

NORTHERN TERRITORY OF AUSTRALIA

STATUTE LAW REVISION ACT 2005

---

Act No. 44 of 2005

---

TABLE OF PROVISIONS

Section

PART 1 – PRELIMINARY MATTERS

1. Short title
2. Commencement

PART 2 – AMENDMENT OF CRIMINAL CODE

3. Principal Act amended
4. Repeal and substitution of section 43Z  
43Z. When supervision orders are made
5. Amendment of section 43ZN (Matters court must take into account when making order)
6. Amendment of section 186A (Definitions)
7. Amendment of section 412 (Powers of Court in special cases)
8. New section 412A  
412A. Powers of Court in relation to mental impairment

PART 3 – AMENDMENT OF *LOCAL GOVERNMENT ACT*

9. Principal Act amended
10. Amendment of section 19B (Special meetings)
11. Amendment of section 92 (Council may sue for rates and charges)
12. Further amendments

PART 4 – AMENDMENT OF *POISONS AND DANGEROUS DRUGS ACT*

13. Principal Act amended
14. Amendment of section 6 (Interpretation)
15. Amendment of section 16 (Powers of nominated person)
16. Amendment of section 22 (Powers of nominated person)
17. Amendment of section 29 (Supply of substances for therapeutic use)
18. Amendment of section 38A (Definitions for Part VII)

19. Amendment of section 53 (Possession and use of Schedule 7 substances)
20. Amendment of section 65 (Possession, use etc. prohibited or subject to conditions)
21. Amendment of section 86 (Compliance with order to withdraw poison or hazardous substance)

PART 5 – AMENDMENT OF LAWS CONSEQUENT ON ENACTMENT OF  
*HEALTH PRACTITIONERS ACT*

22. Amendment of laws

PART 6 – AMENDMENT OF LAWS CONSEQUENT ON ENACTMENT OF  
*VETERINARIANS ACT*

23. Amendment of laws

PART 7 – AMENDMENT OF OTHER LAWS

24. Amendment of *Bail Act*
25. Amendment of *Consumer Affairs and Fair Trading Amendment Act 2002*
26. Amendment of *Energy Pipelines Act*
  59. Pipeline is not a fixture
27. Amendment of *Food Act*
28. Amendment of *Misuse of Drugs Act*
29. Amendment of *Nitmiluk (Katherine Gorge) National Park Act*
30. Amendment of *Special Purposes Leases Act*
31. Amendment of *Taxation (Administration) Act*
32. Amendment of *Therapeutic Goods and Cosmetics Act*
  51. Offences generally
33. Amendment of *Wills Act*
34. Amendment of *Dangerous Goods Regulations*
  221. Variation of regulation requirements
35. Amendment of other laws

PART 8 – EXPIRY OF ACT

36. Expiry

SCHEDULE 1

SCHEDULE 2

SCHEDULE 3

SCHEDULE 4



# NORTHERN TERRITORY OF AUSTRALIA

---

Act No. 44 of 2005

---

## AN ACT

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

[Assented to 14 December 2005]  
[Second reading 12 October 2005]

**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 2005*.

**2. Commencement**

(1) Section 33 is taken to have come into operation on the day on which, but immediately after, the *Wills Act 2000* commenced.

(2) The remaining provisions of this Act come into operation on the day on which the Administrator's assent to this Act is declared.

**PART 2 – AMENDMENT OF CRIMINAL CODE**

**3. Principal Act amended**

This Part amends the Criminal Code.

**4. Repeal and substitution of section 43Z**

Section 43Z –

*repeal, substitute*

**43Z. When supervision orders are made**

The court must make a supervision order under this Division in respect of a person if –

- (a) the court declares under section 43I(2)(a) or 43X(2)(a) or (3) that the person is liable to supervision; or
- (b) the Court of Criminal Appeal remits a matter to the court under section 412A(3) for the making of a supervision order in respect of the person.

**5. Amendment of section 43ZN (Matters court must take into account when making order)**

Section 43ZN(2)(b) –

*omit*

were given

*substitute*

was given

**6. Amendment of section 186A (Definitions)**

- (1) Section 186A, definitions of "authorised professional" and "medical practitioner" –

*omit*

(2) Section 186A –

*insert (in alphabetical order)*

"authorised professional" means –

- (a) a health practitioner who has a right of practice under the *Health Practitioners Act* in the category of health care practice of –
  - (i) Aboriginal health work; or
  - (ii) midwifery; or
  - (iii) nursing; or
- (b) in relation to an operation performed in a place outside the Territory – a person who is entitled to practise nursing or midwifery under a law of that place;

"medical practitioner", in relation to an operation performed in a place outside the Territory, includes a person who is entitled to practise medicine under a law of that place.

**7. Amendment of section 412 (Powers of Court in special cases)**

Section 412(3) –

*omit*

**8. New section 412A**

After section 412 –

*insert*

**412A. Powers of Court in relation to mental impairment**

(1) This section applies if, on an appeal against a finding of guilt or the sentence passed on such a finding, it appears to the Court that the person found guilty should have been found not guilty because of mental impairment under section 43C.

- (2) The Court must quash the finding of guilt and –
  - (a) declare that the person is liable to supervision under Part IIA, Division 5; or
  - (b) order that the person be released unconditionally.

(3) If the Court makes a declaration under subsection (2)(a), the Court must remit the matter to the Supreme Court for the making of a supervision order under Part IIA, Division 5 in respect of the person.

**PART 3 – AMENDMENT OF *LOCAL GOVERNMENT ACT***

**9. Principal Act amended**

This Part amends the *Local Government Act*.

**10. Amendment of section 19B (Special meetings)**

Section 19B(1) –

*omit, substitute*

(1) A special meeting of a council may be convened by a direction to summon a special meeting given to the CEO by any of the following:

- (a) the presiding member;
- (b) 3 or more members;
- (c) the council by resolution.

