

TREASURY REGULATIONS

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Regulations under the *Financial Administration and Audit Ordinance*

I, JOHN ARMSTRONG ENGLAND, the Administrator of the Northern Territory of Australia, having received the advice of the Executive Council, hereby make the following Regulations under the *Financial Administration and Audit Ordinance*.

Dated this thirtieth day of June, 1978.

J. A. ENGLAND
Administrator

TREASURY REGULATIONS

PART I—PRELIMINARY

1. These Regulations may be cited as the Treasury Regulations.

Citation

2. In these Regulations, unless the contrary intention appears—

Interpret-
ation

“advance” includes a loan but does not include payments made in advance to an employee in respect of—

- (a) the salary of that employee;
- (b) the wage of that employee; or
- (c) deposits and progress payments in the normal course of business under the terms of any written contract under Part III;

“external advance” means an advance other than an internal advance;

“internal advance” means an advance for any administrative purpose to a person who is—

- (a) a member of the Legislative Assembly;
- (b) an employee;
- (c) a statutory corporation; or
- (d) a person providing services under an agency agreement with the Northern Territory,

but does not include an advance for a private purpose that is authorized by a law of the Territory and that is not an approved condition of service;

“order” means an order issued under regulation 13;

“supplies” means supplies that are to be executed, furnished or performed for or by the Territory, and includes works, stores and services that are so executed, furnished or performed;

“Treasurer’s Directions” means directions given by the Treasurer under the Ordinance.

*Notified in the *Northern Territory Government Gazette* on 30 June, 1978

PART II—ADVANCES

*Division 1—Internal Advances*Internal
advances

3. Internal advances shall be made, recorded, used, reviewed, adjusted and acquitted in accordance with the Treasurer's Directions.

*Division 2—External Advances*External advances
to be made only
in certain
circumstances

4. (1) An external advance shall not be made unless—
 (a) it is authorized or permitted by a law of the Territory; or
 (b) it is approved by the Treasurer.
 (2) The Treasurer may approve, under sub-regulation (1) (b), a particular advance or a class of advances.

Terms and
conditions of
external advances

5. The terms and conditions of an external advance shall be—
 (a) in accordance with the terms and conditions specified in the law authorizing or permitting the advance; or
 (b) where there are no terms and conditions so specified, in accordance with terms and conditions determined by the Treasurer.

Accountable
officer to
approve and
record external
advances

6. (1) No external advance shall be made unless the accountable officer has approved the advance in writing.
 (2) An external advance shall be charged to the head of expenditure under which provision is made for the service for which the advance is made.
 (3) The accountable officer shall cause a record of external advances to be kept.
 (4) The accountable officer shall review the record of external advance to ensure that—
 (a) external advances are properly repaid or acquitted by the due date; and
 (b) the need for each outstanding external advance is confirmed by the accountable officer at least once in each 3 month period or such longer period not exceeding 6 months as may be approved by the Treasurer.
 (5) An approval under sub-regulation (4) (b) may be given in respect of a particular advance or a class of advances.

External
advances to be
duly acquitted

7. Unless otherwise provided in a law of the Territory, the person to whom an external advance is made shall—
 (a) when requested by the accountable officer or when the total advance is expended, furnish vouchers to the accountable officer in respect of so much of the advance as is used;
 (b) repay to the Territory so much of the advance as is not used in accordance with the terms and conditions of the advance; and
 (c) adjust the advance on the date specified for adjustment in the terms and conditions of the advance, or where no such date is specified, within 14 days, or such further period as the Treasurer approves, of the date on which the service for which the advance is made is completed.

PART III—CONTRACTS

Requisitions for
supplies

8. (1) A person shall, except as directed by the Treasurer, requisition for supplies for the Territory on a form specified in the Treasurer's Directions.

(2) A requisition under sub-regulation (1) shall be approved by the accountable officer.

(3) Before an accountable officer approves a requisition under sub-regulation (2), the requisition shall be endorsed as to the availability of those supplies under an existing contract.

9. (1) Subject to this Part, where the sum to be expended in an order for supplies is in excess of \$200, the accountable officer shall obtain quotations from at least 3 representative suppliers.

Quotations
required in
certain
circumstances

(2) Where it is not practicable, in the opinion of the accountable officer, or a person authorized by him to approve a requisition under regulation 8 (2), to obtain quotations from 3 suppliers, the accountable officer may, for the purposes of sub-regulation (1), obtain such less number of quotations as is practicable and shall record in writing on his departmental papers the reason for not obtaining 3 quotations.

(3) Where the estimated cost of supplies to be provided is \$500 or less, the accountable officer may obtain oral quotations for the purposes of sub-regulation (1).

(4) The accountable officer shall record full details of any oral quotation received under sub-regulation (3) in writing on his departmental papers.

(5) The accountable officer shall obtain quotations in writing for the purposes of this regulation where the estimated expenditure exceeds \$500.

(6) Where the accountable officer refers a matter to a tender board under this Part, he shall not be required to obtain quotations.

10. (1) Subject to this Part, where the amount to be expended in an order for supplies is in excess of \$10,000 the subject of the order shall be submitted to a tender board for the invitation of public tenders.

