



Members of Parliament (Staff) Act 1984

No. 64, 1984 as amended

Compilation start date: 1 July 2014

Includes amendments up to: Act No. 62, 2014

Prepared by the Office of Parliamentary Counsel, Canberra

About this compilation

This compilation

This is a compilation of the *Members of Parliament (Staff) Act 1984* as in force on 1 July 2014. It includes any commenced amendment affecting the legislation to that date.

This compilation was prepared on 8 August 2014.

The notes at the end of this compilation (the *endnotes*) include information about amending laws and the amendment history of each amended provision.

Uncommenced amendments

The effect of uncommenced amendments is not reflected in the text of the compiled law but the text of the amendments is included in the endnotes.

Application, saving and transitional provisions for provisions and amendments

If the operation of a provision or amendment is affected by an application, saving or transitional provision that is not included in this compilation, details are included in the endnotes.

Modifications

If a provision of the compiled law is affected by a modification that is in force, details are included in the endnotes.

Provisions ceasing to have effect

If a provision of the compiled law has expired or otherwise ceased to have effect in accordance with a provision of the law, details are included in the endnotes.

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**An Act to provide for the employment of
consultants and staff by Ministers, certain
office-holders, Senators and Members of the House
of Representatives, and for related purposes**

Part I—Preliminary

1 Short title

This Act may be cited as the *Members of Parliament (Staff) Act 1984*.

2 Commencement

- (1) Part I shall come into operation on the day on which this Act receives the Royal Assent.
- (2) The remaining provisions of this Act shall come into operation on such day as is, or such respective days as are, fixed by Proclamation.

3 Interpretation

In this Act, unless the contrary intention appears:

Finance Minister means the Minister administering the *Public Governance, Performance and Accountability Act 2013*.

office-holder means:

- (a) a person who holds a relevant office;
- (aa) a person, not being a Senator or Member of the House of Representatives, who held the office of Prime Minister; or
- (b) a person in respect of whom a determination by the Prime Minister under section 12 is in force.

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pensioner means:

- (aa) a person to whom an invalidity pension, within the meaning of the *Superannuation Act 1990* is payable; or
- (a) a person to whom an invalidity pension within the meaning of the *Superannuation Act 1976* is payable; or
- (b) a person to whom a pension under the *Superannuation Act 1922* is payable, being a person who was retired on the ground of invalidity or of physical or mental incapacity to perform the person's duties.

relevant office means:

- (a) an office of Minister;
- (b) the office of Leader of the Opposition in the Senate;
- (c) the office of Leader of the Opposition in the House of Representatives;
- (d) the office of Deputy Leader of the Opposition in the Senate;
- (e) the office of Deputy Leader of the Opposition in the House of Representatives; or
- (f) an office of leader or deputy leader, in a House of the Parliament, of a recognized political party (other than an office that is held by a person who also holds an office referred to in any of the preceding paragraphs of this definition).

relevant Secretary, in relation to a consultant appointed, or proposed to be appointed, by a Minister, means the Secretary of the Department administered by the Minister or, if there is more than one Department administered by the Minister, whichever Secretary the Minister considers appropriate.

Part II—Ministerial consultants

4 Ministers may engage consultants

- (1) A Minister may, with the approval of the Prime Minister, on behalf of the Commonwealth, engage, under an agreement in writing, a natural person, body corporate or partnership as a consultant.
- (2) An agreement for the engagement by a Minister of a consultant under subsection (1) shall contain one or more of the following provisions:
 - (a) a provision to the effect that the consultant is engaged to perform, under the supervision of the Minister, such tasks as are specified in the agreement;
 - (b) a provision to the effect that the consultant is engaged to perform, under the supervision of the Minister, such tasks as are from time to time specified by the Minister;
 - (c) a provision to the effect that the consultant is engaged to perform, under the supervision of the relevant Secretary, such tasks as are specified in the agreement;
 - (d) a provision to the effect that the consultant is engaged to perform, under the supervision of the relevant Secretary, such tasks as are from time to time specified by the Secretary with the Minister's consent.
- (3) Subject to subsection (4), a Minister who engages a consultant under subsection (1) may determine which of the provisions referred to in subsection (2) is or are to be included in the agreement under which the consultant is engaged.
- (4) In an agreement for the engagement by a Minister of a consultant under this Part, a task shall not be specified by the Minister, for the purposes of a provision of the kind referred to in paragraph (2)(c), without the agreement of the relevant Secretary.

