



Australian Government
**Independent Parliamentary
Expenses Authority**

Assurance Review 2023/039

Ms Jenny Ware MP, Member for Hughes – review of
parliamentarian and staff travel

1 April to 30 June 2023

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Executive summary

1. The Independent Parliamentary Expenses Authority (IPEA) conducted an Assurance Review of travel and travel-related expenses incurred by Ms Jenny Ware MP, Member for Hughes and one of her *Members of Parliament (Staff) Act 1984* (MOP(S) Act) staff during the period 1 April to 30 June 2023. The Assurance Review forms part of IPEA's 3 Year Assurance Plan.

Assurance Review Findings

2. The Assurance Review found that the dominant purpose of Ms Ware's travel to Canberra between 4 and 5 April 2023 and between 21 and 22 April 2023 was parliamentary business and was in accordance with the legislative framework. The Assurance Review also found that the use of car transport on two occasions by the MOP(S) Act staff while carrying luggage for the purpose of the trip was consistent with the legislative framework. IPEA was not satisfied with the explanation provided for the remaining transactions and following receipt of policy advice, concluded the use of car transport was not consistent with the legislative framework. An invoice was raised to recover the full amount of these expenses.

Scope and Purpose

3. The scope of this Assurance Review is travel and travel-related expenses incurred by Ms Ware and one MOP(S) Act staff during the period 1 April to 30 June 2023. The purpose of the Assurance Review was to determine whether the use of parliamentary business resources was consistent with the legislative framework.

Engagement with Ms Ware

4. On 29 November 2023, IPEA wrote to Ms Ware in relation to travel expenses incurred by her and one of her MOP(S) Act staff during the period in scope. Ms Ware was asked to confirm the dominant purpose of her travel to Canberra between 4 and 5 April and between 21 and 22 April 2023. Ms Ware was asked to provide details of the nature of her parliamentary business in Canberra and provide documentation in support.
5. In relation to staff use of car transport in Canberra, Ms Ware was asked to examine each trip identified and confirm the travel was directed by her or an authorised person in her office and detail how the travel complies with items 2 and 16 of the Staff Travel Determination.
6. In her response of 12 December 2023, Ms Ware advised the purpose of her travel to Canberra between 4 and 5 April 2023 was parliamentary business to attend a Liberal Party Meeting and the purpose of her travel to Canberra between 21 and 22 April 2023 was parliamentary business for electorate duties to meet with stakeholders prior to an event in the Hughes electorate.
7. Having regard to the available information, including the response provided by Ms Ware, IPEA concluded that the dominant purpose of Ms Ware's travel to Canberra between 4 and 5 April and between 21 and 22 April 2023 was parliamentary business and the use of parliamentary business resources was consistent with the legislative framework.
8. In relation to staff use of car transport in Canberra, Ms Ware advised the travel was directed by her as, for two transactions, the employee was carrying luggage for the trip and for seven transactions, the employee had suffered an injury which necessitated the use of car transport for travel to and from Parliament House during sitting weeks.

Independent Parliamentary Expenses Authority
Ms Jenny Ware MP
Review of parliamentarian and staff travel 1 April to 30 June 2023

9. Having regard to the available information, IPEA accepted the advice for transactions where travel was directed by Ms Ware and the employee was carrying luggage for the purpose of the trip. IPEA concluded this travel is consistent with the legislative framework.
10. IPEA was concerned the seven transactions for staff use of car transport due to a personal injury may be inconsistent with the legislative framework and on 9 January 2024 sought additional information from Ms Ware to assist in the assessment of this travel.
11. On 14 February 2024, Ms Ware responded acknowledging the requirement for employees to transport themselves to and from work for their normal hours of duty. Ms Ware advised she is satisfied travel by other modes of transport would have significantly increased the employee's risk to personal safety.
12. IPEA sought clarification of the application of paragraph 16(a) of the Staff Travel Determination. Policy advice confirmed that it is not appropriate for MOP(S) Act employees to use Commonwealth resources to transport themselves to and from work for their normal hours of duty in circumstances where they have suffered a personal injury. IPEA concluded these seven transactions were inconsistent with the legislative framework and raised an invoice to recover the full amount of these expenses.

Audit and Assurance function

IPEA's statutory audit function

13. IPEA audits parliamentarians' work expenses and the travel expenses of their staff under section 12 of the *Independent Parliamentary Expenses Authority Act 2017* (IPEA Act). IPEA conducts Assurance Reviews to assess the use of parliamentary business resources (MP work resources and MOPS travel resources) against the legislative framework to determine if there has been misuse.
14. Potential outcomes of an Assurance Review include:
 - a. no further action in circumstances where the review has concluded the use of parliamentary business resources was consistent with the legislative framework, or
 - b. administrative remedial action, including penalty where the review has concluded there is evidence the use of parliamentary business resources was not consistent with the legislative framework, or
 - c. an IPEA initiated Ruling or Audit, where there is evidence of systemic or substantial misuse of parliamentary business resources, or
 - d. referral to the Australian Federal Police where compelling prima facie evidence of fraud or other criminal conduct is identified.

Legislative framework

15. The legislation relevant to this Assurance Review is:
 - a. *Parliamentary Business Resources Act 2017* (PBR Act)
 - b. Parliamentary Business Resource Regulations 2017 (the Regulations)
 - c. Parliamentary Business Resources (Parliamentary Business) Determination 2017 (Parliamentary Business Determination)
 - d. Parliamentary Business Resources (Commonwealth Transport) Determination 2017 (Commonwealth Transport Determination)
 - e. *Members of Parliament (Staff) Act 1984* (MOP(S) Act)
 - f. Commonwealth Members of Parliament Staff Enterprise Agreement 2020-2023
 - g. MOP(S) Act Determination 2023/10 (Previously 2020/15) – Staff Travel and Relief Staff Arrangements (Staff Travel Determination)
 - h. Ministerial and Parliamentary Services – Domestic Travel Guideline
16. The PBR Act and the PBR Regulations established a framework for providing resources to parliamentarians in respect of their parliamentary business. Parliamentarians are eligible to claim public resources under the framework in respect of their parliamentary business.

17. Subsection 6(1) of the PBR Act provides the meaning of **parliamentary business**:

(1) The **parliamentary business** of a member means any of the following:

- (a) the **parliamentary duties** of a 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);
- (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).

18. Subsection 6(4) of the PBR Act provides 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. The Parliamentary Business Determination prescribes the activities which fall within the four duty streams set out in subsection 6(1) of the PBR Act.

19. Subsection 6(2) of the PBR Act further provides in part:

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 the following:
 - (i) providing a personal benefit to the member or another person;
 - (ii) pursuing commercial purposes of the member or another person;...

20. Subsection 9(1) of the PBR Act details expenses that may be incurred for travel:

For the purposes of this Act, the following are examples of expenses incurred in connection with travel:

- (a) the cost of fares;
- (b) the cost of taxis and other local transport in connection with travel;
- (c) the costs of the provision of charter services;
- (d) the cost of accommodation;
- (e) the cost of meals;
- (f) the cost of incidentals.

21. The Commonwealth Transport Determination provides that COMCAR services are to be made available for the purposes of subsection 8(2) of the PBR Regulations. There are limits and conditions on member's use of COMCAR within Australia. Subsection 9(1) of the Commonwealth Transport Determination provides:

COMCAR is not available for the purpose of subsection 8(2) of the Regulations if the member could reasonably use the member's private plated vehicle in the circumstances, assuming the member had a private plated vehicle.

Note: A member who chooses an allowance instead of a private plated vehicle could reasonably be expected to use the allowance instead of claiming COMCAR transport costs in circumstances where a private plated vehicle could otherwise reasonably be used.

22. As an overarching matter, the public resources prescribed in Parts 2, 3 and 4 of the PBR Regulations are subject to a specific accountability regime established in the PBR Act for that purpose. Parliamentarians' access to, and use of, public resources are subject to the following obligations:
- Parliamentarians must be personally responsible and accountable for their use of public resources, and to act ethically and in good faith using and accounting for their use of those resources (see section 25)
 - A parliamentarian must not claim or use public resources unless it is for the dominant purpose of conducting their parliamentary business (dominant purpose test, see section 26)
 - A parliamentarian must ensure value for money for the Commonwealth in incurring expenses or claiming public resources, taking into account the need to conduct the parliamentary business (value for money test, see section 27), and
 - A parliamentarian must not claim resources or incur expenses if any conditions for accessing the resources have not been met (section 28)
23. In accordance with sections 30 and 31 of the PBR Act, the Commonwealth must pay the travel expenses and travel allowances as prescribed by the Regulations. Division 1 of Part 2 of the PBR Regulations prescribes travel expenses and travel allowances for travel within Australia for the purposes of sections 30 and 31 of the PBR Act.
24. In relation to Domestic Travel for MOP(S) Act staff, item 2 of the Staff Travel Determination provides:
- Subject to item 16, it is an employee's responsibility (and hence the employee's cost) to transport him or herself to and from work for his or her normal hours of duty. This responsibility includes travel between accommodation and the office when travelling on parliamentary or electorate business away from the employee's work base. This also includes travel to attend work when the employee's work base is distant from the employee's home.
25. Item 17 of the Staff Travel Determination details the car transport MOP(S) Act staff may use:
- Employees, when travelling as directed on official business, or under one of the exceptions at item 16, may use:
- (a) taxis;
 - (b) regulated ridesharing services;
 - (c) hire cars; and
 - (d) short-term self-drive cars hired through the travel services provider, or with any car hire company...
26. Employees may not use car transport at Commonwealth expense for private use, other than as set out in item 16 of the Staff Travel Determination which provides:
- As set out in item 2 of this Schedule, it is an employee's responsibility (and hence the employee's cost) to transport him or herself to and from work for his or her normal hours of duty. Exceptions to this rule apply to the use of car transport in the following circumstances:
- (a) the trip is approved for personal safety reasons (for example, where the risk to personal safety is significantly increased due to the requirement to work late); or
 - (b) the employee is travelling on official business and scheduled public transport services are not readily available; or
 - (c) the employee is travelling on official business and is carrying luggage to and/or from the office for the purpose of the trip.

Assurance Review methodology

Background

27. Review of travel and travel-related expenses by new parliamentarians forms part of IPEA's 3 Year Assurance Plan. On 14 November 2023 in accordance with IPEA's Statutory Audit Function Sheet, IPEA commenced a Preliminary Assessment in relation to the use of travel and travel-related expenses by Ms Ware and one of her MOP(S) Act staff during the period 1 April to 30 June 2023.
28. On 17 November 2023, IPEA Audit and Assurance obtained data from the Dashboard for all travel undertaken by Ms Ware and her MOP(S) Act staff during the period in scope. The Preliminary Assessment found that parliamentary business resources were used by Ms Ware and one of her MOP(S) Act staff during the period in scope which required further assessment.
29. On 22 November 2023, this matter progressed to an Assurance Review.

Scope of Assurance Review

30. The scope of this Assurance Review is travel and travel-related expenses incurred by Ms Ware and one of her MOP(S) Act staff during the period 1 April to 30 June 2023.

Assessment of work expenses

Summary of findings

Analysis

31. IPEA considered the legislative framework and applied the following questions:
 - a. What was the dominant purpose for Ms Ware's travel to Canberra between 4 and 5 April and between 21 and 22 April 2023?
 - b. Where the dominant purpose was parliamentary business, what was the nature of Ms Ware's parliamentary business in Canberra between 4 and 5 April and between 21 and 22 April 2023?
 - c. Was the staff use of car transport directed by Ms Ware or an authorised person in the office?
 - d. Did the staff use of car transport meet the requirements in items 2 and 16 of the Staff Travel Determination?
32. IPEA conducted the Assurance Review by examining and assessing:
 - a. Information obtained from the Audit and Assurance Dashboard.
 - b. Travel bookings and other records held by IPEA in the Parliamentary Expenses Management System.
 - c. The relevant legislation and supporting policies.
 - d. Information provided by Ms Ware.

Ms Ware – travel and travel-related expenses

33. Ms Ware travelled from Sydney to Canberra on 4 April 2023, departing Sydney at 5:25 PM. Ms Ware used COMCAR for transport to and from Sydney and Canberra Airports and for travel within Canberra. Ms Ware received travel allowance for one night in Canberra and returned to Sydney on 5 April 2023, departing Canberra at 7:10 PM.
34. In her response of 12 December 2023, Ms Ware advised the dominant purpose of her travel to Canberra between 4 and 5 April 2023 was for parliamentary business to prepare for, participate in and attend a Liberal Party room meeting at 10:30 AM on 5 April 2023.
35. Having regard to the available information, including the response and additional documents provided by Ms Ware, IPEA is satisfied the dominant purpose of her travel to Canberra between 4 and 5 April 2023 was parliamentary business and the use of parliamentary business resources was consistent with the legislative framework.
36. Ms Ware travelled from Sydney to Canberra on 21 April 2023 via Private Plated Vehicle and received travel allowance for one night in Canberra before travelling back to Sydney on 22 April 2023. In her response of 12 December 2023, Ms Ware advised:

The dominant purpose of travel to Canberra between 21 and 22 April 2023 was for parliamentary business to undertake research, prepare for, participate in and attend meetings with stakeholders based in Canberra in relation to policy matters:

- (a) *including the Voice forum I conducted for and in my electorate on 3 May 2023;*
- (b) *related to my role as Secretary of the Coalition Policy Committee on Industry, Energy Resources and Northern Australia.*

37. Having regard to the available information, including the response and additional documents provided by Ms Ware, IPEA is satisfied the dominant purpose of her travel to Canberra between 21 and 22 April 2023 was parliamentary business and the use of parliamentary business resources was consistent with the legislative framework.

