

72. Termination of employment

- (1) Subject to Part 5 and subsections (2) and (4), the employment of a ministerial officer terminates —
 - (a) if the political office holder for whose assistance the ministerial officer was employed ceases to hold office as such;
 - (b) on the day fixed for the return of the writ for the general election for the Legislative Assembly next following the first day of that employment; or
 - (c) on the day specified in the relevant contract of employment as the day on which that employment expires,whichever is soonest.
- (2) Subject to subsection (3), the Minister may at any time, by —
 - (a) notice in writing given to a ministerial officer not less than 4 weeks before the termination concerned; or
 - (b) payment to a ministerial officer in lieu of the period of notice referred to in paragraph (a) of an amount not exceeding such amount of the salary of the ministerial officer as is prescribed,terminate the employment of the ministerial officer.
- (3) The Minister shall not terminate under subsection (2) the employment of a ministerial officer employed to assist another political office holder unless the Minister has first consulted the other political office holder.
- (4) A ministerial officer may at any time terminate his or her employment by notice in writing given to the Minister not less than 4 weeks, or such shorter period as is agreed between the ministerial officer and the Minister, before that termination.
- (5) If the employment of a person as a ministerial officer is terminated by subsection (1)(a), the Minister may by writing direct that the employment of the person shall be deemed —
 - (a) not to have been so terminated; and
 - (b) subject to subsection (6), to have continued, or to continue, until a day specified in that direction.
- (6) A direction under subsection (5) has effect according to its terms until the termination of the relevant employment under Part 5 or subsection (1), (2) or (4).

[Section 72 amended by No. 36 of 2000 s. 24.]