



Council Policy

Elected Member and
Committee Member
Allowances and
Reimbursements



Table of Contents

Elected Member and Committee Member Allowances and Reimbursements.....	3
Policy statement	3
1. Prescribed allowances	3
1.1 Mayoral Allowance	3
1.2 Deputy Mayoral Annual Allowance	4
1.3 Annual Meeting Attendance Allowance.....	4
2. Prescribed reimbursements.....	5
2.1 Travel expenses	5
2.2 Child care costs.....	6
3. Discretionary reimbursements.....	7
3.1 Travel expenses	7
3.2 Child care costs.....	8
3.3 Minor hospitality.....	8
3.4 Ward Newsletters	8
3.5 Consumable Office supplies	8
3.6 Memberships	8
3.7 Other	9
4. Prescribed allowances paid in lieu of reimbursements.....	10
4.1 Information and Communication Technology allowance	10
5. Discretionary allowances paid in lieu of reimbursements.....	11
5.1 Smartrider.....	11
5.2 Parking	11
5.3 Equipment and stationery.....	11
6. Mayoral vehicle	12
6.1 Mayoral Vehicle Allowance	12
7. Insurance	13
7.1 Insurance	13



8.	Policy administration.....	14
8.1	Time Limit on Claims and Approval Process	14
8.2	Payment of Fees/allowances	14
8.3	Dispute Resolution.....	14
	Definitions and abbreviations	15
	FORMS.....	16
	REIMBURSEMENT OF CHILD CARE EXPENSES	16
	REIMBURSEMENT OF EXPENSES.....	17
	REIMBURSEMENT OF TRAVEL EXPENSES	18



Elected Member and Committee Member Allowances and Reimbursements

Policy statement

This policy outlines the payments that may be made to elected members and committee members through the payment of allowances and reimbursement of expenses incurred, within the provisions of the *Local Government Act 1995*. This policy applies to elected members while they are undertaking the functions of an elected member.

In this policy, **Committee Member** or **Independent Committee Member** means a person who is a committee member but who is neither a council member nor an employee.

Payments and gifts to elected members is dealt with under Part 5, division 8 of the *Local Government Act 1995* - Local government payments and gifts to its members. Local Governments have discretion to reimburse only those expenses that are specifically prescribed or are directly associated with undertaking a function of an elected member.

This policy does not relate to civic attendance at functions where attendance is required by Council or the Chief Executive Officer, including sister cities functions and other events or functions where the Chief Executive Officer has requested attendance.

1. Prescribed allowances

Mayoral allowance

- (1) Pursuant to section 5.98(5) of the LG Act, the mayor of a local government is entitled, in addition to any fees or reimbursement of expenses payable under section 5.98(1) or (2), to be paid the annual allowance set by the local government within the range determined under the *Salaries and Allowances annual determination*.
- (2) Pursuant to section 5.98A(1) of the LG Act, a local government may decide, by an absolute majority, to pay the deputy mayor of the local government, an allowance of up to the percentage that is determined under the *Salaries and Allowances annual determination*. This allowance is in addition to any fees or reimbursement of expenses payable to the deputy mayor, deputy president or deputy chair under section 5.98 of the LG Act.

Explanatory note, not to be considered as legal interpretation

1.1 Mayoral Allowance

The City will pay the Mayor an Annual Local Government Allowance at the top of the band 1 range as determined by the Salaries and Allowances Tribunal in accordance with section 5.98 of the *Local Government Act 1995*.



1.2 Deputy Mayoral Annual Allowance

The City will pay the Deputy Mayor an Annual Local Government Allowance equivalent to 25% of the Mayoral Allowance as determined by the Salaries and Allowances Tribunal in accordance with section 5.98 of the *Local Government Act 1995*.

Annual meeting attendance allowance

- (1) Pursuant to section 5.98(1)(b) of the LG Act, a council member who attends a council meeting is entitled to be paid the fee set by the local government within the range determined under the Salaries and Allowances Tribunal annual determination.
- (2) Pursuant to section 5.98(1)(b) and (2A)(b) of the LG Act, a council member who attends a committee meeting or (at the request of the local government) a meeting of a type prescribed in regulation 30(3A) of the LG Regulations is entitled to be paid the fee set by the local government within the range determined under the Salaries and Allowances Tribunal annual determination for attending committee meetings or, as the case requires, meetings of that type.
- (3) Where a local government decides by an absolute majority that, instead of paying council members an attendance fee referred to in section 5.98 of the LG Act, it will pay all council members an annual allowance, the allowance is to be paid within the range set under the Salaries and Allowances Tribunal annual determination.