Ms Ware – MOP(S) Act staff travel expenses

38. An employee's eligibility to use car transport is set out in the Staff Travel Determination which provides that staff may only use car transport (Cabcharge, taxis, regulated ridesharing services, or short-term self-drive hire cars) when directed to do so by the parliamentarian or an authorised person for official business. It remains an employee's responsibility to transport him or herself to and from work for his or her normal hours of duty.
39. In her response of 12 December 2023, Ms Ware advised all staff use of car transport identified by IPEA was directed by her for official business. For travel on 4 April 2023, the MOP(S) Act staff travelled with Ms Ware from Canberra airport to her accommodation and then used a taxi for onward travel to their accommodation. For travel on 9 May 2023, the MOP(S) Act staff transported large boxes of office supplies to Parliament House and it would not have been practical to use public transport.
40. For the remaining transactions, Ms Ware advised that the MOP(S) Act staff in question had suffered an injury which meant they were unable to transport themselves to and from work. Ms Ware considered this as a personal safety issue and therefore directed that car transport be used in Canberra to enable the staff member to travel to and from work.
41. Having regard to the available information, IPEA accepted the advice for transactions where travel was directed by Ms Ware and the employee was carrying luggage for the purpose of the trip. IPEA concluded this travel is consistent with the legislative framework.
42. IPEA was concerned the seven transactions for staff use of car transport due to a personal injury may be inconsistent with the legislative framework and on 9 January 2024 sought additional information from Ms Ware to assist in the assessment of this travel.
43. On 14 February 2024, Ms Ware responded acknowledging the requirement for employees to transport themselves to and from work for their normal hours of duty. Ms Ware advised she is satisfied travel by other modes of transport would have significantly increased the employee's risk to personal safety.
44. IPEA sought clarification of the application of paragraph 16(a) of the Staff Travel Determination. Policy advice confirmed that it is not appropriate for MOP(S) Act employees to use Commonwealth resources to transport themselves to and from work for their normal hours of duty in circumstances where they have suffered a personal injury. IPEA is satisfied these seven transactions were inconsistent with the legislative framework. On 17 April 2024, IPEA raised an invoice to recover \$95.91 as the full amount of expenses resulting from inappropriate use of resources.

Conclusion

45. IPEA concluded that parliamentary business was the dominant purpose of all travel undertaken by Ms Ware during the period in scope. IPEA is also satisfied the staff use of car transport in Canberra while carrying luggage for the purpose of the trip was consistent with the legislative framework. The use of car transport to travel to and from work due to a personal injury is not consistent with the legislative framework. An invoice was raised and forwarded to the MOP(S) Act staff. No further action is required for this Assurance Review.

[REDACTED]

From: Assurance
Sent: Wednesday, 29 November 2023 9:06 AM
To: [REDACTED]
Subject: Assurance Review - travel and travel-related expenses [SEC=OFFICIAL]
Attachments: 3000 - IPEA letter to Ms Ware - 29 November 2023.pdf; Attachment A - Parliamentary Business Determination.pdf; Attachment C - Determination 2023-10 Staff Travel and Relief Staff Arrangements.pdf

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Ms Jenny Ware MP
Member for Hughes

Good morning Ms Ware

Good afternoon Ms Ware

Please find attached correspondence from the Independent Parliamentary Expenses Authority in relation to an Assurance Review into travel and travel-related expenses incurred by you and one of your staff members during the period 1 April to 30 June 2023.

Should you wish to discuss this matter, please contact [REDACTED]

Yours sincerely

[REDACTED]
A/g Assistant Secretary
Transparency, Assurance and Legal Branch
Independent Parliamentary Expenses Authority
One Canberra Avenue, FORREST ACT 2603

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REF: IPEA 23/1/30 IDOC/241710

29 November 2023

Ms Jenny Ware MP
Member for Hughes
PO Box 1014
SUTHERLAND NSW 1499

Email: [REDACTED]

Dear Ms Ware

Assurance Review of travel and travel-related expenses

The Independent Parliamentary Expenses Authority (IPEA) has responsibility under the *Independent Parliamentary Expenses Authority Act 2017* to review work expenses accessed by parliamentarians and travel resources accessed by staff employed under the *Members of Parliament (Staff) Act 1984* (MOP(S) Act).

IPEA's assurance activities include reviewing the use of work expenses for travel to desirable destinations, family reunion travel, travel adjacent to public or school holidays and unaccompanied staff travel.

IPEA is undertaking an Assurance Review of travel and travel-related expenses incurred by you and one of your MOP(S) Act employees during the period 1 April to 30 June 2023. Please note IPEA publishes completed Assurance Reviews on the website www.ipea.gov.au.

Ms Jenny Ware MP – travel and travel-related expenses

Division 2 of Part 3 of the *Parliamentary Business Resources Act 2017* (PBR Act) sets out the principles parliamentarians are to apply when utilising public resources.

As you would be aware, under the principles-based scheme parliamentarians have an obligation to be prepared to publicly justify their use of public resources for conducting their parliamentary business (subsection 25(3) of the PBR Act). Parliamentarians also have an obligation to ensure that expenses that are incurred, or allowances or other public resources that are claimed, in relation to the conduct of the member's parliamentary business provide value for money, taking into account the need to conduct the member's parliamentary business (section 27 of the PBR Act).

'Parliamentary business' has the meaning given by section 6 of the PBR Act. Activities that fall within the four duty streams of parliamentary business are set out in the *Parliamentary Business Resources (Parliamentary Business) Determination 2017* (the Determination – **Attachment A**).

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Section 6 of the PBR Act also states:

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; or*
- (b) the activity is determined under subsection (3) for the purposes of this paragraph.*

Attachment B contains details of your Commonwealth-funded travel within Australia in the relevant period and questions for your response to assist with the Assurance review. Where we have asked about the nature of your parliamentary business, please refer to the Determination and consider the examples outlined and provide copies of documentation to support your response, such as diary notes, invitations, or media reporting.

Ms Jenny Ware MP – staff travel expenses

The circumstances in which car transport may be used by MOP(S) Act staff are set out in Determination 2023/010 – Staff Travel and Relief Staff Arrangements (Staff Travel Determination). Items 2 and 16 of Schedule A of the Staff Travel Determination provide:

- 2. Subject to item 16, it is an employee's responsibility (and hence the employee's cost) to transport him or herself to and from work for his or her normal hours of duty. This responsibility includes travel between accommodation and the office when travelling on parliamentary or electorate business away from the employee's work base. This also includes travel to attend work when the employee's work base is distant from the employee's home.
- 16. As set out in item 2 of this Schedule, it is an employee's responsibility (and hence the employee's cost) to transport him or herself to and from work for his or her normal hours of duty. Exceptions to this rule apply to the use of car transport in the following circumstances:
 - (a) the trip is approved for personal safety reasons (for example, where the risk to personal safety is significantly increased due to the requirement to work late); or
 - (b) the employee is travelling on official business and scheduled public transport services are not readily available; or
 - (c) the employee is travelling on official business and is carrying luggage to and/or from the office for the purpose of the trip.

Parliamentarians are personally responsible and accountable for their use of public resources for conducting parliamentary business. This responsibility extends to the use of public resources by staff employed by parliamentarians.

Employees may only use car transport when directed to do so by their employing parliamentarian or an authorised person for the purposes of the official business of the parliamentarian. Employees must not use car transport for private use. Private use includes travel to and from the place of work for normal hours of duty, including a temporary place of work such as Parliament House for electorate-based employees. Parliamentarians and authorised persons may direct an employee to use car transport to travel to or from work only in the limited circumstances set out in item 16 of the Staff Travel Determination. A copy of the Staff Travel Determination is at **Attachment C** for your reference.

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An employee's normal hours are broadly defined as hours agreed to by the employee and parliamentarian worked between the ordinary hours of 8:00 am and 6:00 pm Monday to Friday. Hours worked by employees may be partially or wholly worked outside of these hours. In accordance with clauses 33.1 and 32.4 of the MOPS Enterprise Agreement, allowances are payable to employees in recognition of, and compensation for, additional hours worked and in lieu of overtime. On this basis, a staff member arriving at Parliament House early morning is considered normal, in particular during parliamentary sitting periods.

Paragraph 16(c) of Schedule A of the Determination relates specifically to the personal effects of the staff member associated with their travel to and from their work base at the commencement and completion of their travel. This is not intended to include laptops, devices, folders and/or any other documents or items related to work which would most likely be carried by the employee to and from their standard work base and residence as part of their usual practice and day to day employment. The Commonwealth-funded car transport used by [REDACTED] which is relevant to this Assurance Review is detailed at **Attachment D**. To assist with this Assurance Review, please examine each trip undertaken by [REDACTED] and confirm how it complies with items 2 and 16 of the Staff Travel Determination, including that the travel was directed by you or an authorised person in your office.

Please provide your response via email to Assurance@ipea.gov.au by close of business on **Tuesday 12 December 2023**. If you require additional time to provide a response or if you would like to discuss this matter, please contact [REDACTED]

Yours sincerely

[REDACTED]

[REDACTED]
Acting Branch Manager, Transparency, Assurance and Legal
Independent Parliamentary Expenses Authority
One Canberra Avenue, FORREST ACT 2603
T: 02 6215 3000

**Attachment B
Ms Jenny Ware MP – travel and travel related expenses**

Work Expense	Departure Location	Departure Date	Departure Time	Arrival Location	Arrival Date	Arrival Time	Amount
COMCAR	Gynea Bay	04/04/2023	03:00 PM	Mascot	04/04/2023	04:05 PM	\$132.60
Travel Fares –Qantas Airways	Sydney	04/04/2023	05:25 PM	Canberra	04/04/2023	06:20 PM	\$544.07
COMCAR	Pialligo	04/04/2023	06:20 PM	Barton	04/04/2023	06:48 PM	\$91.92
Domestic Travel Allowance		04/04/2023		Canberra – 1 night			\$299.00
COMCAR	Barton	05/04/2023	08:45 AM	Griffith	05/04/2023	08:57 AM	\$61.20
COMCAR	Griffith	05/04/2023	09:40 AM	Capital Hill	05/04/2023	09:46 AM	\$61.20
COMCAR	Capital Hill	05/04/2023	03:57 PM	Griffith	05/04/2023	04:05 PM	\$61.20
COMCAR	Griffith	05/04/2023	05:40 PM	Pialligo	05/04/2023	05:58 PM	\$61.20
Travel Fares – Qantas Airways	Canberra	05/04/2023	07:10 PM	Sydney	05/04/2023	08:05 PM	\$726.43
COMCAR	Mascot	05/04/2023	08:05 PM	Sutherland	05/04/2023	08:45 PM	\$134.66
Domestic Travel Allowance – Private Plated Vehicle	Gynea Bay	21/04/2023		Canberra	21/04/2023		\$224.64
Domestic Travel Allowance		21/04/2023		Canberra – 1 night	21/04/2023		\$299.00
Domestic Travel Allowance – Private Plated Vehicle	Capital Hill	22/04/2023		Sydney	22/04/2023		\$224.64

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- Q1. What was the dominant purpose of your travel to Canberra between 4 and 5 April 2023 and between 21 and 22 April 2023?
- Q2. With reference to the Determination at **Attachment A**, what was the nature of your parliamentary business in Canberra between 4 and 5 April 2023 and between 21 and 22 April 2023? Please provide copies of documentation to support your response.

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Departure Date	Departure Location	Arrival Time	Arrival Location	Amount	Comments
04/04/2023	Barton	07:49 AM	Braddon	\$23.99	
09/05/2023	Barton	07:55 AM	Capital Hill	\$13.49	
31/05/2023	Barton	08:39 AM	Capital Hill	\$14.65	
01/06/2023	Barton	09:57 AM	Capital Hill	\$13.70	
19/06/2023	Barton	08:58 AM	Capital Hill	\$13.70	
20/06/2023	Barton	08:12 AM	Capital Hill	\$13.70	
20/06/2023	Barton	06:45 PM	Barton	\$12.86	
21/06/2023	Barton	08:43 AM	Capital Hill	\$14.65	
22/06/2023	Barton	09:45 AM	Capital Hill	\$12.65	



Parliamentary Business Resources (Parliamentary Business) Determination 2017

I, Mathias Cormann, Minister for Finance, make the following determination.

Dated 14 December 2017

Mathias Cormann
Minister for Finance

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1 Name

This instrument is the *Parliamentary Business Resources (Parliamentary Business) Determination 2017*.

2 Commencement

This instrument commences at the same time as the *Parliamentary Business Resources Act 2017*.

3 Authority

This instrument is made under section 6 of the *Parliamentary Business Resources Act 2017*.

4 Interpretation

(1) In this instrument:

Act means the *Parliamentary Business Resources Act 2017*.

Note: A number of expressions used in this instrument are defined in the definitions section of the Act, including the following:

- (a) *constituent*;
- (b) *member*;
- (c) *office holder*, and
- (d) *vice regal function*.

(2) For the avoidance of doubt, an activity specified in a Schedule to this determination is specified whether it takes place within Australia or overseas.

5 Parliamentary business of members

- (1) For the purposes of paragraph 6(4)(a) of the Act, the *parliamentary duties* of a member are the activities specified in Schedule 1 for that member.
- (2) For the purposes of paragraph 6(4)(b) of the Act, the *electorate duties* of a member are the activities specified in Schedule 2 for that member.
- (3) For the purposes of paragraph 6(4)(c) of the Act, the *party political duties* of a member are the activities specified in Schedule 3 for that member.
- (4) For the purposes of paragraph 6(4)(d) of the Act, the *official duties* of a member are the activities specified in Schedule 4 for that member.

