



NORTHERN TERRITORY OF AUSTRALIA

REMUNERATION TRIBUNAL

REPORT

AND

RECOMMENDATION No. 1 of 2002

MAGISTRATES OF THE NORTHERN TERRITORY

REMUNERATION TRIBUNAL

**REPORT - MAGISTRATES OF THE  
NORTHERN TERRITORY**

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REPORT

MAGISTRATES OF THE NORTHERN TERRITORY

**INTRODUCTION**

1. The remuneration and allowances paid to Magistrates is a matter for determination by the Administrator from time to time under section 6 of the *Magistrates Act*.
2. The Tribunal is established by section 6(1) of the *Remuneration Tribunal Act*. Section 10(1) of that Act enables the Administrator to request the Tribunal to inquire into and report with recommendations on the remuneration and allowances to be paid to a person or class of persons, as well as other entitlements to be granted for their services. Tribunal reports are required to be tabled in the Legislative Assembly within 6 sitting days next following their receipt by the Administrator.
3. On 31 July 1981 the Administrator issued a formal Notice of Request to the Tribunal, specifying Magistrates as a class of persons to come within these arrangements and requesting the Tribunal to undertake its duties in this regard “from time to time”.
4. Within this standing authority, each inquiry and report sequence of Tribunal activity has been initiated on the written request of the Chief Minister of the Northern Territory.
5. The last inquiry was completed on 4 March 2001. On 12 December 2001 the Administrator made a Determination basically in accordance with all the Tribunal’s recommendations but rejecting recommendations in respect of:
  - housing for the Magistrate required to be resident in Katherine; and
  - inclusion of a nexus provision with Commonwealth judiciary travelling allowance rates.

6. The Chief Minister initiated the current sequence by letter to the Tribunal dated 29 November 2001, requesting that the inquiry commence on 1 December 2001.
7. The Tribunal has completed the inquiry and this report and recommendation completes the review.

### **CONDUCT OF THE REVIEW**

8. The Magistrates and relevant departmental officers were made aware of the review by letter dated 14 December 2001.
9. The Tribunal received and considered the following submissions from Magistrates:
  - (i.) A single page submission dated 1 February 2002 on behalf of all Magistrates, except the Chief Magistrate Mr Bradley and Coroner Mr Cavanagh, covering the quantum of remuneration increase and a claim for an extra week of annual recreation leave.
  - (ii.) A submission from Mr A McGregor SM dated 4 March 2002 covering temperate clothing allowance and purchasing allocated vehicles upon retirement.
  - (iii.) A submission from Mr H Bradley CM dated 6 March 2002 covering motor vehicles and productivity measurement.
  - (iv.) A submission from Mr M Ward SM dated 8 March 2002 that the motor vehicle entitlement is better reviewed within the whole package of entitlements next year, and questioning the power of the tribunal to inquire and report on entitlements as distinct from Remuneration and Allowances.
  - (v.) A submission from Mr J Lowndes SM dated 8 March 2002 covering the scope of the entitlement to a motor vehicle and the possible lack of capacity by the Tribunal to review this, and the difficulties in courts productivity assessment.
  - (vi.) An undated submission from Mr D Trigg covering procedural issues, motor vehicles and productivity relevance.
10. On 28 February 2002 the Northern Territory Government provided the Tribunal with a submission through the Department of Justice. This submission was made without the benefit of the original submission by and

on behalf of Magistrates referred to above. A subsequent submission, responding to the Magistrates, was received from the Department of Justice on 6 March 2002.

11. Over the period 4 to 8 March 2002 the Tribunal met in Darwin with the Chief Executive Department of Justice, the Executive Director Courts Administration, the Commissioner for Public Employment, the Chief Magistrate, with Mr Gilles SM who spoke to the joint Magistrate submission, and received a call from Mr Cavanagh SM. Each of these people provided the Tribunal with notice of recent developments as well as explanation and amplification of material already before the Tribunal and their own views.
12. On 11 March 2002 the Tribunal circulated a draft of the proposed wording of a recommendation as to the motor vehicle entitlement. Magistrates and Government responses were carefully considered.
13. General information on comparative wage costs and the Consumer Price Index was obtained. Detailed information concerning salaries, allowances and entitlements of holders of judicial offices in other jurisdictions in Australia was obtained by the Tribunal.

