

THE NORTHERN TERRITORY OF AUSTRALIA

No. 14 of 1980

AN ACT

To amend the Soil Conservation and Land
Utilization Act

[Assented to 13 March 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:

1. SHORT TITLE

This Act may be cited as the Soil Conservation and Land Utilization Act 1980.

2. PRINCIPAL ACT

In this Act the Soil Conservation and Land Utilization Act is referred to as the Principal Act.

3. COMMENCEMENT

This Act shall come into operation on the date of commencement of the Conservation Commission Act 1980.

4. SAVINGS AND TRANSITIONAL

(1) An appointment duly made, or other action duly taken or done, before the commencement of this Act under a provision amended by this Act and having effect immediately before the commencement of this Act is as valid and effectual as if duly made, taken or done under or for the purposes of that provision as amended by this Act.

(2) A right, privilege, obligation or liability acquired, accrued or incurred under a provision amended by this Act shall continue to exist and may be exercised or enforced under that provision as amended by this Act.

5. INTERPRETATION

Section 3 of the Principal Act is amended -

(a) by adding after the definition of "approved" the following definitions:

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"'Commission' means the Conservation Commission of the Northern Territory established under the Conservation Commission Act;

'Commissioner' means the Director of Conservation as defined in the Conservation Commission Act;" and

(b) by omitting the definition of "the Commissioner".

6. COUNCIL SUBSTITUTED FOR COMMITTEE

Sections 3 (definition of "the Committee") (twice occurring), 7(1), 7(2), 7(3), 7(4), 7(5), 7(6), 8, 9(1), 9(2), 9(3), 9(4), 9(5), 9A, 16(1), 16(2), 16(3) (twice occurring), 17(1), 17(4), 18(1), 19(2), 19(3) (wherever occurring), 20B(1), 20B(2), 20B(3), 20B(4), 20B(5), 26(1), 26(2) and 46 of the Principal Act are amended by omitting "Committee" and substituting "Council".

7. COMMISSIONER FOR SOIL CONSERVATION

Section 4 of the Principal Act is amended by omitting sub-section (1).

8. COMMISSION SUBSTITUTED FOR MINISTER

Sections 4(3), 9A(a), 20B(1), 20B(2) (twice occurring), 20B(3), 20B(8) (twice occurring) and 46 of the Principal Act are amended by omitting "Minister" and substituting "Commission".

9. REPEAL AND SUBSTITUTION

Section 6 of the Principal Act is repealed and the following section substituted:

"6. APPOINTMENT OF OFFICERS

"An officer shall be appointed by the Commission."

10. SOIL CONSERVATION ADVISORY COUNCIL

Section 7(1) of the Principal Act is amended by omitting "a committee" and substituting "a council".

11. NEW SECTION

The Principal Act is amended by inserting after section 9 the following section:

"9AA. DISCLOSURE OF INTEREST

"(1) A member of the Council who has a direct or indirect pecuniary interest in a matter being considered or about to be considered by the Council, otherwise than as a member of, and in

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common with the other members of, an incorporated company consisting of not less than 25 persons and of which he is not a director, shall, as soon as possible after the relevant facts have come to his knowledge, disclose the nature of his interest at a meeting of the Council.

"(2) A disclosure under sub-section (1) shall be recorded in the minutes of the Council and the member -

- (a) shall not, while he has that interest, take part after the disclosure in any deliberation or decision of the Council in relation to that matter; and
- (b) shall be disregarded for the purpose of constituting a quorum of the Council in relation to that matter."

12. FAILURE TO PERFORM OBLIGATION

Section 22(1) of the Principal Act is amended by omitting "Commissioner" and substituting "Commission".

13. APPLICATION FOR ADVANCE

Section 25(4)(c) of the Principal Act is amended by omitting "Commissioner or his agent" and substituting "by or on behalf of the Commission".

14. INTEREST ON LOAN

Section 30 of the Principal Act is amended -

- (a) by omitting from sub-section (1) "Minister" and substituting "Treasurer"; and
- (b) by omitting sub-section (3) and substituting the following sub-section:

"(3) In determining the rate of interest payable on a loan the Treasurer shall take into consideration any recommendation of the Council."
