

NORTHERN TERRITORY OF AUSTRALIA

SERIOUS CRIME CONTROL REGULATIONS 2011

As in force at 4 July 2016

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As in force at 4 July 2016

SERIOUS CRIME CONTROL REGULATIONS 2011

Regulations under the *Serious Crime Control Act 2009*

1 Citation

These Regulations may be cited as the *Serious Crime Control Regulations 2011*.

2 Corresponding law

For the definition **corresponding law** in section 6 of the Act, each of the following is a corresponding law:

- (a) *Crimes (Criminal Organisations Control) Act 2012* (NSW);
- (b) *Criminal Organisation Act 2009* (Qld);
- (c) *Serious and Organised Crime (Control) Act 2008* (SA).

3 Rank of senior police officer

For paragraph (d) of the definition **senior police officer** in section 6 of the Act, the rank of Senior Sergeant is prescribed.

4 Suspension of authority

For section 27(7) of the Act, unless the Supreme Court orders otherwise, an authority suspended under a control order is taken to have been suspended under the Act (the **other Act**) under which the authority was granted but:

- (a) the suspension has effect until the control order is revoked;
and
- (b) any right of appeal that would otherwise apply to the suspension under the other Act does not apply to the suspension.

5 Permitted associations

- (1) For section 36(3)(c) of the Act, the following courses of training or education are prescribed:
- (a) a course of training or education provided by a school registered under the *Education Act 2015*;
 - (b) a course of training or education provided by:
 - (i) Charles Darwin University; or
 - (ii) Batchelor Institute of Indigenous Tertiary Education; or
 - (iii) another university as defined in section 4 of the *Higher Education Act 2004*;
 - (c) a higher education course accredited under Part 5 of the *Higher Education Act 2004*;
 - (d) a VET accredited course, training package qualification, approved apprenticeship or approved traineeship under the *Training and Skills Development Act 2016*;
 - (e) a course of training or education required to be undertaken by a person as a condition of a parole order under the *Parole Act 1971*;
 - (f) a course of training or education in relation to which a detainee is permitted to be absent from a detention centre under section 165 of the *Youth Justice Act 2005*.
- (2) For section 36(3)(d) of the Act, the following rehabilitation, counselling or therapy sessions are prescribed:
- (a) a rehabilitation, counselling or therapy session provided by a charitable organisation;
 - (b) a rehabilitation, counselling or therapy session provided in the course of the provision of a medical service;
 - (c) a rehabilitation, counselling or therapy session in relation to which a detainee is permitted to be absent from a detention centre under section 165 of the *Youth Justice Act 2005*.

(3) For section 36(3)(f) of the Act, the following associations are prescribed:

- (a) associations between persons residing (whether permanently or temporarily) in:
 - (i) an approved treatment facility, or approved temporary treatment facility, as defined in section 4 of the *Mental Health and Related Services Act 1998*; or
 - (ii) a facility providing emergency housing operated by the Territory or Commonwealth government, a local government council or charitable organisation;
- (b) associations occurring between members of a Registered political party as defined in section 4(1) of the *Commonwealth Electoral Act 1918* (Cth), or registered party as defined in section 3 of the *Electoral Act 2004*, at an official meeting of the party or a branch of the party;
- (c) associations occurring in the course of legal proceedings;
- (d) associations occurring in the course of the provision of a medical service;
- (e) associations occurring in the course of complying with a lawful direction of a person exercising a power, or carrying out official duties, under an Act (whether of the Territory or another jurisdiction).

(4) In this regulation:

charitable organisation means an organisation, society, institution or body carried on for a religious, educational, benevolent or charitable purpose, provided that it is not also carried on for the purpose of securing pecuniary benefit for its members.

medical services, see section 5 of the *Medical Services Act 1982*.

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*****Serious Crime Control Regulations (SL No. 52, 2011)***

Notified	20 December 2011
Commenced	20 December 2011

Local Government Amendment Act 2014 (Act No. 19, 2014)

Assent date	2 June 2014
Commenced	s 16: 1 July 2014; s 18: 1 December 2014; rem: 2 June 2014, (s 2)

Correctional Services (Related and Consequential Amendments) Act 2014 (Act No. 27, 2014)

Assent date	4 September 2014
Commenced	9 September 2014 (Gaz S80, 9 September 2014, p 2)

Statute Law Revision Act 2014 (Act No. 38, 2014)

Assent date	13 November 2014
Commenced	13 November 2014

Education Act 2015 (Act No. 28, 2015)

Assent date	10 December 2015
Commenced	pt 6, divs 2 and 4 and pt 7: 1 April 2016; pt 3: 1 July 2016; rem: 1 January 2016 (s 2)

Training and Skills Development Act 2016 (Act No. 25, 2016)

Assent date	29 June 2016
Commenced	4 July 2016 (Gaz S61, 4 July 2016)

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: rr: 1 and 5.

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LIST OF AMENDMENTS

- r 2 amd Act No. 38, 2014, s 2
r 5 amd Act No. 19, 2014, s 26; Act No. 27, 2014, s 57; Act No. 28, 2015, s 195;
 Act No. 25, 2016, s 112