

NORTHERN TERRITORY OF AUSTRALIA

SECURITIES INDUSTRY (APPLICATION OF LAWS) ACT 1986

No. 14 of 1986

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NORTHERN TERRITORY OF AUSTRALIA

No. 14 of 1986

AN ACT

relating to the application of laws to regulate the securities industry in the Northern Territory

[Assented to 30 June 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:

PART I - PRELIMINARY

1. SHORT TITLE

This Act may be cited as the *Securities Industry (Application of Laws) Act 1986*.

2. COMMENCEMENT

This Act shall come into operation on 1 July 1986.

3. INTERPRETATION

In this Act, unless the contrary intention appears -

"Agreement" means the agreement made on 22 December 1978 between the Commonwealth and the States in relation to a proposed scheme for the co-operative regulation of companies and the securities industry and being an agreement to which, as amended, the Territory became a party on 28 January 1986, or, if that agreement is or has been amended or affected by another agreement, that agreement as so amended or affected;

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"Commission" means the National Companies and Securities Commission established by the *National Companies and Securities Commission Act 1979* of the Commonwealth;

"Commissioner for Corporate Affairs" means the Commissioner for Corporate Affairs for the Territory and includes any Deputy or Assistant Commissioner for Corporate Affairs;

"Commonwealth Act" means the *Securities Industry Act 1980* of the Commonwealth;

"Ministerial Council" means the body known as the Ministerial Council for Companies and Securities established by the Agreement;

"the applied provisions" means the provisions applying by reason of sections 6 and 7.

4. REFERENCE TO COMMONWEALTH ACT

In this Act, a reference to a Commonwealth Act shall be construed as including a reference to that Act as amended and in force for the time being and to an Act passed in substitution for that Act.

5. INTERPRETATION OF *SECURITIES INDUSTRY (NORTHERN TERRITORY) CODE*

The *Companies and Securities (Interpretation and Miscellaneous Provisions) (Application of Laws) Act 1986* applies to the *Securities Industry (Northern Territory) Code*.

PART II - APPLICATION OF LAWS

6. APPLICATION OF COMMONWEALTH ACT

Subject to this Act, the provisions of the Commonwealth Act, other than sections 1, 2 and 3, apply -

- (a) as if amended as set out in Schedule 1; and
- (b) subject to and in accordance with the *Companies and Securities (Interpretation and Miscellaneous Provisions) (Application of Laws) Act*,

as laws of the Territory.

7. APPLICATION OF REGULATIONS UNDER COMMONWEALTH ACT

Subject to this Act, the provisions of regulations in force for the time being under the Commonwealth Act, other than provisions providing for the citation or commencement of the regulations, apply -

- (a) as if amended as set out in Schedule 2; and

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- (b) subject to and in accordance with the *Companies and Securities (Interpretation and Miscellaneous Provisions) (Application of Laws) Act*,

as regulations made under the provisions applying by reason of section 6.

8. FEES PAYABLE

(1) There shall be paid to the Commissioner for Corporate Affairs, for and on behalf of the Territory, for or in respect of -

- (a) the lodgement of documents with the Commission under the applied provisions;
- (b) the registration of documents under the applied provisions or the inspection or search of registers kept by, or documents in the custody of, the Commission under the applied provisions;
- (c) the production by the Commission, pursuant to a subpoena, of any register kept by, or documents in the custody of, the Commission under the applied provisions;
- (d) the issuing of documents or copies of documents, the granting of licences, consents or approvals or the doing of other acts or things by the Ministerial Council or the Commission under the applied provisions;
- (e) the making of inquiries of, or applications to, the Ministerial Council or the Commission in relation to matters arising under the applied provisions; and
- (f) the submission to the Commission of documents for examination by the Commission,

such fees (if any) as are prescribed by regulations in force for the time being under the *Securities Industry (Fees) Act 1980* of the Commonwealth and specified in the Schedule to those regulations as if amended as set out in Schedule 3 and as if, unless the contrary intention appears, expressions used have the same respective meanings as in the applied provisions.

