



## REMUNERATION TRIBUNAL

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### **Determination 2005/09: Members of Parliament - Entitlements**

As amended

Made under sub-section 7(1), 7(2) and 7(4) of the *Remuneration Tribunal Act 1973*.

Consolidated as at 20 June 2006 and incorporates amending determinations up to and including 2006/11 – Remuneration and Allowances for Holders of Public Office and Members of Parliament. Prepared by the Remuneration Tribunal Secretariat.

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Pursuant to sub-sections 7(1), 7(2) and 7(4) of the *Remuneration Tribunal Act 1973*, the Remuneration Tribunal has inquired into the allowances to be paid out of the public moneys of Australia to members of the Parliament by reason of their membership of the Parliament or by reason of their holding particular offices, or performing particular functions in, or in relation to the Parliament or either House of Parliament, has inquired into certain entitlements, being matters significantly related thereto, and, notwithstanding Clause 2 of Schedule 3 of the *Remuneration and Allowances Act 1990*, determines as set out below with effect on and from 1 July 2005, unless otherwise specified.

This Determination supersedes and revokes in full Determination Number 14 of 2003 (*Members of Parliament – Entitlements*).

### **ELECTORATE ALLOWANCE**

**1.1** The rates of electorate allowance payable to senators and members are as follows:

<b>Chamber</b>	<b>State or Territory / Electorate</b>	<b>Annual rate</b>
Senators	all States and Territories	\$27,300
Members	Electorate of less than 2,000 km <sup>2</sup>	\$27,300
	Electorate of 2,000 to 4,999 km <sup>2</sup>	\$32,450
	Electorate of 5,000 km <sup>2</sup> or more	\$39,600

## **TRAVEL ENTITLEMENTS - SCHEDULED COMMERCIAL TRANSPORT**

### **Senators and Members**

- 2.1** A senator or member when travelling within Australia, excluding the external territories, on parliamentary, electorate or official business but not including party business (other than meetings of a parliamentary political party, or of its executive, or of its committees, and the national conference of a political party, of which he or she is a member), shall be entitled to travel at government expense.
- 2.2** For the purpose of clause 2.1 official business means attendance at:
- (a) properly constituted meetings of a Government advisory committee or task force provided that the senator or member is a member of the committee or task force;
  - (b) functions representing a Minister or a Presiding Officer on official business as a Minister or Presiding Officer, provided that the Minister or Presiding Officer nominates the function in advance in a written request to the senator or member to represent him or her.
- 2.3** Travel in accordance with clause 2.1 above may be on scheduled commercial or commuter air services, mainline rail services or by motor coach and other vehicles operating as regular carriers and may include by charter transport, provided that where charter transport is used the senator or member must pay for any additional cost as between the charter transport and the mode of transport that would have been the most reasonable and usual mode for the route travelled.
- 2.4** The Special Minister of State shall have a discretion to approve the use of charter transport within Australia at government expense in special cases, other than for the service of the electorate, including such use by the Leader of a recognised party of at least 5 members and circumstances where a senator or member would be unduly delayed by the use of scheduled services.
- 2.5** Additional travel on scheduled commercial/commuter air services at Commonwealth expense shall be authorised in the following circumstances:
- (a) in the case of a senator for the Northern Territory or the member for Lingiari, travel to the Cocos (Keeling) Islands and Christmas Island on electorate business;
  - (b) in the case of the member for Canberra and senators of the Australian Capital Territory, travel to Norfolk Island on electorate business;
  - (c) in the case of the Leader of a recognised party of at least 5 members in the Parliament, travel within Australia and to the Cocos (Keeling) Islands, Christmas Island and Norfolk Island on functions or duties connected with the office of Leader;

- (d) in the case of a senator or member who is a member of a parliamentary committee, travel to the Cocos (Keeling) Islands, Christmas Island and Norfolk Island on committee business as formally authorised by the committee; and
- (e) in the case of the relevant shadow minister with responsibility for the external territories, travel to the Cocos (Keeling) Islands, Christmas Island and Norfolk Island, in the performance of duties or functions connected with the office of shadow minister.

**2.6** When a senator or member is travelling by air, rail or sea at government expense, the fare shall not exceed the cost of a business class air fare for the most reasonable and usual route, between the departure and destination points. Where a business class air fare is not published for the destination point, the cost to the Commonwealth of travel by air, rail or sea must not exceed the economy class air fare for the most reasonable and usual route, between the departure and destination points. The Special Minister of State may approve payment of the full cost of the fare for travel on an alternative mode of transport where a senator or member provides a medical certificate which states that he or she is unable to travel by air.

**2.7** A senator or member when travelling by air to or from Canberra on parliamentary business shall be entitled to carry one additional piece of luggage within the airline size limits at government expense.