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5 Terms and conditions of engagement

- (1) The terms and conditions of an engagement by a Minister of a natural person under this Part, other than terms and conditions relating to any matter in relation to which:
 - (a) a determination is to be made by the Minister under section 4 or 8; or
 - (b) express provision is made by section 9;shall be determined by the Prime Minister.
- (2) The terms and conditions of an engagement by a Minister of a body corporate or a partnership under this Part, other than terms and conditions relating to any matter in relation to which:
 - (a) a determination is to be made by the Minister under section 4; or
 - (b) express provision is made by section 9;shall be determined by the Prime Minister.
- (3) The terms and conditions of an engagement under this Part that are determined by the Prime Minister under subsection (1) or (2) shall be specified in the agreement relating to the arrangement.
- (4) Without limiting the generality of subsection (1) or (2), an agreement for the engagement by a Minister of a consultant under this Part shall make provision for the payment to the consultant of an amount by way of compensation for the early termination of the engagement if the engagement is terminated by subsection 9(1) or by the Minister under subsection 9(2) before the expiration of the period specified in the agreement as the term of the engagement.
- (5) An agreement under section 4 may be varied in a manner provided for in the agreement.

6 Natural persons may be engaged under contracts of employment or contracts for services

An agreement for the engagement of a natural person as a consultant under this Part shall specify whether the agreement is to be taken to be a contract of employment or a contract for services.

7 Engagement of natural persons under contracts of employment

- (1) In this section, **relevant agreement** means an agreement under section 4 that is to be taken to be a contract of employment.
- (2) The engagement of a natural person as a consultant under a relevant agreement may be on a full-time or part-time basis.
- (3) Subject to section 8, a term or condition of the engagement of a natural person as a consultant under a relevant agreement may be specified in the agreement by reference to the entitlement that the person would have:
 - (a) if a specified Act applied in relation to the person; or
 - (b) if a specified Act applied in relation to the person with such modifications as are set out in the agreement.

8 Superannuation

- (1) In this section:

relevant agreement means an agreement under section 4 that is to be taken to be a contract of employment.

relevant person means a natural person other than:

 - (a) a person who, immediately before being engaged under this Part, was an eligible employee within the meaning of the *Superannuation Act 1976*; or
 - (ab) a person who, immediately before being engaged under this Part, was a member of the superannuation scheme established by deed under the *Superannuation Act 1990*; or
 - (b) a pensioner.
- (2) A relevant agreement for the engagement by a Minister of a relevant person as a consultant may contain provisions determined by the Minister in relation to the provision to the person of superannuation benefits or benefits in the nature of superannuation benefits.
- (3) Without limiting the generality of subsection (2), a relevant agreement for the engagement of a relevant person as a consultant may provide:

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- (a) that, if the person was engaged before 1 July 1990, the *Superannuation Act 1976* applies in relation to the person as if the person were a temporary employee within the meaning of that Act;
- and, where a relevant agreement so provides, the *Superannuation Act 1976* applies in relation to the person in accordance with the agreement.
- (3A) Without limiting subsection (2), a relevant agreement for the engagement of a relevant person after 30 June 1990 as a consultant may provide that the *Superannuation Act 1976* applies in relation to the person as if the person were a temporary employee within the meaning of section 13 of that Act if:
 - (a) immediately before the person was so engaged, deferred benefits were applicable to him or her under that Act or the *Superannuation Act 1922*; or
 - (b) the person became, by virtue of his or her being so engaged, a re-employed former contributor with preserved rights within the meaning of the *Superannuation Act 1976*.
- (3B) Where a relevant agreement so provides, the *Superannuation Act 1976* applies in relation to the person in accordance with the agreement.
- (3C) Without limiting subsection (2), a relevant agreement for the engagement of a relevant person as a consultant may provide that the *Superannuation Act 1990* applies in relation to the person as if the person were a temporary employee within the meaning of that Act if the relevant person:
 - (a) is engaged after 30 June 1990; and
 - (b) is not a person to whom paragraph (3A)(a) or (b) applies.
- (3D) Where a relevant agreement so provides, the *Superannuation Act 1990* applies in relation to the person in accordance with the agreement.
- (4) Notwithstanding anything in the *Superannuation Act 1976* or any other Act, the *Superannuation Act 1976*:
 - (a) does not apply in relation to a relevant person engaged as a consultant under this Part unless the application of that Act is

