Version No. 001

**Parliamentary Salaries, Allowances and Superannuation (Provision of Motor Vehicles) Regulations 2019**

**S.R. No. 74/2019**

Version as at
16 September 2019

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**Version No.** **001**

**Parliamentary Salaries, Allowances and Superannuation (Provision of Motor Vehicles) Regulations 2019**

**S.R. No. 74/2019**

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 1 Objective

The objective of these Regulations is to—

 (a) allow for the provision of motor vehicles to Members; and

 (b) revoke and substitute the Parliamentary Salaries and Superannuation (Provision of Motor Vehicles) Regulations 2013.

 2 Authorising provision

These Regulations are made under section 9K of the **Parliamentary Salaries, Allowances and Superannuation Act 1968**.

 3 Commencement

These Regulations come into operation on 16 September 2019.

 4 Revocation

The Parliamentary Salaries and Superannuation (Provision of Motor Vehicles) Regulations 2013[[1]](#endnote-2) are **revoked**.

 5 Definition

In these Regulations—

***term of Parliament*** means the period commencing on the day of a general election and ending on the day before the next general election, irrespective of the number of sessions of Parliament held between those general elections.

 6 Election in relation to a motor vehicle

 (1) Within one month of—

 (a) becoming a Member; or

 (b) the commencement of each subsequent term of Parliament—

a Member may elect in writing to the relevant Clerk to be provided with a motor vehicle under these Regulations.

 (2) If a Member has not made an election under subregulation (1), the Member may elect in writing to the relevant Clerk during the current term of Parliament (other than the period of 12 months immediately before the end of that term of Parliament) to be provided with a motor vehicle.

 (3) For the purposes of these Regulations, a Member who has made an election under regulation 6(1) or (2) of the Parliamentary Salaries and Superannuation (Provision of Motor Vehicles) Regulations 2013 which has not been revoked by the Member before 16 September 2019 is to be taken to have made an election under subregulation (1) or (2), and to have been provided with a motor vehicle under these Regulations.

 (4) A Member may revoke in writing to the relevant Clerk an election made (or taken to be made) under subregulation (1) or (2) if the motor vehicle provided to the Member is due to be replaced in accordance with the guidelines made under section 9L of the **Parliamentary Salaries, Allowances and Superannuation Act 1968**.

 (5) A Member who was provided (or is taken to have been provided) with a motor vehicle under these Regulations for the immediately preceding term of Parliament will be deemed to have made an election under subregulation (1) or (2) unless, within one month of being declared elected for a term of Parliament, the Member notifies the relevant Clerk that the Member will not elect to be provided with a motor vehicle under these Regulations for that term of Parliament.

 7 Provision of a motor vehicle

 (1) Subject to subregulation (2), if a Member elects, or is taken to have elected, to be provided with a motor vehicle under these Regulations, the Member will be provided with the use of a fully funded motor vehicle in accordance with the guidelines made under section 9L of the **Parliamentary Salaries, Allowances and Superannuation Act 1968**.

 (2) A person will be provided with a motor vehicle under these Regulations until the earlier of that person—

 (a) ceasing to be a Member; or

 (b) revoking under regulation 6(4) an election made (or taken to be made) under regulation 6(1) or (2); or

 (c) notifying the relevant Clerk under regulation 6(5) that the Member will not elect to be provided with a motor vehicle under these Regulations.

**Note**

The Minister may make guidelines under section 9L of the **Parliamentary Salaries, Allowances and Superannuation Act 1968** which provide for, among other things, policies and procedures in relation to—

• the type of motor vehicles provided; and

• the permitted uses of the motor vehicle; and

• the authorised drivers of the motor vehicle; and

• the responsibilities of the Member in relation to the motor vehicle.

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Endnotes

1 General information

See [www.legislation.vic.gov.au](http://www.legislation.vic.gov.au) for Victorian Bills, Acts and current Versions of legislation and up-to-date legislative information.

The Parliamentary Salaries, Allowances and Superannuation (Provision of Motor Vehicles) Regulations 2019, S.R. No. 74/2019 were made on 3 September 2019 by the Administrator of the State of Victoria as the Governor's deputy, with the advice of the Executive Council, under section 9K of the **Parliamentary Salaries, Allowances and Superannuation Act 1968**, No. 7723/1968 and came into operation on 16 September 2019: regulation 3.

The Parliamentary Salaries, Allowances and Superannuation (Provision of Motor Vehicles) Regulations 2019 will sunset 10 years after the day of making on 3 September 2029 (see section 5 of the **Subordinate Legislation Act 1994**).

INTERPRETATION OF LEGISLATION ACT 1984 (ILA)

Style changes

Section 54A of the ILA authorises the making of the style changes set out in Schedule 1 to that Act.

References to ILA s. 39B

Sidenotes which cite ILA s. 39B refer to section 39B of the ILA which provides that where an undivided regulation, rule or clause of a Schedule is amended by the insertion of one or more subregulations, subrules or subclauses the original regulation, rule or clause becomes subregulation, subrule or subclause (1) and is amended by the insertion of the expression "(1)" at the beginning of the original regulation, rule or clause.

Interpretation

As from 1 January 2001, amendments to section 36 of the ILA have the following effects:

• Headings

All headings included in a Statutory Rule which is made on or after
1 January 2001 form part of that Statutory Rule. Any heading inserted in a Statutory Rule which was made before 1 January 2001, by a Statutory Rule made on or after 1 January 2001, forms part of that Statutory Rule.
This includes headings to Parts, Divisions or Subdivisions in a Schedule; Orders; Parts into which an Order is divided; clauses; regulations; rules; items; tables; columns; examples; diagrams; notes or forms.
See section 36(1A)(2A)(2B).

• Examples, diagrams or notes

All examples, diagrams or notes included in a Statutory Rule which is made on or after 1 January 2001 form part of that Statutory Rule. Any examples, diagrams or notes inserted in a Statutory Rule which was made before 1 January 2001, by a Statutory Rule made on or after 1 January 2001, form part of that Statutory Rule. See section 36(3A).

• Punctuation

All punctuation included in a Statutory Rule which is made on or after
1 January 2001 forms part of that Statutory Rule. Any punctuation inserted in a Statutory Rule which was made before 1 January 2001, by a Statutory Rule made on or after 1 January 2001, forms part of that Statutory Rule.
See section 36(3B).

• Provision numbers

All provision numbers included in a Statutory Rule form part of that Statutory Rule, whether inserted in the Statutory Rule before, on or after
1 January 2001. Provision numbers include regulation numbers, rule numbers, subregulation numbers, subrule numbers, paragraphs and subparagraphs. See section 36(3C).

• Location of "legislative items"

A "legislative item" is a penalty, an example or a note. As from 13 October 2004, a legislative item relating to a provision of a Statutory Rule is taken to be at the foot of that provision even if it is preceded or followed by another legislative item that relates to that provision. For example, if a penalty at the foot of a provision is followed by a note, both of these legislative items will be regarded as being at the foot of that provision. See section 36B.

• Other material

Any explanatory memorandum, table of provisions, endnotes, index and other material printed after the Endnotes does not form part of a Statutory Rule. See section 36(3)(3D)(3E).

2 Table of Amendments

There are no amendments made to the Parliamentary Salaries, Allowances and Superannuation (Provision of Motor Vehicles) Regulations 2019 by statutory rules, subordinate instruments and Acts.

3 Amendments Not in Operation

There are no amendments which were Not in Operation at the date of this publication.

4 Explanatory details

1. Reg. 4: S.R. No. 84/2013. [↑](#endnote-ref-2)