

Serial 334

Corporations Reform (Consequential Amendments NT) Bill 2001

Mr Burke

**A BILL
for
AN ACT**

to amend various Acts and Regulations consequential on the enactment of the
Corporations Reform (Northern Territory) Act 2001 and incidental
to other legislation

NORTHERN TERRITORY OF AUSTRALIA
CORPORATIONS REFORM
(CONSEQUENTIAL AMENDMENTS NT) ACT 2001

No. of 2001

TABLE OF PROVISIONS

Section

1. Short title
2. Commencement
3. Amendments of *Associations Incorporation Act*
4. Amendments of *Business Names Act*
5. Amendments of *Companies (Trustees and Personal Representatives) Act*
6. Amendments of *Co-operatives Act*
7. Amendments of *Cullen Bay Marina Act*
8. Amendment of *Darwin Port Corporation Act*
9. Amendment of *Interpretation Act*
10. Amendment of *Jurisdiction of Courts (Cross-vesting) Act*
11. Amendments of *Liquor Act*
12. Amendment of Local Court Rules
13. Amendments of *Northern Territory Treasury Corporation Act*
14. Amendment of *Residential Tenancies Act*
15. Amendments of Small Claims Rules
16. Amendments of *Taxation (Administration) Act*
17. Amendments of *Territory Insurance Office Act*
18. Amendment of *Unit Titles Act*
19. Amendments of Work Health Rules
20. Amendments of other Acts
21. Amendments of other Regulations

SCHEDULE 1

AMENDMENTS OF *CO-OPERATIVES ACT*

SCHEDULE 2

AMENDMENTS OF OTHER ACTS

SCHEDULE 3

AMENDMENTS OF OTHER REGULATIONS





NORTHERN TERRITORY OF AUSTRALIA

No. of 2001

AN ACT

to amend various acts and regulations consequential on the enactment of the
Corporations Reform (Northern Territory) Act 2001 and incidental
to other legislation

[Assented to 2001]
[Second reading 2001]

The Legislative Assembly of the Northern Territory enacts as follows:

1. Short title

This Act may be cited as the *Corporations Reform (Consequential Amendments NT) Act 2001*.

2. Commencement

(1) This Act, other than section 16(1)(a), comes into operation on the day on which, but immediately after, the *Corporations Act 2001* of the Commonwealth commences.

(2) Section 16(1)(a) comes into operation on 1 July 2001, but immediately after section 26 of the *Financial Relations Agreement (Consequential Amendments) Act 2000* commences.

3. Amendment of *Associations Incorporation Act*

(1) Section 4 of the *Associations Incorporation Act* is amended by omitting from the definition of "unauthorized name" in subsection (1) "Corporations Law" and substituting "Corporations Act 2001".



Corporations Reform (Consequential Amendments NT) Act 2001

(2) Section 20 of the *Associations Incorporation Act* is amended —

- (a) by omitting "Subject" and substituting "(1) Subject";
- (b) by omitting "Corporations Law" (wherever occurring) and substituting "Corporations Act 2001"; and
- (c) by adding at the end the following:

"(2) An incorporated association is declared to be an applied Corporations legislation matter for the purposes of Part 4 of the *Corporations Reform (Northern Territory) Act* in relation to the provisions of Parts 5.4B, 5.5, 5.6, Divisions 1 and 2 of Part 5.7B, Division 3 of Part 5.9 and Chapter 5A of the Corporations Act 2001, subject to the following modifications:

- (a) the modifications necessary to give effect to this section and sections 21 to 25 (inclusive);
- (b) any other modifications (within the meaning of Part 4 of the *Corporations Reform (Northern Territory) Act* as may be prescribed by the Regulations made under this Act or the *Corporations Reform (Northern Territory) Act*."

(3) Sections 25C of the *Associations Incorporation Act* is amended by omitting from subsection (2) "Corporations Law" and substituting "Corporations Act 2001".

(4) Section 25AI of the *Associations Incorporation Act* is amended by omitting from subsection (2)(b) "Corporations Law" and substituting "Corporations Act 2001".

(5) Section 25AR of the *Associations Incorporation Act* is amended —

- (a) by omitting from subsection (1) "Corporations Law" and substituting "Corporations Act 2001";
- (b) by omitting from subsection (1) "that Law" and substituting "that Act"; and
- (c) by omitting from subsection (3) "Corporations Law" and substituting "Corporations Act 2001".

