

NORTHERN TERRITORY OF AUSTRALIA

LICENSING (REPEALS AND CONSEQUENTIAL AMENDMENTS)
ACT 2014

Act No. 44 of 2014

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Schedule 8	Totalisator Regulation and Licensing Act further amended
Schedule 9	Other laws amended



NORTHERN TERRITORY OF AUSTRALIA

Act No. 44 of 2014

An Act to repeal various regulations and amend other laws in consequence of the enactment of the *Licensing (Director-General) Act*

[Assented to 5 December 2014]
[Second reading 23 October 2014]

The Legislative Assembly of the Northern Territory enacts as follows:

Part 1 Preliminary matters

1 Short title

This Act may be cited as the *Licensing (Repeals and Consequential Amendments) Act 2014*.

2 Commencement

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

Part 2 Amendment of Gaming Control Act

3 Act amended

This Part amends the *Gaming Control Act*.

4 Section 3 amended

- (1) Section 3, definitions ***Commission*** and ***Director***
omit

(2) Section 3

insert (in alphabetical order)

affected person, see section 68CB.

Director-General, see section 3 of the *Licensing (Director-General) Act*.

reviewable decision, see section 68CA.

(3) Section 3, definition **approved**

omit

Director

insert

Director-General

5 Section 4 amended

(1) Section 4, heading

omit, insert

4 Director-General

(2) Before section 4(3)

insert

(1) The functions of the Director-General under this Act are:

- (a) to do such things as the Director-General considers necessary or desirable for the proper regulation and control, in the interests of the public, of gaming; and
- (b) to investigate and make recommendations to the Minister on matters relating to the administration or operation of this Act; and
- (c) to undertake research and investigations into matters relating to gaming control, including the probity and financial security of organisations and persons involved in the business of gaming; and
- (d) to liaise with other gaming control agencies, whether in Australia or elsewhere, on matters relating to the administration, operation or control of gaming; and

- (e) to make recommendations to the Minister relating to games that may be played in a casino; and
- (f) to monitor the implementation of guidelines for gaming control in the Territory; and
- (g) to review and determine complaints relating to the administration of gaming control; and
- (h) to advise the Minister on matters relating to gaming control; and
- (i) to perform other functions imposed on the Director-General under this Act.

(3) Section 4(3)

omit

all words from "The" to "inquire"

insert

In addition, the Director-General has the function of inquiring

(4) Section 4(4) and (6) to (9)

omit

Director (*all references*)

insert

Director-General

(5) Section 4(5)

omit

6 Section 13 repealed

Section 13

repeal

7 Section 68C amended

- (1) Section 68C(1)(a) and (b)

omit

Director

insert

Director-General

- (2) Section 68C(1)(c)

omit

78.

insert

78;

- (3) After section 68C(1)(c)

insert

- (d) all other moneys that, under any Act, are required to be paid into the Fund.

8 Part 5B inserted

After section 68C

insert

Part 5B Review by Civil and Administrative Tribunal**68CA Meaning of *reviewable decision***

A ***reviewable decision*** is a decision prescribed by regulation.

68CB Meaning of *affected person*

An ***affected person*** for a reviewable decision is a person prescribed by regulation.

68CC Jurisdiction of Civil and Administrative Tribunal

- (1) An affected person for a reviewable decision may apply to the Civil and Administrative Tribunal for a review of the decision.

-
- (2) For a reviewable decision that was made under the *Licensing (Director-General) Act*, that Act and this Act are together taken to be the relevant Act for the *Northern Territory Civil and Administrative Tribunal Act*.

68CD Delegate decisions

The regulations may declare that a decision made under this Act by a delegate of the Director-General is not a delegate decision for the *Licensing (Director-General) Act*.

9 Section 80 amended

- (1) Section 80(2)(a) and (b)

omit

- (2) Section 80(2)(n)

omit

Commission or the Director

insert

Director-General

10 Part 7, Division 3 inserted

After section 84

insert

Division 3 Transitional matters for Licensing (Director-General) Act 2014

Subdivision 1 Definitions

85 Definitions

In this Division:

2014 Acts means the *Licensing (Director-General) Act 2014* and 2014 Amending Act.

2014 Amending Act means the *Licensing (Repeals and Consequential Amendments) Act 2014*.

commencement means the commencement of section 22 of the *Licensing (Director-General) Act 2014*.

Commission means the Commission as defined in section 3 of the NTLC Act.

NTLC Act means the *Northern Territory Licensing Commission Act* as in force immediately before the commencement.

NTLC Director means the Director as defined in section 3 of the NTLC Act.

old legislation means the NTLC Act and this Act, as in force immediately before the commencement.

Subdivision 2 Applications

86 Application to NTLC Director – pending decision

- (1) This section applies if, before the commencement:
 - (a) an application had been made under this Act for a decision to be made by the NTLC Director; but
 - (b) the NTLC Director had not made a decision on the application.
- (2) The application:
 - (a) is taken to be an application made on the commencement for the decision to be made by the Director-General; and
 - (b) must be dealt with and determined in accordance with this Act as amended by the 2014 Amending Act.

Note for section 86

The Director-General's decision on the application will be a decision made after the commencement and may therefore be a reviewable decision or a decision to which Part 3 of the Licensing (Director-General) Act applies.

Subdivision 3 Review of decisions

87 New review regime applies to post-commencement decisions

Part 5B applies only in relation to decisions made after the commencement.

88 Review of pre-commencement decision – application not yet made

- (1) This section applies if, before the commencement:
 - (a) a decision had been made under this Act and the period for applying for a review of the decision under the *Gaming Control (Commission Procedures) Regulations*, as then in force, had not expired; but
 - (b) an application for a review of the decision had not been made.
- (2) A person who would have been entitled to apply for a review of the decision under the old legislation may do so under the old legislation, as if the 2014 Acts had not commenced.
- (3) The Commission must review the decision in accordance with the old legislation as if the 2014 Acts had not commenced.

89 Review of pre-commencement decision – application made

- (1) This section applies if, before the commencement:
 - (a) an application had been made under the *Gaming Control (Commission Procedures) Regulations*, as then in force, for a review of a decision made under this Act; but
 - (b) the Commission had not completed the review.
- (2) The Commission must complete the review in accordance with the old legislation as if the 2014 Acts had not commenced.

Subdivision 4 General matters**90 Continuation of ongoing documents and things**

- (1) This section applies if:
 - (a) before the commencement, a power or function was conferred by this Act on the Commission or NTLC Director; and
 - (b) on the commencement, the power or function (or a substantially similar power or function) is conferred on the Director-General.
- (2) On the commencement, an ongoing document continues with the same force and effect as if it had been issued by, or given to, the Director-General.

- (3) On the commencement, an ongoing thing continues with the same force and effect as if it had been done by, or in relation to, the Director-General.
- (4) This section applies subject to the other provisions of this Division and Part 5, Division 2 of the *Licensing (Director-General) Act*.
- (5) In this section, a reference to something done before the commencement includes a reference to something done after the commencement in accordance with this Division as if it had been done before the commencement.
- (6) In this section:

ongoing document means a document that:

- (a) was issued by, or given to, the Commission or NTLC Director before the commencement in or for the exercise of the power or performance of the function; and
- (b) immediately before the commencement, had ongoing effect.

ongoing thing means a thing that:

- (a) was done by, or in relation to, the Commission or NTLC Director before the commencement in or for the exercise of the power or performance of the function; and
- (b) immediately before the commencement, had ongoing effect.

91 Protection of NTLC Director continues

Despite the amendment made to section 79 by the 2014 Amending Act, that section continues to apply to the NTLC Director as if the 2014 Amendment Act had not commenced.

11 Act further amended

Schedule 1 has effect.

Part 3 Amendment of Gaming Machine Act

12 Act amended

This Part amends the *Gaming Machine Act*.

13 Section 3 amended

- (1) Section 3, definitions **Chairperson**, **Commission** and **Director**
omit
- (2) Section 3
insert (in alphabetical order)
affected person, see section 166B.
Director-General, see section 3 of the *Licensing (Director-General) Act*.
reviewable decision, see section 166A.
- (3) Section 3, definition **seal**
omit
Director
insert
Director-General

14 Section 17 amended

- (1) Section 17, heading
omit
Commission
insert
Director-General
- (2) Section 17(1)
omit, insert
- (1) In addition to the functions conferred on the Director-General under this Act, the Director-General has those functions conferred on the Director-General by the Minister.
- (3) Section 17(2) and (3)
omit
Commission

insert

Director-General

- (4) Section 17(2) and (3)

omit

its

insert

the Director-General's

15 Section 19 repealed

Section 19

repeal

16 Section 20 amended

- (1) Section 20(1)

omit

all words from "Director" to "Act "

insert

Director-General may appoint a public sector employee

- (2) Section 20(3), (4) and (7)

omit (all references)

Director

insert

Director-General

17 Section 21 amended

- (1) Section 21(1)

omit

all words from "Director" to "Act "

insert

Director-General may, in writing, appoint a person who is not a public sector employee

- (2) Section 21(3)(a), (4) and (5)

omit (all references)

Director

insert

Director-General

18 Section 24 amended

- (1) Section 24(3)(a), (b), (f)(i), (n) and (p)

omit

Director

insert

Director-General

- (2) Section 24(3)(h)(ii)(B)

omit

all words from "in a" to "Acts"

insert

in accordance with the requirements under the *Fire and Emergency Act* and *Building Act*

- (3) Section 24(3)(k)

omit, insert

(k) must specify the number of gaming machines that the applicant seeks to have authorised for use under the licence;

- (4) Section 24(3)(q)

omit, insert

(q) must be accompanied by:

(i) the prescribed fee; and

- (ii) the prescribed levy for each gaming machine that the applicant seeks to have authorised for use under the licence.

19 Section 41 amended

(1) Section 41(1)

omit

all words from "increased" to "licence"

insert

the number of gaming machines authorised for use under the licence increased

(2) Section 41(2)(a), (d) and (e), (7)(b) and (9)

omit

Director

insert

Director-General

(3) Section 41(2)(b)

omit

all words from "shall" to "sought"

insert

must specify the number of additional gaming machines that the applicant seeks to have authorised for use under the licence

(4) Section 41(2)(ca), (3), (4) and (7)

omit (all references)

Commission

insert

Director-General

(5) Section 41(2)(f)

omit, insert

(f) must be accompanied by:

(i) the prescribed fee; and

(ii) the prescribed levy for each additional gaming machine that the applicant seeks to have authorised for use under the licence.

(6) Section 41(4)(a)

omit

applied for in the application

insert

that the applicant seeks to have authorised for use under the gaming machine licence

(7) Section 41(5)

omit

all words from "Where" to "applied for"

insert

If the Director-General increases the number of gaming machines authorised for use under a licence, the number of additional gaming machines authorised must not be greater than the number sought in the application

(8) Section 41(6)

omit (all references)

Commission or Director

insert

Director-General

20 Section 42 amended

- (1) Section 42(1), (2), (3) and (4A)
omit (all references)
Commission
insert
Director-General
- (2) After section 42(1)
insert
(1A) The Director-General may do so on an application under subsection (3) or on the Director-General's own initiative.
- (3) Section 42(2), (5) and (6)(a) and (b)
omit (all references)
Director
insert
Director-General
- (4) Section 42(3)(a)
omit
made to the Director
- (5) Section 42(3)(b)
omit
all words from "made" to "Service"
insert
by the Director of the Fire and Rescue Service

- (6) Section 42(4)
omit, insert
- (4) The Director-General must:
- (a) advise the licensee by written notice of:
- (i) the relevant details of a request or report made under subsection (3); or
- (ii) if the Director-General proposes to decrease the number of gaming machines authorised for use under a licence on the Director-General's own initiative – details of that proposal; and
- (b) invite the licensee to make a submission with respect to the request, report or proposal within such time as is specified in the notice.

21 Section 49 amended

- (1) Section 49(1)(b)(v)
omit
by the Commission or Director
insert
under this Act
- (2) Section 49(1)(b)(vi)
omit
Commission, the Director
insert
Director-General
- (3) Section 49(1)(c), (2), (9)(a) and (b), (10), (11), (13) and (16)
omit (all references)
Commission
insert
Director-General

- (4) Section 49(2), (4), (6) to (8), (13) and (15)
omit (all references)
Director
insert
Director-General
- (5) Section 49(3) and (12)
omit
- (6) Section 49(9)(c) and (d)
omit, insert
- (c) answers given or submissions made in reply to, or in respect of, the notice are not satisfactory or, if no answers are given and no submissions are made, the Director-General may:
- (i) by written notice give such directions to the licensee as the Director-General considers appropriate to ensure that any matter connected with, or giving rise to, the issue of the notice is rectified within the time specified in the notice; or
 - (ii) cancel, or suspend for such period as the Director-General determines, the gaming machine licence.
- (7) Section 49(9)
omit
The Commission
insert
The Director-General
- (8) Section 49(9)
omit
if the Commission
insert
if the Director-General

22 Section 57A amended

(1) Section 57A(1)

omit

(1)

(2) Section 57A(2)

omit

23 Section 165 amended

(1) Section 165(1) to (4), (7) and (8)

omit (all references)

Director

insert

Director-General

(2) Section 165(9) and (10)

omit

(3) Section 165(11)

omit

all words from "Commission," to "the Commission"

insert

Director-General, having regard to answers given in reply to a notice to show cause and submissions made under subsection (8) and to such other information or material as the Director-General

(4) Section 165(11)(a)

omit

Commission

insert

Director-General

24 Part 9A inserted

After section 166

insert

Part 9A Review of decisions**166A Meaning of *reviewable decision***

A ***reviewable decision*** is:

- (a) a decision specified in the Schedule, unless the decision was made by a delegate of the Director-General; or
- (b) a decision made on the review, under Part 3 of the *Licensing (Director-General) Act*, of a decision that:
 - (i) is specified in the Schedule; and
 - (ii) was made by a delegate of the Director-General.

Note for section 166A

A decision made under this Act by a delegate of the Director-General is not a reviewable decision but may be a delegate decision under the Licensing (Director-General) Act. Part 3 of that Act sets out procedures for applying for a review of a delegate decision.

166B Meaning of *affected person*

- (1) A person is an ***affected person*** for a reviewable decision mentioned in section 166A(a) if any of the following apply:
 - (a) for a decision that relates to disciplinary action relating to a licence – the person is the licensee;
 - (b) for a decision that was made in relation to an application – the person is the applicant;
 - (c) the person made a submission, complaint or objection (however described) during the process that resulted in the decision being made.
- (2) A person is an ***affected person*** for a reviewable decision mentioned in section 166A(b) if the person was an affected person under the *Licensing (Director-General) Act* for the decision that was reviewed under Part 3 of that Act.

166C Jurisdiction of Civil and Administrative Tribunal

- (1) An affected person for a reviewable decision may apply to the Civil and Administrative Tribunal for a review of the decision.
- (2) For a reviewable decision that was made under the *Licensing (Director-General) Act*, that Act and this Act are together taken to be the relevant Act for the *Northern Territory Civil and Administrative Tribunal Act*.

166D Delegate decisions

The regulations may declare that a decision made under this Act by a delegate of the Director-General, other than a decision specified in the Schedule, is not a delegate decision for the *Licensing (Director-General) Act*.

25 Section 192 amended

- (1) Section 192, before "The"
insert
 - (1)
- (2) Section 192
omit (all references)
Director
insert
Director-General
- (3) After section 192
insert
 - (2) The Director-General must refund the whole or part of a levy paid under section 24 or 41 in the circumstances and within the period prescribed by regulation.

26 Section 193 repealed

Section 193
repeal

27 Section 194 amended

(1) After section 194(2)(k)

insert

(ka) levies payable in relation to applications made under section 24 or 41;

(kb) the payment of annual fees for gaming machine licences;

(2) Section 194(2)(s)

omit

Director's

insert

Director-General's

(3) Section 194(2)(u)

omit

(4) Section 194(4)(h), (i) and (n)

omit

Director

insert

Director-General

(5) Section 194(5)(a) and (b)

omit

Commission or the Director

insert

Director-General

28 Part 11 and Schedule inserted

After section 194

insert

Part 11 Transitional matters for Licensing (Director-General) Act 2014**Division 1 Definitions****195 Definitions**

In this Part:

2014 Acts means the *Licensing (Director-General) Act 2014* and 2014 Amending Act.

2014 Amending Act means the *Licensing (Repeals and Consequential Amendments) Act 2014*.

commencement means the commencement of section 22 of the *Licensing (Director-General) Act 2014*.

Commission means the Commission as defined in section 3 of the NTLC Act.

NTLC Act means the *Northern Territory Licensing Commission Act* as in force immediately before the commencement.

NTLC Director means the Director as defined in section 3 of the NTLC Act.

old legislation means the NTLC Act and this Act, as in force immediately before the commencement.

Division 2 Applications**196 Application to NTLC Director – pending decision**

- (1) This section applies if, before the commencement:
- (a) an application had been made under this Act for a decision to be made by the NTLC Director; but
 - (b) the NTLC Director had not made a decision on the application.

- (2) The application:
- (a) is taken to be an application made on the commencement for the decision to be made by the Director-General; and
 - (b) must be dealt with and determined in accordance with this Act as amended by the 2014 Amending Act.

Note for section 196

The Director-General's decision on the application will be a decision made after the commencement and may therefore be a reviewable decision or a decision to which Part 3 of the Licensing (Director-General) Act applies.

197 Application to Commission – not yet considered

- (1) This section applies if, before the commencement:
- (a) an application had been made under this Act for a decision to be made by the Commission; but
 - (b) the Commission had not commenced active consideration of the application.
- (2) The application:
- (a) is taken to be an application made on the commencement for the decision to be made by the Director-General; and
 - (b) must be dealt with and determined in accordance with this Act as amended by the 2014 Amending Act.

Note for section 197

The Director-General's decision on the application will be a decision made after the commencement and may therefore be a reviewable decision or a decision to which Part 3 of the Licensing (Director-General) Act applies.

198 Application to Commission – under active consideration

- (1) This section applies if, before the commencement:
- (a) an application had been made under this Act for a decision to be made by the Commission and the Commission had commenced active consideration of the application; but
 - (b) the Commission had not made a decision.
- (2) The Commission must deal with and determine the application in accordance with the old legislation as if the 2014 Acts had not commenced.

- (3) However, the Commission's decision is then taken to have been made by the Director-General.

Note for section 198(3)

As the decision will be made after the commencement and will be taken to be a decision of the Director-General, it may be a reviewable decision.

199 Active consideration

Regulations may make provision for determining when active consideration of an application commences for this Division.

Division 3 Review of decisions

200 New review regime applies to post-commencement decisions

Part 9A applies only in relation to decisions made after the commencement.

201 Review of pre-commencement decision – application not yet made

- (1) This section applies if, before the commencement:
- (a) a decision had been made under this Act and the period for applying for a review of the decision under section 193, as then in force, had not expired; but
 - (b) an application for a review of the decision had not been made.
- (2) A person who would have been entitled to apply for a review of the decision under the old legislation may do so under the old legislation, as if the 2014 Acts had not commenced.
- (3) The Commission must review the decision in accordance with the old legislation as if the 2014 Acts had not commenced.

202 Review of pre-commencement decision – application made

- (1) This section applies if, before the commencement:
- (a) an application had been made under section 193, as then in force, for review of a decision made under this Act; but
 - (b) the Commission had not completed the review.
- (2) The Commission must complete the review in accordance with the old legislation as if the 2014 Acts had not commenced.

Division 4 General matters**203 Continuation of ongoing documents and things**

- (1) This section applies if:
- (a) before the commencement, a power or function was conferred by this Act on the Commission or NTLC Director; and
 - (b) on the commencement, the power or function (or a substantially similar power or function) is conferred on the Director-General.
- (2) On the commencement, an ongoing document continues with the same force and effect as if it had been issued by, or given to, the Director-General.
- (3) On the commencement, an ongoing thing continues with the same force and effect as if it had been done by, or in relation to, the Director-General.
- (4) This section applies subject to the other provisions of this Part and Part 5, Division 2 of the *Licensing (Director-General) Act*.
- (5) In this section, a reference to something done before the commencement includes a reference to something done after the commencement in accordance with this Part as if it had been done before the commencement.

