



Northern Territory of Australia

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Northern Territory of Australia

Residential Tenancies Legislation Amendment Act 2020

Commencement Notice

I, Vicki Susan O'Halloran, Administrator of the Northern Territory of Australia, under section 2 of the *Residential Tenancies Legislation Amendment Act 2020* (No. 13 of 2020), fix 1 January 2021 as the day on which the Act, other than section 20, commences.

V. S. O'Halloran
Administrator

Dated 15 December 2020

Notification of Subordinate Legislation

Notice is given of the making of the following subordinate legislation, effective from the date specified:

Subordinate Legislation	Commencement details	Empowering Act
<i>Police Administration Further Amendment Regulations 2020</i> (No. 32 of 2020)	These Regulations commence on the day on which they are notified in the <i>Gazette</i> .	<i>Police Administration Act 1978</i>
<i>Petroleum (Environment) Amendment Regulations 2020</i> (No. 33 of 2020)	These Regulations commence on 1 January 2021.	<i>Petroleum Act 1984</i>
<i>Work Health and Safety (National Uniform Legislation) Amendment (Hazardous Chemicals) Regulations 2020</i> (No. 34 of 2020)	These Regulations commence on 1 January 2021.	<i>Work Health and Safety (National Uniform Legislation) Act 2011</i>



Northern Territory of Australia

Professional Standards Act 2004

Extension of The Institute of Public Accountants Professional Standards Scheme

I, Selena Jane Malijarri Uibo, Attorney-General and Minister for Justice, under section 33(2) of the *Professional Standards Act 2004*, extend the period for which The Institute of Public Accountants Professional Standards Scheme, notified in *Gazette* No. G45 of 7 November 2018, is in force to 31 December 2021.

S. J. M. Uibo
Attorney-General and Minister for Justice

Dated 7 December 2020



Northern Territory of Australia

Electricity Reform Act 2000

Notice of Amendment of Electricity Pricing Order

I, Michael Patrick Francis Gunner, Treasurer, under section 44(8) of the *Electricity Reform Act 2000*, give notice that:

- (a) an amendment to the instrument entitled "Revocation and Issue of Electricity Pricing Order" dated 25 September 2020 has been made; and
- (b) a copy of the amendment may be inspected at, and obtained from, any office of the Power and Water Corporation, Jacana Energy or any other person licensed under Part 3 of the *Electricity Reform Act 2000* to sell electricity.

M. P. F. Gunner
Treasurer

Dated 14 December 2020



Northern Territory of Australia

Water Supply and Sewerage Services Act 2000

Notice of Amendment of Pricing Order

I, Michael Patrick Francis Gunner, Treasurer, under section 60(5) of the *Water Supply and Sewerage Services Act 2000*, give notice that:

- (a) an amendment to the instrument entitled "Amendment and Issue of Pricing Order" dated 15 May 2020, as amended by the instrument entitled "Amendment of Pricing Order" dated 25 September 2020, has been made; and
- (b) a copy of the amendment may be inspected at, and obtained from, any office of the Power and Water Corporation or any other person licensed under the *Water Supply and Sewerage Services Act 2000* to provide water supply services or sewerage services.

M. P. F. Gunner
Treasurer

Dated 14 December 2020



Northern Territory of Australia

Guardianship of Adults Act 2016

Appointment of Public Guardian

I, Vicki Susan O'Halloran, Administrator of the Northern Territory of Australia, acting with the advice of the Executive Council:

- (a) under section 68(1) of the *Guardianship of Adults Act 2016*, appoint Beth Susanne Walker to be the Public Guardian on and from 1 February 2021 to 31 January 2026; and
- (b) under section 70(1) of the Act, determine that the Public Guardian holds office on the conditions (including remuneration, expenses and allowances) specified in the Schedule.

Responsible Minister:

S. J. M. Uibo
Attorney General and Minister for Justice

V. S. O'Halloran
Administrator

Dated 17 December 2020

Schedule

Guardianship of Adults Act 2016

Conditions of Appointment (Including Remuneration, Expenses and Allowances) of the Public Guardian

A. Remuneration

- 1. Pursuant to section 70(1) of the *Guardianship of Adults Act 2016*, the **Public Guardian** is entitled to an annual **Total Remuneration Package** at the mid-point rate applicable from time to time to an Executive Contract Officer 2 under Determination 8 of 2019 (or any subsequent replacement Determination) of the Commissioner for Public Employment, and an Executive Contract of Employment made pursuant to the *Public Sector Employment and Management Act 1993*.

2. The total remuneration will be equal to the Total Remuneration Package. The Total Remuneration Package incorporates the **Salary Component** and the **Employment Benefits**.
3. The Public Guardian shall be entitled to access and arrange the Total Remuneration Package in accordance with this Schedule.
4. The Public Guardian will elect, by written notice to the **Employer** within 14 days from the commencement of appointment, what the proportion of the Total Remuneration Package she elects to receive as Employment Benefits and what proportion is to be paid to her as **Salary**.
5. If the Public Guardian has not made the election referred to in paragraph 4 within the period referred to in that paragraph, the Public Guardian will, subject to paragraph 6, be deemed to have elected to take the percentage of the Total Remuneration Package as salary determined by the Employer to be appropriate having regard to any Employment Benefits being conferred, or required to be conferred, under paragraphs 8 to 22.
6. If, during a term of office, there is a significant change to the Public Guardian's superannuation contributions or to the value of the Total Remuneration Package, the Public Guardian may by notice in writing request a change to the percentage taken as Employment Benefits and/or salary to reflect the change.
7. Fortnightly payment of salary will be calculated in accordance with the following formula:

$$\frac{\text{Annual Salary}}{313} \quad \text{multiplied by } 12$$

B. Employment Benefits

8. Any difference between the Public Guardian's Total Remuneration Package and the amount taken as Employment Benefits will be provided to the Public Guardian as salary.
9. The Public Guardian may elect to salary package Employment Benefits as approved by the **Commissioner for Public Employment** from time to time and the proportion of the Total Remuneration Package to be paid to her as Salary will be adjusted to reflect the value of the Employment Benefits received.
10. Administration fees for salary packaging for benefit items in addition to those specified in this Schedule will be on the same terms as those applying generally to employees of the Northern Territory Public Sector.
11. In making a claim for payment for any Employment Benefit, the Public Guardian will make an appropriate declaration as required for taxation purposes. If such declaration is found to be incorrect, the Public Guardian agrees to indemnify and reimburse the Employer for any additional tax or penalties imposed by the Australian Taxation Office.

