

EXPLANATORY STATEMENT

Issued by the authority of the Prime Minister

Parliamentary Business Resources Act 2017

*Parliamentary Business Resources (Former Prime Ministers)
Amendment Determination 2018*

The *Parliamentary Business Resources Act 2017* (the Act) and the *Parliamentary Business Resources Regulations 2017* (the Regulations) establish a framework for providing resources to parliamentarians in respect of their parliamentary business. Certain provisions of the Act and Regulations apply to the provision of resources to former Prime Ministers.

The *Parliamentary Business Resources (Former Prime Ministers) Amendment Determination 2018* (amendment determination) is made under section 16 of the Act. Section 16 of the Act enables the current Prime Minister to determine, in writing, that former Prime Ministers are to be provided with any goods, services, premises, equipment or any other facility from time to time. The Prime Minister may impose one or more limits or other conditions on the resources provided to a particular former Prime Minister, a class or former Prime Ministers generally.

The amendment determination amends the *Parliamentary Business Resources (Former Prime Ministers) Determination 2017* to include a Schedule to support the provision of goods, services, premises, equipment or any other facility from time to time for the former Prime Minister, the Hon Malcolm Bligh Turnbull. The resources provided under this amendment determination are in addition to the entitlements and resources provided to the former Prime Minister under other enactments, such as the *Parliamentary Retirement Travel Act 2002*, the *Parliamentary Contributory Superannuation Act 1948* or the *Parliamentary Superannuation Act 2004*.

Details of the amendment determination are set out in [Attachment A](#).

The Act specifies no conditions that need to be satisfied before the power to make the amendment determination may be exercised. The Prime Minister consulted with the former Prime Minister prior to finalising the amendment determination. Resources provided to former Prime Ministers are entirely at the discretion of the Prime Minister.

The amendment determination is a legislative instrument for the purposes of the *Legislation Act 2003* (Legislation Act). However, subsection 16(3) of the Act provides that this determination is not subject to disallowance under section 42 of the Legislation Act.

The amendment determination commences the day after it is registered.

Details of the *Parliamentary Business Resources (Former Prime Minister) Amendment Determination 2018*

Section 1 – Name

This section provides that the name of the instrument is the *Parliamentary Business Resources (Former Prime Ministers) Amendment Determination 2018*.

Section 2 – Commencement

This section provides that the instrument commences on the day after registration.

Section 3 – Authority

This section provides that the making of the instrument is authorised by section 16 of the *Parliamentary Business Resources Act 2017*.

Section 4 – Schedule

Section 4 provides that the instrument set out in the Schedule is amended in accordance with the Schedule.

Schedule 1—Amendments

Schedule 1 provides that the *Parliamentary Business Resources (Former Prime Ministers) Determination 2017* be amended.

Item 1 of the instrument adds paragraph 5(1)(g) to the *Parliamentary Business Resources (Former Prime Ministers) Determination 2017* to provide for resources to be provided to the Hon Malcolm Bligh Turnbull, subject to any condition, as specified in the new Schedule ‘Schedule—The Hon Malcolm Bligh Turnbull’.

Schedule—The Hon Malcolm Bligh Turnbull

This Schedule specifies the resources, subject to any condition, to be provided to the Hon Malcolm Bligh Turnbull as a former Prime Minister.