**11. Amendment of section 92 (Council may sue for rates and charges)**

Section 92(2) –

*omit, substitute*

(2) In addition to the unpaid rate or charge, the council may recover from the person the following:

- (a) court costs;
- (b) solicitor costs;
- (c) costs of enforcing the judgment for the recovery of the rate or charge;
- (d) other out-of-pocket expenses and charges incurred in tracing the person.

**12. Further amendments**

Schedule 1 has effect.

**PART 4 – AMENDMENT OF *POISONS AND DANGEROUS DRUGS ACT***

**13. Principal Act amended**

This Part amends the *Poisons and Dangerous Drugs Act*.

**14. Amendment of section 6 (Interpretation)**

(1) Section 6(1), definitions of "dentist", "nurse" and "pharmacist" –  
*omit*

(2) Section 6(1) –  
*insert (in alphabetical order)*

"dentist" means a dentist or dental specialist who has a right of practice under the *Health Practitioners Act*;

"nurse" means a registered or enrolled nurse who has a right of practice under the *Health Practitioners Act*;

"pharmacist" means a pharmacist who has a right of practice under the *Health Practitioners Act*;

**15. Amendment of section 16 (Powers of nominated person)**

Section 16(b) –  
*omit, substitute*

(b) supply a poison specified in the certificate of registration to a person who is authorised under this Act to supply or administer that poison to another person or an animal.

**16. Amendment of section 22 (Powers of nominated person)**

Section 22(b), after "another person" –  
*insert*

or an animal

**17. Amendment of section 29 (Supply of substances for therapeutic use)**

(1) Section 29(2), after "Schedule" –  
*insert*

1, 2, 3, 4, 5, 6, 7 or



- (2) Section 29(4) –

*omit*

Subject to section 31, a

*substitute*

A

- (3) Section 29(4A) –

*omit*

within the meaning of

*substitute*

who has a right of practice under

- (4) Section 29(4B) –

*omit*

all the words from "A person" to "Schedule 4"

*substitute*

A dental therapist who has a right of practice under the *Health Practitioners Act* may possess and supply a Schedule 2, 3 or 4

- (5) Section 29(4C) –

*omit*

all the words from "A person" to "worker who"

*substitute*

An Aboriginal health worker who has a right of practice under the *Health Practitioners Act* and

**18. Amendment of section 38A (Definitions for Part VII)**

Section 38A, definition of "nurse" –

*omit, substitute*

"nurse" includes a midwife who has a right of practice under the *Health Practitioners Act*.

**19. Amendment of section 53 (Possession and use of Schedule 7 substances)**

(1) Section 53(2) –

*omit*

an agricultural, horticultural or pastoral purpose, or for any other purpose

*substitute*

a purpose

(2) Section 53(3) (both occurrences) –

*omit, substitute*

(3) The Chief Health Officer may impose on an authorisation to possess and use a Schedule 7 substance the conditions he or she thinks fit.

(4) In this section –

"Schedule 7 substance" does not include a Schedule 7 substance that is a chemical product within the meaning of the *Agricultural and Veterinary Chemicals (Control of Use) Act*.

**20. Amendment of section 65 (Possession, use etc. prohibited or subject to conditions)**

Section 65(1), before "hazardous substance" (all references) –

*insert*

poison or

**21. Amendment of section 86 (Compliance with order to withdraw poison or hazardous substance)**

Section 86, before "hazardous substance" –

*insert*

poison or

**PART 5 – AMENDMENT OF LAWS CONSEQUENTIAL ON ENACTMENT OF HEALTH PRACTITIONERS ACT**

**22. Amendment of laws**

(1) This section amends the laws specified in Schedule 2.

- (2) Schedule 2 has effect.

**PART 6 – AMENDMENT OF LAWS CONSEQUENTIAL ON ENACTMENT  
OF VETERINARIANS ACT**

**23. Amendment of laws**

- (1) This section amends the laws specified in Schedule 3.  
(2) Schedule 3 has effect.

**PART 7 – AMENDMENT OF OTHER LAWS**

**24. Amendment of *Bail Act***

- (1) This section amends the *Bail Act*.  
(2) After section 7A(1)(d) –  
*insert*  
(da) an offence against Division 307 of the *Criminal Code* (Cth) punishable by a term of imprisonment for 10 years or more;

**25. Amendment of *Consumer Affairs and Fair Trading Amendment Act 2002***

- (1) This section amends the *Consumer Affairs and Fair Trading Amendment Act 2002*.  
(2) Section 59(b) and (c) –  
*omit*

**26. Amendment of *Energy Pipelines Act***

- (1) This section amends the *Energy Pipelines Act*.  
(2) Section 59 –  
*repeal, substitute*

**59. Pipeline is not a fixture**

A pipeline is not a fixture of the land –

- (a) to which it is attached; or  
(b) through, under, on, across or above which it is constructed.

**27. Amendment of *Food Act***

- (1) This section amends the *Food Act*.
- (2) Section 98(5)(b) (second occurrence) –  
*renumber as paragraph (c)*
- (3) Section 98(5)(c) –  
*renumber as paragraph (d)*
- (4) Section 111(8)(b) (second occurrence) –  
*renumber as paragraph (c)*
- (5) Section 111(8)(c) –  
*renumber as paragraph (d)*
- (6) Section 130(4) –  
*omit*  
  
who is  
  
*substitute*  
  
who is or has been

**28. Amendment of *Misuse of Drugs Act***

- (1) This section amends the *Misuse of Drugs Act*.
- (2) Section 36A(6)(g) –  
*omit, substitute*
  - (g) an offence against section 233B of the *Customs Act 1901* (Cth);
  - (h) an offence against Division 307 of the *Criminal Code* (Cth).

