

NORTHERN TERRITORY OF AUSTRALIA

STATUTE LAW REVISION ACT (No. 3)

No. 91 of 1981

TABLE OF PROVISIONS

Section

1. Short title
2. Statute law revision

SCHEDULE

The Schedule contains amendments to the following Acts:

Administration and Probate Act
Companies (Unclaimed Assets and Moneys) Act
Control of Roads Act
Legislative Assembly (Powers and Privileges) Act
Marketable Securities Act
Married Women's Property Act
Medical Practitioners Registration Act
Mental Health Act
Minerals (Acquisition) Act
Mines Safety Control Act
Mining Assistance Act
Money-lenders Act
Mortgagors' Interest Reduction Act
Museums and Art Galleries Act
National Trust (Northern Territory) Act
Parole of Prisoners Act



NORTHERN TERRITORY OF AUSTRALIA

No. 91 of 1981

AN ACT

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

[Assented to 21 September 1981]

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 (No. 3) 1981.

2. STATUTE LAW REVISION

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

SCHEDULE

Section 2

AMENDMENTS

| Provision | Amendment |
|-----------|------------|
| | omit |
| | substitute |

Administration and Probate Act

Sections 3(1), (2), "the Schedule"
(3), 6(1), 57(1), (wherever occurring)
(2), 66, 70(1),
(3), (4), (5)
and 153

"Schedule"

Statute Law Revision (No. 3)

| Provision | Amendment | |
|--|--|--------------|
| | omit | substitute |
| <u>Companies</u> | | |
| <u>(Unclaimed Assets and Moneys) Act</u> | | |
| Sections 9(1) and 10 | "the Schedule" | "Schedule" |
| <u>Control of Roads Act</u> | | |
| Section 4 | "the Schedule" | "Schedule" |
| Section 9(3) | "the provisions of this Ordinance" | "this Act" |
| Section 27 | "or section 24(1) or made under section" | "24(1) or" |
| Sections 42 and 43(c) | "the Schedule" (wherever occurring) | "Schedule" |
| Section 43(d) | "the Third Schedule" | "Schedule 3" |
| Section 49(f) | "Ordinance" | "Act" |
| Section 50F(2)(c) | "5 per centum" | "5%" |
| Section 51 | "months or both." | "months." |
| Sections 52(1), 54 and 57 | "months, or both." | "months." |
| FIRST SCHEDULE | "FIRST SCHEDULE" | "SCHEDULE 1" |
| THIRD SCHEDULE | "THIRD SCHEDULE" | "SCHEDULE 3" |
| FOURTH SCHEDULE | "FOURTH SCHEDULE" | "SCHEDULE 4" |

Statute Law Revision (No. 3)

| Provision | Amendment | |
|--|---|---|
| | omit | substitute |
| <u>Legislative Assembly (Powers and Privileges) Act</u> | | |
| Section 1 | <u>"Legislative Assembly (Powers and Privileges) Ordinance"</u> | <u>"Legislative Assembly (Powers and Privileges) Act"</u> |
| Section 3 | | |
| - definition of "the Assembly" | "for the Northern Territory established under the Northern Territory (Administration) Act 1910" | |
| - definition of "the Speaker" | the whole definition | "'the Speaker' includes any person for the time being presiding over the Assembly;" |
| Section 4(1) | "Commons of the Parliament of the United Kingdom, and of the members and committees of that House, respectively, at the establishment of the Commonwealth." | "Representatives of the Commonwealth, and of the members and committees of that House, respectively." |
| Section 10 | <u>"Defamation Ordinance"</u> | <u>"Defamation Act"</u> |
| Section 15(1) | "the First Schedule" | "Schedule 1" |
| Section 19(2)(a) | "the Second Schedule" | "Schedule 2" |
| Section 29 | "2000 dollars" | "\$2,000" |
| FIRST SCHEDULE | "FIRST SCHEDULE" | "SCHEDULE 1" |
| SECOND SCHEDULE | "SECOND SCHEDULE" | "SCHEDULE 2" |
| Sections 1, 2(2), 3, 9(b), 16(1), (2), 27(1), (2), 28 and 29 | "Ordinance" | "Act" |