Explanatory note, not to be considered as legal interpretation

1.3 Annual Meeting Attendance Allowance

The City will pay all elected members an annual allowance at the top of the band 1 range as determined by the Salaries and Allowances Tribunal in accordance with section 5.98 of the *Local Government Act 1995*.

The City will pay all independent committee members a meeting fee at the top of the band 1 range as determined by the Salaries and Allowances Tribunal in accordance with section 5.100 of the *Local Government Act 1995*. This allowances will be paid on a per meeting basis.



2. Prescribed reimbursements

Travel and childcare expenses relating to attendance at Council or Committee meetings are prescribed expenses and will be reimbursed at the elected member's or committee member's request, in accordance with regulation 31 and 34ACA of the *Local Government (Administration) Regulations 1996*.

Prescribed expenses that must be approved for reimbursement for elected members (admin reg 31):

- (1) Pursuant to section 5.98(2)(a) and (3) of the LG Act, a council member who incurs an expense of a kind prescribed in regulation 31(1) of the LG Regulations is entitled to be reimbursed for the expense to the extent determined by the Salaries and Allowances Tribunal annual determination.
- (2) Regulation 31(1) of the LG Regulations prescribes the following kinds of expenses that are to be reimbursed:
 - a. rental charges incurred by a council member in relation to one telephone and one facsimile machine; and
 - b. child care and travel costs incurred by a council member because of the member's attendance at a council meeting or a meeting of a committee of which he or she is also a member; and
 - c. child care and travel costs incurred by a council member in completing the training required by section 5.126(1) of the Local Government Act 1995.

Explanatory note, not to be considered as legal interpretation

Prescribed expenses that must be approved for reimbursement for committee members (admin reg 34ACA):

- (1) Pursuant to section 5.100 of the LG Act, a committee member who incurs an expense of a kind prescribed in regulation 34ACA of the LG Regulations is entitled to be reimbursed for the expense to the extent determined by the Salaries and Allowances Tribunal annual determination.
- (2) Regulation 34ACA of the LG Regulations prescribes the following kinds of expenses that are to be reimbursed:
 - a. Child care and travel costs incurred by a committee member because of their attendance at a meeting of the committee of which they are a member.

Explanatory note, not to be considered as legal interpretation

2.1 Travel expenses

Elected Members may be reimbursed travel costs incurred because of attendance at:

- a. council and committee meetings; and
- b. training required by section 5.126(1) of the *Local Government Act 1995*.

Committee members may be reimbursed travel costs incurred because of attendance at committee meetings.



Travel expenses will be calculated at the same rate contained in Section 30.6 of the Local Government Officer's (Western Australia) Award 2021, as determined by the Salaries and Allowances Tribunal.

Motor vehicle	Engine displacement (in cubic centimetres)		
	Over 2600cc	Over 1600cc to 2600cc	1600cc and under
	Cents per kilometre		
	93.97	67.72	55.85
Motorcycle	Cents per kilometre		
	32.55		

2.2 Child care costs

Elected members will be reimbursed childcare costs incurred because of attendance at:

- a. council and committee meetings; and
- b. training required by section 5.126(1) of the *Local Government Act 1995*.

Committee members may be reimbursed childcare costs incurred because of attendance at committee meetings.

Reimbursement rate will be the actual cost per hour, to the maximum hourly rate as determined under the Salaries and Allowances Tribunal annual determination.



3. Discretionary reimbursements

The following expenses may be reimbursed if incurred while undertaking a function of the role of elected member, at the elected member’s request, in accordance with regulation 32 of the *Local Government (Administration) Regulations 1996*.

This section does not apply to committee members.

Local Government (Administration) Regulations 1996

(1) Regulation 32(1) of the LG Regulations prescribes the following kinds of expenses that may be approved by a local government for reimbursement –

- a. an expense incurred by a council member in performing a function under the express authority of the local government;
- b. an expense incurred by a council member to whom paragraph (a) applies by reason of the council member being accompanied by not more than one other person while performing the function if, having regard to the nature of the function, the local government considers that it is appropriate for the council member to be accompanied by that other person; and
- c. an expense incurred by a council member in performing a function in his or her capacity as a council member.

(2) The extent to which a council member can be reimbursed for any other cost incurred under regulation 32(1) of the LG Regulations is the actual cost upon presentation of sufficient evidence of the cost incurred.