(2) Where a fee is payable to the Commissioner for Corporate Affairs, for and on behalf of the Territory, under subsection (1) for or in respect of the lodgement of a document with the Commission and the document is submitted for lodgement without payment of the fee, the document shall be deemed not to have been lodged until the fee has been paid.

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(3) Where a fee is payable to the Commissioner for Corporate Affairs, for and on behalf of the Territory, under subsection (1) for or in respect of any matter involving the doing of any act or thing by the Ministerial Council or the Commission, the Ministerial Council or the Commission shall not do that act or thing until the fee has been paid.

(4) This section has effect notwithstanding anything in the applied provisions.

(5) Nothing in this section prevents the Commissioner for Corporate Affairs, for and on behalf of the Territory, from -

- (a) waiving or reducing, in a particular case or classes of cases, fees that would otherwise be payable pursuant to this section; or
- (b) refunding in whole or in part, in a particular case or classes of cases, fees paid pursuant to this section.

(6) In this section, unless the contrary intention appears, expressions used have the same respective meanings as in the applied provisions.

9. AMENDMENT OF REGULATIONS PURSUANT TO AGREEMENT

(1) Where, under the Agreement, the Ministerial Council approves a proposed amendment of regulations in force for the time being under the Commonwealth Act or the *Securities Industry (Fees) Act 1980* of the Commonwealth and, upon the expiration of 6 months after the date on which the Ministerial Council so approved, the amendment has not been made or has been made and is subject to disallowance or has ceased to be in force by disallowance or for any other reason, the Administrator may make regulations in accordance with the proposed amendment approved by the Ministerial Council amending the regulations applying by reason of section 7 or the Regulations referred to in section 8, as the case may be.

(2) Regulations made by the Administrator under subsection (1) may amend Schedule 2 or 3, as the case may be, and that Schedule as so amended shall be Schedule 2 or 3, as the case may be, to this Act.

(3) In this Act -

- (a) a reference to provisions of regulations applying by reason of section 7 includes a reference to provisions as so applying as amended in accordance with this section; and

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- (b) a reference to fees prescribed by regulations under the *Securities Industry (Fees) Act 1980* of the Commonwealth includes a reference to those regulations as amended in accordance with this section.

10. PUBLICATION OF *SECURITIES INDUSTRY (NORTHERN TERRITORY) CODE*

(1) The Minister may from time to time authorize the publication by the Government Printer of the provisions of the Commonwealth Act (other than sections 1, 2 and 3), amended as set out in Schedule 1 and in operation, or to come into operation, in the Territory.

(2) A document published under subsection (1) -

(a) shall include the headings and sections set out in Schedule 4;

(b) shall include a notification of the date, or dates, on which the several provisions set out in the document came, or come, into operation in the Territory;

(c) shall include a statement of the date on which the Minister authorized the publication; and

(d) may be cited as the *Securities Industry (Northern Territory) Code*.

(3) A document that is or purports to be a copy of the *Securities Industry (Northern Territory) Code* that has been, or purports to have been, published in accordance with this section is prima facie evidence of the provisions of the Commonwealth Act applying by reason of section 6 as in operation, or to come into operation, in the Territory as notified in the document in accordance with subsection (2)(b).

11. PUBLICATION OF *SECURITIES INDUSTRY (NORTHERN TERRITORY) REGULATIONS*

(1) The Minister may from time to time authorize the publication by the Government Printer of the provisions of regulations under the Commonwealth Act, other than provisions providing for the citation or commencement of the regulations, amended as set out in Schedule 2 and in operation, or to come into operation, in the Territory.

(2) A document published under subsection (1) -

(a) shall include the headings and provisions set out in Schedule 5;

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- (b) shall include a notification of the date, or dates, on which the several provisions set out in the document came, or come, into operation in the Territory;
- (c) shall include a statement of the date on which the Minister authorized the publication; and
- (d) may be cited as the Securities Industry (Northern Territory) Regulations.

(3) A document that is or purports to be a copy of the Securities Industry (Northern Territory) Regulations that has been, or purports to have been, published in accordance with this section is prima facie evidence of the provisions applying by reason of section 7 as in operation, or to come into operation, in the Territory as notified in the document in accordance with subsection (2)(b).

