

NORTHERN TERRITORY OF AUSTRALIA

STATUTE LAW REVISION ACT 2018

Act No. 10 of 2018

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NORTHERN TERRITORY OF AUSTRALIA

Act No. 10 of 2018

An Act to make miscellaneous minor amendments to various laws

[Assented to 23 May 2018]
[Introduced 21 March 2018]

The Legislative Assembly of the Northern Territory enacts as follows:

Part 1 Preliminary matters

1 Short title

This Act may be cited as the *Statute Law Revision Act 2018*.

2 Commencement

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

Part 2 Amendment of Public Transport (Passenger Safety) Act

3 Act amended

This Part amends the *Public Transport (Passenger Safety) Act*.

4 Section 4 amended (Offences warranting arrest)

Section 4(1)(d)

omit

251 of the Criminal Code (criminal damage)

insert

241 of the Criminal Code (damage to property)

5 Section 38 and Schedule repealed (Amendment of Passenger Bus Regulations)

Section 38 and Schedule

repeal

Part 3 Amendment of other laws

6 Other laws amended

The Schedule amends the laws mentioned in it.

Part 4 Repeal of Act

7 Repeal of Act

This Act is repealed on the day after it commences.

Schedule Other laws amended

section 6

Provision	Amendment	
	<i>omit</i>	<i>insert</i>
<i>Administration and Probate Act</i>		
section 72(1)	, unless the contrary intention appears	
section 72(1), definitions <i>intestate</i> , <i>intestate estate</i> and <i>personal representative</i>	whole definition	(<i>in alphabetical order</i>) <i>intestate</i> , see section 61(1). <i>intestate estate</i> , see section 61(1). <i>personal representative</i> , see section 61(1).
section 72(2)	Aboriginal	Aboriginal person
<i>Adoption of Children Act</i>		
section 32(b)	by writing under his or her hand	in writing
section 72(2)(d)	such purposes or to such persons as	a purpose or to a person that
section 77(c)	his or her	
<i>Adoption of Children Regulations</i>		
regulation 7(1)	he or she intends	
<i>Agents Licensing Act</i>		
section 125AA	Notwithstanding section 125A, the	The

Provision	Amendment	
	<i>omit</i>	<i>insert</i>
Commercial Arbitration (National Uniform Legislation) Act 2011		
section 27H(1)(a)	and	or
Commercial Passenger (Road) Transport Act		
section 3(1)	, unless the contrary intention appears	
section 3(1), definition bus stop	whole definition	<p>bus stop means an area of a public street that is marked off by:</p> <p>(a) a part of the kerb of the street that is between a traffic sign bearing an arrow and the words "BUS STOP" erected on or near the kerb and another traffic sign on the same side of the street nearest in the direction indicated by the arrow; or</p> <p>(b) markings on the pavement of the street adjacent to:</p> <p>(i) a traffic sign bearing the words "BUS STOP", "BUSES ONLY" or "BUSES EXCEPTED" ; or</p> <p>(ii) the words "BUS STOP" marked on the</p>

Provision	Amendment	
	<i>omit</i>	<i>insert</i>
		pavement.
section 3(1), at the end		<i>Note for subsection (1)</i> <i>The Interpretation Act contains definitions and other provisions that may be relevant to this Act.</i>
Consumer Affairs and Fair Trading Act		
section 125(1), definition dealings register	licenced dealer in pursuance of	licensed dealer under
section 125(1), definition exempt trader	licenced him or herself	licensed themselves
section 125(1), definition licenced dealer	licenced	licensed
section 125(5)(a)	licenced	licensed
section 125(5)(b)	him or herself	themselves
section 127(1)	the purposes of where a licenced licenced	if a licensed licensed
Part 10, Division 2, heading	unlicenced (all references)	unlicensed
section 128, heading	Unlicenced	Unlicensed
section 128	licenced dealer shall	licensed dealer must
section 128(b)	him or herself	themselves
section 128, penalty provision	whole penalty provision	Maximum penalty: 500 penalty units.
section 129(1)	licenced dealer shall	licensed dealer must
section 129(1), penalty provision	whole penalty provision	Maximum penalty: 500 penalty units.

Provision	Amendment	
	<i>omit</i>	<i>insert</i>
section 130	licenced	licensed
section 130, penalty provision	whole penalty provision	Maximum penalty: 500 penalty units.
section 131, heading	unlicenced	unlicensed
section 141(1)	licenced dealer shall	licensed dealer must
section 144, heading	licenced	licensed
section 144(1)	Where a licenced such longer period as the Commissioner allows	If a licensed a longer period allowed by the Commissioner
section 144(1)(b)	succeeding	
section 147(1)	Where licenced shall	If licensed must
section 153(1)	licenced dealer shall cause the licence held by the dealer to be exhibited	licensed dealer must display the licence held by the dealer
section 153(1)(a)	as such	
section 153(1)(b)	where	if
section 153(1), penalty provision	whole penalty provision	Maximum penalty: 100 penalty units.
section 155(1)	shall licenced dealers to be	must licensed dealers
section 157(1)	licenced dealer shall	licensed dealer must
section 157(1)(b)(i)	such other distance as is	other distance
section 157(1), penalty provision	whole penalty provision	Maximum penalty: 200 penalty units.

