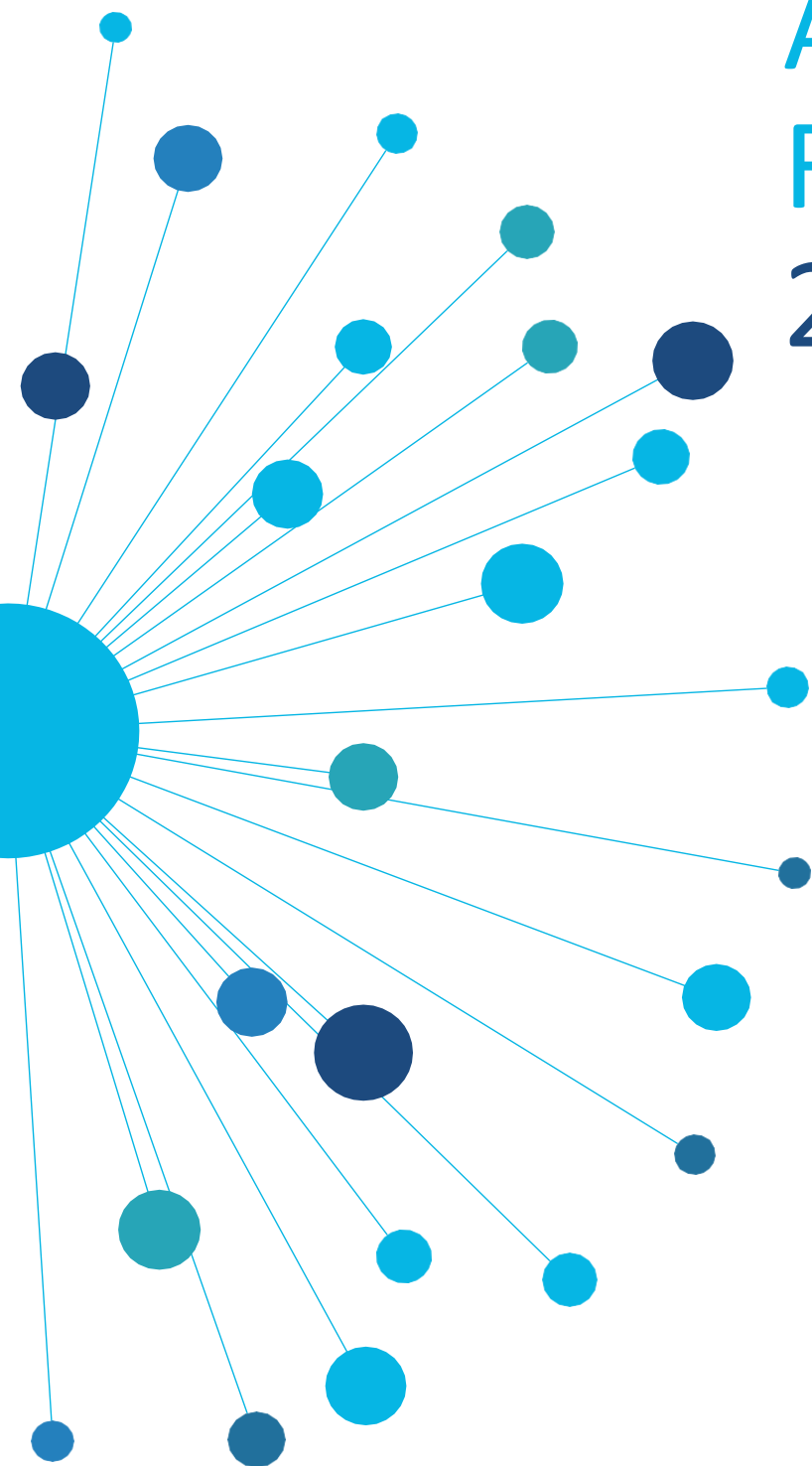


Queensland Independent
Remuneration Tribunal

Annual Report 2022 – 2023



About the Annual Report

The Queensland Independent Remuneration Tribunal is required under the *Queensland Independent Remuneration Tribunal Act 2013* (the Act) to prepare and give to the Clerk of the Parliament a written report about the operations of the Tribunal during each financial year.

The Annual Report provides information on the Tribunal, the Tribunal's key achievements during 2022–2023, its priorities ahead and a summary of the Tribunal's financial operations.

