

**Senate Finance and Public Administration Legislation Committee**  
**ANSWERS TO QUESTIONS ON NOTICE**  
Additional Estimates 2016 - 2017

Prime Minister and Cabinet Portfolio

**Department/Agency:** Department of the Prime Minister and Cabinet  
**Outcome/Program:** Outcome 1: Prime Minister and Cabinet  
**Topic:** MOP(S) Act Staff

**Senator:** Kitching, Kimberley

**Question reference number:** 28

**Type of question:** FPA Monday 27 February 2017, pages 74, 75 & 105

**Date set by the committee for the return of answer:** 13 April 2017

**Number of pages:** 2

**Question:**

Ms E Kelly: Sorry, Senator Kitching: apparently we do pay them. I did not realise that. Even though they are under the MOP(S) Act, we do pay them, but we might need to take your question on notice.

Senator KITCHING: Yes, could you take that on notice—would you expect a reduction on contract for Sunday events or for functions? And if on awards, have any projections or modellings been made to see how much money the waiters will lose for hosting events on weekends at The Lodge? For example, at the event where Julie Bishop had her birthday cake on the Sunday evening in July 2016, how much would a worker who handed her a slice of cake lose under the recent Fair Work Commission decision?

Ms E Kelly: Senator Kitching, you are much more expert at these matters than I, but I think it is an enterprise agreement rather than an award that is the basis for these staff. But we will confirm that and come back to you.

Senator KITCHING: Thank you. I am sure you understand the import of my question.

Ms E Kelly: Yes, we understand.

...

Ms E Kelly: I apologise, it is the second time that I have corrected it, but over the dinner break we did further work in relation to the way in which wait staff are engaged for the Lodge and Kirribilli. We believe that it is under a determination for each staff member under the MOP(S) Act but we link it in ways to our enterprise agreement. They are not strictly employed under an award or an enterprise agreement; they are employed under a determination. I will get you a full written response, setting out the detail of that, Senator Kitching.

**Answer:**

The Lodge and Kirribilli House staff are employed under Part III of the *Members of Parliament (Staff) Act 1984* as a member of the Prime Minister's household staff. Terms and conditions of employment are specified in a Determination of Terms and Conditions of Employment. As household staff do not come under the awards looked into by the Fair Work Commission, they are unaffected.