

NORTHERN TERRITORY OF AUSTRALIA

ASSEMBLY MEMBERS AND STATUTORY OFFICERS (REMUNERATION AND OTHER ENTITLEMENTS) ACT 2006

As in force at 15 April 2022

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NORTHERN TERRITORY OF AUSTRALIA

As in force at 15 April 2022

ASSEMBLY MEMBERS AND STATUTORY OFFICERS (REMUNERATION AND OTHER ENTITLEMENTS) ACT 2006

**An Act to provide for the remuneration and other entitlements of
Assembly members and statutory officers, and for related purposes**

Part 1 Introduction

1 Short title

This Act may be cited as the *Assembly Members and Statutory Officers (Remuneration and Other Entitlements) Act 2006*.

2 Definitions

In this Act:

additional salary of office means salary paid to an Assembly member, in addition to basic salary, because the member holds or occupies a prescribed office.

administrative guidelines means the administrative guidelines made under section 13.

Assembly means the Legislative Assembly.

Assembly member means a member of the Assembly.

basic salary means salary paid to an Assembly member for being an Assembly member.

*Note for definition ***basic salary****

An Assembly member may also be paid other salary because, for example, the Assembly member holds or occupies a certain office or is a Minister.

chairperson, of a statutory body, means the presiding officer of that body (whether called the chairperson or not).

class, for statutory bodies, means a class of statutory bodies specified in the classification determination.

classification determination means the determination made under section 9 that is in force.

classification structure for statutory bodies, see section 8(2).

entitlement includes a salary, an allowance and any other remuneration or benefit (including, for example, a reimbursement of expenses incurred, and the provision of goods, services, facilities and any other assistance).

former member, for Part 2, see section 4AA.

local authority, for Part 3, Division 1B, see section 7C.

member, of a statutory body, means a member of that body (whether called a member or not), and includes the chairperson of that body.

prescribed office means an office that is determined under section 3A(1)(b) to be an office in respect of which additional salary of office is to be paid.

responsible Minister, for a statutory body, means the Minister administering the law that establishes the body.

statutory body means a body (whether incorporated or not) established by a law of the Territory for a public purpose.

statutory officer means:

- (a) a Local Court Judge; or
- (b) a member of a statutory body; or
- (c) a person holding or occupying an office established by a law of the Territory.

Tribunal means the Remuneration Tribunal established by section 17(1).

Note for section 2

The Interpretation Act 1978 contains definitions and other provisions that may be relevant to this Act.

Part 2 Entitlements of Assembly members

3 Basic salary and additional salary of office

- (1) An Assembly member is entitled to be paid a salary for being an Assembly member.

- (2) For any period that an Assembly member holds or occupies a prescribed office, the member is entitled to be paid additional salary for holding or occupying the office.

3A Tribunal's power in relation to salaries

- (1) The Tribunal must, on the Administrator's request, inquire into and determine the following:
- (a) the amount of basic salary;
 - (b) the amount of additional salary of office and the offices in respect of which additional salary of office is to be paid;
 - (c) the basis on which the amounts mentioned in paragraphs (a) and (b) have been or should be determined.
- (2) A request under subsection (1) may relate to:
- (a) an inquiry for a specified time; or
 - (b) inquiries for specified intervals.

4 Tribunal's powers except for basic salary or additional salary of office

- (1) The Tribunal must, on the Administrator's request, inquire into, or inquire into and determine, an entitlement (other than the basic salary or additional salary of office) of an Assembly member for:
- (a) performing the functions of an Assembly member; or
 - (b) performing a function for the Assembly; or
 - (c) holding or occupying any of the following offices:
 - (i) the Speaker of the Assembly;
 - (ii) the Leader of the Opposition;
 - (iii) any other office in the Assembly;
 - (iv) a Minister;
 - (v) a member of the Executive Council.

- (1B) Without limiting subsection (1), the Tribunal may, under the request, inquire into, or inquire into and determine, other entitlements, including, for example, the following:
- (a) an entitlement for establishing or maintaining offices for an Assembly member, including:
 - (i) the provision of staff and equipment for the offices; and
 - (ii) the payment or reimbursement of amounts to cover expenses incurred in relation to the offices;
 - (b) an entitlement for official travel undertaken by:
 - (i) an Assembly member; and
 - (ii) a person who, under a determination, may accompany an Assembly member for the travel;
 - (c) the provision of a motor vehicle to an Assembly member;
 - (d) an entitlement relating to child care services required because of the performance of official functions by an Assembly member.
- (1C) However, the Tribunal does not have power to inquire into, or inquire into and determine, an entitlement for a matter prescribed by regulation.
- (2) The request may relate to:
- (a) an inquiry for a specified time; or
 - (b) inquiries for specified intervals.

