

1999
THE LEGISLATIVE ASSEMBLY
FOR THE AUSTRALIAN CAPITAL TERRITORY

(As presented)

(Ms Tucker)

**Remuneration Tribunal (Amendment) Bill
1999**

A BILL

FOR

An Act to amend the *Remuneration Tribunal Act 1995*

The Legislative Assembly for the Australian Capital Territory enacts as follows:

1. Short title

5 This Act may be cited as the *Remuneration Tribunal (Amendment) Act 1999*.

2. Commencement

This Act commences on the day on which it is notified in the *Gazette*.

3. Principal Act

10 In this Act, "Principal Act" means the *Remuneration Tribunal Act 1995*.

Job No.: 1998/132

4. Establishment

Section 4 of the Principal Act is amended by adding at the end the following subsection:

“(4) A person shall not be appointed to be a member of the Tribunal—

- (a) if he or she is employed by, or engaged to perform services for, the Territory otherwise than as a member of the Tribunal;
- (b) if he or she is employed by, or engaged to perform services for, a public authority of the Territory or a Territory Owned Corporation;
- (c) if he or she is a member or a former member of the Legislative Assembly; or
- (d) if he or she has at any time held, or been engaged to perform the duties of, an office in respect of which the Tribunal determines remuneration or allowances.”.

5. Termination of appointment

Section 8 of the Principal Act is amended by adding at the end the following subsection:

“(2) The Executive shall remove a member from office if he or she becomes ineligible to be appointed a member by virtue of subsection 4 (4).”.

6. Insertion

After section 12 of the Principal Act the following section is inserted:

“12A. Disallowance and amendment of determinations

“(1) A determination of the Tribunal under section 9 or 10 is a disallowable instrument for the purposes of section 10 of the *Subordinate Laws Act 1989*.

“(2) If the Legislative Assembly, pursuant to a motion of which notice has been given within 15 sitting days after a determination under section 9 or 10 has been laid before it, by resolution amends the determination, the determination is amended and has effect accordingly.

“(3) A determination may not be amended under subsection (2) to increase any remuneration, allowance or entitlement determined by it.

“(4) An amendment under subsection (2) takes effect—

- (a) on the day on which it is made; or
- (b) on the day on which the determination amended comes into operation;

whichever is the later.”.

NOTE

Principal Act

1. Reprinted as at 31 March 1999.

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