

NORTHERN TERRITORY OF AUSTRALIA

TOURISM AND EVENTS NT ACT 2012

As in force at 22 December 2025

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NORTHERN TERRITORY OF AUSTRALIA

As in force at 22 December 2025

TOURISM AND EVENTS NT ACT 2012

An Act to establish Tourism and Events NT and for related purposes

Part 1 Preliminary matters

1 Short title

This Act may be cited as the *Tourism and Events NT Act 2012*.

2 Commencement

This Act commences on the day fixed by the Administrator by *Gazette* notice.

3 Definitions

In this Act:

Advisory Board means the Tourism and Events Advisory Board established by the Minister under section 14(1).

board member means a member of the Advisory Board mentioned in section 14(2).

chairperson means the chairperson of the Advisory Board mentioned in section 14B.

chief executive officer means the chief executive officer of Tourism and Events NT mentioned in section 12(1).

ordinary member means a member of the Advisory Board mentioned in section 14(2)(b).

Reserve Fund means the fund maintained under section 27B.

Note for section 3

The Interpretation Act 1978 contains definitions and other provisions that may be relevant to this Act.

4 Application of Criminal Code

Part IIAA of the Criminal Code applies to an offence against this Act.

Note for section 4

Part IIAA of the Criminal Code states the general principles of criminal responsibility, establishes general defences, and deals with burden of proof. It also defines, or elaborates on, certain concepts commonly used in the creation of offences.

Part 2 Tourism and Events NT

Division 1 General matters

5 Establishment of Tourism and Events NT

- (1) Tourism and Events NT is established.
- (2) Tourism and Events NT:
 - (a) is a body corporate with perpetual succession; and
 - (c) is capable, in its corporate name, of acquiring, holding and disposing of real (including leasehold) and personal property and of suing and being sued.

6 Use of alternate name

Tourism and Events NT may exercise its powers and perform its functions under the name "Tourism and Events Northern Territory".

Division 2 Functions and powers

7 Functions

The functions of Tourism and Events NT are:

- (a) to market the Territory as a desirable visitor destination; and
- (b) to encourage and facilitate the sustainable growth of the tourism industry in the Territory; and
- (c) to advise the Minister on all matters relating to tourism, hospitality, events and exhibitions in the Territory; and
- (ca) to identify and attract events and exhibitions for the Territory that contribute to the benefit of the Territory; and

- (cb) to work independently or in collaboration with third parties to coordinate and deliver events and exhibitions; and
- (d) any other functions conferred on it by this or any other Act.

8 Powers

- (1) Tourism and Events NT has the powers necessary or convenient to perform its functions.
- (2) In particular, Tourism and Events NT has power to:
 - (a) acquire, hold and dispose of real (including leasehold) and personal property; and
 - (b) improve any real or personal property owned by, or under the control of, Tourism and Events NT; and
 - (c) negotiate and enter into contracts, agreements, schemes and arrangements; and
 - (d) purchase, lease or hire plant, machinery, equipment or other things for the purpose of performing the functions; and
 - (e) with the Treasurer's approval and subject to the *Financial Management Act 1995*, grant guarantees or indemnities for, or otherwise assume responsibility for, the obligations of persons; and
 - (f) with the Treasurer's approval:
 - (i) borrow, lend, raise or invest money; and
 - (ii) form or participate in the formation of an incorporated body, partnership or trust; and
 - (g) sell or distribute tickets for events and exhibitions; and
 - (h) accept or refund money in respect of the sale or distribution of tickets for events and exhibitions.

9 Ministerial control

Tourism and Events NT is subject to the directions of the Minister in the performance of its functions and exercise of its powers.

10 Delegation

Tourism and Events NT may delegate any of its powers and functions under this or any other Act to any of the following:

- (a) the chief executive officer of an Agency;
- (b) a member of the staff of Tourism and Events NT;
- (c) a public sector employee.

Division 3 Constitution of Tourism and Events NT

11 Constitution

Tourism and Events NT consists of the chief executive officer.