12. PUBLICATION OF SECURITIES INDUSTRY (FEES) (NORTHERN TERRITORY) REGULATIONS

(1) The Minister may from time to time authorize the publication by the Government Printer of the Schedule to regulations prescribing fees under the *Securities Industry (Fees) Act 1980* of the Commonwealth, amended as set out in Schedule 3 and in operation, or to come into operation, in the Territory.

(2) A document published under subsection (1) -

- (a) shall include the headings and provisions set out in Schedule 6;
- (b) shall include a notification of the date, or dates, on which the several provisions set out in the document came, or come, into operation in the Territory;
- (c) shall include a statement of the date on which the Minister authorized the publication; and
- (d) may be cited as the Securities Industry (Fees) (Northern Territory) Regulations.

(3) A document that is or purports to be a copy of the Securities Industry (Fees) (Northern Territory) Regulations that has been, or purports to have been, published in accordance with this section is prima facie evidence of the provisions of the Schedule to regulations referred to in section 8 as in operation, or to come into operation, in the Territory notified in the document in accordance with subsection (2)(b).

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13. PUBLICATION OF PROVISIONS OF AMENDED CODE OR REGULATIONS

(1) The Minister may from time to time authorize the publication by the Government Printer of a document setting out -

(a) provisions that by reason of -

(i) the enactment of an Act of the Commonwealth amending the Commonwealth Act; and

(ii) the operation of section 6 (including the operation, if applicable, of Schedule 1),
apply, or will apply, as laws of the Territory;

(b) provisions that by reason of -

(i) regulations under the Commonwealth Act; and

(ii) the operation of section 7 (including the operation, if applicable, of Schedule 2),
apply, or will apply, as regulations made under the provisions applying by reason of section 6;
or

(c) fees that by reason of -

(i) regulations under the *Securities Industry (Fees) Act 1980* of the Commonwealth; and

(ii) the operation of section 8 (including the operation, if applicable, of Schedule 3),
are or will be, payable under that section.

(2) A document published under subsection (1) shall include a notification of the date, or dates, on which the provisions or fees set out in the document came, or come, into operation in the Territory.

(3) A document that has been or purports to have been published in accordance with this section is prima facie evidence of provisions or fees referred to in subsection (1) set out in the document.

14. INTERPRETATION OF REFERENCES TO THE APPLIED PROVISIONS

(1) Unless the contrary intention appears, in this or any other Act or in a regulation or other instrument made under this or any other Act or in any other document made by or under the authority of, or for the purposes of, a law of the Territory -

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- (a) a reference to the *Securities Industry (Northern Territory) Code* is a reference to the provisions of the Commonwealth Act applying by reason of section 6;
 - (b) a reference to a provision of that Code is a reference to the corresponding provision of the Commonwealth Act as so applying;
 - (c) a reference to the *Securities Industry (Northern Territory) Regulations* is a reference to the provisions of regulations in force under the Commonwealth Act applying by reason of section 7;
 - (d) a reference to a provision of those regulations is a reference to the corresponding provision of the regulations in force under the Commonwealth Act as so applying;
 - (e) a reference to the *Securities Industry (Fees) (Northern Territory) Regulations* is a reference to the Schedule to regulations prescribing fees under the *Securities Industry (Fees) Act 1980* of the Commonwealth as referred to in section 8; and
 - (f) a reference to a provision of that Schedule is a reference to the corresponding provision of the Schedule to regulations in force under that Act as referred to in section 8.
- (2) In subsection (1), "provision" includes Part, Division, section, subsection, paragraph, subparagraph, Schedule, form, regulation, clause, subclause, or other division.

