

## EXPLANATORY STATEMENT

### **Instrument No. 51 of 2001**

#### **DETERMINATION MADE UNDER SECTION 11(2) OF THE *Legislative Assembly (Members' Staff) Act 1989***

#### **TERMS AND CONDITIONS OF EMPLOYMENT OF STAFF OF MEMBERS**

##### Legislative Context

The *Legislative Assembly (Members' Staff) Act 1989* ("the Act") provides for the employment of staff by Members of the Legislative Assembly. Subsection 10(1) of the Act gives the authority for Members to employ staff. Subsection 11(2) of the Act provides for the Chief Minister to determine in writing the terms and conditions of employment of staff of Members.

##### Outline

This Determination re-inserts a provision that was inadvertently revoked by an earlier Determination, Number 332 of 2000 dated 15 October 2000.

The attachment to Schedule 2 of the earlier Determination, setting out the contract of employment for staff of Members, was inadvertently omitted and was revoked with effect from 9 November 2000 the date of Gazettal of the Determination. This Determination replaces Schedule 2 with a new Schedule 2 which includes the attachment.

This Determination is to apply retrospectively from 9 November 2000 to validate employment contracts entered into since that date, except where an employee's rights are affected in a prejudicial manner or liabilities are imposed on an employee in respect of any act or omission before the date of notification of this Determination.