

EXPLANATORY MEMORANDUM

ADMINISTRATIVE APPEALS TRIBUNAL REGULATIONS (AMENDMENT)

Section 64 of the Administrative Appeals Tribunal Act 1989 empowers the Executive to make regulations making provision in relation to any matter required or permitted by the Act, or necessary or convenient to be prescribed for giving effect to the Act. Pursuant to this power the Administrative Appeals Tribunal Regulations were made in 1989.

Regulation 15 provides:

"Where a person who is a part-time member of the Commonwealth Administrative Appeals Tribunal is sitting as a part-time member of the Tribunal, the person shall be paid the same remuneration and allowances as the person would be paid if the person were sitting as a part-time member of that first-mentioned tribunal."

The repeal of Regulation 15 is required to remove any possibility of a dual entitlement to remuneration being created and to permit the Remuneration Tribunal to consider the appropriate level of remuneration and allowances for members of the ACT AAT.

These Regulations are identical to Regulation 1990 No. 2 which became void and of no effect on the expiration of 31 May 1990 by virtue of subsection 6(6) of the Subordinate Laws Act 1989 as they were not laid before the Legislative Assembly in accordance with subsection 6(1) of that Act.