- expressly provided for, in accordance with subsection (3) or (3A), in the agreement for the engagement of the person; and
- (b) does not apply in relation to such a person except as provided by subsection (3) or (3B).
- (4A) The *Superannuation Act 1990* applies in relation to a relevant person if the person makes a declaration and election under subsection 244(1) of the *Superannuation Act 1976*.
- (4B) If the relevant person revokes, under section 247 of the *Superannuation Act 1976*, the declaration and election made under subsection 244(1) of that Act, subsection (4) applies in relation to the person as if he or she had not made the declaration and election.
- (4C) Subject to subsection (4A), in spite of anything in the *Superannuation Act 1990* or any other Act, the *Superannuation Act 1990*:
- (a) applies in relation to a relevant person engaged as a consultant under this Part only if the application of that Act is expressly provided for in the agreement for the engagement of the person; and
- (b) applies in relation to such a person only as provided by subsection (3D).
- (5) A Minister is not empowered to determine provisions for the purposes of subsection (2) except in accordance with arrangements approved by the Finance Minister.

9 Termination of engagement

- (1) The engagement of a consultant under this Part terminates if the Minister by whom the consultant was engaged:
- (a) dies;
- (b) ceases to hold office as a Minister; or
- (c) ceases to administer the Department administered by the Minister at the time when the consultant was engaged.

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- (2) A Minister may at any time, by notice in writing given to a consultant engaged by the Minister under this Part, terminate the engagement of the consultant.
- (3) A consultant engaged by a Minister under this Part may at any time, by notice in writing given to the Minister, terminate the engagement.
- (4) The engagement of a consultant that is not terminated:
 - (a) by subsection (1);
 - (b) by the Minister under subsection (2); or
 - (c) by the consultant under subsection (3);terminates at the expiration of such period not exceeding 3 years as is specified, in the agreement under which the consultant was engaged, as the term of the engagement.
- (5) Where the engagement of a person under this Part is terminated by subsection (1), the Prime Minister may by writing direct that the engagement of the person shall be deemed:
 - (a) not to have been so terminated; and
 - (b) to have continued, or to continue, until a specified date;and, where the Prime Minister so directs, the engagement of the person under this Part shall for all purposes be deemed to have continued, or to continue, until that date.

Part III—Staff of office-holders

12 Determinations by Prime Minister

The Prime Minister may, by writing, determine that, having regard to the Parliamentary duties of a Senator or a Member of the House of Representatives, the Senator or Member ought to be empowered to employ staff under this Part.

13 Office-holders may employ staff

- (1) An office-holder may, on behalf of the Commonwealth, employ, under an agreement in writing, a person as a member of the office-holder's staff.
- (2) The power conferred on an office-holder by subsection (1) is not exercisable otherwise than in accordance with arrangements approved by the Prime Minister, and the exercise of that power is subject to such conditions as are determined by the Prime Minister.

14 Terms and conditions of employment

- (1) Subject to any applicable determination made under subsection (3), the terms and conditions of employment of a person employed by an office-holder under this Part, other than terms and conditions (in this section referred to as *prescribed terms and conditions*) relating to any matter in relation to which:
 - (a) a determination is to be made by the office-holder under section 15; or
 - (b) express provision is made by section 16;are to be ascertained in accordance with the agreement for the employment of the person.
- (3) The Prime Minister may by writing determine that the terms and conditions of employment of a person employed under this Part (other than prescribed terms and conditions) are varied (whether by the variation of particular terms and conditions or by the inclusion

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of new terms and conditions, not being prescribed terms and conditions) as specified in the determination.

- (4) A determination under subsection (3) may be expressed to apply in relation to all persons employed under this Part, in relation to all persons included in a class of persons so employed or in relation to a specified person so employed.

15 Superannuation

- (1) In this section:

relevant person means a person other than:

- (a) a person who, immediately before being employed under this Part, was an eligible employee within the meaning of the *Superannuation Act 1976*; or
- (ab) a person who, immediately before being employed under this Part, was a member of the superannuation scheme established by deed under the *Superannuation Act 1990*; or
- (b) a pensioner.

- (2) An agreement under section 13 for the employment by an office-holder of a relevant person as a member of the office-holder's staff may contain provisions determined by the office-holder in relation to the provision to the person of superannuation benefits or benefits in the nature of superannuation benefits.

- (3) Without limiting the generality of subsection (2), an agreement under section 13 for the employment of a relevant person may provide:

- (a) that, if the person was employed before 1 July 1990, the *Superannuation Act 1976* applies in relation to the person as if the person were a temporary employee within the meaning of that Act;

and, where an agreement so provides, the *Superannuation Act 1976* applies in relation to the person in accordance with the agreement.

