

**THE PARLIAMENTARY SALARIES AND ALLOWANCES  
DETERMINATION 1996**

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PURSUANT to section 16 of the Civil List Act 1979 and to the Higher Salaries Commission Act 1977, the Higher Salaries Commission hereby makes the following determination (to which is appended an Explanatory Memorandum).

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**DETERMINATION**

**1. Title and commencement**—(1) This determination may be cited as the Parliamentary Salaries and Allowances Determination 1996.

(2) This determination shall come into force on the 1st day of April 1996.

**2. Expiry**—This determination shall expire on the 30th day of June 1997.

**3. Interpretation**—In this determination,—

“Pre-election period” means the period—

(a) Commencing on the 1st day of April 1996; and

(b) Ending with polling day for the first general election that takes place under the Electoral Act 1993;

“Post-election period” means the period—

(a) Commencing on the day after polling day for the first general election that takes place under the Electoral Act 1993; and

(b) Ending with the day on which this determination ceases to be in force.

**4. Salaries**—(1) The salaries payable pursuant to section 16 of the Civil List Act 1979 shall,—

(a) In respect of the pre-election period, be those set out in the First Schedule to this determination; and

(b) In respect of the post-election period, be those set out in the Second Schedule to this determination.

(2) No member of Parliament shall at any one time be paid under any of the provisions of the First Schedule or the Second Schedule to this determination more than one salary and, where a member holds two or more positions, the salary payable to that member shall be that payable in respect of the position for which the highest salary is payable.

**5. Allowances**—(1) The allowances payable pursuant to section 16 of the Civil List Act 1979 shall,—

- (a) In respect of the pre-election period, be those set out in the Third Schedule to this determination; and
- (b) In respect of the post-election period, be those set out in the Fourth Schedule to this determination.

(2) Each allowance provided for in the Third Schedule or the Fourth Schedule to this determination shall be paid to the recipient for the purpose of reimbursing the recipient for expenses arising from that recipient's official and Parliamentary duties.

**6. Revocations**—The Parliamentary Salaries and Allowances Determination 1995\* and the Parliamentary Salaries and Allowances Determination 1995, Amendment No. 1† are hereby revoked.

\*S.R. 1995/266  
†S.R. 1996/45

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## SCHEDULES

## FIRST SCHEDULE

Cl. 4 (1) (a)

SALARIES PAYABLE PURSUANT TO SECTION 16 OF THE CIVIL LIST ACT 1979  
IN RESPECT OF THE PRE-ELECTION PERIOD

Office	Yearly Rate of Salary \$
<i>Members of the Executive</i>	
Prime Minister ... ..	185,500
Deputy Prime Minister ... ..	141,500
Each member of the Executive Council (other than the Prime Minister and the Deputy Prime Minister) who is a Minister of the Crown holding a portfolio or portfolios and who is a member of Cabinet ...	126,000
Each member of the Executive Council (other than the Prime Minister and the Deputy Prime Minister) who is a Minister of the Crown holding a portfolio or portfolios but who is not a member of Cabinet	120,000
Each other member of the Executive Council ... ..	97,000
Each Parliamentary Under-Secretary ... ..	97,000
<i>Officers of the House of Representatives</i>	
Speaker of the House of Representatives ... ..	126,000
Deputy Speaker ... ..	100,000
Each Assistant Speaker ... ..	77,500
<i>Leader and Deputy Leader of the Opposition</i>	
Leader of the Opposition ... ..	126,000
Deputy Leader of the Opposition ... ..	97,000
<i>Whips</i>	
Senior Government Whip ... ..	86,500
Senior Opposition Whip ... ..	86,500
Junior Government Whip ... ..	81,500
Junior Opposition Whip ... ..	81,500
<i>Members of Parliament</i>	
Each member of Parliament to whom none of the foregoing provisions of this Schedule applies ...	72,500

Cl. 4 (1) (b)

## SECOND SCHEDULE

SALARIES PAYABLE PURSUANT TO SECTION 16 OF THE CIVIL LIST ACT 1979  
IN RESPECT OF THE POST-ELECTION PERIOD

Office	Yearly Rate of Salary \$
<i>Members of the Executive</i>	
Prime Minister ... ..	185,500
Deputy Prime Minister ... ..	141,500
Each member of the Executive Council (other than the Prime Minister and the Deputy Prime Minister) who is a Minister of the Crown holding a portfolio or portfolios and who is a member of Cabinet ...	126,000
Each member of the Executive Council (other than the Prime Minister and the Deputy Prime Minister) who is a Minister of the Crown holding a portfolio or portfolios but who is not a member of Cabinet ...	115,000
Each other member of the Executive Council ...	97,000
Each Parliamentary Under-Secretary ... ..	97,000
<i>Officers of the House of Representatives</i>	
Speaker of the House of Representatives ... ..	126,000
Deputy Speaker ... ..	100,000
Each Assistant Speaker ... ..	79,500
<i>Leader of the Opposition</i>	
Leader of the Opposition (not being a member to whom a salary is payable under any of the foregoing provisions of this Schedule) ... ..	126,000
<i>Other Party Leaders and Deputy Leaders</i>	
Each member of Parliament (not being a member to whom a salary is payable under any of the foregoing provisions of this Schedule) who is the Leader of a party whose members in the House number not less than 6 and include at least one member elected as a constituency or list candidate for that party:	
If and so long as that party's members in the House number not less than 25 ...	90,000
If and so long as that party's members in the House number not less than 13 nor more than 24 ... ..	86,500
If and so long as that party's members in the House number not less than 6 nor more than 12 ... ..	82,500
Each member of Parliament (not being a member to whom a salary is payable under any of the foregoing provisions of this Schedule) who is the Deputy Leader of a party whose members in the House number not less than 35 and include at least one member elected as a constituency or list candidate for that party	84,500

SECOND SCHEDULE—*continued*SALARIES PAYABLE PURSUANT TO SECTION 16 OF THE CIVIL LIST ACT 1979  
IN RESPECT OF THE POST-ELECTION PERIOD—*continued*

Office	Yearly Rate of Salary \$
<i>Whips</i>	
In respect of each party whose members in the House number not less than 25,—	
One Senior Whip (not being a member to whom a salary is payable under any of the foregoing provisions of this Schedule)     ...     ...	86,500
One Junior Whip (not being a member to whom a salary is payable under any of the foregoing provisions of this Schedule)     ...     ...	81,500
In respect of each party whose members in the House number not less than 13 nor more than 24,—	
One Whip (not being a member to whom a salary is payable under any of the foregoing provisions of this Schedule)     ...     ...     ...	81,500
<i>Chairpersons of Select Committees</i>	
Each member of Parliament (not being a member to whom a salary is payable under any of the foregoing provisions of this Schedule) who is—	
(a) The Chairperson of the Regulations Review Committee; or	
(b) The Chairperson of a subject Select Committee specified in Standing Order 192 of the Standing Orders of the House of Representatives:     ...     ...     ...	77,500
Provided that no member of Parliament shall be paid more than one salary under this provision.	
<i>Other Members of Parliament</i>	
Each member of Parliament to whom none of the foregoing provisions of this Schedule applies     ...	74,500

Cl. 5 (1)(a)

## THIRD SCHEDULE

ALLOWANCES PAYABLE PURSUANT TO SECTION 16 OF THE CIVIL LIST  
ACT 1979 IN RESPECT OF THE PRE-ELECTION PERIOD*Members of the Executive*

**1. Expenses allowance**—There shall be paid to each member of the Executive Council and to each Parliamentary Under-Secretary an expenses allowance in accordance with the following table:

Office	Yearly Rate of Expenses Allowance \$
Prime Minister ... ..	29,500
Deputy Prime Minister ... ..	13,000
Each member of the Executive Council (other than the Prime Minister and the Deputy Prime Minister) who is a Minister of the Crown holding a portfolio or portfolios, whether or not a member of Cabinet	12,000
Each other member of the Executive Council	9,500
Each Parliamentary Under-Secretary ...	9,500

**2. Additional allowance for Minister of Foreign Affairs and Trade**—There shall be paid to the Minister of Foreign Affairs and Trade, in addition to that Minister's expenses allowance under clause 1 of this Schedule, an allowance at the rate of \$6,000 a year to provide for expenses incurred in connection with that Minister's official duties.

