

# NORTHERN TERRITORY OF AUSTRALIA

## SUMMARY OFFENCES ACT

As in force at 27 January 2012

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# NORTHERN TERRITORY OF AUSTRALIA

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As in force at 27 January 2012

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## SUMMARY OFFENCES ACT

**An Act to provide for certain criminal offences**

### **Part I Preliminary**

#### **1 Short title**

This Act may be cited as the *Summary Offences Act*.

#### **2 Commencement**

This Act shall commence on a day to be fixed by the Administrator by notice in the *Gazette* of the Northern Territory.

#### **3 Application of certain Acts of the State of South Australia to cease**

- (1) The *Police Act, 1869* (No. 15 of 1869-70), and the *Police Act Amendment Act 1898-9* (No. 715 of 1898-9) of the State of South Australia shall cease to apply to the Northern Territory as from the commencement of this Ordinance.
- (2) Nothing in subsection (1) shall affect any right, obligation, or liability acquired, accrued or incurred under any Act therein referred to, or any penalty, forfeiture or punishment in respect of any offence committed against any such Act, or any investigation, legal proceeding, or remedy in respect of any such right, obligation, liability, penalty, forfeiture or punishment as aforesaid.

#### **5 Interpretation**

In this Act, unless the contrary intention appears:

**Commissioner** means the Commissioner of Police appointed under the *Police Administration Act*.

**loiter** means to idle or linger about.

**member** means member of the Police Force.

**night-time** means the interval between 9 o'clock in the evening and 6 o'clock in the morning.

**Police Force** means the Police Force of the Northern Territory.

**public place** or **place of public resort** includes:

- (a) every place to which free access is permitted to the public, with the express or tacit consent of the owner or occupier thereof; and
- (b) every place to which the public are admitted on payment of money, the test of the admittance being the payment of the money only; and
- (c) every road, street, footway, court, alley or thoroughfare which the public are allowed to use, notwithstanding that the road, street, footway, court, alley or thoroughfare may be formed on private property.

**undue noise** means any noise that causes unreasonable distress, annoyance or irritation to any person by reason of its level or character or the time at which it is made.

## Part VIA Drinking in public places

### 45C Definitions

In this Part:

**Commission** means the Northern Territory Licensing Commission established by section 4 of the *Northern Territory Licensing Commission Act*.

**Court** means the Court of Summary Jurisdiction.

**liquor** has the same meaning as in the *Liquor Act*.

**prescribed notice** means a notice prescribed for the purposes of section 45G.

**unoccupied private land** means land or premises, other than a public place, the lawful occupier of which is not present at the relevant time.

**45D Drinking in a public place**

A person who, within 2 kilometres of premises licensed under Part III of the *Liquor Act* for the sale of liquor, drinks liquor in a public place or on unoccupied private land is, unless:

- (a) the owner or lawful occupier of that public place or land has given him express permission, which has not been withdrawn, to do so; or
- (b) the public place or part of the public place in which he drinks the liquor is the subject of a Certificate of Exemption under section 45E or is an exempt area under section 45EA, and the drinking of that liquor is not in contravention of a condition of that Certificate of Exemption or declaration of the exempt area,

guilty of an offence and the penalty for the offence is the forfeiture of the liquor seized under section 45H at the time of the commission of the offence.

**45E Certificate of exemption**

- (1) The owner, or person responsible for the management of a public place may apply to the Commission for the issue to him of a Certificate of Exemption in respect of that public place, or such part of that public place as is specified in the application.
- (2) The Commission may require an applicant under subsection (1) to cause to be published in such newspaper or newspapers as it nominates a notice:
  - (a) in such form;
  - (b) containing such particulars; and
  - (c) on such occasions,as it specifies of the fact that the applicant has applied for the issue to him of a Certificate of Exemption.
- (3) In considering an application made under subsection (1), the Commission shall take into account:
  - (a) the nature of the use to which the public place is generally put;
  - (b) the provision made for the disposal of litter at that public place; and

- (c) any representations received in response to a notice published under subsection (2).
- (4) The Commission may, and if required to do so by the Minister shall, conduct a hearing before issuing a Certificate of Exemption, and, if such a hearing is held:
  - (a) the provisions of section 51 of the *Liquor Act*, other than subsections (6), (7), (10A) to (10D) inclusive and (11) shall apply to the hearing; and
  - (b) for the purpose of construing section 51 of the *Liquor Act* in its application to the hearing, the word **party** means:
    - (i) the applicant for a certificate of exemption; or
    - (ii) a person who has made representations in response to a notice published under subsection (2).
- (5) The Commission may, in its discretion, issue a Certificate of Exemption applied for under subsection (1) subject to such conditions, if any, as it thinks fit and specifies in the Certificate.
- (6) A person to whom a Certificate of Exemption has been issued may:
  - (a) apply to the Commission for cancellation of the Certificate; or
  - (b) apply to the Commission for the variation of any conditions imposed under subsection (5), and subsections (2) and (4) apply to and in relation to an application under paragraph (b) as if it were an application under subsection (1) for the issue of a Certificate of Exemption to the applicant.
- (7) The Commission may, by notice in writing, vary, suspend or cancel a Certificate of Exemption where the person or body to whom it was issued has contravened or failed to comply with the conditions of the Certificate specified under subsection (5), or has otherwise caused or allowed drinking in a public place in respect of which a Certificate has been issued to become a nuisance or annoyance to other persons using that place.

#### **45EA Special exemption of certain places**

- (1) The Commission may, in its discretion and without application being made to it, and shall if so directed by the Minister, by notice in the *Gazette*, declare that a public place, or part of a public place, specified in the notice is an exempt area for the purposes of section 45D and in so doing may impose such conditions, if any, as the Commission thinks fit and specifies in the notice.

- (2) A person shall not contravene or fail to comply with a condition of a declaration specified in a notice under subsection (1).

Penalty: \$200.

#### **45F Special licences**

Section 45D does not apply to a place or premises in respect of which a special licence has been issued under Part VI of the *Liquor Act* during the period or periods specified in that licence.

#### **45G Notices**

Where a member has reason to believe that an offence has been committed against section 45D, he may serve on the person who appears to have committed the offence a prescribed notice:

- (a) specifying:
- (i) the name of the alleged offender; and
  - (ii) the date, time and place of the alleged offence;
- (b) describing the circumstances causing the member to believe that an offence was being committed against section 45D;
- (c) describing the liquor seized under section 45H(1) in relation to the alleged commission of the offence and, where possible, the type and quantity of the liquor seized;
- (d) specifying the name and rank of the member serving the notice and the name of the police station to which the member is attached; and
- (e) explaining that a person who is named in the notice as an alleged offender may, if he so wishes, have the matter dealt with by the Court.

#### **45H Powers of police officers**

- (1) A member may, where he has reason to believe that an offence has been committed against section 45D, whether or not he makes a complaint or issues a notice under section 45G, seize any opened or unopened cask, flask, bottle, can or other container in the possession of a person whom he believes to be contravening section 45D.
- (2) A member shall not seize an unopened cask, flask, bottle, can or other container under subsection (1) unless he has reason to believe it to be a source of liquor from which the person is likely to

continue to drink on that or another place or land to which section 45D applies.

(3) Where a member has seized a cask, flask, bottle, can or other container under subsection (1), the member shall:

(a) in the case where the cask, flask, bottle, can or container is opened – immediately empty it, unless the member believes that doing so would provoke or incite a disturbance or disorderly behaviour; or

(b) in the case:

(i) where it is unopened; or

(ii) where it is opened but the member has the belief referred to in paragraph (a),

take the liquor, or cause it to be taken, to the police station to which the member is attached, where it shall be destroyed.

(4) For the purposes of this section, an opened or unopened cask, flask, bottle, can or other container which:

(a) is in the immediate vicinity, or in the possession of any other person in the immediate vicinity, of the person the member believes to have committed an offence against section 45D; and

(b) the member has reason to believe is a source of liquor from which the person is likely to continue to drink on that or another place or land to which section 45D applies,

shall, whether or not owned by or in the possession or control of the person the member believes to have committed the offence, be taken to be in the possession of the person.

(5) Where liquor is destroyed in pursuance of this section, any interest in the liquor is, by virtue of the destruction, converted into an interest in the money equivalent to the value of the liquor.

#### **45HA Procedure where application made for matter to be dealt with by Court**

(1) Where a person named in a prescribed notice wishes the matter the subject of the notice to be dealt with by the Court, the person shall, not later than 28 days after the date of the offence alleged in the notice, apply to the Court.



- (2) An application under subsection (1) shall be in writing, signed by the person, and accompanied by a copy of the prescribed notice.
- (3) The clerk of the Court shall, on receiving an application under subsection (1), fix a time and date for the Court to deal with the matter and shall inform the person of that time and date and shall notify the member in charge of the police station referred to in the notice of the time and date.
- (4) For the purposes of the Court dealing with a matter the subject of a prescribed notice, the notice shall be deemed to be a complaint alleging the person named in the notice committed an offence against section 45D at the time and place and in the circumstance contained in the notice.
- (5) A date fixed under subsection (3) shall not be earlier than 14 days after the last day for the making of an application under subsection (1) in respect of the particular matter.
- (6) Where the Court, in respect of a number of applications under subsection (1), is satisfied from the particulars contained in the prescribed notices accompanying those applications that the alleged offences arise out of the same facts, the matters shall be tried together and, for that purpose, the Court may adjourn the hearing of those matters.
- (7) Where, on the hearing of a matter under this section, the Court finds the person who made the application guilty of the offence against section 45D referred to in the prescribed notice, all interests in the money equivalent to the value of the liquor are, on that finding, forfeited to the Territory.

**45HB Procedure where no application made for court to deal with matter**

- (1) Where a prescribed notice is served on a person under section 45G, the member in charge of the police station referred to in the prescribed notice or a person authorised by that member, shall forward a copy of the notice to the Court.
- (2) The Court shall, in respect of a prescribed notice forwarded to it under subsection (1), on being satisfied that an application under section 45HA has not been made within the time permitted by that section, make an order that the person named in the prescribed notice committed the offence against section 45D on the date specified in the prescribed notice and, on the order being made, all interests in the money equivalent to the value of the liquor are forfeited to the Territory.

**45J Averments**

In any proceedings for an offence against section 45D, an averment in the prescribed notice that is before the Court:

- (a) a specified place or land was, at a specified time, within a radius of 2 kilometres of premises at that time licensed under Part III of the *Liquor Act* for the sale of liquor;
- (b) a specified public place, at a specified time, was not the subject of a Certificate of Exemption issued under section 45E; or
- (c) a specified liquid is liquor,

is prima facie evidence of the fact averred.

**45K Drinking by minors in public place**

- (1) A person who has not attained the age of 18 years shall not drink liquor in a public place or on unoccupied private land unless the person is in the company of his or her parent, guardian or spouse (who has attained the age of 18 years).
- (2) A person who is not the other person's parent, guardian or spouse (who has attained the age of 18 years) shall not in a public place or on unoccupied private land supply liquor to another person who has not attained the age of 18 years, except where the person to whom it is supplied is in the company of his or her parent, guardian or spouse (who has attained the age of 18 years).
- (3) In this section **parent** and **guardian**, in relation to a person who has not attained the age of 18 years, includes a person who has attained the age of 18 years to whom the care and control of the first-mentioned person has been given by a parent or guardian (irrespective of its duration).
- (4) In a prosecution for an offence against subsection (1) or (2) the onus of proving that the care and control of a person who has not attained the age of 18 years had, at the relevant time, been given to a particular person by a parent or guardian rests on the accused.
- (5) In this section **public place** does not include licensed premises within the meaning of the *Liquor Act*.
- (6) Nothing in this section derogates from the other provisions of this Part.