4AA Tribunal's power in relation to former Assembly member

The Tribunal must also, on the Administrator's request, inquire into, or inquire into and determine, an entitlement for a person (a **former member**) who, after the commencement of this section, ceases to hold office as an Assembly member; and

- (a) who was first elected as an Assembly member at the general election held in 2005 or a later election; and
- (b) who is not, after ceasing to be an Assembly member, entitled to receive payment of a pension or superannuation benefit related to the former member's office as an Assembly member.

4AB Circumstances of disentitlement

A former member is not entitled to receive an entitlement mentioned in section 4AA in any of the following circumstances:

- (a) the former member has, under section 21(2) of the *Northern Territory (Self-Government) Act 1978* (Cth), vacated office as an Assembly member because section 21(1)(c) of that Act applies to the former member;
- (b) the former member retires from office as an Assembly member to be a candidate for another seat in the Assembly, or in any other Australian parliament, and is elected to the other seat.

4A Report following inquiry

- (1) The Tribunal must prepare a report for each inquiry conducted under section 3A, 4 or 4AA.
- (2) However, if inquiries are conducted together under any of the following provisions, the Tribunal need only prepare one report for those inquiries:
 - (a) section 3A;
 - (b) section 4;
 - (c) section 4AA.
- (3) The report:
 - (a) if the Tribunal is requested to inquire into and determine an amount of salary or entitlement – must include a determination of the amount of salary or entitlement; or
 - (b) otherwise – may include recommendations on the entitlement to which the inquiry relates.
- (4) The Tribunal must give the Administrator and Minister a copy of the report as soon as practicable after it is made.
- (5) The Minister must table a copy of the report in the Assembly within 6 sitting days after receiving it.

5 Minister's power

- (1) The Minister may determine an entitlement of an Assembly member if no determination for that entitlement has been made by the Tribunal.

- (2) The determination ceases to have effect when a determination by the Tribunal for that entitlement takes effect.
- (2A) Before determining an entitlement under subsection (1), the Minister must seek written advice in relation to the entitlement from the Tribunal.
- (3) The Minister must table a copy of each determination under subsection (1), and the written advice from the Tribunal in relation to the entitlement, in the Assembly within 6 sitting days after making the determination.

Part 3 Entitlements of statutory officers

Division 1 Local Court Judges

6 Application

This Division applies to Local Court Judges.

7 Entitlements

- (1) Subject to section 55(2) of the *Local Court Act 2015*, the Tribunal must, at least once a year, inquire into and determine the entitlements of Local Court Judges and Local Court Judges who hold a statutory office in addition to that of Local Court Judge.

Note for subsection (1)

Section 55(2) of the Local Court Act 2015 provides that the salary, allowances and other benefits to which a Local Court Judge is entitled must not be altered to the Judge's detriment during the Judge's term of office.

- (2) The Tribunal must prepare a report for each inquiry conducted under subsection (1).
- (3) The report must include a determination of the entitlements.
- (4) The Tribunal must give the Minister a copy of the report as soon as practicable after the report is made.
- (5) The Minister must table a copy of the report in the Assembly within 6 sitting days after receiving it.

Division 1A Members of local government council

7A Application

This Division applies to members of local government councils.

7B Allowances

- (1) The Tribunal must, on the Administrator's request, inquire into and determine the allowance or allowances payable to a member of a local government council.
- (1A) Without limiting subsection (1), the Tribunal may, under the request, inquire into and determine any of the following:
 - (a) differential allowances for principal members, deputy principal members and other members of a local government council;
 - (b) a fixed amount, a minimum amount or a maximum amount of an allowance;
 - (c) different categories of allowances;
 - (d) whether an allowance should be indexed and, if so, the basis of, and method for, indexation;
 - (e) any rules that apply to eligibility for, or payment or application of, an allowance.
- (1B) If the Tribunal determines a minimum amount of an allowance under subsection (1A)(b), it must also determine a maximum amount of that allowance.
- (2) The Tribunal may determine different amounts of allowances for the members of different local government councils.
- (3) The Tribunal must prepare a report for each inquiry conducted under subsection (1).
- (4) The report must include a determination of the allowances.
- (5) The Tribunal must give the following a copy of the report as soon as practicable after the report is made:
 - (a) the Administrator;
 - (b) the Minister.
- (6) The Minister must table a copy of the report in the Assembly within 6 sitting days after receiving it.
- (7) The allowances determined under subsection (1) apply as follows:
 - (a) if the report is made on or before 1 February – from the next financial year;

- (b) if the report is made after 1 February – from the financial year after the next financial year.