### **Definitions**

**2.8** For the purposes of this determination:

**'dependent child'** means:

- (a) a person under the age of 16 who:
  - (i) is in the custody, care and control of the senator or member, or is a person to whom the senator or member has access; or
  - (ii) where no other person has the custody, care and control of the person - is wholly or substantially in the care and control of the senator or member; or
- (b) a person who is aged at least 16 but is under 25 and is wholly or substantially dependent on the senator or member; and
- (c) is not a person who is otherwise receiving the entitlements of a nominee.

**'designated person'** means a person or persons (not being a dependent child, spouse or nominee or a member of the staff of the senator or member) nominated by the senator or member who:

- (a) is substantially dependent on the senator or member; or

- (b) has significant caring responsibilities for:
  - (i) a person substantially dependent on the senator or member; or
  - (ii) the senator's or member's spouse, nominee, or dependent child; or
- (c) is any other member of the senator's or member's family.

**'accompany'** means to travel with a senator or member to the final destination of a trip he or she is undertaking.

**'join'** means to travel to meet a senator or member for a period of at least 3 hours.

**'interstate trip'** means a trip:

- (a) from one state to another state or territory; or
- (b) from a territory to a state or territory; or
- (c) from a territory or state to an external territory when travel is to accompany or join a senator or member travelling under Clauses 2.5(c), 2.5(d) and 2.5(e), except if the external territory forms part of the senator's or member's electorate.

**'nominee'** means a person nominated by the senator or member and approved at the discretion of the Special Minister of State; a senator or member may only have one nominee at any time.

**'year'** means a period commencing 1 July and ending on the following 30 June.

**2.9** Subject to clauses 2.10 to 2.20, a senator or member is entitled to be accompanied or joined when travelling at Commonwealth expense on parliamentary, electorate or official business by any one or more of the senator's or member's:

- (a) spouse or nominee;
- (b) dependent children;
- (c) designated person(s).

**2.10** The entitlement under clause 2.9 is limited to travel for non-commercial purposes by:

- (a) scheduled commercial services by any mode of transport, by the most direct route to the intended destination for the mode of transport used without voluntary stopovers; and
- (b) special purpose (Defence) aircraft the use of which has been approved by the Minister for Defence before the particular travel.

- 2.11** In addition to Clause 2.10, where the spouse, nominee, dependent child or designated person, in relation to a senator or member from:
- (a) Western Australia;
  - (b) the Northern Territory; or
  - (c) Queensland at least 1,100kms flight distance from Brisbane;
- travels to or from Canberra, the journey may be broken by one stop-over of one night in a capital city, provided the journey to or from Canberra is completed.

**Canberra and Intra-State Family Travel (other than for ACT Senators and Members)**

- 2.12** The cost of travel listed in clause 2.14 below is limited to the combined value of:
- (a) 9 business class return trips to Canberra from the spouse's or nominee's principal place of residence; and
  - (b) 3 business class return trips to Canberra from the principal place of residence for each dependent child.

OR for senators and members, whose principal place of residence is within 150km of Canberra by road, the combined value of:

- (c) 9 business class return trips between Canberra and Sydney for the spouse or nominee; and
- (d) 3 business class return trips between Canberra and Sydney for each dependent child.

- 2.13** The value of the fares under Clause 2.12 will be calculated on 1 July each year for expenditure during that year. Where a business class fare is not available, the cost of travel is limited to the value of an economy class fare for the most reasonable and usual route between the departure and destination points.

- 2.14** Within the cost limitation described in Clauses 2.12 and 2.13 above, a senator's or member's spouse, nominee, dependent child or designated person may travel at the class of travel selected by the senator or member between the following locations:

- (a) to Canberra;
- (b) from Canberra to the senator's or member's electorate or their principal place of residence;
- (c) on intra-state trips within the senator's or member's home state or territory (except when the family member would be travelling to join the senator or member at the principal place of residence after they have been to another destination for private purposes); or
- (d) for a spouse or nominee, from the spouse's or nominee's principal place of residence to the senator's or member's electorate.

### **Inter-State Family Travel (including for ACT Senators and Members)**

- 2.15** In addition to the entitlement described in Clauses 2.12, 2.13 and 2.14, all senators and members (including those from the ACT) are entitled to be accompanied or joined at Commonwealth expense on a total of 3 business class return inter-state trips each year. The senator or member may choose which combination of a spouse or nominee, dependent child or designated person may access this entitlement.
- 2.16** Such inter-state trips may be converted to intra-state trips or trips to Canberra; the basis of the conversion being one trip for one trip.

### **No Carry Over Provision**

- 2.17** A trip is deemed to be a trip in a year only if commenced in that year.
- 2.18** For each year, if the entitlement to Canberra/intra-state travel is not fully spent, or the inter-state trips are not used, the unused portion of the entitlement will not be added to the entitlement for any later year.