**Part VII                      Offences generally****46A                      Forcible entry**

A person who, in a manner likely to cause a breach of the peace or reasonable apprehension of a breach of the peace, enters, whether or not he is so entitled to enter, land which is in the actual and peaceable possession of another is guilty of an offence.

Penalty:            Imprisonment for 12 months.

**46B                      Forcible detainer**

A person who, being in actual possession of land without being entitled by law to possession, holds possession of it in a manner likely to cause a breach of the peace or reasonable apprehension of a breach of the peace against a person entitled by law to the possession of the land is guilty of an offence.

Penalty:            Imprisonment for 12 months.

**46C                      Disturbing religious worship**

A person who wilfully and without authorization, justification or excuse, proof of which is on him:

- (a) interrupts or disturbs a meeting of persons lawfully assembled for religious worship;
- (b) assaults a person lawfully officiating or a person assembled at such a meeting,

is guilty of an offence.

Penalty:            Imprisonment for 6 months.

**47                        Offensive, &c., conduct**

Every person who is guilty:

- (a) of any riotous, offensive, disorderly or indecent behaviour, or of fighting, or using obscene language, in or within the hearing or view of any person in any road, street, thoroughfare or public place;
- (b) of disturbing the public peace;
- (c) of any riotous, offensive, disorderly or indecent behaviour in any police station;

- (d) of offensive behaviour in or about a dwelling house, dressing-room, training-shed or clubhouse;
  - (e) of unreasonably causing substantial annoyance to another person; or
  - (f) of unreasonably disrupting the privacy of another person,
- shall be guilty of an offence.

Penalty: \$2,000 or imprisonment for 6 months, or both.

#### **47AA Violent disorder**

- (1) A person is guilty of an offence if:
- (a) the person is one of 2 or more people engaging in conduct that involves a violent act; and
  - (b) the conduct would result in anyone who is in the vicinity and of reasonable firmness fearing for his or her safety; and
  - (c) the person:
    - (i) intends or knows that the conduct involves a violent act and would have the result mentioned in paragraph (b); or
    - (ii) is reckless as to whether the conduct involves a violent act and would have that result.

Maximum penalty: Imprisonment for 12 months.

- (2) To avoid doubt:
- (a) to establish the offence, it is unnecessary to prove that each of the 2 or more people individually engaged in conduct that involves a violent act and would have the result mentioned in subsection (1)(b); and
  - (b) no person of reasonable firmness need actually be, or be likely to be, present in the vicinity for the offence to be committed; and
  - (c) the offence may be committed in private or public places; and
  - (d) subsection (1)(c) does not affect the determination of the number of people mentioned in subsection (1)(a).

- (3) The offence is an offence to which Part IIAA of the Criminal Code applies.

*Note for subsection (3)*

*Part IIAA of the Criminal Code states the general principles of criminal responsibility (including burdens of proof and general defences) and defines terms used for offences, for example, "conduct", "intention" and "recklessness".*

- (4) In this section:

**conduct that involves a violent act** includes:

- (a) conduct capable of causing injury to a person or damage to property (whether or not it actually causes such injury or damage); and
- (b) a threat to engage in such conduct.

#### **47AB Threatening violence**

A person is guilty of an offence if the person, with intent to intimidate or annoy another person, threatens to damage a dwelling-house.

Penalty: Imprisonment for 12 months or, where the offence is committed at night-time, 2 years.

#### **47AC Loitering by sexual offender**

- (1) In this section, **sexual offence** means:
- (a) an offence against Division 2 of Part V of the Criminal Code;
  - (b) an offence against sections 188(2)(k), 192, 192B or 201 of the Criminal Code;
  - (c) an offence of:
    - (i) counselling or procuring;
    - (ii) aiding or abetting the commission of;
    - (iii) conspiring to commit;
    - (iv) attempting to commit; or
    - (v) being an accessory after the fact to, such an offence.

- (2) A person who:
- (a) has been found guilty of:
    - (i) a sexual offence;
    - (ii) murder where there are reasonable grounds to believe that a sexual offence was also committed on the victim; or
    - (iii) an offence against section 50; and
  - (b) is found, without reasonable excuse, idling or lingering about in or near:
    - (i) a school, kindergarten or child care centre; or
    - (ii) a public place regularly frequented by children and in which children are present at the time of the loitering,
- is guilty of an offence.

Penalty: \$5,000 or imprisonment for 12 months.

- (3) If a person has at any time been convicted of an offence against a law of a State or another Territory of the Commonwealth which creates an offence substantially similar to a sexual offence, the conviction for the offence against that law shall be taken for the purposes of this section to be a conviction of a sexual offence.

#### **47A Loitering – general offence**

- (1) A person loitering in any public place who does not give a satisfactory account of himself when requested so to do by a member of the Police Force shall, on request by a member of the Police Force to cease loitering, cease so to loiter.

Penalty: \$2,000 or imprisonment for 6 months, or both.

- (2) Where a person is loitering in a public place and a member of the Police Force believes, on reasonable ground:
- (a) that an offence has been or is likely to be committed; or
  - (b) that the movement of pedestrian or vehicular traffic is obstructed or is about to be obstructed, by that person or by any other person loitering in the vicinity of that person;
  - (c) that the safety of the person or any person in his vicinity is in danger; or

- (d) that the person is interfering with the reasonable enjoyment of other persons using the public place for the purpose or purposes for which it was intended,

the member of the Police Force may require any person so loitering to cease loitering and to remove from that public place any article under his control, and a person so required shall comply with and shall not contravene the requirement.

Penalty: \$2,000 or imprisonment for 6 months, or both.

#### **47B Loitering – offence following notice**

- (1) A police officer may give a written notice to a person who is loitering at a public place:
- (a) requiring the person to stay away from the place or an area including the place for a specified period not exceed 72 hours from the time the notice is given; and
  - (b) specifying the place or area, and the period, as is reasonable in the circumstances; and
  - (c) specifying the consequences of contravening the notice.
- (2) The officer may do so only if the officer reasonably suspects:
- (a) the person has committed, or is about to commit, an offence at the place or in the area; or
  - (b) the person is part of a group of people at the place and one or more people in the group have committed or are about to commit an offence at the place or in the area.
- (4) The person is guilty of an offence if:
- (a) the officer gives the person the notice; and
  - (b) the person contravenes the notice.

Maximum penalty: 100 penalty units or imprisonment for 6 months.

- (5) It is a defence for an offence against subsection (4) if the defendant proves that the defendant has a reasonable excuse.
- (6) The officer must ensure all reasonable steps are taken to explain to the person (in language the person can readily understand) the matters mentioned in subsection (1)(a) to (c).

- (7) The notice is not invalidated by a failure to comply with subsection (6).

**49A Illegal use of vehicle, &c.**

- (1) Any person who, without reasonable excuse:
- (a) interferes with or tampers with any vehicle;
  - (b) works or uses any horse or other beast of burden; or
  - (c) interferes with, tampers with or goes on board a boat,
- without the consent of the owner or the person in lawful charge thereof, shall be guilty of an offence.

Penalty: 1,000 dollars or imprisonment for 6 months, or both.

- (2) A Court which finds a person guilty of an offence against this section may order him to pay to the owner of the vehicle, horse, other beast of burden, boat, equipment, material or article in respect of which the offence was committed, a reasonable sum by way of compensation for any loss or damage caused to the owner by the defendant by reason of the commission of the offence.
- (2A) Where a person is found guilty of an offence against this section, the Court may, in addition to or instead of any other penalty that may be imposed by the Court, suspend any licence to drive a motor vehicle within the meaning of the *Motor Vehicles Act* that is held by that person for such period as the Court thinks fit.
- (3) In this section **boat** includes canoe, dinghy, yacht, raft, pontoon, ship and any other like vessel.

**50 Penalty for indecent exposure of the person**

Any person who offends against decency by the exposure of his person in any street or public place, or in the view thereof, shall be guilty of an offence.

Penalty: \$2,000 or imprisonment for 6 months, or both.

**52 Injuring or extinguishing street lamps**

Any person who wantonly or maliciously breaks or injures any pane of glass, lamp, or lamp post, or extinguishes any lamp set up for public convenience, shall be liable to a penalty not exceeding 1,000 dollars, or imprisonment for 6 months, or both and in addition shall defray the necessary expense of repairing the damage done, to be estimated by the Justice finding the person guilty.



**53        Obscenity**

- (1) Any person who:
- (a) in a public place, or within the view or hearing of any person passing therein:
  - (i) sings any obscene song or ballad, or writes or draws any indecent or obscene word, figure or representation, or uses any profane, indecent or obscene language,
- shall be guilty of an offence.
- (7) A person who in a public place or in licensed premises within the meaning of the *Liquor Act*:
- (a) by threatening, abusive or objectionable words or behaviour, offends or causes substantial annoyance to another person; or
  - (b) makes such a noise as might reasonably in the circumstances cause substantial annoyance to another person,
- whether that other person is in the public place, those premises or elsewhere, is guilty of an offence.
- (8) Where the words or behaviour or noise referred to in subsection (7) are or is made in licensed premises within the meaning of the *Liquor Act* and the Court is satisfied that the licensee might reasonably have taken action to prevent the commission of the offence, the licensee is also guilty of an offence.
- (9) The penalty for an offence against this section is a fine not exceeding \$2,000 or imprisonment for a term not exceeding 6 months, or both.
- (10) The Court hearing a complaint for an offence against this section shall not award costs against the complainant unless the Court considers that the complaint was unreasonably made.

**53A        Undue noise at social gathering after midnight**

- (1) A member of the Police Force may, in response to a complaint from a person that undue noise is coming from any premises or part of premises where a social gathering is being held, being a complaint in respect of noise made after midnight on any night and where he considers that such noise constitutes undue noise, direct:
- (a) the person who is the occupier of the premises or part of the premises, as the case may be; or

(b) if that person cannot be ascertained, the person responsible for the noise or in charge of the property producing the noise,

to stop or abate the noise.

- (2) Where, at any time during the period of 12 hours immediately after a person has been directed under subsection (1) to stop or abate undue noise (other than the period of 10 minutes after the direction is given), undue noise comes from the premises or part of the premises in respect of which the complaint was made, the person to whom the direction was given is guilty of an offence.

Penalty: \$2,000.

### **53B Undue noise**

- (1) A member of the Police Force may, in response to a complaint from a person that undue noise is coming from any premises or part of premises and where he considers that such noise constitutes undue noise, direct:

- (a) the person making or causing or permitting the noise to be made; or
- (b) the person apparently at the time in charge of the premises or part of the premises, as the case may be,

to stop or abate the noise.

- (2) A member of the Police Force may, in response to a complaint from a person that undue noise is coming from any unoccupied land and where he considers that such noise constitutes undue noise, direct the person making the noise or causing or permitting the noise to be made to stop or abate the noise.

- (2A) A direction under subsection (1) or (2):

- (a) may be given by reference to a period of hours during which, or specific times when, the noise is to be stopped or abated; and
- (b) in any event, shall remain in force for not more than 48 hours.

