

# Members of Parliament (Staff) (Employment Arrangements) Determination 2025

I, Don Farrell, Special Minister of State, make the following determination.

Dated 12 February 2025

Don Farrell Special Minister of State

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## Part 1—Preliminary

#### 1 Name

This instrument is the *Members of Parliament (Staff) (Employment Arrangements) Determination 2025.* 

#### 2 Commencement

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

#### **3** Authority

This instrument is made under subsections 12(2), 13(2), and 15(1) of the *Members of Parliament (Staff) Act 1984*.

#### 4 Definitions

Note:

This determination makes references to other documents and incorporates relevant meanings and provisions in other legislation, within the meaning of section 14(1)(b) of the *Legislation Act 2003*. To locate a copy of a relevant document, a specific reference to where it can be viewed free of charge in 2025 is included in a footnote to the relevant provision.

In this instrument:

*Electorate office* means an office provided by the Commonwealth as determined under the *Parliamentary Business Resources Act 2017*, and, for the purposes of this determination, may include offices allocated to a Minister or an office-holder or another office as determined under that Act from time-to-time.

*Enterprise Agreement* means the Commonwealth Members of Parliament Staff Enterprise Agreement 2024-27<sup>1</sup> or any enterprise agreement replacing it.

MOP(S) Act means the Members of Parliament (Staff) Act 1984.

*MOP(S) Act employee* means, for the purposes of this determination, an electorate employee and a personal employee and does not include an official establishment employee.

*Official establishment employee* means a person employed under subsection 11(2) of the MOP(S) Act who is:

 (a) employed to work in the Prime Minister's official establishments (including Kirribilli House, The Lodge, and the Prime Minister's Suite in the Australian Parliament House and in the Commonwealth Parliament Office in Sydney); and

<sup>&</sup>lt;sup>1</sup> Commonwealth Members of Parliament Staff Enterprise Agreement 2024-27 (as in force at the time this notifiable instrument commences): Department of Finance website

<sup>(</sup>https://maps.finance.gov.au//pay-and-employment/mops-act-employment/employment-instrumentsand-authorisations#commonwealth-members-of-parliament-staff-enterprise-agreement-202427).

(b) covered by the Prime Minister's Official Establishments Enterprise Agreement 2024-26<sup>2</sup> and any enterprise agreement replacing it.

#### Work base means:

- (a) for an ongoing or non-ongoing MOP(S) Act employee, the place of work where the employee spends most time on duty (inclusive of any periods of temporary transfer); and
- (b) for a casual MOP(S) Act employee, the place of work where the employee spends most time on duty during the employee's employment agreement period, that is, the separate instances of work during the period in the employee's employment agreement will be considered together to determine the employee's work base.
- Note: A number of expressions used in this instrument are defined in the definitions section of the MOP(S) Act, including the following:
  - (a) electorate employee;
  - (b) office-holder;
  - (c) parliamentarian;
  - (d) personal employee;
  - (e) personal employee (Ministerial);
  - (f) personal employee (non-Ministerial);
  - (g) PWSS;
  - (h) relevant office; and
  - (i) workplace.

#### **5** Schedules

- (1) Each instrument that is specified in Schedule 1 to this instrument is repealed with effect from the date this instrument commences.
- (2) Any other item in a Schedule to this instrument has effect according to its terms.

## Part 2—Family members

#### 6 Employment of family members

- (1) A parliamentarian or office-holder must not employ a person under section 11 of the MOP(S) Act who is:
  - (a) a spouse, de facto partner, child, parent or sibling of the parliamentarian or office-holder;
  - (b) a child of the spouse or de facto partner of the parliamentarian or office-holder

<sup>&</sup>lt;sup>2</sup> Prime Minister's Official Establishments Enterprise Agreement 2024-26 (as in force at the time this notifiable instrument commences): Department of Finance website (https://maps.finance.gov.au//pay-and-employment/mops-act-employment/employment-instruments-and-authorisations#commonwealth-members-of-parliament-staff-enterprise-agreement-202427).

