



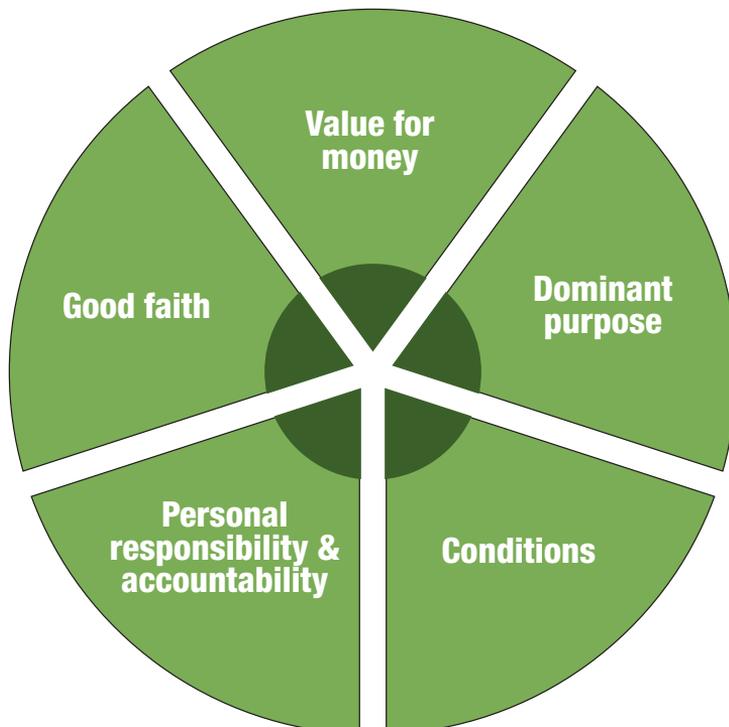
## Framework—parliamentarians

The Parliamentary Business Resources framework (PBR framework) is the principles-based framework governing parliamentarians' work expenses.

The PBR framework is made up of the:

- *Parliamentary Business Resources Act 2017* (PBR Act)
- *Parliamentary Business Resources Regulations* (PBR Regulations)
- Determinations made under the PBR Act.

Under the PBR framework, parliamentarians must ensure that work expenses for parliamentary business are consistent with the obligations under the PBR Act: value for money, dominant purpose, conditions, good faith and personal responsibility and accountability.



Each obligation has equal importance, with each contributing to the intent of the PBR framework.

## Dominant purpose

A parliamentarian must ensure that any expenses incurred are for the dominant purpose of conducting parliamentary business.

The 'dominant purpose test' governs when a parliamentarian may access public resources. Where the parliamentarian's main reason for undertaking the activity is parliamentary business, they will have satisfied the dominant purpose test.

The test is whether the parliamentarian would have undertaken the travel or incurred the expense 'but for' the parliamentary business, which must be the 'prevailing' or 'most influential' purpose of the travel. Any personal matters during parliamentary business travel must be incidental to the trip.

Expenses must not be claimed if they are for the dominant purpose of personal or commercial activities.

## Value for money

A parliamentarian must use public resources for parliamentary business in a way that achieves value for money.

Value for money means using public money efficiently, effectively and economically. Value for money requires consideration of both financial and non-financial costs and benefits.

For example, value for money is met by selecting the lowest cost travel option that best meets the parliamentarian's operational needs.

## Conditions

A parliamentarian must not make a claim, or incur an expense, in relation to a public resource if they have not met **all** of the conditions for its provision.

Conditions may include imposed limits and can be specific to individual work expenses. They are set out in the PBR Regulations and in Determinations of the Remuneration Tribunal and the Special Minister of State, available on the Remuneration Tribunal and Department of Finance websites.



## Good faith

A parliamentarian must act ethically and in good faith when using, or accounting for the use of, public resources.

Parliamentarians must not seek to disguise their personal or commercial business as parliamentary business.

Acting in good faith requires that parliamentarians act honestly and consider all of the reasons for claiming or using public resources in each circumstance.

## Personal responsibility and accountability

A parliamentarian is personally responsible and accountable for their use of public resources and must consider how the public would perceive their use of those resources for travel in particular circumstances.

Personal responsibility extends to the use of public resources in the parliamentarian's name by others who may be authorised to incur expenses within their office or for family reunion purposes.

If a parliamentarian is publicly questioned over their use of work resources, including travel resources, they are expected to publicly justify their use of those resources.

Simply stating that a parliamentarian's use of expenses in the circumstances in question was consistent with the rules may not be enough to meet the obligations of the framework.

## What is parliamentary business?

There are 4 categories that make up parliamentary business.

- **Parliamentary duties:** a parliamentarian's activities that relate directly to their role as a member of Parliament.
- **Electorate duties:** a parliamentarian's activities that support or serve their constituents.
- **Party political duties:** a parliamentarian's formal activities that are connected with both their political party and their membership of the Parliament, or the redistribution or abolishment of their electoral division.
- **Official duties:** a parliamentarian's duties that relate to their role as an office holder or minister.

