assistant, a full-time staff position historically allocated to crossbench Members of the Lower House to assist them in effectively representing their constituents, by an Electorate Officer (EO) 2 level position under the *Members' Staff Conditions of Employment Determination of the Presiding Officers (February 2014)* – ("the Members' Staff Determination"). The Tribunal notes that this is a matter for the Parliament.

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Another submission refers to a condition in the Members' Staff Determination that precludes Additional Temporary Staff (ATS) from working outside the electorate office or Parliament House (Principal Places of Work, page 9):

".....From time to time, Member may direct staff to accompany them to places outside of their principal place of work to assist Members in undertaking their parliamentary duties. For example, this may involve staff accompanying Members to a meeting with constituents, to a function in the electorate or other parliamentary duties. The exception is ATS staff are not permitted to work outside the electorate office or Parliament House."

It is submitted that this condition is not conducive to the efficient performance of parliamentary duties on the basis that many of the duties of a Member require attendance on constituents outside the office. The Tribunal has been requested to clarify that any staff member need not be restricted to work in an office providing their duties are for the purpose of facilitating the efficient performance of Parliamentary duties of Members in accordance with section 10(1)(a) of the Act.

The Tribunal notes that the Presiding Officers have authority under the sections 16 and 19 of the *Members of Parliament Staff Act 2013*, to determine the conditions of employment in respect to Members' staff employed under Part 3 of that Act. The Tribunal's determination (2014 Determination – 3.3, p.62) provides for ATS to *"work in the electorate office or at Parliament House"* and may be construed as meaning ATS are not permitted to work outside the electorate office or Parliament House. The Tribunal's view is that it is reasonable that an ATS work outside of either the electorate office or Parliament House, as long as that work is associated with electorate or parliamentary business. This approach would be consistent with the working arrangements of other Members' staff. For clarification the Tribunal will amend provision 3.3 for the ATS to *"be employed"* rather than *"work"* in the electorate office or at Parliament House, consistent with the term in provisions 3.1 and 3.2. The Tribunal recommends that the Presiding Officers consider amending the condition in the Members' Staff Determination that does not permit ATS from working outside the electorate office or Parliament House.

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The Tribunal has also been requested to determine a variation for the electorate of Barwon in respect to the number of staff employed in each electoral office as provided in the Tribunal's determination (2014 Determination – 3.1, p.62):

“3.1 Subject to (3.2) below, each Member of the Legislative Assembly shall have two staff members employed at each electoral office.”

Following the March 2015 election the number of electoral offices in the electorate of Barwon was increased from two offices (Moree and Cobar) to three offices. The Tribunal notes that the Moree office will be moved to Narrabri and the third office is to be established at Broken Hill. The Tribunal has been requested to support the following staffing allocation on the basis that it would meet the work demands in the electorate - Narrabri (3 staff members), Cobar (1 staff member) and Broken Hill (2 staff members).

The Tribunal notes that the proposed allocation of only one staff member at the Cobar electoral office is below the current minimum requirement of two staff members and has work, health and safety implications under the *Work Health and Safety Act 2011*. The Tribunal has been previously informed of safety concerns for staff particularly when only one electorate officer is on duty in the electorate office. The Tribunal undertook a thorough review of the allocation of staff to Members as part of its 2013 and 2006 annual reviews and made the following comments in respect to the safety of electorate staff:

“The Tribunal has also been advised that electorate staff do not regularly travel or attend meetings outside of the electorate office. Members and staff prefer, for a number of reasons including safety, that two persons are present in the electorate office whenever possible.” (2013 Annual Determination, p14)

“As earlier noted, the Tribunal has been informed of the safety concerns for staff. In particular, in those instances when only one electorate officer is on duty in the electorate office. This may occur when the other officer is required to accompany the Member to Parliament House on sitting days, or travel, or attend meetings either with or on behalf of the Member.

This issue has been raised with the Tribunal on a number of occasions in the past. On such occasions the Tribunal has noted that the Presiding Officer, as the employer of

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electorate office staff; is required to comply with the provisions of the Occupational Health and Safety Act 2000.” (2006 Annual Determination, p16)

On that basis the Tribunal considers that it would be inappropriate to fix staffing levels below the present minimum.

