



NORTHERN TERRITORY OF AUSTRALIA
REMUNERATION TRIBUNAL

REPORT AND DETERMINATION

No. 1 of 2020

ENTITLEMENTS OF ASSEMBLY MEMBERS –
ELECTORAL REDISTRIBUTION

REMUNERATION TRIBUNAL REPORT AND DETERMINATION NO. 1 OF 2020

ENTITLEMENTS OF ASSEMBLY MEMBERS

Introduction

1. On 6 February 2020, the Administrator of the Northern Territory, Her Honour the Honourable Vicki Susan O'Halloran AO, issued the following request to the Remuneration Tribunal:
 - (a) as mentioned in section 4(1) of the *Assembly Members and Statutory Officers (Remuneration and Other Entitlements) Act 2006*, request the Remuneration Tribunal to, on or before 16 May 2020, inquire into and determine the entitlements (other than the basic salary or additional salary of office) of Assembly members for performing the functions of an Assembly member.
2. The resulting Report and Determination must be tabled in the Legislative Assembly within six sitting days of receipt by the Minister.

Powers of the Remuneration Tribunal

3. The powers of the Remuneration Tribunal in respect of determining entitlements for Assembly Members are set out in sections 4(1), 4(1B) and 4A of the Act. The relevant sections of the Act are set out below:

4 Tribunal's powers except for basic salary or additional salary of office

- (1) *The Tribunal must, on the Administrator's request, inquire into, or inquire into and determine, an entitlement (other than the basic salary or additional salary of office) of an Assembly Member for:*
 - (a) *performing the functions of an Assembly Member; or*
 - (b) *performing a function for the Assembly; or*
 - (c) *holding or occupying any of the following offices:*
 - (i) *the Speaker of the Assembly;*
 - (ii) *the Leader of the Opposition;*
 - (iii) *any other office in the Assembly;*
 - (iv) *a Minister;*
 - (v) *a Member of the Executive Council.*
- (1B) *Without limiting subsection (1), the Tribunal may, under the request, inquire into, or inquire into and determine, other entitlements, including, for example, the following:*
 - (a) *an entitlement for establishing or maintaining offices for an Assembly Member, including:*
 - (i) *the provision of staff and equipment for the offices; and*
 - (ii) *the payment or reimbursement of amounts to cover expenses incurred in relation to the offices;*
 - (b) *an entitlement for official travel undertaken by:*
 - (i) *an Assembly Member; and*
 - (ii) *a person who, under a determination, may accompany an Assembly Member for the travel;*
 - (c) *the provision of a motor vehicle to an Assembly Member;*
 - (d) *an entitlement relating to child care services required because of the performance of official functions by an Assembly Member.*

4A Report following inquiry

- (1) *The Tribunal must prepare a report for each inquiry conducted under section 3A, 4 or 4AA.*
- (2) *However, if inquiries are conducted together under any of the following provisions, the Tribunal need only prepare one report for those inquiries:*
 - (a) *section 3A;*
 - (b) *section 4;*
 - (c) *section 4AA.*
- (3) *The report:*
 - (a) *if the Tribunal is requested to inquire into and determine an amount of salary or entitlement - must include a determination of the amount of salary or entitlement; or*
 - (b) *otherwise - may include recommendations on the entitlement to which the inquiry relates.*
- (4) *The Tribunal must give the Administrator and Minister a copy of the report as soon as practicable after it is made.*
- (5) *The Minister must table a copy of the report in the Assembly within 6 sitting days after receiving it.*

Conduct of this Inquiry

4. On 7 February 2020, the Remuneration Tribunal wrote individual letters to the Members of the Legislative Assembly to announce the Inquiry and to invite submissions. A letter was also sent to the Clerk of the Legislative Assembly.
5. The Tribunal received one submission and also met with the Chief Minister, Leader of the Opposition, Electoral Commissioner, Auditor-General (as a member of the Electoral Redistribution Committee) and the Members for Daly, Arnhem, Namatjira, Barkly and Stuart.
6. The Tribunal focused on Electorate Allowances for the seven larger Electorates, as detailed in Schedule 2 of the Determination No. 1 of 2019.
7. The Tribunal noted that the boundaries of each of these Electorates had varied under the Redistribution, with the exception of the Electorate of Nhulunbuy (renamed Mulka in the Electoral Redistribution). Therefore, the Tribunal concentrated on these six Electorates.
8. The Tribunal noted that of these six Electorates, only the Electorate of Namatjira had been reduced in geographical area.
9. The Electorate of Daly has grown in geographical size, as it now takes in the community of Timber Creek and its surrounding homelands.
10. The Electorate of Arnhem has a small increase in geographical area, as it now accommodates the communities of Jilkminggan and Minyerri, plus Limmen National Park from the Division of Barkly. The Electorate also now includes the entire suburbs of Tindal and Venn from the Division of Katherine. The Electorate loses the area encompassing Kakadu and Jabiru, and therefore the geographical area has not varied significantly.
11. The Electorate of Namatjira loses some geographical area, which covers the west of the Stuart Highway to the Western Australian border, including the communities of Imanpa, Kaltukatjara, Mutitjulu and Yulara which have been transferred into the new Electorate of Gwoja. In addition, this Electorate has also lost communities located from the Sandover Highway, including the Utopia outstations and Ampilatwatja to Barkly. To compensate for

these losses, the Electorate picks up the entire suburbs of Larapinta and Stuart in Alice Springs. In effect, Namatjira has lost large areas of bush electors and has picked up urban electors.