Motor Vehicle

12. The Public Guardian may elect to have the use of a motor vehicle fitted with incognito plates supplied by the Employer, on the same terms and conditions applied to Executive Contract Officers in the Northern Territory Public Sector from time to time.

13. The choice of vehicle is at the discretion of the Public Guardian, from those approved by the Commissioner for Public Employment from time to time, relevant to the designation of Executive Contract Officer 2.
14. Use of the vehicle will be in accordance with the NT Fleet Driver Handbook guidelines and related NT Fleet policies.
15. The Public Guardian will pay a contribution amount for the personal use of the motor vehicle at a rate determined from time to time by the Commissioner for Public Employment.

Superannuation – Complying Superannuation Fund

16. The Employer will make superannuation contributions from the Public Guardian's Total Remuneration Package to a **Complying Superannuation Fund** of an amount sufficient to meet the minimum employer contribution requirements under the *Superannuation Guarantee (Administration) Act 1992* (Commonwealth) as amended from time to time.
17. The Public Guardian will advise the Employer in writing within 14 days of the commencement of her appointment of the Complying Superannuation Fund in which contributions under paragraph 16 are to be made. Where she does not provide this advice to the Employer, the Employer will make the contributions to the Northern Territory Government default Complying Superannuation Fund.
18. The Public Guardian may elect to discontinue membership of a Complying Superannuation Fund at any time by notice in writing to the Employer and advise the Employer of the new Complying Superannuation Fund to which the Employer will make superannuation scheme contributions in accordance with paragraph 16.

Superannuation – Defined Benefit Scheme

19. Where the Public Guardian is a member of a **Defined Benefit Scheme** prior to commencing office, she may elect in writing to the Employer to continue membership of that scheme.
20. Where the Public Guardian elects to continue membership of a Defined Benefit Scheme:
 - 20.1 the contribution salary will be based on the Notional Salary rate of 65% of the Public Guardian's Total Remuneration Package;
 - 20.2 the Employer will make sufficient contributions from the Public Guardian's Total Remuneration Package to fund the employer component of the scheme benefits; and
 - 20.3 the Public Guardian will make contributions to the scheme in accordance with the rules of the scheme and any determinations made by the **Commissioner of Superannuation**.
21. Subject to satisfying conditions for cessation and the endorsement of the Commissioner of Superannuation, the Public Guardian may apply in writing to discontinue her membership of a Defined Benefit Scheme and the provisions of paragraphs 16 to 18 will then apply.

Salary Sacrifice for Employer Superannuation

22. The Public Guardian may also request in writing for the Employer to make additional contributions from her Total Remuneration Package to a Complying Superannuation Fund by way of a salary sacrifice arrangement in accordance with Northern Territory Government policy, the rules relevant to the respective schemes and any legislative requirements of the Australian Taxation Office.

C. Other Conditions

Personal / Carer's Leave

23. The Public Guardian progressively accrues three (3) **weeks** of personal / carer's leave per **Employment Year**, and this leave accumulates from year to year.
24. The Public Guardian may access personal / carer's leave without providing medical / documentary evidence, up to a maximum of five (5) days per Employment Year, provided no more than three (3) of those days are consecutive.
25. Paid personal / carer's leave can be taken by the Public Guardian for a personal illness or injury or where the Public Guardian is required to provide care and support for a member of her immediate family or household because of illness, injury or an unexpected emergency affecting the member.
26. The Public Guardian must make all reasonable effort to advise the Employer as soon as reasonably practicable on any day of absence from her employment.
27. Where the Public Guardian's paid personal / carer's leave has been exhausted she may take up to two (2) days unpaid leave to care for an immediate family or household member.
28. The Public Guardian may elect to access personal leave at half the Total Remuneration Package rate where the absence is at least one (1) day.

Compassionate Leave

29. The Public Guardian is entitled to take up to three (3) days of paid compassionate leave in the event of a death or a serious illness or injury posing a threat to the life of the Public Guardian's immediate family or household member.
30. The Employer may require the Public Guardian to produce documentary evidence of the need for compassionate leave.

Recreation Leave

31. The Public Guardian progressively accrues five (5) weeks paid recreation leave per Employment Year.
32. The Employer may, on application in writing by the Public Guardian, grant leave for recreation purposes, subject to the office's operational requirements.
33. The Public Guardian must take a minimum of three (3) weeks recreation leave within each Employment Year unless otherwise approved by the Employer.
34. The Public Guardian will not carry forward in excess of six (6) weeks recreation leave within each Employment Year unless otherwise approved by the Employer.