(3) The extent to which a council member can be reimbursed for intrastate or interstate travel and accommodation costs incurred in any of the circumstances referred to in regulation 32(1) of the LG Regulations is at the same rate applicable to the reimbursement of travel and accommodation costs as determined under the Salaries and Allowances Tribunal annual determination (currently the Public Service Award 1992 issued by the Western Australian Industrial Relations Commission).

Explanatory note, not to be considered as legal interpretation

3.1 Travel expenses

Elected members who travel while they are undertaking the functions of an elected member may be reimbursed:

- a. for motor vehicles - as calculated in accordance with the rate set under the Salaries and Allowances Tribunal annual determination, (Section 30.6 of the Local Government Officer’s (Western Australia) Award 2021)

Motor vehicle	Engine displacement (in cubic centimetres)		
	Over 2600cc	Over 1600cc to 2600cc	1600cc and under
	Cents per kilometre		
	93.97	67.72	55.85
Motorcycle	Cents per kilometre		
	32.55		

- b. for electric cycles – \$0. 20 per kilometre, and
- c. for self-propelled cycles – \$0.10 per kilometre.



3.2 Child care costs

Elected members may be reimbursed for child care costs incurred while undertaking the functions of an elected member:

- a. Reimbursement rate will be the actual cost per hour, to the maximum hourly rate as determined under the Salaries and Allowances Tribunal annual determination.

3.3 Minor hospitality

- a. Elected members may be reimbursed reasonable minor hospitality costs, to a maximum of \$100 per occasion, incurred while attending informal meetings, functions, events and other hosting occasions while undertaking the functions of an elected member.
- b. The Mayor may be reimbursed reasonable minor hospitality costs to a maximum of \$250 per occasion, incurred while attending informal meetings, functions, events and other occasions while undertaking the functions of the Mayor.

3.4 Ward Newsletters

Elected members may be reimbursed reasonable expenses incurred for the printing and/or distribution costs incurred to print and/or distribute ward newsletters, including e-newsletters, in accordance with the following:

- a. The content of ward newsletters is to be approved by the Chief Executive Officer before distribution.
- b. Printing, delivery, and/or e-newsletter costs will be reimbursed for **a joint ward** newsletter a maximum of six times per calendar year **per ward**; or an Individual councillor ward newsletter may be reimbursed for up to a maximum of three times per calendar year.
- c. Printing may be requested to be undertaken by the administration.
- d. Ward newsletters funded, by way of printing and/or distribution, by the City should state that the Information included is not provided as an official publication of the city of Fremantle.
- e. Decisions of Council and other City of Fremantle information must be accurately reproduced.
- f. Ward newsletters funded (printing and/or distribution) by the City must not be used for electioneering purposes and must not support any particular candidate or group of candidates in an election.

3.5 Consumable Office supplies

Elected members may be reimbursed for any consumable office supplies reasonably required to undertake the functions of an elected member.

3.6 Memberships

Elected members may be reimbursed for one professional membership per year that directly relates to supporting the functions of an elected member.



3.7 Other

Elected members may be reimbursed for any other expenses in accordance with Regulation 32(1) of the *Local Government (Administration) Regulations 1996*.

"Other" expenses are subject to approval of the CEO or Manager Governance.



4. Prescribed allowances paid in lieu of reimbursements

Annual allowances in lieu of prescribed expenses

- (1) Pursuant to section 5.99A of the LG Act, a Local Government may decide by absolute majority that instead of reimbursing council members under the LG Act section 5.98(2) for all of a particular type of expense, it will pay all council members, for that type of expense, an annual allowance within the range determined under the Salaries and Allowances Tribunal annual determination.
- (2) Where a Local Government has decided to pay council members an annual allowance for an expense of a particular type instead of reimbursing expenses of that type under section 5.98(2) of the LG Act, section 5.99A of the LG Act provides for reimbursement of expenses of that type in excess of the amount of the allowance..

ICT expenses means:

- (1) rental charges in relation to one telephone and one facsimile machine, as prescribed by regulation 31(1)(a) of the LG Regulations; or
- (2) any other expenses that relate to information and communications technology (for example, telephone call charges and internet service provider fees) and that are a kind of expense prescribed by regulation 32(1) of the LG Regulations;

Explanatory note, not to be considered as legal interpretation

4.1 Information and Communication Technology allowance

Elected members will be paid an annual ICT allowance to the maximum amount allowable within the prescribed legislation as determined under the Salaries and Allowances Tribunal annual determination.

This section does not apply to committee members.



