

Handbook for Elected Members of the House of Assembly and Prescribed Parliamentary Office Holders

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I. Introduction

I.1 Objective

This Handbook provides information and guidelines to assist Government and non-Government Members in carrying out their Parliamentary roles and responsibilities.

The guidelines do not override any contract, terms of employment, determinations, legislation or instructions of the Premier.

It includes the procedural framework covering interaction by Government and non-Government Members and their staff, with the State Service.

This Handbook should be read in conjunction with other publications¹ and guidelines produced for Members of Parliament issued by the Department of Premier and Cabinet (DPAC), the Legislative Council and the House of Assembly.

I.2 Terminology

Throughout this document the term Government Members is used collectively to mean the Premier, Ministers (of either House), the Parliamentary Secretaries (of either House), the Leader of the Government in the Legislative Council, the Deputy Leader of the Government in the Legislative Council and the Government Backbenchers of the House of Assembly.

Non-Government members is used collectively to mean the Members of the Opposition, Recognised non-Government parties, and Independent and/or other elected Parliamentary Members.

Ministerial and Parliamentary Support (MPS) is broken into two services:

- (1) support for Ministers and certain Parliamentary Office Holders; and
- (2) support for Parliamentary Members of the House of Assembly, that is, the twenty-five elected members.

The term DPAC, when referring to financial matters also means the budget of MPS.

Refer to Appendix A for Definitions used in this document.

¹ Including the Cabinet Handbook; Caretaker Conventions; and Tasmanian Government Communications Policy

1.3 Issuing of the Handbook

This Handbook is issued to each elected Parliamentary Member of the House of Assembly and Parliamentary Office Holders in the Legislative Council, on behalf of the Premier, by the Premier's Office Chief of Staff. Variations may be made from time to time by the Executive Director People, Performance and Governance (PPG), DPAC. Variations to the Handbook will be discussed with the Premier's Office Chief of Staff prior to issue.

The Handbook is also distributed by DPAC to Tasmanian Government departments, the Clerk of the Legislative Council and the Clerk of the House of Assembly.

Each new version supersedes and voids any previous version.

2. Overview

2.1 Separation of power

Governance is provided by:

- Parliament – which makes the laws and provides a mechanism for government accountability. It also authorises the Government to spend public money. It consists of the Governor, the Legislative Council and the House of Assembly;
- Government – which governs, sets the policy agenda, proposes new laws and administers existing laws; and
- Judiciary – which interprets laws and makes judgments as to whether they apply in individual cases.

2.2 Parliament

Following an election the political party (or coalition of parties) that holds the majority of seats in the House of Assembly usually forms the Government. That party must keep the support of the majority of House of Assembly Members to remain in government.

The Opposition's role is to present an 'alternative government' and, through Parliament, to ensure government accountability.

The Legislative Council's role is to scrutinise Government action so as to also ensure government accountability. As governments are not formed in the Legislative Council it operates primarily as a House of Review.

The Governor prorogues Parliament and dissolves the House of Assembly, unless its term expires beforehand, on the advice of the Premier. The Governor also acts on behalf of the Monarch to give Royal Assent to Bills passed by both Houses of Parliament.

The business of the Parliament is carried out in accordance with the Constitution and other applicable laws, and the Standing Orders, Rules and conventions of each House. The Clerk of the House to which new Members are elected provides an induction which includes providing new Members with a copy of the Standing Orders, Members' Guide or Handbook and applicable policies.

2.3 Executive Council

The Executive Council comprises a minimum of two Ministers and is presided over by the Governor, and usually meets just prior to Cabinet meetings. The Executive Council is the means by which the Governor is advised in the government of the State. Its decisions have legal effect and can bind the Crown. It should be a formality – which is why matters going before Executive Council are generally considered first by Cabinet. The Executive Council's papers and proceedings are confidential.

The Secretary/Clerk of the Executive Council is co-located with DPAC's Cabinet Office and supports the Executive Council.

2.4 Cabinet

Cabinet comprises the Premier and Government Ministers. Attendance by other members is at the Premier's discretion. In accordance with section 8A of the *Tasmanian Constitution Act 1934*, the Governor may appoint no more than nine Ministers of the Crown, or alternatively where a Secretary to Cabinet has been appointed pursuant to section 8F, no more than eight.

Cabinet does not exist in any legal or constitutional sense, but rather by convention. Every decision it makes must be given effect through one of the following means:

- Parliament (legislation);
- Ministerial directive; or
- Executive Council.

Cabinet is the focal point of government decision-making. It is the means by which the Government reaches agreement on policy issues and other matters of importance. Its deliberations are usually based on discussion of written submissions from Ministers, which are generally prepared by government departments.

Cabinet supports the notion of collective responsibility – by convention, once Cabinet has made a decision all Ministers are bound to support it. To dissent publicly would embarrass the Government and leave the dissenter with little option but to resign.

Within government, only Cabinet can overturn a decision it has made. Technically, Executive Council can overturn a Cabinet decision by refusing to give effect to it. Similarly, Parliament can reject or alter legislation put up by the Government and, therefore, not give effect to a Cabinet decision. No legal action can be taken against a Cabinet decision.

Please refer to the [Cabinet Handbook](#) for further information.

2.4.1 Cabinet confidentiality

The notion of collective responsibility means that Cabinet deliberations are secret. Material submitted to Cabinet is confidential (and protected at law in many circumstances). Only the decisions should be publicly reported and then only when the Government determines it to be appropriate. Material of previous governments is not available to the current Government but may be made available following approval of the Premier of that day.

Cabinet minutes, briefings and decisions are individually numbered and must not be copied or provided to other persons. A Minister's office may not provide Cabinet material to anybody (including their agencies). All requests for Cabinet documents are to be referred to the Cabinet Office.

2.4.2 Cabinet decisions

Once Cabinet has made a decision it is then formally communicated to Ministers and the relevant State Service agency for implementation. Such decisions provide authority for Ministers and the State Service to act. Cabinet decisions are an important official record, and official Cabinet decisions are evidence of the legitimacy of a particular action.

2.4.3 Cabinet meetings

The Premier is the Chair of the Cabinet. The Premier determines the agenda and the times and duration of meetings. Cabinet considers matters only when the Premier agrees that they be listed. The Premier determines who attends Cabinet meetings. Support to Cabinet is provided by the Cabinet Office, which distributes papers and decisions.

2.5 House of Assembly Handbook

Reference should also be made to the House of Assembly Handbook which is issued by the Clerk of the House of Assembly. The Handbook is available to Members at the Parliament of Tasmania intranet site.

2.6 Legislative processes

Legislation is written law. There are two types – Acts of Parliament and Subordinate Legislation (Regulations, Proclamations and Orders), which is made under the authority of an Act. Most subordinate legislation is published as 'statutory rules'.

Ministerial approval is often sufficient authority for subordinate legislation to be prepared, but if in doubt a proposal should go to Cabinet. The Chief or Office of Parliamentary Counsel prepares subordinate legislation for consideration by the Executive Council.

2.6.1 Making legislation bills

All Cabinet submissions requesting new or amending legislation require a certificate from the Regulation Review Unit in the Department of Treasury and Finance. This certificate relates to the Economic Reform Unit, which meets Tasmania's legislation review obligations under the National Competition Policy Agreements. This requires the review of all State legislation that restricts competition to ensure that only those restrictions that are fully justified in the public benefit are retained.

DPAC's Office of Parliamentary Counsel requires Cabinet approval before commencing drafting of Bills. A Government Bill needs approval from Cabinet before it is introduced to Parliament.