- (c) a spouse or de facto partner of a child of the parliamentarian or officeholder; or
- (d) a spouse or de facto partner of a sibling of the parliamentarian or office-holder.
- (2) For the purposes of this section a *de facto partner* includes a partner in a civil union, civil partnership or registered relationship made in accordance with a state or territory law.

## Part 3—Electorate employees

#### 7 Employment arrangements for electorate employees

- (1) A parliamentarian may employ up to five full-time electorate employees in accordance with subsection 11(1) of the MOP(S) Act, allocated as follows:
  - (a) four full-time electorate employees with a work base of the parliamentarian's electorate office; and
  - (b) one full-time electorate employee with a work base of either:
    - (i) the parliamentarian's electorate office, Parliament House office, a satellite office as defined in subsection 7(7); or
    - (ii) where the parliamentarian is an office-holder, in the parliamentarian's office as described at subsection 7(8).
  - Note: A MOP(S) Act employee's *work base* has the same meaning as specified in clause 11 of the Commonwealth Members of Parliament Staff Enterprise Agreement 2024-27.<sup>3</sup>
- (2) For the purposes of this section a reference to a full-time employee is taken to include the number of part-time employees equivalent to a full-time employee.
  - Note: For example, two part-time employees may each be equivalent to 0.5 of a full-time employee and would together be equivalent to one full-time employee.
- (3) An electorate employee must be classified as one of an:
  - (a) Electorate Officer A;
  - (b) Electorate Officer B; or
  - (c) Electorate Officer C.
  - Note: These classifications and their associate salary scales are set out in Attachment C— Classification Structure – Electorate Employees of the Commonwealth Members of Parliament Staff Enterprise Agreement 2024-27.<sup>4</sup>
- (4) In allocating full-time electorate employee positions, a parliamentarian or officeholder will, in relation to an electorate office specified in Column 1, be allocated the number of electorate employees specified in Column 2, in accordance with the classifications specified in Column 3:

<sup>&</sup>lt;sup>3</sup> See footnote 1 above.

<sup>&</sup>lt;sup>4</sup> See footnote 1 above.

	Column 1	Column 2	Column 3
Item	Electorate office	Electorate employee allocation	Classifications of electorate employees
1	Electorate office	Five electorate employees	The parliamentarian must choose one of the following combinations of electorate employee positions:
			<ul> <li>(a) one Electorate Officer</li> <li>C position, two</li> <li>Electorate Officer B</li> <li>positions and two</li> <li>Electorate Officer A</li> <li>positions; or</li> </ul>
			(b) four Electorate Officer B positions and one Electorate Officer A position.
2	Second electorate office, if determined by the Minister	One additional electorate employee	One full-time Electorate Officer B position
3	Third electorate office, if determined by the Minister	One additional electorate employee	One full-time Electorate Officer B position

- (5) Any electorate employee position allocated to a parliamentarian may have the parliamentarian's second or third electorate office as that employee's work base, subject to there being a minimum of one and a maximum of two full-time electorate employee positions in each of the parliamentarian's allocated electorate offices.
- (6) An electorate employee position allocated to a parliamentarian who is a member of the House of Representatives may have the parliamentarian's satellite office as that employee's work base, subject to there being a minimum of one and a maximum of two full-time electorate employee positions in each of the parliamentarian's allocated electorate offices.
- (7) For the purposes of this section, a *satellite office* is an office privately leased by the parliamentarian for which the parliamentarian is eligible to receive reimbursement of certain expenses in accordance with section 71 of the *Parliamentary Business Resources Regulations 2017*.
- (8) For the purpose of subsection 7(1), the office of a parliamentarian who is an office-holder is an office, other than the parliamentarian's electorate office or Parliament House office, provided to that parliamentarian as a consequence of being such an office-holder.
- (9) Despite subsection 7(1), the Special Minister of State may approve an alternative work base for an electorate employee.

