

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

by the

PARLIAMENTARY REMUNERATION TRIBUNAL

pursuant to the

Parliamentary Remuneration Act 1989

24 JUNE 2004

PARLIAMENTARY REMUNERATION ACT 1989
REPORT PURSUANT TO SECTION 13(1) OF THE ACT

1. INTRODUCTION

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

Section 13 (1) of the Act requires that the Tribunal make a report to the President of the Industrial Relations Commission of New South Wales for each Determination made by the Tribunal. The President is then required, as soon as practicable after receipt of the report, to forward it to the Minister (see section 13(2)).

On 1 April 2004 the Tribunal commenced proceedings in relation to the annual Determination required for the year 2004 by writing to all Members and inviting submissions. The Tribunal received submissions from the major political parties and some individual Members.

While there were a range of matters canvassed in the submissions the Tribunal does not intend to discuss all in their entirety. As has been the previous practice, the Tribunal has made changes to the Determination without the need for detailed separate reasons being provided. Such changes reflect, in general, minor wording changes to give greater consistency to the Determination.

The submissions have, however, also raised a number of substantive issues which, in the Tribunal's view, merit further consideration.

2. GENERAL MATTERS RAISED

Additional Entitlements for Shadow Ministers

The Tribunal has received representations from Members of the major Opposition Parties for the reinstatement of additional entitlements for Shadow Ministers.

The Tribunal first determined additional entitlements for Shadow Ministers (being a specific class of Member) in its 2000 Annual Report and Determination. The provision of these additional entitlements followed in the 2001 and 2002 determinations. In 2003, however, following the receipt of advice from the Crown Solicitor, the Tribunal withdrew the provision of additional entitlements for Shadow Ministers. As outlined in the 2003 Report and Determination:

"the Tribunal sought the advice of the Crown Solicitor on the Tribunal's authority to determine additional entitlements for Shadow Ministers and clarification of those sections of the Act which would allow or prevent the Tribunal from determining additional entitlements for Shadow Ministers. This was necessary to ascertain exactly what the Tribunal's statutory powers were in determining additional entitlements for Shadow Ministers.

On 16 October 2002 the Crown Solicitor noted that section 10A of the Act provided for additional entitlements to facilitate the efficient performance of parliamentary duties by Members and Recognised Office Holders.

The Crown Solicitor concluded that the Tribunal could not determine additional entitlements for Shadow Ministers as they were not recognised Office Holders for the purposes of the Act. He also advised that the Tribunal could not determine additional entitlements for Shadow Ministers as Members because the duties performed by Shadow Ministers are not the parliamentary duties ordinarily performed by Members.

He stated that the safest course of action in providing additional entitlements is to include the 'office' of Shadow Minister in Schedule 1 of the Act.

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, require sufficient resources and support.

The Tribunal notes that an amendment to the Act is required. The Tribunal notes that this is a matter for the Government and would recommend again that the Act be amended to allow for additional entitlements to be provided to Shadow Ministers.

Sydney Allowance

The Tribunal's 2003 annual review highlighted the need for a major review of the Sydney Allowance and its conditions of use. In its Report of 30 June 2003 the Tribunal noted that:

"It is clear to the Tribunal that the Sydney Allowance is in need of a fundamental review. All aspects of the Allowance require consideration from the quantum of the daily rate to whether the number of overnight stays - introduced in 1990 - need to be re-assessed in light of the work patterns of Members and Recognised Office Holders. The rules underpinning this entitlement will also need to be examined to ensure they are sufficient to meet the needs of Members and the Legislature. Finally, the Tribunal may also need to assess a definition of "principal place of residence" in connection with this entitlement."

Following the annual review the Tribunal wrote to the Premier on 3 October 2003 seeking a special reference to review the Sydney Allowance. The Premier, in his letter of 15 October 2003, agreed to the Tribunal's request and provided the Special Reference pursuant to section 12 of the Act.

The Tribunal wrote to those Members currently in receipt of the Sydney Allowance as well as the Presiding Officers and met with those who wished to discuss particular issues.

The Tribunal prepared a draft report and determination. On 8 April 2004 the Tribunal received a request from the Premier to defer the implementation of the Determination for a period of 12 months. The Premier has expressed his concern that with restrictions on expenditure being imposed in the public sector any potential increase in allowances to Members would run counter to the broad thrust of budget restraint.

The Tribunal considered the Premier's request carefully and agreed to defer making the determination for a period of 12 months. This means that the determination on the Sydney Allowance will not be made until March 2005. The Tribunal will write to Members nearer the time of the completion of this review to determine whether there are any additional matters to be put to the Tribunal for consideration.

Rulings of the Tribunal

One Member has requested that the Tribunal make a Ruling relating to the Member's use of particular additional entitlements. Section 17A of the Act provides that only the President of the Legislative Council or the Speaker of the Legislative Assembly may request the Tribunal to give a ruling on the interpretation or application of a determination. The Tribunal has not received a request from the Presiding Officers in relation to the matters raised by the Member in question.

The Parliament is responsible for the administration of additional entitlements in a manner consistent with the guidelines and general conditions outlined in the Tribunal's determination. It is the role of the Parliament to determine whether or not a Member should receive specific additional entitlements on a case by case basis, and based on the conditions determined by the Tribunal.

Publication of Members' Additional Entitlements

The Premier has written to the Tribunal referring to the recommendation made by the Auditor-General in his Report to Parliament 2004 (Volume One) that Members' expenditure be published.

The Auditor-General considers that the publication of individual Members' spending of each additional entitlement would increase transparency and accountability to the NSW public. He also recommends that the financial report should be tabled in the Parliament each year. The Tribunal has also received a submission, as part of the annual review process, in support of the Auditor General's proposed changes.

While the Auditor General's recommendation has merit the Tribunal notes that its determination already contains a significant amount of information to inform Members and the public on the range and level of additional entitlements available to Members of Parliament. The Logistic Support Allocation, Sydney Allowance and Electoral Allowance entitlements provide maximum amounts against which Members can expend.

In addition to the dollar value of these entitlements, the Determination provides definitions and guidelines to assist members in the use of these entitlements. Members may not exceed

these entitlements, and with the exception of the Electoral Allowance, are required to reimburse to the Parliament any unspent portion.

The Tribunal would support the Auditor General's recommendations but does not consider that it should make a determination on this issue at this time. At this stage it should be a matter for the Presiding Officers. The Tribunal is however, willing to further consider this issue during the 2005 annual review. Submissions outlining additional information or concerns from the Auditor General and Members would be welcome at that time.

