

NORTHERN TERRITORY OF AUSTRALIA
ELECTORAL (CONSEQUENTIAL AMENDMENTS) ACT 2004

Act No. 12 of 2004

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NORTHERN TERRITORY OF AUSTRALIA

Act No. 12 of 2004

AN ACT

to amend legislation consequent on the enactment of the *Electoral Act 2004*

[Assented to 1 March 2004]

[Second reading 27 November 2003]

The Legislative Assembly of the Northern Territory enacts as follows:

1. Short title

This Act may be cited as the *Electoral (Consequential Amendments) Act 2004*.

2. Commencement

This Act comes into operation on the day on which Part 18 of the *Electoral Act 2004* commences.

3. Amendments of *Interpretation Act*

Section 18 of the *Interpretation Act* is amended by inserting after the definition of "department" the following:

" 'Electoral Commission' means the Northern Territory Electoral Commission established by the *Electoral Act*;

'Electoral Commissioner' means the person holding office as the Electoral Commissioner under the *Electoral Act*;"

4. Amendment of *Local Government Act*

Section 43 of the *Local Government Act* is repealed and the following substituted:

"43. Roll of electors

"(1) The Electoral Commission must keep a roll of electors for each municipality.

"(2) Each roll must contain the following information for each elector for the municipality:

- (a) surname;
- (b) each given name;
- (c) sex;
- (d) occupation;
- (e) residential address.

"(3) However, if, under section 104 of the *Commonwealth Electoral Act 1918* of the Commonwealth, the person's address is not included on a roll for a Subdivision under that Act, the person's address must not be included in the roll."

5. Amendment of *Public Sector Employment and Management Act*

Section 4 of the *Public Sector Employment and Management Act* is amended by omitting subsection (3)(a) and substituting the following:

- "(a) the Electoral Commissioner or the holder of an office mentioned in Schedule 1; or"

6. Further amendments of Acts

The Acts specified in Schedule 1 are amended as set out in that Schedule.

7. Amendments of subordinate legislation

(1) The subordinate legislation specified in Schedule 2 is amended as set out in that Schedule.

(2) Subordinate legislation amended as set out in Schedule 2 may be amended or repealed by subordinate legislation as if the amendments had been made by subordinate legislation.

SCHEDULE 1

Section 6

AMENDMENTS OF ACTS

Provision	Amendment	
	omit	substitute
<i>Juries Act</i>		
Section 5(1)		
– definition of "Electoral District"	the whole definition	
<i>Legislative Assembly Members (Miscellaneous Provisions) Act</i>		
Long title	Election Tribunal	Court of Disputed Returns
Section 2(1)(a)	Part X	section 131
Section 2(1)(b)	Election Tribunal	Court of Disputed Returns
Section 2(1)(c)	Election Tribunal's Part X of	Court's
Section 2(1)(d)	Election Tribunal	Court
Section 2(1)	Election Tribunal had	Court had
<i>Licensed Surveyors Act</i>		
Section 6(1)	<i>Northern Territory</i>	
<i>Local Government Act</i>		
Section 3		
– definition of "Chief Electoral Officer"	the whole definition	
– definition of "returning officer"	50	44

Electoral (Consequential Amendments) Act 2004

Sections 11(4)(b), 13(3)
and 109

Chief Electoral Officer

Electoral Commission

***Local Government
Amendment Act 2003***

Section 20

– new section 38(3)

Chief Electoral Officer

Electoral Commission

***Ombudsman (Northern
Territory) Act***

Section 19(1)(c)

district

division

SCHEDULE 2

Section 7

AMENDMENTS OF SUBORDINATE LEGISLATION

Provision	Amendment	
	omit	substitute
Alpurrurulam Community Government Scheme		
Clause 2		
– definition of "clerk"	Chief Electoral Officer	Electoral Commission
Clause 14(1)	of an electoral roll	of a roll
Anmatjere Community Government Scheme		
Clause 2		
– definition of "clerk"	Chief Electoral Officer	Electoral Commission
Clause 17(1)	of an electoral roll	of a roll
Arltarlpilta Community Government Scheme		
Clause 2		
– definition of "clerk"	Chief Electoral Officer	Electoral Commission
Clause 14(a)	<i>Northern Territory</i>	
Clause 15(1)	an electoral roll under the <i>Northern Territory</i>	a roll under the
Belyuen Community Government Scheme		
Clause 2		
– definition of "Chief Electoral Officer"	the whole definition	