**29. Amendment of *Nitmiluk (Katherine Gorge) National Park Act***

- (1) This section amends the *Nitmiluk (Katherine Gorge) National Park Act*.
- (2) Section 3(1) –  
*insert (in alphabetical order)*

"Director of Parks and Wildlife" means the Director within the meaning of the *Parks and Wildlife Commission Act*;

- (3) Section 10(1)(b) and (ba) –

*omit*

Director of the Commission

*substitute*

Director of Parks and Wildlife

- (4) Section 10(1), at the end –

*insert*

*Note for subsection (1) –*

*The National Parks and Wildlife Conservation Act 1975 (Cth) was repealed by the Environmental Reform (Consequential Provisions) Act 1999 (Cth). However, the Board for the Kakadu National Park continues in existence under Schedule 4, item 6(1)(c) to the Environmental Reform (Consequential Provisions) Act 1999 (Cth).*

- (5) Section 25(10) –

*omit*

Director of the Commission

*substitute*

Director of Parks and Wildlife

### **30. Amendment of *Special Purposes Leases Act***

- (1) This section amends the *Special Purposes Leases Act*.

- (2) Section 5C(4) –

*omit, substitute*

- (4) Subsection (4A) applies if –

- (a) applications are invited for the right to the lease; or
- (b) a person has entered into an agreement with the Minister for the grant of a lease under section 5B or has offered to accept a lease under that section and has paid rent or other moneys to the Territory for the land to which the offer relates.

(4A) The successful applicant or person referred to in subsection (4)(b) may –

- (a) on or before the date of the grant of the lease, pay to the Territory the whole of the amount payable for the improvements; or
- (b) subject to the terms and conditions the Minister thinks fit, pay to the Territory that amount (together with the prescribed interest on that amount) by the instalments the Minister determines; or
- (c) on or before the date of the grant of the lease, pay to the Territory part of that amount, and execute in favour of the Territory a mortgage of the land included in the lease, in the form the Minister thinks fit, to secure the payment of the balance of the purchase money and the interest provided for in the mortgage.

(3) Section 10A(2)(a) and (b) –

*omit*

reappraisalment

*substitute*

re-appraisalment

(4) Section 10A(2)(b) –

*omit*

reappraised

*substitute*

re-appraised

### **31. Amendment of *Taxation (Administration) Act***

(1) This section amends the *Taxation (Administration) Act*.

(2) Section 4(1), definition of "insurance" –

*omit, substitute*

"insurance" means an undertaking of liability to make good, or indemnify against, loss or damage (including liability to pay damages or compensation), or insuring the payment of money, contingent upon the happening of a specified event, and includes –

- (a) the accepting of a premium in consideration of the granting, issuing or renewal of a policy of insurance; and
- (b) the granting of a cover note or receiving of a letter or declaration of interest attaching to a policy of insurance; and
- (c) the carrying out, by means of insurance effected outside the Territory, of a contract or undertaking in the Territory to effect that insurance,

but does not include –

- (d) re-insurance effected with another insurer; or
- (e) the insurance of the hull of a floating vessel that is being used primarily for commercial purposes; or
- (f) the insurance of goods or merchandise or the freight of goods or merchandise, carried by sea, land or air;

**32. Amendment of *Therapeutic Goods and Cosmetics Act***

- (1) This section amends the *Therapeutic Goods and Cosmetics Act*.
- (2) Section 4(1), definitions of "dentist", "nurse", "pharmacist" and "veterinary surgeon" –

*omit*

- (3) Section 4(1) –

*insert (in alphabetical order)*

"dentist" means a dentist or dental specialist who has a right of practice under the *Health Practitioners Act*;

"nurse" means a registered nurse who has a right of practice under the *Health Practitioners Act*;

"pharmacist" means a pharmacist who has a right of practice under the *Health Practitioners Act*;

"veterinarian" means a registered veterinarian within the meaning of the *Veterinarians Act*;

- (4) Section 4(1), definition of "wholesale dealing", paragraph (a) –  
*omit*  
or the *Pharmacy Act*
- (5) Section 5(a), (b), (c) and (d) –  
*omit, substitute*
- (a) the *Health Practitioners Act*; and
- (b) the *Poisons and Dangerous Drugs Act*; and
- (c) the *Public Health Act*,
- (6) Sections 37(4)(a) and 48(2) –  
*omit*  
veterinary surgeons  
*substitute*  
veterinarians
- (7) Section 48(2) –  
*omit*  
veterinary surgeon  
*substitute*  
veterinarian
- (8) Section 51 –  
*repeal, substitute*
- 51. Offences generally**
- (1) Subsection (2) applies to a person who contravenes –
- (a) a provision of this Act or the Regulations; or
- (b) a notice under this Act within the period specified in the notice.
- (2) If a penalty is not otherwise provided by this Act or the Regulations, the person is punishable on being found guilty by a fine of \$1 000 or imprisonment for 6 months.



**33. Amendment of *Wills Act***

- (1) This section amends the *Wills Act*.
- (2) Section 40(1) –  
*omit*  
testator if the testator  
*substitute*  
first-mentioned issue if the first-mentioned issue

**34. Amendment of *Dangerous Goods Regulations***

- (1) This section amends the *Dangerous Goods Regulations*.
- (2) Regulation 214(3) –  
*omit*  
a Fire District within the meaning of the *Fire Service Act*  
*substitute*  
an emergency response area within the meaning of the *Fire and Emergency Act*
- (3) Regulations 220A and 221 –  
*repeal, substitute*

**221. Variation of regulation requirements**

- (1) The Competent Authority may, by notice in writing to the occupier of the land on which dangerous goods are stored or to the owner of dangerous goods –
  - (a) exempt the person from complying with these Regulations; or
  - (b) modify or vary these Regulations in the manner and in accordance with any conditions specified in the notice.
- (2) The Competent Authority must not issue a notice under subregulation (1) unless satisfied –
  - (a) it is not practicable for the person to comply with these Regulations; and

(b) the exemption from, modification or variation of these Regulations will not adversely affect the safety, health or welfare of persons handling the dangerous goods.

(3) The Competent Authority may issue a notice under subregulation (1) on its own initiative or on application made by the person.

(4) A person who handles dangerous goods in accordance with a notice under subregulation (1) is taken to have complied with these Regulations.

(5) If an occupier of land on which dangerous goods are or an owner of dangerous goods considers that compliance with a provision of these Regulations is not reasonably practicable and a modification, variation or exemption of the provision would not adversely affect the safety, health or welfare of persons handling the goods, the person may apply to the Competent Authority for a modification, variation or exemption of the provision in accordance with this regulation.

