



Commonwealth Electoral Officers (Allowances) Regulations 2000

Statutory Rules 2000 No. 28 as amended

made under the

Commonwealth Electoral Act 1918

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Regulation 1.1

Part 1 Preliminary

1.1 Name of Regulations [see Note 1]

These Regulations are the *Commonwealth Electoral Officers (Allowances) Regulations 2000*.

1.2 Commencement

These Regulations commence on gazettal.

1.3 Electoral Officers (Remuneration and Allowances) Regulations — repeal

Statutory Rules 1984 No. 16 is repealed.

1.4 Definitions

In these Regulations:

Act means the *Commonwealth Electoral Act 1918*.

AEC means the Australian Electoral Commission established by section 6 of the Act.

AEC Agreement means the AEC Agreement 1998-2000 certified under Division 4 of Part VIB of the *Workplace Relations Act 1996* on 12 November 1998.

Commissioner means the Electoral Commissioner.

temporary accommodation allowance means the same temporary accommodation allowance as is payable to an Executive Level employee of the Australian Electoral Commission.

Part 2 Electoral Commissioner — prescribed allowances

2.1 Application and purpose of Part 2

For the purposes of subsection 22 (2) of the Act, the allowances set out in this Part are prescribed for the Electoral Commissioner.

2.2 Relocation allowances

- (1) If the Commissioner is required to move from his or her home location to a new location to take up the appointment as Commissioner, the Commissioner is entitled to the relocation allowances set out in this regulation.
- (2) The Commissioner is entitled to reimbursement of:
 - (a) reasonable transport and removal costs associated with moving the Commissioner and his or her family and household goods to the new location; and
 - (b) either:
 - (i) reasonable transport and removal costs associated with returning the Commissioner and his or her family and household goods to the home location at the end of the appointment period; or
 - (ii) if the Commissioner is moving to another location at the end of the appointment period, reasonable transport and removal costs associated with moving the Commissioner and his or her family and household goods to the other location (not exceeding the amount to which the Commissioner would be entitled if he or she were returning to the home location).
- (3) The Commissioner is entitled to reimbursement of reasonable costs associated with 1 pre-transfer visit by the Commissioner to look for suitable long-term accommodation at the new location.

Regulation 2.2

- (4) The Commissioner is entitled to reimbursement of reasonable temporary accommodation costs at the new location.
- (5) The Commissioner is entitled to reimbursement of reasonable costs associated with the sale and purchase of a home at both the commencement and the completion of the appointment period.
- (6) If the period of appointment is 12 months or more, and the Commissioner's household goods are moved to the new location, the Commissioner is entitled to a disturbance allowance of \$1,800.
- (7) The Commissioner is entitled to reimbursement, up to \$140.00, of the cost of moving pets to the new location.
- (8) If the Commissioner had a telephone connected in his or her name at the home location, the Commissioner is entitled to reimbursement of the cost of connecting 1 telephone in his or her name at the new location.
- (9) If a motor vehicle or motor cycle owned by the Commissioner is moved to the new location, the Commissioner is entitled to reimbursement of:
 - (a) the costs, for 1 motor vehicle or motor cycle only, incurred by the Commissioner for:
 - (i) stamp duty on registering the motor vehicle or motor cycle in the new location; and
 - (ii) the establishment fee for the transfer of the registration of the motor vehicle or motor cycle; and
 - (b) the establishment fee for the transfer of the Commissioner's driving licence.
- (10) The Commissioner is entitled to reimbursement of reasonable costs incurred in avoiding serious disruption to the final 2 years of secondary education of the Commissioner's dependent children.
- (11) If the Commissioner has any dependants who do not move with the Commissioner to the new location, the Commissioner may choose 1 of the following entitlements:

Regulation 2.5

- (a) 12 economy class return airfares a year for the purposes of reunion travel;
 - (b) travel to the value of \$6,600 a year for the purposes of reunion travel.
- (12) An entitlement under subregulation (11) is for 3 years from the commencement of the appointment or for the period served by the Commissioner, whichever is less.
- (13) In subregulation (11):
reunion travel means:
 - (a) travel by the Commissioner to visit any of his or her dependants not living at the new location; or
 - (b) travel by any of the dependants to visit the Commissioner.

