

THE NORTHERN TERRITORY OF AUSTRALIA

No. 37 of 1980

AN ACT

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

[Assented to 24 April 1980]

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:

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| 1. This Act may be cited as the <u>Statute Law Revision Act (No. 3) 1979</u> . | Short title |
| 2. Sections 42 and 43 of the <u>Abattoirs and Slaughtering Act</u> are amended by omitting from sub-section (1)(d) in each section "the Town Planning Ordinance" and substituting "a planning instrument within the meaning of the <u>Planning Act</u> ". | <u>Abattoirs and Slaughtering Act</u> |
| 3. Section 12 of the <u>Building Act</u> is amended by omitting "Administrator in Council" and substituting "Administrator". | <u>Building Act</u> |
| 4. Section 19 of the <u>Cemeteries Act</u> is amended by omitting "and Draftsman, Darwin". | <u>Cemeteries Act</u> |
| 5. Section 33 of the <u>Commercial and Private Agents Licensing Act</u> is amended - | <u>Commercial and Private Agents Licensing Act</u> |
| (a) by omitting from sub-section (1) all words from "A private bailiff" to "of that warrant" inclusive and substituting "Where a warrant is issued to a private bailiff, he is entitled to the fees specified in the Second Schedule to the <u>Local Courts Act</u> in respect of the matters specified in the Schedule"; and | |
| (b) by omitting from sub-section (2) all words from ", where a private bailiff" to "shall" inclusive and substituting "a private bailiff shall, in respect of a warrant issued to him,". | |
| 6. Section 3 of the <u>Companies (Unclaimed Assets and Moneys) Act</u> is repealed. | <u>Companies (Unclaimed Assets and Moneys) Act</u> |
| 7. The <u>Criminal Law Consolidation Act</u> of the State of South Australia, in its application to the Territory, is amended by omitting section 2. | <u>The Criminal Law Consolidation Act</u> |

Statute Law Revision (No. 3)

Criminal Law
(Conditional
Release of
Offenders) Act

8.(1) Sections 16, 21 and 26 of the Criminal Law (Conditional Release of Offenders) Act are amended by omitting "Crown Law Officer" (wherever occurring) and substituting "Crown Solicitor".

(2) Section 31 of the Criminal Law (Conditional Release of Offenders) Act is amended by omitting from sub-sections (1) and (2) "Executive Member" and substituting "Minister".

(3) Section 34 of the Criminal Law (Conditional Release of Offenders) Act is amended by omitting "Administrator in Council" and substituting "Administrator".

Criminal Law
(Offences at
Sea) Act

9.(1) Section 4 of the Criminal Law (Offences at Sea) Act is amended by omitting from sub-section (1) "1978" and substituting "1979".

(2) Section 5 of the Criminal Law (Offences at Sea) Act is amended by omitting "1978" and substituting "1979".

Crown Lands
Act

10.(1) Section 7 of the Crown Lands Act is amended by omitting "of this Ordinance and".

(2) Section 103B of the Crown Lands Act is amended by omitting from sub-section (2) " ", Ordinance".

Darwin Town
Area Leases
Act

11. The Darwin Town Area Leases Act is amended by omitting from section 29C (first occurring) "29C" and substituting "29BA".

Early Closing
Act

12.(1) Section 4 of the Early Closing Act is amended by omitting from sub-section (2) "Administrator in Council" and substituting "Administrator".

(2) Section 5 of the Early Closing Act is amended by omitting from sub-sections (1), (2) and (5) "Administrator in Council" and substituting "Administrator".

Education Act

13. Section 17 of the Education Act is amended by omitting from paragraph (a) "as the Council, determines" and substituting "as the Council determines".

Family Provi-
sion Act 1979

14.(1) The Family Provision Act 1979 (No. 36 of 1979) is amended by omitting from section 4 "Principal Act" and substituting "Family Provision Act".

(2) The amendment effected by sub-section (1) shall be deemed to have come into operation on the date of commencement of the Family Provision Act 1979.

Statute Law Revision (No. 3)

15. Section 24 of the Fire Brigades Act is amended by omitting "Administrator in Council" and substituting "Administrator".

Fire Brigades Act

16.(1) Section 3 of the Fire Brigades Arbitral Tribunal Act is amended by omitting from sub-sections (2)(a) and (3) "Administrator in Council" and substituting "Administrator".

Fire Brigades Arbitral Tribunal Act

(2) Section 6 of the Fire Brigades Arbitral Tribunal Act is amended by omitting from sub-sections (1) and (1A) "Administrator in Council" and substituting "Administrator".

17. Section 13 of the Foot and Mouth Disease Compensation Act is amended by omitting "or Ordinance".

Foot and Mouth Disease Compensation Act

18. The Schedule to the Guardianship of Infants Act is amended by omitting "(Address of witness in block letters)" (first occurring) and substituting "(Address of father in block letters)".

Guardianship of Infants Act

19. Section 18 of the Hawkers Act is amended by omitting "Administrator in Council" and substituting "Administrator".

Hawkers Act

20. Section 80 of the Inspection of Machinery Act is amended by omitting "Administrator in Council" and substituting "Administrator".

