

SOUTH AUSTRALIA

PARLIAMENTARY REMUNERATION ACT 1990

This Act is reprinted pursuant to the Acts Republication Act 1967 and incorporates all amendments in force as at 17 December 1997.

It should be noted that the Act was not revised (for obsolete references, etc.) by the Commissioner of Statute Revision prior to the publication of this reprint.

SUMMARY OF PROVISIONS

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PARLIAMENTARY REMUNERATION ACT 1990

being

Parliamentary Remuneration Act 1990 No. 14 of 1990
[Assented to 12 April 1990]¹

as amended by

Parliamentary Committees Act 1991 No. 50 of 1991 [Assented to 21 November 1991]²

Parliamentary Committees (Miscellaneous) Amendment Act 1994 No. 18 of 1994 [Assented to 12 May 1994]³
Parliamentary Remuneration (Salary Rates Freeze) Amendment Act 1994 No. 84 of 1994 [Assented to 8 December 1994]

Parliamentary Remuneration (Basic Salary) Amendment Act 1995 No. 22 of 1995 [Assented to 20 April 1995]⁴

Parliamentary Remuneration (Supplementary Allowances and Benefits) Amendment Act 1996 No. 89 of 1996
[Assented to 12 December 1996]

Statutes Amendment (Ministers of the Crown) Act 1997 No. 69 of 1997 [Assented to 11 December 1997]⁵

¹ Came into operation 19 April 1990: *Gaz.* 19 April 1990, p. 1136.

² Came into operation 11 February 1992: *Gaz.* 5 December 1991, p. 1668.

³ Came into operation 12 May 1994: *Gaz.* 12 May 1994, p. 1188.

⁴ Came into operation 1 July 1995: s. 2.

⁵ **Part 6 (s. 11) came into operation 17 December 1997: *Gaz.* 17 December 1997, p. 1639.**

NOTE:

- *Asterisks indicate repeal or deletion of text.*
- *Entries appearing in bold type indicate the amendments incorporated since the last reprint.*
- *For the legislative history of the Act see Appendix.*

An Act to make provision in relation to the remuneration of members of Parliament; and for other purposes.

The Parliament of South Australia enacts as follows:

Short title

1. This Act may be cited as the *Parliamentary Remuneration Act 1990*.

Commencement

2. This Act will come into operation on a day to be fixed by proclamation.

Interpretation

3. In this Act, unless the contrary intention appears—

"**basic salary**" means annual salary at a rate equal to \$2 000 less than the rate from time to time of Commonwealth basic salary;

"**Commonwealth basic salary**" means the annual allowance by way of salary from time to time payable under the law of the Commonwealth to a member of the House of Representatives of the Parliament of the Commonwealth who is not entitled to any additional allowance for holding any office, or performing any function, in, or in relation to, that Parliament or that House.

Remuneration of members of Parliament

4. (1) The remuneration of a member of Parliament comprises—

- (a) the basic salary; and
- (b) if the member holds an office specified in the schedule—additional annual salary at a rate equal to the percentage of the basic salary specified in the schedule in relation to that office; and
- (c) such electorate allowances and other allowances and expenses as are determined from time to time by the Remuneration Tribunal.

(2) A person who holds more than one office as a Minister of the Crown may be paid additional salary and allowances and expenses in respect of one only of those offices.

- (3) Additional salary must be calculated to the nearest dollar.

(4) The Remuneration Tribunal must, in determining electorate allowances and other allowances and expenses for members of Parliament, have regard not only to their parliamentary duties but also to—

- (a) their duty to be actively involved in community affairs; and
- (b) their duty to represent and assist their constituents in dealings with governmental and other public agencies and authorities.

(5) The electorate allowances and other allowances and expenses determined by the Remuneration Tribunal for members of Parliament may vary accordingly to the office held or the electorate represented by a member, the place at which a member usually resides, or any other factor that the Tribunal considers relevant.

Period for which remuneration is payable

5. Remuneration under this Act does not cease to be payable to a member of Parliament by reason of the fact that he or she has ceased to be a member—

- (a) on the dissolution of the House of which he or she is a member; or
- (b) on the expiry of his or her term by effluxion of time,

but the remuneration ceases to be payable—

- (c) in the case of the additional salary and allowances and expenses in respect of an office specified in the schedule—when the person ceases to hold that office; and
- (d) in the case of other remuneration—when a successor is elected as a member of Parliament in his or her place.

Payment of remuneration

6. A member of Parliament is entitled to be paid the remuneration fixed by or under this Act and this section is sufficient authority for the payment from the Consolidated Account of the amounts required for that purpose.

Ability to provide other allowances and benefits

6A. This Act does not limit or affect the ability of the Parliament or the Crown to provide allowances and other benefits that are additional or supplementary to the awards of the Remuneration Tribunal under this Act.

Regulations

7. The Governor may make such regulations as are contemplated by this Act or as are necessary or expedient for the purposes of this Act.

THE SCHEDULE

Additional salary

Office held	Percentage of basic salary
Premier	100
Deputy Premier	85
Leader of the Government in the Legislative Council	85
Minister of the Crown not referred to above—	
if a member of Executive Council	75
if not a member of Executive Council	41
President of the Legislative Council	75
Speaker of the House of Assembly	75
Chairman of Committees in the House of Assembly	37.5
Leader of the Opposition in the House of Assembly	75
Deputy Leader of the Opposition in the House of Assembly	60
Parliamentary Secretary to the Premier	20
Government Whip in the House of Assembly	18
Opposition Whip in the House of Assembly	18
Leader of the Opposition in the Legislative Council	60
Deputy Leader of the Opposition in the Legislative Council	10
Government Whip in the Legislative Council	10
Opposition Whip in the Legislative Council	10
Presiding Member of the Economic and Finance Committee	17
Other members of the Economic and Finance Committee	12
Presiding Member of the Environment, Resources and Development Committee	17
Other members of the Environment, Resources and Development Committee	12
Presiding Member of the Legislative Review Committee	14
Other members of the Legislative Review Committee	10
Presiding Member of the Public Works Committee	14
Other members of the Public Works Committee	10
Presiding Member of the Social Development Committee	14
Other members of the Social Development Committee	10
Presiding Member of the Statutory Authorities Review Committee	14
Other members of the Statutory Authorities Review Committee	10

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APPENDIX

LEGISLATIVE HISTORY

Transitional Provisions

(Transitional provision from Parliamentary Remuneration (Supplementary Allowances and Benefits) Amendment Act 1996, s. 3)

Application of amendment

3. The amendment made to the principal Act by this Act operates both prospectively and retrospectively.

Legislative History

(entries in bold type indicate amendments incorporated since the last reprint)

Section 3: definition of "basic salary" substituted by 84, 1994, s. 2;
22, 1995, s. 3
Section 6A: inserted by 89, 1996, s. 2
Schedule: **amended by 50, 1991, Sched. Pt. 2; 18, 1994, Sched. cl. 3; 69, 1997, s. 11**