

NORTHERN TERRITORY OF AUSTRALIA

STATUTE LAW REVISION ACT 2001

No. 3 of 2001

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NORTHERN TERRITORY OF AUSTRALIA

No. 3 of 2001

AN ACT

to revise and correct the law of the Territory in minor respects

[Assented to 22 March 2001]
[Second reading 29 November 2000]

The Legislative Assembly of the Northern Territory enacts as follows:

1. Short title

This Act may be cited as the *Statute Law Revision Act 2001*.

2. Amendment of *Bail Act*

Section 15 of the *Bail Act* is amended by omitting paragraph (a) and substituting the following:

"(a) the period between the making of an order for a separate trial or for the postponement of a trial and the commencement of the separate or postponed trial;"

3. Amendments of *Northern Territory Employment and Training Authority Act*

Section 52 of the *Northern Territory Employment and Training Authority Act* is amended –

- (a) by inserting in subsection (1) "or refuse to register" before "a training agreement"; and
- (b) by adding at the end the following:

"(3) If the Authority refuses to register a training agreement, the Authority must, in writing, notify the employer who submitted the agreement for registration of the refusal."

4. Amendments of *Northern Territory University Act*

(1) In this section, the *Northern Territory University Act* is referred to as the Principal Act.

(2) Section 3 of the Principal Act is amended –

(a) by inserting in subsection (1) after the definition of "student" the following:

"'Training and Further Education Board' means the Training and Further Education Board established under section 24A;"; and

(b) by omitting from subsection (1) the definition of "Vocational Education and Training Board".

(3) Section 5 of the Principal Act is amended by omitting from paragraphs (aa) and (c) "vocational education and training" and substituting "training and further education".

(4) Section 9 of the Principal Act is amended –

(a) by omitting from subsection (1)(c) "Vocational Education and Training Board" and substituting "Training and Further Education Board"; and

(b) by omitting from subsection (1)(g) "vocational education and training" and substituting "training and further education".

(5) Section 24A of the Principal Act is amended –

(a) by omitting from subsections (1), (2) and (3) "Vocational Education and Training Board" and substituting "Training and Further Education Board"; and

(b) by omitting from subsection (3)(a) "vocational education and training" (twice occurring) and substituting "training and further education".

(6) Section 27 of the Principal Act is amended by omitting from subsection (3) "vocational education and training" and substituting "training and further education".

(7) Section 35 of the Principal Act is amended by omitting from subsection (2) "vocational education and training" and substituting "training and further education".

(8) This section is to be taken to have come into operation on 1 January 2001.

5. Amendment of *Poisons and Dangerous Drugs Act*

Section 52A of the *Poisons and Dangerous Drugs Act* is amended by omitting subsection (1) and substituting the following:

"(1) The Chief Health Officer must appoint a person who is an employee within the meaning of the *Public Sector Employment and Management Act* employed in the Department of Industries and Business to be the Registrar of Pesticides."

6. Amendments of *Work Health Act*

(1) Section 3 of the *Work Health Act* is amended by omitting from subsection (8) "*Bushfires Act*" and substituting "*Bushfires Act*, is to be taken to be a worker who is employed by the Territory".

(2) Section 66 of the *Work Health Act* is amended by omitting from subsection (1) "or (8)" and substituting ", (8) or (8A)".

(3) The *Work Health Act* is amended by repealing section 103K and substituting the following:

"103K. Mediation proceedings privileged

"(1) Except as expressly provided by or under this Act, anything said, written or done in the course of mediation under this Division is not admissible in any other proceedings under this Act.

"(2) A certificate issued under section 103J(2) is admissible in proceedings under this Act."

(4) Subsections (1) and (2) are to be taken to have come into operation on 1 May 1996.

7. Repeal

The Acts specified in Schedule 1 are repealed.

8. Revision of other Acts

The Acts specified in Schedule 2 are amended as set out in that Schedule.

9. Revision of Regulations etc.

(1) The By-laws, Regulations and Rules specified in Schedule 3 are amended as set out in that Schedule.

(2) A by-law, regulation or rule amended as set out in Schedule 3 may, respectively, be amended or repealed by a by-law, regulation or rule (as if the amendment had been made by a by-law, regulation or rule).

