

**PARLIAMENTARY REMUNERATION TRIBUNAL
(AMENDMENT) BILL, 1980**

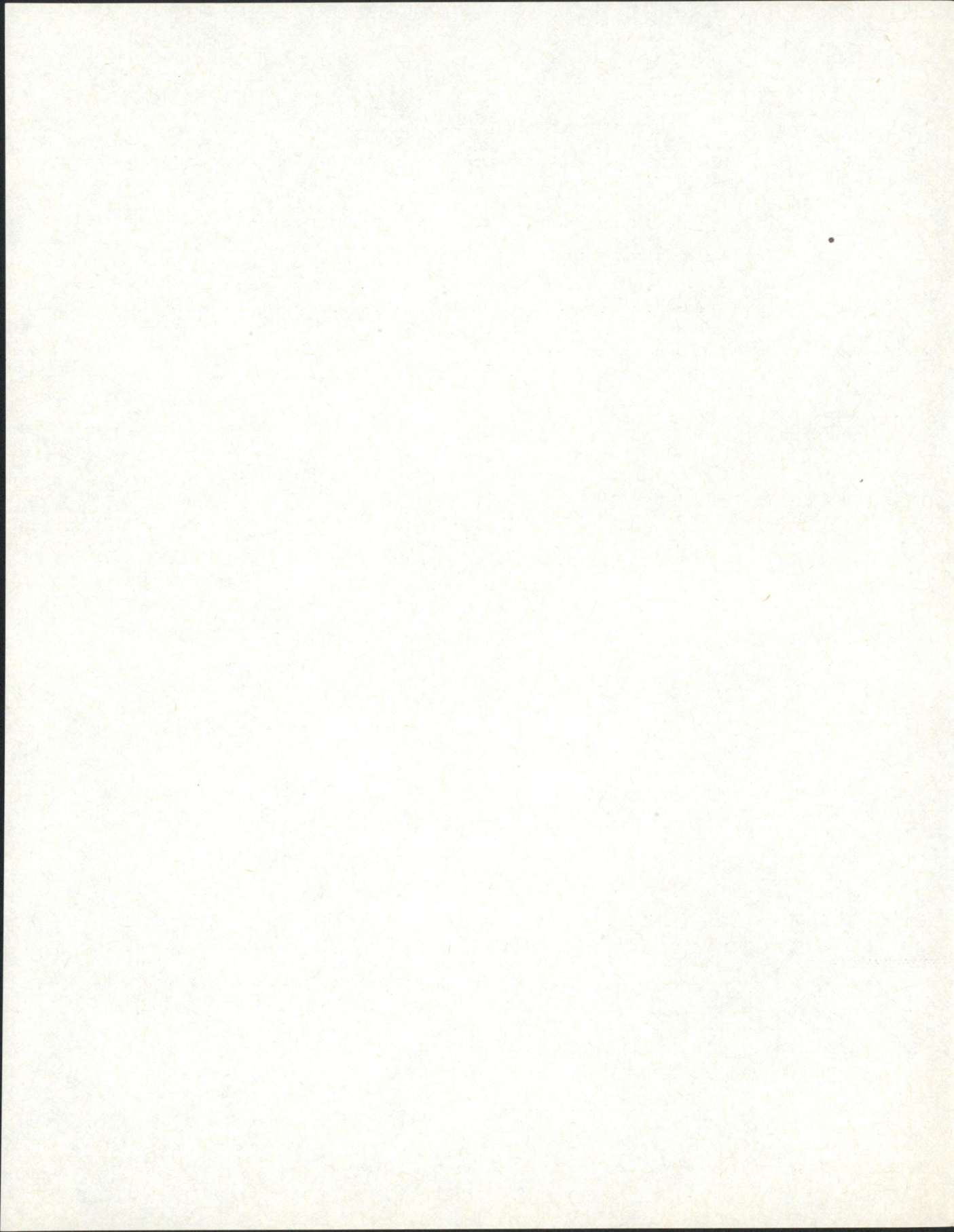
EXPLANATORY NOTE

(This Explanatory Note relates to this Bill as introduced into Parliament)

The objects of this Bill are to amend the Parliamentary Remuneration Tribunal Act, 1975, so as—

- (a) to enable the time in which a determination of Parliamentary remuneration must be made to be extended because of the illness of the Parliamentary Remuneration Tribunal or for other reasons (Schedule 1 (6)—proposed section 10A);
- (b) to provide that where such an extension of time is given, Parliamentary remuneration continues to be payable at the old rates (subject to any necessary adjustments to be made when the determination is made) (Schedule 1 (6)—proposed section 10A (2) (b)); and
- (c) to enable a special determination to be made for the remuneration payable to the holder of an office added to Schedule 1 to the Parliamentary Remuneration Tribunal Act, 1975, until the next annual determination to be made by the Tribunal comes into force (Schedule 1 (2)—proposed section 5A),

and to make other provisions of a consequential or transitional nature or by way of statute law revision.