- (3) A person who has been directed under subsection (1) or (2) to stop or abate undue noise and who, other than during the period of 10 minutes immediately after being so directed:

- (a) continues to make the noise or continues to cause or permit the noise to be made; or

(b) does not abate the noise,

in contravention of the direction is guilty of an offence.

Penalty: \$2,000.

### **53C Certificate of member of police force to be evidence**

In a prosecution for an offence against section 53A or 53B a certificate by a member of the Police Force stating that a complaint of a kind referred to in those sections had, at a specified time and on a specified date, been made is prima facie evidence of the matters stated in the certificate.

### **53D Noise abatement orders**

(1) Where a person occupying premises makes a complaint to a Justice alleging that his occupation of those premises is affected by undue noise, the Justice may issue his summons for the appearance before him or any other Justice of the person who is:

(a) alleged to be making or causing or permitting the noise to be made; or

(b) the occupier or person apparently in charge of the premises or part of the premises from which the noise is alleged to be emitted.

(2) If the Court is satisfied that an alleged undue noise exists, or that although abated it is likely to recur on the same premises or part of the premises, the Court may, where it finds that such noise is not justified in the circumstances, make an order directing the person summoned under subsection (1) to stop or abate the noise or to confine the making of the noise to within such hours as the Court may fix and the Court may, in making the order, impose such other conditions as it thinks fit.

(3) A person shall not contravene or fail to comply with an order made under subsection (2).

Penalty: \$2,000.

(4) Where:

(a) a direction has been given under section 53A or 53B; and

(b) a member is satisfied that another person requires the name and address of the person to whom the direction was given for the purposes of making a complaint under subsection (1) in respect of that person or instituting any civil suit or proceeding

in respect of the noise the subject of the direction,

the member may provide the other person with the name and address of the person to whom the direction was given.

- (5) Where the Court makes an order under subsection (2), the Court may order the defendant to pay to the complainant such costs as it thinks fit.
- (6) Where the Court refuses to make an order under subsection (2), the Court shall not award costs against the complainant unless the Court is satisfied that the complaint made was vexatious or unreasonable.

### **53E Powers of police**

- (1) For the purposes of giving a direction under section 53A or 53B, a member of the Police Force may enter the premises or the part of the premises from which the noise is coming together with such assistance and using such force as the member considers reasonable for the purpose.
- (2) A member of the Police Force who enters premises or a part of premises under this section may require a person in the premises or the part to answer a question asked for the purpose of identifying the occupier of the premises or the part or the person responsible for the noise or in charge of the property that is producing the noise.
- (3) A person asked a question under subsection (2) shall not refuse or fail to answer the question to the best of his knowledge or belief.

Penalty: \$200.

### **53F Compliance with direction**

For the purposes of a prosecution of an offence against sections 53A and 53B, it is immaterial that noise coming from the premises or the part of the premises after a direction has been given is not of the same nature or of the same level as the noise to which the direction given related.

### **54 Stealing domestic animals**

Any person who steals any dog, or any bird or animal ordinarily kept in a state of confinement and not being the subject of larceny, shall be liable to a penalty not exceeding 200 dollars, in addition to the value of the dog, bird, or animal stolen.

**55 Challenge to fight**

- (1) Any person who sends or accepts, either by word or letter, any challenge to fight for money, or engages in any prize fight, shall be liable to a penalty of 500 dollars, or to imprisonment, for any period not exceeding 3 months, or both.
- (2) The Justice before whom any person is found guilty of an offence against this section may, if he thinks fit, in addition to imposing a penalty, also require that person to find sureties for keeping the peace.

**55A Consorting between known offenders**

- (1) A person is guilty of an offence if:
  - (a) the Commissioner gives a written notice to the person under this section prohibiting the person, for a specified period not exceeding 12 months, from one or both of the following as specified in the notice:
    - (i) being in company with one or more specified persons;
    - (ii) communicating in any way (including by post, fax, phone and other electronic means, and whether directly or indirectly) with one or more specified persons; and
  - (b) the person contravenes the notice.

Maximum penalty: Imprisonment for 2 years.

- (2) It is a defence for an offence against subsection (1) if the defendant proves that:
  - (a) the defendant has a reasonable excuse; or
  - (b) the defendant, having unintentionally associated with a person specified in the notice, terminated the association immediately.
- (3) In subsection (2), a reference to an association with the specified person is a reference to being in company, or communicating, with the specified person in contravention of the notice.
- (4) The Commissioner may give a notice to a person (the **notified person**) under subsection (1) only if:
  - (a) the notified person and each person specified in the notice (a **specified person**) have each been found guilty of a prescribed offence; and

- (b) the Commissioner reasonably believes that giving the notice is likely to prevent the commission of a prescribed offence involving:
  - (i) 2 or more offenders; and
  - (ii) substantial planning and organisation.
- (5) The notice must specify:
  - (a) the notified person's obligations under the notice; and
  - (b) the consequences of contravening the notice.
- (6) The Commissioner must ensure all reasonable steps are taken to explain to the notified person (in language the notified person can readily understand) the matters mentioned in subsection (5)(a) and (b).
- (7) In addition, the Commissioner must give each specified person a notice under subsection (1) imposing similar obligations in relation to prohibiting the specified person from one or both of the following:
  - (a) being in company with the notified person and each of the other specified persons;
  - (b) communicating with the notified person and each of the other specified persons.
- (8) However, the Commissioner may disregard subsection (7) in exceptional circumstances.
- (9) A notice under subsection (1) is not invalidated by a failure to comply with subsections (6) to (8).
- (10) A reference to a prescribed offence in subsection (4) is a reference to an offence:
  - (a) prescribed by regulation; and
  - (b) the maximum penalty for which is imprisonment for 10 years or more.

## **56 Offences**

- (1) Any person who:
  - (c) wanders abroad, or from house to house, or places himself in any public place, street, highway, court, or passage, to beg or gather alms, or causes or procures or encourages any child so to do;

(e) has on or about his person, without lawful excuse (proof whereof shall lie upon the person charged), any deleterious drug, or any article of disguise; or

(i) habitually consorts with reputed criminals,

shall be guilty of an offence.

Penalty: 500 dollars or imprisonment for 3 months, or both.

**57 Offences after finding of guilt under section 56, &c.**

(1) Any person who:

(a) having been found guilty of an offence under section 56 commits any of the offences mentioned in that section;

(b) solicits, gathers, or collects alms, subscriptions, or contributions under any false pretence, or wanders abroad and endeavours by the exposure of wounds or deformities to obtain or gather alms;

(d) pretends to tell fortunes, or uses any subtle craft, means, or device, by palmistry or otherwise, to deceive and impose upon a person;

(e) has in his custody or possession, without lawful excuse (proof whereof shall be upon the person charged), any picklock, key, crow, jack, bit, or other implement of housebreaking;

(l) being a suspected person or reputed thief, is in, on or near, with intent to commit any offence triable on information in the Supreme Court or any indictable offence, any river, canal, navigable stream, dock, or basin, or any quay, wharf, or warehouse near or adjacent thereto, or any street, highway, or avenue leading thereto, or any place of public resort, or any avenue leading thereto, or any street, highway, or place adjacent; or

(p) leaves his wife or child:

(i) chargeable, or whereby either of them becomes chargeable, to the public; or

(ii) without means of support other than public charity,

shall be guilty of an offence.

Penalty: 1,000 dollars, or imprisonment for 6 months, or both.

- (2) Where any person is found guilty under paragraph (e) of subsection (1), any picklock, key, crow, jack, bit, or other implement of housebreaking in the custody or possession of that person shall be forfeited to the Territory.
- (4) Where any person is found guilty under paragraph (j) of subsection (1) any table or instrument of gaming at or with which he has played or betted contrary to the provisions hereof shall be forfeited to the Territory.
- (5) In proving under paragraph (l) of subsection (1), the intent to commit any offence therein specified, it shall not be necessary to show that the person charged was guilty of any particular act or acts tending to show his intent but he may be found guilty if from the circumstances of the case and his known character as proved to the Court it appears to the Court that his intent was to commit that offence.

**58      Penalty for second or subsequent offence under section 57**

The penalty on being found guilty of a second or subsequent offence under section 57 is imprisonment for a term not exceeding 12 months.

**60      Valueless cheques**

Any person who obtains or attempts to obtain any chattel, money, valuable security, credit, benefit or advantage or discharges or attempts to discharge any debt or liability by passing any cheque which is not paid on presentation shall, notwithstanding that there may have been some funds to the credit of the account on which the cheque was drawn at the time it was passed, be guilty of an offence, unless he proves:

- (a) that he had reasonable grounds for believing that the cheque would be paid in full on presentation; and
- (b) that he had no intent to defraud.

Penalty:      2,000 dollars, or imprisonment for 12 months, or both.

**60A     Fraud other than false pretences**

A person who obtains or attempts to obtain any chattel, money, valuable security, credit, benefit or advantage or discharges or attempts to discharge any debt or liability by fraud other than false pretences shall be guilty of an offence.

Penalty:      2,000 dollars, or imprisonment for 12 months, or both.



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**61 Persons suspected of having stolen goods**

(1) In this section:

**personal property** includes money in cash or cheque form, or deposited in an ADI account or other account.

**premises** includes a structure, building, vehicle, vessel, aircraft, hovercraft, land or place.

(2) A person who:

- (a) has in that person's custody any personal property;
- (b) has in the custody of another person any personal property;
- (c) has in or on any premises any personal property; or
- (d) gives any personal property to a person who is not lawfully entitled to it,

being personal property which, at any time before the making of a charge for an offence against this section in respect of the personal property, is reasonably suspected of having been stolen or otherwise unlawfully obtained, is guilty of an offence.

Penalty: \$2,000 or imprisonment for 12 months.

(3) It is a defence to a charge for an offence against subsection (2) if the defendant gives to the court a satisfactory account:

- (a) as to how the defendant obtained the personal property referred to in the charge; and
- (b) of the custody of the personal property by the defendant after it was obtained by him or her for each period during which the defendant had custody of the personal property.

**62 Where property improperly taken or stolen is found and not satisfactorily accounted for**

(1) Whenever any credible witness proves upon oath before any Justice that there is reasonable cause to suspect that any such property as mentioned in this section has been taken or stolen, and is to be found in any house or other place, it shall be lawful for the Justice to issue a warrant to search the house or place for the property, and any person in whose possession, or on whose premises, any of the property is found by virtue of any such warrant, or by any member of the Police Force when executing any general search warrant or any other warrant, or otherwise acting in

the discharge of his duty, who does not satisfy the Special Magistrate or Justices before whom he is brought that he came lawfully by the same, or that the same was on his premises without his knowledge or consent, shall:

- (a) if the property so found consists of any goods, merchandise, or other articles belonging to any ship or vessel in distress, or wrecked, stranded, or cast on shore, be liable to a penalty not exceeding 2,000 dollars or to imprisonment for any period not exceeding 12 months, or both;
- (b) if the property so found consists of the carcass, or the head, skin, hide, fleece, feet, or other part of any cattle, be liable to a penalty not exceeding 2,000 dollars, or to imprisonment for any period not exceeding 12 months, or both; or
- (c) if the property so found consists of the whole or any part of any tree, sapling, or shrub, or any underwood, or any part of any live or dead fence, or any post, picket, rail, stile, or gate, or any part thereof (being of the value of not less than 10 cents), to be liable to a penalty not exceeding 2,000 dollars, or to imprisonment for any period not exceeding 12 months, or both, and in addition shall pay to the party aggrieved the value of the property so found.

