



Parliamentary Entitlements Amendment (Office Budget) Regulation 2015

Select Legislative Instrument No. 107, 2015

I, General the Honourable Sir Peter Cosgrove AK MC (Ret'd),
Governor-General of the Commonwealth of Australia, acting with the
advice of the Federal Executive Council, make the following regulation.

Dated 25 June 2015

Peter Cosgrove
Governor-General

By His Excellency's Command

Michael Ronaldson
Special Minister of State

OPC61227 - A

1 Name

This is the *Parliamentary Entitlements Amendment (Office Budget) Regulation 2015*.

2 Commencement

- (1) Each provision of this instrument specified in column 1 of the table commences, or is taken to have commenced, in accordance with column 2 of the table. Any other statement in column 2 has effect according to its terms.

Commencement information		
Column 1	Column 2	Column 3
Provisions	Commencement	Date/Details
1. The whole of this instrument	1 July 2015.	1 July 2015

Note: This table relates only to the provisions of this instrument as originally made. It will not be amended to deal with any later amendments of this instrument.

- (2) Any information in column 3 of the table is not part of this instrument. Information may be inserted in this column, or information in it may be edited, in any published version of this instrument.

3 Authority

This instrument is made under the *Parliamentary Entitlements Act 1990*.

4 Schedules

Each instrument that is specified in a Schedule to this instrument is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this instrument has effect according to its terms.

Schedule 1—Amendments

Parliamentary Entitlements Regulations 1997

1 Regulation 2

Insert:

office budget: the **office budget** for a financial year for a member is the amount worked out for the member under Part 2AA for the financial year.

office budget benefit: each of the following benefits for a member is a distinct **office budget benefit**:

- (a) the benefit set out in subitem 2(1) of Part 1 of Schedule 1 to the Act as varied by Schedule 1 to these Regulations, so far as that benefit consists of Australian flags;
- (b) the benefit set out in subitem 7(1) of Part 1 of Schedule 1 to the Act as varied by Schedule 1 to these Regulations, so far as that benefit consists of office requisites and stationery;
- (c) the benefit set out in subitem 7(1) of Part 1 of Schedule 1 to the Act as varied by Schedule 1 to these Regulations, so far as that benefit consists of software;
- (d) the benefit set out in subitem 7A(1) of Part 1 of Schedule 1 to the Act as varied by Schedule 1 to these Regulations (publications);
- (e) the benefit prescribed by regulation 3AA (printing and communications).

remainder of the office budget: for a particular office budget benefit for a member for a financial year, the **remainder of the office budget** is the difference between:

- (a) the office budget for the financial year for the member; and
- (b) the sum of the costs of all the other office budget benefits for the member for the financial year.

Note: If the member has not taken any of the other office budget benefits for the financial year, the sum described in paragraph (b) will be nil and the remainder of the office budget for the particular office budget benefit will equal the office budget for the member for the financial year.

standard rate of postage means the rate of postage for carriage within Australia of standard postal articles by ordinary post as determined by the Board of Australia Post under paragraph 32(2)(c) of the *Australian Postal Corporation Act 1989*.

2 Regulations 3AB and 3AC

Repeal the regulations, substitute:

3AB Amount of printing and communications entitlement for a member for a financial year

The cost of commercial services to which a member is entitled under regulation 3AA for a financial year starting on or after 1 July 2015 cannot exceed the remainder of the office budget.

3 Paragraph 3EA(1)(a)

Repeal the paragraph, substitute:

- (a) has, in the financial year in which a disaster happens, expended a substantial part of a capped entitlement; and

4 Paragraph 3EA(1)(b)

Omit “those entitlements”, substitute “the capped entitlement”.

5 Subregulation 3EA(4)

Omit “entitlements”, substitute “capped entitlement”.

6 Subregulation 3EA(5)

Omit “, 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*”.

7 Subregulation 3EA(5) (note)

Repeal the note.

8 Subregulations 3EA(7), (7A), (7B) and (8)

Repeal the subregulations, substitute:

- (7) However, the member may use the supplement for a purpose described in subregulation (6) only if, in the financial year in which the disaster occurred, the member has fully expended:
- (a) if the purpose relates to a capped entitlement connected with an office budget benefit—the office budget for the financial year for the member; or
 - (b) if the purpose relates to another capped entitlement—that capped entitlement.
- (8) The Minister may, by legislative instrument, declare a benefit to be a capped entitlement.

