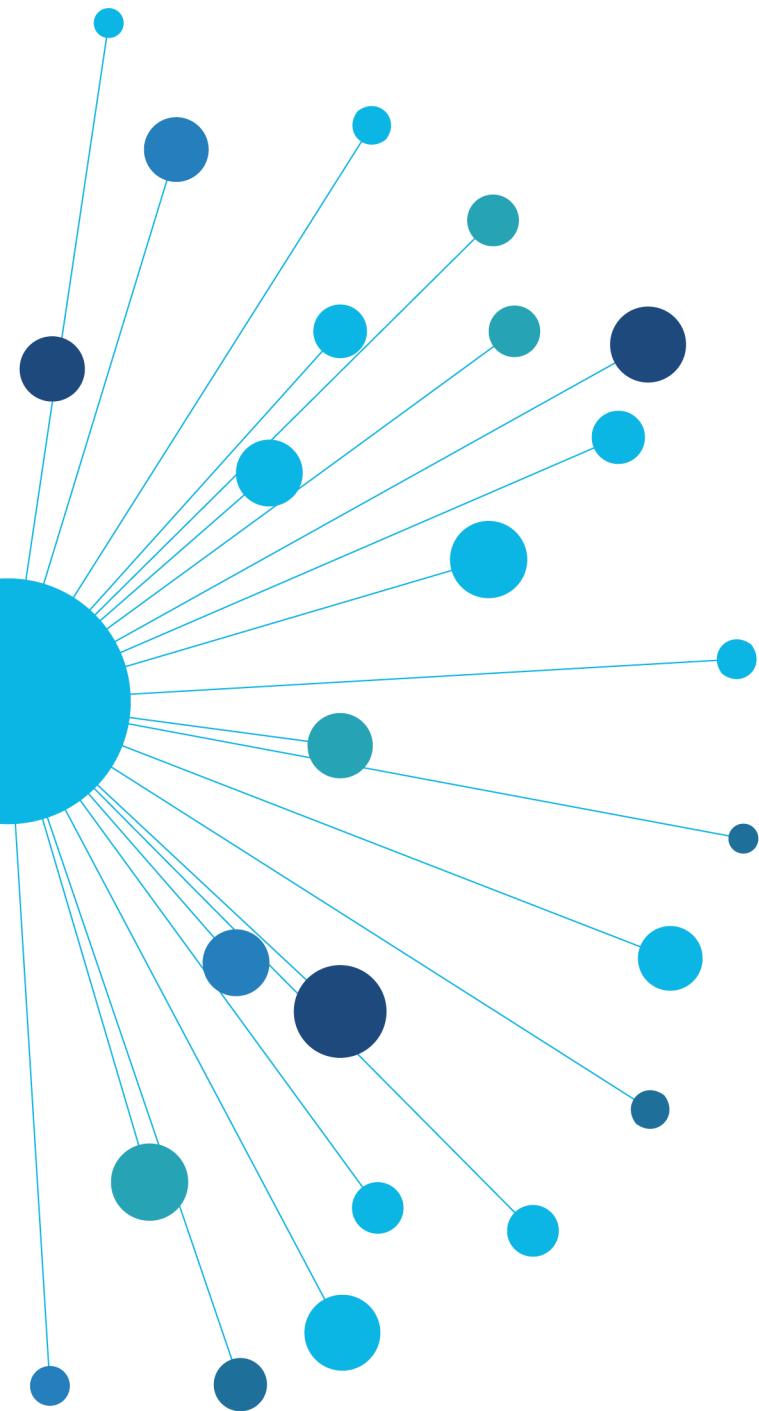


Queensland Independent  
Remuneration Tribunal

# Additional Salary of Deputy Opposition Whip

Determination 8/2015  
12 May 2015



# 1 - Background

## 1.1 Overview

The Queensland Independent Remuneration Tribunal (the Tribunal) is an independent statutory authority established by the *Queensland Independent Remuneration Tribunal Act 2013* (the Act) to determine remuneration in connection with Members of the Queensland Parliament (MPs) and former MPs.