Schedule 1—Parliamentary duties

(Act s 6(4)(a))

Column 1 Member (or class)	Column 2 Parliamentary duties
All members who are a senator or member of the House of Representatives	<p>In the member's capacity as a member of the Parliament:</p> <ol style="list-style-type: none">a) Preparing for, participating in and attending to business arising from proceedings of the Parliament, whether by committee of the whole or otherwise;b) Developing, reviewing or amending legislation or proposed legislation, and activities engaged in for that purpose;c) Undertaking research, communication (including with stakeholders) or administration connected with the business of the Parliament, the member's policy portfolio, or their role as a member;d) Preparing for, participating in, or attending to matters arising from an official government, parliamentary or vice regal meeting, event or function;e) Preparing for, participating in and attending to matters arising from a meeting (including with stakeholders), event or function for the purposes of their role as a member, including in relation to the member's policy portfolio;f) Preparing for, participating in, or attending to business arising from a non-Parliamentary committee, taskforce or other formal group in which the member participates;g) Representing the Parliament, in accordance with an approval of the Parliament or a House of the Parliament, and engaging in associated activities for that purpose;h) Representing a Minister or office holder in their official capacity, at the request of that Minister or office holder, at a meeting, event or function;i) Representing the Government or Australia, with the approval of the Prime Minister. <p><i>Note: For Ministers representing the Government or Australia in their capacity as a Minister, this would be part of the member's official duties (see Schedule 4).</i></p>

Schedule 2—Electorate duties

(Act s 6(4)(b))

Column 1	Column 2
Member (or class)	Electorate duties
All members who are a senator or member of the House of Representatives	In the member's capacity as their constituent's elected representative: a) Facilitating and participating in debate, discussion, a meeting, event or function, or undertaking research or administrative functions relating to matters of importance or interest to constituents (including matters that do not relate exclusively to constituents, such as matters of national importance); b) Otherwise communicating with constituents; c) Representing the views and interests of constituents.

Schedule 3—Party political duties

(Act s 6(4)(c))

Column 1	Column 2
Member (or class)	Party political duties
All members who are a senator or member of the House of Representatives	In respect of the political party to which the member belongs, participating in any of the following in their capacity as an elected Senator or member of the House of Representatives: a) a formal meeting of the political party (including a meeting of the party executive, a committee or a subcommittee); b) a national, state or territory conference.

Schedule 4—Official duties

(Act s 6(4)(d))

Column 1	Column 2
Member (or class)	Official duties
All office holders and Ministers of State	In the member's official capacity (being their capacity as a Minister or office holder, as the case may be): <ol style="list-style-type: none">a) Exercising the powers or functions, or performing the duties, of the member's office, or activities engaged in for the purposes of doing so;b) Attending an event to which the member has been invited in their official capacity;c) Other activities directly related to, and engaged in for the purposes of, performing the member's official role.

Members of Parliament (Staff) Act 1984

STAFF TRAVEL AND RELIEF STAFF ARRANGEMENTS

I, DON FARRELL, Special Minister of State, for and on behalf of the Prime Minister, determine under subsection 13(2) and subsection 20(2) of the *Members of Parliament (Staff) Act 1984* (the MOP(S) Act) that, with effect on and from 1 July 2023:

- Determination 2020/15 made on 29 June 2020 is revoked with effect from 30 June 2023;
- the travel arrangements set out in Schedule A of this determination apply to the staff of Senators and Members employed under Part III and Part IV of the Act;
- the relief staff arrangements set out in Schedule B of this determination apply; and
- the Electorate Support Budget is calculated as set out in Schedule C of this determination.

Dated this 24 ^{June} day of ~~May~~ 2023


DON FARRELL
Special Minister of State

SCHEDULE A

Domestic Travel

1. Employees may only travel by the most efficient direct route available.
2. Subject to item 16, it is an employee's responsibility (and hence the employee's cost) to transport him or herself to and from work for his or her normal hours of duty. This responsibility includes travel between accommodation and the office when travelling on parliamentary or electorate business away from the employee's work base. This also includes travel to attend work when the employee's work base is distant from the employee's home.
3. All personal employees may travel as directed anywhere within Australia on official business.
4. Subject to available funds in the Electorate Support Budget (where applicable), electorate employees may travel as directed anywhere within Australia on official business. All travel costs under this determination and associated travelling allowance and motor vehicle allowance under the *Commonwealth Members of Parliament Staff Enterprise Agreement 2020-2023* or successor agreements (Enterprise Agreement) are debited against the Electorate Support Budget (where applicable).
5. One nominated electorate employee working for a parliamentarian may travel as directed anywhere within Australia on official business without debit against the Electorate Support Budget.
 - (a) The nomination of an electorate employee is to be determined, where practical, at the commencement of the financial year with effect from 1 July .
 - (b) The expectation is that the nomination would not change more than three times within a financial year period. These three changes accommodate for any unforeseen circumstances or staffing arrangement changes that arise throughout the financial year.
 - (c) The name of the nominated employee must be notified to the Independent Parliamentary Expenses Authority (IPEA) in writing¹ where possible, at the commencement of the financial year. All travel under this Schedule by the nominated employee that was undertaken prior to the date that the nomination took effect will be debited against the Electorate Support Budget.
 - (d) The general travel conditions set out in this Schedule continue to apply, where appropriate, to the nominated employee.
 - (e) All travel undertaken by electorate employees of the Senator or Member, other than the nominated employee, will be debited against the Electorate Support Budget, subject to item 6.
6. A Presiding Officer, including a Deputy Presiding Officer, Parliamentary Secretary², Whip or a Shadow Minister, other than an Opposition Office Holder, may nominate a personal employee whose travel will be debited against the Electorate Support Budget, in place of a nominated electorate employee, whose travel will not be debited against the Electorate Support Budget.

¹ Using the *Electorate Employee Travel Nomination* form on the IPEA website.

².

- (a) The nomination for a swap of the travel entitlements of a personal employee with an electorate employee is to be determined, where practical, at the commencement of the financial year with effect from 1 July
 - (b) The nomination of a personal and electorate employee would not change more than three times within a financial year period. These three changes accommodate for any unforeseen circumstances or staffing arrangement changes that arise throughout the financial year.
 - (c) The names of the nominated personal and electorate employees must be notified to IPEA in writing³. All travel by the nominated electorate employee that was undertaken prior to the date that the nomination took effect will be debited against the Electorate Support Budget.
7. Official travel is restricted to Australia (excluding the external territories) unless the employing Senator or Member has a specific work expense for travel to an Australian external territory.
 8. Travel may not be undertaken at Commonwealth expense for the personal benefit of an employee.
 9. With the approval of the employing Senator or Member, an employee is permitted to make a stopover for personal reasons in the course of travel on official business by the most efficient direct route available, provided:
 - (a) the stopover is for a maximum of two nights only;
 - (b) no annual leave is taken by an employee as part of the stopover; and
 - (c) any additional costs for fares or costs related to the stopover are paid by the employee at the time of booking the travel.
 10. Travel allowance is not payable during a personal stopover. A personal stopover is defined as personal time spent at a destination where an employee has been directed to travel on official business⁴ or a break in travel at a usual point en route to the final travel destination⁵.
 11. An employee may only use charter services when accompanying their employing Senator or Member under the Senator's or Member's charter work expense or where scheduled transport services (including air, rail, sea and bus) are not available.
 - (a) If the charter service also carries other passengers, the Commonwealth will only pay the pro rata cost of the travel of the employee.
 - (b) Charter services may not be used for the sole reason that scheduled services are fully booked, or are not available at the most convenient time.
 - (c) Some regions of Australia have infrequent scheduled services and/or no scheduled air services. Employees travelling to these locations should plan their travel with regard to these constraints.

³ Using the *Electorate Employee Travel Nomination* form on the IPEA website.

⁴ For example, a Canberra-based employee travels to Brisbane on official business on Friday. The employee stays in Brisbane on Saturday and Sunday nights and returns on Monday. In this case, the Saturday and Sunday are counted as a personal stopover and return airfare will be covered by the Electorate Support Budget. However, if the employee returns on Tuesday or later, it is at their own expense.

⁵ For example, travel from Hobart to Canberra may have a usual stop in Melbourne en route.

12. Employees are required to take all reasonable steps to ensure, where applicable, that departure and destination travel arrangements are compatible with scheduled transport services.

Class of Travel

13. Senior staff (employees above the level of Adviser) who are required by the employing Senator or Member to travel on official business by air, rail, road or sea are limited to a fare which shall not exceed the cost of a business class airfare for the most reasonable and usual route between the departure and destination points. Where a business class airfare is not published for the destination point, the cost to the Commonwealth of travel by air, rail, road or sea must not exceed the economy class airfare for the most reasonable and usual route, between the departure and destination points.
14. Employees, other than senior staff, who are required by the employing Senator or Member to travel on official business by air, rail, road or sea shall travel at economy class for the most reasonable and usual route between the departure and destination points, unless otherwise determined by the Special Minister of State.
15. A Minister, Parliamentary Secretary, Opposition Office Holder or Presiding Officer (but not a Deputy Presiding Officer) may direct a member of his or her staff who is on the same aircraft to travel at the same class as him or her, where there is a working need to do so. It is expected that no more than one employee will do so on any particular trip.

Car Transport

16. As set out in item 2 of this Schedule, it is an employee's responsibility (and hence the employee's cost) to transport him or herself to and from work for his or her normal hours of duty. Exceptions to this rule apply to the use of car transport in the following circumstances:
 - (a) the trip is approved for personal safety reasons (for example, where the risk to personal safety is significantly increased due to the requirement to work late); or
 - (b) the employee is travelling on official business and scheduled public transport services are not readily available; or
 - (c) the employee is travelling on official business and is carrying luggage to and/or from the office for the purpose of the trip.
17. Employees, when travelling as directed on official business, or under the exceptions at item 16, subject to the restrictions at items 1 to 9, may use⁶:
 - (a) taxis;
 - (b) regulated ridesharing services;
 - (c) hire cars; and
 - (d) short-term self-drive cars hired through the travel services provider, or with any car hire company, provided that:

⁶ Motor vehicle allowance (MVA) may also be payable under Enterprise Agreement where an employee travels under the provisions of this determination in their privately owned vehicle or self-drive hire vehicle, at their own expense.

- (i) the hire is of no more than 10 days duration;
 - (ii) the vehicle is not used for journeys within Canberra (other than to collect and/or return the vehicle);
 - (iii) the vehicle is not used for journeys within a city/town where the employer's electorate or other office is located (other than to collect and/or return the vehicle), except by employees of the Prime Minister, the Leader of the Opposition, or the leader of a minority party;
 - (iv) for the purposes of short-term self-drive car hire under this determination, a capital city, other than Canberra, is defined by the boundaries of the electorates identified as urban on the Federal Electoral Boundaries map published from time to time by the Australian Electoral Commission. Canberra includes locations within a 30km radius of Parliament House; and
 - (v) the cost of insurance will be met by the Commonwealth where it is purchased as part of the vehicle hire. It is the responsibility of employees to ensure that they arrange the appropriate level of insurance for the circumstances of the hire. To reduce liability to the Commonwealth in case of loss or damage to the vehicle, this will usually be the highest level of insurance cover available.
18. Self drive- hire cars should be used on weekdays only unless exceptional circumstances apply and the Senator or Member has approved the use. Employees may not use taxis, regulated ridesharing services, hire cars or shortterm self- drive-hire cars at Commonwealth expense for private use, other than as set out at item 16.

Tolls and Parking Costs

- 19. Employees authorised by the employing Senator or Member to travel on official business may be reimbursed their toll and parking costs. Such costs must be reasonable to be eligible for full reimbursement⁷.
- 20. Toll and parking costs will not be reimbursed where incurred during a personal stopover or a period of leave. Administrative charges or penalties for late payment or non-payment of tolls and parking costs will not be reimbursed.
- 21. Employees will not be reimbursed for valet parking costs, with the exception of valet parking costs incurred at the accommodation occupied by the employee for travel on official business involving an overnight stay away from their work base.

Travel for Training

- 22. Senators and Members whose electorate offices are outside the greater metropolitan area of capital cities (including satellite cities), as defined by the Australian Electoral Commission, or within the Northern Territory or Tasmania, have access to four trips per financial year (five trips per financial year where the Member has a second official electorate office or six trips per financial year where the Member has a third official electorate office) for their electorate employees to travel to the nearest capital city to attend training under the Professional Development Program or approved ad hoc training and professional development opportunities, IT training or

⁷ For example, it is generally expected that long-stay parking will be used at an airport.

training for Work Health and Safety roles (including travel for Health and Safety Representatives (HSR) to attend accredited HSR training).

- (a) For electorate offices located in the Northern Territory, employees may also use the trips to travel to Adelaide or Brisbane.
- (b) For electorate offices located in Tasmania, employees may also use the trips to travel to Melbourne.

23. The Senators and Members whose employees are eligible for the trips in item 22 will be listed on the Ministerial and Parliamentary Services (M&PS) website.

Travel for ECG Representatives and WHS Committee Members

24. Associated travel costs⁸ of employees who are Employee Consultative Group⁹ (ECG) representatives and Work Health and Safety (WHS) Committee¹⁰ members, and whose travel is subject to the Electorate Support Budget, will not be debited against the Electorate Support Budget when the employee travels for the purpose of attending an ECG meeting or WHS Committee meeting, provided that the travel to the meeting location is not also for other official business.
25. Where the travel is also for other official business, only the *additional* travel costs associated with the ECG meeting or WHS Committee meeting will not be debited against the Electorate Support Budget.

COMCAR Services for Employees of the Prime Minister

26. All employees of the Prime Minister may use a COMCAR to travel to or from Defence Establishment Fairbairn when embarking or returning from travel with or on behalf of the Prime Minister.
27. With prior notification to the COMCAR Client Liaison Manager, the Prime Minister's employees may also travel in a COMCAR, when the car would otherwise be travelling without passengers, in the following circumstances:
- (a) if a COMCAR is travelling out of zone to meet the Prime Minister¹¹, and employees need to travel along the same route to meet the Prime Minister; or
 - (b) if a COMCAR is travelling as part of the Prime Minister's advance party and employees need to travel along the same route.
28. In using COMCAR for these purposes, the COMCAR booking will be based solely on the Prime Minister's requirements. Employees must make their own way to and from any pick up/drop off point that COMCAR advise, which will be on the direct intended route. The COMCAR schedule cannot be altered to incur waiting time on behalf of an employee.

