

NORTHERN TERRITORY OF AUSTRALIA

STATUTE LAW REVISION ACT 1986

No. 64 of 1986

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NORTHERN TERRITORY OF AUSTRALIA

No. 64 of 1986

AN ACT

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

[Assented to 19 December 1986]

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 1986*.

2. MEANING OF "BANK"

(1) Section 19 of the *Interpretation Act* is amended by inserting before the definition of "calendar year" the following:

"'bank' means a bank carrying on business under the authority of an Act of the Commonwealth, or a State of the Commonwealth, or of a law of the Territory;"

(2) The following provisions are amended by omitting from each the definition of "bank":

- (a) section 5 of the *Credit Unions Act*;
- (b) section 3 of the *Financial Administration and Audit Act*;
- (c) section 5(1) of the *Land and Business Agents Act*; and
- (d) section 5 of the *Public Trustee Act*.

(3) The *Co-operative Trading Societies (Loans Guarantee) Act* is amended by omitting from section 3 the definitions of "bank" and "trading bank".

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(4) The *Building Societies Act* is amended -

(a) by omitting section 38(3) and substituting the following:

"(3) In subsection (2) and in section 43, 'authorized bill of exchange' means a bill of exchange which is payable on demand or not more than 200 days from the day on which it is acquired by the building society and which, if bought for value by the building society, would give the building society as a holder in due course a right of recourse against a bank for an amount equal to the face value of the bill."; and

(b) by omitting the definition of "bank" from section 44(9).

3. AMENDMENT OF NORTHERN TERRITORY PRODUCTS SYMBOL ACT

The *Northern Territory Products Symbol Act* is amended -

(a) by omitting the definition of "Corporation" from section 3(1);

(b) by omitting "Corporation" from the definition of "product" in section 3(1) and wherever else occurring and substituting "Minister"; and

(c) by inserting after section 11 the following:

"11A. DELEGATION BY MINISTER

"(1) The Minister may, by instrument in writing, delegate to a person any of his powers and functions under this Act, other than this power of delegation.

"(2) A power or function delegated under this section, when exercised or performed by the delegate, shall, for the purposes of this Act, be deemed to have been exercised or performed by the Minister.

"(3) A delegation under this section does not prevent the exercise of a power or the performance of a function by the Minister."

4. STATUTE LAW REVISION

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

(2) The *Dentists Registration Amendment Act 1983* (No. 19 of 1983) is repealed.

5. AMENDMENT AND REPEAL OF CERTAIN REGULATIONS

The Regulations specified in Schedule 2 are amended or repealed as provided by that Schedule.

Statute Law Revision

6. REPEAL OF SOUTH AUSTRALIAN ACTS

The Acts of the State of South Australia listed in Schedule 3, in their application to the Territory as laws of the Territory, are repealed.

SCHEDULE 1

Section 4(1)

AMENDMENT OF ACTS

Provision	Amendment	
	omit	substitute
<i>Advanced Education and Darwin Institute of Technology Act</i>		
Section 10(5)	"Council" (first occurring)	"Council or a member"
	"Council" (second occurring)	"Council or a committee member"
Section 26(1)	"provided in the By-laws"	"determined by the Council"
Section 38	"member" (first occurring)	"member of the Council or a committee"
	"member" (second occurring)	"member of the Council or committee"
Section 43(3)	"in such manner as provided for in the By-laws"	"by posting on a notice board adjacent to the entrance to the Institute's cafeteria a notice of the making of the Rules and of the place where copies of them may be obtained,"
Section 43(4)	the whole subsection	
Section 44	"the Director or his delegate"	"an officer of the Institute or a body established in accord- ance with the By-laws"

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Provision	Amendment	
	omit	substitute
<i>Brands Act</i>		
Section 4	the whole definition	
- definition of "fire brand"		
- definition of "3 letter brand"	"fire"	
<i>Energy Pipelines Act</i>		
Section 3	"the Petroleum Registrar under the <i>Petroleum (Prospecting and Mining) Act</i> ;"	"Registrar for the purposes of the <i>Petroleum Act</i> ;"
- definition of "Registrar"		
Section 12(2) (b)	"section 43"	"section 38"
Section 13(2) (e)	"1967"	"1976"
<i>Health Practitioners and Allied Professionals Registration Act</i>		
Section 38	"membership of"	"membership of a member association of"
<i>Juvenile Justice Act</i>		
Section 24		
- definition of "authorized officer"	"Sergeant First Class"	"Senior Sergeant"
<i>Local Government Act</i>		
Section 225(1)	"the costs and expenses"	"(b) the costs and expenses"
Section 235A	"officer" (twice occurring)	"officer or employee"

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Provision	Amendment	
	omit	substitute
<i>Mining Act</i>		
Section 4(1)		
- definition of "extractive mineral"	the whole definition	"'extractive mineral' means - (a) soil; or (b) sand, gravel, clay or stone that is suitable for use in construction or building works;"
<i>Motor Vehicles Act</i>		
Section 13(1)	"or the grant or renewal of a special licence under section 55B of the <i>Traffic Act</i> "	
Section 107B(3)	"Subsections (2) and (3)"	"Subsections (1) and (2)"
Section 114 - second proviso	"application"	"applicant"
<i>Pet Meat Act</i>		
Section 53(1)	all words after "this Act"	"or the Regulations shall be dealt with summarily, and proceedings for such an offence shall not be commenced without the consent in writing of the Chief Inspector"
<i>Petroleum (Submerged Lands) Act</i>		
Section 118(5A)	"subsection (5J)"	"subsection (5F)"
Section 151(2)(h)	"permit"	"permit, lease"

