

1999

**THE LEGISLATIVE ASSEMBLY
FOR THE AUSTRALIAN CAPITAL TERRITORY**

**REMUNERATION TRIBUNAL
(AMENDMENT) BILL 1999**

EXPLANATORY MEMORANDUM

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Kerrie Tucker MLA

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Outline

This Bill amends the *Remuneration Tribunal Act 1995* to place restrictions on persons who can be appointed as members of the Remuneration Tribunal and to make determinations of the Tribunal disallowable instruments.

Notes on Clauses

Clauses 1, 2 and 3 - these are formal clauses providing the short title of the Act, the commencement day and the definition of the Principal Act. The Act will commence on gazettal.

Clause 4 - adds a new subsection to section 4 of the Principal Act to reinforce the independence of the Tribunal by specifying that a person shall not be appointed to be a member of the Tribunal if they are currently employed by or perform services for the Territory or if they previously held an office in respect of which the Tribunal determines remuneration.

Clause 5 - makes a consequential amendment to section 8 of the Principal Act to provide that a member can be removed from the Tribunal if they become ineligible by virtue of the amended section 4.

Clause 6 - inserts a new section 12A in the Principal Act which provides that a determination of the Tribunal is a disallowable instrument under the *Subordinate Laws Act 1989*. However, under the new subsection (3), a determination may not be amended by the Assembly to increase the remuneration included in a determination.