15. AMENDMENT OF PROVISIONS PURSUANT TO APPROVAL OF MINISTERIAL COUNCIL

Where under the Agreement the Ministerial Council -

- (a) approves -
 - (i) a proposed amendment of the Commonwealth Act;
 - (ii) regulations proposed to be made under the Commonwealth Act (whether or not amending other regulations);
 - (iii) a proposed amendment of the *Securities Industry (Fees) Act 1980* of the Commonwealth; or
 - (iv) regulations proposed to be made under that Act (whether or not amending other regulations); and

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- (b) approves proposed regulations to be made under this Act in connection with the operation of the proposed amendment or regulations referred to in paragraph (a),

the Administrator may make regulations amending Schedule 1, 2 or 3 or section 8, as the case may be, in accordance with that approval, and that Schedule or section as so amended shall be Schedule 1, 2 or 3 or section 8, as the case may be, of this Act.

16. EXEMPTIONS FROM "PRESCRIBED INTEREST"

(1) Where the Ministerial Council approves an exemption of a right or interest, or a right or interest included in a class or kind of rights or interests, to be an exempt right or interest or a class or kind of exempt rights or interests for the purposes of paragraph (g) of the definition of "prescribed interest" in section 4(1) of the *Securities Industry (Northern Territory) Code*, the Administrator may make regulations declaring that right or interest, or a right or interest included in the class or kind of rights or interests, to be an exempt right or interest or a class or kind of exempt rights or interests for the purposes of that paragraph.

(2) Regulations under subsection (1) shall be read and construed as one with the *Securities Industry (Northern Territory) Regulations*.

SCHEDULE 1

Section 6

APPLICATION OF PROVISIONS OF COMMONWEALTH ACT

The provisions of the Commonwealth Act apply as if -

1. Unless inconsistent with another provision of the Schedule -

- (a) for "*Companies Act 1981*" in the Commonwealth Act (wherever occurring) there were substituted "*Companies (Northern Territory) Code*";
- (b) for "law of a State or of another Territory" there were substituted "law in force in a State or in another Territory";
- (c) for "law of a participating State or participating Territory" in the Commonwealth Act (wherever occurring) there were substituted "law in force in a participating State or in a participating Territory";

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- (d) for "law of that State or Territory" in the Commonwealth Act (wherever occurring) there were substituted "law in force in that State or Territory";
- (e) for "this Act" in the Commonwealth Act (wherever occurring, except where occurring in conjunction with the words "commencement of") there were substituted "this Code"; and
- (f) for "commencement of this Act" in the Commonwealth Act (wherever occurring) there were substituted "commencement of the *Securities Industry (Application of Laws) Act 1986*".

2. In section 4(1) of the Commonwealth Act -

- (a) after the definition of "banker's books" there were inserted the following definition:

"'Banking Act 1959' means the *Banking Act 1959* of the Commonwealth as amended and in force for the time being;"

- (b) after the definition of "banking corporation" there were inserted the following definition:

"'Bankruptcy Act 1966' means the *Bankruptcy Act 1966* of the Commonwealth as amended and in force for the time being;"

- (c) after the definition of "committee" there were inserted the following definition:

"'Commonwealth Minister' means the Minister of State for the Commonwealth for the time being administering the *Securities Industry Act 1980* of the Commonwealth as amended and in force for the time being;"

- (d) in paragraph (e) of the definition of "exempt dealer" the words "*Ordinance 1985*" were omitted and "Act" substituted;

- (e) after the definition of "licence" there were inserted the following definition:

"'Life Insurance Act 1945' means the *Life Insurance Act 1945* of the Commonwealth as amended and in force for the time being;"

- (f) after the definition of "member firm" there were inserted the following definitions:

"'Minister' means the Minister for the time being administering the *Securities Industry (Application of Laws) Act*;

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"'National Companies and Securities Commission Act 1979' means the National Companies and Securities Commission Act 1979 of the Commonwealth as amended and in force for the time being;"

(g) after the definition of "registered company auditor" there were inserted the following definition:

"'regulations' means the provisions applying as regulations made under this Code by reason of section 7 of the Securities Industry (Application of Laws) Act;" and

(h) after the definition of "securities" there were inserted the following definition:

"'Securities Industry (Northern Territory) Code' or 'Code' means the provisions applying by reason of section 6 of the Securities Industry (Application of Laws) Act;"

3. In section 4 of the Commonwealth Act -

(a) in subsection (1A) for "Act 1980" there were substituted "(Northern Territory) Code"; and

(b) in subsection (7) for "that Act" there were substituted "that Code".

