

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*

**31 May
2017**

Parliamentary Remuneration Tribunal

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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 Chief Commissioner 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 Chief Commissioner of the Industrial Relations Commission of New South Wales for each Determination made by the Tribunal. The Chief Commissioner is then required, as soon as practicable after receipt of the report, to forward it to the Minister (see section 14(H)(2)). The responsible Minister is the Premier, the Hon Gladys Berejiklian MP.

The Tribunal’s 2016 Report and Determination identified that the matters of “family reunion travel” and any extension to the existing allocation of staff could warrant further review during the 2017 annual review. The Tribunal subsequently wrote to the Presiding Officers seeking their views in relation to these matters and, after considering their response decided that these matters will be reviewed during the 2017 annual review.

As is the usual process the Tribunal sought written submissions from Members and invited representatives of the major parties to meet with the Tribunal. The Tribunal also visited eight electorate offices as part of its review concerning the allocation of the Additional Temporary Staff (ATS).

The Tribunal’s determination in respect of the basic salary payable to Members is outlined in **Section 1** of the Report. **Section 2** of the report provides an overview of the Tribunal’s review of Additional Entitlements, including family travel, the allocation of staff and any other matters raised in respect of the additional entitlements. **Section 3** of the report provides a general summary of the Determination.

Section 1 - Parliamentary Remuneration

Basic Salary

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

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

The current policy on wages pursuant to section 146C(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, this includes the salaries payable to Members.

On that basis, with effect from 1 July 2017 the basic salary for Members will be increased by 2.5 per cent to \$161,040 per annum.

Recognised office holders receive an additional salary (if any) and an expense allowance (if any) being the percentage specified in Schedule 1 of the Act. Actual additional salary and expense allowances are published on the Parliament House website.

Section 2 - Additional Entitlements

2016 Determination

As part of the 2016 annual review the Tribunal was 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 proposed the abolition of a number of existing allowances to create new allowances. The new allowances would incorporate much of the existing entitlements but would provide greater flexibility in their application and/or administration.

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Following an extensive consultation process, including the receipt of submissions and meetings with Members of each of the major parties, the Tribunal adopted the Presiding Officers' proposal.

A summary of those changes is provided below in Table 1:

Table 1 Summary of changes to additional entitlements

Abolished	Established
<ol style="list-style-type: none"> 1. Logistics Support Allowance (LSA): <ol style="list-style-type: none"> a. Communications electronic b. Communications non-electronic c. Printing & Stationary d. Transport 2. Electoral Communication Allowance (ECA) 3. Electorate Charter Transport Allowance 4. Electoral Allowance 5. Schedule 3 Recognised Office Holder and Other Member Entitlements: <ol style="list-style-type: none"> a. LSA-Communications electronic b. LSA-Communications non-electronic c. LSA-Printing and Stationary d. LSA-Transport 	<ol style="list-style-type: none"> 1. Communications Allowance: <ol style="list-style-type: none"> a. Base Allocation b. Additional Allocation 2. General Travel Allowance: <ol style="list-style-type: none"> a. Base Allocation b. Additional Allocation 3. Electoral Allowance: <ol style="list-style-type: none"> a. Base Allowance b. Additional Allowance c. Recognised Office Holder (except Independents) d. Independents 4. Schedule 3 Recognised Office Holder and Other Member Entitlements: <ol style="list-style-type: none"> a. General Travel Allowance (Base Allocation) b. Communications Allowance (Base Allocation)

With the exception of the Communications Allowance, there was no overall monetary increase to additional entitlements resulting from the above changes as the existing amounts were re-allocated to the new entitlements (with the addition of the 2.5 per cent).

The Communications Allowance increased by more than 2.5 per cent. This was a result of an increase in enrolled voters and the Tribunal's decision to vary the base calculation point to reflect increased postal costs.

Any additional costs resulting from the changes were expected to be offset by reduced costs associated with administering the entitlements.

2017 Determination

Additional entitlements in the nature of allowances and fixed allocations

The Tribunal has determined that an adjustment of 2.5 per cent to the following allowances and fixed allocations is appropriate and consistent with the increase determined for the basic salary:

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- Electoral Allowance
- Sydney Allowance
- Communications Allowance: Base Allocation
- General Travel Allowance
- Electorate to Sydney Travel

There is no adjustment to the original costing factor of the Communications Allowance: Additional Allocation. However, the allocation has increased as a result of an increase in the number of enrolled voters.

Very few submissions to the Tribunal addressed either the quantum or the application of these allowances. The Tribunal notes that the new arrangements have been in place for less than one year and there may be a need to revisit the arrangements in the future. Should the entitlement framework require amendment the Presiding Officers and Members are asked to advise the Tribunal of any specific matters during the 2018 review.

A number of submissions have raised the application of the carry over provisions pertaining to the Communications Allowance and the General Travel Allowance. The Tribunal has reviewed these conditions and amended the determination to reflect the Parliament's administrative arrangements. It is not possible to differentiate between expenditure from the base allocations and additional allocations for each of these additional entitlements as this is effectively one budget from which Members may expend funds on approved items and services. On that basis, the carry over provisions have been amended to limit the carry over of the base amount of both the Communications Allowance and General Travel Allowance to an amount equivalent to the annual allocation.

The Presiding Officers sought an amendment to condition 7 on page 48 of the 2016 determination to remove the term "other training". These words have been widely interpreted and lead to confusion surrounding appropriate training. The Presiding Officers provided other wording to clarify the intent of the condition. Those changes are appropriate and have been incorporated into the determination.

Other changes in the determination relate to family travel and the allocation of staff to Members of the Legislative Assembly. The Tribunal's consideration of those matters is outlined below.

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Family travel

Background

The Tribunal was requested, during the 2015 and 2016 annual reviews, to consider expanding the existing travel entitlements to enable more than one “approved relative” to accompany a Member when the Member is absent from home and undertaking parliamentary duties. The extended entitlement could provide Members in NSW with a benefit similar to the “family reunion travel” entitlement available to Federal Members of Parliament which is based on the need to balance their work and family responsibilities and to reconcile the need for them to be away from home for long periods with their family obligations.

Current provisions in respect to the “approved relative”

The general guidelines and conditions provide for Members to use their additional entitlements to meet official costs of the “the approved relative” as defined below, when that expenditure is in connection with official Parliamentary duties.

“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 Member to meet their parliamentary duties and individual circumstances that apply at the time.

Only one “approved relative” may be funded from additional entitlements and only one “approved relative” may be nominated at any given time. Specific conditions in respect to “the approved relative” also apply to the use of the Electorate to Sydney Travel, General Travel Entitlement and Recognised Office Holder entitlements.