An approved Bill is introduced to Parliament, generally into the House of Assembly. Consideration by each House of Parliament has four stages:

- First reading – the Bill is brought in and laid on the table, and takes two days to 'mature' before being debated.
- Second reading – speech from the relevant Member to explain the Bill.
- Committee stages – clause by clause consideration, including any amendments.
- Third reading – normally a formality.

If the Bill is introduced by Message into the Legislative Council it takes three days to 'mature' before it can be read a second time. An endorsed copy of the Bill must also be provided to all Legislative Council Members.

Once both Houses of Parliament have passed a Bill, it goes to the Governor for Royal Assent. A Bill that receives Royal Assent becomes an Act of Parliament. An Act of Parliament commences operation either on Royal Assent or by proclamation (that is a separate piece of subordinate legislation), depending on what the Act itself says.

2.6.2 Making subordinate legislation

Subordinate legislation goes to the Executive Council for consideration. Some types of subordinate legislation (regulations and orders), if approved by Executive Council, must be tabled in both Houses of Parliament. Either House of Parliament may disallow subordinate legislation. Notice of the making of subordinate legislation must be published in the Tasmanian Government Gazette. Subordinate legislation generally commences operation on the day that notice of its making is published, unless it specifically provides an earlier or later commencement date. Subordinate legislation cannot operate retrospectively if it affects people's rights.

2.7 The State Service

State Service employees are employed by and owe allegiance to the Government of the day. A good relationship is critical to the success of a Government. The State Service has two main roles:

- delivering publicly funded services (example – teachers, hospitals, fire-fighters, public safety, emergency response etc); and
- providing policy advice and support to the Government.

The State Service's key role is to implement government policy. This is done through:

- managing and delivering services;
- drafting legislation;
- reviewing and advising on policy proposals;
- developing options for the Ministers and Cabinet; and
- promoting the State and its advantages.

The State Service also:

- provides advice and briefing material (including Parliamentary question time briefs, draft media releases, speech notes and briefs for Estimates);
- prepares draft answers to correspondence for Ministers to sign;
- provides support to Ministers and their staff at meetings; and
- assists with administrative matters.

The State Service may not:

- assist with political activities;
- engage in activities designed to further the interests of the governing party; or
- provide Ministers with departmental files or material relating to a previous government.

Ministers and their advisers should develop clear lines of contact with their portfolio agencies – preferably through the Secretary's office. An agency should organise briefings, draft replies to letters, and information for the Minister's office, as it relates to the Minister's portfolio responsibilities. This is not the job of the Minister's staff.

3. Accountability

3.1 Roles and responsibilities

The roles and responsibilities of Ministers and other elected Members and Parliamentary Office Holders are documented in a variety of sources including legislation and instruments such as parliamentary standing orders, government guidelines and conventions and other long standing traditions.

3.2 Disclosure of financial interests

The [*Parliamentary \(Disclosure of Interests\) Act 1996*](#) requires Members of both Houses to make a declaration of their interests when first elected to Parliament. Members must then lodge a return by 1 October in each subsequent year. The returns are tabled in each House and are publicly available. Return forms are available from the Clerk of each House.

3.3 Receipt and giving of gifts and benefits

All Members of Parliament are subject to the requirements of the *Parliamentary (Disclosure of Interests) Act 1996*. This requires Members to disclose in their ordinary return each year all gifts received of a value of \$500 or more, other than gifts from a relative. Gifts to be disclosed include the value of hospitality received as more than one gift from a single source during the return period that, in total, exceeds \$500. The Clerk of the relevant House should be consulted in relation to the requirements of the Act.

3.4 Use of public funds

The Government receives public funding in the Tasmanian Government State Budget. The Ministerial and Parliamentary Support Output Group details the funds provided for allowances, staffing support, office facilities, and travel and transport for Members of the House of Assembly, including Offices of Government and non-Government Members.

3.4.1 Principles for the use of public funds

Members must ensure that their use of public money is above reproach and there can be no grounds for a suggestion of misuse of public money.

Members must avoid any arrangement which may give rise to an accusation that they, or someone close to them, are obtaining an immediate benefit or subsidy from public funds, or that public money is being diverted for the benefit of a political organisation.

Members may only use publicly funded resources in connection with official duties and not for personal benefit or for party political activity.

3.4.2 Additional guidelines and principles for procuring goods and services

The [Ethical Standards and Codes](#) for the procurement of all goods and services, developed by the Department of Treasury and Finance, also apply, in principle, to Members and staff of Government and non-Government offices when procuring goods and services with public funds.

Members are ultimately responsible for determining whether any item of expenditure is appropriate, given the rules that apply to the use of public funds.

Refer to Appendix B for examples to assist Members in their consideration of the proper use of public funds. If there is any doubt, Members or their staff should seek guidance from DPAC's PPG Division (refer to Appendix C for contact details).

Advice should be sought on the following before committing to expending public funds:

- costs associated with activities where there is not a clear distinction between the activities of a Member of Parliament and as a member of a political party; and
- professional services where the services benefit both the Member of Parliament and a political party.

3.4.3 Branding of publicly funded communications material

Communications material must be branded in a way that ensures recipients can clearly identify the source of the information.

It is appropriate for the Government, Premier and Ministers of the day to use public funds to ensure that accurate and relevant information about its policies, programs and services is made available to the public. In these instances, the Government, Premier and Ministers must use the Government logo to ensure transparency about the expenditure of public funds.

Members of non-Government offices should be open and transparent about which party they represent, and the use of the party logo is considered an appropriate mechanism to do this, as long as the content of the material being published is consistent with the principles for using public funds.

The Tasmanian Government Communications Policy at www.communications.tas.gov.au provides more information on the Government's corporate identity, and advice is available from DPAC's Communications and Protocol Unit (refer to Appendix C for contact details).

3.5 *Right to Information Act 2009*

The [Right to Information Act 2009](#) (the RTI Act) commenced on 1 July 2010 and provides for access to information held by government bodies and Ministers by:

- encouraging greater routine disclosure of information held by public authorities and Ministers without the need for requests or applications;

- authorising and encouraging greater active disclosure of information held by public authorities and Ministers in response to informal requests without the need for applications; and
- giving members of the public an enforceable right to information held by public authorities and Ministers unless that information is subject to an exemption as set out in the RTI Act.

Section 7 of the RTI Act gives any person a legally enforceable right to be provided with information in the possession of a public authority or a Minister, provided that it is not exempt information. The RTI Act promotes the proactive release of information by public authorities and Ministers, and refers to four types of disclosure:

- Required disclosures, which are disclosures required by law such as annual reports;
- Routine disclosures, which are those made by a public authority in relation to information it decides may be of public interest;
- Active disclosures, which are disclosures in response to a request made other than under the RTI Act, such as an informal request for information by telephone, a letter or other inquiry. The normal processes to assess these types of requests should apply i.e. correspondence should be prepared by an agency and approved for signature, staff should check facts and not release exempt information, media enquiries should be dealt with through the Government Media Office or approved representatives; and
- Assessed disclosures, which are disclosures made in response to a formal request under the RTI Act for information in the possession of a public authority or Minister that is not otherwise available. The subject matter of the request may include exempt information. Assessed disclosures are made by Ministers or appropriate delegated officers.

3.5.1 Managing Right to Information requests

Each agency will have delegated Right to Information Officers and processes for dealing with requests for information, including routine and active disclosures.

Ministerial offices are encouraged to discuss how applications for information from Ministers and information releases will be handled by their relevant agencies.

Further information about the Right to Information process is available at the [Ombudsman Tasmania website](#).