⁸ 'Associated travel costs' are costs under this determination (or its successor determinations), including domestic flights and car travel, and as provided under the Enterprise Agreement, including travelling allowance and motor vehicle allowance.

⁹ As described at clause 5 of the Enterprise Agreement.

¹⁰ A Health and Safety Committee for MOP(S) Act employees for the purposes of Division 4 of the *Work Health and Safety Act 2011*.

¹¹ For example, from Canberra to Merimbula.

SCHEDULE B

Relief Staff Arrangements

29. Each Senator and Member may engage relief staff as electorate employees with a work base of the electorate office, Parliament House office, or office holder's office as described at item 30, in accordance with the Enterprise Agreement, up to the limit of his or her Electorate Support Budget. The Special Minister of State may approve an alternative work base for a person employed against the Electorate Support Budget in special circumstances.
30. For the purpose of item 29, an office holder's office is an office, other than the electorate office/s and Parliament House office, provided at Commonwealth expense to the employing Senator or Member within the state or territory of their electorate and who is:
- (a) a Minister;
 - (b) an Opposition Office Holder;
 - (c) a Leader of a Minority Party; or
 - (d) a Presiding Officer.
31. The employment of electorate staff against an established position will not be debited against the Electorate Support Budget under the following circumstances:
- (a) filling of positions that are vacant due to resignation, retirement or termination;
 - (b) filling of positions that are temporarily vacant due to an employee being temporarily progressed to a personal employee position;
 - (c) absences of one week¹² or more on personal leave¹³;
 - (d) all absences on the following types of leave:
 - (i) unpaid carer's leave;
 - (ii) compassionate leave;
 - (iii) community service leave;
 - (iv) miscellaneous or other leave paid in accordance with the Enterprise Agreement (including Defence Force service, participation in major international sporting events, war service sick leave, political exchange leave, and other special purposes, but not including study leave);
 - (v) long service leave;
 - (vi) maternity leave¹⁴;
 - (vii) adoption leave;

¹² The term 'one week' means an absence of 38 hours regardless of whether the employee is full-time or part-time.

¹³ Where an employee who is absent due to personal illness or injury or carers duties has exhausted their paid personal leave and therefore uses annual or long service leave, they may be replaced without debit against the Electorate Support Budget.

¹⁴ Where other forms of paid leave are used within the 52 week maternity leave period, the Electorate Support Budget provisions that apply to maternity leave take precedence over the Electorate Support Budget provisions that apply to the type of leave used.

- (viii) supporting partner leave;
 - (ix) unpaid parental leave; and
 - (x) leave without pay.
32. Where an electorate employee is partially incapacitated (i.e. working fewer than their usual weekly hours on the basis of medical advice), working up to but not exceeding 20 hours per week, that employee will be treated as totally incapacitated and full-time relief arrangements will apply (to the maximum of the usual weekly hours of the employee) for a maximum period of six months without debit against the Electorate Support Budget. After six months, or when the affected employee's work hours exceed 20 hours per week (but are less than their usual weekly hours), relief staff may be engaged part-time in order to fully staff the position without debit against the Electorate Support Budget.
33. Senators and Members who hold a 'relevant office', as defined under section 3 of the Act, engage relief staff as electorate employees against the Electorate Support Budget under Part III of the Act. Senators and Members who do not hold a 'relevant office' engage relief staff as electorate employees against the Electorate Support Budget under Part IV of the Act.

SCHEDULE C

Calculation of the Electorate Support Budget

34. Subject to items 35 to 38, the Electorate Support Budget is calculated at the commencement of each financial year as the sum of:
 - (a) the electorate staff travel component; and
 - (b) the relief staff component.
35. The Electorate Support Budget is calculated pro rata, on the basis of the number of calendar days remaining, for the financial year in which a Senator or Member commences his or her term.
36. The relief staff component will be adjusted in line with changes to the base salary point of the Electorate Officer B classification.
37. The relief staff component will be adjusted pro rata where a Member is allocated, or ceases to be allocated, an additional position for a second and/or third official electorate office.
38. The Special Minister of State may approve changes to the Electorate Support Budget for any Senator or Member.
39. If the Electorate Support Budget for a year is exhausted, a Senator or Member may not draw from the Electorate Support Budget for the following year. All costs beyond the Electorate Support Budget are a debt owed to the Commonwealth and must be repaid by the Senator or Member. Unused funds may not be carried over to the following year.

Electorate staff travel component

40. Except as provided at items 41, 42 and 43, the electorate staff travel component is calculated on the basis of:
 - (a) 20 return economy airfares (fully flexible) between the primary electorate office and Canberra;
 - (b) 110 nights of travelling allowance at the rate applicable to Canberra;
 - (c) taxi fares and/or motor vehicle allowance to and from the relevant airports for the 20 flights above; and
 - (d) an amount for other travel as follows:

Senator/Member	Electorate Size	\$
Member	0-199 km ²	\$300
Member	200-999 km ²	\$500
Member	1,000-9,999 km ²	\$700
Member	10,000-99,999 km ²	\$1,000
Member	100,000-199,999 km ²	\$8,132
Member	200,000-499,999 km ²	\$10,132
Member	500,000 km ² or greater	\$12,132
Senators for the NT	–	\$9,000
All other Senators	–	\$500

41. Where a Senator or Member's primary electorate office is located within 150km of Canberra by road, the electorate staff travel component is calculated at the commencement of each financial year on the basis of:
- the value of motor vehicle allowance payable for 20 return motor vehicle trips between the primary electorate office and Canberra;
 - 110 nights of travelling allowance at the rate applicable to Canberra; and
 - an amount for other travel as set out at item 40(d).
42. The electorate staff travel component for each financial year for the Member for Bean and Senators for the ACT is calculated on the basis of:
- three return economy airfares (fully flexible) between Canberra and Norfolk Island;
 - eight nights of travelling allowance at the commercial rate applicable to Norfolk Island; and
 - an amount of \$2,000 for other travel.
43. The electorate staff travel component for each financial year for the following Senators and Members is calculated as follows:

Senator/Member	\$
Member for Canberra	\$2,000
Member for Fenner	\$2,000
Member for Eden-Monaro	\$5,000
Senator whose electorate office is in Queanbeyan	\$5,000

Relief staff component

44. The relief staff component is calculated on the basis of:
- 150 days' salary at the base salary point of the Electorate Officer B classification; and
 - an additional 50 days' salary at the base salary point of the Electorate Officer B classification where a Member is allocated an additional position for a second official electorate office; and
 - an additional 50 days' salary at the base salary point of the Electorate Officer B classification where a Member is allocated an additional position for a third official electorate office.

Terms and Definitions

45. In this determination, terms have the meaning set out in the Enterprise Agreement. In addition, the terms below have the following meanings:

Opposition Office Holder means:

- the Leader or Deputy Leader of the Opposition in the House of Representatives; or
- the Leader or Deputy Leader of the Opposition in the Senate.

Leader or Deputy Leader of a Minority Party means the Leader or Deputy Leader of a recognised non-Government party of at least five members, but does not include an Opposition Office Holder.

Professional Development Program means a scheduled program of training courses for MOP(S) Act employees, administered by the Department of Finance.

Regulated ridesharing services means a ridesharing service operating under regulation in the State or Territory in which the travel occurs.

[REDACTED]

From: Ware, Jenny (MP Office) [REDACTED]
Sent: Tuesday, 12 December 2023 2:56 PM
To: Assurance
Subject: RE: Assurance Review - travel and travel-related expenses [SEC=OFFICIAL]
Attachments: 2023-12-12 Response.pdf

Categories: [REDACTED]

Dear [REDACTED]

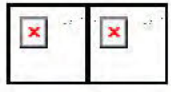
Please find attached correspondence from Ms Ware, in response to your ref: IPEA 23/1/30 IDOC/241710.

Yours sincerely,

[REDACTED]
Office of Jenny Ware MP
Federal Member for Hughes

Shop 1, 9-15 East Parade, Sutherland NSW 2322
PO Box 1014, Sutherland NSW 1499

[REDACTED]



From: Assurance <Assurance@ipea.gov.au>
Sent: Wednesday, November 29, 2023 9:06 AM
To: Ware, Jenny (MP Office) [REDACTED]
Subject: Assurance Review - travel and travel-related expenses [SEC=OFFICIAL]

OFFICIAL

Ms Jenny Ware MP
Member for Hughes

Good morning Ms Ware

Good afternoon Ms Ware

Please find attached correspondence from the Independent Parliamentary Expenses Authority in relation to an Assurance Review into travel and travel-related expenses incurred by you and one of your staff members during the period 1 April to 30 June 2023.

Should you wish to discuss this matter, please contact [REDACTED]

Yours sincerely

[REDACTED]
A/g Assistant Secretary
Transparency, Assurance and Legal Branch
Independent Parliamentary Expenses Authority
One Canberra Avenue, FORREST ACT 2603
T: +61 2 6215 3000
Assurance@ipea.gov.au
W: www.ipea.gov.au



Expenditure reporting is here!

Click here for resources on how to access,
navigate, review and certify a report

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Jenny Ware MP

Federal Member for Hughes



JW:js

12 December 2023

[REDACTED]
Acting Branch Manager, Transparency, Assurance and Legal
Independent Parliamentary Expenses Authority
One Canberra Avenue
FORREST ACT 2603

Email: Assurance@ipea.gov.au

Dear [REDACTED]

I write in response to your letter of 29 November 2023, reference IPEA 23/1/30 IDOC/241710 (**Letter**).

In relation to Attachment B of the Letter, the dominant purpose of travel to Canberra between 4 and 5 April 2023 was for parliamentary business to prepare for, participate in and attend a Liberal Party room meeting.

See Annexure A – memo from Chief Opposition Whip dated 3 April 2023.

The dominant purpose of travel to Canberra between 21 and 22 April 2023 was for parliamentary business to undertake research, prepare for, participate in and attend meetings with stakeholders based in Canberra in relation to policy matters:

- (a) including the Voice forum I conducted for and in my electorate on 3 May 2023;
- (b) related to my role as Secretary of the Coalition Policy Committee on Industry, Energy Resources and Northern Australia.

See Annexure B – calendar entry for 21 April 2023.

In relation to Annexure D of the Letter, which relates to travel undertaken by a staff member, all travel for the dates indicated was directed by me and was therefore “official business” in accordance with Determination 2023/010 – Staff Travel and Relief Staff Arrangements (**Determination**).

[REDACTED] Jenny.Ware.MP@aph.gov.au

[REDACTED] (02) 9521 6262

[REDACTED] jennyware.com.au

Shop 1, 9-15 East Parade,
Sutherland NSW 2232

PO Box 1014,
Sutherland NSW 1499



Further, and particularly:

1. For the travel on 4 April 2023:
 - a. The correct arrival time for this travel was **07:49 PM**. The staff member had travelled from Sydney to Canberra with luggage as permitted under the Determination (an exemption to sch A item 2).
 - b. The travel was contiguous with COMCAR booking 191023, in which the staff member travelled with me as a leg in their trip from Sydney to their own accommodation in Canberra.
2. For the travel on 9 May 2023:
 - a. This was from the staff member's accommodation to Parliament House.
 - b. They carried large boxes of office supplies to the office for the purpose of the trip. These items were not documents or items related to work which would most likely be carried by the staff member as part of their day-to-day employment.
 - c. It would not have been practicable for the staff member to have travelled with these items by public transport.
3. For the travel on 31 May 2023, 1 June 2023, 19 June 2023, 20 June 2023 (08:12 AM and 06:45 PM – should state **Capital Hill to Barton**), 21 June 2023 and 22 June 2023:
 - a. As a general comment, on 29 May 2023, the staff member suffered a non-displaced fracture to the radial neck of their right arm (**the injury**) whilst in Canberra on official business. The staff member is right-handed. The staff member attended at Calvary Public Hospital, Bruce on 30 May 2023 for medical treatment. Following return to their home, the staff member underwent rehabilitation through an occupational therapist.
 - b. In addition, to support this claim, the staff member reported that medical and health advice given by their treating specialists was that, as and from the date of the injury and during recovery:
 - i. A cast or splint be worn, restricting the free movement of the angle between their forearm and their upper arm;
 - ii. A sling be worn during any travel, including travel to or from work; and
 - iii. Self-drive between their home and Canberra not be undertaken.
 - c. The travel related expenses all arose as a result of the injury as set out below.
 - d. The staff member was unable to make use of a privately owned vehicle while in Canberra, due to the advice of their occupational therapist regarding their mode of travel to Canberra.
 - e. The staff member was unable to travel using scheduled public transport, hired bicycle (manual-pedal or electric-assistance) or by foot, given the need to manage the injury and also to carry personal effects such as laptops, folders and/or any other documents.

- f. Given the injury and their need to travel for work, I considered that this was a personal safety issue and accordingly, I directed that car transport be used in Canberra to enable the staff member to travel to and from work.
- g. Further, the staff member has reported that a workers' compensation claim in relation to the injury under the *Safety, Rehabilitation and Compensation Act 1988* has been made and is ongoing.

See Annexure C – discharge summary and medical certificate dated 30 May 2023.

I trust that this answers your queries. If further information is required, please contact me.

Yours sincerely,



Jenny Ware MP
Federal Member for Hughes

- Encl. Annexure A: Memo,
 Annexure B: Calendar entry;
 Annexure C: Discharge summary and medical certificate

From: Whip, Chief Liberal (REPS)
Sent: Monday, 3 April 2023 11:40 AM
Subject: URGENT Whip Memo: Liberal Party Room Meeting – Wednesday 5 April
Importance: High



CHIEF OPPOSITION WHIP WHIPS MEMO

TO: All Coalition Members & Staff
FROM: Bert van Manen MP
DATE: Monday 3 April 2023
RE: Liberal Party Room Meeting – Wednesday 5 April

Good morning Colleagues,

There will be a Liberal Party Room Meeting on Wednesday 5 April 2023 at 10.30am in the Opposition Party Room.