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2017 Review – Family Travel

Prior to commencing the 2017 annual review the Tribunal wrote to the Presiding Officers on 11 October 2016 seeking their advice on whether Members spend sufficient time away from home to warrant some form of “family reunion travel” entitlement, which may include allowing more than one “approved relative” to accompany Members. The Tribunal indicated its preliminary view that should an extension of the entitlement be warranted, Members could use the General Travel Allowance (GTA)-Base Allocation to meet the cost of a dependent child(ren) to accompany or join the Member on travel within NSW on parliamentary, electorate or official business.

The Presiding Officers provided a response to the Tribunal on 17 November 2017 and after considering the information provided the Tribunal decided that the matter of family travel would be reviewed during the 2017 annual review. Comments relating to the Presiding Officers’ response are below in **Submissions received**.

On 7 December 2016 the Tribunal wrote to Members seeking written submissions for the 2017 annual review. In respect to the matter of family travel the Tribunal invited submissions in the following terms. The Tribunal also wrote to the Presiding Officers noting these terms and inviting any further submission to that provided in November 2016.

“The Tribunal is considering extending the GTA-Base Allocation to include a provision for additional family members to accompany the Member when absent from home on parliamentary business with appropriate conditions. Submissions may address, but are not limited to, the following matters:

- *Supporting evidence in respect to the amount of time and frequency that Members are away from home for extended periods on parliamentary, electorate or official business to warrant an extension of the existing entitlements.*
- *Comment on appropriate conditions such as the:*
 - *family members that would be eligible (apart from existing approved relatives provided for in the definitions). For example dependent children (under 16 years of age or dependent full-time student under 25 years of age); parents; siblings.*

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- *number of family members that could accompany the Member when the Member is absent from home on parliamentary business. For example unlimited or limited.*
- *whether the extension of the entitlement to provide for more than one family member could apply anywhere in NSW or be limited to Sydney during the sitting of the House, activity of Parliamentary Committees or other Parliamentary business.”*

Submissions received

The Tribunal received two submissions addressing the matter of family travel and supporting an extension to the existing entitlement. A summary of the issues outlined in the two submissions and in the Presiding Officers’ submission of November 2016 is below.

The Presiding Officers submitted that Members spend a considerable amount of time away from home on Parliamentary business:

“In our view, it is evident that the demands placed upon Members of the Parliament of New South Wales also result in some of them being required to spend extended periods away from their home and family. Apart from sittings of the House, the activity of Parliamentary Committees and other parliamentary business contributes to considerable time being spent at a location other than the home base.”

As evidence, the submission included an analysis of the consumption of the Sydney Allowance for which 62 Members were eligible to claim for 2015-16. The Tribunal notes that the following statistics in respect to the amount of time Members spend away from home:

- an average of 96 nights per annum were claimed
- periods stayed in Sydney ranged from 44 nights (15 per cent of the year) to the maximum claimable amount of 180 nights (50 per cent of the year)
- one in two Members were away from home for more than 100 nights
- one in four Members were away from home for more than 120 nights
- one in five Members were away from home for more than 140 nights.

The Presiding Officers noted the changing demographic of the Member population which is trending towards being younger and including more women, particularly women who

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are combining careers with child rearing and that any extension to the entitlement should be for travel to Sydney only.

Another submission submitted that Members in regional electorates spend considerable time away from their families both during Parliamentary sitting weeks and non-sitting weeks. By way of example, in 2016 there were 19 sitting weeks and in 2017 there are 20 sitting weeks with most regional Members travelling to Sydney on the Monday of the sitting week and often returning home the following Thursday or Friday morning. During non-sitting weeks regional members need to travel across the State, particularly if they hold a Ministerial position or are involved in committee proceedings. While each Member's commitments are different it is not uncommon for regional Members to be away from home for over half of the year.

On that basis, the submission requested that the existing entitlement be extended to include dependent children aged 16 years and under, if permission is granted. Also, that the number be limited to the Member's number of dependent children they have under their care and apply to travel anywhere in NSW that the Member has approved Parliamentary business to conduct.

The other submission was of the view that the existing entitlement arguably disadvantages single parents who are only permitted to take children who are not minors i.e. 16 years or above as the "approved relative". On that basis the submission requested that the existing entitlement be extended to include children under the age of 16 years and that they be allowed to accompany a Member on official trips.

Tribunal's Findings

Based on the information provided the Tribunal is of the view that an extension to the provision of the "approved relative" travel entitlement is reasonable and fair, and would be consistent with the principles contained in the International Labour Organisation convention C156 - Workers with Family Responsibilities Convention 1981.

Under the current arrangements Members entitlements can only be used to fund costs associated with one approved relative's travel. Should the Member wish to be accompanied by more than one approved relative the Member can fund this from their electorate allowance or private income.

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Given the changing demographic of the Member population which is trending towards being younger and including more women, there is likely to be a need for the Member to be accompanied by younger children and that an additional companion may be required to care for that child while the Member is attending to parliamentary business.

It is not unreasonable that a Member may need to be accompanied by a spouse/partner or other approved relative and child(ren) when required to travel to undertake parliamentary business.

In an era when often both parents will be working it is unreasonable to expect a spouse/partner of Member to remain at home (or make other arrangements) to care for dependent children when a Member is required to spend significant periods away from home to either attend Parliament or undertake other parliamentary business. There is also an increase in non-traditional households and Members may reside with family members outside of the nuclear family.

On that basis, the Tribunal has determined to broaden the definition of “approved relative” by including an immediate family member and one or more dependent children as follows:

“Approved relatives” means:

- *One person who meets any of the following criteria:*
 - *wife or husband of the Member*
 - *a person living with the Member in a domestic relationship as defined in the Property (Relationships) Act 1984*
 - *an immediate family member of the Member (parent, siblings or children who are not minors i.e. below 16 years of age) who is nominated as an approved relative.*
- *Members with dependent children may nominate one or more of those children as approved relatives. A dependent child means a person under 16 years of age in the care of the Member who is legally responsible (alone or jointly with another person) for the person’s day-to-day care, welfare and development.*

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

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There will be no restriction on the location of the travel e.g. the travel may include travel to Sydney for parliamentary sittings and any other travel within New South Wales associated with parliamentary or electorate business.

In addition, while 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, dependent children may only travel in the company of the Member or other approved relative. The conditions have been amended to reflect this arrangement.

The Tribunal notes that no additional funding has been sought and no additional funding is proposed. Members have broad discretion to use the GTA (both Base and Additional allocation) for both parliamentary and electorate duties. Should Members decide to increase the instances that “approved relative(s)” accompany them, they will be responsible for ensuring any additional costs can be funded from their budget and that the reason for the “approved relative(s)” travel meets Condition 2.2 (8), in section 2.1 *Guidelines* of the determination which provides the following:

2.2 (8)The Member may use his/her entitlements to meet official costs of the approved relative/or staff employed by the Parliament when that expenditure is in connection with official parliamentary duties.