Definitions

The Tribunal's determination does not prescribe a definition of spouse, de facto or approved relative in the context of additional entitlements. Members are currently entitled to use their Logistic Support Allocation to make appropriate travel arrangements for their spouse, de facto or approved relative. Any such travel must be undertaken in connection with a Members' parliamentary duties.

The Tribunal has become aware that inconsistencies exist between the definition of spouse, de facto or approved relative contained in guidelines provided by the Legislative Council and the Legislative Assembly. The Tribunal is concerned that these differences may lead to confusion or abuse of entitlements.

The Tribunal has examined the current definitions and has determined an appropriate definition for use in the context of Members' additional entitlements. That definition is included in the Determination.

REVIEW OF ADDITIONAL ENTITLEMENTS

Electoral Allowance

The Tribunal has received a number of submissions seeking adjustments to the Electoral Allowance in line with movements in the Consumer Price Index (CPI). This method is consistent with the Tribunal's approach to adjusting this allowance in recent years. For this review the Tribunal has considered movements in the CPI and other economic indicators and has determined that the Electoral Allowance will increase by 3 per cent.

Sydney Allowance

As previously discussed in the report, the Tribunal has undertaken a review of the Sydney Allowance. At the request of the Premier the Tribunal has deferred the making of the determination until March 2005. Prior to making its determination the Tribunal will again consider any matters relevant to the review. In the mean time the Tribunal will adjust the allowance in line with movements in the CPI and other economic indicators, i.e. 3 percent.

Logistic Support Allocation (LSA)

The Tribunal introduced the LSA in 2000 as a means of grouping a broad range of entitlements formerly available to Members in various forms. To simplify these entitlements the Tribunal determined a monetary value for each entitlement and grouped them into four broad areas of activity. Each Member was allocated an LSA account to which various expenditures incurred under the four broad areas would be debited.

LSA budgets were based on electorate Groupings for the Legislative Assembly and Zones for the Legislative Council. Budgets were based on actual expenditure figures obtained from the Legislature.

Members are given the flexibility to use the LSA to meet their particular needs in the performance of their parliamentary duties. Members are able to carry forward unspent entitlements and may manage the funds as they deem appropriate. Accountability and transparency in the use of the LSA are provided through the rules imposed by the Tribunal including an annual audit requirement.

A number of submissions again raise the issue of approved items which may be expended from the LSA. The Tribunal provides a list of items which may be funded from a Member's LSA which it does not intend to add to at this time. As outlined in the 2003 Determination, the Presiding Officers may exercise their discretion in permitting expenditure for items not on the "List".

Another submission seeks an increase in the communication non-electronic component of the LSA for Members of the Legislative Council to reflect increased postage costs and in recognition that these members are not eligible to receive the Electoral Mailout Account.

In the Tribunal's initial determination the communication – non-electronic component was, for the most part, based on the actual number of stamps Members' received. This allowance has increased steadily since that time as demonstrated in the following table:

	Communication – non-electronic	
	Legislative Assembly	Legislative Council
1999 Initial Determination	\$9,400	\$2,800
2000 Annual Determination	\$11,000	\$2,800
2001 Annual Determination	\$11,770	\$3,000
2002 Annual Determination	\$11,770	\$3,000
2003 Annual Determination	\$12,170	\$3,100

The cost of standard postage was increased by 5 cents or 11 percent in January 2002. As indicated above the Tribunal has provided an equivalent increase in the communication - non-electronic component of the LSA since the scheme was first introduced in 2000. The Tribunal does not consider that any further increase is warranted in the communication non-electronic component of the LSA.

The Tribunal provided an increase of 3.4 percent in the LSA for the 2003 annual review. On this occasion the Tribunal will adjust the allowance in line with movements in the CPI and other economic indicators, i.e. 3 percent.

Committee Allowance

The purpose of this Allowance is to remunerate Members servings as Chairpersons on Committees for the extra time and effort required to carry out this role. In previous Determinations this allowance has been increased in line with Members' salary increases.

Member's salaries were increased from 1 July 2003 by 4 percent. In accordance with normal practice, therefore, the Committee Allowance will be increased by 4 percent.

Reimbursement of Expenses for Charter Transport for Members of the Legislative Assembly

Electorate charter transport allowances for Members of the Legislative Assembly were reviewed in 2002 when the Tribunal provided for an increase of 15 percent. No further increase was provided in 2003. This year, in response to submissions received, the Tribunal has undertaken a review of these costs.

As part of this review, the Tribunal has undertaken a survey of fees charged by air charter transport operators. The results of the survey indicate that since 2002 fees have increased by approximately 8 percent. Air charter operators have attributed the increase to increased fuel, insurance and landing costs. Having regard to the above, the Tribunal has determined that an increase of 8 percent in the maximum amount reimbursable for charter transport for members of the Legislative Assembly. Actual amounts and conditions applying in respect of charter transport allowances are specified in the annual determination.

In addition, the Tribunal has considered a request to amend condition 5 of the Charter Transport Allowance guidelines. Currently, the Determination provides that where the only source of available charter transport is outside the boundaries of the electorate, the reasonable additional expenses consequently incurred may be included in the reimbursement available under this determination.

The Tribunal has now been advised that in certain circumstances, while charter transport services may exist within an eligible member's electorate, these may not necessarily be the most convenient for the eligible member to use.

The Tribunal considers that, especially in the larger rural electorates where members are often required to travel long distances, a members should be able to access their closest charter transport provider whether that be located inside or outside of their electorate. As such, the Tribunal has agreed to amend condition 5 of the Charter Transport Allowance to allow a member to use the closest charter transport provider to his/her electorate office or principal place of residence.

Travelling Allowances for Recognised Office Holders

The Tribunal has undertaken a review of the travelling allowances paid to Recognised Office Holders. The Tribunal's Determination is based on those rates provided to NSW Public Servants and those deemed "reasonable" by the Australian Taxation Office (ATO). In both the NSW Public Sector and ATO guidelines, travel allowances are differentiated on the basis of destination and salary level of officer.

In previous determinations the Tribunal has classified Recognised Office Holders into one of three groups for the purpose of providing travelling allowances. These groupings have been amended to ensure compatibility with guidelines applicable in the NSW Public Sector. Based on those guidelines, Recognised Office Holders and all Members fall within either Group One or Group Two for the purpose of determining allowances for travel. The Tribunal has made an appropriate adjustment to reflect these changes.

In addition, the Tribunal has included a number of Recognised Office Holders not previously listed in the Tribunal's determination. The list of Recognised Office Holders eligible to receive travelling allowances now reflects those Recognised Office Holders listed in Schedule 1 of the Act.

