



## Parliamentary Business Resources (Minister for Finance) Delegation (No. 1) 2021

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I, Simon Birmingham, Minister for Finance, acting under subsection 60(1) of the *Parliamentary Business Resources Act 2017*:

- (a) revoke the *Parliamentary Business Resources (Minister for Finance) Delegation (No. 1) 2019*; and
- (b) delegate the powers, functions and duties specified in Schedule 1 to each person occupying, or performing the duties of, the positions, or classes of positions, specified in that schedule.

Dated 14 February 2021

Simon Birmingham  
Minister for Finance

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# Schedule 1—Delegations

## 1 Definitions

In this schedule:

**Act** means the *Parliamentary Business Resources Act 2017*.

**ICT equipment and facilities** means any of the following:

- (a) desktop computers and peripherals;
- (b) portable computers (including laptops, tablets, and hybrids) and peripherals;
- (c) software, other than constituent relationship management software for a member of the Government or Opposition;
- (d) printers (including label printers and copy printers);
- (e) scanners;
- (f) multi-function devices;
- (g) physical and digital remote access tokens for members and staff members; and
- (h) mobile telephones (including satellite telephones) and peripherals, mobile broadband devices, and mobile telephone and mobile broadband plans.

**President** means the President of the Senate.

**power**, when used in relation to a provision of the Act or Regulations, means the powers, functions or duties of the Minister under that provision, as the case may be.

**Regulations** means the *Parliamentary Business Resources Regulations 2017*.

**SES employee** has the meaning given by the *Public Service Act 1999*.

**Speaker** means the Speaker of the House of Representatives.

Note: A number of expressions used in this instrument are defined in section 5 of the Act, or section 4 of the Regulations, including the following:

- (a) election period;
- (b) member;
- (c) parliamentary business;
- (d) public resources; and
- (e) staff member.

## **2 Delegations to Department of Finance officials – determinations to provide resources for offices prescribed in section 74 of the Regulations**

- (1) The power under subsection 33(1) of the Act to make determinations in respect of the public resources prescribed in section 74 of the Regulations is delegated to the following positions:

- (a) Deputy Secretary, Business Enabling Services, Department of Finance; and
- (b) SES employee, Ministerial and Parliamentary Services, Department of Finance.

Note: The public resources prescribed in section 74 of the Regulations are the public resources reasonably required for the conduct of a member's parliamentary business in offices provided to a member by the Commonwealth (see subsection 74(1)).

A determination may also provide for the use of the public resources in another place for the purposes of conducting the member's parliamentary business (see subsection 74(4)).

### *Directions*

- (2) In exercising the power delegated under subitem (1), for the purposes of subsection 60(5) of the Act the delegates are directed as follows:
- (a) the delegates are limited to determining public resources for an office, other than ICT equipment and facilities, and associated training and support; and
  - (b) resources determined must not exceed \$50,000 (exclusive of GST).

## **3 Delegation to the President of the Senate – determinations to provide resources for offices prescribed in section 74 of the Regulations**

- (1) The power under subsection 33(1) of the Act to make determinations in respect of the public resources prescribed in section 74 of the Regulations is delegated to the President.

Note: The public resources prescribed in section 74 of the Regulations are the public resources reasonably required for the conduct of a member's parliamentary business in offices provided to a member by the Commonwealth (see subsection 74(1)).

A determination may also provide for the use of the public resources in another place for the purposes of conducting the member's parliamentary business (see subsection 74(4)).

### *Directions*

- (2) In exercising the power delegated under subitem (1), for the purposes of subsection 60(5) of the Act the President is directed as follows:
- (a) the President must only exercise the power in respect of Senators;

- (b) the President is limited to determining the following public resources:
  - (i) ICT equipment and facilities; and
  - (ii) training and support for Senators and staff members relating to ICT equipment and facilities provided in accordance with a determination of the kind delegated in this instrument; and
- (c) the President may only exercise the power where the President:
  - (i) has consulted with the Speaker; and
  - (ii) is satisfied that any public resources determined in the exercise of the delegated power are of a similar nature and value to those provided, or proposed to be provided, to members of the House of Representatives in accordance with a determination made under subsection 33(1) of the Act (whether by the Minister, or the Speaker as the Minister's delegate, as the case may be).

#### **4 Delegation to the Speaker of the House of Representatives – determination to provide resources for offices prescribed in section 74 of the Regulations**

- (1) The power under subsection 33(1) of the Act to make determinations in respect of the public resources prescribed in section 74 of the Regulations is delegated to the Speaker.

Note: The public resources prescribed in section 74 are the public resources reasonably required for the conduct of a member's parliamentary business in offices provided to a member by the Commonwealth (see subsection 74(1)).

A determination may also provide for the use of the public resources in another place for the purposes of conducting the member's parliamentary business (see subsection 74(4)).

#### *Directions*

- (2) In exercising the power delegated under subitem (1), for the purposes of subsection 60(5) of the Act the Speaker is directed as follows:
  - (a) the Speaker must only exercise the power in respect of members of the House of Representatives;
  - (b) the Speaker is limited to determining the following public resources:
    - (i) ICT equipment and facilities; and
    - (ii) Training and support for members of the House of Representatives and staff members relating to ICT equipment and facilities provided in accordance with a determination of the kind delegated in this instrument; and

- (c) the Speaker may only exercise the power where the Speaker:
- (i) has consulted with the President; and
  - (ii) is satisfied that any public resources determined in the exercise of the delegated power are of a similar nature and value to those provided, or proposed to be provided, to Senators in accordance with a determination made under subsection 33(1) of the Act (whether by the Minister, or the President as the Minister's delegate, as the case may be).

**5 Delegation to the Speaker of the House of Representatives – determination to provide resources during election periods prescribed in section 75 of the Regulations**

- (1) The power under subsection 33(1) of the Act to make determinations in respect of the public resources prescribed in section 75 of the Regulations is delegated to the Speaker.

Note: The public resources prescribed in section 75 are the facilities and equipment reasonably required for conducting the parliamentary business of the Leader of the Opposition in the House of Representatives during an election period (including for a half-Senate election) (see subsection 75(1)).

*Directions*

- (2) In exercising the power delegated under subitem (1), for the purposes of subsection 60(5) of the Act the Speaker is directed as follows:
- (a) the Speaker is limited to determining public resources that are ICT equipment and facilities, and support and training services for the equipment and facilities.