



Parliamentary Entitlements Amendment Regulation 2012 (No. 1)¹

Select Legislative Instrument 2012 No. 104

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

Dated 14 June 2012

QUENTIN BRYCE
Governor-General

By Her Excellency's Command

GARY GRAY
Special Minister of State

1 Name of regulation

This regulation is the *Parliamentary Entitlements Amendment Regulation 2012 (No. 1)*.

2 Commencement

This regulation commences on 1 July 2012.

3 Amendment of *Parliamentary Entitlements Regulations 1997*

Schedule 1 amends the *Parliamentary Entitlements Regulations 1997*.

Schedule 1 Amendments

(section 3)

[1] Schedule 1, Part 1, item [110]

substitute

[110] Paragraphs 9 (1) (e) and (f)

substitute

(e) use of special purpose aircraft as approved by the Prime Minister.

[2] Schedule 1, Part 2, items [206] to [208A]

substitute

[206] Item 2

substitute

2. (1) For travel overseas on official business by a Presiding Officer travelling on an itinerary approved by the Prime Minister:
- (a) the cost of first-class fares; and
 - (b) the cost of accommodation, meals and incidentals; and
 - (c) the cost of travel, at business class, of one staff member accompanying the Presiding Officer; and
 - (d) if there is no accompanying spouse, and the Prime Minister so approves, the cost of travel, at business class, of a second staff member accompanying the Presiding Officer; and
 - (e) the following costs relating to medical and hospital services received by the Presiding Officer:
 - (i) the cost of vaccinations and medical supplies essential for travel overseas;
 - (ii) the cost of insurance for medical and hospital treatment when travelling overseas;
 - (iii) the cost of medical services (including emergency dental services) and hospital services received overseas if the cost is not covered by insurance; and
 - (f) the cost of baggage insurance to the standard applying to an SES employee in the Department of Foreign Affairs and Trade; and
 - (g) equipment and clothing allowances equivalent to the standard applying to an SES employee in the Department of Foreign Affairs and Trade.
- (2) If, with the approval of the Prime Minister, a member is representing the Presiding Officer, the member is entitled to the same benefits under subitem (1) as the Presiding Officer.

- (3) In this item:

staff member means a person employed under the *Members of Parliament (Staff) Act 1984*.

- 2A. (1) For travel overseas on official business in a financial year by the Leader of the Opposition in the House of Representatives, and by other members of the Opposition as approved by the Leader of the Opposition, an amount equal to the cost of 4 scheduled first class around-the-world airfares as calculated:
- (a) on 1 July in that financial year; and
 - (b) on the basis of a Sydney to London to Sydney via Eastern hemisphere route and Atlantic-Pacific route.
- (2) If, during a financial year, a person becomes the Leader of the Opposition in the House of Representatives because the person's party has become the Opposition party or has joined one or more parties to become the Opposition:
- (a) during that year, the amount of the benefit mentioned in subitem (1) is taken to be an amount worked out by the formula:

$$\text{amount of whole benefit} \times \frac{\text{number of days in remainder of financial year}}{365} \quad ; \text{ and}$$

- (b) the amount so worked out must be rounded to the nearest whole number that is greater than zero.

Note The number of days in the remainder of the financial year includes the day the party becomes the Opposition party or joins one or more parties to become the Opposition.

- (3) If, during a financial year, a person becomes the Leader of the Opposition in the House of Representatives in circumstances to which subitem (2) does not apply, the amount of the benefit mentioned in subitem (1) is taken to be the amount that was available to be used immediately before the person became the Leader.

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- (4) The amount of the benefit mentioned in subitem (1) is to be used for:
- (a) the cost of travel of the Leader of the Opposition in the House of Representatives and other members of the Opposition; and
 - (b) for the Leader and Deputy Leader of the Opposition in the House of Representatives, if the cost of his or her fares is being met by the amount of the benefit mentioned in subitem (1)—if a staff member is accompanying the Leader or Deputy Leader, as described in subitem (5), the cost of travel of a second staff member accompanying the Leader or Deputy Leader and travelling overseas at business class or a lower class; and
 - (c) for any other Opposition member, if the cost of his or her fares is being met by the amount of the benefit mentioned in subitem (1)—the cost of travel of up to 2 staff members accompanying the member and travelling overseas at business class or a lower class, as approved by the Leader of the Opposition; and
 - (d) for the Leader of the Opposition or other member—equipment and clothing allowances equivalent to the standard applying to an SES employee in the Department of Foreign Affairs and Trade.
- (5) In addition to the benefit mentioned in subitem (1), for travel overseas on official business in a financial year by the Leader or Deputy Leader of the Opposition in the House of Representatives, if the cost of his or her fares is being met by the amount of the benefit mentioned in subitem (1), the cost of travel of one staff member accompanying the Leader or Deputy Leader and travelling overseas at business class or a lower class.
- (6) In addition to the benefit mentioned in subitem (1), for travel overseas on official business in a financial year by the Leader of the Opposition in the House of Representatives and other members of the Opposition:
- (a) the following costs relating to medical and hospital services received by the Leader or member:
 - (i) the cost of vaccinations and medical supplies essential for travel overseas;