2.3 Motor vehicle allowance

The Commissioner is entitled to the same motor vehicle allowance as applies to an employee of the Australian Electoral Commission under clause 35.6 of the AEC Agreement.

2.4 Dependant care

- (1) The Commissioner is entitled to reimbursement of reasonable costs associated with dependant care while the Commissioner is required to travel on official business.
- (2) The entitlement is in accordance with the guidelines issued by the AEC in March 2000.

2.5 Telephone

- (1) The Commissioner is entitled to reimbursement of the cost of work-related telephone calls made from the Commissioner's private fixed-line telephone service.
- (2) The Commissioner must present an itemised account to verify a claim for reimbursement under subregulation (1).

Regulation 2.6

2.6 Study assistance

The Commissioner is entitled to study assistance in accordance with the Studybank guidelines issued by the AEC in July 1997.

Regulation 3.2

Part 3 Deputy Electoral Commissioner — prescribed allowances

3.1 Application and purpose of Part 3

- (1) For the purposes of subsection 22 (2) of the Act, the allowances set out in this Part are prescribed for a person (the *appointee*) appointed as the Deputy Electoral Commissioner.
- (2) In this Part:
family member, in relation to an appointee, means:
 - (a) a child or adopted child of the appointee; or
 - (b) a child or adopted child of a person who is in a bona fide domestic relationship with the appointee; or
 - (c) a person (other than a child mentioned in paragraph (a) or (b)) who:
 - (i) is related by blood or marriage to the appointee; and
 - (ii) has a strong affinity with the appointee; and
 - (iii) is in a bona fide domestic relationship with the appointee.

3.2 Relocation allowances

- (1) If the appointee is required to move from 1 location (the *previous location*) to another (the *appointment location*) in order to take up the appointment, the appointee is entitled to the relocation allowances set out in this regulation.
- (2) The appointee is entitled to:
 - (a) payment for or reimbursement of reasonable transport and household goods removal costs at the start and the completion of the appointment period; and
 - (b) an allowance to subsidise reasonable temporary accommodation costs at the appointment location; and
 - (c) if the period of appointment is 12 months or more, and results in the removal of the appointee's household goods

Regulation 3.2

- to the appointment location, a one-off (taxable) disturbance allowance of \$1 829; and
- (d) reimbursement of reasonable costs incurred in avoiding serious disruption to the final 2 years of secondary education of the appointee's children; and
 - (e) reimbursement of reasonable costs associated with the sale and purchase of a home:
 - (i) within 12 months of the start of the appointment period; and
 - (ii) within 12 months of the completion of the appointment period; and
 - (f) if a telephone service was held in the appointee's name at the previous location, reimbursement of the cost of reconnecting 1 telephone at the appointment location; and
 - (g) reimbursement of fees for the transfer to the appointment location of the registration of 1 motor vehicle or motorcycle of the appointee; and
 - (h) reimbursement, up to \$139, of the cost of moving pets to the appointment location; and
 - (i) if it can be shown that a pre-transfer visit will facilitate the acquisition of accommodation suitable for the appointee's long-term needs at the appointment location, reimbursement of the cost of 1 such visit.
- (3) If the appointee chooses not to relocate dependants to the appointment location, the appointee is entitled to:
- (a) 12 return economy airfares each year to the appointee's previous location for the purposes of reunion travel; or
 - (b) air travel up to \$6 600 a year for reunion travel.
- (4) An entitlement under subregulation (3) is for 3 years from the day when the appointee starts his or her duty.
- (5) In this regulation **reunion travel** means:
- (a) travel by the appointee to visit a family member not living at the appointment location; or
 - (b) travel by a family member to visit the appointee; that is approved by the Commissioner.

Regulation 3.4

3.3 Family care

- (1) The appointee is entitled to reimbursement of costs associated with additional family care arrangements if the appointee is required by the AEC to be away from home outside normal working hours.
- (2) An entitlement under subregulation (1) must be in accordance with AEC guidelines.