Staffing allocation

Background

It is instructive at the outset to briefly record the basis of the introduction of the Additional Temporary Staff (ATS) entitlement.

The Tribunal undertook a comprehensive review of the allocation of staff in 2006. At that time Members of the Legislative Assembly were allocated two electorate officers. In undertaking the review the Tribunal found that there had been an increase in the workload of Members. The Tribunal also became aware that some Members would routinely be accompanied by an electorate officer when attending Parliament House on sitting days. The practice resulted in an electorate officer being left alone in the electorate office. The Tribunal found that there were work health and safety concerns associated with this arrangement. To address these concerns the Tribunal determined

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that each Member, not elected as an Independent Member, would be provided with an annual budget for the employment of temporary staff. The original allocation was for 61 days which was the average number of sitting days for the Legislative Assembly (at the time). Based on the peak periods of electorate and parliamentary business the ATS provided a full time equivalent (FTE) staff resource of 0.32. The ATS entitlement was initially provided so that Members could provide temporary relief in the electorate office if a Member's electorate staff accompanied the Member to Parliament House on sitting days. The conditions governing the entitlement were subsequently expanded to give Members greater flexibility in the use of this entitlement.

The Tribunal undertook a further review of the allocation of staff during the 2013 annual review. Following that review the Tribunal determined that the ATS entitlements would extend from a budget of 61 days to 70 days per annum. The additional allocation of days increased the ATS FTE staff resource to approximately 0.36. The increase to the ATS allocation recognised the reported increase in workload since the entitlement was introduced in 2006.

Since 2013 Members have continued to raise the matter of staffing with the Tribunal. Members of the Legislative Assembly either directly or through their Party have sought an increase in the ATS entitlement to reflect the increasing workload in electorate offices.

The Tribunal's 2016 Report and Determination identified that the matter of any extension to the existing allocation of staff could warrant further review during the 2017 annual review. Prior to commencing the 2017 annual review the Tribunal wrote to the Presiding Officers on 11 October 2016 seeking their views on the matter of any extension to the existing allocation of staff.

The Presiding Officers, in their response to the Tribunal of 17 November 2016, advised that circumstances in electorate offices have changed in the following terms:

“Allocation of staff

Secondly, we refer to your request for our views on any potential extension to the existing allocation of staff for Members. We note that the last review of staffing provisions was undertaken in 2013.

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In relation to this, our view is that circumstances may well have changed sufficiently in electorate offices since the last review to warrant further consideration of staffing allocations. One particular example of this change is the level of administration required in managing the exponential increase in electronic communication, including social media.

While an increase in staffing level will present certain obstacles, for example the issues surrounding the accommodation of additional personnel, we do not believe that these obstacles should preclude any increase in staff.”

Having regard to this advice the Tribunal decided that the matter of the allocation of staff would be reviewed during the 2017 annual review.

2017 review

On 7 December 2016 the Tribunal wrote to Members seeking written submissions for the 2017 annual review. In respect to the matter of the allocation of staff the Tribunal invited submissions in the following terms.

“The Tribunal is reviewing the allocation of staff and submissions may address, but are not limited to, the following matters:

- *Appropriateness of the current allocation of staff*
- *Workload*
- *Work Health and Safety*
- *Recruitment and retention*
- *Access to staff resources at Parliament House*
- *Additional staff for recognised office holders and independents or Cross Bench members*
- *Accommodation for staff.”*

In addition to calling for submissions the Tribunal sought to meet with Members, and where possible electorate staff, to observe the layout of the various electorate offices and to gain a greater understanding of the changes in the operations of an electorate office that may warrant any extension to the allocation of staff. The Presiding Officers nominated a number of Members for the Tribunal to visit. The Tribunal would like to thank the following Members and their staff who participated in the consultation during March and April:

- Member for Holsworthy, Melanie Gibbons MP
- Member for Keira, Ryan Park MP

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- Member for Wyong, David Harris MP
- Member for Lake Macquarie, Greg Piper MP
- Member for Oatley, Mark Coure MP
- Member for Heffron, Ron Hoenig MP
- Member for Strathfield, Jodi Mackay MP
- Member for Sydney, Alex Greenwich MP

Members, in either their written submissions or in conversations with the Tribunal, have indicated support for an increase in the ATS allocation. Independent Members, who do not receive the ATS, have sought to retain their existing allocation of a third full time staff member.

The Tribunal also received a submission seeking to provide additional staff for Shadow Ministers and the office of Manager of Opposition Business. As outlined in previous determinations the Tribunal is unable to make a determination which applies specifically to Shadow Ministers, or the Manager of Opposition Business, as these offices are not “recognised office holders” as provided for in Schedule 1 of the PR Act. As previously stated the Tribunal continues to support the provision of additional entitlements for Shadow Ministers. Shadow Ministers perform an important role in our system of government and, to perform this role properly, they require sufficient resources and support. This is a matter for the Government and the Tribunal would recommend again that the PR Act be amended to allow for additional entitlements to be provided to Shadow Ministers.

The Tribunal is not able to consider the allocation for staffing resources for Shadow Ministers, or the Manager of Opposition Business, for the reasons outlined above. Also, the Tribunal did not receive any submissions seeking to address the allocation of staff to Members of the Legislative Council more generally . For those reasons this review will only focus on the allocation of electorate staff to Members of the Legislative Assembly.

The reasons put forward to support the claim for additional resources are outlined below.

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Workload

Members and staff have indicated that there has been an exponential increase in work for electorate office staff since the ATS was last reviewed in 2013.

The increase in constituent numbers and innovations in technology and communication have increased the number of interactions a Member and his or her staff will have with electors and the wider community. Increasingly, communication with constituents is via email or social media, rather than the traditional form of written correspondence.

Communication via web-based technologies, desktop computers and mobile technologies (e.g., smartphones and tablet computers) creates a highly interactive platform in which the public expects real time communication. Members have detailed the impact that interactions via these communication platforms have had on their work load, in particular the workload of staff. This claim is supported when comparing the reported workload in 2013 and the current reported workload. While the volume of traditional communication with constituents (i.e. letters and newsletters) has remained mostly constant, the number of emails interactions has increased by approximately 100 per cent. In addition, most if not all, Members have social media accounts which were not widely reported in 2013. Some Members stated that to deal with the volume of work their staff regularly worked beyond the standard working hours and it also was not uncommon for employees to work through their lunch break and on weekends.