### **Representational Travel**

- 2.19** Where a senator or member has an entitlement to travel under the provisions of this Determination and is prevented by illness or parliamentary or family reasons from attending one of the functions set out below, then the senator or member may be represented by his or her spouse or nominee at:
- (a) a funeral;
  - (b) a function where the spouse or nominee accepts an award or honour on behalf of the senator or member;
  - (c) a function within the electorate to which the senator or member has been invited; or
  - (d) any other function as approved by the Special Minister of State.

The cost of such a trip shall be deducted from the cost limitation calculated under clauses 2.12 and 2.13.

### **Additional Travel**

- 2.20** In addition to the entitlement of a senator or member under clause 2.9, the following travel shall be at Commonwealth expense:
- (a) travel by the senator's or member's spouse or nominee in order to attend an official government, parliamentary or vice-regal function as an invitee; and

- (b) travel to Canberra by the spouse of a sitting senator or member who has satisfied the qualifying periods for the issue of a Life Gold Pass, where the travel is to accompany or join the senator or member.

## **CAR TRANSPORT**

### **Senators and Members**

- 3.1** A senator or member shall be provided with car transport at government expense when travelling on parliamentary business, but not including party business (other than meetings of a parliamentary political party, or of its executive, or of its committees, and the national conference of a political party, of which he or she is a member):
- (a) for direct travel between his or her home, electorate office or place of business and the nearest airport or railway station;
  - (b) in Canberra and locations within a 30 kilometre radius of Parliament House;
  - (c) in other capital cities, except the capital city in which a senator or member resides or has an electorate office;
  - (d) in regional city centres outside the electorate; and
  - (e) on visits in the course of parliamentary committee business.
- 3.2** In addition to clause 3.1, a senator or member shall be provided with car transport at government expense when travelling on official business. For the purposes of this clause, official business has the same meaning as official business for the purposes of clause 2.1.
- 3.3** A senator or member may use the car transport in Canberra for the purposes of personal emergencies such as dental and medical treatment, funerals and other compassionate circumstances and reasonable personal services such as religious services and banking when these are not available at Parliament House.
- 3.4** A senator or member may be accompanied by:
- (a) his or her spouse or nominee;
  - (b) a member or members of his or her staff; and/ or
  - (c) other senators or members.
- 3.5** In addition, a senator or member may be accompanied by another person or persons as long as the passenger's travel is:
- (a) relevant to the purpose of the travel;
  - (b) for compassionate reasons;
  - (c) for public interest reasons; and/or
  - (d) to enable a senator or member to be accompanied by a dependent child or dependent children.

- 3.6** The Special Minister of State may prescribe the mode or modes of car transport to be made available to a senator or member for the purposes of clause 3.1.
- 3.7** If, pursuant to clause 3.6, a senator or member is provided with a short-term self-drive car in Canberra on the weekend, he or she may use the car for private purposes but will meet fuel costs of such usage. The car may not be used for commercial purposes.
- 3.8** If, pursuant to clause 3.6, a senator or member is provided with long-term self-drive car transport in Canberra, and where this is the case, he or she may use the car transport for private purposes, but not for commercial purposes.
- 3.9** If, pursuant to clause 3.6, a senator or member is provided with long-term self-drive car transport in Canberra in accordance with clause 3.8 he or she shall meet the personal cost contribution and other provisions specified in guidelines developed by the Special Minister of State.
- 3.10** When services (which do not involve unreasonable interruption to the journey outlined in clause 3.1) are not available from the airport or railway station nearest a senator's or member's home, a senator or member shall be provided with car transport at government expense for direct travel between his or her home and the nearest airport or railway station which does provide reasonable services for that journey. In exercising an entitlement under this clause, a senator or member is expected to organise his or her travel arrangements in a reasonable way so as to travel to and from the airport nearest to his or her home, electorate office or place of business.
- 3.11** Where a senator or member is travelling by car transport between the airport and his or her home, he or she may, for parliamentary or electorate purposes only, break the journey at his or her electorate office. However, if the senator or member expects the break in the journey to be longer than half an hour, the car shall be released immediately and another ordered to complete the journey at a later time.
- 3.12** When a senator or member is required to break a journey to or from Canberra on parliamentary business, car transport at government expense shall be provided from the airport or railway station to the place of overnight accommodation and from there to the airport or railway station for connecting transport.

### **Shadow Ministers and Party Leaders**

- 3.13** A Shadow Minister and the leader of a recognised party of at least 5 members in the Parliament shall be provided with car transport at government expense in the capital city of the state in which he or she resides when travelling on duties or



functions connected with the office of Shadow Minister or party leader as the case may be.

### **Spouse or nominee**

**3.14** When travelling as determined in clauses 2.14, 2.17 and 2.18, a spouse or nominee unaccompanied by a senator or member shall be provided with car transport at government expense:

- (a) between home, electorate office or place of business and the airport or railway station, as outlined in clauses 3.1 and 3.10;
- (b) between the airport or railway station in Canberra and the Canberra destination;
- (c) between the airport and the capital city being visited on an interstate or an intrastate visit;
- (d) between the airport and the capital city where a stop-over is made as provided in clause 2.13; and
- (e) between Parliament House and place of accommodation in Canberra or Queanbeyan.