4. Amendments of *Business Names Act*

(1) Section 4 of the *Business Names Act* is amended —

- (a) by omitting "Corporations Law" from the definition of "corporation" in subsection (1) and substituting "Corporations Act 2001";



Corporations Reform (Consequential Amendments NT) Act 2001

- (b) by omitting from subsection (1) the definition of "Director";
- (c) by omitting from the definition of "Deputy Registrar" in subsection (1) all words after "in relation to a" (second occurring);
- (d) by omitting from subsection (1) the definition of "manager";
- (e) by inserting in subsection (1) after the definition of "initial" the following:

" 'officer', in relation to a corporation, means an officer of a corporation within the meaning of paragraphs (a) and (c) to (g) (inclusive) of the definition of "officer of a corporation" in section 9 of the Corporations Act 2001.";
- (f) by omitting from the definition of "Registrar" in subsection (1) all words after "in relation to a" (second occurring); and
- (g) by omitting from subsection (1) the definition of "secretary".

(2) Section 6 of the *Business Names Act* is amended —

- (a) by omitting from subsection (2A) "Corporations Law" and substituting "Corporations Act 2001"; and
- (b) by omitting from subsection (2A) "Australian Securities Commission" and substituting "Australian Securities and Investments Commission".

(3) Section 15 of the *Business Names Act* is amended by omitting from subsection (1)(b) "director or manager or the secretary" and substituting "officer of".

(4) Section 19 of the *Business Names Act* is amended by omitting from subsection (1)(d) "Corporations Law" and substituting "Corporations Act 2001".

(5) Section 26 of the *Business Names Act* is amended by omitting from subsection (2) "Corporations Law" and substituting "Corporations Act 2001".

(6) Section 29 of the *Business Names Act* is amended by omitting "director, manager, secretary or other".

5. Amendments of *Companies (Trustees and Personal Representatives) Act*

(1) Section 5 of the *Companies (Trustees and Personal Representatives) Act* is amended by omitting the definition of "annual general meeting".

(2) Section 7 of the *Companies (Trustees and Personal Representatives) Act* is amended by omitting from subsection (1)(a) "incorporated



in the Territory under the Corporations Law" and substituting "taken to be registered in the Territory by virtue of section 119A of the Corporations Act 2001".

(3) Section 8 of the *Companies (Trustees and Personal Representatives) Act* is amended by omitting from subsection (1) "Corporations Law" and substituting "Corporations Act 2001".

(4) Section 25 of the *Companies (Trustees and Personal Representatives) Act* is amended by omitting subsection (15).

(5) Section 30 of the *Companies (Trustees and Personal Representatives) Act* is amended by omitting "Corporations Law" and substituting "Corporations Act 2001".

(6) Sections 36 and 37 of the *Companies (Trustees and Personal Representatives) Act* are repealed and the following substituted:

"36. Returns to be made by Trustee Company

"(1) Subject to this section, a trustee company must lodge with the prescribed person, during the prescribed months in each year, a statement in the prescribed form together with the documents that may be prescribed.

"(2) Statements are not to be required to be lodged under this section more frequently than once every 3 months.

"(3) The prescribed person may, in a particular case, extend the period for lodgement under subsection (1).

"(4) Any person may inspect a statement or document lodged with the prescribed person under this section.

"(5) If the Regulations do not prescribe a person for the purposes of subsection (1), the prescribed person is the Registrar-General.

"(6) The Regulations may provide for the granting of exemptions, either unconditionally or subject to conditions, from the requirement of complying with subsection (1)."

(7) Section 39A of the *Companies (Trustees and Personal Representatives) Act* is amended by omitting "Companies Act" from the definitions of "new trustee" and "old trustee" and substituting "Corporations Act 2001".

(8) Section 41 of the *Companies (Trustees and Personal Representatives) Act* is amended by omitting from subsection (1)(a) "Corporations Law" and substituting "Corporations Act 2001".

6. Amendments of *Co-operatives Act*

The *Co-operatives Act* is amended as set out in Schedule 1.

7. Amendments of *Cullen Bay Marina Act*

(1) Section 8 of the *Cullen Bay Marina Act* is amended by adding at the end the following:

"(5) The Cullen Bay Marina Management Corporation is declared to be an excluded matter for the purposes of section 5F of the Corporations Act 2001 in relation to the whole of the Corporations legislation to which Part 1.1A of that Act applies."

(2) Section 16 of the *Cullen Bay Marina Act* is amended by omitting from subsection (4) "Corporations Law" and substituting "Corporations Act 2001".

