Members of Parliament (Staff) Act 1984

SUPPLEMENT – RELIEF STAFF BUDGET AND ELECTORATE STAFF TRAVEL BUDGET

I, GARY GRAY, Special Minister of State, for and on behalf of the Prime Minister, determine under subsections 13(2) and 20(2) of the Members of Parliament (Staff) Act 1984 (the Act) that:

A. Determination 2011/9 made on 20 April 2011 is revoked;
B. Where the amount of a supplement to an entitlement of a Senator or Member has been determined by the Minister under regulation 3EA(4) of the Parliamentary Entitlements Regulations 1997 (PE Regulations), the paragraphs below will apply to the supplement used in relation to the Relief Staff Budget and/or the Electorate Staff Travel Budget:

Relief Staff Budget

1. The Relief Staff Budget¹ provided under the Act to the Senator or Member for the financial year of the supplement (the Original Relief Staff Budget) will be increased by the amount (Supplementary Amount) of any salary payable for employment under the Relief Staff Budget by the Senator or Member following determination of the amount of the supplement.²

(a) All other provisions of the Relief Staff Budget will continue to apply with the exception of those provisions that set the quantum of the Relief Staff Budget.

2. The Senator or Member may only use the Supplementary Amount under paragraph 1 if the Senator or Member has fully expended his or her Original Relief Staff Budget in the financial year in which the disaster occurred.

3. Subject to paragraph 5, if, in the previous financial year, a Senator or Member used a Supplementary Amount under paragraph 1, the next annual Relief Staff Budget provided to the Senator or Member under the Act is reduced by the Supplementary Amount used.

¹ ‘Relief Staff Budget’ means the budget of that name provided by Determination(s) made under the Act (currently Determination 2011/1 – Determination regarding electorate employees – relief staff budget).
² The supplement received under the PE Regulations is reduced by any amount a Senator or Member is entitled to under this Determination. This mechanism ensures that an amount of supplement used for the Relief Staff Budget or Electorate Staff Travel Budget is provided under the correct appropriation and enables a Senator or Member to use the amount of the supplement to employ staff under the Act.
4. However, the Minister may, having regard to the particular circumstances of the Senator or Member, waive the requirement in paragraph 3 above in relation to the Senator or Member.

5. If the Minister has approved, under subregulation 3EA(7A) of the PE Regulations, the expenditure by a Senator or Member, in the 2011-2012 financial year, of a supplement for the 2010-2011 financial year, the Senator or Member’s Relief Staff Budget in the 2012-2013 financial year is reduced by the amount under paragraph 1 used by the Senator or Member on his or her Relief Staff Budget in the 2010-2011 and 2011-2012 financial years.

6. However, the Minister may, having regard to the particular circumstances of the Senator or Member, waive the requirement in paragraph 5 in relation to the Senator or Member.

Electorate Staff Travel Budget

7. The Electorate Staff Travel Budget provided under the Act to the Senator or Member for the financial year of the supplement (the Original Electorate Staff Travel Budget) will be increased by the amount of any expenditure by the Senator or Member following determination of the amount of a supplement being for electorate employee travel that would otherwise be debited against the Electorate Staff Travel Budget.

(a) All other provisions of the Electorate Staff Travel Budget will continue to apply with the exception of those provisions that set the quantum of the Electorate Staff Travel Budget.

8. The Senator or Member may only use the amount under paragraph 7 if the Senator or Member has fully expended his or her Original Electorate Staff Travel Budget in the financial year in which the disaster occurred.

9. Subject to paragraph 11, if, in the previous financial year, a Senator or Member used an amount under paragraph 7 above, the next annual Electorate Staff Travel Budget provided to the Senator or Member under the Act is reduced by the amount used under paragraph 7 by the Senator or Member on his or her Electorate Staff Travel Budget.

10. However, the Minister may, having regard to the particular circumstances of the Senator or Member, waive the requirement in paragraph 9 above in relation to the Senator or Member.

11. If the Minister has approved, under subregulation 3EA(7A) of the PE Regulations, the expenditure by a Senator or Member, in the 2011-2012 financial year, of a supplement for the 2010-2011 financial year, the Senator or Member’s Electorate Staff Travel Budget in the 2012-2013 financial year is reduced by the amount used under paragraph 7 by the Senator or Member on his or her Electorate Staff Travel Budget in the 2010-2011 and 2011-2012 financial years.

3 ‘Electorate Staff Travel Budget’ means the budget of that name provided by Determination(s) made under the Act (currently Determination 2011/10 – Determination regarding staff travel arrangements).
12. However, the Minister may, having regard to the particular circumstances of the Senator or Member, waive the requirement in paragraph 11 in relation to the Senator or Member.

13. This Determination commences on the commencement of the Parliamentary Entitlements Amendment Regulations 2011 (No.1) Amendment Regulations 2011(No.1).

Dated this 15th day of [Month] 2011

GARY GRAY
Special Minister of State