

# Senate Standing Committee Foreign Affairs, Defence and Trade

Supplementary Budget Estimates – 23 October 2019

## ANSWER TO QUESTION ON NOTICE

Department of Defence

**Topic:** SSCFADT - SBE - 23 OCT 2019 - Q31 - Special Purpose Aircraft Copy of Guidelines - Kitching

**Question reference number:** 31

**Senator:** Kimberley Kitching

**Type of question:** Spoken

**Date set by the committee for the return of answer:** 6 December 2019

**Question:**

Senator KITCHING: Yes. Are you able to table a current copy of the guidelines for the committee?

Air Marshal Hupfeld: I don't have that today, but I can get that on notice.

**Answer:**

The Department of Defence continues to adhere to the Guidelines for the Use of Special Purpose Aircraft published in February 2013 as an Appendix to the Senators and Members' Entitlements Handbook. A copy is provided.

The *Parliamentary Business Resources (Commonwealth Transport) Determination 2017*, dated 20 December 2017 as Part 3 also refers to the use of Special Purpose Aircraft.

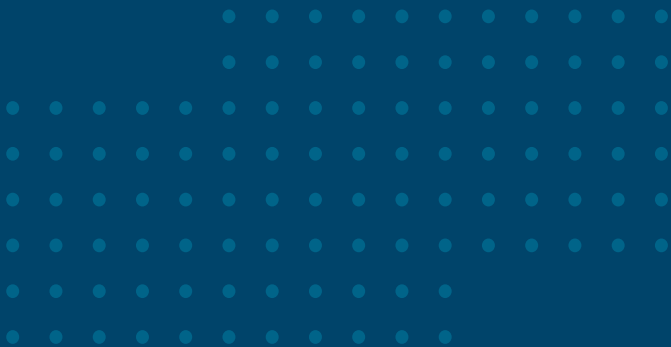


Australian Government

Department of Finance and Deregulation

# APPENDIX: SPECIAL PURPOSE AIRCRAFT

# SPECIAL PURPOSE AIRCRAFT



## GUIDELINES FOR THE USE OF SPECIAL PURPOSE AIRCRAFT

### Introduction

1. The purpose of this document is to state the guidelines for the use of special purpose aircraft and provide the definitions and responsibilities of approving authorities, entitled persons and their parties as they apply to travel on special purpose aircraft (SPA).

### Definitions

2. For the purpose of this document the following definitions apply:
  - a. **Approving Authorities**
    1. **For their own flights** and for persons travelling as their representative(s) or as members of their party:
      - (a) the Governor General;
      - (b) the Prime Minister (including for Guests of Government); and
      - (c) the Minister for Defence.
    2. **For entitled persons** and for persons travelling as their representative(s) or as members of their party:
      - (a) the Minister for Defence; and
      - (b) in certain circumstances, the Prime Minister.
    3. **For overseas flights** by Special Purpose Aircraft:
      - (a) trips to Australian Territories are not classified as overseas trips and may therefore be approved by the Minister for Defence;
      - (b) the Minister for Defence is the approving authority for overseas flights by the CDF and Service Chiefs in accordance with the Prime Minister's approval of 29 June 1998; and
      - (c) the Prime Minister is in all other cases the approving authority and considers the individual circumstances of each request.
  - b. **Entitled Persons**
    1. Parliamentary Office-Holders in accordance with the *Parliamentary Entitlements Act 1990*. In practice, this includes the following members of the Commonwealth Parliament:
      - (a) Ministers of State;
      - (b) Government Parliamentary Secretaries when travelling at the direction of the senior Portfolio Minister;
      - (c) the Leader of the Opposition;
      - (d) the Deputy Leader of the Opposition;
      - (e) the Leader of the Opposition in the Senate;
      - (f) the Leaders of other parties represented in Parliament as determined from time to time by the Prime Minister or the Minister for Defence;
      - (g) the President of the Senate;
      - (h) the Speaker of the House of Representatives;
      - (i) some Parliamentary Committees and Delegations; and

- (j) other Members of the Commonwealth Parliament, when the approving authority is satisfied that travel by Special Purpose Aircraft is warranted by special circumstances such as there is a need for the member to travel and no suitable alternative means of transport is available;
- 2. the Chief of the Defence Force and Service Chiefs, including officers promulgated as acting in those positions;
- 3. persons visiting Australia, representing their nations, of comparable status to other entitled persons;
- 4. State Governors and the Administrator of the Northern Territory on the occasion of their taking up appointment and final departure; and
- 5. in addition to the above entitled persons, Special Purpose Aircraft may be provided for other persons in particular circumstances or emergencies where the Minister for Defence or the Prime Minister considers it justified.

### **Role**

- 3. The role of Special Purpose Aircraft is to enable approving authorities and entitled persons to meet commitments associated with their official, Parliamentary or political responsibilities, including electorate business.

### **Tasking**

- 4. When considering tasks for Special Purpose Aircraft, the approving authorities will take into account:
  - a. the availability of flights on major domestic airlines;
  - b. the availability of Special Purpose Aircraft; and
  - c. the priority of the entitled person making the request and the importance of the occasion (guests of Government would normally take precedence in the allocation of aircraft subject to availability and Prime Ministerial approval).

### **Requesting Procedures for Entitled Persons**

- 5. Requests for Special Purpose Aircraft shall be made to the VIP Operations Cell (VIPOPS) on the specified form. The request shall indicate:
  - a. what alternative transport options are available;
  - b. the reasons these are unsuitable;
  - c. the nature and importance of the commitment which is being met; and
  - d. the names and positions of all passengers requesting travel.
- 6. The request should not include the aircraft type, which is allocated by 34 SQN in accordance with operational requirements such as crew and aircraft availability, destination runway requirements, leg timings, concurrent tasking and passenger manifest composition.
- 7. Commitments should not be entered into on any assumption that Special Purpose Aircraft will be available.