Examples for subsection (7)

- 1 *If a report is made on 1 February 2019, the allowances apply from 1 July 2019.*
- 2 *If a report is made on 2 February 2019, the allowances apply from 1 July 2020.*

(7A) If the Tribunal is requested to inquire into and determine the allowance or allowances payable to a member of a local government council affected by the exercise of a power under section 16(1)(a), (b), (c), (j) or (n) of the *Local Government Act 2019*, the Administrator may:

- (a) specify the date by which the report under subsection (3) must be completed by the Tribunal; and
- (b) despite subsection (7), specify the financial year from which the determined allowances apply.

(8) In this section:

deputy principal member, see section 7 of the *Local Government Act 2019*.

principal member, see section 7 of the *Local Government Act 2019*.

Division 1B Members of a local authority

7C Meaning of *local authority*

In this Division:

local authority, see section 7 of the *Local Government Act 2019*.

7D Application

This Division applies to members of a local authority.

7E Allowances

- (1) The Tribunal must, on the Administrator's request, inquire into and determine the allowance or allowances payable to a member of a local authority.
- (2) An allowance determined under subsection (1) must be a fixed amount.

- (3) Without limiting subsection (1), the Tribunal may, under the request, inquire into and determine any of the following:
- (a) differential allowances for the chairperson and other members of a local authority;
 - (b) different categories of allowances;
 - (c) whether an allowance should be indexed and, if so, the basis of, and method for, indexation;
 - (d) any rules that apply to eligibility for, or payment or application of, an allowance.
- (4) The Tribunal may determine different amounts of allowances for the members of different local authorities.
- (5) The Tribunal must prepare a report for each inquiry conducted under subsection (1).
- (6) The report must include a determination of the allowances.
- (7) The Tribunal must give the following a copy of the report as soon as practicable after the report is made:
- (a) the Administrator;
 - (b) the Minister.
- (8) The Minister must table a copy of the report in the Assembly within 6 sitting days after receiving it.
- (9) The allowances determined under subsection (1) apply as follows:
- (a) if the report is made on or before 1 February – from the next financial year;
 - (b) if the report is made after 1 February – from the financial year after the next financial year.

Examples for subsection (9)

- 1 *If a report is made on 1 February 2023, the allowances apply from 1 July 2023.*
- 2 *If a report is made on 2 February 2023, the allowances apply from 1 July 2024.*

Division 2 Members of statutory bodies

8 Tribunal's power

- (1) The Tribunal must, on the Administrator's request, inquire into and make recommendations on any of the following matters as specified in the request:
 - (a) the classification structure for statutory bodies;
 - (b) a matter relating to the entitlements of members of statutory bodies.
- (2) The **classification structure for statutory bodies** is a set of provisions that specify the following without specifying any individual statutory body:
 - (a) classes of statutory bodies;
 - (b) the entitlements of members of statutory bodies for any of the classes.
- (3) A request under subsection (1) may relate to:
 - (a) an inquiry for a specified time; or
 - (b) inquiries at specified intervals.
- (4) The Tribunal must prepare a report for each inquiry conducted under subsection (1).
- (5) The report must include any recommendations made by the Tribunal on the matter specified in the request for the inquiry.
- (6) The Tribunal must give the Administrator and Minister a copy of the report as soon as practicable after the report is made.
- (7) Without limiting subsection (1)(b), the Administrator may specify any of the following inquiries for subsection (1)(b):
 - (a) an inquiry into the level of entitlements of members of statutory bodies;
 - (b) an inquiry into the legislative framework for the entitlements of members of statutory bodies.

9 Administrator's power

- (1) The Administrator may determine the classification structure for statutory bodies (whether or not as a result of an inquiry under section 8).

