



NORTHERN TERRITORY OF AUSTRALIA

Regulations 2001, No. 19*

Regulations under the *Surveillance Devices Act*

I, JOHN CHRISTOPHER ANICTOMATIS, 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 5 March 2001.

J. C. ANICTOMATIS
Administrator

By His Honour's Command

T. BALDWIN
Minister for Industries and Business
acting for and on behalf of the
Attorney-General

* Notified in the *Northern Territory Government Gazette* on 14 March 2001.

SURVEILLANCE DEVICES REGULATIONS

1. Citation

These Regulations may be cited as the Surveillance Devices Regulations.

2. Prescribed authority

The Australian Federal Police is a prescribed authority.

3. Circumstances in which tracking device may be attached, installed etc.

(1) In this regulation, "vulnerable patient" means a patient of a hospital or nursing home who, in the opinion of the person in charge of the hospital or nursing home –

- (a) is likely (due to illness, lack of awareness or other incapacity) to leave the hospital or nursing home without having due regard to his or her health or safety;
- (b) is under a legal obligation to remain in the hospital or nursing home and is likely to attempt to leave; or
- (c) is likely to be taken away from the hospital or nursing home without the consent of the patient or the person in charge.

(2) For the purposes of section 6(c)(iv) of the Act, the following circumstances are prescribed circumstances in which a person may attach, install, use, maintain or retrieve a tracking device:

- (a) where the tracking device will be, is being or has been used, in accordance with the directions of the person who is in command of an emergency or search and rescue operation, to search during the emergency or search and rescue operation for a person or object;
- (b) where the tracking device will be, is being or has been used, in accordance with the directions of the person in charge of the hospital or nursing home where a vulnerable patient has been admitted, to monitor the location of the vulnerable patient;
- (c) where the tracking device will be, is being or has been used, in accordance with the directions of the Director of Correctional Services or the person in charge of a prison, to monitor the activities and location of a prisoner in the prison;

Surveillance Devices Regulations

- (d) where the tracking device will be, is being or has been used, in accordance with the terms and conditions of a home detention order within the meaning of the *Sentencing Act*, to monitor the activities and location of the person in respect of whom the home detention order is in force;
 - (e) for the purposes of a research project to monitor the location of an object or animal the subject of the research project.
-
-