4. In section 5(12) of the Commonwealth Act after "Act 1980" there were inserted "of the Commonwealth as amended and in force for the time being".

5. In section 8 of the Commonwealth Act -

(a) for "relevant Act", wherever occurring, there were substituted "relevant Code"; and

(b) in subsection (1A) -

(i) for paragraph (a) there were substituted the following:

"(a) for the purpose of the performance of a function or the exercise of a power by the Commission under a Code that is a relevant Code for the purposes of the Companies and Securities (Interpretation and Miscellaneous Provisions) (Application of Laws) Act or under a law of a participating State or of a participating Territory that corresponds with such a relevant Code; or"; and

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(ii) for paragraph (b)(i) there were substituted the following:

"(i) a contravention of, or failure to comply with, a provision of a relevant Code or corresponding law referred to in paragraph (a); or".

6. In section 9 of the Commonwealth Act -

(a) in subsection (1) for "Australian Federal Police" there were substituted "Northern Territory Police Force"; and

(b) in subsection (2) for "of a participating State or of a " there were substituted "in force in a participating State or".

7. In section 12(3A)(d), (e) and (7) of the Commonwealth Act for "Act 1980" there were substituted "(Northern Territory) Code".

8. In section 13 of the Commonwealth Act for "relevant Act", wherever occurring, there were substituted "relevant Code".

9. For paragraph (a) of the definition of "relevant authority" in section 15(1) of the Commonwealth Act there were substituted the following:

"(a) in the case of a direction given by the Commonwealth Minister other than a direction that has been approved by the Ministerial Council under subsection 16(6) - the Commonwealth Minister;

(aa) in the case of a direction given by the Minister other than a direction that has been approved by the Ministerial Council under subsection 16(6) - the Minister; or".

10. In section 16 of the Commonwealth Act -

(a) in subsection (2) for "the Minister", twice occurring, there were substituted "the Commonwealth Minister"; and

(b) in subsections (4) and (6) for "the Minister" there were substituted "the Minister or the Commonwealth Minister".

11. In section 17(6) and (8) of the Commonwealth Act after "Gazette" there were inserted "and Government Gazette of the Commonwealth".

12. For section 19(2) of the Commonwealth Act there were substituted the following:

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"(2) An examination under this section shall, for the purposes of Part IV of the Criminal Code, be deemed to be a judicial proceeding."

13. For section 20 of the Commonwealth Act there were substituted the following section:

"20. An investigation under this Division shall, for the purposes of Part V of the Evidence Act, be deemed to be a legal proceeding."

14. In section 30 of the Commonwealth Act -

(a) in subsection (4) -

(i) at the end of paragraph (a), the word "and" were omitted; and

(ii) in paragraph (b), for "Commonwealth" there were substituted the following:

"Territory; and

(c) the Commonwealth Minister may cause to be printed and published the whole or any part of a report under this Division that relates to an investigation the expenses of which are, under the Agreement, to be borne by the Commonwealth.";

(b) in subsection (5), (other than paragraph (b)) for "Ministerial Council or the Minister" (wherever occurring) there were substituted "Ministerial Council, the Minister or the Commonwealth Minister"; and

(c) in subsection (5)(b) there were substituted the following:

"(b) the Ministerial Council, the Minister or the Commonwealth Minister, as the case may be, receives -

(i) a certificate of the Attorney-General of the Northern Territory stating that the publication of the report would be prejudicial to the administration of justice in the Northern Territory;

(ii) a certificate of the Attorney-General of the Commonwealth stating that the publication of the report would be prejudicial to the administration of justice in another Territory specified in the certificate; or

(iii) a certificate of the Attorney-General of a State stating that the publication of the report would be prejudicial to the administration of justice in that State; and".

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15. After section 30(9) of the Commonwealth Act there were inserted the following:

"(10) Nothing in this section operates to diminish the protection afforded to witnesses by the *Evidence Act*."

