

NORTHERN TERRITORY OF AUSTRALIA

PUBLIC SECTOR EMPLOYMENT (INTERIM ARRANGEMENTS) ACT

As in force at 1 July 2008

Table of provisions

1	Short title	1
2	Commencement	1
3	Contracts of employment.....	1

Schedule 1

Schedule 2

ENDNOTES

NORTHERN TERRITORY OF AUSTRALIA

This reprint shows the Act as in force at 1 July 2008. Any amendments that commence after that date are not included.

PUBLIC SECTOR EMPLOYMENT (INTERIM ARRANGEMENTS) ACT

An Act to allow for contracts relating to the employment of certain senior officers in positions in Public Sector employment to be entered into, and relating to the effect of those contracts

1 Short title

This Act may be cited as the *Public Sector Employment (Interim Arrangements) Act*.

2 Commencement

This Act shall be deemed to have come into operation on 1 January 1992.

3 Contracts of employment

- (1) Notwithstanding any other law of the Territory but subject to subsection (2), the Territory or relevant statutory corporation may enter into a contract of service (entitled an **Executive Contract of Employment**) with a person for the employment of the person in or in the service of a Service, Force or body corporate specified in Schedule 1 in a position (including as Chief Executive Officer, by whatever name called) having ascribed to it a salary equivalent to or higher than that from time to time applying to a position known as Executive Officer 1 in the Public Service.
- (2) A person shall not be employed under an Executive Contract of Employment in a position having ascribed to it a salary equivalent to or higher than that from time to time applying to a position known as Executive Officer 1 in the Public Service but less than that ascribed to a position known as Executive Officer 2 unless the Chief Executive Officer of the relevant Service, Force or body corporate is of the opinion that, whether or not a person employed in the position is required to have specific professional or specialist skills, the proposed employee has such skills as to warrant his or her appointment under such a contract.

-
- (3) The provisions of the Acts and Regulations specified in Schedule 2 do not apply to or in relation to the employment of a person under an Executive Contract of Employment.
 - (4) Where there is a conflict between a provision of an Executive Contract of Employment and a law of the Territory under or for the purpose of which a party to the Executive Contract of Employment is employed, the provision of the contract prevails and, to the extent of the inconsistency, the law has no effect in relation to that employment.
 - (5) Section 25 of the *Public Service Act* and section 6 of the *Police Administration Act* apply to and in relation to a person employed in the Public Service or the Police Force under an Executive Contract of Employment as if there were added at the end of those sections the words ***or an Executive Contract of Employment***.

Schedule 1

section 3(1)

Aboriginal Areas Protection Authority

Conservation Commission of the Northern Territory

Fire Service of the Northern Territory

Liquor Commission

Museums and Art Galleries Board

Northern Territory Employment and Training Authority

Northern Territory Legal Aid Commission

Northern Territory Teaching Service

Tourism NT

Police Force of the Northern Territory of Australia

Power and Water Authority

Public Service of the Northern Territory

Racing Commission

Trade Development Zone Authority

Work Health Authority

Schedule 2

section 3(3)

Northern Territory Aboriginal Sacred Sites Act

Section 17.

Fire Service Act

Parts IV and VII and sections 8, 9, 11, 20, 22, 46 and 50.

Liquor Act

Sections 7(1)(a), 8, 9, 10 and 11.

Northern Territory Employment and Training Act

Sections 11 and 12.

Legal Aid Act

Section 18(2).

Teaching Service Act

Parts IV and VI and sections 4(3), 5, 6, 7, 8, 14(4) and (5), 18, 20, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 37, 38, 39, 58 and 59.

Tourism NT Act

Section 6F.

Police Administration Act

Parts III, IV and VI and sections 9(1), (3) and (4), 17A and 21.

Public Service Act

Parts VI, VIA, VIB, VII and VIII and sections 27(1), (2), (2A), (2B) and (2C), 28, 29, 30, 31, 32, 33, 34, 35, 36 and 65.

Public Service Regulations

Parts II, III and IV.

Public Employment (Modification of Terms and Conditions of Employment) Act

The whole Act.

Public Employment (Mobility) Act

The whole Act.

Racing Commission Act

Sections 7(2) and (3), 10(2), 11, 12 and 13.

Trade Development Zone Act

Sections 7, 8 and 9.

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**LIST OF LEGISLATION*****Public Sector Employment (Interim Arrangements) Act 1992 (Act No. 31, 1992)***

Assent date 9 June 1992
 Commenced 1 January 1992 (s 2)

Northern Territory Employment and Training Authority (Consequential Amendments) Act 2002 (Act No. 47, 2002)

Assent date 13 September 2002
 Commenced 6 November 2002 (s 2, s 2 *Northern Territory Employment and Training Authority Amendment Act 2002* (Act No. 46, 2002) and Gaz G44, 6 November 2002, p 2)

Northern Territory Tourist Commission Amendment Act 2006 (Act No. 4, 2006)

Assent date 8 March 2006
 Commenced 12 April 2006 (Gaz G15, 12 April 2006, p 2)

Law Reform (Work Health) Amendment Act 2007 (Act No. 30, 2007)

Assent date 12 December 2007
 Commenced 1 July 2008 (Gaz S29, 25 June 2008)

3**LIST OF AMENDMENTS**

sch 1 amd No. 4, 2006, s 22
 sch 2 amd No. 47, 2002, s 5; No. 4, 2006, s 22; No. 30, 2007, s 59