

# Victorian Independent Remuneration Tribunal and Improving Parliamentary Standards Bill 2019

## Amendments suggested by the Legislative Council (7 March 2019) How dealt with

### AMENDMENT NO 1

Resolved

Clause 17, page 19, line 5, after this line insert—

#### "Note

These costs include the additional costs incurred by a Member when providing services to their constituents in electorates with larger geographic areas."

#### ***How dealt with by the Assembly***

Suggested amendment made.

(7 March 2019)

### AMENDMENT NO 2

Resolved

Clause 17, page 19, line 11, for "The" substitute "In addition to complying with subsection (3), the".

#### ***How dealt with by the Assembly***

Suggested amendment made.

(7 March 2019)

### AMENDMENT NO 3

Resolved

Clause 17, page 19, line 24, after "***portion***" insert "at a value that is greater than \$158 560".

#### ***How dealt with by the Assembly***

Suggested amendment made.

(7 March 2019)

### AMENDMENT NO 4

Resolved

Clause 55, page 50, line 13, after "during" insert "the term of the Parliament in which the person ceased to be a member or in the term of".

#### ***How dealt with by the Assembly***

Suggested amendment made.

(7 March 2019)

**AMENDMENT NO 5****Resolved**

Clause 60, line 14, after "annually" insert "in respect of each relevant financial year".

***How dealt with by the Assembly***

Suggested amendment made.

*(7 March 2019)*

**AMENDMENT NO 6****Resolved**

Clause 60, line 23, omit "Melbourne—" and insert—

"Melbourne; or

- (c) by the annual increase in full-time adult average weekly ordinary time earnings of employees in Victoria in original terms as published by the Australian Bureau of Statistics—".

***How dealt with by the Assembly***

Suggested amendment made.

*(7 March 2019)*

**Amendments made by the Legislative Council (7 March 2019)  
How dealt with**

**AMENDMENT NO 1****Resolved**

Clause 2, line 33, omit "23 November" and insert "29 October".

***How dealt with by the Assembly***

Agreed to.

*(7 March 2019)*

**AMENDMENT NO 2****Resolved**

Clause 3, page 5, line 24, after this line insert—

"(la) Parliamentary Secretary to the Premier;".

***How dealt with by the Assembly***

Agreed to.

*(7 March 2019)*

**AMENDMENT NO 3****Resolved**

Clause 3, page 6, line 8, after this line insert—

"(pa) Deputy Government Whip in the Assembly;"

***How dealt with by the Assembly***

Agreed to.

*(7 March 2019)*

**AMENDMENT NO 4****Resolved**

Clause 3, page 6, line 11, after "Secretary" insert "(other than the Parliamentary Secretary to the Premier)".

***How dealt with by the Assembly***

Agreed to.

*(7 March 2019)*

**AMENDMENT NO 5****Resolved**

Clause 30, page 28, lines 19 and 20, omit "Accountability and Oversight Committee" and insert "Integrity and Oversight Committee".

***How dealt with by the Assembly***

Agreed to.

*(7 March 2019)*

**AMENDMENT NO 6****Resolved**

Clause 35, line 4, after "site" insert "after transmitting it under section 7E(20A) or 9H(9A) of the **Parliamentary Salaries and Superannuation Act 1968**".

***How dealt with by the Assembly***

Agreed to.

*(7 March 2019)*

**AMENDMENT NO 7****Resolved**

Clause 36, line 14, omit "(if any)." and insert—

"(if any); or

- (c) the use of the motor vehicle allowance or any terms or conditions relating to the use of the motor vehicle allowance."

***How dealt with by the Assembly***

Agreed to.

*(7 March 2019)*

**AMENDMENT NO 8****Resolved**

Clause 50, page 44, line 5, after this line insert—

"(la) Parliamentary Secretary to the Premier;"

***How dealt with by the Assembly***

Agreed to.

*(7 March 2019)*

**AMENDMENT NO 9****Resolved**

Clause 50, page 44, line 21, after this line insert—

"(pa) Deputy Government Whip in the Assembly;"

***How dealt with by the Assembly***

Agreed to.

*(7 March 2019)*

**AMENDMENT NO 10****Resolved**

Clause 50, page 44, line 24, after "Secretary" insert "(other than the Parliamentary Secretary to the Premier)".

***How dealt with by the Assembly***

Agreed to.

*(7 March 2019)*

**AMENDMENT NO 11****Resolved**

Clause 54, page 47, line 20, omit "office." and insert—

"office; and

(c) if the Member does not elect to be provided with a motor vehicle under section 6(6), the motor vehicle allowance."

***How dealt with by the Assembly***

Agreed to.

*(7 March 2019)*

**AMENDMENT NO 12****Resolved**

Clause 54, lines 29 and 30, omit all words and expressions on these lines.

***How dealt with by the Assembly***

Agreed to.

*(7 March 2019)*

**AMENDMENT NO 13****Resolved**

Clause 54, line 31, omit "(d)" and insert "(c)".

***How dealt with by the Assembly***

Agreed to.

*(7 March 2019)*

**AMENDMENT NO 14****Resolved**

Clause 54, page 48, line 23, omit "(2)" and insert "(1)(c)".

***How dealt with by the Assembly***

Agreed to.

*(7 March 2019)*

**AMENDMENT NO 15****Resolved**

Clause 55, page 53, lines 14 to 24, omit all words and expressions on these lines and insert—

"(17) If the Compliance Officer determines to uphold the appeal, the Compliance Officer must notify the former Member and the Clerk of the relevant House of the Parliament."

***How dealt with by the Assembly***

Agreed to.

