**EXPLANATORY STATEMENT**

Issued by the authority of the Minister for Finance

*Parliamentary Entitlements Amendment (Injury Compensation Scheme) Act 2016*

*Parliamentary Entitlements Amendment (Injury Compensation Scheme) Commencement Proclamation 2016*

Item 2 of the table in subsection 2(1) of the *Parliamentary Entitlements Amendment (Injury Compensation Scheme) Act 2016* provides for Schedules 1 and 2 to the Act to commence on a day to be fixed by proclamation or six months following the date the Act received Royal Assent.

The Act received the Royal Assent on 8 March 2016. This Proclamation fixes 9 May 2016 as the day on which Schedules 1 and 2 to the Act commence.

The *Parliamentary Entitlements Amendment (Injury Compensation Scheme) Act 2016* amends the *Parliamentary Entitlements Act 1990* (PE Act) to provide the Minister with the power to formulate an injury compensation scheme for parliamentarians and the spouse of the Prime Minister through a legislative instrument. The Minister may also provide for work health or safety equipment, services and facilities in the instrument.

Schedule 1 to the Act provides the framework for the main amendments to be made to the PE Act including consequential amendments to the *Safety, Rehabilitation and Compensation Act 1988* to allow Comcare to administer the injury compensation scheme.

Schedule 2 to the Act makes a consequential amendment to the *Age Discrimination Act 2004* (ADA) by including reference to the injury compensation scheme, as established under the PE Act, in Schedule 1 of the ADA.

The Act specifies no conditions that need to be satisfied before the Proclamation is made. Since the Proclamation provides solely for the commencement of legislative provisions, it is not a legislative instrument for the purposes of the *Legislation Act 2003* and is not subject to disallowance or sunsetting*.* As this instrument is not a disallowable instrument, a statement of compatibility is not required as per the *Human Rights (parliamentary Scrutiny) Act 2011*; rather a statement of compatibility was prepared for the Act.

Consultation in keeping with section 17 of the *Legislation Act 2003* is also not required as this instrument is not a legislative instrument.

The Proclamation is a notifiable instrument for the purposes of section 11 of the *Legislation Act 2003.*