**3. Travelling allowance**—(1) There shall be paid to each member of the Executive Council and to each Parliamentary Under-Secretary a travelling allowance in respect of each occasion on which the member of the Executive Council or Parliamentary Under-Secretary is, in the course of travelling within New Zealand on public service, absent both—

(a) From the Wellington commuting area; and

(b) From the place where the member of the Executive Council or Parliamentary Under-Secretary normally resides when not living in a residence provided at public expense.

(2) Except where subclause (4) or subclause (5) of this clause applies, the travelling allowance payable in respect of each occasion on which the member of the Executive Council or Parliamentary Under-Secretary is absent from Wellington shall, subject to subclause (3) of this clause, be a sum equal to the actual and reasonable cost of the expenses incurred but not exceeding \$260 per day or part thereof.

(3) The travelling allowance payable under subclause (2) of this clause shall be a minimum of \$40 in respect of each occasion on which the period of absence is at least 6 hours.

(4) Where the occasion involves the attendance of the person entitled and the spouse of that person at an official function, being an official function—

(a) Which the person entitled attends by reason of the duties of his or her office; and

(b) Which the person entitled is invited to attend or is required to attend primarily because of the office that the person entitled holds; and

THIRD SCHEDULE—*continued*ALLOWANCES PAYABLE PURSUANT TO SECTION 16 OF THE CIVIL LIST  
ACT 1979 IN RESPECT OF THE PRE-ELECTION PERIOD—*continued*

(c) Which the spouse of the person entitled necessarily attends,— the travelling allowances payable in respect of each such occasion shall, subject to subclause (5) of this clause, be a sum equal to the actual and reasonable costs of the expenses incurred but not exceeding the sum of \$390 per day or part thereof.

(5) The travelling allowance payable under subclause (4) of this clause shall be a minimum of \$50 in respect of each occasion on which the period of absence is at least 6 hours.

(6) In this clause “day” means a period of 24 hours.

**4. House allowance**—There shall be paid to each member of the Executive Council or Parliamentary Under-Secretary who is not provided at the public cost with a residence a house allowance at the rate of \$2,000 a year.

**5. House and grounds maintenance allowance**—(1) There shall be paid—

(a) To each member of the Executive Council or Parliamentary Under-Secretary who is entitled to a house allowance under clause 4 of this Schedule; and

(b) To each member of the Executive Council or Parliamentary Under-Secretary—

(i) Who represents an electorate outside the Wellington commuting area; and

(ii) Who retains a residence, for personal use or electorate purposes or both, in the electorate that the member of the Executive Council or Parliamentary Under-Secretary represents,—

a house and grounds maintenance allowance at the rate of \$1,500 a year.

(2) In this clause, and in clauses 3 and 4 of this Schedule, “residence” includes any flat or town house, whether or not occupied pursuant to a licence to occupy within the meaning of Part VIIA of the Land Transfer Act 1952.

*Officers of the House of Representatives*

**6. Speaker**—There shall be paid to the Speaker of the House of Representatives—

(a) A basic expenses allowance at the rate of \$12,000 a year; and

(b) An additional allowance at the rate of \$8,500 a year to provide for expenses incurred in connection with the office of Speaker; and

(c) A day allowance in accordance with clause 13 of this Schedule; and

(d) Except in the case of travel wholly within the Speaker’s electorate, the travelling allowance that would be payable to the Speaker under clause 3 of this Schedule if the Speaker were a member of the Executive Council; and

(e) The house and grounds maintenance allowance (if any) that would be payable to the Speaker under clause 5 of this Schedule if the Speaker were a member of the Executive Council.

THIRD SCHEDULE—*continued*ALLOWANCES PAYABLE PURSUANT TO SECTION 16 OF THE CIVIL LIST  
ACT 1979 IN RESPECT OF THE PRE-ELECTION PERIOD—*continued***7. Deputy Speaker**—There shall be paid to the Deputy Speaker—

- (a) A basic expenses allowance at the rate of \$9,500 a year; and
- (b) An additional allowance at the rate of \$7,500 a year to provide for expenses incurred in connection with the office of Deputy Speaker; and
- (c) A day allowance in accordance with clause 13 of this Schedule; and
- (d) Except in the case of—
  - (i) Travel wholly within the electorate of the Deputy Speaker;
  - or
  - (ii) Travel wholly within the Wellington commuting area,—
 a night allowance in accordance with clause 14 of this Schedule.

**8. Assistant Speakers**—There shall be paid to each Assistant Speaker—

- (a) A basic expenses allowance at the rate of \$6,750 a year; and
- (b) An additional allowance at the rate of \$1,000 a year to provide for expenses incurred in connection with the office of Assistant Speaker; and
- (c) An electorate allowance at the appropriate rate specified in clause 12 of this Schedule; and
- (d) A day allowance in accordance with clause 13 of this Schedule; and
- (e) A night allowance in accordance with clause 14 of this Schedule.

*Leader and Deputy Leader of the Opposition***9. Leader of the Opposition**—There shall be paid to the Leader of the Opposition—

- (a) A basic expenses allowance at the rate of \$12,000 a year; and
- (b) Where the Leader of the Opposition resides in the Wellington commuting area,—
  - (i) A house allowance at the rate of \$2,000 a year; and
  - (ii) A house and grounds maintenance allowance at the rate of \$1,500 a year; and
- (c) Where the Leader of the Opposition does not reside in the Wellington commuting area,—
  - (i) A day allowance in accordance with clause 13 of this Schedule; and
  - (ii) A night allowance in accordance with clause 14 of this Schedule; and
- (d) The travelling allowance that would be payable to the Leader of the Opposition under clause 3 of this Schedule if the Leader of the Opposition were a member of the Executive Council.

**10. Deputy Leader of the Opposition**—There shall be paid to the Deputy Leader of the Opposition—

- (a) A basic expenses allowance at the rate of \$6,750 a year; and
- (b) An additional allowance at the rate of \$4,800 a year to provide for expenses incurred in connection with the office of Deputy Leader of the Opposition; and

THIRD SCHEDULE—*continued*ALLOWANCES PAYABLE PURSUANT TO SECTION 16 OF THE CIVIL LIST  
ACT 1979 IN RESPECT OF THE PRE-ELECTION PERIOD—*continued*

- (c) A day allowance in accordance with clause 13 of this Schedule; and
- (d) A night allowance in accordance with clause 14 of this Schedule.

*Members*

**11. Allowances**—There shall be paid to each member of Parliament to whom the foregoing provisions of this Schedule do not apply—

- (a) A basic expenses allowance at the rate of \$6,750 a year; and
- (b) An electorate allowance at the appropriate rate specified in clause 12 of this Schedule; and
- (c) A day allowance in accordance with clause 13 of this Schedule; and
- (d) A night allowance in accordance with clause 14 of this Schedule.