8. Amendment of *Darwin Port Corporation Act*

The *Darwin Port Corporation Act* is amended by omitting section 20 and substituting the following:

"20. Port Corporation excluded matter under Corporations Act 2001

"The Port Corporation is declared to be an excluded matter for the purposes of section 5F of the Corporations Act 2001 in relation to the whole of the Corporations legislation to which Part 1.1A of that Act applies."

9. Amendment of *Interpretation Act*

Section 19 of the *Interpretation Act* is amended —

- (a) by omitting the definition of "ASC Law" and "ASC Regulations";
- (b) by inserting after the definition of "AFIC (NT) Regulations" the following:

"'ASIC' means the Australian Securities and Investments Commission established by section 7 of the *Australian Securities and Investments Act 1989* of the Commonwealth and continued in existence by section 261 of the ASIC Act;

'ASIC Act' means the *Australian Securities and Investments Commission Act 2001* of the Commonwealth;" and

- (c) by omitting the definition of "Corporations Law" and "Corporations Regulations" and substituting the following:

"'Corporations Act 2001' means the *Corporations Act 2001* of the Commonwealth;"



10. Amendment of *Jurisdiction of Courts (Cross-vesting) Act*

The *Jurisdiction of Courts (Cross-vesting) Act* is amended by inserting after section 3 the following:

"3A. Corporations Act of the Commonwealth

"This Act does not apply to the jurisdiction of courts with which Division 1 of Part 9.6A of the Corporations Act 2001 of the Commonwealth deals."

11. Amendments of *Liquor Act*

(1) Section 25 of the *Liquor Act* is amended by omitting from subsection (1) all the words after "unless" and substituting "it is a corporation within the meaning of the Corporations Act 2001".

(2) Section 26A is amended by omitting from subsection (1) "Corporations Law" and substituting "Corporations Act 2001".

12. Amendment of Local Court Rules

(1) Rule 1.09 of the Local Court Rules is amended by omitting "Corporations Law" from the definition of "corporation" and substituting "Corporations Act 2001".

(2) Rule 6.04 of the Local Court Rules is amended by omitting from paragraph (a) all words before "— on the mayor" and substituting "in the case of a company within the meaning of the Corporations Act 2001 or a registered body within the meaning of that Act".

(3) Rule 6.05 of the Local Court Rules is amended —

(a) by omitting from paragraph (b) "business; or" and substituting "business;";
and

(b) by omitting paragraph (c) and substituting the following:

"(c) a company within the meaning of the Corporations Act 2001 — by serving a document in accordance with section 109X of that Act; or

(d) a registered body within the meaning of the Corporations Act 2001 — by serving a document in accordance with section 601CX of that Act."

(4) Rule 31.02(1)(f) of the Local Court Rules is amended by omitting "Corporations Law" and substituting "Corporations Act 2001".

(5) Rule 51.01 of the Local Court Rules is amended by omitting the definition of "corporation".

13. Amendments of *Northern Territory Treasury Corporation Act*

(1) Section 14 of the *Northern Territory Treasury Corporation Act* is amended by omitting from subsection (1)(a) "Corporations Law" and substituting "Corporations Act 2001".

(2) The *Northern Territory Treasury Corporation Act* is amended by inserting after section 33 the following:

"33A. Corporation excluded matter under Corporations Act 2001

"Except to the extent that the Corporations Act 2001 expressly binds the Crown, the Corporation is declared to be an excluded matter for the purposes of section 5F of the Corporations Act 2001 in relation to the whole of the Corporations legislation to which Part 1.1A of that Act applies."

14. Amendment of *Residential Tenancies Act*

Section 154 of the *Residential Tenancies Act* is amended by omitting paragraphs (a) and (b) and substituting the following:

- "(a) in the case of a natural person – to the person's last-known place of business or residence; or
- (b) in the case of a body corporate –
 - (i) if it is a company within the meaning of the Corporations Act 2001 – by serving a document in accordance with section 109X of that Act; or
 - (ii) if it is a registered body within the meaning of the Corporations Act 2001 – by serving a document in accordance with section 601CX of that Act."

15. Amendments of Small Claims Rules

(1) Rule 1.06 of the Small Claims Rules is amended by omitting "Corporations Law" from the definition of "corporation" and substituting "Corporations Act 2001".

(2) Rule 6.04 of the Small Claims Rules is amended by omitting from paragraph (a) all words before "– on the mayor" and substituting "in the case of a company within the meaning of the Corporations Act 2001 or a registered body within the meaning of that Act".