**3.15** When a spouse or nominee has travelled to Canberra under clause 2.26 for the purpose of attending an official government, parliamentary or vice regal function, he or she is entitled to car transport in Canberra at government expense to attend that function and other functions with the approval of the Special Minister of State.

### **Dependent Children and Designated Persons**

**3.16** Dependent children and designated persons may use taxis or hire cars to and from any station or terminal for the purposes of travel at Commonwealth expense under Clauses 2.19 and 2.20 provided that if the dependent child or designated person is under the age of 16 they must be accompanied by a person over the age of 18.

## **PRIVATE VEHICLE ALLOWANCE**

### **Private Vehicle Allowance for travel to or from Canberra**

- 4.1**
- (a) A senator or member who uses their private vehicle to travel from his or her home to Canberra or from Canberra to home on parliamentary business; or
  - (b) a senator or member who uses their private vehicle to travel from their home part of the way to Canberra or from Canberra part of the way to their home on parliamentary business; or

- (c) a spouse, nominee, dependent child or designated person, when travelling by private motor vehicle to or from Canberra as provided in clauses 2.17, 2.18, 2.19 and 2.22.

shall be entitled to payment of private vehicle allowance at Australian Public Service rates then current for the shortest practicable route, or the cost of the business class air fare, whichever is less. Where a business class air fare is not available, the cost of an economy class air fare shall apply.

- 4.2** Where there is no convenient scheduled air service to connect with a scheduled flight to Canberra, a senator or member shall be entitled to private vehicle allowance at Australian Public Service rates then current for the shortest practicable route between their home and the nearest airport practicable to connect with the Canberra flight.
- 4.3** Senators or members who use their private vehicle to travel from their home part of the way to Canberra on parliamentary business shall be entitled to park the vehicle at the connecting airport at government expense, where due economy is served by doing so. Similarly, and notwithstanding clause 5.8, senators or members who use their private plated Commonwealth vehicle provided under clause 5.1 and 5.4 for such travel shall be entitled to park the vehicle at government expense.
- 4.4** When more than one person with a travel entitlement travels in the one motor vehicle, payment of a private vehicle allowance or the cost of the business class air fare may be made to one person only. Where a business class air fare is not available, the cost of an economy class air fare shall apply. Where no payment is made in respect of a person travelling in the motor vehicle, the entitlement to travel of that person shall not be reduced.
- 4.5** Private vehicle allowance is not payable to a senator or member, spouse or nominee, or dependent child for travel other than as provided in clauses 4.1 and 4.2 of this determination.

#### **PROVISION OF VEHICLE**

- 5.1** (a) A senator shall, at his or her request, be provided with an Australian made, private plated standard vehicle, as advised by the Special Minister of State.
- (b) A member representing an electorate of less than 300,000 km<sup>2</sup> shall, at his or her request, be provided with an Australian made, private plated standard vehicle, as advised by the Special Minister of State.
- (c) A member representing an electorate of 300,000 km<sup>2</sup> or more shall, at his or her request, be provided with a private plated standard vehicle, as advised by the Special Minister of State, or a four wheel drive motor vehicle.

- 5.2** A senator or member, at his or her request, may be provided with a private plated non-standard vehicle (such as a four wheel drive vehicle) instead of a standard vehicle under subclauses 5.1(a) and 5.1(b).
- 5.3** The Special Minister of State may develop guidelines for the purposes of clause 5.2.
- 5.4** In addition to clause 5.1, a member representing an electorate of 300,000 km<sup>2</sup> or more and the Senators representing the Northern Territory (while the total representation from the Northern Territory in both Houses does not exceed the present level of four) shall, at the request of the senator or member, be provided with a Commonwealth-leased private plated, four wheel drive motor vehicle.
- 5.5** Where a senator or member is provided with a non-standard vehicle under clause 5.2, his or her charter transport entitlement or electorate allowance shall be reduced by the difference between the lease cost of a non-standard vehicle and the lease cost of a standard vehicle.
- 5.6** Where a senator or member is provided with a four wheel drive vehicle in accordance with 5.4, his or her charter allowance entitlement or electorate allowance shall be reduced by the lease cost of the four wheel drive motor vehicle.
- 5.7** A senator or member provided with a private-plated vehicle may use the vehicle for parliamentary, electorate or official business, family travel and private purposes, but not for commercial purposes.
- 5.8** Where a senator or member is provided with a vehicle under clause 5.1 or 5.2 he or she shall meet the personal cost contribution and other provisions specified in guidelines issued by the Special Minister of State.
- 5.9** Where a senator or member is provided with a private-plated vehicle, the Commonwealth shall meet all costs of operating and maintaining that vehicle. Accordingly, when that vehicle is used:
- (a) for travel to which a senator or member (or eligible family member, nominee or designated person) is otherwise entitled by the provisions of this Determination, (such as under clauses 2.1, 2.9, 3.1, 3.10, 3.11, 3.14 to 3.16) the other entitlements are voided; and
  - (b) likewise no private vehicle allowance is payable.
- 5.10** When used for private purposes, the vehicle is to be driven only by the senator or member, or a person or persons nominated by the senator or member.

