

NORTHERN TERRITORY OF AUSTRALIA
STATUTE LAW REVISION ACT (NO. 2) 2002

Act No. 59 of 2002

TABLE OF PROVISIONS

Section

1. Short title
2. Amendments of *Companies (Trustees and Personal Representatives) Act*
3. Amendment of Legal Practitioners Regulations
4. Amendments of *Misuse of Drugs Act*
5. Revision of other Acts
6. Revision of other Regulations
7. Amendment by regulation authorised

SCHEDULE 1

SCHEDULE 2



NORTHERN TERRITORY OF AUSTRALIA

Act No. 59 of 2002

AN ACT

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

*[Assented to 7 November 2002]
[Second reading 15 August 2002]*

The Legislative Assembly of the Northern Territory enacts as follows:

1. Short title

This Act may be cited as the *Statute Law Revision Act (No. 2) 2002*.

2. Amendments of *Companies (Trustees and Personal Representatives) Act*

(1) Section 13 of the *Companies (Trustees and Personal Representatives) Act* is amended by omitting from subsection (1)(a) all the words after "with the" and substituting "Commissioner of Consumer Affairs appointed under section 6 of the *Consumer Affairs and Fair Trading Act*".

(2) Section 36 of the *Companies (Trustees and Personal Representatives) Act* is amended –

(a) by omitting subsection (1) and substituting the following:

"(1) If the Regulations provide for the lodgement of a prescribed statement for the purposes of this section, a trustee company must lodge that statement with the Commissioner, together with any prescribed documents, during the prescribed months in each year.";

- (b) by omitting from subsections (3) and (4) "prescribed person" and substituting "Commissioner";
- (c) by omitting subsection (5); and
- (d) by adding at the end the following:

"(7) In this section –

'Commissioner' means the Commissioner of Consumer Affairs appointed under section 6 of the *Consumer Affairs and Fair Trading Act*."

3. Amendment of Legal Practitioners Regulations

Regulation 2B of the Legal Practitioners Regulations is amended by inserting "The Australian Government Solicitor" after "The Attorney-General's Department of the Commonwealth of Australia".

4. Amendments of *Misuse of Drugs Act*

(1) Section 8C of the *Misuse of Drugs Act* is amended by adding at the end of subsection (1) the following:

"Penalty: Imprisonment for 7 years."

(2) Section 34 of the *Misuse of Drugs Act* is amended –

- (a) by omitting from subsection (1) "drug," and substituting "drug or";
- (b) by omitting from subsection (2) "drug," (all references) and substituting "drug or"; and
- (c) by omitting from subsection (13)(d) "drug," and substituting "drug or".

5. Revision of other Acts

The Acts specified in Schedule 1 are amended as set out in that Schedule.

6. Revision of other Regulations

The Regulations specified in Schedule 2 are amended as set out in that Schedule.

7. Amendment by regulation authorised

A regulation amended by this Act may be amended or repealed by a regulation as if the amendments had been made by a regulation.

SCHEDULE 1

Section 5

| Provision | Amendment | |
|---|--|--|
| | omit | substitute |
| <i>Administration and Probate Act</i> | | |
| Section 81(8) | necessary; and | necessary and |
| <i>Associations Incorporation Act</i> | | |
| Section 4(1) | | |
| – definitions of "Deputy Registrar" and "Registrar" | all the words after "Associations" | |
| <i>Co-operatives Act</i> | | |
| Section 311 | 5.5 5.6, | 5.5, 5.6, |
| <i>Criminal Records (Spent Convictions) Act</i> | | |
| Section 3(1) | | |
| – paragraph (f) of the definition of "law enforcement agency" | Northern Territory Attorney-General's Department | Agency primarily responsible for law and the administration of justice |
| <i>Electrical Workers and Contractors Act</i> | | |
| Part V | 55A. (second reference) (see note) | 55G. |

Fisheries Act

Section 4(1)

| | | |
|-----------------------------------|------------------------------|---|
| – definition of "Joint Authority" | established under section 61 | in existence for the purposes of Part 5 |
|-----------------------------------|------------------------------|---|

Section 58(1)

Part V

Part 5

Section 58(2)