Provision	Amendment	
	<i>omit</i>	<i>insert</i>
section 157(2)	Where 2 or more licenced dealers licenced	For 2 or more licensed dealers who licensed
section 158(1)	licenced dealer shall	licensed dealer must
section 158(1)(a)	where or cause to be entered	if
section 158(1)(b)	or cause to be entered referred to	mentioned
section 158(1)(c) and (d)	or cause to be entered	
section 158(1), penalty provision	whole penalty provision	Maximum penalty: 100 penalty units.
section 158(5)	Where a licenced by virtue	If a licensed because
section 159(1)	licenced shall	licensed must
section 166(1)	licenced dealer shall	licensed dealer must
section 166(1)(a)	has not attained the age of 18 years	is under 18 years old
section 166(1), penalty provision	whole penalty provision	Maximum penalty: 100 penalty units.
section 167	licenced dealer shall	licensed dealer must
section 167, penalty provision	whole penalty provision	Maximum penalty: 100 penalty units.
section 169(3)	referred to	mentioned
section 169(3)(c)	and and	and
section 169(3)(e)	where licenced	if licensed

Provision	Amendment	
	<i>omit</i>	<i>insert</i>
section 174, heading	licenced	licensed
section 174(1)	licenced dealer shall exhibit, and keep exhibited	licensed dealer must display at all times
	such a position as to be	a position that is
section 174(1), penalty provision	whole penalty provision	Maximum penalty: 20 penalty units.
section 174(2)(b)	where such	if a dealer
section 174(2)(c)	LICENCED	LICENSED
section 175	shall not cause as such licenced	must not publish licensed
section 175, penalty provision	whole penalty provision	Maximum penalty: 20 penalty units.
section 176(1)	licenced dealer shall such	licensed dealer must a dealer
section 176(1)(a)	where the purposes of this section	if this section (<i>approved individual</i>)
section 176(1)(b)	where a person so approved	if an approved individual
section 176(1), penalty provision	whole penalty provision	Maximum penalty: 500 penalty units.
section 178	Where 2 or more licenced shall thereof	If 2 or more licensed must of the dissolution

Provision	Amendment	
	<i>omit</i>	<i>insert</i>
section 179(1)	where a licenced by virtue antecedent licenced , to the extent that it does so, void	if a licensed because previous licensed void to that extent
section 179(2)	licenced where the antecedent	licensed if the previous
section 181(2)	in the case of licenced	to licensed
section 184(2)	shall references therein to licenced dealers and dealers included	the references to licensed dealers and dealers include
section 244(1), definition licencee	licencee	licensee
sections 247 and 248, heading	licenced	licensed
section 253(1)	Where licencee (<i>all references</i>) referred to	If licensee mentioned
section 253(1)(c)	he or she	the licensee
section 260	he or she	the Commissioner
section 260(a)	referred to insofar as	mentioned to the extent that
section 260(b)	licencee	licensee
section 264(3)	where	if

Provision	Amendment	
	<i>omit</i>	<i>insert</i>
section 264(3)(c)	before licencee	within licensee
section 267(2)	referred to	mentioned
section 267(2)(a)	any of the matters referred to licencee and, where , as the case may be	a matter mentioned licensee and, if
section 267(2)(b)	referred to	mentioned
section 267(3)(a) and (c)	caused to be served licencee (<i>all references</i>)	served licensee
section 268(1)	cause to be kept	keep
section 268(1)(b)	where licencee	if licensee
section 274	licencee must cause to be kept	licensee must keep
section 274(a)	licencee's	licensee's
section 274(b)	Licensed (<i>all references</i>) , as the case may be	Licensed
section 274, penalty provision	whole penalty provision	Maximum penalty: 20 penalty units.
section 275(1)	Where licencee	If licensee
section 275(1)(b) and (3)	licencee (<i>all references</i>)	licensee
section 275(1)(c)(ii)	licencee's	licensee's