12 Chief executive officer

- (1) The Chief Minister may, in writing, appoint a person to be the chief executive officer of Tourism and Events NT.
- (3) If Tourism and Events NT is an Agency, the chief executive officer is the Chief Executive Officer of Tourism and Events NT for the *Public Sector Employment and Management Act 1993*.
- (4) The chief executive officer administers the day-to-day operations of Tourism and Events NT.
- (5) Tourism and Events NT acts through the chief executive officer.
- (6) Anything done by the chief executive officer in the name of, or for, Tourism and Events NT is taken to have been done by Tourism and Events NT.

13 Acting chief executive officer

- (1) The Minister may, in writing, appoint a person to act as chief executive officer of Tourism and Events NT:
 - (a) during any period, or during all periods, when the chief executive officer is absent from duty; or
 - (b) during a vacancy in the office.
- (2) A person appointed to act as chief executive officer during a vacancy in the office must not continue to act for more than 12 months after the occurrence of the vacancy.

Part 2A Advisory Board

Division 1 Establishment and membership of Advisory Board

14 Establishment of Advisory Board

- (1) The Minister may, in writing, establish the Tourism and Events Advisory Board to perform the functions mentioned in section 14A.
- (2) The Advisory Board consists of the following board members:
 - (a) the chief executive officer;
 - (b) not fewer than 6 ordinary members appointed by the Minister.

14A Functions and powers of Advisory Board

- (1) The functions of the Advisory Board are to advise and make recommendations to the Minister on strategic issues and matters that relate to or impact the following:
 - (a) the powers and functions of Tourism and Events NT;
 - (b) tourism, hospitality, events and exhibitions in the Territory.
- (2) The Advisory Board has the powers necessary to perform the Advisory Board's functions.
- (3) The Minister is not required to accept the advice or recommendations of the Advisory Board and may reject or adopt them, in whole or in part, as the Minister thinks appropriate.

14B Chairperson

The Minister may, in writing, appoint a board member to be the chairperson of the Advisory Board.

15 Duration of appointment

- (1) An ordinary member holds office for 2 years or the shorter period specified in the appointment.
- (2) An ordinary member is eligible for reappointment.

16 Leave of absence

The Advisory Board may grant a board member leave of absence on conditions determined by the Advisory Board.

17 Vacation of office

- (1) A person ceases to be an ordinary member of the Advisory Board if:
 - (a) the person resigns by giving written notice to the Minister; or
 - (b) the person's term of office comes to an end and the person is not reappointed; or
 - (c) the person's appointment is terminated under section 18(1) or (2).
- (2) The exercise of a power or performance of a function by the Advisory Board is not affected only by a vacancy in its membership.

18 Termination of appointment

- (1) The Minister may terminate the appointment of an ordinary member for inability, inefficiency, misbehaviour or physical or mental incapacity.
- (2) The Minister must terminate the appointment of an ordinary member:
 - (a) if the ordinary member is absent from 3 consecutive meetings of the Advisory Board without leave granted under section 16; or
 - (b) if the ordinary member is found guilty of an offence of such a nature that it would be inappropriate for the person to continue to be an ordinary member; or
 - (c) if the ordinary member:
 - (i) becomes bankrupt; or
 - (ii) applies to take the benefit of a law for the relief of bankrupt or insolvent debtors; or
 - (iii) compounds with creditors or makes an assignment of the ordinary member's remuneration for their benefit.
- (3) A termination of appointment must be made in writing.

Division 2 Procedures of Advisory Board

19 Procedures

Subject to this Act, the Advisory Board may determine its own procedures.

20 Meetings

The chairperson may convene a meeting of the Advisory Board at any time as is necessary to exercise the powers and perform the functions of the Advisory Board, but must convene at least 4 meetings each financial year.

21 Quorum

Subject to section 26(1)(c), the quorum for a meeting of the Advisory Board is a majority of board members.

22 Presiding at meeting

A meeting of the Advisory Board is to be presided over by:

- (a) the chairperson; or
- (b) in the absence of the chairperson, a board member elected by the board members present at the meeting.

23 Voting at meeting

- (1) A decision at a meeting of the Advisory Board must be determined by the majority vote of board members present and voting.
- (2) If there is an equality of votes, the person presiding at the meeting has a casting vote in addition to the person's deliberative vote.

24 Records of meetings

The Advisory Board must keep accurate records of its meetings.

