



Parliamentary Legislation Amendment (Fortnightly Payments) Regulations 2024

I, General the Honourable David Hurley AC DSC (Retd), Governor-General of the Commonwealth of Australia, acting with the advice of the Federal Executive Council, make the following regulations.

Dated 20 June 2024

David Hurley
Governor-General

By His Excellency's Command

Don Farrell
Special Minister of State

Contents

1	Name	1
2	Commencement.....	1
3	Authority	1
4	Schedules.....	1
Schedule 1—Amendments		2
Part 1—Fortnightly payments		2
<i>Parliamentary Business Resources Regulations 2017</i>		2
Part 2—Superannuation		7
<i>Parliamentary Contributory Superannuation (Early Release Payments) Regulations 2020</i>		7

1 Name

This instrument is the *Parliamentary Legislation Amendment (Fortnightly Payments) Regulations 2024*.

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	The later of: (a) the day after this instrument is registered; and (b) the day on which Schedule 4 to the <i>Parliamentary Business Resources Legislation Amendment (Review Implementation and Other Measures) Act 2024</i> commences.	1 July 2024 (paragraph (b) applies)

Note: This table relates only to the provisions of this instrument as originally made.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 following:

- (a) the *Parliamentary Business Resources Act 2017*;
- (b) the *Parliamentary Contributory Superannuation Act 1948*.

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Each instrument that is specified in a Schedule to this instrument is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this instrument has effect according to its terms.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

Part 1—Fortnightly payments

Parliamentary Business Resources Regulations 2017

1 Section 4

Insert:

Act means the *Parliamentary Business Resources Act 2017*.

fortnightly amount of base salary means the amount worked out in accordance with section 95B.

fortnightly amount of electorate allowance means the amount worked out in accordance with section 95C.

fortnightly amount of office holder's salary means the amount worked out in accordance with section 95D.

fortnightly amount of vehicle allowance means the amount worked out in accordance with section 95E.

transitional fortnight means the fortnight beginning on 4 July 2024, including the period that is taken to be included in that fortnight because of subitem 23(2) of Schedule 4 to the *Parliamentary Business Resources Legislation Amendment (Review Implementation and Other Measures) Act 2024*.

Note: The period beginning on 1 July 2024 and ending on 3 July 2024 is taken to be included in the transitional fortnight.

2 After section 95

Insert:

95A Fortnightly payments to senators and members

- (1) For the purposes of subsection 52A(2) of the Act, the method for working out the amount to be paid to a person per fortnight is to add up each of the following amounts payable to the person for the fortnight:
 - (a) the fortnightly amount of base salary;
 - (b) the fortnightly amount of electorate allowance;
 - (c) the fortnightly amount of office holder's salary (if any);
 - (d) the fortnightly amount of vehicle allowance (if any).
- (2) For the purposes of working out the amount under subsection (1), each of the amounts covered by paragraphs (1)(a) to (d) must be rounded to the nearest cent (rounding 0.5 cents upwards).

95B Fortnightly amount of base salary

Amount for a whole fortnight

- (1) Subject to subsection (2), the **fortnightly amount of base salary** payable to a person for a fortnight is the amount worked out in accordance with the following formula:

$$\frac{\text{The amount of base salary payable to the person} \times 12}{313}$$

Note: Base salary is an annual allowance determined for the purposes of subsection 14(2) of the Act.

Amount for part of a fortnight

- (2) If base salary is payable to a person for a part of a fortnight, then the **fortnightly amount of base salary** payable to the person for that fortnight is the amount worked out in accordance with the following formula:

$$\frac{\text{Full fortnightly amount} \times \text{Number of included days}}{14}$$

where:

full fortnightly amount means the amount worked out in accordance with the formula in subsection (1).

number of included days means the number of days in the part of the fortnight.

