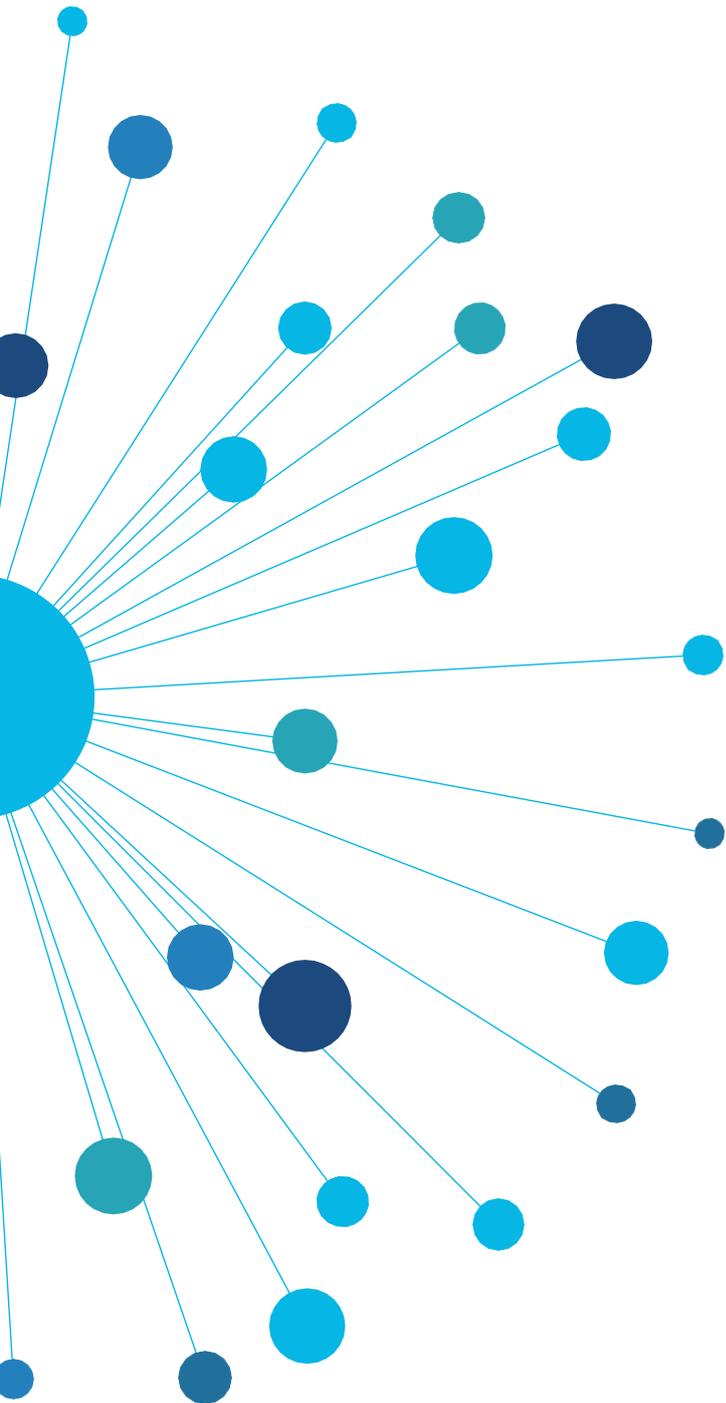


Queensland Independent
Remuneration Tribunal

Review of the entitlement to additional staff members of cross bench Members of the 58th Parliament

Determination 37/2026
14 January 2026



Determination 37/2026

Background and Reasons

Tribunal roles and responsibilities

The *Queensland Independent Remuneration Tribunal Act 2013* (the Act) provides for the Queensland Independent Remuneration Tribunal (the Tribunal) to:

- review and determine remuneration (annual and additional salaries, allowances and entitlements) in connection with members and former members of the Queensland Legislative Assembly (Remuneration Determination); and
- review and determine entitlements of cross bench members to additional staff members (Additional Staff Member Determination).