35. The Employer may direct the Public Guardian to take a period of paid recreation leave where she has accrued in excess of ten (10) weeks recreation leave, or where the office's enterprise is shut down for a period, e.g. between Christmas and New Year.
36. The Employer may agree to the Public Guardian cashing out an amount of recreation leave provided she retains at least four (4) weeks accrued leave.
37. If the Public Guardian elects to take recreation leave in cash, such payment will be in addition to, and will not form part of, the Total Remuneration Package.
38. Subject to the rules of the Australian Taxation Office as varied from time to time, and with the agreement of the Employer, the Public Guardian may salary sacrifice a future recreation leave accrual as a lump sum payment for superannuation purposes provided she retains at least four weeks accrued leave.
39. The Employer will pay to the Public Guardian any unused period of accrued recreation leave on completion or termination of the appointment.
40. Payments under paragraphs 36 to 39 will be at the rate of the Public Guardian's Total Remuneration Package.

Recreation Leave at Half Pay

41. Subject to the approval of the Employer, the Public Guardian may utilise one (1) or more weeks of her recreation leave at half the Total Remuneration Package rate, in order to double the period of leave. Half-pay recreation leave cannot be used where the Public Guardian has entered into a purchased leave arrangement under paragraph 43.
42. Where the Public Guardian utilises an amount of recreation leave at half pay, all leave entitlements will accrue as if the Public Guardian had utilised the first half of the leave at the full Total Remuneration Package rate; and the second half of the period of the leave will not count as service and service based entitlements will be adjusted accordingly.

Purchase of Additional Leave

43. Subject to the approval of the Employer, the Public Guardian who has completed **12 months** continuous service may purchase between one (1) and six (6) weeks additional leave per year in accordance with provisions contained within Determination 8 of 2019 (or any subsequent replacement Determination) of the Commissioner for Public Employment.

Community service leave

44. The Public Guardian is entitled to take paid community service leave for the purposes of jury service or a voluntary emergency activity as approved by the Employer.
45. The Public Guardian's salary will be reduced by the total amount of jury service pay received by her.

Long Service Leave

46. The Public Guardian will be entitled to three (3) calendar months long service leave after completion of ten (10) years continuous service plus an additional nine (9) calendar days for each subsequently completed year of service.

47. The Employer may, on application in writing by the Public Guardian, approve a period of long service leave, subject to the office's operational requirements.
48. Subject to paragraph 49, the Public Guardian is required to use her entitlement to long service leave within three (3) years of the ten (10) year and 20 year entitlement accruing, unless the Employer approves a temporary deferral on the utilisation of the leave.
49. The Public Guardian will not be required to use her entitlement where she was of an age no less than ten (10) years younger than the minimum retirement age of 55 years as at 7 March 1999, and she was then employed in the Northern Territory Public Sector and remained in that employment up until her appointment as Public Guardian
50. Where the Public Guardian has not obtained approval from the Employer to temporarily defer the utilisation of her long service leave beyond the three (3) year limit under paragraph 48, she will:
 - 50.1 be directed by the Employer to utilise the long service leave credit from a date which suits the needs of the office; or
 - 50.2 have the long service leave credit cashed out from the date determined in sub-paragraph 50.1.
51. Long service leave will be granted in minimum blocks of seven (7) calendar days, and then multiples of three (3) calendar days.
52. When using a long service leave entitlement, the Public Guardian may elect:
 - 52.1 to be paid at the rate of the Total Remuneration Package for the full period of the leave; or
 - 52.2 to take half the entitlement approved as leave and the balance paid-in-lieu of leave at the Total Remuneration Package rate; or
 - 52.3 subject to the approval of the Employer, to utilise her entitlement to long service leave at half the Total Remuneration Package rate, provided that the period of leave taken will not exceed twice the entitlement accrued under paragraph 46.
53. Where the Public Guardian is approved to utilise an amount of long service leave in accordance with sub-paragraph 52.3, all leave entitlements will accrue as if the Public Guardian had utilised the leave at the full Total Remuneration Package rate.
54. The Public Guardian may at any time elect to cash up a minimum of one (1) month of long service leave at the Total Remuneration Package rate.
55. If the Public Guardian elects to take a long service leave entitlement in cash, such payment will be in addition to, and will not form part of, the Total Remuneration Package.
56. Subject to the rules of the Australian Taxation Office as varied from time to time, the Public Guardian may salary sacrifice a future long service leave accrual as a lump sum payment for superannuation purposes at the Total Remuneration Package rate.

Payment-in lieu of Long Service Leave

57. For less than ten (10) years continuous service, on completion or termination of the appointment, the Public Guardian will receive payment in lieu of pro-rata long service leave at the rate of twenty two and one half (22 ½) calendar days for seven (7) completed years of continuous service, and a further twenty two and one half (22 ½) calendar days for each of the eighth (8th) and ninth (9th) completed years of continuous service.
58. Provided the Public Guardian had at least one (1) year of service, on death her estate will be entitled to receive payment in lieu of any long service entitlement, to be paid at the Total Remuneration Package rate.
59. For ten (10) years' service or more, on completion or cessation of the appointment, the Public Guardian will be entitled to receive payment in lieu for any unused and pro-rata long service leave at the Total Remuneration Package rate.

Recognition of Prior Service for Long Service Leave Purposes

60. On request, the Employer may recognise the Public Guardian's prior service with a recognised employer for the purposes of long service leave. Such recognition will be in accordance with the provisions contained within Determination 8 of 2019 (or any subsequent replacement Determination) of the Commissioner for Public Employment.

Special Leave

61. Where the Public Guardian has exhausted relevant leave entitlements, the Employer may, where exceptional circumstances exist, approve special leave with or without pay.
62. Leave without pay approved under paragraph 61 will not count as service for any purpose.

Parental Leave

63. Parental leave provisions for the Public Guardian will be those contained within Determination 8 of 2019 (or any subsequent replacement Determination) of the Commissioner for Public Employment.

Requests for Flexible Working Arrangements in Certain Circumstances

64. Provisions for flexible working arrangements in certain circumstances (e.g. to care for a child) will be those contained within Determination 8 of 2019 (or any subsequent replacement Determination) of the Commissioner for Public Employment.

