

NORTHERN TERRITORY OF AUSTRALIA

STATUTE LAW REVISION ACT 1989

No. 60 of 1989

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NORTHERN TERRITORY OF AUSTRALIA

No. 60 of 1989

AN ACT

to revise and correct the law of the Territory
in minor respects

[Assented to 2 October 1989]

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 *Statute Law Revision Act 1989*.

2. AMENDMENT OF *INTERPRETATION ACT* AND CONSEQUENTIAL AMENDMENTS

(1) Section 18 of the *Interpretation Act* is amended by inserting after the definition of "proclamation" the following:

"'Registrar-General' or 'Deputy Registrar-General' means the Registrar-General or Deputy Registrar-General, as the case may be, appointed under the *Registration Act*;"

(2) The provisions of the Acts and Regulations specified in Schedule 1 are amended as provided for in that Schedule.

3. AMENDMENT OF *FILM CLASSIFICATION ACT*

Section 4 of the *Film Classification Act* is amended by adding at the end the following:

"(3) The exhibition to persons on payment of a charge or presentation of a ticket or other token of a film that -

- (a) has not been classified under this Act; or
- (b) has not been classified or exempted from classification under the *Classification of Publications Act*,

is prohibited."

4. AMENDMENT OF *LOCAL GOVERNMENT ACT*

Section 204 of the *Local Government Act* is amended by inserting after subsection (1) the following:

"(1A) Where By-laws ('Amending By-laws') propose, with or without other amendments, the amending of other By-laws ('Principal By-laws') so that the Principal By-laws as amended purport in whole or in part to bind the Crown in right of the Territory, subsection (1) applies to those Amending By-laws as if they were themselves expressed to bind the Crown in right of the Territory and -

- (a) a copy of the Principal By-laws shall also be laid before the Assembly with the Amending By-laws as if section 63(3)(c) of the *Interpretation Act* so required; and
- (b) the Principal By-laws as amended by the Amending By-laws shall bind the Crown in right of the Territory, according to their tenor, on the commencement of the relevant provision of the Amending By-laws."

5. REPEAL OF REGULATIONS

(1) The Companies Auditors Board Regulations, comprising Regulations 1963, No. 15, Regulations 1963, No. 21 and Regulations 1980, No. 9, are repealed.

(2) The Hospitals and Medical Services (Charges) Regulations, comprising the following Regulations, are repealed:

1958, No. 19
1963, No. 1
1964, No. 4
1964, No. 17
1966, No. 4
1967, No. 4
1969, No. 3
1973, No. 87
1975, No. 15
1975, No. 18
1976, No. 23

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1977, No. 2
1978, No. 2
1978, No. 44
1979, No. 18

(3) The Marketable Securities Regulations, comprising Regulations 1971, No. 22 and Regulations 1973, No. 27, are repealed.

6. STATUTE LAW REVISION

The provisions of the Acts specified in Schedule 2 are amended as provided for in that Schedule.

SCHEDULE 1

Section 2(2)

AMENDMENTS OF ACTS AND REGULATIONS

Provision	Amendment	
	omit	substitute
<hr/>		
<i>Administration and Probate Act</i>		
Section 6(1) - definition of "the Registrar- General"	the whole definition	
<i>Agricultural Development and Marketing Act</i>		
Section 21(3)	"within the meaning of the <i>Real Property Act</i> "	
<i>Companies (Trustees and Personal Representatives) Act</i>		
Section 39C(1)	"within the meaning of that Act"	
<i>Control of Roads Act</i>		
Section 5 - definition of "Registrar-General"	the whole definition	

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SCHEDULE 1 - continued

Provision	Amendment	
	omit	substitute
Credit Unions (Amalgamation and Transfer of Engagements) Regulations		
Regulation 3 - definition of "Registrar-General"	the whole definition	
Crown Lands Act		
Section 5 - definition of "the Registrar- General' or 'the Registrar'"	the whole definition	
Encroachment of Buildings Act		
Section 3 - definition of "Registrar"	the whole definition	
Section 8(1)	"Registrar"	"Registrar-General"
Evidence Act		
Section 36(d)	the whole paragraph	"(d) the Registrar within the meaning of the <i>Registration of Births, Deaths and Marriages Act</i> ; or"
Section 40(1)	"Registrar-General of Births, Marriages and Deaths, or a certificate under the hand of the Registrar-General"	"Registrar within the meaning of the <i>Registration of Births, Deaths and Marriages Act</i> , or a certificate under the hand of the Registrar"
Instruments Act		
Section 5 - definition of "Registrar"	the whole definition	