- (2) In providing for an entitlement in relation to a class of statutory bodies, the determination may:
 - (a) specify the amount of the entitlement; or
 - (b) specify a range of amounts from which the amount of the entitlement for a particular statutory body must be decided by a responsible Minister under section 10(1)(b).
- (3) The determination may apply, adopt or incorporate the whole or part of a document as in force or existing at a particular time or from time to time.
- (4) The determination does not have effect in relation to a statutory body until a decision under section 10(1) for that body takes effect.

Note for subsection (4)

See section 10A.

10 Responsible Minister's power

- (1) The responsible Minister for a statutory body may, in accordance with the classification determination, decide:
 - (a) the class of statutory bodies to which the body belongs; and
 - (b) if the determination provides for the responsible Minister to decide the amount of an entitlement as referred to in section 9(2)(b) – the amount of the entitlement.
- (2) The responsible Minister must do so having regard to:
 - (a) the administrative guidelines; and
 - (b) any recommendations made by the Minister administering this Act.
- (3) The responsible Minister must notify the Minister administering this Act of each decision under subsection (1) as soon as practicable after the decision is made.
- (4) This section has effect subject to the law establishing the statutory body.

10A Decision under section 10 to continue in some circumstances

- (1) The purpose of this section is to provide for what happens in relation to a statutory body if:
 - (a) a classification determination (***applying determination***) has effect in relation to the body as mentioned in section 9(4) because a decision, that applies to the body, has taken effect under section 10 (***applying decision***); and
 - (b) after the applying determination has effect in relation to the body, it is amended by a further classification determination or replaced by another classification determination (the result of either the amendment or the replacement being a ***new determination***).
- (2) Subject to subsection (3), after the new determination is made but until it takes effect in relation to the statutory body as mentioned in section 9(4), both the applying determination and applying decision continue to have effect in relation to the body.
- (3) If the new determination increases the amount of the entitlement as mentioned in section 9(2)(a) for the class of statutory bodies to which the statutory body belongs under the applying decision, the change of the amount (as specified in the new determination) takes effect in relation to the body on the starting date for the new determination despite section 9(4).
- (4) For subsection (3), the ***starting date***, for a new determination, is:
 - (a) the date specified in the new determination as the date the new determination is to start operating in relation to statutory bodies that are already the subject of an applying decision; or
 - (b) if no date is specified under paragraph (a) – the date the new determination is made.
- (5) Subsections (2) and (3) apply even if the new determination also changes other matters in the applying determination.

11 Special power of Administrator

- (1) The Administrator may determine the entitlements of a member of a statutory body.
- (2) To the extent to which the determination is inconsistent with any of the following provisions, the determination has effect and that provision does not have effect:
 - (a) a provision in the classification determination;

- (b) a provision in a decision for members of the statutory body under section 10(1);
 - (c) a provision in the administrative guidelines.
- (3) The determination may apply, adopt or incorporate the whole or part of a document as in force or existing at a particular time or from time to time.
- (4) This section has effect subject to the law establishing the statutory body.

12 Publication

- (1) The Minister must, in a manner that the Minister considers appropriate, publish a document that incorporates so much of the following as is in force:
 - (a) the classification determination;
 - (b) each decision under section 10(1);
 - (c) each determination under section 11(1);
 - (d) each provision in force under section 29.
- (2) The Minister must update the document as soon as practicable after a determination or decision referred to in subsection (1)(a), (b) or (c) is made, amended or revoked.
- (3) Without limiting subsection (1), the Minister may publish the document in an electronic form.

13 Administrative guidelines

- (1) The Minister may make administrative guidelines for this Division.
- (2) Without limiting subsection (1), the guidelines may provide for the matters that should be taken into account in making a decision under section 10(1).

Division 3 Other statutory officers

14 Application

This Division:

- (a) applies to a statutory officer whose entitlements are not provided under Division 1 or 2; and

- (b) has effect subject to the law establishing the office held or occupied by the officer.

15 Entitlements

- (1) The Tribunal must, on the Administrator's request, inquire into and make recommendations on an entitlement of a statutory officer to whom this Division applies as specified in the request.
- (2) The request may relate to:
 - (a) an inquiry for a specified time; or
 - (b) inquiries for specified intervals.
- (3) Without limiting subsection (1), an inquiry covered by that subsection may be:
 - (a) an inquiry into the level of the entitlement; or
 - (b) an inquiry into the legislative framework for the entitlement.
- (4) The Tribunal must prepare a report for each inquiry conducted under subsection (1).
- (5) The report must include any recommendations made by the Tribunal on the matter specified in the request for the inquiry.
- (6) The Tribunal must give the Administrator and Minister a copy of the report as soon as practicable after the report is made.
- (7) The Minister must table a copy of the report in the Assembly within 6 sitting days after receiving it.

