



*Legislative Assembly (Members' Staff) Act 1989*

**Instrument No. 42 of 2001**

**TERMS AND CONDITIONS OF EMPLOYMENT OF STAFF OF OFFICE-HOLDERS PURSUANT TO SECTION 6(2)**

Pursuant to subsection 6(2) of the *Legislative Assembly (Members' Staff) Act 1989* I determine that:

1. Subject to any arrangements and determination made under subsection 6(2) of the Act, an Office-Holder 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 Office-Holder and his or her staff. The agreements must be formulated to apply only to the employing Office-Holder, until the Office-Holder ceases to hold office;
  - (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. An Office-Holder 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 9th day of March 2001

**Gary Humphries** MLA  
Chief Minister