Provision	Amendment	
	<i>omit</i>	<i>insert</i>
section 275(3), penalty provision	whole penalty provision	Maximum penalty: 100 penalty units.
section 275(4)	licencee is	licensee
section 283(6)	licencee (<i>all references</i>)	licensee
section 283(6)(a)	in the case of	for
section 283(6)(b)	in any other case	otherwise
section 283(6), penalty provision	whole penalty provision	Maximum penalty: 100 penalty units.
sections 311 and 312, heading	licenced	licensed
section 324, heading	Licencee's	Licensee's
section 324(1)	Where licencee (<i>all references</i>)	If licensee
section 324(2) and (3)(a) and (b)	licencee (<i>all references</i>)	licensee
section 325(1)	Where licencee (<i>all references</i>) as the case may be,	If licensee
section 325(4)	licencee (<i>all references</i>)	licensee
<i>Consumer Affairs and Fair Trading (Motor Vehicle Dealers) Regulations</i>		
Schedule 3, Form 12	repaired	repaired
<i>Control of Roads Act</i>		
section 5(1), definition road , after "means"		, subject to subsection (2)

Provision	Amendment	
	<i>omit</i>	<i>insert</i>
section 5(1), at the end		<i>Note for subsection (1)</i> <i>The Interpretation Act contains definitions and other provisions that may be relevant to this Act.</i>
<i>Correctional Services Act</i>		
section 77(5)	Sections 75(2), 76 and 77(1)	Subsection (1) and sections 75(2) and 76
<i>Criminal Records (Spent Convictions) Act</i>		
section 3(1), definition <i>traffic offence</i>	the purposes of this definition. and	this definition.
<i>Director of Public Prosecutions Act</i>		
section 33(1)	then	than
<i>Education Regulations</i>		
Part 8, heading	whole heading	
<i>Financial Agreement Between the Commonwealth, States and Territories (Approval) Act 1994</i>		
section 2	the ⁷	the
<i>Financial Sector Reform (Northern Territory) Act</i>		
section 4	, unless the contrary intention appears	
section 4, definition <i>FS(TB) Act</i>	whole definition	<i>(in alphabetical order)</i> <i>FS(BTGR) Act</i> means the <i>Financial Sector (Business Transfer and Group Restructure) Act 1999 (Cth)</i> .
section 4, at the end		<i>Note for section 4</i> <i>The Interpretation Act contains definitions and other provisions that may be relevant to this Act.</i>

Provision	Amendment	
	<i>omit</i>	<i>insert</i>
section 8, heading	FS (TB) Act	FS(BTGR) Act
section 8	Unless the contrary intention appears, words defined in the FS(TB) Act	Words defined in the FS(BTGR) Act
sections 10(1) and (2) and 11(1) and (2)	FS(TB) Act	FS(BTGR) Act
section 11(4)(b) and (5)	referred to FS(TB) Act	mentioned FS(BTGR) Act
<i>Fisheries Act</i>		
section 38(2)(a) and (c)(i) and (ii), at the end		or
<i>Gaming Machine Act</i>		
section 42B, heading	transfer of gaming machine licence	substitution of premises
<i>Independent Commissioner Against Corruption Act 2017</i>		
section 11(3)	a public body, a judicial officer	a judicial officer, the Director of Public Prosecutions, a public body
<i>Juries Act</i>		
section 15	the Associate Judge such period as the Judge or the an Associate Judge, as the case may be, specifies	Associate Judge a period specified by the Judge or Associate Judge
<i>Legal Profession Act</i>		
section 351, definition reviewer , paragraph (b)	the Master	an Associate Judge

Provision	Amendment	
	<i>omit</i>	<i>insert</i>
section 687(2)(b)	or	
<i>Legislative Assembly (Security) Act</i>		
section 4	, unless the contrary intention appears	
section 4, definitions <i>firearm</i> and <i>offensive weapon</i>	whole definition	(in alphabetical order) <i>firearm</i> , see section 3(1) of the <i>Firearms Act</i> . <i>offensive weapon</i> , see section 3 of the <i>Weapons Control Act</i> , definitions <i>controlled weapon</i> , <i>offensive weapon</i> and <i>prohibited weapon</i> .
section 4, at the end		<i>Note for section 4</i> <i>The Interpretation Act contains definitions and other provisions that may be relevant to this Act.</i>
<i>Licensed Surveyors Act</i>		
section 4	, unless the contrary intention appears	
section 4, definition <i>Institution</i>	whole definition	(in alphabetical order) <i>Institute</i> means the Surveying And Spatial Sciences Institute Limited ABN 22 135 572 815 Northern Territory Regional Committee.
section 4, at the end		<i>Note for section 4</i> <i>The Interpretation Act contains definitions and other provisions that may be relevant to this Act.</i>

