



NORTHERN TERRITORY OF AUSTRALIA

No. 65 of 1998

AN ACT

to amend the *Summary Offences Act*

[Assented to 22 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 *Summary Offences Amendment Act 1998*.

2. COMMENCEMENT

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

3. POSSESSION, &c., OF OFFENSIVE WEAPON

Section 56A of the *Summary Offences Act* is amended by omitting subsection (3) and substituting the following:

"(3) Where a person is found guilty of an offence against subsection (1) —

- (a) the court may order that the weapon be returned to a specified person; or
- (b) where the court does not make an order under paragraph (a) — the weapon is forfeited to the Territory.

Summary Offences Amendment

"(3A) The court may only make an order under subsection (3)(a) if the person specified in the order -

- (a) is not the person found guilty of the offence;
and
- (b) is, in the opinion of the court, the owner of the weapon.

"(3B) Where an offensive weapon is forfeited to the Territory, the Commissioner may direct that the weapon be destroyed or disposed of in accordance with his or her instructions."