- (6) In this section:

ongoing document means a document that:

- (a) was issued by, or given to, the Commission or NTLC Director before the commencement in or for the exercise of the power or performance of the function; and
- (b) immediately before the commencement, had ongoing effect.

ongoing thing means a thing that:

- (a) was done by, or in relation to, the Commission or NTLC Director before the commencement in or for the exercise of the power or performance of the function; and
- (b) immediately before the commencement, had ongoing effect.

Schedule Reviewable decisions

sections 166A and 166D

Section	Decision
25	Decision to grant or refuse application
25(12)	Decision regarding number of gaming machines authorised for use under the licence
34	Decision to impose conditions or further conditions, or vary conditions, on licence
41	Decision to grant or refuse application
42(1)	Decision to decrease number of gaming machines authorised for use under licence
43(9)	Decision to grant, or refuse to grant, application
49(9)(c)	Decision to give directions to licensee or cancel or suspend gaming machine licence
50	Decision to suspend gaming machine licence
65	Decision to grant, or refuse to grant, licence
70	Decision to impose conditions or further conditions on, or vary conditions of, licence
71(5)	Decision to renew, or not to renew, licence
79(8)(c)	Decision to give directions to holder of licence or cancel or suspend licence
80	Decision to suspend licence
82	Decision to grant, impose conditions on or cancel provisional licence
116	Decision to approve, or refuse to approve, person to be recognised manufacturer or supplier of gaming machines
117	Decision to approve, or refuse to approve, person to be recognised supplier of restricted components
134	Decision to approve or refuse application for approval under section 134(1)

165(11) Decision to direct termination of agreement

29 Act further amended

Schedule 2 has effect.

Part 4 Amendment of Kava Management Act

30 Act amended

This Part amends the *Kava Management Act*.

31 Section 3 amended

(1) Section 3(1), definitions ***approved***, ***Chairperson***, ***Commission***, ***Director*** and ***hearing***

omit

(2) Section 3(1)

insert (in alphabetical order)

affected person, see section 79.

approved form means a form approved under section 83A.

Director-General, see section 3 of the *Licensing (Director-General) Act*.

reviewable decision, see section 78.

32 Sections 6 and 7 replaced

Sections 6 and 7

repeal, insert

7 Delegation

The Minister may delegate any of the Minister's powers and functions under this Act to:

- (a) the Director-General; or
- (b) the Chief Health Officer.

33 Sections 64 replaced

Section 64

repeal, insert

64 Consideration and decision of Director-General

- (1) The Director-General must determine an application for a licence as soon as reasonably possible after the application is lodged.
- (2) In determining the application, the Director-General must consider the objections, the comments on and investigations concerning the objections, the prescribed matters (if any) and the investigations conducted regarding the application.
- (3) Having done so, the Director-General must decide to:
 - (a) issue the licence subject to the conditions the Director-General determines to be necessary or desirable in the circumstances of the application; or
 - (b) refuse to grant the licence.
- (4) After making the decision, the Director-General must give notice of the decision and a statement of the reasons for the decision to each affected person.
- (5) If more than one application was made for the grant of the same licence, the Director-General may refuse to grant a licence if satisfied that the applicant would not be the most suitable person from amongst the applicants to hold the licence.
- (6) If the Director-General refuses to grant a licence under this section, the Director-General may refund the whole or any part of the prescribed fee paid under section 60(3).

34 Section 65 amended

- (1) Section 65(1A)

omit

all words from "Commission has" to "makes its"

insert

Director-General has not made a decision under subsection (3) to renew or refuse to renew the licence, the licence remains in force until the Director-General makes the

- (2) Section 65(2)(a)
omit
Director
insert
Director-General
- (3) Section 65(2)(b)(i) and (ii), (3A) and (6)
omit (all references)
Commission
insert
Director-General
- (4) Section 65(3)
omit, insert
- (3) For the purposes of considering an application for renewal of a licence, sections 63 and 64(1) and (2) apply with the necessary changes and, after determining the application, the Director-General must decide to:
- (a) renew the licence subject to the conditions that the Director-General determines are necessary or desirable in the circumstances of the application; or
- (b) refuse to renew the licence.
- (3AA) After making the decision, the Director-General must give notice of the decision and a statement of the reasons for the decision to each affected person.
- (5) Section 65(4) to (5)
omit

35 Sections 68 to 70 replaced

Sections 68 to 70

repeal, insert

68 When variation takes effect

A variation of the conditions of a licence takes effect on the later of the following:

- (a) the date specified in the notice under section 67;
- (b) if the decision to vary the conditions was made by a delegate of the Director-General – the expiration of the period for applying for a review of the decision.

Note for section 68

Part 3 of the Licensing (Director-General) Act provides for the review of decisions made under this Act by a delegate of the Director-General, and allows the Director-General to stay the operation of a decision pending completion of a review.

36 Sections 73 and 74 replaced

Sections 73 and 74

repeal, insert

73 Making of complaint

- (1) A person may make a complaint to the Director-General regarding:
 - (a) the conduct of a licensee; or
 - (b) the possession, supply or consumption of kava in a licence area.
- (2) A complaint must be:
 - (a) in writing and must set out the grounds on which the complaint is made and the facts relied on by the person to constitute the grounds; and
 - (b) signed by the person making it.

- (3) If a complaint is lodged with the Director-General, the Director-General must:
- (a) inform the licensee of the complaint and give the licensee sufficient opportunity to provide a written reply to the complaint; and
 - (b) consider and investigate the substance of the complaint as the Director-General thinks fit, taking into account any written reply of the licensee under paragraph (a).
- (4) After considering and investigating a complaint, the Director-General must:
- (a) determine that, in the opinion of the Director-General, the complaint is of a frivolous, irrelevant or malicious nature, and dismiss the complaint; or
 - (b) determine that no further action is warranted; or
 - (c) determine to give a direction under section 75 in response to the complaint; or
 - (d) determine to take action under section 77 in response to the complaint.
- (5) The Director-General must give notice of a determination under subsection (4) to the person who made the complaint and the licensee against whom the complaint was made.

37 Section 76 amended

- (1) Section 76(1)

omit

The Commission

insert

The Director-General

- (2) Section 76(1)(a)

omit, insert

- (a) a complaint is made under section 73 and, in the opinion of the Director-General, it is in the public interest to do so until the determination or dismissal of the complaint;

(ab) the Director-General proposes to cancel the licence under section 77(2) and, in the opinion of the Director-General, it is in the public interest to do so until a decision on the cancellation is made;

(3) Section 76(1)(b) to (d)

omit

Commission

insert

Director-General

(4) Section 76(1A)

omit

subsection (1)(c)

insert

subsection (1)(d)

(5) Section 76(4)

omit

Commission may, where it

insert

Director-General may, if the Director-General

38 Sections 77 and 78, Part 9, Division 4 and Part 10 replaced

Sections 77 and 78, Part 9, Division 4 and Part 10

repeal, insert

77 Cancellation of licence

(1) Each of the following is a ground for cancelling a licence:

(a) the licensee is in the custody of the Commissioner of Correctional Services;

(b) the licensee has been found guilty of an offence against this Act or the Regulations;

- (c) the licensee has been found guilty of an offence relating to the cultivation, production, possession or supply of a drug;
 - (d) the licensee has contravened a direction given under section 75;
 - (e) the licensee otherwise appears not to be a fit or proper person to hold a licence.
- (2) If the Director-General believes a ground for cancelling a licence exists, the Director-General must give the licensee written notice:
- (a) stating that the Director-General proposes to cancel the licence; and
 - (b) stating the ground for the proposed cancellation and the facts relied on to constitute the ground; and
 - (c) inviting the licensee to make a written submission in response to the proposed cancellation within a specified period not less than 28 days after the notice is given.
- (3) After considering any written submission received from the licensee in response to the notice, the Director-General may decide to cancel the licence by written notice to the licensee if satisfied:
- (a) on the balance of probabilities, that a ground for cancelling the licence exists; and
 - (b) that cancelling the licence is appropriate in relation to that ground.

Part 10 Review of decisions

78 Meaning of *reviewable decision*

A ***reviewable decision*** is:

- (a) a decision specified in Schedule 2, unless the decision was made by a delegate of the Director-General; or
- (b) a decision made on the review, under Part 3 of the *Licensing (Director-General) Act*, of a decision that:
 - (i) is specified in Schedule 2; and

- (ii) was made by a delegate of the Director-General.

Note for section 78

A decision made under this Act by a delegate of the Director-General is not a reviewable decision but may be a delegate decision under the Licensing (Director-General) Act. Part 3 of that Act sets out procedures for applying for a review of a delegate decision.

79 Meaning of affected person

- (1) A person is an **affected person** for a reviewable decision mentioned in section 78(a) if any of the following apply:
- (a) for a decision that relates to disciplinary action relating to a licence – the person is the licensee;
 - (b) for a decision that was made in relation to an application – the person is the applicant;
 - (c) the person made a submission, complaint or objection (however described) during the process that resulted in the decision being made.
- (2) A person is an **affected person** for a reviewable decision mentioned in section 78(b) if the person was an affected person under the *Licensing (Director-General) Act* for the decision that was reviewed under Part 3 of that Act.

80 Jurisdiction of Civil and Administrative Tribunal

- (1) An affected person for a reviewable decision may apply to the Civil and Administrative Tribunal for a review of the decision.
- (2) For a reviewable decision that was made under the *Licensing (Director-General) Act*, that Act and this Act are together taken to be the relevant Act for the *Northern Territory Civil and Administrative Tribunal Act*.

81 Delegate decisions

The regulations may declare that a decision made under this Act by a delegate of the Director-General, other than a decision specified in Schedule 2, is not a delegate decision for the *Licensing (Director-General) Act*.

39 Section 83A inserted

After section 83

insert

83A Approved forms

The Director-General may approve forms for this Act.

40 Part 12 inserted

After section 89

insert

Part 12 Transitional matters for Licensing (Director-General) Act 2014**Division 1 Definitions****90 Definitions**

In this Part:

2014 Acts means the *Licensing (Director-General) Act 2014* and 2014 Amending Act.

2014 Amending Act means the *Licensing (Repeals and Consequential Amendments) Act 2014*.

commencement means the commencement of section 22 of the *Licensing (Director-General) Act 2014*.

Commission means the Commission as defined in section 3 of the NTLC Act.

NTLC Act means the *Northern Territory Licensing Commission Act* as in force immediately before the commencement.

NTLC Director means the Director as defined in section 3 of the NTLC Act.

old legislation means the NTLC Act and this Act, as in force immediately before the commencement.

Division 2 Applications

91 Application to Commission – not yet considered

- (1) This section applies if, before the commencement:
 - (a) an application had been made under this Act for a decision to be made by the Commission; but
 - (b) the Commission had not commenced active consideration of the application.
- (2) The application:
 - (a) is taken to be an application made on the commencement for the decision to be made by the Director-General; and
 - (b) must be dealt with and determined in accordance with this Act as amended by the 2014 Amending Act.

Note for section 91

The Director-General's decision on the application will be a decision made after the commencement and may therefore be a reviewable decision or a decision to which Part 3 of the Licensing (Director-General) Act applies.

92 Application to Commission – under active consideration

- (1) This section applies if, before the commencement:
 - (a) an application had been made under this Act for a decision to be made by the Commission and the Commission had commenced active consideration of the application; but
 - (b) the Commission had not made a decision.
- (2) The Commission must deal with and determine the application in accordance with the old legislation as if the 2014 Acts had not commenced.
- (3) However, the Commission's decision is then taken to have been made by the Director-General.

Note for section 92(3)

As the decision will be made after the commencement and will be taken to be a decision of the Director-General, it may be a reviewable decision.

93 Active consideration

Regulations may make provision for determining when active consideration of an application commences for this Division.

Division 3 Review of decisions**94 New review regime applies to post-commencement decisions**

Part 10, as amended by the 2014 Amending Act, applies only in relation to decisions made after the commencement.

Division 4 Complaints and applications to cancel licence**95 New complaints regime applies to post-commencement complaints**

Subject to section 96, Part 9, Division 1 as amended by the 2014 Amending Act applies only in relation to complaints made after the commencement.

96 Complaint made before commencement – pending action

- (1) This section applies if, before the commencement:
 - (a) a complaint had been made under section 73, as then in force; but
 - (b) the NTLC Director had not taken action under section 73(3)(c), as then in force, in relation to the complaint.
- (2) The complaint:
 - (a) is taken to have been made to the Director-General on the commencement; and
 - (b) must be dealt with and determined in accordance with this Act as amended by the 2014 Amending Act.

Note for section 96

The Director-General's decision on the complaint will be a decision made after the commencement and may therefore be a reviewable decision or a decision to which Part 3 of the Licensing (Director-General) Act applies.

97 Complaint made before commencement – complaint being dealt with

- (1) This section applies if, before the commencement:
 - (a) the NTLC Director had forwarded a complaint to the Commission under section 73(3)(c), as then in force; but
 - (b) the Commission had not made a determination about the complaint under section 74, as then in force.

- (2) The Commission and NTLC Director must deal with and determine the complaint in accordance with the old legislation as if the 2014 Acts had not commenced.
- (3) If the Commission determines a complaint as mentioned in subsection (2):
 - (a) the determination has effect as if it had been made before the commencement; and
 - (b) Part 10, as amended by the 2014 Amending Act, does not apply in relation to the determination.

98 Application for cancellation made before commencement

- (1) This section applies if, before the commencement:
 - (a) the NTLC Director had made an application to the Commission under section 77, as then in force; but
 - (b) the Commission had not determined the application.
- (2) The Commission must deal with and determine the application in accordance with the old legislation as if the 2014 Acts had not commenced.
- (3) If the Commission determines an application as mentioned in subsection (2):
 - (a) the determination has effect as if it had been made before the commencement; and
 - (b) Part 10, as amended by the 2014 Amending Act, does not apply in relation to the determination.

Division 5 General matters

99 Continuation of ongoing documents and things

- (1) This section applies if:
 - (a) before the commencement, a power or function was conferred by this Act on an NTLC entity; and
 - (b) on the commencement, the power or function (or a substantially similar power or function) is conferred on the Director-General.

- (2) On the commencement, an ongoing document continues with the same force and effect as if it had been issued by, or given to, the Director-General.
- (3) On the commencement, an ongoing thing continues with the same force and effect as if it had been done by, or in relation to, the Director-General.
- (4) This section applies subject to the other provisions of this Part and Part 5, Division 2 of the *Licensing (Director-General) Act*.
- (5) In this section, a reference to something done before the commencement includes a reference to something done after the commencement in accordance with this Part as if it had been done before the commencement.
- (6) In this section:

NTLC entity means the Commission, the NTLC Director or the Chairperson (as defined in section 3 of the NTLC Act).

ongoing document means a document that:

- (a) was issued by, or given to, the NTLC entity before the commencement in or for the exercise of the power or performance of the function; and
- (b) immediately before the commencement, had ongoing effect.

ongoing thing means a thing that:

- (a) was done by, or in relation to, the NTLC entity before the commencement in or for the exercise of the power or performance of the function; and
- (b) immediately before the commencement, had ongoing effect.

41 Schedule 2 inserted

After the Schedule

insert

Schedule 2 Reviewable decisions

sections 78 and 81

Section Decision

64	Decision to issue, or refuse to grant, licence
65	Decision to renew, or refuse to renew, licence
67	Decision to vary conditions of licence
76	Decision to suspend, impose condition on or vary condition of licence
77	Decision to cancel licence

42 Act further amended

Schedule 3 has effect.

Part 5 Amendment of Liquor Act

43 Act amended

This Part amends the *Liquor Act*.

44 Section 4 amended

- (1) Section 4(1), definitions **assessor**, **Chairperson**, **Commission**, **Deputy Director**, **Director**, **hearing**, **member** and **prohibition notice**

omit

- (2) Section 4(1)

insert (in alphabetical order)

affected person, see section 120ZB.

approved form means a form approved under section 126.

assessor means an assessor appointed under section 14.

decision notice, for a decision, means a written notice setting out:

- (a) the decision and the reasons for it; and
- (b) any right the person to whom the notice is to be given has, under this Act or the *Licensing (Director-General) Act*, to apply for a review of, or to appeal, the decision.

Director-General, see section 3 of the *Licensing (Director-General) Act*.

prescribed fee means a fee prescribed by regulation.

reviewable decision, see section 120ZA.

- (3) Section 4(1), definition **specified offence**, paragraph (b), after "section"

insert

43BF (as it relates to section 243(1)),

- (4) Section 4(1), definition **specified offence**, paragraph (b)

omit

239, 240 or 251

insert

241(1) or 243(1)

45 Section 19A inserted

After section 19, in Part II, Division 3

insert

19A Obstruction of inspector

- (1) A person commits an offence if the person:
 - (a) obstructs the exercise of a power under section 19; or
 - (b) fails to comply with a reasonable request of an inspector under section 19(5)(e).

Maximum penalty: 50 penalty units or imprisonment for 6 months.

(2) It is a defence to a prosecution for an offence against subsection (1) if the person has a reasonable excuse.

(3) In this section:

obstruct includes hinder and resist.

46 Sections 20 and 22 replaced

Sections 20 and 22

repeal, insert

20 Assessors not to act if interested in matter

(1) This section applies if:

(a) the Director-General seeks the advice of an assessor in relation to a matter; and

(b) the assessor has a personal interest in the matter.

(2) The assessor must disclose the following to the Director-General and the Minister:

(a) the nature and extent of the interest;

(b) how the interest relates to the matter mentioned in subsection (1).

(3) However, the assessor is not required to disclose a personal interest if it is an interest shared with the public generally or a section of the public.

(4) If an assessor is required to disclose a personal interest under this section, the assessor must not give advice in relation to the matter without the approval of the Minister.

(5) For this section, the assessor has a **personal interest** in a matter if the assessor:

(a) has a direct or indirect financial interest in the matter; or

(b) has a personal, professional, commercial or other relationship with a person and the nature of the relationship is likely to, or may reasonably be regarded as likely to, inhibit or prevent the assessor from exercising independent judgment about the matter.

22 Delegation by Director-General

Despite section 7(1) of the *Licensing (Director-General) Act*, the Director-General may delegate the Director-General's powers and functions under section 89A to one or more of the following:

- (a) a public sector employee;
- (b) the chief executive officer of a local government council;
- (c) a police officer who is:
 - (i) of or above the rank of senior sergeant; or
 - (ii) the person in charge of a police station.

47 Section 28 amended

- (1) Section 28(1)

omit

- (2) Section 28(2), (3) and (4)

omit (all references)

Commission

insert

Director-General

- (3) After section 28(3)

insert

(3A) If an objection to the application is lodged under section 47F, the Director-General must comply with section 47G before making a decision on the application.

(3B) In considering the application, the Director-General must consider:

- (a) any objection to the application made under section 47F; and
- (b) any reply provided by the applicant under section 47G.

48 Section 29 replaced

Section 29

repeal, insert

29 Decision after consideration of application

- (1) After considering the application, the Director-General must, having regard to the objects of this Act:
 - (a) issue a licence subject to any conditions determined by the Director-General under section 31; or
 - (b) refuse the application.
- (2) As soon as practicable after making a decision under subsection (1), the Director-General must give a decision notice to:
 - (a) the applicant; and
 - (b) each person who lodged an objection to the application under section 47F.
- (3) If the Director-General refuses an application for a licence under subsection (1)(b), the Director-General may refund the whole or any part of the prescribed fee paid under section 26.

49 Section 32 repealed

Section 32

repeal

50 Section 32A amended

- (1) Section 32A(1) to (3)

omit, insert

- (1) A licensee may apply to the Director-General in the approved form for a variation of the conditions of the licence held by the licensee.
- (2) If the Director-General considers it to be in the public interest, the Director-General may require the applicant to publish notice of the application in the way, and within the period, specified by the Director-General.

