

EXPLANATORY MEMORANDUM

Arrangements under sub-section 5(2) *Legislative Assembly (Members' Staff) Act 1989*

SALARY ALLOCATION

Instrument No. 170 2001

Legislative Context

Subsection 5(2) of the *Legislative Assembly (Members' Staff) Act 1989* (the Act) provides for the approval by the Chief Minister of arrangements for the employment of staff by Office-Holders of the Legislative Assembly under sub-section 5(1). Under section 3 of the Act 'Office-Holder' is defined as including the Speaker of the Assembly.

Outline

This arrangement provides the salary allocation to the Speaker to employ staff from the first pay period of the 2001-2002 financial year until the last pay period of the 2001-2002 financial year inclusive.

This Instrument also enables the Speaker, with the written agreement of the Chief Minister, to employ staff outside these allocations in some circumstances. These circumstances are where the allocations are not sufficient for the Speaker to perform his parliamentary duties because of the need to replace an employee who is on extended leave for reasons largely beyond the Speaker's control. Leave is considered to be 'extended' when it is for periods in excess of four continuous weeks during the term of the salary allocation.

The types of absences for which this arrangement might apply include:

- paid maternity leave;
- workers compensation (including graduated return to work);
- long service leave; and
- sick leave.

This arrangement will enable the Speaker to employ replacement staff from his salary allocation for the extent of the absence.

The Speaker's salary allocation provides for the days 21 June 2001 to 19 June 2002 inclusive but does not provide for the days 20 June to 30 June 2002 inclusive. The last days of the 2001-2002 financial year will be provided for by arrangements made subsequently for the financial year 2002-2003.