



# Members of Parliament (Staff) Act 1984

**No. 64 of 1984**

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# Members of Parliament (Staff) Act 1984

No. 64 of 1984

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**An Act to provide for the employment of consultants and staff by Ministers, certain office-holders, Senators and Members of the House of Representatives, and for related purposes**

[Assented to 25 June 1984]

BE IT ENACTED by the Queen, and the Senate and the House of Representatives of the Commonwealth of Australia, as follows:

## PART I—PRELIMINARY

### Short title

1. This Act may be cited as the *Members of Parliament (Staff) Act 1984*.

### Commencement

2. (1) Part I shall come into operation on the day on which this Act receives the Royal Assent.

(2) The remaining provisions of this Act shall come into operation on such day as is, or such respective days as are, fixed by Proclamation.

### **Interpretation**

**3.** In this Act, unless the contrary intention appears—

“Board” means the Public Service Board;

“office-holder” means—

- (a) a person who holds a relevant office; or
- (b) a person in respect of whom a determination by the Prime Minister under section 12 is in force;

“officer” has the same meaning as that expression has in the Public Service Act;

“pensioner” means—

- (a) a person to whom an invalidity pension within the meaning of the Superannuation Act is payable; or
- (b) a person to whom a pension under the *Superannuation Act 1922* is payable, being a person who was retired on the ground of invalidity or of physical or mental incapacity to perform the person’s duties;

“Public Service Act” means the *Public Service Act 1922*;

“relevant office” means—

- (a) an office of Minister;
- (b) the office of Leader of the Opposition in the Senate;
- (c) the office of Leader of the Opposition in the House of Representatives;
- (d) the office of Deputy Leader of the Opposition in the Senate;
- (e) the office of Deputy Leader of the Opposition in the House of Representatives; or
- (f) an office of leader or deputy leader, in a House of the Parliament, of a recognized political party (other than an office that is held by a person who also holds an office referred to in any of the preceding paragraphs of this definition);

“relevant public servant” means a person who is an employee within the meaning of the Public Service Act;

“relevant Secretary”, in relation to a consultant appointed, or proposed to be appointed, by a Minister, means the Secretary of the Department administered by the Minister or, if there is more than one Department administered by the Minister, whichever Secretary the Minister considers appropriate;

“Superannuation Act” means the *Superannuation Act 1976*.

## **PART II—MINISTERIAL CONSULTANTS**

### **Ministers may engage consultants**

**4. (1)** A Minister may, with the approval of the Prime Minister, on behalf of the Commonwealth, engage, under an agreement in writing, a natural person, body corporate or partnership as a consultant.

(2) An agreement for the engagement by a Minister of a consultant under sub-section (1) shall contain one or more of the following provisions:

- (a) a provision to the effect that the consultant is engaged to perform, under the supervision of the Minister, such tasks as are specified in the agreement;
- (b) a provision to the effect that the consultant is engaged to perform, under the supervision of the Minister, such tasks as are from time to time specified by the Minister;
- (c) a provision to the effect that the consultant is engaged to perform, under the supervision of the relevant Secretary, such tasks as are specified in the agreement;
- (d) a provision to the effect that the consultant is engaged to perform, under the supervision of the relevant Secretary, such tasks as are from time to time specified by the Secretary with the Minister's consent.

(3) Subject to sub-section (4), a Minister who engages a consultant under sub-section (1) may determine which of the provisions referred to in sub-section (2) is or are to be included in the agreement under which the consultant is engaged.

(4) In an agreement for the engagement by a Minister of a consultant under this Part, a task shall not be specified by the Minister, for the purposes of a provision of the kind referred to in paragraph (2) (c), without the agreement of the relevant Secretary.

#### **Terms and conditions of engagement**

5. (1) The terms and conditions of an engagement by a Minister of a natural person under this Part, other than terms and conditions relating to any matter in relation to which—

- (a) a determination is to be made by the Minister under section 4 or 8; or
- (b) express provision is made by section 9,

shall be determined by the Board.

