

TASMANIA

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**PARLIAMENTARY SALARIES,  
SUPERANNUATION AND ALLOWANCES  
AMENDMENT BILL 2006**

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**PARLIAMENTARY SALARIES,  
SUPERANNUATION AND ALLOWANCES  
AMENDMENT BILL 2006**

*(Brought in by the Premier, the Honourable Paul Anthony  
Lennon)*

**A BILL FOR**

**An Act to amend the *Parliamentary Salaries,  
Superannuation and Allowances Act 1973***

Be it enacted by His Excellency the Governor of Tasmania, by and with the advice and consent of the Legislative Council and House of Assembly, in Parliament assembled, as follows:

**1. Short title**

This Act may be cited as the *Parliamentary Salaries, Superannuation and Allowances Amendment Act 2006*.

**2. Commencement**

This Act commences on the day on which this Act receives the Royal Assent but, if it does not receive the Royal Assent on or before 30 June 2006, this Act is taken to have commenced on 1 July 2006.

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**3. Principal Act**

In this Act, the *Parliamentary Salaries, Superannuation and Allowances Act 1973\** is referred to as the Principal Act.

**4. Section 3 amended (Interpretation)**

Section 3(1) of the Principal Act is amended by inserting after the definition of “RSA” the following definitions:

“**Second Committee**” means the Committee of Review established by order-in-council dated 1 June 2006 to review certain allowances and benefits to which members are entitled;

“**second terms of reference**” means the terms of reference of the Second Committee;

**5. Sections 4C and 4D inserted**

After section 4B of the Principal Act, the following sections are inserted:

**4C. Publication of Second Committee’s determination**

(1) The Second Committee must, within 14 days after making its report to the Governor in accordance with the second

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terms of reference, cause a notice to be published in the *Gazette* in the form of a determination specifying its recommendations relating to the matters referred to in the second terms of reference.

- (2) The notice referred to in subsection (1) is to be the determination of the Second Committee.
- (3) The determination of the Second Committee takes effect on 1 July 2006 or, if the determination has not been made on or before 1 July 2006, the determination is taken to have taken effect on 1 July 2006.

**4D. Determination of Second Committee not subject to challenge**

The determination of the Second Committee under section 4C may not be challenged or amended by any person or reviewed, quashed or called into question before any court or in any legal proceedings in the nature of an order of review under the *Judicial Review Act 2000* or otherwise.

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**6. Schedule 2 amended (Allowances and benefits to which members are entitled)**

Clause 1 of Schedule 2 to the Principal Act is amended as follows:

- (a) by inserting in subclause (1) “as adjusted by the determination of the Second Committee under section 4C and” after “section 4A”;
- (b) by omitting subclause (2) and substituting the following subclauses:
  - (2) Members are entitled to the allowances and benefits specified in the determination of the Second Committee under section 4C on and from 1 July 2006.
  - (2A) If the determination of the Second Committee is not made on or before 1 July 2006, members continue to be entitled to the allowances and benefits specified in the determination of the Committee under section 4A until the determination of the Second Committee is made.
  - (2B) On the making of the determination by the Second Committee, the allowances and benefits paid to or received by members on and after 1 July 2006

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are to be adjusted to take account  
of the determination of the  
Second Committee.

- (c) by inserting in subclause (3) “as adjusted  
by the Second Committee under  
section 4C” after “section 4A”.