The definition of 'remuneration' includes the additional salary and associated allowances payable to an MP for performing roles as an office holder in addition to that of an MP in the Queensland Legislative Assembly.

Section 42 of the Act provides a list of offices for which MPs may be entitled to be paid a salary in addition to the base salary of a backbench MP (an additional salary). The Act also provides that if another office is approved by resolution of the Legislative Assembly then that office may attract an additional salary. Note that only one salary (being the highest salary) is payable in the case of an MP holding multiple offices.

## 1.2 Previous consideration of additional salary

Additional salaries provided to office holders were considered by the Tribunal in Determination 3/2014 after a detailed examination of the nature of each of the roles.<sup>1</sup> The Determination set the additional salary payable to each office holder relative to the additional salary payable to the highest office being the Office of the Premier. These relativities between additional salaries are outlined in the following table:

Band	Office	Relativity between offices %
1	Premier	100.0
2	Deputy Premier	80.0
3	Minister Leader of the Opposition	70.0

<sup>1</sup> Queensland Independent Remuneration Tribunal, *Building a new remuneration structure for Members of the Queensland Parliament – Part two, Determination 3/2014* (27 March 2014), 69-70 <<http://www.remunerationtribunal.qld.gov.au/assets/determination-03-14.pdf>>.

Band	Office	Relativity between offices %
4	Speaker Assistant Minister and Leader of the House	60.0
5	Deputy Leader of the Opposition	40.0
6	Chief government whip Deputy Speaker Manager of Opposition Business Assistant Minister	35.0
7	Opposition Spokesperson Leader in the Assembly of a recognised political party, other than the Leader or Deputy Leader of the Opposition Chairperson of a committee	25.0
8	Senior government whip Opposition whip	15.0
9	Government deputy whip	12.5
10	Member of a committee	10.0

### 1.3 Office of the Deputy Opposition Whip

With the advent of the 55<sup>th</sup> Queensland Parliament following the Queensland State General Election on 31 January 2015, the Legislative Assembly agreed to a motion on 27 March 2015 that the Office of Deputy Opposition Whip be approved as an office entitled to be paid an additional salary.<sup>2</sup>

The matter was referred to the Tribunal by the Clerk of the Parliament on 8 April 2015.

The purpose of this Determination is to set the additional salary payable to the Office of the Deputy Opposition Whip.

<sup>2</sup> Queensland Parliament, *Record of Proceedings (Hansard)* (27 March 2015), 210  
<[https://www.parliament.qld.gov.au/documents/hansard/2015/2015\\_03\\_27\\_WEEKLY.pdf](https://www.parliament.qld.gov.au/documents/hansard/2015/2015_03_27_WEEKLY.pdf)>.

## 2 - Role of the Position

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Whips are appointed within their political parties and are announced in the Legislative Assembly by the party leaders.

The main function of the position of whip is to act as the administrative officer to their Parliamentary political parties.<sup>3</sup> Whips essentially are responsible for arranging the number and order of MPs who wish to speak in Parliamentary debates, ensuring attendance of party members for divisions, ensuring that quorum calls are satisfied, and acting as a teller or reporter of votes (advising the Speaker the way their party is voting) in divisions. Whips also grant leave to MPs who are unable to attend Parliamentary sessions so as to maintain the party's relative numbers in the Legislative Assembly.

The Government of the (previous) 54<sup>th</sup> Queensland Parliament appointed a Chief Government Whip, Senior Government Whip and two Government Deputy Whips (i.e. four whips). In part, this structure reflected the large majority of the previous Government.

In the same Parliament, the Opposition appointed two MPs to be the Opposition Whip and Deputy Opposition Whip (who were paid an additional salary at the higher level of Opposition Spokesperson). However, the position of Deputy Opposition Whip was not a position listed under section 42 of the Act.

