

NORTHERN TERRITORY OF AUSTRALIA

**ASSEMBLY MEMBERS AND STATUTORY OFFICERS (REMUNERATION
AND OTHER ENTITLEMENTS) REGULATIONS**

As in force at 30 September 2009

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This reprint shows the Regulations as in force at 30 September 2009. Any amendments that commence after that date are not included.

ASSEMBLY MEMBERS AND STATUTORY OFFICERS (REMUNERATION AND OTHER ENTITLEMENTS) REGULATIONS

Regulations under the *Assembly Members and Statutory Officers (Remuneration and Other Entitlements) Act*

1 Citation

These Regulations may be cited as the *Assembly Members and Statutory Officers (Remuneration and Other Entitlements) Regulations*.

2 Entitlement for former Assembly member retiring involuntarily

- (1) For section 4(1A) of the Act, a former Assembly member retires involuntarily if the former member:
 - (a) was first elected as an Assembly member at the general election held in 2005 or at a later election (the ***first election***); and
 - (b) continues to be an Assembly member until, at an election (the ***later election***), the former member ceases to be an Assembly member in prescribed circumstances; and
 - (c) is not entitled to receive payment of a pension or superannuation benefit related to the former member's office as an Assembly member immediately after ceasing to be an Assembly member.
- (2) For subregulation (1)(b), the prescribed circumstances are:
 - (a) the former member is nominated as a candidate for an electoral division at the later election but is not elected; or

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- (b) the former member is not nominated as a candidate for the later election by the political party the former member represented at the first election otherwise than because of the former member's:
 - (i) expulsion from the party; or
 - (ii) misconduct, including, for example, conduct alleged to be prejudicial to the party or in contravention of its constitution.
 - (3) The former Assembly member is taken to have retired involuntarily the day before the holding of the later election for the electoral division the former member represented.

3 Exceptions to Tribunal's power for Assembly member entitlements

- (1) For section 4(1C) of the Act, the Tribunal does not have power to inquire into, or inquire into and determine, an entitlement for the provision of office accommodation, furniture and equipment and staff to a Minister, the Speaker of the Assembly, the Leader of the Opposition or an independent Assembly member.
- (2) However, subregulation (1) does not affect the Tribunal's powers relating to entitlements for establishing or maintaining an office in an Assembly member's electorate, including the following in relation to the office:
 - (a) office space;
 - (b) furniture and equipment;
 - (c) parking spaces;
 - (d) cleaning and utility services;
 - (e) staff, including number, salary, allowances and conditions of employment;
 - (f) travel and travel costs for the staff, including arrangements for the use of private vehicles.
- (3) In this regulation:

furniture and equipment includes a photocopier, communications and information technology and associated equipment.

ENDNOTES

1

KEY

Key to abbreviations

amd = amended

app = appendix

bl = by-law

ch = Chapter

cl = clause

div = Division

exp = expires/expired

f = forms

Gaz = *Gazette*

hdg = heading

ins = inserted

lt = long title

nc = not commenced

od = order

om = omitted

pt = Part

r = regulation/rule

rem = remainder

renum = renumbered

rep = repealed

s = section

sch = Schedule

sdiv = Subdivision

SL = Subordinate Legislation

sub = substituted

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LIST OF LEGISLATION

Assembly Members and Statutory Officers (Remuneration and Other Entitlements) Regulations (SL No. 32, 2009)

Notified 30 September 2009

Commenced 30 September 2009 (*Gaz* G39, 30 September 2009, p 5)