Recognised Office Holder and Other Member Entitlements

The Tribunal has received a number of submissions seeking changes to the additional allowances for recognised office holders and other member entitlements. These allowances are expressed as a percentage of each of the four components of the LSA and were originally calculated on the basis of actual additional entitlements provided to the various office holders i.e., number of stamps in addition to those provided to an ordinary member.

The Tribunal has made a small adjustment to the printing, stationery and office supplies component for a Party Leader (not less than 10 Members). This allowance has been increased from 20 percent to 40 percent to bring it in line with allowances provided to other equivalent office holders.

While the Tribunal has been asked to adjust these additional allowances for other recognised office holders, it has not received any details of additional costs incurred or any rationale to warrant such increases. In light of this the Tribunal has determined no further adjustments are to be made to these allowances at this time.

3. SUMMARY OF 2004 DETERMINATION

Electoral Allowance	3 percent increase
Sydney Allowance	3 percent increase
Logistic Support Allocation	3 percent increase
Electorate Mailout Account	No increase
Committee Allowance	4 percent increase
Electorate Charter Allowance	8 percent increase
Travel Allowances	Increase generally to public sector rates.

Dated this 24th day of June 2004

The Honourable Justice R Boland

THE PARLIAMENTARY REMUNERATION TRIBUNAL

THE DETERMINATION OF THE PARLIAMENTARY REMUNERATION TRIBUNAL

THE DETERMINATION

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

With effect on and from 1 July 2004, 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 2004.

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.

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

"Electoral groups" are the groups of electorates specified in Schedule 1.

For the purpose of the Additional Entitlements Account for Members of the Legislative Council, "Zones" shall be those areas described in Schedule 2A.

"Approved relative" is a person who meets one of the following criteria;

- Wife or husband of the member. If a member has a spouse no other person may be nominated to use this entitlement.

- De facto spouse or partner who is living with a member in a bona fide domestic relationship.

- 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.

GUIDELINES AND GENERAL CONDITIONS REGARDING ADDITIONAL ENTITLEMENTS FOR MEMBERS IN CONNECTION WITH PARLIAMENTARY DUTIES.

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.

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 an electioneering or political campaigning nature.
 - 1.1.2 Performing electorate work for a Member's electorate and participation in official and community activities to which the Member is invited because of the Member's status as a Parliamentary representative.
 - 1.1.3 Attending and participating in sessions of Parliament.
 - 1.1.4 Participation in the activities of Parliamentary committees.
 - 1.1.5 Attending Vice-Regal, Parliamentary and State ceremonial functions.
 - 1.1.6 Attending State, Commonwealth and Local Government functions.

- 1.1.7 Attending official functions to which a Member is invited because of the Member's status as a Parliamentary representative, eg. 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 as well as activities outside Australia organised by the Commonwealth Parliamentary Association provided such activities arise directly from Membership of the New South Wales Branch and officially endorsed by the Branch (exclusive of air travel).
 - 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. Such written approval shall be forwarded to the Tribunal.
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 *Parliamentary 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 fund raising for other party political Members (such as the purchase of raffle tickets, raffle prizes or tickets to attend functions, etc); and
 - 2.2.5 costs previously borne by political parties which are not principally related to a Member's Parliamentary or electorate duties.
 - 2.3 The electorate office provided for a Member of the Legislative Assembly is not to be used as an election campaign office.
3. The Tribunal sets out the following additional and general guidelines:
- 3.1 Some intermingling of a Member's Parliamentary duties and private activities is in practical terms not always easily avoided, but the onus is always on the Member to show that any expenditure or any claim for reimbursement relates to Parliamentary duties, or to the Parliamentary duties component of costs incurred for intermingled Parliamentary duties and private purposes.
 - 3.2 In the case of electorate work, any activities within the electorate, and in respect of which a Member's involvement may reasonably be regarded as deriving from the Member's status as the Parliamentary representative for the electorate, should be treated as Parliamentary duties.
 - 3.3 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.

- 3.4 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. Conditions

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

1. All procurement by Members will be in accordance with the Parliament's purchasing policies.
2. Members must ensure that they have sufficient funds to meet the costs associated with their Parliamentary duties.
3. Each Member shall have, in addition to payments of the Electoral and Sydney Allowance, an account entitled the "Logistic Support Allocation" which shall cover expenditure in the areas of transport (excepting for electorate to Sydney travel), communications, printing and stationery and office supplies.
4. The Logistic Support Allocation shall be established and maintained by the Clerks of the Parliament. Members should be advised by the Clerks each month as to the balance of their Logistic Support Allocation
5. The funds in the Logistic Support Allocation shall only be used by the Member to carry out the purpose for which the allowance is established, but otherwise may, subject to these conditions, manage the funds as he/she thinks appropriate.
6. Nothing shall prevent the use of the Electoral Allowance for legitimate electorate expenses which might also fall within the categories of expenses covered by the Logistic Support Allocation.
7. All accounts and Members' claims must be submitted to the Legislature for payment within 60 days of receipt or occurrence of the expense.
8. 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.

9. 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).
10. The various allowances determined here, as well as the Logistic Support Allocation are for the sole use of the Member and are not to be transferred to other persons or organizations including Members. The Member may use his/her entitlements to meet official costs of the approved relative and/or staff employed by the Parliament when that expenditure is in connection with official Parliamentary duties.
11. 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.

ADDITIONAL ENTITLEMENTS IN THE NATURE OF ALLOWANCES

1. Electoral Allowance

Purpose and Operation of the Provision

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

Entitlement

The allowances shall be paid as follows:

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

Electorate Group	Allowance
Group 1	\$34,735
Group 2	\$40,680
Group 3	\$47,940
Group 4	\$52,335
Group 5	\$55,670
Group 6	\$61,030
Group 7	\$64,075
Group 8	\$71,375

- c. The electoral allowance for each Member of the Legislative Council shall be \$40,680 per annum.

2. Sydney Allowance

Purpose and Operation of the Provisions

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

For the purpose of this allowance the non-metropolitan electorates (Electorate Groups 2-8) have been divided into two categories based on distance from Sydney. Members whose principal place of residence is in either Category 1 or Category 2 electorates, as specified in Schedule 2, are eligible to receive the Sydney allowance.

Entitlement

The daily rate (including the number of overnight stays) and the annual amount for the Sydney allowance for categories 1 and 2 shall be in accordance with Table 1 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 conditions 3 and 4.