### **Entitled Person's Party**

- 8. Entitled persons may include the following in their party, subject to the agreement of an approving authority, providing their inclusion in the party does not result in a need to upgrade the aircraft:
  - a. their spouse or nominee, or designated person;

- b. members of their personal, departmental or diplomatic staff or Australian escort. This can include staff of related departments such as the Department of the Prime Minister and Cabinet, Department of Foreign Affairs and Trade and the Department of Finance and Deregulation;
  - c. members of non-government organisations or other individuals directly associated with the entitled person's travel. Costs will normally be recovered for such travel;
  - d. State Ministers and their essential personal and departmental staff when the entitled person is visiting an area in relation to a matter of Commonwealth and State interest;
  - e. Members of the Federal Parliament; and
  - f. dependent children when, in the judgement of the approving authority, travel is necessary to fulfil requirements of parental care.
9. If the entitled person is a foreign visitor (2b(3)) all persons in his or her party must be approved by an approving authority prior to travel.
  10. Approval may be given for an entitled person to be accompanied in the aircraft by representatives of news media. Costs will be recovered for such travel and may be waived only in exceptional circumstances.
  11. Travel as a member of the entitled person's party is restricted to travel undertaken while the entitled person is on board, or while the aircraft is positioning to carry the entitled person or returning after carriage of the entitled person. These flights are referred to as "positioning legs" and form part of the *Schedule of Special Purpose Flights*.

### Use in Federal Election Campaigns

12. The arrangements for use of Special Purpose Aircraft during Federal election campaigns shall operate from the day before the Government's policy speech in accordance with the provisions of the *Parliamentary Entitlements Act 1990*. In practice, and subject to availability, one aircraft shall be reserved for the use of:
  - a. the Prime Minister;
  - b. the Leader of the Opposition;
  - c. Government Ministers; and
  - d. Shadow Ministers.
13. In many instances, five aircraft will not be available for tasking and in this instance, the Prime Minister and the Leader of the Opposition should consult on the availability of aircraft for travel for members of the Ministry and Shadow Ministry.
14. Lists of flight times and passengers are to be provided to the Office of the Minister for Defence.

### Deviations from Provisions in this Document

15. In all cases deviation from the provisions in this document will require specific approval by an approving authority prior to travel.
16. Notwithstanding all of the above, the Prime Minister and the Minister for Defence may authorise the use of Special Purpose Aircraft on other tasks e.g., for national security purposes.
17. In the case of competing calls upon Special Purpose Aircraft, final approval rests with the Prime Minister.

## Budgeting/Cost Recovery

18. Defence will fund all costs associated with the provision of Special Purpose Aircraft.
19. Defence is responsible for cost recovery from those passengers whose travel is approved on a cost recovery basis. The cost recovery arrangements for these passengers are as follows:
- a. cost recovery shall be sought from all representatives of the news media, members of non-government organisations or other individuals approved to travel with an entitled person, except in circumstances approved by an approving authority;
  - b. Defence will determine the costs to be recovered as soon as possible after the approval of travel for the person(s) concerned. This will normally be the fully flexible economy class fare equivalent at the date and time of travel and this amount is to be notified to the office of the entitled person before flight departure;
  - c. the entitled person requesting approval for travel by persons without entitlement is responsible for notifying them of the cost of travel prior to departure; and
  - d. the entitled person requesting approval for travel by people without entitlement shall provide the Office of the Minister for Defence a passenger list which includes:
    1. the name of the individual;
    2. the representative organisation;
    3. the contact details (including telephone numbers and postal address) of the organisation; and
    4. confirmation that the individual has been, or will be, notified of the cost of travel before departure.
20. Defence will continue to invoice the Department of Finance and Deregulation for the cost of travel by spouses or nominees, designated persons, dependent children and electorate office staff, on a monthly basis.

## Allocation and Management Of Flying Hours

21. Flying hours will be managed by Defence in consultation with the Office of the Minister for Defence within an overall annual contracted limit. The flying hours allocation includes amounts for aircrew training, test flight and Defence support tasks and thus not all are available for VIP tasking.
22. Defence will provide approving authorities with information on hours usage on a monthly basis. This will show details for each flight leg, the entitled person and the hours flown. Cumulative year-to-date totals will also be provided to help approving authorities manage their usage and allocation. The annual flying hours achievement for SPA is reported in the Defence Annual Report.

## Manifests, Tabling and Reporting Requirements

23. Defence will provide approving authorities weekly manifests, reflecting the actual passengers carried on each task leg, as recorded by the Departmental database. On a monthly basis, approving authorities will verify a monthly summary, provided by Defence, of all travel and will be responsible for promptly advising where discrepancies are identified.

24. Defence will be responsible to the Minister for Defence for compiling the *Schedule of Special Purpose Flights* for tabling in Parliament in June (for the six months ending the previous 31 December) and December (for the six months ending the previous 30 June) each year. This schedule will list all legs flown, passengers carried and hours and costings.
25. Defence will circulate a draft of the Schedule of Special Purpose Flights to the approving authorities who remain responsible for examination and verification and for bringing discrepancies to the attention of Defence prior to final printing. Once tabled, Defence is to provide all approval authorities, along with the following agencies, copies of the *Schedule of Special Purpose Flights* for reference purposes:
  - a. Department of Finance and Deregulation (Ministerial and Parliamentary Services); and
  - b. The Department of the Prime Minister and Cabinet (Ceremonial and Hospitality Branch and Senate Estimates Co-ordinator).