3.4 Certain travel costs of family member

The appointee is entitled to reimbursement of reasonable costs of a family member if the following circumstances apply:

- (a) the appointee becomes critically or dangerously ill while travelling on official business and is unable to return to the appointment location;
- (b) a family member travels to visit the appointee while the appointee is critically or dangerously ill;
- (c) a request for reimbursement of the travel costs of the family member is made to the AEC;
- (d) satisfactory medical evidence of the condition of the appointee is given to the AEC.

Regulation 4.1

Part 4 Australian Electoral Officers for the Northern Territory and Tasmania — prescribed allowances

4.1 Application and purpose of Part 4

For the purposes of subsection 22 (2) of the Act, the allowances set out in this Part are prescribed for a person (an *appointee*) appointed as Australian Electoral Officer for the Northern Territory or Tasmania.

4.2 Certain allowances in AEC Agreement

An appointee is entitled to the allowances applying to an Executive Level employee of the Australian Electoral Commission under the following provisions of the AEC Agreement:

- (a) clause 18.4 (dependant care while travelling);
- (b) clause 35.3 (higher duties allowance);
- (c) clause 35.6 (motor vehicle allowance);
- (d) clause 35.9 (reimbursement of fares);
- (e) clause 35.11 (temporary relocation assistance);
- (f) subclauses 35.12 (iii), (iv), (vi), (vii) and (viii) (relocation assistance).

4.3 Additional relocation allowances

- (1) If an appointee is required to move from the appointee's home location to a new location to take up an appointment as Australian Electoral Officer for the Northern Territory or Tasmania, the appointee is entitled to the additional relocation allowances set out in this regulation.

Regulation 4.3

- (2) The appointee is entitled to reimbursement of:
 - (a) reasonable transport and removal costs associated with moving the appointee and his or her family and household goods to the new location; and
 - (b) either:
 - (i) reasonable transport and removal costs associated with returning the appointee and his or her family and household goods to the home location at the end of the appointment period; or
 - (ii) if the appointee is moving to another location at the end of the appointment period, reasonable transport and removal costs associated with moving the appointee and his or her family and household goods to the other location (not exceeding the amount to which the appointee would be entitled if he or she were returning to the home location).
- (3) The appointee is entitled to reimbursement of reasonable costs associated with:
 - (a) selling the appointee's home at the home location, and buying a home at the new location, within 12 months after the commencement of the appointment period; and
 - (b) selling the appointee's home at the new location, and buying a home at the home location or at another location to which the appointee is moving, within 12 months after the end of the appointment period.
- (4) The appointee is entitled to temporary accommodation allowance for the lesser of:
 - (a) the period between the commencement of the appointment period and the buying of a home at the new location; and
 - (b) 3 years.
- (5) If the appointee has any dependants who do not move with the appointee to the new location, the appointee may choose 1 of the following entitlements:
 - (a) 6 economy class return airfares a year for the purposes of reunion travel;

Regulation 4.3

- (b) travel to the value of \$3,300 a year for the purposes of reunion travel.
- (6) An entitlement under subregulation (5) is for 3 years from the commencement of the appointment or for the period served by the appointee, whichever is less.
- (7) In subregulation (5):
reunion travel means:
 - (a) travel by the appointee to visit any of his or her dependants not living at the new location; or
 - (b) travel by any of the dependants to visit the appointee;that is approved by the Electoral Commissioner as reunion travel.

Part 5 Australian Electoral Officer for South Australia — prescribed allowances

5.1 Application and purpose

For the purposes of subsection 22 (2) of the Act, the allowances set out in this Part are prescribed for a person (the *appointee*) appointed as the Australian Electoral Officer for South Australia.