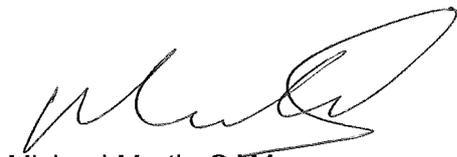
12. The Electorate of Barkly has lost the communities of Jilkminggan and Minyerri to Arnhem, but has gained the Utopia outstations and Ampilatwatja from Namatjira. Barkly gains the communities of Nturiya, Pmara Jutunta, Ti Tree, and Wilora from Stuart. Overall, the geographical area is similar to the current Electorate.
13. The Electorate of Arafura has gained the area encompassing Jabiru and Kakadu from the Division of Arnhem, slightly increasing the geographic size of the Electorate.
14. The new seat of Gwoja, formally Stuart, loses the community of Timber Creek and its surrounding homelands to Daly, as well as the communities of Nturiya, Pmara Jutunta, Ti Tree, and Wilora to Barkly. However, the new division has gained the area to the South Australian border, which includes the communities of Imanpa, Kaltukatjara, Mutitjulu and Yulara. There has been an overall increase in the geographical size of the new Electorate, as compared to the Electorate of Stuart.

Factors Considered by the Tribunal

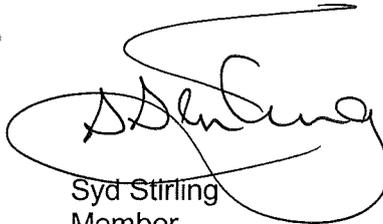
15. The Tribunal is mindful that the major cost associated with an increase in geographical size of an Electorate is the cost involved in travelling throughout the Electorate by the Member. The Tribunal is also aware that the additional cost mainly involves motor vehicle costs, as well as the Members' time. Members in these large Electorates generally elect to use a vehicle provided by NT Fleet, and therefore additional vehicles costs are covered by the NT Government.
16. The Member for Daly will now have to travel to the Timber Creek community and its homeland through Katherine. These trips will involve overnight accommodation, which will be an additional cost. Therefore the Tribunal has included up to 10 days travel allowance at the Katherine rate for the Member for Daly after the next election.
17. Similarly, the Member for Gwoja, who now has responsibility for Mutitjulu and Yulara is also entitled to up to 10 days travel allowance at the Yulara rate. This provision is currently afforded to the Member for Namatjira as Mutitjulu and Yulara are currently in that Electorate. Therefore, the provision of Yulara travel allowance is not an additional cost, but a transfer between electorates.
18. In regards to the Electorate of Namatjira, the Tribunal considers that as the geographical area has been significantly reduced, the current electoral allowance should be adjusted to \$82 400.
19. In Determination No. 1 of 2019, the Tribunal increased the Electorate Allowance for the seven larger Electorates by \$2500, as an initial allowance for Liaison Officers. This recognised that the Tribunal has increased the hours available for Liaison Officers from part-time to full-time. The Tribunal has now increased the Electorate Allowances in the Electorates of Arafura, Arnhem, Barkly, Daly, Gwoja, Mulka, and Namatjira by an additional \$1000, to be allocated to the Liaison Officer.

20. The Tribunal was asked to consider the provision of manual 4WD vehicles for the larger bush Electorates. The Tribunal has not excluded the use of manual 4WD vehicles, but did note that the existing Part B of Schedule 4 only nominates one manual vehicle. The Tribunal has now nominated a number of manual vehicles in the new Part B of Schedule 4.

Dated 27 March 2020



Michael Martin OAM
Chairperson
Remuneration Tribunal



Syd Stirling
Member
Remuneration Tribunal



NORTHERN TERRITORY OF AUSTRALIA REMUNERATION TRIBUNAL

*Assembly Members and Statutory Officers
(Remuneration and Other Entitlements) Act 2006*

DETERMINATION OF SALARIES AND OTHER ENTITLEMENTS OF ASSEMBLY MEMBERS

DETERMINATION NO. 1 OF 2020

Under section 3A and section 4 of the *Assembly Members and Statutory Officers (Remuneration and Other Entitlements) Act 2006*, the Tribunal determines as follows:

1. DEFINITIONS

1.1 In this Determination:

'accompanying person' means partner, nominee or dependent children who are approved to join the Assembly Member for the purpose of the visit, and that person need not necessarily travel with the Assembly Member.

'Accountable Officer' means the Accountable Officer for the Agency incurring expense under this Determination.

'additional salary of office' means salary paid to an Assembly Member, in addition to basic salary, because the member holds or occupies a prescribed office.

'Assembly' means the Legislative Assembly.

'Assembly Committee', for the purpose of payment of Travelling Allowance, means one so designated by the Speaker.

'Assembly Member' means a Member of the Northern Territory Legislative Assembly.

'basic salary' means salary paid to an Assembly Member for their role as an Assembly Member.

*Note for definition of **basic salary**: An Assembly Member may also be paid other salary because, for example, the Assembly Member holds or occupies a certain office, including that of a Minister.*

'capital city' means locations within a radius of:

- (a) 10 kilometres from the general post office of a capital city; or
- (b) 5 kilometres from the major airport servicing a capital city

'Clerk' means the Clerk of the Legislative Assembly.