#### **GENERAL DEVELOPMENTS**

14. Aggregate productivity increases in the workforce have continued to drive average earnings ahead of the Consumer Price Index (CPI) over recent years. The effects of the introduction of the Goods and Services Tax on 1 July 2000 are of less relevance than they were during the last review.
15. In the year to the end of September 2001 the Wage Cost Index (WCI) and the CPI moved as follows:

	WCI	CPI
NT/Darwin	2.8%	1.5%
Australia	3.6%	2.5%

16. Executive Contract Officers in the Northern Territory Public Service received an increase of 3%, effective from 31 August 2001.
17. Following the annual review of judicial and related offices by the Commonwealth Remuneration Tribunal, and subject to non-disallowance by Parliament, that Tribunal determined a salary increase of 4% for Judges of the Federal Court of Australia effective from 1 October 2001. This increase

will flow to the Judges of the Supreme Court of the Northern Territory, effective from the same date.

18. Increases in salary granted to Magistrates in other Australian jurisdictions within the last twelve months were:

New South Wales	One year to 1/10/01	5.2%
Victoria	16 months to 1/05/01	5.1%
Tasmania	One year to 1/07/01	4.5%
South Australia	One year to 1/11/01	5.3%
Western Australia	13 months to 1/1/02	4.0%
ACT	One year to 1/11/01	3.5%

19. The relatively high rate of increase in the States determining salaries during 2001 is a reflection of the 4.6% Commonwealth judicial increase in October 2000, as well as timing and local issues. State and Territory Tribunals made note of changes to responsibilities, executive salary movements, differentials applying in their own jurisdictions, and of relativities with other jurisdictions.

### **REVIEW - SALARY**

20. The Tribunal is required to weigh the justification for any change to Magistrates' remuneration by the exercise of independent judgement based on evidence received and obtained covering such things as jurisdiction, special work characteristics, entitlement trade-offs, comparative data, local wage movements, local economic circumstances, and relative productivity. Judges' remuneration is increased annually after the weighing of national, not local, indicators by the Commonwealth Remuneration Tribunal. Consequently, whilst the Tribunal may recognize any increase in Judges' remuneration as a starting point in its considerations for each inquiry cycle, there can be no nexus between Magistrates and Judges remuneration in the Territory. The difficulties inherent in this situation have been discussed in previous reports.
21. In its last report the Tribunal made the point that productivity gains or otherwise within the judiciary, ie by Judges and Magistrates here and elsewhere, have to be considered in deciding the weight to be given to increases in remuneration in the context of possible flow-on application. It also said that it would need some explanation both of absolute productivity gains and relative productivity gains in subsequent inquiries. The Tribunal has made the same point in respect of relative changes in jurisdiction.

22. These remarks have not been interpreted as they were intended. The Government submission anticipated that future salary increments for Magistrates would be based on objective qualitative data provided by Magistrates. Several submissions from Magistrates questioned whether quantitative measurement of output of the judiciary is either possible or relevant.
23. The Tribunal accepts that productivity of the court is difficult if not impossible to measure through quantitative indicators alone. Also, other factors, such as available technology, communications efficiency and information access, transport timeliness, and court reporting adequacy, all impact on productivity but are largely related to resource application. However, some quantitative assessment has to be made by reference to outputs and outcomes of the court process from time to time. For example, at what moment is the appointment of an extra Magistrate justified?
24. The Tribunal does not inquire into the performance of individual Magistrates. Nor is it intent on recommending any form of individual performance related remuneration. Assessment of productivity of the court is relevant in both a longitudinal and inter-jurisdictional remuneration setting sense. Because productivity may be sensitive to resource application (including, arguably, the number of Magistrates available) this assessment cannot be made without material being made available to the Tribunal both by the court and by those responsible for the provision of resources.
25. Following from the Tribunal's last recommendation, Magistrates in the Territory received the same increase in salary as Judges in the year 2000, i.e. 4.6%. One of the reasons that the Tribunal retained the relationship was that average weekly earning in the Territory for that year rose by the same percentage as they did, on average, across Australia, and no changes in responsibility levels or relative productivity occurred. In the year of this review, however, the 4% salary increase for Judges applies in circumstances where wage costs in the Territory grew by point eight of a percentage point below the Australian average growth rate (paragraph 15 above). As above, no reported relative productivity changes happened within the judiciary. In the same year contract officers in the Public Sector were granted an increase of 3% in their packages. Since then the Government has been taking steps to raise further revenue and curb spending due to severe adverse fiscal circumstances that have emerged.
26. Though it has regard for the Australia-wide judicial framework in general, and the Northern Territory Judges position in particular, the Tribunal must recommend salary levels in the Territory context. Having considered all of the available information, and with the benefit of the submissions and discussions already noted, the Tribunal recommends that the base salary payable to a

Magistrate be increased by 3.2% from 1 December 2001, the date of commencement of this inquiry.