- (3A) Without limiting subsection (2), an agreement, under section 13, for the employment of a relevant person after 30 June 1990 may

provide that the *Superannuation Act 1976* applies in relation to the person as if the person were a temporary employee within the meaning of section 11 of that Act if:

- (a) immediately before the person was so employed, deferred benefits were applicable to him or her under that Act or the *Superannuation Act 1922*; or
 - (b) the person became, by virtue of his or her being so employed, a re-employed former contributor with preserved rights within the meaning of the *Superannuation Act 1976*.
 - (3B) Where an agreement so provides, the *Superannuation Act 1976* applies in relation to the person in accordance with the agreement.
 - (3C) Without limiting subsection (2), an agreement, under section 13, for the employment of a relevant person may provide that the *Superannuation Act 1990* applies in relation to the person as if the person were a temporary employee within the meaning of that Act if the relevant person:
 - (a) is engaged after 30 June 1990; and
 - (b) is not a person to whom paragraph (3A)(a) or (b) applies.
 - (3D) Where an agreement so provides, the *Superannuation Act 1990* applies in relation to the person in accordance with the agreement.
 - (4) Notwithstanding anything in the *Superannuation Act 1976* or any other Act, the *Superannuation Act 1976*:
 - (a) does not apply in relation to a relevant person employed under this Part unless the application of that Act is expressly provided for, in accordance with subsection (3) or (3A), in the agreement for the employment of the person; and
 - (b) does not apply in relation to such a person except as provided by subsection (3) or (3B).
 - (4A) The *Superannuation Act 1990* applies in relation to a relevant person if the person makes a declaration and election under subsection 244(1) of the *Superannuation Act 1976*.
 - (4B) If the relevant person revokes, under section 247 of the *Superannuation Act 1976*, the declaration and election made under subsection 244(1) of that Act, subsection (4) applies in relation to
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the person as if he or she had not made the declaration and election.

- (4C) Subject to subsection (4A), in spite of anything in the *Superannuation Act 1990* or any other Act, the *Superannuation Act 1990*:
- (a) applies in relation to a relevant person employed under this Part only if the application of that Act is expressly provided for in the agreement for the employment of the person; and
 - (b) applies in relation to such a person only as provided by subsection (3D).
- (5) An office-holder is not empowered to determine provisions for the purposes of subsection (2) except in accordance with arrangements approved by the Finance Minister.

16 Termination of employment

- (1) The employment of a person under this Part terminates if the office-holder by whom the person was employed dies.
- (2) The employment of a person under this Part terminates if:
 - (a) in the case of a person employed by a person who holds a relevant office—the last-mentioned person ceases to hold the relevant office;
 - (b) in the case of a person employed by a Senator in respect of whom a determination by the Prime Minister under section 12 is in force—the Senator ceases to be a Senator or the determination is revoked; or
 - (c) in the case of a person employed by a Member of the House of Representatives in respect of whom a determination by the Prime Minister under section 12 is in force—the Member ceases to be a Member of the House of Representatives or the determination is revoked.
- (2A) For the purposes of paragraph (2)(b), a Senator shall be deemed not to have ceased to be a Senator while he or she continues to be entitled to the Parliamentary allowance that was payable to him or her as a Senator.

- (2B) For the purposes of paragraph (2)(c), a Member of the House of Representatives shall be deemed not to have ceased to be such a Member while he or she continues to be entitled to the Parliamentary allowance that was payable to him or her as such a Member.
- (3) An office-holder may at any time, by notice in writing given to a person employed by the office-holder under this Part, terminate the person's employment.
- (4) A person employed by an office-holder under this Part may at any time, by notice in writing given to the office-holder, terminate the person's employment.
- (5) Where the employment of a person under this Part is terminated by subsection (1) or (2), the Prime Minister may by writing direct that the employment of the person shall be deemed:
 - (a) not to have been so terminated; and
 - (b) to have continued, or to continue, until a specified date;and, where the Prime Minister so directs, the employment of the person under this Part shall for all purposes be deemed to have continued, or to continue, until that date.

19 Power to employ electorate staff not affected

Nothing in this Part affects the power of an office-holder who is a Senator or a Member of the House of Representatives to employ staff under Part IV.

Part IV—Staff of Senators and Members

20 Senators and Members may employ staff

- (1) A Senator or a Member of the House of Representatives may, on behalf of the Commonwealth, employ, under an agreement in writing, a person as a member of the staff of the Senator or Member.
- (2) The power conferred on a Senator or Member of the House of Representatives by subsection (1) is not exercisable otherwise than in accordance with arrangements approved by the Prime Minister, and the exercise of that power is subject to such conditions as are determined by the Prime Minister.