Working Environment

65. The Public Guardian may be required, during the term of the appointment, to travel to and from, and work at, any location or place where the Employer requires.
66. Where the Public Guardian is required under paragraph 65 to relocate from one place to another, the Commissioner may be paid removal and relocation expenses in accordance with paragraph 68.

Travelling Allowance

67. Subject to agreement with the Employer, where the Public Guardian in the course of her appointment is required to travel away from headquarters which extends overnight, the Public Guardian will be entitled to travel allowance and other relevant arrangements contained with Determination 8 of 2019 (or any subsequent replacement Determination) of the Commissioner for Public Employment.

Removal and Relocation Expenses

68. Subject to agreement with the Employer, where the Public Guardian is required to relocate from one place to another to take up duty in accordance with the requirements of office, the Public Guardian may receive payment of reasonable relocation and travel expenses, and relocation allowances, contained within Determination 8 of 2019 (or any subsequent replacement Determination) of the Commissioner for Public Employment.
69. Subject to paragraphs 70 and 71, on completion or cessation of office, the Employer will meet reasonable relocation and travel expenses associated with returning the Public Guardian, recognised dependants, if any, and any of the Public Guardian's furniture and personal and household effects, from the place where the Public Guardian resided during the period of appointment to the place from which the Public Guardian was recruited, or such other place of equal or lesser distance, as nominated by the Public Guardian, and at the discretion of the Employer.
70. Paragraph 69 will have effect only where:
- 70.1 in the case of the office of the Public Guardian ceasing, where that cessation occurs within three (3) months of the last day of office as specified in the instrument of appointment; and
 - 70.2 the departure of the Public Guardian and the Public Guardian's dependants occurs within 30 days of the completion or cessation of the appointment, unless otherwise approved by the Employer; and
 - 70.3 the removal of the effects of the Public Guardian and the Public Guardian's recognised dependants occurs within 90 days of the completion or cessation of appointment, unless otherwise approved by the Employer.
71. Where the Public Guardian's period of office is completed or ceases and the Public Guardian was recruited from the place at which she resided during the period of appointment, or she advises the Employer that she will continue to reside within the Northern Territory, paragraph 69 will be of no effect, unless the Public Guardian was relocated from within the Northern Territory under paragraph 68.
72. The Employer may authorise the deduction from the Public Guardian's final Salary payment to recover relocation expenses associated with the recruitment of the Public Guardian under paragraph 68 if the appointment ceases within 12 months of being made.

73. Paragraph 72 will not apply where:
- 73.1 the Employer and the Public Guardian mutually agree to cease the appointment; or
 - 73.2 the Employer decides that special circumstances apply.

Workers' Compensation

74. The Public Guardian, if an injury as defined in the *Return to Work Act 1986* is sustained, will be entitled to receive:
- 74.1 during the period of office, *Return to Work Act 1986* income based benefits based on the Salary Component at the time of injury. In addition, the Employer will continue to provide the same level of Employment Benefits in accordance with this Schedule; or
 - 74.2 on cessation of office, compensation in accordance with the *Return to Work Act 1986*.

D. Confidentiality and Non-Competition

75. In appointing the Public Guardian to the office, the Employer is exposing the Public Guardian to confidential information and trade secrets, and information and documents which it considers and treats as confidential, including such things as Cabinet documents, submissions, draft reports, commercial information supplied to the Employer, draft legislation, and, particularly in the case of government business enterprises, the identity of suppliers and customers and prices charged to customers and by suppliers (except where that information is in the public domain). In consideration of the Public Guardian being appointed and therefore exposed to that information, the disclosure of which will damage the Employer, the Public Guardian agrees by accepting the appointment to office to be subject to the following conditions:
- 75.1 the Public Guardian will not either during or after the course of her employment and, except in the proper course of her duties, divulge to any person, and she should use her best endeavours to prevent the publication or disclosure of, any confidential information or trade secrets of the Employer and without limiting the generality of that expression any trade secret or process or information concerning the same or the business of the Employer or of any of its dealings, transactions or affairs which may come to her knowledge during and as a result of or out of her employment, other than where that information or process is part of the public domain;
 - 75.2 during her appointment, the Public Guardian will not be concerned or involved directly or indirectly whether as principal, agent, servant, consultant, director or shareholder in connection with any business, or the promotion of any business similar to and in competition with that conducted by the Employer, except as a shareholder in a Company listed on the Stock Exchange in Australia;
 - 75.3 the Public Guardian will not, for the following periods after the date of the termination of a period of office for any cause whatsoever, solicit any customer who is an existing customer of the Employer at the time of the termination of office:

- 75.3.1 six (6) months;
 - 75.3.2 a further six (6) months in addition to the period specified in 75.3.1; and
 - 75.3.3 an additional six (6) months in addition to the period specified in 75.3.2.
- 75.4 Each of these periods are separately agreed to despite any overlap of the Public Guardian's obligations, and if one or more of these periods is or are found to be unenforceable, then that or those periods will be severed and the remaining period or periods will still apply;
- 75.5 In this paragraph, "Employer" includes the Northern Territory of Australia and any government business enterprise conducted by the Northern Territory of Australia, including without limitation any company, joint venture or partnership.
- 75.6 Provided that the Minister may, by instrument in writing, exempt the Public Guardian from any or all of the obligations in sub-paragraphs 75.2 and 75.3 of this paragraph.

E. Ownership of Material and Intellectual Property

- 76. On completion or cessation of office, the Public Guardian will return to the Employer all correspondence, documents, papers and property relating to duties performed during the period of an office.
- 77. Any intellectual property invented or created by the Public Guardian as a result of her holding the office of the Public Guardian will remain the property of the Employer, unless otherwise agreed in writing by the parties.