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Provision	Amendment	
	omit	substitute
<i>Poisons and Dangerous Drugs Amendment Act 1985</i>		
Section 19	"Containers for Hazardous Substances Act (No. 50 of 1974)"	"Containers for Hazardous Substances Act 1970 (No. 54 of 1970)"
<i>Superannuation Act</i>		
Section 4(1)	"revenue"	"review"
<i>University College of the Northern Territory Act</i>		
Section 11(3)	"section 10(1)(b)"	"section 10(1)(h)"
<i>Wills Act</i>		
Section 15B(c)	"paragraph (a)"	"paragraph (b)"

SCHEDULE 2

Section 5

AMENDMENT AND REPEAL OF REGULATIONS

1. Schedule 2 to the Associations Incorporation Regulations made under the *Associations Incorporation Act* is amended by omitting from item 5 "section 4(1)(b)" and substituting "paragraph (b) of the definition of 'association' in section 4(1)".

2. The Foot and Mouth Disease Compensation Regulations made under the *Exotic Diseases (Animals) Compensation Act* are amended -

- (a) by omitting "Foot and Mouth Disease Compensation Regulations" (wherever occurring) and substituting "Exotic Diseases (Animals) Compensation Regulations";

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- (b) by omitting "*Foot and Mouth Disease Compensation Ordinance 1958-1961*" and "the Ordinance" (in each case, wherever occurring) and substituting respectively "*Exotic Diseases (Animals) Compensation Act*" and "the Act";
- (c) by omitting "in Council" from regulation 5(1)(b) and from Form 2 in the Schedule to the Regulations; and
- (d) by omitting from Form 1 in the Schedule to the Regulations "*Stock Diseases Ordinance 1954-1963*" and "died from foot and mouth disease" and substituting respectively "*Stock Diseases Act*" and "died from an exotic disease".

3. Regulations 1985, No. 1 (superseded by Regulations 1985, No. 30, the Motor Vehicle (Hire Car) Regulations) are repealed.

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SCHEDULE 3

Section 6

SOUTH AUSTRALIAN ACTS REPEALED

PART I

ACTS RELATING TO FRIENDLY SOCIETIES

Number and year	Title or Short Title
No. 22 of 1852	An Act to Regulate Friendly Societies.
Private Act, 1874	The Manchester Unity of Oddfellows Act, 1874.
Private Act, 1886	The Friendly Societies Act, 1886.
Private Act, 1887	The Manchester Unity of Oddfellows Amendment Act, 1887.
No. 558 of 1892	The Friendly Societies Amendment Act, 1892.
No. 593 of 1894	An Act to Rectify a Mistake in "The Friendly Societies Act, 1886."
No. 609 of 1894	The Friendly Societies Amendment Act, 1894.
No. 610 of 1894	The Friendly Societies Amendment Act, 1894.
No. 952 of 1908	The Friendly Societies Amendment Act, 1908.
No. 1021 of 1910	The Friendly Societies Amendment Act, 1910.

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PART II

MISCELLANEOUS PRIVATE ACTS

Year	Title or Short Title
1850 (No. 13)	An Ordinance to establish the South Australian Widows' Fund and General Annuity Endowment Society, and to provide for the Management and Security of the Funds thereof.
1861	An Act to enlarge the powers of the "Australian Trust Company".
1864	An Act to incorporate a certain Company or Society called "The Adelaide Marine and Fire Assurance Company," to limit the liability of the Members thereof, and otherwise to regulate and provide for the Management of the said Company.
1867	An Act to incorporate a certain Company or Society called "The National Marine Insurance Company of South Australia," to limit the liability of the Members thereof, and otherwise to regulate and provide for the Management of the said Company; and for the carrying on by the said Company, in certain events, of the business of Fire Insurance.
1869-70	An Act to incorporate a certain Company or Society called the "Mercantile Marine Insurance Company of South Australia," to limit the liability of the Members thereof, and otherwise to regulate and provide for the Management of the said Company.
1873	An Act to amend an Act intituled "An Act to Incorporate a certain Company, or Society, called 'The National Marine Insurance Company of South Australia;' to Limit the Liability of the Members thereof, and otherwise to regulate and provide for the Management of the said Company; and for carrying on by the said Company, in certain events, the business of Fire Insurance."

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Year	Title or Short Title
1874	An Act for conferring certain Powers on the Australian Mutual Provident Society.
1878	The Mercantile Marine and Fire Insurance Company's Amending Act.
1878	An Act to authorise the Shareholders in a Joint Stock Company or Association, called "The Commercial Bank of South Australia," to carry on the business of Banking in the Province of South Australia, to incorporate such Shareholders under the style or title of "The Commercial Bank of South Australia," and to limit their liability.
1879	The Liverpool and London and Globe Insurance Company's Act of 1879.
1880	An Act to incorporate "The South Australian Mutual Life Assurance Society".
1881	The Adelaide Marine and Fire Assurance Company Act Amendment Act, 1881.
1881	The Town and Country Bank Act, 1881.
1885	The Adelaide Marine and Fire Assurance Company Further Amendment Act, 1885.
1899	The Presbyterian Church of South Australia Act.

PART III

OTHER

Number and year	Short Title
No. 883 of 1905	The Homing Pigeon Act.