**35. Amendment of other laws**

(1) This section amends the laws specified in Schedule 4.

(2) Schedule 4 has effect.

**PART 8 – EXPIRY OF ACT**

**36. Expiry**

This Act expires on the day after it commences.

---

**SCHEDULE 1**

Section 12

**FURTHER AMENDMENTS OF *LOCAL GOVERNMENT ACT***

Provision	Amendment	
	omit	substitute
Section 3		
– definition of "residential unit"	section 77(6)	sections 77(6)
Section 19H	prescribed as confidential	prescribed by regulation as confidential
Section 49(2)	subclause (1)	subsection (1)
Section 149(1)(g)	19J(3)	19K(3)

**SCHEDULE 2**

Section 22

**AMENDMENT OF LAWS CONSEQUENT ON ENACTMENT OF  
HEALTH PRACTITIONERS ACT**

**PART 1 – AMENDMENT OF ACTS**

Provision	Amendment	
	omit	substitute
<b><i>Adult Guardianship Act</i></b>		
Section 21(2)	person registered pursuant to the <i>Dental Act</i>	person who has a right of practice under the <i>Health Practitioners Act</i> in the category of health care practice of dentistry
Section 21(3)	medical practitioner or person registered pursuant to the <i>Dental Act</i>	person
<b><i>Births, Deaths and Marriages Registration Act</i></b>		
Section 4		
– definition of "doctor"	the whole definition	"doctor" means a medical practitioner;
Section 37(3)(a)	Registrar, within the meaning of the <i>Medical Act</i>	Registrar of the Medical Board of the Northern Territory, established under the <i>Health Practitioners Act</i>
Section 37(3)(b)	Chairman of the Board, within the meaning of the <i>Pharmacy Act</i>	Registrar of the Pharmacy Board of the Northern Territory, established under the <i>Health Practitioners Act</i>

***Cemeteries Act***

Section 4

– definition of "legally qualified medical practitioner"	the whole definition	"legally qualified medical practitioner" means – (a) a medical practitioner; or (b) a medical practitioner who has a right of practice under a law of a State or another Territory;
--	----------------------	---

***Education Act***

Section 25(3)

the whole subsection

(3) In this section –  
"medical practitioner" includes a medical practitioner who has a right of practice under a law of a State or another Territory.

Section 67(3)

, nurse, dentist or dental therapist

or a health practitioner who has a right of practice under the *Health Practitioners Act* in the category of health care practice of nursing or dentistry

Section 72

, nurse, dentist, dental specialist or dental therapist within the meaning of the *Dental Act*

or a health practitioner who has a right of practice under the *Health Practitioners Act* in the category of health care practice of nursing or dentistry

***Evidence Act***

Section 56F(b)	registered nurse within the meaning of the <i>Nursing Act</i>	registered nurse who has a right of practice under the <i>Health Practitioners Act</i>
----------------	---	--

***Firearms Act***

Section 101(1)	A medical practitioner, nurse, professional counsellor, psychologist, psychiatrist or social worker	A health practitioner within the meaning of the <i>Health Practitioners Act</i> or a professional counsellor or social worker
Section 101(2)	Where a medical practitioner, nurse, professional counsellor, psychologist, psychiatrist or social worker	If a person

***Human Tissue Transplant Act***

Section 4(1)		
– definition of "medical practitioner"	the whole definition	
Section 16(2)(a)(iii)	the whole subparagraph	(iii) to a registered or enrolled nurse within the meaning of the <i>Health Practitioners Act</i> ; or

***Interpretation Act***

Section 34B	is entitled to practise medicine by, under or for the purposes of the <i>Medical Act</i>	has a right of practice under the <i>Health Practitioners Act</i>
-------------	--	---

***Juries Act***

Schedule 7	a practising dentist or dental specialist registered under the <i>Dental Act</i>	a dentist or dental specialist who has a right of practice under the <i>Health Practitioners Act</i>
------------	--	--

***Liquor Act***

Section 5(1)(b)	legally qualified medical practitioner or pharmaceutical chemist registered in accordance with the laws of the Territory	medical practitioner or pharmacist who has a right of practice under the <i>Health Practitioners Act</i>
-----------------	--	--

***Marine Act***

Section 7(1)		
– definition of "medical practitioner"	the whole definition	

***Meat Industries Act***

Section 58(2)(b)(i)	registered nurse within the meaning of the <i>Nursing Act</i>	registered nurse who has a right of practice under the <i>Health Practitioners Act</i>
---------------------	---	--

***Medical Services Act***

Section 5		
– definition of "dentist"	the whole definition	"dentist" means a dentist or dental specialist who has a right of practice under the <i>Health Practitioners Act</i> ;
– definition of "private nurse"	a nurse within the meaning of the <i>Nursing Act</i>	a registered or enrolled nurse who has a right of practice under the <i>Health Practitioners Act</i>

***Mental Health and Related Services Act***

Section 4

<p>– definition of "Aboriginal health worker"</p>	<p>the whole definition</p>	<p>"Aboriginal health worker" means an Aboriginal health worker who has a right of practice under the <i>Health Practitioners Act</i>;</p>
<p>– definitions of "psychologist" and "registered nurse"</p>	<p>the whole definition</p>	<p>"psychologist" means a psychologist who has a right of practice under the <i>Health Practitioners Act</i>;</p> <p>"registered nurse" means a registered nurse who has a right of practice under the <i>Health Practitioners Act</i>;</p>
<p>Section 23(3)(a)</p>	<p>occupational therapist</p>	<p>occupational therapist who has a right of practice under the <i>Health Practitioners Act</i></p>
<p>Section 51(2)(e)</p>	<p>the whole paragraph</p>	<p>(e) an occupational therapist who has a right of practice under the <i>Health Practitioners Act</i>;</p> <p>or</p>
<p>Section 66(8)</p>	<p>unprofessional conduct for the purposes of section 38(1) of the <i>Medical Act</i></p>	<p>professional misconduct for section 56(1)(e) of the <i>Health Practitioners Act</i></p>