Statute Law Revision (No. 3)

| Provision | Amendment | |
|---|---|--------------------------|
| | omit | substitute |
| <u>Marketable Securities Act</u> | | |
| Section 3(2)(a) | "this Ordinance" | "this Act" |
| Section 4(1) | | |
| - definition of "corresponding law" | "the provisions of" (twice occurring) "correspond" | "corresponds" |
| - definition of "marketable security" | " <u>Companies Ordinance</u> " | " <u>Companies Act</u> " |
| - definition of "prescribed Stock Exchange" | "the First Schedule" | "Schedule 1" |
| Section 4(2) | " <u>Companies Ordinance</u> " | " <u>Companies Act</u> " |
| Section 4(3) | "the Second Schedule or to a form to the like effect" | "Schedule 2" |
| Section 4(4) | "the Second Schedule" | "Schedule 2" |
| Section 5(a) | " <u>Companies Ordinance</u> " | " <u>Companies Act</u> " |
| Section 14(6) | "1,000 dollars" | "\$1,000" |
| THE SCHEDULES | "THE SCHEDULES" | |
| FIRST SCHEDULE | "FIRST SCHEDULE" | "SCHEDULE 1" |
| SECOND SCHEDULE | "SECOND SCHEDULE" | "SCHEDULE 2" |

Statute Law Revision (No. 3)

| Provision | Amendment | |
|--|---|--|
| | omit | substitute |
| Long title and sections 1, 2, 4(1), (2), (3), 5, 8(1), (2), (3), 11, 14(1), (2) and 15 | "Ordinance" (wherever occurring) | "Act" |
| <u>Married Women's Property Act</u> | | |
| Section 1(1) | "the provisions of" | |
| Section 3 | "General Registry Office, at Adelaide" | "Lands Titles Registration and General Registry Office for the Northern Territory" |
| Section 6 | "South Australia" | "the Territory" |
| Section 8 | "All the provisions hereinbefore contained as" | "The provisions of this Act relating" |
| Section 10 | "of this Act" | |
| Section 11 | "of the thirty-third section of the 'Life Assurance Companies Act,' 277 of 1882." | "of section 33 of the Life Assurance Companies Act 277 of 1882 of the State of South Australia." |
| | "the provisions of 'The Trustee Act, 1855,' or the Acts amending and extending the same." | "the Trustee Act 1855 of the State of South Australia." |
| Section 12(2) | <u>"Married Persons (Torts) Ordinance"</u> | <u>"Married Persons (Torts) Act"</u> |
| Section 17 | "the Supreme Court of South Australia," | "the Supreme Court" |
| | "the Judge of the Supreme Court and the Local Court aforesaid" | "the Judge of the Supreme Court or the Local Court, as the case may be," |

Statute Law Revision (No. 3)

| Provision | Amendment | |
|---|--|---|
| | omit | substitute |
| | "the provisions of" (twice occurring) | |
| | "the Local Court Act, 1861," | "the Local Court Act 1861 of the State of South Australia" |
| | "40 dollars" | "\$40" |
| | "800 dollars" | "\$800" |
| | "the 'Local Courts Act, 1861,' and any other Acts as aforesaid;" | "the Local Court Act 1861 of the State of South Australia;" |
| Section 20 | "the fifth section of 'The Destitute Persons Act, 1881,'" | "section 5 of The Destitute Persons Act 1881 of the State of South Australia" |
| Section 24 | " <u>Married Women's Property Act and Ordinance</u> " | " <u>Married Women's Property Act</u> " |
| <u>Medical</u> | | |
| <u>Practitioners</u> | | |
| <u>Registration</u> | | |
| <u>Act</u> | | |
| Section 3 | "this Ordinance" (twice occurring) | "this Act" |
| | "Northern" | |
| Section 5 - after the definition of "Board" | | "'Chairman' means the Chairman of the Board appointed under this Act;" |
| - after the defi- nition of "Chief Medical Officer" | | "'Judge' means the Judge nominated in accordance with section 31 to con- stitute, with the Assessors, the Tribunal;" |