27. A table of comparative salaries is included as Attachment A to this report.

## **REVIEW - ALLOWANCES**

### **Temperate Clothing Allowance**

28. Magistrates are entitled to be paid a “Temperate Clothing Allowance” in defined circumstances. This allowance is applicable through the public sector reference provision in the current Magistrates Determination. The existence of the allowance is a legacy of the need to grant assistance to Commonwealth officers on long term posting to Darwin within their Departments before Northern Territory self-government so they could afford to buy warm clothing when travelling to cold areas. Reportedly, the entitlement became quite unimportant for senior executives, most of whom have such clothing in any event, and few ever claimed it. For this reason it has not been negotiated into the contracts of employment of senior Territory public servants.
29. As stated in its previous report, the Tribunal is keen to see these sorts of allowances consolidated into the Determination, or negotiated into other package elements, rather than imported by reference. The Government submits that the allowance should not be available to Magistrates at all.
30. Both the Chief Executive Officer of the Office of Courts Administration and the Chief Magistrate are keen to identify primary and residual Magistrates entitlement linkages into the public sector conditions, with the aim of agreeing on a free standing set of conditions for inclusion in the next Determination. The Tribunal expects that Temperate Clothing Allowance will be considered in that broader context.

### **Travel**

31. No submissions were received in respect of travel allowance and no change to the Determination is proposed by the Tribunal.

## **REVIEW - OTHER ENTITLEMENTS**

### **Recreation Leave**

32. Magistrates have submitted a claim for an extra week's annual leave in the same terms as the case made to and rejected by the Tribunal last year. Extra supporting material foreshadowed in their submission has not been forthcoming. The Tribunal does not recommend any change to the entitlement to leave.

### **Motor Vehicles**

33. The Government has asked the Tribunal to clarify the entitlement of Magistrates to a motor vehicle. One Magistrate has asked that a right to purchase the vehicle on allocation to him upon his retirement is not precluded by such clarification.
34. The current Determination provides:

“a Stipendiary Magistrate is entitled to be provided with a motor vehicle with incognito number plates for his or her official and reasonable private use (which may be garaged at the residence of the Stipendiary Magistrate while not being used)”

35. Magistrates were not provided with a vehicle before 1989.
36. In 1984 the Tribunal received several submissions about the provision of a motor vehicle. One argued that a car should be provided in lieu of an expected CPI related salary increase, the other that it should be provided in addition to any monetary increase. In its report the Tribunal said:

“The case for the provision of cars to Magistrates was argued on the basis of the out of hours work required of Magistrates in attending the Watchhouse at Darwin or Casuarina, or on coronial matters, and on “peer” comparison with many other public servants...”

The Tribunal rejected the approaches, maintaining that necessary means of official travel was a management decision and should be considered by management in terms of official car availability, taxis, or mileage allowance in consultation with the Magistrates concerned at the time.

37. The Magistrates raised the issue again during the 1989 Tribunal inquiry. On this occasion a submission said:

“magistrates are often required to attend after hours bail applications. They are often required to attend at the hospital for applications under the Mental Health Act. Magistrates are not compensated for out of hours duties nor, as far as I can ascertain, do any claim mileage even though they may be entitled to do so. Magistrates believe they should have suitable vehicles with private plates for use under the same terms and conditions as Judges.”

The 1989 inquiry was conducted against the background of difficulties being experienced at that time in the recruitment of suitable persons to be appointed as Magistrates. The Tribunal recommended that a car be provided because of the salary level, status and work requirements of Magistrates.