- 5.11** Where a senator or member elects not to be provided with any private plated vehicle under clauses 5.1, 5.2 or 5.4 he or she will be entitled to an additional \$19,500 per annum of electorate allowance in lieu of the private plated vehicle to meet the costs of transport within and for the service of the electorate.
- 5.12** For the purposes of clause 5.11, transport within and for the service of the electorate includes transport provided by commercial providers such as taxis, hire cars and public transport (for example buses, trains, trams and ferries).
- 5.13** For the purposes of clause 5.11, a member or senator may elect to vary his or her entitlement from, or to, a private plated vehicle or additional electorate allowance in lieu of the private plated vehicle once per annum, provided that no additional administrative or other expenses (eg lease cancellation fees) are incurred by the Commonwealth as a result of the election to so vary these entitlements.

### **CHARTER AIRCRAFT/DRIVE YOURSELF VEHICLES**

- 6.1** 'Charter transport' includes charter aircraft and such other modes of transport as may be reasonable in the circumstances within and for the service of the electorate. This entitlement outlines the methods by which senators and members may be reimbursed the cost of chartered transport. This entitlement does not extend to the use of taxis or hire cars in the metropolitan areas of capital cities.
- 6.2** Subject to clause 6.3,
- (a) a senator to whom one of the following criteria applies shall be entitled to be reimbursed, at Commonwealth expense, the cost of charter transport within and for the service of his or her State or Territory to the limits specified; or
- (b) a member of an electorate to whom one of the following criteria applies shall be entitled to be reimbursed, at Commonwealth expense, the cost of charter transport within and for the service of his or her electorate to the limits specified:

<b>Chamber</b>	<b>State or Territory / Electorate</b>	<b>Maximum Annual Reimbursement</b>
Senators	Northern Territory <sup>a</sup>	\$54,250
	Queensland or Western Australia	\$21,850
	New South Wales, Victoria, South Australia or Tasmania	\$12,250
Members	300,000 km <sup>2</sup> or more	\$72,250
	100,000 to 299,999 km <sup>2</sup>	\$34,650
	25,000 to 99,999 km <sup>2</sup>	\$19,200

	10,000 to 24,999 km <sup>2</sup>	\$9,450
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<sup>a</sup> *subject to review*

- 6.3** Senators or members entitled by this determination to be reimbursed the cost of charter transport within and for the service of their electorate, State or Territory shall be entitled to engage or dismiss the charter transport at a place outside their electorate, State or Territory provided that the purpose of the charter is for the service of the electorate within the electorate.
- 6.4** A senator or member may carry forward from one year to the next year up to 20 per cent of charter allowance for the first year, if unused.
- 6.5** A senator or member entitled by this determination to be reimbursed the cost of charter transport within and for the service of his or her electorate may be accompanied by:
- (a) his or her spouse; and/or
  - (b) a member or members of his or her staff; and/or
  - (c) a senator or member, or senators or members.
- 6.6** In addition to clause 6.5, a senator or member may be accompanied by another person or other persons provided that a more expensive charter aircraft/vehicle would not be required.
- 6.7** Where a senator or member is accompanied by another person or other persons in accordance with clause 6.6, cost recovery for the fare equivalent will be obtained from any other passengers (or their employing organisation).
- 6.8** Where a senator or member is accompanied by another person or other persons in accordance with clause 6.6, cost recovery for the fare equivalent in accordance with clause 6.7 will not be required where he or she certifies that the passenger's travel was:
- (a) relevant to the purposes of the travel, or
  - (b) for compassionate reasons, or
  - (c) for public interest reasons, and/or
  - (d) to enable a senator or member to be accompanied by a dependent child or dependent children under 25.

### **LIFE GOLD PASS**

- 7.1** A senator or member who, on retirement from the Parliament, has completed the qualifying periods set out in 7.2 shall be issued with a Life Gold Pass.

