



Parliamentary Business Resources (Commonwealth Parliament Offices) Determination (No. 1) 2019

made under section 33 of the *Parliamentary Business Resources Act 2017*

Compilation No. 1

Compilation date: 11 December 2020

Includes amendments up to: F2020N00153

Prepared by the Department of Finance

About this compilation

This compilation

This is a compilation of the *Parliamentary Business Resources (Commonwealth Parliament Offices) Determination (No. 1) 2019* that shows the text of the law as amended and in force on 11 December 2020 (the *compilation date*).

The notes at the end of this compilation (the *endnotes*) include information about amending laws and the amendment history of provisions of the compiled law.

Uncommenced amendments

The effect of uncommenced amendments is not shown in the text of the compiled law. Any uncommenced amendments affecting the law are accessible on the Legislation Register (www.legislation.gov.au). The details of amendments made up to, but not commenced at, the compilation date are underlined in the endnotes. For more information on any uncommenced amendments, see the series page on the Legislation Register for the compiled law.

Application, saving and transitional provisions for provisions and amendments

If the operation of a provision or amendment of the compiled law is affected by an application, saving or transitional provision that is not included in this compilation, details are included in the endnotes.

Modifications

If the compiled law is modified by another law, the compiled law operates as modified but the modification does not amend the text of the law. Accordingly, this compilation does not show the text of the compiled law as modified. For more information on any modifications, see the series page on the Legislation Register for the compiled law.

Self-repealing provisions

If a provision of the compiled law has been repealed in accordance with a provision of the law, details are included in the endnotes.

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Part 1—Preliminary

1 Name

This determination is the *Parliamentary Business Resources (Commonwealth Parliament Offices) Determination (No. 1) 2019*.

3 Authority

This determination is made under subsection 33(1) of the *Parliamentary Business Resources Act 2017*.

4 Definitions

In this determination:

Act means the *Parliamentary Business Resources Act 2017*.

Commonwealth Parliament Office (CPO) means any of the following office spaces that the Commonwealth, as represented by Ministerial and Parliamentary Services, leases for certain purposes, including to provide permanent and temporary office accommodation to members:

- (a) 1 Bligh Street, Sydney, New South Wales;
- (b) NT House, 22 Mitchell Street, Darwin, Northern Territory;
- (c) Waterfront Place, 1 Eagle Street, Brisbane, Queensland;
- (d) 100 King William Street, Adelaide, South Australia;
- (e) 188 Collins Street, Hobart, Tasmania;
- (f) 4 Treasury Place, East Melbourne, Victoria; and
- (g) Exchange Tower, 2 The Esplanade, Perth, Western Australia,

and includes any spaces that may be used by the Commonwealth in providing or administering public resources under the relevant lease.

Department means the Department of Finance.

permanent office means an office prescribed under subsection 72(1), 73(1) or 73(2) of the Regulations.

Regulations means the *Parliamentary Business Resources Regulations 2017*.

temporary office means an office prescribed under subsection 72(2) of the Regulations.

Note: A term that is defined in

- the Act, such as ***member*** or ***IPEA***,
- the Regulations, such as ***electorate offices*** or ***home base***,
has the same meaning in this determination as it has in the relevant Act or instrument.

Part 2—Offices

5 Provision of resources under this Part

The resources determined under this Part are provided subject to Part 4.

6 Provision of electorate offices to members

- (1) The Commonwealth must provide to a member one electorate office as prescribed by subsection 72(1) of the Regulations in a CPO if the CPO is in the member's electorate.
- (2) This section does not apply to a member to whom the Commonwealth must provide an office prescribed by subsection 72(1) of the Regulations, under any other determination made under subsection 33(1) of the Act from time to time.

Note: A senator's electorate is the State or Territory represented by the senator, while a member's electorate means the area that constituted the member's electorate at the end of the most recent election period: see the definition of *electorate* in section 4 of the Regulations.

7 Provision of offices to Ministers

- (1) Subject to subsection (2), the Commonwealth must provide to a Minister (other than a Parliamentary Secretary) the following additional offices as prescribed by subsection 73(1) of the Regulations in a CPO:
 - a. for a Minister, other than the Prime Minister—one office;
 - b. for the Prime Minister—three offices.
- (2) Where requested to do so by a Minister or the Prime Minister, the Commonwealth may:
 - a. meet its obligations under this section by providing the Minister or the Prime Minister with additional space in an office provided to the Minister or Prime Minister under section 6 of this determination; or
 - b. provide less than the number of offices specified in subsection (1).
- (3) This section does not apply to a Minister, other than the Prime Minister, to whom the Commonwealth must provide an office prescribed by subsection 73(1) of the Regulations, under any other determination made under subsection 33(1) of the Act from time to time.

