



NORTHERN TERRITORY OF AUSTRALIA

No. 22 of 1995

AN ACT

to amend the *Ombudsman (Northern Territory) Act*

[Assented to 26 June 1995]

BE it enacted by the Legislative Assembly of the Northern Territory of Australia, with the assent as provided by the *Northern Territory (Self-Government) Act 1978* of the Commonwealth, as follows:

1. Short title

This Act may be cited as the *Ombudsman (Northern Territory) Amendment Act 1995*.

2. Commencement

This Act shall come into operation on a date to be fixed by the Administrator by notice in the *Gazette*.

3. Interpretation

Section 3 of the *Ombudsman (Northern Territory) Act* is amended -

(a) by omitting from the definition of "administrative action" in subsection (1) paragraph (e) and substituting the following:

"(e) any such action of or by a person while discharging or purporting to discharge a responsibility of a judicial nature;

(ea) any such action of -

(i) a coroner, within the meaning of the *Coroners Act*, while discharging or purporting to discharge a responsibility relating to an inquest or inquiry under that Act; or

- (ii) a magistrate or Justice while discharging or purporting to discharge a responsibility relating to a preliminary examination under Part V of the *Justices Act*;
- (eb) any such action (not amounting to inordinate delay) of or by the Director of Public Prosecutions under the *Director of Public Prosecutions Act* relating to -
 - (i) the instituting and conducting of, or participation in or assistance with matters relating to, judicial proceedings, including such proceedings outside of the Territory;
 - (ii) the granting of immunity from prosecution;
 - (iii) an extradition;
 - (iv) the recovery of penalties or the enforcement of forfeitures;
 - (v) the issuing and contents of guidelines relating to prosecutions for offences;
 - (vi) the limiting of the powers of other officials; and
 - (vii) the investigation of offences;
- (ec) any such action (not amounting to inordinate delay) relating to an application to or decision of a consent authority under the *Planning Act* from which decision an appeal to the Planning Appeals Tribunal under that Act would lie, the procedure in relation to the hearing of such an appeal, and the resulting decision of the Tribunal;
- (ed) any such action (not amounting to inordinate delay) relating to a decision of the Liquor Commission under the *Liquor Act* as a result of which an application or request for a hearing under Part V of that Act may be made, the procedure in relation to any such hearing, and the resulting decision of the Commission;"; and
- (b) by inserting in subsection (2), after "this Act", the words "either generally or in respect of specified administrative actions or actions of a specified class of administrative action, or in respect of administrative actions other than specified administrative actions or actions of a specified class of administrative action".

4. Regulations

Section 32(b) of the *Ombudsman (Northern Territory) Act* is amended by inserting after "authority" the words ", or an action or class of action of a department or authority,".
