

**NORTHERN TERRITORY OF AUSTRALIA**

**ASSEMBLY MEMBERS AND STATUTORY OFFICERS (REMUNERATION  
AND OTHER ENTITLEMENTS) REGULATIONS**

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**Subordinate Legislation No. 32 of 2009**

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# NORTHERN TERRITORY OF AUSTRALIA

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## Subordinate Legislation No. 32 of 2009\*

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### ***Assembly Members and Statutory Officers (Remuneration and Other Entitlements) Regulations***

I, Thomas Ian Pauling, Administrator of the Northern Territory of Australia, acting with the advice of the Executive Council, make the following regulations under the *Assembly Members and Statutory Officers (Remuneration and Other Entitlements) Act*.

Dated 24 September 2009

T. I. PAULING  
Administrator

By His Honour's Command

C. B. BURNS  
Minister for Business  
acting for the  
Chief Minister

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\* Notified in the *Northern Territory Government Gazette* on 30 September 2009.

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**1 Citation**

These Regulations may be cited as the *Assembly Members and Statutory Officers (Remuneration and Other Entitlements) Regulations*.

**2 Entitlement for former Assembly member retiring involuntarily**

- (1) For section 4(1A) of the Act, a former Assembly member retires involuntarily if the former member:
- (a) was first elected as an Assembly member at the general election held in 2005 or at a later election (the ***first election***); and
  - (b) continues to be an Assembly member until, at an election (the ***later election***), the former member ceases to be an Assembly member in prescribed circumstances; and
  - (c) is not entitled to receive payment of a pension or superannuation benefit related to the former member's office as an Assembly member immediately after ceasing to be an Assembly member.
- (2) For subregulation (1)(b), the prescribed circumstances are:
- (a) the former member is nominated as a candidate for an electoral division at the later election but is not elected; or
  - (b) the former member is not nominated as a candidate for the later election by the political party the former member represented at the first election otherwise than because of the former member's:
    - (i) expulsion from the party; or
    - (ii) misconduct, including, for example, conduct alleged to be prejudicial to the party or in contravention of its constitution.
- (3) The former Assembly member is taken to have retired involuntarily the day before the holding of the later election for the electoral division the former member represented.

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### 3        **Exceptions to Tribunal's power for Assembly member entitlements**

- (1) For section 4(1C) of the Act, the Tribunal does not have power to inquire into, or inquire into and determine, an entitlement for the provision of office accommodation, furniture and equipment and staff to a Minister, the Speaker of the Assembly, the Leader of the Opposition or an independent Assembly member.
- (2) However, subregulation (1) does not affect the Tribunal's powers relating to entitlements for establishing or maintaining an office in an Assembly member's electorate, including the following in relation to the office:
  - (a) office space;
  - (b) furniture and equipment;
  - (c) parking spaces;
  - (d) cleaning and utility services;
  - (e) staff, including number, salary, allowances and conditions of employment;
  - (f) travel and travel costs for the staff, including arrangements for the use of private vehicles.

- (3) In this regulation:

***furniture and equipment*** includes a photocopier, communications and information technology and associated equipment.