(3) Rule 6.05 of the Small Claims Rules is amended –

- (a) by omitting from paragraph (b) "business; or" and substituting "business"; and
- (b) by omitting paragraph (c) and substituting the following:
 - "(c) a company within the meaning of the Corporations Act 2001 – by serving a document in accordance with section 109X of that Act; or
 - (d) a registered body within the meaning of the Corporations Act 2001 – by serving a document in accordance with section 601CX of that Act."

16. Amendments of *Taxation (Administration) Act*

- (1) Section 4 of the *Taxation (Administration) Act* is amended –
 - (a) by omitting "includes" from the definition of "marketable security" in subsection (1) and substituting "means a marketable security not quoted on a recognised stock exchange and includes"; and
 - (b) by omitting "Corporations Law" from the definition of "SCH-regulated transfer" in subsection (1) and substituting "Corporations Act 2001".
- (2) Section 44A of the *Taxation (Administration) Act* is amended by omitting from subsection (5)(a) "Corporations Law" and substituting "Corporations Act 2001".
- (3) Section 56C of the *Taxation (Administration) Act* is amended –
 - (a) by omitting "Corporations Law" from paragraph (d)(iii) of the definition of "acquire" in subsection (1) and substituting "Corporations Act 2001";
 - (b) by omitting "Corporations Law" from the definitions of "corporation" and "director" in subsection (1) and substituting "Corporations Act 2001";
 - (c) by omitting from subsection (2)(a)(i) "Corporations Law" and substituting "Corporations Act 2001";
 - (d) by omitting from subsection (3)(b) "Corporations Law" and substituting "Corporations Act 2001"; and
 - (e) by omitting from subsection (5)(b) all words after "person who" and substituting "would have a substantial holding (within the meaning of section 9 of the Corporations Act 2001) in the corporation if the reference in paragraph (a) of that definition to 5% were a reference to "50%".
- (4) Section 56N of the *Taxation (Administration) Act* is amended by omitting from subsection (4)(d) "Division 6 of Part 1.2 of Chapter 1 of the Corporations Law" and substituting "section 9 of the Corporations Act 2001".



Corporations Reform (Consequential Amendments NT) Act 2001

(5) Section 56T of the *Taxation (Administration) Act* is amended by omitting from subsection (1)(a) "Corporations Law" and substituting "Corporations Act 2001".

(6) Section 67 of the *Taxation (Administration) Act* is amended by omitting from paragraph (a) "incorporated company whose place of incorporation" and substituting "company taken to be registered in the Territory by virtue of section 119A of the Corporations Act 2001".

(7) Section 116E of the *Taxation (Administration) Act* is amended —

- (a) by omitting subsection (1)(d); and
- (b) by omitting from subsection (1)(e) "Commission" and substituting "and Investment Commission".

17. Amendments of *Territory Insurance Office Act*

(1) Section 28 of the *Territory Insurance Office Act* is amended by omitting from subsection (3) "Corporations Law" and substituting "Corporations Act 2001".

(2) Section 28A of the *Territory Insurance Office Act* is amended —

- (a) by omitting subsection (1) and substituting the following:

"(1) Subject to subsection (2), except to the extent that the Corporations Act 2001 expressly binds the Crown, the Office is declared to be an excluded matter for the purposes of section 5F of the Corporations Act 2001 in relation to the whole of the Corporations legislation to which Part 1.1A of that Act applies."; and

- (b) by omitting from subsection (2) "Corporations Law" (wherever occurring) and substituting "Corporations Act 2001".

18. Amendment of *Unit Titles Act*

The *Unit Titles Act* is amended by omitting section 31 and substituting the following:

"31. Corporation excluded matter under Corporations Act 2001

"A corporation is declared to be an excluded matter for the purposes of section 5F of the Corporations Act 2001 in relation to the whole of the Corporations legislation to which Part 1.1A of that Act applies.".

19. Amendments of Work Health Rules

(1) Rule 1.08 of the Work Health Rules is amended by omitting "Corporations Law" from the definition of "corporation" and substituting "Corporations Act 2001".

(2) Rule 4.04 of the Work Health Rules is amended by omitting paragraph (a) and substituting the following:

"(a) in the case of a corporation —

(i) if it is a company within the meaning of the Corporations Act 2001 — by serving a document in accordance with section 109X of that Act; or

(ii) if it is a registered body within the meaning of the Corporations Act 2001 — by serving a document in accordance with section 601CZ of that Act."

(3) Rule 4.05 of the Work Health Rules is amended —

(a) by omitting from paragraph (c) "*Corporations Law*" and substituting "Corporations Act 2001"; and

(b) by omitting from paragraph (c) "that Law" and substituting "the Act".