**PARLIAMENTARY REMUNERATION TRIBUNAL
(AMENDMENT) BILL, 1980**

No. , 1980.

A BILL FOR

An Act to amend the Parliamentary Remuneration Tribunal Act, 1975, with respect to the extension of time for making determinations under that Act and to the making of determinations under that Act applying to new offices.

[MR WRAN—18 NOVEMBER, 1980.]

Parliamentary Remuneration Tribunal (Amendment).

BE it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows :—

5 1. This Act may be cited as the "Parliamentary Remuneration Short title.
Tribunal (Amendment) Act, 1980".

2. The Parliamentary Remuneration Tribunal Act, 1975, is Principal
referred to in this Act as the Principal Act. Act.

3. This Act contains the following Schedules :— Schedules.

10 SCHEDULE 1.—AMENDMENTS TO THE PRINCIPAL ACT.

SCHEDULE 2.—AMENDMENTS TO THE PRINCIPAL ACT BY
WAY OF STATUTE LAW REVISION.

SCHEDULE 3.—TRANSITIONAL PROVISIONS.

15 4. The Principal Act is amended in the manner set forth in Amendment
Schedules 1 and 2. of Act No.
25, 1975.

5. Schedule 3 has effect. Transitional
provisions.

Parliamentary Remuneration Tribunal (Amendment).

SCHEDULE 1.

Sec. 4.

AMENDMENTS TO THE PRINCIPAL ACT.

(1) Section 3 (1), definition of "determination"—

After "5", insert ", 5A".

5 (2) Section 5A—

After section 5, insert :—

10 5A. (1) Where Schedule 1 is amended by the insertion of a reference to an office, the Tribunal, after such inquiry as he thinks necessary, may, and if so directed by the Minister shall, make a determination with respect to the remuneration that should be paid to the holder of the office during the time any determination already made under section 5 is in force. Special determination for new offices.

15 (2) A determination under this section may contain only provisions of a kind that may be included in a determination under section 5.

(3) The Tribunal shall, as soon as practicable after making a determination under subsection (1), make a report to the Chief Justice of his determination.

20 (3) Section 7A—

After "5 (3)", insert ", 5A (3)".

(4) Section 8 (1)—

After "5 (3)", insert ", 5A (3)".

Parliamentary Remuneration Tribunal (Amendment).

SCHEDULE 1—*continued.*

AMENDMENTS TO THE PRINCIPAL ACT—*continued.*

(5) Section 9 (2A)—

After section 9 (2), insert :—

5 (2A) A determination made under section 5A with respect to an office shall, subject to any alteration made by a determination made under section 7—

10 (a) come into force or be deemed to have come into force on the date of commencement of the amendment inserting the reference to the office into Schedule 1, or such later day as the Tribunal specifies in the determination; and

(b) continue in force while any determination already made under section 5 continues in force.

15 (6) Section 10A—

After section 10, insert :—

20 10A. (1) The Chief Justice may, because of the illness of the person holding office as the Tribunal or for any other reason which seems proper to the Chief Justice, from time to time by order published in the Gazette, direct that—

Extension of times for determination.

25 (a) a reference in section 5 to 30th November in any specified year shall be construed as a reference to such later date (whether in that year or in the following year) as the Chief Justice specifies in the order; or

Parliamentary Remuneration Tribunal (Amendment).

SCHEDULE 1—*continued.*AMENDMENTS TO THE PRINCIPAL ACT—*continued.*

- 5 (b) the reference in section 7 to any particular period of 2 months shall be construed as a reference to such longer period as the Chief Justice specifies in the order,

and sections 5 and 7 shall be construed and have effect accordingly.