‘commercial accommodation’ means accommodation in a commercial establishment such as a hotel, motel or serviced apartment or similar.

‘Darwin’ means the Total Darwin Statistical Division and the Litchfield Shire Sub-Division as prescribed by the Australian Bureau of Statistics.

‘dependent child’ means a dependent child under 16 years of age or a dependent full-time student less than 25 years of age.

‘dependent full-time student’ means one whose income from all sources is less than the minimum adult wage.

‘home base’ for an Assembly Member means:

- (a) a place of residence of the Member nominated by the Member to the Clerk; or
- (b) if the Member has not nominated a place, the principal place of residence of the Member.

‘Member’ means a Member of the Northern Territory Legislative Assembly.

‘nominee’ means a close relative (parent, son, daughter or dependent child, brother or sister) nominated to the Speaker to receive travel privileges available to the partner of a Member for the life of an Assembly. The Speaker may at his/her discretion, in special circumstances and at the request of a Member, approve the nominee of that Member to be a person other than the partner or close relative of the Member.

‘NT Public Service Hours’ means 8:30am to 4:00pm, Monday to Friday.

‘Office Holder’ means:

- (a) Speaker of the Assembly;
- (b) Leader of the Opposition;
- (c) any other Office in the Assembly;
- (d) a Minister; or
- (e) a Member of the Executive Council.

‘partner’ means spouse or defacto partner (different sex or same sex).

‘Scrutiny Committee’ means all standing, sessional or select committees of the Legislative Assembly except for the House, Privileges, Standing Orders and Members’ Interests committees and other committees determined by the Speaker to be domestic committees.

‘services as a Member’ and **‘official business’** cover all matters of relevance or interest to Northern Territory electors.

‘Shadow Minister’ in relation to the granting of entitlements means a Member duly accredited as such in a schedule provided to the Speaker by the Leader of the Opposition.

‘travel expense reimbursement’ is an amount payable to a Member to defray reasonable costs incurred by him or her during travel at Government expense that includes at least one overnight stay, for one or more of the following:

- (a) accommodation;
- (b) meals;
- (c) incidental expenses;
- (d) hire cars, taxis and ferries; or
- (e) use of his or her own car.

‘Travelling Allowance’ means an amount payable to a Member to offset personal costs he or she, or any person authorised to travel as an accompanying person, may incur during travel at Government expense.

‘Tribunal’ means Remuneration Tribunal established by section 17(1) of the *Assembly Members and Statutory Officers (Remuneration and Other Entitlements) Act 2006*.

2. BASIC SALARY OF MEMBER

- 2.1 The basic salary of an Assembly Member remains at \$162,696 per annum.

3. ADDITIONAL SALARY OF OFFICE

- 3.1 The additional salary of office and the prescribed office for which additional salary of office is paid is set out in Schedule 1 as a percentage of basic salary.
- 3.2 If, during any period, an Assembly Member holds or occupies two or more prescribed offices:
- (a) the Assembly Member is only entitled to an additional salary of office for holding or occupying a single prescribed office; and
 - (b) the entitlement is for the prescribed office that yields the greatest amount payable to the Assembly Member for the period.

4. ELECTORATE ALLOWANCE

- 4.1 A Member is entitled to an Electorate Allowance at the annual rate specified in Schedule 2 to cover the expenses he or she incurs, including but not limited to the matters set out below, at their sole discretion in servicing their electorate:
- (a) stationery, printing and postage costs;
 - (b) travel costs, including parking fees and airline lounge membership;
 - (c) communications, including WIFI in public access areas;
 - (d) donations;
 - (e) support for constituents;
 - (f) hosting costs;
 - (g) gifts;
 - (h) sponsorships;
 - (i) membership fees;
 - (j) support for organisations;

- (k) patron expenses;
 - (l) advertising;
 - (m) professional development;
 - (n) interpreter services; or
 - (o) other.
- 4.2 The annual rate of Electorate Allowance is reduced by \$5,000 if the Member's Electorate Office is cleaned at Government's expense.

5. MEMBER ENTITLEMENT TO TRAVEL

- 5.1 Subject to this clause, a Member is entitled to travel outside of his or her electorate at Government's expense where the primary purpose of such travel is for:
- (a) attendance at meetings of the Assembly;
 - (b) attendance at meetings of an Assembly Committee even if the Member is not a Member of the Committee, and/or engaging in business approved by a Committee provided that for travel outside the Northern Territory, the approval of the Speaker has been obtained;
 - (c) attendance at a meeting in the Northern Territory of his or her political party, conditional upon prior written notice of the meeting being provided to the Speaker by the Leader or the Whip of that party; or
 - (d)
 - (i) representing the Government;
 - (ii) representing an Office Holder;
 - (iii) with the approval of the Speaker, representing the Assembly;
 - (iv) with the approval of the Speaker, conducting Commonwealth Parliamentary Association business or other official parliamentary function of another Australian legislature;
 - (v) attendance at official Government functions where the Member is the primary invitee;
 - (vi) attendance at Vice-Regal functions;
 - (vii) with the approval of the Speaker, attendance at Assembly functions; or
 - (viii) representing his or her political party or as an Independent Member in proceedings before the Remuneration Tribunal in the Northern Territory.
- 5.2 Travel by Ministers and the Leader of the Opposition and their partners, nominees or children, in addition to the travel entitlements established by this Determination, is a matter for the Chief Minister.
- 5.3 The Deputy Leader of the Opposition and Shadow Ministers are entitled to a combined total of 20 trips within the Northern Territory during 2019 and each subsequent year. The total number of nights for which Travelling Allowance is payable may not exceed 100. Travel must be approved by the Leader of the Opposition.
- 5.4 Independent Members are entitled to two trips within the Territory each year during the life of the current Parliament. The total number of nights' Travelling Allowance paid will not exceed six nights in a year.

