

WESTERN AUSTRALIA.

PARLIAMENTARY ALLOWANCES.

No. 33 of 1911.

(As amended by Acts Nos. 63 of 1919 (a), 32 of 1925 (b), 28 of 1927 (c), 6 of 1930 (d), 34 of 1944 (e), 52 of 1947 (f), 2 of 1950 (g), 16 of 1950 (h), and 47 of 1955 (i), and reprinted pursuant to the Amendments Incorporation Act, 1938.)

AN ACT relating to the Allowances to Members of each House of the Parliament of Western Australia.

[Assented to 16th February, 1911.]

BE it enacted by the King's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of Western Australia, in this present Parliament assembled, and by the authority of the same, as follows:—

1. This Act may be cited as the *Parliamentary Allowances Act, 1911-1955*.

Short title.
No. 47 of
1955, s. 3.

2. The Payment of Members Act, 1900, is hereby repealed.

Repeal.
No. 33 of
1911, s. 2.

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- (a) Assented to 16th December, 1919;
 - (b) Assented to 16th December, 1925;
 - (c) Assented to 16th December, 1927;
 - (d) Assented to 17th November, 1930;
 - (e) Assented to 23rd December, 1944;
 - (f) Assented to 19th December, 1947;
 - (g) Assented to 24th October, 1950;
 - (h) Assented to 17th November, 1950;
 - (i) Assented to 5th December, 1955.

Allowances to Members of Council and Assembly. No. 33 of 1911, s. 3 as amended by No. 63 of 1919, s. 2, No. 32 of 1925, s. 2, and No. 6 of 1930, ss. 3 and 4; repealed and re-enacted with amendments by No. 52 of 1947, s. 5 (3); further amended by No. 2 of 1950, s. 3 (3); again repealed and re-enacted by No. 16 of 1950, s. 3 (3); and further amended by No. 47 of 1955, s. 3.

3. (1) Each member of the Legislative Council and each member of the Legislative Assembly shall be entitled on and after the first day of December, one thousand nine hundred and fifty-five to receive an allowance at the rate of two thousand one hundred pounds per annum.

(2) A member of the Legislative Council or a member of the Legislative Assembly, who is elected for an Electoral Province or an Electoral District, as the case may be, any part of the boundaries of either of which is outside the area of an imaginary circle having a radius of fifty miles from Parliament House at Perth in the State, shall be entitled to receive an allowance at the rate of fifty pounds a year, in addition to the allowance which he is entitled to receive under the provisions of the last preceding subsection.

(3) The member of the Legislative Assembly who, for the time being, is recognised as the Leader of the Opposition, shall be entitled to receive an allowance at the rate of seven hundred pounds a year in addition to the allowance which he is entitled to receive pursuant to the provisions of subsection (1) of this section and where applicable, in addition to the allowance referred to in the last preceding subsection.

No. 47 of 1955, s. 3 (3) (c).

(3a) (a) The member of the Legislative Assembly, who, for the time being is recognised as the Deputy Leader of the Opposition, shall, except where paragraph (b) of this subsection provides otherwise, be entitled to receive an allowance on and after the first day of December, one thousand nine hundred and fifty-five, at the rate of four hundred pounds per annum in addition to the allowance which he is entitled to receive pursuant to the provisions of subsection (1) of this section, and in addition to the allowance referred to in subsection (2) of this section where applicable.

No. 47 of 1955, s. 3 (3) (d).

(b) Where in addition to the parties whose respective leaders are the Premier and the Leader of the Opposition, there is in the Legislative Assembly any other recognised party of at least seven members, the Deputy Leader of the Opposition shall not be entitled to the allowance at the rate of four hundred pounds per annum mentioned in paragraph (a) of this subsection, but shall be entitled to an allowance of two hundred pounds per annum, and the recognised leader for the time being of that other party shall be entitled to the allowance of four hundred pounds per annum, or if there are two or more such other parties, the recognised leaders for the time being of each of those other parties shall be entitled to that allowance equally between them.

