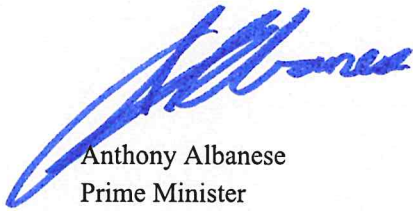




Members of Parliament (Staff) Delegation 2023

I, Anthony Albanese, Prime Minister, acting under subsection 30(1) of the *Members of Parliament (Staff) Act 1984* delegate the powers, functions and duties specified in Schedule 1 to each person occupying, or performing the duties of, the positions, or classes of positions, specified in that schedule.

Dated **17** October 2023



Anthony Albanese
Prime Minister

Schedule 1—Delegations

1 Definitions

In this schedule:

MOPS Act means the *Members of Parliament (Staff) Act 1984*.

SES employee has the same meaning as in the *Public Service Act 1999*.

2 General direction on the exercise of delegated powers

The Special Minister of State must consult the Prime Minister on the exercise of any delegated powers that represent a significant departure from established policy or practice.

3 Delegation does not apply to MOPS Act employees employed at Official Establishments

To avoid doubt, these delegations do not apply in relation to the exercise of powers, functions or duties for MOPS Act employees employed at the households of the Official Establishments being:

- (a) The Lodge, Canberra; and
- (b) Kirribilli House, Sydney.

4 Delegations

The power in the MOPS Act specified in column 1 is delegated under section 30(1) of the MOPS Act to the person in column 2 and is subject to any directions (made for the purposes of section 30(2) of the MOPS Act) in column 3.

Column 1	Column 2	Column 3
Subsection 4(1) – parliamentarian employing personal employees Determine that, having regard to the parliamentary duties of a parliamentarian, the parliamentarian may employ personal employees under subsection 11(3) of the MOPS Act	Special Minister of State	Limited to determining a parliamentarian may employ personal employees where the Prime Minister has allocated personal employee positions to the parliamentarian
Subsection 12(2) – arrangements and conditions affecting power to employ under section 11 (a) Approve arrangements in accordance with which a parliamentarian or office holder is to exercise a power under section 11; or (b) Determine conditions subject to which a parliamentarian or office holder is to exercise a power under section 11	Special Minister of State	(a) Cannot allocate personal employee positions; and (b) May only approve a request for a personal classification with the prior agreement of the Government Staffing Committee
	Deputy Secretary, Business Enabling Services, Department of Finance	Limited to only approving (but not declining) a request for an alternative work base for an electorate employee

Column 1	Column 2	Column 3
	SES employees, Ministerial and Parliamentary Services, Department of Finance	
Subsections 13(2) – terms and conditions of all or a class of employees Determine that the terms and conditions of employment of any of the following are varied in accordance with the determination: (a) all persons employed under the MOPS Act (paragraph 13(2)(a)); or (b) all persons included in a specified class or classes of persons employed under the MOPS Act (paragraph 13(2)(b))	Special Minister of State	
Subsections 13(3) – terms and conditions for individual employees Determine that the terms and conditions of employment of a specified person employed under the MOPS Act are varied in accordance with the determination.	Special Minister of State	
Subsection 14(4) – automatic termination of employment Determine any of the following: (a) circumstances, not inconsistent with subsection 14(2) of the MOPS Act, in which an event specified in table item 2 of subsection 14(1) of the MOPS Act is taken to occur, or taken not to occur; (b) circumstances, not inconsistent with subsection 14(3) of the MOPS Act, in which an event specified in table item 3 or 4 of subsection 14(1) of the MOPS Act is taken to occur, or taken not to occur	Special Minister of State	
Subsection 15(1) – deferral of termination of employment – class of persons Direct that the employment of the persons included in a specified class or classes of persons, whose employment would, but for subsection 15(1) of the MOPS Act, be terminated by subsection 14(1) of the MOPS Act, is taken: (a) not to have been terminated; and (b) to continue, or to have continued, until a specified date	Special Minister of State	Advise the Prime Minister in writing where the period of time that a termination of employment is deferred is greater than the period of time provided under a standing direction
Subsection 15(2) – deferral of termination of employment – specified person	Special Minister of State	Advise the Prime Minister in writing where the period of

Column 1	Column 2	Column 3
<p>Direct that the employment of a specified person, whose employment would, but for subsection 15(2) of the MOPS Act, be terminated by subsection 14(1) of the MOPS Act, is taken:</p> <ul style="list-style-type: none">(a) not to have been terminated; and(b) to continue, or to have continued, until a specified date		<p>time that a termination of employment is deferred is greater than the period of time provided under a standing direction</p>