TABLE 1

	Residence	Daily Rate			Annual amount
		Overnight Stays p.a.	Overnight in Sydney	In Transit to and from Sydney	
Minister, Speaker, President, Leader of the Opposition (Assembly and Council), Leader of Third Party in Assembly with not less than 10 Members.	Category 1 or 2	140	180	139	\$25,200
Deputy Speaker, Chairman of Committees in the Legislative Assembly and Chairman of Committees in the Legislative Council.	Category 1 or 2	120	180	139	\$21,600
Parliamentary Secretary/	Category 1	90	180	139	\$16,200
	Category 2	120	180	139	\$21,600
Other Assembly/Council Members	Category 1	90	180	139	\$16,200
	Category 2	120	180	139	\$21,600

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.

2. Where a Member chooses to receive the daily rate of allowance the Member shall receive the overnight daily rate as specified in Table 1 at the 'Sydney' or the 'transit to and from Sydney' rate as applicable. The Member is entitled to the number of overnight stays per annum specified in Table 1 without the need to substantiate to the Parliament expenses up to the daily rate.
3. Where the reasonable daily costs exceed the daily rate, full substantiation of daily costs will be required (including tax invoices/receipts).
4. Where the number of overnight stays is exceeded, documentary evidence of each overnight stay will be required.
5. When in receipt of the annual allowance Members are required to certify 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 1.
6. Members will need to maintain records or other relevant evidence that clearly document the occasions they stayed in Sydney in connection with their Parliamentary duties. Such documentation could include airline boarding passes for arrival and departure from Sydney or any other documentary evidence of having travelled and stayed in Sydney in connection with Parliamentary duties.
7. Members in receipt of the annual amount will be required to return to Parliament the unspent portion of the Allowance for re-credit of the Consolidated Fund.
8. Members are not to claim the Sydney Allowance if they stay in Government owned or funded accommodation including Parliament House.

3. Committee Allowances

Purpose and Operation of the Provision

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

Entitlement

The allowances shall be paid as follows:

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 \$139.00 for each day upon which they attend a meeting or an official visit of inspection if that day is one upon which the Legislative Council (so far as a Member of the Council is concerned) or the Legislative Assembly (so far as a Member of the Assembly is concerned) is not sitting. This allowance is not payable to Chairpersons in receipt of a salary of office as specified in Schedule 1 of the Parliamentary Remuneration Act 1989.

Members of the Public Accounts Committee, other than the Chairperson, shall each receive a committee allowance of \$3,170 per annum.

ADDITIONAL ENTITLEMENTS IN THE NATURE OF FIXED ALLOCATIONS

1. Electorate to Sydney Travel

Purpose and Operation of the Provisions

Members of the Legislative Assembly who reside in electorate groups 2 to 8 and Members of the Legislative Council who reside in zones 2 or 3 qualify for return air travel warrants between their electorates/zones and Sydney.

These entitlements are provided for the performance of Parliamentary duties.

All eligible Members shall receive one hundred and four (104) single economy class journeys per annum between electorate/zone and Sydney.

Where eligible, each of the below mentioned recognised office holders shall be entitled to the following additional electorate to Sydney travel entitlements per annum.

Entitlement

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
Chairman of Committees Legislative Assembly and Legislative Council	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

1. All electorate to Sydney travel and return is restricted to economy class.
2. Warrants may be used to meet the cost of using a private motor vehicle or rental vehicle in lieu of electorate to Sydney air travel. The amount to be reimbursed for this purpose is not to exceed the commercial airfare for an equivalent distance flight.
3. A minimum of one warrant is required to be surrendered for each single journey; a return trip will require the surrender of at least two warrants.
4. Warrants are not transferable between Members, or approved relatives, or Members' staff.
5. Where the Determination refers to warrants, the expression is intended to include a reference to the existing system for electorate to Sydney travel used for the Legislative Council.
6. Members may use electorate to Sydney warrants to defray part of the cost of intrastate and interstate Parliamentary travel when such travel is via Sydney.
7. 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 warrants based on the equivalent commercial cost of each person travelling are surrendered. The cost of Member's approved relative travelling on the charter is to be met from the Member's Logistic Support Allocation. It is a condition of all air transport charters that the Member responsible for organising the charter obtain a passenger manifest from the charter operator and attach it to the invoice when it is sent for payment.
8. A Member's air transport bookings for Parliamentary duties are to be made through the booking agent nominated in the NSW government travel contract, for all types of transport covered by the contract. Should the official NSW government travel booking agent not offer a booking service required by a Member for Parliamentary

duties, the Member's transport bookings for that service may be made directly with the transport provider.

9. 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 is to be supplied to the Parliament's administration. When travelling by commercial air flights, copies of airline boarding passes are to be supplied to the Parliament when issued for arrival and departure from Sydney.

10.2. Logistic Support Allocation

Purpose and Operation of the Provision

The Clerks of the Parliament will establish a Logistic Support Allocation Account for each Member. Each Member's Logistic Support Allocation Account may be applied for the following purposes:

- ❖ All interstate and intrastate transport for Parliamentary business (any mode) excepting electorate to Sydney travel
- ❖ Taxi travel
- ❖ Staff travel costs (training excluded)
- ❖ Airport parking
- ❖ Transport expenses for Members' approved relative
- ❖ Home telephone, facsimile and internet call charges for official business
- ❖ Mobile telephone call charges and network access fees
- ❖ Mail distribution and postal delivery services
- ❖ Post Office box rental
- ❖ Fax Post, Express Post and Lettergram services
- ❖ Postage stamps
- ❖ All stationery costs
- ❖ Courier and freight charges for delivery of stationery or equipment to electorate or home office
- ❖ Costs associated with photocopying
- ❖ Printing (both Parliament House and external providers)
- ❖ Publication services at Parliament House
- ❖ Developing and hosting a web page for individual Member
- ❖ Office equipment purchases up to \$2,500 (excluding GST)
- ❖ Any maintenance charges relating to minor equipment purchases
- ❖ Computer software
- ❖ Computer hardware and peripheral devices not exceeding \$4,999

It is intended that the above list be used as a guide as to the types of items Members can spend against their Logistic Support Allocation. The Presiding Officers may exercise their discretion in permitting expenditure for items not on the "List". There must be sufficient funds in the Member' Logistic Support Allocation, the items must not duplicate services already provided to Members by the Parliament and the expenditure must be consistent with the guidelines and general conditions in this Determination.