- 5.5 A Member attending a meeting of the Assembly is entitled to travel expense reimbursement or Travelling Allowance to enable the Member to have one clear day before and one clear day after the sittings period of the Assembly, or to have two clear days on one side of the sitting period of the Assembly under the conditions as set out in Clause 6.11 of this Determination.
- 5.6 In addition to the payment of Travelling Allowance, Members are entitled to be provided with a hire car.
- 5.7 Upon application, and where the Speaker is satisfied that an allowance may be payable for travel over the course of one day but does not involve an overnight stay, the Speaker may authorise the payment of the sum of \$45.

Mode of Travel

- 5.8 Travel within the entitlements in clauses 5.1 and 5.3 must be undertaken either:
- (a) on scheduled commercial commuter services operating as regular carriers, or by other transport within the Northern Territory as approved by the Speaker;
 - (b) by charter transport at the discretion of the Speaker, where regular services within the Northern Territory are not available or are impracticable, or by hired aircraft if the Member is appropriately qualified to pilot the aircraft and indemnifies the Government. Reimbursement of reasonable costs under this subclause will be made where the transport cost is directly associated with the official business of such travel; or
 - (c) in the Government vehicle provided under clause 8.1, or in the event that the Government supplied vehicle is unserviceable, a private hire car, subject to the Speaker's approval. A Member who has elected, under clause 8.8, to receive an amount in lieu of a motor vehicle may use his or her own vehicle but is not entitled to be reimbursed at the Government rate per kilometre.
- 5.9 A Member may, when attending an event associated with his or her duties as a Member, on no more than 100 occasions in any calendar year, travel to and from the event in a taxi and charge the cost to the Government account with Cabcharge or pay cash and seek reimbursement if a Cabcharge facility is not available. The Member should retain a receipt showing the origin and destination of the journey, date and cost and keep a separate record of the event attended so the authenticity of the Cabcharge expense can be verified.

Conditions of Domestic and International Travel

- 5.10 A Member may travel business class at Government's expense.
- 5.11 A Member, when travelling by air to and from Darwin on Assembly business, or on official business, is entitled, at Government's expense, to carry one additional piece of luggage within the airline size limits.
- 5.12 Travelling Allowance determined reasonable by the Speaker may be payable during periods of transit.

Entitlement to Travel by Others

- 5.13 A Member's partner or nominee may, pursuant to specific approval by the Speaker, or in the event of the Member being the Speaker, after consultation with the Chief Minister, accompany the Member who is a participant in an official delegation or as a formal representative of the Assembly to and from official Government, Assembly or Vice-Regal functions at Government expense.
- 5.14 Where a Member is travelling pursuant to this Determination and other than as a participant in an official delegation or as a formal representative of the Assembly pursuant to clause 5.13, a Member may convert their business class airfare to two economy class tickets for an accompanying partner or nominee to travel on the same flight.
- 5.15 There is an entitlement for transport for a Member, partner, nominee or dependent child travelling and returning by air under entitlements provided by this Determination:
- (a) between the home base and departure airport; and
 - (b) between the terminating airport and destination.
- 5.16 A Member whose nominated home base is located outside Darwin shall be entitled to have his or her partner or nominee and each dependent child travel at Government's expense from the Member's nominated home base to Darwin and return up to twice a year and, if accompanied by the Member, then at the same class as the Member, or if not accompanying the Member, then in economy class.
- 5.17 A Member who is a mother with a child up to 12 months old and is travelling pursuant to this Determination with this child, may be accompanied by a spouse, nominee or designated person during that travel and the accompanying person's travel costs will be paid in accordance with this Determination, and at the same class as the Member.

6. TRAVEL EXPENSES

- 6.1 Where the Member has approval to stay in Darwin overnight, a travelling allowance of \$400 per day is paid, irrespective of the type of accommodation used. Receipts are not required.
- 6.2 If a Member incurs costs for travel other than Darwin, he or she is entitled to a travel expense reimbursement. To establish the level of the travel expense reimbursement, the Member shall provide to the Clerk or relevant Accountable Officer within 60 days of the conclusion of the travel:
- (a) tax invoices for any accommodation;
 - (b) tax invoices for meals;
 - (c) tax invoices for transport costs claimed; and
 - (d) substantiation for the cost of any car use claim.

Incidental costs do not have to be substantiated and will be paid at the rate set out in Part C of Schedule 3.

