

Legislative Assembly (Members' Staff) Variable Terms Of Employment Of Office-holders' Staff 2005

Disallowable instrument DI2005-293

made under the

Legislative Assembly (Members' Staff) Act 1989, s 6 (2) (Terms of employment)

1 Name of instrument

This instrument is the *Legislative Assembly (Members' Staff) Variable Terms of Employment of Office-holders' Staff 2005*.

2 Commencement

This instrument commences on the day after its notification day.

3 Notes

A note included in this instrument is explanatory and is not part of this instrument.

Note See Legislation Act, s 127 (1), (4) and (5) for the legal status of notes.

4 Definition

In this instrument:

member means a member or office-holder of the Legislative Assembly of the Australian Capital Territory.

5 Revocation

The following instruments are revoked:

- DI2001-161
- DI2000-82
- DI2000-77
- DI1999-78
- DI1998-75
- DI1997-196
- DI1997-168
- DI1997-137

- Determination made by Kate Carnell on 2 May 1995 concerning the ACT Code of Conduct for Ministers, tabled in the Legislative Assembly on 2 May 1995, applying to the staff of Ministers.

6 Approval for Act, s 6

This instrument determines the variable terms of employment of part 2 employees under the Act, section 6.

Note Staff are also employed subject to terms of employment under any award or certified agreement under the *Workplace Relations Act 1996* (Cwlth) that applies to the staff of office-holders.

7 Class of persons to whom this determination applies

This determination applies to the class of persons whose employment would have ceased by operation of subsections 8(1), 8(2) or 8(4) of the Act but are immediately, that is without a break in their employment, employed by a new member or a re-elected member of the Legislative Assembly for a period of three months or less. (*“existing staff employed by a member on a short-term contract”*).

8 Variable terms of employment

- (1) The class of persons to whom this determination applies are entitled on the completion of their employment to severance benefits provided in any certified agreement under the *Workplace Relations Act 1996* (Cwlth) that applies to the staff of members.
- (2) The period of employment of existing staff employed by the member on a short-term contract will be included for the purpose of determining the severance benefit.

Dated 16 December 2005.

Jon Stanhope
Chief Minister