

## PARLIAMENTARY SALARIES AND ALLOWANCES.

No. 11 of 1955.

AN ACT to consolidate and amend the law relating to the salaries and allowances to be paid to Ministers of the Crown and members and officers of Parliament and to amend the *Ministers of the Crown Act 1923*.  
[25 May, 1955.]

BE it enacted by His Excellency the Governor of Tasmania, by and with the advice and consent of the Legislative Council and House of Assembly, in Parliament assembled, as follows:—

**Short title.**       **1** This Act may be cited as the *Parliamentary Salaries and Allowances Act 1955*.

**Interpretation.**       **2** In this Act, “ministerial office” means an office that is specified in the fourth schedule.

**Repeals and amendments.**       **3**—(1) The enactments that are specified in the first schedule are repealed to the extent specified in that schedule.

(2) Section five of the *Ministers of the Crown Act 1923* is amended by omitting from subsection (2) the words “(including any honorary minister)”.

(3) Section seven of the *Ministers of the Crown Act 1923* is amended by omitting therefrom the words “responsible Minister, or any honorary Minister” and substituting therefor the word “Minister”.

(4) The *Ministers of the Crown Act 1923* is amended by omitting the schedule thereto.

(5) A reference in any other Act to the schedule to the *Ministers to the Crown Act 1923* shall be construed as a reference to the fourth schedule to this Act.

**Salaries and allowances of members of Parliament.**       **4**—(1) There is payable out of the Consolidated Revenue to each member of the Legislative Council and to each member of the House of Assembly a salary at the rate of one thousand three hundred and eighty-two pounds a year.

(2) In addition to the salary payable to a member of the Legislative Council or a member of the House of Assembly under subsection (1) of this section, there is payable, in

respect of the expenses of discharging his duties, an electorate allowance at the appropriate annual rate specified in the second schedule opposite the name of the electoral division that the member represents in the House of which he is a member.

(3) The salary and allowance payable to a member under this section shall be calculated from the day on which he is elected as a member and, except as provided by subsection (4) of this section, ceases on the day on which he ceases to be a member.

(4) Where a member of the House of Assembly ceases to be a member thereof by reason of the dissolution of that House or the expiry thereof by effluxion of time, he is, notwithstanding his cessation of membership, entitled to continue to receive his salary and allowance under this section, and, in the case of a person who is the holder of any office mentioned in paragraph (g), or paragraph (h), or paragraph (i), or paragraph (j) of subsection (1) of section six, to receive the allowance payable to him under the relevant paragraph of that subsection, until the day fixed for the taking of the poll next following the dissolution or expiry of that House.

(5) The salary and allowance payable to a member of either House of Parliament under this section shall be paid by equal monthly payments on the last day of each month, and the provisions of the *Apportionment Act 1871* apply thereto as if the Crown were bound by that Act.

**5**—(1) There is payable out of the Consolidated Revenue— Allowances of  
Ministers.

- (a) to the person for the time being holding the office of Premier in conjunction with a ministerial office an expense allowance at the rate of one thousand seven hundred and fifty pounds a year, together with an entertainment allowance at the rate of three hundred and fifty pounds a year;
- (b) to the person for the time being holding the office of Deputy Premier in conjunction with a ministerial office an expense allowance at the rate of one thousand one hundred pounds a year; and
- (c) to each person (other than the Premier and the Deputy Premier) for the time being holding a ministerial office, an expense allowance at the rate of one thousand pounds a year; and
- (d) to such other persons (not exceeding three at any one time) who are members of the Executive Council charged with the administration of a department of Government as the Governor may from time to time direct, an expense allowance at the rate of five hundred pounds a year.

(2) If a person at any time holds more ministerial offices than one, he shall be paid an allowance under this section only in respect of one of those offices and no person entitled to an

allowance under paragraph (d) of subsection (1) of this section shall be entitled to an allowance under any other paragraph of that subsection.

(3) The allowances payable under this section shall be paid by equal instalments twice monthly, on the fifteenth and last days of each month, and the provisions of the *Apportionment Act 1871* apply thereto as if the Crown were bound by that Act.

(4) The allowance payable under this section to any person shall be payable in addition to the salary and allowance (if any) payable to that person under section four.

Allowances of  
officers of  
Parliament.

**6**—(1) In addition to the salary and allowance payable to him under section four, there is payable out of the Consolidated Revenue—

- (a) to the person for the time being holding the office of President of the Legislative Council, an expense allowance at the rate of five hundred pounds a year;
- (b) to the person for the time being holding the office of Speaker of the House of Assembly, an expense allowance at the rate of five hundred pounds a year;
- (c) to any person for the time being holding the office of chairman of committees in either House of Parliament, an expense allowance at the rate of three hundred pounds a year;
- (d) to the person for the time being holding the office of deputy chairman of committees in the Legislative Council, an expense allowance at the rate of one hundred and seventy-five pounds a year (but so long only as that person is acting as chairman of committees during any period during which the chairman of committees acts as Deputy President of the Council);
- (e) to the person for the time being holding the office of Government Leader in the Legislative Council, an expense allowance at the rate of one thousand pounds a year;
- (f) to the member of the Legislative Council who is for the time being the Deputy Government Leader in the Council, an expense allowance at the rate of three hundred pounds a year.
- (g) to the member of the House of Assembly who is for the time being the Leader of the Opposition, an expense allowance at the rate of one thousand pounds a year;
- (h) to the member of the House of Assembly who is for the time being the Deputy Leader of the Opposition, an expense allowance at the rate of three hundred pounds a year;
- (i) to any member of the House of Assembly who is for the time being recognized as the Government

Whip, an expense allowance at the rate of one hundred and fifty pounds a year; and

- (j) to any member of the House of Assembly who is for the time being recognized as the Whip of any political party that consists of at least ten members of that House, being a party of which no member is the holder of a ministerial office, an expense allowance at the rate of one hundred and fifty pounds a year.

