



No. 6 of 2019

REPORT OF THE REMUNERATION TRIBUNAL
2019 REVIEW OF ELECTORATE ALLOWANCES FOR MEMBERS OF THE PARLIAMENT
OF SOUTH AUSTRALIA

INTRODUCTION AND BACKGROUND

1. Section 14 of the *Remuneration Act 1990* (“the Act”) provides that the Remuneration Tribunal (“the Tribunal”) has jurisdiction to determine the remuneration, or a specified part of the remuneration, payable in respect of certain offices, if such jurisdiction is conferred upon the Tribunal by any other Act or by the Governor by proclamation.
2. Section 3A(2) of the *Parliamentary Remuneration Act 1990* (“the PR Act”) confers jurisdiction on the Remuneration Tribunal to make a determination or perform any other function required by the PR Act.
3. Section 4(1)(c) of the PR Act provides that electorate allowances form part of the remuneration of members of Parliament.
4. Section 4(2)(a) of the PR Act provides that the Tribunal must, in determining electorate allowances and other remuneration for members of Parliament, have regard not only to their parliamentary duties, but also to:
 - 4.1. Their duty to be actively involved in community affairs; and
 - 4.2. Their duty to represent and assist their constituents in dealings with governmental and other public agencies and authorities.
5. In 2018, the Tribunal conducted its annual review of electorate allowances for members of Parliament, resulting in a 1.8% increase being applied to the levels of those allowances.

PROCEDURAL HISTORY

6. Section 10(2) of the Act requires that before the making of a Determination affecting the remuneration of a particular person, or persons of a particular class, the Tribunal must allow that person, or persons of that class, a reasonable opportunity to make submissions.
7. Section 10(4) of the Act provides that the Honourable Premier of South Australia (“the Premier”), as the Minister responsible for the Act may intervene, personally or by counsel or other representative, in proceedings before the Tribunal for the purpose of introducing evidence, or making submissions, on any question relevant to the public interest.
8. The Tribunal wrote to the Premier, as the Minister responsible for the Act, and the Members of Parliament on 7 May 2019, notifying of the Tribunal’s intention to review

electorate allowances. The Tribunal invited written submissions with a closing date of 7 June 2019.

9. Additionally, on 7 May 2019, a notification of the review was placed on the Tribunal's public website.
10. On 27 June 2019, the Tribunal wrote to the Member for Finniss and the Member for Light, notifying those members that the Tribunal is considering making a reduction to the level of their electorate allowance, based on changes to the electoral boundaries of their respective electorates.
11. The Member for Finniss, the Member for Light, and the Member for Mawson sought the opportunity to make oral submissions to the Tribunal. The Member for Light appeared on 9 July 2019 and the Member for Finniss and the Member for Mawson appeared on 10 July 2019, to make oral submissions to the Tribunal.

SUBMISSIONS

12. Written and oral submissions were received by the Member for Finniss, the Member for Light, and the Member for Mawson.
13. No other submissions were received by the Tribunal in relation to the review to which this Report relates.

ADJUSTMENTS RESULTING FROM ELECTORAL BOUNDARY CHANGES

14. The Tribunal has further considered adjustments to the levels of electorate allowances based on changes arising from the redistribution of electoral boundaries.
15. Electorate of Light.
 - 15.1. Prior to the redistribution of the electoral boundaries in 2018, the electorate of Light was a 459.7 km² electorate where the majority of the area within the electorate was outside of the Metropolitan Adelaide Boundary as defined by the *Development Act 1993* ("Metropolitan Adelaide"). The electorate of Light, as presently bounded, is now a 62.36 km² electorate which is contained, for the most part, within Metropolitan Adelaide.
 - 15.2. The Tribunal considers that the boundary changes to the electorate of Light are sufficient justification to adjust the level of electorate allowance to the same level as other electorates within metropolitan regions.
 - 15.3. The Tribunal intends to apply the above change in the level of allowance for the electorate of Light prospectively, on and from 1 March 2020.
16. Electorate of Finniss.
 - 16.1. Prior to the redistribution of the electoral boundaries in 2018, the electorate of Finniss was a 5,875 km² electorate which had Kangaroo Island contained within its electoral boundaries. The electorate of Finniss, as presently bounded, is a 1004 km² electorate and Kangaroo Island is no longer contained within its electoral boundaries.
 - 16.2. The Tribunal considers that the boundary changes to the electorate of Finniss are sufficient justification to adjust the level of electorate allowance to the same level applicable to electorates with similar characteristics to that of Finniss.
 - 16.3. The Tribunal intends to apply the above change in the level of allowance for the electorate of Finniss prospectively, on and from 1 March 2020.

17. Electorate of Mawson.

17.1. The Tribunal has considered the Member for Mawson's submission that the level of electorate allowance applicable to the electorate of Mawson, as presently bounded, ought to be backdated to 17 March 2018, being the date upon which the change in electoral boundaries took effect.

17.2. The Tribunal has determined that the rate of electorate allowance payable in respect of the electorate of Mawson shall be payable on and from 17 March 2018, having regard to the experience of the Member, since the election, in light of the significant expansion of the geography of the electorate and in particular the inclusion of Kangaroo Island.

17.3. The Member for Mawson foreshadowed a claim for reimbursement of expenses associated with the circumstances of a change of location of the Mawson electorate office. This submission was elaborated on a comparative basis with the circumstances of Report 10 of 2018 and Determination 10 of 2018. The Tribunal is not satisfied that the respective circumstances are analogous. Moreover, the submission relates to a potential event yet to occur. Accordingly, no determination as sought is made by the Tribunal.

CONCLUSION

18. The Tribunal has had due regard to the necessary statutory considerations under section 4(2)(a) of the PR Act. Those considerations include the nature of parliamentary duties, the duty for Members of Parliament to be actively involved in community affairs, and the duty for Members of Parliament to represent and assist their constituents in dealings with governmental and other public agencies and authorities.

19. The Tribunal has decided to apply an economic adjustment to the levels of all of the electorate allowances, having regard to movements in the Consumer Price Index for Adelaide¹, which results in an increase of 1.3%.

20. The Tribunal has further considered changes to the levels of electorate allowances, based on changes made to electoral boundaries by the Electoral Districts Boundaries Commission. The Tribunal has adjusted the rates of electorate allowance for the electorates of Finniss and Light on that basis. The Tribunal has also made a variation to the operative date for the electorate allowance applicable to the electorate of Mawson.

21. The accompanying Determination schedules new rates of electorate allowances and the operative dates from which those rates are applicable.



John Lewin
PRESIDENT



Peter Alexander
MEMBER



Pamela Martin
MEMBER

Dated this 25th day of July 2019.

¹ Australian Bureau of Statistics, Consumer Price Index, All Groups, Adelaide, Series 6401.0