Entitlement

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

<u>Electorate Group</u>	<u>Entitlement</u>
Group 1	\$26,985
Group 2	\$30,255
Group 3	\$32,385
Group 4	\$32,385
Group 5	\$32,385
Group 6	\$32,385
Group 7	\$34,515
Group 8	\$34,515

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

<u>Zone</u>	<u>Entitlement</u>
Zone 1 Electorates	\$18,220
Zone 2 Electorates	\$18,785
Zone 3 Electorates	\$28,025

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

General Conditions

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

1. Subject to these conditions, each Member shall determine at his/her own discretion the use of the funds within this Account for the purpose and operations specified above.
2. It is the primary responsibility of Members to ensure that they manage their Logistic Support Allocation Account to ensure that they do not over-expend their budgets. No supplementation of this Allocation will be allowed by the Tribunal. However, the Logistic Support Allocation is not intended to restrict the proper use of the electoral allowance, which may be used to meet any expense referred to in the 'purpose and operations' section of this clause.
3. Members may not use their Logistic Support Allocation to procure goods or services to be used for electioneering purposes or political campaigning.
4. Any unused funds remaining in the Member's account at the end of the financial year within the four year Parliamentary term shall be carried over to the following financial year. At the end of each 4 year Parliamentary term or the earlier dissolution of the Legislative Assembly, any balance remaining in the Member's account is to be relinquished to the Consolidated Fund.
5. Accounts will be paid either directly by the Parliament and debited to a Member's account or paid in the first instance by the Member who would then seek reimbursement from the Parliament.
6. Members must personally authorise expenditure from their Logistic Support Allocation. Whilst, subject to the further conditions, Members may determine at their discretion the use of the funds available for any purpose and operation specified in this clause, the following table outlines the basis upon which the Tribunal has established the quantum of the account for future assessment. The table shall be used for the

future assessment of the Allocation and for particular purposes such as the calculation of additional entitlements for Recognised Office Holders.

Electorate Group or Zone	Transport	Communication –electronic	Communication –non- electronic	Printing and Stationery and Office Supplies	Total Logistic Support Allowance
Legislative Assembly					
Group 1	\$4,260	\$3,420	\$12,535	\$6,770	\$26,985
Group 2	\$6,390	\$4,560	\$12,535	\$6,770	\$30,255
Group 3	\$8,520	\$4,560	\$12,535	\$6,770	\$32,385
Group 4	\$8,520	\$4,560	\$12,535	\$6,770	\$32,385
Group 5	\$8,520	\$4,560	\$12,535	\$6,770	\$32,385
Group 6	\$8,520	\$4,560	\$12,535	\$6,770	\$32,385
Group 7	\$10,650	\$4,560	\$12,535	\$6,770	\$34,515
Group 8	\$10,650	\$4,560	\$12,535	\$6,770	\$34,515
Legislative Council					
Zone 1 Electorates	\$4,260	\$3,995	\$3,195	\$6,770	\$18,220
Zone 2 Electorates	\$4,260	\$4,560	\$3,195	\$6,770	\$18,785
Zone 3 Electorates	\$10,650	\$7,410	\$3,195	\$6,770	\$28,025

Particular Conditions.

Transport (Other than Electorate or Electorate to Sydney transport)

1. A Member may use any form of transport within Australia subject to the requirement that the transport was used for Parliamentary or electorate duties and that the cost was reasonable.
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.
3. All transport costs associated with approved relative or Members' staff travel (excluding travel costs associated with staff training) are to be provided from the Logistic Support Allocation Account. Staff training costs are to be met by the Legislature.
4. Members and their approved relatives, when travelling in connection with their Parliamentary duties, may claim reasonable actual accommodation and meal expenses from the Members' Logistic Support Allocation. The reimbursement of these expenses may not exceed the travel allowance rates as determined for Group 2 in Table 2 hereunder. Staff employed by the Parliament who travel with their Member or separately for Parliamentary business purposes may be paid travel allowances in accordance with appropriate Public Service Award conditions.
5. A Member and his or her approved relative may travel together or separately in connection with attendance at a function in the course of Parliamentary duties.
6. A Member, his or her approved relative and staff employed by the Parliament may use taxis or hire cars for Parliamentary duties.
7. A Member's air transport bookings for Parliamentary duties are to be made through the booking agent nominated in the NSW government travel contract, for all types of transport covered by the contract. Should the official NSW government travel

booking agent not offer a booking service required by a Member for Parliamentary duties, the Member's transport bookings for that service may be made directly with the transport provider.

8. Members should ensure that records are maintained that clearly document the occasions that staff employed by the Parliament stayed in Sydney or other locations when travelling in connection with the Member's Parliamentary duties. Such documentation may include airline boarding passes for arrival and departure or other documentary evidence of having travelled and stayed in accommodation.
9. A Member may use charter transport in connection with Parliamentary duties, but only within the limits of the Member's individual Logistic Support Allocation. No passenger, except the Member's approved relative and staff employed by the Parliament accompanying the Member on Parliamentary duties, may be carried at the cost of the Member's Logistic Support Allocation entitlement. Where more than one Member is travelling on the air charter, the total air charter costs should be shared equally between the Members travelling.
10. It is a condition of all air transport charters that the Member responsible for organising the charter obtain a passenger manifest from the charter operator and attach it to the invoice when it is submitted for payment to the Legislature.
11. Members together with their approved relative will need to maintain records or other relevant evidence that clearly document the occasions they travelled in connection with their Parliamentary duties. A copy of this documentation is to be supplied to the Parliament's administration. When travelling by commercial air flights, copies of boarding passes are also to be supplied.

Communication – electronic

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

2. The Parliamentary business use component of the following telecommunication services are eligible for reimbursement:
 - Directory assistance charges (only applies to business lines)
 - Call connect charges (extension of directory assistance)
 - Messagebank
 - Call waiting
 - Call forwarding/diversion
 - Last unanswered call recall
 - Telephone directory charges for home telephone listings (which are in addition to standard free entry)

3. The following Recognised Office Holders shall be entitled to 100 per cent reimbursement for electronic-communication costs including overseas calls for Parliamentary business.
 - Ministers
 - Presiding Officers
 - Leader of the Opposition (Assembly and Council)
 - Leader of a Party not less than 10 Members in the Legislative Assembly
 - Chairman of Committees (Assembly and Council)

- Deputy Speaker
 - Deputy Leader of the Opposition (Assembly and Council)
 - Deputy Leader of a Party with not less than 10 Members in the Legislative Assembly
 - Parliamentary Secretaries (Assembly and Council)
 - Government and Opposition Whips (Assembly and Council)
 - Whip of a third party with not less than 10 Members (Legislative Assembly)
 - Deputy Whips (Legislative Assembly).
4. A fax line installed at Legislative Council Members' home offices continue to be reimbursed at the rate of 100 per cent.
 5. Call charges pertaining to a data line installed at Legislative Council Members' home offices be reimbursed at the rate of 100 per cent subject to the line being used for Parliamentary duties.
 6. Members will be required to meet the cost of all overseas calls, other charged information/service calls, reverse charge calls and home-link and Telecard calls.
 7. Accounts will be paid either directly by the Parliament and debited to a Member's account or paid in the first instance by the Member who would then seek reimbursement from the Parliament.