Electorate office staff undertake a number of roles such as covering telephone and over-the-counter enquiries; reading and responding to letters and emails; attending meetings or events on behalf of the Member; diary; media; electorate communications; record keeping; and electorate office management. The local Member is often the 'first point of call' for members of the public in accessing various government departments (state and federal) and general government information. Individual enquiries are often time consuming, require extensive research and follow up contact with government agencies, ministerial offices and the constituent. As reported in 2013 Members continue to receive a large number of requests for assistance from constituents seeking access to social welfare services, particularly public housing. The responsibility for coordinating these requests usually falls with the electorate office staff.

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Members are increasingly using more of their ATS entitlement to assist with their workload. During the 2011-12 financial year the Parliament reported that 30 per cent of Members used 90 per cent or more of their ATS entitlement. In the 2015-16 financial year, the percentage using 90 per cent or more has increased to 52 per cent.

Work Health and Safety

Members have the flexibility to engage ATS as required within the budget allocated for this entitlement (currently 70 days). Members have reported a wide range of ATS arrangements. Members often engage more than one person from the ATS budget. The salary range provides for Members to engage junior ATS to undertake routine office administration or more senior staff to assist with policy or constituent matters. The ATS staff may work on an ongoing casual basis, being one to two days per week, or work only during sitting weeks or during other busy periods.

Members are often absent from their electorate office either attending to electorate or parliamentary business. Often one electorate officer will accompany the Member either to Parliament or within the electorate. Also in some instances, an electorate officer may attend meetings or events on behalf of the Member. If both the Member and one electorate officer are absent from the office this could leave one staff member alone in the office. While the ATS is available to provide an additional presence in the office, the current budget allocation (70 days) does not provide for a minimum presence of two staff at all times.

Members have continued to raise concerns about the health and wellbeing of staff. The Tribunal is advised that security measures are in place at electorate offices to minimise any physical risk to the Members and electorate staff. The Tribunal is informed however that, on occasion, visitors to the electorate office may be threatening or intimidating. Similar interactions can also occur over the telephone. The pressure on staff confronted with such matters is exacerbated when the office is attended by only one member of staff.

The *Work Health and Safety Act 2011* require employers to eliminate the risks to employees and non-employees health and safety, so far as is reasonably practicable. It is not unlawful for people to work alone but it is recognised that people who work alone

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face different levels of risk to other people. For example they may be a greater target for exposure to verbal abuse because they are by themselves or may suffer a medical emergency, and in both situations are unable to get immediate assistance from work colleagues or emergency services. The evidence of some Members was that they close their offices when there is only one member of staff left alone in the office.

The Tribunal notes that it is the Parliament's long standing best custom and work health and safety practice that wherever possible two staff members should be in the electorate office.

Findings

The Tribunal has examined the material put before it and considers that there is a case to increase the allocation of staff to Members of the Legislative Assembly.

The reported increase in workload clearly indicates that Members require additional administrative support. Members should receive an adequate allocation of resources to enable them to effectively and efficiently undertake their electorate and parliamentary duties. Under the existing arrangements the level of work exceeds the reasonable capacity of two electorate officers and an ATS.

The work health and safety of electorate staff is impacted by the workload. In some electorates, as the Tribunal has already noted, existing staff work long hours and attend to electorate business (with or without the Member) on the weekend. An escalation of the ATS is warranted to address the additional workload. However, any escalation short of a full time person would not, in the Tribunals' view, satisfactorily address the work health and safety issues associated with the practice in some electorates for the office to be attended by only one member of staff on certain occasions.

The public interest will also be better served with appropriate staffing levels that enable the proper management and administration of electorate office affairs.

For these reasons the Tribunal determines that the existing ATS budget allocation be abolished and replaced with an additional staff member to be employed at the Electorate Officer Level as specified in the Members' Staff Conditions of Employment, Determination of the Presiding Officers, February 2014 (Members' Staff C of E, Determination).

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Under these new arrangements it should be a condition of employment that electorate officers should not work alone when the electorate office is open to the public except in exceptional circumstances. Members should ensure that the needs of staff are considered in the effective operation of electorate offices. The Presiding Officers are responsible for determining the conditions of employment for staff of Members, in accordance with the provisions of the *Members of Parliament Staff Act 2013*. The Presiding Officers may wish to consider this matter for inclusion in the Members' Staff C of E, Determination.

The Tribunal notes that Members will have existing ATS arrangements. It will be a matter for Members to decide if individuals engaged under ATS arrangements can be employed into the role of Electorate Officer. Where practical, the Parliament should assist with such arrangements.

The Tribunal notes that there will be additional costs associated with the provision of this new entitlement. The bulk of these additional costs will be associated with salaries. The Tribunal was informed that most existing electorate offices could accommodate an additional electorate officer without the need for any, or extensive, refurbishment. Although the Tribunal only visited eight electorate offices each had a work station for the existing ATS. The Tribunal assumes that this is likely to be the norm in electorate offices. The Tribunal considers that the welfare of electorate staff warrants any additional cost. Funds to meet these additional costs should be appropriated by the Parliament in accordance with the PR Act. The Tribunal notes the Secretary of the Treasury's comments in relation to the financial implications. If the additional costs cannot be managed within the Legislature's existing budget controls the Tribunal notes that supplementary funding sources are available. Provision exists in the *Public Finance and Audit Act 1983* for special or additional appropriations.

The provision of an additional full time officer should also aid in recruitment and retention as staff will have more secure employment arrangements.

The Tribunal also reviewed the allocation of staff to Independents and Cross Bench Members. The Tribunal found that there is no basis to alter the existing allocation of three electorate staff. The determination is amended to provide all Members of the Legislative Assembly with the same allocation of three electorate staff.

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Other matters

Auditor-General's Report - Loyalty and Incentive Schemes

In the 2015 Report and Determination the Tribunal noted a recommendation contained in the *Auditor-General's Report to the Parliament on the Additional Entitlements for Members of Parliament (Volume Three 2015)* in respect to loyalty and incentive schemes and foreshadowed that it would consider the recommendation as part of the 2016 annual review. The Tribunal considered the matter further in the 2016 annual review and noted that it would monitor compliance again during the 2017 annual review:

“However, the proposal to consider suspending the payment of additional entitlements in cases of non-compliance is not considered appropriate for 2016/17 given the scale of the changes to entitlements. The Parliament may wish to consider including advice to Members about these requirements in any new guidance associated with the General Travel Allowance (GTA). The Tribunal will monitor compliance during 2016/17 and will consider the matter again during the 2017 annual review.”

The Tribunal has again reviewed this matter and notes there has been an improvement in compliance reported in the *Auditor General's Report to the Parliament on the Additional Entitlements for Members of Parliament (Volume Three 2016)*. On that basis the Tribunal determines that further consideration of this matter is not warranted.