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- (10) An SES employee in the Ministerial and Parliamentary Services Division of the Department of Finance may approve but not decline an alternative work base for an electorate employee, subject to any conditions specified by the Special Minister of State.
  - Note: An SES employee has the meaning in the *Public Service Act 1999*.
  - Note: In the *Members of Parliament (Staff) Delegation 2023<sup>5</sup>* the Prime Minister delegated this power to SES employees of the Ministerial and Parliamentary Services Division of the Department of Finance under section 30(1) of the MOP(S) Act.

### Part 4—Terms and conditions of employment

#### 8 Security matters

- (1) For MOP(S) Act employees (excluding casual electorate employees) of an officeholder who is a Minister or Parliamentary Secretary, employment is conditional on the employee obtaining and maintaining a security clearance at Negative Vetting Level 2 or at a level approved in accordance with section 8(2).
- (2) In exceptional circumstances the Secretary of the Department of Home Affairs may, on the recommendation of the Minister's Chief of Staff and Portfolio Department, approve a variation of the level of security clearance required under section 8(1) of this instrument where:
  - (a) In the case of an electorate officer who works to a Minister who is a member of the National Security Committee of Cabinet, the electorate officer has no access to security classified information above Protected; or
  - (b) In the case of an electorate officer who works to a Minister who is not a member of the National Security Committee of Cabinet, the electorate officer has no access to security classified information above Secret.
  - Note: The Ministerial and Parliamentary Services Division of the Department of Finance provides assistance to parliamentarians and office-holders in relation to exemptions to the requirement to hold a particular security clearance.

#### 9 Behaviour Code

While employed as a MOP(S) Act employee, a person must comply with the requirements of the Behaviour Code in Schedule 2.

#### 10 Private plated vehicles

(1) MOP(S) Act employees may be eligible to be provided with a private-plated vehicle in accordance with the Enterprise Agreement.

<sup>&</sup>lt;sup>5</sup> *Members of Parliament (Staff) Delegation 2023* (as it applies at the date this notifiable instrument commences): Department of Finance website (https://maps.finance.gov.au/sites/default/files/2023-11/PM%20Delegations.pdf).

- (2) MOP(S) Act employees may select a vehicle from a list determined by the Special Minister of State, subject to a vehicle price cap.
  - Note: The arrangements for private-plated vehicles are set out in clause 30 of the Commonwealth Members of Parliament Staff Enterprise Agreement 2024-27.<sup>6</sup>

#### 11 Work handover

A parliamentarian or office-holder may employ two personal employees in the same position for a period of up to two weeks, for the purpose of a work handover, in the following circumstances:

- (a) a personal employee is permanently vacating a position, for example as a consequence of a promotion or transfer to another position, resignation, or termination as a MOP(S) Act employee; or
- (b) a personal employee is taking a period of leave of 12 weeks or more.
- Note: The handover period remains available where the new employee has a different work base to the vacating personal employee.

#### 12 Backfilling MOP(S) Act employees

(1) The position occupied by a personal employee may be backfilled by a parliamentarian or office-holder mentioned in Column 1 in accordance with the requirements mentioned in Column 2:

	Column 1	Column 2
Item	Parliamentarian or office-holder	Backfilling arrangement
1	An office-holder	If there is a vacancy for a period of two weeks or more, the office-holder may;
		<ul> <li>(a) temporarily transfer (internal) an ongoing personal employee or an electorate employee currently employed within the office, or</li> </ul>
		(b) temporary transfer (external) another parliamentarian's personal or electorate employee, provided the employee takes leave without pay from that parliamentarian's employment.
2	An office-holder who is not a Minister or Parliamentary Secretary	In addition to the options provided at item 1, if there is a vacancy for a period of four weeks or more, the office holder may engage a non-ongoing personal employee (Ministerial) under section 11 of the MOP(S) Act to temporarily fill the position.

#### <sup>6</sup> see footnote 1.

	Column 1	Column 2
Item	Parliamentarian or office-holder	Backfilling arrangement
3	An office-holder who is a Minister or Parliamentary Secretary	In addition to the options provided at item 1 and 2, if there is a vacancy for a period of four weeks or more, the office holder may ast the Secretary of the Department of State the office holder administers to identify a person who is an APS officer from the Department or an agency in the Minister's portfolio, and temporarily fill the position by engaging that person as a non-ongoing personal employee (Ministerial) under section 11 of the MOP(S) Act.