8. Additional Electorate Offices

Under the existing entitlements the electorate of Murray is provided with two electorate offices and the electorate of Barwon with three electorate offices. The additional offices are provided so that Members may have greater access to constituents and communities within their electorates. The additional offices also provide an additional base for the Member who could be expected to cover vast distances in serving the electorate. The electorates of Barwon (356,291 sq. kms) and Murray (107,359 sq. kms) are the two largest electorates in NSW and, in total, comprise approximately 60 per cent of the State.

The Tribunal has been asked to consider the provision of a second electorate office for the electorates of Northern Tablelands (Electoral Group 6) and Cootamundra (Electoral Group 5).

While the electorates of Northern Tablelands (53,154 sq. kms) and Cootamundra (34,711 sq. kms) are smaller than the second largest electorate of Murray, they are the third and fourth largest electorates in NSW. The Tribunal has reviewed the eligibility requirements for the provision of a second office, having regard to statements made in previous determinations and arrangement in other jurisdictions. Having regard to the characteristics of both electorates, including the local infrastructure and distance between communities, the Tribunal finds that the provision of an additional electorate office to both electorates is appropriate and so determines.

9. Electorate Charter Transport Allowance

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

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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 requesting that the electorate charter transport allowance for Group 8 electorates (Barwon) be increased by \$20,000 per annum.

The Tribunal has considered a similar request in respect of an increase of \$20,000 in the LSA for the electorate of Barwon. For the reasons outlined in point 4 of this report the Tribunal finds that an increase in the electorate charter transport allowance is warranted. The quantum of electorate charter transport allowance available to the Member for Barwon (\$36,710) is only \$8,390 more than the quantum available to the Member for Murray (\$28,320). This is disproportionate given that the electorate of Barwon is more than 3 times the size of the electorate of Murray. On that basis, the Tribunal has determined that, in addition to the general increase of 2.5 per cent, the electorate charter transport allowance for the Group 8 electorate of Barwon will be increased by an additional \$20,000.

10. Auditor General's Report

The Auditor General's Report to the Parliament on the Additional Entitlements for Members of Parliament (Volume Three 2015) made the following recommendations in respect of Members compliance with the Tribunal's determination for the year ended 30 June 2014"

"Review Results

The sample of Members we reviewed generally complied with the requirements of the Tribunal's Determination for the year ended 30 June 2014. We identified the following instances of non-compliance:

- *twenty two Members did not complete an annual declaration stating that benefits accrued by way of loyalty/incentive schemes, as a consequence of using their allowance and entitlements, were used only for Parliamentary duties and not for private purposes*
- *one Member claimed their monthly Foxtel subscription which included "Deluxe Movie" channels. The Member could not demonstrate the movie channels were for Parliamentary duties.*
- *seven Members did not return to the Department of Parliamentary Services (the Department) their unsubstantiated Sydney Allowances by 30 September 2014*
- *seven Member claims for expense reimbursement were not submitted to the Department for payment within 60 days of incurring the expense."*

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The Auditor General made the following recommendations in respect of the first 2 points.

Pay TV Subscription Claims

1. *The Department of Parliamentary Services should document its policy on reimbursing “pay TV” subscription claims by 30 September 2015.*

Loyalty and Incentive Schemes

2. *The Parliamentary Remuneration Tribunal should consider ways of addressing Members’ non-compliance with the requirement to complete annual loyalty and incentive scheme declarations.*

In respect of pay TV subscriptions, the Tribunal has not specifically determined that these services are to be provided as part of Members additional entitlements. Instead, the Parliament has allowed for the reimbursement of such expenses if such services can be found to facilitate the efficient performance of parliamentary duties. The Tribunal supports the Auditor General’s recommendation that the Department of Parliamentary Services should document its policy of reimbursing “pay TV” subscriptions. Where appropriate the policy should indicate what services or channels would be considered appropriately funded from additional entitlements.

In respect of loyalty and incentive schemes the Tribunal notes that the following general condition applies to all additional entitlements:

“2.2 Conditions

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.”*

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Additional entitlements are provided subject to the guidelines and conditions as specified in the Tribunal's determination. If particular Members do not comply with this condition, or any other condition, the Tribunal will consider introducing a new condition which will prohibit the provision of further entitlements until such time as the Member complies. The Tribunal will consider this step as part of its general review of members' entitlements for the 2016 determination.