- (2) Section 32A(4)(d) and (e)

omit

Commission

insert

Director-General

- (3) Section 32A(5)

omit

Director

insert

Director-General

- (4) Section 32A(6) to (8)

omit, insert

- (6) If an objection to the application is lodged under section 47F, the Director-General must comply with section 47G before making a decision on the application.

- (6A) In considering the application, the Director-General must consider:

- (a) any objection to the application made under section 47F; and
- (b) any reply provided by the applicant under section 47G.

- (7) After considering the application, the Director-General must, having regard to the objects of this Act:

- (a) vary the conditions of the licence; or
- (b) refuse to vary the conditions of the licence.

- (8) As soon as practicable after making a decision under subsection (7), the Director-General must give a decision notice to:

- (a) the applicant; and
- (b) each person who lodged an objection to the application under section 47F.

(5) Section 32A(9)

omit

all words from "Commission" to "(8)"

insert

Director-General in the decision notice

51 Section 33 replaced

Section 33

repeal, insert

33 Variation of conditions by Director-General

- (1) The Director-General may vary the conditions of a licence (other than a condition determined under section 33AA) on the Director-General's own initiative.
- (2) Before varying the conditions, the Director-General must give the licensee written notice:
 - (a) stating the proposed variation; and
 - (b) stating the reasons for the proposed variation; and
 - (c) inviting the licensee to submit a response to the proposed variation within 28 days after the date of the notice.
- (3) The Director-General may, having considered any response of the licensee, vary the conditions of the licence as proposed in the notice or in another way the Director-General considers appropriate.
- (4) As soon as practicable after deciding to vary the conditions under subsection (3), the Director-General must give a decision notice to the licensee.
- (5) The variation takes effect on the later of the following:
 - (a) the date on which the licensee receives the decision notice;
 - (b) the date stated in the decision notice.
- (6) Subsections (2) to (5) do not apply if the variation is for a formal or clerical reason that does not alter the substance of the conditions.

52 Section 33H replaced

Section 33H

repeal, insert

33H Decision notice

As soon as practicable after deciding whether to grant the application, the Director-General must give a decision notice to the licensee.

53 Section 43 replaced

Section 43

repeal, insert

43 Consideration of application

- (1) As soon as reasonably practicable after receiving an application, the Director-General must:
 - (a) consider the application; and
 - (b) having regard to the objects of this Act:
 - (i) authorise the transfer of the licence; or
 - (ii) refuse the application.
- (2) If the Director-General refuses the application, as soon as practicable after making the decision, the Director-General must give a decision notice to:
 - (a) the licensee; and
 - (b) the applicant.

54 Section 46A amended

- (1) Section 46A(1)

omit

Commission in a form approved by the Commission

insert

Director-General in the approved form

- (2) Section 46A(2)
omit
a newspaper or newspapers nominated by the Commission
insert
the way specified by the Director-General
- (3) Section 46A(3)(c) and (d) and (6)
omit
Commission
insert
Director-General
- (4) Section 46A(4)
omit
Director
insert
Director-General
- (5) Section 46A(5)
omit, insert
- (5) If an objection to the application is lodged under section 47F, the Director-General must comply with section 47G before making a decision on the application.
- (5A) In considering the application, the Director-General must consider:
- (a) any objection to the application made under section 47F; and
 - (b) any reply provided by the applicant under section 47G.
- (6) Section 46A(6)(b) and (c)
omit, insert
- (b) refuse the application.

(7) Section 46A(7)

omit, insert

(7) As soon as practicable after making a decision on the application, the Director-General must give a decision notice to:

(a) the applicant; and

(b) each person who lodged an objection to the application under section 47F.

55 Sections 47I and 47J repealed

Sections 47I and 47J

repeal

56 Section 48A amended

(1) Section 48A(1)

omit

all words from "Commission" to "taking"

insert

Director-General may, on the Director-General's own initiative, in an emergency or pending the investigation of a complaint or consideration of whether or not to take proposed

(2) Section 48A(1)

omit

its

insert

the Director-General's

(3) Section 48A(2)

omit

all words from "Commission's" to "Commission"

insert

Director-General's other powers under this Act, action of the Director-General

- (4) After section 48A(2)

insert

- (2A) As soon as practicable after making a decision to take action under subsection (1), the Director-General must give a decision notice to the licensee.

57 Section 49A amended

- (1) Section 49A(1), (5) and (7)(b)

omit

Commission

insert

Director-General

- (2) Section 49A(2)

omit, insert

- (2) Before considering the application, the Director-General must give the licensee a written notice:

(a) stating that an application has been made under subsection (1); and

(b) inviting the licensee to make a written submission to the Director-General in response to the application by a specified date not earlier than 28 days after the date of the notice.

- (3) Section 49A(3)

omit

all words from "At" to "matters it"

insert

In considering the application, the Director-General must have regard to the matters the Director-General

- (4) Section 49A(3)(b)
omit
licensee.
insert
licensee; and
- (5) After section 49A(3)(b)
insert
(c) any written submission made by the licensee under subsection (2).
- (6) Section 49A(4)
omit
all words from "At" to "it"
insert
The Director-General may suspend the licence if the Director-General
- (7) Section 49A(6)
omit, insert
(6) As soon as practicable after making a decision to suspend a licence under subsection (4), the Director-General must give a decision notice to the Commissioner of Police and the licensee.
- (8) Section 49A(8)
omit
Commission taking any other action that it
insert
Director-General taking any other action that the Director-General

58 Part V repealed

Part V

repeal

59 Section 59 replaced

Section 59

repeal, insert

59 Decision on application

- (1) After considering the application, the Director-General must:
 - (a) issue the special licence subject to any conditions the Director-General thinks fit; or
 - (b) refuse to issue the special licence.
- (2) If the Director-General issues the special licence subject to conditions, or refuses to issue the special licence, as soon as practicable after doing so the Director-General must give a decision notice to the applicant.

60 Sections 60 to 63 replaced

Sections 60 to 63

repeal, insert

63 Revocation of special licence

- (1) A special licence may be revoked by the Director-General at the Director-General's discretion.
- (2) As soon as practicable after deciding to revoke a special licence, the Director-General must give a decision notice to the licence holder.

61 Section 65 amended

Section 65(2)

omit, insert

- (2) The object is to be achieved by empowering the Director-General to do any of the following:
 - (a) deal with a complaint against a licensee;
 - (b) enter into an enforceable undertaking with a licensee;
 - (c) take disciplinary action against a licensee.

62 Section 68 amended

- (1) Before section 68(2)(a)
insert
(aa) be made in the approved form; and
- (2) Section 68(2)(a)
omit
in the form approved by the Director
- (3) Section 68(2)(c), (3), (4) and (5)(a)
omit (all references)
Director
insert
Director-General
- (4) Section 68(5)
omit
Director must
insert
Director-General must decide to
- (5) Section 68(5)(b)
omit
as provided by this Act
- (6) Before section 68(5)(b)(i)
insert
(ia) give the licensee a formal warning in relation to that ground;

- (7) Section 68(5)(b)(iii)
omit, insert
- (iii) give the licensee a written notice as mentioned in section 69(1) in relation to that ground.
- (8) Section 68(6) to (8)
omit, insert
- (6) As soon as practicable after deciding which action to take under subsection (5), the Director-General must give a decision notice to the complainant.
- (7) As soon as practicable after deciding to take action under subsection (5)(a), the Director must give a decision notice to the licensee.

63 Section 69 amended

- (1) Section 69(1) to (7)
omit, insert
- (1) On completing an investigation into a complaint about a licensee, the Director-General may give the licensee written notice that the Director-General proposes to take disciplinary action against the licensee.
- (2) The notice must:
- (a) specify the proposed disciplinary action; and
- (b) specify the ground for the proposed disciplinary action and the factual basis of the ground; and
- (c) invite the licensee to make a written submission in response to the proposed action within a specified period ending not less than 28 days after the notice is given.
- (3) After considering any written submission received from the licensee in response to the notice, the Director-General may take the disciplinary action against a licensee if satisfied:
- (a) on the balance of probabilities, that a ground for taking the disciplinary action exists; and
- (b) having regard to the objects of this Act, that the disciplinary action is appropriate in relation to that ground.

- (4) As soon as practicable after making a decision under subsection (3), the Director-General must give a decision notice to the licensee.
- (2) Section 69(8)
- omit*
- and section 71 do
- insert*
- does

64 Sections 71 and 72 repealed

Sections 71 and 72

repeal

65 Section 74 amended

- (1) Section 74(1) to (2)
- omit*
- Commission
- insert*
- Director-General
- (2) After section 74(2)
- insert*
- (3) The Director-General may make a declaration on application under section 76 or after making a proposal under section 76AA.

66 Section 76AA inserted

After section 76, in Part VIII, Division 1

insert

76AA Director-General may propose declaration

- (1) The Director-General may, on the Director-General's own initiative, propose the making of a declaration of a restricted area without an application having been made.

- (2) The proposal must be in writing and set out:
- (a) a description of the relevant area; and
 - (b) a statement of the Director-General's reasons for proposing that the relevant area be declared to be a general restricted area or public restricted area; and
 - (c) if the Director-General proposes that the relevant area be declared to be a general restricted area in respect of liquor other than a specified type of liquor – the type of liquor to be specified.

67 Sections 77 to 80 replaced

Sections 77 to 80

repeal, insert

77 Acceptance of application

If the Director-General receives an application for the declaration of a general restricted area the Director-General must, as soon as reasonably practicable, decide to:

- (a) refuse the application if the Director-General is of the opinion that the application is of a frivolous, irrelevant or malicious nature; or
- (b) accept the application for consideration.

78 Interested persons to be notified

- (1) This section applies if the Director-General:
- (a) decides under section 77(b) to accept an application; or
 - (b) makes a proposal under section 76AA for the declaration of a general restricted area.
- (2) The Director-General must, for each relevant licensee:
- (a) give the licensee written notice of the application or proposal; and
 - (b) invite the licensee to make written submissions to the Director-General about the application or proposal by a specified time.

- (3) The Director-General must take all steps the Director-General considers are necessary to ascertain the opinions of the people who reside in the relevant area about the application or proposal.
- (4) If the relevant area forms the whole or part of a local government area, the Director-General must:
- (a) give the local government council written notice of the application or proposal; and
 - (b) seek the council's advice about the application or proposal.
- (5) In this section:

relevant licensee, in relation to an application or proposal, means:

- (a) a licensee whose licensed premises is in the relevant area; or
- (b) an applicant for a licence in respect of premises in the relevant area; or
- (c) a licensee whom the Director-General considers may be affected adversely if the relevant area is declared to be a restricted area.

79 Director-General to consider submissions

In considering the application or proposal, the Director-General must take into account the following:

- (a) submissions made under section 78(2);
- (b) opinions provided under section 78(3);
- (c) advice provided under section 78(4).

68 Section 81 amended

- (1) Section 81, heading

omit

after hearing

insert

on whether to make declaration

- (2) Section 81(1)
omit
all words from "Subject" to "Commission must"
insert
After considering the application or proposal, the Director-General must
- (3) Section 81(1)(a)
omit
all words from "and direct" to "applicant"
- (4) After section 81(1)
insert
(1A) As soon as practicable after making a decision under subsection (1), the Director-General must give a decision notice to the applicant, if any, and each other affected person.
- (5) Section 81(2)
omit
Commission
insert
Director-General

69 Section 84 replaced

Section 84

repeal, insert

84 Revocation of declaration

- (1) The Director-General may decide to revoke a declaration of an area of land to be a general restricted area.
- (2) If the declaration was made on an application, as soon as practicable after making the decision to revoke the declaration the Director-General must give a decision notice to the applicant.

70 Section 86C amended

- (1) Section 86C, heading
omit
- Commission**
insert
- Director-General**
- (2) Section 86C(1)
omit, insert
- (1) The Director-General must conduct an inquiry about the application or proposal.
- (3) Section 86C(2)(b), (3), (4)(c) and (5)
omit
- Commission
insert
- Director-General
- (4) Section 86C(3)(b)
omit, insert
- (b) by advertising it in a way specified by the Director-General.
- (5) Section 86C(4)(b), after "application"
insert
- or proposal
- (6) Section 86C(6)
omit, insert
- (6) In conjunction with the inquiry, the Director-General may also conduct the investigations and consultations the Director-General considers appropriate.

71 Section 86E amended

- (1) Section 86E, heading

omit

Commission

insert

Director-General

- (2) Section 86E(1)

omit

, the Commission must

insert

or proposal, the Director-General must

- (3) Section 86E(1)(a)

omit

Commission

insert

Director-General

- (4) Section 86E(1)(b)

omit

the application

insert

to declare the relevant area to be a public restricted area

- (5) Section 86E(3)

omit, insert

- (3) As soon as practicable after making a decision under subsection (1), the Director-General must give a decision notice to the applicant, if any, and each other affected person.

72 Section 86G replaced

Section 86G

repeal, insert

86G Revocation or amendment of declaration

- (1) The Director-General may revoke or amend a declaration of a public restricted area.
- (2) The Director-General may do so:
 - (a) on application by a person who could have applied for the declaration; or
 - (b) on a proposal made by the Director-General on the Director-General's own initiative.
- (3) Sections 86B to 86F apply in relation to a proposal or application under subsection (2) (an **amendment proposal**) as if:
 - (a) a reference in those sections to an application or proposal as mentioned in section 86A were a reference to the amendment proposal under subsection (2); and
 - (b) a reference in those sections to a declaration were a reference to a decision to revoke or amend the declaration; and
 - (c) sections 86C(4) and 86F(2) each required the notice mentioned in that section to specify such a decision; and
 - (d) if the application or proposal is to revoke the declaration – section 86F(3)(a) and (b) and (4) were omitted.

73 Section 92 replaced

Section 92

repeal, insert

92 Decision after consideration

- (1) Subject to section 91(2), after considering an application for a permit, the Director-General must:
 - (a) issue a permit subject to any conditions imposed under section 87(3) or 89A(4); or
 - (b) refuse the application.

-
- (2) As soon as practicable after making a decision under subsection (1), the Director-General must give a decision notice to the applicant.

74 Section 95 amended

- (1) Section 95(5)
omit (all references)
Director
insert
Director-General
- (2) After section 95(11)
insert
- (12) In this section:
obstruct includes hinder and resist.

75 Section 101AN amended

- (1) Section 101AN(5)
omit (all references)
Director
insert
Director-General
- (2) After section 101AN(11)
insert
- (12) In this section:
obstruct includes hinder and resist.

76 Section 101E amended

- (1) Section 101E(1) and (3)
omit
Commission

insert

Director-General

- (2) Section 101E(1) and (3)

omit

it

insert

the Director-General

- (3) Section 101E(4)

omit, insert

- (4) As soon as practicable after making a decision on the application, the Director-General must give a decision notice to the applicant.

77 Section 101K amended

- (1) Section 101K(1) and (2)

omit

Commission

insert

Director-General

- (2) After section 101K(1)

insert

- (1A) As soon as practicable after deciding an application under subsection (1), the Director-General must give a decision notice to the applicant.

- (3) Section 101K(2)

omit

its

insert

the Director-General's

- (4) After section 101K(2)

insert

- (3) As soon as practicable after revoking a declaration under subsection (2), the Director-General must give a decision notice to the person who was the applicant for the declaration.

78 Section 101ZF amended

- (1) Section 101ZF(1) and (2)(b)

omit

Commission

insert

Director-General

- (2) After section 101ZF(2)

insert

- (3) As soon as practicable after making a decision on the application, the Director-General must give a decision notice to the applicant.

79 Section 101ZH repealed

Section 101ZH

repeal

80 Section 119 amended

- (1) Section 119(1)

omit

Commission's

insert

Director-General's

- (2) Section 119(2)(a) and (5)

omit

Director

insert

Director-General

- (3) Section 119(3)

omit, insert

- (3) If the Director-General considers it to be in the public interest, the Director-General may require the applicant to publish notice of the application in the way, and within the period, specified by the Director-General.

- (4) Section 119(4)(d) and (e) and (10)

omit (all references)

Commission

insert

Director-General

- (5) Section 119(6) to (9)

omit, insert

- (6) If an objection to the application is lodged under section 47F, the Director-General must comply with section 47G before making a decision on the application.

- (7) In considering the application, the Director-General must consider:

- (a) any objection to the application made under section 47F; and
- (b) any reply provided by the applicant under section 47G.

- (8) After considering the application, the Director-General must, having regard to the objects of this Act:

- (a) approve the material alteration; or
- (b) refuse to approve the material alteration.

- (9) As soon as practicable after making a decision on the application, the Director-General must give a decision notice to:

- (a) the applicant; and
- (b) each person who lodged an objection to the application under section 47F.

81 Section 120D amended

- (1) Section 120D(1), (2), (3), (4)(b) and (5)

omit

Director

insert

Director-General

- (2) Section 120D(3)

omit

Director's

insert

Director-General's

- (3) Section 120D(6)

omit, insert

- (6) The Director-General may terminate a local liquor accord at any time if the Director-General considers it appropriate to do so.
- (7) As soon as practicable after making a decision under this section, the Director-General must give a decision notice to each party to the local liquor accord.

82 Part XAC inserted

After section 120Z

insert

Part XAC Review of decisions**120ZA Meaning of *reviewable decision***

A ***reviewable decision*** is:

- (a) a decision specified in the Schedule, unless the decision was made by a delegate of the Director-General; or

- (b) a decision made on the review, under Part 3 of the *Licensing (Director-General) Act*, of a decision that:
 - (i) is specified in the Schedule; and
 - (ii) was made by a delegate of the Director-General.

Note for section 120ZA

A decision made under this Act by a delegate of the Director-General is not a reviewable decision but may be a delegate decision under the Licensing (Director-General) Act. Part 3 of that Act sets out procedures for applying for a review of a delegate decision.

120ZB Meaning of *affected person*

- (1) A person is an ***affected person*** for a reviewable decision mentioned in section 120ZA(a) if any of the following apply:
 - (a) for a decision that relates to disciplinary action relating to a licence – the person is the licensee;
 - (b) for a decision that was made in relation to an application – the person is the applicant;
 - (c) the person made a submission, complaint or objection (however described) during the process that resulted in the decision being made.
- (2) In addition, a person is an ***affected person*** for a reviewable decision made under section 106 if the person is the licensee of the licensed premises.
- (3) A person is an ***affected person*** for a reviewable decision mentioned in section 120ZA(b) if the person was an affected person under the *Licensing (Director-General) Act* for the decision that was reviewed under Part 3 of that Act.

120ZC Jurisdiction of Civil and Administrative Tribunal

- (1) An affected person for a reviewable decision may apply to the Civil and Administrative Tribunal for a review of the decision.
- (2) For a reviewable decision that was made under the *Licensing (Director-General) Act*, that Act and this Act are together taken to be the relevant Act for the *Northern Territory Civil and Administrative Tribunal Act*.

120ZD Delegate decisions

- (1) For section 9(a) of the *Licensing (Director-General) Act*, the licensee of the licensed premises is an affected person for a delegate decision made under section 106.
- (2) The regulations may declare that a decision made under this Act by a delegate of the Director-General, other than a decision specified in the Schedule, is not a delegate decision for the *Licensing (Director-General) Act*.

83 Section 120ZE inserted

Before section 121, in Part XI

insert

120ZE Access to information

- (1) For the purpose of performing functions and exercising powers under this Act, a decision maker may:
 - (a) make the inquiries or investigations the decision maker considers necessary; and
 - (b) by written notice, request a person to give specified information or documents to the decision maker within a reasonable time specified in the notice.
- (2) A person must comply with a request under subsection (1)(b).

Maximum penalty: 50 penalty units or imprisonment for 6 months.

- (3) It is a defence to a prosecution for an offence against subsection (2) if the defendant has a reasonable excuse.
- (4) In this section:

decision maker means the Director-General or a delegate of the Director-General.