*Particular Allowances*

**12. Electorate allowance**—(1) The electorate allowance payable under clauses 8 (c) and 11 (b) of this Schedule, in the case of a member for a General electorate, shall be,—

- (a) In the case of a member of an electorate listed in Group A in Schedule E to the report of the Representation Commission, \$7,600 a year;
- (b) In the case of a member of an electorate listed in Group B in Schedule E to the report of the Representation Commission, \$10,900 a year;
- (c) In the case of a member of an electorate listed in Group C in Schedule E to the report of the Representation Commission, \$13,100 a year;
- (d) In the case of a member of an electorate listed in Group D in Schedule E to the report of the Representation Commission, \$16,500 a year.

(2) The electorate allowance payable under clauses 8 (c) and 11 (b) of this Schedule shall be,—

- (a) In the case of the member for the Southern Maori electorate, \$18,600 a year;
- (b) In the case of the member for any other Maori electorate, \$17,500 a year.

(3) In this clause, “report of the Representation Commission” means the report of the Representation Commission dated the 16th day of December 1992 (Parliamentary Paper H. 1 of 1992).

**13. Day allowance**—(1) The rate of the day allowance payable under clauses 6 (c), 7 (c), 8 (d), 9 (c) (i), 10 (c), and 11 (c) of this Schedule shall be \$52 for each day on which—

- (a) The member attends a sitting of the House of Representatives; or
- (b) The member attends in New Zealand a meeting of a select committee of the House of Representatives of which the member is a member or which the member is required to attend because of being in charge of a Bill or other matter under consideration by the committee or for any other valid reason relating only to the business of the committee; or

THIRD SCHEDULE—*continued*ALLOWANCES PAYABLE PURSUANT TO SECTION 16 OF THE CIVIL LIST  
ACT 1979 IN RESPECT OF THE PRE-ELECTION PERIOD—*continued*

- (c) The member travels in New Zealand on Parliamentary business (other than Parliamentary business of a kind described in paragraph (a) or paragraph (b) of this subclause); or
- (d) The member attends, in the Wellington commuting area, any ceremony or official function or national or international conference as a representative of Parliament or with the authority of the House of Representatives; or
- (e) The member is in Wellington but is unable to attend a sitting of the House of Representatives or a meeting of a select committee because of sickness or some other reason accepted by the Speaker of the House of Representatives as sufficient; or
- (f) In the case of a Whip, the Whip is in Wellington on Parliamentary business.

(2) Where a member (in any case to which subclause (1) of this clause does not apply) is present at Parliament Buildings on any day for a period of not less than 4 hours, the rate of day allowance payable under clauses 6 (c), 7 (c), 8 (d), 9 (c) (i), 10 (c), and 11 (c) of this Schedule shall,—

- (a) Where the period is 6 hours or more, be \$52 for that day; and
- (b) Where the period is less than 6 hours but not less than 4 hours, be \$26 for that day.

(3) In this clause “day” means a period of 24 hours.

**14. Night allowance**—(1) The rate of the night allowance payable under clauses 8 (e), 9 (c) (ii), 10 (d), and 11 (d) of this Schedule shall be such sum, not exceeding \$125, as the member certifies is required to reimburse that member for actual and reasonable costs already incurred on each night the member is required to obtain overnight accommodation away from the member’s home for the purpose of—

- (a) Attending a sitting of the House of Representatives; or
- (b) Attending in New Zealand a meeting of a select committee of the House of Representatives of which the member is a member or which the member is required to attend because of being in charge of a Bill or other matter under consideration by the committee or for any other valid reason relating only to the business of the committee; or
- (c) Travelling in New Zealand on Parliamentary business (other than Parliamentary business of a kind described in paragraph (a) or paragraph (b) of this subclause); or
- (d) Attending, in the Wellington commuting area, any ceremony or official function or national or international conference as a representative of Parliament or with the authority of the House of Representatives; or
- (e) In the case of a Whip, attending in Wellington on Parliamentary business; or
- (f) Proceeding, by the ordinary means of transport available to the member,—

THIRD SCHEDULE—*continued*ALLOWANCES PAYABLE PURSUANT TO SECTION 16 OF THE CIVIL LIST  
ACT 1979 IN RESPECT OF THE PRE-ELECTION PERIOD—*continued*

- (i) To attend any sitting, meeting, function, or conference described in paragraph (a) or paragraph (b) or paragraph (d) of this subclause; or
  - (ii) In the case of a Whip, to attend in Wellington on Parliamentary business.
- (2) The member for Kapiti, if resident not less than 40 kilometres by road from Parliament, shall—
- (a) If that member is not a Whip, be deemed to require to obtain overnight accommodation away from that member's home—
    - (i) For one night in each week during which the House sits; and
    - (ii) For every night on which the House sits under urgency; and
  - (b) If that member is a Whip, be deemed to require to obtain overnight accommodation away from that member's home on the night of each day on which that member attends in Wellington on Parliamentary business.
- (3) The maximum amount that may be paid to any member under this clause and clause 15 of this Schedule by way of reimbursement for overnight accommodation required by that member in the Wellington commuting area, in any period of 6 months beginning on the 1st day of July or on the 1st day of January shall not exceed—
- (a) In the case of a Whip, \$7,500; and
  - (b) In the case of any other member, \$6,875.

**15. Wellington accommodation allowance**—(1) A member of Parliament who—

- (a) Is entitled to be paid a night allowance under clause 8 (e) or clause 9 (c) (ii) or clause 10 (d) or clause 11 (d) of this Schedule; and
  - (b) Represents an electorate outside the Wellington commuting area; and
  - (c) Uses in the Wellington commuting area, when the member is in the Wellington commuting area for the purpose of carrying out that member's Parliamentary duties,—
    - (i) Accommodation owned by that member; or
    - (ii) Accommodation rented by that member on a continuous basis for use in lieu of overnight accommodation,—
- shall, if that member, by written notice to the General Manager of the Parliamentary Service, so elects, be paid a Wellington accommodation allowance which, subject to subclause (4) of this clause, shall be equal to the actual and reasonable costs that, as certified by that member from time to time, have already been incurred by that member in using that accommodation in lieu of overnight accommodation.

(2) A member who has elected to be paid a Wellington accommodation allowance shall cease to be entitled to be paid that allowance if that member, by written notice to the General Manager of the Parliamentary Service, revokes the election.

(3) At any time while an election under subclause (1) of this clause is in force, the member by whom that election was made shall not be entitled to be paid a night allowance under clause 8 (e) or clause 9 (c) (ii) or clause

THIRD SCHEDULE—*continued*ALLOWANCES PAYABLE PURSUANT TO SECTION 16 OF THE CIVIL LIST  
ACT 1979 IN RESPECT OF THE PRE-ELECTION PERIOD—*continued*

10 (d) or clause 11 (d) of this Schedule in respect of any occasion on which the member obtains overnight accommodation in the Wellington commuting area.

(4) The maximum amount that may be paid to any member under this clause and under clause 14 of this Schedule by way of reimbursement for overnight accommodation required by that member in the Wellington commuting area in any period of 6 months beginning on the 1st day of July or on the 1st day of January shall not exceed—

- (a) In the case of a Whip, \$7,500; and
- (b) In the case of any other member, \$6,875.

**16. Allowance payable to member travelling within New Zealand on public business**—A member of Parliament who, at the request of a Minister of the Crown, travels within New Zealand on public service shall (except where the travel is undertaken by the member wholly within the member's own electorate) be entitled to be paid—

- (a) The travelling allowance that would be payable to the member of Parliament under clause 3 of this Schedule if that member of Parliament were a member of the Executive Council; and
- (b) Where the member travels by public transport, an allowance equal to the amount of any fares paid by the member; and
- (c) Where the member uses any other mode of transport that is reasonable in the circumstances, an allowance equal to the actual and reasonable cost to the member of using that mode of transport (which allowance shall not exceed in respect of the use by the member of a private motorcar, the allowance payable in accordance with the scale applied by the State Services Commission in relation to the use by persons employed in the State Services Commission of private motorcars on official business).