(2) The terms and conditions of an engagement by a Minister of a body corporate or a partnership under this Part, other than terms and conditions relating to any matter in relation to which—

- (a) a determination is to be made by the Minister under section 4; or
- (b) express provision is made by section 9,

shall be determined by the Board.

(3) The terms and conditions of an engagement under this Part that are determined by the Board under sub-section (1) or (2) shall be specified in the agreement relating to the arrangement.

(4) Without limiting the generality of sub-section (1) or (2), an agreement for the engagement by a Minister of a consultant under this Part shall make provision for the payment to the consultant of an amount by way of compensation for the early termination of the engagement if the engagement is

terminated by sub-section 9 (1) or by the Minister under sub-section 9 (2) before the expiration of the period specified in the agreement as the term of the engagement.

(5) An agreement under section 4 may be varied in a manner provided for in the agreement.

### **Natural persons may be engaged under contracts of employment or contracts for services**

6. An agreement for the engagement of a natural person as a consultant under this Part shall specify whether the agreement is to be taken to be a contract of employment or a contract for services.

### **Engagement of natural persons under contracts of employment**

7. (1) In this section, “relevant agreement” means an agreement under section 4 that is to be taken to be a contract of employment.

(2) The engagement of a natural person as a consultant under a relevant agreement may be on a full-time or part-time basis.

(3) Subject to section 8, a term or condition of the engagement of a natural person as a consultant under a relevant agreement may be specified in the agreement by reference to the entitlement that the person would have—

- (a) if a specified Act applied in relation to the person; or
- (b) if a specified Act applied in relation to the person with such modifications as are set out in the agreement.

### **Superannuation**

8. (1) In this section—

“prescribed modification”, in relation to the Superannuation Act, means a modification of the reference in section 13 of that Act to a term of not less than 1 year;

“relevant agreement” means an agreement under section 4 that is to be taken to be a contract of employment;

“relevant person” means a natural person other than—

- (a) a person who, immediately before being engaged under this Part, was an eligible employee within the meaning of the Superannuation Act; or
- (b) a pensioner.

(2) A relevant agreement for the engagement by a Minister of a relevant person as a consultant may contain provisions determined by the Minister in relation to the provision to the person of superannuation benefits or benefits in the nature of superannuation benefits.

(3) Without limiting the generality of sub-section (2), a relevant agreement for the engagement of a relevant person as a consultant may provide—

- (a) that the Superannuation Act applies in relation to the person as if the person were a temporary employee within the meaning of that Act; or

(b) that the Superannuation Act, with a prescribed modification set out in the agreement, applies in relation to the person as if the person were a temporary employee within the meaning of that Act,  
and, where a relevant agreement so provides, the Superannuation Act applies in relation to the person in accordance with the agreement.

(4) Notwithstanding anything in the Superannuation Act or any other Act, the Superannuation Act—

- (a) does not apply in relation to a relevant person engaged as a consultant under this Part unless the application of that Act is expressly provided for, in accordance with sub-section (3), in the agreement for the engagement of the person; and
- (b) does not apply in relation to such a person except as provided by sub-section (3).

(5) A Minister is not empowered to determine provisions for the purposes of sub-section (2) except in accordance with arrangements approved by the Minister for Finance.

#### **Termination of engagement**

9. (1) The engagement of a consultant under this Part terminates if the Minister by whom the consultant was engaged—

- (a) dies;
- (b) ceases to hold office as a Minister; or
- (c) ceases to administer the Department administered by the Minister at the time when the consultant was engaged.

(2) A Minister may at any time, by notice in writing given to a consultant engaged by the Minister under this Part, terminate the engagement of the consultant.

(3) A consultant engaged by a Minister under this Part may at any time, by notice in writing given to the Minister, terminate the engagement.

(4) The engagement of a consultant that is not terminated—

- (a) by sub-section (1);
- (b) by the Minister under sub-section (2); or
- (c) by the consultant under sub-section (3),

terminates at the expiration of such period not exceeding 3 years as is specified, in the agreement under which the consultant was engaged, as the term of the engagement.