- 6.3 In assessing, and if necessary adjusting for, the reasonableness of costs claimed, the Clerk or the relevant Accountable Officer, as the case may be, shall have regard to:
- (a) the meal allowances specified in Part C of Schedule 3;
 - (b) the vehicle allowance as determined under section 14(2) of the *Public Sector Employment and Management Act 1993*;
 - (c) the comparative cost of other available forms of transport; and
 - (d) any form of contribution, regardless of source, received by the Member or paid in respect of the travel.
- 6.4 A Member may elect to receive Travelling Allowance before the travel. If the Government or any other entity pays or reimburses the travel costs, the Member must repay the entire amount, with the exception of payment for incidental expenses.
- 6.5 Where the Member elects to receive Travelling Allowance under clause 6.4, Travelling Allowance for each overnight stay is payable at the applicable rate specified in Schedule 3. Where such travel is by regular public transport, an overnight stay includes any overnight stay required at the place of departure or en-route.
- 6.6 The Member for the Electorate of Gwoja is entitled to Travelling Allowance for each overnight stay at Yulara at the applicable rate specified in Part A of Schedule 3. The number of overnight stays for which Travelling Allowance is paid under this clause is limited to 10 overnight stays per calendar year.
- 6.7 The Member for the Electorate of Daly is entitled to Travelling Allowance for each overnight stay at Katherine at the applicable rate specified in Part A of Schedule 3. The number of overnight stays for which Travelling Allowance is paid under this clause is limited to 10 overnight stays per calendar year.
- 6.8 Except as provided in clauses 6.6 and 6.7, Travelling Allowance is not payable to a Member for an overnight stay within the Member's own electorate or within the electorate in which the Member's home base is located. The border towns of Marla in South Australia, Camooweal in Queensland and Kununurra in Western Australia, and the highways into those towns from the Northern Territory, are considered part of the electorate from where the highway leaves the Northern Territory.
- 6.9 Members are not entitled to receive travel expense reimbursement or Travelling Allowance if the costs are met or provided for by any other entity and are obliged to disclose to the Clerk or the relevant Accountable Officer if any element of travelling expenses is so provided.
- Note: For example, if as part of an official visit, lunch is provided by the host, when confirming the application of travel expenses under clause 6.2, the Member should advise the Department of the Legislative Assembly that the allowance for the lunch is not payable.*
- 6.10 The accompanying person rate in Part A of Schedule 3 should be paid if the Member receives travel expense reimbursement or Travelling Allowance.
- 6.11 (a) The entitlements to Travelling Allowance where commercial accommodation is used are specified in Part A of Schedule 3 for all locations except Darwin.
- (b) Members not staying in commercial accommodation or staying in private accommodation and claiming Travelling Allowance under Part B (ii) of Schedule 3 are not required to provide receipts.

- 6.12 The Darwin rate specified in Part B(i) of Schedule 3 is payable to a Member whose home base, by the nearest practicable route, is further than 50 kilometres from the precincts of the Assembly. Irrespective of the type of accommodation used, the Darwin rate is paid to all eligible Members when staying in Darwin.
- 6.13 The Darwin rate specified in Part B(i) of Schedule 3 is payable to the Member for Nelson and the Member for Goyder if they elect to stay overnight in Darwin for travel undertaken in accordance with clauses 5.1(a), (b) and/or (c) and provided the business undertaken pursuant to clauses 5.1(a), (b) and/or (c) is not adjourned before 6.00 pm.
- 6.14 Subject to the same overnight stays limitation for the Member's own travel, if any, a Member is entitled to be paid the accompanying person rate specified in Part A of Schedule 3 for any overnight stay where he or she is with a person who is included in his or her Government travel authorisation as an accompanying person.

7. ACCOUNTABILITY FOR TRAVEL

- 7.1 Reimbursement for travel and associated Travelling Allowance or expenses may not be paid unless accountability requirements and procedures established by the relevant Accountable Officer, including certification that conditions set out in this Determination are met, are followed.
- 7.2 Where expenses have been incurred for travel the Member must confirm the application of such expenses with the Clerk or relevant Accountable Officer.

8. PROVISION OF MOTOR VEHICLE

- 8.1 A Member shall, at his or her request, be provided with a Government supplied private plated motor vehicle for:
- (a) parliamentary business use;
 - (b) electorate business use; and
 - (c) private use.

The vehicle may be fitted with accessories detailed in Schedule 5 or any other accessory that NT Fleet determines is reasonable on an equipped-for-purpose basis.

- 8.2 Subject to clause 8.3, motor vehicles provided to Members shall be those set out in Schedule 4, and all running and maintenance costs, excluding cleaning costs for that vehicle, will be met by the Government.
- 8.3 A Member may be provided with a motor vehicle which is at greater cost to the Northern Territory than that provided for in clause 8.2, provided that the Member pays the difference between the actual cost to the Department of the Legislative Assembly of the highest cost of the vehicle in Part A of Schedule 4 and the actual cost to the Department of the Legislative Assembly of the selected vehicle. The selected vehicle must be on an NT Government approved list maintained by NT Fleet or be approved by NT Fleet.
- 8.4 The Members for Arafura, Arnhem, Barkly, Daly, Goyder, Namatjira, Nelson, Mulka and Gwoja may be provided with four wheel drive vehicles from Schedule 4 Part B with accessories as provided for in Schedule 5.

