



NORTHERN TERRITORY OF AUSTRALIA

No. 2 of 1987

AN ACT

to amend the *Crown Lands Act*

[Assented to on 27 May, 1987]

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 *Crown Lands Amendment Act 1987*.

2. COMMENCEMENT

(1) Sections 1 and 2 shall come into operation on the day on which the Administrator's assent to this Act is declared.

(2) The remaining provisions of this Act shall come into operation on a date to be fixed by the Administrator by notice in the *Gazette*.

3. PRINCIPAL ACT

The *Crown Lands Act* is in this Act referred to as the Principal Act.

4. DEFINITIONS

Section 6B of the Principal Act is amended -

- (a) by omitting "section 9(2)(b)" from the definition of "member" and substituting "section 9(2A)"; and
- (b) by omitting "section 9(2)(c)" from the definition of "senior member" and substituting "section 9(2B)".

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5. LAND BOARD

Section 9 of the Principal Act is amended by omitting subsection (2) and substituting the following:

"(2) The Board shall consist of 14 members appointed by the Minister.

"(2A) The Minister may, by notice in the *Gazette*, appoint a person to be a member of the Board.

"(2B) The Minister shall, by notice in the *Gazette*, appoint a member to be the Chairman of the Board, another member to be the Deputy Chairman of the Board and such members to be senior members of the Board as he thinks fit.

"(2C) Subject to subsection (2D), an appointment under this section shall be for 6 years but a person so appointed is eligible for reappointment.

"(2D) Where there is a vacancy in the office of a member, the Minister may, by notice in the *Gazette*, appoint a person to be a member for the remainder of the period of appointment of the member whose death, resignation or termination of appointment caused the vacancy.

"(2E) The exercise of a power or the performance of a function by the Board is not affected by reason only of there being a vacancy in the membership of the Board.

"(2F) A member may resign his office by writing signed by him and delivered to the Minister.

"(2G) The Minister may terminate the appointment of a member for inability, inefficiency, misbehaviour or physical or mental incapacity.

"(2H) If a member becomes bankrupt, applies to take the benefit of a law for the relief of bankrupt or insolvent debtors, compounds with his creditors or makes an assignment of his remuneration for their benefit, the Minister shall terminate the appointment of the member."

6. NEW SECTION

The Principal Act is amended by inserting after section 9 the following:

"9AAA. CONFIDENTIALITY

"A member shall not disclose information obtained in the course of his duties as a member unless that disclosure is made in the course of those duties.

Penalty: \$3,000 or imprisonment for 3 months.

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"9AAB. PROTECTION OF MEMBERS

"No action or proceeding, civil or criminal, shall lie or be continued against a member for or in respect of an act or thing done in good faith by the Board or a member in the exercise or performance, or purported exercise or performance, of a power or function under this Act.

"9AAC. DISCLOSURE OF INTEREST

"(1) A member of the Board who has a direct or indirect pecuniary interest in a matter being considered or about to be considered by the Board at a meeting or sitting of the Board, otherwise than as a member of, and in common with the other members of, an incorporated company consisting of not less than 25 persons and of which he is not a director shall, as soon as possible after the relevant facts have come to his knowledge, disclose the nature of his interest at that meeting or sitting.

"(2) A disclosure under subsection (1) shall be recorded in the minutes of the Board, and the member -

- (a) shall not, while he has that interest, take part after the disclosure in any deliberation or decision of the Board in relation to that matter; and
- (b) shall be disregarded for the purpose of constituting a quorum of the Board in relation to that matter."

7. TRANSITIONAL

(1) Notwithstanding the terms of his appointment as a member, a person who immediately before the commencement of this Act (other than sections 1 and 2) held office as a member, the Chairman, a Deputy Chairman or a senior member of the Land Board of the Northern Territory shall continue in office until the expiration of 3 months after that commencement but is eligible for reappointment under the Principal Act as amended by this Act.

(2) Notwithstanding section 9(2C) of the Principal Act as amended by this Act, the Minister shall appoint 7 of the first members of the Board appointed after the expiration of the 3 months referred to in subsection (1) to be members of the Board for 3 years, and the persons so appointed shall, accordingly, but subject to section 9(2F), (2G), and (2H) of the Principal Act as amended by this Act, hold office for that period.