

NORTHERN TERRITORY OF AUSTRALIA

PENALTIES AMENDMENT (JUSTICE AND TREASURY LEGISLATION)
ACT 2010

Act No. 38 of 2010

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NORTHERN TERRITORY OF AUSTRALIA

Act No. 38 of 2010

An Act to amend penalties in various Acts and subordinate legislation administered by the Minister for Justice and Attorney-General, Minister for Racing, Gaming and Licensing and Treasurer

[Assented to 18 November 2010]
[Second reading 19 August 2010]

The Legislative Assembly of the Northern Territory enacts as follows:

1 Short title

This Act may be cited as the *Penalties Amendment (Justice and Treasury Legislation) Act 2010*.

2 Commencement

This Act commences on the day fixed by the Administrator by *Gazette* notice.

3 Amendment of laws administered by Minister for Justice and Attorney-General and Minister for Racing, Gaming and Licensing

Schedule 1 amends the laws mentioned in it.

4 Amendment of laws administered (in whole or in part) by Treasurer

Schedule 2 amends the laws mentioned in it.

5 Expiry

This Act expires on the day after it commences.

Schedule 1 Amendment of laws administered by Minister for Justice and Attorney-General and Minister for Racing, Gaming and Licensing

section 3

Provision	Amendment	
	<i>omit</i>	<i>substitute</i>
<i>Auctioneers Act</i>		
section 4	whole penalty provision	Maximum penalty: 3.4 penalty units.
section 12	Penalty:	Maximum penalty:
sections 13, 14(3), 15 and 16	whole penalty provision	Maximum penalty: 0.8 penalty unit.
<i>Births, Deaths and Marriages Registration Act</i>		
section 54(2)	\$1,000	8 penalty units
<i>Companies (Trustees and Personal Representatives) Act</i>		
section 34(5)	Penalty: \$1,000	Maximum penalty: 8 penalty units
<i>Dangerous Goods Act</i>		
section 9(1)	Penalty:	Maximum penalty:
	\$250 000	2 160 penalty units
	\$500 000	4 320 penalty units
	\$50 000	430 penalty units
	\$100 000	860 penalty units
sections 10 and 11(1)	Penalty:	Maximum penalty:
	\$250 000	2 160 penalty units
	\$50 000	430 penalty units

section 11(2) and (3)	Penalty: \$50 000 \$10 000	Maximum penalty: 430 penalty units 85 penalty units
sections 12 to 15	Penalty: \$250 000 \$50 000	Maximum penalty: 2 160 penalty units 430 penalty units
section 16(1)	Penalty: \$50 000 \$10 000	Maximum penalty: 430 penalty units 85 penalty units
section 16(2)	whole penalty provision	Maximum penalty: 4 penalty units.
sections 22(8), 23(2) and 24(5)	Penalty: \$50 000 \$3 000 \$10 000 \$1 000	Maximum penalty: 430 penalty units 25 penalty units 85 penalty units 8 penalty units
section 34(3)	Penalty: \$250 000 \$50 000	Maximum penalty: 2 160 penalty units 430 penalty units
section 37(9)	whole penalty provision	Maximum penalty: 17 penalty units.
section 39(3)(a)	\$25 000 \$1 500	215 penalty units 12 penalty units
section 39(3)(b)	\$5 000 \$300	40 penalty units 2.5 penalty units
<i>Dangerous Goods Regulations</i>		
regulations 3(1), 4(1), 5, 5A, 5B(1) and (2), 5C(1), (3) and (4), 5D(1) and 5E(3) and (4)	whole penalty provision	Maximum penalty: 40 penalty units.

