

SALARIES AND ALLOWANCES TRIBUNAL
Variation No. 2 to Members of Parliament Tribunal Determination
No. 1 of 2020

PREAMBLE

- (1) The Salaries and Allowances Tribunal issues this Variation to make minor adjustments to the *Members of Parliament Tribunal Determination No 1 of 2020* (the Determination), issued on 14 December 2020.
- (2) This Variation addresses matters raised through feedback provided to the Tribunal by administering agencies and Members of Parliament.
- (3) This Variation clarifies the:
 - (a) maximum daily amount of claims for international commercial accommodation when using the Parliamentary Travel and Study Allowance; and
 - (b) criteria for eligibility to claim the Transition Allowance when a Member has completed separate periods of service in previous Parliaments.

The Variation will now issue.

SALARIES AND ALLOWANCES TRIBUNAL

Variation No. 2 to Members of Parliament Tribunal Determination No. 1 of 2020

The *Members of Parliament Tribunal Determination No 1 of 2020*, issued on 14 December 2020, under sections 6(1)(a), (ab), (b) and 6AA of the *Salaries and Allowances Act 1975*, as amended from time to time, is hereby varied by a determination set out below.

The variation is effective on and from 14 May 2021.

VARIATION

Delete 6.2(1) and insert the following –

- (1) The applicable rate for claims or reimbursements under this section is determined to be:
- (a) for travel within Australia, the relevant amounts for commercial accommodation, meals and incidentals set out in Table 3 and Table 4 of the Australian Taxation Office's daily travel allowance (published as a Taxation Determination) applicable at the date the expense is incurred; and
 - (b) for international travel:
 - (i) up to \$400 per day for commercial accommodation; and
 - (ii) the relevant amounts for meals and incidentals set out in Table 8 and Table 9 of the Australian Taxation Office's daily travel allowance (published as a Taxation Determination) applicable at the date the expense is incurred.

Delete 7.1(6) to (9) and insert the following –

- (6) Calculations, under 7.1(5), of the maximum amount of the Allowance that may be claimed by a Member must:
- (a) consider only the Member's continuous period of service, which is concluding; and
 - (b) disregard separate periods of service in previous Parliaments, for which the Member has claimed the Transition Allowance or received the Resettlement Allowance provided in previous Tribunal determinations.

Claiming the Transition Allowance

- (7) A Member may claim the Allowance by submitting an application to the administering agency that:
- (a) includes certification that the Member is eligible to be provided the Allowance; and
 - (b) specifies the amount(s) being claimed.

- (8) A Member may elect to be provided the Allowance in up to two instalments.
- (9) In exceptional circumstances, such as ill health and bereavement, a Member may apply to the administering agency to adjust the number of instalments specified in 7.1(8).
- (10) An application under 7.1(9) must be in writing and must provide sufficient details of the exceptional circumstances.

Delete 7.2(1) and insert the following –

- (1) This Allowance is not available to a Member who:
 - (a) is entitled to superannuation benefits through the Parliamentary Pension Scheme;
 - (b) has not complied with reporting requirements set out in this Determination; or
 - (c) is disqualified from membership of the Legislature under section 32(1)(b) of the *Constitution Acts Amendment Act 1899*.

Signed on 14 May 2021.

M Seares AO

CHAIR

B A Sargeant PSM

MEMBER

SALARIES AND ALLOWANCES TRIBUNAL