

**NORTHERN TERRITORY OF AUSTRALIA**

**ANGURUGU COMMUNITY GOVERNMENT COUNCIL (OFFENSIVE WEAPONS) BY-LAWS 1989**

As in force at 18 January 1989

Table of provisions

1	Citation .....	1
2	Using or threatening to use offensive weapon.....	1
3	Election to pay fixed penalty .....	2
4	Publication of By-laws .....	2

**Schedule**

**ENDNOTES**



# NORTHERN TERRITORY OF AUSTRALIA

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As in force at 18 January 1989

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## ANGURUGU COMMUNITY GOVERNMENT COUNCIL (OFFENSIVE WEAPONS) BY-LAWS 1989

### By-laws under the *Local Government Act 2008*

#### 1 Citation

These By-laws may be cited as the *Angurugu Community Government Council (Offensive Weapons) By-laws 1989*.

#### 2 Using or threatening to use offensive weapon

(1) A person shall not without lawful authority, justification or excuse:

- (a) use; or
- (b) threaten to use,

an offensive weapon in the Angurugu community government area.

Penalty: \$200.

(2) In this by-law, ***offensive weapon***

- (a) does not include a firearm within the meaning of the *Firearms Act 1997*;
- (b) subject to paragraph (a), means any article –
  - (i) which is made or adapted to cause injury, or fear of injury, to the person; or
  - (ii) by which the person having it intends to cause injury, or fear of injury, to the person; and
- (c) includes in particular a spear, a knife, and a shanghai or catapult.

(3) A prosecution for an offence against clause (1) may be instituted in the name of the Angurugu Community Government Council by the clerk of the Council.

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- (4) An officer of the Council to whom it appears that a person is committing an offence against clause (1) may seize and take possession of the weapon involved, and the weapon shall be dealt with as the Council may decide.

### **3 Election to pay fixed penalty**

- (1) Where it appears to an officer of the Angurugu Community Government Council that a person has infringed by-law 2(1), the officer may serve on that person a notice of infringement in accordance with the form in the Schedule.
- (2) A person on whom a notice of infringement is served may, within a period of 14 days beginning with the date on which it is served, pay to the clerk of the Council a penalty of \$20 in respect of the infringement alleged.
- (3) A prosecution shall not be brought against a person for an infringement of by-law 2(1) in respect of which he has paid a penalty in accordance with clause (2), but payment of the penalty does not prevent the taking of proceedings against that person for any other offence he may have committed.

### **4 Publication of By-laws**

- (1) Section 57 of the *Interpretation Act 1978* does not apply to these By-laws.
- (2) Copies of these By-laws shall be available for inspection by members of the public during office hours at the office of the Angurugu Community Government Council.

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**Schedule**

By-law 3(1)

*Angurugu Community Government Council (Offensive Weapons)  
By-laws 1989*

NOTICE OF INFRINGEMENT

To ..... of .....  
(name) (address, if known)

You are alleged to have committed an offence against by-law 2(1) of the above By-laws by:

- using an offensive weapon
- threatening to use an offensive weapon

(tick box as appropriate)

within the Angurugu community government area without lawful authority, justification or excuse.

The offence is alleged to have taken place at .....  
(place)

on ..... at .....  
(date) (time)

You may choose to have the alleged offence:

- (a) prosecuted in a court of competent jurisdiction; or
- (b) disposed of without prosecution by paying a fixed penalty of \$20.

If you choose option (b), you must pay the \$20 to the clerk of the Angurugu Community Government Council, at the council office and within 14 days beginning with the date of service of this notice.

Dated ...../...../19....

Council Officer

## ENDNOTES

### 1

#### KEY

Key to abbreviations

amd = amended

app = appendix

bl = by-law

ch = Chapter

cl = clause

div = Division

exp = expires/expired

f = forms

Gaz = Gazette

hdg = heading

ins = inserted

lt = long title

nc = not commenced

od = order

om = omitted

pt = Part

r = regulation/rule

rem = remainder

renum = renumbered

rep = repealed

s = section

sch = Schedule

sdiv = Subdivision

SL = Subordinate Legislation

sub = substituted

### 2

#### LIST OF LEGISLATION

##### ***Angurugu Community Government Council (Offensive Weapons) By-laws***

Notified 18 January 1989

Commenced 18 January 1989

### 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 of 2018) to: bl 1, 2 and 4 and sch 1.