25 Disclosure of personal interest

- (1) This section applies if a board member has a personal interest in a matter being considered or about to be considered by the Advisory Board.

- (2) The board member must disclose the following at a meeting of the Advisory Board as soon as practicable after the relevant facts come to the board member's knowledge:
 - (a) the nature and extent of the personal interest;
 - (b) how the interest relates to the matter mentioned in subsection (1).
- (3) The disclosure must be recorded in the minutes of the meeting.
- (4) For this section, a board member has a personal interest in a matter if the board member:
 - (a) has a direct or indirect financial interest in the matter otherwise than as a member of, and in common with the other members of, an incorporated company consisting of not less than 25 persons and of which the board member is not a director; or
 - (b) has a personal, professional, commercial or other relationship with a person and the nature of the relationship is likely to, or may reasonably be regarded as likely to, inhibit or prevent the board member from exercising independent judgment about the matter.

26 Effect of a personal interest

- (1) If a board member has a personal interest in a matter that is required to be disclosed under section 25:
 - (a) the board member must not take part in any deliberation or decision of the Advisory Board about the matter; and
 - (b) the board member must be disregarded for the purpose of constituting the quorum of the Advisory Board for the deliberation or decision; and
 - (c) the quorum for the deliberation or decision is a majority of board members entitled to participate in the deliberation or decision.
- (2) Despite subsection (1), a failure by the board member to disclose the interest in the matter does not, on its own, invalidate any decision of the Advisory Board about the matter.

Part 3 Miscellaneous matters

27 Appointment of staff

In addition to staff employed under the *Public Sector Employment and Management Act 1993*, Tourism and Events NT may, on the terms and conditions it considers appropriate, employ any other persons it considers necessary for the purposes of Tourism and Events NT.

27A Consultants may be engaged

Tourism and Events NT may engage consultants and advisers for the purposes of performing its functions.

27B Reserve Fund

- (1) Tourism and Events NT may maintain in the operating account a fund to be known as the Reserve Fund.
- (2) Any money received by Tourism and Events NT from the sale or distribution of tickets for events or exhibitions must be paid into the Reserve Fund.
- (3) Tourism and Events NT may arrange a refund of money mentioned in subsection (2) paid to Tourism and Events NT in error or in the circumstances in which, in the opinion of the chief executive officer, a refund is necessary.
- (4) Money in the Reserve Fund must only be applied for the following purposes:
 - (a) paying for costs and expenses incurred, or to be incurred, in relation to the coordination and delivery of events and exhibitions;
 - (b) payment of a refund under subsection (3);
 - (c) performance of the functions under section 7;
 - (d) exercise of the powers under section 8.
- (5) If, at the end of a financial year, there is surplus money remaining in the Reserve Fund, that money must be:
 - (a) retained in the Reserve Fund; and
 - (b) applied to the following financial year for the purposes mentioned in subsection (4).

28 Annual report

- (1) The chief executive officer must prepare and give to the Minister a report on the performance by Tourism and Events NT of its functions during each financial year.
- (2) The report must be given to the Minister within 6 months after the end of the financial year or such other period as the Minister determines.
- (3) The Minister must table a copy of the report, together with the financial statement and report of the Auditor-General on the financial statement required under section 10 or 11 of the *Financial Management Act 1995*, in the Legislative Assembly within 6 sitting days of the Assembly after the delivery of the later of the reports to the Minister.

29 Protection from liability

- (1) A person is not civilly or criminally liable for an act done or omitted to be done by the person in good faith in the exercise of a power or performance of a function as any of the following:
 - (a) the chief executive officer;
 - (b) a board member of the Advisory Board;
 - (c) a member of the staff of Tourism and Events NT.
- (2) In addition, the person is not civilly or criminally liable for an act done or omitted to be done by Tourism and Events NT in the exercise of a power or performance of a function under this Act.
- (3) Subsections (1) and (2) do not affect any liability the Territory or Tourism and Events NT would, apart from those subsections, have for the act or omission.
- (4) In this section:

exercise, of a power, includes the purported exercise of the power.

performance, of a function, includes the purported performance of a function.

