



Legislative Assembly (Members' Staff) Act 1989

Instrument No. 43 of 2001

**TERMS AND CONDITIONS OF EMPLOYMENT OF STAFF OF MEMBERS
PURSUANT TO SECTION 11(2)**

Pursuant to subsection 11(2) of the *Legislative Assembly (Members' Staff) Act 1989*
I determine that:

1. Subject to any arrangements and determination made under subsection 11(2) of the Act, a Member may negotiate with members of their staff terms and conditions of employment through Certified Agreements and Australian Workplace Agreements in accordance with the *Workplace Relations Act 1996*.
2. Any Certified Agreements or Australian Workplace Agreements negotiated under determination 1 above must:
 - (a) not exceed the staff salary allocations issued by the Chief Minister in agreed salary and allowances, including any payments to be made to employees on termination of their employment;
 - (b) not involve any additional cost to the Territory in changes to terms and conditions, unless these can be offset within the staff salary allocations;
 - (c) not operate to bind a future Member and his or her staff. The agreements must be formulated to apply only to the employing Member, until the Member ceases to be a Member;
 - (d) meet the No Disadvantage Test as defined under Part VIE of the *Workplace Relations Act 1996* as though the designated award is the *Clerks (A.C.T.) Award 1998*; and
 - (e) conform with the requirements set out in this determination before certification by the Australian Industrial Relations Commission or approval by the Office of the Employment Advocate is sought.
3. A Member is authorised to do all such things and execute on behalf of the Chief Minister all such documents as may be necessary to:
 - (a) have certified any Certified Agreement, or
 - (b) have registered any Australian Workplace Agreement,negotiated in accordance with determinations 1 and 2 above.

Dated this 8th day of March 2001

Gary Humphries MLA
Chief Minister