Part IVA

Part 4A

Gaming Machine Act

Section 146(1)(b)

the Australian Society of Certified Practising Accountants

CPA Australia

issued by the Society

in accordance with the by-laws of CPA Australia

Juries Act

Schedule 7

the Northern Territory Attorney-General's Department, Department of Correctional Services or the Office of Courts Administration

an Agency primarily responsible for law and the administration of justice, prisons and correctional services or the administration of courts

Liquor Act

Section 109

Lottery and Gaming Act (all references)

Gaming Control Act

Local Government Act

Section 182(2)(a)

Liquor Commission

Commission within the meaning of that Act

Mineral Royalty Act

Section 4B(1)(q)

section 73, 74 or 75

section 174B or 184

Section 20(5)

"eligible deduction"

"eligible exploration expenditure"

Mining Act

Section 13

- definition of "block" means, subject to section 22(1A), means

***Ombudsman
(Northern Territory)
Act***

Section 3(1)

- paragraph (ed) of the definition of "administrative action" Liquor Commission under the *Liquor Act* as a result of which an application or request for a hearing under Part V of that Act Northern Territory Licensing Commission established by section 4 of the *Northern Territory Licensing Commission Act* as a result of which an application or request for a hearing under Part V of the *Liquor Act*

Police Administration Act

Section 147A(1) The The Minister or the

Power and Water Corporation Act

Section 15(2)(d) Authority Corporation

Section 19 Authority (all references) Corporation

Prisons (Correctional Services) Act

Section 20(2)(b) it, to a it – a

***Public Sector
Employment and
Management Act***

| | | |
|-----------------|--|------------|
| Section 4(3)(a) | Part 2 of Schedule 1 (other than the Commissioner) | Schedule 1 |
|-----------------|--|------------|

***Registration of
Interests in Motor
Vehicles and Other
Goods Act***

Section 3(1)

| | | |
|---|--|---|
| – paragraph (a) of the definition of "dealer" | the <i>Motor Vehicle Dealers Act</i> | Part 10 of the <i>Consumer Affairs and Fair Trading Act</i> |
|---|--|---|

***Sexual Offences
(Evidence and
Procedure) Act***

| | | |
|-----------------|--|--|
| Section 9(1)(c) | Northern Territory Attorney-General's Department | Agency primarily responsible for law and the administration of justice |
| | Department of Health and Community Services | Agency primarily responsible for health, welfare and community services |

***Summary Offences
Act***

Section 45C

| | | |
|---------------------------------|---|---|
| – definition of "Commission" | Liquor Commission of the Northern Territory constituted under Part II of the <i>Liquor Act</i> | Northern Territory Licensing Commission established by section 4 of the <i>Northern Territory Licensing Commission Act</i> |
|---------------------------------|---|---|

***Water Supply and
Sewerage Services Act***

| | | |
|---------------|----------|-------------------|
| Section 82(1) | sewerage | sewerage services |
|---------------|----------|-------------------|

SCHEDULE 2

Section 6

| Provision | Amendment | |
|--|--|--|
| | omit | substitute |
| Bail Regulations | | |
| Regulation 5(3) | Crown Prosecutor | Director of Public Prosecutions |
| Schedule | | |
| – Form 1, Part A.2 | his undertaking I/We* | his or her undertaking or a bail condition I/we* |
| – Form 5, Notice of hearing | Crown Prosecutor | Director of Public Prosecutions |
| Co-operatives Regulations | | |
| Schedule 9 | | |
| – item 4 relating to the Northern Territory | the whole item | |
| Education (College and School Councils) Regulations | | |
| Regulation 14(d)(i) | the Australian Society of Certified Practising Accountants | CPA Australia |

**Northern Territory
Treasury
Corporation
Inscribed Stock
Regulations**

| | | |
|---------------------|---------------------|------------------|
| Regulation 22(3)(a) | incorporation; | registration; or |
| Regulation 22(3)(b) | the whole paragraph | |

ALTERATION TO SECTION HEADING

On the day on which the *Liquor Act* is amended by this Act, the heading to section 109 of the *Liquor Act* is altered by omitting "*Lottery and Gaming Act*" and substituting "*Gaming Control Act*".

Note

Section 55A (second reference) of the *Electrical Workers and Contractors Act* was inserted by section 113 of the *Criminal Law (Regulatory Offences) Act* (No. 68, 1983) and appears incorrectly as section 55AA in the reprint of the *Electrical Workers and Contractors Act* dated 20 September 1994.