

Process for Approval of Indemnities for Directors of Northern Territory Government Controlled Entities

The Treasurer has provided standing approval for a delegated process of approval/execution of Deeds of Indemnity for Directors of NTG controlled entities that contain the approved standard indemnity clause.

In order to obtain the indemnity, agencies are required to seek endorsement of the indemnity from their respective Minister and submit that endorsement together with a completed [indemnity approval request form](#) (Appendix B of G2.5) and the proposed deed to: IndemnityGuarantee.NTT@nt.gov.au

This process does not apply to indemnities for directors of non NTG controlled entities. The usual Treasurer approval process is required for those indemnities.

The approved indemnity clause is:

- (a) The Territory irrevocably and unconditionally indemnifies and agrees to keep indemnified the Member from and against all liabilities, claims, actions, suits, proceedings, demands, losses, damages, costs, fees and expenses (legal or otherwise) whatsoever incurred or arising out of or in connection with or in consequence of the Member, in his position as member:
 - (i) performing the duties or exercising the powers imposed upon him in relation to that position by applicable law; or
 - (ii) failing, neglecting or omitting to perform any duties or to exercise any powers,other than any liability incurred or arising out of the serious and wilful, or gross, misconduct on the part of the Member.
- (b) The Territory irrevocably and unconditionally agrees that this indemnity may be pleaded as a bar to any action, suit or proceeding commenced now or taken at any time by the Territory against the Member with respect to or in any way connected with the performance of the Member's duties.
- (c) This indemnity is:
 - (i) limited only to the extent, if any, provided in any applicable law; and
 - (ii) intended to and shall continue to operate notwithstanding the resignation or removal from office of the Member.