F. Conflict of Interest

- 78. The Public Guardian must disclose in writing to the Employer where a potential conflict between her personal interest and official duty, whether real or apparent, has arisen or is likely to arise.
- 79. The Employer may take any action, or direct the Public Guardian to take any action the Employer considers necessary, to ensure there is no potential conflict between the Public Guardian's personal interest and her official duty. This paragraph does not operate in a way that will or may interfere with the exercise of the independent functions of the Public Guardian.

G. Declaration of Private Financial and Other Interests

- 80. The Employer may require the Public Guardian to make a declaration of any private financial or other interests, including with respect to immediate family members (and other relevant persons), which might result in a conflict with her official duty.
- 81. The Employer may take any action, or direct the Public Guardian to take any action the Employer considers necessary, to ensure there is no potential conflict between the Public Guardian's private financial interests, including with respect to immediate family members (and other relevant persons), and her official duty. This paragraph does not operate in a way that will or may interfere with the exercise of the independent functions of the Public Guardian.

H. Transition Provisions

82. A Public Guardian who was, immediately prior to her appointment as Public Guardian or subsequent appointment (howsoever described), an ongoing or fixed period employee employed in accordance with the *Public Sector Employment and Management Act 1993* or any other Northern Territory legislation approved by the Commissioner for Public Employment, will have:
- 82.1 accrued recreation leave carried forward into her appointment;
 - 82.2 accrued personal / carer's leave credits carried forward into her appointment;
 - 82.3 accrued long service leave carried forward into her appointment and continuity of service for the purpose of long service leave accrual;
 - 82.4 continuity of service for the purpose of parental leave.

I. Performance Review

83. The Public Guardian is expected to possess and demonstrate the capabilities required of an Executive Contract Officer within the meaning of the *Public Sector Employment and Management Act 1993*, as specified by the Commissioner for Public Employment from time to time.
84. The Minister shall, at the Minister's discretion, review the Public Guardian's performance by conducting a performance appraisal process from time to time.
85. A review conducted under paragraph 84 must not include any review or assessment of the exercise by the Public Guardian of independent statutory powers and discretions which she has under the *Guardianship of Adults Act 2016* or at general law by reason that she holds the office of Public Guardian.

J. Medical Examination

86. The Employer may direct the Public Guardian to attend an examination by a registered medical practitioner(s) or other persons having relevant qualifications where the Employer believes the Public Guardian's efficiency or work performance is affected by illness or injury.

K. Completion of a Period of Office

87. Where the Public Guardian has completed the period specified in the instrument of appointment, she will be entitled to payment of:
- 87.1 accrued recreation leave in accordance with paragraph 39;
 - 87.2 accrued and pro-rata long service leave in accordance with paragraph 57 or 59;
 - 87.3 payment of reasonable removal and travel expenses in accordance with paragraphs 69 to 71; and
 - 87.4 superannuation benefits where applicable.

Payment following Cessation of Office

88. If the Public Guardian:
- 88.1 resigns from office under section 71 of the *Guardianship of Adults Act 2016*; or

- 88.2 has their appointment as Public Guardian terminated;
the Public Guardian will be entitled to payment, as at the date of cessation, of:
- 88.3 accrued recreation leave in accordance with paragraph 39;
- 88.4 accrued and pro-rata long service leave in accordance with paragraph 57 or 59;
- 88.5 payment of reasonable removal and travel expenses in accordance with paragraphs 69 to 71; and
- 88.6 superannuation benefits where applicable.

L. Re-Appointment

89. At least six (6) months prior to the expiration of office, the Employer and the Public Guardian shall discuss whether the Public Guardian will be re-appointed for a further period and, if so, on what terms.
90. The Employer will advise the Public Guardian in writing of the decision on re-appointment no later than three (3) months prior to the expiry of the Public Guardian's appointment.
91. Where the Public Guardian is advised that her appointment to office will not be renewed, such advice does not amount to a termination of the appointment. If the appointment is not renewed, the period of office will terminate by operation of the law.
92. Any further re-appointment to the office of Public Guardian will be in accordance with the relevant Act.
93. In the event that the Public Guardian is re-appointed for a further period as Public Guardian, and where there is no break in service, the previous service as Public Guardian will be recognised under the new appointment.
94. Any accrued or pro-rata recreation leave, long service leave, and personal / carer's leave, and continuity of service for the purpose of long service leave and parental leave due to the Public Guardian at the cessation of a period of office will be carried forward into any new appointment.
95. In some circumstances, cessation of the appointment by the Public Guardian may represent voluntary retirement for superannuation purposes provided that the Public Guardian does not remain in employment in the Public Sector of the Northern Territory.

M. Miscellaneous

Rules from Time to Time

96. The Public Guardian will familiarise herself with and abide by any policies and NT public sector legislated requirements, rules and regulations in force in the Northern Territory of Australia relevant to the administration of Agencies. This paragraph does not operate in a way that will or may interfere with the independent exercise of the powers, discretions and functions of the Public Guardian or the office.

Independent Advice

97. By accepting the appointment as Public Guardian, the Public Guardian confirms that she has taken (or has chosen to waive the opportunity to obtain) independent advice as to the implications of the appointment and agrees to be bound by the terms and conditions imposed by the appointment and this Schedule.

Continuation of Terms and Conditions

98. If the Public Guardian is required to change her duties in any way during the term of the appointment as Public Guardian, the terms and conditions of this Schedule will continue to apply.

