



NORTHERN TERRITORY OF AUSTRALIA

No. 90 of 1998

AN ACT

to amend the *Domestic Violence Act*

[Assented to 11 December 1998]

BE it enacted by the Legislative Assembly of the Northern Territory of Australia, with the assent as provided by the *Northern Territory (Self-Government) Act 1978* of the Commonwealth, as follows:

1. SHORT TITLE

This Act may be cited as the *Domestic Violence Amendment Act 1998*.

2. COMMENCEMENT

This Act comes into operation on the date on which section 3 of the *Sentencing Amendment Act (No. 2) 1998* commences.

3. INTERPRETATION

Section 3 of the Principal Act is amended by inserting after the definition of "interstate transfer order" in subsection (1) the following:

"'perpetrators' program order' means an order under section 78K(1) of the *Sentencing Act*;"

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4. BREACH OF ORDER

Section 10 of the *Domestic Violence Act* is amended by omitting subsection (1A) and substituting the following:

"(1A) Despite the *Sentencing Act*, where a person is found guilty of a second or subsequent offence against subsection (1), the Court must sentence the person to imprisonment for not less than 7 days but not more than 6 months.

"(1B) Despite the *Sentencing Act*, the Court must not make any other order in respect of a person referred to in subsection (1A) if its effect would be to release the person from the requirement to actually serve the term of imprisonment imposed under subsection (1A) (a).

"(1C) For the purposes of subsection (1), a person is to be taken to have contravened or failed to comply with a restraining order if the person breaches a perpetrators' program order in force at any time while the restraining order is in force."