Electoral (Consequential Amendments) Act 2004

- definition of "clerk" Chief Electoral Officer Electoral Commission

**Binjari Community
Government Scheme**

Clause 2

- definition of "clerk" Chief Electoral Officer Electoral Commission

Clause 14(1) of an electoral roll of a roll

**Borrooloola Community
Government Scheme**

Clause 2

- definition of "Chief Electoral Officer" the whole definition
- definition of "clerk" Chief Electoral Officer Electoral Commission

**Coomalie Community
Government Scheme**

Clause 2

- definition of "Chief Electoral Officer" the whole definition
- definition of "clerk" Chief Electoral Officer Electoral Commission

**Court Security
Regulations**

- Regulation 2(1)(c) the whole paragraph (c) the Court of Disputed Returns established by section 232 of the *Electoral Act*;
- (d) the Family Matters Court established by section 24 of the *Community Welfare Act*.

Regulation 2(2)(a) the whole paragraph

Electoral (Consequential Amendments) Act 2004

**Cox Peninsula
Community
Government Scheme**

Clause 2

- | | | |
|-------------------------|-------------------------|----------------------|
| – definition of "clerk" | Chief Electoral Officer | Electoral Commission |
|-------------------------|-------------------------|----------------------|

Clause 14(1)	of an electoral roll	of a roll
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**Daguragu Community
Government Scheme**

Clause 5

- | | | |
|----------------------------------------------|-------------------------|----------------------|
| – definition of "Chief
Electoral Officer" | the whole definition | |
| – definition of "clerk" | Chief Electoral Officer | Electoral Commission |

**Elliott District
Community
Government Scheme**

Clause 3

- | | | |
|-------------------------|-------------------------|----------------------|
| – definition of "clerk" | Chief Electoral Officer | Electoral Commission |
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Clause 13(a)	<i>Northern Territory</i>	
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Clause 14(1)	an electoral roll under the <i>Northern Territory</i>	a roll under the
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**Jilkminggan
Community
Government Scheme**

Clause 2

- | | | |
|-------------------------|-------------------------|----------------------|
| – definition of "clerk" | Chief Electoral Officer | Electoral Commission |
|-------------------------|-------------------------|----------------------|

Clause 14(1)	of an electoral roll	of a roll
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Juries Regulations

Regulation 3	<i>Northern Territory</i>	
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Electoral (Consequential Amendments) Act 2004

**Kunbarllanjja
Community
Government Scheme**

Clause 2

– definition of "clerk"	Chief Electoral Officer	Electoral Commission
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Clause 13(1)	of an electoral roll	of a roll
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**Lajamanu Community
Government Scheme**

Clause 5

– definition of "Chief Electoral Officer"	the whole definition	
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– definition of "clerk"	Chief Electoral Officer	Electoral Commission
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**Local Government
(Electoral) Regulations**

Regulation 6	the whole regulation	
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Regulations 7, 8 and 10	Chief Electoral Officer (all references)	Electoral Commission
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Regulation 18A	section 43 of the <i>Northern Territory</i>	section 58 of the
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**Ltyentye Purte
Community
Government Scheme**

Clause 2

– definition of "clerk"	Chief Electoral Officer	Electoral Commission
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Clause 14(1)	of an electoral roll	of a roll
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**Marngarr Community
Government Scheme**

Clause 2

– definition of "clerk"	Chief Electoral Officer	Electoral Commission
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Clause 16(1)	of an electoral roll	of a roll
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Electoral (Consequential Amendments) Act 2004

**Mataranka
Community
Government Scheme**

Clause 3

- | | | |
|-------------------------|-------------------------|----------------------|
| – definition of "clerk" | Chief Electoral Officer | Electoral Commission |
|-------------------------|-------------------------|----------------------|

Clause 13(a)	<i>Northern Territory</i>	
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Clause 14(1)	an electoral roll under the <i>Northern Territory</i>	a roll under the
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**Naiyu Nambiyu
Community
Government Scheme**

Clause 2

- | | | |
|----------------------------------------------|-------------------------|----------------------|
| – definition of "Chief
Electoral Officer" | the whole definition | |
| – definition of "clerk" | Chief Electoral Officer | Electoral Commission |

