

**NORTHERN TERRITORY OF AUSTRALIA**

**GUARDIANSHIP OF ADULTS REGULATIONS 2016**

As in force at 15 April 2020

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# NORTHERN TERRITORY OF AUSTRALIA

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As in force at 15 April 2020

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## GUARDIANSHIP OF ADULTS REGULATIONS 2016

### Regulations under the *Guardianship of Adults Act 2016*

#### **1 Citation**

These Regulations may be cited as the *Guardianship of Adults Regulations 2016*.

#### **2 Commencement**

These Regulations commence on the commencement of the *Guardianship of Adults Act 2016*.

#### **3 Restricted health care**

For section 8(1)(e) of the Act, each of the following is restricted health care:

- (a) new health care of a kind that is not yet accepted as evidence-based, best practice health care by a substantial number of health care providers specialising in the relevant area of health care;
- (b) electroconvulsive therapy.

#### **4 Record keeping requirements**

- (1) For section 28(1)(b) of the Act, a guardian must, at all times while the guardian has authority for financial matters, keep complete and up-to-date records of the represented adult's assets and liabilities.
- (2) The records must include:
  - (a) sufficient information to identify each of the represented adult's assets and liabilities; and
  - (b) for each asset and liability, information related to:
    - (i) all dealings and transactions with the asset or liability; and

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- (ii) the condition and management of the asset or liability;  
and
  - (c) any other information reasonably necessary to demonstrate that decisions in relation to the represented adult's financial matters are being made in accordance with the Act.

## **5 Asset management planning**

For section 32(2)(a) of the Act, an asset management plan must be in a form approved by the Tribunal.

## **6 Interstate orders**

- (1) For section 53 of the Act, definition ***corresponding law***, each law listed in the Schedule is a corresponding law.
- (2) For section 53 of the Act, definition ***interstate order***, each order listed in the Schedule opposite a corresponding law is an interstate order.

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**Schedule Corresponding Laws and interstate orders**

regulation 6(1) and (2)

Jurisdiction	Corresponding law	Interstate order
Australian Capital Territory	<i>Guardianship and Management of Property Act 1991</i>	An order made under section 7(2), 8(2), 8AA(4) or 67(1) of the corresponding law
New South Wales	<i>Guardianship Act 1987</i>	A guardianship order or financial management order made under the corresponding law
Queensland	<i>Guardianship and Administration Act 2000</i>	An order made under section 12, 13 or 129 of the corresponding law
South Australia	<i>Guardianship and Administration Act 1993</i>	An administration order or guardianship order made under the corresponding law
Tasmania	<i>Guardianship and Administration Act 1995</i>	An administration order or guardianship order made under the corresponding law
Victoria	<i>Guardianship and Administration Act 1986 (repealed)</i> <i>Guardianship and Administration Act 2019</i>	An administration order or guardianship order made under a corresponding law
Western Australia	<i>Guardianship and Administration Act 1990</i>	An administration order or guardianship order made under the corresponding law

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## ENDNOTES

### 1 KEY

Key to abbreviations

amd = amended  
app = appendix  
bl = by-law  
ch = Chapter  
cl = clause  
div = Division  
exp = expires/expired  
f = forms  
Gaz = Gazette  
hdg = heading  
ins = inserted  
lt = long title  
nc = not commenced

od = order  
om = omitted  
pt = Part  
r = regulation/rule  
rem = remainder  
renum = renumbered  
rep = repealed  
s = section  
sch = Schedule  
sdiv = Subdivision  
SL = Subordinate Legislation  
sub = substituted

### 2 GENERAL AMENDMENTS

General amendments of a formal nature (which are not referred to in the table of amendments to this reprint) are made by the *Interpretation Legislation Amendment Act 2018* (Act No. 22, 2018) to: r 1.

### 3 LIST OF LEGISLATION

#### ***Guardianship of Adults Regulations 2016* (SL No. 36, 2016)**

Notified	27 July 2016
Commenced	28 July 2016 (r 2, s 2 <i>Guardianship of Adults Act 2016</i> (Act No. 15, 2016) and <i>Gaz S74</i> , 27 July 2016, p 1)

#### ***Guardianship of Adults Amendment Regulations 2020* (SL No. 5, 2020)**

Notified	15 April 2020
Commenced	15 April 2020

### 4 LIST OF AMENDMENTS

sch amd No. 5, 2020, r 4