

Legislative Assembly (Members' Staff) Code Of Conduct For Ministerial Staff And Staff Of Other Office-holders Determination 2015

Disallowable instrument DI2015-319

Legislative Assembly (Members' Staff) Act 1989, s 5 (3) (Office-holders may employ staff) and s 17 (4) (Office-holders may engage consultants and contractors)

EXPLANATORY STATEMENT

Legislative Context

The *Legislative Assembly (Members' Staff) Act 1989* (“the Act”) provides for the employment of staff, and the engagement of consultants or contractors, by office-holders (Ministers and “the Speaker”) of the Legislative Assembly.

Subsection 5(1) of the Act gives office-holders the authority to employ staff. Subsection 5(3) provides for the Chief Minister to determine in writing the conditions and arrangements within which office-holders may exercise that authority. Such a determination is a disallowable instrument.

Outline

This determination formalises codes of conduct for staff of ministers and other office-holders. The code for ministerial staff recognises additional obligations associated with working in a minister's office.

The codes satisfy the requirements contained in subclause I1.1 of the *ACT Legislative Assembly Members' Staff Enterprise Agreement 2013-2017*, and clause 7.1(a) of the Employment Agreement for staff of office-holders. Previously, the Employment Agreement specified certain staff obligations which are now part of these codes of conduct.

Arrangements

Numbered clauses 1 to 4 of the determination contain technical provisions.

Numbered clause 5 specifies the purpose of the determination is to approve arrangements under which staff of ministers and other office-holders are employed under the Act.

Numbered clause 6 specifies the class of person to whom the determination applies as staff employed by ministers and other office-holders under subsection 5(1) of the Act.

Numbered clause 7 specifies the arrangements in respect of the code of conduct for ministerial staff as those set out in schedule 1 to the determination, and in respect of the code of conduct for staff of other office-holders as those set out in schedule 2 to the determination.