- (ii) the cost of insurance for medical and hospital treatment when travelling overseas;
- (iii) the cost of medical services (including emergency dental services) and hospital services received overseas if the cost is not covered by insurance; and
- (b) the cost of baggage insurance to the standard applying to an SES employee in the Department of Foreign Affairs and Trade.

(7) In this item:

staff member means a person employed under the *Members of Parliament (Staff) Act 1984*.

- 2B. (1) For travel overseas on official business in a financial year by the leader of a minority party, and by other members of the minority party as approved by the leader of the minority party, an amount equal to the cost of one scheduled first class around-the-world airfare as calculated:
- (a) on 1 July in that financial year; and
 - (b) on the basis of a Sydney to London to Sydney via Eastern hemisphere route and Atlantic-Pacific route.
- (2) If, during a financial year, a person becomes the leader of a minority party because the person's party becomes a minority party:
- (a) during that year, the amount of the benefit mentioned in subitem (1) is taken to be an amount worked out by the formula:

$$\text{amount of whole benefit} \times \frac{\text{number of days in remainder of financial year}}{365} \quad ; \text{ and}$$

- (b) the amount so worked out must be rounded to the nearest whole number that is greater than zero.

Note The number of days in the remainder of the financial year includes the day the party becomes a minority party.

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- (3) If, during a financial year, a person becomes the leader of a minority party in circumstances to which subitem (2) does not apply, the amount of the benefit mentioned in subitem (1) is taken to be the amount that was available to be used immediately before the person became the leader.
- (4) The amount of the benefit mentioned in subitem (1) is to be used for:
- (a) the cost of travel of the leader of the minority party and other members of the minority party; and
 - (b) for the leader of the minority party, if the cost of his or her fares is being met by the amount of the benefit mentioned in subitem (1)—if a staff member is accompanying the leader as described in subitem (5), the cost of travel of a second staff member accompanying the leader and travelling overseas at business class or a lower class; and
 - (c) for any other member of the minority party, if the cost of his or her fares is being met by the amount of the benefit mentioned in subitem (1)—the cost of travel of up to 2 staff members accompanying the member and travelling overseas at business class or a lower class, as approved by the leader of the minority party; and
 - (d) for the leader of the minority party or other member—equipment and clothing allowances equivalent to the standard applying to an SES employee in the Department of Foreign Affairs and Trade.
- (5) In addition to the benefit mentioned in subitem (1), for travel overseas on official business in a financial year by the leader of the minority party, if the cost of his or her fares is being met by the amount of the benefit mentioned in subitem (1), the cost of travel of one staff member accompanying the leader and travelling overseas at business class or a lower class.

- (6) In addition to the benefit mentioned in subitem (1), for travel overseas on official business in a financial year by the leader of the minority party and other members of the minority party:
- (a) the following costs relating to medical and hospital services received by the leader and other members of the minority party:
 - (i) the cost of vaccinations and medical supplies essential for travel overseas;
 - (ii) the cost of insurance for medical and hospital treatment when travelling overseas;
 - (iii) the cost of medical services (including emergency dental services) and hospital services received overseas if the cost is not covered by insurance; and
 - (b) the cost of baggage insurance to the standard applying to an SES employee in the Department of Foreign Affairs and Trade.
- (7) In this item:
staff member means a person employed under the *Members of Parliament (Staff) Act 1984*.

[208A] Subitem 3 (1)

substitute

3. (1) The cost of travel overseas, and the cost of emergency medical and hospital treatment overseas (if required), by a spouse when accompanying a Minister or Presiding Officer travelling on official business.

Note

1. All legislative instruments and compilations are registered on the Federal Register of Legislative Instruments kept under the *Legislative Instruments Act 2003*. See www.comlaw.gov.au.