

## EXPLANATORY STATEMENT

### **Instrument No. 43 of 2001**

#### **DETERMINATION MADE UNDER SECTION 11(2) OF THE *Legislative Assembly (Members' Staff) Act 1989***

#### **TERMS AND CONDITIONS OF EMPLOYMENT OF STAFF OF MEMBERS**

##### Legislative Context

The *Legislative Assembly (Members' Staff) Act 1989* ("the Act") provides for the employment of staff by Members of the Legislative Assembly. Subsection 10(1) of the Act gives the authority for Members to employ staff. Subsection 10(2) of the Act specifies that the authority for Members to employ staff must be in accordance with arrangements approved by the Chief Minister and subject to conditions determined by the Chief Minister. Subsection 11(2) provides for the Chief Minister to determine in writing the terms and conditions of employment of staff of Members.

##### Outline

This determination authorises Members to negotiate terms and conditions of employment of staff through Certified Agreements or Australian Workplace Agreements in accordance with the *Workplace Relations Act 1996*, subject to any applicable determination made under Subsection 11(2) of the Act.

##### Conditions of Employment

The minimum standards applicable to any such Agreements is the *Clerks (A.C.T.) Award 1998*.