- 8.5 The Speaker may withdraw the vehicle or fuel card(s) and suspend the entitlement in clause 8.1 if the Speaker has cause to believe the vehicle or fuel card(s) are being improperly used.
- 8.6 The vehicle provided under clause 8.1 is to be driven only by a licensed driver, being the Member or a person nominated by the Member.
- 8.7 When a vehicle provided under clause 8.1 is used for travel to which the Member (or partner or nominee) is otherwise entitled by the provisions of this Determination (such as travel at Government expense) the other vehicle entitlements are voided. Likewise, no private vehicle allowance is payable for travel in a Government supplied private plated motor vehicle.
- 8.8 (a) Where a Member for an electorate, other than those listed in clauses 8.8(b) and 8.8(c), elects not to receive a Government supplied motor vehicle pursuant to clause 8.1 that Member shall receive an amount of \$25 000 per annum as an additional Electorate Allowance.
- (b) Where the Members for Katherine, Goyder or Nelson elect not to receive a Government supplied motor vehicle those Members shall receive an amount of \$33 000 per annum as an additional Electorate Allowance.
- (c) Where the Members for Arnhem, Daly, Barkly, Gwoja, Mulka, Namatjira or Arafura elect not to receive a Government supplied motor vehicle those Members shall receive an amount of \$40 000 per annum as an additional Electorate Allowance.
- (d) Members receiving an allowance in lieu of a Government supplied vehicle shall not be entitled to claim kilometre allowance or any other vehicle operational expenses associated with the use of a motor vehicle under this provision. A Member who has a motor vehicle already supplied by the Government may only elect to receive this allowance in lieu of the motor vehicle when there is 12 months or less remaining on the lease.
- 8.9 Where a Member can demonstrate to the Speaker a need for a four wheel drive vehicle for a specific purpose related to his or her work as a Member, then the Speaker can approve the hiring of a four wheel drive vehicle for that specific purpose.

9. COMMUNICATIONS, TELEPHONES AND INFORMATION TECHNOLOGY

- 9.1 The cost of the installation and rental of a telephone service not exceeding five lines in the electorate office, including one for a Broadband connection directly or via the Internet to the Government Wide Area Network where reasonably available, shall be at Government expense.
- 9.2 The cost of calls made on lines connected to the electorate office, including the service provider charges and modem cost for the Broadband or Internet/Broadband connection, within any capacity limits set by the Speaker, shall be at Government expense.
- 9.3 Members for the Electorates of Arafura, Arnhem, Barkly, Daly, Namatjira, Mulka and Gwoja are entitled to a satellite telephone supplied, installed and maintained at Government expense in the Member's vehicle. All network charges generated by the ongoing connection and use of the satellite telephone will also be at Government expense.

9.4 An annual Schedule containing the totals of Government payments on behalf of each Member for satellite telephones is to be tabled by the Speaker during the second meeting of the Assembly in each year.

9.5 No commercial use of telephone calls, including charge back to a telephone, may be made at Government expense.

10. POSTAGE

10.1 Ministers, the Leader of the Opposition and the Speaker shall each be provided with unlimited postage for official business as an Office Holder.

11. OFFICE SPACE AND EQUIPMENT

11.1 A secure office will be made available to each Member in the Parliament House in Darwin with convenient access to a photocopier during meetings of the Assembly, and a basic printer unless provided under some other Government entitlement.

11.2 The Government will provide and maintain a multi-function office device in each Electorate Office and in the Gwoja Liaison Office.

11.3 The Government will provide, maintain and pay utility services costs for a conveniently accessible and identified electorate office for each Member, with parking. The tenancy fit-out must, as far as possible, comply with any Building Codes or Australian Standards. The ongoing cleaning costs for the electorate office are to be met by the Member unless he or she elects that these be met by the Government (clause 4.2 refers). The Member must ensure that the office is not used for commercial or electioneering purposes.

11.4 The Government will provide an office of up to 70 square metres, or as close to this requirement as is available at the time, in Katherine for the Liaison Officer of the Member for Gwoja. The Gwoja Liaison Office will include two telephone lines and one internet connection. Other furniture and equipment will be at the discretion of the Speaker.

11.5 The Speaker shall, from time to time, determine a standard list of items of furniture, equipment and software to be available for every Electorate Office. Each Member is entitled to have these items supplied on demand. These items remain the property of the Government or its contractors. Two office computers supplied under this entitlement shall be connected to the Government Wide Area Network.

11.6 Members are entitled to a payment of up to \$1536 each year towards the cost of accessing or maintaining an electoral database under their own arrangements.

12. STAFF

12.1 Every Member shall be entitled to the services of the equivalent of one full-time staff member as an Electorate Officer and the Electorate Office should be opened during NT Public Service hours, Monday to Friday.

12.2 The Members for Arafura, Arnhem, Barkly, Daly, Namatjira, Mulka and Gwoja are entitled to the services of one full-time Liaison Officer.

12.3 All Liaison Officers are employed by the Northern Territory Government and are employed outside the main Electorate Office unless they are relieving the Electorate Officer.

