



# NORTHERN TERRITORY OF AUSTRALIA

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No. 24 of 1990

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## AN ACT

to amend the *Juvenile Justice Act*

[Assented to 7 June 1990]

**B**E 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 *Juvenile Justice Amendment Act 1990*.

2. PRINCIPAL ACT

The *Juvenile Justice Act* is in this Act referred to as the Principal Act.

3. DETENTION OF JUVENILES

Section 32 of the Principal Act is amended -

(a) by omitting from subsection (1) all words after "detained there" and substituting "on an order to that effect having been made by the Court or a magistrate."; and

(b) by inserting after subsection (1) the following:

"(1A) A member of the Police Force may make an application for an order under subsection (1) in person or, if it is not practicable for an application to be made in person, it may be made by telephone to a magistrate."

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*Juvenile Justice Amendment*

4. DISPOSITION BY COURT

Section 53 of the Principal Act is amended by inserting after subsection (9) the following:

"(9A) Where a juvenile in respect of whom an order under subsection (1)(e) has been made -

- (a) appears before the Court in pursuance of section 25 of the *Criminal Law (Conditional Release of Offenders) Act*, as applied by subsection (9); and
- (b) the Court is satisfied that the juvenile is in breach of the order as determined under section 25 of that Act,

the Court may order, notwithstanding section 25(5) of that Act, that the juvenile not be committed to prison and, where it so orders, the order made under subsection (1)(e) shall be deemed to be revoked and it may then deal with the juvenile for the offence in respect of which the order under subsection (1)(e) was made in any manner in which it could deal with the juvenile as if it had just found the charge against the juvenile proven and, for that purpose, it may take into account any work performed by the juvenile under that order."

5. OFFENCES

Section 91 of the Principal Act is amended by inserting after subsection (1) the following:

"(1A) For the purposes of subsection (1), and without limiting the generality of that subsection, a detainee shall be taken to have absconded from lawful detention at a detention centre if the detainee absconds while absent from the detention centre in pursuance of section 65(2)."

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