Tenders required
in certain
circumstances

(2) A tender board referred to in sub-regulation (1) shall be established by the Treasurer and shall consist of at least 3 people.

(3) A tender board establishment under this regulation shall carry out its functions independently but tenders shall be processed in accordance with the Treasurer's Directions.

11. (1) Where supplies are available to the Territory under an existing contract to which the Territory is a party, the supplies shall be obtained under the existing contract.

Existing contracts

(2) Where supplies are available to the Territory under an existing contract between a supplier and the Commonwealth, a State or another Territory, quotations or tenders shall not be required unless the accountable officer so directs.

12. (1) Where the Treasurer is satisfied that it is inexpedient to call for quotations or for tenders, he may, in writing, dispense with the calling for quotations or tenders under this Part.

Certificate of
inexpediency

(2) The Treasurer may dispense with the calling for quotations or tenders for particular supplies or for a class of supplies.

13. All supplies ordered by the Territory shall be on an order form that is—

Order forms

- (a) specified in the Treasurer's Directions;
- (b) signed by the accountable officer; and
- (c) contains details of the supplies set out in the requisition made under regulation 8.

Details of certain contracts to be published

14. (1) Subject to this regulation, where the amount to be expended under a contract for supplies is in excess of \$2,000 the accountable officer shall cause details of the contract to be published in the *Gazette*.

(2) Publication under sub-regulation (1) shall not be made where—

- (a) the supplies are provided by the Territory, the Commonwealth, a State or another Territory;
- (b) the supplies are obtained under an existing contract; or
- (c) publication of the details is, in the opinion of the Treasurer, contrary to the public interest.

(3) The Treasurer may authorize the disclosure of such details of a tender offered to the Territory for supplies to such persons and upon such conditions as the Treasurer thinks fit.

PART IV—RECEIPTS

Receipt of Territory moneys

15. (1) Subject to sub-regulation (2) where a person receives Territory moneys he shall record the receipt of the moneys on a printed receipt in a form approved by the Treasurer.

(2) The Treasurer may approve a method for recording the receipt of Territory moneys other than the method referred to in sub-regulation (1).

PART V—ACCOUNTABLE FORMS

Definition

16. In this Part “accountable forms” include—

- (a) receipt forms;
- (b) licence forms;
- (c) tax or duty stamps required under any law of the Territory;
- (d) cheque forms;
- (e) bonds, bills or other form of security issued by the Territory in respect of borrowings by the Territory or a prescribed statutory corporation;
- (f) travel and freight warrants; and
- (g) field purchase orders.

Accountable forms to be requisitioned from the Government Printer

17. (1) Subject to sub-regulation (2), a person shall requisition all accountable forms from the Government Printer.

(2) The Treasurer may authorize an accountable officer to obtain cheque forms from a bank where an official bank account has been established for a department.

(3) The Government Printer may authorize another person to print accountable forms on his behalf.

(4) The Government Printer, a person authorized under sub-regulation (3) and a bank supplying cheque forms under sub-regulation (2) shall furnish to the Auditor-General details of all accountable forms supplied by each of them.

PART VI—STATUTORY CORPORATIONS

Prescribed statutory corporations

18. The statutory corporations set out in Schedule 1 are prescribed statutory corporations for the purposes of section 3 of the Ordinance.

19. The statutory corporations set out in Schedule 2 are statutory corporations excluded for the purposes of the definition of "statutory corporation" in section 3 of the Ordinance. Excluded
statutory
corporations

20. (1) Subject to this regulation, the statutory corporations set out in Schedule 3 are subject to sub-regulation (2), prescribed statutory corporations authorized to invest for the purposes of section 62 of the Ordinance. Corporations
authorized to
invest

(2) The authorization made by sub-regulation (1) for the Museums and Art Galleries Board is limited to —

- (a) moneys required to be invested under a trust deed established for the Museums and Art Galleries Board superannuation scheme; and
- (b) moneys received by the Museums and Art Galleries Board as an endowment, bequest or legacy.

(3) The authorization made by sub-regulation (1) for the Housing Commission is limited to the re-investment of the moneys invested by the Housing Commission at 30 June 1978 being moneys received by the Commission as home purchase insurance following the cyclone of 1974.

SCHEDULE 1

Regulation 18

PRESCRIBED STATUTORY CORPORATIONS

The Northern Territory Development Corporation
 The Northern Territory Electricity Commission
 The Housing Commission
 The Northern Territory Port Authority
 The Northern Territory Tourist Board
 The Territory Parks and Wildlife Commission
 The Museums and Art Galleries Board

SCHEDULE 2

Regulation 19

EXCLUDED STATUTORY CORPORATIONS

The Anglican Church of Australia
 The National Trust of Australia (Northern Territory)
 The Salvation Army (Northern Territory) Property Trust
 The Uniting Church in Australia Property Trust (Northern Territory)
 Bagot's Executor and Trustee Company Limited
 Elder's Trustee and Executor Company Limited
 Executor, Trustee, and Agency Company of South Australia, Limited

SCHEDULE 3

Regulation 20

The Northern Territory Electricity Commission
 The Museums and Art Galleries Board
 The Housing Commission