Inspection of Machinery Act

21. Section 39 of the Instruments Act is amended by omitting "Administrator in Council" and substituting "Administrator".

Instruments Act

22. Section 203 of the Justices Act is amended by omitting "Administrator in Council" and substituting "Administrator".

Justices Act

23. Section 5 of the Legislative Assembly (Remuneration, Allowances and Entitlements) Act is amended by omitting from sub-section (5) "Section 10 and sub-section (1) of section 11" and substituting "Sections 10 and 11(1)".

Legislative Assembly (Remuneration, Allowances and Entitlements) Act

24.(1) Section 24 of the Local Courts Act is amended by omitting from sub-section (4) "Administrator in Council" and substituting "Administrator".

Local Courts Act

(2) Section 288 of the Local Courts Act is amended by omitting from sub-section (1) "Consolidated Revenue Fund" and substituting "Consolidated Fund within the meaning of the Financial Administration and Audit Act".

Statute Law Revision (No. 3)

Local Courts
Act 1979

25.(1) Section 4 of the Local Courts Act 1979 (No. 40 of 1979) is amended -

- (a) by omitting from sub-section (1)(a) "and"; and
- (b) by inserting at the end of sub-section (1) the following paragraph:
"; and
- (c) by omitting ', and serve all unsatisfied judgment summonses, '.

(2) The Local Courts Act 1979 (No. 40 of 1979) is amended by inserting after section 6 the following section:

Summons on
unsatisfied
judgment

"6A. Section 166 of the Principal Act is amended by omitting from sub-section (4) all the words from 'shall be served' to 'other person, and' inclusive."

(3) Section 7 of the Local Courts Act 1979 (No. 40 of 1979) is amended by omitting from proposed section 170(6) "a private bailiff licensed under" and substituting "a licensed agent within the meaning of".

Maintenance
Act

26. Section 77 of the Maintenance Act is amended by omitting from sub-section (3) "at time of its conception" and substituting "at the time of its conception".

Northern
Territory
Disasters
Act

27.(1) Section 3 of the Northern Territory Disasters Act is amended -

- (a) by omitting from the definition of "state of disaster" the words "Administrator in Council" and substituting "Administrator"; and
- (b) by omitting from the definition of "Territory Co-ordinator" the words "Commissioner within the meaning of the Police And Police Offences Ordinance" and substituting "Commissioner of Police".

(2) Section 6 of the Northern Territory Disasters Act is amended by omitting from sub-section (2)(a) "Permanent Head" and substituting "Departmental Head within the meaning of the Public Service Act".

(3) Section 20 of the Northern Territory Disasters Act is amended by omitting from sub-sections (1) and (3) "Administrator in Council" and substituting "Administrator".

Statute Law Revision (No. 3)

28. Sections 18(1), 20 and 24 of the Oaths Act are amended by inserting after "an Act" the words "of the Commonwealth".

Oaths Act

29.(1) Section 4 of the Pay-roll Tax Act is repealed.

Pay-roll Tax Act

(2) Section 4A of the Pay-roll Tax Act is amended by omitting sub-section (3).

(3) Section 6 of the Pay-roll Tax Act is amended by omitting from sub-section (2)(b) "of Australia".

(4) Section 8 of the Pay-roll Tax Act is amended by omitting from sub-sections (2), (3) and (5) "pay-roll tax" and substituting "tax".

(5) Sections 10A, 11, 17J, 17K and 17L of the Pay-roll Tax Act are amended by omitting "pay-roll tax" (wherever occurring) and substituting "tax".

(6) Sections 12 and 14 of the Pay-roll Tax Act are amended by inserting after "Pay-roll Tax (Territories) Assessment Act 1971" (wherever occurring) "of the Commonwealth".

(7) Section 19 of the Pay-roll Tax Act is amended by omitting from sub-section (3) "the amount \$2" and substituting "the amount of \$2".

30.(1) Section 3 of the Pearling and Pearl Culture Act is repealed.

Pearling and Pearl Culture Act

(2) Section 7 of the Pearling and Pearl Culture Act is amended by omitting sub-section (2) and substituting the following sub-section:

"(2) The Chief Pearling Inspector is, in the performance of his duties and functions and the exercise of his powers, subject to the control and direction of the Minister."

31.(1) Section 3 of the Petroleum (Prospecting and Mining) Act is repealed.

Petroleum (Prospecting and Mining) Act

(2) Section 15 of the Petroleum (Prospecting and Mining) Act is amended by omitting "Legislative Council for the Northern Territory" (wherever occurring) and substituting "Legislative Assembly".

(3) Section 117 of the Petroleum (Prospecting and Mining) Act is amended by omitting "Administrator in Council" and substituting "Administrator".

Statute Law Revision (No. 3)

Places of
Public Enter-
tainment Act

32. Section 22 of the Places of Public Entertainment Act is amended by omitting "Administrator in Council" and substituting "Administrator".

Workmen's Com-
pensation Act

33. Section 17(j) of the Workmen's Compensation Act is amended by omitting from sub-section (8) " , 17L".