(3b) The member of the Legislative Council, who, for the time being is recognised as the Leader of the Opposition in the Legislative Council, shall be entitled to receive an allowance on and from the first day of December, one thousand nine hundred and fifty-five, at the rate of four hundred pounds per annum in addition to the allowance which he is entitled to receive pursuant to the provisions of subsection (1) of this section, and in addition to the allowance referred to in subsection (2) of this section where applicable.

No. 47 of
1955, s. 3 (3)
(d).

(4) While holding any of the principal executive offices of the Government, liable to be vacated on political grounds, a member of the Legislative Council or a member of the Legislative Assembly shall be entitled to receive all the allowances to which he is entitled under subsection (1), and subsection (2) where applicable, of this section, and under section six B of this Act, and, in addition—

No. 47 of
1955, s. 3 (3)
(e).

(a) for the office of Premier held in conjunction with any of those principal Executive offices, an allowance on and after the first day of December, one thousand nine hundred and fifty-five, at the rate of one thousand nine hundred pounds per annum; or

- (b) for the office of Deputy Premier held in conjunction with any of those principal executive offices, an allowance on and after the first day of December, one thousand nine hundred and fifty-five, at the rate of one thousand four hundred and fifty pounds;
- (c) for the office of Leader of the Government in the Legislative Council held in conjunction with any of those principal executive offices, an allowance on and after the first day of December, one thousand nine hundred and fifty-five, at the rate of one thousand four hundred and fifty pounds;
- (d) for each of the other seven principal executive offices, an allowance on and after the first day of December, one thousand nine hundred and fifty-five, at the rate of one thousand three hundred pounds per annum.

Reckoning of allowance to members of Council. No. 33 of 1911, s. 4 as amended by No. 52 of 1947, s. 5 (4).

4. Subject to the provisions of section three of this Act the allowance to a member of the Legislative Council shall be reckoned—

- (a) In the case of a member elected to fill a seat which is to become vacant by rotation— from the day on which the seat becomes vacant.
- (b) In the case of a member elected to fill a casual vacancy—from the day of his election.

Reckoning of allowance to Members of Assembly. No. 33 of 1911, s. 5 as amended by No. 52 of 1947, s. 5 (5).

5. Subject to the provisions of section three of this Act the allowance to a member of the Legislative Assembly shall be reckoned from the day of his election, and notwithstanding the expiry by effluxion of time or the sooner dissolution of any Legislative Assembly, such allowance shall continue until the next following general election.

6. (1) The President of the Legislative Council and the Speaker of the Legislative Assembly shall each be entitled on and after the first day of December, one thousand nine hundred and fifty-five, to receive an allowance at the rate of two thousand five hundred and fifty pounds per annum but while entitled to receive that allowance shall not be entitled to receive any of the allowances referred to in section three of this Act, except the allowance referred to in subsection (2) of that section where that subsection is applicable.

Allowances to President, Speaker and Chairman of Committees. No. 33 of 1911, s. 6 as amended by No. 32 of 1925, s. 2 and No. 28 of 1927, s. 2; repealed and re-enacted with amendments by No. 52 of 1947, s. 5 (6); again repealed and re-enacted with amendments by 16 of 1950, s. 3 (4); and further amended by No. 47 of 1955, s. 3 (4).

(2) The Chairman of Committees of the Legislative Council and the Chairman of Committees of the Legislative Assembly shall each be entitled on and after the first day of December, one thousand nine hundred and fifty-five, to receive an allowance at the rate of two thousand three hundred and fifty pounds per annum but while entitled to receive that allowance shall not be entitled to receive any of the allowances referred to in section three of this Act, except the allowance referred to in subsection (2) of that section where that subsection is applicable.

6A. [Added to No. 33 of 1911 by No. 34 of 1944, s. 2; and repealed by No. 52 of 1947, s. 5 (7).]

Basic wage adjustments applicable to Parliamentary salaries.