The Annual Report can be accessed online at www.remunerationtribunal.qld.gov.au

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Further information is available at <https://www.remunerationtribunal.qld.gov.au/tools/copyright.aspx>



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Letter of compliance

15 September 2023

Mr Neil Laurie
Clerk of the Parliament
Parliament House BRISBANE
QLD 4000

Dear Mr Laurie

I am pleased to present the Annual Report 2022–2023 for the Queensland Independent Remuneration Tribunal. This is the tenth report issued under section 26 of the *Queensland Independent Remuneration Tribunal Act 2013* and complies with the provisions of that section.

Yours sincerely

A handwritten signature in black ink, appearing to read 'K. Dunstan', with a stylized, cursive script.

Professor Keitha Dunstan

Chair

Table of Contents

	Message from the Chair	1
1	About the Queensland Independent Remuneration Tribunal	2
	1.1 Establishment.....	2
	1.2 Members.....	2
	1.3 Remuneration of Tribunal members	2
	1.4 Roles and functions of the Tribunal	2
	1.5 Code of Conduct.....	4
	1.6 Secretariat support	4
2	Key activities 2022–2023	5
	2.1 Tribunal Determinations 2022-2023	5
	Determination 27/2023	5
	2.2 Tribunal Ruling 2022-2023	6
	2.3 Tribunal meetings	6
3	Priorities for 2023–2024	7
4	Financial summary	8

Message from the Chair

On 8 December 2022, I, along with Emeritus Professor Patrick Weller and James Varghese were appointed to the Queensland Independent Remuneration Tribunal (Tribunal) for a term of three years. I acknowledge the work of former member Ms Jill Lang whose term ended on 18 September 2022.

In 2022-2023 the Tribunal completed a review of the allowances system resulting in Determination 27/2023 – *2021-22 Review of Allowances* and made a ruling regarding the use of the Electorate and Communication Allowance (ECA) in relation to the dissemination of information regarding the Aboriginal and Torres Strait Islander Voice Referendum (the Voice referendum) (Ruling 3/2023).

I thank my fellow members for their support in undertaking the Tribunal's functions. Additionally, on behalf of the Tribunal members, I offer my sincere thanks to the Clerk of the Parliament and the staff in the Parliamentary Service for their advice and support.

The Office of Industrial Relations advised that on 31 July 2023 in-principle agreement was reached with union negotiating parties for the replacement of the State Government Entities Certified Agreement (Core Agreement). Subject to the certification of the Core Agreement, the Tribunal will, in 2023-2024, review the base and additional salary levels for Members of Parliament (MPs). The Tribunal will also continue to monitor and review the allowances paid to members of the Legislative Assembly.

I look forward to working with my fellow Tribunal members to deliver on the Tribunal's priorities for 2023-24.



Professor Keitha Dunstan

Chair

About the Queensland Independent Remuneration Tribunal

1.1 Establishment

On 13 August 2013, the Queensland Independent Remuneration Tribunal (the Tribunal) was established as an independent statutory authority under the *Queensland Independent Remuneration Tribunal Act 2013* (the Act) to review and decide remuneration in connection with members and former members of the Queensland Legislative Assembly (members).

1.2 Members

Under the Act, the Tribunal consists of three persons appointed by the Governor in Council. Professor Keitha Dunstan (Chair), Mr James (Jim) Varghese and Emeritus Professor Patrick Weller were appointed as members of the Tribunal for a term of three years commencing on 8 December 2022.

1.3 Remuneration of Tribunal members

In accordance with the Act, Tribunal members are appointed on a part-time basis and are paid the remuneration and allowances decided by the Governor in Council.

The remuneration of Tribunal members has been assessed in accordance with the *Remuneration Procedures for Part-Time Chairs and Members of Queensland Government Bodies* and set by the Governor in Council at Adjudication and Determination Level 2 being meeting fees of \$520 for the Chair and \$400 for members (meeting of four hours or less).

1.4 Roles and functions of the Tribunal

Under Section 7 of the Act, the Tribunal's functions are to:

- review remuneration in connection with members and former members;
- review the additional staffing entitlement of cross bench members; and
- make binding decisions, known as 'determinations', about these matters – known as remuneration determinations and additional staff member determinations respectively.

For the purposes of the Act, 'remuneration' means salary, allowances or entitlements in connection with a member or former member. Any salary increases are limited to those received by core public service employees under a public service salary decision (see section 31A of the Act).

In making a determination, the Tribunal:

- may inquire into and inform itself of anything in the way it considers appropriate;
- may seek and receive written or oral statements from relevant entities;
- must have regard to effective and efficient processes in carrying out its functions; and

- must consult with and consider the views of the Clerk.