The Tribunal also notes that seven Members did not return their unsubstantiated Sydney Allowance by 30 September 2014 and that one Member's unsubstantiated Sydney Allowance was still outstanding as of the Auditor General's Report. As discussed above, the Tribunal will consider the introduction of a condition which will prohibit the provision of further entitlements to Members who have not complied with the existing conditions and/or have not returned to the Parliament the unexpended portion of the Sydney Allowance.

The Tribunal notes that the Presiding Officers' submission includes a proposal which, if adopted, would reduce the quantum of any upfront payment in respect of the Sydney Allowance, and therefore remove or reduce the need for Members to reimburse to the Parliament the unspent portion. The Tribunal will consider this matter in more detail as part of its 2016 review.

11. Intermingling of a Member's Parliamentary Duties and Private Activities

The Tribunal's determination (2014 Determination, p.35) recognises in condition 3.1 (section 2.1 – Guidelines) of the *Guidelines and General Conditions Regarding Additional Entitlements for Members in Connection with Parliamentary Duties* that some intermingling of a Member's Parliamentary duties and private activities is, in practical terms, not always easily avoided. The matter is addressed in the following general guideline as follows:

“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

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to Parliamentary duties, or to the Parliamentary duties component of costs incurred for intermingled Parliamentary duties and private purposes.”

The Tribunal has received a submission seeking to amend this entitlement to recognise that incidental private use could include the incidental use of entitlements for non-parliamentary duties, activities which would otherwise be prohibited. The example given being when a Member receives a call of the nature of political campaigning and that call is received on a communication device funded from additional entitlements. While there would be no cost for the receipt of such a call the occurrence of such an action, even incidental in nature, could be interpreted to be in breach of the use of additional entitlements. Where such incidental use would occur it would be appropriate for the Member to pay for any associated costs. To ensure that such minor matters do not result in Members being accused of a misuse of entitlements the condition has been amended as follows:

“3.1 Some intermingling of a members Parliamentary duties and non-Parliamentary duties is in practical terms not always easily avoided. The onus is always on the Member to show that expenditure or any claims for reimbursement relate to Parliamentary duties. Where there is intermingling of non-Parliamentary activity which is incidental to a Member’s parliamentary duties, such incidental non-parliamentary use is permissible. If it is not practical to separate intermingled parliamentary and non-parliamentary use a Member must estimate the component of non-parliamentary use and, using the Member’s best efforts, meet these costs independently.”

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Section 2 General Summary of the Determination

Allowance	Amount
Electoral Allowance	2.5 per cent increase
Sydney Allowance	2.5 per cent increase
Logistic Support Allocation	2.5 per cent increase Plus an additional increase of \$20,000 for the electorate of Barwon
Electorate Communication Allowance	2.5 per cent increase (base rate only)
Committee Allowance	2.5 per cent increase
Electorate Charter Allowance	2.5 per cent increase Plus an additional increase of \$20,000 for the electorate of Barwon
Travel Allowances	Adjusted as per Australian Tax Office Determination TD2015/14
Additional Electorate Offices	Northern Tablelands electorate and Cootamundra electorate: one additional electorate office (a total of two)

The Parliamentary Remuneration Tribunal

Signed
The Hon C G Staff

Dated: 28 August 2015

Section 3 The Determination

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 2015, 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 2015.

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.

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

“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.

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

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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

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corps, 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;
 - 2.2.5 costs previously borne by political parties which are not principally related to a Member's Parliamentary or electorate duties; and
 - 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 members Parliamentary duties and non-Parliamentary duties is in practical terms not always easily avoided. The onus is always on the Member to show that expenditure or any claims for reimbursement relate to Parliamentary duties. Where there is intermingling of non-Parliamentary activity which is incidental to a Member's parliamentary duties, such incidental non-parliamentary use is permissible. If it is not practical to separate intermingled parliamentary and non-parliamentary use a Member must

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estimate the component of non-parliamentary use and, using the Member's best efforts, meet these costs independently.

- 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.

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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.
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.

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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.

