

NORTHERN TERRITORY OF AUSTRALIA

GUARDIANSHIP OF ADULTS REGULATIONS

Subordinate Legislation No. 36 of 2016

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NORTHERN TERRITORY OF AUSTRALIA

Subordinate Legislation No. 36 of 2016*

Guardianship of Adults Regulations

I, John Laurence Hardy, Administrator of the Northern Territory of Australia, acting with the advice of the Executive Council, make the following regulations under the *Guardianship of Adults Act*.

Dated 21 July 2016

J. L. HARDY
Administrator

By His Honour's Command

J. W. ELFERINK
Minister for Health

* Notified in the *Northern Territory Government Gazette* on 27 July 2016.

1 Citation

These Regulations may be cited as the *Guardianship of Adults Regulations*.

2 Commencement

These Regulations commence on the commencement of the *Guardianship of Adults Act 2016*.

3 Restricted health care

For section 8(1)(e) of the Act, each of the following is restricted health care:

- (a) new health care of a kind that is not yet accepted as evidence-based, best practice health care by a substantial number of health care providers specialising in the relevant area of health care;
- (b) electroconvulsive therapy.

4 Record keeping requirements

- (1) For section 28(1)(b) of the Act, a guardian must, at all times while the guardian has authority for financial matters, keep complete and up-to-date records of the represented adult's assets and liabilities.
- (2) The records must include:
 - (a) sufficient information to identify each of the represented adult's assets and liabilities; and
 - (b) for each asset and liability, information related to:
 - (i) all dealings and transactions with the asset or liability; and
 - (ii) the condition and management of the asset or liability; and
 - (c) any other information reasonably necessary to demonstrate that decisions in relation to the represented adult's financial matters are being made in accordance with the Act.

5 Asset management planning

For section 32(2)(a) of the Act, an asset management plan must be in a form approved by the Tribunal.

6 Interstate orders

- (1) For section 53 of the Act, definition ***corresponding law***, each law listed in the Schedule is a corresponding law.
- (2) For section 53 of the Act, definition ***interstate order***, each order listed in the Schedule opposite a corresponding law is an interstate order.

Schedule Corresponding Laws and interstate orders

regulation 6(1) and (2)

Jurisdiction	Corresponding law	Interstate order
Australian Capital Territory	<i>Guardianship and Management of Property Act 1991</i>	An order made under section 7(2), 8(2), 8AA(4) or 67(1) of the corresponding law
New South Wales	<i>Guardianship Act 1987</i>	A guardianship order or financial management order made under the corresponding law
Queensland	<i>Guardianship and Administration Act 2000</i>	An order made under section 12, 13 or 129 of the corresponding law
South Australia	<i>Guardianship and Administration Act 1993</i>	An administration order or guardianship order made under the corresponding law
Tasmania	<i>Guardianship and Administration Act 1995</i>	An administration order or guardianship order made under the corresponding law
Victoria	<i>Guardianship and Administration Act 1986</i>	An administration order or guardianship order made under the corresponding law
Western Australia	<i>Guardianship and Administration Act 1990</i>	An administration order or guardianship order made under the corresponding law