(5) Where the engagement of a person under this Part is terminated by sub-section (1), the Prime Minister may by writing direct that the engagement of the person shall be deemed—

- (a) not to have been so terminated; and
- (b) to have continued, or to continue, until a specified date,

and, where the Prime Minister so directs, the engagement of the person under this Part shall for all purposes be deemed to have continued, or to continue, until that date.

**Rights of officers engaged as consultants**

10. For the purposes of the Public Service Act, an officer who is engaged under this Part under an agreement that is to be taken to be a contract of employment shall, while the engagement continues, be deemed to be employed as the holder of a Commonwealth office within the meaning of Part IV of that Act.

**Rights of relevant public servants engaged as consultants**

11. (1) For the purposes of the Public Service Act, a relevant public servant who is engaged under this Part shall, subject to sub-section (2), while the engagement continues, be deemed to be on leave without pay but the service of the relevant public servant pursuant to that engagement, while the relevant public servant is so deemed to be on leave, shall be taken into account as if it were service as a relevant public servant.

(2) A relevant public servant who was selected for employment under the Public Service Act, or whose employment under that Act was authorized, on the condition that the employment should not continue after the expiration of a specified period or on the condition that the employment should not continue after the completion of specified work shall, for the purposes of that Act, be deemed to cease to be a relevant public servant at the expiration of that period or the completion of that work, as the case may be.

**PART III—STAFF OF OFFICE-HOLDERS**

**Determinations by Prime Minister**

12. The Prime Minister may, by writing, determine that, having regard to the Parliamentary duties of a Senator or a Member of the House of Representatives, the Senator or Member ought to be empowered to employ staff under this Part.

**Office-holders may employ staff**

13. (1) An office-holder may, on behalf of the Commonwealth, employ, under an agreement in writing, a person as a member of the office-holder's staff.

(2) The power conferred on an office-holder by sub-section (1) is not exercisable otherwise than in accordance with arrangements approved by the Prime Minister, and the exercise of that power is subject to such conditions as are determined by the Prime Minister.

**Terms and conditions of employment**

14. (1) Subject to sub-section (2) and to any applicable determination made under sub-section (3), the terms and conditions of employment of a person employed by an office-holder under this Part, other than terms and



conditions (in this section referred to as “prescribed terms and conditions”) relating to any matter in relation to which—

- (a) a determination is to be made by the office-holder under section 15; or
- (b) express provision is made by section 16,

are the same as the terms and conditions applicable in relation to an officer performing the duties of an office in the Australian Public Service having a classification specified in the agreement for the employment of the person.

(2) Notwithstanding anything in sub-section (1) or in the *Commonwealth Employees (Redeployment and Retirement) Act 1979*, that Act does not apply in relation to the employment of a person under this Part.

(3) The Prime Minister may by writing determine that the terms and conditions of employment of a person employed under this Part (other than prescribed terms and conditions) are varied (whether by the variation of particular terms and conditions or by the inclusion of new terms and conditions, not being prescribed terms and conditions) as specified in the determination.

(4) A determination under sub-section (3) may be expressed to apply in relation to all persons employed under this Part, in relation to all persons included in a class of persons so employed or in relation to a specified person so employed.

### **Superannuation**

15. (1) In this section—

“prescribed modification”, in relation to the Superannuation Act, means a modification of a reference in section 11 of that Act to a period;

“relevant person” means a person other than—

- (a) a person who, immediately before being employed under this Part, was an eligible employee within the meaning of the Superannuation Act; or
- (b) a pensioner.

(2) An agreement under section 13 for the employment by an office-holder of a relevant person as a member of the office-holder’s staff may contain provisions determined by the office-holder in relation to the provision to the person of superannuation benefits or benefits in the nature of superannuation benefits.

