

CL006 - Elected Council Member Allowances

1. POLICY CERTIFICATION

Policy title:	Elected Council Member Allowance
Policy number:	CL006
Category:	Policy
Classification:	Elected Members
Status:	Approved

2. PURPOSE

This policy will fulfill the requirements of relevant sections of the *Local Government Act* and provide a framework for which Elected Members allowances are established and paid. The policy provides clarity in support of the applicable law and guidelines.

3. ORGANISATIONAL SCOPE

This policy applies to all Elected Council Members of the Roper Gulf Regional Council.

4. POLICY STATEMENT

Roper Gulf Regional Council will provide Elected Members with Base Allowances, Electoral Allowances, Professional Development Allowances, Extra Meetings Allowances and Acting Principal Member Allowances as applicable.

Elected Council members shall be provided with the appropriate devices to support their Office, and paid an amount as an allowance to cover these expenses e.g. phone usage, internet usage.

Elected Members shall be reimbursed 'out of pocket expenses' (incidental expenses) which are related to their Office but for whatever reason, were not covered by their allowances, if they obtain prior approval from the CEO.

Roper Gulf Regional Council will provide all allowances in a manner that adheres to the *Local Government Act*, its associated Regulations, and Local Government Guideline 2.

5. DEFINITIONS

The Act	<i>Local Government Act.</i>
Adheres	Follows or 'sticks to'.
Tablet	Electronic tablet device which allows Elected members to access the internet and their emails remotely.
Elected Members	Mayor, Deputy Mayor, and Councillors, elected to the Roper Gulf Regional Council.
Incidental Expenses	The expenses that occur that are essential to the completion of the Roper Gulf Regional Council task at hand. For example fuel expenses to travel to the task/event.
Shall	Will
Arrears	That which is behind in payments.
Claimable	A payment demanded in accordance with a policy, for if the elected member is eligible
Nominated	Chosen
Room Charges	Any additional charges or amounts credited back to a hotel room whilst staying in that hotel room.

CL006 - Elected Council Member Allowances

6. PRINCIPLES

6.1 Base Allowance

The base allowance covers those activities required of an Elected Member in the performance of his or her role as an Elected Member including agenda study and meeting preparation; attendance at regular council meetings; attendance at social functions as a council representative; constituency responsibilities; council representation outside the council area unless the representation has extra meeting approval.

The base allowance is automatically paid to Elected Members each month or at such frequency resolved by Council, in arrears. This payment, once approved by the Manager of Governance and Corporate Planning, will be processed by Finance on the 1st of each month and should appear in the Councillors bank account on 2nd of each month. If the 1st of the month falls on the weekend or public holiday, the allowance will be processed on the next working day.

Section 71(5) of the *Local Government Act* provides that Elected Member allowances are not to be paid in advance.

6.2 Electoral Allowance

The electoral allowance is to assist Elected Members with electoral matters. The electoral allowance is automatically paid to Elected Members each month or at such a frequency resolved by Council, in arrears. This payment, once approved by the Manager of Governance and Corporate Planning, will be processed by Finance on the 1st of each month and should appear in the Councillors bank account on 2nd of each month. If the 1st of the month falls on the weekend or public holiday, the allowance will be processed on the next working day.

6.3 Extra Meeting Allowance

The extra meeting allowance is a capped sum of money provided when an Elected Member attends an extra meeting or event deemed to be above the normal meetings as set out by the Council. The extra meeting allowance is claimable by the Elected Member for each day of the event or extra meeting. The payment of this allowance will be in arrears and will occur on Thursday after the signed **Extra Meeting Allowance Claim Form** has been received. In order to claim for this allowance, the **Extra Meeting Allowance Claim Form must be signed and completed**. The eligibility to claim Extra Meeting Allowance shall meet the following criteria:

- 1) The meeting must be outside of the Elected Members primary Town/Community of residency;
- 2) Any meeting for which the Mayor or CEO makes a request for Council representation. These meetings may include and are not limited to:
 - i. formal invitation to Councillors to a meeting/s with Territory and Federal Ministers or Departments.
 - ii. formal invitation to relevant semi Government instrumentalities such as 'Power and Water', 'Telstra' etc.
 - iii. formal invitation to relevant meetings with private companies who currently or may in the future conduct significant business in the Roper Gulf Region.
 - iv. formal invitation to consultation process' which are relevant to Roper Gulf Region.
- 3) Any formal Council Committee Meeting eg Finance Committee meeting, Audit Committee meeting, Grants Committee, which when established resolved to be eligible for Extra Meeting Allowance.
- 4) 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.