3.6 *Personal Information Protection Act 2004*

The collection, maintenance, use and disclosure of personal information relating to individuals is regulated by the [Personal Information Protection Act 2004](#) (the PIP Act). Agencies need to collect personal information in order to discharge some of their functions. Agencies which collect personal information are the 'custodians' of that information.

'Personal information' is information or opinion in any recorded format about an individual which readily identifies that individual. This includes information on individuals who have died in the past 25 years. Personal information does not include information that is publicly available. Personal information held in Ministerial offices is covered by the PIP Act.

Information such as a person's name and address is personal information. In some contexts, a person may be identified without being referred to by name. For example, the statement 'the maths/science teacher at X school who ...' would, for a small school, readily identify the individual, but may not for a large school.

An email address can, depending on its structure, be considered personal information. For instance, an address in the form of [firstname.surname@company.com.au](#) could be considered to be personal information, while one in the form of [enquiries@company.com.au](#) is unlikely to be.

Therefore, the context must be considered when determining what is personal information or whether the person has been de-identified.

Information which does not readily identify an individual, including appropriately de-identified information, is not personal information and is not covered by the PIP Act.

Basic personal information (ie name, addresses, date of birth and gender) can be used and disclosed by Government bodies in certain circumstances to other Government bodies without consent.

The rules about personal information apply to Ministerial offices, and Ministers should check with their portfolio agencies about the policies and procedures they have in place to deal with personal information. Complaints about the mishandling of personal information can be made to the Ombudsman.

3.7 **Communications**

3.7.1 **Ministerial office communication protocols**

Ministers and their offices communicate only with their portfolio agencies. Communication with other agencies is always done through the relevant Minister's office. Requests to agencies for information, briefings or advice should be directed through the responsible Minister's office via the established process for contact with portfolio agencies. Agencies do not provide advice directly to Government Backbenchers or non-Government members of Parliament.

This protocol is designed to ensure consistency of information and advice across Government, and to enable the maintenance of a professional and uniform approach to issues of the day.

Ministerial staff also need to be able to identify requests for meetings with their Minister which may raise issues in other portfolio areas, and to seek advice from the appropriate Minister's office. Ministers should avoid commenting on matters that fall outside their portfolio, in meetings or in public forums, and refer queries where possible to the responsible Minister.

3.7.2 Ministerial office contact with their portfolio agencies

A portfolio or Ministerial liaison office, usually based in the Office of the Secretary of the portfolio agency, will co-ordinate the preparation of documentation and advice sought by the Minister. Ministers and their staff should develop clear lines of contact with the liaison office, preferably through a single officer within the office.

Ministerial staff should not ask other departmental officers directly for material. This is to ensure consistency of information and to maintain a professional and uniform approach to issues.

It is essential that requests from the Minister's office are managed through a central point because the Secretary is responsible for the information and advice provided by the department and sets the work priorities for the department. It may be, for example, that the Secretary may be aware of issues that departmental and Ministerial staff are not.

This requirement may seem restrictive, particularly for Ministerial staff who have come from departments and who have an extensive network of contacts. It is essential, however, that all Ministerial staff abide by the requirement so that agencies are able to work in a co-ordinated fashion to deliver the best possible advice and service.

In certain circumstances Ministerial staff can deal with senior departmental officers, but this is at the discretion of the relevant Secretary.

Government Backbenchers should direct all queries or requests for information in the first instance to the Premier's Office.

3.7.3 Departmental contact with Ministerial offices

Each department's Secretary will have a protocol in place for contact by departmental staff with the Minister's office. Each department will have a process by which documentation for Ministerial consideration is prepared and cleared.

In certain circumstances, senior departmental staff are able to discuss issues directly with the Minister's office, but this is at the Secretary's discretion. No matter should be sent for decision or signature by a Minister without it being cleared by the Secretary, or other delegated officers.

3.8 Conflict of interest

A conflict of interest arises where the private interests of an individual conflict with the workplace activity that the individual is involved in. A private interest can include anything that brings benefits or disadvantages to the individual, their family, friends, associates or even political opponents.

A conflict of interest can be actual or perceived; there may be a direct conflict, for example an individual or relative has shares in a company that quotes for services being sought, or a business owned by a family member is used.

A perceived conflict of interest is where a third party might reasonably believe that a conflict of interest exists between private and workplace activities, regardless if this is the case or not. For example, if an individual gives approval for a purchase from a business owned by their friend.

It is important that all conflicts of interest are declared and managed appropriately, depending on the risk.

For Ministers, please refer to the [Code of Conduct for Ministers](#).

3.9 Advice on compliance with, or alleged breaches of, this Handbook

3.9.1 Members of Parliament seeking advice on conduct

The *Integrity Commission Act 2009* (Div. 3, s.28) establishes the office of Parliamentary Standards Commissioner. The Commissioner is appointed to provide advice to Members of Parliament and the Integrity Commission –

- (a) about conduct, propriety and ethics and the interpretation of any relevant codes of conduct and guidelines relating to the conduct of Members of Parliament; and
- (b) relating to the operation of the Parliamentary disclosure of interests register, declarations of conflicts of interest register and any other register relating to the conduct of Members of Parliament; and
- (c) relating to guidance and training for Members of Parliament and persons employed in the offices of Members of Parliament on matters of conduct, integrity and ethics; and
- (d) relating to the operation of any codes of conduct and guidelines that apply to Members of Parliament.

The advice provided may be provided by the Parliamentary Standards Commissioner on a confidential basis.

3.9.1 Making a complaint about an alleged breach of this Handbook

Any complaint about an alleged breach of the guidelines in this Handbook relating to a Cabinet Member should be directed to the Premier in the first instance.

If the alleged breach should relate to the Premier, or a Member of Parliament who is not a Cabinet member, it should be referred to the Chief Executive Officer of the Integrity Commission.

4. House of Assembly Parliamentary Members' entitlements

Members' salary, superannuation and allowances are paid in accordance with the *Parliamentary Salaries, Superannuation and Allowances Act 2012*.

4.1 Basic Parliamentary Salary

The basic salary of all Members of Parliament is paid by the House of Assembly or the Legislative Council as appropriate.

4.2 Electorate allowance

The relevant House of Parliament pays an electorate allowance to each Member in addition to their basic salary. These allowances, which vary from electorate to electorate, are adjusted in line with a determination made by the Tasmanian Industrial Commission under the [Parliamentary Salaries, Superannuation and Allowances Act 2012](#).

4.3 Other allowances

The following allowances and benefits are also available to all Members:

- motor vehicle allowance;
- Members may elect to be provided with a fully funded motor vehicle in lieu of the motor vehicle allowance;
- Bass Strait Islands travelling allowance;
- chair committee sitting fees;
- telecommunications allowance by way of reimbursement in respect of phone costs;
- entertainment allowances for the Premier, the President of the Legislative Council and the Speaker of the House of Assembly; and
- away from home travelling allowance.

These allowances and benefits are adjusted in line with a determination made by the Tasmanian Industrial Commission under the *Parliamentary Salaries, Superannuation and Allowances Act 2012*.

4.4 Superannuation

A person elected as a Member of Parliament is taken to be an employee for the purposes of the [Public Sector Superannuation Reform Act 2016](#).

Members are advised to seek information regarding their superannuation from their fund managers.

4.5 Members' Resource Allowance

Members of Parliament receive a Resource Allowance (sometimes called a Research Allocation or Research Allowance, Members' Allocation or Members' Allowance) of \$10,000 (ex GST) per year. DPAC administers the Members' Resource Allowance (MRA) for House of Assembly Members, and the Legislative Council administers the Allocation for Legislative Council Members. The information below deals with the MRA administered by DPAC. For information on the Resource Allocation for Members of the Legislative Council, contact the Clerk of the Legislative Council.