Note:

A parliamentarian in respect of whom a determination under section 4 of the MOP(S) Act is in force is defined as an office-holder in section 3 of the MOP(S) Act.

#### 13 Conditions of employment

(1) An office-holder who is a Minister or Parliamentary Secretary must ensure that:

- (a) MOP(S) Act employees employed by the office-holder inform the office-holder of any actual or potential conflicts of interest; and
- (b) there are arrangements in place to appropriately manage those actual or potential conflicts of interest; and
- (c) there is a written record the matters in paragraphs (a) and (b).
- Note: This is an arrangement concerning the power to employ prescribed under section 12(2) of the MOP(S) Act.
- (2) Under section 13(2) of the MOP(S) Act, the MOP(S) Act employees specified in Column 1 must comply with the terms and conditions of employment specified in Column 2:

	Column 1	Column 2
Item	Category of MOP(S) Act employee	Term or condition
1	MOP(S) Act employee employed by a Minister or a Parliamentary Secretary	As soon as practicable after commencing employment as a MOP(S) Act employee, provide a declaration in writing of private interests and actual and potential conflicts to the parliamentarian or office-holder who employs the employee.

Terms and conditions of employment		
	Column 1	Column 2
Item	Category of MOP(S) Act employee	Term or condition
2	MOP(S) Act employee employed by a Minister or a Parliamentary Secretary	Keep the declaration specified in item 1 updated while employed as a MOP(S) Act employee.
3	MOP(S) Act employee employed by a Minister or a Parliamentary Secretary	Comply with the Ministerial Staff Code of Conduct in Schedule 3.
4	MOP(S) Act employee employed by a Minister, Parliamentary Secretary or a member who is a member of the party in Government	Undertake the Safe and Respectful Workplaces Training Program administered by the Parliamentary Workplace Support Service when it is reasonably made available to the employee.
5	MOP(S) Act employee employed by a Minister, Parliamentary Secretary or a member who is a member of the party in Government	If the MOP(S) Act employee is unable to undertake the training in accordance with item 4 due to exceptional circumstances, undertake the Safe and Respectful Workplaces Training Program as soon as practicable and when next reasonably made available by the Parliamentary Workplace Support Service.

# Part 5—Termination of employment

#### 14 Deferral of termination of employment

- (1) Where the employment of a personal employee is terminated in accordance with section 14(1) of the Act, the employment of the personal employee is deemed not to have terminated and to continue until eight weeks from the date of termination.
- (2) Where the employment of an electorate employee is terminated in accordance with section 14(1) of the Act, the electorate employee's employment is deemed not to have terminated and to continue until the day eight weeks from the day of the employee's termination, except:
  - (a) when the employee's termination of employment is a consequence of the place of the employing member of the House of Representatives becoming vacant, then the employee's employment is deemed not to have terminated and to continue until the day two weeks from the day of the declaration of the poll for the election to fill the place of the employing member; or
  - (b) when the employee's termination of employment is a consequence of the employing State Senator's place becoming vacant at the end of their term, having not recontested election or been defeated at the election, then the employee's employment is

Members of Parliament (Staff) (Employment Arrangements) Determination 2025 deemed not to have terminated and to continue until the day two weeks from the day of the employee's termination; or

- (c) when the employee's termination of employment is a consequence of the employing Senator's place becoming vacant and there is a casual vacancy, then the employee's employment is deemed not to have terminated and to continue until the later of:
  - (i) the day eight weeks from the date of the employee's termination; or
  - (ii) the day two weeks from the day on which the place occupied by that Senator is filled in accordance with section 15 of the *Commonwealth of Australia Constitution Act.*
  - Note: The filling of a casual vacancy as above includes Senators elected by the States and those elected by the Territories.
- (3) In the case where there is no declaration of the poll, the employment of all employees is deemed to not have terminated and to continue until eight weeks from the date of termination.