Additional staff member determinations

Under section 7 of the Act, the Tribunal has the function to review and make determinations about entitlements of cross bench members to additional staff members (additional staff member determination).

Under the Act, a cross bench member means a member of the Assembly who is neither a member of a political party recognised in the Assembly as being in government; nor a member of a political party recognised in the Assembly as being in opposition¹. Part 3, Subdivision 3 of the Act provides for matters relating to additional staff member determinations.

In making a determination about entitlements of cross bench members to additional staff members, section 31D of the Act provides that the Tribunal may provide a determination that provides additional staffing resources for –

- (a) all cross bench members; or
- (b) 1 or more stated classes of cross bench members; or
- (c) 1 or more stated cross bench members; or
- (d) a combination of 1 or more stated classes of cross bench members and 1 or more stated cross bench members.

Section 31D(2) of the Act provides that the determination may provide for the same entitlement or different entitlements for cross bench members or classes of cross bench members.

¹ Schedule 1 of the Act

An additional staff member determination may state one or more of the following:

- the role of the staff member
- the classification level, including, for example, the salary level for the staff member
- the location where the staff member is to perform their functions for the cross bench member².

In making an additional staff member determination, the Tribunal may have regard to:

- Parliamentary resources provided to cross bench members and other members of the Assembly
- the composition of the Assembly and how this affects cross bench members
- the workload and duties of the cross bench members for whom the Tribunal is considering making the determination
- whether the cross bench members are members of political parties
- relevant laws
- other matters the Tribunal considers appropriate³.

For the purpose of making an additional staff member determination, '*composition of the Assembly*' means the extent to which the Assembly is made up of members of a political party recognised in the Assembly as being in government; members of a political party recognised as being in opposition; and cross bench members⁴. *Parliamentary resources*, for a member of the Assembly, means services and support, including, for example, general staff members, provided to the member, in the parliamentary precinct or elsewhere, to help the member to carry out the member's duties⁵.

The Tribunal is required to consult with and consider the views of the Clerk of the Parliament (the Clerk)⁶.

An additional staff member determination is to be made within three months after the day the Assembly is next summoned, or if a person becomes, or ceases to be, a cross bench member during the term of the Assembly, the day the person becomes or ceases to be a cross bench member⁷. On 14 October 2025, Katter's Australian Party MP Nick Dametto, the Member for Hinchinbrook, resigned. Accordingly, the additional staff member determination must be made by 14 January 2026.

Review Process

In undertaking its review of the entitlement of cross bench members to additional staff members, the Tribunal considered:

- previous determinations regarding the staffing of cross bench members and historical considerations

² Section 31D(3) of the Act

³ Section 31E(1) of the Act

⁴ Section 31E(2) of the Act

⁵ Section 31E(2) of the Act

⁶ Section 31F of the Act

⁷ Section 31G of the Act

- Parliamentary resources provided to cross bench members and other members of the Assembly
- the composition of the current Legislative Assembly
- the workload, duties, roles and responsibilities of a cross bench member, including as a member of a Parliamentary Committee
- submissions received from the Clerk and cross bench members, including in relation to job sharing electorate office staff and Parliamentary Policy Officer positions.
- provision of additional staff for cross bench members in other jurisdictions.

Previous determinations – additional staffing for cross bench members

In February 2021, the Tribunal made Determination 23/2021 titled 2021 'Review of the Additional Staffing levels for Cross Bench Members of the 57th Parliament' regarding additional staff member entitlement for cross bench members, which stated as follows.