The intended use of the MRA is for "research and support, or equipment relevant to assist Members in the performance of their duties." This would include printing of material detailing policy positions of a Member or their party, or matters of fact so long as this material cannot be deemed to be election material eg contains words such as "votes" or "Vote 1" or "Vote for". Such printed material can contain party logos. Refer to Appendix B for more details on the appropriate use of public funds particularly, when the Government is in 'Caretaker'. See also 3.4.3 Branding of publicly funded communications material.

4.5.1 Administration

Members are responsible for how they spend their MRA. Members are not allowed to spend more than their allocation. Should Members exceed the \$10,000 (ex GST) limit, they will need to meet the excess from another source of funds.

Approval to make a purchase from the MRA should first be approved by the Premier's Office Chief of Staff or the Premier's Office Manager Ministerial Services. They will then liaise with DPAC for a purchase order to be raised that will be charged against that MRA. Reimbursement/journals can also be made to the MRA with appropriate approval and invoices/documentation.

4.5.2 Sharing the allowance

The cost of certain items, such as office equipment, may be shared among different Members, with each Member using their MRA to fund their contribution. Where this is the case, Members should clearly state which proportion is to be costed against which Member's MRA.

4.5.3 Exceeding balances

The balance of the MRA cannot be exceeded in one financial year, and cannot be carried over from one year to the next. If the payment of an invoice will exceed the limit, the Member should advise where the excess will be charged against. The MRA is only for items and/or services received in that financial year.

4.5.4 Ownership

All goods purchased under the MRA are Crown property. Assets must be recorded in accordance with DPAC's asset management processes and policies.

When a Member ceases to be a Member of Parliament the items remain the property of the Crown, however the Member may negotiate to purchase some or all of the items.

4.5.5 Procurement policies

The procurement of all goods and services under the MRA must be in accordance with DPAC's whole-of-government policies and procedures, and party specific procedures as they apply to Members of the House of Assembly.

4.5.6 Responsibility

The MRA can be used by Members for any purpose in "the carrying out of their duties as a member of Parliament", and each Member is responsible for ensuring the MRA is spent appropriately.

Where an expense item clearly does not fall within the purpose of the MRA, it should be brought to the attention of DPAC's Manager Budget and Finance (refer to Appendix C for contact details).

As a general rule, entertainment expenses are not considered an appropriate use of the MRA.

4.5.7 Reporting

A monthly report is produced to assist Members to keep track of their MRA and is provided to them on a monthly basis.

A Member can contact the Manager Budget and Finance at any time to find out the balance of their MRA (excluding commitments).

4.5.8 New and ceasing Members

When a new Member is elected to the House of Assembly at any time throughout the year, the Member is entitled to a pro rata of the MRA for that year. When a Parliamentarian ceases to be a Member of the House of Assembly, the unspent MRA remains with the Crown.

4.6 Responsibility of payment

All salaries, allowances and benefits of Government and non-Government Members of the House of Assembly are paid by and are the responsibility of, the House of Assembly. This includes away from home travelling allowances for all Government Members of the House of Assembly when they are undertaking duties as a Member and not as a Minister. The following allowances are paid and administered by DPAC:

- entertainment allowance for the Premier;
- away from home travelling allowance for Ministers related to their Ministerial responsibilities; and
- House of Assembly MRA.

4.7 Office designations

4.7.1 Electorate offices

Each Member of Parliament is entitled to:

- An office in Parliament House provided by the House of Assembly/Legislative Council;
- An electorate office for a Member of the House of Assembly, administered by DPAC;
- An electorate office for a Member of the Legislative Council, administered by the Legislative Council.

The following applies to electorate offices provided to Members in the House of Assembly. For information on entitlements for Members of the Legislative Council, contact the Clerk of the Legislative Council.

4.7.2 Use of electorate offices

Electorate offices are provided to Members to provide a base for their electorate work, and fulfil their duties as a Member of Parliament.

4.7.3 Electorate offices establishment costs

Each new Member of Parliament may be entitled to up to \$15,000 to establish a new electorate office or as determined by the Premier's Office Chief of Staff. This funding is to meet the initial costs associated with establishing an electorate office, including security, signage, minor refurbishments and office furniture to make the office functional.

The funding is not available to new Members who take over an existing office unless determined otherwise by the Chief of Staff. The funding is not transferrable to another Member. Any costs in excess of the \$15,000 should be funded from the MRA.

4.7.4 Electorate offices facilities and running costs

The cost of rent, all office facilities including network and IT support, and the annual running costs of a Government Member's electorate office are funded from Output 1.2 within the Ministerial and Parliamentary Support annual budget as determined by the Premier's Office.

DPAC's Properties and Procurement Branch, on behalf of the Premier's Office, manages the budget and expenditure for electorate office rents and outgoings, including rates, taxes, water, electricity and cleaning costs. An annual expenditure budget is provided for operating expenses such as lease/purchase of equipment, stationery supplies and other office consumables and supplies, and this can be supplemented with funds from the MRA or their Electorate Allowance.

DPAC also coordinates the purchase of bulk stationery supplies and office equipment.

Electorate offices should only be used to enable the Member to fulfil their duties as a Member of Parliament.

4.7.5 Electorate office staffing

The level of remuneration for electorate staff in the electorate offices and those in Parliament House is determined by the Premier's Office Chief of Staff in consultation with the Premier. Included in the electorate office budget is funding for one FTE position which can be used to fund one electorate officer, or several staff equivalent to the funding for one FTE. DPAC's Human Resources Branch provides guidance on the work value of positions within electorate offices.

5. Premier, Ministers and Government Parliamentary Office Holders' entitlements

This section details the entitlements for the Premier, a Minister from either the House of Assembly or the Legislative Council, and Government Parliamentary Office Holders. Regardless of the House to which the Minister belongs, the entitlements are consistent.

5.1 Premier and Ministers

5.1.1 Ministerial Offices

In addition to their electorate office, a member who is a Minister (includes Premier and Deputy Premier) is provided with a primary Ministerial office.

The rent, furnishings, general maintenance, salaries, communications and other operational costs of Ministerial offices are managed by DPAC on behalf of the Premier's Office. Overall responsibility for the expenditure is a joint responsibility of the Premier's Chief of Staff and each Minister's Chief of Staff.

Where a Government Member in the Legislative Council is a Minister and uses a Legislative Council supported electorate office for Ministerial purposes, the cost associated with their role as a Minister, including any staffing support and associated equipment, is the responsibility of DPAC, except for Departmental Liaison Officers (DLOs) who are provided by the relevant portfolio agency and are State Service employees.

5.1.2 Office Holders' Allowances

An allowance is paid to the Premier, Deputy Premier and other Ministers of the Crown. These allowances are determined by the Tasmanian Industrial Commission under the *Parliamentary Salaries, Superannuation and Allowances Act 2012*. Refer to Appendix D for details.

5.1.3 Staffing

The number and level of positions in a Ministerial office are determined by the Premier's Office Chief of Staff in consultation with the Premier, and are based on the level of portfolio responsibilities. Refer to Appendix E for details.

5.1.3.1 Departmental Liaison Officers (DLO)

DLOs are State Service employees who manage the flow of information between a Minister's Office and a State Service agency. Further information about DLO employment arrangements is provided in section 8.

5.1.4 Phones and network connections

Home phones

A phone may be provided and installed in the principal private residence of a Minister, subject to the Premier's approval. It is to be used for official purposes only. The device is purchased by DPAC and must be returned to DPAC on leaving office. The cost of installation, rental and calls is funded from the budget for MPS that is managed by DPAC.