**17. Allowance for purchase of motor vehicle**—(1) A member of Parliament, following each election at which the member is elected or re-elected as a member of Parliament, shall be paid an allowance (to be applied in or towards the purchase by the member of a motor vehicle) if—

- (a) The member is a member of Parliament to whom clause 8 or clause 11 of this Schedule applies; and
  - (b) The member, within two months after the date of the return of the writ for the election of the member, notifies the General Manager of the Parliamentary Service, in writing, that the member wishes to be paid an allowance under this clause.
- (2) The allowance payable under this clause, in the case of a member for a General electorate, shall be,—
- (a) In the case of a member for an electorate listed in Group A in Schedule E to the report of the Representation Commission, \$6,840:

THIRD SCHEDULE—*continued*ALLOWANCES PAYABLE PURSUANT TO SECTION 16 OF THE CIVIL LIST  
ACT 1979 IN RESPECT OF THE PRE-ELECTION PERIOD—*continued*

- (b) In the case of a member for an electorate listed in Group B in Schedule E to the report of the Representation Commission, \$9,810:
- (c) In the case of a member for an electorate listed in Group C in Schedule E to the report of the Representation Commission, \$11,790:
- (d) In the case of a member for an electorate listed in Group D in Schedule E to the report of the Representation Commission, \$14,850.
- (3) The allowance payable under this clause shall be,—
  - (a) In the case of the member for the Southern Maori electorate, \$16,740:
  - (b) In the case of the member for any other Maori electorate, \$15,750.
- (4) Where a member of Parliament to whom clause 8 or clause 11 of this Schedule applies elects to be paid an allowance under this clause, the member shall not be entitled to receive or to be paid an electorate allowance under clause 8 (c) or clause 11 (b) of this Schedule in respect of the period of 12 months beginning on the day after polling day for the election at which the member was elected.
- (5) In this clause, “report of the Representation Commission” means the report of the Representation Commission dated the 16th day of December 1992 (Parliamentary Paper H. 1 of 1992).

**18. Wellington commuting area**—For the purposes of this Schedule the Wellington commuting area comprises the Cities of Wellington, Lower Hutt, Upper Hutt, and Porirua and the Paraparaumu Ward of the Kapiti Coast District.

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Cl. 5 (1) (b)

## FOURTH SCHEDULE

ALLOWANCES PAYABLE PURSUANT TO SECTION 16 OF THE CIVIL LIST ACT  
1979 IN RESPECT OF THE POST-ELECTION PERIOD*Members of the Executive*

**1. Expenses allowance**—There shall be paid to each member of the Executive Council and to each Parliamentary Under-Secretary an expenses allowance in accordance with the following table:

Office	Yearly Rate of Expenses Allowance \$
Prime Minister ... ..	29,500
Deputy Prime Minister ... ..	13,000
Each member of the Executive Council (other than the Prime Minister and the Deputy Prime Minister) who is a Minister of the Crown holding a portfolio or portfolios, whether or not a member of Cabinet	12,000
Each other member of the Executive Council ...	9,500
Each Parliamentary Under-Secretary ... ..	9,500

**2. Additional allowance for Minister of Foreign Affairs and Trade**—There shall be paid to the Minister of Foreign Affairs and Trade, in addition to that Minister's expenses allowance under clause 1 of this Schedule, an allowance at the rate of \$6,000 a year to provide for expenses incurred in connection with that Minister's official duties.

**3. Travelling allowance**—(1) There shall be paid to each member of the Executive Council and to each Parliamentary Under-Secretary a travelling allowance in respect of each occasion on which the member of the Executive Council or Parliamentary Under-Secretary is, in the course of travelling within New Zealand on public service, absent both—

(a) From the Wellington commuting area; and

(b) From the place where the member of the Executive Council or Parliamentary Under-Secretary normally resides when not living in a residence provided at public expense.

(2) Except where subclause (4) or subclause (5) of this clause applies, the travelling allowance payable in respect of each such occasion shall, subject to subclause (3) of this clause, be a sum equal to the actual and reasonable cost of the expenses incurred but not exceeding \$260 per day or part thereof.

(3) The travelling allowance payable under subclause (2) of this clause shall be a minimum of \$40 in respect of each occasion on which the period of absence is at least 6 hours.

(4) Where the occasion involves the attendance of the person entitled and the spouse of that person at an official function, being an official function—

(a) Which the person entitled attends by reason of the duties of his or her office; and

(b) Which the person entitled is invited to attend or is required to attend primarily because of the office that the person entitled holds; and

(c) Which the spouse of the person entitled necessarily attends,—

FOURTH SCHEDULE—*continued*ALLOWANCES PAYABLE PURSUANT TO SECTION 16 OF THE CIVIL LIST ACT  
1979 IN RESPECT OF THE POST-ELECTION PERIOD—*continued*

the travelling allowance payable in respect of each such occasion shall, subject to subclause (5) of this clause, be a sum equal to the actual and reasonable costs of the expenses incurred but not exceeding the sum of \$390 per day or part thereof.

(5) The travelling allowance payable under subclause (4) of this clause shall be a minimum of \$50 in respect of each occasion on which the period of absence is at least 6 hours.

(6) In this clause “day” means a period of 24 hours.

**4. House allowance**—There shall be paid to each member of the Executive Council or Parliamentary Under-Secretary who is not provided at the public cost with a residence a house allowance at the rate of \$2,000 a year.

**5. House and grounds maintenance allowance**—(1) There shall be paid—

(a) To each member of the Executive Council or Parliamentary Under-Secretary who is entitled to a house allowance under clause 4 of this Schedule; and

(b) To each member of the Executive Council or Parliamentary Under-Secretary, who, being a constituency member,—

(i) Represents an electoral district outside the Wellington commuting area; and

(ii) Retains a residence, for personal use or constituency purposes or both, in the electoral district that the member of the Executive Council or Parliamentary Under-Secretary represents; and

(c) To each member of the Executive Council or Parliamentary Under-Secretary, who, being a list member,—

(i) Normally resides outside the Wellington commuting area; and

(ii) Retains a residence at his or her normal place of residence,—

a house and grounds maintenance allowance at the rate of \$1,500 a year.

(2) In this clause, and in clauses 3 and 4 of this Schedule, “residence” includes any flat or town house, whether or not occupied pursuant to a licence to occupy within the meaning of Part VIIA of the Land Transfer Act 1952.

*Officers of the House of Representatives*

**6. Speaker**—There shall be paid to the Speaker of the House of Representatives—

(a) A basic expenses allowance at the rate of \$12,000 a year; and

(b) An additional allowance at the rate of \$8,500 a year to provide for expenses incurred in connection with the office of Speaker; and

(c) A day allowance in accordance with clause 15 of this Schedule; and

(d) Except in the case of travel which,—

(i) If the Speaker is a constituency member, is wholly within the electoral district that the Speaker represents; or

FOURTH SCHEDULE—*continued*ALLOWANCES PAYABLE PURSUANT TO SECTION 16 OF THE CIVIL LIST ACT  
1979 IN RESPECT OF THE POST-ELECTION PERIOD—*continued*

- (ii) If the Speaker is a list member, is wholly within the electoral district in which the Speaker has his or her normal place of residence,—  
the travelling allowance that would be payable to the Speaker under clause 3 of this Schedule if the Speaker were a member of the Executive Council; and
- (e) The house and grounds maintenance allowance (if any) that would be payable to the Speaker under clause 5 of this Schedule if the Speaker were a member of the Executive Council.