Amount for the transitional fortnight

- (3) Subject to subsection (4), subsections (1) and (2) do not apply in relation to the transitional fortnight.
- (4) If base salary is payable to a person for the whole or a part of the transitional fortnight, then the **fortnightly amount of base salary** payable to the person for the transitional fortnight is the amount worked out in accordance with the following formula:

$$\frac{\text{Full fortnightly amount} \times \text{Number of included days}}{14}$$

where:

full fortnightly amount means the amount worked out in accordance with the formula in subsection (1).

number of included days means:

- (a) if base salary is payable to the person for the whole of the transitional fortnight—17; or
- (b) if base salary is payable to the person for a part of the transitional fortnight—the number of days in the part of the fortnight.

Note: If base salary is payable to a person for a part of the transitional fortnight, the number of included days in the part of the fortnight may be over 14.

95C Fortnightly amount of electorate allowance

Amount for a whole fortnight

- (1) Subject to subsection (2), the **fortnightly amount of electorate allowance** payable to a person for a fortnight is the amount worked out in accordance with the following formula:

$$\frac{\text{The annual amount of electorate allowance payable to the person} \times 12}{313}$$

Amount for part of a fortnight

- (2) If electorate allowance is payable to a person for a part of a fortnight, then the **fortnightly amount of electorate allowance** payable to the person for that fortnight is the amount worked out in accordance with the following formula:

$$\frac{\text{Full fortnightly amount} \times \text{Number of included days}}{14}$$

where:

full fortnightly amount means the amount worked out in accordance with the formula in subsection (1).

number of included days means the number of days in the part of the fortnight.

Amount for the transitional fortnight

- (3) Subject to subsection (4), subsections (1) and (2) do not apply in relation to the transitional fortnight.
- (4) If electorate allowance is payable to a person for the whole or a part of the transitional fortnight, then the **fortnightly amount of electorate allowance** payable to the person for the transitional fortnight is the amount worked out in accordance with the following formula:

$$\frac{\text{Full fortnightly amount} \times \text{Number of included days}}{14}$$

where:

full fortnightly amount means the amount worked out in accordance with the formula in subsection (1).

number of included days means:

- (a) if electorate allowance is payable to the person for the whole of the transitional fortnight—17; or
- (b) if electorate allowance is payable to the person for a part of the transitional fortnight—the number of days in the part of the fortnight.

Note: If electorate allowance is payable to a person for a part of the transitional fortnight, the number of included days in the part of the fortnight may be over 14.

95D Fortnightly amount of office holder's salary

Amount for a whole fortnight

- (1) Subject to subsection (2), the **fortnightly amount of office holder's salary** payable to a person for a fortnight is the amount worked out in accordance with the following formula:

$$\frac{\text{The annual amount of office holder's salary payable to the person} \times 12}{313}$$

Amount for part of a fortnight

- (2) If office holder's salary is payable to a person for a part of a fortnight, then the **fortnightly amount of office holder's salary** payable to the person for that fortnight is the amount worked out in accordance with the following formula:

$$\frac{\text{Full fortnightly amount} \times \text{Number of included days}}{14}$$

where:

full fortnightly amount means the amount worked out in accordance with the formula in subsection (1).

number of included days means the number of days in the part of the fortnight.

Amount for the transitional fortnight

- (3) Subject to subsection (4), subsections (1) and (2) do not apply in relation to the transitional fortnight.
- (4) If office holder's salary is payable to a person for the whole or a part of the transitional fortnight, then the **fortnightly amount of office holder's salary** payable to the person for the transitional fortnight is the amount worked out in accordance with the following formula:

$$\frac{\text{Full fortnightly amount} \times \text{Number of included days}}{14}$$

where:

full fortnightly amount means the amount worked out in accordance with the formula in subsection (1).

number of included days means:

- (a) if office holder's salary is payable to the person for the whole of the transitional fortnight—17; or
- (b) if office holder's salary is payable to the person for a part of the transitional fortnight—the number of days in the part of the fortnight.

Note: If office holder's salary is payable to a person for a part of the transitional fortnight, the number of included days in the part of the fortnight may be over 14.