Mobile phones

Mobile phones are provided by DPAC for Ministers, including mobile phones for Ministerial staff and for one staff member employed in an electorate office, and are paid from the relevant output within the MPS budget.

Network home connection

A home network connection may be provided in the principal private residence of a Minister, subject to the Premier's approval. The connection is organised by DPAC on the Minister's behalf.

5.1.5 Ministerial car

Ministers are entitled to access a car and driver from the Ministerial Transport Service for use in carrying out their ministerial or prescribed office holder responsibilities.

The transport service will be provided through a pool arrangement whereby booking requests are submitted on the Minister or Member's behalf to the Booking Officer within DPAC's PPG Division.

No particular priority will be given to any client, and Ministerial Drivers will not be allocated to specific clients apart from:

1. Premier;
2. Leader of the Opposition;
3. Speaker of the House of Assembly;
4. President of the Legislative Council; and
5. By agreement of Cabinet, certain Ministers may be allocated an assigned driver. However these drivers will be available to support the operations of the general pool when they are not required by their Minister.

Refer to Appendix C for the Booking Officer contact details.

5.1.6 Code of Conduct

A [Code of Conduct for Ministers](#) and related guidelines have been developed for Ministers. In addition there is an associated policy on the receipt and giving of gifts.

5.1.7 Receipt and giving of gifts and benefits

The [Code of Conduct for Ministers: Receipt and Giving of Gifts Policy](#) applies to:

- Ministers and Members of Cabinet; and
- the immediate families and dependants of Ministers and other members of Cabinet but only in relation to, or consequential on, the official duties of the Ministers, or for persons who are not Ministers, their membership of Cabinet.

The occasional provision of gifts or benefits, such as passes or tickets to entertainment events or entertainment which is directed at establishing networking links, or for introducing a product or service is acceptable.

However, frequent hospitality from a single source, which is aimed at or leaves the impression of inappropriately influencing a Minister or his/her staff is not acceptable.

5.1.8 Sponsored travel

All offers of sponsored travel made to Government staff or their immediate family are to be referred to the Premier's Office at least six weeks (where practical) prior to the proposed travel. This includes any offers of travel to be taken in own time.

5.1.9 Official entertainment allowance

Each Minister has a blanket approval to spend up to \$150 (ex GST) per month on refreshments for meetings associated with Ministerial duties in their office. Any unused amount of this monthly allowance may be carried forward but only within the financial year if approved by the Premier's Office Chief of Staff.

5.1.10 Other entertainment expenses

Ministers are entitled to reimbursement of other legitimate expenses for official entertainment associated with their Ministerial duties (including morning teas, dinners, lunches and meetings) under the following conditions:

- the venue and level of expenditure must be commensurate with the type of business being conducted and the profile of the guests invited;
- all expenses incurred must be deemed reasonable and associated with Ministerial duties; and
- expenditure associated with a function arranged by a Minister in their capacity as a Member of Parliament is met from the Minister's Electorate Allowance.

It is the responsibility of the Minister to ensure that other entertainment expenses claimed for reimbursement comply with all relevant policies.

5.1.11 Travel arrangements

For information and guidance on the Travel Policy for Ministers and their staff contact DPAC's Corporate and Culture Division (Refer to Appendix C for details).

Ministers are to ensure that the Premier's Office is informed of all Ministerial travel arrangements.

Ministers and their staff are to obtain prior approval of the Premier (or delegate) before travelling on official business interstate or overseas.

Ministers and their staff wishing to extend business travel to include a private component must seek approval of the Premier (or delegate) prior to undertaking the travel.

If the private component of a trip is deemed to be liable for Fringe Benefits Tax (FBT), a Minister is to reimburse the amount of the FBT liability unless it is authorised to be waived or it relates to incidental private travel.

Ministers are to travel in economy class domestically and should only travel business class on a leg of air travel when it is justifiable.

Ministers and their staff required to travel on official business are entitled to reimbursement of certain expenses (if not met directly by the Government) related to the travel. The general principles of what can be claimed, and how much, are based on what is deemed fair, equitable and reasonable, taking into account the availability of flights/accommodation, personal safety, health and wellbeing.

Ministers are not issued with a Tasmanian Government Corporate Card (TGCC). A staff member accompanying a Minister while travelling overseas may apply for a TGCC for the duration of the trip.

The Legislative Council and the House of Assembly pay travel expenses for Government Backbenchers unless the Backbencher is representing a Minister on official Government business as approved by the Premier's Office Chief of Staff.

When representing a Minister, travel arrangements for the Backbencher are made by the office of the Minister they are representing.

Expenses incurred in the attendance of a political party meeting, function or other event not related to government business are not paid out of public funds.

Diplomatic and official passports are arranged through DPAC's Cabinet Office, which can be contacted via protocol@dpac.tas.gov.au.

5.1.12 Role of an Acting Minister

Any Minister may execute official documents on behalf of another Minister, except for the Attorney-General and the Premier. A person who is not a Minister (for example the Secretary to Cabinet or a Parliamentary Secretary) cannot exercise powers or sign legal documents on behalf of a Minister.

Appointments of Acting Premier and Acting Attorney-General are made if the relevant office holder is absent from the State or is unable to undertake their role for anything other than a short period. DPAC's Executive Council Secretariat arranges these appointments.

During the time a Minister is temporarily undertaking an acting role, there is no change to the sharing of Ministerial expenditures between DPAC and the portfolio agencies.

5.1.13 Caretaker Conventions

During the period preceding an election for the House of Assembly, the Government assumes a 'caretaker role'. This practice recognises that, with the dissolution of the House, the Executive Government cannot be held accountable for its decisions in the normal manner, and that every State election carries the possibility of a change of government.

During the caretaker period, Government business continues and ordinary matters of administration still need to be addressed. However, the caretaker conventions do affect some aspects of executive government.

The Government should avoid:

- making major policy decisions that are likely to commit an incoming Government;
- making significant appointments; and
- entering into major contracts or undertakings.

The [Caretaker Conventions](#) can be found on the DPAC website.

5.1.14 Arrangements upon Leaving Office

When a Minister ceases to hold office, all Ministerial entitlements cease to operate immediately and all office equipment and publicly funded assets in the Minister's possession or control, including vehicles, computers and mobile phones, are to be returned to DPAC.

5.2 Parliamentary Secretaries and Secretary to Cabinet

5.2.1 Offices, equipment and supplies

Office facilities (outside of the Houses of Parliament) and support services are provided to the Parliamentary Secretaries and the Secretary to Cabinet (if any are appointed) by DPAC, as they would for a Government Backbencher.

General office equipment, including computers, printers and mobile phones required to undertake the role of Parliamentary Secretary or Secretary to Cabinet are provided by DPAC but are funded from the relevant output within the MPS budget. Any additional equipment should be funded from the MRA.

Any costs incurred as a direct consequence of their role as a Parliamentary Secretary or a Secretary to Cabinet are managed by DPAC but funded from the relevant output within the MPS. No expenses should be incurred without the approval of the Premier's Office.

5.2.2 Office Holders' Allowance

An allowance is paid to the Secretary to Cabinet. This allowance is determined by the Tasmanian Industrial Commission under the *Parliamentary Salaries, Superannuation and Allowances Act 2012*. Refer to Appendix D for details.

5.2.3 Staffing

For information on the suggested staffing level for a Parliamentary Secretary refer to Appendix E.

