

**NORTHERN TERRITORY OF AUSTRALIA**

**SERIOUS CRIME CONTROL REGULATIONS**

As in force at 13 November 2014

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# NORTHERN TERRITORY OF AUSTRALIA

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As in force at 13 November 2014

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## SERIOUS CRIME CONTROL REGULATIONS

### Regulations under the *Serious Crime Control Act*

#### 1 Citation

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

#### 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.

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## 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, or college declared, under the *Education Act*;
  - (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*;
  - (c) a higher education course accredited under Part 5 of the *Higher Education Act*;
  - (d) an accredited course or approved apprenticeship under the *Northern Territory Employment and Training Act*;
  - (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*;
  - (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*.
- (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*.

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(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*, 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*, 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*.

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**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 ( <i>Gaz</i> S80, 9 September 2014, p 2)

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

Assent date	13 November 2014
Commenced	13 November 2014

**3****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