***Misuse of Drugs Act***

Section 3(1)

- |   |                      |   |
|---|----------------------|---|
| – definition of "dentist"                       | the whole definition | "dentist" means a dentist or dental specialist who has a right of practice under the <i>Health Practitioners Act</i> ;  |
| – definitions of "optometrist" and "pharmacist" | the whole definition | "optometrist" means an optometrist who has a right of practice under the <i>Health Practitioners Act</i> ;<br><br>"pharmacist" means a pharmacist who has a right of practice under the <i>Health Practitioners Act</i> ; |

***Motor Vehicles Act***

Section 11(1)(a)

the whole paragraph

- (a) "registered person" means a medical practitioner or an occupational therapist, optometrist or physiotherapist who has a right of practice under the *Health Practitioners Act*; and

***Parole of Prisoners Act***

Section 3B(1)(d)

the whole paragraph

- (d) a medical practitioner or a psychologist who has a right of practice under the *Health Practitioners Act*;

***Police Administration Act***

Section 83(1)(a)	the whole paragraph	(a) health practitioners who have a right to practice under the <i>Health Practitioners Act</i> ; or
Section 83(2)	medical practitioner, dentist	health practitioner
Section 88(2)	medical practitioners, dentists within the meaning of the <i>Dental Act</i> or persons registered under the <i>Health Practitioners and Allied Professionals Registration Act</i>	health practitioners who have a right to practice under the <i>Health Practitioners Act</i>
Section 88(3)	medical practitioner, dentist or other person registered as	health practitioner
Section 91(2)	medical practitioners, dentists within the meaning of the <i>Dental Act</i> or persons registered under the <i>Health Practitioners and Allied Professionals Registration Act</i>	health practitioners who have a right to practice under the <i>Health Practitioners Act</i>
Section 91(3)	medical practitioner, dentist or other person registered as	health practitioner

Section 132(1)

– definition of "health practitioner"

the whole definition

"health practitioner" means a person who –

- (a) is a medical practitioner, registered or enrolled nurse or Aboriginal health worker who has a right of practice under the *Health Practitioners Act*; and
- (b) is available to attend to a person held in custody;

Section 145(14)

the whole subsection

(14) In this section –  
"registered dentist" means a dentist or dental specialist who has a right of practice under the *Health Practitioners Act*.

***Prisons (Correctional Services) Act***

Section 95A(4)

registered under the *Nursing Act*

a registered nurse who has a right of practice under the *Health Practitioners Act*

***Private Hospitals and Nursing Homes Act***

Section 4

– definition of "matron"

the whole definition

"matron" means a registered nurse who –

- (a) has a right of practice under the *Health Practitioners Act*; and

		(b) is in charge of nursing services in a nursing institution;
Section 20(d)	the whole paragraph	(d) ensure a registered nurse who has a right of practice under the <i>Health Practitioners Act</i> is on duty at all times;
Section 26(1)(j)(i)	this Act, the <i>Medical Act</i> , the <i>Nursing Act</i> or the <i>Pharmacy Act</i>	this Act or the <i>Health Practitioners Act</i> or an Act repealed by that Act

***Public Health Act***

Sections 5(1)(b) and 6(1)	<i>Medical Act</i>	<i>Health Practitioners Act</i>
---------------------------	--------------------	---------------------------------

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

Section 3(1)

– definition of "medical practitioner"	the whole definition	"medical practitioner" includes a medical practitioner who has a right of practice under a law of a State or another Territory;
--	----------------------	---

***Radiographers Act***

Section 4(4)	<i>Medical Act</i>	<i>Health Practitioners Act</i>
--------------	--------------------	---------------------------------

***Work Health Act***

Section 49(1)

– definition of "medical, surgical and rehabilitation treatment", paragraphs (a)(i) and (ii) and (f)	registered	who has a right of practice
--	------------	-----------------------------

*Statute Law Revision Act 2005*

– definition of "medical practitioner"	the whole definition	"medical practitioner" includes a medical practitioner who has a right of practice under a law of a State or another Territory;
– definition of "nursing service"	registered nurse	registered nurse who has a right of practice under the <i>Health Practitioners Act</i>
Section 73(e)	registered or enrolled nurse	registered or enrolled nurse who has a right of practice under the <i>Health Practitioners Act</i>

---

**PART 2 – AMENDMENT OF REGULATIONS**

Provision	Amendment	
	omit	substitute
<b><i>Associations Regulations</i></b>		
Schedule 1		
– Note, paragraphs (b) to (g)	the whole paragraph	(b) the <i>Health Practitioners Act</i> ; (c) the <i>Licensed Surveyors Act</i> ; (d) the <i>Radiographers Act</i> .
<b><i>Classification of Publications, Films and Computer Games Regulations</i></b>		
Regulation 7	the business of a pharmacist conducted by a registered pharmacist within the meaning of the <i>Pharmacy Act</i>	a pharmacy business within the meaning of Schedule 8, clause 1 of the <i>Health Practitioners Act</i>
<b><i>Health and Community Services Complaints Regulations</i></b>		
Schedule 1	Aboriginal Health Workers Registration Board Chiropractors and Osteopaths Registration Board Dental Board of the Northern Territory Medical Board of the Northern Territory	Aboriginal Health Workers Board of the Northern Territory Chiropractors and Osteopaths Board of the Northern Territory Dental Board of the Northern Territory Medical Board of the Northern Territory