Please let the Whips Office (x4088) know ASAP for any apologies.

Thanks Bert

21 April 2023

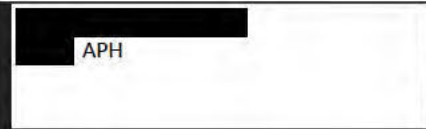


Friday

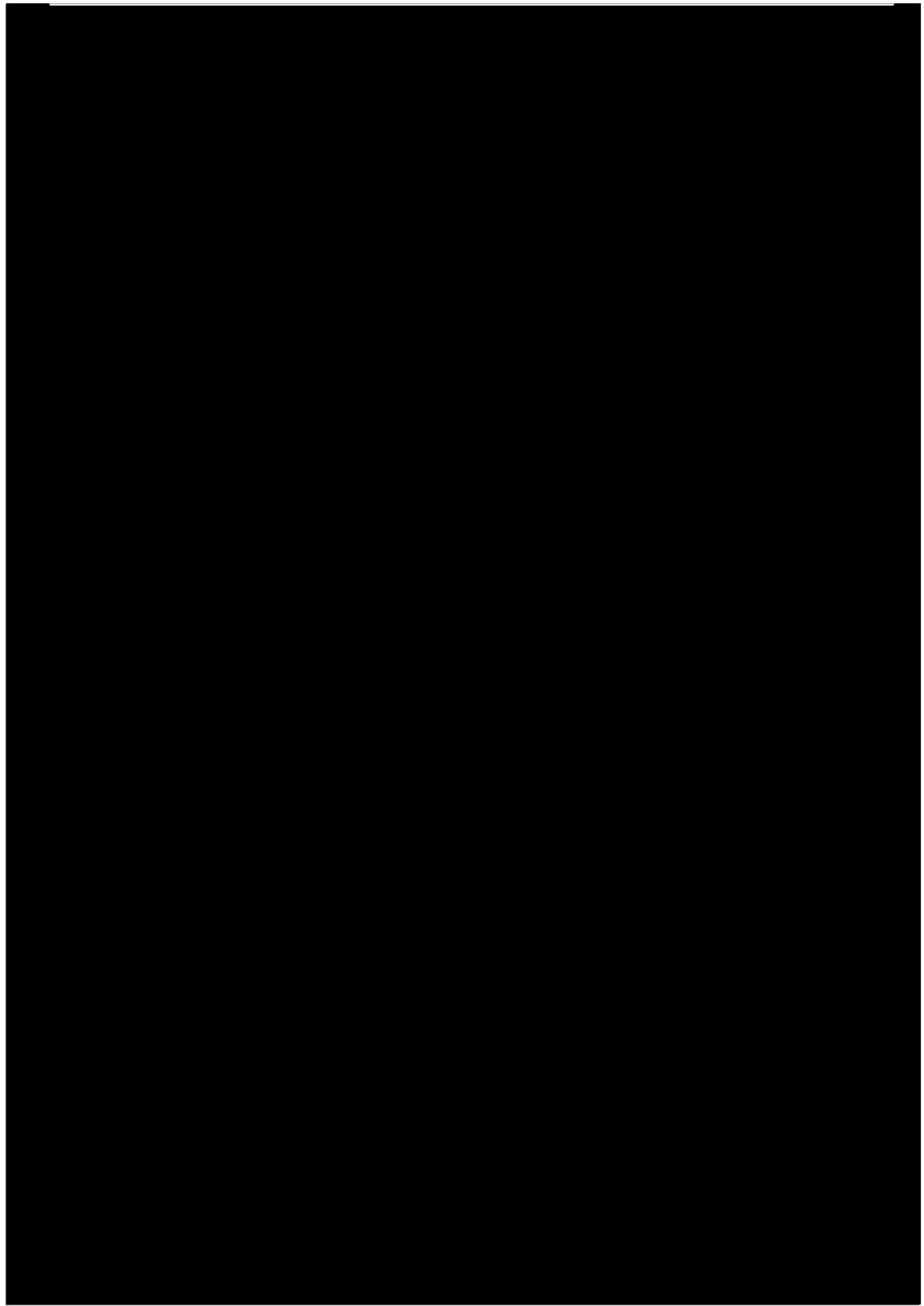
April 2023

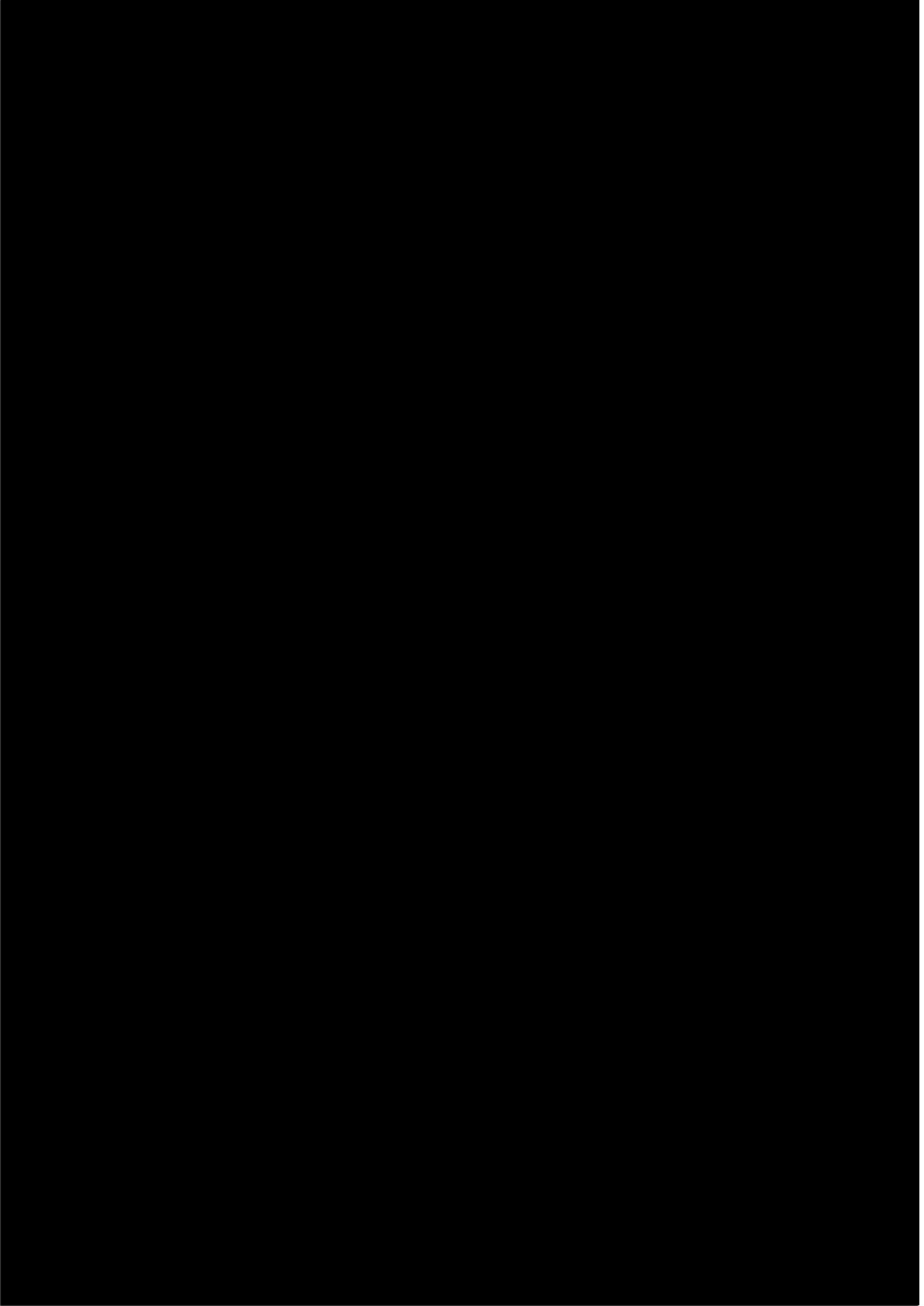
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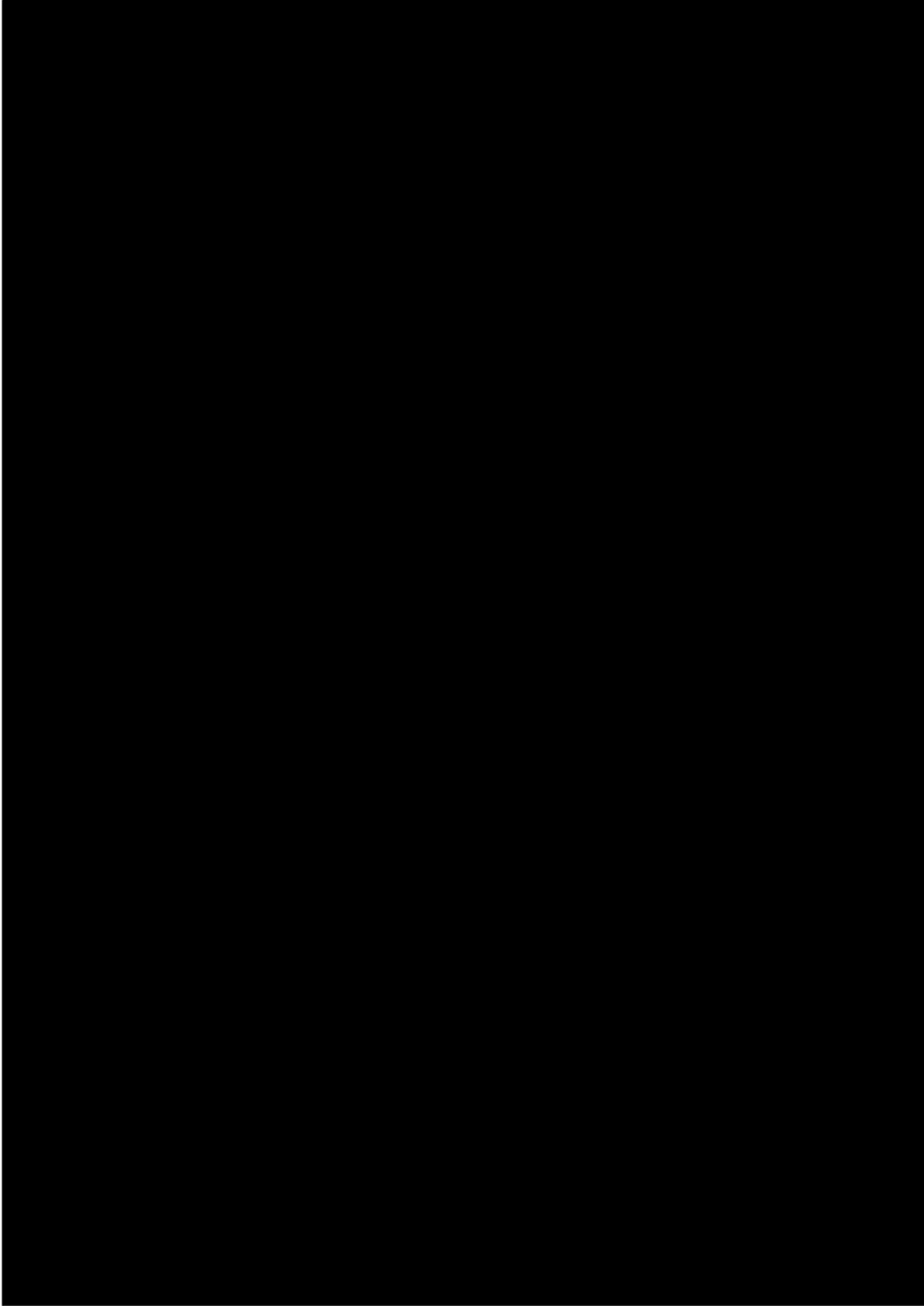
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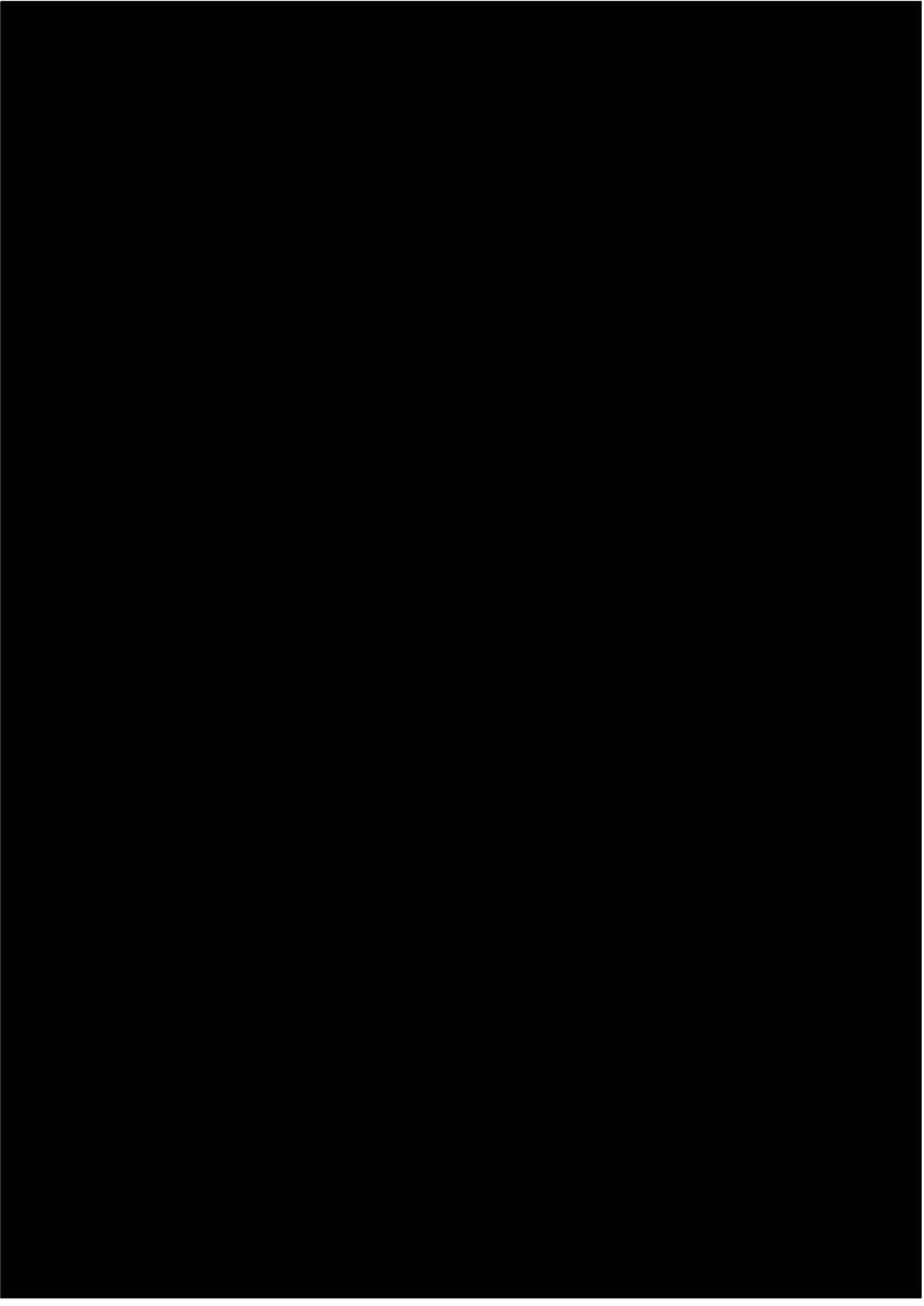
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[REDACTED]