**7.2** The following qualifying periods shall apply to eligibility for the issue of a Life Gold Pass:

(i)

<b>Office</b>	<b>Qualifying Period</b>
Prime Minister	One year
Ministers (other than Parliamentary Secretaries)	Six years
President of the Senate	Six years
Speaker of the House of Representatives	Six years
Leader of the Opposition	Six years
Parliamentary Secretaries and Senators and Members	Twenty years or the life of seven Parliaments

- (ii) a person who has served as Prime Minister for less than one year, or a Minister, presiding officer or Leader of the Opposition who has held office for less than six years, shall have that period trebled in determining their eligibility for a Life Gold Pass by way of 20 years service as a senator or member;
- (iii) periods of broken service may be accumulated;
- (iv) for the purpose of this entitlement the life of six parliaments plus a further period of three years service, none of which is part of the life of those six parliaments, may be taken as the equivalent of the 'life of seven parliaments'.

**7.3** A Life Gold Pass issued to a sitting senator or member shall be suspended until he or she retires from the Parliament.

**7.4** Frequent flyer points accrued as a result of travel at Commonwealth expense should only be used to reduce the cost of future travel under the provisions of the *Members of Parliament (Life Gold Pass) Act 2002* by the person who accrued the points. Wherever possible and practicable, a person should ensure that frequent flyer points accrued by him or her are used to cover the cost of life gold pass entitlements.

**7.5** Details of the usage of frequent flyer points accrued as a result of travel at Commonwealth expense and used under the *Members of Parliament (Life Gold Pass) Act 2002* must be reported to the Special Minister of State in accordance with guidelines developed by the Special Minister of State.

### **SEVERANCE TRAVEL**

**8.1** A senator or member, not qualifying for a Life Gold Pass on retirement, shall, from the date of retirement from the Parliament, be eligible to travel at government expense for non-commercial purposes within Australia but excluding the external

Territories on scheduled commercial/commuter air services, mainline rail services, or by motor coach or other vehicles operating as regular carriers, for the following periods:

- (i) service in one Parliament - six months;
- (ii) service in two Parliaments - one year;
- (iii) service in three Parliaments - two years;
- (iv) service in four Parliaments - three years;
- (v) service in five Parliaments - four years;
- (vi) service in six Parliaments - five years.

Periods of broken service shall be accumulated. However, where a member has utilised this entitlement, and is re-elected to the Parliament, any future entitlement shall be reduced by the amount utilised.

**8.2** Travel in accordance with 8.1 shall be up to a maximum of:

- (a) in the case of the period specified in clause 8.1(i) - 12 return trips; and
- (b) in the case of any other specified period - 25 return trips per annum.

**8.3** Severance travel shall be at the class of travel determined from time to time for a sitting senator or member.

**8.4** Severance travel does not extend to the spouse of a senator or member.

**8.5** In undertaking severance travel in accordance with clauses 8.1 to 8.4, a senator or member shall certify in writing that the travel be used for non-commercial purposes, in accordance with guidelines developed by the Special Minister of State.

### **OVERSEAS TRAVEL**

**9.1** A senator or member shall be entitled to financial assistance from the Government for travel outside the Commonwealth of Australia for the purpose of undertaking studies and investigations of matters related to their duties and responsibilities as a member of parliament under the following conditions:

- (a) the initial entitlement accrues when the senator or member has completed three years service in Parliament, such service to be deemed to have commenced from the date on which he or she is first entitled to receive salary and allowances. For qualification for this entitlement broken service may be counted provided that the re-election occurs within 6 years of leaving Parliament.
- (b) a further entitlement accrues to a senator or member once only in the life of each subsequent Parliament;

- (c) each entitlement shall be equivalent to the value of a round the world first class air fare (Canberra-London-Canberra via Eastern Hemisphere Route and Atlantic-Pacific Route) calculated as:
  - (i) the cost of the said air fare at the date the entitlement is first used, plus
  - (ii) an adjustment of the remaining balance of the entitlement, if any, at the time it is used; such adjustment to be equivalent to the percentage movement in the cost of the said air fare since the latest use of the entitlement;
- (d) the entitlement is available for use on more than one overseas study journey but may only be used by a senator or member for the cost of:
  - (i) fares, including charter and hire transport charges,
  - (ii) fares of a spouse accompanying or joining the senator or member on an overseas study journey,
  - (iii) accommodation and subsistence costs actually incurred by the senator or member or spouse,
  - (iv) travel by sea but not the cost of ship cruises;
  - (v) departure tax;
  - (vi) health and baggage insurance;
  - (vii) inoculations;
  - (viii) passport and visa fees;
  - (ix) conference and/or seminar fees;
  - (x) mobile phone hire;
  - (xi) interpreter and translation services;
  - (xii) internet connection fees / internet cafes;
  - (xiii) faxing of documents back to Australia; and
  - (xiv) expenses for study items posted / couriered back to Australia.
- (e) an entitlement, or part thereof, which has not been used by an eligible senator or member during the life of one Parliament, or before the commencement of the next Parliament in accordance with clauses 9.7 and 9.9, may be carried forward to be used by the senator or member during the life of the next Parliament, provided that the maximum amount which may be carried forward is one half of the cost of the air fare as defined in 9.1(c).

