



Parliamentary Entitlements Amendment Regulations 2011 (No. 1) Amendment Regulations 2011 (No. 1)¹

Select Legislative Instrument 2011 No. 97

I, QUENTIN BRYCE, Governor-General of the Commonwealth of Australia, acting with the advice of the Federal Executive Council, make the following Regulations under the *Parliamentary Entitlements Act 1990*.

Dated 16 June 2011

QUENTIN BRYCE
Governor-General

By Her Excellency's Command

GARY GRAY
Special Minister of State

1 Name of Regulations

These Regulations are the *Parliamentary Entitlements Amendment Regulations 2011 (No. 1) Amendment Regulations 2011 (No. 1)*.

2 Commencement

These Regulations commence on the day after they are registered.

3 Amendment of *Parliamentary Entitlements Amendment Regulations 2011 (No. 1)*

Schedule 1 amends the *Parliamentary Entitlements Amendment Regulations 2011 (No. 1)*.

Schedule 1 Amendments

(regulation 3)

[1] Schedule 1, item [3], subregulation 3AB (9)

omit

If,

insert

Subject to subregulation (11), if,

[2] Schedule 1, item [3], after subregulation 3AB (10)

insert

- (11) If the Minister has approved, under subregulation 3EA (7A), the expenditure, in the 2011–2012 financial year, of a supplement for the 2010–2011 financial year, the amount in subregulation (6) is reduced, in the 2012–2013 financial year, by the amount of the supplement spent by the member on printing and communications in the 2010–2011 and 2011–2012 financial years.
- (12) However, the Minister may, having regard to the particular circumstances of the member, waive the requirement in subregulation (11) in relation to the member.

[3] Schedule 1, item [5], subregulation 3AC (3)

omit

If,

insert

Subject to subregulation (5), if,

[4] Schedule 1, item [5], after subregulation 3AC (4)

insert

- (5) If the Minister has approved, under subregulation 3EA (7A), the expenditure, in the 2011–2012 financial year, of a supplement for the 2010–2011 financial year, the amount in subregulation (2) is reduced, in the 2012–2013 financial year, by the amount of the supplement spent by the Senator on printing and communications in the 2010–2011 and 2011–2012 financial years.
- (6) However, the Minister may, having regard to the particular circumstances of the Senator, waive the requirement in subregulation (5) in relation to the Senator.

[5] Schedule 1, item [6], subregulation 3EA (5), including the note

substitute

- (5) However, the total amount of supplement to which a member is entitled under this regulation in a financial year cannot exceed \$20,000, less any amount the member is entitled to under *Determination 2011/12, Supplement – Relief Staff Budget and Electorate Staff Travel Budget*, made under the *Members of Parliament (Staff) Act 1984*.

Note Determination 2011/12, Supplement – Relief Staff Budget and Electorate Staff Travel Budget, provides for a similar supplement of entitlements under that determination, where an approval has been given under subregulation 3EA (2). The total of any supplement given under that determination and any supplement given under subregulation 3EA (2) cannot exceed \$20,000.

[6] Schedule 1, item [6], after subregulation 3EA (7)

insert

- (7A) The Minister may decide that any amount of supplement approved under subregulation (2) for the 2010–2011 financial year that is not used on or before 30 June 2011 may be used by the member, for a purpose mentioned in subregulation (6), in the 2011–2012 financial year, if the member has fully expended his or her capped entitlement for that purpose in the 2011–2012 financial year.
- (7B) Any amount of supplement approved under subregulation (7A) that is used in the 2011–2012 financial year does not count towards the annual amount mentioned in subregulation (5) for the 2011–2012 financial year.

[7] Schedule 1, item [8], subitem 7 (3)

substitute

- (3) Subject to subitem 7 (5), if, in the previous financial year, a member received a supplement under regulation 3EA — the amount in paragraph 7 (2) (b) is reduced by the amount of the supplement spent by the member on office requisites and stationery.

[8] Schedule 1, item [8], after subitem 7 (4)

insert

- (5) If the Minister has approved, under subregulation 3EA (7A), the expenditure, in the 2011–2012 financial year, of a supplement, under regulation 3EA, for the 2010–2011 financial year, the amount in paragraph 7 (2) (b), for the 2012–2013 financial year, is reduced by the amount of the supplement spent by the member on office requisites and stationery in the 2010–2011 and 2011–2012 financial years.
- (6) However, the Minister may, having regard to the particular circumstances of a member, waive the requirement in subitem 7 (5) in relation to the member.

Note

1. All legislative instruments and compilations are registered on the Federal Register of Legislative Instruments kept under the *Legislative Instruments Act 2003*. See <http://www.frli.gov.au>.