84 Section 122 repealed

Section 122

repeal

85 Section 126 replaced

Section 126

repeal, insert

126 Approved forms

The Director-General may approve forms for this Act.

86 Parts XIII and XVI repealed

Parts XIII and XVI

repeal

87 Section 146 amended

Section 146

insert (in alphabetical order)

Commission means the Northern Territory Licensing Commission established by section 4 of the *Northern Territory Licensing Commission Act*, as in force immediately before the commencement of section 29 of the *Licensing (Director-General) Act 2014*.

88 Part XIX and Schedule inserted

After section 148

insert

Part XIX Transitional matters for Licensing (Director-General) Act 2014**Division 1 Definitions****149 Definitions**

In this Part:

2014 Acts means the *Licensing (Director-General) Act 2014* and 2014 Amending Act.

2014 Amending Act means the *Licensing (Repeals and Consequential Amendments) Act 2014*.

commencement means the commencement of section 22 of the *Licensing (Director-General) Act 2014*.

Commission means the Commission as defined in section 3 of the NTLC Act.

NTLC Act means the *Northern Territory Licensing Commission Act* as in force immediately before the commencement.

NTLC Director means the Director as defined in section 3 of the NTLC Act.

old legislation means the NTLC Act and this Act as in force immediately before the commencement.

Division 2 Applications

150 Application to NTLC Director – pending decision

- (1) This section applies if, before the commencement:
 - (a) an application had been made under this Act for a decision to be made by the NTLC Director; but
 - (b) the NTLC Director had not made a decision on the application.
- (2) The application:
 - (a) is taken to be an application made on the commencement for the decision to be made by the Director-General; and
 - (b) must be dealt with and determined in accordance with this Act as amended by the 2014 Amending Act.

Note for section 150

*The Director-General's decision on the application will be a decision made after the commencement and may therefore be a reviewable decision or a decision to which Part 3 of the *Licensing (Director-General Act)* applies.*

151 Application to Commission – not yet considered

- (1) This section applies if, before the commencement:
 - (a) an application had been made under this Act for a decision to be made by the Commission; but
 - (b) the Commission had not commenced active consideration of the application.

- (2) The application:
- (a) is taken to be an application made on the commencement for the decision to be made by the Director-General; and
 - (b) must be dealt with and determined in accordance with this Act as amended by the 2014 Amending Act.

Note for section 151

The Director-General's decision on the application will be a decision made after the commencement and may therefore be a reviewable decision or a decision to which Part 3 of the Licensing (Director-General) Act applies.

152 Application to Commission – under active consideration

- (1) This section applies if, before the commencement:
- (a) an application had been made under this Act for a decision to be made by the Commission and the Commission had commenced active consideration of the application; but
 - (b) the Commission had not made a decision.
- (2) The Commission must deal with and determine the application in accordance with the old legislation as if the 2014 Acts had not commenced.
- (3) However, the Commission's decision is then taken to have been made by the Director-General.

Note for section 152(3)

As the decision will be made after the commencement and will be taken to be a decision of the Director-General, it may be a reviewable decision.

153 Active consideration

Regulations may make provision for determining when active consideration of an application commences for this Division.

Division 3 Review of decisions

154 New review regime applies to post-commencement decisions

Part XAC applies only in relation to decisions made after the commencement.

155 Review of pre-commencement decision – application not yet made

- (1) This section applies if, before the commencement:
 - (a) a decision had been made under this Act and the period for applying for a review of the decision under Part 4 of the NTLC Act or under this Act had not expired; but
 - (b) an application for a review had not been made.
- (2) A person who would have been entitled to apply for a review of the decision under the old legislation may do so under the old legislation, as if the 2014 Acts had not commenced.
- (3) The Commission must review the decision in accordance with the old legislation as if the 2014 Acts had not commenced.

156 Review of pre-commencement decision – application made

- (1) This section applies if, before the commencement:
 - (a) an application had been made under the old legislation for a review of a decision made under this Act; but
 - (b) the Commission had not completed the review.
- (2) The Commission must complete the review in accordance with the old legislation as if the 2014 Acts had not commenced.

Division 4 Complaints**157 New complaints regime applies to post-commencement complaints**

Subject to section 158, Part VII as amended by the 2014 Amending Act applies only in relation to complaints made after the commencement.

158 Complaint made before commencement – pending action

- (1) This section applies if, before the commencement:
 - (a) a complaint had been made under section 68, as then in force; but
 - (b) the NTLC Director had not taken action under section 68(5), as then in force, in relation to the complaint.

- (2) The complaint:
- (a) is taken to have been made to the Director-General on the commencement; and
 - (b) must be dealt with and determined in accordance with this Act as amended by the 2014 Amending Act.

Note for section 158

The Director-General's decision on the complaint will be a decision made after the commencement and may therefore be a reviewable decision or a decision to which Part 3 of the Licensing (Director-General Act) applies.

159 Application for disciplinary action made before commencement

- (1) This section applies if, before the commencement:
- (a) the NTLC Director had applied to the Commission under section 69, as then in force, for disciplinary action to be taken against a licensee; but
 - (b) the Commission had not made a decision on the application.
- (2) The Commission must deal with and decide the application in accordance with the old legislation as if the 2014 Acts had not commenced.
- (3) If the Commission decides an application as mentioned in subsection (2):
- (a) section 160 applies in relation to the Commission's decision as if it had been made before the commencement; and
 - (b) Part XAC does not apply in relation to the decision.

160 Appeal against pre-commencement disciplinary decision – appeal not yet commenced

- (1) This section applies if, before the commencement:
- (a) a decision had been made under Part VII, Division 3, as then in force, and the period for commencing an appeal against the decision with the Supreme Court had not expired; but
 - (b) an appeal had not been commenced.
- (2) A person who would have been entitled to appeal against the decision under the old legislation may do so under the old legislation as if the 2014 Acts had not commenced.

- (3) The Supreme Court must hear and determine the appeal in accordance with the old legislation as if the 2014 Acts had not commenced.

161 Appeal against pre-commencement disciplinary decision – appeal commenced

- (1) This section applies if, before the commencement:
- (a) an appeal against a decision made under Part VII, Division 3, as then in force, had been commenced with the Supreme Court; but
 - (b) the Supreme Court had not determined the appeal.
- (2) The Supreme Court must hear and determine the appeal in accordance with the old legislation as if the 2014 Acts had not commenced.

Division 5 General matters

162 Continuation of ongoing documents and things

- (1) This section applies if:
- (a) before the commencement, a power or function was conferred by this Act on an NTLC entity; and
 - (b) on the commencement, the power or function (or a substantially similar power or function) is conferred on the Director-General.
- (2) On the commencement, an ongoing document continues with the same force and effect as if it had been issued by, or given to, the Director-General.
- (3) On the commencement, an ongoing thing continues with the same force and effect as if it had been done by, or in relation to, the Director-General.
- (4) This section applies subject to the other provisions of this Part and Part 5, Division 2 of the *Licensing (Director-General) Act*.
- (5) In this section, a reference to something done before the commencement includes a reference to something done after the commencement in accordance with this Part as if it had been done before the commencement.

(6) In this section:

NTLC entity means the Commission, the NTLC Director or the Chairperson (as defined in section 3 of the NTLC Act).

ongoing document means a document that:

- (a) was issued by, or given to, the NTLC entity before the commencement in or for the exercise of the power or performance of the function; and
- (b) immediately before the commencement, had ongoing effect.

ongoing thing means a thing that:

- (a) was done by, or in relation to, the NTLC entity before the commencement in or for the exercise of the power or performance of the function; and
- (b) immediately before the commencement, had ongoing effect.

Schedule Reviewable decisions

sections 120ZA, 120ZB and 120ZD

Section Decision

29	Decision to issue licence or refuse application
31	Decision to issue licence subject to condition
32A	Decision to vary, or refuse to vary, conditions of licence
33	Decision to vary conditions of licence
33F	Decision to grant, or refuse to grant, exemption
43	Decision to refuse application for transfer of licence
46A	Decision to approve or refuse application for substitution of premises
49A	Decision to suspend licence
59	Decision to issue special licence subject to condition or refuse to issue special licence
63	Decision to revoke special licence
68	Decision to dismiss complaint

Section Decision

69(3)	Decision to take disciplinary action against licensee
81	Decision to declare, or refuse to declare, general restricted area
84	Decision to revoke declaration of general restricted area
86E	Decision to declare, or refuse to declare, public restricted area
86G	Decision to revoke or amend declaration of public restricted area or to refuse application
92	Decision to issue permit or refuse application
101E	Decision to declare, or refuse to declare, restricted premises
101H	Decision to vary, or refuse to vary, declaration of restricted premises
101K(1)	Decision on application to revoke declaration of restricted premises
101K(2)	Decision to revoke declaration of restricted premises
101ZF	Decision to issue, or refuse to issue, exemption certificate
106	Decision to declare licensed premises or part of premises to be prohibited area for children
119(8)	Decision to approve, or refuse to approve, material alteration

89 Act further amended

Schedule 4 has effect.

Part 6 Amendment of Private Security Act
90 Act amended

This Part amends the *Private Security Act*.

91 Section 3 amended

- (1) Section 3, definitions ***approved*** and ***licensing authority***
omit

(2) Section 3

insert (in alphabetical order)

affected person, see section 53F.

approved form means a form approved under section 61.

decision notice, for a decision, means a written notice setting out:

- (a) the decision and the reasons for it; and
- (b) any right the person to whom the notice is to be given has, under this Act or the *Licensing (Director-General) Act*, to apply for a review of, or to appeal, the decision.

Director-General, see section 3 of the *Licensing (Director-General) Act*.

reviewable decision, see section 53E.

Tribunal means the Civil and Administrative Tribunal.

92 Section 15 amended

(1) Section 15(3)(b), (4)(b) and (c), (5) and (6)

omit

licensing authority

insert

Director-General

(2) After section 15(7)

insert

- (7A) However, if the Tribunal has previously granted a licence to the person under section 53H despite the person having been convicted of a disqualifying offence, that conviction is to be disregarded for the purposes of subsection (7).

(3) Section 15(8)

omit

all words from "The" to "authority has"

insert

The Director-General may, in the Director-General's absolute discretion, refuse to grant a licence to an applicant if the Director-General has

- (4) Section 15(8)

omit

, and the licensing authority shall give reasons for its decision

93 Section 18 amended

- (1) Section 18(2) to (7)

omit (all references)

licensing authority

insert

Director-General

- (2) Section 18(7)(a)

omit

on payment of the approved fee to the approved person or body,

- (3) Section 18(7)(b)

omit

all words from "written" to "condition."

insert

decision notice for the decision to impose the condition.

- (4) Section 18(8)

omit, insert

- (8) If the Director-General refuses to grant the licence, the Director-General must, as soon as practicable, give a decision notice to the applicant.

94 Section 20 amended

- (1) Section 20(1), (2), (2A), (2C) and (5)
omit (all references)
licensing authority
insert
Director-General
- (2) Section 20(3)
omit, insert
- (3) If the Director-General decides to amend the conditions under subsection (2) or refuse to amend the conditions under subsection (2C), as soon as practicable after doing so, the Director-General must give a decision notice to the licensee.

95 Section 25 amended

- (1) Section 25(1), (2) and (3)
omit (all references)
licensing authority
insert
Director-General
- (2) Section 25(4)
omit, insert
- (4) If the Director-General decides to refuse to replace the licence, as soon as practicable after doing so, the Director-General must give a decision notice to the applicant.

96 Section 27 amended

- (1) Section 27(1) and (2)
omit (all references)
licensing authority

insert

Director-General

- (2) Section 27(1)(c)

omit

licensing authority's

insert

Director-General's

- (3) Section 27(2)

omit

exist, it

insert

exist, the Director-General

- (4) Section 27(3) and (4)

omit, insert

- (3) As soon as practicable after making a decision under subsection (2) the Director-General must:

(a) if the decision is to take no action – inform the licensee of the decision by written notice; or

(b) otherwise – give a decision notice to the licensee.

- (5) Section 27(6)

omit

licensing authority may, where it

insert

Director-General may, if the Director-General

- (6) Section 27(6)

omit

all words from "serving" to "decision."

insert

giving a decision notice to the licensee.

97 Sections 30 to 34 repealed

Sections 30 to 34

repeal

98 Section 53D amended

(1) Section 53D(1)

omit

all words from "On" to "authority"

insert

After considering and investigating a complaint under section 53C,
the Director-General

(2) Section 53D(1)(a)

omit

licensing authority's

insert

Director-General's

(3) Section 53D(2)

omit

all words from "The" to "notice of"

insert

As soon as practicable after making the determination, the
Director-General must give a decision notice for the decision to
make

(4) Section 53D(3)

omit

99 Section 53E replaced

Section 53E

repeal, insert

Part 6B Review of decisions**53E Meaning of *reviewable decision***

A ***reviewable decision*** is:

- (a) a decision specified in the Schedule, unless the decision was made by a delegate of the Director-General; or
- (b) a decision made by a delegate of the Director-General under section 18 to refuse to grant a licence because the applicant is not an appropriate person to hold the licence under section 15(7); or
- (c) a decision made on the review, under Part 3 of the *Licensing (Director-General) Act*, of a decision that:
 - (i) is specified in the Schedule; and
 - (ii) was made by a delegate of the Director-General.

Note for section 53E

A decision made under this Act by a delegate of the Director-General is not a reviewable decision but may be a delegate decision under the Licensing (Director-General) Act. Part 3 of that Act sets out procedures for applying for a review of a delegate decision.

53F Meaning of *affected person*

- (1) A person is an ***affected person*** for a reviewable decision mentioned in section 53E(a) if the person is specified in the Schedule opposite the decision.
- (2) A person is an ***affected person*** for a reviewable decision mentioned in section 53E(b) if the person was the applicant for the licence.
- (3) A person is an ***affected person*** for a reviewable decision mentioned in section 53E(c) if the person was an affected person under the *Licensing (Director-General) Act* for the decision that was reviewed under Part 3 of that Act.

53G Jurisdiction of Tribunal

- (1) An affected person for a reviewable decision may apply to the Tribunal for a review of the decision.
- (2) For a reviewable decision that was made under the *Licensing (Director-General) Act*, that Act and this Act are together taken to be the relevant Act for the *Northern Territory Civil and Administrative Tribunal Act*.

53H Licence refused because of disqualifying offence

- (1) This section applies if:
 - (a) a person (the **applicant**) applies for a licence; and
 - (b) the applicant is not an appropriate person to hold a licence because the applicant has been convicted of an offence mentioned in section 15(7); and
 - (c) the Director-General or a delegate of the Director-General refuses to grant the licence on that ground; and
 - (d) the applicant applies to the Tribunal for a review of the decision.
- (2) On the review of the decision, the Tribunal may set aside the decision and substitute its own decision to grant a licence to the applicant despite section 15(7).
- (3) The Tribunal may do so only if satisfied, on the balance of probabilities, that the applicant is a suitable person to be granted the licence despite the conviction.
- (4) To avoid doubt, the Tribunal may grant the licence even though the Director-General or a delegate of the Director-General, in deciding the application, could not have done so because of section 15(7).

53J Delegate decisions

Each of the following is not a delegate decision for the *Licensing (Director-General) Act*.

- (a) a decision made by a delegate of the Director-General under section 18 to refuse to grant a licence because the applicant is not an appropriate person to hold the licence under section 15(7);

- (b) a decision, other than a decision specified in the Schedule, made under this Act by a delegate of the Director-General that is prescribed by regulation.

100 Section 57 amended

- (1) Section 57, before "A person"

insert

(1)

- (2) Section 57

omit

all words from ", unless" to "person."

insert

other than an excused conviction.

- (3) Section 57, at the end

insert

- (2) If the Tribunal has previously granted a licence to a person under section 53H despite the person having been convicted of a disqualifying offence, that conviction is an excused conviction for subsection (1).

101 Section 61 replaced

Section 61

repeal, insert

61 Approved forms

The Director-General may approve forms for this Act.

102 Part 8 and Schedule inserted

After section 66

insert

Part 8 Transitional matters for Licensing (Director-General) Act 2014**Division 1 Definitions****67 Definitions**

In this Part:

2014 Acts means the *Licensing (Director-General) Act 2014* and 2014 Amending Act.

2014 Amending Act means the *Licensing (Repeals and Consequential Amendments) Act 2014*.

commencement means the commencement of section 22 of the *Licensing (Director-General) Act 2014*.

licensing authority means the licensing authority as defined in section 3 as in force immediately before the commencement.

NTLC Act means the *Northern Territory Licensing Commission Act* as in force immediately before the commencement.

old legislation means the NTLC Act and this Act, as in force immediately before the commencement.

Division 2 Applications**68 Application to licensing authority – not yet considered**

- (1) This section applies if, before the commencement:
 - (a) an application had been made under this Act for a decision to be made by the licensing authority; but
 - (b) the licensing authority had not commenced active consideration of the application.
- (2) The application:
 - (a) is taken to be an application made on the commencement for the decision to be made by the Director-General; and

- (b) must be dealt with and determined in accordance with this Act as amended by the 2014 Amending Act.

Note for section 68

The Director-General's decision on the application will be a decision made after the commencement and may therefore be a reviewable decision or a decision to which Part 3 of the Licensing (Director-General) Act applies.

69 Application to licensing authority – under active consideration

- (1) This section applies if, before the commencement:
- (a) an application had been made under this Act for a decision to be made by the licensing authority and the licensing authority had commenced active consideration of the application; but
 - (b) the licensing authority had not made a decision.
- (2) The licensing authority must deal with and determine the application in accordance with the old legislation as if the 2014 Acts had not commenced.
- (3) However, the licensing authority's decision is then taken to have been made by the Director-General.

Note for section 69(3)

As the decision will be made after the commencement and will be taken to be a decision of the Director-General, it may be a reviewable decision.

Division 3 Review of decisions and appeals

70 New review regime applies to post-commencement decisions

Part 6B applies only in relation to decisions made after the commencement.

71 Appeal against pre-commencement decision – appeal not yet commenced

- (1) This section applies if, before the commencement:
- (a) a decision had been made under this Act and the period for filing a notice of appeal against the decision under section 30, as then in force, had not expired; but
 - (b) a notice of appeal had not been filed.
- (2) A person who would have been entitled to appeal against the decision under the old legislation may do so under the old legislation, as if the 2014 Acts had not commenced.

- (3) The Local Court must hear and determine the appeal in accordance with the old legislation as if the 2014 Acts had not commenced.

72 Appeal against pre-commencement decision – appeal commenced

- (1) This section applies if, before the commencement:
- (a) an appeal against a decision made under this Act had been commenced under section 31, as then in force; but
 - (b) the appeal had not been finally determined.
- (2) The Local Court must hear and determine the appeal in accordance with the old legislation as if the 2014 Acts had not commenced.

Division 4 Complaints

73 New complaints regime applies to post-commencement complaints

Subject to section 74, Part 6A, as amended by the 2014 Amending Act, applies only in relation to complaints made after the commencement.

74 Complaint made before commencement – not yet considered

- (1) This section applies if, before the commencement:
- (a) a complaint had been made under section 53A, as then in force; but
 - (b) the licensing authority had not commenced active consideration of the complaint.
- (2) The complaint:
- (a) is taken to have been made to the Director-General on the commencement; and
 - (b) must be dealt with and determined in accordance with Part 6A as amended by the 2014 Amending Act.

Note for section 74

The Director-General's decision on the complaint will be a decision made after the commencement and may therefore be a reviewable decision or a decision to which Part 3 of the Licensing (Director-General) Act applies.

75 Complaint made before commencement – under active consideration

- (1) This section applies if, before the commencement:
 - (a) the licensing authority had commenced active consideration of a complaint made under section 53A, as then in force; but
 - (b) the licensing authority had not determined the complaint under section 53D, as then in force.
- (2) The licensing authority must deal with and determine the complaint in accordance with the old legislation as if the 2014 Acts had not commenced.
- (3) If the licensing authority determines a complaint as mentioned in subsection (2):
 - (a) section 76 applies in relation to the licensing authority's decision as if it had been made before the commencement; and
 - (b) Part 6B does not apply in relation to the determination.