~~Extra Meeting Allowance will not be paid if the claim is for:~~

CL006 - Elected Council Member Allowances

- 1) an Ordinary Meeting of Council;
- 2) a Special Meeting of Council;
- 3) any meeting inside an Elected Member's town/community of residence;
- 4) any engagement for which the Base Allowance is applicable.

An Elected Member may claim the extra meeting allowance:

- a. Up to a maximum of two (2) meetings per day,
- b. If the Elected Member is required to travel for the extra meeting, the Elected Member may receive Travel Allowance, as well as the extra meeting allowance for the days of travel as well as for the meeting day itself.
- c. Only when they have completed a council approved form that includes the meeting's date and the period of time the Elected Member was present at the meeting. In order to be eligible, the Elected Member must have been present at the meeting for at least 75% of the meeting's duration.
- d. The extra meeting allowance is also applicable to attendance at Council Committee meetings.

An Elected Member shall not claim:

- a. More than once for each meeting.
- b. If the travel day falls on the same day as the meeting day, extra meeting travel may not be claimed.

An Elected Member is responsible for lodging the Extra Meeting Allowance claim form:

- a. By the second working day in the month following the extra meeting, or as otherwise resolved by Council.
- b. Any claims made after the second working day of the month after the extra meeting will be considered as a late claim and paid as a separate payment.
- c. Any claims made after three (3) months from the extra meeting will be forfeited.

6.4 Acting Principle Allowance

The acting principle allowance is a sum of money provided to the Deputy Principal or Elected Member when they are carrying out the duties of the Principal Member due to the Principal Members absence or inability to carry-out duties due to other arrangements. The Acting Principle Allowance is a claimable sum of money that is paid on a monthly basis. The Deputy Principal or Elected Member is entitled to claim for this allowance:

- a. If the duties of the Principal Member, as outlined in section 43(2)(b) and section 43(2)(c) of the *Local Government Act* have been carried out by themselves.
- b. If the duties have been carried out for up to and no more than 90 days in total in a financial year. Should the duties continue for longer than 90 days as resolved by Council, the rate reverts to usual rate for that Member.

During the time the member is acting as principal:

- a. The Elected Member, including the Deputy Principal is to be paid the daily rate as detailed in the Expenses table. This daily rate includes Saturdays, Sundays and Public Holidays.
- b. The extra meeting and base allowances will be suspended
- c. The Elected Member will continue to receive their electoral allowance.

6.5 Allowances for which no Financial Advantage is gained

Elected Members, will be provided a set allowance, but shall not gain a financial advantage for the following:

CL006 - Elected Council Member Allowances

6.5.1 Professional Development Allowance

The professional development allowance is payable to Elected Members to attend relevant and Council approved conferences or training courses. Professional development allowance is to be used to cover the cost of the registration or entry fee into the conference or course, travel, meals and accommodation.

The professional development allowance is claimable and available:

1. To all Elected Members.
2. Multiple times each year but shall not exceed the maximum amount specified by Council.
3. Only when participating in approved courses and conferences consistent with Council policy.

Alternatively, when Roper Gulf Regional Council has recommended and organised attendance at a conference and/or training session, Roper Gulf Regional Council will pre-pay any and all costs of relevant conferences or training courses, travel, accommodation, and travel allowance. If RGRC has paid the professional development costs directly, no professional development allowance is to be paid directly to the Elected Member.

6.5.2 Travel Allowance

Travel allowance is the sum of money provided when Elected Members are undertaking work related travel that requires an overnight stay in a location other than their primary residence. Travel allowance comprises components for accommodation, meals and other incidental expenses based on rates determined by the Australian Taxation Office recommendations. It is a sum of money paid to the Elected Member, prior to their travel to cover all travel costs in the route and mode of transport that is most economical to Roper Gulf Regional Council. Travel Allowance forms are to be completed for each claim to be processed.

The travel allowance is claimable by the Elected Member and must be pre-approved by the Manager of Governance and Corporate Planning before the travel has been undertaken. When an Elected Member is required to travel for work related purposes, the Governance Officer for Council will submit a 'Travel Allowance Form' to the Manager of Governance and Corporate Planning on the Elected Member's behalf for approval of payment. Once approved, the payment will be made into the Elected Member's nominated bank account in the earliest pay run from submission of the Travel Allowance Form. Should the Elected Member wish to receive their Travel Allowance as a cash payment, they must advise the Governance Officer for Council a minimum one (1) week prior to the first day of travel.