38. The Tribunal recommendation of 19 May 1989 recognised this entitlement in a package of remuneration measures that included an 8% salary increase. Consequently, to the extent that there is a private use component, the benefit is embedded in that remuneration, effectively as a taxable allowance. The standard of vehicle allocated initially to Magistrates within that salary trade-off set the standard of vehicles to be allocated as replacements and for new Magistrates. That standard, together with the extent of reasonable private use allowed when originally granted, is the entitlement.
39. The entitlement was created by the Administrator’s Determination dated 31 July 1989, and its wording has not changed since then.
40. The question is, as it has been since then, ‘what is the scope of “reasonable private use”?’.
41. The original Magistrates submissions raised ‘peer’ equivalence as a justification. Presumably the same reasonableness tests as applied to ‘peers’ was contemplated. Those submissions were made at the time when privately plated vehicles were being provided to a broader range and depth of senior Commonwealth and Territory public servants, as well as to Magistrates elsewhere. However, because of the difficulties in crafting a set of guidelines that will cover the characteristics of all agencies, neither the Commonwealth nor the Territory Governments closely define reasonable private use. Rather, heads of government agencies are expected sensibly to manage this dimension of employment conditions and produce and arbitrate their own guidelines.
42. Under very general written guidelines covering the use of government vehicles provided to officers and judicial appointees by the Courts Administration agency, vehicle holders are asked to seek clarification as to reasonable use on a case by case basis from the public service agency head. The Government submission makes it clear that it is not comfortable that rulings be made to Magistrates in this way and seeks clarification of the entitlement. The Tribunal agrees that conflict with separation of powers, and

perceptions of influence, can arise where interpretations and favourable/unfavourable directions can be given (or withheld) by the executive in such relationship with the judiciary,

43. During the 1993 inquiry the Magistrates asked the Tribunal to clarify precisely who can drive allocated vehicles (suggesting the spouse, partner or nominee), and to make some provision to render certain the insurance of such vehicles when being driven outside of the Northern Territory. In that year the words of the Chief Minister's letter to the Tribunal initiating the inquiry referred only to remuneration and allowances, and on that basis the Tribunal declined to consider consideration of the vehicle provision on the grounds that it was an entitlement. That is not the case on this occasion.
44. The current wording of the entitlement is seriously deficient. It is cause for concern that a driver's authorised use of the vehicle could be hard to establish. Also, the wording begs audit questions as to the justification of operating expenses relating to private use of the vehicle by drivers other than the Magistrate. Clarification in at least the following areas will have to be determined in fairness to the Magistrates and their nominees, and in the public interest:
  - the time during which the vehicle can be used privately;
  - the entitlement and any limits to running costs during private use;
  - the definition of acceptable private use and the extent (if any) that the right to private use extends beyond the holder personally;

#### Timing issues.

45. Established rules embodying the chain of responsibility and accountability for the use of government assets have to be carefully regarded, in particular those rules in effect at the time the vehicle entitlement was granted. Tribunal research supports the contention that the primary reason for extending rights or duties to use any government owned vehicle to Magistrates and their peers was for operational purposes. Accordingly, rights to reasonable private use are residual in nature.
46. It follows that availability of such a vehicle for reasonable private use is restricted to those times when that vehicle is either:
  - not needed by the person to whom it is allocated to facilitate the execution of his or her public duty; or
  - on stand-by for official purposes during office hours and the holder is not travelling on duty or is on leave.

47. So, firstly, the vehicle should, ordinarily, be available to the Magistrate (and, when not needed or likely to be needed by him or her, to other staff for official purposes) at the work-place, and immediately accessible to the Magistrate when he or she is on call. Reasonable private use availability is necessarily outside of those times, including weekends and public holidays. Where the Magistrate is on official travel or on leave (otherwise than by use of the car) the car may remain at the Magistrate's home (having conveyed him or her to the airport/port if necessary) and available for the Magistrate's private purposes (for example to get his or her shopping done or mail collected) unless unusual operational exigencies require that the vehicle is needed for particular official purposes, eg. use by an acting Magistrate during a long leave period.
48. The Chief Magistrate or delegate charged with courts management should have the authority to make the operational judgements on the rare occasions that the vehicle may be required by the courts during reasonable private use periods.

Vehicle costs.

49. Under the Determination as it reads there is no entitlement for full operating costs of the allocated vehicle to a Magistrate being met by the Government. However, the running costs of those vehicles within the Territory have been met by the Government since 1989, as they were and have been under the 'peer' public service entitlement. Those costs should also be met during leave in the Territory. The Tribunal recommends confirmation of the costs entitlement. It also recommends that the Magistrate's right to use the vehicle while on leave outside the Territory, personally meeting running costs, be confirmed.
50. The vehicles are registered and insured by the Government and the benefits of the insurance extend within and beyond the borders of the Northern Territory, except perhaps when the vehicle use is unauthorised, hence the importance of clarification of the usage issues as follows.