N. Definitions

99. In this Schedule, unless otherwise stated or the context otherwise indicates:

"Public Guardian" means the person appointed to be the Public Guardian under the instrument to which this Schedule is attached;

"Commissioner for Public Employment" means a person appointed under section 8 of the *Public Sector Employment and Management Act 1993* as the Commissioner for Public Employment;

"Commissioner of Superannuation" means the Commissioner of Superannuation appointed under the *Superannuation Act 1986 (NT)*;

"Complying Superannuation Fund" has the meaning given in section 7 of the *Superannuation Guarantee (Administration) Act 1992 (Cth)*, and for the purposes of this Schedule does not include the Commonwealth Superannuation Scheme, Northern Territory Government and Public Authorities Superannuation Scheme or the Northern Territory Supplementary Superannuation Scheme;

"Defined Benefit Scheme" for the purpose of this Schedule means the following:

- a) Commonwealth Superannuation Scheme;
- b) Northern Territory Government and Public Authorities Superannuation Scheme; and
- c) Northern Territory Supplementary Superannuation Scheme.

"Employer" means the Northern Territory of Australia;

"Employment Benefit(s)" means a non-salary benefit approved and provided by the Employer in accordance with this Schedule, and at the request of the Public Guardian in accordance with this Schedule;

"Employment Year" means each consecutive twelve (12) month period of service from the date of commencement of an appointment;

"month(s)" means a calendar month;

"Notional Salary" means sixty-five percent (65%) of the Total Remuneration Package;

"Salary" means assessable income within the meaning of section 995-1(1) of the *Income Tax Assessment Act 1997 (Cth)*;

"Salary Component" means that portion of the Total Remuneration Package which is payable as salary and allowances in accordance with paragraphs 2, 5 and 9 or as adjusted in accordance with paragraph 7;

"Total Remuneration Package" means the annual total of the Salary Component and the Employment Benefits specified in paragraph 1 of this Schedule to which the Commissioner is entitled, as adjusted from time to time; and

"week" means five (5) working days unless otherwise specified.

Northern Territory of Australia

Crown Lands Act 1992

Notice of Determination of Grant
Lease of Crown Land

Notice is given, under section 12(6) of the *Crown Lands Act 1992*, that the Minister for Infrastructure, Planning and Logistics determined under section 12(3) of the Act to grant a lease of Crown land, details of which are specified in the Schedule.

Dated 10 December 2020

Sharon Lesley Jones
Senior Director Crown Land Estate
Department of Infrastructure, Planning and Logistics

Schedule

Details of Determination

Description of Crown land the subject of the proposed grant	:	NT Portion 7581 (A) NT Portion 7582 (A)
Person to whom proposed grant is to be made	:	Mantiyupwi Pty Ltd ATF Mantiyupwi Family Trust (ABN:26 652 290 749)
Price	:	Nil
Term	:	2 years convertible to a further Crown lease term for 40 years
Proposed Development	:	Construction of a pontoon jetty to support ferry landing services

Northern Territory of Australia
Crown Lands Act 1992
Notice of Determination of Grant
Lease of Crown Land

Notice is given, under section 12(6) of the *Crown Lands Act 1992*, that the Minister for Infrastructure, Planning and Logistics determined under section 12(3) of the Act to grant a lease of Crown land, details of which are specified in the Schedule.

Dated 10 December 2020

Sharon Lesley Jones
Senior Director Crown Land Estate
Department of Infrastructure, Planning and Logistics

Schedule

Details of Determination

Description of Crown land the subject of the proposed grant	: Approximately 8000m ² being proposed Lot 420 Townsite of Southport
Person to whom proposed grant is to be made	: Litchfield Council
Price	: Nil
Term	: 10 years
Proposed Development	: Community infrastructure including a community hall, playground equipment and landscaping

Northern Territory of Australia

Motor Vehicles Act 1949 and Traffic Act 1987

Exemption from *Motor Vehicles Act 1949, Traffic Act 1987 and Motor Vehicles (Standards) Regulations 2003*

I, Simon Phillip Saunders, the Registrar of Motor Vehicles, pursuant to section 135 of the *Motor Vehicles Act 1949* and section 43B of the *Traffic Act 1987*, and with reference to section 42 of the *Interpretation Act 1978*, hereby exempt the self-ride hire electric scooters described in the Schedule (electric scooters), and the owners and riders of those electric scooters, from the registration, motor accident compensation contributions, vehicle standards and driver licensing requirements of the *Motor Vehicles Act 1949, Traffic Act 1987 and Motor Vehicles (Standards) Regulations 2003*, subject to the following conditions:

1. A person may use or be permitted to use an electric scooter on a footpath, shared path or public place, if authorised to do so by the authority that has the care and control of the footpath, shared path or public place, and in accordance with any conditions imposed by the authority.
2. A person using an electric scooter must not travel along a road unless —
 - (a) there is an obstruction on a footpath, nature strip, or shared path adjacent to the road (an adjacent area); and
 - (b) it is impracticable to travel on the adjacent area; and
 - (c) the electric scooter travels less than 50m along the road to avoid the obstruction.

For the purposes of this condition, **road** means an area that is used by the public and is developed for, or has as one of its main uses, the driving or riding of motor vehicles, and includes the shoulder of the road (within the meaning of Australian Road Rule 12(3)) but does not include a bicycle lane (within the meaning of Australian Road Rule 153(4)) marked on the road.

A person may cross a road on an electric scooter.