Communication - non-electronic

Members are permitted to purchase postage stamps or other mail distribution and delivery services and make arrangements for payment direct by the Parliament or obtain reimbursement by providing substantiation in accordance with the requirements of the Parliament's administration.

Printing, Stationery and Office Supplies

1. Members may only use the printing, stationery and office supplies entitlement for Parliamentary duties.

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

3. Electorate Mailout Account

Each Member of the Legislative Assembly will be provided with an amount as specified in Schedule 4 for the specific purpose of preparing and distributing letters/newsletters to each constituent in his/her electorate. Members are provided with an annual amount to fund the cost of issuing such letters/newsletters on two occasions each year.

Conditions

1. The Electorate Mailout Account shall be established and maintained by the Clerk of the Legislative Assembly. Members should be advised by the Clerk each month as to the balance of their Account.
2. Members are to fund the cost of preparing, printing and posting letters/Newsletters to each constituent in his/her electorate and for no other purpose.
3. All procurement by Members will be in accordance with the Parliament's purchasing policies.
4. No supplementation to the allocation will be considered. Any additional costs are to be met from the Member's Logistic Support Allocation.
5. Unused funds are to be returned to the Consolidated Fund at the end of each financial year.
6. All accounts must be submitted to the Legislature for payment within 60 days of receipt.

4. Electorate Charter Transport for Members of the Legislative Assembly

Purpose and operation of the provision

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

Entitlement

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

<u>Electorates</u>	<u>Entitlement</u>
Group 8	\$21,080
Group 7	\$13,980
Group 6	\$11,400
Group 5	\$6,980

Conditions

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

1. This Allowance shall only be used in connection with Parliamentary duties within the Member's electorate and shall not be used during election campaigns or for other electioneering or party political activities.
2. Only the cost of the Member's approved relative or Member of staff accompanying the Member may be met from this Allowance.
3. It is a condition of all air transport charters that the Member responsible for organising the charter obtain a passenger manifest from the charter operator and attach it to the invoice when it is submitted for payment to the Legislature.

4. **Members are to meet the cost of the air charter and seek reimbursement from the Financial Controller with appropriate certification as to the purpose of the charter.**
5. **The charter transport shall only be used within and for the service of the Member's electorate. Where the closest source of available charter transport to the Member's electorate, electorate office or principal place of residence is outside the boundaries of the electorate, the reasonable additional expenses consequent incurred may be included in the reimbursement available under this Determination.**
6. **These additional entitlements shall be audited annually for compliance. In addition to any internal audit conducted by the Parliament, Members' additional entitlements shall be the subject of an external audit conducted by the Auditor-General of NSW. The cost of any auditing shall be met by the Parliament. Members should ensure they maintain appropriate records of expenditure.**

5. Travelling Allowances for Recognised Office Holders

Table 2 – Indicative Upper Limits for Travel Expenditure

Office Holders	Capital Cities		Other Areas	Where no overnight stay is required
	Melbourne, Perth, Brisbane	Adelaide, Canberra, Darwin, Hobart		
Group 1	\$369.15	\$299.15	\$195.60	Actual reasonable meal expenses
Group 2	\$273.15	\$248.15	\$170.60	Actual reasonable meal expenses

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

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

Group 2

Deputy Leader of the Opposition in the Legislative Council,

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.

The following conditions shall apply in respect of this allowance:

1. 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 2.
2. 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.
3. A Recognised Office Holder whose approved relative accompanies him or her to a State or other official function and who consequently incurs expenses in respect of meals and accommodation exceeding the allowance to which he or she is entitled, shall be entitled to be reimbursed the additional expenses associated with the approved relative.
4. 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.

6. Equipment, Services and Facilities

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

1. All Members shall receive at the 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 Murray-Darling is to be provided with an additional electorate office.
3. Each Member shall be supplied equipment and ancillary services in the Member's private residence (or if the Member has more than one private residence then in the Member's principal private residence) including a telephone and a facsimile machine, for the performance by the Member of Parliamentary duties.
4. Each Member shall receive portable equipment to supplement the provision of equipment as referred to in clauses 1, 2 and 3 above, except where such equipment is already provided by the Executive Government. This portable equipment shall include, but is not limited to, a mobile telephone and a notebook computer.
5. Each Member of the Legislative Council shall have a separate facsimile line installed in their home in addition to a separate data line installed to provide access to the Parliament's secure computer network.
6. The Presiding Officers are to provide administrative support to each Member in accordance with the following:
 - i. Subject to (ii), each Member of the Legislative Assembly shall have two staff Members employed at each electoral office.

- ii. Each Member of the Legislative Assembly elected as an Independent shall have an additional staff Member employed at his/her electoral office.
- iii. 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.
- iv. 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.
- v. Ministers shall receive a reasonable allocation of staff Members.
- vi. 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 Occupational Health and Safety Act 2000.

Dated this 24th day of June 2004.

The Honourable Justice R Boland

THE PARLIAMENTARY REMUNERATION TRIBUNAL

ELECTORAL GROUPS**SCHEDULE 1**

Group 1 Electorates		
1. Auburn	17. Granville	33. North Shore
2. Bankstown	18. Heffron	34. Parramatta
3. Baulkham Hills	19. Hornsby	35. Penrith
4. Blacktown	20. Kogarah	36. Pittwater
5. Bligh	21. Ku-ring- gai	37. Port Jackson
6. Cabramatta	22. Lakemba	38. Riverstone
7. Campbelltown	23. Lane Cove	39. Rockdale
8. Canterbury	24. Liverpool	40. Ryde
9. Coogee	25. Macquarie Fields	41. Smithfield
10. Cronulla	26. Manly	42. Strathfield
11. Davidson	27. Maroubra	43. The Hills
12. Drummoyne	28. Marrickville	44. Vacluse
13. East Hills	29. Menai	45. Wakehurst
14. Epping	30. Miranda	46. Wentworthville
15. Fairfield	31. Mount Druitt	47. Willoughby
16. Georges River	32. Mulgoa	
Group 2 Electorates		
1. Blue Mountains	7. Illawarra	13. Peats
2. Camden	8. Keira	14. Swansea
3. Charlestown	9. Kiama	15. The Entrance
4. Gosford	10. Lake Macquarie	16. Wallsend
5. Hawkesbury	11. Londonderry	17. Wollongong
6. Heathcote	12. Newcastle	18. Wyong