2.3 List of Tables Relating to Additional Entitlements

Table 1 Electoral Allowance Legislative Assembly

Table 2 Electoral Allowance Legislative Council

Table 3 Sydney Allowance Daily Rates

Table 4 Electorate to Sydney Travel Entitlements Additional Entitlements for Recognised Office Holders

Table 5 Logistic Support Allowance Annual Allocation - Legislative Assembly

Table 6 Logistic Support Allowance Annual Allocation - Legislative Council

Table 7 Logistic Support Allowance Quantum of the Account

Table 8 Charter Transport Allowance

Table 9 Travel Allowances Indicative Upper Limits for Recognised Officer Holders

Table 10 Travel Allowances Group Classifications for Recognised Office Holders

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3. Basic Salary

With effect from 1 July 2015 the basic salary of Members, pursuant to section 4 of the Act, shall be \$153,280 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:

Table 1: Electoral Allowance Legislative Assembly	
Electorate Group	Electoral Allowance
Group 1	\$46,325
Group 2	\$54,250
Group 3	\$63,935
Group 4	\$69,790
Group 5	\$74,235
Group 6	\$81,380
Group 7	\$95,180
Group 8	\$130,155

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

Electorate Group	Electoral Allowance
Zone 1	\$54,250
Zone 2	\$54,250
Zone 3	\$54,250

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.

Members whose principal place of residence is a minimum distance of 70 KMs by road from Parliament House are eligible to receive the Sydney Allowance.

Members may receive the lower or greater amount of overnight stays on the basis of the following distance criteria:

- Members whose principal place of residence is a distance of between 70 KMs and 140 KMs by road from Parliament House are eligible to receive the Sydney Allowance at the lower amount of overnight stays.
- Members whose principal place of residence is a distance greater than 140 KMs by road from Parliament House are eligible to receive the Sydney Allowance at the greater amount of overnight stays.

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.

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Entitlement

The daily rate (including the number of overnight stays) for the Sydney Allowance for eligible Members shall be in accordance with *Table 3: Sydney Allowance Daily Rates* 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				
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 of 70 KMs by road from Parliament House	180	\$285.00	Actual reasonable expenses for meals and incidentals up to a maximum of \$104 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 of 70 KMs by road from Parliament House	140	\$285.00	As above
Chairs of Standing/Select Committees	A minimum of 70 KMs by road from Parliament House	140	\$285.00	As above
Legislative Council Members	Greater than 140 KMs by road from Parliament House	135	\$285.00	As above
	Between 70 KMs and 140 KMs by road from Parliament House	105	\$285.00	As above
Legislative Assembly Members	Greater than 140 KMs by road from Parliament House	135	\$285.00	As above
	Between 70 KMs and 140 KMs by road from Parliament House	105	\$285.00	As above

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 3: Sydney Allowance Daily Rates* (Table 3). The Member is entitled to the number of overnight stays per annum specified in Table 3 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 3. 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 3.
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 \$195.00 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 \$4,515 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 who are eligible to receive the Sydney Allowance 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:

Office holder	Electorate to Sydney travel entitlement
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

Conditions

5. All electorate to Sydney travel and return is restricted to economy class.
6. 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.

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7. 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.
8. Entitlements are not transferable between Members, or approved relatives, or Members' staff.
9. 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.
10. 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.
11. 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.
12. 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.

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

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Determination and in accordance with condition 3 (section 2.2 - Conditions) of the *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:

Table 5: Logistic Support Allowance Annual Allocation Legislative Assembly	
Electorate Group	LSA
Group 1	\$36,355
Group 2	\$40,685
Group 3	\$43,565
Group 4	\$43,565
Group 5	\$43,565
Group 6	\$46,405
Group 7	\$46,405
Group 8	\$76,355

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:

Table 6: Logistic Support Allowance Annual Allocation Legislative Council	
Zone	Entitlement
Zone 1 Electorates	\$24,660
Zone 2 Electorates	\$25,390
Zone 3 Electorates	\$37,625

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

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shall not abrogate Members from their responsibilities in accordance with condition 3.1 (section 1- Guidelines) of the *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.
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.

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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.

Table 7: Logistic Support Allowance Quantum of the Account					
Electorate Group or Zone	Transport	Communication –electronic	Communication –non- electronic	Printing and Stationery, Office Supplies & Services	Total Logistic Support Allowance
Legislative Assembly					
Group 1	\$5,675	\$4,960	\$16,700	\$9,020	\$36,355
Group 2	\$8,525	\$6,440	\$16,700	\$9,020	\$40,685
Group 3	\$11,405	\$6,440	\$16,700	\$9,020	\$43,565
Group 4	\$11,405	\$6,440	\$16,700	\$9,020	\$43,565
Group 5	\$11,405	\$6,440	\$16,700	\$9,020	\$43,565
Group 6	\$14,245	\$6,440	\$16,700	\$9,020	\$46,405
Group 7	\$14,245	\$6,440	\$16,700	\$9,020	\$46,405
Group 8	\$32,710	\$17,925	\$16,700	\$9,020	\$76,355
Legislative Council					
Zone 1 Electorates	\$5,675	\$5,710	\$4,255	\$9,020	\$24,660
Zone 2 Electorates	\$5,675	\$6,440	\$4,255	\$9,020	\$25,390
Zone 3 Electorates	\$14,190	\$10,160	\$4,255	\$9,020	\$37,625

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

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Logistic Support Allocation Account. Staff training costs are to be met by the Legislature.