5.2.4 Travel

Travel expenses incurred by a Parliamentary Secretary or a Secretary to Cabinet when undertaking duties specific to these roles are paid for from the relevant output within the MPS budget and are managed by DPAC. Other travel expenses incurred as a Member of Parliament are paid for by the House of Assembly.

Expenses incurred in the attendance of a political party meeting, function or other event not related to government business are not paid out of public funds.

5.3 Leader of the Government in the Legislative Council

5.3.1 Office, equipment and supplies

The sharing of responsibility for the facilities and expenses in support of the Leader's (Ministerial) office outside of the Legislative Council between DPAC and the Legislative Council is described in the attached table (refer to Appendix F). Responsibility for any other item not listed is determined by the Premier's Office Chief of Staff.

Parliament House provides IT support to the Leader and their staff.

5.3.2 Office Holders' Allowance

An allowance is paid to the Leader of the Government in the Legislative Council. Refer to Appendix D for details.

5.3.3 Staffing

For information relating to the staffing level for the Leader of Government in the Legislative Council refer to Appendix E.

5.3.4 Travel

When travelling on official Government or Cabinet business as authorised by the Premier, the Leader of the Government in the Legislative Council is entitled to claim a travel allowance. This allowance is funded from the relevant output within the MPS budget managed by DPAC. Conditions are the same as those for Ministers.

Expenses for travel on Legislative Council business are payable by the Legislative Council.

Expenses incurred in the attendance of a political party meeting, function or other event not related to government business are not paid out of government funds.

5.4 Deputy Leader of the Government in the Legislative Council

5.4.1 Office, equipment and supplies

The Deputy Leader of the Government supports the Office of the Leader of the Government in the Legislative Council.

No additional resources are provided to the Deputy unless approved by the Premier's Office Chief of Staff in consultation with the Premier.

5.4.2 Office Holders' Allowance

An allowance is paid to the Deputy Leader of the Government in the Legislative Council. Refer to Appendix D for details.

6. Recognised Non-Government Parties and other Parliamentary Office Holders

A Recognised non-government party in the House of Assembly has an entitlement to additional funding.

Any funding arrangements for Leaders of Recognised non-government parties is a matter for the Government. Once the funding entitlement is approved by the Premier, the Leaders of each Recognised non-government party may create positions similar to those applying to a Ministerial Office. The number and level of remuneration of such positions is to be within the allocated funding provided.

6.1 Leader of the Opposition

6.1.1 Office

The Leader of the Opposition is entitled to an allowance and a budget allocation to fund an office and to employ staff.

6.1.2 Office Holders' Allowance

An allowance is paid to the Leader of the Opposition. Refer to Appendix D for details.

6.1.3 Ministerial car

The Leader of the Opposition is provided with a Ministerial car and driver for use in carrying out their parliamentary responsibilities.

6.1.4 Staffing

The Leader of the Opposition will determine the staffing structure for their office within their funding allocation and consult with DPAC's HR branch (refer to Appendix C for contact details).

6.2 Leader of a Recognised non-government party

6.2.1. Office

The Leader of a Recognised non-government party is entitled to an allowance and a budget allocation to fund an office and to employ staff.

6.2.2 Staffing

The Leader of a Recognised non-government party will determine the staffing structure of their office within their funding allocation.

6.3 Speaker of the House of Assembly

Normally the Speaker is a member of the Government. However, it is possible that a non-government member could be voted into this role.

6.3.1 Office Holders' Allowance

An allowance is paid to the Speaker of the House of Assembly. Refer to Appendix D for details.

6.3.2 Staffing

For information on the staffing level for the Speaker of the House of Assembly refer to Appendix E.

6.3.3 Ministerial car

The Speaker of the House of Assembly is provided with a Ministerial car and driver for use in carrying out their parliamentary responsibilities.

6.3.4 Travel

Expenses incurred in the attendance of a political party meeting, function or other event not related to government business are not paid out of government funds.

7 Ministerial and Parliamentary Support (MPS) staff

7.1 Introduction

Ministerial and Parliamentary Support (MPS) staff are employed to support Ministers, certain Parliamentary Office Holders and members of Parliament in the House of Assembly as electorate officers (based in electorate offices), ministerial advisers and support staff.

The employment of all MPS staff is approved by the Premier or delegate in:

- ministerial offices;
- the office of the Parliamentary Secretaries;
- the office of the Speaker;
- the office of Leaders of a Recognised non-government party and the Opposition; and
- electorate offices for all elected members to the House of Assembly (see Section 4.7.5).

They are employed through the following mechanisms:

1. Crown Prerogative Appointees; and
2. Secondees from the State Service.

Secondments are approved by the Premier's Office Chief of Staff under delegated authority from the Head of the State Service.

Ministerial Drivers are State Service staff employed under the Ministerial Drivers Agreement.

Information about the employment arrangements for such staff is provided in section 8. Further advice can be sought from DPAC's Human Resources Branch (see Appendix C for contact details).

7.2 Outside work

MPS staff must not, without the permission of the Designated Manager, hold any position of profit or engage in any activity for reward outside the duties of the position to which the Appointee or Secondee is appointed.

7.3 Becoming a candidate for election

If a MPS Crown Prerogative Appointee or Secondee is announced, declared, or is by any other means formally recognised, pursuant to a law of the Commonwealth or of any State to be a candidate for election to the Parliament of the Commonwealth or of any State, the Appointee shall be taken thereby to have duly given notice with immediate effect in accordance with the provisions of their Crown Prerogative Instrument of Appointment or Secondment Arrangement.

7.4 Intellectual property

Government staff may not disclose or use for personal advantage or for the advantage of any other person or entity any information gained during and in consequence of their appointment except as required for the purposes of the appointment or by law.

This provision continues to apply to the staff member following the termination or non-renewal of appointment until such time as the information has been released by or with the approval of the Crown into the public domain.

7.5 Conduct

MPS employees shall maintain a standard of conduct necessary to ensure that integrity and ethical standards expected of a servant of the Crown are maintained. As stated in their Instrument of Appointment/Secondment Arrangement, employees are required to:

- a. behave honestly and with integrity;
- b. act with care and diligence;
- c. treat everyone with respect and without harassment, victimisation or discrimination;
- d. comply with all applicable Australian law;
- e. comply with any lawful and reasonable direction given by a person having authority to give the direction;
- f. maintain appropriate confidentiality about dealings of, and information acquired;
- g. disclose, and take reasonable steps to avoid, any conflict of interest;
- h. use Tasmanian Government resources in a proper manner;
- i. not knowingly provide false or misleading information;
- j. not make improper use of information gained in the course of employment or of the status, power or authority derived from the employment in order to gain, or seek to gain, a gift, benefit or advantage for themselves or for any other person;
- k. declare a gift received in the course of employment or in relation to their appointment to “the Designated Manager”; and
- l. comply with the Lobbying Code of Conduct.

7.6 Work health and safety

7.6.1 Reporting an incident or hazard

All employees have the responsibility to take all reasonably practicable steps to ensure they report all hazards that they notice on a Hazard Report Form.

Work health and safety (WHS) issues should be reported through the Chief of Staff and a Hazard Report Form completed:

The Reporting of Accidents and Incidents Guidelines provides additional information.

Further information about WHS can be obtained from the DPAC's Human Resources Branch.

8. Corporate and Culture Division Resources

DPAC's PPG Division provides support to the offices of Government and non-Government Members. These services include human resource management, financial management, properties and procurement, information and technology services, protocol and event support, and ministerial support (including direct support to Cabinet via the Cabinet Office).

8.1 Information and Technology Services

DPAC's Information and Technology Services (ITS) provides advice and guidance to Ministerial and electorate office staff in the management of Government-related information. In support of this, ITS provides ICT services such as devices (tablets and phones), secure networks, applications and logon accounts to access this information.