8 Provision of an additional office to certain office holders

- (1) Subject to subsection (2), the Commonwealth must provide to the office holders mentioned in subsection 73(2) of the Regulations, the office prescribed by that subsection in a CPO.

Note: Subsection 73(2) of the Regulations applies to the following office holders: a presiding officer; a senior office holder who is a member of the Opposition; and the leader of a minority party. Only one office for each such office holder may be determined as prescribed by subsection 73(2) of the Regulations.

- (2) Where requested to do so by the office holder, the Commonwealth may:
 - a. meet its obligations under this section by providing the office holder with additional space in an office provided to the office holder under section 6 of this determination; or
 - b. provide less than the number of offices specified in subsection (1).
- (3) This section does not apply to a member to whom the Commonwealth must provide an office prescribed by subsection 73(2) of the Regulations, under any other determination made under subsection 33(1) of the Act from time to time.

9 Provision of temporary office accommodation to members

- (1) The Commonwealth must provide to members the temporary office accommodation prescribed by subsection 72(2) of the Regulations in a CPO.
- (2) Subject to this determination, temporary office accommodation will be provided to a member under this section on request for no longer than four continuous weeks at a time.

Part 3—Resources for Offices

10 Provision of resources under this Part

- (1) The resources included in this Part are public resources for offices, prescribed by subsection 74(1) of the Regulations.
- (2) Public resources determined under this Part must be provided to each member in relation to each office prescribed by sections 72 and 73 of the Regulations which the Commonwealth provides to that member in a CPO.

11 Provision of car parking

- (1) For a member who is provided with one or more permanent offices in a CPO in the State or Territory in which the member's home base is located, the Commonwealth must provide one car park in relation to each office.

Note: Members will be provided with a car park at the CPO where possible. Where car parking is not available at the CPO, a car park will be provided nearby.

- (2) For a member who is provided with a temporary office at a CPO, the Commonwealth must provide one car park:
 - (a) at that CPO; or
 - (b) which the Commonwealth, as represented by Ministerial and Parliamentary Services, may lease nearby for purposes, including to provide car parking to members who are provided with a temporary office at the CPO.

Note: The provision of a car park to a member who is provided with a temporary office at a CPO is subject to availability (see section 15) and allocation (see section 16).

- (3) Where requested to do so by the member, the Commonwealth may provide less than the number of car parks specified in this section.

Note: Apart from the car parking provisions in this section, members may be eligible to claim parking fees in relation to travel by a hired vehicle (subsection 8(1) of the Regulations – see the definition of *transport costs* in subsection 5(2) of the Regulations) or the member's private vehicle or private plated vehicle (paragraph 8(3)(a) of the Regulations).

12 Provision of office resources at CPOs

(1) Subject to subsection (2), for a member who is provided with an office in a CPO, the Commonwealth must provide the following resources within that office, or as common facilities at the CPO:

- (a) a conference room;
- (b) a media or press conference room;
- (c) a telepresence room;
- (d) a utilities room;
- (e) a kitchen or tea room;
- (f) a bathroom.

Note: An en suite bathroom will be provided in a permanent office in a CPO, where possible.

- (2) The Commonwealth may meet its obligations under subsection (1) by providing one or more of the listed resources as a multi-use room.
- (3) In a CPO located in Sydney, Melbourne or Brisbane, for a Minister who is provided with an office prescribed by subsection 73(1) of the Regulations in that CPO, the Commonwealth must provide a Cabinet meeting room as a common facility.

Telecommunications and Postage

- (4) For the members specified in subsection (5), the following resources are to be provided in relation to the office provided under this determination:
- (a) telephone connection, call costs and costs associated with managing call services;
 - (b) for a member at paragraph 12(5)(a), and at the request of the member at paragraph 12(5)(b), office phone directory listing in a publicly available telephone directory—online, mobile and print editions;
 - (c) at the request of the member, a facsimile line and transmission costs.
- (5) The members are:
- (a) a member who is provided with an office under section 6 of this determination (including where paragraph 7(2)(a) or 8(2)(a) also applies), or
 - (b) a senior office holder who is a member of the Opposition or the leader of a minority party who is provided with an office under section 8 of this determination.