SCHEDULE 1

Group 3 Electorates		
1. Ballina	5. Myall Lakes	8. South Coast
2. Cessnock	6. Port Macquarie	9. Southern Highlands
3. Coffs Harbour	7. Port Stephens	10. Tweed
4. Maitland		
Group 4 Electorates		
1. Albury	4. Dubbo	7. Oxley
2. Bathurst	5. Lismore	8. Tamworth
3. Bega	6. Orange	9. Wagga Wagga
Group 5 Electorates		
1. Burrinjuck		
2. Clarence		
3. Monaro		
4. Northern Tablelands		
Group 6 Electorates		
1. Lachlan		
2. Murrumbidgee		
3. Upper Hunter		
Group 7 Electorates		
Barwon		
Group 8 Electorates		
Murray-Darling		

SYDNEY ALLOWANCE GROUPINGS**SCHEDULE 2**

Category 1		
1. Blue Mountains	7. Heathcote	13. Newcastle
2. Camden	8. Illawarra	14. Poats
3. Campbelltown	9. Keira	15. Swansea
4. Charlestown	10. Kiama	16. The Entrance
5. Gosford	11. Lake Macquarie	17. Wallsend
6. Hawkesbury	12. Londonderry	18. Wollongong
		19. Wyong

Category 2		
1. Albury	11. Lachlan	20. Oxley
2. Ballina	12. Lismore	21. Port Macquarie
3. Barwon	13. Maitland	22. Port Stephens
4. Bathurst	14. Monaro	23. South Coast
5. Burrinjuck	15. Murray-Darling	24. Southern
6. Bega	16. Murrumbidgee	Highlands
7. Cessnock	17. Myall Lakes	25. Tamworth
8. Clarence	18. Northern	26. Tweed
9. Coffs Harbour	Tablelands	27. Upper Hunter
10. Dubbo	19. Orange	28. Wagga Wagga

LEGISLATIVE COUNCIL ZONES**SCHEDULE 2A**

Zone 1 Electorates		
1. Auburn	17. Granville	33. North Shore
2. Bankstown	18. Heffron	34. Parramatta
3. Baulkham Hills	19. Hornsby	35. Penrith
4. Blacktown	20. Kogarah	36. Pittwater
5. Bligh	21. Ku-ring- gai	37. Port Jackson
6. Cabramatta	22. Lakemba	38. Riverstone
7. Campbelltown	23. Lane Cove	39. Rockdale
8. Canterbury	24. Liverpool	40. Ryde
9. Coogee	25. Macquarie Fields	41. Smithfield
10. Cronulla	26. Manly	42. Strathfield
11. Davidson	27. Maroubra	43. The Hills
12. Drummoyne	28. Marrickville	44. Vacluse
13. East Hills	29. Menai	45. Wakehurst
14. Epping	30. Miranda	46. Wentworthville
15. Fairfield	31. Mount Drutt	47. Willoughby
16. Georges River	32. Mulgoa	
Zone 2 Electorates		
1. Blue Mountains	7. Illawarra	13. Peats
2. Camden	8. Keira	14. Swansea
3. Charlestown	9. Kiama	15. The Entrance
4. Gosford	10. Lake Macquarie	16. Wallsend
5. Hawkesbury	11. Londonderry	17. Wollongong
6. Heathcote	12. Newcastle	18. Wyong

LEGISLATIVE COUNCIL ZONES**SCHEDULE 2A**

Zone 3 Electorates		
1. Albury	11. Lachlan	21. Port Macquarie
2. Ballina	12. Lismore	22. Port Stephens
3. Barwon	13. Maitland	23. South Coast
4. Bathurst	14. Monaro	24. Southern Highlands
5. Bega	15. Murrumbidgee	25. Tamworth
6. Berrinjuck	16. Murray-Darling	26. Tweed
7. Cessnock	17. Myall Lakes	27. Upper Hunter
8. Clarence	18. Northern Tablelands	28. Wagga Wagga
9. Coffs Harbour	19. Orange	
10. Dubbo	20. Oxley	

**RECOGNISED OFFICE HOLDER AND
OTHER MEMBER ENTITLEMENTS**

SCHEDULE 3

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

Recognised Office Holders and Members referred to in schedule 3 may only receive additional entitlements for one office; that office being the office which attracts the greater level of entitlement.

Where entitlements formerly provided for the recognised office holder's approved relative these have been included in the allocation.

Where an entitlement is followed by (A) or (C) it applied only to the office holder in either the Assembly or the Council.

ELECTORATE MAILOUT ACCOUNT

SCHEDULE 4

ELECTORAL DISTRICT	CURRENT ENROLMENT (4 May 2006). As provided by the State Electoral Office	ANNUAL ENTILEMENT
1. ALBURY	43,037	\$55,948
2. AUBURN	47,236	\$61,407
3. BALLINA	46,174	\$60,026
4. BANKSTOWN	44,827	\$58,275
5. BARWON	41,144	\$53,487
6. BATHURST	44,563	\$57,932
7. BAULKHAM HILLS	45,915	\$59,690
8. BEGA	49,139	\$63,881
9. BLACKTOWN	46,478	\$60,421
10. BLIGH	48,580	\$63,154
11. BLUE MOUNTAINS	46,131	\$59,970
12. BURRINUCK	44,316	\$57,611
13. CABRAMATTA	43,622	\$56,709
14. CAMDEN	55,548	\$72,212
15. CAMPBELLTOWN	43,857	\$57,014
16. CANTERBURY	44,221	\$57,487
17. CESSNOCK	44,996	\$58,495
18. CHARLESTOWN	44,524	\$57,881
19. CLARENCE	43,942	\$57,125
20. COFFS HARBOUR	46,120	\$59,956
21. COOGEE	41,817	\$54,362
22. CRONULLA	43,989	\$57,186
23. DAVIDSON	44,858	\$58,315
24. DRUMMOYNE	48,811	\$63,454
25. DUBBO	43,450	\$56,485
26. EAST HILLS	44,351	\$57,656
27. EPPING	44,766	\$58,196
28. FAIRFIELD	44,586	\$57,962
29. GEORGES RIVER	46,117	\$59,952
30. GOSFORD	48,791	\$63,428
31. GRANVILLE	43,400	\$56,420
32. HAWKESBURY	49,488	\$64,334
33. HEATHCOTE	45,174	\$58,726
34. HEFFRON	44,903	\$58,374
35. HORNSBY	46,809	\$60,852
36. ILLAWARRA	46,225	\$60,093
37. KEIRA	43,612	\$56,696
38. KIAMA	49,063	\$63,782
39. KOGARAH	45,087	\$58,613
40. KU-RING-GAI	44,403	\$57,724
41. LACHLAN	44,427	\$57,755
42. LAKE MACQUARIE	47,040	\$61,152
43. LAKEMBA	42,633	\$55,423
44. LANE COVE	44,511	\$57,864
45. LISMORE	42,762	\$55,591
46. LIVERPOOL	48,015	\$62,420
47. LONDONDERRY	43,845	\$56,999
48. MACQUARIE FIELDS	55,571	\$72,242