3. A person using an electric scooter on a footpath or shared path must —
 - (a) keep to the left of the footpath or shared path unless it is impracticable to do so; and

- (b) give way to pedestrians on the footpath or shared path.
4. A person must not use or be permitted to use an electric scooter on the footpaths adjacent to Mitchell Street, between Peel Street and Knuckey Street, between the hours of 8pm and 6am.
 5. A person using an electric scooter on a footpath or shared path must keep to the left of any oncoming pedestrian, bicycle rider or other electric scooter user on the path.
 6. A person using an electric scooter must wear a bicycle helmet approved for the purposes of Australian Road Rule 256 and securely fitted and fastened on the user's head.
 7. A person using an electric scooter must be at least 18 years of age.
 8. A person using an electric scooter must not carry any other person on the electric scooter.
 9. A person must not use or be permitted to use an electric scooter which when propelled by the motor, is capable of reaching a speed greater than 15km/h on level ground.
 10. A person must not use or be permitted to use an electric scooter unless the electric scooter has a bell, horn or similar warning device in working order.
 11. A person must not use or be permitted to use an electric scooter at night, or in hazardous weather conditions causing reduced visibility, unless the electric scooter, displays —
 - (a) a flashing or steady white light that is clearly visible for at least 200m from the front of the electric scooter; and
 - (b) a flashing or steady red light that is clearly visible for at least 200m from the rear of the electric scooter.
 12. A person must not be permitted to use an electric scooter unless they have been made aware of the above conditions of use.
 13. This exemption is granted for the purposes of a trial, arranged by the City of Darwin, of self-ride hire electric scooters, that can be geo-fenced to control their range and speeds. It does not authorise the use of privately owned electric scooters.

14. Neuron Mobility (Australia) Pty Ltd, as the trial operator selected by the City of Darwin, must maintain public liability insurance for at least \$20 million during the term of the trial.
15. This exemption shall be valid for a period of 6 months, and may be varied or revoked at any time at the discretion of the Registrar of Motor Vehicles.
16. Neuron as the trial operator selected by the City of Darwin must maintain a record of all data associated with the trial, and make that data available to the Registrar of Motor Vehicles.
17. A person using an electric scooter is only exempt from the registration, motor accident compensation contributions, vehicle standards and driver licensing requirements of the *Motor Vehicles Act 1949*, *Traffic Act 1987* and the *Motor Vehicles (Standards) Regulations 2003* while observing conditions 2-12. An electric scooter ridden in breach of those conditions is an unregistered motor vehicle, in respect of which no motor accident compensation contributions have been paid under Part V of the *Motor Vehicles Act 1949*.

Dated 14 December 2020

S. P. Saunders
Registrar of Motor Vehicles

Schedule – Electric scooters

Electric scooter means a device that:

- a) has 2 wheels and a footboard supported by the wheels;
- b) is steered by handlebars;
- c) is designed to be used by a single person;
- d) is propelled by an electric motor;
- e) has an effective stopping system controlled by using brakes and / or motor control;
- f) when propelled by the motor, cannot reach a speed greater than 15km/h on level ground; and
- g) is offered to the public for hire by Neuron Mobility (Australia) Pty Ltd under an operator agreement with the City of Darwin.

Northern Territory of Australia

Transport of Dangerous Goods by Road and Rail

(National Uniform Legislation) Act 2010

Appointment of Officers

I, William Arthur Esteves, the Competent Authority:

- (a) under section 23(1) of the *Transport of Dangerous Goods by Road and Rail (National Uniform Legislation) Act 2010* and with reference to section 44(1) of the *Interpretation Act 1978*, terminate all appointments of authorised officers in force immediately before the date of this instrument;
- (b) under section 23(1) of the *Transport of Dangerous Goods by Road and Rail (National Uniform Legislation) Act 2010* (the Act), appoint the people named in the Schedule to be authorised officers and exercise the powers under the Act and the *Transport of Dangerous Goods by Road and Rail (National Uniform Legislation) Regulations 2011*; and
- (c) under section 23(2)(a) of the Act, specify that the authorised officers are restricted from exercising powers under sections 60, 61, 89, 97 and 101 of the Act.

Dated 3 December 2020

W. A. Esteves
Work Health Authority

Schedule

Anthony John Waite
Brian Cleary
Bruce Wayne McKinley
Brian Wingrove
Carlos Gallo
Carolynne Murrell
Cheryl Anne McKenzie
Christos Despotis
Fiona Louise Peters
Gillian Hylton
Jasmine Julia Currington
Kenneth John Orwell
Kerry Lee-Anne Barnaart
Maria Rigas
Michael Kenneth Stephens
Rebecca Sue Trimble

Robert Stanley Fereday
Robin Leslie Paget Smith
Police officers of or above the rank of Constable

Northern Territory of Australia

Plant Health Act 2008

Revocation of declaration of pest

Declaration of pests

I, Anne Christine Walters, Chief Inspector of Plant Health:

- (a) under sections 6(2)(a) and 6(4) of the *Plant Health Act 2008* (the Act), and with reference to section 43 of the *Interpretation Act 1978*, revoke the notice entitled Browsing Ant (*Lepisiota* SP.) Declaration of Pest and Notifiable Pest that was published in *Gazette* No. S82 on 6 August 2015; and
- (b) under section 6(2)(a) of the Act declare each of the following to be a pest (a **declared pest**):
 - (i) *Lepisiota frauenfeldi* (Browsing ant)
 - (ii) *Lepisiota incisa* (African black sugar ant)
 - (iii) *Liriomyza huidobrensis* (Serpentine leafminer)
 - (iv) *Liriomyza sativae* (Vegetable leaf miner); and
- (c) under section 6(4) of the Act specify that the declared pest is a notifiable pest.

Dated 17 December 2020

A. C. Walters
Chief Inspector of Plant Health

Police Administration Act 1978**Sale of Goods**

Notice is hereby given that pursuant to Section 166 of the *Police Administration Act 1978*, the following property as shown on the attached schedule has been in the possession of the Officer in Charge, Police Station, Alice Springs, for a period in excess of 3 months and this property will be sold or otherwise disposed of in a manner as determined by the Commissioner of Police, if after twenty-eight (28) days from the publication of this notice the property remains unclaimed.

