

EXPLANATORY STATEMENT

Statutory Rules 1984 No.24

Subject: Director of Public Prosecutions Act 1983  
Director of Public Prosecutions (Allowances)  
Regulations

Section 34 of the Director of Public Prosecutions Act 1983 (the Act) provides that the Governor-General may make regulations, not inconsistent with the Act, prescribing matters required or permitted by the Act to be prescribed or which are necessary or convenient to be prescribed for carrying out or giving effect to the Act.

Sub-section 19(1) of the Act provides that the Director shall be paid such remuneration as is determined by the Remuneration Tribunal, but if no determination of that remuneration by the Tribunal is in operation he shall be paid such remuneration as is prescribed.

Sub-section 19(2) of the Act provides that the Director shall be paid such allowances as are prescribed.

Sub-section 19(3) of the Act provides that the section has effect subject to the Remuneration Tribunals Act 1973.

The proposed Director of Public Prosecutions (Allowances) Regulations seek to provide for the payment of allowances at the rate payable to an officer of the Australian Public Service.

As the Act will not come into operation until 5 March 1984, the proposed regulations are made in reliance on section 4 of the Acts Interpretation Act 1901. That section provides that where an Act has not yet come into operation regulations may be made as if the Act had come into operation but they do not take effect until the Act comes into operation.

Authority      Section 34 of the  
Director of Public  
Prosecutions Act 1983

S.R. No 22/84