1. The Tribunal determines that each member who was a cross bench member as at 24 November 2020 is entitled to a 0.5 full time equivalent (FTE) at the salary rate applicable within the Parliamentary Service equivalent to an Administration Officer level 7 (AO7) under the *State Government Entities Certified Agreement 2019 – Queensland Parliamentary Service Award – State 2015*.
2. Appointments to the positions should be made by way of an Employment Contract pursuant to section 27 of the *Parliamentary Service Act 1988* or via secondment arrangements if the person is appointed from an existing Queensland public sector position.
3. The position description for the AO7 'Parliamentary Policy Officer' should be settled by the Clerk of the Parliament as the employing authority.
4. The Parliamentary Policy Officer will provide Parliamentary support to the cross bench member and must not:
 - a. support the cross bench member in their electorate or political party functions, or
 - b. be a 'connected party' to the cross bench member as defined in the Legislative Assembly of Queensland *Member's Remuneration Handbook* (Remuneration Handbook).
5. Subject to (4) above, the cross bench member has discretion to decide the work arrangements, work location, hours and schedule for the 0.5 AO7 Parliamentary Policy Officer.

In March 2022, the Tribunal made Determination 26/2022 titled '2021 Review of Allowances' that increased the allocation for cross bench members from 0.5 FTE to 1.0 FTE, and retained the conditions detailed in Determination 23/2021.

In February 2025, the Tribunal made Determination 34/2025 titled 'Review of the entitlement to additional staff members of cross bench Members of the 58th Parliament', which provided that each member who was a cross bench member as at 26 November 2024 is entitled to one full time equivalent for a Parliamentary Policy Officer position, to be employed under the same conditions as detailed in Determination 23/2021.

Parliamentary resources – current staffing arrangements

Ministerial Offices and the Office of the Leader of the Opposition

In 2024–25, the budgeted total staff establishment for Ministerial Offices and the Office of the Leader of the Opposition as at 30 June 2025 was 287 FTE⁸. The total actual establishment for Ministerial Offices (excluding the Office of the Leader of the Opposition) at 30 June 2025 was 264⁹. Based on this available public data, the Leader of the Opposition Office had a staff establishment of 23 as at 30 June 2025.

Cross bench members

Every member of the Legislative Assembly who was serving as a cross bench member on 26 November 2024 is entitled to one full-time equivalent Parliamentary Policy Officer.

Members of Parliament (members)

The Speaker decides electorate office accommodation and staffing for all members.

All members are provided with one Electorate Officer and two Assistant Electorate Officers to assist the member in maintaining the operation of an electorate office. For secondary official offices (the four largest electorates only), the member may engage one additional Electorate Officer.

The Remuneration Handbook also provides that in addition to electorate officers, *‘members are provided with a range of support services delivered by the Parliamentary Service including Library, Chamber and Committee related services, Catering, Property and Security services plus a range of organisational services such as Information Technology, Human Resource and other administrative services.’*¹⁰

Composition of the 58th Parliament

The Government has 53 members. The Opposition has 35 members.¹¹

There are five cross bench members consisting of:

- two Katter’s Australian Party (KAP) members
- one Queensland Greens member
- two independent members.¹²

Workload and duties, roles and responsibilities of a cross bench member

The Tribunal considered the roles and responsibilities of members (excluding officer holders).

Submissions

⁸ Service Delivery Statements, <https://budget.qld.gov.au/files/Budget-2025-26-SDS-Department-of-the-Premier-and-Cabinet.pdf>

⁹ Latest proactive disclosure for 30 June 2025: <https://whiteribbon.premiers.qld.gov.au/right-to-info/published-info/assets/Position%20numbers%20by%20office%20as%20at%2030%20June%202025.pdf>

¹⁰ Section 2.6.1.3 of the Remuneration Handbook

¹¹ Results of Hinchinbrook State by-election - <https://www.ecq.qld.gov.au/elections/election-events/hinchinbrook-by-election>

¹² State General Election 2024 results: <https://results.elections.qld.gov.au/SGE2024>

The Tribunal called for and received submissions from the Clerk and all five cross bench members. These submissions have been carefully considered and taken into account in this determination.