(2) Any person who:

- (a) offers or exposes for sale any goods, merchandise, or articles (whether found by virtue of a search warrant or not) which have been unlawfully taken, or are reasonably suspected of having been unlawfully taken, from any ship or vessel in distress, or wrecked, stranded, or cast on shore; and
- (b) does not satisfy the Special Magistrate or Justices before whom he is brought that he came lawfully by the same, or that the same were on his premises without his knowledge or consent,

shall be liable to a penalty not exceeding 2,000 dollars, or to imprisonment, with or without hard labour, for any period not exceeding 12 months, or both and in addition shall pay such sum as the Special Magistrate or Justices fix as a reasonable reward to the person who seized the goods, merchandise, or articles.

(3) In every case to which the section applies, any person to whom any such property as is therein mentioned is offered for sale, or any officer of the Customs or member of the Police Force, may lawfully seize the same, and shall with all convenient speed cause the same to be removed to a Special Magistrate or 2 or more Justices,

and in every such case it shall be lawful for the Special Magistrate or Justices by whom the case is heard to direct that the property be delivered over to the rightful owner, if known, or, if the rightful owner is not known, that the same be sold, and the proceeds thereof applied in the same manner as any penalties under this Ordinance.

- (4) If any person charged with any offence against this section is not found guilty thereof, it shall be lawful for the Special Magistrate or Justices hearing the case, at his or their discretion, to compel the attendance before him or them of any person through whose hands any such property as mentioned in this section, or any part thereof, appears to have passed, and if the person from whom the same was first received, or any person who has had possession thereof, does not satisfy such Special Magistrate or Justices that he came lawfully by the same, he shall be liable to the appropriate punishment provided by this section.

#### **65AA Dumping of certain containers**

No person shall abandon a refrigerator, icechest, icebox, article of furniture, trunk or article of a like nature which has in it a compartment of a capacity of 40 litres or 40,000 cm<sup>3</sup> or more or any prescribed article on any vacant land or on any dump, tip, sanitary depot, public reserve or public place unless he has, before so abandoning it:

- (a) removed from the compartment every door and lid thereof and the hinges or locks for those doors and lids; or
- (b) otherwise rendered those doors and lids incapable of being fastened.

Penalty: \$200.

#### **65A Tampering with instruments, &c.**

Any person who:

- (a) with intent to deceive tampers with any instrument or device used for the recording of mileage in a motor vehicle; or
- (b) with intent to deceive installs in substitution for an instrument or device used in a motor vehicle for recording the mileage of the motor vehicle a new instrument or device for recording the mileage of the motor vehicle,

shall be guilty of an offence and liable to a penalty of not more than 200 dollars.

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**66 Regulation of places of public resort**

(1) Every person who has or keeps any house, shop, room, or place of public resort wherein provisions, liquor, or refreshments of any kind are sold or consumed (whether the same are kept or retailed therein or procured elsewhere) who:

- (a) wilfully and knowingly permits drunkenness or other disorderly conduct in the house, shop, room, or place; or

shall be guilty of an offence.

Penalty: 200 dollars.

(2) The holder of a licence under the *Liquor Act* who has been found guilty of an offence against subsection (1) in respect of certain conduct may be prosecuted for an offence against the *Liquor Act* in respect of the same conduct.

**68A False reports to police**

(1) Any person who falsely and with knowledge of the falsity of his statements represents to any member of the police force that any act has been done or that any circumstances have occurred, which act or circumstances as so represented are such as reasonably call for investigation by the police, shall be guilty of an offence.

Maximum penalty: \$11 000 or imprisonment for 2 years.

(2) In addition to or without imposing a fine on any defendant found guilty under this section, the court may order that the defendant pay to the complainant a reasonable sum for the expenses of or incidental to any investigation made by any member of the police force as a result of the false statement.

(3) Any amounts received by the complainant under this section shall be paid by him into the Central Holding Authority.

(4) This section shall not be held to restrict the operation of any other enactment or rule of law.

**68B Advertising a reward for the return of stolen property, &c.**

A person who:

- (a) publicly offers a reward for the return of property that has been stolen, and in the offer makes use of words purporting that no questions will be asked or that the person producing such property will not be seized or molested;

(b) publicly offers to return to a person who may have brought or advanced money by way of loan on stolen property the money so paid or advanced or any other sum of money or reward for the return of such property; or

(c) prints or publishes such an offer,

is guilty of an offence.

Penalty: \$500.

### **69 Penalty for offences where no special penalty is appointed**

Every offence against this Act for which no special penalty is provided shall render the offender liable to a penalty of not more than 500 dollars, or to imprisonment for any period not exceeding 3 months, or both.

### **69A Disobedience to laws of the Territory**

A person who, without lawful excuse, proof of which is on him:

(a) does an act that he is forbidden to do; or

(b) omits to do an act that he is required to do,

by a law in force in the Territory, unless a penalty intended to be exclusive of all other punishment is expressly provided by such a law, is guilty of an offence.

Penalty: Imprisonment for 3 months.

### **69B Inciting to the commission of offences**

A person who:

(a) incites to, urges, aids or encourages; or

(b) prints or publishes any writing which incites to, urges, aids or encourages,

the commission of an offence or the carrying on of an operation for or by the commission of an offence, is guilty of an offence.

Penalty: \$2,000 or imprisonment for 12 months.

**74 Power to regulate traffic in certain cases**

- (1) The Commissioner may, as occasion arises, give directions either in writing, orally, or by any agency which he thinks fit:
  - (a) specifying the route to be observed by motor vehicles, vehicles of any other kind, horses, and persons, and for preventing the obstruction of the streets and thoroughfares on any occasion of public procession, public rejoicings, or public illuminations;
  - (b) for keeping order, or for preventing any obstruction of the streets or thoroughfares in the immediate neighbourhood of any public building, public office, theatre, or place of public resort; and
  - (c) for keeping order, or for preventing any obstruction of the streets or thoroughfares on any occasion when the streets or thoroughfares are thronged or are liable to be obstructed.
- (2) The Commissioner may delegate his powers under this section in any particular case to any Superintendent or Inspector of Police.
- (3) Any person who, on being requested by any member to comply with any direction given pursuant to this section, fails to forthwith comply with such direction, shall be guilty of an offence.

Penalty: 200 dollars.

**75 Prohibition of nuisances in thoroughfares**

- (1) Any person who, in any street, road, thoroughfare, or public place:
  - (b) turns loose any horse or any cattle; or
  - (c) by negligence or ill-usage in driving cattle causes any mischief to be done by those cattle, or in any way misbehaves himself in the driving, care, or management of those cattle, or, not being hired or employed to drive those cattle, wantonly and unlawfully pelts, hurts, or drives any such cattle; or
  - (d)
    - (i) being the driver of any waggon, cart, or dray of any kind not drawn by horses properly driven with reins, rides upon any such waggon, cart, or dray, not having some person on foot to guide the same; or
    - (ii) being the driver of any carriage whatsoever, is at such a distance from such carriage, or in such a situation whilst it is passing along any street, road, thoroughfare, or public place, that he cannot guide and control the horses

- or cattle drawing the same; or
- (iii) rides upon the shafts of any waggon, cart, dray, or other vehicle whatsoever; or
  - (iv) riding a bicycle or on horseback, or driving or propelling any waggon, cart, dray, or coach, or any other carriage or vehicle whatsoever, on meeting any other person riding a bicycle or on horseback, or driving or propelling any waggon, cart, dray, or coach, or any other carriage or vehicle whatsoever, does not keep his bicycle, horse, waggon, cart, dray, coach, carriage, or vehicle on the left or near side of the road; or
  - (v) in any manner prevents any other person from passing him or any vehicle under his care, or prevents, hinders or interrupts the free passage of any vehicle or person; or
- (e)
    - (i) causes any cart or vehicle (except standing for hire in any place not forbidden by law), or any truck or barrow, with or without horses, to stand longer than is necessary for loading or unloading or for taking up or setting down passengers; or
    - (ii) by means of any cart or carriage, or any truck or barrow, or any horse or other animal, wilfully interrupts any public crossing, or wilfully causes any obstruction in any thoroughfare; or
  - (f) after notice of any regulations made under section 74, wilfully disregards any such regulation, or does not conform thereto; or
  - (g) without consent of the owner or occupier, affixes any posting bill or other paper against or upon any building, wall, or fence, or writes upon, soils, defaces, or marks any building, wall, or fence with chalk or paint, or in any other manner whatsoever; or
  - (j) flies any kite, or plays any game, to the annoyance of the inhabitants or passengers in any street, road, thoroughfare, or public place, or to the common danger of the passengers therein; or
  - (k) turns loose, or suffers any kind of swine or goats belonging to him or under his charge to stray or go about or to be tethered or depastured, in any street, road, thoroughfare, or public place,

shall be guilty of an offence.

Penalty: 200 dollars.

- (2) It shall be lawful for any member to take into custody, without warrant, any person who commits any such offence as mentioned in this section within view of that member.

### **75A Dangerous dogs**

- (1) In this section, a reference to the owner of a dog includes:

- (a) the person for the time being under whose control the dog is;
- (b) the occupier of premises or a part of premises where the dog is usually kept; and
- (c) where the owner has not attained the age of 17 years, a parent or guardian of the owner,

but does not include an authorised person, within the meaning of the *Local Government Act*, a member of the Police Force or a person at a pound controlling or keeping a dog in accordance with a by-law of a council, within the meaning of that Act.

- (2) The owner of a dog that:

- (a) attacks a person or animal; or
- (b) menaces a person or animal,

is guilty of an offence.

Penalty: \$5,000.

- (3) It is a defence to a prosecution for an offence against subsection (2) if the owner of the dog proves that:

- (a) a person had, without the owner's permission, enticed the dog to attack or menace the person or animal;
- (b) the animal attacked or menaced was attacked or menaced on premises owned or occupied by the owner; or
- (c) the person attacked or menaced was attacked or menaced on premises owned or occupied by the owner and the person:
  - (i) was on the premises for an illegal purpose; or



- (ii) was attacked or menaced other than when proceeding by the shortest practical route from a boundary of the premises to the door of the premises closest to the boundary or from the door to the boundary.
- (4) A person shall not entice or induce a dog to act in a manner that would render the owner of the dog liable to prosecution for an offence against subsection (2).  
  
Penalty: \$5,000.
- (5) Where a court finds a person guilty of an offence against subsection (2), it may:
  - (a) order the destruction of the dog in addition to or instead of the penalty specified in that subsection; and/or
  - (b) order the person to pay the costs and expenses of and incidental to the impounding of the dog.
- (6) Where a member of the Police Force believes, on reasonable grounds, that a dog has or may cause serious injury to a person or animal, the member may seize, impound or destroy the dog and for that purpose may enter onto any land (including land that is not open to or used by the public) with or without the consent of the occupier or owner, or a warrant.

## **76 Playing musical instruments so as to annoy**

- (1) Every householder personally, or by his servant, or by any member, may require any street musician to depart from the neighbourhood of his house, on account of the illness of any inmate of the house or for any reasonable cause.
- (2) Every person who sounds or plays upon any musical instrument in any thoroughfare near to and so as to be heard at the house, after being so required to depart, shall be guilty of an offence.  
  
Penalty: 200 dollars.
- (3) Every person who sounds or plays upon any musical instrument, and against whom an information has been laid by any inhabitant who is annoyed by the sounding or playing of the musical instrument, or by any member upon the written complaint of the inhabitant, shall be guilty of an offence.  
  