(3) Without limiting the generality of sub-section (2), an agreement under section 13 for the employment of a relevant person may provide—

- (a) that the Superannuation Act applies in relation to the person as if the person were a temporary employee within the meaning of that Act; or
- (b) that the Superannuation Act, with a prescribed modification or prescribed modifications set out in the agreement, applies in relation to the person as if the person were a temporary employee within the meaning of that Act,

and, where an agreement so provides, the Superannuation Act applies in relation to the person in accordance with the agreement.

(4) Notwithstanding anything in the Superannuation Act or any other Act, the Superannuation Act—

- (a) does not apply in relation to a relevant person employed under this Part unless the application of that Act is expressly provided for, in accordance with sub-section (3), in the agreement for the employment of the person; and
- (b) does not apply in relation to such a person except as provided by sub-section (3).

(5) An office-holder is not empowered to determine provisions for the purposes of sub-section (2) except in accordance with arrangements approved by the Minister for Finance.

### **Termination of employment**

16. (1) The employment of a person under this Part terminates if the office-holder by whom the person was employed dies.

(2) The employment of a person under this Part terminates if—

- (a) in the case of a person employed by a person who holds a relevant office—the last-mentioned person ceases to hold the relevant office; or
- (b) in the case of a person employed by a person in respect of whom a determination by the Prime Minister under section 12 is in force—the determination is revoked.

(3) An office-holder may at any time, by notice in writing given to a person employed by the office-holder under this Part, terminate the person's employment.

(4) A person employed by an office-holder under this Part may at any time, by notice in writing given to the office-holder, terminate the person's employment.

(5) Where the employment of a person under this Part is terminated by sub-section (1) or (2), the Prime Minister may by writing direct that the employment of the person shall be deemed—

- (a) not to have been so terminated; and
- (b) to have continued, or to continue, until a specified date,

and, where the Prime Minister so directs, the employment of the person under this Part shall for all purposes be deemed to have continued, or to continue, until that date.

### **Rights of officers employed by office-holders**

17. (1) For the purposes of the Public Service Act, an officer who is employed under this Part shall, while the employment continues, be deemed to be employed as the holder of a Commonwealth office within the meaning of Part IV of that Act.

(2) An officer employed under this Part may, by notice in writing given to the Board—

- (a) before the termination of the employment under section 16; or
- (b) before the expiration of the period of 30 days, or such further period as the Board allows, after the termination of the employment under section 16,

make an application to the Board for the making of a determination under this section.

(3) The Board shall refer an application made to it under sub-section (2) to a Re-integration Assessment Committee.

(4) The Re-integration Assessment Committee to which an application under sub-section (2) is referred shall inquire into the application and shall, having regard to—

- (a) the office in the Australian Public Service held by the officer before being employed under this Part;
- (b) the duration of the officer's employment under this Part;
- (c) the nature of the duties performed by the officer while employed under this Part; and
- (d) any other matter that in the opinion of the Committee is relevant,

determine the classification (being a classification that is the same as, or higher than, the classification of the officer as an unattached officer at the time of the determination) that the officer is to have as an unattached officer in the Australian Public Service and, unless there is only one rate of salary applicable in respect of the classification so determined, the rate of salary at which the officer is to be paid.

(5) A determination under sub-section (4) in relation to an officer shall be reduced to writing and copies of the determination shall be furnished to the Board and to the officer.

(6) A determination under sub-section (4) in relation to an officer takes effect, or shall be deemed to have taken effect, upon the termination under section 16 of the employment of the officer under this Part.

### **Rights of relevant public servants employed by office-holders**

18. (1) For the purposes of the Public Service Act, a relevant public servant who is employed under this Part shall, subject to sub-section (2), while the employment continues, be deemed to be on leave without pay but the service of the relevant public servant in that employment, while the relevant public servant is so deemed to be on leave, shall be taken into account as if it were service as a relevant public servant.