76 Review of pre-commencement complaint decision – application not yet made

- (1) This section applies if, before the commencement:
 - (a) the licensing authority had made a decision under section 53D, as then in force, and the period for applying for a review of the decision under Part 4 of the NTLC Act had not expired; but
 - (b) an application for a review of the decision had not been made.

Note for subsection (1)

Under section 53E, as in force immediately before the commencement, a decision of the licensing authority under section 53D was reviewable under Part 4 of the NTLC Act.

- (2) A person who would have been entitled to apply for a review of the decision under the old legislation may do so under the old legislation as if the 2014 Acts had not commenced.
- (3) The licensing authority must review the decision in accordance with the old legislation as if the 2014 Acts had not commenced.

77 Review of pre-commencement complaint decision – application made

- (1) This section applies if, before the commencement:
 - (a) an application had been made under section 28 of the NTLC Act for a review of a decision made under section 53D, as then in force; but
 - (b) the licensing authority had not completed the review.
- (2) The licensing authority must complete the review in accordance with the old legislation as if the 2014 Acts had not commenced.

Division 5 General matters**78 Continuation of ongoing documents and things**

- (1) This section applies if:
 - (a) before the commencement, a power or function was conferred by this Act on the licensing authority; and
 - (b) on the commencement, the power or function (or a substantially similar power or function) is conferred on the Director-General.
- (2) On the commencement, an ongoing document continues with the same force and effect as if it had been issued by, or given to, the Director-General.
- (3) On the commencement, an ongoing thing continues with the same force and effect as if it had been done by, or in relation to, the Director-General.
- (4) This section applies subject to the other provisions of this Part and Part 5, Division 2 of the *Licensing (Director-General) Act*.
- (5) In this section, a reference to something done before the commencement includes a reference to something done after the commencement in accordance with this Part as if it had been done before the commencement.
- (6) In this section:

ongoing document means a document that:

 - (a) was issued by, or given to, the licensing authority before the commencement in or for the exercise of the power or performance of the function; and

- (b) immediately before the commencement, had ongoing effect.

ongoing thing means a thing that:

- (a) was done by, or in relation to, the licensing authority before the commencement in or for the exercise of the power or performance of the function; and
- (b) immediately before the commencement, had ongoing effect.

79 Active consideration

Regulations may make provision for determining when active consideration of:

- (a) an application commences for Division 2; or
- (b) a complaint commences for Division 4.

80 Licence issued despite disqualifying offence

A reference in section 15(7A) or 57(2) to a licence issued by the Tribunal under section 53H includes a reference to a licence issued before the commencement by the Local Court under section 34(4), as then in force.

Schedule Reviewable decisions and affected persons

sections 53E, 53F(1) and 53J

Section	Decision	Affected person
18	Decision to refuse to grant licence	Applicant
19	Decision to impose condition on licence	Applicant
20(2)	Decision to amend conditions on licence	Licensee
20(2C)	Decision to refuse to amend conditions on licence	Licensee
23(4)	Decision not to extend period of provisional licence	Holder of licence
25	Decision to refuse to replace licence	Licensee
27(2)	Decision to suspend, cancel, or refuse to renew licence or to impose penalty	Licensee

53D Decision to determine complaint Licensee

103 Act further amended

Schedule 5 has effect.

Part 7 Amendment of Prostitution Regulation Act

104 Act amended

This Part amends the *Prostitution Regulation Act*.

105 Section 3 amended

(1) Section 3, definitions ***approved form, Chairperson, Commission, Director*** and ***Tribunal***

omit

(2) Section 3

insert (in alphabetical order)

affected person, see section 47D.

approved form means a form approved under section 49A.

decision notice, for a decision, means a written notice setting out:

- (a) the decision and the reasons for it; and
- (b) any right the person to whom the notice is to be given has, under this Act or the *Licensing (Director-General) Act*, to apply for a review of, or to appeal, the decision.

Director-General, see section 3 of the *Licensing (Director-General) Act*.

reviewable decision, see section 47C.

Tribunal means the Civil and Administrative Tribunal.

106 Section 28 amended

(1) Section 28, heading

omit

Commission

insert

Director-General

- (2) Section 28(1), (2)(a) and (b) and (4)

omit (all references)

Commission

insert

Director-General

- (3) Section 28(3)

omit

Commission may if it

insert

Director-General may, if the Director-General

- (4) Section 28(5)

omit

107 Section 29A inserted

After section 29

insert

29A Notice of decision

- (1) Within 14 days after making a decision under section 28, the Director-General must give a decision notice to:
- (a) if the decision is to grant or renew a licence – the Minister; or
 - (b) if the decision is to refuse to grant or renew a licence – the applicant.
- (2) On deciding to impose or vary a condition or restriction on a licence under section 29(1), the Director-General must give a decision notice to the applicant and the Minister.

108 Section 30 amended

Section 30(5) and (6)

omit, insert

- (5) If, on the day on which a licence would, but for this subsection, expire, an application for the renewal of the licence has not been determined, the licence continues in force because of this subsection (but subject to this Act):
- (a) until the person determining the application renews the licence; or
 - (b) if the person refuses the application (the **refusal decision**) – until:
 - (i) the day on which the licence is renewed after one of the following (each of which is a **review**):
 - (A) a review by the Director-General of the refusal decision (an **internal review decision**);
 - (B) a review by the Tribunal of the refusal decision or internal review decision (a **Tribunal decision**);
 - (C) an appeal to the Supreme Court against a Tribunal decision; or
 - (ii) the day on which:
 - (A) the applicant no longer has a right to apply for or commence a review; and
 - (B) any review that the applicant has applied for or commenced has been decided.
- (6) If, on the day on which a licence would, but for this subsection, expire, the licensee:
- (a) has applied for or commenced a review in relation to a refusal of an application for the renewal of the licence; or
 - (b) has a right to do so;

the licence continues in force because of this subsection (but subject to this Act) until the relevant day mentioned in subsection (5)(b).

109 Section 31 amended

- (1) Section 31(1) and (5)
omit
Commission
insert
Director-General
- (2) Section 31(1)
omit
it is
- (3) Section 31(4)
omit
Commission may if it
insert
Director-General may if the Director-General
- (4) Section 31(5)
omit
it shall
insert
the Director-General must
- (5) Section 31(6)
omit, insert
- (6) If the Director-General decides to cancel a licence under this section:
- (a) the Director-General must give a decision notice to the licensee; and
 - (b) the cancellation takes effect when the notice is given to the licensee.

110 Section 32 amended

- (1) Section 32(1), (3) and (4)
omit (all references)
Commission
insert
Director-General
- (2) Section 32(3)
omit
it is
- (3) Section 32(4)
omit
it may also if it thinks fit
insert
the Director-General may also
- (4) Section 32(5)
omit, insert
- (5) On making a decision under this section, the Director-General must give a decision notice to the following:
- (a) if the decision is to cancel or suspend a licence – the licensee;
 - (b) if the decision is to impose or vary a condition or restriction on a licence – the licensee;
 - (c) unless the decision is to cancel a licence – the Minister.
- (6) A decision mentioned in subsection (5)(a) or (b) takes effect when the notice is given to the licensee.

111 Part 3, Divisions 4 to 6 repealed

Part 3, Divisions 4 to 6

repeal

112 Sections 42A and 42B inserted

Before section 43, in Part 3, Division 8

insert

42A Access to information

- (1) For the purpose of performing functions and exercising powers under this Part, the Director-General may:
- (a) make the inquiries or investigations the Director-General considers necessary; and
 - (b) by written notice, request a person to give specified information or documents to the Director-General within a reasonable time specified in the notice.
- (2) A person must comply with a request under subsection (1)(b).

Maximum penalty: 50 penalty units or imprisonment for 6 months.

- (3) It is a defence to a prosecution for an offence against subsection (2) if the defendant has a reasonable excuse.

42B Minister may make submissions

The Minister may make a written submission to the Director-General in relation to any matter being considered by the Director-General under this Act.

113 Section 43 amended

- (1) Section 43(1)

omit

Commission

insert

Director-General

(2) Section 43(2)

omit, insert

(2) As soon as practicable after deciding the application, the Director-General must give a decision notice to:

(a) if the decision is to refuse to remove or vary the condition or restriction – the licensee; or

(b) if the decision is to remove or vary the condition or restriction – the Minister.

(3) Section 43(3)

omit

Commission may in its

insert

Director-General may in the Director-General's

114 Section 44 replaced

Section 44

repeal, insert

44 Police to be notified of Director-General's decisions

The Director-General must notify the Commissioner of Police of the following:

(a) all decisions specified in the Schedule that are made by a delegate of the Director-General;

(b) all reviewable decisions made;

(c) the results of any review by the Tribunal of a reviewable decision.

115 Sections 47 and 47A repealed

Sections 47 and 47A

repeal

116 Part 3A inserted

After section 47B

insert

Part 3A Review of decisions**Division 1 Definitions****47C Meaning of *reviewable decision***

A ***reviewable decision*** is:

- (a) a decision specified in the Schedule, unless the decision was made by a delegate of the Director-General; or
- (b) a decision made on the review, under Part 3 of the *Licensing (Director-General) Act*, of a decision that:
 - (i) is specified in the Schedule; and
 - (ii) was made by a delegate of the Director-General.

Note for section 47C

A decision made under this Act by a delegate of the Director-General is not a reviewable decision but may be a delegate decision under the Licensing (Director-General) Act. Part 3 of that Act sets out procedures for applying for a review of a delegate decision.

47D Meaning of *affected person*

- (1) A person is an ***affected person*** for a reviewable decision mentioned in section 47C(a) if the person is specified in the Schedule opposite the decision.
- (2) A person is an ***affected person*** for a reviewable decision mentioned in section 47C(b) if the person was an affected person under the *Licensing (Director-General) Act* for the decision that was reviewed under Part 3 of that Act.

Division 2 Review of reviewable decisions**47E Jurisdiction of Tribunal**

- (1) An affected person for a reviewable decision may apply to the Tribunal for a review of the decision.
- (2) For a reviewable decision that was made under the *Licensing*

(Director-General) Act, that Act and this Act are together taken to be the relevant Act for the *Northern Territory Civil and Administrative Tribunal Act*.

47F Minister may intervene

The Minister may, on behalf of the Territory, intervene in a review proceeding in relation to a reviewable decision before the Tribunal at any time without the leave of the Tribunal.

47G Tribunal may make different decision when certificate refused or cancelled

- (1) This section applies if:
 - (a) the Commissioner of Police refuses to issue a certificate in respect of an individual under section 9, or cancels a certificate issued in respect of an individual under section 9, on the ground that the individual has been found guilty of an offence of a kind mentioned in section 9(3); and
 - (b) the individual applies to the Tribunal for a review of the decision.
- (2) On the review of the decision, if the Tribunal is satisfied that there are adequate grounds for disregarding the offence, the Tribunal may:
 - (a) order that the offence be disregarded; and
 - (b) direct the Commissioner of Police to issue a certificate to the individual or quash the cancellation.
- (3) To avoid doubt, the Tribunal may direct the Commissioner to issue the certificate or quash the cancellation, and the Commissioner must comply with the order, even though, in the absence of the order, the Commissioner would not have been permitted to issue the certificate or quash the cancellation.

Division 3 Review of decisions made by delegate of Director-General

47H Regulations may declare decision not to be reviewable

The regulations may declare that a decision made under this Act by a delegate of the Director-General, other than a decision specified in the Schedule, is not a delegate decision for the *Licensing (Director-General) Act*.

47J Minister may make submissions

- (1) The Minister may make written submissions to the Director-General in relation to the review of a delegate decision under the *Licensing (Director-General) Act* even if the Minister is not the applicant for the review.
- (2) The Director-General must take the submissions into account in reviewing the delegate decision.

117 Section 49A replaced

Section 49A

repeal, insert

49A Approved forms

The Director-General may approve forms for this Act.

118 Section 52A inserted

After section 52

insert

52A Protection from liability

- (1) A person is not civilly or criminally liable for an act done or omitted to be done by the person in good faith in the exercise of a power or performance of a function as a person:
 - (a) employed or engaged in, or in connection with, the administration or enforcement of this Act; or
 - (b) who is otherwise concerned in the administration or enforcement of this Act.
- (2) Subsection (1) does not affect any liability the Territory would, apart from that subsection, have for the act or omission.
- (3) In this section:

exercise, of a power, includes the purported exercise of the power.

performance, of a function, includes the purported performance of the function.

119 Part 5, Division 1 heading inserted

Before section 55

insert

Part 5 Repeals and transitional matters

Division 1 Repeal

120 Part 5, Division 2 and Schedule inserted

After section 55

insert

Division 2 Transitional matters for Licensing (Director-General) Act 2014

Subdivision 1 Definitions

56 Definitions

In this Division:

2014 Acts means the *Licensing (Director-General) Act 2014* and 2014 Amending Act.

2014 Amending Act means the *Licensing (Repeals and Consequential Amendments) Act 2014*.

commencement means the commencement of section 22 of the *Licensing (Director-General) Act 2014*.

Commission means the Commission as defined in section 3 of the NTLC Act.

Escort Tribunal means the Escort Agency Licensing Appeals Tribunal provided for by Part 3, Division 4 as in force immediately before the commencement.

NTLC Act means the *Northern Territory Licensing Commission Act* as in force immediately before the commencement.

NTLC Director means the Director as defined in section 3 of the NTLC Act.

old legislation means the NTLC Act and this Act, as in force immediately before the commencement.

Subdivision 2 Applications

57 Application to Commission – not yet considered

- (1) This section applies if, before the commencement:
 - (a) an application had been made under this Act for a decision to be made by the Commission; but
 - (b) the Commission had not commenced active consideration of the application.
- (2) The application:
 - (a) is taken to be an application made on the commencement for the decision to be made by the Director-General; and
 - (b) must be dealt with and determined in accordance with this Act as amended by the 2014 Amending Act.

Note for section 57

The Director-General's decision on the application will be a decision made after the commencement and may therefore be a reviewable decision or a decision to which Part 3 of the Licensing (Director-General) Act applies.

58 Application to Commission – under active consideration

- (1) This section applies if, before the commencement:
 - (a) an application had been made under this Act for a decision to be made by the Commission and the Commission had commenced active consideration of the application; but
 - (b) the Commission had not made a decision.
- (2) The Commission must deal with and determine the application in accordance with the old legislation as if the 2014 Acts had not commenced.
- (3) However, the Commission's decision is then taken to have been made by the Director-General.

Note for section 58(3)

As the decision will be made after the commencement and will be taken to be a decision of the Director-General, it may be a reviewable decision.

59 Active consideration

Regulations may make provision for determining when active consideration of an application commences for this Subdivision.

Subdivision 3 Review of decisions**60 New review regime applies to post-commencement decisions**

Part 3A applies only in relation to decisions made after the commencement.

61 Appeal to Escort Tribunal against pre-commencement decision – appeal not yet lodged

- (1) This section applies if, before the commencement:
 - (a) a decision had been made under this Act and the period for lodging an appeal against the decision under Part 3, Division 4, as then in force, had not expired; but
 - (b) an appeal against the decision had not been lodged.
- (2) A person who would have been entitled to appeal against the decision under the old legislation may do so under this Act, as if the 2014 Acts had not commenced.
- (3) The Escort Tribunal must hear and determine the appeal in accordance with this Act as if the 2014 Acts had not commenced.
- (4) If the Escort Tribunal determines an appeal as mentioned in subsection (3), section 63 applies in relation to the Escort Tribunal's decision as if it had been made before the commencement.

62 Appeal to Escort Tribunal against pre-commencement decision – appeal commenced

- (1) This section applies if, before the commencement:
 - (a) an appeal against a decision made under this Act had been lodged under section 36, as then in force; but
 - (b) the appeal had not been finally determined.
- (2) The Escort Tribunal must hear and determine the appeal in accordance with this Act as if the 2014 Acts had not commenced.
- (3) If the Escort Tribunal determines an appeal as mentioned in subsection (2), section 63 applies in relation to the Escort Tribunal's decision as if it had been made before the commencement.

63 Appeal to Supreme Court against pre-commencement decision – appeal not yet lodged

- (1) This section applies if, before the commencement:
 - (a) a decision had been made by the Escort Tribunal under this Act and the period for lodging an appeal against the decision under section 40, as then in force, had not expired; but
 - (b) an appeal against the decision had not been lodged.
- (2) A person who would have been entitled to appeal against the decision under the old legislation may do so under the old legislation, as if the 2014 Acts had not commenced.
- (3) The Supreme Court must hear and determine the appeal in accordance with this Act as if the 2014 Acts had not commenced.

Subdivision 4 General matters**64 Continuation of ongoing documents and things**

- (1) This section applies if:
 - (a) before the commencement, a power or function was conferred by this Act on a former entity; and
 - (b) on the commencement, the power or function (or a substantially similar power or function) is conferred on the Director-General.
- (2) On the commencement, an ongoing document continues with the same force and effect as if it had been issued by, or given to, the Director-General.
- (3) On the commencement, an ongoing thing continues with the same force and effect as if it had been done by, or in relation to, the Director-General.
- (4) This section applies subject to the other provisions of this Division and Part 5, Division 2 of the *Licensing (Director-General) Act*.
- (5) In this section, a reference to something done before the commencement includes a reference to something done after the commencement in accordance with this Division as if it had been done before the commencement.

(6) In this section:

former entity means the Commission, the NTLC Director, the Chairperson (as defined in section 3 of the NTLC Act) or the Escort Tribunal.

ongoing document means a document that:

- (a) before the commencement, was issued by, or given to, the former entity in or for the exercise of the power or performance of the function; and
- (b) immediately before the commencement, had ongoing effect.

ongoing thing means a thing that:

- (a) before the commencement, was done by, or in relation to, the former entity in or for the exercise of the power or performance of the function; and
- (b) immediately before the commencement, had ongoing effect.

Schedule Reviewable decisions and affected persons

sections 47C, 47D(1) and 47H

Section	Decision	Affected person
9(3)	Decision to refuse to issue certificate in respect of individual	Individual
9(9)	Decision to cancel certificate in respect of individual	Individual
28(1)(a)	Decision to grant or renew licence	Minister
28(1)(b)	Decision to refuse to grant or renew licence	Applicant
29(1)(a)	Decision to grant licence subject to condition or restriction	Licensee, Minister
29(1)(b)	Decision to vary or impose condition or restriction on renewal of licence	Licensee, Minister
31	Decision to cancel licence (other than a manager's licence under section 31(5))	Licensee

32	Decision to cancel or suspend licence	Licensee
	Decision to vary or impose condition or restriction on licence	Licensee, Minister
43(1)	Decision to refuse to remove or vary condition or restriction on licence	Licensee
	Decision to remove or vary condition or restriction on licence	Minister

121 Act further amended

Schedule 6 has effect.

Part 8 Amendment of Racing and Betting Act

122 Act amended

This Part amends the *Racing and Betting Act*.

123 Section 89A amended

(1) Section 89A(1)

omit

(2) Section 89A(4)(a), (b) and (c)(i), (5), (6) and (7)

omit (all references)

authority

insert

Director-General

(3) Section 89A(5)

omit

it

insert

the Director-General

(4) Section 89A(8)(a)

omit

authority may exercise its powers and perform its

insert

Director-General may exercise powers and perform

(5) After section 89A(8)

insert

(9) In this section:

Director-General, see section 3 of the *Licensing (Director-General) Act*.

124 Part X heading replaced

Part X, heading

omit, insert

Part X Transitional matters

Division 1 Racing and Betting Amendment Act 2009

125 Section 157 amended

Section 157

omit

Part

insert

Division

126 Part X, Division 2 inserted

After section 160

insert

Division 2 Licensing (Director-General) Act 2014**161 Definitions**

In this Division:

2014 Acts means the *Licensing (Director-General) Act 2014* and 2014 Amending Act.

2014 Amending Act means the *Licensing (Repeals and Consequential Amendments) Act 2014*.

authority means the authority as defined in section 89A(1) as in force immediately before the commencement.

commencement means the commencement of section 22 of the *Licensing (Director-General) Act 2014*.

