

## **EXPLANATORY STATEMENT**

### **SEAT OF GOVERNMENT (ADMINISTRATION) ACT 1910 AUSTRALIAN CAPITAL TERRITORY REMUNERATION (AMENDMENT) ORDINANCE 1986**

No. 11, 1986

The Remuneration Ordinance 1976 (the principal Ordinance) prescribes fees and allowances payable to members of prescribed statutory authorities in the Territory. It has been the practice to set these rates at the levels determined by the Remuneration Tribunal established under the Remuneration Tribunals Act 1973. The Remuneration (Amendment) Ordinance 1986 introduces into the principal Ordinance all determinations made by the Tribunal which have not previously been included.

Certain provisions of the amending Ordinance have effect retrospectively. However, as the Ordinance will not adversely affect any party other than the Commonwealth, such retrospectivity is permitted by section 48 of the Acts Interpretation Act 1901.

Details of the amending Ordinance are set out below:-

Section 1 cites the short title as the Remuneration (Amendment) Ordinance 1986.

Section 2 is a commencement provision which provides that sub-section 5(1) has a date of commencement of 29 May 1986, sub-section 5(2) is deemed to have commenced on 1 July 1985, and the date of commencement of the remaining provisions is the date of gazettal of this Ordinance.

Sections 3 and 4 are interpretation provisions.

Sub-section 5(1) provides for a new method of determining fees, as per the Remuneration Tribunal's 1984 Review, whereby a member of a prescribed authority is entitled to be paid the relevant fee in respect of -

- (a) each day on which the member attended a meeting of not less than 3 hours in duration;
- (b) each day on which the member was engaged in approved business of the authority for a period of not less than 3 hours; and
- (c) prescribed periods of engagement on authorized business where the aggregate of those periods is not less than 5 hours.

Sub-section 5(2) amends the principal Ordinance to increase travelling allowances payable under the Ordinance.

Section 6 provides for certain retrospective adjustments to be made to the fees and allowances payable under the Ordinance for the period from 6 April 1984 to the commencement of the amending Ordinance. These retrospective adjustments are detailed in the Schedule to the amending Ordinance.

The Ordinance has been agreed to by the ACT House of Assembly.