

NORTHERN TERRITORY OF AUSTRALIA

ASSEMBLY MEMBERS AND STATUTORY OFFICERS (REMUNERATION  
AND OTHER ENTITLEMENTS) LEGISLATION AMENDMENT ACT 2016

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Act No. 5 of 2016

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# NORTHERN TERRITORY OF AUSTRALIA

Act No. 5 of 2016

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

[Assented to 23 March 2016]  
[Second reading 18 November 2015]

The Legislative Assembly of the Northern Territory enacts as follows:

## Part 1 Preliminary matters

### 1 Short title

This Act may be cited as the *Assembly Members and Statutory Officers (Remuneration and Other Entitlements) Legislation Amendment Act 2016*.

## Part 2 Amendment of Assembly Members and Statutory Officers (Remuneration and Other Entitlements) Act

### 2 Act amended

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

**3 Section 2 amended**

Section 2

*insert (in alphabetical order)*

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

**4 Section 4 amended**

Section 4(1A)

*omit*

**5 Sections 4AA and 4AB inserted**

After section 4

*insert*

**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.

**6            Section 4A amended**

(1)            Section 4A(1)

*omit*

or 4

*insert*

, 4 or 4AA

(2)            Section 4A(2)

*omit, insert*

(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.

**7            Section 5 amended**

(1)            Section 5(1)

*omit*

(other than the basic salary or additional salary of office)

(2)            After section 5(2)

*insert*

(2A) Before determining an entitlement under subsection (1), the Minister must seek written advice in relation to the entitlement from the Tribunal.

(3)            Section 5(3), after "subsection (1)"

*insert*

, and the written advice from the Tribunal in relation to the entitlement,

**Part 3**                    **Amendment of Assembly Members and  
Statutory Officers (Remuneration and Other  
Entitlements) Regulations**

**8**                    **Regulations amended**

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

**9**                    **Regulation 2 repealed**

Regulation 2

*repeal*

**Part 4**                    **Expiry of Act**

**10**                    **Expiry of Act**

This Act expires on the day after it commences.