Director-General, see section 89A(9).

162 Application under section 89A – not yet considered

- (1) This section applies if, before the commencement:
 - (a) an application had been made under section 89A; but
 - (b) the authority had not commenced active consideration of the application.
- (2) The application:
 - (a) is taken to be an application made on the commencement for the decision to be made by the Director-General; and
 - (b) must be dealt with and determined in accordance with this Act as amended by the 2014 Amending Act.

163 Application under section 89A – under active consideration

- (1) This section applies if, before the commencement:
 - (a) an application had been made under section 89A and the authority had commenced active consideration of the application; but

(b) the authority had not decided the application.

- (2) The authority must deal with and determine the application in accordance with this Act and the *Northern Territory Licensing Commission Act*, both as in force immediately before the commencement, as if the 2014 Acts had not commenced.

164 Active consideration

Regulations may make provision for determining when active consideration of an application commences for this Division.

165 Continuation of ongoing documents and things

- (1) On the commencement, an ongoing document continues with the same force and effect as if it had been issued by, or given to, the Director-General.
- (2) On the commencement, an ongoing thing continues with the same force and effect as if it had been done by, or in relation to, the Director-General.
- (3) This section applies subject to sections 162 and 163 and Part 5, Division 2 of the *Licensing (Director-General) Act*.
- (4) In this section:

ongoing document means a document that:

- (a) was issued by, or given to, the authority before the commencement in or for the exercise of a power or performance of a function under section 89A, as then in force; and
- (b) immediately before the commencement, had ongoing effect.

ongoing thing means a thing that:

- (a) was done by, or in relation to, the authority before the commencement in or for the exercise of a power or performance of a function under section 89A, as then in force; and
- (b) immediately before the commencement, had ongoing effect.

Part 9 Amendment of Tobacco Control Act

127 Act amended

This Part amends the *Tobacco Control Act*.

128 Section 5 amended

- (1) Section 5, definition **Director**
omit
- (2) Section 5
insert (in alphabetical order)
affected person, see section 41A.
Director-General, see section 3 of the *Licensing (Director-General) Act*.
reviewable decision, see section 41.

129 Section 41 replaced

Section 41
repeal, insert

Part 4A Review of decisions**41 Meaning of reviewable decision**

A **reviewable decision** is:

- (a) a decision specified in the Schedule, unless the decision was made by a delegate of the Director-General; or
- (b) a decision made on the review, under Part 3 of the *Licensing (Director-General) Act*, of a decision that:
- (i) is specified in the Schedule; and
 - (ii) was made by a delegate of the Director-General.

Note for section 41

A decision made under this Act by a delegate of the Director-General is not a reviewable decision but may be a delegate decision under the Licensing (Director-General) Act. Part 3 of that Act sets out procedures for applying for a review of a delegate decision.

41A Meaning of *affected person*

- (1) A person is an ***affected person*** for a reviewable decision mentioned in section 41(a) if any of the following apply:
 - (a) for a decision that relates to disciplinary action relating to a licence – the person is the licensee;
 - (b) for a decision that was made in relation to an application – the person is the applicant;
 - (c) the person made a submission, complaint or objection (however described) during the process that resulted in the decision being made.
- (2) A person is an ***affected person*** for a reviewable decision mentioned in section 41(b) if the person was an affected person under the *Licensing (Director-General) Act* for the decision that was reviewed under Part 3 of that Act.

41B Jurisdiction of Civil and Administrative Tribunal

- (1) An affected person for a reviewable decision may apply to the Civil and Administrative Tribunal for a review of the decision.
- (2) For a reviewable decision that was made under the *Licensing (Director-General) Act*, that Act and this Act are together taken to be the relevant Act for the *Northern Territory Civil and Administrative Tribunal Act*.

41C Delegate decisions

The regulations may declare that a decision made under this Act by a delegate of the Director-General, other than a decision specified in the Schedule, is not a delegate decision for the *Licensing (Director-General) Act*.

130 Part 10 and Schedule inserted

At the end of the Act

insert

Part 10 Transitional matters for Licensing (Director-General) Act 2014

Division 1 Definitions

62 Definitions

In this Part:

2014 Acts means the *Licensing (Director-General) Act 2014* and 2014 Amending Act.

2014 Amending Act means the *Licensing (Repeals and Consequential Amendments) Act 2014*.

commencement means the commencement of section 22 of the *Licensing (Director-General) Act 2014*.

Commission means the Commission as defined in section 3 of the NTLC Act.

NTLC Act means the *Northern Territory Licensing Commission Act* as in force immediately before the commencement.

NTLC Director means the Director as defined in section 3 of the NTLC Act.

old legislation means the NTLC Act and this Act, as in force immediately before the commencement.

Division 2 Applications

63 Application to NTLC Director – pending decision

- (1) This section applies if, before the commencement:
 - (a) an application had been made under this Act for a decision to be made by the NTLC Director; but
 - (b) the NTLC Director had not made a decision on the application.
- (2) The application:
 - (a) is taken to be an application made on the commencement for the decision to be made by the Director-General; and
 - (b) must be dealt with and determined in accordance with this Act as amended by the 2014 Amending Act.

Note for section 63

The Director-General's decision on the application will be a decision made after the commencement and may therefore be a reviewable decision or a decision to which Part 3 of the Licensing (Director-General) Act applies.

Division 3 Review of decisions

64 New review regime applies to post-commencement decisions

Part 4A applies only in relation to decisions made after the commencement.

65 Review of pre-commencement decision – application not yet made

- (1) This section applies if, before the commencement:
 - (a) a decision had been made under this Act and the period for applying for a review of the decision under Part 4 of the NTLC Act, as then in force, had not expired; but
 - (b) an application for a review of the decision had not been made.
- (2) A person who would have been entitled to apply for a review of the decision under the old legislation may do so under the old legislation, as if the 2014 Acts had not commenced.
- (3) The Commission must review the decision in accordance with the old legislation as if the 2014 Acts had not commenced.

66 Review of pre-commencement decision – application made

- (1) This section applies if, before the commencement:
 - (a) an application had been made under section 28 of the NTLC Act, as then in force, for review of a decision made under this Act; but
 - (b) the Commission had not completed the review.
- (2) The Commission must complete the review in accordance with the old legislation as if the 2014 Acts had not commenced.

Division 4 General matters

67 Continuation of ongoing documents and things

- (1) This section applies if:
 - (a) before the commencement, a power or function was conferred by this Act on the NTLC Director; and

- (b) on the commencement, the power or function (or a substantially similar power or function) is conferred on the Director-General.
- (2) On the commencement, an ongoing document continues with the same force and effect as if it had been issued by, or given to, the Director-General.
- (3) On the commencement, an ongoing thing continues with the same force and effect as if it had been done by, or in relation to, the Director-General.
- (4) This section applies subject to the other provisions of this Part and Part 5, Division 2 of the *Licensing (Director-General) Act*.
- (5) In this section, a reference to something done before the commencement includes a reference to something done after the commencement in accordance with this Part as if it had been done before the commencement.
- (6) In this section:

ongoing document means a document that:

- (a) was issued by, or given to, the NTLC Director before the commencement in or for the exercise of the power or performance of the function; and
- (b) immediately before the commencement, had ongoing effect.

ongoing thing means a thing that:

- (a) was done by, or in relation to, the NTLC Director before the commencement in or for the exercise of the power or performance of the function; and
- (b) immediately before the commencement, had ongoing effect.

68 Legal immunity of NTLC Director continues

Despite the amendment made to section 56 by the 2014 Amending Act, that section continues to apply to a person who has been the NTLC Director as if the 2014 Amendment Act had not commenced.

Schedule Reviewable decisions

sections 41 and 41C

Section	Decision
29	Decision to grant, or refuse to grant, tobacco retail licence
29A	Decision to grant, or refuse to grant, renewal of tobacco retail licence
35	Decision to vary, or refuse to vary, conditions of tobacco retail licence

36 Decision to approve, or refuse to approve, transfer of tobacco retail licence

38 Decision to cancel or suspend licence

131 Act further amended

Schedule 7 has effect.

Part 10 Amendment of Totalisator Licensing and Regulation Act

132 Act amended

This Part amends the *Totalisator Licensing and Regulation Act*.

133 Section 3 amended

(1) Section 3(1), definitions ***authority, Chairperson, Deputy Director, Director, hearing*** and ***member***

omit

(2) Section 3(1)

insert (in alphabetical order)

affected person, see section 83.

decision notice, for a decision, means a written notice setting out:

- (a) the decision and the reasons for it; and
- (b) any right the person to whom the notice is to be given has, under this Act or the *Licensing (Director-General) Act*, to apply for a review of, or to appeal, the decision.

Director-General, see section 3 of the *Licensing (Director-General) Act*.

reviewable decision, see section 82.

134 Section 5 repealed

Section 5

repeal

135 Sections 8 and 9 replaced

Sections 8 and 9

repeal, insert

8 Limitation on delegation by Director-General

Despite section 7 of the *Licensing (Director-General) Act*, the Director-General cannot delegate the Director-General's power under this Act to:

- (a) grant a licence; or
- (b) make Rules.

136 Section 10 amended

- (1) Section 10(1)

omit

all words from "On" to "the person"

insert

As soon as practicable after a person becomes the Director-General, the person

- (2) Section 10(1)(e)

omit

member

insert

the Director-General

- (3) Section 10(3)

omit

all words from "a member or" to "the member"

insert

the person, or the person acquires new interests likely to give rise to a conflict with his or her duties under this Act, the person

(4) Section 10(4)

omit

all words after "effective"

insert

while the person is the Director-General.

(5) Section 10(6)

omit

137 Section 11 repealed

Section 11

repeal

138 Section 28 amended

(1) Section 28(2) to (6)

omit

Director

insert

Director-General

(2) Section 28(6)

omit

all words from "licensee" to "agent."

insert

licensee:

- (a) vary the licence by adding or substituting the agent; and
- (b) for sections 43 and 44 – approve or refuse to approve the establishment of the agency with the agent added or substituted by the variation.

(3) Section 28(8) and (9)

omit

139 Section 69 amended

- (1) Section 69(2)(a)
omit
authority
insert
Director-General
- (2) Section 69(2)(c)
omit
Director
insert
Director-General
- (3) Section 69(3)
omit

140 Section 70 replaced

Section 70
repeal, insert

70 Consideration and decision of Director-General

- (1) On receipt of a complaint, the Director-General:
- (a) must inform the licensee of the complaint within 48 hours after receiving it and give the licensee sufficient opportunity to provide a written reply to the complaint; and
 - (b) must consider the complaint, taking into account any written reply from the licensee; and
 - (c) must investigate the substance of the complaint as the Director-General thinks fit.
- (2) On completion of the Director-General's consideration and investigation, the Director-General must make a determination:
- (a) to dismiss the complaint because it is of a frivolous, irrelevant or malicious nature; or

- (b) that no further action is warranted; or
 - (c) to reprimand the licensee; or
 - (d) to fine the licensee an amount not exceeding the number of penalty units prescribed by regulation; or
 - (e) to vary a condition of, or impose a condition on, the licence under section 72; or
 - (f) to give a direction to the licensee under section 71; or
 - (g) to suspend the licence under section 72; or
 - (h) to cancel the licence under section 73.
- (3) Before making a determination under subsection (2)(d), (e), (f), (g) or (h) the Director-General must:
- (a) give the licensee written notice:
 - (i) stating that the Director-General proposes to make the determination; and
 - (ii) stating the ground on which it is proposed to make the determination; and
 - (iii) inviting the licensee to submit a response to the Director-General about the proposed determination within 28 days after the date of the notice; and
 - (b) take into account any submission made by the licensee within the time allowed.
- (4) As soon as reasonably practicable after making a determination, the Director-General must give a decision notice for the determination to the person who made the complaint and the licensee.
- (5) A fine imposed under subsection (2)(d) is recoverable as a debt due and payable by the licensee to the Territory.

141 Sections 73 and 74 replaced

Sections 73 and 74

repeal, insert

73 Cancellation of licence

- (1) Each of the following is a ground for cancelling a licence:
 - (a) the licensee has been found guilty of an offence against this Act, the Regulations or the Rules;
 - (b) the licensee has been found guilty of an offence otherwise relating to the business of the licensee under the licence or in respect of which a sentence of imprisonment for 6 months or more was imposed;
 - (c) the licensee has contravened or failed to comply with a direction given under section 71;
 - (d) the licensee is not a fit or proper person to hold a licence.
- (2) If the Director-General believes a ground for cancelling a licence exists, the Director-General must give the licensee a written notice:
 - (a) stating that the Director-General proposes to cancel the licence; and
 - (b) stating the ground for the proposed cancellation and the facts relied on to constitute the ground; and
 - (c) inviting the licensee to make a written submission in response to the proposed cancellation to the Director-General within 28 days after the date of the notice.
- (3) If, after considering any response of the licensee, the Director-General is satisfied that a ground for cancelling the licence exists, the Director-General must cancel the licence.
- (4) As soon as practicable after making a decision under subsection (3), the Director-General must give the licensee a decision notice.

142 Part 8 replaced

Part 8

repeal, insert

Part 8 Review of decisions**82 Meaning of *reviewable decision***

- (1) A ***reviewable decision*** is:
- (a) a regulatory decision, unless the decision was made by a delegate of the Director-General; or
 - (b) a decision made on the review, under Part 3 of the *Licensing (Director-General) Act*, of a decision that:
 - (i) is a regulatory decision; and
 - (ii) was made by a delegate of the Director-General.

Note for subsection (1)

A decision made under this Act by a delegate of the Director-General is not a reviewable decision but may be a delegate decision under the Licensing (Director-General) Act. Part 3 of that Act sets out procedures for applying for a review of a delegate decision.

- (2) In this section:

regulatory decision means a decision of the Director-General under this Act, other than a decision to grant, or refuse to grant, a licence.

83 Meaning of *affected person*

- (1) A person is an ***affected person*** for a reviewable decision mentioned in section 82(1)(a) if any of the following apply:
- (a) for a decision that relates to disciplinary action relating to a licence – the person is the licensee;
 - (b) for a decision that was made in relation to an application – the person is the applicant;
 - (c) the person made a submission, complaint or objection (however described) during the process that resulted in the decision being made.

- (2) A person is an **affected person** for a reviewable decision mentioned in section 82(1)(b) if the person was an affected person under the *Licensing (Director-General) Act* for the decision that was reviewed under Part 3 of that Act.

84 Jurisdiction of Civil and Administrative Tribunal

- (1) An affected person for a reviewable decision may apply to the Civil and Administrative Tribunal for a review of the decision.
- (2) For a reviewable decision that was made under the *Licensing (Director-General) Act*, that Act and this Act are together taken to be the relevant Act for the *Northern Territory Civil and Administrative Tribunal Act*.

85 Delegate decisions

The regulations may declare that a decision made under this Act by a delegate of the Director-General, other than a regulatory decision as defined in section 82(2), is not a delegate decision for the *Licensing (Director-General) Act*.

143 Part 12 inserted

After section 128

insert

Part 12 Transitional matters for Licensing (Director-General) Act 2014

Division 1 Definitions

129 Definitions

In this Part:

2014 Acts means the *Licensing (Director-General) Act 2014* and 2014 Amending Act.

2014 Amending Act means the *Licensing (Repeals and Consequential Amendments) Act 2014*.

authority means the authority as defined in section 3 as in force immediately before the commencement.

commencement means the commencement of section 22 of the *Licensing (Director-General) Act 2014*.

NTLC Act means the *Northern Territory Licensing Commission Act* as in force immediately before the commencement.

NTLC Director means the Director as defined in section 3 of the NTLC Act.

old legislation means the NTLC Act and this Act, as in force immediately before the commencement.

Division 2 Applications

130 Application to authority – not yet considered

- (1) This section applies if, before the commencement:
 - (a) an application had been made under this Act for a decision to be made by the authority; but
 - (b) the authority had not commenced active consideration of the application.
- (2) The application:
 - (a) is taken to be an application made on the commencement for the decision to be made by the Director-General; and
 - (b) must be dealt with and determined in accordance with this Act as amended by the 2014 Amending Act.

Note for section 130

The Director-General's decision on the application will be a decision made after the commencement and may therefore be a reviewable decision or a decision to which Part 3 of the Licensing (Director-General) Act applies.

131 Application to authority – under active consideration

- (1) This section applies if, before the commencement:
 - (a) an application had been made under this Act for a decision to be made by the authority and the authority had commenced active consideration of the application; but
 - (b) the authority had not made a decision.
- (2) The authority must deal with and determine the application in accordance with the old legislation as if the 2014 Acts had not commenced.
- (3) However, the authority's decision is then taken to have been made by the Director-General.

Note for section 131(3)

As the decision will be made after the commencement and will be taken to be a decision of the Director-General, it may be a reviewable decision.

132 Active consideration

Regulations may make provision for determining when active consideration of an application commences for this Division.

Division 3 Review of decisions

133 New review regime applies to post-commencement decisions

Part 8, as amended by the 2014 Amending Act, applies only in relation to decisions made after the commencement.

Division 4 Complaints

134 New complaints regime applies to post-commencement complaints

Subject to section 135, Part 7, Division 2 as amended by the 2014 Amending Act applies only in relation to complaints made after the commencement.

135 Complaint made before commencement – pending action

- (1) This section applies if, before the commencement:
 - (a) a complaint had been made under section 69 as then in force; but
 - (b) the NTLC Director had not forwarded the complaint to the authority under section 69(3)(c) as then in force.
- (2) The complaint:
 - (a) is taken to have been made to the Director-General on the commencement; and
 - (b) must be dealt with and determined in accordance with Part 7, Division 2 as amended by the 2014 Amending Act.

Note for section 135

The Director-General's decision on the complaint will be a decision made after the commencement and may therefore be a reviewable decision or a decision to which Part 3 of the Licensing (Director-General) Act applies.

136 Complaint made before commencement – complaint being dealt with

- (1) This section applies if, before the commencement:
 - (a) the NTLC Director had forwarded a complaint to the authority under section 69(3)(c), as then in force; but
 - (b) the authority had not made a determination about the complaint under section 70, as then in force.
- (2) The authority and NTLC Director must deal with and determine the complaint in accordance with the old legislation as if the 2014 Acts had not commenced.
- (3) If the authority determines a complaint as mentioned in subsection (2):
 - (a) section 137 applies in relation to the authority's determination as if it had been made before the commencement; and
 - (b) Part 8, as amended by the 2014 Amending Act, does not apply in relation to the determination.

Division 5 Hearings and appeals**137 Right to request hearing arising before commencement**

- (1) This section applies if, before the commencement:
 - (a) a person had been entitled under section 82 or 83, as then in force, to request a hearing in relation to a decision or direction and the period for requesting the hearing had not expired; but
 - (b) a request for a hearing had not been made.
- (2) The person may request a hearing in relation to the decision or direction under the old legislation as if the 2014 Acts had not commenced.
- (3) The authority must conduct the hearing and make a decision in accordance with the old legislation as if the 2014 Acts had not commenced.
- (4) If the authority makes a decision as mentioned in subsection (3):
 - (a) section 139 applies in relation to the authority's decision as if it had been made before the commencement; and

- (b) Part 8, as amended by the 2014 Amending Act, does not apply in relation to the decision.

138 Hearing requested before commencement

- (1) This section applies if, before the commencement:
 - (a) a request for a hearing had been made under section 82 or 83, as then in force; but
 - (b) the authority had not made a decision under section 87, as then in force.
- (2) The authority must make its decision in accordance with the old legislation as if the 2014 Acts had not commenced.
- (3) If the authority makes a decision as mentioned in subsection (2):
 - (a) section 139 applies in relation to the authority's decision as if it had been made before the commencement; and
 - (b) Part 8, as amended by the 2014 Amending Act, does not apply in relation to the decision.