Acceptable private use.

51. The standard Determination of Salary, Allowances and Benefits of a Judge of the Northern Territory Supreme Court provides that the official motor car provided to the Judge "is for the use of the Judge, the Judge's spouse or the Judge's associate". The Magistrates' Determination (quoted in paragraph 34 above) is, on the face of it at least, more restrictive, providing private use rights to the Magistrate alone.
52. In the absence of formal guidelines, established practice is that the Magistrate decides what reasonable private government funded use is and who may enjoy

it, with requests to the Accountable Officer for confirmation of the reasonableness qualification occurring only in the most extreme cases, eg. proposed private use of the vehicle for holidays by visiting relatives. As stated above the Magistrates have already asked that spouse and nominee rights be clarified.

53. Limitations need to be applied within any policy covering publicly funded motor vehicles to reflect the public interest. The policy should be as clear as possible so as to remove doubts arising out of the application of discretion, particularly in anticipation of a major or controversial incident. It is expected, of course, that private use will be for lawful purposes. Also, in the public interest, official vehicles can not be used for private purposes having some commercial element. Such usage would provide commercial advantage at taxpayer expense and could also void the applicable insurance policy.
54. Driver limitations, if any, also have to be made more certain, but before these can be specified it is necessary to settle boundaries to reasonable private use.
55. The reasonable private purposes entitlement has always been expressed as a right extended to the Magistrate alone. Looking at general precedents the Tribunal is comfortable that this personal right can be fairly widely drawn. For example, the Magistrate's private purposes would include attending activities of a housekeeping, fraternal, recreational, service or educational nature alone or in company with relatives or friends. They would not extend to others attending to their own pursuits, whether accompanied by the Magistrate or not.
56. For usage which is not personal in nature, for example managing the Magistrate's household affairs - shopping and so forth - it would be proper for the Magistrate to nominate any another qualified driver to undertake this task where he or she is not able to do this at the required time.
57. The Tribunal has received representation that prescriptive clarification of usage rights may rule out some expected family member use of the allocated vehicle, particularly if the family of the Magistrate had no other vehicle. The Tribunal repeats its view that use of the vehicle for the private pursuits of others is not authorised within the entitlement, and so it could not be clarified away. The entitlement could be expanded, as it has been with most executive contract officers, by financial contribution towards wider private use within the remuneration package. No case has been made in this regard.
58. The benefit of reasonable private usage at public expense carries with it a degree of accountability, firstly as to satisfaction of the surrounding rules and secondly as to preservation and protection of the vehicle as a public asset. Having said that the Tribunal sees no reason to recommend any finite limit on fuel used or distance travelled during reasonable private use.

59. The Tribunal makes a series of recommendations for the clarification of the entitlement pursuant to the above and within the basic principles that responsibility for compliance with the reasonable private use parameters of entitlement is with the Magistrate, and responsibility for determining when the vehicle is needed for operational purposes is with the Chief Magistrate or his delegate.
60. The Tribunal makes no recommendation that may affect the capacity of a Magistrate to purchase, or take over the lease remainder of, the vehicle on allocation at the time of his or her retirement. The proprietary interest in the vehicle is a Government asset and its disposal or retention is a matter for the relevant Accountable Officer under established procedures.
61. The use of distinguishing number plates for Northern Territory government vehicles has been abandoned, therefore the use of the words “with incognito number plates” is superfluous in the Determination and should be removed.

### **ROLE OF THE TRIBUNAL**

62. In its 2001 report the Tribunal found it necessary to draw to attention to;
  - the difficulty it faces in recommending remuneration, allowances and entitlements for Magistrates in a Territory context while at the same time retaining some consistency within the broader judiciary branch; and
  - the potential for influence by the executive branch over the judiciary branch so long as direct and private Determinations, both for Magistrates and Judges, are lawful within the legislation.
63. Since that report the Auditor General has made similar findings (February 2002) and identified an additional potential for officials within the executive to influence the judiciary through exercise (or failure to exercise) authority available to them under the legislation or Determinations. During this inquiry a Magistrate has made the point to the Tribunal that not only can influence be applied through exercise of formal delegated power by nominated Ministers (a particular example of which is quoted by the Auditor General in his report), but influence could be seen to be exerted by clerical staff making rulings as to whether certain allowances should be paid or are payable.
64. The Tribunal understands that this issue is still under review. That review may conclude that Magistrate Determinations should be made by this

independent Tribunal, with their tabling being required in the Legislative Assembly. If the legislation is amended to that effect this will introduce a parallel system to that applying to Territory Members of Parliament.