95E Fortnightly amount of vehicle allowance

Amount for a whole fortnight

- (1) Subject to subsection (2), the **fortnightly amount of vehicle allowance** payable to a person for a fortnight is the amount worked out in accordance with the following formula:

$$\frac{\text{The annual amount of vehicle allowance payable to the person} \times 12}{313}$$

Amount for part of a fortnight

- (2) If vehicle allowance is payable to a person for a part of a fortnight, then the **fortnightly amount of vehicle allowance** payable to the person for that fortnight is the amount worked out in accordance with the following formula:

$$\frac{\text{Full fortnightly amount} \times \text{Number of included days}}{14}$$

where:

full fortnightly amount means the amount worked out in accordance with the formula in subsection (1).

number of included days means the number of days in the part of the fortnight.

Amount for the transitional fortnight

- (3) Subject to subsection (4), subsections (1) and (2) do not apply in relation to the transitional fortnight.
- (4) If vehicle allowance is payable to a person for the whole or a part of the transitional fortnight, then the **fortnightly amount of vehicle allowance** payable to the person for the transitional fortnight is the amount worked out in accordance with the following formula:

$$\frac{\text{Full fortnightly amount} \times \text{Number of included days}}{14}$$

where:

full fortnightly amount means the amount worked out in accordance with the formula in subsection (1).

number of included days means:

- (a) if vehicle allowance is payable to the person for the whole of the transitional fortnight—17; or
- (b) if vehicle allowance is payable to the person for a part of the transitional fortnight—the number of days in the part of the fortnight.

Note: If vehicle allowance is payable to a person for a part of the transitional fortnight, the number of included days in the part of the fortnight may be over 14.

Part 2—Superannuation

Parliamentary Contributory Superannuation (Early Release Payments) Regulations 2020

3 Before section 1

Insert:

Part 1—Preliminary

4 Section 1

Omit “*Parliamentary Contributory Superannuation (Early Release Payments) Regulations 2020*”, substitute “*Parliamentary Contributory Superannuation Regulations 2020*”.

5 Section 4 (note)

Repeal the note, substitute:

- Note: A number of expressions used in this instrument are defined in the Act or for Part VA of the Act, including the following:
- (a) allowance by way of salary;
 - (b) deferring member;
 - (c) parliamentary allowance;
 - (d) SIS Regulations;
 - (e) Trust.

6 Section 4

Insert:

covered parliamentary allowance means parliamentary allowance covered by paragraph (e) of the definition of *parliamentary allowance* in subsection 4(1) of the Act.

fortnightly amount of the allowance by way of salary means the amount worked out in accordance with section 4B.

fortnightly amount of the parliamentary allowance means the amount worked out in accordance with section 4A.

transitional fortnight means the fortnight beginning on 4 July 2024, including the period that is taken to be included in that fortnight because of subitem 38(2) of Schedule 4 to the *Parliamentary Business Resources Legislation Amendment (Review Implementation and Other Measures) Act 2024*.

Note: The period beginning on 1 July 2024 and ending on 3 July 2024 is taken to be included in the transitional fortnight.

7 After section 4

Insert:

Part 2—Fortnightly payments

4A Fortnightly amount of covered parliamentary allowance

Amount for a whole fortnight

- (1) Subject to subsection (2), in relation to covered parliamentary allowance and for the purposes of subsection 13(1A) of the Act, the **fortnightly amount of the parliamentary allowance** payable to a person for a fortnight is to be worked out in accordance with the following formula:

$$\frac{\left(\text{Amount of base salary} - \text{Excluded portion of base salary} \right) \times 12}{313}$$

where:

amount of base salary means base salary (within the meaning of the *Parliamentary Business Resources Act 2017*) payable to the person.

Note: Base salary is an annual allowance determined for the purposes of subsection 14(2) of the *Parliamentary Business Resources Act 2017*.

excluded portion of base salary means the portion covered by paragraph 45(3)(a) of the *Parliamentary Business Resources Act 2017*.

