

NORTHERN TERRITORY OF AUSTRALIA

STATUTE LAW REVISION ACT 2010

Act No. 29 of 2010

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NORTHERN TERRITORY OF AUSTRALIA

Act No. 29 of 2010

An Act to revise and correct the law of the Territory in minor respects

[Assented to 9 September 2010]

[Second reading 9 June 2010]

The Legislative Assembly of the Northern Territory enacts as follows:

Part 1 Preliminary matters

1 Short title

This Act may be cited as the *Statute Law Revision Act 2010*.

2 Commencement

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

Part 2 Amendment of Acts

3 Amendment of *Aboriginal Land Act*

(1) This section amends the *Aboriginal Land Act*.

(2) Section 3

omit

, unless the contrary intention appears

(3) Section 7

*repeal, substitute***7 Members of Parliament and others may enter Aboriginal land**

The following persons may enter and remain on Aboriginal land:

- (a) the Administrator, or an Acting Administrator, acting in the course of his or her duty;
- (b) a member of the Legislative Assembly engaged on the business of the Assembly;
- (c) a member of either House of the Commonwealth Parliament engaged on the business of the Parliament;
- (d) a candidate for election as a Senator for the Northern Territory or as a member of the House of Representatives for a Northern Territory electorate;
- (e) a candidate for election as a member of the Legislative Assembly for the purposes of conducting his or her campaign.

(4) Section 17

*repeal, substitute***17 Members of Parliament and others may enter closed seas**

The following persons may enter and remain on closed seas:

- (a) the Administrator, or an Acting Administrator, acting in the course of his or her duty;
- (b) a member of the Legislative Assembly engaged on the business of the Assembly;
- (c) a member of either House of the Commonwealth Parliament engaged on the business of the Parliament;
- (d) a candidate for election as a Senator for the Northern Territory or as a member of the House of Representatives for a Northern Territory electorate;
- (e) a candidate for election as a member of the Legislative Assembly for the purposes of conducting his or her campaign.

4 Amendment of *Building Act*

(1) This section amends the *Building Act*.

(2) Section 110

repeal, substitute

110 Content of notice

A building notice may require the owner of a building, place or temporary structure (the ***specified place***), or the owner's agent, to do one or more of the following within the period specified in the notice:

- (a) show cause why occupation of the specified place, or use of the specified place for a public assembly, should not be prohibited;
- (b) show cause why the owner or agent should be allowed to conduct or promote, or allow the conduct or promotion, of a public assembly on or in the specified place;
- (c) show cause why the owner or agent should not do one or more of the following:
 - (i) evacuate the specified place;
 - (ii) immediately cease to conduct or promote a public assembly on or in the specified place;
 - (iii) operate or carry out building work or other work on or in the specified place;
 - (iv) comply with directions specified in the notice.

5 Amendment of *Electrical Workers and Contractors Act*

(1) This section amends the *Electrical Workers and Contractors Act*.

(2) Section 4, definitions ***authorized person*** and ***inspector***

omit

(3) Section 4

insert (in alphabetical order)

authorised person means:

- (a) an authorised officer as defined in section 4(1) of the *Electricity Reform Act*; or
- (b) a member or employee to whom a power or function is delegated under section 17B.

(4) Section 4, definition **electrical installation**

omit

Electricity Act

substitute

Electricity Reform Act

(5) Sections 42B(1)(a) and (b), 43(1)(g) and (j) and (2)(e) and (h), 45B(1), (2) and (4), 50B(2) and 55(1) and (2)

omit (all references)

authorized

substitute

authorised

6 Amendment of Firearms Act(1) This section amends the *Firearms Act*.

(2) Section 7(3)(a)

omit

the National Exchange of Police Information (NEPI) scheme

substitute

CrimTrac

(3) After section 7(4)

insert

(5) In this section:

CrimTrac means the CrimTrac Agency established under section 65 of the *Public Service Act 1999* (Cth).

7 Amendment of other Acts

The Schedule amends the Acts mentioned in it.

Part 3 Expiry of Act

8 Expiry

This Act expires on the day after it commences.

