



No. 10 of 2021

REPORT OF THE REMUNERATION TRIBUNAL
REIMBURSEMENT OF EXPENSES APPLICABLE TO THE ELECTORATE OF MAWSON
– TRAVEL TO AND FROM KANGAROO ISLAND BY FERRY AND AIRCRAFT

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 upon the Tribunal to make a Determination or perform any other function required by the PR Act.
3. Section 3A(3) of the PR Act provides that the Tribunal may make a different provision according to the member, the electorate, the House of Parliament or the circumstances to which the Determination is to apply.
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. The previous review of this entitlement was conducted by the Tribunal in 2020. Upon review, no increase was applied to the amount of the reimbursement entitlement provided by the Determination.

PROCEDURAL HISTORY

6. Section 10(2) of the Act provides that prior to the making of a Determination, the Tribunal must allow an affected person, or persons of an affected class, a reasonable opportunity to make submissions orally or in writing to the Tribunal.
7. Section 10(4) of the Act provides that 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. On 28 June 2021, the Tribunal wrote to the Members of Parliament, notifying of the Tribunal's intention to conduct a review of its Determinations in relation to Members of Parliament. The Tribunal invited written submissions with a closing date of 16 July 2021.
9. On 28 June 2021, the Tribunal wrote to the Honourable Premier of South Australia ("the Premier"), as the Minister responsible for the Act, inviting submissions in the public interest, with a closing date of 16 July 2021.
10. In addition, on 28 June 2021, a public notification of the review was placed on the Tribunal's website.

SUBMISSIONS

11. No submissions were received by the Tribunal in relation to the review to which this Report relates.

CONSIDERATION AND CONCLUSION

12. In reviewing this entitlement, 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.
13. The maximum amount of ferry or air travel expense reimbursement, between Kangaroo Island and the Fleurieu Peninsula, applicable to the electorate of Mawson, as provided for by Determination 8 of 2019¹, is currently \$3,380 per annum.
14. In considering the appropriateness of the maximum amount of this entitlement, the Tribunal has given due regard to the cost of journeys between Fleurieu Peninsula and Kangaroo Island for the relevant period.
15. The Tribunal does not consider it appropriate to adjust the amount of the entitlement at the time of this review.
16. Accordingly, the terms of Determination 8 of 2019 shall continue to apply. That Determination shall remain in force until further Determination by the Tribunal.



Matthew O'Callaghan
PRESIDENT



Deborah Black
MEMBER



Peter de Cure
MEMBER

Dated this 20th day of September 2021.

¹ Remuneration Tribunal Determination 8 of 2019 – Reimbursement of Expenses Applicable to the Electorate of Mawson – Travel to and from Kangaroo Island by Ferry and Aircraft