



NORTHERN TERRITORY OF AUSTRALIA

No. 31 of 1992

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

[Assented to 9 June 1992]

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 *Public Sector Employment (Interim Arrangements) Act 1992*.

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

Public Sector Employment (Interim Arrangements)

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
Northern Territory Tourist Commission
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

Public Sector Employment (Interim Arrangements)

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 Authority 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.

Northern Territory Tourist Commission Act

Section 21.

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 Sector Employment (Interim Arrangements)

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.

Work Health Act

Section 8(2), (3) and (4).