From: Assurance
Sent: Tuesday, 9 January 2024 4:32 PM
To: [REDACTED]
Subject: Assurance Review - travel and travel-related expenses [SEC=OFFICIAL]
Attachments: IPEA letter to Ms Ware 9 Jan 2024.pdf; Attachment A - Determination 2023-10 Staff Travel and Relief Staff Arrangements.pdf

OFFICIAL

Ms Jenny Ware MP
Member for Hughes

Good afternoon Ms Ware

Please find attached correspondence from the Independent Parliamentary Expenses Authority in relation to an Assurance Review of staff travel and travel-related expenses.

Should you wish to discuss this matter, please do not hesitate to contact me.

Yours sincerely

Nicole Pearson
Branch Manager, Transparency, Assurance and Legal
Independent Parliamentary Expenses Authority
One Canberra Avenue, FORREST ACT 2603

[REDACTED]
E: assurance@ipea.gov.au
W: www.ipea.gov.au



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navigate, review and certify a report

OFFICIAL



Australian Government
Independent Parliamentary
Expenses Authority

REF: IPEA 23/1/30 IDOC/243340

9 January 2024

Ms Jenny Ware MP
Member for Hughes
PO Box 1014
SUTHERLAND NSW 1499

Email: [REDACTED]

Dear Ms Ware

Assurance Review of travel and travel-related expenses

Thank you for your email of 12 December 2023 in response to the Assurance Review being conducted by the Independent Parliamentary Expenses Authority (IPEA) in relation to travel and travel-related expenses incurred by you and one of your MOP(S) Act employees.

Having regard to the legislative framework and the information provided by you, IPEA has concluded that the dominant purpose of your travel to Canberra between 4 and 5 April and between 21 and 22 April 2023 was parliamentary business, and the use of parliamentary business resources was consistent with the legislative framework.

In relation to staff use of car transport in Canberra, IPEA notes the correction to the arrival time for travel on 4 April 2023. IPEA accepts your advice that this travel was directed by you and that the staff member was carrying luggage for the purpose of the trip which is in accordance with paragraph 16(c) of Determination 2023/10 Staff Travel and Relief Staff Arrangements (the Staff Travel Determination **Attachment A**). IPEA also accepts the staff travel on 9 May 2023 was directed by you for the purpose of carrying large boxes of office supplies to Parliament House and this is also consistent with the legislative framework.

Having considered your response, IPEA is concerned the remaining transactions detailed at **Attachment B** may be inconsistent with the requirement for the employee to transport themselves to and from work for their normal hours of duty. IPEA requires additional information to assist in the assessment of this travel.

An employee's eligibility to use car transport is set out in the Staff Travel Determination. In accordance with the Determination, your employee may only use car transport when directed to do so by you, or a person authorised by you, for official business. The Determination provides that it is an employee's responsibility to transport him or herself to and from work for his or her normal hours of duty. This responsibility includes travel between accommodation and the office when travelling on business away from their normal work base.

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An employee's use of car transport for travel to and from work may only be when travelling as directed for one of the exceptions set out at item 16 of the Determination. You, or an authorised person, must be satisfied the use of car transport by your employee complies with the legislative framework.

For the transactions for staff use of car transport on 31 May, 1, 19, 20, 21 and 22 June 2023, you advised the travel was directed by you to enable the employee to travel to and from work as they had suffered an injury on 29 May 2023 and you considered this was a personal safety issue. You have noted the employee was unable to use a privately owned vehicle, or to travel via scheduled public transport or other means given the need to manage the injury and carry personal effects such as laptops or folders to and from the workplace.

To assist with this Assurance Review, please provide additional information on the reasons the employee's injury posed a significantly increased risk to personal safety which required the use of public resources to transport themselves to and from work for their normal hours of duty.

Please provide your response via email to Assurance@ipea.gov.au by close of business on Wednesday **24 January 2024**. If you require additional time to provide a response or if you would like to discuss this matter, please contact [REDACTED]

Yours sincerely

[REDACTED]

Nicole Pearson
Branch Manager, Transparency, Assurance and Legal
Independent Parliamentary Expenses Authority
One Canberra Avenue, FORREST ACT 2603
[REDACTED]

OFFICIAL

Attachment B
[REDACTED] – staff travel and travel related expenses

Departure Date	Departure Location	Arrival Time	Arrival Location	Amount	Comments
31/05/2023	Barton	08:39 AM	Capital Hill	\$14.65	
01/06/2023	Barton	09:57 AM	Capital Hill	\$13.70	
19/06/2023	Barton	08:58 AM	Capital Hill	\$13.70	
20/06/2023	Barton	08:12 AM	Capital Hill	\$13.70	
20/06/2023	Barton	06:45 PM	Barton	\$12.86	
21/06/2023	Barton	08:43 AM	Capital Hill	\$14.65	
22/06/2023	Barton	09:45 AM	Capital Hill	\$12.65	

Members of Parliament (Staff) Act 1984

STAFF TRAVEL AND RELIEF STAFF ARRANGEMENTS

I, DON FARRELL, Special Minister of State, for and on behalf of the Prime Minister, determine under subsection 13(2) and subsection 20(2) of the *Members of Parliament (Staff) Act 1984* (the MOP(S) Act) that, with effect on and from 1 July 2023:

- Determination 2020/15 made on 29 June 2020 is revoked with effect from 30 June 2023;
- the travel arrangements set out in Schedule A of this determination apply to the staff of Senators and Members employed under Part III and Part IV of the Act;
- the relief staff arrangements set out in Schedule B of this determination apply; and
- the Electorate Support Budget is calculated as set out in Schedule C of this determination.

Dated this 24 ^{June} day of ~~May~~ 2023


DON FARRELL
Special Minister of State

SCHEDULE A

Domestic Travel

1. Employees may only travel by the most efficient direct route available.
2. Subject to item 16, it is an employee's responsibility (and hence the employee's cost) to transport him or herself to and from work for his or her normal hours of duty. This responsibility includes travel between accommodation and the office when travelling on parliamentary or electorate business away from the employee's work base. This also includes travel to attend work when the employee's work base is distant from the employee's home.
3. All personal employees may travel as directed anywhere within Australia on official business.
4. Subject to available funds in the Electorate Support Budget (where applicable), electorate employees may travel as directed anywhere within Australia on official business. All travel costs under this determination and associated travelling allowance and motor vehicle allowance under the *Commonwealth Members of Parliament Staff Enterprise Agreement 2020-2023* or successor agreements (Enterprise Agreement) are debited against the Electorate Support Budget (where applicable).
5. One nominated electorate employee working for a parliamentarian may travel as directed anywhere within Australia on official business without debit against the Electorate Support Budget.
 - (a) The nomination of an electorate employee is to be determined, where practical, at the commencement of the financial year with effect from 1 July .
 - (b) The expectation is that the nomination would not change more than three times within a financial year period. These three changes accommodate for any unforeseen circumstances or staffing arrangement changes that arise throughout the financial year.
 - (c) The name of the nominated employee must be notified to the Independent Parliamentary Expenses Authority (IPEA) in writing¹ where possible, at the commencement of the financial year. All travel under this Schedule by the nominated employee that was undertaken prior to the date that the nomination took effect will be debited against the Electorate Support Budget.
 - (d) The general travel conditions set out in this Schedule continue to apply, where appropriate, to the nominated employee.
 - (e) All travel undertaken by electorate employees of the Senator or Member, other than the nominated employee, will be debited against the Electorate Support Budget, subject to item 6.
6. A Presiding Officer, including a Deputy Presiding Officer, Parliamentary Secretary², Whip or a Shadow Minister, other than an Opposition Office Holder, may nominate a personal employee whose travel will be debited against the Electorate Support Budget, in place of a nominated electorate employee, whose travel will not be debited against the Electorate Support Budget.

¹ Using the *Electorate Employee Travel Nomination* form on the IPEA website.

².

- (a) The nomination for a swap of the travel entitlements of a personal employee with an electorate employee is to be determined, where practical, at the commencement of the financial year with effect from 1 July
 - (b) The nomination of a personal and electorate employee would not change more than three times within a financial year period. These three changes accommodate for any unforeseen circumstances or staffing arrangement changes that arise throughout the financial year.
 - (c) The names of the nominated personal and electorate employees must be notified to IPEA in writing³. All travel by the nominated electorate employee that was undertaken prior to the date that the nomination took effect will be debited against the Electorate Support Budget.
7. Official travel is restricted to Australia (excluding the external territories) unless the employing Senator or Member has a specific work expense for travel to an Australian external territory.
 8. Travel may not be undertaken at Commonwealth expense for the personal benefit of an employee.
 9. With the approval of the employing Senator or Member, an employee is permitted to make a stopover for personal reasons in the course of travel on official business by the most efficient direct route available, provided:
 - (a) the stopover is for a maximum of two nights only;
 - (b) no annual leave is taken by an employee as part of the stopover; and
 - (c) any additional costs for fares or costs related to the stopover are paid by the employee at the time of booking the travel.
 10. Travel allowance is not payable during a personal stopover. A personal stopover is defined as personal time spent at a destination where an employee has been directed to travel on official business⁴ or a break in travel at a usual point en route to the final travel destination⁵.
 11. An employee may only use charter services when accompanying their employing Senator or Member under the Senator's or Member's charter work expense or where scheduled transport services (including air, rail, sea and bus) are not available.
 - (a) If the charter service also carries other passengers, the Commonwealth will only pay the pro rata cost of the travel of the employee.
 - (b) Charter services may not be used for the sole reason that scheduled services are fully booked, or are not available at the most convenient time.
 - (c) Some regions of Australia have infrequent scheduled services and/or no scheduled air services. Employees travelling to these locations should plan their travel with regard to these constraints.

³ Using the *Electorate Employee Travel Nomination* form on the IPEA website.

⁴ For example, a Canberra-based employee travels to Brisbane on official business on Friday. The employee stays in Brisbane on Saturday and Sunday nights and returns on Monday. In this case, the Saturday and Sunday are counted as a personal stopover and return airfare will be covered by the Electorate Support Budget. However, if the employee returns on Tuesday or later, it is at their own expense.

⁵ For example, travel from Hobart to Canberra may have a usual stop in Melbourne en route.

12. Employees are required to take all reasonable steps to ensure, where applicable, that departure and destination travel arrangements are compatible with scheduled transport services.

Class of Travel

13. Senior staff (employees above the level of Adviser) who are required by the employing Senator or Member to travel on official business by air, rail, road or sea are limited to a fare which shall not exceed the cost of a business class airfare for the most reasonable and usual route between the departure and destination points. Where a business class airfare is not published for the destination point, the cost to the Commonwealth of travel by air, rail, road or sea must not exceed the economy class airfare for the most reasonable and usual route, between the departure and destination points.
14. Employees, other than senior staff, who are required by the employing Senator or Member to travel on official business by air, rail, road or sea shall travel at economy class for the most reasonable and usual route between the departure and destination points, unless otherwise determined by the Special Minister of State.
15. A Minister, Parliamentary Secretary, Opposition Office Holder or Presiding Officer (but not a Deputy Presiding Officer) may direct a member of his or her staff who is on the same aircraft to travel at the same class as him or her, where there is a working need to do so. It is expected that no more than one employee will do so on any particular trip.

Car Transport

16. As set out in item 2 of this Schedule, it is an employee's responsibility (and hence the employee's cost) to transport him or herself to and from work for his or her normal hours of duty. Exceptions to this rule apply to the use of car transport in the following circumstances:
 - (a) the trip is approved for personal safety reasons (for example, where the risk to personal safety is significantly increased due to the requirement to work late); or
 - (b) the employee is travelling on official business and scheduled public transport services are not readily available; or
 - (c) the employee is travelling on official business and is carrying luggage to and/or from the office for the purpose of the trip.
17. Employees, when travelling as directed on official business, or under the exceptions at item 16, subject to the restrictions at items 1 to 9, may use⁶:
 - (a) taxis;
 - (b) regulated ridesharing services;
 - (c) hire cars; and
 - (d) short-term self-drive cars hired through the travel services provider, or with any car hire company, provided that:

⁶ Motor vehicle allowance (MVA) may also be payable under Enterprise Agreement where an employee travels under the provisions of this determination in their privately owned vehicle or self-drive hire vehicle, at their own expense.