16 Administrator's power

- (1) If no provision is made under a law of the Territory for an entitlement of a statutory officer to whom this Division applies, the Administrator may determine that entitlement.
- (2) The determination ceases to have effect when a provision for that entitlement takes effect under another law of the Territory.
- (3) The determination may apply, adopt or incorporate the whole or part of a document as in force or existing at a particular time or from time to time.

Part 4 Administration

17 Establishment of Tribunal

- (1) The Remuneration Tribunal is established.
- (2) The Tribunal may be constituted by one member, or 2 or 3 members, appointed by the Administrator.
- (3) A member holds office for a period of 5 years and is eligible for re-appointment.
- (4) A member may resign the office by writing given to the Administrator.
- (5) The Administrator may remove a member from office:
 - (a) for incompetence or misbehaviour; or
 - (b) for mental or physical incapacity to carry out the member's duties satisfactorily.
- (6) The office of a member becomes vacant if the member:
 - (a) dies; or
 - (b) completes a term of office and is not re-appointed; or
 - (c) resigns the office; or
 - (d) is removed from office under subsection (5); or
 - (e) is convicted in the Territory of an offence punishable by imprisonment for 12 months or more or is convicted elsewhere of an offence that, if committed in the Territory, would be an offence so punishable; or
 - (f) becomes bankrupt, applies to take the benefit of any law for the relief of bankrupt or insolvent debtors, compounds with the member's creditors or makes an assignment of the member's remuneration for their benefit.
- (7) The Administrator may appoint a person to act as a member during a period or all periods when:
 - (a) the member's office becomes vacant; or
 - (b) the member is absent from duty or from the Territory; or
 - (c) the member is unable to perform the member's duties.

18 Chairperson of Tribunal

- (1) The Administrator must appoint a member of the Tribunal to be the chairperson of the Tribunal if the Tribunal has more than one member.
- (2) The chairperson must preside at all meetings of the Tribunal.
- (3) The chairperson holds office for the period specified in the appointment.
- (4) The chairperson may resign the office by writing given to the Administrator.
- (5) The Administrator may appoint a member of the tribunal to act as the chairperson during a period or all periods when:
 - (a) the chairperson's office becomes vacant; or
 - (b) the chairperson is absent from duty or from the Territory; or
 - (c) the chairperson is unable to perform the chairperson's duties.

19 Tribunal's power to inquire or determine

In inquiring into or determining a matter under this Act, the Tribunal may also inquire into or determine (as the case may be) another matter that relates to the matter.

20 Determinations by Tribunal

- (1) A determination by the Tribunal under this Act may apply, adopt or incorporate the whole or part of a document as in force or existing at a particular time or from time to time.
- (2) A determination by the Tribunal under this Act may provide for:
 - (a) the following to be decided by a person specified in the determination:
 - (i) an administrative matter;
 - (ii) an alternative to an entitlement because of special circumstances, to avoid hardship or for another reason specified in the determination; or
 - (b) an entitlement to be subject to approval by, or notice to, a specified person (however the approval or notice is described in the determination).

21 Tabling of determinations

- (1) This section applies to a determination by the Tribunal under this Act.
- (2) The Minister must give a copy of the determination to each person whose entitlements are affected by the determination:
 - (a) within 14 days after the Minister receives a copy of the determination under this Act; and
 - (b) before the Minister tables a copy of the determination in the Assembly under this Act.
- (3) The Minister must, within 6 sitting days after complying with subsection (2), table a copy of the determination in the Assembly.
- (4) The determination takes effect from the date specified in the determination.

22 Conduct of inquiry

- (1) The Tribunal is not required to conduct an inquiry in a formal manner.
- (2) In conducting an inquiry, the Tribunal:
 - (a) is not bound by the rules of evidence; and
 - (b) may inform itself in any manner it considers appropriate; and
 - (c) may receive any written or oral submissions.

23 Assistance

- (1) The Minister may appoint a public sector employee to assist the Tribunal in performing its functions.
- (2) For subsection (1), the Minister may appoint:
 - (a) a public sector employee by name; or
 - (b) a public sector employee by reference to the office, position or designation held or occupied by the employee; or
 - (c) a public sector employee from time to time holding or occupying a named office, position or designation.

