

NORTHERN TERRITORY OF AUSTRALIA
POWER AND WATER AUTHORITY AMENDMENT ACT 1994

No. 6 of 1994

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SCHEDULE



NORTHERN TERRITORY OF AUSTRALIA

No. 6 of 1994

AN ACT

to amend the *Power and Water Authority Act*
and the *Electricity Act*

[Assented to 16 March 1994]

BE it enacted by the Legislative Assembly of the Northern Territory of Australia, with the assent as provided by the *Northern Territory (Self-Government) Act 1978* of the Commonwealth, as follows:

1. SHORT TITLE

This Act may be cited as the *Power and Water Authority Amendment Act 1994*.

2. COMMENCEMENT

This Act shall come into operation on a date to be fixed by the Administrator by notice in the *Gazette*.

3. PRINCIPAL ACT

The *Power and Water Authority Act* is in this Act referred to as the Principal Act.

4. DEFINITIONS

Section 3 of the Principal Act is amended by inserting before the definition of "Authority" the following:

"'Advisory Council' means the Power and Water Authority Advisory Council established by section 7;".

Power and Water Authority Amendment

5. REPEAL AND SUBSTITUTION

Sections 5 to 10 (both inclusive) of the Principal Act are repealed and the following substituted:

"5. COMPOSITION OF AUTHORITY

"The Authority shall consist of the Chief Executive Officer.

"6. CHIEF EXECUTIVE OFFICER

"(1) The powers and functions of the Authority under this or any other Act shall be exercised and performed by the Chief Executive Officer.

"(2) Any act, matter or thing done in the name of, or on behalf of, the Authority under this or any other Act by the Chief Executive Officer, or with the authority of the Chief Executive Officer, shall be deemed to be have been done by the Authority.

"(3) The Regulations may make provision for the use of the common seal of the Authority or a facsimile of the common seal in the Territory or elsewhere and, where the use is so prescribed, the common seal shall be used in accordance with those Regulations.

"PART IIA - POWER AND WATER
AUTHORITY ADVISORY COUNCIL

"7. ADVISORY COUNCIL

"(1) There is hereby established the Power and Water Authority Advisory Council.

"(2) The Advisory Council shall consist of -

- (a) the Chief Executive Officer or an employee of the Authority nominated in writing by the Chief Executive Officer; and
- (b) 6 members appointed by the Minister who, in the opinion of the Minister, represent community or commercial interests in the Territory.

"8. TERMS OF APPOINTMENT

"(1) Subject to this section, a member appointed under section 7(2)(b) holds office until the expiration of such period, not exceeding 2 years, as is specified in the instrument of appointment, but is eligible for re-appointment.

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"(2) Where a period of appointment is not specified in the instrument of appointment of a member appointed under section 7(2)(b), the member holds office, subject to this section, for 2 years.

"(3) Notwithstanding subsections (1) and (2), a member appointed under section 7(2)(b), unless the member sooner vacates the office or is removed from office under this section, shall continue in office until a successor is appointed.

"(4) The Minister may, at any time, terminate the appointment of a member appointed under section 7(2)(b).

"(5) A member appointed under section 7(2)(b) may resign the office by writing delivered to the Minister.

"(6) Payments of remuneration, allowances and expenses to a member appointed under section 7(2)(b) shall, unless otherwise determined by the Treasurer, be made from the revenue of the Authority.

"9. MEETINGS OF ADVISORY COUNCIL

"(1) The Chief Executive Officer may convene meetings of the Advisory Council and shall convene a meeting whenever directed to do so by the Minister.

"(2) At a meeting of the Advisory Council the Chief Executive Officer, or the employee nominated by the Chief Executive Officer, and 3 other members constitute a quorum.

"(3) The Chief Executive Officer, or, in his or her absence, the employee nominated by the Chief Executive Officer, shall preside at all meetings of the Advisory Council.

"(4) To the extent that they are not prescribed, the proceedings of the Advisory Council shall be as determined by the Advisory Council.

"10. FUNCTIONS OF ADVISORY COUNCIL

"Without affecting the functions conferred or imposed on the Authority by this or any other Act, the functions of the Advisory Council are to advise the Minister on all matters concerning electricity and water and the provision of sewerage services."

6. FURTHER AMENDMENTS

The Principal Act is further amended as specified in the Schedule.

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7. AMENDMENT OF *ELECTRICITY ACT*

Section 3 of the *Electricity Act* is amended by omitting the definition of "Chairman".

SCHEDULE

Section 6

Provision	Amendment	
	omit	substitute
Section 3 - definition of "member"	"Authority other than"	"Advisory Council and includes"
Section 11	"Authority" (wherever occurring)	"Advisory Council"
Section 11(1)	"(including the Chairman)"	
Section 11(2)	"Chairman"	"Chief Executive Officer"
Section 12	"the Chairman or another"	"a member"
	"their capacity as Chairman or"	"his or her capacity as a"
Section 13	"the Chairman, a member,"	
Section 22	"Chairman"	"Chief Executive Officer"
Section 23(b)	"Authority;"	"Authority; or"
Section 23(c)	"Authority;"	"Authority."
Section 23(d)	whole paragraph	