Statute Law Revision (No. 3)

| Provision | Amendment | |
|---|---|--|
| | omit | substitute |
| - definition of "Member" | "Member" | "member" |
| | "Board, constituted in accordance with this Ordinance;" | "Board;" |
| - definition of "Registered medical practitioner" | "Registered medical practitioner" | "registered medical practitioner" |
| | "Northern" | |
| - definitions of "The Chairman" and "The Judge" | the whole of the definitions | |
| - definition of "The Registrar" | "The Registrar" | "Registrar" |
| - definitions of "Senior Judge" and "The Supreme Court" | the whole of the definitions | |
| - definition of "The Tribunal" | the whole definition | "'Tribunal' means the Medical Practitioners Disciplinary Tribunal established under section 31." |
| Section 7A(3) | "functions" | "the performance of his functions," |
| Section 12(1) | "summons" (first occurring) | "summon" |
| Sections 15 and 16(1) | "100 dollars" | "\$100" |
| Section 19(2) | "Revenue" | |

Statute Law Revision (No. 3)

| Provision | Amendment | |
|--|---|---|
| | omit | substitute |
| Sections 20A, 20B, 20C(1) and 20D(1) | "Northern" | |
| Section 23E(8) | "The provisions of this Ordinance apply" | "This Act applies" |
| Section 24(3) | "The provisions of section 23E(4), (5), (6), (7) and (8) apply" | "Section 23E(4), (5), (6), (7) and (8) applies" |
| Section 26 | "200 dollars" | "\$200" |
| Section 27(2) | "Her Majesty the Queen" | "the Sovereign" |
| Section 29A(8) | "the provisions of" | |
| Section 29A(13) | "200 dollars" | "\$200" |
| Section 31(2) (a), (3)(b) and (4) | "Senior Judge" | "Chief Justice" |
| Section 31A(2) (b)(iii) | "1,000 dollars" | "\$1,000" |
| Section 31B(1) (b) | "10 dollars" | "\$10" |
| Sections 31B(5), (6), (7) and 31D(7) | "Senior Judge" (wherever occurring) | "Chief Justice" |
| Section 31E(2) | "The provisions of this Ordinance apply" | "This Act applies" |
| Section 32(2) | "the provisions of" "10 dollars" | "\$10" |
| Section 34(2) | "200 dollars" | "\$200" |
| Section 35 | "the last preceding section" "20 dollars" | "section 34" "\$20" |

Statute Law Revision (No. 3)

| Provision | Amendment | |
|---|------------------------------------|--------------------------------|
| | omit | substitute |
| Section 37(a) (ii) | "disease;" | "disease; or" |
| Section 38 | "this paragraph" | "paragraph (b)" |
| | "20 miles" | "30 kilometres" |
| Section 42 | "the provisions of this Ordinance" | "this Act" |
| | "100 dollars" | "\$100" |
| Section 42B(1) | "Certificate of Good Standing" | "certificate of good standing" |
| Section 43(f) | "40 dollars" | "\$40" |
| Long title and sections 1, 2, 5, 7A(2), 11(1)(b), 12(1), 16(3), 18(3), 19(2), 22(2)(b), 23(3)(c), 23B(2)(a), 24(1), 25(4), 26, 29A(1), (2), (7), 31(1), 31A(1)(a), (c), (2)(a), 31C(4)(a), 31E(1), 32(1), 41, 42A, 42B(2)(c) and 43 | "Ordinance" (wherever occurring) | "Act" |
| <u>Mental Health Act</u> | | |
| Section 4(1) | | |
| - definitions of "legal practitioner", "magistrate" and "medical practitioner" | the whole of the definitions | |
| Section 7(1) | "the illness -" | "the illness, may -" |

