

NORTHERN TERRITORY OF AUSTRALIA
PERSONAL INJURIES (LIABILITIES AND DAMAGES)
(CONSEQUENTIAL AMENDMENTS) ACT 2003

Act No. 4 of 2003

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NORTHERN TERRITORY OF AUSTRALIA

Act No. 4 of 2003

AN ACT

to amend various Acts and Rules consequential on the enactment of the
Personal Injuries (Liabilities and Damages) Act

[Assented to 18 March 2003]
[Second reading 17 October 2002]

The Legislative Assembly of the Northern Territory enacts as follows:

1. Short title

This Act may be cited as the *Personal Injuries (Liabilities and Damages) (Consequential Amendments) Act 2003*.

2. Commencement

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

3. Amendment of *Law Reform (Miscellaneous Provisions) Act*

(1) Sections 10 and 10A of the *Law Reform (Miscellaneous Provisions) Act* are repealed.

(2) The repeal effected by subsection (1) does not apply in relation to an act or omission of an occupier causing a personal injury to a person –

(a) that occurred before the commencement of this section; and

*Personal Injuries (Liabilities and Damages)
(Consequential Amendments) Act 2003*

(b) that, but for section 10A of the *Law Reform (Miscellaneous Provisions) Act*, may have given rise to a breach of the common law duty of care.

(3) In this section –

"personal injury" includes a fatal injury, a prenatal injury, a psychological or psychiatric injury, a disease and the aggravation, exacerbation or acceleration of a pre-existing injury.

4. Amendment of *Local Court Act*

Section 21 of the *Local Court Act* is amended by omitting from subsection (2)(f) "provide" and substituting "subject to Part 4 of the *Personal Injuries (Liabilities and Damages) Act*, provide".

5. Amendment of *Local Court Rules*

(1) Rule 39.03 of the *Local Court Rules* is amended by inserting after subrule (1) the following:

"(1A) Subrule (1) applies subject to Part 4 of the *Personal Injuries (Liabilities and Damages) Act*".

(2) The rule amended by subsection (1) may be amended or repealed by a rule as if the amendment had been made by a rule.

6. Amendments of *Supreme Court Act*

(1) Section 29 of the *Supreme Court Act* is amended by omitting from paragraph (c)(i) "order" and substituting "subject to Part 4 of the *Personal Injuries (Liabilities and Damages) Act*, order".

(2) Section 84 of the *Supreme Court Act* is amended by inserting after subsection (1) the following:

"(1A) Subsection (1) applies subject to Part 4 of the *Personal Injuries (Liabilities and Damages) Act*".