## ***What are parliamentary duties?'***

In a parliamentarian's capacity as a member of the Parliament, parliamentary duties include:

- preparing for, participating in and attending to business arising from proceedings of the Parliament, whether by committee of the whole or otherwise
- developing, reviewing or amending legislation or proposed legislation, and activities engaged in for that purpose
- 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
- preparing for, participating in, or attending to matters arising from an official government, parliamentary or vice regal meeting, event or function
- preparing for, participating in, or 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
- preparing for, participating in, or attending to matters arising from a non-Parliamentary committee, taskforce or other formal group in which the member participates
- 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
- 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
- representing the Government or Australia, with the approval of the Prime Minister.

<sup>1</sup>. Parliamentary Business Resources (Parliamentary Business) Determination 2025



### ***What are electorate duties? <sup>1</sup>***

In a parliamentarian’s capacity as their constituents’ elected representative, electorate duties include:

- 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)
- otherwise communicating with constituents
- representing the views and interests of constituents.

### ***What are party political duties? <sup>1</sup>***

In a parliamentarian’s capacity as a member of the Parliament, party political duties include:

- participating in a formal meeting of a political party (including a meeting of the party executive, a committee or a subcommittee)
- participating in a national, state or territory conference of a political party.

In a parliamentarian’s capacity as an elected member of the Parliament and as a member of a political party, or in collaboration with another group of members:

- developing policies, proposals and plans, and engaging in related activities including when the policies, proposals and plans may be used by the member or a member’s political party or group in the context of a federal election
- engaging or working with an administrative support function or headquarters used by a political party or by a group of members, including in the context of a federal election
- participating in an event, activity or function concerning matters identified above.

<sup>1</sup>. Parliamentary Business Resources (Parliamentary Business) Determination 2025

In a parliamentarian's capacity as a member of the House of Representatives whose electorate division will be abolished or changed because of redistribution:

- communicating with persons who would be constituents in a new or altered electorate division create or changed because of that redistribution, provided that the communication does not occur until the day after the date on which the final determination of the name and boundaries of the new electorate division is made in accordance with section 73 of the Commonwealth Electoral Act 1918.

### ***What are official duties? <sup>1</sup>***

In a parliamentarian's official capacity as a minister or office holder, official duties include:

- exercising the powers or functions, or performing the duties, of the parliamentarian's office, or activities engaged in for the purposes of doing so
- attending an event to which the parliamentarian has been invited in their official capacity
- other activities directly related to, and engaged in for the purposes of, performing the parliamentarian's official role.

## **Did you know?**

For Ministers representing the Government or Australia in their capacity as a Minister, it is considered part of their official duties.

## **Rulings**

A ruling is a written determination establishing whether a parliamentarian has acted in accordance with the dominant purpose, value for money and specified conditions requirements of the PBR Act. Personal advice provides a clear answer on whether specific travel meets or does not meet the requirements of the PBR framework. A parliamentarian may request a ruling regarding a travel claim relating to them, or one may be initiated by IPEA.

<sup>1</sup>. Parliamentary Business Resources (Parliamentary Business) Determination 2025



## Personal advice

IPEA provides personal advice to parliamentarians and their authorised staff on the use of parliamentary resources. Personal advice provides a clear answer on whether specific travel meets or does not meet the requirements of the PBR framework. Personal advice is available during Canberra business hours over the phone, in person or in writing.

Advice provided to a parliamentarian or their staff is relevant to the specific circumstances of that travel only. Where circumstances change, updated advice should be sought. It is important to note that the advice will only apply to the parliamentarian or staff member who sought the advice.

IPEA's personal advice about parliamentary travel resources is not subject to disclosure under the *Freedom of Information Act 1982 (FOI Act)*. Personal advice for parliamentarians also attracts the safe harbour provisions under section 58 of the PBR Act.

The accuracy of IPEA's advice relies on the completeness of information provided by parliamentarians or their staff. Withholding relevant information may lead to incomplete or incorrect advice being provided. Where personal advice is given by IPEA on the basis of false or misleading information, the parliamentarian may incur a debt. A penalty of 25 per cent may be applied if subsequent travel is determined to fall outside of the framework.

If a parliamentarian follows IPEA's personal advice, and the advice is later found to be incorrect, debts caused by the incorrect advice will not apply.

### ***Authorisation of representatives to seek and receive personal advice on behalf of a parliamentarian***

Amendments to the IPEA Act, which took effect on 31 May 2024, include a new requirement when advice is requested on behalf of a parliamentarian. A current or former parliamentarian must now specifically authorise people that they wish to seek and receive advice on their behalf. This enables the advice to be given as if it is given to the parliamentarian and therefore still attract:

- the disclosure exemption on personal advice under the FOI Act and
- the 'safe harbour' provisions under section 58 of the PBR Act.

If no authorisation is made, only the parliamentarian themselves may seek advice from IPEA. Current parliamentarians are able to authorise a MOPS staff member employed by them and former parliamentarians are able to authorise any person. Authorisations can be added or removed through the manage authorisation tile in the Parliamentary Expenses Management System (PEMS).