(2) A relevant public servant who was selected for employment under the Public Service Act, or whose employment under that Act was authorized, on the condition that the employment should not continue after the expiration of a specified period or on the condition that the employment should not continue after the completion of specified work shall, for the purposes of that Act, be

deemed to cease to be a relevant public servant at the expiration of that period or the completion of that work, as the case may be.

**Power to employ electorate staff not affected**

19. Nothing in this Part affects the power of an office-holder who is a Senator or a Member of the House of Representatives to employ staff under Part IV.

**PART IV—STAFF OF SENATORS AND MEMBERS**

**Senators and Members may employ staff**

20. (1) A Senator or a Member of the House of Representatives may, on behalf of the Commonwealth, employ, under an agreement in writing, a person as a member of the staff of the Senator or Member.

(2) The power conferred on a Senator or Member of the House of Representatives by sub-section (1) is not exercisable otherwise than in accordance with arrangements approved by the Prime Minister, and the exercise of that power is subject to such conditions as are determined by the Prime Minister.

**Terms and conditions of employment**

21. (1) Subject to sub-section (2) and to any applicable determination made under sub-section (3), the terms and conditions of employment of a person employed by a Senator or Member of the House of Representatives under this Part, other than terms and conditions (in this section referred to as “prescribed terms and conditions”) relating to any matter in relation to which—

- (a) a determination is to be made by the Senator or Member under section 22; or
- (b) express provision is made by section 23,

are the same as the terms and conditions applicable in relation to an officer performing the duties of an office in the Australian Public Service having a classification specified in the agreement for the employment of the person.

(2) Notwithstanding anything in sub-section (1) or in the *Commonwealth Employees (Redeployment and Retirement) Act 1979*, that Act does not apply in relation to the employment of a person under this Part.

(3) The Prime Minister may by writing determine that the terms and conditions of employment of a person employed under this Part (other than prescribed terms and conditions) are varied (whether by the variation of particular terms and conditions or by the inclusion of new terms and conditions, not being prescribed terms and conditions) as specified in the determination.

(4) A determination under sub-section (3) may be expressed to apply in relation to all persons employed under this Part, in relation to all persons included in a class of persons so employed or in relation to a specified person so employed.

### **Superannuation**

**22. (1)** In this section—

“prescribed modification”, in relation to the Superannuation Act, means a modification of a reference in section 11 of that Act to a period;

“relevant person” means a person other than—

- (a) a person who, immediately before being employed under this Part, was an eligible employee within the meaning of the Superannuation Act; or
- (b) a pensioner.

**(2)** An agreement under section 20 for the employment by a Senator or Member of the House of Representatives of a relevant person as a member of the staff of the Senator or Member may contain provisions determined by the Senator or Member in relation to the provision to the person of superannuation benefits or benefits in the nature of superannuation benefits.

**(3)** Without limiting the generality of sub-section (2), an agreement under section 20 for the employment of a relevant person may provide—

- (a) that the Superannuation Act applies in relation to the person as if the person were a temporary employee within the meaning of that Act; or
- (b) that the Superannuation Act, with a prescribed modification or prescribed modifications set out in the agreement, applies in relation to the person as if the person were a temporary employee within the meaning of that Act,

and, where an agreement so provides, the Superannuation Act applies in relation to the person in accordance with the agreement.

**(4)** Notwithstanding anything in the Superannuation Act or any other Act, the Superannuation Act—

- (a) does not apply in relation to a relevant person employed under this Part unless the application of that Act is expressly provided for, in accordance with sub-section (3), in the agreement for the employment of the person; and
- (b) does not apply in relation to such a person except as provided by sub-section (3).

**(5)** A Senator or a Member of the House of Representatives is not empowered to determine provisions for the purposes of sub-section (2) except in accordance with arrangements approved by the Minister for Finance.

### **Termination of employment**

**23. (1)** The employment of a person under this Part terminates if the Senator or Member of the House of Representatives by whom the person was employed—

- (a) dies; or
- (b) ceases to be a Senator or a Member of the House of Representatives, as the case may be.

