



23 December 2020

Mr Warren McCann
Chair
Victorian Independent Remuneration Tribunal
Suite 1, Ground Floor
1 Treasury Place
Melbourne VIC 3000
By email: enquiries@remunerationtribunal.vic.gov.au

Dear Mr McCann

Review of the Tribunal's Members of Parliament Guidelines Consultation Paper November 2020

Thank you for the opportunity to provide a submission on the Tribunal's Consultation Paper. As Relevant Officers for work-related parliamentary allowances, we provide the following input on the Tribunal's proposed changes to these allowances.

Funding for committee business (*Consultation Paper, page 6*)

The Tribunal proposes to add a statement in the guidelines they do not preclude the Parliament from making parliamentary budgets available for committee expenses. The Tribunal proposes to add this to three sections: Part F — Travel allowance, Part G — Commercial transport allowance and Part H — International travel allowance.

We note the proposed change would introduce the option for members to be paid for travel expenses outside of the allowances regime. The principles underlining the MP Guidelines stated on page 7 of the Consultation Paper include that:

- A Member must be prepared for their claims to be made publicly available
- A Member must be able to publicly justify their use of public resources.

It is possible that introducing the option for members to be paid travel expenses outside of the allowances regime may be contrary to these principles. There is no mechanism for members' expenses paid through committee budgets to be made public, and the public reporting required under the VIRTIPS Act will not disclose these additional payments.

Currently the number of claims a member can make under the travel allowance is not capped. Instead there is a daily limit for each overnight stay. Prior to the introduction of the VIRTIPS regime, we did not make committee funding available for intrastate or interstate overnight stays by committee members as their accommodation and other expenses were sufficiently covered by the travel allowance. Similarly, although the commercial transport allowance has a yearly cap based on the size of a member's electorate, the amount available is generally sufficient for committee members to claim for any intrastate or interstate flights for committee purposes.

If the Tribunal proceeds with including a statement that parliamentary budgets can be available for committee expenses in Parts F and G, it is unlikely we would make funding available as we believe these expenses are better met by members claiming allowances, which are then publicly reported. It may also create an expectation by members that we would regularly fund their intrastate and interstate committee travel from parliamentary budgets. Given the level of funding currently allocated to the House departments, attempting to meet that expectation could result in budget shortfalls for the Houses' other activities.

By contrast, the Parliament previously made funding available through committee budgets for committees to undertake international study tours. This was generally limited to one study tour per committee per Parliament. Including the proposed statement in the guidelines would clarify this is still possible. As each member is required to produce an international travel report, we could require them to disclose any funding received from Parliament in that report, enabling this to be publicly reported. The Clerks (for each House's Standing Committees) and the Presiding Officers (for joint investigatory committees) would need to determine the level of funding made available taking into consideration other budget priorities.

The Tribunal may wish to consider only including the statement in Part H, and not in Parts F and G.

Additional transport costs (commercial transport allowance and international travel allowance) (*Consultation Paper, page 6*)

We support this change, as it provides clarity around the claiming of these expenses.

Cancelled travel (*Guideline 6*)

The revised guidelines include a statement that for the avoidance of doubt, if a member makes a claim for a cost incurred and does not undertake the travel, the amount must be repaid. This would be a change of practice. We have recently authorised a few international travel claims for cancellation fees and non-refundable deposits, when members' travel was forced to be cancelled due to COVID-19 travel restrictions. The Tribunal may wish to consider whether it is reasonable for members to repay travel expenses, and therefore personally bear the cost of cancellation fees and non-refundable expenses, when the reason the travel was not undertaken was not within their control.

We thank you for the opportunity to provide this submission. We would be happy to meet with you and the Tribunal members to discuss these matters further.



Andrew Young
Clerk of the Legislative Council



Robert McDonald
Acting Clerk of the Legislative Assembly