Penalty: 200 dollars.

**78 Keeping clean yards, &c.**

Any owner or occupier of any premises or place who neglects to keep clean all private avenues, passages, yards, and ways within such premises or place, so as by such neglect to cause a nuisance by offensive smell or otherwise, shall be liable to a penalty of not more than 200 dollars.

**82 Offences relating to public fountains**

- (1) Any person who damages any public fountain, pump, cock, or water-pipe, or any part thereof, shall pay the cost of repairing the same, and, if the damage is done wilfully, shall, in addition to paying the cost, be liable to a penalty of not more than 1,000 dollars, or imprisonment for 6 months, or both.
- (2) Any person who has in his possession any private key for the purpose of opening any cock, or who in any manner clandestinely or unlawfully appropriates to his use any water from any public fountain or pipe, shall be liable to a penalty of not more than 500 dollars, or imprisonment for 3 months, or both.
- (3) Any person who opens, or leaves open, any cock on any public fountain or pump, so that the water runs or may run to waste, shall be liable to a penalty of not more than 200 dollars.

**85 Leaving dead animals in public place**

Any person who:

- (a) throws or leaves, or causes to be thrown or left, any dead animal, or any part thereof, upon any street, lane, road or other public place, or into any river, creek, or other stream which flows through, by, or along any such street, lane, road, or public place; or
- (b) leaves, or causes to be left, any dead animal, or any part thereof, upon the shores of any such river, creek, or other stream; or
- (c) leaves, or causes to be left, any dead animal, or any part thereof, on or upon any private property abutting upon any street, or on or near to any other public place,

to the annoyance of the inhabitants or of persons passing along or resorting to the street, lane, road, or public place, or of the occupiers of any dwelling-house, shall be liable to a penalty of not more than 200 dollars.

**89 Cellars or openings beneath the surface of footpaths prohibited**

Any person who makes any cellar, or any opening, door, or window, in or beneath the surface of the footpath of any street or public place, shall be liable to a penalty of 200 dollars over and above the expense of remedying or removing such cellar, opening, door, or window, such expense to be assessed and allowed by the Justice finding the person guilty.

**91AA Regulatory offences**

An offence of contravening or failing to comply with section 53A(2), 53B(3), 65AA, 74(3), 77(2), 82(3) or (4), or 89 is a regulatory offence.

**Part IX Miscellaneous****92 Regulations**

- (1) The Administrator may make regulations, not inconsistent with this Act, prescribing all matters that are required or permitted by this Act to be prescribed or are necessary or convenient to be prescribed for giving effect to this Act.
- (2) Without limiting the generality of subsection (1), the Regulations may provide for:
  - (a) the payment of a prescribed amount in lieu of a penalty which may otherwise be imposed for an offence against this Act or the Regulations;
  - (b) the service of notices on persons alleged to have infringed this Act or the Regulations and particulars to be included in such notices;
  - (c) the hours during which the use of specified tools, equipment or machinery or classes of tools, equipment or machinery, the noise from which is or is likely to be audible in residential premises, is prohibited or restricted; and
  - (d) penalties, not exceeding \$2,000, for offences against the Regulations.

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**ENDNOTES**
**1 KEY**

Key to abbreviations

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

**2 LIST OF LEGISLATION*****Police and Police Offences Ordinance 1923 (Act No. 20, 1923)***

Assent date	15 November 1923
Commenced	1 March 1924 ( <i>Gaz</i> 1 February 1924)

***Police and Police Offences Ordinance 1926 (Act No. 14, 1926)***

Assent date	3 June 1926
Commenced	3 June 1926

***Police and Police Offences Ordinance 1932 (Act No. 19, 1932)***

Assent date	22 September 1932
Commenced	22 September 1932

***Police and Police Offences Ordinance 1935 (Act No. 6, 1935)***

Assent date	27 June 1935
Commenced	27 June 1935

***Police and Police Offences Ordinance 1938 (Act No. 12, 1938)***

Assent date	8 September 1938
Commenced	8 September 1938

***Police and Police Offences Ordinance 1947 (Act No. 6, 1947)***

Assent date	11 September 1947
Commenced	11 September 1947

***Police Arbitral Tribunal Ordinance 1948 (Act No. 1, 1949)***

Assent date	14 February 1949
Commenced	14 February 1949

***Police and Police Offences Ordinance 1949 (Act No. 6, 1949)***

Assent date	11 May 1949
Commenced	11 May 1949

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***Police Arbitral Tribunal Ordinance 1949 (Act No. 14, 1949)***

Assent date 21 November 1949  
Commenced 21 November 1949

***Police Arbitral Tribunal Ordinance 1950 (Act No. 5, 1950)***

Assent date 22 August 1950  
Commenced 22 August 1950

***Police and Police Offences Ordinance 1952 (Act No. 26, 1952)***

Assent date 4 June 1952  
Commenced 4 June 1952

***Police and Police Offences Ordinance 1953 (Act No. 14, 1953)***

Assent date 29 June 1953  
Commenced 1 April 1954 (*Gaz No. 12, 24 March 1954*)

***Police and Police Offences Ordinance 1954 (Act No. 1, 1955)***

Assent date 23 February 1955  
Commenced 21 April 1955 (*Gaz No. 16, 20 April 1955*)

***Police and Police Offences Ordinance 1957 (Act No. 18, 1957)***

Assent date 17 May 1957  
Commenced 7 June 1957 (*Gaz No. 23A, 7 June 1957*)

***Police and Police Offences Ordinance (No. 2) 1957 (Act No. 30, 1957)***

Assent date 4 September 1957  
Commenced 4 September 1957 (s 2 and s 2 *Welfare Ordinance 1957 (Act No. 29, 1957)*)

***Police and Police Offences Ordinance 1959 (Act No. 19, 1959)***

Assent date 7 July 1959  
Commenced 7 July 1959

***Police and Police Offences Ordinance (No. 2) 1959 (Act No. 20, 1959)***

Assent date 7 July 1959  
Commenced 7 July 1959

***Police and Police Offences Ordinance 1960 (Act No. 5, 1960)***

Assent date 2 September 1960  
Commenced 2 September 1960

***Police and Police Offences Ordinance (No. 2) 1960 (Act No. 12, 1961)***

Assent date 3 February 1961  
Commenced 1 May 1961 (*Gaz No. 18, 26 April 1961*)

***Police and Police Offences Ordinance 1961 (Act No. 10, 1962)***

Assent date 18 April 1962  
Commenced 23 May 1962 (s 2 and s 2 *Welfare Ordinance 1961 (Act No. 12, 1962)*)

***Police and Police Offences Ordinance 1963 (Act No. 48, 1963)***

Assent date 22 July 1963  
Commenced 22 July 1963

***Police and Police Offences Ordinance 1964 (Act No. 44, 1964)***

Assent date 7 September 1964  
Commenced 7 September 1964

***Police and Police Offences Ordinance (No. 2) 1964 (Act No. 3, 1965)***

Assent date 14 January 1965  
Commenced 14 January 1965

***Police and Police Offences Ordinance (No. 3) 1964 (Act No. 4, 1965)***

Assent date 14 January 1965  
Commenced 14 January 1965

***Police and Police Offences Ordinance 1965 (Act No. 7, 1965)***

Assent date 22 February 1965  
Commenced 22 February 1965

***Police and Police Offences Ordinance (No. 2) 1965 (Act No. 30, 1965)***

Assent date 16 August 1965  
Commenced 16 August 1965

***Police and Police Offences Ordinance 1966 (Act No. 39, 1966)***

Assent date 14 September 1966  
Commenced 14 September 1966

***Police and Police Offences Ordinance 1968 (Act No. 39, 1968)***

Assent date 18 June 1968  
Commenced 18 June 1968

***Police and Police Offences Ordinance (No. 3) 1968 (Act No. 71, 1968)***

Assent date 7 October 1968  
Commenced 30 October 1968 (Gaz No. 47, 30 October 1968)

***Police and Police Offences Ordinance 1969 (Act No. 32, 1969)***

Assent date 30 September 1969  
Commenced 1 April 1970 (Gaz No. 11, 18 March 1970)

***Police and Police Offences Ordinance (No. 2) 1969 (Act No. 43, 1969)***

Assent date 27 November 1969  
Commenced 8 April 1970 (Gaz No. 12, 25 March 1970)

***Police and Police Offences Ordinance (No. 3) 1969 (Act No. 6, 1970)***

Assent date 8 August 1970  
Commenced 21 October 1970 (Gaz No. 42, 21 October 1970)

***Police and Police Offences Ordinance 1970 (Act No. 51, 1970)***

Assent date 3 December 1970  
Commenced 27 January 1971 (Gaz No. 2, 13 January 1971)

***Police and Police Offences Ordinance 1971 (Act No. 9, 1971)***

Assent date 24 March 1971  
Commenced 24 March 1971

***Police and Police Offences Ordinance 1973 (Act No. 13, 1973)***

Assent date 27 March 1973  
Commenced 27 March 1973

***Police and Police Offences Ordinance 1973 (Act No. 78, 1973)***

Assent date 11 December 1973  
Commenced 11 December 1973

**Ordinances Revision Ordinance 1973 (Act No. No. 87, 1973)**

Assent date 11 December 1973  
 Commenced 11 December 1973 (s 12(2))

**Amending Legislation**

**Ordinances Revision Ordinance 1974 (Act No. No. 34, 1974)**

Assent date 26 August 1974  
 Commenced 11 December 1973 (s 3(2))

**Ordinances Revision Ordinance (No. 2) 1974 (Act No. No. 69, 1974)**

Assent date 24 August 1974  
 Commenced 11 December 1973 (s 3(2))

**Ordinances Revision Ordinance 1976 (Act No. 27, 1976)**

Assent date 28 June 1976  
 Commenced ss 1, 2 and 6: 28 June 1976 (s 6(2));  
 ss 3 and 4: 11 December 1973; s 5: 24 October 1974

**Police and Police Offences Ordinance (No. 2) 1974 (Act No. 39, 1974)**

Assent date 23 September 1974  
 Commenced 23 September 1974

**Police and Police Offences Ordinance (No. 4) 1974 (Act No. 61, 1974)**

Assent date 15 October 1974  
 Commenced 15 October 1974

**Police and Police Offences Ordinance (No. 5) 1974 (Act No. 65, 1974)**

Assent date 21 October 1974  
 Commenced 21 October 1974

**Police and Police Offences Ordinance 1974 (Act No. 86, 1974)**

Assent date 7 November 1974  
 Commenced 1 January 1975 (Gaz No. 49, 5 December 1974)

**Police and Police Offences Ordinance 1975 (Act No. 18, 1975)**

Assent date 30 July 1975  
 Commenced 30 July 1975

**Police and Police Offences Ordinance (No. 2) 1975 (Act No. 3, 1976)**

Assent date 2 February 1976  
 Commenced 5 March 1976 (Gaz No. 10, 5 March 1976)

**Police and Police Offences Ordinance 1976 (Act No. 10, 1976)**

Assent date 1 March 1976  
 Commenced 1 March 1976

**Ordinances Revision Ordinance 1976 (Act No. 27, 1976)**

Assent date 28 June 1976  
 Commenced ss 1, 2 and 6: 28 June 1976 (s 6(2));  
 ss 3 and 4: 11 December 1973; s 5: 24 October 1974

***Transfer of Powers Ordinance 1976 (Act No. 64, 1976)***

Assent date 22 December 1976  
 Commenced 1 January 1977 (*Gaz No. 53, 24 December 1976, p 1573*)