Schedule Amendment of other Acts

section 7

Provision	Amendment	
	<i>omit</i>	<i>substitute</i>
<i>Agents Licensing Act</i>		
section 4(1)(a)	;	; or
section 5(1)	, unless the contrary intention appears	
section 7(1)	of:	of the following persons:
section 9(1)	(1) There	There
section 12(a)	;	; or
section 14(4)(a) to (e)	;	; and
section 16(1)(a), (b) and (e)	;	; or
section 20(1)(a)	;	; and
section 20(2)(a) to (d) and (4)(a) and (b)(i)	;	; or
section 20(4)(b)	bankruptcy;	bankruptcy; or
section 22(1)(a) and (b)	;	; and
section 22(1)(c)(i) and (ii)	;	; or
sections 25(a)(ii) and (b), 26(a) and 27(a)	;	; and
section 29(3)(a) and (b)	;	; or
sections 29(4)(a), 32(3A)(a) and 39(1)(a) and (b)	;	; and

section 44B(1)(a) and (b)	;	; or
section 50(1)(a)	;	; and
section 52(4)(a)	;	; or
section 55(2)(a)(ii)	;	; and
section 60(1)(a) to (f)	;	; or
section 62(2)(a) and (b)	;	; and
section 63(a)	;	; or
section 64(1)	time	time, do any of the following
section 64(1)(c)	; and	;
section 64A(2)(a) and (4)(a) and (b)	;	; and
section 65(1)(a) to (k)	;	; or
section 65B(2)(a) and (3)(a) and (b)	;	; and
section 67(1)(k)	; or	;
section 68(5)(a)	;	; or
section 68(5)(b)	; and	; or
section 69(1)(a) and (b)	;	; or
section 71(1)(c)	; or	;
section 78(2)(a)	;	; or
section 85(1)(d)	; or	;
sections 85(3)(a) and (5)(a), 94(2)(a) and (7)(a), 95(1)(a) and 95B(1)(a) to (c) and (2)(a) to (e)	;	; and

sections 96(1)(a), 108A, definition indemnity insurance , paragraph (a), 108F(1), definition interested party , paragraphs (a) to (c) and (2)(a) and (b) and 108G(6)(a)(ii) and (b)	;	; or
section 109(1)(c)	; and	;
sections 109(2)(a) and (b) and 127(1)(a) to (j)	;	; and
Schedule, clauses 1(g) and 2(c)	; and	;
Anti-Discrimination Act		
sections 3(a) and 4(1), definitions accommodation , paragraphs (a) to (f), advertisement , paragraphs (a) to (c), club , paragraph (a), document , paragraph (a), impairment , paragraphs (a) to (h) and insurance , paragraphs (a) and (b)	;	; and
section 4(1), definition in vitro fertilisation procedure , paragraph (a)(ii)	; or	;
section 4(1), definitions irrelevant criminal record , paragraph (b)(i) to (vii), marital status , paragraphs (a) to (f) and prohibited conduct , paragraphs (a) to (e)	;	; or

section 4(1), definitions services , paragraphs (a) to (f) and work , paragraphs (a) to (d)	;	; and
sections 9(1)(a) and (2)(a), 20(2)(a) and 22(2)(a) and (b)	;	; or
section 22(3)(a) and (b)	;	; and
section 23(1)(a) and (b)	;	; or
section 24(3)(a) to (c)	;	; and
section 26(2)(a) to (c)	;	; or
section 28(a) to (d)	;	; and
sections 29(1)(a) to (c) and (2)(a) and (b) and 31(1)(a) to (c) and (2)(a) and (b)	;	; or
section 31(3)(a)	;	; and
sections 32(1)(a) and (b) and (2)(a) and (b), 33(2)(a), 34(a) and (b) and 38(1)(a) to (c) and (2)(a) and (b)	;	; or
section 39(a) and (b)	;	; and
sections 41(1)(a) and (b) and 46(1)(a) and (2)(a) to (c)	;	; or
section 47(4)(a) to (c)	;	; and
sections 48(1)(a) and (3)(a), 51(a) and (b), 53(a) to (f) and 56(1)(a) and (b) and (3)(a) and (b)	;	; or
sections 58(2)(a) to (c) and 64(1)(a) and (b)	;	; and