In making a remuneration determination the Tribunal must ensure:

- any allowances paid to a member reflect the amount of reasonable expenses incurred by a member in servicing their electorate i.e. expenses to assist constituents;
- the allowances are not a substitute for other remuneration, and
- accommodation, services or other entitlements mentioned in section 59D of the Act are not taken into account.

The Tribunal may consider a range of matters when making a remuneration determination including, but limited to:

- the value to the community of a member carrying out their role, functions and responsibilities;
- the importance of a member being appropriately remunerated for carrying out their role, functions and responsibilities;
- relevant laws that apply to members; and
- any other matter the Tribunal considers appropriate (e.g. the size of a member's electorate).

Section 59D of the Act provides that the Act (and therefore any remuneration determination) does not prevent a person from receiving the following:

- accommodation and services provided by the Parliamentary Service at Parliament House;
- accommodation and services provided in electorate offices, such as offices, staff, IT infrastructure and other major office equipment;
- entitlements a Minister or Assistant Minister receives to perform that role under *The Queensland Ministerial Handbook* <https://www.premiers.qld.gov.au/publications/categories/policies-and-codes/handbooks/ministerial-handbook.aspx>;
- entitlements the Leader of the Opposition receives to perform that role under *The Queensland Opposition Handbook* <https://www.premiers.qld.gov.au/publications/categories/policies-and-codes/opposition-handbook.aspx>;
- entitlements the Speaker of the Legislative Assembly receives under the Guidelines for the Financial Management of the Office of the Speaker www.parliament.qld.gov.au/members/entitlements; and
- entitlements arising out of a national or international arrangement.

In making an additional staff member determination, the Tribunal may have regard to the following:

- parliamentary resources provided to cross bench members and other members of the Legislative Assembly;
- the composition of the Legislative Assembly and how the composition affects cross bench members;
- the workload and duties of cross bench members for whom the Tribunal is considering to make the determination;
- whether the cross bench members are members of political parties;
- relevant laws applying to members; and
- other matters the Tribunal considers appropriate.

In performing its functions, the Tribunal must act independently, impartially and fairly. The Tribunal is not subject to direction or control by any entity, including any Minister.

To ensure the Tribunal operates in a transparent manner, it must include written reasons for its determinations, provide a copy of determinations and reasons to the Clerk for tabling in Parliament and make the determination and reasons publicly available. All determinations and reasons are available on the Tribunal website at www.remunerationtribunal.qld.gov.au.

1.5 Code of Conduct

The Tribunal's Code of Conduct (Code) complies with the *Public Sector Ethics Act 1994* and is consistent with the Code of Conduct for the Queensland Public Service. In accordance with the *Public Sector Ethics Act 1994*, the Code has been approved by the Premier as Minister administering the Act.

The Code is part of the Tribunal's publication scheme and is available at <https://www.remunerationtribunal.qld.gov.au/resources>.

1.6 Secretariat support

In accordance with the Act, the Tribunal receives assistance from the Chief Executive of the department that administers the Act (the Department of the Premier and Cabinet (DPC)).

The Secretariat consists of officers from DPC who provide support to the Tribunal on a part-time basis as required. The Secretariat assists the Tribunal in preparing meeting documents, drafting meeting minutes, completing action items, drafting research materials, compiling submissions and drafting Determinations, rulings and other reports as advised by Tribunal members.

The Secretariat also coordinates support for the Tribunal in relation to website design, communications, printing and other resourcing needs. This further support is provided in-kind by relevant sections of DPC.

Key activities 2022-2023

2.1 Tribunal Determinations 2022–2023

In 2022-2023 the Tribunal issued one Remuneration Determination.

All Tribunal Determinations including the reasons for the determination, are available on the Tribunal's website at

<https://www.remunerationtribunal.qld.gov.au/determinations.aspx>.

Determination 27/2023

On 27 March 2023, the Tribunal issued Determination 27/2023 - *2021-22 Review of Allowances*.

The annual review of allowances resulted in changes to the ECA – High Enrolment Supplement, the Motor Vehicle Allowance, the General Travel Allocation – Daily Travel Allowance and the Parliamentary Business Overnight Rate with effect from 1 January 2023.