- 12.4 All Members are entitled to part-time electorate office assistance for a total of 104 hours per quarter, expiring at the end of each quarter.
- 12.5 Staff entitlements may not be pooled or applied for the benefit of another Member.
- 12.6 All Members are entitled to relief arrangements for their Electorate Officer as determined from time to time by the Speaker.
- 12.7 The salary and allowances and other terms and conditions of employment of all staff of a Member shall be as determined from time to time by the Speaker in his or her role as a Commissioner as defined under section 3(1) of the *Public Sector Employment and Management Act 1993*. In making determinations, the Speaker shall consult with the Northern Territory Commissioner for Public Employment.
- 12.8 An Electorate Officer located outside Darwin shall be entitled to travel at Government expense to Darwin to attend a Legislative Assembly Sitting for the purpose of an approved training activity once a year. The stay shall not exceed two days prior to the commencement of the Sitting and two days after completion of the Sitting.
- 12.9 An Electorate Officer located outside Alice Springs shall be entitled to travel at Government expense to Alice Springs to attend a period of meetings of the Assembly in Alice Springs once a year. The stay shall not exceed two days prior to the Meetings and two days after the completion of the meetings.
- 12.10 Use of an Electorate Officer's private vehicle shall be by arrangement between the Member and the Electorate Officer. Reimbursement for use of the vehicle shall be at Northern Territory Public Service rates or by mutual agreement between the Member and the Electorate Officer, and the reimbursement shall be met from the Member's own funds.
- 12.11 Any travel costs within the electorate incurred by the Electorate Officer or Liaison Officer shall be met from the Member's own funds.

13. CHILD CARE

- 13.1 A Member is entitled to claim reimbursement for child care services outside the hours of 7:00am to 6:00pm Monday to Friday, or at other times if the period is a weekend or recognised public holiday, in the following circumstances:
- (a) where the Assembly is meeting; or
 - (b) where a Member is working or attending an event associated with his or her duties.
- 13.2 Reimbursement will be made upon the Member submitting a claim for reimbursement which sets out the nature of the work activity or event and the duration, together with actual start and finish times, amount paid, and to whom.
- 13.3 Where a Member has an entitlement under Clause 5.17 of this Determination, but it is impracticable for the Member to be accompanied by a spouse nominee or designated person during a particular approved travel, the Member is entitled to be reimbursed for childcare during all hours of that particular approved travel.
- 13.4 The total amount to be claimed must not exceed \$5,000 in any one year.

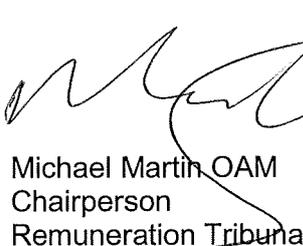
14. RESETTLEMENT ALLOWANCE

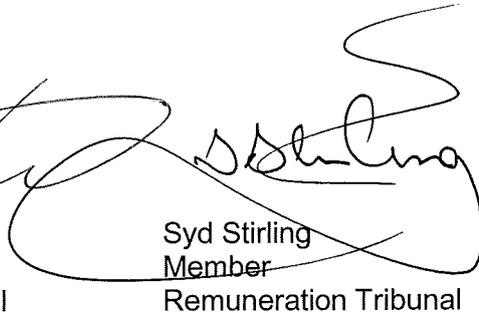
- 14.1 A Member has an entitlement, on ceasing to be a Member in the circumstances mentioned in section 4AA of the Act (subject to section 4AB of the Act), of the equivalent of one month's basic salary for each year served in the Assembly subject to:
- (a) the minimum entitlement being the equivalent of four months' basic salary; and
 - (b) the maximum entitlement being the equivalent of 12 months' basic salary.

15. GENERAL

- 15.1 Where a person becomes a Member or Office Holder, or ceases to be a Member or Office Holder, annual entitlements, unless otherwise provided under this Determination, shall be proportionate to the time the person is a Member or Office Holder during that year.
- 15.2 For the purposes of establishing entitlements under this Determination, 'year' generally means the 12 month period from 1 January to 31 December. Where a person becomes an Assembly Member or Office Holder during the calendar year, annual entitlements under this Determination, unless otherwise provided for by this Determination, shall be applied on a pro-rata basis for the portion of the year remaining. Guidelines for the calculation of these pro-rata entitlements will be established by the Clerk of the Legislative Assembly.
- 15.3 For the purposes of the Resettlement Allowance entitlement, where the timing of a Northern Territory general election results in a Member serving marginally less than 365 days in the 12 month period leading up to the election, this period shall be treated as a full year of service.
- 15.4 A Member may elect to salary package subject to the "Salary Package Guidelines – General Staff" as applies to all Northern Territory Public Sector general employees who are not employed by a Territory Health Service or a Public Benevolent Institution.
- 15.5 The Speaker may make procedural rules to give full effect to all entitlements specified in this Determination with the exception of travel undertaken by Ministers and the Leader of the Opposition under clause 5.2.
- 15.6 This Determination applies to Offices held or occupied, activities undertaken, or expenses incurred on or after 22 August 2020.

