Procedural Rules No. 1 of 2005

I, ERIC ABETZ, Special Minister of State, make these procedural rules under clause 2.28 of Remuneration Tribunal Determination Number 8 of 2005.

Dated 11th July 2005

Special Minister of State

Procedural Rules No. 1 of 2005
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made under

Remuneration Tribunal Determination No. 8 of 2005

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Unless specifically stated otherwise, nothing in these Procedural Rules repeals or replaces any part of any other existing Procedural Rules.
1. Name of procedural rules

These procedural rules are the *Procedural Rules No. 1 of 2005*.

2. Definitions

In these procedural rules:

*Determinations* means Remuneration Tribunal Determination Number 8 of 2005 as amended from time to time and includes any determination of the Remuneration Tribunal which replaces Remuneration Tribunal Determination Number 8 of 2005.

*Formal business* means business conducted by a member or members of the committee which has been authorised by the committee at a properly constituted meeting and the authorisation has been recorded in the committee’s minutes of proceedings.

*Last Flight* means the last scheduled commercial airline service departing on a reasonable and/or direct route to the home base or other destination visited for parliamentary, electorate or official business.

*Minister* means the Special Minister of State.

*Parliamentary committee* has the same meaning as in the Determination.

*Parliamentary political party meeting* means a meeting of the type that is referred to in sub clauses 2.10 (d) (e) and (f) of the Determination.

*Travelling allowance* means the rates specified in the Determination.

3. Principal Place of Residence

(1) This section sets out the definition in relation to a senator or member’s principal place of residence.

(2) A senator or member’s principal place of residence is the residence which the senator or member maintains and to which he or she would ordinarily return when not required to spend continuous periods at Parliament House to attend the sittings of Parliament or meeting of parliamentary committees.
4. Entitlement to payment of travelling allowance – sittings of Parliament and meetings of Senate Estimates committees

(1) This section sets out rules in relation to a senator or member who wishes to claim travelling allowance for sittings of Parliament and meetings of Senate Estimates committees. Payment of travelling allowance is subject to a senator or member meeting the usual validation requirements.

(2) A senator or member may claim travelling allowance from and including a Saturday night preceding a sitting week up to and including a Friday night at the conclusion of a sitting week.

(3) A senator may claim travelling allowance from and including a Saturday night preceding Senate Estimates committee meetings up to and including a Friday night at the conclusion of the meetings.

5. Entitlement to payment of travelling allowance – parliamentary committee (other than Senate Estimates committees) or parliamentary political party meeting

(1) This section sets out rules in relation to a senator or member who wishes to claim travelling allowance for a parliamentary committee (including formal business) or parliamentary political party meeting.

(2) A senator or member may claim travelling allowance for a meeting of or the formal business of a parliamentary committee or a meeting of a parliamentary political party for the night preceding the meeting or formal business.

(3) A senator or member may not claim travelling allowance for a meeting of or the formal business of a parliamentary committee or a meeting of a parliamentary political party at a location other than Canberra for the night following the meeting or the formal business when the meeting or the formal business concluded, or was scheduled to conclude, not less than 3 hours before the Last Flight.

(4) A senator or member may claim travelling allowance for a meeting of or the formal business of a parliamentary committee or a meeting of a parliamentary political party in Canberra for the night of the day of the meeting or the formal business.

(5) A senator who is not a member of a committee but who is entitled to attend meetings to participate in proceedings under the procedures of the Senate may claim travelling allowance according to provisions of clause 2.10 (b) of the Determination.
6. **Entitlement to payment of travelling allowance – overnight stay**

(1) This section sets out rules in relation to the definition of an ‘overnight stay’ to apply to a senator or member who wishes to claim travelling allowance.

(2) The entitlement is for payment in respect of an overnight stay. ‘Overnight’ is not defined by the Remuneration Tribunal.

(3) A senator or member may claim travelling allowance for the preceding night when the scheduled or actual arrival time at their destination is 6 am or earlier.

(4) A senator or member whose scheduled or actual arrival time at their destination is after 6 am will not be eligible for payment of travelling allowance for the preceding night.

7. **Entitlement to payment of travelling allowance – time of arrival – official government, parliamentary, vice regal function**

(1) This section sets out rules in relation to a senator or member who wishes to claim travelling allowance for attendance at an official government, parliamentary or vice regal function (“Function”).

(2) A senator or member may claim travelling allowance for the night preceding such a Function.

(3) A senator or member may not claim travelling allowance for the night of the day on which the function occurs if the Function concluded not less than 3 hours before the Last Flight.

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1. Made by the Special Minister of State on 11th July 2005.