



Australian Government

Independent Parliamentary Expenses Authority

IPEA EDUCATION PROGRAM WORKBOOK

Framework parliamentarians

LEARNING AREA

2





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Learner Induction:

Please ensure you have an appropriate learning environment before undertaking any training.

An appropriate learning environment would include the following:

- A quiet and undisturbed place
- A well-lit area
- A work station or suitable arrangements
- Comfortable temperature/climate conditions
- Access to amenities
- Access to lap-top, mobile phone—or portable device with internet connection
- Access to IPEA instructor or advice line for assistance
- Familiarity with emergency exits and procedures.

Learning Area Outline Descriptor:

This Learning Area will focus on the Parliamentary Business Resources framework (PBR framework) a principles-based framework governing parliamentarians' work expenses.

This Learning Area will inform the learner about the PBR framework and how it impacts upon their role in the parliamentary landscape.

The Learning Journey:

This Activity Objective will give the learner:

- An understanding of the role and functions of IPEA in helping parliamentarians and their staff in the conduct of parliamentary business

- Clarity, by removing any confusion the learner may have about IPEA's role and functions
- Knowledge about the PBR framework, and how it impacts upon their role
- An insight regarding the provisions, conditions and confirmations required for parliamentary travel
- Clarity over a parliamentarian's obligations when making a travel expense claim.

Targeted Learning Outcomes:

By the completion of this Learning Area, the learner will know:

- The composition of the PBR framework
- The 5 obligations under the PBR framework
- What is Parliamentary business
- Differences between parliamentary duties
- How IPEA provides a Ruling, Personal advice and Travel Advice Certificates.



You can contact IPEA for advice via:

Phone: (02) 6215 3000

Email: enquiries@ipea.gov.au



Section 1

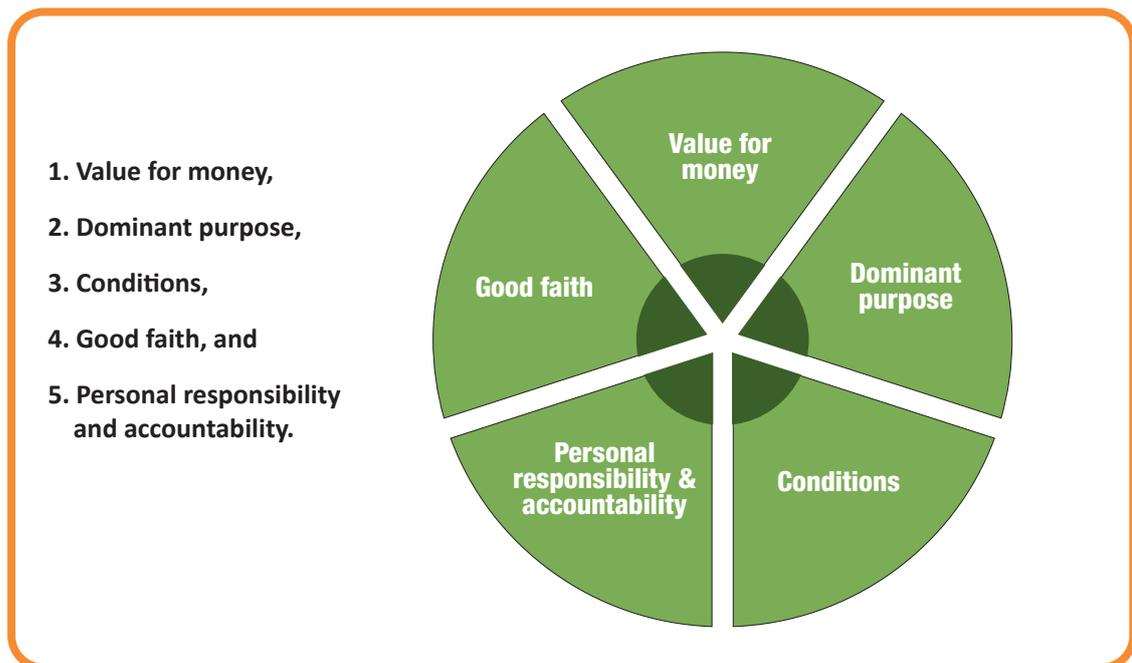
PBR framework—Obligations

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

Under the PBR framework, parliamentarians must ensure that all claims for work expenses meet the 5 obligations under the PBR Act:



1. 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. It is not necessarily the cheapest option.

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

2. 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 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 should **not** be claimed if they are for the dominant purpose of personal or commercial activities.

3. 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.

4. 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.

5. 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, they are expected to publicly justify their use of those resources.

Simply stating that a parliamentarian's use of expenses in the circumstances was 'consistent with the rules' is unlikely to be enough to meet the obligation to be personally and publicly accountable, because this could be seen as blaming the 'rules' rather than being publicly accountable.



Reference: YouTube - IPEA and the Parliamentary Expenses Framework
<https://www.youtube.com/watch?v=oD02lb8GmHs&feature=youtu.be>



Learning Activity 1.