#### 15 Travel and termination arrangements for personal employee (non-Ministerial) of Presiding Officers

- (1) A personal employee of a Presiding Officer whose employment is terminated in circumstances specified in section 14 may travel as directed anywhere in Australia on official business by a person deemed to be the Presiding Officer under the *Parliamentary Presiding Officers Act 1965* during the period of the deferral of termination of the employee's employment.
- (2) All other provisions of any determination made under the MOP(S) Act concerning travel arrangements for MOP(S) Act employees continue to apply during the period of the deferral of termination of the employee's employment.
- (3) A person deemed to be a Presiding Officer during the period of the deferral of termination of a personal employee (non-Ministerial)'s employment may exercise the powers of the employing parliamentarian under the Enterprise Agreement.
  - Note: The circumstances when a person is deemed to be a Presiding Officer are set out in the *Parliamentary Presiding Officers Act 1965*.

#### 16 Termination of non-ongoing and casual employees

- (1) The employment of non-ongoing MOP(S) Act employees is terminated at the earlier of the arrangements specified in section 14 of this determination or the end of the employee's existing employment agreement.
- (2) For the avoidance of doubt, a deferral of termination will not extend the employment of a non-ongoing MOP(S) Act employee beyond the date specified in the employee's existing employment contract for the termination of the employee's non-ongoing employment.

(3) The arrangements specified in section 14 do not apply to casual MOP(S) Act employees.

# Part 6—Transitional arrangements

#### 17 Transitional arrangements

(1) In this section:

Old determination means a determination listed in Schedule 1.

- Note: This determination commenced, and the old determinations listed in Schedule 1 were repealed on the date on which this determination was registered.
- (2) If:
  - (a) any other thing was done for a particular purpose under the old determination; and
  - (b) the thing could be done for that purpose under this instrument;

the thing has effect for the purposes of this instrument as if it had been done for that purpose under this instrument.

(3) Without limiting subsection 17(1) or 17(2), a reference in that subsection to a thing being done includes a reference to a notice being given and an investigation being undertaken.

#### 18 Conduct, event, circumstances occurring before commencement

- (1) To avoid doubt, a function or duty may be performed, or a power exercised, under this determination in relation to conduct engaged in, an event that occurred, or a circumstance that arose, before the date on which this determination commenced.
- (2) This section does not limit anything in this Part or section 7 of the *Acts Interpretation Act 1901* (as that Act applies in relation to this instrument because of paragraph 13(1)(a) of the *Legislation Act 2003*).

# Schedule 1—Repeals

# Work Handover for Personal Employees Determination 2008<sup>7</sup>

# 1 The whole of the instrument

Repeal the instrument.

# Office-holders, Senators and Members Must Not Employ Family Members Determination 2013

# 2 The whole of the instrument

Repeal the instrument.

# Direction to Defer the Termination of Employment Direction 2019

# 3 The whole of the instrument

Repeal the instrument.

# Government staff – Mandatory Training of Safe and Respectful Workplaces - Determination 2022

# 4 The whole of the instrument

Repeal the instrument.

# Ministerial Staff- Private Interests Declaration Code of Conduct and Security Clearance - Determination 2023

## 5 The whole of the instrument

Repeal the instrument.

# **Employment of Electorate Employees - Determination 2023/09**

# 6 The whole of the instrument

Repeal the instrument.

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<sup>&</sup>lt;sup>7</sup> Schedule 1 items (1)-(6) and (8): Department of Finance website (https://maps.finance.gov.au//payand-employment/mops-act-employment/employment-instruments-and-authorisations#commonwealthmembers-of-parliament-staff-enterprise-agreement-202427).

# Behaviour Code for Staff Employed under the Members of Parliament (Staff) Act 1984 – Determination 2024/33

# 7 The whole of the instrument

Repeal the instrument.

