

Allowances - Elected Members Policy

MC03-CP (Supersedes MC03-CP Allowances Elected Members v1)



Hard copies of documents are uncontrolled and may not be current - please refer to the electronic version.

1. Purpose

This policy is to provide guidance in relation to Elected Members allowance payments and entitlements, including direction for claiming Extra Meeting and Professional Development allowances.

The policy is based on the principles set out in the *Local Government Act 2019* (LGA) and *Guideline 2A: Council member allowances** issued by the Minister.

***Guideline 2A:** Council member allowances is a Ministerial guideline that was re-made under section 71(2) of the *Local Government Act 2008 (2008 Act)* and continues as a transitional arrangement in accordance with section 353 of the LGA prior to the first determination (report) of council member allowances by the Remuneration Tribunal.

At the time of writing the *Local Government Legislation Amendment (Remuneration) Bill 2022* has not been enacted.

2. Scope

The policy applies to all elected members of MacDonnell Regional Council.

3. Objectives

The objective of this policy is to establish Council's position in relation to payment of allowances in line with the Minister's Guideline on Allowances for Council Members.

4. Definitions

Acting Principal Member	Refers to a person appointed pursuant to section 59 of the <i>Local Government Act 2019</i> .
Base Allowance	The base allowance covers those activities required of a council member in the performance of his or her role as an elected representative. Without limiting the generality of the preceding sentence, the base allowance covers:
	a) agenda study and meeting preparation;
	b) attendance at regular council meetings;
	c) attendance at social functions as a council representative;
	d) constituency responsibilities; and
	e) council representation outside the municipality/shire area, including delegations interstate and overseas, unless such representation has extra meeting approval.
Electoral Allowance	An allowance provided to assist council members with electoral matters. It may be used at the discretion of individual council members.

Allowances - Elected Members Policy

MC03-CP (Supersedes MC03-CP Allowances Elected Members v1)



MacDonnell
Regional Council

Hard copies of documents are uncontrolled and may not be current - please refer to the electronic version.

Extra Meeting Allowance	<p>a) A council must not pay extra meeting allowance unless the council has a policy which determines which meetings will attract the allowance.</p> <p>b) For a principal member, deputy principal member and acting principal member, this allowance is not paid separately. It is provided for and included in the base allowance.</p> <p>c) For other council members this allowance is paid only in accordance with council policy and after an approved claim is made.</p> <p>d) The extra meeting allowance must not be paid for those meetings specified as covered by the base allowance.</p> <p>e) The extra meeting allowance is capped for each financial year (see tables at clause 8).</p>
Ordinary Council Member	A council member other than the principal member, deputy principal member or, during the relevant period, an acting principal member.
Professional Development Allowance	An allowance payable to council members to attend appropriate and relevant conferences or training courses which sustain a member's professional competence by keeping the member informed of, and able to comply with, development in professional standards applicable to their role as a council member. Any such course or conference must have approval and be consistent with council policy in order to attract this allowance.

5. Statement

5.1. Principles

In accordance with the transitional arrangements, repealed sections 71 and 72 of the *Local Government Act 2008* continue in force after the commencement of the *Local Government Act 2019* and until the Remuneration Tribunal makes a determination under section 7B of the *Assembly Members and Statutory Officers (Remuneration and Other Entitlements) Act 2006*.

The policy is therefore based on the following principles set out in the *Local Government Act 2008* (LGA) and Ministerial Guideline 2A Council Member Allowances as follows:

- 5.1.1. The maximum allowances payable are limited to the value defined in the Minister's Guideline issued each year.
- 5.1.2. Section 71(1) of the LGA provides that, "a member of council is entitled to be paid an allowance by the council." Section 71(2) qualifies this by providing that, "The allowance is to be at a rate fixed by council (subject to guidelines issued by the Minister) for the relevant financial year."
- 5.1.3. Section 71 (3) provides that "A council must resolve to fix members allowances for the financial year when it adopts the budget for the financial year".
- 5.1.4. Section 71(5) of the LGA states that "Allowances are to be paid as determined by the council but are not to be paid in advance".
- 5.1.5. The Minister's Guideline establishes a requirement for Council to have a policy in relation to payment of certain allowances.

Allowances - Elected Members Policy

MC03-CP (Supersedes MC03-CP Allowances Elected Members v1)



Hard copies of documents are uncontrolled and may not be current - please refer to the electronic version.