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SCHEDULE 1 - continued

Provision	Amendment	
	omit	substitute
Sections 11(1) and (2), 12, 13(2), 14(2) and (4), 21(2), 22, 23, 30(2), 31, 33 and 36	"Registrar" (wherever occurring)	"Registrar-General"
<i>Lands Acquisition Act</i>		
Section 4 - definition of "Registrar-General"	the whole definition	
<i>Local Government Act</i>		
Section 4(1) - definition of "Registrar-General"	the whole definition	
<i>Medical Practitioners Registration Act</i>		
Section 28(2)	"Registrar-General of Births, Marriages and Deaths or any District Registrar of Births, Marriages and Deaths"	"Registrar, within the meaning of the <i>Registration of Births, Deaths and Marriages Act</i> ,"
<i>Northern Territory Land Corporation Act</i>		
Sections 16(3) and 18	"within the meaning of the <i>Real Property Act</i> " (wherever occurring)	
<i>Northern Territory University Act</i>		
Schedule 2 - paragraph 2(3)	"within the meaning of of the <i>Real Property Act</i> ,"	

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SCHEDULE 1 - continued

Provision	Amendment
	omit
	substitute
<i>Pharmacy Act</i>	
Section 27(2)	<div> "Registrar-General of Births, Marriages and Deaths and any District Registrar of Births, Marriages and Deaths" </div> <div> "Registrar, within the meaning of the <i>Registration of Births, Deaths and Marriages Act</i>," </div>
<i>Planning Act</i>	
Section 4(1) - definition of "Registrar-General"	the whole definition
<i>Power and Water Authority Act</i>	
Sections 28(4) and 31(1)	"within the meaning of the <i>Real Property Act</i> "
<i>Presbyterian Church (Northern Territory) Property Trust Act</i>	
Section 2 - definition of "Registrar-General"	the whole definition
<i>Real Property (Special Provisions) Act</i>	
Section 2 - definition of "Registrar-General"	the whole definition
<i>Unit Titles Act</i>	
Section 4(1) - definition of "Registrar-General"	"means the Registrar- General under the <i>Registration Act</i> and"

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SCHEDULE 2

AMENDMENTS OF ACTS

Section 6

Provision	Amendment	
	omit	substitute
<i>Business Franchise Act</i>		
Section 38(2)(a)	"petroleum products"	"tobacco or petroleum products"
<i>Classification of Publications Act</i>		
Section 21	subsections (3) and (4)	
<i>Electricity Act</i>		
Section 30A(2)	"section 14(2)(c)"	"section 15(2)(c) of the Power and Water Authority Act"
<i>Film Classification Act</i>		
Section 3 - definition of "classification"	"assigned"	"under section 5 as assigned"
	all words after "Commonwealth"	
Section 11(3)	"shall"	"where that decision relates to the classification of films for the Territory shall"
<i>Industry and Employment Training Act</i>		
Section 19(2)(b)	"Technology"	"Technical"
<i>Interpretation Act</i>		
Section 28(2)	"or bank holiday" (twice occurring)	
Heading to Division 4 of Part VII	the whole heading	"Division 3 - General"

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SCHEDULE 2 - continued

Provision	Amendment	
	omit	substitute
<i>Magistrates Act</i>		
Section 11(1)	"barrister, as a solicitor or as a barrister and solicitor"	"legal practitioner"
Section 18(3)	"Northern"	
Section 19(2)	"or affirmation" (wherever occurring)	
Section 20(1)	"or made an affirmation"	
Section 20(2)	"or affirmation"	
Section 20(3)	"or made an affirmation"	
	"being a Stipendiary Magistrate or a Special Magistrate"	"not being the Chief Magistrate"
	"or make an affirmation"	
Section 24	"appointed under the <i>Justices Act</i> "	"however appointed"
<i>Notifiable Diseases Act</i>		
Section 28	" <i>Northern Territory Disasters Act</i> "	" <i>Disasters Act</i> "
Section 33(2)	"statutory"	
Section 33(3)	the whole subsection	
<i>Oaths Act</i>		
Section 23	the whole section	
Schedule 6	the whole Schedule	

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SCHEDULE 2 - continued

Provision	Amendment	
	omit	substitute
<i>Plumbers and Drainers Licensing Act</i>		
Section 3 - definition of "Board"	the whole definition	"'Authority' means the Power and Water Authority established by section 4 of the <i>Power and Water Authority Act</i> ; 'Board' means the Plumbers and Drainers Licensing Board established by this Act;"
Section 6(a)	the whole paragraph	"(a) an employee of the Authority or an employee within the meaning of the <i>Public Service Act</i> , nominated by the Authority;"
Section 10(b)(i) <i>Public Holidays Act</i>	"the Director"	"the Authority"
Section 4(1) - definition of "public holiday"	"and bank holiday"	
<i>Racing and Betting Amendment Act 1989 (No. 21 of 1989)</i>		
Section 1	"1989"	"(No. 2) 1989"
<i>Real Property Amendment Act 1988</i>		
Section 25	from proposed section 267 of the Real Property Act ", by endorsing on the instrument a certificate in the prescribed form"	

Statute Law Revision

SCHEDULE 2 - continued

Provision	Amendment	
	omit	substitute
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<i>Stamp Duty Amendment Act 1989</i>		
Section 2	"1989"	"(No. 2) 1989"
<i>Taxation (Administration) Amendment Act 1989</i>		
Section 2	"1989"	"(No. 2) 1989"
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