

First print



New South Wales

Parliamentary Remuneration Amendment (Recognised Office Holder) Bill 2002

Explanatory note

This explanatory note relates to this Bill as introduced into Parliament.

Overview of Bill

The object of this Bill is to amend the *Parliamentary Remuneration Act 1989* to decrease (from 10 to 9) the minimum number of members of a recognised political party that must be members of the Legislative Council before the Deputy Leader of the party in the Council may become eligible to be paid an additional salary and expense allowance under that Act as a recognised office holder.

Outline of provisions

Clause 1 sets out the name (also called the short title) of the proposed Act.

Clause 2 provides for the commencement of the proposed Act on the date of assent.

Clause 3 is a formal provision giving effect to the amendments to the *Parliamentary Remuneration Act 1989* set out in Schedule 1.

Schedule 1 Amendments

The *Parliamentary Remuneration Act 1989* makes provision with respect to the payment of additional salaries and expense allowances to recognised office holders, being the holders of offices for the time being specified in Schedule 1.

These office holders include the Deputy Leader in the Legislative Council (other than the Leader of the Opposition or the Deputy Leader of the Opposition) of a recognised political party not fewer than 10 members of which are members of the Legislative Council and of which no member is a Minister.

Schedule 1 [2] amends Schedule 1 in relation to that office holder so as to decrease (from 10 to 9) the minimum number of members of a recognised political party who must be members of the Legislative Council before that office holder may become eligible to be paid an additional salary and expense allowance under the Act.

Clause 3 of Schedule 3, as proposed to be inserted by Schedule 1 [3], validates past payments of additional salaries and expense allowances to any person who has held that office since 27 March 1999 that would have been valid had the amendment made by Schedule 1 [2] been in force when such payments were made.

Schedule 1 [3] inserts a new Schedule 3 which contains provisions of a savings or transitional nature. Clause 1 of Schedule 3 restates the power in current section 20 (2) to make regulations of a savings or transitional nature. The clause also enables such regulations to be made as a consequence of the enactment of the proposed amending Act. Clause 2 restates existing section 20 (1). Clause 3 is outlined above.

Schedule 1 [1] substitutes section 20 with a formal provision that gives effect to Schedule 3, as proposed to be inserted by Schedule 1 [3].



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New South Wales

Parliamentary Remuneration Amendment (Recognised Office Holder) Bill 2002

No. , 2002

A Bill for

An Act to amend the *Parliamentary Remuneration Act 1989* with respect to additional salaries and expense allowances to be paid to the holders of certain offices in the Legislative Council; and for related purposes.

| | |
|---|--------|
| The Legislature of New South Wales enacts: | 1 |
| 1 Name of Act | 2 |
| This Act is the <i>Parliamentary Remuneration Amendment (Recognised Office Holder) Act 2002</i> . | 3 4 |
| 2 Commencement | 5 |
| This Act commences on the date of assent. | 6 |
| 3 Amendment of Parliamentary Remuneration Act 1989 No 160 | 7 |
| The <i>Parliamentary Remuneration Act 1989</i> is amended as set out in Schedule 1. | 8 9 |

| | | |
|-------------------|---|--------------------|
| Schedule 1 | Amendments | 1 |
| | (Section 3) | 2 |
| [1] | Section 20 | 3 |
| | Omit the section. Insert instead: | 4 |
| | 20 Savings, transitional and other provisions | 5 |
| | Schedule 3 has effect. | 6 |
| [2] | Schedule 1 Additional salaries and expense allowances | 7 |
| | Omit “10 members” from the matter relating to Deputy Leader in the Legislative Council (other than the Leader of the Opposition or the Deputy Leader of the Opposition) of a recognised political party in Part 2 of Schedule 1. | 8 9 10 11 |
| | Insert instead “9 members”. | 12 |
| [3] | Schedule 3 | 13 |
| | Insert after Schedule 2: | 14 |
| | Schedule 3 Savings, transitional and other provisions | 15 16 |
| | 1 Savings and transitional regulations | 17 |
| | The regulations may contain provisions of a savings or transitional nature consequent on the enactment of the following Acts: | 18 19 20 |
| | <i>Parliamentary Remuneration Amendment Act 2001</i> | 21 |
| | <i>Parliamentary Remuneration Amendment (Recognised Office Holder) Act 2002</i> | 22 23 |

| | | |
|----------|--|----|
| 2 | Provision consequent on enactment of Parliamentary Remuneration Amendment Act 2001 | 1 |
| | | 2 |
| | Section 10, as amended by the <i>Parliamentary Remuneration Amendment Act 2001</i> , extends to a determination of the Tribunal that was in force on the commencement of those amendments. | 3 |
| | | 4 |
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| | | 6 |
| 3 | Provision consequent on enactment of Parliamentary Remuneration Amendment (Recognised Office Holder) Act 2002 | 7 |
| | | 8 |
| | Anything done or omitted to be done on or after 27 March 1999 is as valid as it would have been had the amendment to Schedule 1 made by Schedule 1 [2] to the <i>Parliamentary Remuneration Amendment (Recognised Office Holder) Act 2002</i> been in force when the thing was done or omitted to be done. | 9 |
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