The four cross bench members currently entitled to an additional staffing entitlement (in accordance with Determination 34/2025) provided submissions regarding the roles and responsibilities and workloads of cross bench members, including their participation on Parliamentary Committees, existing staffing arrangements, whether the Parliamentary Policy Officer should be permitted to perform electorate and other work for cross bench members and the effects of the change in government on their responsibilities in 2025. The Tribunal noted these cross bench members unanimously supported that there be no reduction in the entitlement, and that these members proposed an increase in their entitlement from 1FTE to 1.5FTEs to 2FTEs.

Jurisdictional comparison

The Tribunal considered additional staffing arrangements for cross bench members in other jurisdictions.

Conclusion and reasons for the determination

The Tribunal considers that the roles and responsibilities of Members of Parliament remain unchanged, and include Parliamentary, electorate and political party roles and responsibilities¹³. The Tribunal's determination relates to additional staffing to support Parliamentary responsibilities of cross bench members only.

The Tribunal acknowledged the important role cross bench members play in the democratic process in Queensland. The Tribunal considered that there was sufficient justification to continue to support the current allocation of 1.0 FTE, consistent with Determination 26/2022 and reaffirmed in Determination 34/2025. The Tribunal concluded that at this stage, there did not appear to be a significant change in circumstances to justify the increase of the current staffing entitlements of cross bench members. Accordingly, the Tribunal concluded that the current additional staff entitlement remains appropriate.

Additionally, the Tribunal concluded that the additional staffing entitlement should be limited to members who were elected as an independent or member of a minor party at an election or by-election. That is, the additional staffing entitlement would not be provided to a member who, at the time they were elected, was a member of a political party in government or opposition, and who then subsequently becomes a cross bench member during the term of the Parliament. The Tribunal considers such members are elected based on their political alignment, and related policy platform. Accordingly, the Tribunal concluded that those members who become a cross bench member during a parliamentary term would not be entitled to the additional staffing entitlement.

In considering its position, the Tribunal noted that unique circumstances may arise in the future which may prompt a more nuanced approach to this position or a recategorisation of cross bench members, as is provided for in Section 31D of the Act. Such times may include instances where the resignation or expulsion of a member of the government or opposition, triggers a minority government. In such a circumstance, the Tribunal accepts that the scale

¹³ Determination 1/2013 and 23/2021

of the member's deliberations and responsibilities may be such that warrant a reconsideration of the determination.

The Tribunal concluded that the limitation preventing the Parliamentary Policy Officer from supporting the cross bench member in their electorate office or at political party functions is appropriate and should be retained. In reaching this conclusion, the Tribunal considered the allocation of electorate officer staff to support all Members of Parliament to undertake their electorate duties. The Tribunal maintains that job sharing between the Parliamentary Policy Officer and electorate office staff increases the risk of the distinction between electorate, political party and policy work becoming blurred. Accordingly, the Tribunal concluded that Parliamentary Policy Officers should continue to be employed under the same conditions as detailed in Determination 23/2021.

Determination 37/2026

Any inconsistencies between earlier Tribunal Determinations and Determination 37/2026 are resolved in favour of Determination 37/2026. Matters in earlier Determinations not addressed in this Determination are confirmed by the Tribunal and not amended.

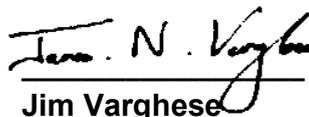
Additional staff member entitlement for cross bench members

1. The Tribunal determines that each member of the Legislative Assembly who was a cross bench member as at 26 November 2024 is entitled to one full time equivalent for a Parliamentary Policy Officer position, to be employed under the same conditions as detailed in Determination 23/2021.
2. The Tribunal determines that the entitlement is limited to those who were elected as a cross bench member at an election or by-election. That is, a person who at the time of their election as a member of the Queensland Legislative Assembly is a member of a political party recognised in the Assembly as being in government or a member of a political party recognised in the Assembly as being in opposition, is not entitled to an additional staff member entitlement if they subsequently become a cross bench member during the term of Parliament.

Date of Determination: 14 January 2026
Effective Date: 14 January 2026



Kirsty Chessher-Brown
Chairperson



Jim Varghese
Member



Michael Hickey
Member