65. In the case of Determinations for Members, any need for clarification or interpretation of terms of the Determination is raised by the Clerk of the House as a formal request to the Tribunal for interpretation. That procedure should also be extended with the necessary modifications to the case of Magistrates allowances and entitlements so that potential executive influence over this part of the judiciary is removed.

**Magistrates – Comparative salaries of  
State and Territories as at their date of effect**

	<u>Chief Magistrate</u> \$	<u>Magistrate</u> \$	<u>Date of Effect</u>
Queensland*	183,700	162,000	1.7.01
New South Wales	210,815	168,650	1.10.01
Victoria*	182,000	145,000	1.5.01
Tasmania	161,417	145,275	1.7.01
South Australia	173,060	146,660	1.11.01
Western Australia	183,617	163,216	1.1.02
ACT	185,000	162,000	1.11.01
Northern Territory (current)	183,766	163,735	1.12.00
Northern Territory (recommended)	189,535	168,863	1.12.01

**Notes:** (a) Northern Territory salaries are packages which include an annual family airfare component.

(b) Comparisons are to be noted with caution, as the jurisdictions of the courts differ and the responsibilities of the Chief Magistrates vary.

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\* Includes motor vehicle allowance

NORTHERN TERRITORY OF AUSTRALIA  
REMUNERATION TRIBUNAL

**RECOMMENDATION No. 1 of 2002**

**MAGISTRATES OF THE**  
**NORTHERN TERRITORY COURT**

NORTHERN TERRITORY OF AUSTRALIA

REMUNERATION TRIBUNAL

RECOMMENDATION No 1 of 2002

**MAGISTRATES OF THE NORTHERN TERRITORY COURT**

In accordance with a request from the Administrator that the Tribunal from time to time inquire into and report with recommendations on the remuneration and allowances to be paid and other entitlements to be granted to magistrates within the meaning of the *Magistrates Act*, the Tribunal recommends that the following salaries, and entitlement be varied by the Administrator under section 6 of the *Magistrates Act* in respect of magistrates, effective from 1 December 2001.

Salary

	Rate per annum Base salary \$	Rate per annum Salary package \$
Chief Magistrate	186,035	189,535
Coroner	179,144	182,644
Deputy Chief Magistrate	172,253	175,753
Magistrate	165,363	168,863

The salary package includes \$3,500 in lieu of airfares.

Motor Vehicles

The current clause determining the entitlement of a Stipendiary Magistrate to a motor vehicle should be replaced with a provision establishing the following entitlement.

**vehicle** means, for a Magistrate, a Northern Territory owned private plated motor vehicle of no lesser standard than that provided to him or her under the previous Determination, or, for a new Magistrates or a new Chief Magistrate, a Northern Territory owned private plated motor vehicle of the same standard as provided to other Magistrates or the previous Chief Magistrate as the case may be.

A Magistrate is entitled:

to be provided with a vehicle on personal allocation to facilitate execution of his or her duties as a Magistrate;

to have all ownership costs, and running and maintenance costs within the Northern Territory, in relation to the vehicle met by the Northern Territory;

to make reasonable private use of the vehicle when it is not needed or likely to be needed for official use;

to nominate another person, on a journey by journey basis, as the person authorised to use the vehicle to undertake the reasonable private purposes of the Magistrate;

to home garage the vehicle;

to use the vehicle for transport while on leave interstate, subject to the Magistrate meeting all fuel and maintenance costs incurred outside of the Northern Territory.

For the purposes of this entitlement a Magistrate is:

responsible for the proper and authorised use of the vehicle during times when it is available for his or her reasonable private use, and for the proper use of any credit card supplied to pay for the operating costs of that vehicle;

accountable for the due preservation of the vehicle, including compliance with vehicle operating guidelines made by NT Fleet from time to time.

The Chief Magistrate or his delegate is entitled to make guidelines covering

the parking of vehicles during duty hours and the availability of vehicles during those hours for official use by others;

access to and official use of vehicles during times when the Magistrate to whom it is provided is on approved leave.

Dated this eighth day of March Two thousand and two.

O. Alder  
Member of the  
Northern Territory Remuneration Tribunal