- 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 9: 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.

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- 1.10 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 Legislature.
- 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 and reverse charge 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

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- 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)
- 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 and reverse charge 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.

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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.

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 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.

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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.
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.

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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.

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:

Table 8: Charter Transport Allowance	
Electorates	Amount
Group 5 (incl. Port Macquarie)	\$9,615
Group 6	\$15,700
Group 7	\$29,030
Group 8	\$57,630

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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.
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.

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7. A Member representing the Electorate of Murray 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.

5.5 Travelling Allowances for Recognised Office Holders

Table 9: Travelling Allowances Indicative Upper Limits for Recognised Office Holders			
Office Holders	Destinations	Amount	Where no overnight stay is required
Group 1	Darwin	460.00	Actual reasonable meal expenses
	Perth	472.00	
	Melbourne	438.00	
	Brisbane	430.00	
	Canberra	419.00	
	Adelaide	382.00	
	Hobart	368.00	
	Other areas	368.00	
Group 2	Darwin	437.80	Actual reasonable meal expenses
	Perth	410.80	
	Melbourne	378.80	
	Brisbane	407.80	
	Canberra	373.80	
	Adelaide	358.80	
	Hobart	326.80	
	Other areas	257.80	

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Group classifications

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

Table 10: Travelling Allowances Group Classifications for Recognised Office Holders
Group 1
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
Group 2
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.

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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 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 9: 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:

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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 Members for Murray, Cootamundra and Northern Tablelands one additional electorate office (a total of two).
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 be employed 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.

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- 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*.

The Parliamentary Remuneration Tribunal

Signed

The Hon C G Staff

Dated: 28 August 2015

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6. Schedules

Schedule 1 - Electoral Groupings

Group 1 Electorates		
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	
Group 2 Electorates		
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	
Group 3 Electorates		
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	
Group 4 Electorates		
1. Albury	5. Dubbo	9. Oxley
2. Bathurst	6. Goulburn	10. Tamworth
3. Bega	7. Lismore	11. Wagga Wagga
4. Clarence	8. Orange	
Group 5 Electorates		
1. Cootamundra	2. Monaro	3. Upper Hunter
Group 6 Electorates		
1. Northern Tablelands		
Group 7 Electorates		
1. Murray		
Group 8 Electorates		
1. Barwon		

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Schedule 2 - Legislative Council Zones