Statute Law Revision (No. 3)

| Provision | Amendment | |
|--|------------------------------------|--------------------------------|
| | omit | substitute |
| Sections 11(2), (4), 12(c)(ii), 14(1)(e), 25(1)(e), 26(1), 27, 28 and 31(3) | "Northern" (wherever occurring) | |
| <u>Minerals</u> <u>(Acquisition)</u> <u>Act</u> | | |
| Section 4(1) | "of the Northern Territory" | |
| Section 4(4) and (6) | "of the Territory" | |
| Section 5(2) | "1,000 dollars" | "\$1,000" |
| Long title and sections 1, 2 and 3 | "Ordinance" | "Act" |
| <u>Mines Safety</u> <u>Control Act</u> | | |
| Section 4 | | |
| -definition of "explosives" | " <u>Explosives Ordinance</u> " | " <u>Dangerous Goods Act</u> " |
| - definition of "medical practitioner" | the whole definition | |
| - definitions of "mining regis- trar", "mining tenement", "tributor" and "warden" | " <u>Mining Ordinance</u> " | " <u>Mining Act</u> " |

Statute Law Revision (No. 3)

| Provision | Amendment | |
|--------------------------|--|--|
| | omit | substitute |
| Section 6(1) (d)(i) | <u>"Inspection of Machinery Ordinance"</u> | <u>"Inspection of Machinery Act"</u> |
| Section 9(2)(d) | "Administrator in Council" | "Minister" |
| Section 10(2)(c) | "sub-paragraph" | "paragraph" |
| Section 12(1)(g) | "the provisions of this Ordinance apply" | "this Act applies" |
| Section 18(7)(b) | <u>"Workmen's Compensation Ordinance"</u> | <u>"Workmen's Compensation Act"</u> |
| Section 21(3) | the whole sub-section | "(3) In this section, 'Inspector' includes a person having the powers, or any of the powers, of an Inspector." |
| Section 22(7) | "the provisions of" | |
| Section 24(5) | "the provision of" | |
| Section 28(6) | the whole sub-section | "(6) In this section, 'competent person' means a person who has such qualification or skill as the owner, agent or manager of a mine considers necessary to carry out the duties required of him by this Act." |
| Section 33(2) | "The provisions of sub-section (1)(c)" | "Sub-section (1)(c)," |
| | "apply" | ", applies" |
| Section 37(2)(b) | <u>"Mining Ordinance"</u> | <u>"Mining Act"</u> |
| Section 37(5) and (6) | <u>"Coroners Ordinance"</u> | <u>"Coroners Act"</u> |

Statute Law Revision (No. 3)

| Provision | Amendment | |
|---|--|--|
| | omit | substitute |
| Sections 38(2)(a), (5), 44(a) and 47(1)(b) | <u>"Inspection of Machinery Ordinance"</u> (wherever occurring) | <u>"Inspection of Machinery Act"</u> |
| Section 51(2)(b) | "measures; or" | "measures; and" |
| Section 56(2)(w) | "500 dollars" | "\$500" |
| Section 58(5)(b) | "re-submitted" | "be resubmitted" |
| Section 58(6) | "The provisions of sub- sections" | "Sub-sections" |
| Section 66(2)(a) and (3)(a)(i) | "2,000 dollars" | "\$2,000" |
| Section 66(2)(b), (3)(a)(ii) and (b)(i) | "1,000 dollars" | "\$1,000" |
| Section 66(3)(b) (ii) | "500 dollars" | "\$500" |
| Section 67(2) | <u>"Justices Ordinance"</u> <u>"Mining Ordinance"</u> | <u>"Justices Act"</u> <u>"Mining Act"</u> |
| Long title and sections 1, 2, 3(2), 4, 5(1), (2), (3), (4)(a), (b), 6(1)(c), (2)(b), (4), 7, 9(1), (6), (7), 10(1), (2), 12(1), (2), 14(b), 15(2), (3), 17(2)(c), (d), (5), (10), 21(1), (2), 23(1)(c), (2), (3), 24(6), 27(a), 28(4), (5), 38(1)(a), (2), (5), 44, 47(1) (b), 56(1), | "Ordinance" (wherever occurring) | "Act" |