5. Discretionary allowances paid in lieu of reimbursements

Allowances in lieu of reimbursement of expenses

- (1) Pursuant to section 5.99A of the LG Act, a Local Government may decide by absolute majority that instead of reimbursing council members under the LG Act section 5.98(2) for all of a particular type of expense, it will pay all council members, for that type of expense, an annual allowance within the range determined under the Salaries and Allowances Tribunal annual determination.
- (2) Where a Local Government has decided to pay council members an annual allowance for an expense of a particular type instead of reimbursing expenses of that type under section 5.98(2) of the LG Act, section 5.99A of the LG Act provides for reimbursement of expenses of that type in excess of the amount of the allowance..

Explanatory note, not to be considered as legal interpretation

5.1 Smartrider

Elected members may receive a corporate smartrider card upon request to use while undertaking the functions of an elected member (elected members who hold a corporate smartrider will not be eligible to receive additional reimbursement for Transperth travel expenses)

5.2 Parking

Elected members may be provided with a single vehicle parking fee exemption, upon request. This allows elected members to park in City of Fremantle on-street and off-street parking bays without needing to purchase a parking ticket while undertaking the functions of an elected member. The exemption is only applicable to properly marked bays and all other parking restrictions still apply (elected members who hold a single vehicle parking fee exemption will not be eligible to receive additional reimbursement for parking expenses incurred in Fremantle).

5.3 Equipment and stationery

Elected members will be eligible to receive the following to assist them to undertake the functions of an elected member.

- a. The Mayor will be provided with a mobile, computer, and printing capabilities, compatible with the City's security and other systems.
- b. Elected members will be provided with access to a computer and printer for their use within the City's Civic area of the administration centre.
- c. Elected members will be supplied, as reasonably required to undertake the functions of an elected member, with:
 - i. Business cards, and
 - ii. letterhead template.
- d. Elected members will be supplied with a name badge at the commencement of their term of office upon request. Replacement name badges will be supplied, upon request, if lost, stolen, damaged or worn.



This section does not apply to committee members.

6. Mayoral vehicle

Method of payment of expenses for which person can be reimbursed (Act s. 5.101A)

Regulation 34AD (1)(a) of the LG Regulations prescribes that a local government may provide a vehicle to the Mayor as a 'Method of payment of expenses' (LG Act 5.101A).

Before a vehicle owned by a local government is provided to a council member the local government and the council member must sign an agreement setting out the responsibilities of the council member in relation to the use of the vehicle.

Explanatory note, not to be considered as legal interpretation

6.1 Mayoral Vehicle Allowance

At the Mayors request, a serviced, maintained and insured Council owned vehicle will be made available to the Mayor for the purpose of undertaking the functions of an elected member.

- a. Reasonable private use within the State, is permitted.
- b. All maintenance and operating costs will be met by the City, unless damage or breakdown occurs as a result of non-compliance with the provisions of this policy, in which case, any costs will be fully payable by the Mayor.
- c. The City will arrange for appropriate vehicle servicing.
- d. The vehicle is to be made available, at the Mayors discretion, for staff and other elected members to use while undertaking the functions of an elected member or employee.
- e. Any damage caused to the vehicle, which is not recoverable under council's insurance provisions, and where the Mayor **has** nominated **an** alternative driver, or an elected member is driving the vehicle and is deemed to be at fault, will be fully payable by that person
- f. The vehicle is to be returned within one business day on cessation of the Mayor's term of office



7. Insurance

7.1 Insurance

The City will provide protection for elected members from LGIS (mutual indemnity Scheme) for:

- a. Personal injury – the personal accident protection can provide a lump sum payment for a permanent injury; weekly wage replacement for a temporary injury; non-Medicare medical expenses; and some out of pocket expenses following an accident injury in the course of your activity as an elected member.
- b. Motor vehicle – where you are authorised to use your private vehicle for the benefit of the council, you will be covered for damage to your vehicle and your liability.
- c. Liability protection – legal liabilities as the result of third-party injury or property damage claims, arising from your official capacity as an elected member.
- d. Travel – cover for travel on authorised business trips, including cover for overseas medical costs; emergency evacuation; flight cancellation; and loss of baggage and personal effects.
Councillors' liability – cover for claims against you for any alleged wrongful acts arising out of your official duties.

This section does not apply to committee members.