Auditor-General's Report – Publication of Members' expenditure

The *Auditor General's Report to the Parliament on the Additional Entitlements for Members of Parliament (Volume Three 2016)* made the following recommendations in respect to the disclosure of Members' expenditure claims:

“The Parliamentary Remuneration Tribunal should consider, as a part of the next Determination review process, requiring the Department of Parliamentary Services to regularly publish full details of Members' expenditure claims on its website in an accessible and searchable format. The Department should be given some time for consultation with Members and implementation of systems before any new requirements are effective.”

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The Tribunal intended to consider this matter as part of the 2017 annual review. On 27 March 2017, the Presiding Officers wrote to the Tribunal outlining the preliminary work that has been undertaken by the Department of Parliamentary Services (DPS) to better understand the requirements of the recommendation. The Presiding Officers have requested that the Tribunal consider deferring the implementation of the recommendation until 2018 to ensure the DPS can undertake the considerable work necessary to consult, develop and implement appropriate systems.

The Tribunal considers that it is appropriate to defer the implementation of the recommendation and intends to consider the matter in more detail prior to the making of the 2018 determination. On 24 April 2017 the Tribunal wrote to the Auditor-General in these terms.

Request for a third electorate office – Member for Cootamundra

In the 2015 Report and Determination the Tribunal determined that the electorate of Cootamundra would be allocated an additional electorate office. An additional electorate office was also extended to the electorate of Northern Tablelands. The Member for the electorate of Cootamundra has requested a third electorate office to improve support to constituents, noting that the electorate of Cootamundra has no major regional centre and that there is no access to public transport between towns and villages.

The Tribunal notes that at the time of making the submission the Member had not yet moved into the second electorate office. The second electorate office will greatly improve the Members ability to service constituents. It would be appropriate to measure the impact of those changes before seeking to be provided with a third electorate office.

Section 3 General Summary of the Determination

2017 adjustments

Basic salary and additional entitlements	Increase
Basic Salary	2.5 per cent increase
Electoral Allowance:	
Base Allowance	2.5 per cent increase
Additional Allowance	2.5 per cent increase
Recognised Office Holder Allowance (except Independents)	2.5 per cent increase
Independents Allowance	2.5 per cent increase
Sydney Allowance	2.5 per cent increase
Communications Allowance:	
Base Allocation	2.5 per cent increase
Additional Allocation	1.1 per cent increase reflects increase in constituent numbers
Committee Allowances	2.5 per cent increase
General Travel Allowance:	
Base Allocation	2.5 per cent increase
Additional Allocation	2.5 per cent increase
Travel Allowances	As per Australian Tax Office Determination TD2016/17
Staff for Members of the Legislative Assembly	The addition of one Electorate Officer in each electorate office. This allocation is offset by the removal of the ATS Budget. No change for Independent or Cross Bench Members

The Parliamentary Remuneration Tribunal

(Signed)

The Hon C G Staff

Dated: 31 May 2017

Section 4 The Determination

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

With effect on and from 1 July 2017, 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 2017.

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 Table 1.

“Zones” are the areas for Members of the Legislative Council as specified in Table 2.

“Approved relatives” means:

- One person who meets any of the following criteria:
 - wife or husband of the Member
 - a person living with the Member in a domestic relationship as defined in the Property (Relationships) Act 1984
 - an immediate family member of the Member (parent, siblings or children who are not minors i.e. below 16 years of age) who is nominated as an approve relative.
- Members with dependent children may nominate one or more of those children as approved relatives. A dependent child means a person under 16 years of age in

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the care of the Member who is legally responsible (alone or jointly with another person) for the person's day-to-day care, welfare and development.

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

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

2.1 Guidelines

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

1. Circumstances upon which the additional entitlements may be used for parliamentary duties.
 - 1.1 Additional entitlements are provided to facilitate the efficient performance of the following particular parliamentary duties of Members as follows:
 - 1.1.1 Activities undertaken in representing the interests of constituents, but excluding activities of a direct electioneering or political campaigning nature.
 - 1.1.2 Performing electorate work for a Member's electorate and participation in official and community activities to which the Member is invited because of the Member's status as a parliamentary representative.

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- 1.1.3 Attending and participating in sessions of Parliament.
- 1.1.4 Participation in the activities of parliamentary committees.
- 1.1.5 Attending Vice-Regal, parliamentary and State ceremonial functions.
- 1.1.6 Attending State, Commonwealth and Local Government functions.
- 1.1.7 Attending official functions to which a Member is invited because of the Member's status as a parliamentary representative, e.g., receptions and other community gatherings hosted by Members of the diplomatic corps, 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

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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.

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.

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- 2.3 The electorate office provided for a Member of the Legislative Assembly is not to be used as an election campaign office.
3. The Tribunal sets out the following additional and general guidelines:
 - 3.1 Some intermingling of a member's parliamentary duties and 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.
 - 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.

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3. Each Member shall have, in addition to payments of the Electoral Allowance and Sydney Allowance, an account entitled the “Communications Allowance” and “General Travel Allowance” which shall cover expenditure in the areas of transport (except for electorate to Sydney travel) and communications as provided for in the Tribunal’s Determination. The Communications Allowance and General Travel Allowance accounts 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 these allocations.
4. 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 Communications Allowance and General Travel Allowance.
5. All accounts and Members’ claims must be submitted to the Legislature for payment within 60 days of receipt or occurrence of the expense.
6. 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.
7. 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).
8. The various allowances determined here, 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 relatives and/or staff employed by the Parliament when that expenditure is in connection with official parliamentary duties.

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9. 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.
10. 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 Groupings for the Legislative Assembly
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Table 2	Zones for the Legislative Council
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Table 3	Electoral Allowance Legislative Assembly and Legislative Council
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Table 4	Sydney Allowance Daily Rates
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Table 5	Electorate to Sydney Travel Entitlements – Additional Entitlements for Recognised Office Holders
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Table 6	Communications Allowance –Base Allocation
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Table 7	Communications Allowance – Additional Allocation
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Table 8	General Travel Allowance
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Table 9	Travel Allowances Indicative Upper Limits for Recognised Officer Holders
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Table 10	Travel Allowances Group Classifications for Recognised Office Holders
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Table 11	Recognised Office Holder and Other Member Additional Entitlements
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3. Basic Salary

With effect from 1 July 2017 the basic salary of Members, pursuant to section 4 of the Act, shall be \$161,040 per annum.