**Numbulwar
Numburindi
Community
Government Scheme**

Clause 2

- | | | |
|----------------------------------------------|-------------------------|----------------------|
| – definition of "Chief
Electoral Officer" | the whole definition | |
| – definition of "clerk" | Chief Electoral Officer | Electoral Commission |

**Nyirranggulung
Madrulk Ngadberre
Community
Government Scheme**

Clause 2

- | | | |
|-----------------------|-------------------------|----------------------|
| – definition of "CEO" | Chief Electoral Officer | Electoral Commission |
|-----------------------|-------------------------|----------------------|

Electoral (Consequential Amendments) Act 2004

**Pine Creek
Community
Government Scheme**

Clause 2

- | | | |
|-------------------------------------------|-------------------------|----------------------|
| – definition of "Chief Electoral Officer" | the whole definition | |
| – definition of "clerk" | Chief Electoral Officer | Electoral Commission |

**Tapatjatjaka
Community
Government Scheme**

Clause 2

- | | | |
|-------------------------|-------------------------|----------------------|
| – definition of "clerk" | Chief Electoral Officer | Electoral Commission |
|-------------------------|-------------------------|----------------------|

Clause 14(1)	of an electoral roll	of a roll
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**Thamarrurr
Community
Government
Constitution**

Clause 2

- | | | |
|-------------------------|-------------------------|----------------------|
| – definition of "clerk" | Chief Electoral Officer | Electoral Commission |
|-------------------------|-------------------------|----------------------|

**Timber Creek
Community
Government Scheme**

Clause 4

- | | | |
|-------------------------|-----------------------------------------------------------------------------------------------------|----------------------|
| – definition of "clerk" | Chief Electoral Officer
within the meaning of
the <i>Northern Territory
Electoral Act</i> | Electoral Commission |
|-------------------------|-----------------------------------------------------------------------------------------------------|----------------------|

Clause 16	<i>Northern Territory</i>	
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Clause 17(1)	an electoral roll under the <i>Northern Territory</i>	a roll under the
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Electoral (Consequential Amendments) Act 2004

**Tiwi Islands Local
Government
Constitution**

Clause 3

- | | | |
|-------------------------------------------|-------------------------|----------------------|
| – definition of "chief executive officer" | Chief Electoral Officer | Electoral Commission |
|-------------------------------------------|-------------------------|----------------------|

Schedule 4, Parts A, B, C and D, clause 1

- | | | |
|-------------------------------------------|-------------------------|----------------------|
| – definition of "chief executive officer" | Chief Electoral Officer | Electoral Commission |
|-------------------------------------------|-------------------------|----------------------|

Schedule 4, Part A, clause 5(1)

of an electoral roll	of a roll
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**Walangeri Ngumpinku
Community
Government Scheme**

Clause 2

- | | | |
|-------------------------|-------------------------|----------------------|
| – definition of "clerk" | Chief Electoral Officer | Electoral Commission |
|-------------------------|-------------------------|----------------------|

Clause 15(1)

of an electoral roll	of a roll
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**Wallace Rockhole
Community
Government Scheme**

Clause 6

- | | | |
|-------------------------|-------------------------|----------------------|
| – definition of "clerk" | Chief Electoral Officer | Electoral Commission |
|-------------------------|-------------------------|----------------------|

Clause 15(1)

of an electoral roll	of a roll
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**Watiyawanu
Community
Government Scheme**

Clause 2

- | | | |
|-------------------------|-------------------------|----------------------|
| – definition of "clerk" | Chief Electoral Officer | Electoral Commission |
|-------------------------|-------------------------|----------------------|

Clause 14(1)

of an electoral roll	of a roll
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Electoral (Consequential Amendments) Act 2004

**Yuendumu
Community
Government Scheme**

Clause 2

– definition of "clerk"	Chief Electoral Officer	Electoral Commission
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Clause 14(1)	of an electoral roll	of a roll
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**Yugul Mangi
Community
Government Scheme**

Clause 34

– definition of "clerk"	the whole definition	"clerk" includes the Electoral Commission.
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Clause 36(1)(a)	<i>Northern Territory</i>	
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Clause 37(1)	a roll of electors within the meaning of the <i>Northern Territory</i>	a roll within the meaning of the
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