regulations 5G and 5L(2)	whole penalty provision	Maximum penalty: 17 penalty units.
regulations 94C, 94G and 94H	whole penalty provision	Maximum penalty: 40 penalty units.
regulation 222(2)	\$2 000	17 penalty units
<i>Gaming Control Act</i>		
section 15(4)	whole penalty provision	Maximum penalty: 4 penalty units.
section 74	penalty not exceeding \$10,000	maximum penalty of 85 penalty units
section 79A(4)	Penalty: \$10 000	Maximum penalty: 85 penalty units
section 80(2)(t)	\$2,000	17 penalty units
<i>Gaming Control (Community Gaming) Regulations</i>		
regulations 17(2), 19(2), 20(6), 24(3), 26(3), 27, 29(3), 30(4) and 47(5)	whole penalty provision	Maximum penalty: 17 penalty units.
<i>Gaming Control (Licensing) Regulations</i>		
regulation 17	whole penalty provision	Maximum penalty: 17 penalty units.
<i>Gaming Machine Act</i>		
section 20(4)	whole penalty provision	Maximum penalty: 40 penalty units.
section 21(5)	Penalty:	Maximum penalty:
section 22(1)	Penalty: \$10,000	Maximum penalty: 85 penalty units
section 27(1) and (2)	Penalty:	Maximum penalty:

sections 29(5) and 30	whole penalty provision	Maximum penalty: 40 penalty units.
section 33(2)	Penalty: \$10,000	Maximum penalty: 85 penalty units
section 34(4)	whole penalty provision	Maximum penalty: 40 penalty units.
sections 36(3) and 39(5)	Penalty:	Maximum penalty:
section 42(5)	Penalty: \$50,000	Maximum penalty: 430 penalty units
section 42(6)	Penalty:	Maximum penalty:
section 43(1), (7) and (8)	whole penalty provision	Maximum penalty: 85 penalty units.
section 44(2)	Penalty:	Maximum penalty:
sections 45(3) and 46	Penalty: \$10,000	Maximum penalty: 85 penalty units
section 47(1A)	Penalty:	Maximum penalty:
section 47(4)	whole penalty provision	Maximum penalty: 85 penalty units.
section 49(15)	whole penalty provision	Maximum penalty: 40 penalty units.
section 52	Penalty: \$50 000	Maximum penalty: 430 penalty units
section 53(2)	whole penalty provision	Maximum penalty: 85 penalty units.
sections 58(1), 59(1) to (6) and 59A(1) to (6)	Penalty:	Maximum penalty:
sections 60(1) to (3), (5) and (7) and 61(3), (5) and (6)	Penalty: \$10,000	Maximum penalty: 85 penalty units
section 63(1) and (2)	Penalty:	Maximum penalty:

sections 70(4) and 73	whole penalty provision	Maximum penalty: 40 penalty units.
sections 74(2), 75(3) and 76	Penalty: \$10,000	Maximum penalty: 85 penalty units
section 77(2) to (7)	whole penalty provision	Maximum penalty: 40 penalty units.
section 77(8), (9) and (11)	Penalty: \$10,000	Maximum penalty: 85 penalty units
section 77(10)	Penalty:	Maximum penalty:
section 79(13)	whole penalty provision	Maximum penalty: 85 penalty units.
section 83(1), (2) and (4)	Penalty:	Maximum penalty:
section 84(1)	Penalty: \$50,000	Maximum penalty: 430 penalty units
section 85(1) and (2)	whole penalty provision	Maximum penalty: 40 penalty units.
sections 85(3) and (5) and 87(1)	Penalty: \$10,000	Maximum penalty: 85 penalty units
section 87(2)	whole penalty provision	Maximum penalty: 40 penalty units.
section 88	Penalty: \$10,000	Maximum penalty: 85 penalty units
section 90	whole penalty provision	Maximum penalty: 40 penalty units.
sections 91, 92(2) and 94(1)	Penalty: \$10,000	Maximum penalty: 85 penalty units
section 95(1) and (2)	Penalty:	Maximum penalty:
sections 96(3) and (4), 97(2), 98(2), 99, 100(1), 101(2) and 102	Penalty: \$10,000	Maximum penalty: 85 penalty units
section 103	whole penalty provision	Maximum penalty: 125 penalty units.