*(7 March 2019)*

**AMENDMENT NO 16****Resolved**

Clause 55, page 53, lines 30 to 32 and page 54, lines 1 to 8, omit all words and expressions on these lines and insert—

"(19) If the Compliance Officer determines to reject the appeal, the Compliance Officer must notify the former Member and the Clerk of the relevant House of the Parliament."

***How dealt with by the Assembly***

Agreed to.

*(7 March 2019)*

**AMENDMENT NO 17****Resolved**

Clause 55, page 54, after line 15 insert—

"(20A) If the Compliance Officer considers that a statement of findings and any required actions should be published in a particular case, the Compliance Officer may at any time cause the statement to be transmitted to each House of the Parliament."

(20B) The Clerk of each House of the Parliament must cause a statement of findings and any required actions transmitted under subsection (20A) to be laid before the House on the day on which it is received or on the next sitting day of that House of the Parliament.

(20C) If the Compliance Officer proposes to transmit a statement of findings and any required actions under subsection (20A), the Compliance Officer must publish the statement on the Tribunal's Internet site as soon as practicable after giving it to the Clerks."

***How dealt with by the Assembly***

Agreed to.

*(7 March 2019)*

**AMENDMENT NO 18**

**Resolved**

Clause 59, page 64, lines 29 to 33 and page 65, lines 1 to 5, omit all words and expressions on these lines and insert—

"(7) If the Compliance Officer determines to uphold the appeal, the Compliance Officer must notify the Member and the relevant Officer."

***How dealt with by the Assembly***

Agreed to.

*(7 March 2019)*

**AMENDMENT NO 19**

**Resolved**

Clause 59, page 65, lines 13 to 23, omit all words and expressions on these lines and insert—

"(9) If the Compliance Officer determines to reject the appeal, the Compliance Officer must notify the Member and relevant Officer."

***How dealt with by the Assembly***

Agreed to.

*(7 March 2019)*

**AMENDMENT NO 20**

**Resolved**

Clause 59, page 65, after line 23 insert—

"(9A) If the Compliance Officer considers that a statement of findings and any required actions should be published in a particular case, the Compliance Officer may at any time cause the statement to be transmitted to each House of the Parliament.

(9B) The Clerk of each House of the Parliament must cause a statement of findings and any required actions transmitted under subsection (9A) to be

laid before the House on the day on which it is received or on the next sitting day of that House of the Parliament.

- (9C) If the Compliance Officer proposes to transmit a statement of findings and any required actions under subsection (9A), the Compliance Officer must publish the statement on the Tribunal's Internet site as soon as practicable after giving it to the Clerks."

***How dealt with by the Assembly***

Agreed to.

*(7 March 2019)*

**AMENDMENT NO 21**

**Resolved**

Clause 59, page 66, line 18, after "allowances" insert "and the motor vehicle allowance (if claimed)".

***How dealt with by the Assembly***

Agreed to.

*(7 March 2019)*

**AMENDMENT NO 22**

**Resolved**

Clause 59, page 66, line 32, after "allowances" insert "and the motor vehicle allowance (if claimed)".

***How dealt with by the Assembly***

Agreed to.

*(7 March 2019)*

**AMENDMENT NO 23**

**Resolved**

Clause 61, lines 20 to 25, omit all words and expressions on these lines and insert—

'(5) For section 31(4) of the Principal Act **substitute**—

"(4) Despite anything to the contrary in this section, the member may request in writing that the State limit, to the amount specified in the request, employer contributions to the person's basic contributions fund to the extent that the basic contributions fund cannot receive those contributions without causing the member to exceed the concessional contributions cap published by the Australian Taxation Office in relation to superannuation contributions.".'.

***How dealt with by the Assembly***

Agreed to.

*(7 March 2019)*

**AMENDMENT NO 24**

**Resolved**

Clause 74, page 85, line 20, omit all words and expressions on this line.

***How dealt with by the Assembly***

Agreed to.

*(7 March 2019)*

**AMENDMENT NO 25**

**Resolved**

Clause 74, page 85, line 21, omit "(d)" and insert "(c)".

***How dealt with by the Assembly***

Agreed to.

*(7 March 2019)*

**AMENDMENT NO 26**

**Resolved**

Clause 77, page 88, line 31, after "(if any)" insert ", the motor vehicle allowance (if claimed)".

***How dealt with by the Assembly***

Agreed to.

*(7 March 2019)*

**AMENDMENT NO 27**

**Resolved**

Clause 77, page 91, line 14, after "duties" insert "for financial or commercial advantage or benefit to themselves or another person".

***How dealt with by the Assembly***

Agreed to.

*(7 March 2019)*

**AMENDMENT NO 28**

**Resolved**

Clause 77, page 91, line 18, after this line insert—

"(3) A former Member is not to be taken to have breached confidentiality obligations regarding information obtained in the course of their public duties if the former Member was—

(a) required by law to disclose that information; or

(b) otherwise acting lawfully in disclosing that information."

***How dealt with by the Assembly***

Agreed to.

*(7 March 2019)*



**AMENDMENT NO 29**

**Resolved**

Clause 78, page 93, line 13, omit "; and" and insert—

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but if it is not reasonably practicable for the Member to make the calculations for the purpose of providing that indication, then the Member may instead provide the number of shares that constitutes that interest; and".

***How dealt with by the Assembly***

Agreed to.

*(7 March 2019)*

**AMENDMENT NO 30**

**Resolved**

Clause 78, page 95, lines 22 to 31, omit all words and expressions on these lines and insert—

"(2) If a Member holds a beneficial interest in a blind trust, the Member is not required to comply with subsections (1)(g) and (1)(h) in respect of the blind trust, but in the primary return the Member must provide—

- (a) a description of the blind trust: and
- (b) the name and address of the person who manages the blind trust."

***How dealt with by the Assembly***

Agreed to.

*(7 March 2019)*