

Serial 222
Parks and Wildlife Commission Amendment Bill 2004
Dr Burns

**A BILL
for
AN ACT**

to amend the *Parks and Wildlife Commission Act*



NORTHERN TERRITORY OF AUSTRALIA
PARKS AND WILDLIFE COMMISSION AMENDMENT ACT 2004

No. of 2004

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NORTHERN TERRITORY OF AUSTRALIA

No. of 2004

AN ACT

to amend the *Parks and Wildlife Commission Act*

[Assented to 2004]

[Second reading 2004]

The Legislative Assembly of the Northern Territory enacts as follows:

1. Short title

This Act may be cited as the *Parks and Wildlife Commission Amendment Act 2004*.

2. Principal Act

The *Parks and Wildlife Commission Act* is in this Act referred to as the Principal Act.

3. Definitions

Section 3 of the Principal Act is amended –

- (a) by omitting the definition of "appointed member" and substituting the following:

" 'Chief Executive Officer' means the Chief Executive Officer, within the meaning of the *Public Sector Employment and Management Act*, of the Agency administering this Act;";

- (b) by omitting "appointed under or as provided in" from the definition of "Director" and substituting "holding office under"; and

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- (c) by omitting the definition of "member".

4. Director

Section 4 of the Principal Act is amended –

- (a) by omitting subsections (1) and (2) and substituting the following:

"(1) The Director of Parks and Wildlife is –

- (a) the Chief Executive Officer; or
(b) the person appointed under subsection (2).

"(2) The Minister may appoint a person to be the Director of Parks and Wildlife.";

- (b) by omitting from subsection (4) "the Director" and substituting "a person appointed as Director under subsection (2)"; and

- (c) by inserting after subsection (4) the following:

"(5) A person appointed as Director under subsection (2) is subject to the direction of the Commission when exercising his or her powers or performing of his or her functions."

5. Repeal of section 8

Section 8 of the Principal Act is repealed.

6. Repeal and substitution of section 10

Section 10 of the Principal Act is repealed and the following substituted:

"10. Membership of Commission

"(1) The Commission consists of the Chief Executive Officer.

"(2) The establishment of the Commission is not affected by reason of a vacancy in the office of the Chief Executive Officer."

7. Repeal of sections 12 to 18

Sections 12 to 18 (inclusive) of the Principal Act are repealed.

8. Delegation by Commission

Section 23 of the Principal Act is amended by omitting subsection (1) and substituting the following:

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"(1) The Commission may, in writing, delegate to a person who is an employee, within the meaning of the *Public Sector Employment and Management Act*, any of the Commission's powers and functions under this or any other Act, other than this power of delegation."

9. Repeal and substitution of section 41

Section 41 of the Principal Act is repealed and the following substituted:

"41. Advisory council

"(1) The Minister must establish a council to advise the Commission on matters concerning the management of parks and wildlife.

"(2) The members of the council must be appointed by the Minister and must be persons who have an interest or expertise and knowledge in matters relating to the environment and the management and conservation of natural resources."