Zone 1 Electorates		
<ol style="list-style-type: none"> 1. Auburn 2. Balmain 3. Bankstown 4. Baulkham Hills 5. Blacktown 6. Cabramatta 7. Camden 8. Campbelltown 9. Canterbury 10. Castle Hill 11. Coogee 12. Cronulla 13. Davidson 14. Drummoyne 15. East Hills 16. Epping 17. Fairfield 	<ol style="list-style-type: none"> 18. Granville 19. Heffron 20. Holsworthy 21. Hornsby 22. Kogarah 23. Ku-ring-gai 24. Lakemba 25. Lane Cove 26. Liverpool 27. Londonderry 28. Macquarie Fields 29. Manly 30. Maroubra 31. Miranda 32. Mount Druitt 33. Mulgoa 34. Newtown 	<ol style="list-style-type: none"> 35. North Shore 36. Oatley 37. Parramatta 38. Penrith 39. Pittwater 40. Prospect 41. Riverstone 42. Rockdale 43. Ryde 44. Seven Hills 45. Strathfield 46. Summer Hill 47. Sydney 48. Vaucluse 49. Wakehurst 50. Willoughby
Zone 2 Electorates		
<ol style="list-style-type: none"> 1. Blue Mountains 2. Charlestown 3. Gosford 4. Hawkesbury 5. Heathcote 6. Keira 	<ol style="list-style-type: none"> 7. Kiama 8. Lake Macquarie 9. Newcastle 10. Shellharbour 11. Swansea 12. Terrigal 	<ol style="list-style-type: none"> 13. The Entrance 14. Wallsend 15. Wollondilly 16. Wollongong 17. Wyong
Zone 3 Electorates		
<ol style="list-style-type: none"> 1. Albury 2. Ballina 3. Barwon 4. Bathurst 5. Bega 6. Cessnock 7. Clarence 8. Coffs Harbour 9. Cootamundra 	<ol style="list-style-type: none"> 10. Dubbo 11. Goulburn 12. Lismore 13. Maitland 14. Monaro 15. Murray 16. Myall Lakes 17. Northern Tablelands 18. Orange 	<ol style="list-style-type: none"> 19. Oxley 20. Port Macquarie 21. Port Stephens 22. South Coast 23. Tamworth 24. Tweed 25. Upper Hunter 26. 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 March 2015 as provided by the State Electoral Office)	Annual entitlement
1. Albury	54,641	\$77,590
2. Auburn	53,262	\$75,632
3. Ballina	54,958	\$78,040
4. Balmain	54,286	\$77,086
5. Bankstown	52,535	\$74,600
6. Barwon	56,356	\$80,026
7. Bathurst	54,105	\$76,829
8. Baulkham Hills	54,002	\$76,683
9. Bega	54,510	\$77,404
10. Blacktown	54,495	\$77,383
11. Blue Mountains	53,377	\$75,795
12. Cabramatta	55,076	\$78,208
13. Camden	55,653	\$76,187
14. Campbelltown	52,493	\$74,540
15. Canterbury	55,787	\$79,218
16. Castle Hill	53,050	\$75,331
17. Cessnock	52,475	\$74,515
18. Charlestown	54,788	\$77,799
19. Clarence	54,305	\$77,113
20. Coffs Harbour	52,507	\$74,560
21. Coogee	54,322	\$77,137
22. Cootamundra	52,781	\$74,949
23. Cronulla	55,820	\$79,264
24. Davidson	54,364	\$77,197
25. Drummoyne	52,441	\$74,466
26. Dubbo	52,994	\$75,251
27. East Hills	53,843	\$76,457
28. Epping	54,553	\$77,465
29. Fairfield	54,512	\$77,407
30. Gosford	55,001	\$78,101
31. Goulburn	53,960	\$76,623
32. Granville	53,212	\$75,561
33. Hawkesbury	53,064	\$75,351
34. Heathcote	56,013	\$79,538
35. Heffron	54,971	\$78,059
36. Holsworthy	54,299	\$77,105
37. Hornsby	54,625	\$77,568
38. Keira	56,897	\$80,794
39. Kiama	53,141	\$75,460
40. Kogarah	53,744	\$76,316

Parliamentary Remuneration Tribunal

Electoral District	Number of Electors (As at March 2015 as provided by the State Electoral Office)	Annual entitlement
41. Ku-ring-gai	53,498	\$75,967
42. Lake Macquarie	54,178	\$76,933
43. Lakemba	54,496	\$77,384
44. Lane Cove	54,485	\$77,369
45. Lismore	53,585	\$76,091
46. Liverpool	54,443	\$77,309
47. Londonderry	54,564	\$77,481
48. Macquarie Fields	54,977	\$78,067
49. Maitland	53,493	\$75,960
50. Manly	53,866	\$76,490
51. Maroubra	53,212	\$75,561
52. Miranda	54,856	\$77,896
53. Monaro	53,048	\$75,328
54. Mount Druitt	53,635	\$76,162
55. Mulgoa	54,148	\$76,890
56. Murray	55,087	\$78,224
57. Myall Lakes	54,796	\$77,810
58. Newcastle	55,337	\$78,579
59. Newtown	53,871	\$76,497
60. North Shore	53,510	\$75,984
61. Northern Tablelands	54,851	\$77,888
62. Oatley	53,558	\$76,052
63. Orange	54,880	\$77,930
64. Oxley	53,981	\$76,653
65. Parramatta	55,173	\$78,346
66. Penrith	54,184	\$76,941
67. Pittwater	54,255	\$77,042
68. Port Macquarie	55,355	\$78,604
69. Port Stephens	52,678	\$74,803
70. Prospect	54,271	\$77,065
71. Riverstone	52,137	\$74,035
72. Rockdale	53,787	\$76,378
73. Ryde	54,536	\$77,441
74. Seven Hills	54,258	\$77,046
75. Shellharbour	58,131	\$82,546
76. South Coast	52,393	\$74,398
77. Strathfield	53,028	\$75,300
78. Summer Hill	54,174	\$76,927
79. Swansea	54,432	\$77,293
80. Sydney	53,109	\$75,415
81. Tamworth	54,412	\$77,265
82. Terrigal	55,471	\$78,773
83. The Entrance	55,059	\$78,184
84. Tweed	53,491	\$75,957

