



**ASSURANCE REVIEW MEMORANDUM – 2022/013 – Desirable  
Destination – Sydney – NRL Grand Final – 28 Sep-5Oct 2022**

All parliamentarians' travel to, from and within Sydney, during the period 28 September to 05 October 2022 (NRL Grand Final held on 2 October 2022 commencing at 7:30 PM).

Date: 10 March 2023

To: Nicole Pearson  
Branch Manager, Transparency, Assurance & Legal

**RECOMMENDATION**

It is recommended that you:

- i. note the contents of this assurance review, and

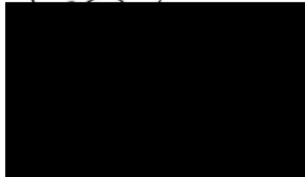
NOTED / PLEASE DISCUSS

- ii. accept the matter as closed with no further action required in relation to travel to attend the 2022 NRL Grand Final; and

ACCEPTED AS CLOSED / PLEASE DISCUSS

- iii. agree to commencing a new Assurance Review to further consider travel to, from and within Sydney during the period.

AGREED / NOT AGREED / PLEASE DISCUSS

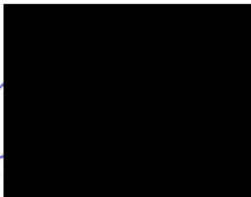


Date: 10 March 2023

Nicole Pearson  
Branch Manager

Reviewed by:

Prepared by:



Assistant Director, Audit & Assurance  
Transparency, Assurance & Legal Branch



Director, Audit & Assurance  
Transparency, Assurance & Legal Branch

## SCOPE

1. The scope of this Assurance Review is travel by current parliamentarians (air travel, travel allowance, Cabcharge, COMCAR and regulated ride-share) to, from and within Sydney during the period 28 September to 4 October 2022 (hereafter the period in scope) to attend the National Rugby League (NRL) Grand Final held on 02 October 2022 at Accor Stadium in Sydney Olympic Park.

## PURPOSE

2. This Assurance review will examine all parliamentarians' travel to, from and within Sydney during the period in scope to determine whether parliamentary business resources were used by Parliamentarians to attend the NRL Grand Final held on 02 October 2022 and whether the travel is consistent with the legislative framework.

## BACKGROUND

3. This Assurance review forms part of IPEA's Statutory Audit Function and the 6 month strategic plan and priorities for the assurance function.
4. In accordance with IPEA's protocol on dealing with misuse of parliamentary work expenses, an Assurance Review into travel to, from and within Sydney during the period in scope commenced on 5 December 2022.

## LEGISLATIVE FRAMEWORK

5. The legislative framework relevant to this Assurance Review is:
  - *Parliamentary Business Resources Act 2017* (PBR Act)
  - Parliamentary Business Resources Regulations 2017 (the Regulations)
  - Parliamentary Business Resources (Parliamentary Business) Determination 2017 (the Determination)

### Obligations

6. The principles based legislative framework imposes a number of obligations on parliamentarians in relation to their use of public resources. In summary, parliamentarians are personally responsible and accountable for their use of public resources. They must be prepared to publicly justify their use of public resources for conducting their parliamentary business and must act ethically and in good faith in using, and accounting for the use of, those resources. Specifically, a parliamentarian must not claim public resources unless they are claimed for the dominant purpose of conducting their parliamentary business.

### Definitions

7. 'Parliamentary business' has the meaning given by section 6 of the PBR Act:
  - (1) The **parliamentary business** of a member means any of the following:
    - (a) the **parliamentary duties** of the member, being activities of the member that:
      - (i) relate directly to the member's role as a member; and
      - (ii) are determined for the purposes of paragraph (4)(a);
    - (b) the **electorate duties** of the member, being activities of the member that:
      - (i) support or serve the member's constituents; and
      - (ii) are determined for the purposes of paragraph (4)(b);

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- (c) the **party political duties** of the member, being activities determined for the purposes of paragraph (4)(c);
  - (d) for a member who is an office holder or a Minister of State—the **official duties** of the member, being activities that:
    - (i) relate to the member’s role as an office holder or Minister of State; and
    - (ii) are determined for the purposes of paragraph (4)(d).
8. Subsection 6(4) of the PBR Act relevantly provides that the Minister must determine activities of a member that are **parliamentary duties** of the member; or **electorate duties** of the member; or **party political duties** of the member; or **official duties** of the member. Details of the activities which are parliamentary business of members are set out in the Determination.
9. Subsection 6(2) of the PBR Act further provides in part:
- (2) However, an activity is not the **parliamentary business** of a member if:
    - (a) The member carries it out for the dominant purpose of either or both of the following:
      - (i) Providing a personal benefit to the member or another person;
      - (ii) Pursuing commercial purposes of the member or another person;...
10. The principles based legislative framework imposes a number of obligations on parliamentarians concerning their use of public resources. In summary, parliamentarians are personally responsible and accountable for their use of public resources (sections 25 to 28 of the PBR Act refer). Parliamentarians must be prepared to publicly justify their use of public resources for conducting their parliamentary business and must act ethically and in good faith in using, and accounting for the use of, those resources. Specifically, a parliamentarian must not claim public resources unless they are claimed for the dominant purpose of conducting their parliamentary business.

### ANALYSIS

- 11. Audit & Assurance obtained data on all parliamentarian travel to, from and within Sydney during the period in scope from the IPEA internal Dashboard. The data included travel and travel-related expenses processed via the Parliamentary Expenses Management System and by COMCAR.
- 12. Individual analysis of the data identified travel for 67 parliamentarians who accessed parliamentary business resources for travel to, from and within Sydney during the period in scope. IPEA reviewed travel and travel-related resources used by those parliamentarians, using both IPEA-held and publicly available information.
- 13. IPEA assessed 18 parliamentarians as not requiring further investigation as they transited through Sydney to other destinations and were not in Sydney at the time of the NRL Grand Final. IPEA assessed four (4) parliamentarians as not requiring further investigation as their use of COMCAR was not to attend the NRL Grand Final. IPEA assessed 13 parliamentarians as not requiring further investigation as their travel to, from and within Sydney occurred after the NRL Grand Final on 2 October 2022.

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14. Travel by the 32 parliamentarians which remained in scope were assessed as requiring further investigation and analysis to determine whether Parliamentary Business Resources were used to attend the NRL Grand Final.
15. Media reports confirm four of these parliamentarians used Parliamentary Business Resources to attend the NRL Grand Final. IPEA is satisfied the travel by these parliamentarians and the used of Parliamentary Business Resources was not inconsistent with the legislative framework.
16. Individual analysis of the travel by the remaining 28 parliamentarians confirmed that Parliamentary Business Resources were used to travel to, from and within Sydney during the period in scope, however were not used to attend the NRL Grand Final.

### CONCLUSION

17. After analysis of the records held by and available to IPEA, no further action is necessary in relation to the NRL Grand Final.
18. IPEA is of the view that travel to, from and within Sydney by 13 of the 32 parliamentarians which have been assessed, required further investigation as part of a separate Assurance Review because their travel pattern raised further assurance questions.