8. Policy administration

8.1 Time Limit on Claims and Approval Process

- a. Elected members and committee members choosing to receive reimbursement of expenses in accordance with the provision of this policy must submit the appropriate Reimbursement of Expenses Form to the Manager Governance, together with supporting documentation.
- b. Requests for reimbursement must be received within three (3) calendar months after the month in which the expenses were incurred.
- c. Supporting documentation for reimbursement of expenses include:
 - i. Clear copy of receipt/s;
 - ii. Description of the reason for incurred the expense; and
 - iii. A completed and signed copy of the Reimbursement of Expenses Form.

8.2 Payment of Fees/allowances

- a. All Allowances will be paid automatically unless an elected member or committee member has advised the Chief Executive Officer in writing that they do not want to claim any or part of the available allowances.
- b. All allowances will be paid monthly in arrears,
- c. The taxation liability arising from these payments is the individual responsibility of each elected member or committee member.
- d. If an elected member or committee member advises that they not want all or part of the available allowances that they are entitled to, any subsequent request for full or additional payment will not be back paid, but will accrue from the date of such request.
- e. If an elected member or committee member ceases to hold office or committee position, payment will only be made up to and including the final day of engagement.
- f. Reimbursement of member expenses in excess of the annual allowance made under this policy is required to be substantiated by the claimant through the production of receipts or the keeping of a log book before such claims are paid.

8.3 Dispute Resolution

Any disputes regarding this policy will be referred to the Chief Executive Officer in the first instance. If the elected member or committee member and the Chief Executive Officer cannot reach an agreement, the matter will be reported to Council for a decision.



Definitions and abbreviations

Act – *Local Government Act 1995*

Regs – *Local Government (Administration) Regulations 1996*

ICT expenses –

- a. rental charges in relation to one telephone and one facsimile machine, as prescribed by regulation 31(1)(a) of the *Local Government (Administration) Regulations 1996*; or
- b. any other expenses that relate to information and communications technology (for example, telephone call charges and internet service provider fees) and that are a kind of expense prescribed by regulation 32(1) of the *Local Government (Administration) Regulations 1996*;

Responsibility and review information	
Responsible officer:	Manager Governance
Document adoption/approval details	23 May 2018 - FPOL1805-15
Document amendment details	Amendment approval date: 25 May 2022 - Ordinary Meeting of Council - FPOL2205-6 10 April 2024 – Ordinary Meeting of Council – C2404-6
Next review date	10 April 2026 (to be reviewed following each ordinary election)



FORMS

REIMBURSEMENT OF CHILD CARE EXPENSES

I certify that the following expenses are true and correct and were incurred to enable me to undertake my functions as an elected member or independent committee member of the City of Fremantle.

Elected members and committee members are entitled to reimbursement of expenses as outlined in the Elected Members and Committee Member Allowances and Reimbursements Policy.

Receipts **must** accompany this claim for reimbursement

(a clear photograph is acceptable).

Period of claim from:.....to:.....

Item	Date	Details of Meeting/Duty	No of Hours	Rate per Hour	Total Cost
No 1					
Total of Claim					\$

Note: Copies of this form, or its contents, received from an elected member or committee members email account are considered to be electronically signed for the purposes of considering requested reimbursement.

Elected Member or Committee Member:

Signature:.....

Date:.....



REIMBURSEMENT OF EXPENSES

I certify that the following expenses are true and correct and were incurred to enable me to undertake my functions as an elected member or independent committee member of the City of Fremantle.

Elected members and committee members are entitled to reimbursement of expenses as outlined in the Elected Members and Committee Member Allowances and Reimbursements Policy.

Receipts must accompany this claim for reimbursement

(a clear photograph is acceptable).

Period of claim from:.....to:.....

Item	Date	Details of Meeting/Duty	No of Hours	Rate per Hour	Total Cost
No 1					
Total of Claim					\$

Note: Copies of this form, or its contents, received from an elected members or committee members email account are considered to be electronically signed for the purposes of considering requested reimbursement.

Elected Member or Committee Member:

Signature:.....

Date:.....



REIMBURSEMENT OF TRAVEL EXPENSES

I certify that the following expenses are true and correct and were incurred to enable me to undertake my functions as an elected member or independent committee member of the City of Fremantle.

Elected members and committee members are entitled to reimbursement of expenses as outlined in the Elected Members and Committee Member Allowances and Reimbursements Policy.

Vehicle

Make & Model or type:.....Registration:.....

Period of claim from:.....to:.....

Item	Date	Details of Meeting/Duty	Details of Vehicle used	Kms
No 1				
			Total Distance	Total kms

Note: Copies of this form, or its contents, received from an elected members or committee members email account are considered to be electronically signed for the purposes of considering requested reimbursement.

Elected Member or Committee Member:

Signature:.....

Date:.....