The current 55<sup>th</sup> Queensland Parliament has a more balanced composition of elected members. Since taking Government, the ruling party has appointed a Chief Government Whip, Senior Government Whip and Government Deputy Whip (i.e. three whips). The Opposition has appointed an Opposition Whip and a Deputy Opposition Whip.

Queensland is the only State in Australia that is unicameral consisting of the Legislative Assembly and no Upper House. As a result of the unicameral system, Queensland MPs perform the full function of passing legislation in its entirety. As such, Queensland MPs have total responsibility to their constituents for their decisions. The unicameral nature of the Queensland Parliament arguably places a greater responsibility on office holders such as whips in the Legislative Assembly. The Tribunal placed weight on this consideration when considering the additional salaries of whips, particularly the position of Chief Government Whip.

Changes to the structure of the Queensland Parliament since the 2015 Queensland State General Election magnify the responsibilities and challenges of the role carried out by both Government and Opposition whips because of the fine balance of elected MPs within the Parliament.

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<sup>3</sup> Parliament of Australia, *House of Representatives Practice (6<sup>th</sup> Ed) Chapter 2: House, Government and Opposition* (6 September 2012) House of Representatives, 55  
<<http://www.aph.gov.au/~media/05%20About%20Parliament/53%20HoR/532%20PPP/Practice6/PDF/Chapters/6Chap02.ashx>> for the origins of the term whip.

## 3 - Benchmarks

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### 3.1 *Additional salary for whips in Queensland*

#### **Current entitlements**

Determination 3/2014 set the additional salary payable (relative to the additional salary payable to the Office of Premier) at 35% for a Chief Government Whip, 15% for a Senior Government Whip and 12.5% for a Government Deputy Whip.

The Tribunal also determined that the Opposition Whip receive an additional salary of 15%. However, the Tribunal did not determine additional salary for the position of Office of the Deputy Opposition Whip as it was not a position listed in section 42 of the Act. As such, the Tribunal could not consider this position for an additional salary. The Act restricts the Tribunal in making Determinations relating to additional salary to only those office holders listed in section 42.

On 27 March 2015, the Legislative Assembly agreed to a motion that the Office of Deputy Opposition Whip be approved as an office entitled to be paid an additional salary.<sup>4</sup>

#### **Historical analysis**

Prior to Determination 1/2013 being issued, the office holders entitled to receive an additional salary were noted in the *Parliament of Queensland Act 2001*. Remuneration arrangements were approved by the Premier and set out in the *Members' Entitlements Handbook* (the Handbook).

The Deputy Opposition Whip was not an office holder listed in the *Parliament of Queensland Act 2001* entitled to receive an additional salary and historically the office holder has not been paid an additional salary. However, in accordance with the Handbook in effect immediately prior to Determination 1/2013, a Deputy Opposition Whip could elect to be provided with a fully maintained motor vehicle (vehicle make and model to be determined by the Committee of the Legislative Assembly) and was entitled to be reimbursed for the full cost of one nominated telephone line and 100% of the cost of all calls. Determination 1/2013 abolished these entitlements effective 1 January 2014.

In Determination 3/2014 the Tribunal undertook a comprehensive analysis of the additional salaries and entitlements of office holders in Queensland to set the relativities between offices. Figure 3.1 provides an historical analysis of the salary of whips in Queensland. The salary needs to be seen in the context of overall remuneration which includes allowances, as the nature and amount of allowances has changed considerably over this period.

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<sup>4</sup> Queensland Parliament, *Record of Proceedings (Hansard)* (27 March 2015), 210  
<[https://www.parliament.qld.gov.au/documents/hansard/2015/2015\\_03\\_27\\_WEEKLY.pdf](https://www.parliament.qld.gov.au/documents/hansard/2015/2015_03_27_WEEKLY.pdf)>.