**Amending Legislation**

***Transfer of Powers Ordinance (No. 2) 1976 (Act No. 65, 1976)***

Assent date 26 August 1974  
 Commenced 22 December 1976

***Police and Police Offences Ordinance 1977 (Act No. 8, 1977)***

Assent date 15 March 1977  
 Commenced 15 March 1977

***Police and Police Offences Ordinance 1978 (Act No. 31, 1978)***

Assent date 20 June 1978  
 Commenced 11 August 1978 (*Gaz No. 32, 11 August 1978*)

***Transfer of Powers (Self-Government) Ordinance 1978 (Act No. 54, 1978)***

Assent date 1 July 1978  
 Commenced 1 July 1978 (s 2)

***Statute Law Revision Act 1978 (Act No. 95, 1978)***

Assent date 5 September 1978  
 Commenced 5 September 1978

***Summary Offences Act 1978 (Act No. 17, 1979)***

Assent date 26 January 1979  
 Commenced 1 August 1979 (*Gaz G30, 26 July 1979, p 5*)

***Police and Police Offences Act 1979 (Act No. 26, 1979)***

Assent date 27 March 1979  
 Commenced 27 March 1979

***Summary Offences Act 1979 (Act No. 130, 1979)***

Assent date 15 October 1979  
 Commenced 15 October 1979

***Summary Offences Act (No. 2) 1979 (Act No. 137, 1979)***

Assent date 7 November 1979  
 Commenced 14 November 1980 (s 2, s 2 *Classification of Publications Act 1979 (Act No. 135, 1979) and Gaz G45, 7 November 1980, p 1*)

***Summary Offences Act (No. 3) 1979 (Act No. 158, 1979)***

Assent date 12 December 1979  
 Commenced 12 December 1979

***Summary Offences Act (No. 4) 1979 (Act No. 159, 1979)***

Assent date 12 December 1979  
 Commenced 2 May 1980 (*Gaz G18, 2 May 1980, p 13*)

**Amending Legislation**

***Summary Offences Act (No. 4) 1979 Amendment Act 1981 (Act No. 30, 1981)***

Assent date 25 March 1981  
 Commenced 25 March 1981



**Summary Offences Amendment Act 1982 (Act No. 22, 1982)**

Assent date 27 April 1982  
 Commenced 1 January 1983 (*Gaz* G51, 23 December 1982, p 1)

**Amending Legislation**

**Summary Offences Amendment Act 1982 Amendment Act 1982 (Act No. 86, 1982)**

Assent date 14 December 1982  
 Commenced 14 December 1982

**Summary Offences (Criminal Code) Amendment Act 1983 (Act No. 65, 1983)**

Assent date 28 November 1983  
 Commenced 1 January 1984 (s 2, s 2 *Criminal Code Act 1983* (Act No. 47, 1983), *Gaz* G46, 18 November 1983, p 11 and *Gaz* G8, 26 February 1986, p 5)

**Criminal Law (Regulatory Offences) Act 1983 (Act No. 68, 1983)**

Assent date 28 November 1983  
 Commenced 1 January 1984 (s 2, s 2 *Criminal Code Act 1983* (Act No. 47, 1983), *Gaz* G46, 18 November 1983, p 11 and *Gaz* G8, 26 February 1986, p 5)

**Statute Law Revision Act 1985 (Act No. 49, 1985)**

Assent date 1 October 1985  
 Commenced 1 October 1985

**Summary Offences Amendment Act 1987 (Act No. 5, 1987)**

Assent date 27 May 1987  
 Commenced 27 May 1987

**Trespass Act 1987 (Act No. 7, 1987)**

Assent date 27 May 1987  
 Commenced 1 July 1987 (*Gaz* G24, 17 June 1987, p 4)

**Summary Offences Amendment Act 1988 (Act No. 23, 1988)**

Assent date 1 September 1988  
 Commenced 1 September 1988

**Summary Offences Amendment Act (No. 2) 1988 (Act No. 48, 1988)**

Assent date 20 October 1988  
 Commenced 20 October 1988

**Statute Law Revision Act 1988 (Act No. 66, 1988)**

Assent date 22 December 1988  
 Commenced 22 December 1988

**Summary Offences Amendment Act 1990 (Act No. 5, 1990)**

Assent date 2 April 1990  
 Commenced 2 April 1990

**Summary Offences Amendment Act (No. 2) 1990 (Act No. 50, 1990)**

Assent date 15 October 1990  
 Commenced 1 February 1991 (*Gaz* G3, 23 January 1991, p 3)

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**Statute Law Revision Act 1991 (Act No. No. 31, 1991)**

Assent date 25 June 1991  
Commenced 25 June 1991

**Summary Offences Amendment Act 1992 (Act No. 7, 1992)**

Assent date 8 May 1992  
Commenced 8 May 1992

**Summary Offences Amendment Act 1993 (Act No. 71, 1993)**

Assent date 9 November 1993  
Commenced 9 November 1993

**Summary Offences Amendment Act 1994 (Act No. 7, 1994)**

Assent date 16 March 1994  
Commenced 19 December 1994 (*Gaz S60*, 16 December 1994)

**Summary Offences Amendment Act (No. 2) 1994 (Act No. 34, 1994)**

Assent date 18 May 1994  
Commenced 23 May 1994 (*Gaz S36*, 23 May 1994, p 2)

**Summary Offences Amendment Act (No. 3) 1994 (Act No. 35, 1994)**

Assent date 18 May 1994  
Commenced 23 May 1994 (*Gaz S36*, 23 May 1994, p 2)

**Summary Offences Amendment Act 1995 (Act No. 61, 1995)**

Assent date 28 December 1995  
Commenced 26 February 1996 (*Gaz G7*, 14 February 1996, p 3)

**Summary Offences Amendment Act (No. 2) 1995 (Act No. 62, 1995)**

Assent date 28 December 1995  
Commenced 28 December 1995

**Summary Offences Amendment Act (No. 3) 1995 (Act No. 64, 1995)**

Assent date 29 December 1995  
Commenced 1 February 1996 (*Gaz G5*, 31 January 1996, p 2)

**Summary Offences Amendment Act 1996 (Act No. 7, 1996)**

Assent date 20 March 1996  
Commenced 20 March 1996

**Sentencing (Consequential Amendments) Act 1996 (Act No. 17, 1996)**

Assent date 19 April 1996  
Commenced s 7: 19 April 1996; rem: 1 July 1996 (s 2, s 2 *Sentencing Act 1995* (Act No. 39, 1995) and *Gaz S15*, 13 June 1996)

**Summary Offences Amendment Act 1996 (Act No. 22, 1996)**

Assent date 17 June 1996  
Commenced 14 August 1996 (*Gaz G32*, 7 August 1996, p 3)

**Statute Law Revision Act 1996 (Act No. 42, 1996)**

Assent date 17 September 1996  
Commenced 17 September 1996

**Summary Offences Amendment Act (No. 3) 1996 (Act No. 46, 1996)**

Assent date 31 October 1996  
Commenced 1 December 1996 (*Gaz G48*, 27 November 1996, p 2)

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**Summary Offences Amendment Act 1998 (Act No. 65, 1998)**

Assent date 22 September 1998  
 Commenced 1 November 1998 (*Gaz* G40, 14 October 1998, p 2)

**Statute Law Revision Act (No. 2) 1998 (Act No. 92, 1998)**

Assent date 11 December 1998  
 Commenced 11 December 1998

**Statute Law Revision Act 1999 (Act No. 27, 1999)**

Assent date 18 June 1999  
 Commenced 18 June 1999

**Summary Offences Amendment Act 2001 (Act No. 35, 2001)**

Assent date 19 July 2001  
 Commenced s 4: 8 August 2001 (s 2, s 2 *Weapons Control Act 2001* (Act No. 25, 2001) and *Gaz* G31, 8 August 2001, p 8);  
 s 5: 26 September 2001 (*Gaz* G38, 26 September 2001, p 3)

**Statute Law Revision (Financial Provisions) Act 2002 (Act No. 38, 2002)**

Assent date 13 September 2002  
 Commenced 30 October 2002 (*Gaz* G43, 30 October 2002, p 3)

**Statute Law Revision Act (No. 2) 2002 (Act No. 59, 2002)**

Assent date 7 November 2002  
 Commenced 7 November 2002

**Justice Legislation Amendment (Group Criminal Activities) Act 2006 (Act No. 36, 2006)**

Assent date 3 November 2006  
 Commenced 20 December 2006 (*Gaz* G51, 20 December 2006, p 2)

**Statute Law Revision Act 2007 (Act No. 4, 2007)**

Assent date 8 March 2007  
 Commenced 8 March 2007

**Justice and Other Legislation Amendment Act 2009 (Act No. 12, 2009)**

Assent date 26 May 2009  
 Commenced 24 June 2009 (*Gaz* G25, 24 June 2009, p 2)

**Statute Law (Miscellaneous Provisions) Act 2011 (Act No. 44, 2011)**

Assent date 21 December 2011  
 Commenced 27 January 2012 ((other than amdts to *Darwin Port Corporation Act* and *Marine Act* listed in the Sch to Act) *Gaz* S3, 27 January 2012))

### 3 SAVINGS AND TRANSITIONAL PROVISIONS

s 10 *Summary Offences Amendment Act (No. 2) 1995* (Act No. 62, 1995)

### 4 GENERAL AMENDMENTS

General amendments of a formal nature (which are not referred in the table of amendments to this reprint) are made by the *Ordinances Revision Ordinance 1973* (as amended) to the following provisions: ss 3, 5, 9B, 10, 12, 12A, 12C, 12D, 12DA, 12F, 12H, 12N, 12P, 12S, 13, 21, 21A, 25, 27, 34,

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35 – 41, 43 – 45B, 48 – 52, 54 – 57, 61 – 65, 66, 67, 68A – 70, 74 – 78, 80 – 85, 87 – 89, 91, 94, 95, 99, 99A, 105, 106 and Second sch.