Dated 27 March 2020


Michael Martin OAM
Chairperson
Remuneration Tribunal


Syd Stirling
Member
Remuneration Tribunal

SCHEDULE 1

Percentages of Base Remuneration of Additional Salary of Office Paid to Office Holders

Chief Minister	100
Deputy Chief Minister	80
Leader of Government Business	65
Other Ministers	65

PARLIAMENTARY POSITIONS

Speaker	65
Leader of the Opposition	65
Deputy Leader of the Opposition	30
Deputy Speaker	20
Chairperson of a Scrutiny Committee	20
Government Whip	15
Opposition Whip	15
Member of a Scrutiny Committee	10

SCHEDULE 2

Annual Rate of Electorate Allowance

Electorates	Rate
Araluen	\$ 60 500
Blain	
Braitling	
Brennan	
Casuarina	
Drysdale	
Fannie Bay	
Johnston	
Karama	
Fong Lim	
Nightcliff	
Port Darwin	
Sanderson	
Spillett	
Wanguri	
Katherine	\$ 71 350
Nelson	
Goyder	
Namatjira	\$ 82 400
Daly	\$ 85 200
Arnhem	\$ 86 050
Mulka	\$ 93 500
Barkly	\$ 96 850
Arafura	\$104 000
Gwoja	\$119 500

SCHEDULE 3

PART A. RATES OF TRAVELLING ALLOWANCE WHERE COMMERCIAL ACCOMMODATION IS USED

Location \$	Member \$	Accompanying Person
<u>Northern Territory</u>		
Alice Springs	313	110
Darwin	400	110
Jabiru	379	110
Katherine	321	110
Tennant Creek	309	110
Yulara	463	110
<u>Elsewhere in the NT</u>		
All places	297	110
<u>Capital Cities other Jurisdictions</u>		
Adelaide	371	110
Brisbane	420	110
Canberra	409	110
Hobart	359	110
Melbourne	391	110
Perth	408	110
Sydney	414	110
<u>Elsewhere in Australia</u>		
All places other than above centres	332	110

PART B. RATES OF TRAVELLING ALLOWANCE WHERE OTHER ACCOMMODATION IS USED

Darwin

- (i) Where the Member has approval to stay in Darwin overnight, Travelling Allowance of \$400 per day is paid, irrespective of the type of accommodation used. Receipts are not required.

Locations other than Darwin

Where the Member does not stay in commercial accommodation, he or she shall be paid:

- (ii) 40 per cent of the applicable rates in Part A; and
(iii) for a single qualifying accompanying person, the daily rate of \$74.

PART C. RATES FOR PAYMENT OF MEALS AND INCIDENTALS WHERE THE ACCOMMODATION COMPONENT IS PAID FOR BY THE GOVERNMENT WITHIN AUSTRALIA

Domestic

	Member
Breakfast	\$ 30.60
Lunch	\$ 43.35
Dinner	\$ 60.65
Incidentals	\$ 28.70

PART D. RATES FOR PAYMENT OF MEALS AND INCIDENTALS WHERE THE ACCOMMODATION COMPONENT IS PAID FOR BY THE GOVERNMENT OUTSIDE AUSTRALIA

Overseas

Rates for payment of meals and incidentals are to be paid in accordance with *Taxation Determination TD 2019/11* or any subsequent Taxation Determination made in substitution of that Determination.

SCHEDULE 4

PART A - Approved Motor Vehicles

Make/Model

- Toyota Kluger GX 7-seat 4x2 Wagon Petrol Auto
- Ford Falcon G6 MKII Ecoboost Sedan
- Hyundai Santa Fe Active 2WD 7-seat Station Wagon
- Kia Sportage Platinum AWD Station Wagon
- Mazda 6 Sports Hatch
- Mazda CX5A Grand Touring AWD Station Wagon
- Mitsubishi ASX Aspire AWD Station Wagon
- Subaru Forester Premium Station Wagon
- Subaru Outback AWD Station Wagon
- Toyota Prius Sat Nav and IPA Hybrid Hatch
- Toyota Hilux single cab SR-S Auto or Manual

PART B - Approved Four Wheel Drive Motor Vehicles

Make/Model

- Mitsubishi Pajero GLX 4WD Station Wagon Diesel Auto
- Nissan Navara 4WD Diesel Auto and Manual
- Toyota Landcruiser 79 Workmate Dual Cab Utility Diesel Manual
- Toyota Prado GXL Station Wagon Diesel Auto and Manual
- Toyota Landcruiser 200 GX 4D Wagon - Turbo Diesel 6 Auto
- Toyota Landcruiser 5-7 Seater Troop Carrier Station Wagon Auto and Manual

SCHEDULE 5

Approved Motor Vehicle Accessories

Four wheel drive vehicles supplied to Members in accordance with Clause 8.4 of this Determination are to be equipped for purpose. This may require, but not be limited to, the following accessories:

- long range fuel tanks
 - additional spare wheel
 - up to two spotlights
 - bullbar
 - towbar
 - air cleaner snorkel
 - dual battery system
 - electric winch
 - roof rack with or without ladder
 - tonneau cover (4x4 utility vehicle) or rigid cover
 - heavy duty jumper leads
 - cargo barrier
 - mobile telephone hands free facility
 - Nav Man wireless system
 - St John Ambulance first aid kit – suitable for outdoors *
- * Initial kit to be provided to Members, with future replenishments to be undertaken at the Member's expense.*

All other vehicles:

- towbar
 - bullbar, where appropriate
 - mobile telephone hands free facility
 - roof rack
 - tonneau cover (4WD utility vehicle) or rigid cover
 - cargo barrier (station wagons only)
 - St John Ambulance first aid kit or equivalent *
- * Initial kit to be provided to Members, with future replenishments to be undertaken at the Member's expense.*