21 Terms and conditions of employment

- (1) Subject to any applicable determination made under subsection (3), the terms and conditions of employment of a person employed by a Senator or Member of the House of Representatives under this Part, other than terms and conditions (in this section referred to as ***prescribed terms and conditions***) relating to any matter in relation to which:
 - (a) a determination is to be made by the Senator or Member under section 22; or
 - (b) express provision is made by section 23;are to be ascertained in accordance with the agreement for the employment of the person.
- (3) The Prime Minister may by writing determine that the terms and conditions of employment of a person employed under this Part (other than prescribed terms and conditions) are varied (whether by the variation of particular terms and conditions or by the inclusion of new terms and conditions, not being prescribed terms and conditions) as specified in the determination.
- (4) A determination under subsection (3) may be expressed to apply in relation to all persons employed under this Part, in relation to all

persons included in a class of persons so employed or in relation to a specified person so employed.

22 Superannuation

- (1) In this section:

relevant person means a person other than:

- (a) a person who, immediately before being employed under this Part, was an eligible employee within the meaning of the *Superannuation Act 1976*; or
- (ab) a person who, immediately before being employed under this Part, was a member of the superannuation scheme established by deed under the *Superannuation Act 1990*; or
- (b) a pensioner.

- (2) An agreement under section 20 for the employment by a Senator or Member of the House of Representatives of a relevant person as a member of the staff of the Senator or Member may contain provisions determined by the Senator or Member in relation to the provision to the person of superannuation benefits or benefits in the nature of superannuation benefits.

- (3) Without limiting the generality of subsection (2), an agreement under section 20 for the employment of a relevant person may provide:

- (a) that, if the person was employed before 1 July 1990, the *Superannuation Act 1976* applies in relation to the person as if the person were a temporary employee within the meaning of that Act;

and, where an agreement so provides, the *Superannuation Act 1976* applies in relation to the person in accordance with the agreement.

- (3A) Without limiting subsection (2), an agreement, under section 20, for the employment of a relevant person after 30 June 1990 may provide that the *Superannuation Act 1976* applies in relation to the person as if the person were a temporary employee within the meaning of section 11 of that Act if:

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- (a) immediately before the person was so employed, deferred benefits were applicable to him or her under that Act or the *Superannuation Act 1922*; or
 - (b) the person became, by virtue of his or her being so employed, a re-employed former contributor with preserved rights within the meaning of the *Superannuation Act 1976*.
- (3B) Where an agreement so provides, the *Superannuation Act 1976* applies in relation to the person in accordance with the agreement.
- (3C) Without limiting subsection (2), an agreement, under section 20, for the employment of a relevant person may provide that the *Superannuation Act 1990* applies in relation to the person as if the person were a temporary employee within the meaning of that Act if the relevant person:
 - (a) is engaged after 30 June 1990; and
 - (b) is not a person to whom paragraph (3A)(a) or (b) applies.
- (3D) Where an agreement so provides, the *Superannuation Act 1990* applies in relation to the person in accordance with the agreement.
- (4) Notwithstanding anything in the *Superannuation Act 1976* or any other Act, the *Superannuation Act 1976*:
 - (a) does not apply in relation to a relevant person employed under this Part unless the application of that Act is expressly provided for, in accordance with subsection (3) or (3A), in the agreement for the employment of the person; and
 - (b) does not apply in relation to such a person except as provided by subsection (3) or (3B).
- (4A) The *Superannuation Act 1990* applies in relation to a relevant person if the person makes a declaration and election under subsection 244(1) of the *Superannuation Act 1976*.
- (4B) If the relevant person revokes, under section 247 of the *Superannuation Act 1976*, the declaration and election made under subsection 244(1) of that Act, subsection (4) applies in relation to the person as if he or she had not made the declaration and election.

- (4C) Subject to subsection (4A), in spite of anything in the *Superannuation Act 1990* or any other Act, the *Superannuation Act 1990*:
- (a) applies in relation to a relevant person employed under this Part only if the application of that Act is expressly provided for in the agreement for the employment of the person; and
 - (b) applies in relation to such a person only as provided by subsection (3D).
- (5) A Senator or a Member of the House of Representatives is not empowered to determine provisions for the purposes of subsection (2) except in accordance with arrangements approved by the Finance Minister.