Amount for part of a fortnight

- (2) If covered parliamentary allowance is payable to a person for a part of a fortnight, then, for the purposes of subsection 13(1A) of the Act, the **fortnightly amount of the parliamentary allowance** payable to the person for that fortnight is the amount worked out in accordance with the following formula:

$$\frac{\text{Full fortnightly amount} \times \text{Number of included days}}{14}$$

where:

full fortnightly amount means the amount worked out in accordance with the formula in subsection (1).

number of included days means the number of days in the part of the fortnight.

Amount for the transitional fortnight

- (3) Subject to subsection (4), subsections (1) and (2) do not apply in relation to the transitional fortnight.
- (4) If covered parliamentary allowance is payable to a person for the whole or a part of the transitional fortnight, then, for the purposes of subsection 13(1A) of the Act, the **fortnightly amount of the parliamentary allowance** payable to the person for the transitional fortnight is the amount worked out in accordance with the following formula:

$$\frac{\text{Full fortnightly amount} \times \text{Number of included days}}{14}$$

where:

full fortnightly amount means the amount worked out in accordance with the formula in subsection (1).

number of included days means:

- (a) if covered parliamentary allowance is payable to the person for the whole of the transitional fortnight—17; or
- (b) if covered parliamentary allowance is payable to the person for a part of the transitional fortnight—the number of days in the part of the fortnight.

Note: If covered parliamentary allowance is payable to a person for a part of the transitional fortnight, the number of included days in the part of the fortnight may be over 14.

4B Fortnightly amount of allowance by way of salary

Amount for a whole fortnight

- (1) Subject to subsection (2), for the purposes of subsection 13(3A) of the Act, the **fortnightly amount of the allowance by way of salary** payable to a person for a fortnight is to be worked out in accordance with the following formula:

$$\frac{\left(\text{Amount of office holder's salary} - \text{Excluded portion of office holder's salary} \right) \times 12}{313}$$

where:

amount of office holder's salary means the annual amount of office holder's salary (within the meaning of the *Parliamentary Business Resources Act 2017*) payable to the person.

excluded portion of office holder's salary means the annual amount of office holder's salary (within the meaning of the *Parliamentary Business Resources Act 2017*) payable to the person multiplied by the portion covered by paragraph 45(3)(b) of that Act.

Amount for part of a fortnight

- (2) If allowance by way of salary is payable to a person for a part of a fortnight, then, for the purposes of subsection 13(3A) of the Act, the **fortnightly amount of the allowance by way of salary** payable to the person for that fortnight is the amount worked out in accordance with the following formula:

$$\frac{\text{Full fortnightly amount} \times \text{Number of included days}}{14}$$

where:

full fortnightly amount means the amount worked out in accordance with the formula in subsection (1).

number of included days means the number of days in the part of the fortnight.

Amount for the transitional fortnight

- (3) Subject to subsection (4), subsections (1) and (2) do not apply in relation to the transitional fortnight.
- (4) If allowance by way of salary is payable to a person for the whole or a part of the transitional fortnight, then, for the purposes of subsection 13(3A) of the Act, the ***fortnightly amount of the allowance by way of salary*** payable to the person for the transitional fortnight is the amount worked out in accordance with the following formula:

$$\frac{\text{Full fortnightly amount} \times \text{Number of included days}}{14}$$

where:

full fortnightly amount means the amount worked out in accordance with the formula in subsection (1).

number of included days means:

- (a) if allowance by way of salary is payable to the person for the whole of the transitional fortnight—17; or
- (b) if allowance by way of salary is payable to the person for a part of the transitional fortnight—the number of days in the part of the fortnight.

Note: If allowance by way of salary is payable to a person for a part of the transitional fortnight, the number of included days in the part of the fortnight may be over 14.

8 Before section 5

Insert:

Part 3—Early release payments