## 5 LIST OF AMENDMENTS

lt	amd No. 17, 1979, s 7
s 1	amd No. 17, 1979, s 1
s 4	amd No. 1, 1955, s 3; No. 18, 1957, s 3; No. 30, 1957, s 3; No. 10, 1962, s 3; No. 44, 1964, s 2; No. 71, 1968, s 3 rep No. 65, 1974, s 3
s 5	amd No. 44, 1964, s 3; No. 30, 1965, s 2; No. 6, 1970, s 3; No. 87, 1973, s 12; No. 39, 1974, s 3; No. 17, 1979, s 3; No. 159, 1979, s 5; No. 66, 1988, s 6; No. 22, 1996, s 4; No. 36, 2006, s 19
pt II hdg	sub No. 39, 1974, s 4 rep No. 17, 1979, s 3
s 6	amd No. 19, 1932, s 3 rep No. 14, 1953, s 3
s 7	amd No. 64, 1976, s 4; No. 54, 1978, s 3 rep No. 17, 1979, s 3
s 8	amd No. 14, 1953, s 4; No. 48, 1963, s 2; No. 64, 1976, s 4; No. 54, 1978, s 3 rep No. 17, 1979, s 3
s 9	amd No. 14, 1926, s 2; No. 19, 1932, s 4 sub No. 14, 1953, s 5 amd No. 39, 1974, s 5 rep No. 64, 1976, s 4 ins No. 8, 1977, s 3 rep No. 17, 1979, s 3
s 9AA	ins No. 39, 1974, s 6 amd No. 8, 1977, s 4 rep No. 17, 1979, s 3
s 9A	ins No. 14, 1953, s 5 rep No. 64, 1976, s 4
s 9B	ins No. 14, 1953, s 5 amd No. 64, 1976, s 4 rep No. 17, 1979, s 3
s 10	sub No. 14, 1926, s 3 amd No. 19, 1932, s 5 sub No. 14, 1953, s 6 amd No. 64, 1976, s 4; No. 54, 1978, s 3 rep No. 17, 1979, s 3
s 11	amd No. 19, 1932, s 6 sub No. 14, 1953, s 7 amd No. 39, 1974, s 7 rep No. 17, 1979, s 3
s 12	amd No. 14, 1953, s 8; No. 44, 1964, s 4; No. 87, 1973, s 12; No. 64, 1976, s 4; No. 54, 1978, s 3 rep No. 17, 1979, s 3
pt IIA hdg	ins No. 71, 1968, s 4 rep No. 17, 1979, s 3
s 12A	ins No. 1, 1949, s 2 amd No. 14, 1953, s 9; No. 19, 1959, s 2; No. 7, 1965, s 2; No. 71, 1968, s 5; No. 32, 1969, s 3; No. 10, 1976, s 3; No. 64, 1976, s 4; No. 54, 1978, s 3 rep No. 17, 1979, s 3
s 12B	ins No. 1, 1949, s 2 amd No. 14, 1949, s 2; No. 14, 1953, s 10; No. 71, 1968, s 6 rep No. 17, 1979, s 3

## ENDNOTES

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- s 12C ins No. 1, 1949, s 2  
amd No. 14, 1953, s 11  
sub No. 39, 1966, s 2  
amd No. 64, 1976, s 4  
rep No. 17, 1979, s 3
- s 12D ins No. 1, 1949, s 2  
amd No. 14, 1953, s 12; No. 71, 1968, s 7; No. 64, 1976, s 4  
rep No. 17, 1979, s 3
- s 12DA ins No. 71, 1968, s 8  
amd No. 64, 1976, s 4; No. 54, 1978, s 3  
rep No. 17, 1979, s 3
- s 12E ins No. 1, 1949, s 2  
rep No. 17, 1979, s 3
- s 12F ins No. 1, 1949, s 2  
amd No. 14, 1953, s 13; No. 64, 1976, s 4; No. 54, 1978, s 3  
rep No. 17, 1979, s 3
- s 12G ins No. 1, 1949, s 2  
amd No. 14, 1953, s 14; No. 71, 1968, s 9  
rep No. 17, 1979, s 3
- ss 12H – 12K ins No. 1, 1949, s 2  
rep No. 17, 1979, s 3
- s 12L ins No. 1, 1949, s 2  
amd No. 14, 1953, s 15  
rep No. 17, 1979, s 3
- s 12M ins No. 1, 1949, s 2  
rep No. 17, 1979, s 3
- s 12N ins No. 1, 1949, s 2  
amd No. 71, 1968, s 13  
rep No. 17, 1979, s 3
- s 12P ins No. 1, 1949, s 2  
amd No. 14, 1953, s 16; No. 71, 1968, s 13  
rep No. 17, 1979, s 3
- s 12Q ins No. 1, 1949, s 2  
rep No. 17, 1979, s 3
- s 12R ins No. 1, 1949, s 2  
amd No. 14, 1953, s 17  
rep No. 17, 1979, s 3
- s 12S ins No. 71, 1968, s 10  
amd No. 10, 1976, s 4  
rep No. 17, 1979, s 3
- pt III hdg rep No. 17, 1979, s 3
- s 13 amd No. 19, 1932, s 7; No. 5, 1960, s 2  
sub No. 30, 1965, s 3  
amd No. 87, 1973, s 12; No. 64, 1976, s 4; No. 54, 1978, s 4  
rep No. 17, 1979, s 3
- s 14 rep No. 30, 1965, s 3
- s 15 amd No. 19, 1932, s 8; No. 5, 1960, s 3  
rep No. 30, 1965, s 3
- s 16 amd No. 14, 1926, s 4; No. 5, 1960, s 4  
rep No. 30, 1965, s 3
- s 17 rep No. 30, 1965, s 3
- s 18 amd No. 14, 1926, s 5  
rep No. 30, 1965, s 3
- ss 19 – 20 rep No. 30, 1965, s 3
- s 21 amd No. 19, 1932, s 9; No. 10, 1962, s 4  
rep No. 17, 1979, s 3

## ENDNOTES

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- s 21A ins No. 19, 1932, s 10  
amd No. 71, 1968, s 13; No. 51, 1970, s 3  
rep No. 17, 1979, s 3
- s 22 rep No. 17, 1979, s 3
- s 23 amd No. 19, 1932, s 2  
rep No. 17, 1979, s 3
- s 24 amd No. 19, 1932, s 11; No. 87, 1973, s 12  
rep No. 17, 1979, s 3
- s 25 amd No. 19, 1932, s 12; No. 71, 1968, s 13; No. 51, 1970, s 4; No. 87, 1973,  
s 12  
rep No. 17, 1979, s 3
- s 26 amd No. 19, 1932, s 13; No. 71, 1968, s 13; No. 51, 1970, s 5; No. 65, 1974,  
s 4  
rep No. 17, 1979, s 3
- s 27 amd No. 19, 1932, s 14; No. 26, 1952, s 2; No. 18, 1957, s 4; No. 4, 1965,  
s 2; No. 71, 1968, s 13; No. 51, 1970, s 6; No. 65, 1974, s 5  
rep No. 17, 1979, s 3
- s 28 amd No. 19, 1932, s 2; No. 87, 1973, s 12  
rep No. 17, 1979, s 3
- s 29 amd No. 19, 1932, s 15  
rep No. 17, 1979, s 3
- s 30 rep No. 17, 1979, s 3
- s 31 amd No. 19, 1932, s 2  
rep No. 65, 1974, s 6
- s 32 amd No. 19, 1932, s 2  
rep No. 17, 1979, s 3
- s 33 amd No. 19, 1932, s 2  
rep No. 17, 1979, s 3
- s 33A ins No. 65, 1974, s 7  
amd No. 3, 1976, s 4  
rep No. 17, 1979, s 3
- s 34 amd No. 19, 1932, s 16  
rep No. 17, 1979, s 3
- s 34A ins No. 19, 1932, s 17  
rep No. 17, 1979, s 3
- s 34B ins No. 19, 1932, s 17  
amd No. 48, 1963, s 3  
rep No. 17, 1979, s 3
- s 35 amd No. 71, 1968, s 13; No. 51, 1970, s 7  
rep No. 17, 1979, s 3
- s 36 rep No. 17, 1979, s 3
- s 37 amd No. 71, 1968, s 13; No. 51, 1970, s 8  
rep No. 17, 1979, s 3
- s 38 amd No. 71, 1968, s 13; No. 51, 1970, s 9  
rep No. 17, 1979, s 3
- s 39 amd No. 71, 1968, s 13; No. 51, 1970, s 10  
rep No. 17, 1979, s 3
- s 40 amd No. 19, 1932, s 2; No. 71, 1968, s 13; No. 51, 1970, s 11  
rep No. 17, 1979, s 3
- s 41 amd No. 19, 1932, s 18; No. 71, 1968, s 13; No. 51, 1970, s 12  
rep No. 17, 1979, s 3
- s 41A ins No. 48, 1963, s 4  
rep No. 17, 1979, s 3
- s 42 amd No. 32, 1969, s 4; No. 86, 1974, s 4; No. 64, 1976, s 4; No. 54, 1978, s 3  
rep No. 27, 1999, s 15
- s 43 amd No. 19, 1932, s 19; No. 71, 1968, s 13; No. 51, 1970, s 13; No. 31,  
1978, s 5; No. 5, 1987, s 2; No. 23, 1988, s 2  
rep No. 7, 1996, s 2

## ENDNOTES

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- s 44 amd No. 71, 1968, s 13; No. 51, 1970, s 14; No. 31, 1978, s 5  
rep No. 7, 1996, s 2
- s 45 amd No. 71, 1968, s 13; No. 51, 1970, s 15  
rep No. 7, 1996, s 2
- pt VIA hdg ins No. 1, 1955, s 4  
rep No. 12, 1961, s 3  
ins No. 10, 1963, s 5  
rep No. 44, 1964, s 5  
ins No. 22, 1982, s 3
- s 45A ins No. 1, 1955, s 4  
rep No. 12, 1961, s 3  
ins No. 5, 1960, s 5  
amd No. 71, 1968, s 13; No. 31, 1978, s 5  
rep No. 7, 1996, s 2
- s 45B ins No. 1, 1955, s 4  
rep No. 12, 1961, s 3  
ins No. 5, 1960, s 5  
amd No. 71, 1968, s 13; No. 31, 1978, s 5  
rep No. 7, 1996, s 2
- s 45C ins No. 18, 1957, s 5  
rep No. 30, 1957, s 4  
ins No. 10, 1962, s 5  
rep No. 44, 1964, s 5  
ins No. 22, 1982, s 3  
amd No. 61, 1995, s 4; No. 59, 2002, s 5; No. 4, 2007, s 7
- s 45D ins No. 18, 1957, s 5  
rep No. 30, 1957, s 4  
ins No. 10, 1962, s 5  
rep No. 44, 1964, s 5  
ins No. 22, 1982, s 3; No. 61, 1995, s 5
- s 45E ins No. 18, 1957, s 5  
rep No. 30, 1957, s 4  
ins No. 10, 1962, s 5  
rep No. 44, 1964, s 5  
ins No. 22, 1982, s 3
- s 45EA ins No. 22, 1982, s 3
- s 45F ins No. 18, 1957, s 5  
rep No. 30, 1957, s 4  
ins No. 10, 1962, s 5  
rep No. 44, 1964, s 5  
ins No. 22, 1982, s 3
- s 45G ins No. 10, 1962, s 5  
rep No. 44, 1964, s 5  
ins No. 22, 1982, s 3  
sub No. 61, 1995, s 6
- s 45H ins No. 22, 1982, s 3  
amd No. 50, 1990, s 4; No. 71, 1993, s 2; No. 61, 1995, s 7
- s 45HA ins No. 50, 1990, s 5  
amd No. 71, 1993, s 2  
sub No. 61, 1995, s 8
- s 45HB ins No. 61, 1995, s 8
- s 45J ins No. 22, 1982, s 3  
amd No. 61, 1995, s 9
- s 45K ins No. 48, 1988, s 2
- s 46 amd No. 12, 1938, s 2; No. 71, 1968, s 13; No. 51, 1970, s 16  
rep No. 65, 1974, s 8  
ins No. 65, 1983, s 4  
rep No. 7, 1996, s 2