- 10 (2) Where a determination that should, apart from this section, have been made in a particular year is made in the following year pursuant to a direction under this section—

- 15 (a) the determination shall, for the purposes of section 9 (1), be deemed to have been made in the firstmentioned year; and
- 20 (b) Parliamentary remuneration shall continue to be payable during that following year, at the rates at which it was payable at the conclusion of the firstmentioned year, until payment can be effected at the rates provided by the determination so made, but any adjustments necessary as a result of the coming into force of the determination on 1st January in that following year consequent on the making of the determination shall be made.
- 25

- 30 (3) The fact that a determination made under section 5 in a particular year is not reported to the Chief Justice, or forwarded to the Minister, until the following year does not affect the operation of section 9 in relation to the determination.
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Parliamentary Remuneration Tribunal (Amendment).

SCHEDULE 2.

Sec. 4.

AMENDMENTS TO THE PRINCIPAL ACT BY WAY OF STATUTE
LAW REVISION.

- (1) Section 4 (3)—
5 Omit “three”, insert instead “3”.
- (2) (a) Section 5—
Omit “the first day of” wherever occurring, insert
instead “1st”.
- (b) Section 5—
10 Omit “the thirtieth day of” wherever occurring, insert
instead “30th”.
- (c) Section 5 (1)—
Omit “year” where firstly occurring, insert instead
“year,”.
- 15 (d) Section 5 (1)—
Omit “that first day of”, insert instead “that 1st”.
- (3) Section 7 (1)—
Omit “two”, insert instead “2”.
- (4) Section 9 (1) (a)—
20 Omit “the first day of”, insert instead “1st”.
- (5) Section 11 (2)—
Omit “the first day of”, insert instead “1st”.
- (6) Section 12 (2)—
Omit “twenty-eight”, insert instead “28”.

Parliamentary Remuneration Tribunal (Amendment).

SCHEDULE 2—*continued.*

AMENDMENTS TO THE PRINCIPAL ACT BY WAY OF STATUTE
LAW REVISION—*continued.*

(7) Section 13 (1) (d)—

5 Omit "twelve", insert instead "12".

SCHEDULE 3.

Sec. 5.

TRANSITIONAL PROVISIONS.

1. A reference in sections 5A and 9 (2A) of the Principal Act, as amended by this Act, to an amendment to Schedule 1 to that Act includes
10 a reference to the amendment made by the regulation under that Act published in Gazette No. 57 of 3rd April, 1980, and any subsequent amendment, but does not include a reference to an amendment made before that date.

2. The reference in section 10A of the Principal Act, as amended by this
15 Act, to a year shall be construed as including a reference to 1980.

BY AUTHORITY

D. WEST, GOVERNMENT PRINTER, NEW SOUTH WALES—1980
(20c)

Parliamentary Remuneration Tribunal (Amendment)

SCHEDULE 2—continued.

AMENDMENTS TO THE PRINCIPAL ACT BY WAY OF STATUTE
LAW REVISION—continued.

(7) Section 13 (1) (b) —

Omit "twelve", insert instead "12".

SCHEDULE 3

TRANSITIONAL PROVISIONS

1. A reference in sections 2A and 9 (2A) of the Principal Act as amended by this Act to an amendment to Schedule 1 to that Act includes a reference to the amendment made by the regulation under that Act published in Gazette No. 27 of 3rd April 1980, and any subsequent amendment, but does not include a reference to an amendment made before that date.

2. The reference in section 10A of the Principal Act as amended by this Act to a year shall be construed as including a reference to 1980.