Figure 3.1 – Historical comparison of the salary of whips in Queensland

Office holder		Parliamentary Members' Salaries Act 1998 (as at April 1998)	Prior to QIRT (as at 30 June 2013)	Following Determination 3/2014 (as at 30 March 2015)
	Base salary	\$81,356	\$137,149	\$148,848
Chief government whip	Relativity between office		14.8%	35%
	Additional salary		\$21,168	\$80,609
	Annual aggregate salary		\$158,317	\$229,457
Senior government whip	Relativity between office	11.2% <sup>5</sup>	11.2%	15%
	Additional salary	\$5,535	\$16,043	\$34,547
	Annual aggregate salary	\$86,891	\$153,192	\$183,395
Government deputy whip	Relativity between office	5.7%	5.7%	12.5%
	Additional salary	\$2,835	\$8,217	\$28,789
	Annual aggregate salary	\$84,191	\$145,366	\$177,637
Opposition whip	Relativity between office	11.2%	11.2%	15%
	Additional salary	\$5,535	\$16,043	\$34,547
	Annual aggregate salary	\$86,891	\$153,192	\$183,395

### 3.2 Jurisdictional analysis

Figure 3.2 compares the salaries of opposition whips in Australian jurisdictions. The comparisons need to be interpreted with caution as the position of whip varies across jurisdictions and the number of whips varies across jurisdictions. Further, the allowances provided to whips also vary across jurisdictions and these allowances would need to be considered before reaching a conclusion about total remuneration.

<sup>5</sup> At the time, this office was known as Government Whip.

Figure 3.2 – Comparative salaries of an Opposition Whip

Jurisdiction	Base annual salary as a backbench MP (at 30 March 2015) \$	Annual additional salary \$	Annual Expense of Office Allowance \$	Annual total salary \$
Qld	148,848	34,547	N/A	183,395
WA	154,223	26,755	N/A	180,978
SA	153,130	27,563	N/A	180,693
NSW	149,541	19,440	10,468	179,449
NT	147,416	21,008	N/A	168,424
Vic	144,497	15,895	N/A	160,392
ACT	132,775	13,278	N/A	146,053
Tas	118,466	7,108	N/A	125,574

The jurisdictional comparison reveals that while there is some variability in the additional salary, the annual total salary of an Opposition Whip tends to be similar particularly across the major States.

In relation to the position of Deputy Opposition Whip, Queensland is the only State that has formally established this office with an entitlement to an additional salary. Hence it is impossible to make a direct comparison across jurisdictions of this position.

### 3.3 Summary

In the context of the office holders that were reviewed in Determination 3/2014, the Tribunal considers that the Deputy Opposition Whip performs a similar role to that of the Government Deputy Whip. The Tribunal has consulted with the Clerk of the Parliament and the Clerk supports this view.

Determination 3/2014 set the additional salary payable to the Office of the Government Deputy Whip relative to the additional salary payable to the Office of Premier at 12.5%. Therefore the Tribunal considers that the relativity for the Deputy Opposition Whip should be set at 12.5% (Band 9 of the schedule of additional salaries).

# Determination 8/2015

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## *Preamble*

Determination 8/2015 is issued by the Queensland Independent Remuneration Tribunal (Tribunal) under the *Queensland Independent Remuneration Tribunal Act 2013* (the Act).

Any inconsistencies between earlier Tribunal Determinations and Determination 8/2015 are to be resolved in favour of Determination 8/2015. Matters in earlier Determinations not addressed in this Determination are confirmed by the Tribunal and not amended.

All Tribunal Determinations must be read in the context of the relevant Background and Reasons.

## *Additional salary of the Office of the Deputy Opposition Whip*


The Tribunal determines that the additional salary payable to the Office of the Deputy Opposition Whip relative to the additional salary payable to the Office of Premier be set at 12.5% effective from 27 March 2015.

**Date of Determination: 12 May 2015**



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**Professor Tim Brailsford**  
Chair



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**Ms Joanne Jessop**  
Member



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**Mr David Harrison**  
Member