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- ss 46A – 46C ins No. 65, 1983, s 4  
s 47 amd No. 19, 1932, s 20; No. 12, 1938, s 3; No. 6, 1949, s 2; No. 14, 1953, s 18; No. 71, 1968, s 13; No. 51, 1970, s 17; No. 31, 1978, s 5  
sub No. 17, 1979, s 3  
amd No. 34, 1994, s 4
- s 47AA ins No. 65, 1983, s 5  
sub No. 36, 2006, s 20
- s 47AB ins No. 65, 1983, s 5  
amd No. 7, 1996, s 3; No. 22, 1996, s 5; No. 44, 2011, s 18
- s 47AC ins No. 64, 1995, s 3  
amd No. 42, 1996, s 6
- s 47A ins No. 6, 1947, s 2  
sub No. 4, 1965, s 3  
amd No. 71, 1968, s 13; No. 31, 1978, s 5; No. 158, 1979, s 2; No. 34, 1994, s 5; No. 35, 1994, s 3; No. 36, 2006, s 21
- s 47B ins No. 36, 2006, s 22
- s 48 amd No. 71, 1968, s 13; No. 51, 1970, s 18; No. 31, 1978, s 5; No. 34, 1994, s 6  
rep No. 7, 1996, s 2
- s 49 amd No. 71, 1968, s 13; No. 51, 1970, s 19; No. 31, 1978, s 5  
rep No. 7, 1996, s 2
- s 49A ins No. 19, 1932, s 21  
sub No. 39, 1966, s 3  
amd No. 61, 1974, s 3; No. 31, 1978, s 5; No. 65, 1983, s 6; No. 17, 1996, s 6
- s 49B ins No. 12, 1961, s 4  
amd No. 71, 1968, s 13; No. 31, 1978, s 5  
rep No. 31, 1991, s 14
- s 50 amd No. 71, 1968, s 13; No. 51, 1970, s 20; No. 31, 1978, s 5; No. 34, 1994, s 7
- s 51 amd No. 71, 1968, s 13; No. 51, 1970, s 21; No. 31, 1978, s 5  
rep No. 7, 1996, s 2
- s 51A ins No. 19, 1932, s 22  
amd No. 71, 1968, s 13; No. 51, 1970, s 22; No. 31, 1978, s 5  
rep No. 7, 1996, s 2
- s 52 amd No. 71, 1968, s 13; No. 51, 1970, s 24; No. 78, 1973, s 3; No. 31, 1978, s 5; No. 17, 1996, s 6
- s 53 amd No. 12, 1938, s 4  
sub No. 5, 1960, s 6  
amd No. 71, 1968, s 13; No. 51, 1970, s 24; No. 78, 1973, s 3; No. 31, 1978, s 5; No. 159, 1979, s 6; No. 7, 1992, s 4; No. 34, 1994, s 8; No. 92, 1998, s 21
- s 53A ins No. 159, 1979, s 7  
amd No. 7, 1994, s 4; No. 46, 1996, s 4
- s 53B ins No. 159, 1979, s 7  
amd No. 7, 1994, s 5; No. 46, 1996, s 5
- s 53C ins No. 159, 1979, s 7
- s 53D ins No. 159, 1979, s 7  
amd No. 7, 1994, s 6; No. 46, 1996, s 6
- ss 53E – 53F ins No. 7, 1994, s 7
- s 54 amd No. 71, 1968, s 13; No. 51, 1970, s 25; No. 31, 1978, s 5
- s 55 amd No. 71, 1968, s 13; No. 51, 1970, s 26; No. 31, 1978, s 5; No. 17, 1996, s 6
- s 55A ins No. 36, 2006, s 23
- s 56 amd No. 6, 1947, s 3; No. 18, 1957, s 6; No. 48, 1963, s 5; No. 13, 1973, s 3; No. 87, 1973, s 12; No. 65, 1974, s 9; No. 31, 1978, s 5; No. 7, 1992, s 5; No. 17, 1996, s 6; No. 22, 1996, s 6



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- s 56A ins No. 22, 1996, s 7  
amd No. 65, 1998, s 3  
rep No. 35, 2001, s 4
- s 57 amd No. 14, 1926, s 6; No. 19, 1932, s 23; No. 12, 1938, s 5; No. 18, 1957, s 7; No. 5, 1960, s 7; No. 10, 1962, s 6; No. 43, 1969, s 3; No. 87, 1973, s 12; No. 65, 1974, s 10; No. 31, 1978, s 5; No. 137, 1979, s 3; No. 7, 1987, s 3; No. 7, 1992, s 6; No. 7, 1996, s 4; No. 17, 1996, s 6; No. 92, 1998, s 21
- s 58 amd No. 19, 1932, s 2  
sub No. 48, 1963, s 6; No. 65, 1974, s 11  
amd No. 17, 1996, s 6
- s 59 amd No. 19, 1932, s 2  
sub No. 48, 1963, s 6  
rep No. 65, 1974, s 11
- s 60 amd No. 31, 1978, s 5; No. 26, 1979, s 3
- s 60A ins No. 12, 1938, s 6  
sub No. 48, 1963, s 7  
amd No. 31, 1978, s 5; No. 26, 1979, s 4
- s 61 sub No. 19, 1932, s 24  
amd No. 6, 1935, s 2; No. 71, 1968, s 13; No. 51, 1970, s 27; No. 31, 1978, s 5  
sub No. 5, 1990, s 2  
amd No. 35, 2001, s 5; No. 38, 2002, s 6
- s 62 amd No. 71, 1968, s 13; No. 51, 1970, s 28; No. 31, 1978, s 5; No. 17, 1979, s 3; No. 17, 1996, s 6
- s 63 amd No. 71, 1968, s 13; No. 51, 1970, s 29; No. 31, 1978, ss 4 and 5  
rep No. 65, 1983, s 7
- s 64 amd No. 71, 1968, s 13; No. 51, 1970, s 30; No. 31, 1978, s 5  
rep No. 65, 1983, s 7
- s 65 amd No. 71, 1968, s 13; No. 51, 1970, s 31; No. 31, 1978, s 5  
rep No. 7, 1996, s 2
- s 65AA ins No. 130, 1979, s 3  
amd No. 159, 1979, s 8
- s 65A ins No. 9, 1971, s 2  
amd No. 27, 1976, s 6; No. 31, 1978, s 5
- s 66 amd No. 48, 1963, s 8; No. 71, 1968, s 13; No. 51, 1970, s 32; No. 65, 1974, s 12; No. 31, 1978, s 5; No. 7, 1992, s 7; No. 7, 1996, s 5; No. 17, 1996, s 6; No. 92, 1998, s 21
- s 67 amd No. 6, 1947, s 4; No. 71, 1968, s 13; No. 51, 1970, s 33; No. 31, 1978, s 5  
rep No. 7, 1996, s 2
- s 68 rep No. 7, 1996, s 2
- s 68A ins No. 12, 1938, s 7  
amd No. 71, 1968, s 13; No. 51, 1970, s 34; No. 31, 1978, s 5; No. 17, 1996, s 6; No. 92, 1998, s 21; No. 4, 2007, s 7; No. 12, 2009, s 15
- s 68B ins No. 65, 1983, s 8
- s 69 amd No. 71, 1968, s 13; No. 51, 1970, s 35; No. 31, 1978, s 5; No. 65, 1983, s 9
- ss 69A – 69B ins No. 65, 1983, s 10
- s 70 amd No. 71, 1968, s 13; No. 51, 1970, s 36; No. 31, 1978, s 5  
rep No. 65, 1983, s 11
- ss 71 – 72 rep No. 39, 1968, s 2
- pt VIII hdg rep No. 5, 1987, s 3
- s 73 amd No. 64, 1976, s 4; No. 54, 1978, s 3  
rep No. 5, 1987, s 3
- s 73A ins No. 17, 1979, s 5  
rep No. 5, 1987, s 3
- s 74 sub No. 19, 1932, s 25  
amd No. 71, 1968, s 13; No. 51, 1970, s 37; No. 31, 1978, s 5

## ENDNOTES

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- s 75 amd No. 19, 1932, s 26; No. 20, 1959, s 2; No. 71, 1968, s 13; No. 51, 1970, s 38; No. 31, 1978, s 5; No. 5, 1987, s 4; No. 62, 1995, s 2; No. 7, 1996, s 6
- s 75A ins No. 62, 1995, s 3
- s 76 amd No. 19, 1932, s 2; No. 71, 1968, s 13; No. 51, 1970, s 39; No. 31, 1978, s 5
- s 77 amd No. 71, 1968, s 13; No. 51, 1970, s 40; No. 31, 1978, s 5  
rep No. 7, 1996, s 2
- s 78 amd No. 71, 1968, s 13; No. 51, 1970, s 41; No. 31, 1978, s 5
- s 79 amd No. 19, 1932, s 2  
rep No. 48, 1963, s 9
- s 80 amd No. 71, 1968, s 13; No. 51, 1970, s 42; No. 31, 1978, s 5  
rep No. 7, 1996, s 2
- s 81 amd No. 71, 1968, s 13; No. 31, 1978, s 5  
rep No. 7, 1996, s 2
- s 82 amd No. 71, 1968, s 13; No. 51, 1970, s 43; No. 31, 1978, s 5; No. 7, 1996, s 7
- ss 83 – 84 amd No. 71, 1968, s 13; No. 31, 1978, s 5  
rep No. 7, 1996, s 2
- s 85 amd No. 71, 1968, s 13; No. 51, 1970, s 44; No. 31, 1978, s 5
- s 86 rep No. 39, 1968, s 2
- s 87 amd No. 71, 1968, s 13; No. 51, 1970, s 45; No. 31, 1978, s 5  
rep No. 7, 1996, s 2
- s 88 amd No. 71, 1968, s 13; No. 51, 1970, s 46; No. 31, 1978, s 5  
rep No. 7, 1996, s 2
- s 89 amd No. 71, 1968, s 13; No. 51, 1970, s 47; No. 31, 1978, s 5; No. 17, 1996, s 6
- s 90 amd No. 71, 1968, s 13; No. 51, 1970, s 48; No. 31, 1978, s 5  
rep No. 7, 1996, s 2
- s 91 amd No. 71, 1968, s 13; No. 51, 1970, s 49; No. 31, 1978, s 5  
rep No. 7, 1996, s 2
- s 91AA ins No. 68, 1983, s 123  
amd No. 49, 1985, s 4; No. 46, 1996, s 7
- s 91A ins No. 65, 1983, s 12  
rep No. 7, 1987, s 3
- s 92 rep No. 17, 1979, s 4  
ins No. 159, 1979, s 9  
amd No. 7, 1994, s 8
- s 93 amd No. 19, 1932, s 2  
rep No. 17, 1979, s 4
- s 94 rep No. 17, 1979, s 4
- s 95 amd No. 19, 1932, s 2; No. 18, 1975, s 3  
rep No. 17, 1979, s 4
- ss 96 – 98 rep No. 17, 1979, s 4
- s 99 amd No. 71, 1968, s 13; No. 51, 1970, s 50
- s 99A ins No. 19, 1932, s 27  
rep No. 17, 1979, s 4
- s 100 rep No. 17, 1979, s 4
- s 101 rep No. 3, 1965, s 2
- s 102 amd No. 19, 1932, s 28  
rep No. 39, 1968, s 2
- s 103 rep No. 17, 1979, s 4
- s 104 rep No. 39, 1968, s 2
- s 105 rep No. 17, 1979, s 4
- s 106 amd No. 14, 1953, s 19; No. 1, 1955, s 5; No. 71, 1968, s 12; No. 27, 1976, s 6; No. 64, 1976, s 4; No. 54, 1978, s 3; No. 95, 1978, s 14  
rep No. 17, 1979, s 4

## ENDNOTES

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First sch      amd No. 19, 1932, s 29  
                  sub No. 14, 1953, s 20  
                  amd No. 5, 1960, s 8; No. 30, 1965, s 4  
                  rep No. 17, 1979, s 6

Second sch    sub No. 19, 1932, s 30  
                  amd No. 10, 1962, s 7  
                  rep No. 17, 1979, s 6