9 Subregulation 3EA(9) (definition of *capped entitlement*)

Repeal the definition, substitute:

capped entitlement means a benefit declared by the Minister under subregulation (8).

10 Subregulation 3EA(9) (definition of *relevant determination*)

Repeal the definition.

11 After Part 2

Insert:

Part 2AA—Office budget

3ED Office budget for a financial year for a member

For a Senator

- (1) The *office budget* for a financial year starting on or after 1 July 2015 for a Senator is the sum of:
- (a) \$11 500; and
 - (b) \$86 271, indexed annually in accordance with the Consumer Price Index for each financial year starting on or after 1 July 2016.

For a member of the House of Representatives

- (2) The **office budget** for a financial year starting on or after 1 July 2015 for a member of the House of Representatives is the sum of:
- (a) \$86 500; and
 - (b) the amount worked out under subsection (3) or (4) for the member's electorate; and
 - (c) either:
 - (i) if the Australian Electoral Commission has determined that the demographic rating of the member's electorate is inner metropolitan or outer metropolitan—\$44 416; or
 - (ii) otherwise—\$45 751;
- indexed annually in accordance with the Consumer Price Index for each financial year starting on or after 1 July 2016.

House of Representatives voter-related component of office budget

- (3) For paragraph (2)(b), the amount is the product of the following, worked out as at the last business day in March before the financial year:
- (a) the number of enrolled voters within the electoral boundaries for the member's electorate as in place at the last general election;
 - (b) the standard rate of postage.
- (4) However, if the first election for the electorate occurs between the last business day in March before the financial year and the end of the financial year, the amount for paragraph (2)(b) is the product of the following:
- (a) the number of enrolled voters within the electoral boundaries for the member's electorate as at the close of the electoral roll for that election;
 - (b) the standard rate of postage as at that last business day.

Reduction of office budget for supplement in previous financial year

- (5) The office budget for a financial year worked out for a member under subregulation (1) or (2) is reduced by the amount of a supplement under regulation 3EA (for a disaster) in the previous

financial year spent by the member for a purpose connected with an office budget benefit.

- (6) Subregulation (5) has effect despite subregulations (1) and (2), but does not apply to a member if, having regard to the member's particular circumstances, the Minister decides it should not apply.

12 After Part 3

Insert:

Part 4—Transitional provisions

19 Reduction of office budget for 2015-16 financial year because of supplement in 2014-15 financial year

- (1) Subregulation 3ED(5) applies to the office budget for the financial year starting on 1 July 2015 for a member as if the reference in that subregulation to a purpose connected with an office budget benefit were a reference to a purpose connected with any of the following:
- (a) printing or communications in accordance with regulation 3AA;
 - (b) office requisites and stationery in accordance with subitem 7(1) of Part 1 of Schedule 1 to the Act as varied by these Regulations;
 - (c) Australian flags in accordance with item 2 of Part 1 of Schedule 1 to the Act (as in force before 1 July 2015) for presentation to constituents.
- (2) This regulation is repealed on 1 July 2016.

13 Before item [100AA] of Schedule 1

Insert:

[100AAA] Item 2

after

2.

insert

(1)

14 After item [100AA] of Schedule 1

Insert:

[100AB] At the end of item 2*add*

- (2) The cost of Australian flags to which a member is entitled under subitem (1) for a financial year starting on or after 1 July 2015 cannot exceed the remainder of the office budget (as defined in regulation 2 of the *Parliamentary Entitlements Regulations 1997*).

15 Item [104] of Schedule 1 (subitems 7(2), (3), (4), (5) and (6))

Repeal the subitems, substitute:

- (2) The cost of office requisites and stationery to which a member is entitled under subitem (1) for a financial year starting on or after 1 July 2015 cannot exceed the lesser of:
- (a) \$50 000; and
 - (b) the remainder of the office budget (as defined in regulation 2 of the *Parliamentary Entitlements Regulations 1997*).
-
- (3) The cost of software to which a member is entitled under subitem (1) for a financial year starting on or after 1 July 2015 cannot exceed the remainder of the office budget (as defined in regulation 2 of the *Parliamentary Entitlements Regulations 1997*).

16 Item [104A] of Schedule 1 (subitems 7A(2) and (3))

Repeal the subitems, substitute:

- (2) The cost of purchasing publications to which a member is entitled under subitem (1) for a financial year starting on or after 1 July 2015 cannot exceed the remainder of the office budget (as defined in regulation 2 of the *Parliamentary Entitlements Regulations 1997*).