# Schedule 2—Behaviour Code

# Behaviour Code for staff employed under the Members of Parliament (Staff) Act 1984

# 1 The Code

### Purpose of MOP(S) Act Behaviour Code

- 1. All employees employed under the *Members of Parliament (Staff) Act 1984* (MOP(S) Act) have a shared responsibility to ensure that Commonwealth Parliamentary Workplaces meet the highest standards of integrity, dignity, safety and mutual respect.
- 2. All Australian laws must be upheld, including relevant workplace laws.
- 3. This code forms the expectations for behaviour in the course of MOP(S) employment while recognising the importance of a free exchange of ideas, which is an integral part of our democracy.

#### **Code coverage**

- 4. Every MOP(S) Act employee is required to understand and comply with this code and the Behaviour Standards for Commonwealth Parliamentary Workplaces<sup>8</sup>. These codes and standards are enforceable and a breach of either could lead to sanctions being imposed.
- 5. Both the code and standards apply to all duties undertaken in the course of MOP(S) Act employment, including at social events, when travelling for work, and outside of normal business hours. This includes conduct engaged in by any means, including in person, or by electronic communication. Alcohol is no excuse for breach of this code or the standards.

## Respect

- 6. All MOP(S) Act employees must treat all those with whom they come into contact in the course of their MOP(S) Act duties and activities with dignity, courtesy, fairness and respect.
- 7. All MOP(S) Act employees have a role in fostering a healthy, respectful and inclusive environment where all people feel safe and valued.

<sup>&</sup>lt;sup>8</sup> Behaviour Standards for Commonwealth Parliamentary Workplaces (as it applies at the date this notifiable instrument commences): Parliament of Australia website

<sup>(</sup>https://www.aph.gov.au/Parliamentary\_Business/Chamber\_documents/Senate\_chamber\_documents/st and ingorders/Standards\_of\_behaviour\_and\_behaviour\_codes/Behaviour\_Standards#:~:text=Welcome %20to%20this%20Commonwealth%20Parliamentary,a%20free%20exchange%20of%20ideas).

### Diversity

- 8. All MOP(S) Act employees have a role in fostering and respecting diversity in their workplace, to ensure everyone feels safe and welcome to contribute.
- 9. MOP(S) Act employees recognise the importance and value of diverse viewpoints, and that robust debate is conducted with respect for differing views, which are essential for a functioning democracy.

#### **Prohibited behaviours**

10. Bullying and harassment, sexual harassment and assault, discrimination in all its forms including on the grounds of race, age, sex, sexuality, gender identity, disability, or religion is unacceptable.

#### **Independent Parliamentary Standards Commission**

- 11. Anyone who believes this code has been breached is encouraged to raise their concerns about the breach.
- 12. Disclosures and complaints in relation to this code will be received confidentially and managed by the Independent Parliamentary Standards Commission (IPSC).
- 13. Advice and support regarding this code can be sought from the Parliamentary Workplace Support Service.
- 14. MOP(S) Act employees have obligations to the IPSC, to:
  - (a) Cooperate with investigations and comply with sanctions imposed.
  - (b) Maintain the confidentiality of the complaint process, unless authorised by the IPSC (or otherwise required by law) to share or release information.

#### Complaints under this code

- 15. A vexatious complaint or a complaint made in bad faith may itself be a breach of this code and may be subject to sanctions.
- 16. Any attempt to intimidate or victimise a reporter/complainant or to lobby, influence or intimidate the IPSC (its office-holders, staff or contractors) will be treated as a serious and aggravated breach of this code.

#### **Upholding the Code**

- 17. MOP(S) Act employees must incorporate this code in their everyday workplace practice. This is done by:
  - (a) undertaking any training or professional development as recommended or deemed necessary.
  - (b) complying with all workplace policies as required by the Parliament.

# Schedule 3—Ministerial Staff Code of Conduct

# Ministerial Staff Code of Conduct for MOP(S) Act employees employed under the Members of Parliament (Staff) Act 1984

# 1 The Code

The opportunity afforded to ministerial staff to provide advice and assistance to Ministers carries with it an obligation to act at all times with integrity and observe the highest standards of conduct.

While ministerial staff work closely with public servants, this code recognises that their role complements, and does not supplant, the role of the Australian Public Service.