24 Regulations

The Administrator may make regulations under this Act.

Part 5 Repeals and transitional matters for Assembly Members and Statutory Officers (Remuneration and Other Entitlements) Act 2006

25 Repeal of Acts

The Acts specified in Schedule 1 are repealed.

26 Definitions

In this Part:

commencement means the commencement of the *Assembly Members and Statutory Officers (Remuneration and Other Entitlements) Act 2006*.

existing Tribunal means the Remuneration Tribunal existing under the *Remuneration Tribunal Act 1981* immediately before the commencement.

new Tribunal means the Remuneration Tribunal established by section 17(1).

27 Remuneration Tribunal

- (1) A person who is a member of the existing Tribunal immediately before the commencement is taken to have been appointed as a member of the new Tribunal under section 17(2).
- (2) However, section 17(3) does not apply to that member.

28 Determinations under *Remuneration Tribunal Act 1981*

- (1) A determination made by the existing Tribunal and in force under the *Remuneration Tribunal Act 1981* immediately before the commencement continues in force.
- (2) The determination may be amended or revoked by the new Tribunal as if:
 - (a) for a determination applying to an Assembly member – it had been made under section 4(1) of this Act; or
 - (b) for a determination applying to a Magistrate – it had been made under section 7(1) of this Act.

29 Determinations under *Remuneration (Statutory Bodies) Act 1979*

A provision in a determination in force under the *Remuneration (Statutory Bodies) Act 1979* immediately before the commencement that provides for an entitlement of a member of a statutory body continues to be in force until the commencement of a provision for an entitlement of that member under sections 9 and 10 of this Act.

Part 6 Transitional matters for later enactments

Division 1 Assembly Members and Statutory Officers (Remuneration and Other Entitlements) Amendment Act 2009

30 Administrative arrangements continue

- (1) An existing administrative arrangement for an entitlement of an Assembly member continues to have effect until a determination under section 4 for the entitlement takes effect.

- (2) In this section:

existing administrative arrangement, for an entitlement of an Assembly member, means the administrative arrangement relating to the entitlement:

- (a) made by the Chief Minister, and tabled in the Legislative Assembly, on 21 February 2007; or
- (b) made by the Chief Minister, and tabled in the Legislative Assembly, on 29 November 2007.

Division 2 Assembly Members and Statutory Officers (Remuneration and Other Entitlements) Amendment Act 2011

30A Further amount of basic salary for period on and after 19 August 2010 until commencement

- (1) This section applies to a person who:
- (a) was, on 19 August 2010, an Assembly member or, after 19 August 2010, became an Assembly member; and
- (b) is, immediately before the commencement, an Assembly member.

- (2) In addition to any amount previously paid to the person as basic salary in relation to the relevant period, the person is entitled to be paid a further amount of basic salary for the relevant period.
- (3) The further amount of basic salary is worked out by:
 - (a) calculating the amount to which the person would have been entitled as basic salary for the relevant period if section 4 of the *Assembly Members and Statutory Officers (Remuneration and Other Entitlements) Amendment Act 2011* had been in force on 19 August 2010; and
 - (b) subtracting the amount of basic salary paid to the person for the relevant period from the amount calculated under paragraph (a).
- (4) In this section:

commencement means the commencement of this section.

relevant period, in relation to a person, means the period as mentioned in subsection (1) (starting on or after 19 August 2010 and ending immediately before the commencement) for which the person was an Assembly member.

31 Additional salary of office for 2011 calendar year

- (1) Subsection (2) applies to an Assembly member if:
 - (a) on or after 1 January 2011 but immediately before the commencement of this section (the **interim period**) – the Assembly member was entitled to be paid an amount of additional salary of office for an office under the 2009 Tribunal determination for the interim period (the **first entitlement**); and
 - (b) on the commencement – the office is a prescribed office.

Note for subsection (1)

On the commencement, entitlements for additional salary of office for any period in 2011 but after the interim period are to be worked out under section 3A.