section 104	whole penalty provision	Maximum penalty: 40 penalty units.
section 105	whole penalty provision	Maximum penalty: 125 penalty units.
sections 106, 107(1) and (2) and 108(1)	whole penalty provision	Maximum penalty: 40 penalty units.
section 113(2)	whole penalty provision	Maximum penalty: 125 penalty units.
sections 114 and 115	whole penalty provision	Maximum penalty: 40 penalty units.
section 118(3)	Penalty: \$10,000	Maximum penalty: 85 penalty units
section 120(1)	Penalty: \$50,000	Maximum penalty: 430 penalty units
section 120(2)	Penalty: \$25,000	Maximum penalty: 215 penalty units
section 121(2)	Penalty: \$10,000	Maximum penalty: 85 penalty units
section 121(3)	Penalty: \$50,000	Maximum penalty: 430 penalty units
section 121(4)	Penalty: \$10,000	Maximum penalty: 85 penalty units
section 122(2)	Penalty: \$25,000	Maximum penalty: 215 penalty units
section 125(2)	Penalty: \$50,000	Maximum penalty: 430 penalty units
section 125(4)	Penalty:	Maximum penalty:
section 127(2)	Penalty: \$10,000	Maximum penalty: 85 penalty units
section 129(3), (3A) and (4) to (6)	Penalty:	Maximum penalty:
sections 132(2), 133 and 134(1) and (4)	Penalty: \$10,000	Maximum penalty: 85 penalty units

section 134(5) and (7)	Penalty: \$25,000	Maximum penalty: 215 penalty units
section 135(5) to (8)	Penalty:	Maximum penalty:
sections 136(1) and (2), 137(1), (3) and (4) and 138(1), (3) and (5)	Penalty: \$50,000	Maximum penalty: 430 penalty units
section 139	whole penalty provision	Maximum penalty: 85 penalty units.
section 140(1) and (3)	Penalty: \$50,000	Maximum penalty: 430 penalty units
sections 141(3), 142(2), 143(2) and 144(2)	Penalty: \$10,000	Maximum penalty: 85 penalty units
section 145	Penalty: \$25,000	Maximum penalty: 215 penalty units
sections 146(6), 147 and 152(1) and (2)	Penalty: \$10,000	Maximum penalty: 85 penalty units
section 155(3)	whole penalty provision	Maximum penalty: 85 penalty units.
section 158(1)	Penalty: \$25,000	Maximum penalty: 215 penalty units
section 158(2)	Penalty: \$10,000	Maximum penalty: 85 penalty units
section 159(2)	Penalty: \$25,000	Maximum penalty: 215 penalty units
section 161(2)	Penalty: \$10,000	Maximum penalty: 85 penalty units
section 161(3)	Penalty: \$1,000	Maximum penalty: 8 penalty units
section 163	Penalty: \$25,000	Maximum penalty: 215 penalty units
sections 165(1) and (3), 166(1) and 167(1)	Penalty: \$10,000	Maximum penalty: 85 penalty units

section 167(2)	whole penalty provision	Maximum penalty: 40 penalty units.
sections 169, 170(1) and 172(3) and (4)	Penalty: \$10,000	Maximum penalty: 85 penalty units
section 173(2)	Penalty: \$25,000	Maximum penalty: 215 penalty units
section 174(1) to (3)	Penalty: \$10,000	Maximum penalty: 85 penalty units
section 174(5)	whole penalty provision	Maximum penalty: 85 penalty units.
section 175(2)	Penalty: \$10,000	Maximum penalty: 85 penalty units
sections 176(5) and 177	Penalty: \$50,000	Maximum penalty: 430 penalty units
sections 181(3) and (4) and 190	Penalty: \$10,000	Maximum penalty: 85 penalty units
section 193A(4)	Penalty: \$10 000	Maximum penalty: 85 penalty units