23 Termination of employment

- (1) The employment of a person under this Part terminates if the Senator or Member of the House of Representatives by whom the person was employed:
- (a) dies; or
 - (b) ceases to be a Senator or a Member of the House of Representatives, as the case may be.
- (1A) For the purposes of paragraph (1)(b):
- (a) a Senator shall be deemed not to have ceased to be a Senator while he or she continues to be entitled to the Parliamentary allowance that was payable to him or her as a Senator; and
 - (b) a Member of the House of Representatives shall be deemed not to have ceased to be such a Member while he or she continues to be entitled to the Parliamentary allowance that was payable to him or her as such a Member.
- (2) A Senator or Member of the House of Representatives may at any time, by notice in writing given to a person employed by the Senator or Member under this Part, terminate the person's employment.
- (3) A person employed by a Senator or Member of the House of Representatives under this Part may at any time, by notice in

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writing given to the Senator or Member, terminate the person's employment.

- (4) Where the employment of a person under this Part is terminated by subsection (1), the Prime Minister may, by writing direct that the employment of the person shall be deemed:
- (a) not to have been so terminated; and
 - (b) to have continued, or to continue, until a specified date;
- and, where the Prime Minister so directs, the employment of the person under this Part shall for all purposes be deemed to have continued, or to continue, until that date.

Part VI—Miscellaneous**31 Annual report**

As soon as practicable after 30 June in each year, the Prime Minister shall cause to be prepared a report:

- (a) setting out, in respect of each Minister who held office at any time during the year ending on that 30 June, the name of each consultant engaged by the Minister under section 4 during that year and the name of each consultant engaged by the Minister under section 4 before the commencement of that year who performed tasks during that year pursuant to the engagement; and
- (b) specifying, in respect of each consultant named pursuant to paragraph (a):
 - (i) the period of engagement of the consultant;
 - (ii) which of the provisions referred to in subsection 4(2) is or are included in the agreement under which the consultant was engaged;
 - (iii) where the agreement under which the consultant was engaged contained a provision of the kind referred to in paragraph 4(2)(a) or (c)—the tasks specified in the agreement for the purposes of that provision; and
 - (iv) where the agreement under which the consultant was engaged contained a provision of the kind referred to in paragraph 4(2)(b) or (d)—the general nature of the tasks that the consultant was engaged to perform;

and shall cause a copy of the report to be laid before each House of the Parliament.

32 Powers may be exercised by authorised person

An office-holder, Senator or Member of the House of Representatives may, in writing, authorise another person to exercise, on his or her behalf, a power conferred on the

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office-holder, Senator or Member by Part III or IV of this Act, and a person so authorised may exercise the power accordingly.

33 Regulations

The Governor-General may make regulations, not inconsistent with this Act, prescribing matters:

- (a) required or permitted by this Act to be prescribed; or
- (b) necessary or convenient to be prescribed for carrying out or giving effect to this Act.

Endnotes

Endnote 1—About the endnotes

The endnotes provide details of the history of this legislation and its provisions. The following endnotes are included in each compilation:

Endnote 1—About the endnotes
Endnote 2—Abbreviation key
Endnote 3—Legislation history
Endnote 4—Amendment history
Endnote 5—Uncommenced amendments
Endnote 6—Modifications
Endnote 7—Misdescribed amendments
Endnote 8—Miscellaneous

If there is no information under a particular endnote, the word “none” will appear in square brackets after the endnote heading.

Abbreviation key—Endnote 2

The abbreviation key in this endnote sets out abbreviations that may be used in the endnotes.

Legislation history and amendment history—Endnotes 3 and 4

Amending laws are annotated in the legislation history and amendment history.

The legislation history in endnote 3 provides information about each law that has amended the compiled law. The information includes commencement information for amending laws and details of application, saving or transitional provisions that are not included in this compilation.

The amendment history in endnote 4 provides information about amendments at the provision level. It also includes information about any provisions that have expired or otherwise ceased to have effect in accordance with a provision of the compiled law.

Uncommenced amendments—Endnote 5

The effect of uncommenced amendments is not reflected in the text of the compiled law but the text of the amendments is included in endnote 5.

Endnotes

Endnote 1—About the endnotes

Modifications—Endnote 6

If the compiled law is affected by a modification that is in force, details of the modification are included in endnote 6.

Misdescribed amendments—Endnote 7

An amendment is a misdescribed amendment if the effect of the amendment cannot be incorporated into the text of the compilation. Any misdescribed amendment is included in endnote 7.

Miscellaneous—Endnote 8

Endnote 8 includes any additional information that may be helpful for a reader of the compilation.

