

[Act 2002 No 41]



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].