	Nursing Board of the Northern Territory	Nursing and Midwifery Board of the Northern Territory
	Occupational Therapists Registration Board	Occupational Therapists Board of the Northern Territory
	Optometrists Board	Optometrists Board of the Northern Territory
	Pharmacy Board	Pharmacy Board of the Northern Territory
	Physiotherapists Registration Board	Physiotherapists Board of the Northern Territory
	Psychologists Registration Board	Psychologists Board of the Northern Territory
Schedule 2		
– Part 1, item 9(c)	the whole paragraph	(c) a dental hygienist, dental therapist or dental prosthetist who has a right of practice under the <i>Health Practitioners Act</i> .
 <b><i>Northern Territory Rail Safety Regulations</i></b>		
Regulation 31		
– definition of "registered nurse"	the whole definition	"registered nurse" means a registered nurse who has a right of practice under the <i>Health Practitioners Act</i> ;
 <b><i>Poisons and Dangerous Drugs Regulations</i></b>		
Regulation 11(1)(c)	registered	who has a right of practice

***Prisons (Correctional Services) (Home Detention Orders) Regulations***

Regulation 4(1)(c)(ii) and (2)(b)

dentist or dental specialist registered, or an Aboriginal health worker entitled to practise dentistry, under the *Dental Act*

dentist, dental specialist or Aboriginal health worker who has a right of practice under the *Health Practitioners Act*

***Public Health (Cervical Cytology Register) Regulations***

Regulation 2

– definition of "health practitioner"

the whole definition

"health practitioner" means a medical practitioner, registered or enrolled nurse or Aboriginal health worker who has a right of practice under the *Health Practitioners Act*;

***Public Health (Medical and Dental Inspection of School Children) Regulations***

Regulation 2

– definitions of "dental therapist" and "dentist"

the whole definition

"dental therapist" means a dental therapist who has a right of practice under the *Health Practitioners Act*;

"dentist" means a dentist or dental specialist who has a right of practice under the *Health Practitioners Act*;



"nurse" means a registered or enrolled nurse who has a right of practice under the *Health Practitioners Act*;

***Veterinarian Regulations***

Regulation 7(1)(a)

the whole paragraph

- (a) the treatment of an animal by a person who has a right of practice under the *Health Practitioners Act* in the category of health care practice of medicine, dentistry, chiropractic or physiotherapy if –
  - (i) a registered veterinarian has examined the animal before the treatment is undertaken; and
  - (ii) the treatment is carried out under the direct supervision of the veterinarian;

**SCHEDULE 3**

Section 23

**AMENDMENT OF LAWS CONSEQUENTIAL ON ENACTMENT OF  
VETERINARIANS ACT**

**PART 1 – AMENDMENT OF ACTS**

Provision	Amendment	
	omit	substitute
<b><i>Misuse of Drugs Act</i></b>		
Section 3(1)		
– definition of "veterinary surgeon"	the whole definition	"veterinarian" means a registered veterinarian within the meaning of the <i>Veterinarians Act</i> ;
Sections 15, 16(a)(i), 17 and 42(1)(a)	veterinary surgeon	veterinarian
<b><i>Stock Diseases Act</i></b>		
Section 7(2)	veterinary surgeon	veterinarian

**PART 2 – AMENDMENT OF SUBORDINATE LEGISLATION**

Provision	Amendment	
	omit	substitute
<b><i>Alice Springs (Animal Control) By-laws</i></b>		
By-law 4(1)		
– definition of "approved certificate", paragraph (a)	veterinary surgeon	veterinarian
– definition of "veterinary surgeon"	the whole definition	"veterinarian" means a registered veterinarian within the meaning of the <i>Veterinarians Act</i> .
By-laws 13(3), 26(2)(d) and 47(2)	veterinary surgeon	veterinarian
<b><i>Borrooloola Community Government Council (Control of Dogs) By-laws</i></b>		
By-law 3(1)		
– definition of "veterinary surgeon"	the whole definition	"veterinarian" means a registered veterinarian within the meaning of the <i>Veterinarians Act</i> .
By-laws 20(3)(c), 32(4), 40(1)(a) and (3) and 41(a)	veterinary surgeon	veterinarian
<b><i>Darwin City Council By-laws</i></b>		
By-law 53(1)		
– definition of "veterinary surgeon"	the whole definition	"veterinarian" means a registered veterinarian within the meaning of the <i>Veterinarians Act</i> .

By-laws 63(4)(c), 74(4), 79(1)(a) and (3) and 80(2)(a)	veterinary surgeon	veterinarian
--	--------------------	--------------

***Fisheries Regulations***

Regulation 27(b)(iii)	a veterinary surgeon	a veterinarian, however described,
-----------------------	----------------------	---------------------------------------

***Greyhound Racing  
Rules***

Rule 3

– definition of "official"	veterinary surgeon	veterinarian
– definition of "veterinary surgeon"	the whole definition	"veterinarian" means a registered veterinarian within the meaning of the <i>Veterinarians Act</i> ;

Rules 44(3) and 47(3)	veterinary surgeon	veterinarian
-----------------------	--------------------	--------------

Part X, heading	<b>VETERINARY SURGEONS</b>	<b>VETERINARIANS</b>
-----------------	--------------------------------	----------------------

Rules 93(1) and (2), 94(1) and (2) and 95	veterinary surgeon (all references)	veterinarian
--	--	--------------

Rule 129(1)(b)	veterinary surgeon's	veterinarian's
----------------	----------------------	----------------

Rules 129(1)(b), 149(1), 150(a) and (b), 191(2) and (3), 197(1) and (2), 201, 202, 206(2) and 209(1)(a) and (b), (2) and (3)(a)	veterinary surgeon (all references)	veterinarian
--	--	--------------

Rule 210(3)	veterinary surgeon's	veterinarian's
-------------	----------------------	----------------

Rules 210(3), 211(1) and 219(2)(a), (f), (g) and (h)	veterinary surgeon (all references)	veterinarian
---	--	--------------

***Jabiru Town  
Development (Control  
of Animals) By-laws***

By-law 2

– definition of "veterinary surgeon"	the whole definition	"veterinarian" means a registered veterinarian within the meaning of the <i>Veterinarians Act</i> .
---	----------------------	---

By-law 5(1)(b)(i)	veterinary surgeon	veterinarian
-------------------	--------------------	--------------

***Jabiru Town  
Development (Control  
of Dogs) By-laws***

By-law 3(1)

– definition of "veterinary surgeon"	the whole definition	"veterinarian" means a registered veterinarian within the meaning of the <i>Veterinarians Act</i> .
---	----------------------	---

