



Members of Parliament (Former Prime Ministers Travel Services) Determination 2017

Pursuant to section 44 of the Members of Parliament (Remuneration and Services) Act 2013 and to the Remuneration Authority Act 1977, the Remuneration Authority makes the following determination (to which is appended an explanatory memorandum).

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Determination

1 Title

This determination is the Members of Parliament (Former Prime Ministers Travel Services) Determination 2017.

2 Commencement

This determination comes into force on 24 September 2017.

Part 1 Interpretation

3 Definitions

(1) In this determination,—

Act means the Members of Parliament (Remuneration and Services) Act 2013

former Prime Minister means a Prime Minister who—

- (a) held office on or after 21 September 2014; and
- (b) ceased to hold office after that date

private business purposes means purposes on behalf of a person's own business interests or on behalf of the business interests of any other person, trust, company, or organisation, but, in relation to a former Prime Minister, does not include the purpose of supporting charitable trusts, community organisations, or business organisations by travelling to speak to them.

- (2) In this determination, unless the context otherwise requires, terms that are not defined in this determination but that are defined in the Act have the same meaning as in the Act.
- (3) In this determination, travel on scheduled ferry services includes carriage of a motor vehicle on vehicular ferries.

4 Principles

- (1) This clause sets out the principles—
 - (a) that underpin this determination; and
 - (b) that indicate the spirit in which this determination should be interpreted and applied.
- (2) The services set out in this determination in relation to former Prime Ministers and spouses or partners are intended to support them in performing their role and functions.
- (3) Former Prime Ministers and spouses or partners should not personally have to meet the expenses related to performing their role and functions.

- (4) Any personal benefits to former Prime Ministers and spouses or partners should be kept to a minimum.
- (5) Former Prime Ministers and spouses or partners are personally responsible for the use of services, even where expenses are incurred on their behalf under delegated authority.
- (6) Former Prime Ministers and spouses or partners must satisfy themselves that the expenses under this determination—
 - (a) represent value for money; and
 - (b) are incurred having regard to efficiency and effectiveness.
- (7) Former Prime Ministers and spouses or partners must be open and transparent in using the services under this determination and, to this end, should keep proper documentation to facilitate sound administration and to enable any scrutiny required.

5 Determination of issues

If an issue arises about the interpretation, application, or operation of this determination, section 44(3) of the Act provides that the issue is to be determined by the Remuneration Authority.

Part 2

Travel services for former Prime Ministers and spouses or partners of former Prime Ministers

Former Prime Minister

6 Provision of travel services

A former Prime Minister is to be provided with travel services in accordance with clauses 7 to 9.

7 Travel services

A former Prime Minister may be paid for travel within New Zealand on scheduled air, rail, ferry, and non-urban bus services or by taxi if the travel is—

- (a) for the purpose of fulfilling commitments related to his or her role as a former Prime Minister; and
- (b) not for private business purposes or employment purposes.

8 Chauffeur-driven cars

A former Prime Minister may travel by chauffeur-driven cars if—

- (a) these are available from VIP Transport Service; and
- (b) the use of a chauffeur-driven car is for the purpose of fulfilling commitments related to his or her role as a former Prime Minister; and

- (c) the use is not for private business purposes or employment purposes.

9 Self-drive car

- (1) A former Prime Minister may have the use of a self-drive car and the associated maintenance and fuel costs of the car.
- (2) The model and standard of the self-drive car is to be determined by VIP Transport Service and on the same basis that self-drive cars are provided to Ministers.
- (3) The spouse or partner of a former Prime Minister may, at the former Prime Minister's discretion, use a self-drive car provided under this clause.

Spouses and partners of former Prime Ministers

10 Provision of travel services

- (1) The spouse or partner of a former Prime Minister is to be provided with travel services in accordance with clauses 11 and 12.
- (2) Section 44(2) of the Act provides that, if a former Prime Minister predeceases his or her spouse or partner,—
 - (a) the spouse or partner continues to be entitled to travel services in accordance with determinations made under section 44(1) of the Act; and
 - (b) the continued entitlement applies whether or not the spouse or partner remarries or repartners.