5.2 Relocation allowances

- (1) If the appointee is required to move from 1 location (the *previous location*) to another (the *appointment location*) in order to take up the appointment, the appointee is entitled to the relocation allowances set out in this regulation.
- (2) The appointee is entitled to:
 - (a) payment or reimbursement of reasonable transport and household goods removal costs at the start and completion of the appointment period; and
 - (b) an allowance to subsidise reasonable temporary accommodation costs at the appointment location; and
 - (c) if the period of appointment is 12 months or more and results in the removal of the appointee's household goods to the appointment location, a one-off (taxable) disturbance allowance of \$1 829; and
 - (d) reimbursement of reasonable costs incurred in avoiding serious disruption to the final 2 years of secondary education of the appointee's children; and
 - (e) reimbursement of reasonable costs associated with the sale and purchase of a home:
 - (i) within 12 months of the start of the appointment period; and
 - (ii) within 12 months of the completion of the appointment period; and

Regulation 5.3

- (f) if a telephone service was held in the appointee's name at the previous location, reimbursement of the cost of reconnecting 1 telephone at the appointment location; and
 - (g) reimbursement of fees for the transfer to the appointment location of the registration of 1 motor vehicle or motor cycle of the appointee; and
 - (h) reimbursement, up to \$139.00, of the cost of moving pets to the appointment location; and
 - (i) if it can be shown that a pre-transfer visit will facilitate the acquisition of accommodation suitable for the appointee's long-term needs at the appointment location, reimbursement of the cost of 1 such visit.
- (3) If the appointee chooses not to relocate dependants to the appointment location, the appointee is entitled to:
- (a) 12 return economy airfares each year to the appointee's previous location for the purposes of reunion travel; or
 - (b) air travel up to \$6 600 a year for reunion travel.
- (4) An entitlement under subregulation (3) is for 3 years from the day when the appointee starts his or her duty.
- (5) In this regulation:
- reunion travel*** means:
- (a) travel by the appointee to visit any of his or her dependants not living at the appointment location; or
 - (b) travel by any of the dependants to visit the appointee;
- that is approved by the Electoral Commissioner as reunion travel.

5.3 Family care

- (1) The appointee is entitled to reimbursement of costs associated with additional family care arrangements if the appointee is required by the AEC to be away from home outside normal working hours.
- (2) An entitlement under subregulation (1) must be in accordance with AEC guidelines.

Regulation 5.4**5.4 Certain travel costs of family member**

- (1) The appointee is entitled to reimbursement of reasonable travel costs of a family member if:
 - (a) the appointee becomes critically or dangerously ill while travelling on official business and is unable to return to the appointment location; and
 - (b) a family member travels to visit the appointee while the appointee is critically or dangerously ill; and
 - (c) a request for reimbursement of the travel costs of the family member is made to the AEC; and
 - (d) satisfactory medical evidence of the condition of the appointee is given to the AEC.
- (2) In this regulation:

family member, in relation to an appointee, means:

 - (a) a child or adopted child of the appointee; or
 - (b) a child or adopted child of a person who is in a bona fide domestic relationship with the appointee; or
 - (c) a person (other than a child mentioned in paragraph (a) or (b)) who:
 - (i) is related by blood or marriage to the appointee; and
 - (ii) has a strong affinity with the appointee; and
 - (iii) is in a bona fide domestic relationship with the appointee.

Table of Statutory Rules

Notes to the *Commonwealth Electoral Officers (Allowances) Regulations 2000*

Note 1

The *Commonwealth Electoral Officers (Allowances) Regulations 2000* (in force under the *Commonwealth Electoral Act 1918*) as shown in this compilation comprise Statutory Rules 2000 No. 28 amended as indicated in the Tables below.

Table of Statutory Rules

Year and number	Date of notification in <i>Gazette</i>	Date of commencement	Application, saving or transitional provisions
2000 No. 28	23 Mar 2000	23 Mar 2000	
2000 No. 354	20 Dec 2000	8 Jan 2001	—
2001 No. 58	5 Apr 2001	5 Apr 2001	—

Table of Amendments**Table of Amendments**

ad. = added or inserted am. = amended rep. = repealed rs. = repealed and substituted

Provision affected	How affected
Part 3..... (rr. 3.1–3.4)	ad. 2001 No. 58
Rr. 3.1–3.4.....	ad. 2001 No. 58
Part 5..... (rr. 5.1–5.4)	ad. 2000 No. 354
Rr. 5.1–5.4.....	ad. 2000 No. 354