Endnote 2—Abbreviation key

ad = added or inserted	pres = present
am = amended	prev = previous
c = clause(s)	(prev) = previously
Ch = Chapter(s)	Pt = Part(s)
def = definition(s)	r = regulation(s)/rule(s)
Dict = Dictionary	Reg = Regulation/Regulations
disallowed = disallowed by Parliament	reloc = relocated
Div = Division(s)	renum = renumbered
exp = expired or ceased to have effect	rep = repealed
hdg = heading(s)	rs = repealed and substituted
LI = Legislative Instrument	s = section(s)
LIA = <i>Legislative Instruments Act 2003</i>	Sch = Schedule(s)
mod = modified/modification	Sdiv = Subdivision(s)
No = Number(s)	SLI = Select Legislative Instrument
o = order(s)	SR = Statutory Rules
Ord = Ordinance	Sub-Ch = Sub-Chapter(s)
orig = original	SubPt = Subpart(s)
par = paragraph(s)/subparagraph(s) /sub-subparagraph(s)	

Endnotes

Endnote 3—Legislation history

Endnote 3—Legislation history

Act	Number and year	Assent	Commencement	Application, saving and transitional provisions
Members of Parliament (Staff) Act 1984	64, 1984	25 June 1984	ss. 4–11, 31 and 33: 20 July 1984 (<i>Gazette</i> 1984, No. S276) ss. 12–30: 1 Sept 1984 (<i>Gazette</i> 1984, No. S343) s. 32: 1 July 1985 (<i>see Gazette</i> 1985, No. S221) Remainder: Royal Assent	
Public Service Reform Act 1984	63, 1984	25 June 1984	s. 144: Royal Assent (<i>a</i>) ss. 145–148: 1 Jan 1986 (<i>Gazette</i> 1985, No. S563) (<i>a</i>) s. 152 (3)–(5): 1 July 1985 (<i>Gazette</i> 1985, No. S221) (<i>a</i>)	s. 159(6)
as amended by Statute Law (Miscellaneous Provisions) Act (No. 2) 1984	165, 1984	25 Oct 1984	s. 3: (<i>b</i>)	ss. 2(32) and 6(1)
Statute Law (Miscellaneous Provisions) Act (No. 2) 1984	165, 1984	25 Oct 1984	s. 3: (<i>c</i>)	ss. 2(32) and 6(1)
Statute Law (Miscellaneous Provisions) Act (No. 2) 1985	193, 1985	16 Dec 1985	s. 3: Royal Assent (<i>d</i>)	ss. 11 and 16

Endnote 3—Legislation history

Act	Number and year	Assent	Commencement	Application, saving and transitional provisions
Public Service Legislation (Streamlining) Act 1986	153, 1986	18 Dec 1986	ss. 1–3, 103, 126, 130, 132 and 134: Royal Assent ss. 20, 22(2), 36, 38–41, 44, 45(1) and (3), 46, 102, 105, 110 and 112: 14 June 1987 (<i>Gazette</i> 1987, No. S125) ss. 43, 45(2), 70–76, 78, 87, 113, 115, 116, 122(2), 123, 125, 129 and 131: 20 July 1987 (<i>Gazette</i> 1987, No. S178) Remainder: 15 Jan 1987	—
Superannuation Legislation (Consequential Amendments and Transitional Provisions) Act 1992	94, 1992	30 June 1992	s. 3: 1 July 1990 Remainder: Royal Assent	s. 6
Public Employment (Consequential and Transitional) Amendment Act 1999	146, 1999	11 Nov 1999	Schedule 1 (items 587–605): 5 Dec 1999 (<i>Gazette</i> 1999, No. S584) (<i>e</i>)	—
as amended by Statute Law Revision Act 2002	63, 2002	3 July 2002	Schedule 2 (items 25, 26): 5 Dec 1999 (s 2(1) items 54, 55)	—
Statute Law Revision Act 2011	5, 2011	22 Mar 2011	Schedule 5 (items 123, 124): 19 Apr 2011	—
Public Governance, Performance and Accountability (Consequential and Transitional Provisions) Act 2014	62, 2014	30 June 2014	Sch 10 (item 7) and Sch 14 (items 1–4): 1 July 2014 (s 2(1) items 6, 14)	Sch 14 (items 1–4)

Endnotes

Endnote 3—Legislation history

Number and year	FRLI registration or gazettal	Commencement	Application, saving and transitional provisions
301, 1999	27 Mar 2006 (F2006C00143)	05 Dec 1999	—
as amended by			
332, 2000	1 Jan 2005 (F2000B00356)	r 1–3 and Sch 1: 5 Dec 1999 (p 2(a)) Sch 2: 23 Dec 1999 (p 2(b)) Sch 3: 13 March 2000 (p 2(c))	—

