DIRECTION TO DEFER THE TERMINATION OF EMPLOYMENT

I, MARK DREYFUS, Special Minister of State, for and on behalf of the Prime Minister, direct under subsections 16(5) and 23(4) of the Members of Parliament (Staff) Act 1984 (the Act) that:

1. Direction 2007/31 is revoked.

2. Where the employment of an electorate employee is terminated under subsection 16(1), 16(2) or 23(1) of the Act:

   (a) In the case where a Member resigns from the Parliament or dies, or where a Member does not stand for re-election or is defeated at an election, the employment of the person is deemed not to have terminated and to continue until the declaration of the poll for the election for the seat;

   (b) In the case where a Senator resigns from the Parliament or dies, the employment of the person is deemed not to have terminated and to continue until the casual vacancy has been filled; or

   (c) In the case where a Senator for a Territory, or a Senator in a double-dissolution of the Parliament does not stand for re-election or is defeated at an election, the employment of the person is deemed not to have terminated and to continue until the declaration of the poll for the election for the Senate position.

3. Where the employment of an employee, other than an electorate employee, is terminated under subsection 16(1) or 16(2) of the Act:

   (a) In the case where a Member or a Senator resigns from the Parliament or dies, the employment of the person is deemed not to have terminated and to continue for a period of two weeks from the date of the termination;

   (b) In the case where a Member, a Senator for a Territory, or a Senator in a double-dissolution of the Parliament does not stand for re-election, the employment of the person is deemed not to have terminated and to continue for a period of four weeks from the date of the termination; or

   (c) In the case where a Member, a Senator for a Territory, or a Senator in a double-dissolution of the Parliament is defeated at an election, the
employment of the person is deemed not to have terminated and to continue until the declaration of the poll for the seat or the Senate position.

4. Other than in the case where a Member or a Senator resigns from the Parliament or dies; or a Member, a Senator for a Territory or a Senator in a double-dissolution of the Parliament does not stand for re-election or is defeated at an election:

(a) Where the employment of an employee is terminated under paragraph 16(2)(a) of the Act, as the employing Member or Senator has ceased to hold the relevant office, the employment of the person is deemed not to have terminated and to continue for:

(i) a period of four weeks from the date of the termination of an employee, other than an electorate employee, whose employment is terminated as a result of a Federal election\(^1\); or

(ii) a period of two weeks from the date of the termination.

(b) Where the employment of an employee is terminated under paragraph 16(2)(b) or 16(2)(c) of the Act, as the relevant determination under section 12 of the Act has been revoked, the employment of the person is deemed not to have terminated and to continue for:

(i) a period of four weeks from the date of the termination of an employee, other than an electorate employee, whose employment is terminated as a result of a Federal election; or

(ii) a period of two weeks from the date of the termination.

Dated this 14th day of April 2013

MARK DREYFUS
Special Minister of State

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\(^1\) 'Federal election' means an election where the House of Representatives is dissolved.