30 Offence to disclose certain information

- (1) A person commits an offence if:
- (a) the person obtains information in the course of performing a function connected with the administration of this Act or exercising a power under this Act; and
 - (b) the information is confidential and the person is reckless in relation to that circumstance; and
 - (c) the person intentionally engages in conduct; and
 - (d) the conduct results in the disclosure of the information and the disclosure is not:
 - (i) for a purpose connected with the administration of this Act, including a legal proceeding arising out of the operation of this Act; or
 - (ii) to a person who is otherwise entitled to the information; and
 - (e) the person is reckless in relation to the result and circumstance referred to in paragraph (d).

Maximum penalty: 200 penalty units or imprisonment for 2 years.

- (2) Strict liability applies to subsection (1)(a).
- (3) If the information referred to in subsection (1) relates to a person, it is a defence to a prosecution for an offence against that subsection if the person consented to the disclosure of the information.

Note for subsection (3)

In addition to the circumstances mentioned in this section, a person who discloses information mentioned in this section will not be criminally responsible for an offence if the disclosure is justified or excused by or under a law (see section 43BE of the Criminal Code).

31 Regulations

The Administrator may make regulations under this Act.

Note for section 31

See section 65 of the Interpretation Act 1978.

Part 4 Repeals

32 Repeals

The Acts specified in the Schedule are repealed.

Part 5 Transitional matters for Tourism NT Amendment (Integration of NTMEC) Act 2025

33 Definitions

In this Part:

amending Act means the *Tourism NT Amendment (Integration of NTMEC) Act 2025*.

commencement means the commencement of section 7 of the amending Act.

Commission means the commission established under section 5 of this Act before the commencement.

NTMEC means Northern Territory Major Events Company Pty Ltd (ABN 22 085 961 520).

Tourism NT means the body corporate known as Tourism NT that was continued in existence before the commencement of section 7 of the amending Act.

34 Tourism and Events NT succeeds Tourism NT

- (1) Tourism and Events NT is a continuation of Tourism NT.
- (2) On and from the commencement, in an instrument, contract or document of any other kind:
 - (a) a reference to Tourism NT or the Commission, is taken to be a reference to Tourism and Events NT; and
 - (b) a reference to the *Tourism NT Act 2012* or a provision of that Act is to be taken to be a reference to this Act as in force after the commencement or the most equivalent provision of this Act (as the case requires).

- (3) On and from the commencement:
- (a) all property, rights, liabilities and obligations of Tourism NT or the Commission are the property, rights, liabilities and obligations of Tourism and Events NT; and
 - (b) if Tourism NT or the Commission is a party to any contract, agreement or arrangement immediately before the commencement, Tourism and Events NT is substituted as a party to that contract, agreement or arrangement.
- (4) All levies, fees, charges, interest, debts or money that are payable to and recoverable by Tourism NT or the Commission immediately before the commencement are payable to and recoverable by Tourism and Events NT, after the commencement.
- (5) Any act, matter or thing done or to be done by or on behalf of Tourism NT or the Commission before the commencement are regarded as done or are to be done by or on behalf of Tourism and Events NT, as the case may be, after the commencement.

35 Continuation of chief executive officer

Despite the amendments to section 12 by the amending Act, the chief executive officer holding office immediately before the commencement continues under this Act as the chief executive officer.

36 Cessation of appointments

Any person who is a commissioner immediately before the commencement ceases to be a commissioner on the commencement.

37 Transitional regulations

- (1) A regulation may provide for a matter of a transitional nature because of the enactment of the amending Act.
- (2) Without limiting to subsection (1), a regulation may provide for a matter of a transitional nature if:
 - (a) it is necessary to make provision to allow or facilitate the doing of anything to give effect to NTMEC's integration with Tourism and Events NT and any transaction or other matter, action or event required for the establishment and operation of Tourism and Events NT before and after the integration, including anything arising out of, or for giving effect to:

- (i) the winding up and deregistration of NTMEC; and
 - (ii) the transfer of NTMEC's assets, contracts, permits and licences, intellectual property, interests, rights, benefits, activities, operations and functions to Tourism and Events NT; and
 - (iii) the management of NTMEC liabilities and other contractual obligations; and
- (b) this Act does not make provision or sufficient provision.
- (3) The regulation may have retrospective operation to a day not earlier than the commencement.
- (4) Despite subsection (3), to the extent to which the regulation has retrospective operation, it does not operate to the disadvantage of a person (other than the Territory or a Territory authority) by:
 - (a) decreasing the person's rights; or
 - (b) imposing liabilities on the person.
- (5) The regulation must state it is made under this section.
- (6) This section, and each regulation made under it, is repealed 1 year after the commencement.