The claim conditions in which one can apply for the components of travel allowance are as follows:

Incidentals:

1. A set amount per day.
2. Shall only be claimed after the first 24 hours of travel away from primary place of work/residence or cannot be claimed during the first 24 hours of travel.
3. Shall only be claimed in compliance with applicable RGRC travel policy and/or policy support document

Breakfast:

1. A set amount per meal. Any breakfast expenses over the set breakfast allowance amount will be at the Elected Member's own expense.
2. Shall only be claimed in compliance with applicable RGRC travel policy and/or policy support document.
3. Shall only be claimed if Roper Gulf Regional Council have not pre-paid or ordered catering or not supplied by the event attending from 0600hrs to 0900hrs for this meal.

Lunch:

CL006 - Elected Council Member Allowances

1. A set amount per meal. Any lunch expenses over the set lunch allowance amount will be at the Elected Member's own expense.
2. Shall only be claimed in compliance with applicable RGRC travel policy and/or policy support document.
3. Shall only be claimed if Roper Gulf Regional Council have not pre-paid or ordered catering or not supplied by the event attending from 1200hrs to 1500hrs for this meal.

Dinner:

1. A set amount per meal. Any dinner expenses over the set dinner allowance amount will be at the Elected Member's own expense.
2. Shall only be claimed in compliance with applicable RGRC travel policy and/or policy support document..
3. Shall only be claimed if Roper Gulf Regional Council have not pre-paid or ordered catering or not supplied by the event attending from 1900hrs to 2359hrs for this meal.

Accommodation:

1. Shall only be claimed if Roper Gulf Regional Council is not paying for the accommodation by submitting the applicable RGRC Reimbursement Claim Form.
2. Will only cover the most basic room rate available. Any upgrades of room type or room charges will be paid by the Elected Member at their own expense.

Mileage:

1. A set amount per kilometre.
2. Shall only be paid if travel is conducted in a personal vehicle that has been pre-approved. Pre-approval of a vehicle can be obtained by providing the Governance Officer for Council with the vehicle's current registration and insurance documentation.
3. Shall only be paid for travel from the Elected Member's primary place of residence to the destination in which Roper Gulf Regional Council requires them and return, with both journeys undertaken by the shortest practicable route.
4. Shall only be paid once, per vehicle per trip, to the owner/operator of the vehicle being used for the trip. It does not apply to other Elected Members who are vehicle-sharing as passengers.

6.6 Annual Resolution of Allowances

The amount of Council Member Allowances including the amount of the Extra Meeting Allowance is determined by Council resolution every year as per legislative requirements. The resolution of Council Member Allowances for the financial year **must be made when it adopts the budget** for the financial year as per s71(3) of the *Local Government Act*. The maximum amounts payable are in the Local Government Guideline 2 Maximum Council Member Allowances schedule. Once a Council has resolved the level of allowances for a financial year they cannot be changed by amendment s128(2) of the *Local Government Act*.

6.6.1 Local Government Act takes precedent

The *Local Government Act*, its Statutory Instruments, and Local Government Guidelines shall prevail over this Policy should there be a conflict or inconsistency.

7. REFERENCES AND RELATED DOCUMENTS

Legislation	<i>Local Government Act</i>
	<i>Local Government Guideline 2</i>

CL006 - Elected Council Member Allowances

	<i>Income Tax Assessment Act 1997 (Cth)</i>
Australian Taxation Office	<i>Recommendations for Travel Allowances</i>
Department of Housing, Local Government and Regional Services	<i>Discussion paper: Elected Member Allowances</i>
Roper Gulf Regional Council	<i>Travel Allowance Claim Form Training Request Form Extra Meeting Allowance Claim Form Request for Usage Allowance Form</i>

8. DOCUMENT CONTROL

Policy number	006
Policy Owner	Governance
Endorsed by	OCM
Date approved	26/06/2013
Revisions	30 March 2016, July 2017
Amendments	30 March 2016, 23 August 2017
Next revision due	June 2021

9. CONTACT PERSON

Position **Manager Governance & Corporate Planning**

Contact number **(08) 8972 9005**