20. Amendments of other Acts

The Acts specified in Schedule 2 are amended as set out in that Schedule.

21. Amendments of other Regulations

(1) The Regulations specified in Schedule 3 are amended as set out in that Schedule.

(2) A regulation amended as set out in Schedule 2 may be amended or repealed by a regulation as if the amendment had been made by a regulation.

SCHEDULE 1

Section 6

AMENDMENTS OF *CO-OPERATIVES ACT*

1. Definition

In this Schedule, the *Co-operatives Act* is referred to as the Principal Act.

2. Amendments of section 4

Section 4 of the Principal Act is amended —

- (a) by omitting the definitions of "accounting records" and "accounts";
- (b) by omitting from the definition of "deed of arrangement" in subsection (1) "Corporations Law as adopted and" and substituting "Corporations Act 2001 as";
- (c) by inserting after the definition of "federation" in subsection (1) the following:

" 'financial records' includes —

- (a) invoices, receipts, orders for the payment of money, bills of exchange, cheques, promissory notes and vouchers;
- (b) documents of prime entry; and
- (c) working papers and other documents needed to explain —
 - (i) the methods by which financial statements are made up; and
 - (ii) adjustments to be made in preparing financial statements;

'financial statements' means —

- (a) a profit and loss statement;
- (b) a balance sheet;
- (c) a statement of cash flows; and
- (d) if required by the accounting standards under the Corporations Act 2001 applying under this Act — a consolidated profit and loss statement, balance sheet and statement of cash flows;"

- (d) by omitting "Corporations Law" from paragraph (a) of the definition of "foreign co-operative" in subsection (1) and substituting "Corporations Act 2001";
- (e) by omitting paragraph (b) of the definition of "foreign co-operative" in subsection (1) and substituting the following:

"(b) an authorised deposit-taking institution or a foreign ADI within the meaning of the *Banking Act 1959* of the Commonwealth;"
- (f) by omitting "Corporations Law as adopted and" from paragraph (f)(i) of the definition of "officer" in subsection (1) and substituting "Corporations Act 2001 as";
- (g) by omitting "accounts, accounting records" from the definition of "records" in subsection (1) and substituting "financial records, financial statements"; and
- (h) by omitting "Corporations Law" from the definition of "subsidiary" in subsection (1) and substituting "Corporations Act 2001";

3. Repeal and substitution of Division 4 of Part 1

Division 4 of Part 1 of the Principal Act is repealed and the following substituted:

"Division 4 – Application of Corporations Act 2001 to co-operatives"

"8. Definitions

"In this Division –

'Corporations legislation' means the Corporations legislation to which Part 1.1A of the Commonwealth Act applies;

'excluded Corporations legislation provision' means any provision of the Corporations legislation that does not apply to co-operatives as a law of the Commonwealth.

"9. Exclusion of operation of Corporations Act 2001

"(1) A co-operative is declared to be an excluded matter for the purposes of section 5F of the Corporations Act 2001 in relation to the whole of the Corporations legislation other than to the extent specified in subsection (2).

"(2) Subsection (1) does not exclude the application of the following provisions of the Corporations legislation to co-operatives to the extent that those provisions would otherwise be applicable to them:

Corporations Reform (Consequential Amendments NT) Act 2001

- (a) provisions that relate to any matter that the Regulations provide is not to be excluded from the operation of the Corporations Act 2001;
- (b) provisions that relate to the role of a co-operative in the formation of a company;
- (c) provisions that relate to substantial shareholdings, by or involving a co-operative, in a company;
- (d) provisions that confer or impose functions on a co-operative as a member, or former member, of a corporation;
- (e) provisions that relate to dealings by a co-operative in securities of a body corporate, other than securities of the co-operative;
- (f) provisions that confer or impose functions on a co-operative in its dealings with a corporation, not being dealings in securities of the co-operative;
- (g) provisions that relate to securities of a co-operative, other than shares in, debentures of or deposits with a co-operative;
- (h) provisions relating to the futures industry;
- (i) provisions relating to participants in the securities industry;
- (j) provisions relating to the conduct of securities business;
- (k) provisions relating to dealers' financial statements and audit;
- (l) provisions relating to money and scrip of dealers' clients;
- (m) provisions relating to registers of interests in securities.

"(3) To remove doubt it is declared that subsection (1) does not operate to exclude the operation of the following provisions of the Corporations Act 2001 except in relation to shares in, debentures of or deposits with a co-operative:

- (a) Part 1.2A (Disclosing entities);
- (b) Chapter 2L (Debentures);
- (c) Chapter 6D (Fundraising);
- (d) Part 7.11 (Conduct in relation to securities).