PBR framework

Q1. True or False - The PBR framework is made up of the following?

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

TRUE	FALSE
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Q2. The 5 obligations under the PBR that parliamentarians must abide by are?

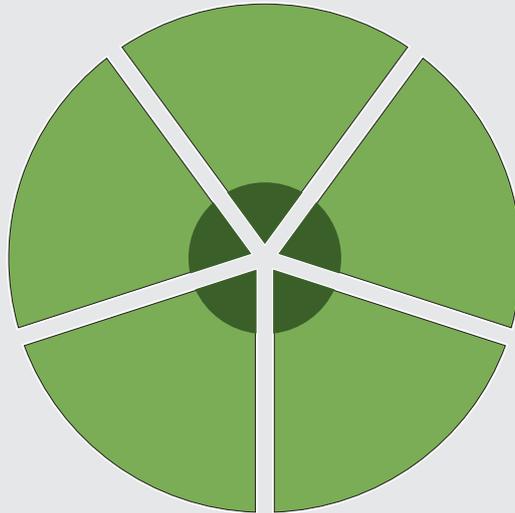
1.

2.

3.

4.

5.



Q3. Match the relevant description with the correct *PBR framework* obligation.

Description:	Obligation:
If a parliamentarian is publicly questioned over their use of work, including travel, resources they are expected to publicly justify their use of those resources.	
This obligation is met by selecting the lowest cost travel option that will best meet the parliamentarian’s operational needs.	
Parliamentarians must not seek to disguise their personal or commercial business as parliamentary business.	
Where the parliamentarian’s main reason for undertaking the activity is parliamentary business, they will have satisfied this obligation.	
This obligation 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.	



Section 2

Parliamentary business

There are 4 duties that define parliamentary business.

1. Parliamentary duties: a parliamentarian's activities that relate directly to their role as a member of Parliament.
2. Electorate duties: a parliamentarian's activities that support or serve their constituents.
3. Party political duties: a parliamentarian's formal activities that are connected with their political party.
4. Official duties: a parliamentarian's duties that relate to their role as an office holder or minister.

1. 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 when travelling overseas, with the approval of the Prime Minister.

2. Electorate duties

In a parliamentarian's capacity as their constituents' elected representative, electorate duties may 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.

3. Party political duties

In a parliamentarian's capacity as a member of a political party, political duties include:

- Formal meetings of the political party (including a meeting of the party executive, a committee or a subcommittee)
- National, state or territory conferences.

4. Official duties

In a parliamentarian's official capacity as a minister or office holder, official duties may 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.



Learning Activity 2.

PARLIAMENTARY BUSINESS

Q1. The 4 duties that define parliamentary business are?

1.

2.

3.

4.

Q2. Match the relevant description with the correct parliamentary duty.

Description:	Duty:
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.	
Preparing for, participating in and attending to business arising from proceedings of the Parliament, whether by committee of the whole or otherwise.	
Attending national, state or territory conferences.	
Attending an event to which the parliamentarian has been invited in their official capacity.	



Section 3

Rulings, Personal advice and TAC's

Rulings

A ruling is a written determination that occurs after travel has been completed establishing whether a parliamentarian has acted in accordance with the **dominant purpose, value for money** and specified **conditions** obligations of the PBR Act. A parliamentarian may request a ruling regarding a travel claim relating to them, or a ruling may be initiated by IPEA.

Personal Advice

IPEA provides personal advice to parliamentarians and their staff on travel related queries.

IPEA's personal advice comes in the form of verbal or written guidance, or recommendations about the use of parliamentary travel resources, and is generally provided prior to travel.

Personal advice from IPEA on travel expenses and travel allowances is not subject to disclosure under the *Freedom of Information Act 1982*.

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% may be applied if subsequent travel is determined to fall outside of the framework.

Parliamentarians requiring more formal advice on the statutory compliance of planned travel, can request a Travel Advice Certificate.

What is a Travel Advice Certificate?

A Travel Advice Certificate (TAC) provides parliamentarians and their staff with a formal written personal advice about planned travel. A TAC provides clear advice on whether specific travel meets or does not meet the requirements of the PBR framework **before** travel is undertaken. A TAC is signed by IPEA's CEO.

What happens if the advice was incorrect?

If a parliamentarian or staff follows IPEA's personal advice, or TAC and the advice is later found by IPEA to be incorrect, they do not repay any travel costs incurred at Commonwealth expense.

However, if IPEA's advice was based on misleading, false or incomplete information, the parliamentarian or staff is not protected from incurring a debt and potentially a penalty.

Can a TAC be used again or by another parliamentarian or staff for the same travel?

No. Each TAC is relevant to the specific query posed, and is not a precedent for subsequent travel, or advice to other parliamentarians. Any changes to the details of the activity, for example changes to proposed travel dates, times or events, may change the TAC. In the event travel plans or the situation changes, an updated online form must be submitted for reassessment.



