

1994

**THE LEGISLATIVE ASSEMBLY FOR  
THE AUSTRALIAN CAPITAL TERRITORY**

**ELECTORAL ACT 1992**

**ELECTORAL REGULATIONS (AMENDMENT)**

**EXPLANATORY MEMORANDUM**

Circulated by authority of  
Rosemary Follett  
Chief Minister

# ELECTORAL REGULATIONS (AMENDMENT)

## Explanatory Memorandum

The Electoral Regulations (Amendment) amend the Electoral Regulations to alter the remuneration and allowances to be paid to the three members of the Australian Capital Territory Electoral Commission to reflect the increased responsibilities placed on the Commission by the *Electoral (Amendment) Act 1994*.

These regulations provide for the remuneration and allowances for the Electoral Commissioner on the basis that the Electoral Commissioner will be a full time appointee at the Senior Executive Service, Band 1 level. The Chairperson and the other Member of the Commission are to be paid remuneration and allowances on a part time basis.

Section 13 of the Electoral Act provides that the Chairperson of the Commission and the other Member of the Commission shall be paid such remuneration and allowances as are prescribed, provided there is no relevant subsisting Remuneration Tribunal determination. Similarly, section 23 of the Electoral Act provides that the Electoral Commissioner shall be paid such remuneration and allowances as are prescribed, provided there is no relevant subsisting Remuneration Tribunal determination. There are no such subsisting determinations.

The Electoral Regulations are also being amended to take account of the impending ACT Separate Public Service legislation by removing references to the "Australian Public Service".

The Regulations are made under the *Electoral Act 1992*.

### Detailed explanation

Regulation 1 defines "Principle Regulations" to mean the Electoral Regulations.

Regulation 2 specifies that these Regulations are to commence on the day on which they are notified in the *Gazette*.

Regulation 3 provides that the Chairperson and the other Member of the Commission shall be paid remuneration at the following rates:

Chairperson	\$30 000
Member	\$20 000

Regulation 3 also provides that the Electoral Commissioner is entitled to remuneration equivalent to the maximum remuneration payable to a public servant having a classification of Senior Executive Service Officer, Band 1.

Regulation 4 provides that, where it is necessary for a member of the Commission, other than the Electoral Commissioner, to travel to or from the Territory to attend a meeting or to otherwise perform a function under the Electoral Act, he or she is entitled to be paid:

- a travelling allowance in respect of that travel; and
- if he or she travels in a motor vehicle owned or hired by him or her - motor vehicle allowance in respect of that travel.

Travel allowance payable is the same as the travel allowance payable to a public servant having a classification of Senior Executive Service Officer.

Motor vehicle allowance payable is the same as the motor vehicle allowance payable to a public servant.

Regulation 4 also provides that the Electoral Commissioner is entitled to the maximum allowances payable to a public servant having a classification of Senior Executive Officer, Band 1. These allowances include travel allowance and motor vehicle allowance.