- 5.1.6. MRC pays allowances to Elected Members in line with the Minister's Guideline and this policy.
- 5.1.7. The rates for all Elected Member allowances are included in the annual budget and published each year in Council's Regional Plan. A copy of the rates of allowances set by Council for the 2022/2023 year are included as Attachment A.
- 5.2. Extra Meeting Allowance
 - An Extra Meeting allowance will be paid to Ordinary Council Members for the following meetings:
 - 5.2.1. Local Authority meetings
 - 5.2.2. Council meetings other than the scheduled six ordinary council meetings per year including the workshop days before ordinary council meetings.
 - 5.2.3. Council sub-committee meetings where they are held on days other than the days of the ordinary council meetings and the pre-ordinary council meeting workshop meeting days.
 - 5.2.4. Any other days spent representing council where approval has been made by Council resolution to pay an extra meeting allowance.
 - 5.2.5. A single day for travel to any of the above meetings, where travel undertaken on a day either side of the meeting takes 4 hours or more.
 - 5.2.6. Days spent undertaking professional development where attendance has been approved by Council.
 - 5.2.7. The rate for the Extra Meeting allowance:
 - 5.2.7.1 For extra Council Meetings: \$360.26 per day.
 - 5.2.7.2 For Local Authority meetings within the Councillor's home community: \$180.13 per day
 - 5.2.7.3 For Local Authority meetings not within the Councillor's home community: \$360.26 per day.
 - 5.2.7.4 For all other extra meetings: \$360.26 per day.
 - 5.2.7.5 For approved travel days: \$360.26 per day
 - 5.2.7.6 Payment of Extra Meeting allowances is capped at the level detailed in Attachment A.
 - 5.2.8. Claims for extra meeting allowances must be submitted on the form F106 Extra Meeting Allowance Claim Form and signed by the Councillor and either the Chief Executive Officer, the Director Corporate Services or the Manager Governance & Planning.
 - 5.2.9. Claim forms must be submitted to the Governance Officer at the Alice Springs Office by hand, mail, fax or scan/email.
 - 5.3. Professional Development Allowance
 - 5.3.1. A Professional Development allowance will be paid to any Elected Member for courses / conference expenditure including travel, accommodation and meals, as defined in the Minister's Guideline, where attendance has been approved by Council.
 - 5.3.2. Claims for a Professional Development allowance must be made on the Application for Travel Form.
 - 5.4. Frequency of Payment
 - 5.4.1. Elected Members' Base and Electoral allowances will automatically be paid fortnightly in arrears.
 - 5.4.2. Extra Meeting allowances are paid fortnightly along with Base and Electoral Allowances, after the relevant meeting if all paperwork is submitted. If paperwork is late, payments will be made in the fortnight following the submission of paperwork.
 - 5.4.3. Professional Development allowances will be paid for approved claims received by the 2nd working day of the month in that month and the following month for later claims.

Allowances - Elected Members Policy

MC03-CP (Supersedes MC03-CP Allowances Elected Members v1)



Hard copies of documents are uncontrolled and may not be current - please refer to the electronic version.

Note, however, that in line with the Minister's Guideline, claims not made within three months of the meeting date will be forfeited.

5.5. Method of Payment

Elected Members can choose to have some, or all, of their allowance paid into a superannuation fund. Otherwise payments will be made to Elected Members as follows:

5.5.1. will be paid to the Australian Taxation Office on behalf of the Elected Member in relation to the tax due on the allowance.

5.5.2. The balance will be paid by transfer to the Elected Members' bank account.

6. Policy Details

Replaces Policy No: (if applicable)	MC03-Allowances Elected Members Policy v1
Responsible Directorate/Department:	Corporate Services - Governance and Engagement
Approval Date:	27 May 2022
Minutes Reference:	OCCM Item # 15.1 – OCCM2022-065
Review Cycle:	30 June 2023 - Review annually (1) year or after changes to relevant legislation.

7. Legislation and References

Related Legislation:	<i>Local Government Act 2008 and 2019</i>
	Guideline 2A: Council Members Allowances
	Table of Maximum Council Member Allowances for 2022-2023
Related Policies:	CP102 Council Code of Conduct – Members
	CP105 Attendance – Elected Members
	CP109 Accommodation and Travel – Authority Members
Associated Documents:	F106 Extra Meeting Allowance Claim Form

8. Version Control

Version No.	Approval Date	Policy No.	Minutes reference and Resolution number
1	28 May 2021	MC03-CP	SCM Item #17.3 - OCM2021-080
2	27 May 2022	MC03-CP	SCM Item #15.1 - OCM2022-065

Allowances - Elected Members Policy

MC03-CP (Supersedes MC03-CP Allowances Elected Members v1)



MacDonnell
Regional Council

Hard copies of documents are uncontrolled and may not be current - please refer to the electronic version.

Attachment A

MacDonnell Regional Council Member Allowances

The following rates of allowances for Councillors are applicable from 1 July 2022 to 30 June 2023:

Approved Councillor Allowances	
<i>(Once allowances for a financial year have been set, they cannot be changed, Local Government Act 2019, section 108(1))</i>	2022/2023
<u>Ordinary Council Member:</u>	
Base Allowance	\$13,509.96
Electoral Allowance	\$4,943.73
Professional Development Allowance	\$3,753.17
Maximum Extra Meeting Allowance	\$9,006.64
<i>(Paid at the per day rates approved within Council's policy)</i>	
Total Claimable	\$31,213.50
<u>Deputy Principal Member:</u>	
Base Allowance	\$27,776.12
Electoral Allowance	\$4,943.73
Professional Development Allowance	\$3,753.17
Total Claimable	\$36,473.02
<u>Principal Member:</u>	
Base Allowance	\$75,116.61
Electoral Allowance	\$19,771.29
Professional Development Allowance	\$3,753.17
Total Claimable	\$98,641.07
<u>Acting Principal Member:</u>	
Daily Rate	\$261.34
Total Claimable (Maximum 90 Days)	\$23,520.60