**7. Deputy Speaker**—There shall be paid to the Deputy Speaker—

- (a) A basic expenses allowance at the rate of \$9,500 a year; and
- (b) An additional allowance at the rate of \$7,500 a year to provide for expenses incurred in connection with the office of Deputy Speaker; and
- (c) A day allowance in accordance with clause 15 of this Schedule; and
- (d) Except in the case of travel which—
- (i) If the Deputy Speaker is a constituency member, is wholly within the electoral district that the Deputy Speaker represents or, if the Deputy Speaker is a list member, is wholly within the electoral district in which the Deputy Speaker has his or her normal place of residence; or
- (ii) Is wholly within the Wellington commuting area,—  
a night allowance in accordance with clause 16 of this Schedule.

**8. Assistant Speakers**—There shall be paid to each Assistant Speaker—

- (a) A basic expenses allowance at the rate of \$7,000 a year; and
- (b) An additional allowance at the rate of \$1,000 a year to provide for expenses incurred in connection with the office of Assistant Speaker; and
- (c) Where an Assistant Speaker is a constituency member, a constituency allowance at the appropriate rate specified in clause 14 of this Schedule; and
- (d) A day allowance in accordance with clause 15 of this Schedule; and
- (e) A night allowance in accordance with clause 16 of this Schedule.

*Leader of the Opposition and other Party Leaders and Deputy Leaders***9. Leader of the Opposition**—There shall be paid to the Leader of the Opposition—

- (a) A basic expenses allowance at the rate of \$12,000 a year; and
- (b) Where the Leader of the Opposition resides in the Wellington commuting area—
- (i) A house allowance at the rate of \$2,000 a year; and
- (ii) A house and grounds maintenance allowance at the rate of \$1,500 a year; and
- (c) Where the Leader of the Opposition does not reside in the Wellington commuting area—

FOURTH SCHEDULE—*continued*ALLOWANCES PAYABLE PURSUANT TO SECTION 16 OF THE CIVIL LIST ACT  
1979 IN RESPECT OF THE POST-ELECTION PERIOD—*continued*

- (i) A day allowance in accordance with clause 15 of this Schedule; and
- (ii) A night allowance in accordance with clause 16 of this Schedule; and
- (d) The travelling allowance that would be payable to the Leader of the Opposition under clause 3 of this Schedule if the Leader of the Opposition were a member of the Executive Council.

**10. Other Party Leaders**—There shall be paid to each member of Parliament (not being a member to whom an allowance is payable under any of the foregoing provisions of this Schedule) who is the Leader of a party whose members in the House include at least one member elected as a constituency or list candidate for that party—

- (a) A basic expenses allowance which shall be—
  - (i) If and so long as that party's members in the House number not less than 25, at the rate of \$10,000 a year; and
  - (ii) If and so long as that party's members in the House number not less than 13 nor more than 24, at the rate of \$9,500 a year; and
  - (iii) If and so long as that party's members in the House number not less than 6 nor more than 12, at the rate of \$9,000 a year; and
  - (iv) If and so long as that party's members in the House number less than 6, at the rate of \$7,000 a year; and
- (b) Where a Leader is a constituency member, a constituency allowance at the appropriate rate specified in clause 14 of this Schedule; and
- (c) A day allowance in accordance with clause 15 of this Schedule; and
- (d) A night allowance in accordance with clause 16 of this Schedule.

**11. Deputy Leaders**—There shall be paid to each member of Parliament (not being a member to whom an allowance is payable under any of the foregoing provisions of this Schedule) who is the Deputy leader of a party whose members in the House number not less than 35 and include at least one member elected as a constituency or list candidate for that party—

- (a) A basic expenses allowance at the rate of \$7,000 a year; and
- (b) An additional allowance at the rate of \$2,000 a year to provide for expenses incurred in connection with the office of Deputy Leader; and
- (c) Where a Deputy Leader is a constituency member, a constituency allowance at the appropriate rate specified in clause 14 of this Schedule; and
- (d) A day allowance in accordance with clause 15 of this Schedule; and
- (e) A night allowance in accordance with clause 16 of this Schedule.

FOURTH SCHEDULE—*continued*ALLOWANCES PAYABLE PURSUANT TO SECTION 16 OF THE CIVIL LIST ACT  
1979 IN RESPECT OF THE POST-ELECTION PERIOD—*continued**Members*

**12. Constituency members**—There shall be paid to each constituency member of Parliament to whom the foregoing provisions of this Schedule do not apply,—

- (a) A basic expenses allowance at the rate of \$7,000 a year; and
- (b) A constituency allowance at the appropriate rate specified in clause 14 of this Schedule; and
- (c) A day allowance in accordance with clause 15 of this Schedule; and
- (d) A night allowance in accordance with clause 16 of this Schedule.

**13. List members**—There shall be paid to each list member of Parliament to whom the foregoing provisions of this Schedule do not apply,—

- (a) A basic expenses allowance at the rate of \$4,000 a year; and
- (b) A day allowance in accordance with clause 15 of this Schedule; and
- (c) A night allowance in accordance with clause 16 of this Schedule.

*Particular Allowances*

**14. Constituency allowance**—(1) The constituency allowance payable under clauses 8 (c), 10 (b), 11 (c), and 12 (b) of this Schedule shall be,—

- (a) In the case of a member for an electoral district listed in Group A in Schedule E to the report of the Representation Commission, \$8,000 a year;
- (b) In the case of a member for an electoral district listed in Group B in Schedule E to the report of the Representation Commission, \$11,000 a year;
- (c) In the case of a member for an electoral district listed in Group C in Schedule E to the report of the Representation Commission, \$14,000 a year;
- (d) In the case of a member for an electoral district listed in Group D in Schedule E to the report of the Representation Commission, \$16,000 a year;
- (e) In the case of a member for an electoral district listed in Group E in Schedule E to the report of the Representation Commission, \$18,000 a year;
- (f) In the case of a member for an electoral district listed in Group F in Schedule E to the report of the Representation Commission, \$19,000 a year;
- (g) In the case of a member for the electoral district listed in Group G in Schedule E to the report of the Representation Commission, \$20,000 a year.

(2) In this clause, “report of the Representation Commission” means the report of the Representation Commission dated the 27th day of April 1995 (Parliamentary Paper H. 1 of 1995).

**15. Day allowance**—(1) The rate of the day allowance payable under clauses 6 (c), 7 (c), 8 (d), 9 (c) (i), 10 (c), 11 (d), 12 (c), and 13 (b) of this Schedule shall be \$52 for each day on which—

FOURTH SCHEDULE—*continued*ALLOWANCES PAYABLE PURSUANT TO SECTION 16 OF THE CIVIL LIST ACT  
1979 IN RESPECT OF THE POST-ELECTION PERIOD—*continued*

- (a) The member attends a sitting of the House of Representatives; or
- (b) The member attends in New Zealand a meeting of a select committee of the House of Representatives of which the member is a member or which the member is required to attend because of being in charge of a Bill or other matter under consideration by the committee or for any other valid reason relating only to the business of the committee; or
- (c) The member travels in New Zealand on Parliamentary business (other than Parliamentary business of a kind described in paragraph (a) or paragraph (b) of this subclause); or
- (d) The member attends, in the Wellington commuting area, any ceremony or official function or national or international conference as a representative of Parliament or with the authority of the House of Representatives; or
- (e) The member is in Wellington but is unable to attend a sitting of the House of Representatives or a meeting of a select committee because of sickness or some other reason accepted by the Speaker of the House of Representatives as sufficient; or
- (f) In the case of a Whip, the Whip is in Wellington on Parliamentary business.

