

49. NORTHERN TERRITORY ALLOWANCE

Eligibility applying on and from 1 August 1987

- 49.1 The *Public Employment (Modification of Terms and Conditions of Employment) Act 1987* amended the legislative conditions applying to compulsory transferees, to apply the full conditions of relevant Northern Territory Allowance by-law set out in by-law 26 of part 3, with effect on and from 1 August 1987.
- 49.2 Where, on or after 1 August 1987, an employee advises of, or an agency becomes aware of, a change in circumstances which may affect an employee's entitlement to Northern Territory Allowance, any claim will be assessed under the provisions of by-law 26.
- 49.3 A single parent, other than one referred to at by-law 49.4, has no entitlement under this by-law.

Continuation of entitlement applying prior to 1 August 1987

- 49.4 A male compulsory transferee who, prior to 1 August 1987, was receiving payment of Northern Territory Allowance at the dependent rate in respect of:
- (a) his spouse, including defacto spouse, who was unemployed;
 - (b) his spouse who was employed outside of the Northern Territory Public Service or the Commonwealth Public Service;
 - (c) being a widower or divorced and providing a home for his children;
 - (d) not having a spouse but providing a home for his children under other circumstances approved by the Commissioner;
 - (e) not providing a home for his children but paying maintenance at a specified rate in respect of his children who were not domiciled with him;
- will continue to receive payment at the with dependent rate only to the extent that the employee's domestic circumstances continue unchanged.
- 49.5 A female compulsory transferee who, prior to 1 August 1987, was receiving payment of Northern Territory Allowance at the dependent rate in respect of:
- (a) her disabled or otherwise unemployable husband;
 - (b) being a widow or divorced and providing a home for her children;

- (c) not having a spouse, including defacto spouse, but providing a home for her children under other circumstances approved by the Commissioner;

will continue to receive payment at the with dependent rate only to the extent that the employee's domestic circumstances continue unchanged.

Payment during leave

- 49.6 Northern Territory allowance is payable during all periods of recreation leave and paid personal leave provided that the employee resumes duty in the Northern Territory at the expiration of the period of leave but will not apply to a period of personal leave taken immediately prior to invalidity retirement.
- 49.7 Northern Territory Allowance may be payable under certain circumstances during long service leave subject to by-law 8.
- 49.8 Northern Territory Allowance is to be included in payments in lieu of recreation leave only in respect of that part of the recreation leave that accrued to the employee while stationed in the Northern Territory.