Following consideration of members' expenditure and acquittal data as published in the Annual Reports tabled by the Clerk of the Parliament, submissions to the Tribunal, economic indicators, and increased costs associated with servicing a member's electorate, the Tribunal determined to:

- increase the quantum of the ECA – High Enrolment Supplement from \$2,500 per annum to \$5,000 per annum
- increase all bands of the Motor Vehicle Allowance by 2.5%
- set the General Travel Allocation – Daily Travel Allowance rates at:
 - \$416.00 per day for State and Territory capital cities within Australia as well as Wellington (New Zealand) and Port Moresby (Papua New Guinea);
 - \$139.00 per day for capital cities, where 1/3rd of the Daily Travel Allowance amount applies; and
 - \$330.00 per day for all other destinations; and
- set the Parliamentary Business Overnight Rate at:
 - \$139.00 per day for Members provided with overnight accommodation in the Parliamentary Annexe;
 - \$139.00 per day for Members representing Brisbane based electorates not provided with overnight accommodation in the Parliamentary Annexe who stay in commercial accommodation facilities for an overnight stay; and
 - \$416 per day for other Members not provided with overnight accommodation in the Parliamentary Annexe who stay in commercial accommodation facilities for an overnight stay.

2.2 Tribunal Ruling 2022–2023

Under section 36 of the Act, the Clerk of the Parliament wrote to the Tribunal requesting a ruling on the use by members of the ECA to acquit expenses relating to dissemination of information regarding the upcoming Aboriginal and Torres Strait Islander Voice Referendum (Voice referendum).

The Tribunal ruled that Members cannot use their ECA to acquit expenditure relating to dissemination of information regarding a referendum, including the Voice referendum, whether the information advocates a particular position or not.

Published rulings are available at

https://www.remunerationtribunal.qld.gov.au/resources.aspx#_rulings.

2.3 Tribunal meetings

The Tribunal held meetings on three occasions from 1 July 2022 to 30 June 2023. Meetings were usually held in person at 1 William Street, Brisbane, however, when required, members also attended via video conferencing software.

Minutes were produced for each meeting in accordance with the Act.

Tribunal members communicated via telephone, email and video conferencing software outside of formal meetings to draft and finalise documentation.

The Tribunal also met with the Committee of the Legislative Assembly and the Clerk of the Parliament at Parliament House and Mr Varghese represented the Tribunal at the annual Judicial Remuneration Coordination Group meeting in Sydney.

Priorities for 2023–2024

In 2023-2024, the Tribunal will undertake its annual review of allowances, entitlements and allocations to ensure the quantum of the allowances is adequate to enable members to service their electorates and support their constituents. The Tribunal will also consider electoral roll figures and their impact on the allowances as part of this review.

The next remuneration determination is due to be made by 27 March 2024.

Additionally, the *State Government Entities Certified Agreement 2019* nominally expired on 31 August 2023. The Tribunal understands that negotiations between interested parties are progressing. Once an agreement is certified, the Tribunal is required to make a decision within 90 days in respect of the salary rates for members of parliament.

Financial summary

The Financial Statement for the Tribunal has been prepared on an accrual basis in accordance with the prescribed requirements. DPC provides secretariat support to the Tribunal. The revenues and expenses recognised for the Tribunal do not include allocations for corporate support and executive management services which are provided in-kind by DPC.

Financial Statement for the year ended 30 June 2023¹

	NOTE	2022-23	2021-22
	2		
Revenue from ordinary activities		\$	\$
Departmental services revenue		6,345	5,483
Total revenue from ordinary activities		6,345	5,483
Tribunal Member Fees and related costs	3	5,702	4,928
Expenses from ordinary activities			
Supplies and services			
Consultancy and Contractors		-	-
Consumables		191	349
Legal costs		-	-
Parking		-	-
Printing and communication costs		-	-
Telecommunications costs		-	-
Travel costs		452	206
Total supplies and services		643	555
Total expenses from ordinary activities		6,345	5,483
Net Operating Result		-	-

Notes to and forming part of the financial statement:

1. This financial statement for the Tribunal and associated notes has not been audited. Full audited statements will be available in the Department of the Premier and Cabinet 2022-23 Annual Report.
2. Comparative data has been included for the Tribunal for the period ended 30 June 2022. This comparative data was for the Tribunal's ninth year of operation.
3. The table below provide total remuneration for members of the Tribunal. The tables include actual payments made to members, not accruals or other state obligations as at 30 June 2023.

2022-2023

Remuneration Table			
Member	Short Term	Post Employment	Total Remuneration
DUNSTAN, Keitha L	\$1,560	\$164	\$1,724
LANG, Jill ¹	\$800	\$84	\$884 ²
VARGHESE, James C N	\$800	\$84	\$884
WELLER, Patrick M	\$2,000	\$210	\$2,210 ²
	\$5,160	\$542	\$5,702

1. Term of appointment ended 18 September 2022.
2. Includes fees for meeting attended during 2021-2022 financial year.