(2) Where a member (in any case to which subclause (1) of this clause does not apply) is present at Parliament Buildings on any day for a period of not less than 4 hours, the rate of day allowance payable under clauses 6 (c), 7 (c), 8 (d), 9 (c) (i), 10 (c), 11 (d), 12 (c), and 13 (b) of this Schedule shall,—

- (a) Where the period is 6 hours or more, be \$52 for that day; and
  - (b) Where the period is less than 6 hours but not less than 4 hours, be \$26 for that day.
- (3) In this clause “day” means a period of 24 hours.

**16. Night allowance**—(1) The rate of the night allowance payable under clauses 7 (d), 8 (e), 9 (c) (ii), 10 (d), 11 (e), 12 (d), and 13 (c) of this Schedule shall be such sum, not exceeding \$125, as the member certifies is required to reimburse that member for actual and reasonable costs already incurred on each night the member is required to obtain overnight accommodation away from the member’s home for the purpose of—

- (a) Attending a sitting of the House of Representatives; or
- (b) Attending in New Zealand a meeting of a select committee of the House of Representatives of which the member is a member or which the member is required to attend because of being in charge of a Bill or other matter under consideration by the committee or for any other valid reason relating only to the business of the committee; or
- (c) Travelling in New Zealand on Parliamentary business (other than Parliamentary business of a kind described in paragraph (a) or paragraph (b) of this subclause); or
- (d) Attending in New Zealand any ceremony or official function or national or international conference as a representative of

FOURTH SCHEDULE—*continued*ALLOWANCES PAYABLE PURSUANT TO SECTION 16 OF THE CIVIL LIST ACT  
1979 IN RESPECT OF THE POST-ELECTION PERIOD—*continued*

Parliament or with the authority of the House of Representatives; or

(e) In the case of a Whip, attending in Wellington on Parliamentary business; or

(f) Proceeding, by the ordinary means of transport available to the member,—

(i) To attend any sitting, meeting, function, or conference described in paragraph (a) or paragraph (b) or paragraph (d) of this subclause; or

(ii) In the case of a Whip, to attend in Wellington on Parliamentary business.

(2) Where a constituency member for Mana or for Rimutaka is resident not less than 40 kilometres by road from Parliament, that member shall be deemed to require to obtain overnight accommodation away from that member's home—

(a) For one night in each week during which the House sits; and

(b) For every night on which the House sits under urgency.

(3) The maximum amount that may be paid to any member under this clause and clause 17 of this Schedule by way of reimbursement for overnight accommodation required by that member in the Wellington commuting area, in any period of 6 months beginning on the 1st day of July or on the 1st day of January shall not exceed—

(a) In the case of a Whip, \$7,500; and

(b) In the case of any other member, \$6,875.

**17. Wellington accommodation allowance**—(1) A member of Parliament who—

(a) Is entitled to be paid a night allowance under any provision of clauses 7 (d), 8 (e), 9 (c) (ii), 10 (d), 11 (e), 12 (d), and 13 (c) of this Schedule; and

(b) Being a constituency member who represents an electoral district outside the Wellington commuting area or a list member who normally resides within an electoral district outside that area; and

(c) Uses in the Wellington commuting area, when the member is in the Wellington commuting area for the purpose of carrying out that member's Parliamentary duties,—

(i) Accommodation owned by that member; or

(ii) Accommodation rented by that member on a continuous basis for use in lieu of overnight accommodation,—

shall if that member, by written notice to the General Manager of the Parliamentary Service, so elects, be paid a Wellington accommodation allowance which, subject to subclause (4) of this clause, shall be equal to the actual and reasonable costs that, as certified by that member from time to time, have already been incurred by that member in using that accommodation in lieu of overnight accommodation.

(2) A member who has elected to be paid a Wellington accommodation allowance shall cease to be entitled to be paid that allowance if that

FOURTH SCHEDULE—*continued*ALLOWANCES PAYABLE PURSUANT TO SECTION 16 OF THE CIVIL LIST ACT  
1979 IN RESPECT OF THE POST-ELECTION PERIOD—*continued*

member, by written notice to the General Manager of the Parliamentary Service, revokes the election.

(3) At any time while an election under subclause (1) of this clause is in force, the member by whom that election was made shall not be entitled to be paid a night allowance under any provision of clauses 7 (d), 8 (e), 9 (c) (ii), 10 (d), 11 (e), 12 (d), and 13 (c) of this Schedule in respect of any occasion on which the member obtains overnight accommodation in the Wellington commuting area.

(4) The maximum amount that may be paid to any member under this clause and under clause 16 of this Schedule by way of reimbursement for overnight accommodation required by that member in the Wellington commuting area in any period of 6 months beginning on the 1st day of July or on the 1st day of January shall not exceed—

- (a) In the case of a Whip, \$7,500; and
- (b) In the case of any other member, \$6,875.

**18. Allowance payable to member travelling within New Zealand on public business**—A member of Parliament who, at the request of a Minister of the Crown, travels within New Zealand on public service shall (except where the travel is undertaken, in the case of a constituency member, wholly within the electoral district that the member represents or, in the case of a list member, wholly within the electoral district in which the member has his or her normal place of residence) be entitled to be paid—

- (a) The travelling allowance that would be payable to the member of Parliament under clause 3 of this Schedule if that member of Parliament were a member of the Executive Council; and
- (b) Where the member travels by public transport, an allowance equal to the amount of any fares paid by the member; and
- (c) Where the member uses any other mode of transport that is reasonable in the circumstances, an allowance equal to the actual and reasonable cost to the member of using that mode of transport (which allowance shall not exceed in respect of the use by the member of a private motorcar, the allowance payable in accordance with the scale applied by the State Services Commission in relation to the use by persons employed in the State Services Commission of private motorcars on official business).

**19. Allowance for purchase of motor vehicle**—(1) A constituency member, following each election at which the member is elected or re-elected, shall be paid an allowance (to be applied in or towards the purchase by the member of a motor vehicle) if—

- (a) The member is a member to whom clause 8 (c) or clause 10 (b), or clause 11 (c) or clause 12 (b) of this Schedule applies; and
- (b) The member, within two months after the date of the return of the writ for the election of the member, notifies the General Manager of the Parliamentary Service, in writing, that the member wishes to be paid an allowance under this clause.

FOURTH SCHEDULE—*continued*ALLOWANCES PAYABLE PURSUANT TO SECTION 16 OF THE CIVIL LIST ACT  
1979 IN RESPECT OF THE POST-ELECTION PERIOD—*continued*

(2) The allowance payable under this clause shall be—

- (a) In the case of a member for an electoral district listed in Group A in Schedule E to the report of the Representation Commission, \$7,200:
- (b) In the case of a member for an electoral district listed in Group B in Schedule E to the report of the Representation Commission, \$9,900:
- (c) In the case of a member for an electoral district listed in Group C in Schedule E to the report of the Representation Commission, \$12,600:
- (d) In the case of a member for an electoral district listed in Group D in Schedule E to the report of the Representation Commission, \$14,400:
- (e) In the case of a member for an electoral district listed in Group E in Schedule E to the report of the Representation Commission, \$16,200:
- (f) In the case of a member for an electoral district listed in Group F in Schedule E to the report of the Representation Commission, \$17,100:
- (g) In the case of a member for the electoral district listed in Group G in Schedule E to the report of the Representation Commission, \$18,000.

(3) Where a member of Parliament to whom clause 8 (c) or clause 10 (b) or clause 11 (c) or clause 12 (b) of this Schedule applies elects to be paid an allowance under this clause, the member shall not be entitled to receive or to be paid a constituency allowance under clause 8 (c) or clause 10 (b) or clause 11 (c) or clause 12 (b) of this Schedule in respect of the period of 12 months beginning on the day after polling day for the election at which the member was last elected or re-elected.