139 Appeal against decision at hearing – appeal not yet commenced

- (1) This section applies if, before the commencement:
 - (a) the authority had made a decision at a hearing and the period for commencing an appeal against the decision in the Local Court under Part 7, Division 3, as then in force, had not expired; but
 - (b) an appeal had not been commenced.
- (2) A person who would have been entitled to appeal against the decision under the old legislation may do so under the old legislation, as if the 2014 Acts had not commenced.
- (3) The Local Court must hear and determine the appeal in accordance with the old legislation as if the 2014 Acts had not commenced.

140 Appeal against decision at hearing – appeal commenced

- (1) This section applies if, before the commencement:
 - (a) an appeal against a decision made at a hearing had been made to the Local Court; but
 - (b) the Local Court had not determined the appeal.

- (2) The Local Court must hear and determine the appeal in accordance with the old legislation as if the 2014 Acts had not commenced.

Division 6 General matters

141 Continuation of ongoing documents and things

- (1) This section applies if:
- (a) before the commencement, a power or function was conferred by this Act on an NTLC entity; and
 - (b) on the commencement, the power or function (or a substantially similar power or function) is conferred on the Director-General.
- (2) On the commencement, an ongoing document continues with the same force and effect as if it had been issued by, or given to, the Director-General.
- (3) On the commencement, an ongoing thing continues with the same force and effect as if it had been done by, or in relation to, the Director-General.
- (4) This section applies subject to the other provisions of this Part and Part 5, Division 2 of the *Licensing (Director-General) Act*.
- (5) In this section, a reference to something done before the commencement includes a reference to something done after the commencement in accordance with this Part as if it had been done before the commencement.
- (6) In this section:

NTLC entity means the authority, the NTLC Director or the Chairperson (as defined in section 3 of the NTLC Act).

ongoing document means a document that:

- (a) was issued by, or given to, the NTLC entity in or for the exercise of the power or performance of the function before the commencement; and
- (b) immediately before the commencement, had ongoing effect.

ongoing thing means a thing that:

- (a) was done by, or in relation to, the NTLC entity in or for the exercise of the power or performance of the function before the commencement; and

- (b) immediately before the commencement, had ongoing effect.

144 Act further amended

Schedule 8 has effect.

Part 11 Amendment of other laws

145 Other laws amended

Schedule 9 amends the laws mentioned in it.

Part 12 Repeals

146 Regulations repealed

The following Regulations are repealed:

- (a) *Gaming Control (Commission Procedures) Regulations* (Subordinate Legislation No. 7 of 1995);
- (b) *Totalisator Licensing and Regulation (Hearings) Regulations* (Subordinate Legislation No. 29 of 2000).

Part 13 Expiry of Act

147 Expiry of Act

This Act expires on the day after it commences.

Schedule 1 Gaming Control Act further amended

section 11

Provision	Amendment	
	<i>omit</i>	<i>insert</i>
sections 15(1), (3), (4) and (7), 20(2)(d), 26(2), 27(3)(b), 31(1) to (4), 35(1), (3) and (4), 40(3), (4), (8) and (9), 46F(2)(d), 46P(1) to (4), 46Q(1) and (2), 47F(2)(d), 47P(1) to (4), (7) and (8), 47Q(1) and (2), 48, 49(2), 51(1) and (2), 53(2)(b)(ii), 68(4), 68A(1), 68B(3), 76, 77(1) and 78(1)	Director (<i>all references</i>)	Director-General
section 14	Commission or the Director are	Director-General is
section 27(3)(b)	Director's	Director-General's
sections 31, 35, 46P, 46Q, 47P, 47Q and 51, heading	Director	Director-General
section 33(6)	all words from "Director" to "Act"	Director-General or Commissioner of Police
section 33(7)	Director	Director-General
section 72, heading	Directors	directors
section 79(1)	the Director,	

Schedule 2 Gaming Machine Act further amended

section 29

Provision	Amendment	
	<i>omit</i>	<i>insert</i>
sections 22C, 26, 33(1)(b), 34(1) and (2), 39(2), 40(3)(a) and (4), 43(1), (4), (6) and (9), 50(1) and (2), 54(1) and (2), 55(2), 56(1) and (2) and 170(4) and (5)	Commission (<i>all references</i>)	Director-General
section 24A(1)(a) and (b) and (2)(d), (e) and (f), 27(1) and (2), 29(1), (2)(ba), (3) and (5), 31(1), 34(2), (4) and (5), 35(1), 36(2), 39(1), (3), (4) and (5), 40(1) and (3), 40A(1) and (2), 41B(1)(a) and (b) and (2)(d), (e) and (f), 43(4)(b), (6) and (11), 44(1), (2) and (4), 45(1), (2) and (3), 46, 47(1), (1A) and (3) to (7), 50(2), 53(2), 59(1), (2) and (6)(d), 59A(1), (2), (3), (7) and (8), 60(4) and (6), 61(1), (2), (4) and (6), 62(1)(a), (b), (d), (g) and (h) and (2), 63(1) and (2), 64(1) to (3), 65(1) to (3), 66, 67(1), 69(b), 70(1), (2), (4) and (5), 71(1), (2)(a), (b) and (d), (3), (5), (5A) and (6), 73, 74(1), (2), (4) and (5)(a), 75(1) to (3), 76, 77(2) to (7), (9) and (10)(a), 78(1), (3) to (5), (7) and (8)(a)	Director (<i>all references</i>)	Director-General

and (b), 80(1) and (2),
82(1), (2), (3), (5) and
(6), 82A(1), (2) and (4),
83(2), 85(4), 87(1)(a),
89(1) and (2), 98(1) and
(2), 99(n), 100(1),
101(2), 102, 116(1), (2),
(3)(b) and (4), 117(1),
(2), (3)(b) and (4),
120(3A), 121(1)(b)(i),
(2), (3)(a) and (d) and
(4), 122(2)(a) and (d),
123(d)(i) and (ii),
125(4)(a) and (b),
126(3)(a) and (b), (4)
and (5), 127(1),
128, 129(1), (3), (3A),
(3B), (5), (6) and (7),
131(1) to (10) and
(11)(b), 132(1), 133,
134(1), (2)(a), (b) and
(d), (4), (6), (9), (10)
and (11), 135(1) to (4),
(6), (7) and (8), 136(2)
and (3)(b), 136A,
137(1)(c) and (2)(c),
138(2)(a) and (b), (3),
(4) and (5)(a) and (b),
141(2) and (3), 142(2),
143(1) and (2), 144(1)
and (2)(a), 146(1)(d)(ii)
and (3), 148(1) and
(2)(a) and (b), 149(1),
149A(1), (5) and (6),
150(1), 152(1), (2) and
(3), 153(1), 154, 155(1)
and (2), 156(1) and (3),
157(2), 158(1)(b) and
(c) and (2)(a) and (b),
162(1)(m), 166(1),
168(1) and (2), 169(b),
171(1) and (2),
174(1)(c), (2)(c), (3)(c)
and (d) and (5), 175(1)
and (2), 186, 189(1)(b)
and 191

sections 43(8) and 172(1) and (2)	Commission or Director <i>(all references)</i>	Director-General
sections 39, 40, 40A, 131, 136A and 155, heading	Director	Director-General
sections 59A(4), 161(1) and 172(2)(a) and (b)	Commission or the Director	Director-General
sections 60(7), 65(2)(a), 131(7)(b) and (8), 149A(4) and 156(2)	Director's	Director-General's
section 22A, heading	Commission or Director	Director-General
sections 22A(1)	Commission or the Director	Director-General
	Commission or the Director (as the case may be)	Director-General
section 22A(3)	Commission or the Director	Director-General
	Commission or Director	Director-General
section 22A(4)(a) and (7)(a)	Commission or the Director	Director-General
section 22A(4) and (7)	Commission or the Director (as the case may be) <i>(all references)</i>	Director-General
section 22A(6)	Commission or the Director	Director-General
	Commission or the Director (as the case may be) <i>(all references)</i>	Director-General

section 24A(2)(b)	whole paragraph	(b) specify the number of gaming machines that the applicant seeks to have authorised for use under the gaming machine licence;
section 25(1) and (7)(b)	Director (<i>all references</i>)	Director-General
section 25(2)	whole subsection	
section 25(3), (3A), (5), (7) and (8A) to (13)	Commission (<i>all references</i>)	Director-General
section 25(4)	Commission Director Commission's	Director-General Director-General Director-General's
section 25(6)	Commission or Director (<i>all references</i>)	Director-General
section 25(13)(a)	requested	sought
section 25(14)(a)	applied for	sought in the application
section 25(15)	Director by the Commission	Director-General on the application
section 28(1)	Commission Director	Director-General Director-General
section 28(2)	Director	Director-General
section 28(2)(d)	Commission or Director	Director-General
section 38, heading	Director's	Director-General's
section 38(1), (2) and (3)	Director	Director-General
section 38(2)(b), after "Act"		and both of the following apply

section 38(2)(b)(i)	Commission and	Director-General
section 38(3)(a), at the end		and
section 38(3)(b) and (c)	Commission	Director-General
section 41A(1)(a)	increased number of	number of additional
section 41A(1)(b) and (c)	Director (<i>all references</i>)	Director-General
section 41A(2)	Commission	Director-General
section 51(b)	Commission or the powers or authorities of the Director	Director-General
section 79(1)(b)(v)	by the Commission or Director	under this Act
section 79(1)(b)(vi)	Commission, the Director	Director-General
section 79(1)(c), (2), (3), (5) to (11) and (13) to (16)	Director (<i>all references</i>)	Director-General
section 81(b)	Commission or the powers or authorities of the Director	Director-General
section 96(3)(b)	Director (<i>all references</i>)	Director-General
section 96(4)(b)	Director,	Director-General;
section 118(1)	all words from "Director may" to "Commission"	Director-General may undertake such investigations as are necessary in order to satisfy the Director- General
section 118(2) and (3)	Director (<i>all references</i>)	Director-General
section 119(1)	The Director	The Director-General

section 119(1)(a)(v)	by the Commission or Director and the Commission	under this Act and the Director-General
section 119(1)(a)(vi)	Commission, the Director	Director-General
section 119(1)(b)	Commission or the Director	Director-General
section 119(2)	Director <i>(all references)</i>	Director-General
section 161A, heading	Commission or Director	Director-General
section 161A	Commission or the Director	Director-General
section 164	all words from "Commission or" to "Director,"	Director-General or another person
section 184(1)(b) and (c)	whole paragraph	

Schedule 3 Kava Management Act further amended

section 42

Provision	Amendment	
	<i>omit</i>	<i>insert</i>
sections 8(1) and (2), 28A(1) to (3), 28B, 30(1) and (3), 31(2), 58A(2), 59(1), 59A(1)(a) and (b), (2) and (3), 75, 83 and 89(2)(f) and (5)(a) and (b)	Commission (<i>all references</i>)	Director-General
sections 28(2)(c), 37(1), 46, 49(1) and (3), 50(2), 51(2)(a) and 52(1)	Chairperson (<i>all references</i>)	Director-General
section 11(3)	Chairperson in the approved manner	Director-General in the approved form
section 11(4)	Chairperson	Director-General
sections 28A and 28B, heading	Commission	Director-General
Part 6, Division 1, heading	Delivery to and detention by Chairperson	Director-General
section 46, heading	Chairperson	Director-General
section 47	all words from "Commission" to "Chairperson"	Director-General may retain possession of kava or a thing delivered
section 53, definition area , paragraphs (b) and (c)	the Schedule	Schedule 1
section 58C(2), (3A) and (4)	Commission (<i>all references</i>)	Director-General
section 58C(3)	The Commission	The Director-General

section 58C(3)(c)	or part of is	, or part of which is,
section 58C(3)(d)	the Commission,	
section 58D(2), (4), (4B) and (5)	Commission <i>(all references)</i>	Director-General
section 58D(3)	The Commission	The Director-General
section 58D(3)(d)	the Commission,	
section 60(1) and (3)(a) and (b)	Commission	Director-General
section 60(3)	with the Director	
section 61(1)(a) and (b) and (2)(d) and (e)	Commission	Director-General
sections 61(3) and 62(2)(c)	Director	Director-General
section 62(3)	all words from "Where" to "must"	If an objection is lodged, the Director- General must do the following
section 62(3)(b)	fit; and	fit.
section 62(3)(c)	whole paragraph	
section 63(1) and (4)	Commission <i>(all references)</i>	Director-General
section 63(2)	all words from "Commission may" to "of:"	Director-General may make the investigations he or she thinks fit including investigations to inform the Director- General of:
section 63(3)	Director	Director-General
	Commission	Director-General
section 67, heading	Commission	Director-General
section 67	Commission	Director-General

section 67(a)	its own motion if it	the Director-General's own motion if the Director-General
section 67(b)	Director,	Director-General;
section 71(1)	Director	Director-General
section 71(2) and (3)	Commission	Director-General
section 72(1)	Commission may appoint a person who in its	Director-General may appoint a person who in the Director-General's
section 72(2)(a)	all words from "Commission" to "itself of"	Director-General may make the investigations the Director-General thinks fit to determine
section 72(3) and (5)(b)	Commission	Director-General
section 75, heading	Commission	Director-General
section 75	Commission	Director-General
section 85(1A)	Chairperson or Director	Director-General
Schedule, heading, after " Schedule "		1

Schedule 4 Liquor Act further amended

section 89

Provision	Amendment	
	<i>omit</i>	<i>insert</i>
sections 14, 33AA(3)(b) and (5), 47(1)(b), (2), (4) and (5), 47B, 59A(3)(b) and (5), 70(1) and (2)(c), 72B(1), 73(2), 89A(1), (4) and (6), 101AD(5)(b), 101AH, 101B, 101F(1), (2)(c) and (4), 101H(1), 101J(3) and (4), 101ZE(1), (2)(a) and (b) and (3)(b), 101ZI(1) and (3), 117(2) and (3), 122A(1) and (2), 124(1) and (3) and 125A(1) and (3)	Commission (<i>all references</i>)	Director-General
section 3(3)	all words from "When" to "Commission must"	A person exercising a power or performing a function under this Act must
section 5(2)(b), (d)(i) and (h)	authorized	authorised
section 6(1)	When the Commission Commission must	When a person (a <i>decision maker</i>) decision maker must
section 6(3)	Commission (<i>all references</i>)	decision maker
section 16, heading	Commission	Director-General
section 16(1)	Commission (<i>all references</i>)	Director-General

section 16(2)(b)	by the Commission of the Commission <i>(first reference)</i> of the Commission <i>(second reference)</i>	by the Director-General of the Director-General
section 16(2)	Commission shall not be	Director-General is not
section 18(1)	he	the Minister
section 18(2)	him Commission or the Director	an inspector Director-General
section 18(3)	Director in accordance with a form approved by the Commission	Director-General
section 19(4)	authorized	authorised
section 19(5)(d), after "liquor"		or container
section 19(5)(e)	whole paragraph	(e) request a person on the premises to answer questions, produce a document or thing kept there under the person's control or give any other assistance the inspector requires to carry out the inspection.
section 19(11), definition approved analyst	Commission	Director-General
section 23, heading	of members	from liability
section 24	all words from "Commission may" to "Commission,"	Director-General may issue a licence

section 25(2)	shall	, the body corporate must
section 25(5)	Commission	Director-General
section 26(1)	Director in a form approved by the Commission	Director-General in the approved form
section 26A(3)	must be in a form approved by the Commission and	
section 26A(5)	Commission	Director-General
section 27(1)	all words from "cause" to "Commission"	publish in the way specified by the Director-General
section 27(2)(c) and (d)	Commission	Director-General
section 27(3)	Director	Director-General
section 31(1)	Commission it may consider before it	Director-General the Director-General considers before the Director-General
section 31(2), (3) and (4)(a) to (c)	Commission <i>(all references)</i>	Director-General
section 31(3), after "referred"		to
section 31(5)	Commission its	Director-General the Director-General's
section 31(6)	whole subsection	
sections 31A(4)(c), (5)(e) and (8) and 33E(3)	Director	Director-General
section 33F	Commission may, on application made to it	Director-General may, on application made to the Director-General

section 33G(1)	Commission	Director-General
section 33G(2) and (3)	Commission it	Director-General the Director-General
section 39(1)	Director	Director-General
section 39(1A) and (2)	Commission	Director-General
section 39(1B)	Commission it	Director-General the Director-General
section 40(1)	holder for the time being of the licence	licensee
section 40(2)	all words from "Commission" to "Commission"	Director-General authorises the transfer or until such later date as the Director-General
section 41(1)(a)	all words from "Director" to "transfer"	Director-General an application for the transfer of the licence in the approved form
section 45	all words from "Where" to "Commission to"	If the Director-General authorises the transfer of a licence, the Director-General must issue a certificate of transfer to
section 47A(2)	Commission it	Director-General the Director-General
section 47C	a form approved by the Commission, apply to the Commission	the approved form, apply to the Director- General
section 47D(1)(a) and (b)	Commission	Director-General
section 47D(2)	a form approved by the Commission	the approved form
section 47E(1)	Commission it	Director-General the Director-General

section 47E(4)	Commission may authorize	Director-General may authorise
section 47F(1)(a) and (c)	, as notified	
section 47F(1)(b)	as notified under section 32A	notice of which is required to be published under section 32A(2)
section 47F(1)(d)	as notified under section 119	notice of which is required to be published under section 119(3)
sections 47F(4)(d) and (5) and 47G	Director (<i>all references</i>)	Director-General
section 47H	<i>Northern Territory Licensing Commission Act</i>	<i>Licensing (Director-General) Act</i>
section 57	authorizes	authorises
section 58(1)(a)	Director not later than 7 days	Director-General no later than 28 days
section 58(1)(b)	whole paragraph	(b) made in the approved form; and (c) accompanied by the prescribed fee.
section 58(2)	Director	Director-General
section 66(2)(a)	, or an application for disciplinary action, or disciplinary action	
section 67(2)(a)	whole paragraph	
section 67(3)(f)	by the Commission	
section 67(3)(l)	Commission	Director-General
Part VII, Division 2, heading	Director's	Director-General's