section 67(a) and (b)	;	; or
section 74(3)(a)	;	; and
section 83(a)	;	; or
section 90(1)	(1) In	In
section 90(a) to (d)	;	; and
section 97(1)(a)	;	; or
section 100(2)(a) to (c)	;	; and
section 102(1)(a) and (b)	;	; or
section 107	may:	may do one or more of the following:
section 107(c)	and/or	
sections 108(2)(a) and (4)(a), 110(a) and 115(a)	;	; or
<i>Classification of Publications, Films and Computer Games Act</i>		
sections 8(1)(a) and (b), 15(3)(a) and 16(1)(a) to (c)	;	; and
section 67(1)	(1) A	A
sections 75, definitions <i>computer service</i> , paragraph (a) and <i>objectionable material</i> , paragraphs (a), (b) and (d)(i) to (iii) and 93(1)(a)(ii)	;	; or
section 95(1)(a)	;	; and
section 109(1)(a)	;	; or

section 111(2)(a) ; ; and

sections 115(a) to (c), ; ; or
118(a), 119(a) and
120(2)(a)(ii)

section 120(2)(b)(i) ; ; and

***Consumer Affairs and
Fair Trading Act***

section 4(1) , unless the contrary
intention appears

Part 5, Division 4 whole heading
heading

sections 134(1) whole subsection (1) On receiving an
and 191(1) application for a
licence, the
Commissioner
must send a copy
of it to the
Commissioner of
Police, together
with copies of any
accompanying
documents other
than statements
relating to the
material and
financial resources
of the applicant.

Coroners Act

section 3 unless the contrary
intention appears

section 3, definition ; ; or
senior next of kin,
paragraphs (a) to (d)

section 4A(1)(a) and (b) ; ; and

section 6(4)(a)(i) ; ; or

sections 12(1), ; ; or
 definitions **person held
 in custody**,
 paragraph (a)(i) and (ii)
 and **reportable death**,
 paragraph (a)(i) and (iv)
 to (vii) and (3)(a) and
 15(1)(a)

sections 16(1)(a) and ; ; and
 19(1)(a)

section 27(1) (1) The coroner shall The coroner must
 in pursuance of under

sections 33(1)(a) and ; ; and
 34(1)(a)(i) to (iii)

sections 43(1)(a), ; ; or
 44(3)(a) and (b) and
 46(a)

sections 46B(3)(a) and ; ; and
 (4)(a) and 47(2)(a) to
 (h)

***Criminal Records
 (Spent Convictions)
 Act***

section 3(1) , unless the contrary
 intention appears

section 3(1), definition whole paragraph (d) the CrimTrac
law enforcement Agency
agency, paragraph (d) established under
 section 65 of the
Public Service Act
 1999 (Cth); or

section 3(1), definition ; ; or
law enforcement
agency, paragraphs
 (a), (b) and (e) to (k)

Education Act

section 4(1) , unless the contrary
 intention appears

section 9(2)	whole subsection	(2) The Chief Executive Officer may, in writing, delegate to a public sector employee all or any of his or her powers or functions under this Act.
section 9(3) and (4)	whole subsection	
Information Act		
section 3(1)(a)(ii) and (b)(i) and (iii)	;	; and
section 4, definition application , paragraph (a)	;	; or
section 4, definition disability , paragraphs (a) and (b)	;	; and
sections 4, definitions health information , paragraphs (a)(i) and (iii) and (b), health service , paragraph (a)(i) and (iii), law enforcement agency , paragraphs (a) and (b) and sensitive information , paragraph (a)(i) to (vii) and 5(5)(a) and (b)	;	; or
section 10(1)(a)	;	; and
sections 10(2)(a), 11(1)(b)(i) and 12(3)(a) to (c)	;	; or
sections 16(a) and 18(2)(a) and (b)	;	; and