Government Members

8.1.1 ICT services

Government Members and their Ministerial and electorate staff are provided with the following:

- tablets with office software;
- email, calendar and collaboration software;
- internet and network connectivity;
- secure storage of records and other digital content, including HPe Content Manager;
- mobile phones with secure access to applications;
- helpdesk access for ICT and information management support;
- printing and multifunction devices (print, copy and scan);
- video conference equipment and event support; and
- Premier's website and Ministerial intranet.

Government Members are provided with a 'desktop setup' (monitors, keyboard, mouse and docking station) as well as desk phone at each of their Ministerial, electorate and Parliamentary sitting-day offices.

Claims for home internet usage can be made through DPAC's Financial Management Services (refer to Appendix C for contact details).

All equipment and services are provided to DPAC standards and subject to DPAC policies. All devices and services are maintained for system health and security purposes. Additions or variations may be available on request and may be subject to additional cost and approval by the Premier's Office Chief of Staff.

Refer to Appendix C for ITS contact details.

8.1.2 Records and information management

Ministerial and electorate offices are responsible for providing and maintaining appropriate information and records for their respective Minister or Government Member. [Disposal Schedule DA2339](#), issued by the State Archives Office, provides direction in managing records for Ministers of the Crown.

DPAC's ITS provides applications and storage services as well as support and consultation for information management and security practices to help meet those obligations.

Each Ministerial and electorate office is required to keep a record of all financial transactions and human resources related issues. This includes documentation that appropriate processes have been followed and that there is approval from a delegated office prior to any funds being committed for expenditure. Appropriate records should also be maintained on all human resource and payroll requirements. Employee files are held by DPAC's Human Resources branch.

Individual parliamentarians or political parties may choose to deposit records that are considered worthy of permanent retention at the Tasmanian Archives and Heritage Office.

Non-Government Members

8.1.3 ICT Services

The Computer and Electronic Services Branch in Parliament House is responsible for providing advice and guidance to non-Government office staff in the use of information services, including devices (laptops and phones), secure networks, applications and logon accounts to access this information.

Refer to the House of Assembly Handbook for further information on ICT services.

8.1.4 Records and information management

Opposition political party records are deemed non-State records, and as such are not covered under the *Archives Act 1983*. All records arising from the activities of non-Government offices should be managed in accordance with relevant laws and standards that cover business activities in general. The [ISO 15489 Records Management standard](#) provides best practice records management processes and guidelines.

Records can be managed in a format and system which best works for the office.

8.3 Human Resources

DPAC's Human Resources branch provides advice and support to MPS on all employee related issues, and also administers the appointment process, leave and payroll for Ministerial staff.

8.3.1 Employment arrangements

The Premier (or delegate) approves employment arrangements within MPS.

There are four current categories of employment arrangements that apply to persons who undertake duties within ministerial offices. They are:

1. Crown Prerogative Appointees;
2. Secondees from the State Service;
3. Departmental Liaison Officers; and
4. Ministerial Transport Service Employees.

Employees in categories 1 and 2 are MPS employees under the control and direction of their chief of staff or member. Employees in categories 3 and 4 are State Servants under the control and direction of the Head of Agency (or their delegate) in their home Agency.

Information on each of these employment categories is provided below.

1. Crown Prerogative Appointees

The majority of staff who are engaged to undertake duties within MPS are appointed on Crown Prerogative Instruments of Appointment. These staff are not State Service employees as they are not employed under the provisions of the *State Service Act 2000*, or Award employees. The terms and conditions of appointment are specified in the Instrument of Appointment as approved by the Solicitor-General. The period of appointment for these Appointees is:

- For the pleasure of the Premier; or
- Until the resignation or termination of the Government; or
- For a period specified in the Instrument

whichever occurs first.

2. Secondees from the State Service

State Service employees may be seconded to undertake duties within MPS. The mechanism that applies to such an arrangement is for the State Service employee to be seconded to MPS by way of a Secondment Arrangement made under the provisions of Section 46(1)(b) of the *State Service Act 2000*. This section of the Act allows arrangements to be approved for State Service employees to undertake duties with an organisation that is not an agency (referred to as a secondment out of the State Service).

Where approval is given for an employee to be seconded to MPS, such a Secondment Arrangement is not to exceed the employee's period of State Service employment. This is particularly important for State Service employees who may have a fixed term arrangement with the State Service such as officers of the Senior Executive Service.

As with Crown Prerogative Appointees, the period of Secondment is:

- For the pleasure of the Premier; or
- Until the resignation or termination of the Government; or
- For a period specified in the Secondment Arrangement

whichever occurs first.

At the conclusion of the Secondment Arrangement the Secondee returns to their State Service agency either to the position or office they held prior to commencing the Secondment Arrangement or to duties at their substantive classification level.

Where a Secondee undertakes duties within MPS that attracts a lower level of salary than that applying to their State Service substantive salary, the Secondee may receive an allowance based on the difference between their MPS salary and that of their State Service substantive salary. This is to ensure that State Service employees are not financially disadvantaged in accepting a Secondment Arrangement to MPS.

Unless exceptional circumstances exist, State Service employees are not to be seconded to MPS while on probation.

3. Departmental Liaison Officers

The number of DLOs, if any, is usually determined by the Premier's Office Chief of Staff in consultation with the respective portfolio Minister and the Head of Agency from which the DLO is being sourced.

DLOs are apolitical State Servants, assigned duties by the Head of Agency (or delegate) of their home agency, under the provisions of the *State Service Act 2000* (the Act). The recruitment and selection of employees to undertake DLO duties must be in accordance with the provisions of the Act and relevant Employment Directions.

The duties of a DLO are at a General Stream, Band 4 level of the *Tasmanian State Service Award*.

Agencies may elect to share the services of a DLO, depending on the complexity of the portfolio responsibilities and the workload associated with undertaking DLO activities. Where a DLO is shared between agencies, funding arrangements may also be shared on an agreed proportional basis between those agencies.

While DLOs are usually physically located within a Minister's office they are apolitical State Servants, under the control and direction of a nominated person within their substantive agency. Ideally such person is to have responsibility for secretariat or similar functions within the agency. As the DLO remains an agency employee they will continue to be paid by that agency and be subject to the normal State Service rules such as the State Service Principles and Code of Conduct. DLOs cannot be engaged to undertake political or Adviser duties.

4. Ministerial Transport Service Employees

The primary function of the Ministerial Transport Service (MTS) is to provide transport services for the Premier, Ministers and approved office holders.

Ministerial Drivers are engaged under the provisions of the Act as State Service employees and, in accordance with the State Service Principles outlined in the Act, are apolitical. Ministerial Drivers must not assist, or participate in, Ministers' political activities.

Ministerial Drivers are also subject to the provisions of the Ministerial Drivers Industrial Agreement which specifies their rate of remuneration.

A casual pool of drivers is available to cover permanent staff absences and to meet peak work demands. In exceptional circumstances, other suitably trained staff may provide transport services when a permanent or casual driver is unavailable to meet demand. For short trips, if a Ministerial Driver is not available, a member may choose to take a Taxi or an Uber.

The Manager, Ministerial Transport Service is a role defined within the Ministerial Drivers Industrial Agreement which sits within the PPG Division. The Manager is responsible for the management of the MTS, and Ministerial Drivers are responsible to the Manager and not to the Parliamentary Member they are allocated to or that Member's office.

To ensure an appropriate flow of information about the operation of the Service, the Manager maintains contact on key issues with a designated Cabinet member. This designation is made by the Premier.