(2) A Senator or Member of the House of Representatives may at any time, by notice in writing given to a person employed by the Senator or Member under this Part, terminate the person's employment.

(3) A person employed by a Senator or Member of the House of Representatives under this Part may at any time, by notice in writing given to the Senator or Member, terminate the person's employment.

(4) Where the employment of a person under this Part is terminated by sub-section (1), the Prime Minister may, by writing direct that the employment of the person shall be deemed—

(a) not to have been so terminated; and

(b) to have continued, or to continue, until a specified date,

and, where the Prime Minister so directs, the employment of the person under this Part shall for all purposes be deemed to have continued, or to continue, until that date.

#### **Rights of officers employed by Senators and Members**

**24.** (1) For the purposes of the Public Service Act, an officer who is employed under this Part shall, while the employment continues, be deemed to be employed as the holder of a Commonwealth office within the meaning of Part IV of that Act.

(2) An officer employed under this Part may, by notice in writing given to the Board—

(a) before the termination of the employment under section 23; or

(b) before the expiration of the period of 30 days, or such further period as the Board allows, after the termination of the employment under section 23,

make an application to the Board for the making of a determination under this section.

(3) The Board shall refer an application made to it under sub-section (2) to a Re-integration Assessment Committee.

(4) The Re-integration Assessment Committee to which an application under sub-section (2) is referred shall inquire into the application and shall, having regard to—

(a) the office in the Australian Public Service held by the officer before being employed under this Part;

(b) the duration of the officer's employment under this Part;

(c) the nature of the duties performed by the officer while employed under this Part; and

(d) any other matter that in the opinion of the Committee is relevant, determine the classification (being a classification that is the same as, or higher than, the classification of the officer as an unattached officer at the time of the determination) that the officer is to have as an unattached officer in the Australian Public Service and, unless there is only one rate of salary applicable

in respect of the classification so determined, the rate of salary at which the officer is to be paid.

(5) A determination under sub-section (4) in relation to an officer shall be reduced to writing and copies of the determination shall be furnished to the Board and to the officer.

(6) A determination under sub-section (4) in relation to an officer takes effect, or shall be deemed to have taken effect, upon the termination under section 23 of the employment of the officer under this Part.

### **Rights of relevant public servants employed by Senators and Members**

25. (1) For the purposes of the Public Service Act, a relevant public servant who is employed under this Part shall, subject to sub-section (2), while the employment continues, be deemed to be on leave without pay but the service of the relevant public servant in that employment, while the relevant public servant is so deemed to be on leave, shall be taken into account as if it were service as a relevant public servant.

(2) A relevant public servant who was selected for employment under the Public Service Act, or whose employment under that Act was authorized, on the condition that the employment should not continue after the expiration of a specified period or on the condition that the employment should not continue after the completion of specified work shall, for the purposes of that Act, be deemed to cease to be a relevant public servant at the expiration of that period or the completion of that work, as the case may be.

## **PART V—RE-INTEGRATION ASSESSMENT COMMITTEES**

### **Re-integration Assessment Committees**

26. The Board shall, from time to time, arrange for the establishment, in accordance with section 27, of such Re-integration Assessment Committees as appear to it to be required for the purposes of Parts III and IV.

### **Constitution of Committees**

27. (1) A Re-integration Assessment Committee shall consist of—

- (a) a Chairman, who shall be a person appointed by the Board to be a Chairman of a Re-integration Assessment Committee;
- (b) a person nominated by the Board; and
- (c) a person nominated by the organization that is, as provided by the regulations, the appropriate organization or, in the absence of such a nomination, nominated in such other manner as the regulations provide.

(2) The Chairman of a Re-integration Assessment Committee, while acting as such, is not subject to direction by any person or authority under this Act or under the Public Service Act.