"10. Application of excluded Corporations legislation provisions by the Regulations

"(1) The Regulations may declare any matter relating to co-operatives to be an applied Corporations legislation matter for the purposes of Part 4 of the *Corporations Reform (Northern Territory) Act 2001* in relation to any excluded Corporations legislation provision or provisions (with the modifications that are specified in the declaration).

"(2) Without limiting subsection (1), the Regulations may –

- (a) specify modifications to the definitions and other interpretative provisions of the Corporations legislation relevant to any excluded Corporations legislation provision that is the subject of the declaration;
- (b) provide for ASIC to exercise a function under any excluded Corporations legislation provision that is the subject of the declaration, but only if –
 - (i) ASIC is to exercise that function pursuant to an agreement of the kind referred to in section 11(8) or (9A)(b) of the *Australian Securities and Investments Commission Act 2001* of the Commonwealth; and
 - (ii) ASIC is authorised to exercise that function under section 11 of the *Australian Securities and Investments Commission Act 2001* of the Commonwealth;
- (c) specify that a reference to ASIC in any excluded Corporations legislation provision that is the subject of the declaration is to be a reference to another person or body;
- (d) identify any excluded Corporations legislation provision to which the declaration relates by reference to that provision as in force at a particular time; and
- (e) specify a court (other than the Supreme Court) to exercise any function conferred on a court by any excluded Corporations legislation provision to which the declaration relates.

"(3) Words and expressions used in this section and also in Part 4 of the *Corporations Reform (Northern Territory) Act 2001* have the same meaning as they have in that Part.

"11. Modifications to applied provisions

"(1) If a provision of this Act declares a matter to be an applied Corporations legislation matter for the purposes of Part 4 of the *Corporations*

Reform (Northern Territory) Act 2001 ('declaratory provision') in relation to any provision of the Corporations legislation ('applied provision'), the declaratory provision is to be taken to specify the following modifications to the applied provisions:

- (a) a reference to a constitution is to be read as a reference to the rules;
- (b) a cross-reference to another provision of the Corporations Act 2001 is, if that cross-reference is not appropriate (because, for example, the provision cross-referred to is not among the applied provisions), to be read as a cross-reference to the equivalent provision of this Act;
- (c) a reference to the *Gazette* is to be read as a reference to the *Government Gazette of the Territory*;
- (d) a reference to the Commonwealth is to be read as a reference to the Territory;
- (e) provisions that are not relevant to co-operatives or that are incapable of application to co-operatives are to be ignored;
- (f) modifications directed by the Commission under subsection (2).

"(2) The Registrar may, by order published in the *Gazette*, give directions as to the modifications that are necessary or desirable for the effectual operation of applied provisions.

"(3) This section has effect subject to any specific requirements of provisions of this Act that apply provisions of the Corporations Act 2001."

4. Amendment of section 22

Section 22 of the Principal Act is amended by omitting from paragraph (a) "Corporations Law" and substituting "Corporations Act 2001".

5. Amendment of section 65

Section 65 of the Principal Act is amended by omitting from subsection (4) "Corporations Law" and substituting "Corporations Act 2001".

6. Amendment of section 88

Section 88 of the Principal Act is amended by omitting from paragraph (j) "Corporations Law" and substituting "Corporations Act 2001".

7. Amendments of section 130

Section 130 of the Principal Act is amended —

- (a) by omitting from paragraph (b) "Corporations Law as adopted and" and substituting "Corporations Act 2001 as"; and
- (b) by omitting from paragraph (f) "Corporations Law" and substituting "Corporations Act 2001".

8. Amendment of section 134

Section 134 of the Principal Act is amended by omitting subsection (4) and substituting the following:

"(4) The following provisions of the Corporations Act 2001 (as applied by section 258 of this Act) do not apply to an allotment or issue of debentures under this section:

- (a) Chapter 2L (Debentures);
- (b) Chapter 6D (Fundraising)."

