

Australian Broadcasting Corporation (Definition of senior political staff member) Instrument 2024

I, Michelle Rowland, Minister for Communications, make the following instrument.

Dated 12 September 2024

Michelle Rowland

Minister for Communications

Contents

1 Name 1

2 Commencement 1

3 Authority 1

4 Definitions 1

5 Schedules 2

6 Specification of classes of persons 2

Schedule 1—Repeals 3

1 Name

This instrument is the *Australian Broadcasting Corporation (Definition of senior political staff member) Instrument 2024*.

2 Commencement

This instrument commences on the day after the instrument is registered.

3 Authority

This instrument is made under subsection 3(3) of the *Australian Broadcasting Corporation Act 1983*.

4 Definitions

1. In this instrument:

***Act*** means the *Australian Broadcasting Corporation Act 1983*.

***Legislature of a Territory*** means:

(a) the Legislative Assembly for the Australian Capital Territory; or

(b) the Legislative Assembly of the Northern Territory.

***Minister*** means a Minister of State for a State or a Territory.

1. In this instrument, the term ***Policy Advice*** means advice about policy matters, the communication of policy matters to the public, and/or parliamentary matters.
2. Without limitation to subsection (2), examples of Policy Advice include:
3. developing policy proposals for the consideration of member of a State Parliament or a Legislature of a Territory;
4. analysing policy proposals and making recommendations to a member of a State Parliament or a Legislature of a Territory;
5. participating in policy discussions with or on behalf of a member of a State Parliament or a Legislature of a Territory;
6. working with public sector employees to implement policies on behalf of a member of a State Parliament or a Legislature of a Territory who is a Minister.

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Each instrument that is specified in a Schedule to this instrument is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this instrument has effect according to its terms.

6 Specification of classes of persons

1. For the purposes of the definition of ‘senior political staff member’ under subsection 3(1) of the Act, subsections (2), (3) and (4) below specify the classes of persons.

***Class A–Federal***

1. A person who:
2. is employed under the *Members of Parliament (Staff) Act 1984* (Cth); and
3. occupies a position in the ‘senior staff’ classification as defined by the Commonwealth Members of Parliament Staff Enterprise Agreement 2020‑2023 made under the *Fair Work Act 2009*.

***Class B – State or Territory***

1. A person employed in a senior position by or on behalf of a member of a State Parliament or a Legislature of a Territory to primarily provide Policy Advice to the member.
2. Without limiting subsection 6(3), a person is deemed to be employed in a senior position if the position is known by one of the following designations:
3. Chief of Staff;
4. Deputy Chief of Staff;
5. Principal Adviser (however described);
6. Senior Adviser (however described);
7. Senior Media Adviser (however described);
8. Specialist Adviser (however described).

Schedule 1—Repeals

*Australian Broadcasting Corporation (Definition of senior political staff member) Instrument 2014*

1 The whole of the instrument

Repeal the instrument