



NORTHERN TERRITORY OF AUSTRALIA

No. 72 of 1991

AN ACT

to amend the *Criminal Code*

[Assented to 6 December 1991]

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 *Criminal Code Amendment Act (No. 3) 1991*.

2. RECOMMITTAL AS HABITUAL CRIMINAL OR DISCHARGE

Section 400 of the *Criminal Code* is amended by inserting after subsection (4) the following:

"(4A) For the purposes of dealing with a person taken before the Court of Summary Jurisdiction under subsection (4), the *Justices Act* shall apply to and in relation to the proceedings, and the Court may exercise any of its powers under that Act, as if the person was before the Court charged with a simple offence, but nothing in this subsection shall be construed as permitting the Court to deal with the person, where it is proved to the Court that the person, without reasonable excuse, has failed to comply with or has breached any of the conditions of the order made in respect of the person under section 399, other than in accordance with this section."

