

NORTHERN TERRITORY OF AUSTRALIA

**ASSEMBLY MEMBERS AND STATUTORY OFFICERS (REMUNERATION
AND OTHER ENTITLEMENTS) AMENDMENT ACT (NO. 2) 2009**

Act No. 28 of 2009

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NORTHERN TERRITORY OF AUSTRALIA

Act No. 28 of 2009

An Act to amend the *Assembly Members and Statutory Officers (Remuneration and Other Entitlements) Act*

[Assented to 11 November 2009]
[Second reading 14 October 2009]

The Legislative Assembly of the Northern Territory enacts as follows:

1 Short title

This Act may be cited as the *Assembly Members and Statutory Officers (Remuneration and Other Entitlements) Amendment Act (No. 2) 2009*.

2 Commencement

This Act is taken to have commenced on 1 October 2009.

3 Act amended

This Act amends the *Assembly Members and Statutory Officers (Remuneration and Other Entitlements) Act*.

4 Repeal and substitution of section 3

Section 3

repeal, substitute

3 Basic salary of Assembly members to be tied to annual rate of increases in pay of NTPS employees

- (1) An Assembly member is entitled to be paid a basic salary worked out under this section.

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- (2) On and after 1 October 2009 until the date an entitlement takes effect under subsection (3), the basic salary is the amount worked out by increasing the pre-existing salary by 2.5%.
- (3) On and after the date an increase in the pay of NTPS employees takes effect under a prescribed agreement in 2010 until the date the first increase takes effect under subsection (4), the basic salary is:
- (a) the amount worked out by increasing the pre-existing salary by the annual rate for 2010; or
 - (b) if the amount worked out under paragraph (a) is more than the reduced MHR salary at the time the amount is worked out – the amount worked out by decreasing the amount worked out under paragraph (a) to the reduced MHR salary at that time.

Note for paragraph (a)

If the 2010 annual rate is 2.5%, the amount of the basic salary worked out under paragraph (a) would be the same amount worked out under subsection (2).

- (4) On and after the date an increase in the pay of NTPS employees takes effect under a prescribed agreement in an agreement year until the date an increase in the pay of NTPS employees takes effect under a prescribed agreement in the immediately following agreement year, the basic salary is:
- (a) the amount worked out by increasing the existing basic salary by the annual rate for the agreement year; or
 - (b) if the amount worked out under paragraph (a) is more than the reduced MHR salary at the time the amount is worked out – the amount worked out by decreasing the amount worked out under paragraph (a) to the reduced MHR salary.
- (5) In this section:

agreement year means 2011 or a year that is after 2011.

annual rate means the rate of increase that takes effect in relation to the pay of NTPS employees during a year, as stated in a prescribed agreement.

basic salary means the salary of an Assembly member, but does not include any additional salary for the member, including, for example, additional salary as a Minister.

existing basic salary, for working out an entitlement under this section, means the basic salary to which an Assembly member is entitled under this section immediately before the date the increase, that is being worked out, is to take effect.

NTPS employees means public sector employees, including administrative officers, to whom a prescribed agreement applies.

pre-existing basic salary means the basic salary to which an Assembly member is entitled under this Act on 30 September 2009.

prescribed agreement means an enterprise agreement under the *Fair Work Act 2009* (Cth), that is prescribed by regulation.

reduced MHR salary means the annual rate of salary for a member of the House of Representative (not including any additional salary for the member, including, for example, additional salary as Minister) as reduced by \$3 000.