

EXPLANATORY STATEMENT

Determination Number 16 of 1998

Remuneration Tribunal Act 1973

1. The Remuneration Tribunal is empowered to inquire into and determine the allowances to be paid out of public moneys of the Commonwealth to members of the Parliament and to inquire into and determine matters significantly related thereto.
2. Determination Number 1 of 1998 (the Principal Determination) provides for various allowances (other than travelling allowances) and entitlements for senators and members of the Parliament.
3. Clause 2 of this Determination inserts a new Clause 2.20 in the Principal Determination that restores previous travel entitlements for the dependent children of a senator or member and deletes a pooling provision which was limited to the entitlements of dependent children. New Clause 2.20A in the Principal Determination extends the pooling provision by allowing a senator or member to pool the costs of existing spouse/nominee and children's travel entitlements for discretionary use by the senator or member for trips to Canberra by a spouse/nominee, child or children.
4. Clauses 3 and 4 of this Determination delete other clauses in the Principal Determination and substitute and amend Clauses 2.20, 2.20A, 2.20C, 2.13A and Clause 2.21 in order to re-establish cross-references and re-order clause numbers.
5. Clause 5 of this Determination deletes clauses and inserts new clauses in the Principal Determination relating to postage and information delivery services.
6. New Clause 10.6 reinserts Clause 10.6 in the Principal Determination. New Clause 10.7 allows unutilised postage entitlements to be carried over to the next financial year and to be used for information delivery services.
7. New Clause 10.9 in the Principal Determination reinserts Clause 10.9 with the deletion of a provision that excluded the use of electronic or internet distribution services. The provision is unnecessary because these services are provided under the office facilities provisions of the *Parliamentary Entitlements Act 1990*. Clause 10.10 reinserts Clause 10.10 in the Principal Determination.
8. New Clause 10.11 and 10.12 in the Principal Determination allow the information delivery services entitlement to be carried over from one financial year to the next financial year and limit the total carry over entitlement to \$22,000. The practical effect of the new provisions is that, from 1 July 1999, the maximum combined carry over and annual entitlement will be \$44,000 in any financial year.

9. New Clause 10.13 in the Principal Determination provides that a senator or member, other than a senator who is not seeking re-election, will return unutilised entitlements to the Commonwealth and will cease to have access to entitlements such as those held in an account on the last business day before the polling day of a double dissolution or a general election. For the purposes of this clause unutilised entitlements includes entitlements held in an account and in a franking machine. A senator who is not seeking re-election is taken to mean a senator whose term does not require him or her to contest an election.
10. New Clause 10.14 in the Principal Determination limits the entitlement for a re-elected senator or member or a non re-elected senator in a half Senate election, following a double dissolution or general election, to the amount of unutilised entitlement for that financial year. A newly elected senator or member would receive pro rated entitlements for the remainder of the financial year in accordance with Clause 11.1 of the Principal Determination.
11. New Clauses 10.15 and 10.16 in the Principal Determination reinsert Clauses that were previously numbered 10.12 and 10.13.

Authority: Sub-sections 7(1) and
7(4) of the *Remuneration
Tribunal Act 1973*.