Provision	Amendment	
	<i>omit</i>	<i>insert</i>
section 9(2)	shall, by notice in the <i>Gazette</i>	must, by <i>Gazette</i> notice
section 9(2)(a)	Institution	Institute
section 10, heading	Institution	Institute
section 10(1)	Where referred to all words from "shall" to "letter" Institution the purposes of	If mentioned must serve the Institute with written notice of that fact by post Institute
section 10(2)	referred to (<i>all references</i>) Institution the purposes of	mentioned Institute
section 11(4)	referred to Institution shall	mentioned Institute must
section 40(2)	shall consist	consists
section 40(2)(a)	who shall be	to be
section 40(2)(b)	shall be Institution	is to be Institute
section 40(3)	Institution referred to	Institute mentioned
<i>Liquor Act</i>		
section 106CA(1)(c)	engages	engage
<i>Local Court (Criminal Procedure) Act</i>		
section 171, heading	one month	28 days

Provision	Amendment	
	<i>omit</i>	<i>insert</i>
<i>Marine (General) Regulations</i>		
Schedule 2	5(1) to (3)	5(1), (2) and (3)
	8(1) and (2) and (5) to (7)	8(1), (2), (5), (6) and (7)
	14(1) to (4), 16(1) and (2)	14(1), (2), (3) and (4), 16(a), (b) and (d)
<i>Medical Services Act</i>		
section 19(3)	relation, to	relation to,
<i>Mental Health and Related Services Act</i>		
section 11, heading	Aborigines and Torres Strait Islanders	Aboriginal and Torres Strait Islander persons
section 11(b)	Aborigine or Torres Strait Islander	Aboriginal or Torres Strait Islander person
section 73A(3)(a)	121A(1)(b) of the <i>Justices Act</i>	121A(1)(a) of the <i>Local Court (Criminal Procedure) Act</i>
section 73A(4)	121A(1)(d) of the <i>Justices Act</i>	121A(1)(c) of the <i>Local Court (Criminal Procedure) Act</i>
<i>Mineral Titles Regulations</i>		
before regulation 1		Part 1 Preliminary matters
<i>Mining Management Act</i>		
section 77(1)	part, in	part in,
<i>Motor Vehicle (Hire Car) Regulations</i>		
Part II, heading	hire cars and	
Part II, Division 1 heading	whole heading	

Provision	Amendment	
	<i>omit</i>	<i>insert</i>
<i>Motor Vehicles Act</i>		
section 5(1), definition, <i>the public</i>	whole definition	
<i>Plumbers and Drainers Licensing Act</i>		
section 34(3)	shall (all references)	must
section 34(3)(b)	proceeding his	before the
section 34(3)(c)	his , as the case requires	the applicant's
section 38(3)	shall	must
section 38(3)(a) and (b)(i) and (ii)	he	the person
section 38(3), penalty provision	offence offence	offence
<i>Police Administration Act</i>		
section 116(8)	the purposes of shall be his concerning his with his furnished to the Judge, magistrate	is the person's concerning the with the given to the judge
<i>Prisoners (Interstate Transfer) Regulations</i>		
regulation 3(1)	, unless the contrary intention appears	
regulation 3(1), definition <i>non-parole period</i>	whole definition	<i>non-parole period</i> , see section 3(1) of the <i>Sentencing Act</i> .

Provision	Amendment	
	<i>omit</i>	<i>insert</i>
<i>Private Security Act</i>		
section 15(5)	(6) and (7)	(6), (7) and (7A)
<i>Public Holidays Act</i>		
section 11(7)	<i>Workmen's Compensation Act</i>	<i>Return to Work Act</i>
<i>Public Interest Disclosure Act</i>		
section 7(2)(b)	or;	
<i>Return to Work Act</i>		
section 50A(3), definition <i>firefighter</i> , paragraph (b)	officer appointed	officer) appointed
<i>Sentencing Act</i>		
section 63(4), after "on conviction"		on indictment
<i>Sexual Offences (Evidence and Procedure) Act</i>		
section 3	, unless the contrary intention appears	
section 3, at the end		<i>Note for section 3</i> <i>The Interpretation Act contains definitions and other provisions that may be relevant to this Act.</i>
section 5(1)	Notwithstanding where	Despite if
section 5(1)(b)	not	
section 5(2)	Where	If
<i>Tnorala Local Management Committee Regulations</i>		
regulation 2	, unless the contrary intention appears	

Provision	Amendment	
	<i>omit</i>	<i>insert</i>
regulation 2, definition relevant Aboriginals	Aboriginals	Aboriginal persons
regulation 2, definition relevant Aboriginals , paragraph (a), at the end		and
regulation 2, definition relevant Aboriginals , paragraph (b)	Aboriginals reserve	Aboriginal persons Reserve
regulation 2, definition relevant Aboriginals , paragraph (c)	Aboriginals (<i>first reference</i>) Aboriginals referred to	Aboriginal persons persons mentioned
regulation 9(2)(d), (e), (f), (p) and (s)	Aboriginals	Aboriginal persons
Traffic Regulations		
Schedule 3, rule 185, before "A driver"		(1)
Work Health Administration Act		
section 4(3)(b)	by	