9. Amendments of section 209

Section 209 of the Principal Act is amended –

- (a) by omitting from subsection (1)(b)(iii) "section 232, 590, 591, 592, 704, 705 or 996 of the Corporations Law" and substituting "section 184, 344, 590, 670A or 728 of the Corporations Act 2001";
- (b) by omitting from subsection (2)(b) "section 599 of the Corporations Law" and substituting "Part 2D.6 of the Corporations Act 2001";
- (c) by omitting from subsection (2)(c) "Corporations Law" and substituting "Corporations Act 2001";
- (d) by omitting subsection (2)(d) and substituting the following:

"(d) has been convicted of a contravention of section 181, 182 or 183 of the Corporations Act 2001 as applied under this Act."; and
- (e) by omitting subsection (8) and substituting the following:

"(8) Subject to this section, a co-operative is declared to be an applied Corporations legislation matter for the purposes of Part 4 of the *Corporations Reform (Northern Territory) Act* in relation to Part 6D.4 of the Corporations Act 2001 with any modifications (within the meaning of Part 4 of the *Corporations Reform (Northern Territory) Act*) prescribed by the Regulations."

10. Amendment of section 215

Section 215 of the Principal Act is amended by omitting from paragraph (f) "Corporations Law as adopted and" and substituting "Corporations Act 2001 as".

11. Repeal of section 223

Section 223 of the Principal Act is repealed and the following substituted:

"223. Application of Corporations Act 2001 to officers of co-operatives

"A co-operative is declared to be an applied Corporations legislation matter for the purposes of Part 4 of the *Corporations Reform (Northern Territory) Act* in relation to sections 589 to 598 and 1307 of the Corporations Act 2001, subject to the following modifications:

- (a) a reference in those provisions to a company is to be read as a reference to a co-operative;
- (b) a reference in those provisions to ASIC is to be read as a reference to the Registrar;
- (c) section 592(1)(a) of the Corporations Act 2001 applies as if 'before 23 June 1993' were omitted;
- (d) any other modifications (within the meaning of Part 4 of the *Corporations Reform (Northern Territory) Act*) prescribed by the Regulations."

12. Heading to Division 5 of Part 9

The heading to Division 5 of Part 9 of the Principal Act is amended by omitting "*Accounts*" and substituting "*Financial Statements*".

13. Amendments of section 233

Section 233 of the Principal Act is repealed and the following substituted:

"233. Requirements for financial records, statements and reports

"(1) A co-operative is declared to be an applied Corporations legislation matter for the purposes of Part 4 of the *Corporations Reform (Northern Territory) Act* in relation to Part 2F.3, sections 249K and 249V and Chapter 2M of the Corporations Act 2001, subject to the following modifications:

- (a) a reference in those provisions to a company or to a public company is to be read as a reference to a co-operative;

Corporations Reform (Consequential Amendments NT) Act 2001

- (b) a reference in those provisions to the Court is to be read as a reference to the Supreme Court;
- (c) a reference in those provisions to 'prescribed' is to be read as a reference to 'approved by the Registrar';
- (d) a reference in those provisions to securities is to be read as a reference to debentures;
- (e) any offence created in respect of those provisions is the offence set out in subsection (2);
- (f) any penalty for the offence referred to in paragraph (e) is the penalty set out in subsection (2);
- (g) those provisions apply as if sections 293, 294, 300(8), 300(9), 301(2), 340, 341 and 342 of the Corporations Act 2001 were omitted;
- (h) any other modifications (within the meaning of Part 4 of the *Corporations Reform (Northern Territory) Act*) that are prescribed by the Regulations.

"(2) A co-operative must –

- (a) keep financial records and prepare financial statements and financial reports as required by this Act and the Regulations; and
- (b) ensure that those financial statements and financial reports are audited in accordance with this Act and the Regulations.

Penalty: 20 penalty units.

"(3) Without limiting the matters for which Regulations under this section may make provisions, the Regulations may make provisions for or with respect to the following:

- (a) requiring the submission of financial statements and financial reports to the Australian Accounting Standards Board;
- (b) requiring the adoption by a co-operative of the same financial year for each entity that the co-operative controls."

14. Repeal of section 235

Section 235 of the Principal Act is repealed.



15. Amendment of section 237

Section 237 of the Principal Act is amended by omitting from subsection (1)(b) "accounts, consolidated accounts" and substituting "financial statements, financial reports".

16. Amendment of section 244

Section 244 of the Principal Act is amended by omitting from subsection (1) "accounts" (wherever occurring) and substituting "financial statements".

17. Amendment of section 257

Section 257 of the Principal Act is amended by omitting from subsection (3) "Corporations Law (as adopted under Division 3 of Part 12 of" and substituting "Corporations Act 2001 (as applying under".