(4) In this clause, “report of the Representation Commission” means the report of the Representation Commission dated the 27th day of April 1995 (Parliamentary Paper H. 1 of 1995).

**20. Wellington commuting area**—For the purposes of this Schedule the Wellington commuting area comprises the Cities of Wellington, Lower Hutt, Upper Hutt, and Porirua and the Paraparaumu Ward of the Kapiti Coast District.

Dated at Wellington this 25th day of March 1996.

T. W. BLENNERHASSETT, Chairman.

R. J. McARLEY, Member.

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## EXPLANATORY MEMORANDUM

This determination results from a review by the Higher Salaries Commission as at 1 April 1996 of Parliamentary salaries and allowances.

**1. Background**

1.1 The previous determination of Parliamentary salaries and allowances came into force on 1 July 1995 and, in the ordinary course, would have provided for an expiry date of 30 June 1996. Because, however, 1996 is an election year, the determination now current was expressed to expire on 31 March 1996 with a view to the publication, in good time before the election, of a new determination setting the salaries and allowances to be paid to members taking office in the first House of Representatives to be elected under the MMP voting system.

1.2 The Commission noted, at the time, its reasons for adopting this course. First, the Commission wishes to avoid entrenching in a new Parliament a structure of salaries and allowances designed for the present regime. Secondly, both constituency candidates and list candidates should be made aware in advance what the salaries and allowances payable after the election will be.

1.3 In the result, this determination really comprises two determinations. For the period commencing 1 April 1996 and ending with polling day, it preserves the existing salaries and allowances regime which would normally have been the subject of further review on or as at 30 June 1996. For the period from the day after polling day to 30 June 1997 it seeks to reflect the best assessment the Commission can make of the salaries and allowances appropriate to a new and different House of Representatives.

1.4 The Commission has to direct its mind not so much to the new voting system as to the way in which the House and its members, once elected, will operate thereafter. There are questions still unanswered in that regard, and only time will answer them. It will not be surprising if the Commission finds it necessary, as the picture unfolds, to amend the post-election provisions of this determination.

**2. General**

2.1 The Commission is required by the Higher Salaries Commission Act 1977 to take into account several specific criteria. They include the need to achieve and maintain fair relativity with the levels of remuneration received elsewhere; the need to be fair, on the one hand, to the person whose remuneration it determines and, on the other, to the taxpayer; and the need to recruit and retain competent people. The criteria apply not only to the determination of Parliamentary salaries but to all the Commission's other determinative functions as well.

2.2 It is no part of the Commission's role to pass judgment on the performance of any member of Parliament. The task is to determine a rate for the job, no matter who happens to hold it. Historically the evaluation of a politician's performance has been a matter for the electors, and that will remain the case in respect of constituency members. The focus will, of course, alter to the extent that the critical vote under the new regime will be the list vote requiring the electors to evaluate the relative merits of the parties. The Commission will be no more empowered to evaluate political parties than to evaluate individual members of Parliament.

2.3 The Commission has no involvement in the provision of administrative and support services to the House and its members by the Parliamentary Service.

2.4 By way of summary of the detail which follows, the Commission has decided that the scale of salaries and allowances now current will remain unchanged for the residual life of the present Parliament. The post-election provisions of this determination introduce a number of changes, not only to the salary structure but to those allowances for which the Commission is responsible.

**3. Pre-election Salaries (being the salaries set out in the First Schedule)**

3.1 In the context of the present transitional phase, which may be expected to continue until the election, the Commission has considered each of its statutory criteria and has decided that the existing scale of Parliamentary salaries will stand.

**4. Post-election Salaries (being the salaries set out in the Second Schedule)  
Members of the Executive**

4.1 The Commission proposes, in the first instance, a salary structure identical with that presently obtaining except that the salary margin between a Minister of the Crown who is a member of Cabinet and a Minister not a member of Cabinet will be widened to reflect the

EXPLANATORY MEMORANDUM—*continued*

Commission's perception of the greater responsibility which membership of Cabinet carries with it.

**Officers of the House of Representatives**

4.2 Again the Commission proposes no change except that there will be a minor adjustment to the salary payable to each Assistant Speaker in order to preserve the present margin over the salary payable to an ordinary member.

**Leader of the Opposition**

4.3 The office of Leader of the Opposition is constitutionally important and has been recognised in New Zealand for more than a century. Historically the Opposition has been seen as a government-in-waiting, and its Leader as a Prime Minister-in-waiting. The remuneration practice has been to equate the salary of the Leader of the Opposition with that of a Cabinet Minister.

4.4 The Standing Orders Committee of the House has decided, after lengthy discussion, that the position should be retained in a multi-party House and should be held by the leader of the largest opposition party in the House. For so long as that remains the case, the Commission proposes, in the first instance, that the salary remain unaltered.

**Other Party Leaders**

4.5 The role of a party leader in the House, and the responsibilities attending it, are expected to be enhanced in the next Parliament, and it will no longer be appropriate that the salary be the same as that of an ordinary member. Where a leader of a party is not the Leader of the Opposition, this determination makes provision for salary recognition on a sliding scale related to party numbers in the House. The threshold is set at six members. An additional requirement imposed is that the party be one which achieved representation in the House by virtue of election.

**Deputy Party Leaders**

4.6 In the past the Commission has accorded salary recognition to the Deputy Leader of the Opposition. In the new environment the Commission has taken the view that it will be more appropriate to provide a salary margin to the Deputy Leader of any party in opposition which has a substantial number of members in the House.

**Whips**

4.7 Salary recognition for two Government and two Opposition whips is displaced by provision for party whips, again on a sliding scale related to party numbers in the House.

**Chairpersons of Select Committees**

4.8 The role of the select committees of the House has grown in importance during recent years and is widely expected to become more influential, and more onerous, in the new Parliamentary environment. The workload entailed in chairing a select committee can be very heavy, but in the past it has been highly variable as between one committee and another. The new Standing Orders have redefined the "subject" select committees and re-allocated some of the work with a view to spreading the load more evenly. The Commission, having twice stopped short of according any salary recognition to chairpersons, has decided to establish a small margin in favour of the chairpersons of the "subject" select committees and of the Regulations Review Committee. That margin will be available only where the chairperson of a committee is not entitled to a margin by virtue of another office, and will not be duplicated where a chairperson chairs more than one committee.

**Other Members of Parliament**

4.9 These will comprise both constituency and list members, and the most difficult of the questions for the Commission on this occasion has been whether both should be paid the same salary.

4.10 On the basis that the Commission's task is to fix a rate for a job, it would be helpful to know with reasonable certainty what the job specifications of constituency members and of list members respectively will be. At the present time the work of a member divides itself broadly into two categories. The first is the work of Parliament itself which is not confined to the sittings of the House but extends to select committee and caucus work. The second is the servicing of the needs and demands of the constituency in the member's electorate.

4.11 As to the first, it seems clear enough that the obligations and workloads of constituency and of list members will be, if not identical, very similar. As to the second, however, the position is presently much less clear.

EXPLANATORY MEMORANDUM—*continued*

4.12 The inescapable starting point is that there will be, in the simplest terms, 65 constituency members trying to do the constituency work now done by 99. These, in turn, divide into 5 Maori constituencies where there have been 4, and 60 general constituencies where there have been 95. The average population of each, which was something over 30,000, will be in excess of 50,000. The Maori constituencies, although reduced from their former geographical size, will remain very large; the largest of them will still cover the entire South Island and part of the North. The most expansive of the general constituencies appear almost unmanageable. Whatever the constituency role of list members may prove to be, it is likely that the electors will make heavy demands, at least in the short term, on the constituency member whom they elected as “their” member by direct personal vote.