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4. Electoral Groupings and Zones for Fixing Additional Entitlements

The electoral groupings for the Legislative Assembly and Zones for the Legislative Council to be used for the purposes of determining the quantum of additional entitlements shall be as follows:

Table 1: Electoral Groupings for the Legislative Assembly		
<p style="text-align: center;">Group 1</p> <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 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. Riverstone 34. Rockdale 	<p style="text-align: center;">Group 2</p> <ol style="list-style-type: none"> 1. Blue Mountains 2. Charlestown 3. Gosford 4. Hawkesbury 5. Heathcote 6. Keira 7. Lake Macquarie 8. Newcastle 9. Shellharbour 10. Swansea 11. Terrigal 12. The Entrance 13. Wallsend 14. Wollondilly 15. Wollongong 16. Wyong 	<p style="text-align: center;">Group 3</p> <ol style="list-style-type: none"> 1. Ballina 2. Cessnock 3. Coffs Harbour 4. Kiama 5. Maitland 6. Myall Lakes 7. Port Macquarie 8. Port Stephens 9. South Coast 10. Tweed <p style="text-align: center;">Group 4</p> <ol style="list-style-type: none"> 1. Albury 2. Bathurst 3. Bega 4. Clarence 5. Dubbo 6. Goulburn 7. Lismore 8. Orange 9. Oxley 10. Tamworth 11. Wagga Wagga <p style="text-align: center;">Group 5</p> <ol style="list-style-type: none"> 1. Cootamundra 2. Monaro 3. Upper Hunter <p style="text-align: center;">Group 6</p> <ol style="list-style-type: none"> 1. Northern Tablelands <p style="text-align: center;">Group 7</p> <ol style="list-style-type: none"> 1. Murray <p style="text-align: center;">Group 8</p> <ol style="list-style-type: none"> 1. Barwon

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Table 2: Zones for the Legislative Council

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

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5. Additional Entitlements in the Nature of Allowances

5.1 Summary

The entitlements in this category comprise the following:

Electoral Allowance	– Base Allowance
	– Additional Allowance
	– Recognised Office Holder Allowance (except Independents)
	– Independents Allowance

Sydney Allowance

Committee Allowances

5.2 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.

The establishment of the additional allowance took into account the costs previously met from the abolished LSA – Communications (electronic) and LSA - Printing and Stationery, Office Supplies and Services.

Entitlement

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 or zone for the electorate of the Member as follows:

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Table 3: Electoral Allowance - Legislative Assembly and Legislative Council			
Electoral Group/Zone	Base Allowance	Additional Allowance	Total
Legislative Assembly			
Group 1	\$48,670	\$14,690	\$63,360
Group 2	\$56,995	\$16,240	\$73,235
Group 3	\$67,175	\$16,240	\$83,415
Group 4	\$73,325	\$16,240	\$89,565
Group 5	\$77,990	\$16,240	\$94,230
Group 6	\$85,500	\$16,240	\$101,740
Group 7	\$100,000	\$16,240	\$116,240
Group 8	\$136,745	\$28,310	\$165,055
Legislative Council			
Zone 1	\$56,995	\$15,475	\$72,470
Zone 2	\$56,995	\$16,240	\$73,235
Zone 3	\$56,995	\$20,150	\$77,145

2. A further allowance of \$3,790 per annum is payable to each Recognised Office Holder (except an Independent) in the Legislative Assembly and Legislative Council.
3. A further allowance of \$1,895 per annum is payable to each Independent in the Legislative Assembly and Legislative Council
4. The electoral allowances shall be payable calendar monthly in arrears in conjunction with salary payments.

5.3 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.

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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.

Entitlement

The daily rate (including the number of overnight stays) for the Sydney Allowance for eligible Members shall be in accordance with *Table 4: 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 4: 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	\$299.00	Actual reasonable expenses for meals and incidentals up to a maximum of \$126 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	\$299.00	As above
Chairs of Standing/Select Committees	A minimum of 70 KMs by road from Parliament House	140	\$299.00	As above
Legislative Council Members	Greater than 140 KMs by road from Parliament House	135	\$299.00	As above
	Between 70 KMs and 140 KMs by road from Parliament House	105	\$299.00	As above
Legislative Assembly Members	Greater than 140 KMs by road from Parliament House	135	\$299.00	As above
	Between 70 KMs and 140 KMs by road from Parliament House	105	\$299.00	As above

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Conditions

The following conditions apply to the Sydney Allowance:

1. A Member can choose to receive the Sydney Allowance as either an annual fixed allowance or a daily rate. The election is to be made at the commencement of each financial year.
2. If a Member chooses to receive the annual fixed allowance the Department of Parliamentary Services of the Legislature will calculate the annual entitlement by multiplying the number of overnight stays for the particular Member or Recognised Office Holder by the daily rate.
3. In order to receive the Allowance each Member must certify to the Executive Manager, Department of Parliamentary Services their principal place of residence.
4. Where a Member chooses to receive the daily rate of allowance the Member shall receive the overnight daily rate as specified in *Table 4: Sydney Allowance Daily Rates*. The Member is entitled to the number of overnight stays per annum specified in *Table 4: Sydney Allowance Daily Rates* 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 4: Sydney Allowance Daily Rates*. 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.

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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.
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 4: Sydney Allowance Daily Rates*.
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.

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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.
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.

5.4 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 \$205.00 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 Act.

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 Act, shall each receive a committee allowance of \$4,745 per annum.

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6. Additional Entitlements in the Nature of Fixed Allocations

6.1 Summary

The entitlements in this category comprise the following:

Electorate to Sydney Travel	
Communications Allowance	– Base Allocation
	– Additional Allocation
General Travel Allowance	
	– Base Allocation
	– Additional Allocation
Travelling Allowances for Recognised Office Holders	
Equipment, Services and Facilities	

6.2 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:

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Table 5: Electorate to Sydney Travel Entitlements - Additional Entitlements for Recognised Office Holders	
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.
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.

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The cost of Members' approved relatives travelling on the charter is to be met from the Member's General Travel Allowance. 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 relatives 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.

6.3 Communications Allowance

Purpose

The Communications Allowance is an annual budget provided to Members to meet the costs associated with communicating with their constituents including:

- production and distribution of newsletters and brochures
- printing of letterhead and flyers
- audio posters and other e-publications
- developing, hosting and maintaining a website and/or other social media
- email distribution services
- advertisements
- other forms of communications approved by Parliament.

