

AUSTRALIAN CAPITAL TERRITORY

LEGAL AID ORDINANCE 1977

LEGAL AID (STATUTORY OFFICERS) REGULATIONS

EXPLANATORY STATEMENT

No. 10 of 1978

By virtue of sub-section 57(1) of the Legal Aid Ordinance 1977 a statutory officer of the Legal Aid Commission (A.C.T.) is to be paid such remuneration as is prescribed or, if a determination of the Remuneration Tribunal is in force in relation to the office of that statutory officer of the Commission, such remuneration as is determined by that Tribunal. A statutory officer of the Commission is to be paid such allowances as are prescribed (sub-section 57(2)). By virtue of sub-section 57(3), sub-section 57(2) has effect subject to any determination of the Remuneration Tribunal. A statutory officer of the Commission is defined in the Ordinance to mean the Director of Legal Aid or an Assistant Director of Legal Aid.

On 25 August 1977 the Remuneration Tribunal, by Determination number 1977/12, determined the remuneration payable to the Director of Legal Aid as the salary payable from time to time to the holder of Level 3 Office in the Second Division of the Australian Public Service and determined the remuneration of an Assistant Director of Legal Aid as the salary payable from time to time to the holder of Level 1 Office in the Second Division of the Australian Public Service. By Determination number 1977/12 the Remuneration Tribunal also determined that the rates and conditions of payment of travelling allowance to the

Director of Legal Aid and to an Assistant Director of Legal Aid shall be those prescribed from time to time for the Second Division of the Australian Public Service.

The purpose of the Legal Aid (Statutory Officers) Regulations is to prescribe the allowances, other than the travelling allowance already determined by the Remuneration Tribunal, that are payable to the Director of Legal Aid and to an Assistant Director of Legal Aid. The Regulations provide that the allowances payable are the allowances paid from time to time to an officer included in the Second Division of the Australian Public Service.

The Attorney-General is authorized by section 99 of the Legal Aid Ordinance to make Regulations, not inconsistent with the Ordinance, prescribing all matters required or permitted by the Ordinance to be prescribed, or necessary or convenient to be prescribed for carrying out or giving effect to the Ordinance.