

POLICY			
TITLE:	ELECTED MEMBERS – MEETING ATTENDANCE AND OTHER ALLOWANCES	CODE:	CM102.1
PURPOSE or OBJECTIVE:	To define the statutory permitted annual meeting fees and Information and Communications Technology (ICT) allowances for Elected Members, and the additional annual allowances for the Mayor and Deputy Mayor.		
REFERENCE DOCUMENTS:	<i>Local Government Act 1995*</i> <i>Local Government (Administration) Regulations 1996 *</i> <i>Salaries and Allowances Tribunal Act 1975*</i> <i>Salaries and Allowances Act 1975*</i> <i>Annual Determination of the Salaries and Allowances Tribunal for Local Government Chief Elected Officers and Elected Members</i> Policy CM102.2 Elected Members and CEO Re-Imbursements of Expenses <i>* denotes Western Australian legislation and regulations as referenced in this policy</i>		

POLICY STATEMENT
<p>In lieu of meeting attendance fees Elected Members will receive the maximum annual meeting attendance allowance for a “Band 1” local government determined by the Salaries and Allowances Tribunal (SAT) from time to time. The annual allowance includes all council meetings, council committee meetings, council forums and prescribed meetings.</p> <p>Elected Members will receive the maximum permissible annual allowance for ICT equipment.</p> <p>The Mayor will receive the maximum annual meeting attendance allowance for a “Band 1” local government. The Mayor is entitled to receive the maximum additional annual allowance determined by SAT for a “Band 1” local government.</p> <p>The Deputy Mayor is entitled to receive a maximum 25% of the additional annual allowance to which the Mayor is entitled.</p> <p>The City of Canning (the City) will not apply to the Australian Taxation Office to be considered as an Eligible Local Governing Body for the purpose of capturing payments and benefits to Elected Members within the Pay As You Go (PAYG) and Fringe Benefits Tax (FBT) provisions, nor for the members to be treated as employees for superannuation and income tax purposes.</p> <p>Subject to the provisions of this policy, an Elected Member has the option of foregoing part of his or her attendance allowance in exchange for the City making contributions to a complying superannuation fund.</p>

1. Scope

This policy applies to all Elected Members.

2. Definitions

<i>Elected Member</i>	A person elected and holding valid office under the <i>Local Government Act 1995</i> as a member of the Council of the City of Canning.
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<i>ICT expenses</i>	<p>(a) Rental charges in relation to one telephone and one facsimile machine, as prescribed by regulation 31(1)(a) of the <i>Local Government (Administration) Regulations 1996</i>; or</p> <p>(b) Any other expenses that relate to information and communications technology (e.g. telephone call charges and internet service provider fees) and that are a kind of expense prescribed by regulation 32(1) of the <i>Local Government (Administration) Regulations 1996</i>.</p>
<i>Prescribed meeting</i>	<p>A meeting of a type defined in <i>Local Government (Administration) Regulation 30(3A)</i>, this being a meeting:</p> <p>(a) Of a WALGA Zone; [r.30.(3A)(a)]</p> <p>(b) Of a Regional Road Group established by Main Roads WA; [r.30.(3A)(b)]</p> <p>(c) Of a regional local government; [r.30.(3A)(c)]</p> <p>(d) Other than a council or committee meeting where the member is attending at the request of a Minister of the Crown who is attending the meeting; [r.30.(3A)(d)]</p> <p>(e) Other than a council meeting or committee meeting where the member is representing the City of Canning as a delegate elected or appointed by the City. [r.30.(3A)(d)]</p>

3. Allowance Payments – When Made

The City will make allowances payments under this policy fortnightly, in arrears, by direct deposit into the bank account nominated by the Elected Member. Where an Elected Member has entered into a fee sacrifice arrangement for superannuation contributions, the City will make quarterly payments direct to the Elected Member’s nominated superannuation fund.

4. Allowance Payments – Member Obligations

- (1) Elected Members receive an allowance for purchasing, maintaining and insuring their own ICT equipment to better facilitate the conduct of Elected Member’s duties and the conduct of Council meetings.
- (2) An Elected Member entering into a sacrifice arrangement for superannuation must complete a written agreement with the City clearly stating all of the terms under which the arrangement will take place. The minimum terms that must be included in the agreement are:
 - (a) The percentage or amount of the allowance to be sacrificed ; and
 - (b) The date the agreement becomes effective; and
 - (c) The name of the superannuation fund; and
 - (d) Confirmation that the City is not an eligible local governing body.
- (3) An Elected Member is personally responsible for the taxation implications and liabilities associated with the allowances received.

5. Maximum Allowance

- (1) Elected Members will receive the maximum annual meeting attendance allowance for a “Band 1” local government determined annually by SAT from time to time. The annual allowance includes all council meetings, council committee meetings, council forums and prescribed meetings.
- (2) Elected Members will receive the maximum permissible annual allowance in lieu of ICT expenses.
- (3) The Mayor will receive the maximum annual meeting attendance allowance for a “Band 1” local government.
- (4) The Mayor is entitled to receive the maximum additional annual allowance determined by SAT for a “Band 1” local government.
- (5) The Deputy Mayor is entitled to receive a maximum 25% of the additional annual allowance to which the Mayor is entitled.

6. Register

- (1) The City will maintain a register on the City’s website of Elected Members’ Allowances, Payments and Re-imbursments. That register will include details pertaining to allowances under this Policy.
- (2) The register will include details of allowances paid under this policy for each Elected Member.
- (3) The register will be referred to as the Elected Member’s Register of Allowances, Payments and Re-imbursments.

GOVERNANCE REFERENCES

Statutory Compliance	<i>Local Government Act 1995 s.5.99 and s.5.99A*</i> <i>Local Government (Administration) Regulations 1996 r.30(3A), r.30(3C)*</i> <i>Salaries and Allowances Tribunal Act 1975 s.7B*</i>
Process Links	<i>Sacrifice for Superannuation Agreement Form – Elected Members (TRIM GO.P1.2)</i>

POLICY ADMINISTRATION

Program responsible		Officer Title	
Canning Community & Commercial		Director Canning Community and Commercial	
Version	Decision Reference	Meeting type and date	Delegation No. (or N/A)
1	OCM 15/4/2014 (CR-014-14)	Adopted	N/A
2	4/8/2014	Table (Clause 5) updated with new SAT allowances	N/A
3	OCM 21/10/2014 (CR-073-14)	Clause 4(1) amended	N/A
4	22 June 2015	Date on Table (Clause 5) updated following SAT 2015	N/A
5	1 July 2017	SAT Determination – 1 July 2017 - Updated Allowance	N/A
6	September 2020	Comprehensive review performed. Changes included: format changes, clarification of legislative and regulatory references and requirement to publish a register of allowances.	