Entitlement

1. The Communications Allowance comprises a base annual allocation for Members of the Legislative Assembly and Legislative Council and an additional allocation for Members of the Legislative Assembly based on the number of enrolled voters.
2. The base annual allocation for each electoral group or zone shall be as follows:

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Table 6: Communications Allowance - Base Allocation	
Member	Base Allocation
Legislative Assembly	\$17,550
Legislative Council	\$4,470

3. The additional annual allocation for each Member of the Legislative Assembly shall be as follows:

Table 7: Communications Allowance - Additional Allocation - Amended		
Electoral District	Number of Electors (As at March 2017 as provided by the State Electoral Office)	Annual entitlement
1. Albury	56,233	\$84,350
2. Auburn	54,785	\$82,178
3. Ballina	57,500	\$86,250
4. Balmain	56,712	\$85,068
5. Bankstown	53,516	\$80,274
6. Barwon	55,835	\$83,753
7. Bathurst	55,836	\$83,754
8. Baulkham Hills	55,229	\$82,844
9. Bega	56,557	\$84,836
10. Blacktown	55,525	\$83,288
11. Blue Mountains	54,399	\$81,599
12. Cabramatta	55,397	\$83,096
13. Camden	61,456	\$92,184
14. Campbelltown	53,567	\$80,351
15. Canterbury	56,907	\$85,361
16. Castle Hill	55,167	\$82,751
17. Cessnock	55,762	\$83,643
18. Charlestown	55,086	\$82,629
19. Clarence	55,914	\$83,871
20. Coffs Harbour	54,288	\$81,432
21. Coogee	55,499	\$83,249
22. Cootamundra	53,547	\$80,321
23. Cronulla	56,697	\$85,046
24. Davidson	54,991	\$82,487
25. Drummoyne	53,828	\$80,742
26. Dubbo	54,317	\$81,476
27. East Hills	54,697	\$82,046
28. Epping	54,307	\$81,461
29. Fairfield	54,765	\$82,148
30. Gosford	55,928	\$83,892
31. Goulburn	56,262	\$84,393
32. Granville	53,318	\$79,977

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Table 7: Communications Allowance - Additional Allocation - Amended		
Electoral District	Number of Electors (As at March 2017 as provided by the State Electoral Office)	Annual entitlement
33. Hawkesbury	55,148	\$82,722
34. Heathcote	56,376	\$84,564
35. Heffron	59,195	\$88,793
36. Holsworthy	56,070	\$84,105
37. Hornsby	54,727	\$82,091
38. Keira	58,186	\$87,279
39. Kiama	54,592	\$81,888
40. Kogarah	54,096	\$81,144
41. Ku-ring-gai	53,788	\$80,682
42. Lake Macquarie	55,875	\$83,813
43. Lakemba	55,174	\$82,761
44. Lane Cove	55,822	\$83,733
45. Lismore	55,238	\$82,857
46. Liverpool	56,731	\$85,097
47. Londonderry	59,645	\$89,468
48. Macquarie Fields	57,751	\$86,627
49. Maitland	56,957	\$85,436
50. Manly	55,090	\$82,635
51. Maroubra	55,118	\$82,677
52. Miranda	55,190	\$82,785
53. Monaro	54,975	\$82,463
54. Mount Druitt	55,378	\$83,067
55. Mulgoa	57,504	\$86,256
56. Murray	55,756	\$83,634
57. Myall Lakes	56,214	\$84,321
58. Newcastle	57,244	\$85,866
59. Newtown	55,890	\$83,835
60. North Shore	54,753	\$82,130
61. Northern Tablelands	55,819	\$83,729
62. Oatley	53,704	\$80,556
63. Orange	56,284	\$84,426
64. Oxley	55,620	\$83,430
65. Parramatta	56,333	\$84,500
66. Penrith	55,592	\$83,388
67. Pittwater	55,485	\$83,228
68. Port Macquarie	57,696	\$86,544
69. Port Stephens	54,738	\$82,107
70. Prospect	54,558	\$81,837
71. Riverstone	56,032	\$84,048
72. Rockdale	56,029	\$84,044
73. Ryde	55,078	\$82,617
74. Seven Hills	54,220	\$81,330

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Table 7: Communications Allowance - Additional Allocation - Amended		
Electoral District	Number of Electors (As at March 2017 as provided by the State Electoral Office)	Annual entitlement
75. Shellharbour	61,188	\$91,782
76. South Coast	54,746	\$82,119
77. Strathfield	53,580	\$80,370
78. Summer Hill	55,680	\$83,520
79. Swansea	56,028	\$84,042
80. Sydney	54,970	\$82,455
81. Tamworth	55,940	\$83,910
82. Terrigal	56,880	\$85,320
83. The Entrance	56,090	\$84,135
84. Tweed	55,486	\$83,229
85. Upper Hunter	54,592	\$81,888
86. Vacluse	56,868	\$85,302
87. Wagga Wagga	54,570	\$81,855
88. Wakehurst	55,341	\$83,012
89. Wallsend	57,587	\$86,381
90. Willoughby	54,033	\$81,050
91. Wollondilly	55,813	\$83,720
92. Wollongong	59,767	\$89,651
93. Wyong	55,772	\$83,658

4. Recognised Office Holders receive an additional loading on the Communications Allowance Base Allocation in accordance with *Table 11 Recognised Office Holder and Other Member Additional Entitlements*.

Carry over/forfeiture of entitlement

End of each financial year (within 4 year parliamentary term):	Base Allocation: Unexpended amounts not exceeding the maximum of the annual allocation can be carried forward. Additional Allocations: Unexpended amounts are forfeited
End of parliamentary term/earlier dissolution of LA:	Base Allocation and Additional Allocations: Remaining balances are forfeited

Special Conditions

1. Upon the gazettal of new electoral districts following an electoral redistribution (undertaken pursuant to s 27(1)(c) of the *Constitution Act 1902*), Members of the

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Legislative Assembly may use their Communications Allowance 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.

2. 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 Communications Allowance shall be established and maintained by the Executive Manager, Department of Parliamentary Services.
2. Members will receive a monthly report containing expenditure and balance of their account.
3. All procurement of services will be in accordance with the Parliament's purchasing policies.
4. No supplementation to the allocation will be considered. Any additional costs may be met from the Member's Electoral Allowance.
5. The printing and distribution of publications is to be in accordance with the Parliament's administrative guidelines.
6. Use of social media including websites and audio posters is to be in accordance with the Parliament's administrative guidelines.
7. Members are encouraged to submit material they are proposing to print or produce using the Communications Allowance to the Department of Parliamentary Services for a pre-production assessment.
8. 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

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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.

9. Communications with constituents/prospective constituents will be limited to matters affecting the Member's electorate.
10. Members will not be permitted to use their Communications Allowance for the production and distribution of publications (paper based or electronic) intended for 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.

6.4 General Travel Allowance

Purpose

The General Travel Allowance is provided to Members to meet all travel costs associated with their parliamentary or official duties within Australia.

