

**Senate Finance and Public Administration Legislation Committee**

**ANSWER TO QUESTION ON NOTICE**

**Finance and Administration Portfolio**

**Department of Finance and Administration**

Budget Estimates Hearing – May 2006

**Question: F25**

**Outcome 3, Output 3.1**

**Topic: Office Holders and additional entitlements**

**Hansard Page: F&PA10**

**Senator Macdonald asked:**

Just for the purposes of the parliamentary entitlements that you would administer, could someone give me a definition of what are office holders and those who would, by whatever description, get entitlements beyond senators and members would get?

**Answer:**

1. Definitions of Office Holders

A. From the *Parliamentary Entitlements Act 1990*

(a) Senior Officer

A Minister, an Opposition Office-holder or a Presiding Officer.

(b) Opposition Office Holder

(i) The Leader or Deputy Leader of the Opposition in the House of Representatives; or

(ii) The Leader or Deputy Leader of the Opposition in the Senate.

(c) Presiding Officer

The President of the Senate or the Speaker of the House of Representatives.

(d) Leader of a Minority Party

The leader of a recognised non-Government party of at least five (5) members, but does not include an Opposition Office Holder. Deputy leader of a minority party has a corresponding meaning.

**Senate Finance and Public Administration Legislation Committee**

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Budget Estimates Hearing – May 2006

(e) Parliamentary office-holder

A person holding a particular office, or performing particular functions, in or in relation to the Parliament or either House of the Parliament.

B. From Remuneration Tribunal Determination 2005/08

(a) Specified Office Holders for the purposes of Travel Allowance Rates under Part 1 of the Determination are:

the Deputy Prime Minister, Treasurer, Leader of the House, Leader of the Government in the Senate, Other Ministers, Parliamentary Secretaries, Leader of the Opposition, President of the Senate, Speaker of the House of Representatives, Deputy Leader of the Opposition, Leader of the Opposition in the Senate, Deputy Leader of the Opposition in the Senate, Chairman of Committees in the Senate, Deputy Speaker in the House of Representatives, Leader of a recognised non-Government party of at least 5 members not otherwise specified herein [Clause 1.3].

(b) For the purposes of Part 2 of the Determination – Conditions of Payment– Office holder means:

the President of the Senate, the Speaker of the House of Representatives, the Leader and the Deputy Leader of the Opposition, the Leader and the Deputy Leader of the Opposition in the Senate, the Deputy President and Chairman of Committees in the Senate, the Deputy Speaker in the House of Representatives and the Leader of a recognised party of at least five members in the Parliament.

2. Other Senators and Members who receive additional entitlements

The Office Holders listed above and the following Senators and Members receive entitlements in addition to those provided to all Senators and Members:

- (a) the Prime Minister;
- (b) the Deputy Prime Minister when acting Prime Minister;
- (c) a Parliamentary Secretary;
- (d) a Parliamentary Secretary who is Manager of Government Business in the Senate;

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**Finance and Administration Portfolio**

**Department of Finance and Administration**

Budget Estimates Hearing – May 2006

- (e) Shadow Ministers;
- (f) Shadow Ministers who are Senators;
- (g) Shadow Parliamentary Secretaries who are Senators;
- (h) the Shadow Minister with responsibility for the external territories;
- (i) the Deputy Leader of a minority party (of at least five members in the Parliament);
- (j) the leader or deputy leader of a minority party (of at least five members in the Parliament) who is a Senator;
- (k) the Leader of the Nationals in the Senate;
- (l) the Leader of the Third Party in the House of Representatives;
- (m) the Second Deputy Speaker in the House of Representatives;
- (n) a temporary Deputy President / Chair of Committees in the Senate;
- (o) a Member of the Speaker's Panel in the House of Representatives;
- (p) the Chief Whips of all parties in either the Senate or the House of Representatives;
- (q) a Government or Opposition Whip in the Senate or House of Representatives;
- (r) the Whip of the second Government party in the Senate;
- (s) the Whip in the Senate of a recognised party of at least 5 members;
- (t) any Whip in the Senate;
- (u) Deputy Government or Opposition Whip in the Senate;
- (v) Deputy Opposition Whip in the House of Representatives;
- (w) Deputy Third Party Whip in the House of Representatives;
- (x) Independent Senators and Members in respect of whom the Prime Minister has made a Determination in relation to their personal staff;
- (y) the chair of a parliamentary committee;

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Budget Estimates Hearing – May 2006

- (z) a Senator or Member who, with the approval of the Prime Minister, is representing a Minister or the Government overseas; and
- (aa) a Senator or Member who, with the approval of the Prime Minister, is representing Australia overseas.