ELECTORATE MAILOUT ACCOUNT

SCHEDULE 4

ELECTORAL DISTRICT	CURRENT ENROLMENT (4 May 2004). As provided by the State Electoral Office	ANNUAL ENTITLEMENT
49. MAITLAND	51,503	\$66,954
50. MANLY	43,352	\$56,358
51. MAROUBRA	43,409	\$56,432
52. MARRICKVILLE	44,816	\$58,261
53. MENAI	48,275	\$62,758
54. MIRANDA	43,190	\$56,147
55. MONARO	47,331	\$61,530
56. MOUNT DRUITT	45,602	\$59,283
57. MULGOA	48,767	\$63,397
58. MURRAY-DARLING	40,397	\$52,516
59. MURRUMBIDGEE	43,639	\$56,731
60. MYALL LAKES	47,975	\$62,368
61. NEWCASTLE	44,970	\$58,461
62. NORTH SHORE	44,873	\$58,335
63. NORTHERN TABLELANDS	43,063	\$55,982
64. ORANGE	44,662	\$58,061
65. OXLEY	44,999	\$58,499
66. PARRAMATTA	45,330	\$58,929
67. PEATS	44,930	\$58,409
68. PENRITH	43,976	\$57,169
69. PITTWATER	45,447	\$59,081
70. PORT JACKSON	52,949	\$68,834
71. PORT MACQUARIE	48,352	\$62,858
72. PORT STEPHENS	47,692	\$62,000
73. RIVERSTONE	53,853	\$70,009
74. ROCKDALE	43,666	\$56,766
75. RYDE	45,229	\$58,798
76. SMITHFIELD	46,431	\$60,360
77. SOUTH COAST	49,251	\$64,026
78. SOUTHERN HIGHLANDS	47,951	\$62,336
79. STRATHFIELD	46,475	\$60,418
80. SWANSEA	47,559	\$61,827
81. TAMWORTH	44,686	\$58,092
82. THE ENTRANCE	45,654	\$59,350
83. THE HILLS	57,387	\$74,603
84. TWEED	50,644	\$65,837
85. UPPER HUNTER	42,255	\$54,932
86. VAUCLUSE	41,723	\$54,240
87. WAGGA WAGGA	43,658	\$56,755
88. WAKEHURST	44,535	\$57,896
89. WALLSEND	48,384	\$62,899
90. WENTWORTHVILLE	44,072	\$57,294
91. WILLOUGHBY	46,557	\$60,524
92. WOLLONGONG	42,899	\$55,769
93. WYONG	50,859	\$66,117

Advice of the Secretary of Treasury Pursuant to Section 12(A) of the *Parliamentary Remuneration Act, 1989*

The following comments on the Parliamentary Remuneration Tribunal's 2004 annual determination are made pursuant to Section 12 (A) of the *Parliamentary Remuneration Act, 1989* by the Secretary of the Treasury.

Financial Implications

The 2004 annual determination is fundamentally consistent with the previous determination and the NSW Budget Administration and Policy framework.

The table below shows the variation in entitlements over the 2003 determination.

For the purpose of calculating the costs, the estimates are based on the 2003 composition of the Legislative Assembly and the Council membership. It is also assumed that there were no changes to the electorate groupings. Estimates have not been provided where the maximum remuneration limits for the particular allowances are not defined. The Sydney allowance is calculated on the annual amount allocated to members.

ENTITLEMENT	2003 DET.	2004 DET.	CHANGE
Electoral Allowance	\$ 6,402,851	\$ 5,564,936	\$ 162,066 (3%)
Sydney allowance*	\$ 1,410,500	\$ 1,452,818	\$ 42,318 (3%)
Committee Allowance**	\$ 15,250	\$ 15,860	\$ 610 (4%)
Logistic Support Allocation	\$ 3,496,450	\$ 3,601,344	\$ 104,894 (3%)
Electorate Mail-out Account	\$ 5,600,000	\$ 5,600,000	NIL
Electorate Charter Transport Allowance - LA Members	\$ 89,980	\$ 97,178	\$ 7,198 (8%)
Travelling Allowance for Recognised Office Holders	Not Estimated	Not Estimated	Increased***
Recognised Office Holder & Other Member Entitlement	Not defined	Not defined	Minor increase
TOTAL MINIMUM EXPENDITURE	\$ 16,015,031	\$ 16,332,133	\$ 317,102 (2%)

- * Calculated on annual amount allocated to members
- ** Includes members of Public Account Committee only
- *** Adjusted in line with movements in public sector rates

Member entitlements have increased by a minimum of \$317,102 over the 2003 determination, which represents a rise of 2 percent.

The increase in Electoral Allowance, Sydney Allowance and Logistic Support Allocation is above the projected Sydney CPI of 2.5 percent for year 2004-05 and a 4 percent increase granted to Committee Allowance reflects increases in Members' salaries. The 8 percent increase to the Electorate Charter Transport Allowance reflects the general cost increase in the transport industry.

While the Electorate Mail-out Allowance has not increased, the increases to the Travel Allowance to Recognised Office Holders and the inclusion of newer Office Holders in the eligibility list may drive up the expenditure slightly.

The increase in entitlement is supported, however considering the Government's tight fiscal position, the increase should be fully met from the escalation provided in the 2004-05 Budget.

Accountability and Control

While retaining flexibility, the Parliamentary Remuneration Tribunal has maintained strict guidelines to ensure greater accountability and transparency over the use of entitlements by Members.

John Pierce
Secretary
24 June 2004