By-laws 16(3)(e), 38(1)(b) and (4)(b) and 39	veterinary surgeon	veterinarian
--	--------------------	--------------

Schedule 1

– Form 4	veterinary surgeon	veterinarian
----------	--------------------	--------------

***Mataranka Community  
Government Council  
(Control of Dogs)  
By-laws***

By-law 3(1)

– definition of "veterinary surgeon"	the whole definition	"veterinarian" means a registered veterinarian within the meaning of the <i>Veterinarians Act</i> .
---	----------------------	---

By-laws 20(3)(c), 32(4), 40(1)(a) and (3) and 41(a)	veterinary surgeon	veterinarian
---	--------------------	--------------

***Pine Creek (Control of Dogs) By-laws***

By-law 3(1)

– definition of "veterinary surgeon"	the whole definition	"veterinarian" means a registered veterinarian within the meaning of the <i>Veterinarians Act</i> .
--------------------------------------	----------------------	---

By-laws 20(3)(c), 32(4), 40(1)(a) and (3) and 41(a)	veterinary surgeon	veterinarian
---	--------------------	--------------

***Tennant Creek (Control of Dogs) By-laws***

By-law 3(1)

– definition of "veterinary surgeon"	the whole definition	"veterinarian" means a registered veterinarian within the meaning of the <i>Veterinarians Act</i> .
--------------------------------------	----------------------	---

By-laws 21(3)(e), 42(1), (3) and (5)(b) and 43(a)	veterinary surgeon (all references)	veterinarian
---	-------------------------------------	--------------

Schedule

– Form 4	Veterinary surgeon	Veterinarian
----------	--------------------	--------------

---

**SCHEDULE 4**

Section 35

**AMENDMENT OF OTHER LAWS**

**PART 1 – AMENDMENT OF OTHER ACTS**

Provision	Amendment	
	omit	substitute
<i>Animal Welfare Act</i>		
Section 4		
– definition of "vehicle", paragraph (c)	the whole paragraph	(c) an aircraft; and
<i>Architects Act</i>		
Section 19A(2)(a) and (b)	architectural	architectural
<i>Associations Act</i>		
Section 6(3)(c)(viii)	the Aboriginal and Torres Strait Islander Commission	the Office of Indigenous Policy Coordination
Section 30(6)		
– definition of "insolvent under administration", paragraph (c)	deed of arrangement	personal insolvency agreement
Section 65(1)(b)	subsection (3)	subsection (4)
Section 65(4)(a)	to the effect that the association is carrying out its objects or is in operation	showing cause to the contrary
<i>Child Protection (Offender Reporting and Registration) Act</i>		
Section 82(2)	section 82	section 81

***Commercial and Private Agents Licensing Act***

Section 4(1)(j)	<i>Power and Water Authority Act</i>	<i>Power and Water Corporation Act</i>
Section 17L(2)	Commission (all references)	Commissioner

***Community Welfare Act***

Section 4(1)		
– definition of "hospital"	<i>Hospitals and Medical Services Act</i>	<i>Medical Services Act</i>

***Electricity Reform Act***

Section 4(1)		
– definition of "Power and Water Authority"	the whole definition	"Power and Water Corporation" means the Power and Water Corporation established under the <i>Power and Water Corporation Act</i> ;
– definition of "related body corporate", paragraph (a)	Power and Water Authority (all references)	Power and Water Corporation

***Fences Act***

Section 17	<i>Local Courts Act</i>	<i>Local Court Act</i>
------------	-------------------------	------------------------

***Fire and Emergency Act***

Section 21(1)(c) and (2)	member of the Police Force	police officer
--------------------------	----------------------------	----------------

***Gaming Machine Act***

Section 43(3)(b)(ii)	<i>Fire Service Act</i>	<i>Fire and Emergency Act</i>
----------------------	-------------------------	-------------------------------



***Land Development Corporation Act***

Section 17(2)	chief executive officer, or an employee, within the meaning of the <i>Public Sector Employment or Management Act</i>	Chief Executive Officer or a public sector employee
---------------	--	---

***Law Officers Act***

Section 7(1)	(1) Subject to subsection (2) a	A
--------------	---------------------------------	---

***Marine Act***

Section 11(2)	a Local Court of Full Jurisdiction under the <i>Local Courts Act</i>	the Local Court
---------------	--	-----------------

***Mental Health and Related Services Act***

Section 4		
– definition of "mentally disturbed"	temporally	temporarily
Section 53(3)(b)(i)	involuntarily	involuntary

***Mineral Royalty Act***

Section 50(2)(e)	the Aboriginal and Torres Strait Islander Commission	the Commonwealth
------------------	--	------------------

***Mining Act***

Section 150	a Local Court under the <i>Local Courts Act</i>	the Local Court
-------------	---	-----------------

***Pay-roll Tax Act***

Section 46(2)	a telegram purporting to have been sent by the Commissioner	a document purporting to have been written by the Commissioner
---------------	---	--

***Petroleum Act***

Section 61(10)	under this –	except on the ground to do so would disclose –
----------------	--------------	--

***Police Administration Act***

Section 148B(2)	performace	performance
-----------------	------------	-------------

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

Part 5, heading	<b>TRANSFER, RESIGNATION AND AGE RETIREMENT</b>	<b>TRANSFER AND RESIGNATION</b>
-----------------	---	-------------------------------------

***Radiation Protection Act***

Section 6(3)(b)	the whole paragraph	(b) has or exceeds the activity or activity concentration prescribed by the Regulations.
-----------------	---------------------	--

***Terrorism (Emergency Powers) Act***

Section 35(3A)	a police officer	a person who is or has been a police officer
----------------	------------------	--

***Tobacco Control Act***

Section 56(4)	who is	who is or has been
---------------	--------	--------------------

***Traffic Act***

Section 29AH(3)	Parts III, IV and V of the <i>Disposal of Uncollected Goods Act</i> apply	Part 2 of the <i>Uncollected Goods Act</i> applies
-----------------	---	--

