



STATUTORY SALARIES

No. 32 of 1979

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AN ACT to make special provision with respect to the salaries and allowances to be paid to the holders of certain offices and to validate certain past payments.

[3 July 1979]

BE it enacted by His Excellency the Governor of Tasmania, by and with the advice and consent of the Legislative Council and House of Assembly, in Parliament assembled, as follows:—

1—This Act may be cited as the *Statutory Salaries Act 1979*. Short title.

2—(1) This section and section 1 shall commence on the date of assent to this Act. Commencement.

(2) Except as provided in subsection (1), this Act shall commence on 1st July 1979.

Interpretation.

3—(1) In this Act, “ permanent head ” means the permanent head of a department constituted under the *Public Service Act 1973*.

(2) A rate of salary fixed by this Act shall be calculated to the nearest dollar, fifty cents being reckoned as one dollar.

Salaries of judges.

4—(1) The rate of salary payable to the Chief Justice in respect of a financial year shall be the rate determined by the Auditor-General in accordance with subsection (3) in respect of that year.

(2) The rate of salary of a puisne judge shall be 90 per cent of that of the Chief Justice.

(3) The Auditor-General shall as soon as practicable after the beginning of each financial year determine in respect of that financial year the rate that is the average of the rates of the salaries payable to the Chief Justices in the relevant States at the beginning of that year.

(4) For the purposes of subsection (3)—

“ financial year ” means the period of 12 months beginning on 1st July in each year;

“ relevant States ” means the States of South Australia and Western Australia.

Salary and allowances of Auditor-General.

5—(1) The rate of salary of the Auditor-General shall be the maximum rate of salary for a permanent head as determined in accordance with the scales of salaries laid down under an award in force under Part V of the *Public Service Act 1973*.

(2) In addition to the salary payable to him under this Act, the Auditor-General may be paid such allowances, if any, as the Governor may approve.

Salary and allowances of Master of the Supreme Court.

6—(1) The rate of salary of the Master of the Supreme Court shall be 92 per cent of the maximum rate of salary for a permanent head as determined in accordance with the scales of salaries laid down under an award in force under Part V of the *Public Service Act 1973*.

(2) In addition to the salary prescribed, the Master of the Supreme Court is entitled to be paid such travelling allowances and other allowances as the Governor determines, and, until the

Governor makes a determination under this subsection, the Master is entitled to be paid the same travelling allowances and other allowances as are prescribed in respect of permanent heads of departments in any award applicable to them that is in force for the time being under the *Public Service Act 1973*.

7—The rate of salary of the Crown Advocate shall be 90 per cent of the maximum rate of salary for a permanent head as determined in accordance with the scales of salaries laid down under an award in force under Part V of the *Public Service Act 1973*.

Salary of
Crown
Advocate.

8—The rate of salary of—

Salaries of
magistrates.

(a) a senior magistrate shall be 82·5 per cent of the maximum rate of salary for a permanent head as determined in accordance with the scales of salaries laid down under an award in force under Part V of the *Public Service Act 1973*; and

(b) a magistrate other than a senior magistrate shall be 81·25 per cent of the maximum rate of salary for a permanent head as determined in accordance with the scales of salaries laid down under an award in force under Part V of the *Public Service Act 1973*.

9—(1) The rate of salary of the Agent-General shall be 60 per cent of the maximum rate of salary for a permanent head as determined in accordance with the scales of salaries laid down under an award in force under Part V of the *Public Service Act 1973*.

Salary and
allowances of
Agent-General.

(2) In addition to the salary payable to him under this Act, the Agent-General may be paid such allowances, if any, as the Governor may approve.

10—(1) Where the rate of salary applicable to an office is fixed by this Act, a person holding the office is entitled to be paid out of the Consolidated Revenue Fund a salary at the rate so fixed.

Appropriation.

(2) Any allowances approved or determined under, or fixed by, this Act are payable out of the Consolidated Revenue Fund.

(3) The Consolidated Revenue Fund is appropriated to the extent necessary for the purposes of subsections (1) and (2).

Validation
of payments
of salaries
and allowances
paid to
holders of
certain offices.

11—Where any payment by way of salary or an allowance was, in respect of any part of the period beginning on 28th April 1977 and ending on 30th June 1979, paid to a person who, at any time during that period, was the holder of an office the rate of salary of which was fixed under the *Statutory Salaries Act 1974*, as in force immediately before its repeal, that payment shall, to the extent that it could have been lawfully and properly made if that Act had continued in force during that period, be deemed to have been lawfully and properly made.

Repeal.

12—The *Statutory Salaries Act 1971* is repealed.