

NORTHERN TERRITORY OF AUSTRALIA

JUSTICE LEGISLATION AMENDMENT ACT 2019

Act No. 1 of 2019

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NORTHERN TERRITORY OF AUSTRALIA

Act No. 1 of 2019

An Act to amend the *Director of Public Prosecutions Act 1990*, the *Law Officers Act 1978*, the *Local Court Act 2015* and the *Supreme Court Act 1979*

[Assented to 22 February 2019]
[Introduced 28 November 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 *Justice Legislation Amendment Act 2019*.

2 Commencement

This Act commences on the day after the day on which the Administrator's assent to this Act is declared.

Part 2 Amendment of Director of Public Prosecutions Act 1990

3 Act amended

This Part amends the *Director of Public Prosecutions Act 1990*.

4 Section 4 amended (Director of Public Prosecutions)

Section 4(1)(a), (6) and (9)

omit

70

insert

72

5 Section 40 inserted

After section 39

insert

40 Transitional matters for Justice Legislation Amendment Act 2019

If a person who held office as the Director immediately before the commencement of section 4 of the *Justice Legislation Amendment Act 2019* resigns office on or after the day the person turns 70 years old and before the day the person turns 72 years old, the reference to the age of 72 years in section 4(6) is taken to be a reference to the exact age of the person on the day the resignation takes effect.

Part 3 Amendment of Law Officers Act 1978**6 Act amended**

This Part amends the *Law Officers Act 1978*.

7 Section 13 amended (Office of Solicitor-General)

Section 13(1)(a), (5) and (9)

omit

70

insert

72

8 Section 16 inserted

After section 15

insert

16 Transitional matters for Justice Legislation Amendment Act 2019

If the person who held office as Solicitor-General immediately before the commencement of section 6 of the *Justice Legislation Amendment Act 2019* resigns office on or after the day the person turns 70 years old and before the day the person turns 72 years old, the reference to the age of 72 years in section 13(5) is taken to be a reference to the exact age of the person on the day the resignation takes effect.

Part 4 Amendment of Local Court Act 2015**9 Act amended**

This Part amends the *Local Court Act 2015*.

10 Section 53 amended (Appointment)

Section 53(2)(a)

omit

70

insert

72

11 Section 56 amended (Vacation of office)

Section 56(a)

omit

70

insert

72

Part 5 Amendment of Supreme Court Act 1979**12 Act amended**

This Part amends the *Supreme Court Act 1979*.

13 Section 32 amended (Appointment of Judges)

Section 32(1)

omit

70

insert

72

14 Section 38 amended (Retirement)

Section 38

omit

70

insert

72

15 Section 41A amended (Appointment of Associate Judges)

Section 41A(a)

omit

70

insert

72

16 Section 41D (Retirement)

Section 41D

omit

70

insert

72

17 Section 41H amended (Authorization to act in office of Associate Judge)

Section 41H(1)(c)

omit

70

insert

72

18 Section 91 inserted

After section 90

insert

91 Transitional matters for Justice Legislation Amendment Act 2019

If a person who held office as a Judge immediately before the commencement of section 12 of the *Justice Legislation Amendment Act 2019* resigns office on or after the day the person turns 70 years old and before the day the person turns 72 years old, for the purpose of determining the person's pension entitlement under section 4(2) or (3) of the *Supreme Court (Judges Pensions) Act 1985*, the particular age at which the person is to cease to hold office as a Judge is taken to be the exact age of the person on the day the resignation takes effect.

Part 6 Repeal of Act

19 Repeal of Act

This Act is repealed on the day after it commences.