

Serial 115

Assembly Members and Statutory Officers (Remuneration and Other Entitlements) Amendment Bill 2015

Mr Giles

A Bill for an Act to amend the *Assembly Members and Statutory Officers (Remuneration and Other Entitlements) Act*

NORTHERN TERRITORY OF AUSTRALIA

ASSEMBLY MEMBERS AND STATUTORY OFFICERS (REMUNERATION AND OTHER ENTITLEMENTS) AMENDMENT ACT 2015

Act No. [] of 2015

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NORTHERN TERRITORY OF AUSTRALIA

Act No. [] of 2015

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

[Assented to [] 2015]
[Second reading [] 2015]

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 2015*.

2 Act amended

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

3 Section 2 amended

- (1) Section 2, definitions **2009 Tribunal determination**, **additional salary of office**, **annual rate**, **basic salary**, **classification structure**, **NTPS employees**, **prescribed agreement** and **prescribed office**

omit

(2) Section 2

insert (in alphabetical order)

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.

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.

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

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.

4 Sections 3 and 3A replaced

Sections 3 and 3A

repeal, insert

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) Subject to subsections (3) and (4), the Tribunal must, on the Administrator's request, inquire into and determine one or both of 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.
- (2) A request under subsection (1) may relate to:
 - (a) an inquiry for a specified time; or

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- (b) inquiries for specified intervals.
- (3) The Tribunal must take the following into account when conducting an inquiry and making a determination under subsection (1):
- (a) the nature of the functions of an Assembly member or office holder;
 - (b) changes in the CPI figure for Darwin;
 - (c) Public Sector wage policies;
 - (d) parliamentary salaries in other Australian jurisdictions;
 - (e) any other matter the Tribunal considers relevant.
- (4) The amount of basic salary determined by the Tribunal must not exceed 80 per cent of the MHR parliamentary base salary payable at the time the determination is made.
- (5) In this section:

CPI figure for Darwin means the Consumer Price Index: All Groups Index Number for Darwin published by the Australian Statistician under the authority of the *Census and Statistics Act 1905* (Cth).

MHR parliamentary base salary means parliamentary base salary as defined in section 3(1) of the *Remuneration Tribunal Act 1973* (Cth).

Public Sector, see section 3(1) of the *Public Sector Employment and Management Act*.

5 Section 4 amended

Section 4(3) to (6)

omit

6 Section 4A inserted

After section 4

insert

4A Report following inquiry

- (1) The Tribunal must prepare a report for each inquiry conducted under section 3A or 4.

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- (2) However, if inquiries under sections 3A and 4 are conducted together, the Tribunal need only prepare one report for both inquiries.
 - (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.

7 Section 8 amended

Section 8(2)

omit

classification structure for statutory bodies

insert

classification structure for statutory bodies

8 Part 6, Division 3 inserted

After section 32

insert

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

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- (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.

9 Schedule 2 repealed

Schedule 2

repeal

10 Expiry of Act

This Act expires on the day after it commences.