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Electoral District	Number of Electors (As at March 2015 as provided by the State Electoral Office)	Annual entitlement
85. Upper Hunter	53,484	\$75,947
86. Vacluse	55,542	\$78,870
87. Wagga Wagga	53,358	\$75,768
88. Wakehurst	54,183	\$76,940
89. Wallsend	56,496	\$80,224
90. Willoughby	53,655	\$76,190
91. Wollondilly	52,778	\$74,945
92. Wollongong	58,190	\$82,630
93. Wyong	53,066	\$75,354

Parliamentary Remuneration Tribunal

Advice of the Secretary of NSW Treasury

The following comments on the Parliamentary Remuneration Tribunal's 2015 Determination are made pursuant to Section 12A of the *Parliamentary Remuneration Act 1989*.

Financial Impact of the 2015 Determination

Members' entitlements are estimated to increase by \$710,493 (or 3.03%) over the 2014 Determination, which is approximately \$124,000 above the budgeted annual escalation.

I note that the additional cost is primarily due to an increase in the total value of the Electorate Communication Allowance (ECA), which, apart from the proposed 2.5% base rate increase, also accounts for the projected increase in enrolment numbers. The Logistic Support Allocation (LSA) and the Electorate Charter Transport Allowance (ECT) have also increased by more than the standard inflation rate, instead increasing by 2.92% and 19.42% respectively. This is due to the electorate of Barwon being awarded an increase of \$20,000 for the LSA and \$20,000 for the ECT in recognition of a substantial increase in the geographic size of the electorate following redistribution.

As the Legislature received additional funding in the 2015-16 Budget for Members Entitlements, 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 2015 Determination compared to the 2014 Determination. All allowances (except the ECA, LSA, ECT and Travel Allowance) are estimated to increase by 2.5%.

ENTITLEMENT	2014	2015	CHANGE	
Electoral Allowance	\$7,218,650	\$7,399,210	\$180,560	2.50%
Sydney Allowance (3)	\$2,218,440	\$2,273,901	\$55,461	2.50%
Logistic Support Allocation (6)	\$4,778,630	\$4,918,010	\$139,380	2.92%
Electorate Communication Allowance (5)	\$6,901,130	\$7,157,740	\$256,610	3.72%
Committee Allowance ⁽¹⁾	\$22,025	\$22,575	\$550	2.50%
Electorate Charter Transport Allowance - LA Members (6)	\$117,865	\$140,750	\$22,885	19.42%
Travelling Allowance for Recognised Office Holders (4)				
ATS for Legislative Assembly member (2)	\$2,201,076	\$2,256,103	\$55,027	2.50%
TOTAL MINIMUM EXPENDITURE	\$23,457,816	\$24,168,289	\$710,473	3.03%
Increase covered by budgeted 2.5% annual escalation			\$586,445	
Addition increase due to changes in entitlements			\$124,028	

Notes:

(1) Includes members of Public Accounts Committee only. There are currently only 5 members of the PAC eligible to receive the allowance. The 2014 rates have been adjusted to reflect this.

(2) The Parliament has advised that the ATS Budget (the 70 days) is \$23,398.28 for 2013/14. This has been multiplied by 92 as the Cross Bench Member does not receive this entitlement. The total has been escalated by 2.50 per cent for 2015/16 to reflect likely increase in staff award.

(3) Sydney allowance. The 2014 estimate has been adjusted to reflect the redistribution of electorates effective from the March 2015 election.

(4) Travelling allowances are adjusted annually in line with the ATO ruling.

(5) The base rate for the ECA has increased by only 2.50%. As the entitlement is a unit cost per constituent, the additional increase reflect increases in the projected population.

(6) Increase exceeds 2.5 per cent. The electorate of Barwon awarded an increase of \$20,000 for the LSA and \$20,000 for the Charter Transport in recognition of substantial increase in size following the redistribution of electorates.



Maryanne Mrakovcic
Acting Secretary

28 AUG 2015