Statute Law Revision (No. 3)

| Provision | Amendment | |
|--|---|------------------------------------|
| | omit | substitute |
| (2)(q), (t), (u)(ii), (x), (3)(a), (b), 57(1), (9), 58(1), 61, 62, 63(11), 64(4), 66(1), (3), 67(2), (3), 69 and 70(a) | | |
| <u>Mining</u> | | |
| <u>Assistance Act</u> | | |
| - definitions of "mining registrar" and "the Director of Mines" | <u>"Mining Ordinance"</u> | <u>"Mining Act"</u> |
| Section 10(2) | "10,000 dollars" | "\$10,000" |
| Section 12(1) | "of this Ordinance" | |
| Section 12(2) | "the provisions of" | |
| Section 22 | "of this Ordinance" | |
| Section 24(2) | "paragraph (b) of section 23" | "section 23(b)" |
| Section 29(1A) | "Northern" | |
| Section 30 | "100 dollars" | "\$100" |
| Long title and sections 1, 2, 5, 6, 10(2), (6), 11, 15(3), (4), 16, 24(2) and 30 | "Ordinance" (wherever occurring) | "Act" |
| <u>Money-lenders</u> | | |
| <u>Act</u> | | |
| Section 1(4) | "The foregoing provisions of this section" | "Sub-sections (1), (2) and (3)" |

Statute Law Revision (No. 3)

| Provision | Amendment | |
|---|--|---|
| | omit | substitute |
| Section 1(5) | "the foregoing provisions of this section" | "sub-section (1), (2), (3) or (4)" |
| Section 2 | "1,000 dollars" | "\$1,000" |
| Section 3(1)(a) | "the provisions of" "or" | |
| Section 3(1)(b) | "or" (second occurring) | |
| Section 3(2) | "and Ordinance" | |
| <u>Mortgagors'</u> <u>Interest</u> <u>Reduction Act</u> | | |
| Section 3 | | |
| - definition of "Mortgage" | "Mortgage" | "mortgage" |
| - definition of "Mortgagor" | the whole definition | |
| - definition of "Mortgagee" | "Mortgagee" | "mortgagee" |
| - after the definition of "mortgagee" | | "mortgagor' means any person liable to payment of moneys secured by mortgage and any person who has guaranteed such payment;" |
| - definition of "the Court" | "of the Northern Territory" | |
| Section 5(3) | "2 dollars" "5 dollars per centum" | "\$2" "\$5%" |
| Section 8 | "Administrator in Council" | "Administrator" |

Statute Law Revision (No. 3)

| Provision | Amendment | |
|---|-------------------------------------|--|
| | omit | substitute |
| Long title and sections 1, 2, 3, 4, 5(1), (5)(i), 6(1), (2), (4), 7 and 8 | "Ordinance" (wherever occurring) | "Act" |
| <u>Museums and Art Galleries Act</u> | | |
| Section 3 | the whole section | |
| Section 7(2) | "or vacancies" | |
| Section 12(3) | "functions" | "performing his functions" |
| Section 13(6) | "or function" (first occurring) | "or the performance of a function" |
| | "or function is being exercised" | "is being exercised or that function is being performed" |
| | "or function may be exercised" | "may be exercised or that function may be performed" |
| Sections 17 (a), (d) and 19(a) | "Northern" | |
| Section 21(3) | the whole sub-section | "(3) No gift or succession duty shall be payable under any Act upon any property given, devised or bequeathed to the Board." |
| Long title and sections 2, 4, 5(1), 8(4), 13(6), 16(1), 17, 18(2), 21(2) and 31 | "Ordinance" (wherever occurring) | "Act" |