***Racing and Betting
Act***

section 20(3)	\$1,000	8 penalty units
sections 32(3) and 36(6)	\$2,000	17 penalty units
section 40	\$200	1.7 penalty units
section 46(8)	\$500	4 penalty units
sections 55, 60, 65 and 66	\$2,000	17 penalty units
section 67	\$500	4 penalty units
section 68	\$100	0.8 penalty unit
section 69(6)	\$500	4 penalty units
	\$1,000	8 penalty units

section 70(1) to (2)	\$7,500	60 penalty units
	\$12,500 (all references)	105 penalty units
	\$25,000 (all references)	215 penalty units
	\$50,000	430 penalty units
section 70(3)	\$1,000	8 penalty units
section 73(3)	\$2,000	17 penalty units
sections 74(5) and 75(3)	\$5,000	40 penalty units
sections 77(6) and 78(4)	\$5,000	40 penalty units
	\$10,000	85 penalty units
	\$15,000	125 penalty units
section 79	\$5,000	40 penalty units
section 80(1)	\$2,000	17 penalty units
	\$20,000	170 penalty units
section 81	\$5,000	40 penalty units
section 86(3) and (4)	\$2,000	17 penalty units
sections 88 and 90(7)	\$5,000	40 penalty units
sections 96(2) and 97(1) and (4)	\$2,000	17 penalty units
section 102(6)	\$5,000	40 penalty units
section 103(1A)	\$2 000	17 penalty units
section 103(4) and (5)	\$2,000	17 penalty units
sections 106(4) and 107	\$5 000	40 penalty units
section 117	\$100	0.8 penalty unit
section 124	\$2,000	17 penalty units

section 132(1), (2) and (4)	\$500	4 penalty units
section 132(3)	\$100	0.8 penalty unit
	\$500	4 penalty units
section 136(3)	\$2,000	17 penalty units
sections 145ZA(2) and 146	\$500	4 penalty units
section 148(u)	\$2,000	17 penalty units
section 148A(4)	\$2 000	17 penalty units
<i>Radioactive Ores and Concentrates (Packaging and Transport) Act</i>		
sections 16, 17 and 18	Penalty: \$5,000	Maximum penalty: 40 penalty units
	\$500	4 penalty units
section 19(1)	whole penalty provision	Maximum penalty: 40 penalty units.
sections 20(1) and 21	Penalty: \$5,000	Maximum penalty: 40 penalty units
	\$500	4 penalty units
sections 22(4) and 23(2)	whole penalty provision	Maximum penalty: 8 penalty units.
section 24(2)	penalty of \$1,000	maximum penalty of 8 penalty units
<i>Retirement Villages Act</i>		
section 51(2)(e)	\$2,500	20 penalty units
<i>Sale of NT TAB Act</i>		
section 6(5)	Penalty:	Maximum penalty:

Soccer Football Pools Act

section 6	whole penalty provision	Maximum penalty: 85 penalty units.
section 13	whole penalty provision	Maximum penalty: 17 penalty units.
section 17(3)	whole penalty provision	Maximum penalty: 0.8 penalty unit.
section 28(2)(a)	\$2,000	17 penalty units
section 28(2)(b)	\$500	4 penalty units
section 28B(4)	Penalty: \$10 000	Maximum penalty: 85 penalty units
section 29(3)	\$250	2 penalty units

Totalisator Licensing and Regulation Act

section 15(2)	Penalty:	Maximum penalty:
section 26(4)	Penalty: 2500	Maximum penalty: 2 500
sections 30(5), 35(2), 36(2), 40(2), 45(5), 53(4) and (6), 60 and 61	Penalty:	Maximum penalty:
section 91	Penalty: 2500	Maximum penalty: 2 500
sections 92(1), 93, 94, 96, 97(2), 98(1) and (2), 99, 100 and 101(1)	Penalty:	Maximum penalty:
section 110(3)	Penalty: 1,000	Maximum penalty: 1 000
section 113(1) and (2)	Penalty:	Maximum penalty:
section 115(4)	Penalty: 1,000	Maximum penalty: 1 000

Totalisator Licensing and Regulation Regulations

regulation 9(2) Penalty: Maximum penalty:

Totalisator Licensing and Regulation (Arbitration) Regulations

regulations 15 to 17 Penalty: Maximum penalty:

