



## Department of Parliamentary Services

3 May 2021

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](mailto:enquiries@remunerationtribunal.vic.gov.au)

Dear Mr McCann

### **Department of Parliamentary Services' submission to Tribunal on Members of Parliament Annual Adjustment Determination 2021**

Thank you for the opportunity to make a submission in relation to the Tribunal's annual adjustment determination.

The purpose of this submission is to help correct a potential issue in relation to the ability of Members of Parliament to carry over 50 per cent of the Electorate Office and Communications (EO&C) Budget.

It has been a longstanding practice for Members of Parliament to be able to carry forward up to 50 percent of their EO&C Budget from one financial year to the next. Following the release of the Members of Parliament (Victoria) Guidelines No 1/2021 a potential barrier to Members' ability to continue this practice has been identified.

Clauses 8(5) and 8(6) of the guidelines state as follows:

*(5) Subject to sub-guideline (6), a Member must ensure that the total amount claimed under the EO&C Budget each financial year does not exceed the amount set in the Determination.*

*(6) A Member may carry over up to 50 per cent of their EO&C Budget allocation for a financial year (excluding any carry over from the previous financial year) to the next financial year, subject to the availability of funds and the approval of the Treasurer of Victoria.*

While 8(6) does, subject to conditions, enable funds to be carried forward, the wording of 8(5) may limit the use of these funds by capping the claim total to the amount set in the determination. Currently the determination uses a formula based solely on voter count and makes no reference to amounts carried forward.

If it is the Tribunal's intention that the carry forward practice be continued, I would suggest there are two possible options to ensure this is clarified:

- Amend clause 8 (5) of the Parliament (Victoria) Guidelines No 1/2021 to more explicitly include any available carryover in the total amount claimable by a Member. For example:

*(5) A Member must ensure that the total amount claimed under the EO&C Budget each financial year does not exceed the amount set in the Determination plus any funds carried forward in accordance with sub-guideline (6).*

- Insert wording into Clause 16 of the determination to provide that the Member budget is the sum of any carryover in accordance with 8(6) and the amount determined on the basis of voter count. For example replace the current clause:

*16.1. Subject to clauses 16.2, 16.3 and 16.4, the Electorate Office and Communications Budget per financial year for a Member is:*

With

*16.1. Subject to clauses 16.2, 16.3 and 16.4, the Electorate Office and Communications Budget per financial year for a Member is the sum of any funds carried forward in accordance with Guideline 8(6) of Members of Parliament (Victoria) Guidelines No. 01/2021 plus:*

The adjustment determination would appear to provide a timely method of resolving this issue and provide clarity going forward.

I thank you for the opportunity to provide this submission and welcome the opportunity to discuss these matters further in person, if that would assist the Tribunal.

Yours sincerely



Peter Lochert

**Secretary**

Department of Parliamentary Services

Direct: (03) 8682 2661 | Email: [peter.lochert@parliament.vic.gov](mailto:peter.lochert@parliament.vic.gov)