

# THE NORTHERN TERRITORY OF AUSTRALIA

No. 2 of 1981

## AN ACT

To amend the Explosives Act

[Assented to 9 January 1981]

**B**E 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 Explosives Amendment Act 1980.

### 2. PRINCIPAL ACT

The Explosives Act is in this Act referred to as the Principal Act.

### 3. DURATION OF ACT

This Act shall remain in force until the Explosives Ordinance 1964 (No. 66 of 1964) is repealed.

### 4. REPEAL AND SUBSTITUTION

Section 4 of the Principal Act is repealed and the following section substituted:

#### "4. ACT TO BIND CROWN

"This Act binds the Crown."

### 5. NEW SECTION

The Principal Act is amended by inserting after section 10 the following section:

#### "10A. PROTECTION OF INSPECTORS

"An act done or omitted to be done by an inspector in good faith in the exercise, or purported exercise, of a power conferred or a duty imposed by this Act does not render the Territory, or the inspector personally, liable with respect to that act or omission."

Explosives Amendment

6. PENALTIES FOR OFFENCES

Section 37(2) of the Principal Act is amended by omitting "1,000 dollars" and substituting "\$5,000".

7. PROOF OF OFFENCES

Section 45 of the Principal Act is amended by adding at the end thereof the following sub-section:

"(2) In any proceedings in respect of an alleged offence against this Act or the Regulations, an averment in the information or complaint that -

- (a) a specified person is the Chief Inspector of Explosives or an inspector of explosives;
- (b) a specified person was or was not, on a specified day, the holder of a licence;
- (c) a specified licence contained specified conditions; and
- (d) a specified substance or thing was, at a specified time, an explosive,

is evidence of the fact so averred."

8. REGULATIONS

Section 46(1)(z) of the Principal Act is amended by omitting "1,000 dollars" and substituting "\$2,000".

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