4.13 The 1986 Report of the Royal Commission which recommended the adoption of MMP voting seems clearly to have contemplated that list members will undertake some constituency work. What has yet to emerge, however, is the way in which the constituency role of list members will develop. It is widely thought that parties which have numbers of list members at their disposal will deploy them in areas where the party is under-represented in the House. The way in which that is done, and the extent to which it can be done, will turn on a variety of factors, not least of them the result of the election itself and the extent, if any, to which the Parliamentary Service may fund the establishment and staffing of constituency offices for list members. A further difficulty is that the answers will depend, at least to a degree, on decisions which will lie in the hands of the party organisations. The Commission has communicated with each of the 20 political parties which have so far registered under the Electoral Act 1993 in the hope of ascertaining what expectations the parties have of their list members; but with little result.

4.14 In the first instance, the workload of a constituency member is likely to exceed that of a list member, and there is a case for a salary differential.

4.15 After much deliberation, however, the Commission has concluded that an attempt at this stage to measure comparative workloads, which must be speculative, should be set aside in the broader interest of giving the system chosen by the electors the best possible opportunity to work well. That opportunity will be impeded if Parliamentarians are perceived to have been divided, for salary purposes, into first and second class members. Accordingly this determination sets a single salary level for all ordinary members.

**5. Pre-election Allowances (being the allowances set out in the Third Schedule)****General**

5.1 The allowances for members determined by this Commission are reimbursement allowances related to the provision by members of the services expected of them by the electorate.

5.2 In respect of the period commencing on 1 April 1996 and ending on polling day, all the allowances fixed by the Commission’s previous determination remain unchanged. They are described in more detail below.

**Members’ Basic Expenses Allowance**

5.3 This is one of the two reimbursement allowances not required to be vouched on an “actual and reasonable” basis. It is a convenient and economical way of recognising the multitude of calls on a member’s pocket which the work of a member entails.

**Electorate Allowance**

5.4 This is the other allowance not requiring to be vouched. It is essentially a car or travel allowance directed to the servicing of a member’s electorate and varying in amount by reference to a classification of electorates by the Representation Commission.

**Members’ Day Allowance**

5.5 This allowance is intended to reimburse costs of meals, hospitality, and the like incurred by members on Parliamentary business—that is to say attendance at sittings of the House, at select committee hearings, caucus committee meetings and other Parliamentary duties.

**Member’s Night Allowance**

5.6 This allowance relates to overnight accommodation costs where members are required to be away from their homes on Parliamentary business.

5.7 In certain cases, members have purchased accommodation in Wellington. Provision is again made for these members and those who rent accommodation on a continuous basis to be reimbursed for such costs as rent, mortgage interest, rates, insurance, power and similar

EXPLANATORY MEMORANDUM—*continued*

outgoings (but not capital payments) as an alternative to the nightly allowance reimbursement procedure.

5.8 Both the night allowance and the Wellington accommodation allowance are payable by way of reimbursement of actual and reasonable costs within prescribed limits. The limit per night remains \$125, and the overall cap per half year \$6,875 except in the case of Whips where it is \$7,500 in recognition of the additional time in Wellington demanded of them.

**Allowance for the purchase of a motor vehicle**

5.9 This allowance remains as a matter of record although it is now unlikely to be availed of during the life of the present Parliament.

**Allowances for Members of the Executive and other office holders**

5.10 Ministers of the Crown, Parliamentary Under-Secretaries, the Speaker, the Deputy Speaker and the Leader and Deputy Leader of the Opposition do not receive the electorate allowance payable to members. They have access to chauffeur-driven cars and are provided with self-drive cars. The expenses allowance they have received for many years remains unchanged.

5.11 The additional allowance to the Minister of Foreign Affairs and Trade remains payable as before.

**Ministerial Travelling Allowance**

5.12 The rates determined for this allowance, which is for travel and accommodation expenses incurred outside Wellington, remain as before.

**Ministerial House Allowance**

5.13 For many years, Ministers of the Crown have been provided with a house in Wellington, or, where a Minister is normally resident in Wellington, a modest house allowance. This allowance, together with a grant towards reimbursing a member of the Executive for expenses incurred in the maintenance of home and grounds in the member's electorate, is provided at the rate previously in force.

5.14 It should be noted that the provision of ministerial residences is not a function of the Higher Salaries Commission.

**Definition**

5.15 The term "Wellington commuting area" comprises the Cities of Wellington, Lower Hutt, Upper Hutt and Porirua and the Paraparaumu Ward of the Kapiti Coast District. Special circumstances applicable to the Kapiti electorate have been recognised in the provision of a limited night allowance.

**6. Post-election Allowances (being the allowances set out in the Fourth Schedule)****General**

6.1 Most of the pre-election allowances will remain unchanged during the period commencing on the day after polling day and ending on 30 June 1997, but a number of changes flow from what has been said above in the context of post-election salaries. In addition, there are drafting changes to reflect the circumstance that any office in the next Parliament may be held by either a constituency member or a list member. Only the specific changes are detailed below.

**Party Leaders and Deputies**

6.2 Where a party leader in opposition is not the Leader of the Opposition, provision is made for a basic expenses allowance in accordance with a sliding scale related to party members in the House. Where a salary becomes payable in respect of a Deputy Leader of a party in opposition, provision is made for an enhanced basic expenses allowance.

**Constituency and List Members**

6.3 While this determination fixes a single salary level applicable both to constituency members and to list members, there are two respects in which the Commission sees it as necessary, at least in the first instance, to differentiate their allowances.

6.4 The first is the basic expenses allowance which is presently \$6,750 a year. Every member of the present Parliament is directly answerable to a geographical electorate, and a substantial element of the basic expenses allowance reflects the multifarious demands on the member's pocket which an electorate makes. In the light of the uncertainties discussed above in the context of salaries, the Commission has propounded a "first instance" resolution of the problem of the basic expenses allowance in two ways. First, there is a small increase to constituency members pending clarification of the extent (if any) to which their constituency

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work will be lessened, or duplicated, by list members. Secondly, the basic expenses allowance to list members is confined to an amount which should fairly reimburse those elements of it incurred in their strictly Parliamentary role. The Commission will re-visit the matter of a constituency element as soon as a pattern emerges.

**Constituency Allowance**

6.5 This is what was formerly described as an electorate allowance. It remains essentially a car or travel allowance directed to the servicing of a constituency and varying in amount by reference to a classification of the new electoral districts by the Representation Commission. As there will henceforth be 65 electoral districts instead of 99, many are very large indeed. The Representation Commission, at this Commission's request, has classified them into 7 groups; previously there were 4 groups of general and 2 of Maori electoral districts. The classification is directed primarily to the difficulty and expense of providing a reasonable service to electors; thus it takes into account the size, topography, and transport facilities of an electoral district, the nature of the roads, and the predominant distribution of the population.

6.6 In fixing the new constituency allowances, the Commission has reminded itself that there is a physical limit to the mileage which a member can be expected to travel in the time not required for Parliamentary duties. And again (as in the case of the basic expenses allowance) it is not yet possible to gauge to what extent the constituency work of a constituency member may be lessened, or duplicated, by list members.

6.7 In these circumstances, the Commission has set the constituency allowances initially to be paid to constituency members and will re-visit the question of some corresponding allowance to list members if appropriate.

**Allowance for the purchase of a motor vehicle**

6.8 This allowance provides for the capitalisation of the first year's constituency allowance in the year following an election to enable the purchase of a motor vehicle for constituency purposes.

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