

Parliamentary Salaries and Allowances (Amendment) Bill 2011

EXPLANATORY MEMORANDUM

The *Parliamentary Salaries and Allowances (Amendment) Bill 2011* is a Bill for an Act to amend the *Parliamentary Salaries and Allowances Act 2008* to increase salaries of members of Parliament.

Clause 1 provides for the short title of the Act.

Clause 2 provides for the commencement of the Act. The Act commences retrospectively, on 1 July 2011, so the salary increase takes effect from this date.

Clause 3 enables the Schedule, which amends the *Parliamentary Salaries and Allowances Act 2008*.

SCHEDULE

The Schedule amends the *Parliamentary Salaries and Allowances Act 2008*.

Section 4 is repealed. Section 4(1) is a spent provision giving retrospective effect to the salary increase created when the Act commenced in 2008. The provision must be repealed, otherwise it would give retrospective effect to the salary increase contained in the 2011 amendment to 1 July 2006. The repeal does not effect the previous operation of the law (and therefore the legitimate payment of salaries under the 2008 Act from 1 July 2006) because of section 14 of the *Interpretation Act 1971* (to be replaced by section 28 of the *Interpretation Act 2011*).

Section 4(2) saves the effect of liabilities created under the *Parliamentary Salaries and Allowances Act 1995*, which was repealed by the 2008 Act. This provision was (and remains) unnecessary due to section 14 of the *Interpretation Act 1971* (to be replaced by section 28 of the *Interpretation Act 2011*).

Sections 5 and 7 are amended to replace references to 'Schedule 1' with 'the Schedule' to reflect the title of the new Schedule.

Schedule 1 is repealed and replaced to increase salaries of members of Parliament by 5%.