

## **EXPLANATORY STATEMENT**

Issued by the authority of the Minister for Finance

*Parliamentary Entitlements Act 1990*

*Parliamentary Entitlements Amendment Regulation 2016 (No. 2)*

The *Parliamentary Entitlements Act 1990* (the Act) provides members of each House of the Parliament (members) with a range of benefits. These benefits are set out in Schedule 1 to the Act (section 4), and additional benefits may be prescribed by regulations made by the Governor-General (paragraph 5(1)(b)). Section 12 of the Act provides that the Governor-General may make regulations for the purposes of paragraph 5(1)(b) of the Act. The *Parliamentary Entitlements Regulations 1997* (the Principal Regulations) currently prescribe a range of additional benefits (Parts 1 to 3).

This Regulation amends the Principal Regulations to provide clarity to Senators and members of the House of Representatives about the permissible postal addresses that may be included on personalised letterhead stationery.

The Regulation also provides members of the House of Representatives with the power to determine how many postal vote applications they print under their entitlement, up to a new limit of one postal vote application for each enrolled voter in their electorate.

A Statement of Compatibility with Human Rights is included in Attachment A. Details of the Regulation are included in Attachment B.

The Act does not impose any conditions that need to be satisfied before the power to make the Regulation may be exercised.

This Regulation is a legislative instrument for the purposes of the *Legislation Act 2003*.

### **Commencement**

The Regulation commences on the day after it is registered on the Federal Register of Legislation.

### **Consultation and Regulatory Impact**

In relation to section 17 of the *Legislation Act 2003*, consultation was not considered necessary or appropriate as the amendments are machinery in nature and do not substantially alter existing arrangements under the Principal Regulations.

The Office of Best Practice Regulation (OBPR) has agreed that proposals such as these have no regulatory impact on businesses, individuals or organisations and therefore the regulatory costs are nil. OBPR ID Number: 19957.

Authority: Section 12 of the  
*Parliamentary Entitlements Act 1990*

## **Statement of Compatibility with Human Rights**

Prepared in accordance with Part 3 of the *Human Rights (Parliamentary Scrutiny) Act 2011*

### ***Parliamentary Entitlements Amendment Regulation 2016 (No.1)***

This Regulation is compatible with the human rights and freedoms recognised or declared in the international instruments listed in section 3 of the *Human Rights (Parliamentary Scrutiny) Act 2011*.

#### **Overview of the Legislative Instrument**

This Legislative Instrument amends the *Parliamentary Entitlements Regulations 1997* to provide Senators and members of the House of Representatives with clarity around the permissible postal addresses that may be included on personalised letterhead stationery.

The Regulation also provides members of the House of Representatives with the power to determine how many postal vote applications they print under their entitlement, up to a new limit of one postal vote application for each enrolled voter in their electorate.

#### **Human rights implications**

This Legislative Instrument does not engage any of the applicable rights or freedoms.

#### **Conclusion**

This Legislative Instrument is compatible with human rights as it does not raise any human rights issues.

**Mathias Cormann**  
**Minister for Finance**

**Details of the *Parliamentary Entitlements Amendment Regulation 2016 (No. 2)***

**Section 1- Name**

This section provides that the title of the Regulation is the *Parliamentary Entitlements Amendment Regulation 2016 (No. 2)* (the Regulation).

**Section 2 – Commencement**

This section provides that the Regulation commences in accordance with column 2 of the table in subsection 2(1).

Item 1 of the table provides that the Regulation is to commence on the day after the Regulation is registered on the Federal Register of Legislation.

**Section 3 – Authority**

This section states that the Regulation is made under the *Parliamentary Entitlements Act 1990* (the Act).

**Section 4 – Schedules**

This section provides that each instrument specified in a Schedule to the Regulation is amended or repealed as set out in the Schedule, and that any other item in a Schedule has effect according to its terms.

**Schedule 1 – Amendments**

**Item [1]** inserts new paragraph (ba) into subregulation 3AA(8) to clarify that printing on personalised letter head stationery may include a post office box address. This is in addition to paragraph (b) which relates to the contact details of a member’s electorate office, Parliament House office or capital city office .

**Item [2]** repeals the example after paragraph (c) in subregulation 3AA(8). The effect of paragraph (c) is not impacted by this amendment.

**Item [3]** Omits the words “50% of” from paragraph 3AA(10)(a), which enables members of the House of Representatives to print postal vote applications up to a number equal to the number of enrolled voters in their electorate (within the electoral boundaries for the member’s electorate as in place at the last general election) on the last working day of March before the election.