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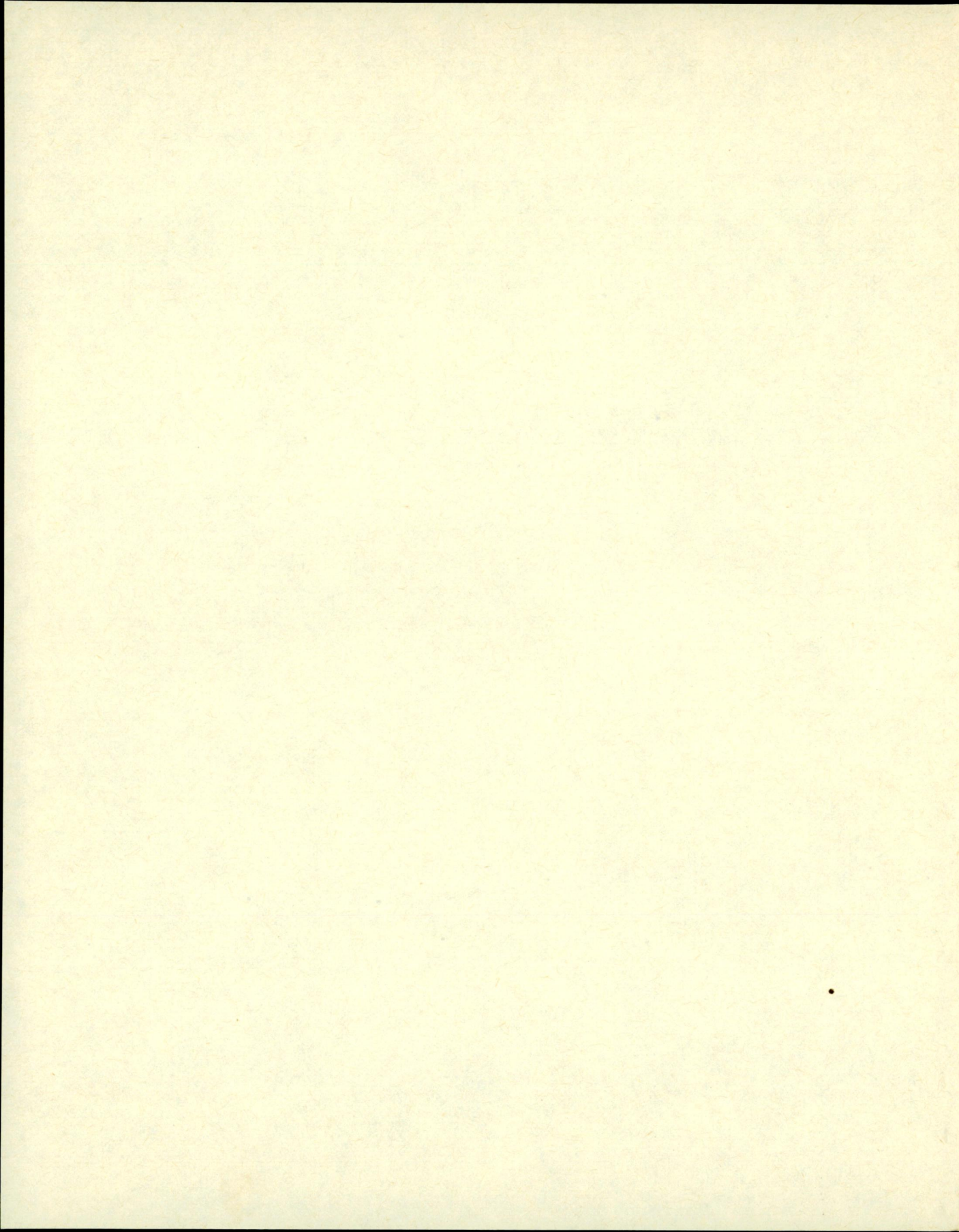
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EXHIBIT NOTE

(AMERICAN)
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**PARLIAMENTARY REMUNERATION TRIBUNAL
(AMENDMENT) ACT, 1980, No. 127**

New South Wales



ANNO VICESIMO NONO

ELIZABETHÆ II REGINÆ

Act No. 127, 1980.

An Act to amend the Parliamentary Remuneration Tribunal Act, 1975, with respect to the extension of time for making determinations under that Act and to the making of determinations under that Act applying to new offices. [Assented to, 27th November, 1980.]

Parliamentary Remuneration Tribunal (Amendment).

BE it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows :—

Short title. **1.** This Act may be cited as the "Parliamentary Remuneration Tribunal (Amendment) Act, 1980".

Principal Act. **2.** The Parliamentary Remuneration Tribunal Act, 1975, is referred to in this Act as the Principal Act.

Schedules. **3.** This Act contains the following Schedules :—

SCHEDULE 1.—AMENDMENTS TO THE PRINCIPAL ACT.

SCHEDULE 2.—AMENDMENTS TO THE PRINCIPAL ACT BY WAY OF STATUTE LAW REVISION.

SCHEDULE 3.—TRANSITIONAL PROVISIONS.

Amendment of Act No. 25, 1975. **4.** The Principal Act is amended in the manner set forth in Schedules 1 and 2.

Transitional provisions. **5.** Schedule 3 has effect.

Parliamentary Remuneration Tribunal (Amendment).

SCHEDULE 1.

Sec. 4.

AMENDMENTS TO THE PRINCIPAL ACT.

- (1) Section 3 (1), definition of "determination"—

After "5", insert ", 5A".

- (2) Section 5A—

After section 5, insert :—

5A. (1) Where Schedule 1 is amended by the insertion of a reference to an office, the Tribunal, after such inquiry as he thinks necessary, may, and if so directed by the Minister shall, make a determination with respect to the remuneration that should be paid to the holder of the office during the time any determination already made under section 5 is in force. Special determination for new offices.