6B. The allowances which—

a member of the Legislative Council and a member of the Legislative Assembly are entitled to receive pursuant to the provisions of subsection (1) of section three of this Act;

Variations in allowances. Added by No. 16 of 1950, s. 3 (5); and amended by No. 47 of 1955, s. 3 (5).

the President of the Legislative Council and the Speaker of the Legislative Assembly are entitled to receive pursuant to the provisions of subsection (1) of section six of this Act;

the Chairman of Committees of the Legislative Council and the Chairman of Committees of the Legislative Assembly are entitled to receive pursuant to the provisions of subsection (2) of section six of this Act;

shall be increased on and after the first day of September, one thousand nine hundred and fifty—

by an amount of twenty pounds for each complete amount of seven shillings and eightpence as determined by the Industrial Arbitration Court pursuant to the provisions of Part VII. of the Industrial Arbitration Act, 1912-1949* and being an increase above the basic wage rate for the Metropolitan Area of five pounds nine shillings and threepence which rate was declared by that Court on the twenty-third day of July, one thousand nine hundred and forty-seven and was in operation on the fifteenth day of October of that year—

but for such period only as each such increase of seven shillings and eightpence remains in operation and the amount of any increases effective under this section before the first day of December, one thousand nine hundred and fifty-five, shall be considered as part of the amount of the allowances mentioned in subsection (1) of section three, and subsections (1) and (2) of section six, of this Act.

No. 47 of
1955, s. 3 (5).

Retrospec-
tive marginal
allowances.
Added by
No. 47 of
1955, s. 3 (6).

6C. In order that allowances prescribed by this Act for members of Parliament may be adjusted so as to conform relatively to adjustments of remuneration by marginal allowances granted to other persons serving the State, the following allowances, in addition to any other allowances so prescribed, are hereby granted in respect of the period commencing on the twenty-fourth day of December, one thousand nine hundred and fifty-four and ending on the thirtieth day of November, one thousand nine hundred and fifty-five, in the ratio which the tenure of office of member of Parliament during that period, bears to the whole of the period, namely—

- (a) for each member of the Legislative Council and each member of the Legislative Assembly, an allowance at the rate of two hundred and twenty-eight pounds per annum;

* See now the Industrial Arbitration Act, 1912-1952.

- (b) for the member of the Legislative Assembly recognised as the Leader of the Opposition, an allowance at the rate of one hundred and forty pounds per annum in addition to that mentioned in paragraph (a) of this section;
- (c) for the President of the Legislative Council, and for the Speaker of the Legislative Assembly, an allowance at the rate of one hundred and twenty pounds per annum in addition to that mentioned in paragraph (a) of this section;
- (d) for the Chairman of Committees of the Legislative Council, and for the Chairman of Committees of the Legislative Assembly, an allowance at the rate of seventy pounds per annum in addition to that mentioned in paragraph (a) of this section;
- (e) for the office of Premier held in conjunction with any of the principal executive offices of the Government liable to be vacated on political grounds, an allowance at the rate of two hundred and seventy-two pounds per annum in addition to that mentioned in paragraph (a) of this section; and
- (f) for each of the other nine such principal executive offices, an allowance at the rate of two hundred and thirty-two pounds per annum in addition to that mentioned in paragraph (a) of this section.

7. This Act, subject to the provisions of the Acts Amendment (Allowances and Salaries Adjustment) Acts, 1947, 1950, and 1955, shall have effect as from the first day of January, one thousand nine hundred and eleven, and the first allowances prescribed by this Act shall be reckoned as from that date.

Commencement of application of Act.
No. 33 of 1911, s. 7 as amended by No. 52 of 1947, s. 5 (8), No. 16 of 1950, s. 3 (6) and No. 47 of 1955, s. 3 (7).

8. The allowances provided for by this Act shall be payable out of the Consolidated Revenue Fund, which is hereby appropriated accordingly.

Appropriation.
No. 33 of 1911, s. 8.