**9.2** A senator or member shall be permitted to draw upon the entitlement available for overseas study purposes upon submission to the Special Minister of State of a statement in writing:

- (a) prior to embarking upon the overseas journey, stating
  - (i) the purpose or purposes of the journey,
  - (ii) the period of the visit and a detailed proposed itinerary, and
  - (iii) whether or not the senator or member will be accompanied or joined by their spouse; and
- (b) within 30 days upon return from the overseas journey, reporting



- (i) confirmation of the purpose or purposes of the journey and the itinerary, including any changes to the purpose or purposes and itinerary
- (ii) key meetings and the main findings or outcomes, and
- (iii) conclusions drawn relating to the relevance of the tour to the senator's or member's parliamentary responsibilities.

- 9.3** The statement required as set out in clause 9.2 may, in exceptional circumstances and with the approval of the Special Minister of State, be submitted to the Special Minister of State as soon as is practicable after commencing the overseas journey.
- 9.4** A senator or member who fails to submit a statement in accordance with clause 9.2 will not be permitted to draw upon the entitlement for overseas study purposes until such time as that statement is received by the Special Minister of State.
- 9.5** Copies of statements referred to in clause 9.2 may be obtained from the Special Minister of State upon request by any member or senator. The statements may be tabled in the Parliament at the discretion of the Special Minister of State.
- 9.6** A claim for reimbursement of expenses incurred by senators or members must be submitted within 90 days from the date the travel is completed. Upon receipt of a written request from a senator or member, the Special Minister of State, or his or her nominee, may approve an extension of time to submit a claim. Where a claim is submitted after the 90 day period has elapsed, and where the Special Minister of State, or his or her nominee, has not approved an extension of time, payment of a claim will not be made.
- 9.7** The entitlement of a senator or member to travel at government expense within Australia on parliamentary or electorate business and the entitlement of a spouse to travel within Australia at government expense shall not be used to offset the cost of overseas study travel.
- 9.8** The entitlement to overseas study travel shall cease when a person is no longer a member of Parliament.
- 9.9** No overseas travel is to be commenced following the dissolution of Parliament, other than by a senator who is not required to be re-elected at the consequent election.
- 9.10** A senator who does not seek re-election but whose term does not expire for a period beyond the date of an election following the dissolution of Parliament may not commence overseas travel following that dissolution.

- 9.11** A senator or member may commence overseas travel from the declaration of a poll re-electing the senator or member to the Parliament. However, the Special Minister of State shall have a discretion to be exercised only in special circumstances to allow overseas travel to be commenced by a senator or member from the date of the poll and prior to the declaration of the poll.
- 9.12** For the purpose of clauses 9.1 - 9.11, 'spouse', in relation to a senator or member, has the same meaning as in the *Parliamentary Entitlements Act 1990*.

## **OFFICE FACILITIES**

### **Telephones in private residence(s)**

- 10.1** A senator or member shall be entitled to have access to the following at Commonwealth expense:
- (a) two telephone lines, including rental, transfer and call costs in their private residence(s); and
  - (b) installation, maintenance and rental of an answering service or equipment of a type specified by the Special Minister of State.
- 10.2** A senator or member shall be entitled to nominate one of the two telephone lines referred to in clause 10.1(a) to be used exclusively as a dedicated data line. The data line shall be installed and maintained at Commonwealth expense.

### **Telephone Services Charge Card**

- 10.3** A senator or member shall be issued with a Telephone Services Charge Card at Commonwealth expense. The card may only be used by the senator or member personally to make telephone calls on parliamentary or electorate business.

### **Communications Allowance**

- 10.4** Subject to clauses 10.5 to 10.13, a senator or member shall be entitled to use commercial services for the distribution of letters, newsletters and parcels and electronic services (including establishment and maintenance of web sites) at Commonwealth expense in relation to parliamentary or electorate (but not party) business, subject to the following:
- (a) members are entitled to a maximum annual allowance based on the number of enrolled voters as at the last working day in March each year within the electoral boundaries for the member's electorate in place at the last general election, multiplied by fifty cents;
  - (b) senators are entitled to a maximum annual allowance of \$27,500.