Entitlement

1. The General Travel Allowance comprises a base annual allocation for Members of the Legislative Assembly and Legislative Council and an additional allocation for Members of specified electoral groups.
2. The annual base allocation and additional allocation for each electoral group/zone shall be as follows:

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Table 8: General Travel Allowance			
Electoral Group/Zone	Base Allocation	Additional Allocation	Total General Travel Allowance
Legislative Assembly			
Group 1	\$5,960		\$5,960
Group 2	\$8,960		\$8,960
Group 3	\$11,980		\$11,980
Group 4	\$11,980		\$11,980
Group 5 (and Port Macquarie)	\$11,980	\$10,100	\$22,080
Group 6	\$14,965	\$16,490	\$31,455
Group 7	\$14,965	\$30,500	\$45,465
Group 8	\$34,370	\$60,545	\$94,915
Legislative Council			
Zone 1	\$5,960		\$5,960
Zone 2	\$5,960		\$5,960
Zone 3	\$14,910		\$14,910

3. Recognised Office Holders receive an additional loading on the General Travel Allowance - Base Allocation in accordance with *Table 11 Recognised Office Holder and Other Member Additional Entitlements*.

Carry over/forfeiture of entitlement

End of each financial year (within 4 year parliamentary term):	Base Allocation: Unexpended amounts not exceeding the maximum of the annual allocation can be carried forward Additional Allocations: Unexpended amounts are forfeited
End of parliamentary term/earlier dissolution of LA:	Base Allocation and Additional Allocations: Remaining balances are forfeited

Conditions

1. A Member may use any form of commercial transport including approved charter aircraft within Australia subject to the requirement that the transport was used for parliamentary or electorate duties and that the cost was reasonable.
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.

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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. Only the cost of the Member's approved relatives or member of staff accompanying the Member may be met for charter transport costs.
4. The Member for Port Macquarie shall receive a General Travel Allowance - Additional Allocation commensurate with that provided to Members located in electoral Group 5 and shall include costs associated with up to four return trips to Lord Howe Island per year, flying from Port Macquarie or from Sydney subject to available flights. Travel costs between the electorate and Lord Howe Island shall not extend to the Member's approved relatives or staff employed by the Parliament.
5. 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.
6. All other travel costs associated with Members' staff travel may be met from this entitlement. Such travel shall be paid in accordance with the *Members' Staff Conditions of Employment – Determination of the Presiding Officers*.
7. All associated travel expenses for Members and Members' staff including registration costs for conferences, conventions, symposiums, forums or similar and associated accommodation and meal costs approved by the Parliament shall be met from this entitlement. Such costs shall however exclude professional development for Members, overseas travel, Electorate to Sydney travel and costs met from the Sydney Allowance.
8. 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 General Travel Allowance. 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*.

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9. The entitlement may not be used to meet or defray the cost of any individual, office holder or other party not included in these conditions.
10. Members should ensure that records are maintained that clearly document each occasion and the purpose of any travel met from this entitlement for stays 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.
11. A Member and his or her approved relatives may travel together or separately in connection with attendance at a function in the course of Parliamentary duties. Dependent children may only travel in the company of the Member or other approved relative.

6.5 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	463.55	Actual reasonable meal expenses
	Perth	441.55	
	Melbourne	441.55	
	Brisbane	433.55	
	Canberra	422.55	
	Adelaide	385.55	
	Hobart	371.55	
	Other areas	371.55	
Group 2	Darwin	440.85	Actual reasonable meal expenses
	Perth	398.85	
	Melbourne	381.85	
	Brisbane	410.85	
	Canberra	376.85	
	Adelaide	361.85	
	Hobart	329.85	
	Other areas	267.45	

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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 relatives 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 relatives.
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.

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6.6 Recognised Office Holder and Other Member Additional Entitlements

Additional loadings for Recognised Office Holders and Members listed below shall be as follows:

Table 11: Recognised Office Holder and Other Member Additional Entitlements		
Recognised Office Holder	General Travel Allowance Base Allocation	Communications Allowance Base Allocation
Presiding Officer	30%	55%(A) 175%(C)
Leader of the Opposition	20%(A)	140%(A) 175%(C)
Deputy Leader of the Opposition	10%	15%(C)
Whips		15%(C)
Party Leader (not less than 10 Members)	15%	
Deputy Party Leader (not less than 10 Members LA or 9 Members LC)	10%	
Leader of the National Party (in Opposition with not less than 10 Members in LA)	15%	15%

Carry over/forfeiture of entitlement

End of each financial year (within 4 year parliamentary term): Balance of loadings forfeited

End of parliamentary term/earlier dissolution of LA: Balance of loadings forfeited

Conditions

The following conditions shall apply in respect of this allowance:

1. Recognised Office Holders and Members referred to in *Table 11: Recognised Office Holder and Other Member Additional Entitlements* may receive this additional entitlement for only one office; that office being the office which attracts the greater level of entitlement.
2. These entitlements, as they apply to Recognised Office Holders, are to be available only for Recognised Office Holder duties.

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3. Where entitlements formerly provided for the Recognised Office Holder's approved relatives these have been included in the allocation.
4. Where an entitlement is followed by (A) or (C) it applies only to the Office Holder in either the Assembly or the Council.

6.7 Equipment, Services and Facilities

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

1. All Members shall receive at Parliament House, Sydney, a fitted out, equipped and maintained office, and secretarial services.
2. Each Member of the Legislative Assembly shall receive a fitted out, equipped and maintained Electorate Office to an appropriate standard. The Member for Barwon shall be provided with an additional two electorate offices (a total of three) and the 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 Each Member of the Legislative Assembly shall have three staff members employed at each electorate office. When a staff member is on annual recreation leave or other extended period of leave, relief arrangements can be used to fill one position when two staff members are absent for the same period.
 - 3.2 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.

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- 3.3 Each Member of the Legislative Council, who is not a Minister, and who is elected as a cross bench Member shall be entitled to two staff members.
- 3.4 Ministers shall receive a reasonable allocation of staff members.
- 3.5 The Whip of each recognised political party of not less than 10 Members to each be provided with one member of staff.
- 3.6 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: 31 May 2017

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Advice of the Secretary of NSW Treasury

The following comments on the Parliamentary Remuneration Tribunal's 2017 Determination are made pursuant to Section 12A of the *Parliamentary Remuneration Act 1989*.

Financial Impact of the 2017 Determination

Based on commencement from 1 July 2017, Members' entitlements are estimated to increase by \$6.1 million (or 24%) over the 2016 Determination, which is approximately \$5.5 million above the budgeted annual escalation.

I note that the increase in cost is primarily due to the abolishment of the Additional Temporary Staff budget allocation and its replacement with additional Electorate Office staff for Members of the Legislative Assembly.

I advise that the financial implications of the proposed variation in entitlements in the 2017 Determination cannot be managed within the Legislature's existing budget controls and escalation arrangements.



Rob Whitfield
Secretary

30 /May/2017