

NORTHERN TERRITORY OF AUSTRALIA

REMUNERATION TRIBUNAL ACT

No. 28 of 1981

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SCHEDULE

THE NORTHERN TERRITORY OF AUSTRALIA

No. 28 of 1981

AN ACT

To establish a tribunal in relation to the remuneration,
allowances and entitlements payable to certain persons

[Assented to 25 March 1981]

BE it enacted by the Legislative Assembly of the Northern Territory of Australia, with the assent as provided by the *Northern Territory (Self-Government) Act 1978* of the Commonwealth, as follows:

PART I - PRELIMINARY

1. SHORT TITLE

This Act may be cited as the Remuneration Tribunal Act 1981.

2. COMMENCEMENT

This Act shall come into operation on a date to be fixed by the Administrator by notice in the Gazette.

3. REPEAL

The Acts specified in the Schedule are repealed.

4. SAVINGS

Notwithstanding the repeal effected by section 3, a determination made under the Legislative Assembly (Remuneration, Allowances and Entitlements) Act and in force immediately before the commencement of this Act, shall continue in force as if made under this Act.

5. DEFINITIONS

In this Act, unless the contrary intention appears -

"inquiry" means an inquiry conducted by the Tribunal in pursuance of a request under section 9(1) or 10(1);

"member" means a member of the Tribunal;

"Tribunal" means the Remuneration Tribunal established by section 6(1).

Remuneration Tribunal

PART II - REMUNERATION TRIBUNAL

6. ESTABLISHMENT OF REMUNERATION TRIBUNAL

(1) There is hereby established a Tribunal to be known as the Remuneration Tribunal.

(2) The Tribunal shall consist of not more than 3 members appointed by the Administrator.

(3) A member shall hold office for such period as is specified in the instrument of his appointment or, if no such period is specified, at the pleasure of the Administrator.

7. MEMBERS, CHAIRMAN OF TRIBUNAL

(1) The Tribunal may be constituted by the appointment of one member.

(2) Where, in pursuance of section 6(2), more than one member is appointed, the Administrator shall appoint one member to be the Chairman of the Tribunal.

(3) The Chairman shall preside at all meetings of the Tribunal.

8. RESIGNATION

A member may resign his office by writing under his hand delivered to the Administrator.

9. POWERS IN RELATION TO MEMBER OF LEGISLATIVE ASSEMBLY, &c.

(1) The Administrator may, by notice in writing, request the Tribunal to, or from time to time to -

(a) inquire into and report with recommendations on; or

(b) inquire into and determine,

the remuneration and allowances to be paid, and the other entitlements to be granted, to persons in respect of their services as -

(c) members of the Legislative Assembly;

(d) members of the Executive Council; or

(e) Ministers of the Territory,

and the Tribunal shall carry out the inquiry and make the report or determination accordingly.

Remuneration Tribunal

(2) A report or determination made under sub-section (1) shall be tabled in the Legislative Assembly within 6 sitting days next following the receipt of the report or determination by the Administrator.

(3) Subject to sub-section (4), a determination shall come into operation, or shall be deemed to have come into operation, on such date as the Tribunal specifies in the determination.

(4) Where the Legislative Assembly, within 10 sitting days after the tabling of a determination made by the Tribunal under sub-section (1), passes a resolution disapproving the determination or any part of the determination, the determination or that part of the determination disapproved of, shall not come into operation or, if the determination is in operation, the determination or that part shall not have any force or effect on and from the day on which the resolution is passed.

(5) The passing of a resolution in accordance with sub-section (4) shall have the effect, where the resolution relates to a determination or part of a determination which has come into operation, of reviving, on and from the date of the resolution, the determination or the relevant part of the determination, as the case may be, in force immediately before the coming into operation of the determination or the part of the determination disapproved of.

10. POWERS IN RELATION TO OTHER PERSONS

(1) The Administrator may, by notice in writing, request the Tribunal to, or from time to time to, inquire into and report with recommendations on the remuneration and allowances to be paid to a person or class of persons, and the other entitlements to be granted in respect of services by that person or class of persons and the Tribunal shall carry out that inquiry and make the report accordingly.

(2) A request under sub-section (1) shall name the person or class of persons or otherwise identify the class of persons, to whom the report is to relate.

(3) A report shall be tabled in the Legislative Assembly within 6 sitting days next following the receipt of the report by the Administrator.

11. EXTENT OF INQUIRY

Where the Tribunal carries out an inquiry the Tribunal may also inquire into and report on or determine, as the case may be, any matter that is, or is considered by it to be, related to the remuneration, allowances or entitlements the subject of the inquiry.

12. CONDUCT OF INQUIRY

In relation to an inquiry, the Tribunal -

(a) may inform itself in such manner as it thinks fit;

Remuneration Tribunal

- (b) may receive written or oral statements;
- (c) is not required to conduct its proceedings in a formal manner; and
- (d) is not bound by the rules of evidence.

PART III - MISCELLANEOUS

13. ASSISTANCE TO TRIBUNAL

The Minister may, if he thinks fit, appoint an employee within the meaning of the Public Service Act to assist the Tribunal in any inquiry.

14. INTERIM ORDERS

(1) Where no determination has been made or deemed to have been made under this Act, or a determination that has been made or deemed to have been made under this Act, makes no provision for or in relation to a particular allowance or entitlement, the Minister may make an interim order, relating only to that allowance or entitlement, determining that that allowance shall be paid to persons or that that entitlement shall be granted to persons, in respect of their services as -

- (a) members of the Legislative Assembly;
- (b) members of the Executive Council; or
- (c) Ministers of the Territory.

(2) An interim order made under sub-section (1) ceases to have effect upon the coming into operation of a determination made under section 9(1)(b), being a determination that makes provision for or in relation to the allowance or entitlement provided by the interim order.

SCHEDULE

ACTS REPEALED

Section 3

Legislative Assembly (Remuneration, Allowances and Entitlements) Act 1978 (No. 103 of 1978)

Legislative Assembly (Remuneration, Allowances and Entitlements) Act (No. 2) 1978 (No. 118 of 1978)