### **Conduct of hearing by Committee**

**28. (1)** At an inquiry by a Re-integration Assessment Committee into an application referred to it under sub-section 17 (3) or 24 (3)—

- (a) the procedure of the Committee is, subject to the regulations, within the discretion of the Committee;
- (b) the proceedings shall be conducted with as little formality and technicality, and with as much expedition, as the requirements of this Act, and a proper consideration of the matter before the Committee, permit; and
- (c) the Committee is not bound by rules of evidence.

**(2)** An inquiry by a Re-integration Assessment Committee shall be conducted in private.

### **Member ceasing to act**

**29. (1)** Where a Re-integration Assessment Committee has been constituted for the purposes of an inquiry into an application made by an officer under sub-section 17 (2) or 24 (2) but, before the application has been finally determined by the Committee, a member or members of the Committee ceases or cease to be such a member or members or, for any other reason, ceases or cease to take part in the determination of the application, the Committee shall be reconstituted by the remaining member or members (if any) and another member or other members appointed or nominated in accordance with sub-section 27 (1).

**(2)** Where a Re-integration Assessment Committee is reconstituted pursuant to sub-section (1), the Committee as reconstituted may, subject to sub-section (3), have regard to the evidence given, the argument adduced and the reasons for any decision given during the inquiry by the Committee as previously constituted.

**(3)** Sub-section (2) does not apply in relation to a Re-integration Assessment Committee that is reconstituted pursuant to sub-section (1) unless—

- (a) 2 of the members of the Committee as reconstituted were members of the Committee as previously constituted; or
- (b) the officer agrees that the sub-section is to apply.

### **Split decisions**

**30.** For the purposes of the determination of an application made under sub-section 17 (2) or 24 (2) or any matter arising in the course of an inquiry, where the members of the Re-integration Assessment Committee do not concur in a decision relating to the determination of that application or of that matter—

- (a) if a majority of the members concur in a decision—the decision of the majority shall be deemed to be the decision of the Committee; and
- (b) in any other case—the decision of the Chairman of the Committee shall be deemed to be the decision of the Committee.



## PART VI—MISCELLANEOUS

### **Annual report**

**31.** As soon as practicable after 30 June in each year, the Prime Minister shall cause to be prepared a report—

- (a) setting out, in respect of each Minister who held office at any time during the year ending on that 30 June, the name of each consultant engaged by the Minister under section 4 during that year and the name of each consultant engaged by the Minister under section 4 before the commencement of that year who performed tasks during that year pursuant to the engagement; and
- (b) specifying, in respect of each consultant named pursuant to paragraph (a)—
  - (i) the period of engagement of the consultant;
  - (ii) which of the provisions referred to in sub-section 4 (2) is or are included in the agreement under which the consultant was engaged;
  - (iii) where the agreement under which the consultant was engaged contained a provision of the kind referred to in paragraph 4 (2) (a) or (c)—the tasks specified in the agreement for the purposes of that provision; and
  - (iv) where the agreement under which the consultant was engaged contained a provision of the kind referred to in paragraph 4 (2) (b) or (d)—the general nature of the tasks that the consultant was engaged to perform,

and shall cause a copy of the report to be laid before each House of the Parliament.

### **Operation of Public Service Arbitration Act**

**32. (1)** For the purposes of the *Public Service Arbitration Act 1920*, a person employed by an office holder under Part III or by a Senator or a Member of the House of Representatives under Part IV shall be deemed to be employed in the service of a public authority of the Commonwealth.

**(2)** The *Public Service Arbitration Act 1920* applies in relation to persons employed by Ministers under Part III or by office-holders under Part IV as if—

- (a) references in sections 12, 12C, 12D, 13, 15A and 15C of that Act to the Board were references to a person prescribed for the purposes of this paragraph;
- (b) references (however qualified) in those sections to Ministers were omitted; and
- (c) the reference in section 16 to the Board included a reference to Ministers or office-holders, as the case may be.

### **Regulations**

**33.** The Governor-General may make regulations, not inconsistent with this Act, prescribing matters—

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- (a) required or permitted by this Act to be prescribed; or
- (b) necessary or convenient to be prescribed for carrying out or giving effect to this Act.