- (i) the hire is of no more than 10 days duration;
 - (ii) the vehicle is not used for journeys within Canberra (other than to collect and/or return the vehicle);
 - (iii) the vehicle is not used for journeys within a city/town where the employer's electorate or other office is located (other than to collect and/or return the vehicle), except by employees of the Prime Minister, the Leader of the Opposition, or the leader of a minority party;
 - (iv) for the purposes of short-term self-drive car hire under this determination, a capital city, other than Canberra, is defined by the boundaries of the electorates identified as urban on the Federal Electoral Boundaries map published from time to time by the Australian Electoral Commission. Canberra includes locations within a 30km radius of Parliament House; and
 - (v) the cost of insurance will be met by the Commonwealth where it is purchased as part of the vehicle hire. It is the responsibility of employees to ensure that they arrange the appropriate level of insurance for the circumstances of the hire. To reduce liability to the Commonwealth in case of loss or damage to the vehicle, this will usually be the highest level of insurance cover available.
18. Self drive- hire cars should be used on weekdays only unless exceptional circumstances apply and the Senator or Member has approved the use. Employees may not use taxis, regulated ridesharing services, hire cars or shortterm self- drive-hire cars at Commonwealth expense for private use, other than as set out at item 16.

Tolls and Parking Costs

- 19. Employees authorised by the employing Senator or Member to travel on official business may be reimbursed their toll and parking costs. Such costs must be reasonable to be eligible for full reimbursement⁷.
- 20. Toll and parking costs will not be reimbursed where incurred during a personal stopover or a period of leave. Administrative charges or penalties for late payment or non-payment of tolls and parking costs will not be reimbursed.
- 21. Employees will not be reimbursed for valet parking costs, with the exception of valet parking costs incurred at the accommodation occupied by the employee for travel on official business involving an overnight stay away from their work base.

Travel for Training

- 22. Senators and Members whose electorate offices are outside the greater metropolitan area of capital cities (including satellite cities), as defined by the Australian Electoral Commission, or within the Northern Territory or Tasmania, have access to four trips per financial year (five trips per financial year where the Member has a second official electorate office or six trips per financial year where the Member has a third official electorate office) for their electorate employees to travel to the nearest capital city to attend training under the Professional Development Program or approved ad hoc training and professional development opportunities, IT training or

⁷ For example, it is generally expected that long-stay parking will be used at an airport.

training for Work Health and Safety roles (including travel for Health and Safety Representatives (HSR) to attend accredited HSR training).

- (a) For electorate offices located in the Northern Territory, employees may also use the trips to travel to Adelaide or Brisbane.
- (b) For electorate offices located in Tasmania, employees may also use the trips to travel to Melbourne.

23. The Senators and Members whose employees are eligible for the trips in item 22 will be listed on the Ministerial and Parliamentary Services (M&PS) website.

Travel for ECG Representatives and WHS Committee Members

24. Associated travel costs⁸ of employees who are Employee Consultative Group⁹ (ECG) representatives and Work Health and Safety (WHS) Committee¹⁰ members, and whose travel is subject to the Electorate Support Budget, will not be debited against the Electorate Support Budget when the employee travels for the purpose of attending an ECG meeting or WHS Committee meeting, provided that the travel to the meeting location is not also for other official business.
25. Where the travel is also for other official business, only the *additional* travel costs associated with the ECG meeting or WHS Committee meeting will not be debited against the Electorate Support Budget.

COMCAR Services for Employees of the Prime Minister

26. All employees of the Prime Minister may use a COMCAR to travel to or from Defence Establishment Fairbairn when embarking or returning from travel with or on behalf of the Prime Minister.
27. With prior notification to the COMCAR Client Liaison Manager, the Prime Minister's employees may also travel in a COMCAR, when the car would otherwise be travelling without passengers, in the following circumstances:
- (a) if a COMCAR is travelling out of zone to meet the Prime Minister¹¹, and employees need to travel along the same route to meet the Prime Minister; or
 - (b) if a COMCAR is travelling as part of the Prime Minister's advance party and employees need to travel along the same route.
28. In using COMCAR for these purposes, the COMCAR booking will be based solely on the Prime Minister's requirements. Employees must make their own way to and from any pick up/drop off point that COMCAR advise, which will be on the direct intended route. The COMCAR schedule cannot be altered to incur waiting time on behalf of an employee.

⁸ 'Associated travel costs' are costs under this determination (or its successor determinations), including domestic flights and car travel, and as provided under the Enterprise Agreement, including travelling allowance and motor vehicle allowance.

⁹ As described at clause 5 of the Enterprise Agreement.

¹⁰ A Health and Safety Committee for MOP(S) Act employees for the purposes of Division 4 of the *Work Health and Safety Act 2011*.

¹¹ For example, from Canberra to Merimbula.

SCHEDULE B

Relief Staff Arrangements

29. Each Senator and Member may engage relief staff as electorate employees with a work base of the electorate office, Parliament House office, or office holder's office as described at item 30, in accordance with the Enterprise Agreement, up to the limit of his or her Electorate Support Budget. The Special Minister of State may approve an alternative work base for a person employed against the Electorate Support Budget in special circumstances.
30. For the purpose of item 29, an office holder's office is an office, other than the electorate office/s and Parliament House office, provided at Commonwealth expense to the employing Senator or Member within the state or territory of their electorate and who is:
- (a) a Minister;
 - (b) an Opposition Office Holder;
 - (c) a Leader of a Minority Party; or
 - (d) a Presiding Officer.
31. The employment of electorate staff against an established position will not be debited against the Electorate Support Budget under the following circumstances:
- (a) filling of positions that are vacant due to resignation, retirement or termination;
 - (b) filling of positions that are temporarily vacant due to an employee being temporarily progressed to a personal employee position;
 - (c) absences of one week¹² or more on personal leave¹³;
 - (d) all absences on the following types of leave:
 - (i) unpaid carer's leave;
 - (ii) compassionate leave;
 - (iii) community service leave;
 - (iv) miscellaneous or other leave paid in accordance with the Enterprise Agreement (including Defence Force service, participation in major international sporting events, war service sick leave, political exchange leave, and other special purposes, but not including study leave);
 - (v) long service leave;
 - (vi) maternity leave¹⁴;
 - (vii) adoption leave;

¹² The term 'one week' means an absence of 38 hours regardless of whether the employee is full-time or part-time.

¹³ Where an employee who is absent due to personal illness or injury or carers duties has exhausted their paid personal leave and therefore uses annual or long service leave, they may be replaced without debit against the Electorate Support Budget.

¹⁴ Where other forms of paid leave are used within the 52 week maternity leave period, the Electorate Support Budget provisions that apply to maternity leave take precedence over the Electorate Support Budget provisions that apply to the type of leave used.

- (viii) supporting partner leave;
 - (ix) unpaid parental leave; and
 - (x) leave without pay.
32. Where an electorate employee is partially incapacitated (i.e. working fewer than their usual weekly hours on the basis of medical advice), working up to but not exceeding 20 hours per week, that employee will be treated as totally incapacitated and full-time relief arrangements will apply (to the maximum of the usual weekly hours of the employee) for a maximum period of six months without debit against the Electorate Support Budget. After six months, or when the affected employee's work hours exceed 20 hours per week (but are less than their usual weekly hours), relief staff may be engaged part-time in order to fully staff the position without debit against the Electorate Support Budget.
33. Senators and Members who hold a 'relevant office', as defined under section 3 of the Act, engage relief staff as electorate employees against the Electorate Support Budget under Part III of the Act. Senators and Members who do not hold a 'relevant office' engage relief staff as electorate employees against the Electorate Support Budget under Part IV of the Act.

SCHEDULE C

Calculation of the Electorate Support Budget

34. Subject to items 35 to 38, the Electorate Support Budget is calculated at the commencement of each financial year as the sum of:
 - (a) the electorate staff travel component; and
 - (b) the relief staff component.
35. The Electorate Support Budget is calculated pro rata, on the basis of the number of calendar days remaining, for the financial year in which a Senator or Member commences his or her term.
36. The relief staff component will be adjusted in line with changes to the base salary point of the Electorate Officer B classification.
37. The relief staff component will be adjusted pro rata where a Member is allocated, or ceases to be allocated, an additional position for a second and/or third official electorate office.
38. The Special Minister of State may approve changes to the Electorate Support Budget for any Senator or Member.
39. If the Electorate Support Budget for a year is exhausted, a Senator or Member may not draw from the Electorate Support Budget for the following year. All costs beyond the Electorate Support Budget are a debt owed to the Commonwealth and must be repaid by the Senator or Member. Unused funds may not be carried over to the following year.

Electorate staff travel component

40. Except as provided at items 41, 42 and 43, the electorate staff travel component is calculated on the basis of:
 - (a) 20 return economy airfares (fully flexible) between the primary electorate office and Canberra;
 - (b) 110 nights of travelling allowance at the rate applicable to Canberra;
 - (c) taxi fares and/or motor vehicle allowance to and from the relevant airports for the 20 flights above; and
 - (d) an amount for other travel as follows:

Senator/Member	Electorate Size	\$
Member	0-199 km ²	\$300
Member	200-999 km ²	\$500
Member	1,000-9,999 km ²	\$700
Member	10,000-99,999 km ²	\$1,000
Member	100,000-199,999 km ²	\$8,132
Member	200,000-499,999 km ²	\$10,132
Member	500,000 km ² or greater	\$12,132
Senators for the NT	–	\$9,000
All other Senators	–	\$500

41. Where a Senator or Member's primary electorate office is located within 150km of Canberra by road, the electorate staff travel component is calculated at the commencement of each financial year on the basis of:
- the value of motor vehicle allowance payable for 20 return motor vehicle trips between the primary electorate office and Canberra;
 - 110 nights of travelling allowance at the rate applicable to Canberra; and
 - an amount for other travel as set out at item 40(d).
42. The electorate staff travel component for each financial year for the Member for Bean and Senators for the ACT is calculated on the basis of:
- three return economy airfares (fully flexible) between Canberra and Norfolk Island;
 - eight nights of travelling allowance at the commercial rate applicable to Norfolk Island; and
 - an amount of \$2,000 for other travel.
43. The electorate staff travel component for each financial year for the following Senators and Members is calculated as follows:

Senator/Member	\$
Member for Canberra	\$2,000
Member for Fenner	\$2,000
Member for Eden-Monaro	\$5,000
Senator whose electorate office is in Queanbeyan	\$5,000

Relief staff component

44. The relief staff component is calculated on the basis of:
- 150 days' salary at the base salary point of the Electorate Officer B classification; and
 - an additional 50 days' salary at the base salary point of the Electorate Officer B classification where a Member is allocated an additional position for a second official electorate office; and
 - an additional 50 days' salary at the base salary point of the Electorate Officer B classification where a Member is allocated an additional position for a third official electorate office.

Terms and Definitions

45. In this determination, terms have the meaning set out in the Enterprise Agreement. In addition, the terms below have the following meanings:

Opposition Office Holder means:

- the Leader or Deputy Leader of the Opposition in the House of Representatives; or
- the Leader or Deputy Leader of the Opposition in the Senate.

Leader or Deputy Leader of a Minority Party means the Leader or Deputy Leader of a recognised non-Government party of at least five members, but does not include an Opposition Office Holder.

Professional Development Program means a scheduled program of training courses for MOP(S) Act employees, administered by the Department of Finance.

Regulated ridesharing services means a ridesharing service operating under regulation in the State or Territory in which the travel occurs.

From: Ware, Jenny (MP Office) [REDACTED]
Sent: Wednesday, 14 February 2024 5:33 PM
To: Assurance
Cc: Ware, Jenny (MP Office)
Subject: RE: Assurance Review - travel and travel-related expenses [SEC=OFFICIAL]
Attachments: SRF021M0124021415000.pdf

Categories: [REDACTED]

Dear Ms Pearson,

Please find attached a response to your ref: IPEA 23/1/30 IDOC/243340.

Yours sincerely,

[REDACTED]
Office of Jenny Ware MP
Federal Member for Hughes

Shop 1, 9-15 East Parade, Sutherland NSW 2322
PO Box 1014, Sutherland NSW 1499

[REDACTED]



From: Assurance <Assurance@ipea.gov.au>
Sent: Tuesday, January 9, 2024 4:32 PM
To: Ware, Jenny (MP Office) [REDACTED]
Subject: Assurance Review - travel and travel-related expenses [SEC=OFFICIAL]

OFFICIAL

Ms Jenny Ware MP
Member for Hughes

Good afternoon Ms Ware

Please find attached correspondence from the Independent Parliamentary Expenses Authority in relation to an Assurance Review of staff travel and travel-related expenses.

Should you wish to discuss this matter, please do not hesitate to contact me.

Yours sincerely

Nicole Pearson

Branch Manager, Transparency, Assurance and Legal
Independent Parliamentary Expenses Authority
One Canberra Avenue, FORREST ACT 2603

E: assurance@ipea.gov.au

W: www.ipea.gov.au



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Jenny Ware MP

Federal Member for Hughes



JW:js

14 February 2024

Ms Nicole Pearson
Branch Manager, Transparency, Assurance and Legal
Independent Parliamentary Expenses Authority
One Canberra Avenue
FORREST ACT 2603

Email: Assurance@ipea.gov.au

Dear Ms Pearson,

I write in response to your letter of 9 January 2024, reference IPEA 23/1/30 IDOC/243340 (**Letter**). I apologise for the delay in response.