(2) A determination under this section may contain only provisions of a kind that may be included in a determination under section 5.

(3) The Tribunal shall, as soon as practicable after making a determination under subsection (1), make a report to the Chief Justice of his determination.

- (3) Section 7A—

After "5 (3)", insert ", 5A (3)".

- (4) Section 8 (1)—

After "5 (3)", insert ", 5A (3)".

*Parliamentary Remuneration Tribunal (Amendment).*SCHEDULE 1—*continued.*AMENDMENTS TO THE PRINCIPAL ACT—*continued.*

(5) Section 9 (2A)—

After section 9 (2), insert :—

(2A) A determination made under section 5A with respect to an office shall, subject to any alteration made by a determination made under section 7—

- (a) come into force or be deemed to have come into force on the date of commencement of the amendment inserting the reference to the office into Schedule 1, or such later day as the Tribunal specifies in the determination; and
- (b) continue in force while any determination already made under section 5 continues in force.

(6) Section 10A—

After section 10, insert :—

10A. (1) The Chief Justice may, because of the illness of the person holding office as the Tribunal or for any other reason which seems proper to the Chief Justice, from time to time by order published in the Gazette, direct that—

- (a) a reference in section 5 to 30th November in any specified year shall be construed as a reference to such later date (whether in that year or in the following year) as the Chief Justice specifies in the order; or

Extension
of times
for deter-
mination.

Parliamentary Remuneration Tribunal (Amendment).

SCHEDULE 1—*continued.*

AMENDMENTS TO THE PRINCIPAL ACT—*continued.*

- (b) the reference in section 7 to any particular period of 2 months shall be construed as a reference to such longer period as the Chief Justice specifies in the order,

and sections 5 and 7 shall be construed and have effect accordingly.

(2) Where a determination that should, apart from this section, have been made in a particular year is made in the following year pursuant to a direction under this section—

- (a) the determination shall, for the purposes of section 9 (1), be deemed to have been made in the firstmentioned year; and
- (b) Parliamentary remuneration shall continue to be payable during that following year, at the rates at which it was payable at the conclusion of the firstmentioned year, until payment can be effected at the rates provided by the determination so made, but any adjustments necessary as a result of the coming into force of the determination on 1st January in that following year consequent on the making of the determination shall be made.

(3) The fact that a determination made under section 5 in a particular year is not reported to the Chief Justice, or forwarded to the Minister, until the following year does not affect the operation of section 9 in relation to the determination.

Parliamentary Remuneration Tribunal (Amendment).

Sec. 4.

SCHEDULE 2.

AMENDMENTS TO THE PRINCIPAL ACT BY WAY OF STATUTE
LAW REVISION.

- (1) Section 4 (3)—
Omit “three”, insert instead “3”.

- (2) (a) Section 5—
Omit “the first day of” wherever occurring, insert instead “1st”.
- (b) Section 5—
Omit “the thirtieth day of” wherever occurring, insert instead “30th”.
- (c) Section 5 (1)—
Omit “year” where firstly occurring, insert instead “year,”.
- (d) Section 5 (1)—
Omit “that first day of”, insert instead “that 1st”.

- (3) Section 7 (1)—
Omit “two”, insert instead “2”.

- (4) Section 9 (1) (a)—
Omit “the first day of”, insert instead “1st”.

- (5) Section 11 (2)—
Omit “the first day of”, insert instead “1st”.

- (6) Section 12 (2)—
Omit “twenty-eight”, insert instead “28”.

Parliamentary Remuneration Tribunal (Amendment).

SCHEDULE 2—*continued.*

AMENDMENTS TO THE PRINCIPAL ACT BY WAY OF STATUTE
LAW REVISION—*continued.*

(7) Section 13 (1) (d)—

Omit "twelve", insert instead "12".

SCHEDULE 3.

Sec. 5.

TRANSITIONAL PROVISIONS.

1. A reference in sections 5A and 9 (2A) of the Principal Act, as amended by this Act, to an amendment to Schedule 1 to that Act includes a reference to the amendment made by the regulation under that Act published in Gazette No. 57 of 3rd April, 1980, and any subsequent amendment, but does not include a reference to an amendment made before that date.

2. The reference in section 10A of the Principal Act, as amended by this Act, to a year shall be construed as including a reference to 1980.

In the name and on behalf of Her Majesty I assent to this Act.

A. R. CUTLER,
Governor.

*Government House,
Sydney, 27th November, 1980.*