Totalisator Licensing and Regulation (Hearings) Regulations

regulations 7(3) and 9 to 11 Penalty: Maximum penalty:

Unlawful Betting Act

sections 6(2) and 8 whole penalty provision Maximum penalty:
40 penalty units.

section 13(3) whole penalty provision Maximum penalty:
17 penalty units.

section 16 whole penalty provision Maximum penalty:
4 penalty units.

section 17(2) whole penalty provision Maximum penalty: Not
less than 1.7 penalty
units and not more than
4 penalty units.

section 18 Penalty: Maximum penalty:

\$500	4 penalty units
\$2,500	20 penalty units
(all references)	
\$15,000	125 penalty units
\$5,000	40 penalty units
\$25,000	215 penalty units

section 34	\$7,500	60 penalty units
	\$12,500 (all references)	105 penalty units
	\$25,000 (all references)	215 penalty units
	\$50,000 (all references)	430 penalty units
	\$15,000	125 penalty units
	\$100,000 (all references)	860 penalty units
	\$30,000	255 penalty units
	\$200,000	1 725 penalty units
section 58(3)	Penalty: \$1,000	Maximum penalty: 8 penalty units
 <i>Workers Rehabilitation and Compensation Act</i>		
section 3(11)	<i>Default penalty</i>	<i>Default maximum penalty</i>
	default penalty	default maximum penalty
section 50(7)	whole penalty provision	Maximum penalty: 85 penalty units. Maximum default penalty: 8 penalty units.
section 75A(1) and (2)	Penalty: \$3,000 \$1000 Default penalty: \$500	Maximum penalty: 25 penalty units 8 penalty units Default maximum penalty: 4 penalty units

section 84(5)	Penalty \$10,000 \$3,000 Default penalty: \$750 \$150	Maximum penalty 85 penalty units 25 penalty units Default maximum penalty: 6 penalty units 1.2 penalty units
section 85A(2)	Penalty: \$10,000 \$2,000	Maximum penalty: 85 penalty units 17 penalty units
section 86(2)	Penalty: \$3,000 \$1000 Default penalty: \$500	Maximum penalty: 25 penalty units 8 penalty units Default maximum penalty: 4 penalty units
section 88(1)	Penalty: \$15,000 \$3,000 Default penalty: \$750 \$150	Maximum penalty: 125 penalty units 25 penalty units Default maximum penalty: 6 penalty units 1.2 penalty units
section 90	Penalty: \$3,000	Maximum penalty: 25 penalty units
section 90A(2)	whole penalty provision	Maximum penalty: 17 penalty units.
section 103H	Penalty: \$10,000 \$2,000	Maximum penalty: 85 penalty units 17 penalty units
section 122(2)	whole penalty provision	Maximum penalty: 125 penalty units.

section 125(1)	whole penalty provision	Maximum penalty: 430 penalty units. Default maximum penalty: 17 penalty units.
section 126(1) and (3)	whole penalty provision	Maximum penalty: 255 penalty units. Default maximum penalty: 17 penalty units.
section 126(4)	whole penalty provision	Maximum penalty: 125 penalty units.
section 130(2)	whole penalty provision	Maximum penalty: 25 penalty units.
section 130(5)	whole penalty provision	Maximum penalty: 85 penalty units.
section 130(7)	whole penalty provision	Maximum penalty: 17 penalty units.
section 147(2)	Penalty: \$1,000 \$500 Default penalty: \$100	Maximum penalty: 8 penalty units 4 penalty units Default maximum penalty: 0.8 penalty unit
section 164A(5)	Penalty:	Maximum penalty:
section 171(4)	whole penalty provision	Maximum penalty: 85 penalty units.
section 175(2)	whole penalty provision	Maximum penalty: 12 penalty units.

section 178	Penalty: \$3,000 \$1,000 Default penalty: \$500	Maximum penalty: 25 penalty units 8 penalty units Default maximum penalty: 4 penalty units
section 186A(3)	whole penalty provision	Maximum penalty: 860 penalty units.
section 187(1)(s)	\$5,000	40 penalty units
section 187A(7)	whole penalty provision	Maximum penalty: 4 penalty units.

