

NORTHERN TERRITORY OF AUSTRALIA
CULLEN BAY MARINA AMENDMENT ACT 2002

Act No. 10 of 2002

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NORTHERN TERRITORY OF AUSTRALIA

Act No. 10 of 2002

AN ACT

to amend the *Cullen Bay Marina Act*

[Assented to 28 March 2002]

[Second reading 28 November 2001]

The Legislative Assembly of the Northern Territory enacts as follows:

1. Short title

This Act may be cited as the *Cullen Bay Marina Amendment Act 2002*.

2. Commencement

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

3. Principal Act

The *Cullen Bay Marina Act* is in this Act referred to as the Principal Act.

4. Maintenance of revetment

Section 13 of the Principal Act is amended by omitting from subsection (4) all the words after "Penalty:" and substituting the following:

"If the offender is a natural person – 100 penalty units and 2 penalty units for each day during which the offence continues.

If the offender is a corporation – 500 penalty units and 10 penalty units for each day during which the offence continues."

5. By-laws for development area

Section 15 of the Principal Act is amended –

- (a) by omitting from subsection (1) all the words from and including "Subject" to and including "common property," and substituting "The Management Corporation may, by special resolution as prescribed, in respect of the development area,";
- (b) by omitting from subsection (1)(a) "common property" and substituting "development area";
- (c) by inserting after subsection (1)(a) the following:
"(aa) the health and safety of persons;"
- (d) by inserting in subsection (1)(f) "incidental to the management, use and maintenance of the common property" after "charges";
- (e) by omitting from subsection (2) "\$2,000" and "\$50" and substituting "100 penalty units" and "one penalty unit" respectively; and
- (f) by inserting after subsection (3) the following:

"(3A) Nothing in the By-laws limits or otherwise affects the operation of any other law of the Territory."

6. Further amendments

The Principal Act is amended as set out in the Schedule.

7. Transitional provision

(1) In this section, "commencement date" means the date on which this Act comes into operation.

(2) Subject to subsection (3), on and after the commencement date –

- (a) the By-laws in force immediately before the commencement date have effect as if they had been made immediately after the commencement of this Act; and
- (b) a reference in the By-laws to the common property is to be read, with the necessary modifications, as if it were a reference to the development area.

(3) Subsection (2) does not affect an act or omission done or made, or a right, privilege, obligation or liability acquired, accrued or incurred, under the By-laws before the commencement date.

Cullen Bay Marina Amendment Act 2002

SCHEDULE

Section 6

Provision	Amendment	
	omit	substitute
Section 4(1)	section 4(2)	section 3(2)
Section 9(2)	section 6	section 5
Section 16(2)(g)	\$2,000	100 penalty units