- (a) The *Members of Parliament (Staff) Act 1984* was amended by sections 144 to 148 and 152(3)–(5) only of the *Public Service Reform Act 1984*, subsections 2(1) and (4) of which provide as follows:
- (1) Sections 1, 2, 3, 4 and 7, subsections 29(1) and (3), sections 107 and 108, Parts III and IV and sections 125, 138, 142, 144 and 149 shall come into operation on the day on which this Act receives the Royal Assent.
- (4) The remaining provisions of this Act shall come into operation on such day as is, or on such respective days as are, fixed by Proclamation.
- (b) The *Public Service Reform Act 1984* was amended by section 3 only of the *Statute Law (Miscellaneous Provisions) Act (No. 2) 1984*, subsubsection 2(21)(a) of which provides as follows:
- (21) The amendments of the *Public Service Reform Act 1984* made by this Act shall:
- (a) in the case of the amendments of paragraph 5(5)(a), subsections 5(8), 11(1) and 12(1) and (4), paragraph 18(b), sections 19 and 21, paragraph 67(j), subsection 130(3), section 141 and subsections 151(5) and 152(2), (3), (4) and (5) of the first-mentioned Act—come into operation, or be deemed to have come into operation, as the case requires, on the commencement of, or on the respective days of commencement of, those provisions of that Act;.
- (c) The *Members of Parliament (Staff) Act 1984* was amended by section 3 only of the *Statute Law (Miscellaneous Provisions) Act (No. 2) 1984* subsection 2(12) of which provides as follows:
- (12) The amendment of the *Members of Parliament (Staff) Act 1984* made by this Act shall come into operation, or be deemed to have come into

Endnote 3—Legislation history

operation, as the case requires, on the commencement of section 32 of that Act.

The date fixed in pursuance of subsection (12) was 1 July 1985 (*see Gazette* 1985, No. S221).

- (d) The *Members of Parliament (Staff) Act 1984* was amended by section 3 only of the *Statute Law (Miscellaneous Provisions) Act (No. 2) 1985*, subsection 2(1) of which provides as follows:

(1) Subject to this section, this Act shall come into operation on the day on which it receives the Royal Assent.

- (e) The *Members of Parliament (Staff) Act 1984* was amended by Schedule 1 (items 587–605) only of the *Public Employment (Consequential and Transitional) Amendment Act 1999*, subsections 2(1) and (2) of which provide as follows:

(1) In this Act, **commencing time** means the time when the *Public Service Act 1999* commences.

(2) Subject to this section, this Act commences at the commencing time.

Endnotes

Endnote 4—Amendment history

Endnote 4—Amendment history

Provision affected	How affected
Pt I	
s 3	am No 63, 1984; No 153, 1986; No 94, 1992; No 146, 1999; Statutory Rules 1999 No 301 (as am. by Statutory Rules 2000 No 332); No 5, 2011; No 62, 2014
Pt II	
s 5	am No 146, 1999
s 8	am No 94, 1992; No 5, 2011
s 10	rep No 146, 1999
s 11	am No 63, 1984 (as am by No 165, 1984) rep No 146, 1999
Pt III	
s 14	am No. 146, 1999; Statutory Rules 1999 No 301 (as am by Statutory Rules 2000 No 332)
s 15	am No 94, 1992; No 5, 2011
s 16	am No 193, 1985
s 17	am No 63, 1984 rep No 146, 1999
s 18	am No 63, 1984 (as am by No 165, 1984) rep No 146, 1999
Pt IV	
s 21	am No 146, 1999; Statutory Rules 1999 No 301 (as am by Statutory Rules 2000 No 332)
s 22	am No 94, 1992; No 5, 2011
s 23	am No 193, 1985
s 24	am No 63, 1984 rep No 146, 1999
s 25	am No 63, 1984 (as am by No 165, 1984) rep No 146, 1999
Pt V	rep No 63, 1984
ss 26–30	rep No 63, 1984

Endnote 4—Amendment history

Provision affected	How affected
Pt VI	
s 32	rep No 165, 1984
	ad No 153, 1986

Endnotes

Endnote 5—Uncommenced amendments [none]

Endnote 5—Uncommenced amendments [none]

Endnote 6—Modifications [none]

Endnote 7—Misdescribed amendments [none]

Endnote 8—Miscellaneous [none]