



New South Wales

Parliamentary Remuneration Amendment Act 2001 No 105

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New South Wales

Parliamentary Remuneration Amendment Act 2001 No 105

Act No 105, 2001

An Act to amend the *Parliamentary Remuneration Act 1989* with respect to the payment of electoral allowances, and for other purposes. [Assented to 11 December 2001]

The Legislature of New South Wales enacts:

1 Name of Act

This Act is the *Parliamentary Remuneration Amendment Act 2001*.

2 Commencement

This Act commences on a day or days to be appointed by proclamation.

3 Amendment of Parliamentary Remuneration Act 1989 No 160

The *Parliamentary Remuneration Act 1989* is amended as set out in Schedule 1.

Schedule 1 Amendments

(Section 3)

[1] Section 3 Definitions

Insert in alphabetical order:

additional entitlements means the electoral allowance and other additional entitlements under Part 3.

[2] Section 10 General provisions as to determinations of additional entitlements

Omit section 10 (2). Insert instead.

- (2) Members and recognised office holders are entitled to an electoral allowance and other additional entitlements in accordance with the provisions of applicable determinations of the Tribunal under this Part.
- (2A) The Tribunal may, by a determination:
 - (a) fix the amount of the electoral allowance, and
 - (b) fix the classes, terms and other incidents of other additional entitlements.
- (2B) The following provisions apply to the electoral allowance:
 - (a) the allowance is payable to members (whether or not recognised office holders),
 - (b) the allowance is payable in money,
 - (c) the allowance is payable as compensation in respect of all incidents of the performance of parliamentary duties (other than those compensated or reimbursed by other additional entitlements),
 - (d) different amounts may be fixed for different members or classes of members.
- (2C) Subsections (3) and (4) apply to determinations with respect to additional entitlements, other than the electoral allowance.

[3] Section 10 (3) (a)

Omit “electoral allowances,”.

[4] Section 10 (8)

Omit the subsection.

[5] Section 12A

Insert after section 12:

12A Financial implications of determinations

- (1) In making a determination under this Act, the Tribunal is to have regard to the financial implications of the determination for the State.
- (2) The Tribunal is required:
 - (a) to invite the Secretary of the Treasury to make submissions to the Tribunal about those financial implications, and
 - (b) to take any submission so made into account before making the determination.
- (3) A copy of any such submission made by the Secretary of the Treasury is to be included as an annexure to the determination.

[6] Section 13 Reports of the Tribunal

Omit section 13 (5).

[7] Section 20

Insert after section 19:

20 Provisions consequent on enactment of Parliamentary Remuneration Amendment Act 2001

- (1) Section 10, as amended by the *Parliamentary Remuneration Amendment Act 2001*, extends to a determination of the Tribunal that is in force on the commencement of those amendments.

- (2) The regulations may contain other provisions of a savings or transitional nature consequent on the enactment of that Act.

[Minister's second reading speech made in—
Legislative Assembly on 24 October 2001
Legislative Council on 6 December 2001]