11 Travel services

The spouse or partner of a former Prime Minister may be paid for travel within New Zealand on scheduled air, rail, ferry, and non-urban bus services or by taxi if the travel—

- (a) is to—
 - (i) support the former Prime Minister in fulfilling commitments that are related to the role of former Prime Minister; or
 - (ii) fulfil the role of spouse or partner of a former Prime Minister; and
- (b) is not for private business purposes or employment purposes.

12 Self-drive cars

- (1) If a former Prime Minister predeceases his or her spouse or partner, the spouse or partner may have the use of a self-drive car and the associated maintenance and fuel costs of the car.
- (2) The model and standard of the self-drive car are to be determined by VIP Transport Service on the same basis as self-drive cars are provided to Ministers.

*Suspension of travel services***13 Suspension of travel services under this determination**

Travel services under this determination are suspended and not payable or to be provided to a former Prime Minister or his or her spouse or partner—

- (a) if and to the extent that the former Prime Minister is to be provided with travel services under any other determination made under the Act; or
- (b) while the former Prime Minister is holding an office for which a salary (other than the salary of an ordinary member of Parliament) is payable under the Act or the Governor-General Act 2010.

*Administration***14 Administration of determination**

The provisions of this determination are administered by the Department of Internal Affairs.

15 Revocation

Part 4 of the Members of Parliament (Accommodation Services for Members and Travel Services for Family Members and Former Prime Ministers) Determination 2014 (LI 2014/287) is revoked.

Dated at Wellington this 25th day of August 2017.

Fran Wilde,
Chairperson.

Geoff Summers,
Member.

Len Cook,
Member.

Explanatory memorandum

This memorandum is not part of the determination, but is intended to indicate its general effect.

This determination comes into force on 24 September 2017.

Section 44(1) of the Members of Parliament (Remuneration and Services) Act 2013 (the **Act**) requires the Remuneration Authority (the **Authority**) to determine the entitlements, if any, to travel services within New Zealand of former Prime Ministers and their spouses or partners.

The entitlements in this determination are unchanged from those set out in Part 4 of the Members of Parliament (Accommodation Services for Members and Travel Services for Family Members and Former Prime Ministers) Determination 2014.

Travel services and the annuity provided to former Prime Ministers who had held the office of Prime Minister for not less than 2 years had their origin in the Royal Commissions on Parliamentary Salaries and Allowances in 1964 and 1973. The Commissions noted that the office of Prime Minister inevitably attracts obligations of a social nature that do not disappear with retirement, and involve personal expense.

The Authority considers that there continues to be an expectation that former Prime Ministers and their spouses or partners will play a part in public life as a result of the office they once held. In our view, it is fair both to the individuals concerned and to the taxpayer that costs directly related to that ongoing role are publicly met.

This determination links the provision of free scheduled air and other travel to the fulfilment of commitments related to the former Prime Minister's role as Prime Minister (and, as the case may be, to commitments of the spouse or partner that arise from his or her former role). Likewise, the use of a chauffeur-driven car is not to be used for private business purposes or employment purposes but for fulfilling commitments to the role of former Prime Minister.

The provision of a self-drive car remains. Use of a car undoubtedly has a considerable personal benefit. On the other hand, a former Prime Minister is likely to have to travel to and from airports and around the country in the course of commitments arising from his or her former role. Using a self-drive car is likely to be more cost-effective than use of taxis or chauffeur-driven cars.

This determination applies only to former Prime Ministers who ceased to hold office on or after 21 September 2014, the date of commencement of the first determination under section 44 of the Act. The Act specifies (*see* section 69(1)(b) of the Act) that existing individual agreements on travel services for former Prime Ministers cannot be changed.

This determination is administered by the Department of Internal Affairs.

2017/261

**Members of Parliament (Former Prime Ministers
Travel Services) Determination 2017**

Issued under the authority of the Legislation Act 2012.
Date of notification in *Gazette*: 31 August 2017.

Wellington, New Zealand:

Published under the authority of the New Zealand Government—2017