- (2) The Assembly member is entitled to be paid a further amount for the office for the interim period worked out by:
 - (a) calculating the amount to which the Assembly member would have been entitled for the office for the interim period if section 3A had been in force on 1 January 2011 (the **second entitlement**); and

- (b) subtracting the first entitlement from the second entitlement.
- (3) For applying section 3A(1) to the prescribed office of Member of the Council of Territory Cooperation:
 - (a) subsection 3A(1) applies to any period during the 2011 calendar year (including before the commencement of that subsection); and
 - (b) the 2009 Tribunal determination is taken to have provided for an additional salary of office for such a Member with an annual amount equal to 50% of the annual amount to which the Chairperson of the Council of Territory Cooperation was entitled under that determination.

32 Stopping operation of 2009 Tribunal determination

If a part of the 2009 Tribunal determination is in force immediately before the commencement of this section, the part ceases to be in force on the commencement.

Division 3 Assembly Members and Statutory Officers (Remuneration and Other Entitlements) Amendment Act 2015

33 Existing entitlements continue until new determination takes effect

- (1) Despite the amendments:
 - (a) until a determination made under section 3A(1)(a) takes effect, an Assembly member is entitled to be paid the amount of basic salary that the member would have been entitled to be paid under the former Act; and
 - (b) until a determination made under section 3A(1)(b) takes effect, an Assembly member is entitled to be paid the amount of additional salary of office that the member would have been entitled to be paid under the former Act.

- (2) In this section:

amendments means the amendments made to this Act by the *Assembly Members and Statutory Officers (Remuneration and Other Entitlements) Amendment Act 2015*.

former Act means this Act as in force immediately before the commencement of the amendments.

Schedule 1 Repealed Acts

section 25

<i>Remuneration (Statutory Bodies) Act 1979</i>	Act No. 9 of 1980
<i>Remuneration Tribunal Act 1981</i>	Act No. 28 of 1981
<i>Remuneration Tribunal Amendment Act 1985</i>	Act No. 15 of 1985
<i>Remuneration Tribunal Amendment Act 1991</i>	Act No. 29 of 1991
<i>Remuneration Tribunal Amendment Act 2004</i>	Act No. 51 of 2004

ENDNOTES

1 KEY

Key to abbreviations

amd = amended	od = order
app = appendix	om = omitted
bl = by-law	pt = Part
ch = Chapter	r = regulation/rule
cl = clause	rem = remainder
div = Division	renum = renumbered
exp = expires/expired	rep = repealed
f = forms	s = section
<i>Gaz</i> = <i>Gazette</i>	sch = Schedule
hdg = heading	sdiv = Subdivision
ins = inserted	SL = Subordinate Legislation
lt = long title	sub = substituted
nc = not commenced	

2 LIST OF LEGISLATION

Assembly Members and Statutory Officers (Remuneration and Other Entitlements) Act 2006 (Act No. 7, 2006)

Assent date	26 April 2006
Commenced	26 April 2006

Assembly Members and Statutory Officers (Remuneration and Other Entitlements) Amendment Act 2009 (Act No. 27, 2009)

Assent date	1 September 2009
Commenced	30 September 2009 (<i>Gaz</i> G39, 30 September 2009, p 5)

Assembly Members and Statutory Officers (Remuneration and Other Entitlements) Amendment Act (No. 2) 2009 (Act No. 28, 2009)

Assent date	11 November 2009
Commenced	1 October 2009 (s 2)

Assembly Members and Statutory Officers (Remuneration and Other Entitlements) Amendment Act 2011 (Act No. 1, 2011)

Assent date	4 March 2011
Commenced	4 March 2011

Statute Law (Miscellaneous Provisions) Act 2011 (Act No. 44, 2011)

Assent date	21 December 2011
Commenced	27 January 2012 ((other than amdts to <i>Darwin Port Corporation Act 1983</i> and <i>Marine Act 1981</i> listed in the Sch to Act) <i>Gaz</i> S3, 27 January 2012))

Northern Territory Civil and Administrative Tribunal Act 2014 (Act No. 28, 2014)

Assent date	4 September 2014
Commenced	6 October 2014 (<i>Gaz</i> S95, 6 October 2014)

Assembly Members and Statutory Officers (Remuneration and Other Entitlements) Amendment Act 2015 (Act No. 6, 2015)

Assent date 10 April 2015
Commenced 10 April 2015

Assembly Members and Statutory Officers (Remuneration and Other Entitlements) Amendment Act 2016 (Act No. 5, 2016)

Assent date 23 March 2016
Commenced 23 March 2016

Local Court (Repeals and Related Amendments) Act 2016 (Act No. 9, 2016)