sections 26(2)(a) and (b) and 27(1)(a)	;	; or
section 29(3)(a) and (b)	;	; and
section 30(1)(a) and (b), (2)(a), (b)(ii) and (c) and (3)(a)	;	; or
section 31(2)(a) to (d)	;	; and
section 36(2)(a)	;	; or
sections 37(3)(a) and (b) and 38(2)(a) to (c)	;	; and
sections 42(2)(b)(i), 45(1)(a)(i) to (vi) and (viii), 46(2)(a) to (c) and (3)(a) to (d), 49(a) to (d), 53(a) and (b), 55(2)(a)(i), 57(3)(a), (b) and (c)(i), 60(1)(a) and (3)(a), 68(1)(a) to (c) and 72(2)(a)(ii)	;	; or
sections 72(2)(c)(i) and 73(2)(a)	;	; and
sections 87(2)(a) and 91(1)(a) and (2)(a) and (b)	;	; or
section 98(2)(a), (b)(x), (c) and (d)	;	; and
sections 101(a), 102(a) and 104(3)(a)	;	; or
section 105(a) to (d) and (e)(ii)	;	; and
section 106(3)(a), (b), (c)(ii), (d) and (e)	;	; or
sections 111(4)(a) and (b) and 116(1)(a)	;	; and
section 118(1)(a)	;	; or

section 122(1)(a)	;	; and
sections 122(3)(a), 128(1)(a), 129(2)(a) and (b) and 130(2)(a)	;	; or
section 134(a)	;	; and
sections 155(1)(b)(i) and 156(4)(a)(ii) and (b) to (ca)	;	; or
Schedule 2, IPP 1.3(a) to (d)	;	; and
Schedule 2, IPPs 6.1(a) to (i), 6.7(a), 7.2(a), 7.3(a), 9.1(a) to (e) and 10.1(a) and (b)	;	; or
Schedule 2, IPP 10.2(a)(ii)	;	; and

Interpretation Act

section 6(3)(b)	date	day or date
section 7(1) and (2)	date upon that date	day on that day
section 9	has commence	has commenced

Misuse of Drugs Act

Schedule 2, column 1	Methcathione	Methcathinone
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***Petroleum
(Submerged Lands)
Act***

section 4(1)	, unless the contrary intention appears
section 169(6)(a)	differ

***Police Administration
Act***

section 123(1)	(1) A	A
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Rail Safety Act

section 6, definition **road vehicle** , see means a vehicle as defined in

section 164(3), definition **person to whom this section applies**, paragraph (b) a nurse an optometrist or physiotherapist

Sentencing Act

section 3(1) , unless the contrary intention appears

section 79(1)(a) opinion of opinion

Traffic Act

section 3(1) , unless the contrary intention appears

section 37, heading **to due** **due**

Unlawful Betting Act

section 3(1) , unless the contrary intention appears

section 3(1), definition **betting**, paragraph (a) ; ; or

section 3(1), definition **instrument of betting**, paragraphs (a) to (d) ; ; and

section 3(1), definition **manager**, paragraphs (a) and (b) ; ; or

sections 3(1), definition **place**, paragraphs (a) to (e) and 5(2)(a) ; ; and

sections 6(1)(a) and 11(1)(a) to (c) ; ; or

section 15(1) necessary: necessary, do any of the following:

section 15(1)(d)	; and	;
sections 17(2)(a), 20(a), 21(1)(a)(ii) and (2)(a) and (b), 22(1)(a)(ii) and (b), 26(a), 27(1)(a) and (b), 28(2)(a) and (3)(a) and 30(a)(ii) and (b)	;	; or
section 33(1)	whole subsection	(1) A person commits an offence if the person carries on the business of bookmaking, other than: (a) as a lawful bookmaker; or (b) in accordance with any other law in force in the Territory.
sections 34(a), 35(1)(a), (2)(a) and (3)(a) and (d), 37(a)(i) and 44(a)	;	; or
section 46(a)	;	; and
section 50(a)	;	; or
section 52(2)(a)	;	; and
section 54(a) and (b)	;	; or
section 56(2)(a) to (d)	;	; and
section 58(8)(a)	;	; or
<i>Victims of Crime Assistance Act</i>		
section 4	, unless the contrary intention appears	