Part VII, Division 3, heading	Commission's	Director-General's
Part VII, Division 4, heading	Director's	Director-General's
section 72A(1)	Director	Director-General
section 72A(2)	Director and Commission	Director-General
section 72A(3)	Director's	Director-General's
section 75(1A)	Commission	Director-General
section 75(2)	Director or a Deputy Director	Director-General
section 76(1)(a)	Director	Director-General
section 76(1)(d)	Commission	Director-General
section 76(2)(b)	whole paragraph	
section 76A, heading, at the end		of Division
section 76A, after "application"		or proposal
section 82(1)	Commission (<i>first reference</i>)	Director-General
section 82(1)	a newspaper or newspapers nominated by the Commission	another way specified by the Director-General
section 82(2)(c)	Commission	Director-General
section 83(b)	all words from "published" to "with"	otherwise published under
section 85, heading	Commission	Director-General
section 85	all words from "Commission" to "opinion,"	Director-General must take all steps the Director-General considers

section 86A, heading, at the end		of Division
section 86A, after "application"		or proposal
section 86B	Commission must consider the	Director-General must consider an
section 86D, heading	Commission	Director-General
section 86D	Commission <i>(all references)</i>	Director-General
section 86D, after "application" <i>(all references)</i>		or proposal
section 86F(1)	Commission newspaper circulating in the area	Director-General way specified by the Director-General
sections 86F(2)(d), (3) and (5) and 87(1)	Commission <i>(all references)</i>	Director-General
section 87(3)	Commission it	Director-General the Director-General
section 90(a)	Director	Director-General
section 91(1)	Commission shall consider an application for a permit and shall	Director-General must
section 91(1)(a)	whole paragraph	(a) consider the application; and
section 91(1)(b)	such steps as are, in its opinion,	steps the Director- General considers are
section 91(2)	all words from "an" to "and"	the application, the Director-General must consider
section 94, heading	Commission	Director-General
section 94	Commission at its	Director-General at the Director-General's

section 101AE(2)(a)	Director	Director-General
section 101AF(1)	newspaper circulating in the area	way specified by the Minister
section 101C(1), (2) and (4)(d)	Commission	Director-General
section 101C(4)(a)	whole paragraph	
section 101C(5)	Director or Commission	Director-General
section 101D, heading	Commission	Director-General
sections 101D(1) and (2) and 101ZG(1), (3) and (4)	Commission <i>(all references)</i>	Director-General
section 101ZG(2)	all words from "Commission" to "newspapers"	Director-General may require the person to publish, in a way specified by the Director-General,
section 101ZG(3)(b), after "give"		the
section 104(3)(g)	authorized Commission <i>(all references)</i>	authorised Director-General
section 106, heading	Commission	Director-General
section 106(1)	Commission	Director-General
section 106(2)	all words from "Where" to "declaration on"	As soon as practicable after making a declaration under subsection (1), the Director-General must give a copy of the declaration and a decision notice to
section 106(3)	a form approved by the Commission Commission may	the approved form Director-General may

section 106BD(3), (4) and (6)	Director <i>(all references)</i>	Director-General
section 106E(a)	Director or a Deputy Director	Director-General
sections 107(3)(a) and 108(3)(a)	Director	Director-General
section 111(2)	form approved by the Director	approved form
section 111(3)	Commission's	Director-General's
section 113, heading	Licensees	Licensee
section 113(1)	Director	Director-General
section 113(3)(a)	form approved by the Director	approved form
section 113A(2) and (5)	Director <i>(all references)</i>	Director-General
section 113A(3)	The Director Director:	The Director-General Director-General:
section 113A(3)(a)	form approved by the Director Director requires	approved form Director-General requires
section 114(1)	Director	Director-General
section 114(3)(a)	form approved by the Director	approved form
section 120, heading	Unauthorized	Unauthorised
section 120(1)	Commission <i>(all references)</i> his its	Director-General the the Director-General's
sections 120B(1) and 120X	Director <i>(all references)</i>	Director-General
section 123, heading	to Director	

section 123(1)	Commission cancels Director as directed by the Commission	Director-General cancels Director-General
section 123(3)	Director	Director-General
section 127, heading	Commission	Director-General
section 127(1)	Commission may, in its	Director-General may, in the Director- General's
section 127(2)	Commission	Director-General
section 128(2)(b)	authorizing the Commission it	authorising the Director-General the Director-General
section 128(2)(d)	Commission its <i>(all references)</i>	Director-General

Schedule 5 Private Security Act further amended

section 103

Provision	Amendment	
	<i>omit</i>	<i>insert</i>
sections 8(1) and (3)(a), 16(1), (2) and (3), 19(1), 21(1) and (2), 23(4), 24(1), (2)(c), (3) and (4), 28(1) and (3), 29(2), 36(1) and (3), 45(1) and (2)(a) and (b), 48(1), (2), (3) and (7), 49(1), 53(2), (2A) and (4), 56(1) and (3)(b), 58(4)(a), 60(3) and (4) and 66(2)(b)	licensing authority (<i>all references</i>)	Director-General
Part 2, heading	Licensing authority	Use of information
section 11, heading	Licensing authority	Director-General
section 11(1)	licensing authority it	Director-General the Director-General
section 11(2), (3), (4) and (5)	licensing authority	Director-General
section 11(4)(b)	an appeal under this Act	a review under this Act or the <i>Licensing (Director-General) Act</i>
section 14(1)	licensing authority on the prescribed	Director-General in the approved
sections 14(3), (4) and (5) and 17(3)	licensing authority	Director-General
section 17(5)	(9) (inclusive)	(8)
section 35(1)	all words from "licensing" to "Act"	Director-General may appoint a public sector employee

section 35(2) and (3)	licensing authority <i>(all references)</i>	Director-General
section 50(1)	licensing authority it	Director-General the Director-General
section 50(2)	licensing authority	Director-General
section 51, heading	Local Court	Tribunal
section 51(1) and (2)	licensing authority <i>(all references)</i> Local Court <i>(all references)</i>	Director-General Tribunal
section 51(3), (4)(b) and (5)	Local Court	Tribunal
section 51(4) and (6)	the Court	the Tribunal
section 52	Local Court licensing authority	Tribunal Director-General
section 53A(2)(a)	a form approved by the licensing authority	the approved form
section 53A(2)(d)	licensing authority	Director-General
section 53B	licensing authority within 48 hours after receiving it	Director-General
section 53C, heading	licensing authority	Director-General
section 53C(1)	licensing authority he or she	Director-General the Director-General
section 53C(2) and (3)	licensing authority	Director-General
section 53C(3)(a)	he or she	that the Director-General
section 53C(3)(b)	appear before it to	
section 59(1)(a)	whole paragraph	

section 65	licensing authority it thinks fit and specified	Director-General the Director-General specifies
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Schedule 6 Prostitution Regulation Act further amended

section 121

Provision	Amendment	
	<i>omit</i>	<i>insert</i>
Part 3, Division 1, heading	Licensing Commission and director	Role of Director-General
section 22, heading	Commission	Director-General
section 22(1)	Commission are	Director-General are
section 22(1)(e)	Commission	Commissioner
section 22(1)(f)	Commission considers may assist it in carrying out its	Director-General considers may assist the Director-General in carrying out his or her
section 22(2)	Commission on it its	Director-General the Director-General's
section 25(1) and (3)	Commission	Director-General
section 25(4)	Commission may in its	Director-General may in the Director-General's
section 27(1)	to the Commission, the Director shall	, the Director-General must
section 27(2)	Commission in the discharge of its Director	Director-General in the discharge of the Director-General's Director-General
section 27(3)	Director	Director-General
section 29, heading	Commission	Director-General
section 29(1)	Commission may, as it	Director-General may, as the Director-General

section 29(3)	Commission it , and shall notify the Minister thereof in writing	Director-General the Director-General
section 41(1)	Director	Director-General
section 41(2)	all words from "Director shall enter in" to "(3)" Director shall enter the	Director-General must enter in one of the registers Director-General must enter the
section 41(3)	all words from "deciding" to "shall" case it	registering an operator's licence under subsection (2), the Director-General must case the Director-General
section 41(4)	Director	Director-General
section 41(4)(a)	Commission's	Director-General's
section 41(4)(b)	Commission	Director-General
section 41(4)(c)	appeal under this Part such appeal	review of or appeal against a decision made the review or appeal
section 41(5)	Director by the Commission appeal, or further appeal, lies under this Part	Director-General review or appeal is available under this or any other Act
section 41(6)	Commission (<i>all references</i>) direct the Director to	Director-General
section 45, heading	Director	Director-General
section 45(1) and (2)	Director	Director-General

	Director's	Director-General's
section 46, heading		
section 46(1)	prescribed	approved
section 46(1) and (2)	Director	Director-General
section 52(3)(c)	Commission	Director-General
section 52(6)	prescribed	approved
	Chairperson of the Commission	Director-General
section 53(1)	Chairperson of the Commission	Director-General

Schedule 7 Tobacco Control Act further amended

section 131

Provision	Amendment	
	<i>omit</i>	<i>insert</i>
sections 11(4A)(a), 34, 36(1)(a), (2) and (4) to (6), 37, 38(1), 40(1), 53(1), 54(5), definition relevant officer , 55(1) and (2) and 56(1)(b)	Director (<i>all references</i>)	Director-General
section 29(1)(a), (2) and (3)	Director (<i>all references</i>)	Director-General
section 29(4)	Director with	Director-General within
section 35(1)(a), (2) and (3)	Director	Director-General
section 35(5)	Director with	Director-General within
section 37, heading	Director	Director-General
section 39(1) and (2)	Director (<i>all references</i>)	Director-General
section 39(1)(b)	Director's	Director-General's
section 55, heading	Director	Director-General

Schedule 8 Totalisator Regulation and Licensing Act further amended

section 144

Provision	Amendment	
	<i>omit</i>	<i>insert</i>
sections 12(1) to (3), 13(1), 14(1) and (2), 16(1) and (3), 21, 22(1), 23(1)(a) and (2)(a) and (b), 26(1)(a), (2)(a) and (c), 30(1) to (4), 38(1) and (2), 39(1) and (3), 43(1), 44(1), 48, 52(2), 53(1) and (4), 81(1)(b) and (c), 112(1) and 126(1) and (2)(a)	authority (<i>all references</i>)	Director-General
Part 2, heading	Authority	Administration of Act
Part 2, Division 1, heading	whole heading	
section 6, heading	authority	Director-General
section 6	authority are:	Director-General under this Act are:
section 6(d), before "determine"		to
section 7, heading	authority	Director-General
section 7(1), (3) and (4)	authority (<i>all references</i>)	Director-General
section 7(2)	authority may take the actions it	Director-General may take the actions the Director-General
section 7(4)	its itself	
Part 2, Division 2, heading	whole heading	

section 15(1), (2) and (3)(b)	authority (<i>all references</i>)	Director-General
section 15(1)(a)	it	the Director-General
section 17, heading	Authority	Director-General
section 17(1) and (2)	authority (<i>all references</i>)	Director-General
section 18(1) and (2)(b)	the authority (<i>all references</i>)	the Director-General
section 18(2)	authority:	Director-General:
section 18(3)(b)	Commission	Organization-INTERPOL
section 19(1)	authority (<i>all references</i>) its	Director-General
section 19(2)	authority it	Director-General the Director-General
section 19(3)	authority	Territory
section 20(1) to (5)	authority (<i>all references</i>)	Director-General
section 20(2)	its	the Director-General's
section 20(3)	it	the Director-General
section 27(1) to (4)	authority (<i>all references</i>)	Director-General
section 27(1)(a)	its	the Director-General's
section 29(2)	sections 27 and 28A do	section 27 does
section 31(1) to (5)	authority (<i>all references</i>)	Director-General
section 31(3)	it	the Director-General
section 41(1)	authority (<i>all references</i>)	Director-General

section 41(2)	authority	Territory
section 42(2) to (4)	authority	Director-General
section 42(3)	its it is	
section 42(4)	it	the Director-General
section 45(4)(b)	authority gives its	Director-General gives
sections 45(4)(c) and (5)(a) and (b) and 46(1) to (4)	authority	Director-General
section 46(3)	its	the
section 50(1)	authority it	Director-General the Director-General
section 50(2)	all words from "The" to "inspectors"	The Director-General is an inspector
section 51(1) and (2)	authority	Director-General
section 51(1)	it is	
section 51(2)	it	the Director-General
section 54, heading	authority	Director-General
section 54	authority	Director-General
section 59(2)(e)	Director (<i>all references</i>)	Director-General
section 61	authority gives its	Director-General gives
section 62, heading	Director	Director-General
sections 62, 63, 64, 65(1) and (2), 66(1) and 67	Director (<i>all references</i>)	Director-General
section 71, heading	Authority	Director-General
sections 71(1) and (2) and 72(1)(a) to (c)	authority (<i>all references</i>)	Director-General

section 72(1)	authority may, in writing	Director-General may, by written notice
section 72(4)	authority may, if it	Director-General may, if the Director-General
section 75, heading	authority	Director-General
section 75(1) and (2)	authority (<i>all references</i>)	Director-General
section 75(3)(a), at the end		or
section 75(3)(b) to (f)	whole paragraph	(b) a review of a decision under Part 3 of the <i>Licensing (Director-General) Act</i> or a review of a reviewable decision.
section 79(1)	authority its	Director-General the Director-General's
section 80(1) and (2)	authority	Director-General
section 80(1)	it itself	the Director-General the Director-General
section 93, heading	infants	children
section 103(1)	authority	Director-General
section 103(2)	Chairperson or Director (<i>all references</i>) authority's	Director-General Director-General's
section 127(2)(a) to (d), at the end		and
section 127(2)(b) and (3)(a) and (b)	authority	Director-General
section 127(2)(e) and (f)	whole paragraph	

Schedule 9 Other laws amended

section 145

Provision	Amendment	
	<i>omit</i>	<i>insert</i>
Associations Act		
section 6(3)(c)(vi)	whole subparagraph	(vi) the Director-General of Licensing appointed under section 5 of the <i>Licensing (Director-General) Act</i> , or
Court Security Regulations		
regulation 2(2)(b)	whole paragraph	
Criminal Records (Spent Convictions) Regulations		
regulation 3	by the Northern Territory Licensing Commission	
Gaming Control (Community Gaming) Regulations		
regulations 2, definition association , paragraph (b), 3(1), 14(1) and (2), 16(2), 22(1) and (5), 23(1) and (2), 25(1) and (2), 26(1), (3) and (4), 28, 30(1) to (4), 31(1) and (3), 32(1) and (2), 34(1) and (2), 36(1)(j) and (2), 37, 39(1)(h) and (2), 40, 42(1) and (4), 43(1), (2), (3)(c) and (4), 44(1)(a) and (c) to (e) and (2), 45(1) and (2) and 47(1), (3) and (6)	Director (<i>all references</i>)	Director-General

regulation 9(2)	Director	Director-General
regulation 9(3)	Director's	Director-General's
regulation 29(2) and (3)	Director	Director-General
regulation 29(2)(b)	Director's	Director-General's
regulation 28, heading	Director	Director-General
regulation 46(1), (2), (3) and (5)	Director	Director-General
regulation 46(5)	Director's	Director-General's
<i>Gaming Control (Gaming Machines) Regulations</i>		
regulations 2, definition <i>non-commercial gaming machine</i> , 3(1) and (2)(b), 4(1), (4), (5) and (6)(a) and (b) and 6(6)	Director (all references)	Director-General
regulation 6(6)	Director's	Director-General's
regulation 8(d)	, the Commission or the Director	or the Director-General
<i>Gaming Control (Internet Gaming) Regulations</i>		
regulation 2, definition <i>approved</i>	whole definition	
regulations 2, definition <i>approved computer system</i> , 3, 4(1) to (5), 5(2), 8(1), 9(1)(a) and (b) and (2), 10(1) to (7), 11(1), 12(1)(d) and (2), 13(3), 14(1), (2)(b) and (g) and (5) to (7), 15(1), (3) and (4), 16(1) to (5), 17(1), (2), (4), (5)(c), (6) to (8) and (9)(c), 18(1) and (2), 19(1)(b), (2) and (3), 21(1) to (5), 23(2), (4) and (5), 24(1), (2)(b), (3) and (5), 25(1) and (3), 26(1)	Director (all references)	Director-General

and (2), 27, 29(1) and (2), 30, 31(1), 32(1), (2)(a) and (b), 33(1) and (2), 34(1), 37(1), (2), (4) and (6), 39, 41(1)(b), 42(1), 43(1) and (2), 48(1), 49(2), 50(5), 58(2)(b), 59(4)(b), 60(4)(d) and (5), 62(2)(d), 63(2)(b) and (3) to (5), 66(1)(b) and (2) and 67(2)(a) and (3)

regulations 4(4), 10(5), 17(8), 21(4)(d), 43(3) and 69

Director's

Director-General's

regulations 8 and 27, heading

Director

Director-General

Gaming Control (Licensing) Regulations

regulations 4(1), (2)(b) and (g), (3) and (4), 5(1) and (3), 6(1) to (4), 7(1), (2), (3)(b), (5), (6) and (7)(c), 8(1) to (4), 9(3) and (4), 10(1) and (3), 11(1), (2)(b), (3) and (4), 12(1) to (4), 13(1) to (5), 14(1) and (2) and 15

Director
(*all references*)

Director-General

Gaming Machine Regulations

regulation 3A(1) and (2)

Commission

Director-General

regulations 6(a), 6E(1), (2)(b) and (3), 8(b), 12(1)(a), 12A(2), 14(1) and (3), 15(4), 18A, 20(1)(b), (2) and (3), 22(b), 24, 24A(1) and (2), 26(2), 27(1) and (3)(b), 28(1) and (2)(b)(i), 32A, 37(2)(a), 38(1) to (3), 39(1A), (2), (3)(b) and (6),

Director
(*all references*)

Director-General

Schedule 1, clauses 4 and 12, Schedule 3, clauses 3 to 5 and 8(a) and (b) and Schedule 6, clauses 1 and 8

Part 7, heading	Director	Director-General
<i>Gaming Machine Rules</i>		
rule 5	Director	Director-General
<i>Kava Management Regulations</i>		
regulation 3, definition <i>Code of Kava Management</i>	whole definition	
regulations 6, 7(2), 9(1), 11(1) and 12(2)(a)	Commission <i>(all references)</i>	Director-General
regulation 6(h)	whole paragraph	
regulation 8	whole regulation	
regulation 10(1)	a form that the Commission has approved	the approved form
regulation 10(2)(a)	Director a return, in a form approved by the Commission	Director-General a return, in the approved form
<i>Liquor Regulations</i>		
regulation 4(1) to (1B)	Commission	Director-General
regulation 4(1B)	it	the Director-General
regulation 6, definition <i>Director infringement offence</i>	<i>Director</i>	<i>Director-General</i>
regulation 6, definition <i>infringement offence</i>	Director	Director-General
regulation 7(2)	<i>Director</i>	<i>Director-General</i>

regulations 7(3)(b), 7A(2) and 10(2)	Director (<i>all references</i>)	Director-General	
Schedule 2, Part 2, heading	Director	Director-General	
Schedule 2, Part 2, items for section 53(1) and section 54(1)	whole item		
Schedule 2, Part 2		(<i>in numerical order</i>)	
		section 120ZE(2)	4

Private Security (Crowd Controllers) Regulations

regulation 3(a)	210, 239	243(1)	
regulations 6(b), 8(b) and 10(2)	licensing authority	Director-General	

Private Security (Miscellaneous Matters) Regulations

Part 2	whole Part		
regulation 4	Schedule 1	Schedule 2	
regulation 7	licensing authority	Director-General	
Schedule 1	whole Schedule		

Private Security (Security Firms) Regulations

regulation 2(a)	210, 239	243(1)	
regulation 3	whole regulation		
regulation 6(2), (3) and (5)(b)	licensing authority	Director-General	
Schedule	whole Schedule		

Private Security (Security Officers) Regulations

regulation 2(a)	210, 239	243(1)	
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regulations 5(b) and 7(2)	licensing authority	Director-General
Prostitution Regulations		
Schedule 1, items for sections 36(1) and 36(5)(b)	whole item	
Schedule 2, heading, after " Schedule 2 "		Forms
Schedule 2, Form 13, Note (5)	whole note	(5) If any of the details you have provided change between the date you lodge this application and the date on which the Director-General of Licensing determines your application, you must advise the Director-General of those changes.
Schedule 2, Form 13, Note (7)	all words from "Commission you" to "determination of"	Director-General you will be investigated by the Northern Territory Police Force to assist the Director-General in determining
Schedule 2, Form 14, Note (6)	whole note	(6) If any of the details you have provided change between the date you lodge this application and the date on which the Director-General of Licensing determines your application, you must advise the Director-General of those changes.

Schedule 2, Form 14, Note (8)	all words from "Commission you" to "determination of"	Director-General you will be investigated by the Northern Territory Police Force to assist the Director-General in determining
Schedule 2, Form 15	Director of the Northern Territory Licensing Commission	Director-General of Licensing
Schedule 2, Forms 17 and 18	whole form	

Tobacco Control Regulations

regulations 8, 8A(1)(b), 15C(1), (2), (3)(a), (4) to (6) and (8), 25A(2)(a) and Schedule, item for section 37	Director (<i>all references</i>)	Director-General
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Totalisator Licensing and Regulation Regulations

regulation 4, heading	authority	Director-General
regulation 5(d)	the authority	the Director-General
regulation 8	The authority	The Director-General
regulation 8(d)	all words from "(whether" to "writing)"	in any way considered appropriate by the Director-General

Totalisator Licensing and Regulation (Arbitration) Regulations

regulations 2, definition party , 3(1) and (2), 7(2) and 14(c)	authority (<i>all references</i>)	Director-General
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Totalisator Licensing and Regulation (Wagering) Rules

rule 2(4)(b)	authority	Director-General
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