Requesting a TAC

In order for IPEA to provide a considered written response, requests must be submitted at least 2 working days before the commencement of travel. IPEA cannot otherwise guarantee a timely reply.

To request a TAC, email enquiries@ipea.gov.au and include the following information:

- Details of parliamentary business to be undertaken
- Travel dates (itinerary, including locations and dates)
- Other relevant information.

IPEA follows up if more detail is required.



Learning Activity 3.

RULINGS

Q1. True or False?

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*.

TRUE	FALSE
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TRAVEL ADVICE CERTIFICATE

Q2. True or False?

A Travel Advice Certificate (TAC) provides parliamentarians and their staff with a formal written personal advice about planned travel. A TAC provides clear advice on whether specific travel meets or does not meet the requirements of the PBR framework before travel is undertaken.

TRUE	FALSE
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Q3. In order for IPEA to provide a considered written response, (TAC) requests must be submitted at least how many working days before the commencement of travel?

2	5	10
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Section 4

Answers to Learning Activities:

Learning Activity 1.

PBR framework

Q1. True or False—The PBR framework is made of the following?

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

TRUE

FALSE

Q2. The 5 obligations under the PBR that parliamentarians must abide by are?

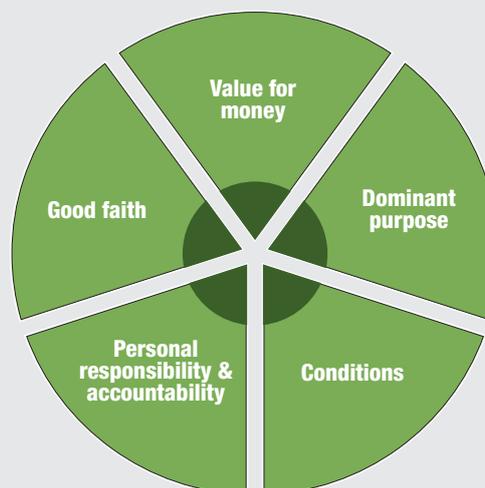
1. Value for money

2. Dominant purpose

3. Conditions

4. Good faith

5. Personal responsibility & accountability





Q3. Match the relevant description with the correct PBR framework obligation.

Description:	Obligation:
If a parliamentarian is publicly questioned over their use of work, including travel, resources they are expected to publicly justify their use of those resources.	Personal responsibility & accountability
This obligation is met by selecting the lowest cost travel option that will best meet the parliamentarian's operational needs.	Value for money
Parliamentarians must not seek to disguise their personal or commercial business as parliamentary business.	Good faith
Where the parliamentarian's main reason for undertaking the activity is parliamentary business, they will have satisfied this obligation.	Dominant purpose
This obligation 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.	Conditions



Learning Activity 2.

PARLIAMENTARY BUSINESS

Q1. The 4 categories that make up parliamentary business are?

1. Parliamentary duties

2. Electorate duties

3. Party Political duties

4. Official duties

Q2. Match the relevant description with the correct parliamentary duty.

Description:	Duty:
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.	Electorate duties
Preparing for, participating in and attending to business arising from proceedings of the Parliament, whether by committee of the whole or otherwise.	Parliamentary duties
Attending national, state or territory conferences.	Party Political duties
Attending an event to which the parliamentarian has been invited in their official capacity.	Official duties

Learning Activity 3.

RULINGS

Q1. True or False?

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*.

TRUE	FALSE
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TRAVEL ADVICE CERTIFICATE

Q2. True or False?

A Travel Advice Certificate (TAC) provides parliamentarians and their staff with a formal written personal advice about planned travel. A TAC provides clear advice on whether specific travel meets or does not meet the requirements of the PBR framework before travel is undertaken.

TRUE	FALSE
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Q3. In order for IPEA to provide a considered written response, (TAC) requests must be submitted at least how many working days before the commencement of travel?

2	5	10
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Resources:

Resources available include:

- The IPEA ED website <https://www.ipea.gov.au/ed>
- The IPEA: A Quick reference guide to Travel related expenses for parliamentarians and their staff (handbook)
- IPEA Training Resources: Publications, Factsheets, FAQ's and Power-point presentations i.e. 'What are the Obligations'—Factsheet: https://www.ipea.gov.au/sites/default/files/fact_sheet_-_what_are_the_obligations.pdf
- IPEA Training Sessions, Education Sessions, Face-to-face, One-on-one, Drop-in sessions, Electorate Office Visits, and/or Webinars
- *Parliamentary Business Resources Act 2017* (PBR Act)
- *Parliamentary Business Resources Regulations* (PBR Regulations)
- Determinations made under the PBR Act
- YouTube: IPEA and the Parliamentary Expenses Framework
<https://www.youtube.com/watch?v=oD02lb8GmHs&feature=youtu.be>

How to contact IPEA for further assistance?

Email: enquiries@ipea.gov.au

Phone: +61 (02) 6215 3000