Schedule Repealed Acts

section 32

<i>Northern Territory Tourist Commission Act 1979</i>	Act No. 124 of 1979
<i>Northern Territory Tourist Commission Amendment Act 1982</i>	Act No. 36 of 1982
<i>Northern Territory Tourist Commission Amendment Act 1986</i>	Act No. 31 of 1986
<i>Northern Territory Tourist Commission Amendment Act 1992</i>	Act No. 57 of 1992
<i>Northern Territory Tourist Commission Amendment Act 1994</i>	Act No. 5 of 1994
<i>Northern Territory Tourist Commission Amendment Act (No. 2) 1994</i>	Act No. 64 of 1994
<i>Northern Territory Tourist Commission Amendment Act 1998</i>	Act No. 75 of 1998
<i>Northern Territory Tourist Commission Amendment Act 2000</i>	Act No. 57 of 2000
<i>Northern Territory Tourist Commission Amendment Act 2006</i>	Act No. 4 of 2006

ENDNOTES

1 KEY

Key to abbreviations

amd = amended	od = order
app = appendix	om = omitted
bl = by-law	pt = Part
ch = Chapter	r = regulation/rule
cl = clause	rem = remainder
div = Division	renum = renumbered
exp = expires/expired	rep = repealed
f = forms	s = section
Gaz = <i>Gazette</i>	sch = Schedule
hdg = heading	sdiv = Subdivision
ins = inserted	SL = Subordinate Legislation
lt = long title	sub = substituted
nc = not commenced	

2 LIST OF LEGISLATION

Tourism NT Act 2012 (Act No. 22, 2012)

Assent date	8 November 2012
Commenced	16 November 2012 (<i>Gaz</i> S67, 13 November 2012)

Tourism NT Amendment (Integration of NTMEC) Act 2025 (Act No. 34, 2025)

Assent date	5 December 2025
Commenced	22 December 2025 (<i>Gaz</i> G25, 18 December 2025, p 1)

3 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: ss 3, 12, 27 and 28.

4 LIST OF AMENDMENTS

lt	sub No. 34, 2025, s 4
s 1	amd No. 34, 2025, s 5
s 3	amd No. 34, 2025, s 6
pt 2 hdg	amd No. 34, 2025, s 23
s 5	amd No. 34, 2025, s 7
s 6	sub No. 34, 2025, s 8
s 7	amd No. 34, 2025, s 9
s 8	amd No. 34, 2025, s 10
s 9	amd No. 34, 2025, s 23
s 10	sub No. 34, 2025, s 11
pt 2	
div 3 hdg	sub No. 34, 2025, s 11
s 11	sub No. 34, 2025, s 11
s 12	amd No. 34, 2025, s 12
s 13	amd No. 34, 2025, s 23

pt 2A hdg	ins No. 34, 2025, s 13
pt 2A	
div 1 hdg	ins No. 34, 2025, s 13
s 14	sub No. 34, 2025, s 13
ss 14A – 14B	ins No. 34, 2025, s 13
s 15	amd No. 34, 2025, s 23
s 16	sub No. 34, 2025, s 14
s 17	amd No. 34, 2025, s 15
s 18	amd No. 34, 2025, s 23
pt 2	
div 4 hdg	sub No. 34, 2025, s 16
s 19	amd No. 34, 2025, s 23
s 20	sub No. 34, 2025, s 17
ss 21 – 27	amd No. 34, 2025, s 23
ss 27A – 27B	ins No. 34, 2025, s 18
s 28	amd No. 34, 2025, s 23
s 29	amd No. 34, 2025, s 19
s 30	sub No. 34, 2025, s 20
s 31	amd No. 34, 2025, s 21
pt 5 hdg	exp No. 22, 2012, s 35
	ins No. 34, 2025, s 22
ss 33 – 35	exp No. 22, 2012, s 35
	ins No. 34, 2025, s 22
ss 36 – 37	ins No. 34, 2025, s 22