



NORTHERN TERRITORY OF AUSTRALIA

No. 62 of 1983

AN ACT

To amend the *Interpretation Act*

[Assented to 28 November 1983]

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 *Interpretation (Criminal Code) Amendment Act 1983*.

2. COMMENCEMENT

This Act shall come into operation on the commencement of the *Criminal Code Act 1983*.

3. PRINCIPAL ACT

In this Act the *Interpretation Act* is referred to as the Principal Act.

4. DEFINITIONS OF GOVERNMENT EXPRESSIONS

Section 18 of the Principal Act is amended -

(a) by inserting after the definition of "Consolidated Fund" the following:

"'Criminal Code' means Schedule I to the *Criminal Code Act*"; and

(b) by inserting after the definition of "regulations" the following:

"'regulatory offence' means an offence specified in an Act or in regulations made under an Act to be a regulatory offence;".

Interpretation (Criminal Code) Amendment

5. NEW PART

The Principal Act is amended by inserting after Part IV the following:

"PART IVA - PENALTIES

"38B. PENAL PROVISIONS INCLUDE BODIES CORPORATE

"A provision of an Act relating to offences shall be read as referring to bodies corporate as well as to individuals.

"38C. PENALTIES

"(1) The penalty, pecuniary or otherwise, set out -

(a) at the foot of a section; or

(b) at the foot of a sub-section,

of an Act indicates that a contravention of the section or of the sub-section respectively, is an offence against the Act punishable on conviction by a penalty not exceeding the penalty so set out.

"(2) A penalty set out as provided in sub-section (1) which is expressed to apply only to a part of the section or sub-section applies according to the tenor of the provision.

"(3) In this section 'section' includes a rule, regulation or by-law and 'sub-section' has a corresponding meaning.

"38D. ALTERNATIVE PENALTIES

"A provision in an Act which confers a discretion to impose a monetary fine or a period of imprisonment as the penalty for the contravention or failure to comply with a provision of an Act shall be read as meaning that a person who contravened or failed to comply with the provision may, on conviction, be fined, imprisoned or fined and imprisoned, in accordance with the penalty specified for the contravention or failure to comply with the provision.

"38E. CERTAIN OFFENCES CRIMES

"Where an Act provides for a penalty of imprisonment for a period longer than 2 years for an offence against a provision of or under that Act, that offence is a crime unless expressed to be otherwise."