Ministerial staff and consultants and Ministers' electorate officers employed under the *Members of Parliament (Staff) Act 1984* must:

- 1. Behave honestly and with integrity in the course of their employment.
- 2. Act with care and diligence in the performance of their duties.
- 3. Disclose, and take reasonable steps to avoid, any conflicts of interest (real or apparent) in connection with their employment, noting that staff are required to provide their employing Minister with a statement of private interests.
- 4. Divest themselves, or relinquish control, of interests in any private company or business and/or direct interest in any public company involved in the area of their Ministers' portfolio responsibilities.
- 5. Declare to their employing Minister in writing, within a reasonable time, all hospitality, gifts and sponsored travel received in association with their employment and otherwise comply with any applicable gift policy.
- 6. Have no involvement in outside employment or in the daily work of any business, or retain a directorship of a company, without the written agreement of their Minister.
- 7. Conduct themselves in a manner that supports a safe and respectful workplace for everyone.
- 8. Treat with respect and courtesy all those with whom they have contact in the course of their employment.
- 9. Make themselves aware of the Values and Code of Conduct which bind Australian Public Service (APS) and Parliamentary Service employees.
- 10. When travelling overseas on official business, behave in a manner consistent with the APS Values and Code of Conduct, to the extent they apply to officials on duty overseas.

- 11. Not knowingly or intentionally encourage or induce a public official by their decisions, directions or conduct to breach the law or parliamentary obligations or fail to comply with an applicable code of ethical conduct.
- 12. Recognise that ministerial staff are employed in line with Westminster principles and are accountable to their Minister.
- 13. Acknowledge that ministerial staff do not have the power to direct APS employees in their own right and that APS employees are not subject to their direction.
- 14. Recognise that executive decisions are the preserve of Ministers and public servants and not ministerial staff acting in their own right.
- 15. Facilitate direct and effective communication between their Minister's department and their Minister.
- 16. Use Commonwealth resources for the effective conduct of public business in a proper manner. Commonwealth resources are not to be subject to wasteful or extravagant use, and due economy is to be observed at all times. Ministerial staff must be scrupulous in ensuring the legitimacy and accuracy of any claim for entitlements.
- 17. Maintain appropriate confidentiality about their dealings with their Minister, other Ministers, other ministerial staff, and APS and Parliamentary Service employees.
- 18. Not knowingly or intentionally provide false or misleading information in response to a request for information that is made for official purposes in connection with their employment.
- 19. Not make improper use of their position or access to information to gain or seek to gain a benefit or advantage for themselves or any other person.
- 20. Abide by all applicable probity requirements, including guidelines relating to government tenders.
- 21. Abide by the principles and applicable requirements of the Parliamentary Business Resources framework.<sup>9</sup>
- 22. Comply with any authorised and reasonable direction received in the course of their employment, including a direction to undertake training on workplace conduct.
- 23. Comply with all applicable Australian laws.
- 24. Comply with all applicable codes of conduct, including the Lobbying Code of Conduct<sup>10</sup>.

<sup>&</sup>lt;sup>9</sup> Parliamentary Business Resources Framework (as the relevant legislation and instruments apply at the date this notifiable instrument commences): Department of Finance website

<sup>(</sup>https://maps.finance.gov.au/offices-resources-and-budgets/parliamentary-business-resources-framework).

<sup>&</sup>lt;sup>10</sup> Lobbying Code of Conduct (as it applies at the date this notifiable instrument commences): Attorney-General's Department website (https://www.ag.gov.au/integrity/publications/lobbying-code-conduct).

- 25. Be mindful that social media is publicly accessible and ensure their personal social media use is consistent with these standards.
- 26. Familiarise themselves with this Code of Conduct upon the commencement of their employment.
  - Note: References to Ministers and ministerial staff include Assistant Ministers and their staff.

Electorate officers for Ministers are covered by the Ministerial Staff Code of Conduct in recognition of the role they play assisting Ministers to perform their duties.

The consequences for any breaches of this code will be determined following consultation with an employing Minister.