16. In section 43(1), section 44, section 45(1) and section 46 of the Commonwealth Act for "After the expiration of 3 months after the date of commencement of this Act, a person" there were substituted "A person".

17. For section 51(10) of the Commonwealth Act there were substituted the following:

"(10) In this section, 'local authority' means the Commissioner for Corporate Affairs for the Northern Territory."

18. In section 52(3) of the Commonwealth Act -

- (a) after "person" there were inserted "for an offence"; and
- (b) for "information" in paragraph (b) there were substituted "complaint in respect of the offence".

19. In section 75 of the Commonwealth Act -

- (a) in subsection (2)(e) for "of a participating State or a " there were substituted "in force in a participating State or";
- (b) in subsection (3)(e) for "*Business Names Ordinance 1963*" there were substituted "*Business Names Act*";
- (c) in subsection (3)(f) for "of a participating State or of a" there were substituted "in force in a participating State or";
- (d) in subsection (19) for "of a participating State or of a" there were substituted "in force in a participating State or"; and
- (e) in subsection (20) for "of a participating State or of a" there were substituted "in force in a participating State or".

20. In section 76(9) of the Commonwealth Act for "of a participating State or of a" there were substituted "in force in a participating State or".

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21. In section 81 of the Commonwealth Act -

- (a) in subsection (1) for "is not, in the absence of malice on his part, liable to any action for defamation at the suit of any person" there were substituted "has qualified privilege in proceedings for defamation";
- (b) in subsection (2) for "is not, in the absence of malice on his part, liable to any action for defamation at the suit of any person" there were substituted "has qualified privilege in proceedings for defamation";
- (c) in subsection (2)(a) for "of a participating State or of a" there were substituted "in force in a participating State or".

22. In section 91(1) of the Commonwealth Act for "information" (wherever occurring) there were substituted "complaint for the offence".

23. After section 107(5) of the Commonwealth Act there were inserted the following:

"(6) Subject to subsections (1) and (4), the Administrator may prescribe, by notice in the Gazette, amounts for the purposes of those subsections.

"(7) The power of the Administrator to prescribe amounts under subsection (6) shall be exercised only in accordance with advice that is consistent with resolutions of the Ministerial Council."

24. In section 141A of the Commonwealth Act -

- (a) in subsection (1) after "Act 1983" there were inserted "of the Commonwealth";
- (b) in subsection (2)(b) for "Act 1980" there were substituted "(Northern Territory) Code"; and
- (c) in subsection (7) -
 - (i) for "provision of this Act" there were substituted "provision of this Code"; and
 - (ii) for "any other Act" there were substituted "any other Code or any Act".

25. In section 142 of the Commonwealth Act -

- (a) in subsection (6) for "information" there were substituted "complaint"; and
- (b) in subsection (7) after "1985" there were inserted "of the Commonwealth".

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26. In section 143(1) of the Commonwealth Act after "1985" there were inserted "of the Commonwealth".

27. Section 150 of the Commonwealth Act were repealed.

28. For section 151 of the Commonwealth Act there were substituted the following:

"151. The judges of the Court may, subject to the *Supreme Court Act*, make rules, not inconsistent with this Code, with respect to proceedings, and the practice and procedure, of the Court under this Code and, in particular, with respect to costs of, and incidental to, any such proceedings."

SCHEDULE 2

Section 7

APPLICATION OF REGULATIONS UNDER COMMONWEALTH ACT

The provisions of regulations in force for the time being under the Commonwealth Act apply as if in those regulations -

- (a) for "the Act" (wherever occurring) there were substituted "the Code";
- (b) for "*Securities Industry Act 1980*" (wherever occurring) there were substituted "*Securities Industry (Northern Territory) Code*";
- (c) for "*Companies Ordinance 1962*" (wherever occurring) there were substituted the expression "*Companies Act*";
- (d) for "Supreme Court of the Australian Capital Territory" (wherever occurring) there were substituted the words "Supreme Court of the Northern Territory";
- (e) for "Securities Industry Regulations" (wherever occurring) there were substituted "Securities Industry (Northern Territory) Regulations"; and
- (f) for "*Companies Act 1981*" (wherever occurring) there were substituted "*Companies (Northern Territory) Code*".