Statute Law Revision (No. 3)

| Provision | Amendment | |
|-------------------------------------|--|--|
| | omit | substitute |
| <u>National Trust</u> | | |
| <u>(Northern Territory) Act</u> | | |
| Section 4(1) and (4) | <u>"Associations Incorporation Ordinance"</u> | <u>"Associations Incorporation Act"</u> |
| Section 7(2) | <u>"Crown Lands Ordinance"</u> | <u>"Crown Lands Act"</u> |
| Section 12(3) | <u>"Stamp Ordinance"</u> | <u>"Stamp Duty Act"</u> |
| Section 13(2) (g) | "prescribing" | "for prescribing" |
| | "50 dollars" | "\$50" |
| | <u>"Companies Ordinance"</u> (twice occurring) | <u>"Companies Act"</u> |
| | "5,000 dollars" | "\$5,000" |
| Section 13(3) (b) and (c) (i) | "in Council" | |
| Section 14(2) | <u>"Interpretation Ordinance"</u> | <u>"Interpretation Act"</u> |
| THE SCHEDULE | "THE" | |
| - rule 1 | "the Ordinance" | "the Act" |
| | <u>"National Trust of Australia (Northern Territory) Ordinance including any amendments thereof and additions thereto"</u> | <u>"National Trust (Northern Territory) Act"</u> |
| - rule 2(2) | "5 dollars" | "\$5" |
| - rule 2(3) | "50 dollars" | "\$50" |
| - rule 2(4) | "two" | "2" |
| - rule 2(6) | "200 dollars" | "\$200" |

Statute Law Revision (No. 3)

| Provision | Amendment | |
|---|---|---|
| | omit | substitute |
| - rule 6(9) | "12" | "Twelve" |
| - rule 7(1)(a) | <u>"Museums and Art Galleries Ordinance"</u> | <u>"Museums and Art Galleries Act"</u> |
| - rule 7(1)(b) | the whole rule | "(b) the Territory Parks and Wildlife Advisory Council under the <u>Territory Parks and Wildlife Conservation Act</u> ; and" |
| - rule 7(1)(c) | "of the Northern Territory of Australia" | |
| | <u>"Native and Historical Objects and Areas Preservation Ordinance"</u> | <u>"Native and Historical Objects and Areas Preservation Act"</u> |
| - rule 15(1) | "or vacancies" | |
| - rule 29(3) | "300 dollars" | "\$300" |
| - rule 36 | "100 dollars" | "\$100" |
| - rule 38(8) | "10" | "Ten" |
| - rule 39 | "March 31" | "31 March" |
| - rule 41(2) | "The above-mentioned rules" | "These Rules" |
| - rules 5, 10(2), 18(1), 19, 21 and 25 | "Ordinance" (wherever occurring) | "Act" |
| Long title and sections 1, 2, 3(1), 7(1), 10(1), 13(1), (2) and 14(2) | "Ordinance" (wherever occurring) | "Act" |

Statute Law Revision (No. 3)

| Provision | Amendment | |
|--|--|--|
| | omit | substitute |
| <u>Parole of Prisoners Act</u> | | |
| Section 3(1) | | |
| - definition of "the senior Judge" | the whole of the definition | |
| Sections 3B(1)(a) and 3C(1) | "senior Judge" | "Chief Justice" |
| Section 3C(2) | "of the Northern Territory of Australia" | |
| Sections 4(5), 5(8A) and (8B) | <u>"Criminal Law (Conditional Release of Offenders) Ordinance"</u> | <u>"Criminal Law (Conditional Release of Offenders) Act"</u> |
| Section 12 | "Act" (twice occurring) | "Act of the Territory or the Commonwealth" |
| Section 14(2) | "8(5)" | "5(8)" |
| Section 15(b) | <u>"Prisons Ordinance"</u> | <u>"Prisons Act"</u> |
| Long title and sections 1, 2, 3, 3A, 3B(4), 3F(8), 3P(1), 4(1), (2), (5), 5(2), 11, 15(a) and 17 | "Ordinance" (wherever occurring) | "Act" |