

NORTHERN TERRITORY OF AUSTRALIA

SURVEILLANCE DEVICES REGULATIONS

Subordinate Legislation No. 2 of 2008

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Surveillance Devices Regulations

I, THOMAS IAN PAULING, the Administrator of the Northern Territory of Australia, acting with the advice of the Executive Council, make the following regulations under the *Surveillance Devices Act*.

Dated 22 February 2008.

T. I. PAULING
Administrator

By His Honour's Command

C. B. BURNS
Minister for Justice and Attorney-General

* Notified in the *Northern Territory Government Gazette* on 5 March 2008.

1 Citation

These Regulations may be cited as the *Surveillance Devices Regulations*.

2 When tracking device may be installed, used or maintained

For section 13(2)(d) of the Act, a person may install, use or maintain a tracking device in the following circumstances:

- (a) in accordance with the directions of the person in charge of an emergency or search and rescue operation to search for a person or thing during the operation;
- (b) in accordance with the directions of the person in charge of a hospital or nursing home (the **manager**) to monitor the location of a patient if:
 - (i) the patient is under a legal obligation to stay in the hospital or nursing home and the manager reasonably believes the patient is likely to try to leave; or
 - (ii) the manager reasonably believes the patient is likely, because of illness, lack of awareness or other incapacity, to leave the hospital or nursing home without proper regard to his or her health or safety; or
 - (iii) if the manager reasonably believes the patient is likely to be unlawfully taken from the hospital or nursing home;
- (c) in accordance with the directions of the Director of Correctional Services or person in charge of a prison, to monitor the activities and location of a prisoner in the prison;
- (d) in accordance with a home detention order under the *Sentencing Act* or alternative detention order under the *Youth Justice Act*, to monitor the activities and location of the person for whom the order is in force;
- (e) to monitor the location of an animal or thing the subject of a research project.