



NORTHERN TERRITORY OF AUSTRALIA

No. 57 of 1998

AN ACT

to amend the *Justices Act*

[Assented to 1 September 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 *Justices Amendment Act (No. 2) 1998*.

2. COMMENCEMENT

This Act comes into operation on the date fixed by the Administrator by notice in the *Gazette*.

3. NEW SECTIONS

The *Justices Act* is amended by inserting after section 88 the following:

"88A. POWERS OF PERSON EXECUTING WARRANT OF DISTRESS

"(1) The person charged with the execution of a warrant of distress is, by operation of this section, authorised for the purpose of executing the warrant to enter and remain on premises he or she believes on

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reasonable grounds to be owned or occupied by the person against whom the distress is levied.

"(2) Subject to section 88B, the authorisation under subsection (1) does not authorise the use of the force or violence.

"(3) A person referred to in subsection (1) may request a member of the Police Force to assist him or her in the execution of the warrant.

"(4) In this section, 'premises' includes land (whether built on or not), a building and a part of a building.

"88B. POWERS OF POLICE WHO EXECUTE OR ASSIST IN EXECUTION OF WARRANT OF DISTRESS

"(1) A member of the Police Force who -

(a) is the person charged with the execution of a warrant of distress; or

(b) is assisting a person in the execution of a warrant of distress,

may for the purpose of the execution of the warrant enter and remain, with the force that is necessary and reasonable, on premises he or she believes on reasonable grounds to be owned or occupied by the person against whom the distress is levied.

"(2) Nothing in this section derogates from the powers a member of the Police Force has under any other law in force in the Territory."