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- (6) At the request of a member representing an electorate which contains multiple call charge areas, the member is to be provided with one low call cost mobile-enabled number for an office provided under section 6 of this determination (including where paragraph 7(2)(a) or 8(2)(a) also applies).
 - (7) In relation to mail for a member who is provided with a permanent office at a CPO, the Commonwealth is to provide, as a common facility, mail reception and security screening.

Security and General Services

- (8) For each member who is provided with an office in a CPO, the Commonwealth must provide, at the CPO, the following:
 - (a) cleaning services;
 - (b) waste collection and disposal services;
 - (c) pest control services;
 - (d) security services and related security infrastructure;
 - (e) facilities management services; and
 - (f) administrative support services.
- (9) The security infrastructure in paragraph 12(8)(d) shall include the following resources, installed at the CPO:
 - (a) a centralised secure reception counter;
 - (b) a standard CCTV monitoring system; and
 - (c) duress alarm buttons in each office within the CPO.
- (10) For a member who is provided with an office at a CPO in Melbourne or Sydney the Commonwealth is to provide laundering of relevant resources provided under this determination.

Utilities, Insurance and Training

- (11) Electricity connection and consumption charges are to be paid in relation to an office, including common facilities, provided to a member under this determination.
- (12) Contents insurance is to be provided for the office resources which are provided for a member under this determination.

Note: Members and their staff are personally responsible for insuring their personal effects.

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- (13) For a member who is provided with public resources under this determination, the Commonwealth is to provide to the member and relevant staff working in the member's office with training in relation to the use of the provided resources, on request.

Consumables

- (14) A member who is provided with a temporary office in a CPO is to be provided with:
- (a) reasonable stationery for the conduct of the member's parliamentary business at the temporary office,
 - (b) basic hospitality refreshments.
- (15) For the purposes of paragraph 12(14)(b), **basic hospitality refreshments** may include tea, coffee, milk, sugar, biscuits and disposable cups.
- (16) For a member who is provided with an office under this determination, the Commonwealth must provide the following resources within that office, or as common facilities at the CPO:
- (a) basic hygiene supplies;
 - (b) personal protective equipment;
 - (c) dishwashing and basic cleaning supplies.
- (17) For the purposes of paragraph 12(16)(a), **basic hygiene supplies** may include toilet paper, soap, paper towels, hand sanitiser and tissues.

Relocation expenses

- (18) The following resources are to be provided on request to a member who, after the commencement of this section, is to be provided with a permanent office under this determination:
- (a) office telephone number and mail redirection services for up to three months;
 - (b) reasonable resources, such as moving boxes and tape, for the relocation of resources provided to the member under the Act;
 - (c) removalist services for resources provided to the member under the Act to the member's permanent office in the CPO.
- (19) For a member who, after the commencement of this section, is provided with an electorate office under this determination, the Commonwealth is to publish a black and white newspaper advertisement of the location of the new office.

First Aid, Emergency and Fire Safety

- (20) For a member who is provided with an office in a CPO, the Commonwealth must ensure access to:
- (a) first aid equipment
 - (b) emergency and fire safety resources.
- (21) For the purposes of paragraph 12(20)(a), **first aid equipment** may include a first aid kit, a defibrillator, and other first aid equipment or resources which are required in the circumstances.
- (22) For the purposes of paragraph 12(20)(b), **emergency and fire safety resources** may include hard hats, high visibility safety vests, a fire extinguisher, a fire blanket, and other emergency and fire safety equipment or resources which are required in the circumstances.

13 Provision of existing resources for offices

- (1) For an office provided to a member under sections 6, 7, 8 or 9 of this determination, the Commonwealth must provide to the member, as public resources prescribed by subsection 74(1) of the Regulations, the goods, services, premises, equipment and other facilities that were provided in the CPO (in connection with the office) immediately before the commencement of this determination.
- (2) Where, after the commencement of this section:
- (a) a member (the **new occupant**) is provided with a permanent office in a CPO under this determination; and
 - (b) prior to being provided to the new occupant, the office was provided to another person (the **former occupant**) as a permanent office (whether under this determination or another determination under subsection 33(1) or under section 16 of the Act)

the Commonwealth must provide to the new occupant as public resources prescribed by subsection 74(1) of the Regulations, the goods, services, premises, equipment and other facilities that were provided to the former occupant (in connection with the office) immediately before the former occupant ceased to be provided with the office.

- (3) Subject to subsection (4), for the resources provided to a member under section 12 of this determination, the Commonwealth must provide the goods, services, premises, equipment and other facilities that were provided in the CPO immediately before the commencement of this determination to the member.