- 10.5** Subject to clause 10.6 and 10.7, any part of the entitlement specified in clause 10.4, that is not utilised in a financial year may be carried over to the next financial year.
- 10.6** The maximum amount of unutilised entitlement which has been provided under clause 10.4 that can be carried over from one financial year to the next financial year shall be the annual entitlement as specified in clause 10.4.
- 10.7** On the last day of business before the polling day of a double dissolution or general election, the unutilised entitlements under clause 10.4, including entitlements carried over under clause 10.5, of a senator or member, other than a senator who is not seeking re-election, shall cease to be available.
- 10.8** In respect of a financial year in which an election is held, a re-elected senator or member or a non re-elected senator in a half Senate election shall be entitled to the part of the entitlement specified in clause 10.4 which has not been utilised in that financial year.
- 10.9** From the date of formal determination of the new electoral divisions by the Australian Electoral Commission, a Member may use his or her communications allowance entitlement to communicate with residents of an adjoining or nearby area, if that area and part of the Member's existing electoral division are to become part of the same electoral division.
- 10.10** In respect of a financial year in which a general election is held, immediately following a general election a re-elected senator or member may call-forward up to 25 per cent of his or her Communications Allowance from the next financial year's entitlement.
- 10.11** Where a senator or member calls forward an amount (an advance) in accordance with clause 10.10, the Communications Allowance entitlement for the financial year from which the advance has been drawn shall be reduced by the amount of that advance.
- 10.12** The entitlement in clause 10.4 is in addition to the entitlement of a member in item 1 of Part 1 of Schedule 1 of the *Parliamentary Entitlements Act 1990*.
- 10.13** To avoid doubt, and pursuant to Section 9 of the *Parliamentary Entitlements Act 1990*, item 3 of Part 1 of Schedule 1 of the *Parliamentary Entitlements Act 1990* is omitted from the schedule to that Act.

### **Aggregating Entitlements for members for Large Electorates**

- 11.1** A member representing an electorate of 300,000 km<sup>2</sup> or more is entitled to aggregate the entitlements which he or she is granted under clause 6.2 and clause 10.4.
- 11.2** A member representing an electorate of 300,000 km<sup>2</sup> or more shall be entitled to use his or her aggregated entitlements:
- (a) for charter transport as defined in clause 6.1, within and for the service of his or her State, Territory or electorate in accordance with the procedures, requirements and limitations set out in clauses 6.3 to 6.8; or
  - (b) for commercial communications services as set out in clause 10.4, in relation to parliamentary or electorate (but not party) business in accordance with the procedures, requirements and limitations set out in clauses 10.5 to 10.13.
- 11.3** A member for an electorate of 300,000 km<sup>2</sup> or more shall be entitled to carry over the unused part of their aggregated entitlement to the total value of:
- (a) the entitlement which the member can carry over under clause 6.4; and
  - (b) the entitlement which the member can carry over under clause 10.6.

### **FREQUENT FLYER POINTS**

#### **Frequent Flyer Points**

- 12.1** Frequent flyer points accrued as a result of travel at Commonwealth expense should only be used to reduce the cost of future travel under the provisions of this Determination by the person who accrued the points. Wherever possible and practicable, a person should ensure that frequent flyer points accrued by him or her are used to cover the cost of any travel under this Determination.
- 12.2** Details of the usage of frequent flyer points accrued as a result of travel at Commonwealth expense and used under this Determination must be reported to the Special Minister of State in accordance with guidelines developed by the Special Minister of State.

### **GENERAL**

- 13.1** In this determination, unless the contrary intention appears, 'per annum' means financial year, and where a time period is less than a full financial year the entitlements shall be pro rata rounded to the nearest whole figure, the minimum entitlement in any instance being one.

- 13.2** Entitlements not covered in this determination (such as the location, number, nature and extent of office accommodation, office furniture and equipment, newspapers and the like) shall be provided at the discretion of the Special Minister of State.
- 13.3** Procedural rules to give full effect to all entitlements set out in this determination shall be such as may be made from time to time by the Special Minister of State.
- 13.4 No double payment:** Where a spouse or nominee claims or receives travelling allowance under any other source or entitlement for the same travel, they are not entitled to access travel entitlements under this determination.
- 13.5** In this determination, unless the contrary intention appears, any reference to the size of an electorate which is used to determine levels of entitlements refers to the land area of the electorate only.

## **Notes to Remuneration Tribunal Determination 2005/09: Members of Parliament - Entitlements**

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This determination as shown in this compilation is amended as indicated in the tables below. Under the Legislative Instruments Act 2003, which came into force on 1 January 2005, it is a requirement for all non-exempt legislative instruments to be registered on the Federal Register of Legislative Instruments.

### **Table of Instruments**

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<b>Title</b>	<b>Date of FRLI registration</b>	<b>Date of commencement</b>	<b>Application saving or transitional provisions</b>
2005/09 - Members of Parliament - Entitlements	16/05/05 F2005L01132	1/07/2005	
2006/02 - Members of Parliament - Entitlements	27/03/2006 F2006L00896	20/03/2006	-
2006/11 – Remuneration and Allowances for Holders of Public Office and Members of Parliament	26/06/2006 F2006L01940	1/07/2006	

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**Notes to Remuneration Tribunal Determination 2005/09:  
Members of Parliament - Entitlements**

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**Table of Amendments**

ad. = added or inserted	am. = amended	rs. = repealed and substituted	rep. = repealed
<b>Provision affected</b>	<b>How affected</b>		
Clauses 5.11 to 5.13	ad. 2006/02		
Clauses 2.8 to 2.26	rs. 2006/11		