Assent date 6 April 2016
Commenced 1 May 2016 (Gaz S34, 29 April 2016)

Assembly Members and Statutory Officers (Remuneration and Other Entitlements) Amendment Act 2017 (Act No. 20, 2017)

Assent date 8 November 2017
Commenced pt 3: 1 January 2017 (s 2(1)); rem: 3 May 2018 (Gaz S28, 3 May 2018)

Statute Law Revision and Repeals Act 2019 (Act No. 33, 2019)

Assent date 6 November 2019
Commenced pts 2 and 3: 11 December 2019 (Gaz G50, 11 December 2019; rem: 7 November 2019 (s 2)

Local Government Act 2019 (Act No. 39, 2019)

Assent date 13 December 2019
Commenced pt 8.6: 1 July 2022; rem: 1 July 2021 (Gaz S27, 30 June 2021)

Amending Legislation

Statute Law Revision Act 2020 (Act No. 26, 2020)

Assent date 19 November 2020
Commenced 20 November 2020 (s 2)

Local Government Amendment Act 2021 (Act No. 15, 2021)

Assent date 25 May 2021
Commenced 26 May 2021 (s 2)

Justice and Other Legislation Amendment Act 2021 (Act No. 7, 2021)

Assent date 13 April 2021
Commenced 14 April 2021 (s 2)

Local Government Legislation Amendment (Remuneration) Act 2022 (Act No. 4, 2022)

Assent date 14 April 2022
Commenced 15 April 2022 (s 2)

3 GENERAL AMENDMENTS

General amendments of a formal nature (which are not referred to in the table of amendments to this reprint) are made by the *Interpretation Legislation Amendment Act 2018* (Act No. 22, 2018) to: ss 1, 2, 7, 26, 28 and 29.

4 LIST OF AMENDMENTS

s 2	amd No. 27, 2009, s 4; No. 1, 2011, s 3; No. 6, 2015, s 3; No. 5, 2016, s 3; No. 9, 2016, s 41; No. 4, 2022, s 4
s 3	sub No. 28, 2009, s 4 amd No. 1, 2011, s 4 sub No. 6, 2015, s 4
s 3A	ins No. 1, 2011, s 5 sub No. 6, 2015, s 4
s 4	amd No. 27, 2009, s 5; No. 1, 2011, s 6; No. 6, 2015, s 5; No. 5, 2016, s 4
ss 4AA – 4AB	ins No. 5, 2016, s 5
s 4A	ins No. 6, 2015, s 6 amd No. 5, 2016, s 6
s 5	amd No. 1, 2011, s 7; No. 5, 2016, s 7; No. 20, 2017, s 4
pt 3	
div 1 hdg	amd No. 9, 2016, s 42
s 6	amd No. 9, 2016, s 43
s 7	amd No. 28, 2014, s 157; No. 9, 2016, s 44
pt 3	
div 1A hdg	ins No. 39, 2019, s 369
s 7A	ins No. 39, 2019, s 369
s 7B	ins No. 39, 2019, s 369 amd No. 4, 2022, s 5
pt 3	
div 1B hdg	ins No. 4, 2022, s 6
ss 7C – 7E	ins No. 4, 2022, s 6
s 8	amd No. 6, 2015, s 7
s 9	amd No. 44, 2011, s 5
s 10	amd No. 44, 2011, s 6
s 10A	ins No. 44, 2011, s 7
s 20	amd No. 44, 2011, s 8
s 21	amd No. 20, 2017, s 5; No. 33, 2019, s 49
s 23	amd No. 7, 2021, s 13
s 24	sub No. 27, 2009, s 6
pt 6 hdg	exp No. 7, 2006, s 31 ins No. 27, 2009, s 7 sub No. 1, 2011, s 8
pt 6	
div 1 hdg	ins No. 1, 2011, s 8
s 30	exp No. 7, 2006, s 31 ins No. 27, 2009, s 7
pt 6	
div 2 hdg	ins No. 1, 2011, s 9
s 30A	ins No. 1, 2011, s 9
s 31	exp No. 7, 2006, s 31 ins No. 1, 2011, s 9
s 32	ins No. 1, 2011, s 9
pt 6	
div 3 hdg	ins No. 6, 2015, s 8
s 33	ins No. 6, 2015, s 8
sch 2	exp No. 7, 2006, s 31 ins No. 1, 2011, s 10 rep No. 6, 2015, s 9