



Remuneration Tribunal

Determination 2014/23

Members of Parliament –Entitlements

REASONS FOR DETERMINATION

Legislative Framework

Section 7A of the *Remuneration Tribunal Act 1973* (the Act) requires the Tribunal to notify its reasons for each determination made in relation to members of the Parliament of Australia to the Minister and to publish those reasons on the Tribunal's website.

What *Determination 2014/23* Does

Determination 2014/23 amends *Principal Determinations 2012/04: Members of Parliament – Entitlements*. This Determination sets out various entitlements for members of the Parliament.

The Determination amends existing family reunion provisions. The amendments:

1. move some wording (around time limitations) from the definition of 'accompany' and 'join' at clause 1.4 to Part 3 of the Determination;
2. define a 'sitting week' for a member and senator;
3. correct an existing cross referencing clause and update clause numbering in the Principal Determination to reflect this Determination;
4. provide that someone who travels under the family reunion provisions may remain in Canberra without the parliamentarian for the period between adjoining sitting weeks, so long as the parliamentarian returns to Canberra; and
5. provide that where a Presiding Officer is temporarily absent from Canberra on parliamentary or official business related to the office, that a person utilising the family reunion provisions may remain in Canberra without the Presiding Officer.

The Tribunal's Reasons

On 24 February 2014 the Tribunal made *Determination 2014/02* in response to a request from Senator the Hon Michael Ronaldson, Special Minister of State to strengthen the rules governing parliamentarians' business expenses.

Determination 2014/02 introduced a change to the family reunion provisions so that persons travelling to meet a member or senator must arrive at the place of meeting no more than 24 hours before the senator or member and leave the place of meeting no more than 24 hours after the senator or member.

The intention of this change was to ensure that previously determined provisions are used in the way which provided best value for the Australian taxpayer by ensuring, for instance, that family members utilising family reunion provisions actually travel for the primary purpose of reuniting with the parliamentarian.

Minister Ronaldson has subsequently brought to the attention of the Tribunal some unintended consequences of this amendment.

These relate to circumstances where a parliamentarian is temporarily absent from Canberra on a weekend between sitting weeks and then returns to Canberra. In these circumstances the Tribunal's determination required a family member to return to the home locality and then travel back to Canberra over the weekend to maintain an entitlement to family reunion fare travel.

Similarly where a Presiding Officer is required to travel temporarily from Canberra due to business of the office, the amendment required their family member to return home for short periods and then travel back to Canberra to join the Presiding Officer on their return to Canberra in order to maintain family reunion fare entitlements.

It was not intended that these amendments would require a family member to undertake additional flights in these circumstances and this Determination addresses those anomalies.

At the same time the Tribunal has taken the opportunity to amend an existing cross referencing clause (clause 3.8) to remove potential confusion about the extent of the family reunion provisions. This is a technical amendment that has no impact on the existing application of the provisions.

The Tribunal's determinations and reports are available on its website - <http://www.remtribunal.gov.au/>.

Remuneration Tribunal
16 December 2014