Brett Prowse
Superintendent
Alice Springs Police Station

17 December 2020

Exhibits / MPR to CRTM

557519	001/001	\$5.50	Yellow
557285	001	\$50.00	Safe
557280	001	\$10.00	Safe
557224	001	\$20.00	A2
556841	002	\$12.30	Blue
556301	001/001	\$10.00	Safe

Exhibit/MPR Destruction

558224	001	Black Oppo mobile phone	A3 Box
558187	001	Black Huawei mobile phone	A3 Box
558080	001	Set of random keys	Blue
558077	001	Blue/purple Oppo mobile phone	A3 Box
557997	001	Black Optus mobile phone	A3 Box
557806	001	Black Anko portable speaker	Blue
557799	001	Black Samsung Galaxy S11	A3 Box
557728	001	Black Telstra mobile phone	A3 Box
557707	001	Black Vandy Vape	Yellow
557682	001	Black Samsung mobile phone	A3 Box
557519	001	Multi coloured wallet	Yellow
557511	001	Black Telstra phone	A3 Box
557510	001	Blue & black Oppo mobile phone	A3 Box
557467	001	Black Telstra mobile phone	A3 Box
557295	001	Black Canon 450D, neck strap, 18-270MM lense S/N #1880505055	A2
557288	001	Black LG mobile phone	A3 Box
557224	002/003	Blue & red Converse bag & blue Nokia mobile phone	A2
557223	001	Black Nokia mobile phone	A3 Box
557220	001	Can of VB	A2
557187	001	Black mens wallet	Blue
557149	001	Blue Oppo mobile phone	A3 Box
557120	001	Black & grey Go Pro	Red

557048	001	Black & pink Samsung mobile phone	A3 Box
557036	001	Black Oppo mobile phone	A3 Box
556968	001/002	Pair of ladies gloves & blue Nintendo Switch Game Boy	Blue
556884	001	Blue Samsung mobile phone	A3 Box
556882	001	Black Optus mobile phone	A3 Box
556841	001	Mens black wallet	Blue
556838	001/002/003	Bank card, blue Vivo mobile phone, grey mobile phone	A3 Box
556831	001	Orange Stihl leaf blower	Plant
556773	001	Blue & black Samsung mobile phone	Red
556632	001	Black Telstra mobile phone	Red
556570	001	Pink Belkin mobile power bank	Red
556317	001	Symbol bar code scanner	Red
556315	001	Black & grey Nokia mobile phone	A3 Box
556301	001	White purse with doughnut print	Safe
556295	001	Blue & black Nokia mobile phone	A3 Box
556290	001	Blue & black Nokia mobile phone	A3 Box
556289	001	Black Telstra mobile phone	A3 Box

Bikes Auction

558197	001	Silver Royce Union	
558197	002	White Crest Summit	
558167	001	Blue BMX	
558167	002	Large black scooter	
557955	001	Black scooter	
557915	001	Orange & black Southern Star	
557839	001	Black & gold Terrain	
557814	001	White & blue Avanti Montari	
557745	001	Green & black Exile BMX	
557708	001	Gold spray painted bike	
557593	001	Bicycle part – tyre	
557556	001	Black Cell mountain bike	
557540	001	Black scooter	
557436	001	Green Tourex X-Train	
557436	002	Blue Malvern Star	
557393	001	Grey bike, nil brand	
557391	001	Blue Scott	
557390	001	Purple Avanti	
557389	001	Grey Merida Big 7	
557232	001	Blue MC40 – S/N #L20F14965	
557215	001	Black bike, nil brand	
557039	001	Black Custom scooter	
557038	001	Black & pink scooter	
556925	001	Dark blue & white Mongoose Sycamore	
556363	001	Pink Tourex X-Train 66	

Firearms for destruction

560320	001	Winchester rifle, pump action .22.R S/N #386503	Memo
535946	001	Winchester lever action rifle S/N #F485267	Memo

General Gazette Publication Dates 2021

Gazette Number	Publication Date	Closing Date
1	6 January	4 January
2	13 January	11 January
3	20 January	18 January
4	27 January	25 January
5	3 February	1 February
6	10 February	8 February
7	17 February	15 February
8	24 February	22 February
9	3 March	1 March
10	10 March	8 March
11	17 March	15 March
12	24 March	22 March
13	31 March	29 March
14	7 April	5 April
15	14 April	12 April
16	21 April	19 April
17	28 April	26 April
18	5 May	3 May
19	12 May	10 May
20	19 May	17 May
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30	28 July	26 July
31	4 August	2 August
32	11 August	9 August
33	18 August	16 August
34	25 August	23 August
35	1 September	30 August
36	8 September	6 September

Gazette Number	Publication Date	Closing Date
37	15 September	13 September
38	22 September	20 September
39	29 September	27 September
40	6 October	4 October
41	13 October	11 October
42	20 October	18 October
43	27 October	25 October
44	3 November	1 November
45	10 November	8 November
46	17 November	15 November
47	24 November	22 November
48	1 December	29 November
49	8 December	6 December
50	15 December	13 December
51	22 December	20 December

Christmas/New Year Publication

The Office of the Parliamentary Counsel will be closed from Friday 25 December 2020 to Friday 1 January 2021 inclusive.

No *Gazette* requests will be actioned during this time.

The last General *Gazette* for 2020 will be published on Wednesday 23 December 2020.

The first General *Gazette* for 2021 will be published on Wednesday 6 January 2021.

The deadline for a Special *Gazette* request for 2020 is 10.30am on Thursday 24 December 2020. Special *Gazette* requests received after 10.30am on Thursday 24 December 2020 will not be actioned until Monday 4 January 2021.

Gazette publication information

The Northern Territory Government *Gazette* is published by the Office of the Parliamentary Counsel.

The General *Gazette* is published every **Wednesday**. The closing date for notices is the previous Monday at 12 noon.

Notices will be published in the next issue, unless urgent publication is required.

Special Gazettes are published as required.

Gazette publication fees

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