8.3.2 Work health and safety

DPAC aims to provide a safe working environment and safe systems of work for its workers. Managers and supervisors are required to play an important leadership role in assisting DPAC to achieve this aim by ensuring that all workers for which they have responsibility or supervise are appropriately inducted, trained and supervised to minimise the risk of injury within our places of work, and that appropriate action is taken to identify and control any work related hazards.

8.4 Financial Management Services

DPAC's Financial Management Services (FMS) provides financial and budget support.

These services include:

- establishing the budgets for ministerial and electorate offices;
- providing monthly reports to Parliamentary Members and those who are prescribed Parliamentary office holders; and
- providing financial and budgeting advice to the Premier, Ministers, Premier's Office Chief of Staff, Leaders of non-recognised parties and staff in ministerial and electorate offices.

8.4.1 Annual budget

The Executive Director PPG Division, and the Manager, FMS in consultation with the Premier's Office Chief of Staff or Deputy Chief of Staff, prepares annual budgets for Electorate offices for House of Assembly Members, offices for Leaders of non-recognised Parties, Ministerial offices and the MTS.

Budget Estimates briefs are also prepared in consultation with the Premier's Office.

8.4.2 Reporting

FMS provides monthly budget reports to all offices funded from the budget for MPS. This includes monetary expenditure and advising when there are budget risks.

8.4.3 Budget management

FMS, on behalf of the Premier's Office, manages the MPS budget process with the Department of Treasury and Finance.

8.4.4 Financial and contract delegations

FMS manages the issuing of financial and contract delegations for staff employed in Ministerial or electorate offices. These delegations give the authorisation for staff within the offices to incur expenses and/or enter into contracts.

Further information about financial and contractual delegations is provided in DPAC's Finance Manual. At the beginning of each term of Government the delegations for staff in each office are reissued.

8.4.5 Expenditure processing

FMS processes all office expenses incurred on behalf of Ministerial and electorate offices. This includes monitoring that the expenditure is in accordance with the 'Use of public funds' criteria in section 3.4.

The processing of expenditure includes payments related to:

- travel;
- expenses from MRA;
- expenses paid with a Tasmanian Government Corporate Card (TGCC) – see section 8.4.7; and
- entertainment expenditure.

FMS provides advice to MPS with respect to payments and the appropriateness of using public funds, particularly during the Caretaker period.

FMS ensures expenditure claims/invoices are paid within the payment terms of the supplier.

8.4.6 Travel

FMS processes travel claims in accordance with any relevant industrial awards or agreements and the Travel Policy and Guidelines. While the process for paying claims is similar regardless of whether it is for intrastate, interstate, or overseas travel, there are different pre-approval processes for each type of travel.

8.4.7 Tasmanian Government Corporate Card

FMS manages the issuing and cancellation of corporate cards for staff within Ministerial and Electorate offices. No corporate card is issued to a Parliamentary Member.

A TGCC will only be issued to a staff member on the instruction of the Premier's Office Chief of Staff (or other delegate). On receipt of the request, FMS will issue the TGCC to the recipient after an induction process has been completed. The card recipient must use the TGCC in accordance with the Treasurer's Instruction issued by the Department of Treasury and Finance and DPAC's Finance Manual.

8.4.8 Cabcharges

Ministers are issued with Cabcharge cards to use when undertaking Ministerial business. These cards are issued and managed by FMS.

8.5 Ministerial and Executive Services

Ministerial and Executive Services (MES) provides a range of services to support the Premier and Ministers, including:

- the Cabinet Office which provides direct support to Cabinet and its meetings including papers preparation;
- the Executive Council secretariat;
- the Protocol team which supports official visits; congratulatory messages; advice on flags; and order of precedence; and
- the Ministerial Transport Service.

For further information refer to Appendix C for contact details.

8.6 Properties and Procurement Branch

The Properties and Procurement Branch (PPB) provides a range of property and procurement related services and guidance to Ministerial and electorate office staff such as:

- property and facilities management (leasing);
- maintenance coordination;
- Ministerial and electorate office setups;
- Ministerial and electorate office security;

- purchasing of office equipment and consumables;
- management of the vehicle fleet; and
- management of multifunction devices.

9. Summary of Revisions

Version	Clauses	Date	Explanation
1.0		20 Aug 2002	First release
2.0	All	1 Dec 2005	Second release
3.0	All	24 May 2006	Interim release - major revisions
3.1	3.3, 3.4	5 June 2006	New Code of Conduct references
3.2	7.10	13 June 2006	Staff travel expenses to be in accordance with GCE
	4.2	26 June 2006	Full list of allowances added
	5.1.5	1 Aug 2006	Clarification of portfolio agency responsibility for phone kit
3.3	4	15 Sep 2006	Determinations of the Second Committee of Review
	4, 6.2	12 Oct 2006	Minor wording changes.
	4.5	7 Jan 2007	Changes to Members Equipment and Support Allocation
3.4	6.2	23 Feb 2007	Allocation of Electorate Office expenses
	4.5	Nov 2007	Expanded fourth dot point to read "office equipment and expenses"
4.0	10.3	Nov 2007	Update of forms to comply with new whole-of-Government template

Version	Clauses	Date	Explanation
5.0	All	April 2010	Major review
6.0	3.4	July 2011	Addition of section on appropriate use of funds
	7.5	July 2011	New section on Deputy Leader of the Government, Legislative Council
	6	July 2011	Update Travel Guidelines
	6	July 2011	Reflect changed to ministerial network and administrative arrangements between DPAC and portfolio Agencies
	6.3	July 2011	Removed reference to ministerial vehicle being available for other members when acting as Minister
7.0		July 2011	Other minor amendments
	3.0	Sept 2013	Updated to reflect Code of Conduct, Receipt and giving of gifts and benefits, and new web links
	3.5.2	Sept 2013	Table amended: Advertising and Communication: to include Public awareness raising activities on matters related to Members of Parliament (such as portfolio and/or electorate responsibilities) Professional/consultancy services: to include web design and media monitoring Remove media management and public relations activities dot point under table (page 15)
	4	Sept 2013	Updated to reflect new Parliamentary Salaries, Superannuation and Allowances Act 2012
	6.2	Sept 2013	Added in "subject to Premier's approval" in section 6.2.1, and added in 6.2.3

Version	Clauses	Date	Explanation
	8	Sept 2013	Updated section on Right to Information, Personal Information Protection and Premier's Correspondence
	9.5	Sept 2013	Section of Volunteers added
	10.3.1	Sept 2013	Updated to section to reflect new Work Health and Safety Legislation
	All	April 2014	All sections reviewed and updated to reflect current processes and procedures
8.0	3.5	May 2015	Amendments to use of Public Funds Guide, Appropriate and inappropriate use of Ministerial Transport Service and departmental contact details
9.0	All	Jun 2017	Major review, all sections reviewed and updated to reflect current processes and procedures
10.0	All	March 2018	All Sections reviewed and updated to include information relating to Government and Non-Government members
11.0	All	March 2021	All Sections reviewed and updated to reflect organisational restructures in DPAC. Information relating to appropriate use of government resources and apolitical vs political roles updated. Departmental contact details updated. Information on how Members may seek advice on the interpretation of this Handbook added.

10. Appendices

10.1 Appendix A – Definitions

10.2 Appendix B – Appropriate and inappropriate use of funds

10.3 Appendix C – DPAC Contact Names

10.4 Appendix D – Office Holders’ Allowances

10.5 Appendix E – Staffing and Salary Structure

10.6 Appendix F – Facilities and Expenses

10.7 Appendix G – Reference Documents