



Public Service (Establishment of Independent Parliamentary Expenses Authority) Order 2017

I, General the Honourable Sir Peter Cosgrove AK MC (Ret'd), Governor-General of the Commonwealth of Australia, acting with the advice of the Federal Executive Council, make the following order.

Dated 9 February 2017

(signed Peter Cosgrove)

Peter Cosgrove
Governor-General

By His Excellency's Command

(signed Malcolm Turnbull)

Malcolm Turnbull
Prime Minister

Contents

1	Name.....	1
2	Commencement	1
3	Authority.....	1
4	Definitions	1
5	Benefits or expenses in connection with travel	3
6	Establishment etc. of the Independent Parliamentary Expenses Authority	3

1 Name

This instrument is the *Public Service (Establishment of Independent Parliamentary Expenses Authority) Order 2017*.

2 Commencement

- (1) Each provision of this instrument specified in column 1 of the table commences, or is taken to have commenced, in accordance with column 2 of the table. Any other statement in column 2 has effect according to its terms.

Commencement information		
Column 1	Column 2	Column 3
Provisions	Commencement	Date/Details
1. The whole of this instrument	3 April 2017.	3 April 2017

Note: This table relates only to the provisions of this instrument as originally made. It will not be amended to deal with any later amendments of this instrument.

- (2) Any information in column 3 of the table is not part of this instrument. Information may be inserted in this column, or information in it may be edited, in any published version of this instrument.

3 Authority

This instrument is made under section 65 of the *Public Service Act 1999*.

4 Definitions

In this instrument:

claim includes request.

designated parliamentary benefit means:

- (a) a benefit (within the meaning of the *Parliamentary Entitlements Act 1990*) that is not a benefit under the parliamentary injury compensation scheme; or
- (b) a benefit (however described) that:
 - (i) is determined by the Remuneration Tribunal under subsection 7(1) or (2) of the *Remuneration Tribunal Act 1973*; and
 - (ii) is not salary; or
- (c) a benefit (however described) that:
 - (i) is determined by the Remuneration Tribunal under subsection 7(4) of the *Remuneration Tribunal Act 1973* so far as that subsection relates to subsection 7(1) or (2) of that Act; and
 - (ii) is not salary; or
- (d) a benefit (however described) that:
 - (i) is in connection with travel by a Minister; and

- (ii) is authorised by the executive power of the Commonwealth; or
- (e) a benefit (however described) that:
 - (i) is in connection with travel by a former member of parliament; and
 - (ii) is authorised by or under a law of the Commonwealth; and
 - (iii) is not provided in accordance with the Act known as the *Members of Parliament (Life Gold Pass) Act 2002* or the *Parliamentary Retirement Travel Act 2002*.

incidentals includes the cost of transport.

member of parliament means:

- (a) a senator; or
- (b) a member of the House of Representatives.

MOPS staff member means a person employed under Part III or IV of the *Members of Parliament (Staff) Act 1984*.

MOPS travel allowance means an allowance payable to a MOPS staff member in connection with travel for official business.

MOPS travel expenditure matter means a matter of the following kind whether it occurs before, on or after 3 April 2017:

- (a) a matter relating to a MOPS travel expense;
- (b) a matter relating to a claim for a MOPS travel expense;
- (c) a matter relating to a MOPS travel allowance;
- (d) a matter relating to a claim for a MOPS travel allowance.

MOPS travel expense means an expense incurred in connection with travel by a MOPS staff member for official business.

MP work expense matter means a matter of the following kind whether it occurs before, on or after 3 April 2017:

- (a) a matter relating to a designated parliamentary benefit;
- (b) a matter relating to a claim for a designated parliamentary benefit.

MP work expenses law means:

- (a) the *Parliamentary Entitlements Act 1990*, or a legislative instrument under that Act; or
- (b) a determination of the Remuneration Tribunal under subsection 7(1) or (2) of the *Remuneration Tribunal Act 1973*, to the extent to which the determination relates to a benefit (however described) that is not salary; or
- (c) a determination of the Remuneration Tribunal under subsection 7(4) of the *Remuneration Tribunal Act 1973* so far as that subsection relates to subsection 7(1) or (2) of that Act, to the extent to which the determination relates to a benefit (however described) that is not salary; or
- (d) the *Remuneration Tribunal Act 1973*, to the extent to which that Act relates to a determination covered by paragraph (b) or (c) of this definition.

5 Benefits or expenses in connection with travel

- (1) For the purposes of this instrument, the following are examples of benefits or expenses in connection with travel:
 - (a) the cost of fares;
 - (b) the cost of the provision of charter services;
 - (c) the cost of accommodation;
 - (d) the cost of meals;
 - (e) the cost of incidentals.
- (2) For the purposes of this instrument, the following are examples of benefits or expenses in connection with travel overseas:
 - (a) the cost of vaccinations and medical supplies essential for travel overseas;
 - (b) the cost of medical services (including emergency dental services) and hospital services received in the period covered by the official itinerary if the cost is not covered by insurance.

6 Establishment etc. of the Independent Parliamentary Expenses Authority

- (1) The Independent Parliamentary Expenses Authority is established as an Executive Agency.
- (2) The name Independent Parliamentary Expenses Authority is allocated to the Executive Agency.
- (3) The name Chief Executive Officer of the Independent Parliamentary Expenses Authority is allocated to the Head of the Executive Agency.
- (4) The Minister (the ***responsible Minister***) responsible for administering the *Parliamentary Entitlements Act 1990* is responsible for the Executive Agency.
- (5) The functions of the Executive Agency are as follows:
 - (a) to give advice about such MP work expense matters as the responsible Minister specifies;
 - (b) to undertake the general administration of the following as required by the responsible Minister:
 - (i) an MP work expense matter;
 - (ii) an MP work expenses law;
 - (c) to monitor such MP work expense matters as the responsible Minister specifies;
 - (d) to prepare such reports about MP work expense matters as the Executive Agency considers appropriate or as the responsible Minister requires;
 - (e) to conduct, or arrange for the conduct of, such audits relating to MP work expense matters as the Executive Agency considers appropriate;
 - (f) to give advice about MOPS travel expenditure matters;
 - (g) to monitor MOPS travel expenditure matters;
 - (h) to prepare such reports about MOPS travel expenditure matters as the Executive Agency considers appropriate or as the responsible Minister requires;

