

**NORTHERN TERRITORY OF AUSTRALIA**

**AGE OF MAJORITY ACT 1974**

As in force at 1 April 1981

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# NORTHERN TERRITORY OF AUSTRALIA

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As in force at 1 April 1981

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## AGE OF MAJORITY ACT 1974

### An Act relating to the Age of Majority

#### 1 Short title

This Act may be cited as the *Age of Majority Act 1974*.

#### 2 Commencement

This Act shall come into operation on a date to be fixed by the Administrator by notice in the *Gazette*.

#### 3 Definition

In this Act ***date of commencement*** means the date fixed by the Administrator in accordance with section 2.

#### 4 Age of majority 18 years

- (1) Subject to this Act, a person attains full age for all purposes of the law of the Territory when he attains the age of 18 years.
- (2) A person who has attained the age of 18 years is not subject to any want of legal capacity by reason only of his age.
- (3) Where, on the date of commencement, a person had attained the age of 18 years but had not attained the age of 21 years, the provisions of this Act apply to, and in relation to, that person as if he had attained the age of 18 years on that date.

#### 5 Construction of laws and instruments made after the date of commencement

- (1) This section applies to:
  - (a) a law of the Territory made before or after the date of commencement; and
  - (b) an instrument (including a will or codicil) executed on or after that date.

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- (2) Subject to section 6(2), unless the contrary intention appears, the expressions **majority, full age, sui juris, minor, minority, infant, infancy, nonage**, and any similar expressions, when used in a law or instrument to which this section applies, shall be construed in accordance with section 4.
  - (3) Nothing in this Act affects a reference in a law or instrument to an age expressed in years.
  - (4) Nothing in this Act:
    - (a) affects the validity or operation of a settlement or disposition of property made before the date of commencement; or
    - (b) affects the operation of any rule of law by which the validity or operation of such a settlement or disposition is to be determined.

## **6 Construction of wills made before the date of commencement**

- (1) Nothing in this Act affects the construction of a will or codicil made before the date of commencement.
- (2) Unless the contrary intention appears, a codicil made after the date of commencement, being a codicil to a will made before that date, shall be construed as if this Act had not been made.

## **7 Distribution on intestacy**

Where a person died intestate before the date of commencement, the administrator of the estate of the intestate is not, by reason only of this Act, obliged to distribute any portion of the estate to a person before that person attains the age of 21 years.

## **8 Moneys payable under judgments, &c.**

An order or direction in force immediately before the date of commencement in relation to money recovered by a minor in proceedings in a court or payable to a minor as a result of proceedings in a court has effect, on and after that date, as if a reference to the attainment by a minor of the age of 21 years (however expressed) were a reference to the attainment of the age of 18 years.

## **9 Time in which action may be brought not reduced**

Nothing in this Act affects the time for bringing proceedings in a court in respect of a cause of action that arose before the date of commencement.

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**12      Repeal**

The *Infants (Housing Contracts) Ordinance 1969* is repealed.

**13      Savings**

- (1) Nothing in this Act affects a want of legal capacity arising otherwise than by reason of the age of a person.
- (2) Nothing in this Act affects the construction or operation of an industrial award or agreement.
- (3) Nothing in this Act affects the rights or obligations arising from a contract of employment.

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**ENDNOTES**
**1****KEY**

Key to abbreviations

<b>amd</b> = amended	<b>od</b> = order
<b>app</b> = appendix	<b>om</b> = omitted
<b>bl</b> = by-law	<b>pt</b> = Part
<b>ch</b> = Chapter	<b>r</b> = regulation/rule
<b>cl</b> = clause	<b>rem</b> = remainder
<b>div</b> = Division	<b>renum</b> = renumbered
<b>exp</b> = expires/expired	<b>rep</b> = repealed
<b>f</b> = forms	<b>s</b> = section
<b>Gaz</b> = <i>Gazette</i>	<b>sch</b> = Schedule
<b>hdg</b> = heading	<b>sdiv</b> = Subdivision
<b>ins</b> = inserted	<b>SL</b> = Subordinate Legislation
<b>lt</b> = long title	<b>sub</b> = substituted
<b>nc</b> = not commenced	

**2****LIST OF LEGISLATION*****Age of Majority Ordinance 1974 (Act No. 37, 1974)***

Assent date	23 September 1974
Commenced	1 November 1974 ( <i>Gaz</i> No. 42, 17 October 1974, p 475)

***Statute Law Revision Act 1980 (Act No. 6, 1981)***

Assent date	9 January 1981
Commenced	9 January 1981

***Statute Law Revision Act 1981 (Act No. 29, 1981)***

Assent date	25 March 1981
Commenced	25 March 1981

**3****GENERAL AMENDMENTS**

General amendments of a formal nature (which are not referred to in the table of amendments to this reprint) are made by the *Interpretation Legislation Amendment Act 2018* (Act No. 22, 2018) to: s 1.

**4****LIST OF AMENDMENTS**

lt	amd No. 6, 1981, s 4
ss 1 – 4	amd No. 6, 1981, s 4
s 5	amd No. 6, 1981, s 4; No. 29, 1981, s 2
ss 6 – 7	amd No. 6, 1981, s 4
s 9	amd No. 6, 1981, s 4
ss 10 – 11	rep No. 6, 1981, s 4
s 13	amd No. 6, 1981, s 4
First sch	rep No. 6, 1981, s 4
Second sch	rep No. 6, 1981, s 4