(2) No member while in receipt of an allowance under section five in respect of any office mentioned in that section is entitled to receive an allowance under paragraph (e) of subsection (1) of this section.

(3) The allowances payable under this section shall be paid by equal monthly payments on the last day of each month, and the provisions of the *Apportionment Act 1871* apply to those allowances as if the Crown were bound by that Act.

(4) Where a person holding the office of Speaker of the House of Assembly, or chairman of committees in that House, ceases to be a member of that House by reason of the dissolution of that House or the expiry thereof by effluxion of time, he is, notwithstanding his cessation of membership, entitled to continue to receive the allowance payable to him under this section until the day fixed for the taking of the poll next after the dissolution or expiry of that House.

**7**—(1) Subject to this section, the salary payable to a member of either House of Parliament under subsection (1) of section four, is subject to adjustment in accordance with variations in the cost of living. Adjustment  
of salaries.

(2) For the purposes of this section, the basis and method of adjustment of the salaries to which this section relates shall be as set forth in the third schedule.

(3) Notwithstanding any variation in the index number (as defined in the third schedule), no adjustment of salaries shall be made pursuant to this section unless and until both Houses of Parliament have, by resolution, affirmed the desirability thereof.

(4) Where a resolution under subsection (3) of this section is agreed to after the date on which, but for that subsection, an adjustment of salaries could have been made, that adjustment (whether by way of increase or decrease in the amount of any salary) shall be so made as to take effect from that date.

**8**—(1) Subject to subsection (2) of this section, sections four, five, and six shall be deemed to have commenced on the first day of March 1955. Retrospective  
provisions.

(2) All salaries and allowances paid out of the Consolidated Revenue to any person by virtue of any of the Acts mentioned in the first schedule in respect of any period after the last day

of February 1955, shall be deemed to have been paid on account of moneys due to that person under subsection (1) of this section, and all arrears so deemed to be due shall be paid at the Treasurer's discretion on any day not later than the second day for the payment of salaries and allowances under this Act after its commencement.

(3) A person holding the office of honorary minister shall for the purposes of section five and this section be deemed to have been entitled at all material times to an allowance under paragraph (d) of subsection (1) of section five.

### THE FIRST SCHEDULE.

(Section 3.)

#### ENACTMENTS REPEALED.

Year and number of enactment.	Short title of enactment.	Extent of repeal.
14 Geo. V No. 2	<i>Ministers of the Crown Act 1923</i>	Sections 3, 8, 8A, 9, and 10
18 Geo. V No. 15	<i>Payment of Members Act 1927</i>	The whole Act
18 Geo. V No. 25	<i>Officers of Parliament Act 1927</i>	The whole Act
No. 59 of 1948	<i>Parliamentary Salaries and Allowances Act 1948</i>	The whole Act
No. 73 of 1951	<i>Parliamentary Salaries and Allowances (Adjustment) Act 1951</i>	The whole Act
No. 87 of 1953	<i>Parliamentary Salaries and Allowances (Adjustment) Act 1953</i>	The whole Act

### THE SECOND SCHEDULE.

(Section 4.)

#### ELECTORATE ALLOWANCES.

Name of electoral division. <i>Legislative Council divisions—</i>	Rate of electorate allowance: per year.
Buckingham	£ 250
Cornwall	350
Derwent	400
Gordon	450
Hobart	250
Huon	400
Launceston	350
Macquarie	450
Meander	550
Mersey	400
Monmouth	500
Newdegate	250
Pembroke	400
Queenborough	250
Russell	500
South Esk	500
Tamar	450
West Devon	350
Westmorland	350

*House of Assembly divisions—*

Bass .....	650
Darwin .....	750
Denison .....	500
Franklin .....	650
Wilmot .....	800

## THE THIRD SCHEDULE.

## (Section 7.)

## BASIS AND METHOD OF ADJUSTMENT OF SALARIES.

1. In this schedule, "the index number" means the weighted average retail price index number for Hobart as shown in the Court Index (Third Series) of Retail Prices published by or at the direction of the Commonwealth Court of Conciliation and Arbitration.

2.—(1) The measure of increases or decreases in the cost of living shall be the index number, those increases or decreases being based on the index number 241.

(2) Subject to subsections (3) and (4) of section seven, cost of living adjustments, where necessary, may be made quarterly in the months of February, May, August, and November, respectively, in each year according to the index numbers for the quarters ending on the last days of March, June, September, and December, respectively.

(3) Subject to subsections (3) and (4) of section seven, increases above or decreases below the prescribed amount of any salary may be adjusted according to the following table, the amount of the increase or decrease being determined by the amounts shown in the table opposite the index number group within which the index number for the quarter ending on the last days of March, June, August, or November, falls:—

Index Number Groups "Court" Series, Hobart. (Third Series.)	Amount of Adjustment.
Decrease—	Shillings per month—
	s. d.
232·5—234·4 .....	34 8
234·5—236·4 .....	26 0
236·5—238·4 .....	17 4
238·5—240·4 .....	8 8
No change—	
240·5—242·4 .....	.....
Increase—	
242·5—244·4 .....	8 8
244·5—246·4 .....	17 4
246·5—248·4 .....	26 0
248·5—250·4 .....	34 8

(4) Subject to subsections (3) and (4) of section seven, in the event of the index number being more than 250·4 or less than 232·5 salaries may be further increased or decreased on the basis of the table set forth in sub-paragraph (3) of this paragraph, that is to say, for each further rise or fall of 2·0 points in the index number those salaries may be increased or decreased, as the case may be, by eight shillings and eightpence per month.