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SCHEDULE 3

Section 8

APPLICATION OF REGULATIONS UNDER *SECURITIES INDUSTRY
(FEES) ACT 1980* OF THE COMMONWEALTH

The provisions of regulations in force for the time being under the *Securities Industry (Fees) Act 1980* of the Commonwealth apply as if in those regulations -

- (a) for "the Act" (wherever occurring) there were substituted "*the Securities Industry (Northern Territory) Code*".

SCHEDULE 4

Section 10

HEADINGS AND SECTIONS FOR INCLUSION IN PUBLICATION OF
COMMONWEALTH ACT

The following headings and sections shall be included in the publication of the provisions of the Commonwealth Act under section 10:

SECURITIES INDUSTRY (NORTHERN TERRITORY) CODE

A CODE RELATING TO THE SECURITIES INDUSTRY IN THE
NORTHERN TERRITORY

PART I

PRELIMINARY

1. SHORT TITLE

This Code may be cited as the *Securities Industry (Northern Territory) Code*.

2. COMMENCEMENT

This Code comes into operation on the day on which the *Securities Industry (Application of Laws) Act 1986* commences.

Securities Industry (Application of Laws)

3. AGREEMENT

This Code shall be read and construed together with the agreement made on 22 December 1978 between the Commonwealth and the States in relation to a proposed scheme for the co-operative regulation of companies and the securities industry being an agreement to which, as amended, the Northern Territory became a party on 28 January 1986, or, if that agreement is or has been amended or affected by another agreement, that agreement as so amended or affected and has effect subject to and in accordance with -

- (a) the *Securities Industry (Application of Laws)* Act; and
- (b) the *Companies and Securities (Interpretation and Miscellaneous Provisions) (Application of Laws)* Act.

SCHEDULE 5

Section 11

HEADINGS AND PROVISIONS FOR INCLUSION IN PUBLICATION OF REGULATIONS UNDER COMMONWEALTH ACT

The following headings and provisions shall be included in the publication under section 11 of the provisions of regulations in force for the time being under the Commonwealth Act:

SECURITIES INDUSTRY (NORTHERN TERRITORY) REGULATIONS

1. CITATION

These Regulations may be cited as the *Securities Industry (Northern Territory) Regulations*.

2. COMMENCEMENT

These Regulations shall come into operation on the day on which the *Securities Industry (Application of Laws)* Act 1986 commences.

Securities Industry (Application of Laws)

3. EFFECT

These Regulations have effect subject to and in accordance with -

- (a) the *Securities Industry (Application of Laws)* Act; and
- (b) the *Companies and Securities (Interpretation and Miscellaneous Provisions) (Application of Laws)* Act.

SCHEDULE 6

Section 12

HEADINGS AND PROVISIONS FOR INCLUSION IN PUBLICATION OF REGULATIONS UNDER *SECURITIES INDUSTRY (FEES) ACT 1980* OF THE COMMONWEALTH

The following headings and provisions shall be included in the publication under section 12 of the Schedule to regulations in force for the time being prescribing fees under the *Securities Industry (Fees) Act 1980* of the Commonwealth:

SECURITIES INDUSTRY (FEES) (NORTHERN TERRITORY)
REGULATIONS

1. CITATION

These Regulations may be cited as the *Securities Industry (Fees) (Northern Territory) Regulations*.

2. COMMENCEMENT

These Regulations shall come into operation on the day on which the *Securities Industry (Application of Laws) Act 1986* commences.

3. EFFECT

These Regulations have effect subject to and in accordance with -

- (a) the *Securities Industry (Application of Laws)* Act; and
- (b) the *Companies and Securities (Interpretation and Miscellaneous Provisions) (Application of Laws)* Act.

Securities Industry (Application of Laws)

4. FEES

The fees payable for the purposes of section 8 of the *Securities Industry (Application of Laws)* Act are the fees specified in the Schedule in relation to the respective matters so specified.

SCHEDULE

FEES