Schedule 2 Amendment of laws administered (in whole or in part) by Treasurer

section 4

Provision	Amendment	
	<i>omit</i>	<i>substitute</i>
<i>Electrical Networks (Third Party Access) Act</i>		
section 15(2), (4) and (5)	Penalty:	Maximum penalty:
section 28(2)(b)	\$100,000	860 penalty units
section 28(2)(c)	\$10 000	85 penalty units
<i>Electricity Reform Act</i>		
section 10(2)	Penalty:	Maximum penalty:
section 14(1)	Penalty: 2500	Maximum penalty: 2 500
section 19(5)	penalty	penalty (which is a civil penalty)
sections 31(1) and 42(6) and (7)	Penalty: 2500	Maximum penalty: 2 500
sections 45(4), 54(3), and 67(1)	Penalty:	Maximum penalty:
section 68(1)	Penalty: 2500	Maximum penalty: 2 500
sections 69, 70(4), 71(1), 74(3), 78(3), 79(3), 80(4), 81(3), 89(1), 90(1), 96(1), (2) and (3), 97(1) and (2), 98(1), 99(1) and (3), 100, 101(1) and (2) and 102	Penalty:	Maximum penalty:

***Electricity Reform
(Administration)
Regulations***

regulation 4(3)	prescribed penalty:	maximum penalty:
regulation 4(3)(a)	\$10,000	85 penalty units
	\$500	4 penalty units
regulation 13	whole penalty provision	Maximum penalty: 40 penalty units.

***Electricity Reform
(Safety and Technical)
Regulations***

regulations 21, 22, 23(1), 26, 28(1) and (2), 29(1) and (2) and 40	Penalty:	Maximum penalty:
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***Government Owned
Corporations Act***

section 26(1)	Penalty:	Maximum penalty:
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Mineral Royalty Act

section 11(2)	\$5,000	40 penalty units
section 12(6)	\$2,000	17 penalty units
section 14(3)	\$500	4 penalty units
sections 14(4), 17(2), 43(2), 46(1), 47 and 49	\$5,000	40 penalty units
section 50(1)	\$500	4 penalty units

***Motor Accidents
(Compensation) Act***

section 30A	Penalty: \$2,000	Maximum penalty: 17 penalty units
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Superannuation Act

section 8(1)	whole penalty provision	Maximum penalty: 8 penalty units.
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Utilities Commission Act

section 23(8)	Penalty: 2500	Maximum penalty: 2 500
sections 25(2) and (4), 26(1) and (5) and 36	Penalty:	Maximum penalty:

Water Supply and Sewerage Services Act

sections 14(1), 27(1) and 33(6) and (7)	Penalty: 2,500	Maximum penalty: 2 500
sections 37(3) and 40(3)	Penalty:	Maximum penalty:
sections 43(1) and 46(2) and (3)	Penalty: 2,500	Maximum penalty: 2 500
section 51(1)	Penalty:	Maximum penalty:
section 52(5)	Penalty: 1,000	Maximum penalty: 1 000
sections 57(3), 58, 62(6), 65(2) and (6), 69(1), 74(3), 78 and 80(3)	Penalty:	Maximum penalty:
sections 82(1) and 84(3)	Penalty: 1,000	Maximum penalty: 1 000
sections 86(5), 88(1) and 89(2)	Penalty:	Maximum penalty:
section 90(1)	Penalty: 2,000	Maximum penalty: 2 000
sections 91(1), 92(1), 93(1) and (3), 94(2) and (3), 95(1), 96(1), 97(1) and (4) and 98	Penalty:	Maximum penalty:
section 99(1)	Penalty: 1,000	Maximum penalty: 1 000

sections 99(2), 100(1), 101(1) and (3), 102 and 103(1) and (2)	Penalty:	Maximum penalty:
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section 104	Penalty: 1,000	Maximum penalty: 1 000
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