

NORTHERN TERRITORY OF AUSTRALIA

Public Sector Employment and Management Act

REVOCATION OF DETERMINATION 10 OF 2012

I, JOANNE NORTON, Acting Commissioner for Public Employment, pursuant to section 14(2) of the *Public Sector Employment and Management Act 1993* and with reference to section 43 of the *Interpretation Act 1978*, revoke Determination 10 of 2012.

DETERMINATION 16 OF 2023

RENEWAL OF FIXED PERIOD EMPLOYMENT

I, JOANNE NORTON, the Acting Commissioner for Public Employment:

1. Under section 14(2), 34(4) and 34(5) of the Act and with reference to section 13(a) of that Act, determine that fixed period duties referred to in section 34(1) of the Act:
 - (a) which are covered by an exception set out in Division 5 of Part 2-9 of the *Fair Work Act 1999* (Cth) may be renewed as follows:
 - (i) the duties to be performed by the employee during each renewal period must be the same duties that were performed by the employee during the original period of employment;
 - (ii) if the employee's original period of employment was six months or less – the total duration of the original period of employment and each renewal period must not exceed two years; and
 - (iii) if the employee's original period of employment was greater than six months – the total duration of the original period of employment and each renewal period must not exceed five years or
 - (b) which are not covered by an exception set out in Division 5 of Part 2-9 of the *Fair Work Act 1999* (Cth) may be renewed on no more than one occasion provided:
 - (i) the duties to be performed by the employee during each renewal period must be the same duties that were performed by the employee during the original period of employment; and
 - (ii) the original contract and its renewal are for a period of no greater than 2 years.

2. Subject to paragraph 3, any renewal of a fixed period contract outside of the parameters specified in paragraph 1(a) requires my approval;

3. The parameters surrounding renewal of fixed period duties referred to in paragraph 1(a) do not apply to employment to perform fixed period duties as an Executive Contract Officer.

Dated 7 December 2023



ADJ. PROFESSOR JOANNE NORTON
A/Commissioner for Public Employment

Note: This determination is to be read in conjunction with Part 5 of the Public Sector Employment and Management Act and associated Employment Instructions and Guidelines regarding the Filling of Vacancies, including Commissioner's Guideline: Fixed Period Employment.