SCHEDULE 1

Section 7

REPEALED ACTS

<i>Appropriation (Flood Relief) Act 1998</i>	Act No. 1 of 1998
<i>Ayers Rock Resort Corporation Act 1992</i>	Act No. 3 of 1992
<i>Ayers Rock Resort (Sale) Act 1997</i>	Act No. 29 of 1997
<i>Yulara Tourist Village Management Act 1984</i>	Act No. 1 of 1984
<i>Yulara Tourist Village Management Amendment Act 1992</i>	Act No. 9 of 1992
<i>Yulara Tourist Village Management Amendment Act (No. 2) 1992</i>	Act No. 61 of 1992

SCHEDULE 2

Section 8

REVISION OF OTHER ACTS

Provision	Amendment	
	omit	substitute
<i>Agents Licensing Act</i>		
Section 7(1)(a)	"Public Service Act"	"Public Sector Employment and Management Act"
<i>Animal Welfare Act</i>		
Section 17(1)(a)	"Goods"	"Drugs"
Section 77(2)	"by" (second occurring)	"be"

Control of Roads Act

Section 29(4) the whole subsection

Disposal of Uncollected Goods Act

Section 5 "Pawnbrokers Act" "Consumer Affairs and Fair Trading Act"

Domestic Violence Act

Section 10(1B) "subsection (1A)(a)" "that subsection"

Education Act

Section 54 the whole section

Food Act

Section 11(7)(b) "allowed –" "allowed,"

Kava Management Act

Section 63(4) (second occurring) "(4)" "(5)"
 "subsection (3)(a)(i)" "subsection (4)(a)(i)"

Section 64(3) and (5) "subsection (1)" "subsection (2)"

Land Title Act

Section 98(7) "prescribed form" "approved form"

Section 112(7A) "prescribed form" "approved form"

Section 112(8) "(7)" "(7A)"

Law Reform (Miscellaneous Provisions) Act

Section 11(b) "shall(" "shall,"

Liquor Act

Section 49(2)(b) "Registrar" "Director"

***Mental Health and
Related Services Act***

Section 15(b)(ii)	"is behaving"	"the person is behaving"
Section 144(2)(b)	"may order"	"order"
Section 147(b)(i)	"the providing"	"providing"
Section 147(b)(ii)	"the making available of information"	"making information available"

Motor Vehicles Act

Section 61(d)	" <i>Weights and Measures Act</i> "	" <i>Trade Measurement Act</i> "
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Pay-roll Tax Act

Section 3(1)

– definition of "corresponding law"	"State"	"State or another Territory of the Commonwealth"
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Section 11B(6)

– paragraph (a) of the definition of "client"	"Act"	"Act"
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***Residential Tenancies
Act***

Section 52(2)	"the alteration of the addition"	"making the alteration or addition"
Section 107(3)	"a person granted a tenancy"	"a person who granted a tenancy"
Section 118(1)(b)	" <i>Real Property Act</i> "	" <i>Land Title Act</i> "

Sale of NT TAB Act

Section 8(2)	"12 to 17"	"14 to 19"
	"18(1), (2) and (4)"	"20(1), (2) and (4)"

Stamp Duty Act

Section 8B(2)	"a dwelling-house" (second occurring)	"be a dwelling-house"
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**Taxation
(Administration) Act**

Section 55(7)(b)	"the requires"	"requires"
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**Territory Parks and
Wildlife Act**

Section 41	"section 191B of the <i>Real Property Act</i> "	"section 35 of the <i>Land Title Act</i> "
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Section 111(2)	" <i>Real Property Act</i> "	" <i>Land Title Act</i> "
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Veterinarians Act

Section 26(1)(e) and clause 3(1)(c) of Schedule 1	" <i>Prevention of Cruelty to Animals Act</i> "	" <i>Animal Welfare Act</i> "
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SCHEDULE 3

Section 9

REVISION OF REGULATIONS ETC.

Provision	Amendment	
	omit	substitute
Alice Springs (Public Libraries) By-laws		
By-law 11(3)	"(f)"	"(e)"
	"(g)"	"(f)"
	"(h)"	"(g)"
	"(i)"	"(h)"

**Legal Practitioners
Complaints Committee
Regulations**

Schedule

– Form 8	"day day of"	"day of"
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**Local Government
(Accounting)
Regulations**

Regulation 10(5)	"(h)"	"(f)"
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Traffic Regulations

Regulation 6(4)	"(3) and (4)"	"(2) and (3)"
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Supreme Court Rules

Rule 60.05(2)	"(e)"	"(d)"
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	"(f)"	"(e)"
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Rule 73.01

– definition of "corporation"	" <i>Building Societies Act</i> the"	" <i>Building Societies Act</i> or the"
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Rule 91.15(1)(a)	"judgment"	"to judgment"
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Rule 91.15(1)(b)(i) and (ii)	"an order"	"to an order"
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