---

**PART 2 – AMENDMENT OF OTHER SUBORDINATE LEGISLATION**

Provision	Amendment	
	omit	substitute
<b><i>Agents Licensing Regulations</i></b>		
Regulation 17(1)(c)(x)	the whole subparagraph	(x) a Registrar of the Local Court; or
<b><i>Building Regulations</i></b>		
Regulation 5(1)(d)	the whole paragraph	(d) the Power and Water Corporation established by the <i>Power and Water Corporation Act</i> .
Schedule 2		
– column 1	Fire Service Authority of the Northern Territory established under the <i>Fire Service Act</i>	Northern Territory Fire and Rescue Service established by the <i>Fire and Emergency Act</i>
	Power and Water Authority established under the <i>Power and Water Authority Act</i>	Power and Water Corporation established by the <i>Power and Water Corporation Act</i>
Schedule 5		
– clause 1(2)	<i>Water Supply and Sewerage Act</i>	<i>Water Supply and Sewerage Services Act</i>
– clause 2(2)	Power and Water Authority	Power and Water Corporation
– clause 3(a)	Power and Water Authority's the Authority's	Power and Water Corporation's the Corporation's
– clauses 3(c) and 5	Power and Water Authority	Power and Water Corporation

***Child Protection  
(Offender Reporting  
and Registration)  
Regulations***

Regulation 7(c) Pfes.CIS@pfes.nt.gov.au ancor@pfes.nt.gov.au

***Consumer Affairs and  
Fair Trading (Door-to-  
Door Trading)  
Regulations***

Regulation 3(1) and (2) Part VII Part 7

***Consumer Affairs and  
Fair Trading (Motor  
Vehicle Dealers)  
Regulations***

Schedule 3

- Form 1, clause 17 \$20,000 or imprisonment for 3 years 400 penalty units or imprisonment for 2 years
- Form 2, clause 15 and Forms 3 and 4, final paragraphs \$20 000 or imprisonment for 3 years 400 penalty units or imprisonment for 2 years
- Forms 7 and 8, final paragraphs \$5 000 100 penalty units or imprisonment for 6 months
- Form 14, clause 8 \$20 000 or imprisonment for 3 years 400 penalty units or imprisonment for 2 years

***Consumer Affairs and  
Fair Trading (Travel  
Agents) Regulations***

Regulation 8(q) Part XI (all references) Part 11

***Darwin City Council  
By-laws***

By-law 104(3)(b) paragraph (1) paragraph (a)

***Electrical Workers and  
Contractors  
Regulations***

Regulation 4

– definition of "College"	the whole definition	"College" means a registered training organisation registered under the <i>Northern Territory Employment and Training Act</i> to deliver electrotechnology training packages;
---------------------------	----------------------	---

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

Regulation 2

– definition of "nominal system voltage"	AS 2926	AS 60038
--	---------	----------

***Greyhound Racing  
Rules***

Rule 3

– definition of "the Act"	<i>Lottery and Gaming Act</i>	<i>Racing and Betting Act</i>
---------------------------	-------------------------------	-------------------------------

***Housing Regulations***

Regulation 11

in in regulation 6(e)	in regulation 6(e)
-----------------------	--------------------

***Jabiru Town  
Development  
(Swimming Pool  
Complex) By-laws***

By-law 10(2)

bathing constumes	bathing costumes
-------------------	------------------

***Katherine Town  
Council By-laws***

By-law 100(8)

– definition of "service vehicle"	Power and Water Authority Department of Transport and Works	Power and Water Corporation Department of Planning and Infrastructure
-----------------------------------	--	--

***Local Government  
(Administration)  
Regulations***

Regulation 13(1)	close to the public under section 56 of the Act	close to the public
------------------	---	---------------------

***Ltyentye Apurte  
Community  
Government Scheme***

Clause 7(2)	temporarily	temporarily
Clause 32(1)	After 4 pm	After 3 pm

***Minibus Regulations***

Regulation 8(3)(b)	reasonable	reasonable
--------------------	------------	------------

***Mining Regulations***

Regulation 42	<i>Local Courts Act</i>	<i>Local Court Act</i>
---------------	-------------------------	------------------------

***Misuse of Drugs  
Regulations***

Schedule 3

– Form 4, warning, paragraph (a)	section 11E(3)	section 11E(3) of the <i>Misuse of Drugs Act</i>
– Form 6, warning	section 11E(1) (all references)	section 11E(1) of the <i>Misuse of Drugs Act</i>
– Form 8, warning	section 11E(3) (all references)	section 11E(3) of the <i>Misuse of Drugs Act</i>
– Form 10, warning	section 11E(1)	section 11E(1) of the <i>Misuse of Drugs Act</i>

*Statute Law Revision Act 2005*

- |                    |                    |  |
|--------------------|--------------------|--|
| – Form 12, warning | section 11E(3)     | section 11E(3) of the<br><i>Misuse of Drugs Act</i>      |
| – Form 13, warning | <b>section 11P</b> | <b>section 11P of the<br/><i>Misuse of Drugs Act</i></b> |

***Superannuation  
Regulations***

- |                 |                     |  |
|-----------------|---------------------|--|
| Regulation 4(g) | the whole paragraph | (g) the Power and<br>Water Corporation<br>established by the<br><i>Power and Water<br/>Corporation Act</i> ; |
| Regulation 4(m) | the whole paragraph | (m) Land Development<br>Corporation<br>established by the<br><i>Land Development<br/>Corporation Act</i> ;   |
- 
-

ALTERATIONS TO PROVISION HEADINGS

On the day on which the laws specified in the following table are amended by this Act, in addition to any alteration to provision headings indicated in the text of this Act, the headings to the provisions specified in the table are altered as set out in the table.

Provision	Alteration	
	omit	substitute
<i>Mental Health and Related Services Act</i>		
Section 117	the whole heading	<b>Confidentiality</b>
<i>Greyhound Racing Rules</i>		
Rule 93	the whole heading	<b>Commission veterinarian</b>