In relation to Attachment B of the Letter, which relates to travel undertaken by a staff member, you are seeking additional information on the reasons why the staff member's injury posed a significantly increased risk to personal safety.

In my response to [REDACTED] on 12 December 2023 (**Response**), I identified that all travel undertaken by the staff member was directed by me. This direction was given as a result of my interpretation of paragraph 16(a) of Determination 2023/10 Staff Travel and Relief Staff Arrangements (**Determination**).


As identified in the Response, the staff member suffered a non-displaced fracture to the radial neck of their right arm (**the injury**) whilst in Canberra on official business. Due to advice from the staff member's treating specialists about restrictions on travel, the staff member's only available mode of transport whilst in Canberra was car transport.


Whilst I acknowledge the requirement for a staff member to transport themselves to and from work for their normal hours of duty, I considered that the injury posed a personal safety issue. I am satisfied that travel on any other modes of transport including public transport, hired bicycle (manual-pedal or electric-assistance) or by foot

 Jenny.Ware.MP@aph.gov.au

 (02) 9521 6262

 jennyware.com.au

 Shop 1, 9-15 East Parade,
Sutherland NSW 2232

 PO Box 1014,
Sutherland NSW 1499



would have significantly increased the staff member's risk to personal safety, potentially through aggravation of the injury.

I trust this answers your queries. If further information is required, please contact me.

Yours sincerely,



Jenny Ware MP
Federal Member for Hughes

[REDACTED]

From: Assurance
Sent: Wednesday, 17 April 2024 8:05 AM
To: [REDACTED]
Subject: REF: 1880031 - Assurance Review - staff use of car transport in Canberra [SEC=OFFICIAL]
Attachments: [REDACTED] Recovery of Cabcharge.pdf; 12_Display and Manage Debts (3).pdf

OFFICIAL

[REDACTED]
Office of Ms Jenny Ware MP

Good morning [REDACTED]

The Independent Parliamentary Expenses Authority (IPEA) has responsibility under the *Independent Parliamentary Expenses Authority Act 2017* to review travel resources accessed by staff employed under the *Members of Parliament (Staff) Act 1984*.

IPEA undertook an Assurance Review of travel expenses incurred by you, specifically in relation to your use of Commonwealth-funded transport in Canberra for travel to and from Parliament House. IPEA wrote to Ms Ware detailing the Commonwealth-funded car transport used by you. In the response provided to IPEA, transactions were identified where you were carrying luggage for the purpose of the trip and IPEA concluded this travel was consistent with Determination 2023/010 - Staff Travel and Relief Staff Arrangements (the Travel Determination). For the remaining transactions, IPEA is not satisfied with the explanation provided by Ms Ware. Neither Ms Ware, nor an authorised person in her office, is able to direct you to use car transport in circumstances which are not consistent with the Travel Determination. In circumstances where IPEA is satisfied the use of car transport was not in accordance with the legislative framework, IPEA is obliged to recover the full amount of these expenses.

Please find attached an invoice to recover the expenses for car transport which creates a debt to the Commonwealth. Further details on the debt can be found in the debt tile in the Parliamentary Expenses Management System (PEMS), where you can also manage your debt repayment options. Please refer to the attached PEMS guidance on displaying and managing debts. In relation to repayment options, you may opt to:

- deduct the debt from your future travel claims, or
- pay your invoice directly using the details on the bottom of page one of the invoice, or
- have the debt deducted from your salary.

Alternatively, please email enquiries@ipea.gov.au with your preferred method of debt recovery and IPEA will update PEMS accordingly. Should a recovery method not be selected within 30 days of this email, IPEA will automatically select to deduct from your future travel claims.

Should you wish to discuss this matter, please contact [REDACTED].

Sincerely

Nicole Pearson
Branch Manager, Transparency, Assurance and Legal
Independent Parliamentary Expenses Authority
One Canberra Avenue, FORREST ACT 2603

[REDACTED]
E: assurance@ipea.gov.au

W: www.ipea.gov.au & www.ipea.gov.au/ed



TAX INVOICE

Invoice To:

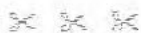
[REDACTED]
 [REDACTED]
 [REDACTED]

Invoice Date: 16.04.2024
Phone number: (02) 6215 3000
Invoice Reference: [REDACTED]
Payment Reference: [REDACTED]
Customer No: [REDACTED]
Payment Due Date: 16.05.2024
Email: finance@ipea.gov.au

On any correspondence,
 please quote the Invoice Reference.

Please pay within 30 days of the invoice date

Item Description	Net Amount	GST Amount	Total Amount
001 *Recovery of Cabcharge (service fee) 19 Jun 23	\$0.65		\$0.65
002 *Recovery of Cabcharge 20 Jun 23	\$11.14	\$1.11	\$12.25
003 *Recovery of Cabcharge 22 Jun 23	\$10.96	\$1.10	\$12.06
004 *Recovery of Cabcharge (service fee) 31 May 23	\$0.70		\$0.70
005 *Recovery of Cabcharge 1 Jun 23	\$11.86	\$1.19	\$13.05
006 *Recovery of Cabcharge 19 Jun 23	\$11.86	\$1.19	\$13.05
007 *Recovery of Cabcharge (service fee) 20 Jun 23	\$0.65		\$0.65
008 *Recovery of Cabcharge 31 May 23	\$12.69	\$1.27	\$13.96
009 *Recovery of Cabcharge (service fee) 22 Jun 23	\$0.60		\$0.60
010 *Recovery of Cabcharge 20 Jun 23	\$11.86	\$1.19	\$13.05
011 *Recovery of Cabcharge (service fee) 20 Jun 23	\$0.61		\$0.61
012 *Recovery of Cabcharge 21 Jun 23	\$12.68	\$1.27	\$13.95
013 *Recovery of Cabcharge (service fee) 21 Jun 23	\$0.70		\$0.70
014 *Recovery of Cabcharge (service fee) 1 Jun 23	\$0.65	\$0.02	\$0.63
Total:	\$87.61	\$8.30	\$95.91



1. Payment by Direct Debit

IPEA Administered Receipts A/C

BSB: [REDACTED] Account No: [REDACTED] Payment Ref: [REDACTED]

2. Mailing your payment

All cheques and money orders should be made payable to the IPEA.
 Mail payment together with this stub to:

IPEA
 1 Canberra Avenue FORREST, ACT, 2603

3. Payment by Credit Card

Complete the following and return by email to finance@ipea.gov.au or contact the IPEA Help Desk on (02) 6215 3000 with your credit card details.

Card Type: Mastercard Visa

Card Number: _____ Expiry Date: _____ CCV _____

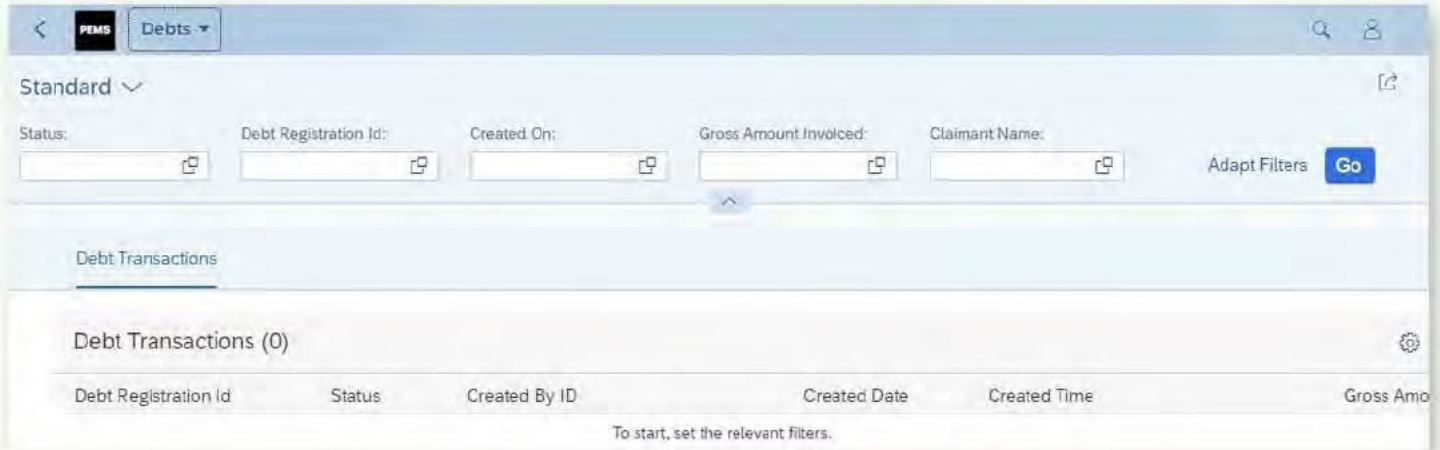
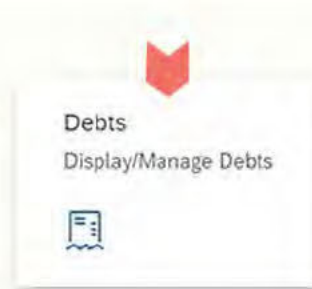
Name of Card Holder: _____ Signature: _____

Payment Amount: _____ Date: _____ Payment Ref: 3100002841

Display and Manage Debts

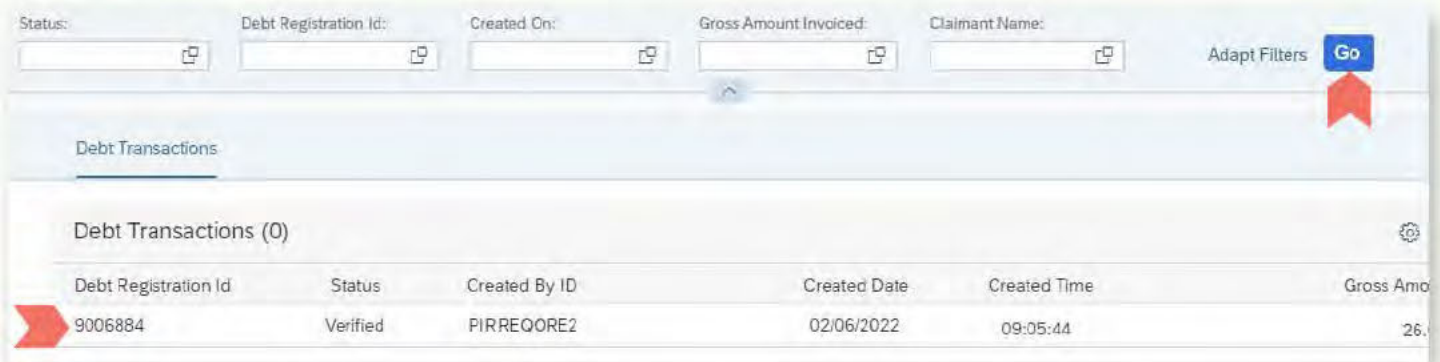
1 Open the Debt Transactions Dashboard

- Select the Debts tile
- Transaction Dashboard opens



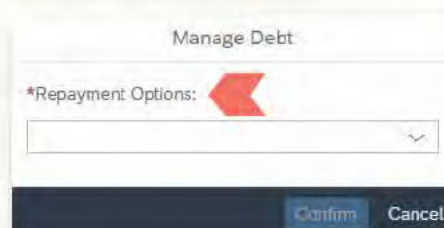
2 Find the Debt invoice

- Use filters, or
- Select the debt transaction



3 View or Manage the debt

- Select View Invoice PDF button, or
- Select the Manage Debt button
- Choose repayment option
- Select Proceed



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Australian Government
Independent Parliamentary
Expenses Authority

REF: IPEA 23/1/30 IDOC/251184

3 June 2024

Ms Jenny Ware MP
Member for Hughes
PO Box 1014
SUTHERLAND NSW 1499

Email: [REDACTED]

Dear Ms Ware

Assurance Review of travel and travel-related expenses

Thank you for your letter of 14 February 2024 and your continuing engagement in relation to the Assurance Review being conducted by the Independent Parliamentary Expenses Authority (IPEA) in relation to travel and travel-related expenses incurred by you and one of your MOP(S) Act employees.

In your response you advised the staff use of car transport to travel to and from work for their normal hours of duty was directed by you as their injury posed a personal safety issue. IPEA sought advice from Ministerial and Parliamentary Services, as the policy owner of Determination 2023/010 – Staff Travel and Relief Staff Arrangements (the Staff Travel Determination) in relation to the use of car transport in these circumstances.

The intention of paragraph 16(a) of the Staff Travel Determination where a trip is approved for personal safety reasons, is for situations which significantly increase the risk to the employee while they are on duty. It is not appropriate for an employee to use Commonwealth funds to travel to and from work because they sustained a personal injury which makes being able to access public transport more challenging.

When required to travel to Canberra, employees are provided with a flat rate of travel allowance which incorporates incidental expenses. This includes costs for the employee to use car transport services in lieu of having access to their personal vehicle.

IPEA has concluded the use of car transport by your employee is not consistent with the requirement in the Staff Travel Determination to transport themselves to and from work for their normal hours of duty. Neither you nor an authorised person are able to direct an employee to use car transport in circumstances which are inconsistent with the legislative framework.

IPEA has raised an invoice to recover the full amount of expenses incurred for the use of car transport which are not consistent with the legislative framework. IPEA now considers this Assurance Review closed.

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As advised in our letter of 29 November 2023, IPEA publishes completed Assurance Reviews on the Published audits, assurance reviews and rulings page of the IPEA website www.ipea.gov.au. The redacted Assurance Review Memorandum which will be published is attached for your information. If you have any queries or comments in relation to this matter, please email Assurance@ipea.gov.au by 17 June 2024.

Yours sincerely



Nicole Pearson
Branch Manager, Transparency, Assurance and Legal
Independent Parliamentary Expenses Authority
One Canberra Avenue, FORREST ACT 2603