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- (4) Subsection (3) does not apply to resources provided for under another appropriation.
 - (5) This section applies to public resources that are not otherwise dealt with in this determination.

Part 4—Availability and Allocation

14 Subject to availability

The public resources determined under Part 2 and subsection 11(2) of this determination are determined subject to availability.

Note: Available space, including car parks at or nearby to a CPO is limited, and is leased by the Commonwealth for a range of purposes, including for temporary and permanent office accommodation for members, former Prime Ministers, and departmental staff.

15 Allocation of offices and car parks

The Department is to allocate the public resources determined under Part 2 and subsection 11(2) of this determination having regard to (as relevant):

- (a) the requirements of a member relating to the conduct of their parliamentary business;
- (b) the size of the office and the number of staff members to be accommodated in the office;
- (c) the location of the member's home base;
- (d) the seniority of the member;
- (e) the priority of providing an office under sections 7 or 8 of this determination at a CPO located in the State or Territory in which the member's home base is located;
- (f) the priority of providing a car park at a CPO to a member who is provided with a permanent office at that CPO; and
- (g) the extent to which accommodation and car parks need to be provided to persons other than members.

Note: A member's home base is the member's principle place of residence as nominated to IPEA by the member: see the definition of *home base* in section 4 of the Regulations.

Endnotes

Endnote 1—About the endnotes

Endnotes

Endnote 1—About the endnotes

The endnotes provide information about this compilation and the compiled law.

The following endnotes are included in every compilation:

Endnote 1—About the endnotes

Endnote 2—Abbreviation key

Endnote 3—Legislation history

Endnote 4—Amendment history

Abbreviation key—Endnote 2

The abbreviation key sets out abbreviations that may be used in the endnotes.

Legislation history and amendment history—Endnotes 3 and 4

Amending laws are annotated in the legislation history and amendment history.

The legislation history in endnote 3 provides information about each law that has amended (or will amend) the compiled law. The information includes commencement details for amending laws and details of any application, saving or transitional provisions that are not included in this compilation.

The amendment history in endnote 4 provides information about amendments at the provision (generally section or equivalent) level. It also includes information about any provision of the compiled law that has been repealed in accordance with a provision of the law.

Misdescribed amendments

A misdescribed amendment is an amendment that does not accurately describe the amendment to be made. If, despite the misdescription, the amendment can be given effect as intended, the amendment is incorporated into the compiled law and the abbreviation “(md)” added to the details of the amendment included in the amendment history.

If a misdescribed amendment cannot be given effect as intended, the abbreviation “(md not incorp)” is added to the details of the amendment included in the amendment history.

Endnote 2—Abbreviation key

ad = added or inserted	o = order(s)
am = amended	Ord = Ordinance
amdt = amendment	orig = original
c = clause(s)	par = paragraph(s)/subparagraph(s) /sub-subparagraph(s)
C[x] = Compilation No. x	pres = present
Ch = Chapter(s)	prev = previous
def = definition(s)	(prev...) = previously
Dict = Dictionary	Pt = Part(s)
disallowed = disallowed by Parliament	r = regulation(s)/rule(s)
Div = Division(s)	reloc = relocated
exp = expires/expired or ceases/ceased to have effect	renum = renumbered
F = Federal Register of Legislation	rep = repealed
gaz = gazette	rs = repealed and substituted
LA = <i>Legislation Act 2003</i>	s = section(s)/subsection(s)
LIA = <i>Legislative Instruments Act 2003</i>	Sch = Schedule(s)
(md) = misdescribed amendment can be given effect	Sdiv = Subdivision(s)
(md not incorp) = misdescribed amendment cannot be given effect	SLI = Select Legislative Instrument
mod = modified/modification	SR = Statutory Rules
No. = Number(s)	Sub-Ch = Sub-Chapter(s)
	SubPt = Subpart(s)
	<u>underlining</u> = whole or part not commenced or to be commenced

Endnotes

Endnote 3—Legislation history

Endnote 3—Legislation history

Name	Registration	Commencement	Application, saving and transitional provisions
Parliamentary Business Resources (Commonwealth Parliament Offices) Determination (No. 1) 2019	19 March 2019 (F2019N00030)	20 March 2019	
Parliamentary Business Resources (Commonwealth Parliament Offices) Amending Determination 2020	11 December 2020 (F2020N00153)	11 December 2020	

Endnote 4—Amendment history

Endnote 4—Amendment history

Provision affected	How affected
s 2	rep LA s 48D
s 12	rs F2020N00153
s 13	rs F2020N00153
