

EXPLANATORY STATEMENT

Statutory Rules 1982 No. 320

Subject: REGULATIONS - PARLIAMENTARY COUNSEL  
ACT 1970

Sub-section 6(2) of the Parliamentary Counsel Act 1970 provides that the First Parliamentary Counsel and the Second Parliamentary Counsel shall be paid such allowances as are prescribed. Sub-section 6(3) states that sub-section 6(2) has effect subject to the Remuneration Tribunals Act 1973.

The remuneration and travelling allowance payable to the First Parliamentary Counsel and Second Parliamentary Counsel is covered by Determinations made by the Remuneration Tribunal from time to time. Regulations prescribed under sub-section 6(2) of the Act by Statutory Rules 1970 No. 82, 1972, No. 142 and 1973 No. 225 also provide for the payment of salary, travelling allowance and other allowances. However, because sub-section 6(3) states that regulations prescribed under sub-section 6(2) only have effect subject to the Remuneration Tribunals Act 1973, the rates in respect of salary and travelling allowance provided in Remuneration Tribunal Determination No. 12 of 1982 are the rates currently applied.

The purpose of the Parliamentary Counsel (Allowances) Regulations is to extend to the First Parliamentary Counsel and Second Parliamentary Counsel those allowances payable from time to time to officers in the Australian Public Service. With most

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*H.S.B.*

Public Service Regulations relating to the payment of allowances being progressively replaced by Public Service Board determinations, the regulations will extend the benefits of the Public Service Board determinations to the First Parliamentary Counsel and Second Parliamentary Counsel as well as other allowances payable to officers of the Australian Public Service.

Section 17 of the Parliamentary Counsel Act 1970 provides that the Governor-General may make regulations, not inconsistent with the Act, prescribing all matters required or permitted by the Act to be prescribed, or necessary or convenient to be prescribed for carrying out or giving effect to the Act.

Authority: Sub-section 6(2)  
and section 17 of the  
Parliamentary Counsel  
Act 1970

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