18. Repeal and substitution of section 258

Section 258 of the Principal Act is repealed and the following substituted:

"258. Application of Corporations Act 2001 to debentures

"(1) Subject to subsection (2), the debentures of a co-operative are declared to be applied Corporation legislation matters for the purposes of Part 4 of the *Corporations Reform (Northern Territory) Act* in relation to the provisions of Part 1.2A, Chapter 2L, Chapter 6D and Part 7.11 of the Corporations Act 2001, subject to the following modifications:

- (a) the provisions apply as if a co-operative were a company;
- (b) a reference in those provisions to a corporation includes a reference to a co-operative;
- (c) a reference in those provisions to ASIC is to be read as a reference to the Registrar.

"(2) The provisions of the Corporations Act 2001 made applicable to the debentures of a co-operative by this section do not apply to the following:

- (a) a loan to which section 262 applies;
- (b) an issue of debentures of a co-operative that is made –
 - (i) solely to members;
 - (ii) solely to members and employees of the co-operative; or
 - (iii) to a person who on becoming an inactive member of the co-operative has had his or her share capital converted to debt.

"(3) Expressions used in this section that are not defined in this Act have the same meaning as in the Corporations Act 2001.

"(4) The Registrar may exempt a co-operative from any of the requirements of the Corporations Act 2001 applied by this section or by section 10."

19. Repeal and substitution of section 261

Section 261 of the Principal Act is repealed and the following substituted:

"261. Application of Corporations Act 2001 to re-issue of redeemed debentures

"Debentures issued by a co-operative to any of its members are declared to be applied Corporation legislation matters for the purposes of Part 4 of the *Corporations Reform (Northern Territory) Act* in relation to section 563AAA of the Corporations Act 2001 as if a co-operative were a company."

20. Amendment of section 270

Section 270 of the Principal Act is amended by omitting from subsection (1)(b) "Corporations Law" and substituting "Corporations Act 2001".

21. Amendments of section 281

Section 281 of the Principal Act is amended —

- (a) by omitting from subsection (1) "Corporations Law" and "that Law" and substituting "Corporations Act 2001" and "that Act" respectively; and
- (b) by omitting from subsections (2)(b) and (c) "Corporations Law" and substituting "Corporations Act 2001".

22. Amendment of section 285

Section 285 of the Principal Act is amended by omitting from subsection (1)(b) "Corporations Law" and substituting "Corporations Act 2001".

23. Amendments of section 289

Section 289 of the of the Principal Act is amended —

- (a) by omitting from subsections (1) and (2)(b) "Corporations Law" and substituting "Corporations Act 2001"; and
- (b) by omitting from subsection (8) "section 746 of the Corporations Law" and substituting "section 631 of the Corporations Act 2001".

24. Amendment of section 290

Section 290 of the Principal Act is amended by omitting "Corporations Law" and substituting "Corporations Act 2001".

25. Amendment of section 301

Section 301 of the Principal Act is amended by omitting from paragraph (a) "Corporations Law" and substituting "Corporations Act 2001".

26. Amendment of section 308

Section 308 of the Principal Act is amended by omitting from subsection (1) "Corporations Law" and substituting "Corporations Act 2001".

27. Amendment of section 309

Section 309 of the Principal Act is amended by omitting from subsection (2) "Corporations Law" and substituting "Corporations Act 2001".

28. Amendment of section 310

Section 310 of the Principal Act is amended by omitting from subsection (4) "Corporations Law" and substituting "Corporations Act 2001".

29. Repeal of section 311

Section 311 of the Principal Act is repealed and the following substituted:

"311. Application of Corporations Act 2001 to winding up

"The winding up or dissolution of a co-operative is declared to be an applied Corporations legislation matter for the purposes of Part 4 of the *Corporations Reform (Northern Territory) Act* in relation to the provisions of Parts 5.4, 5.4A, 5.4B, 5.5 and 5.6, Chapter 5A and Part 9.7 of the Corporations Act 2001, subject to any modifications (within the meaning of the *Corporations Reform (Northern Territory) Act*) prescribed by the Regulations."

30. Amendment of section 315

Section 315 of the Principal Act is amended by omitting "Corporations Law" and substituting "Corporations Act 2001".

31. Repeal and substitution of Division 4 of Part 12

Division 4 of Part 12 of the Principal Act is repealed and the following substituted:

**"Division 4 – Administration of Co-operative – Application of
Corporations Act 2001**

"318. Application of Part 5.3A of Corporations Act 2001

"A co-operative is declared to be an applied Corporations legislation matter for the purposes of Part 4 of the *Corporations Reform (Northern Territory) Act* in relation to the provisions of Part 5.3A and Division 3 of Part 5.9 of the Corporations Act 2001, subject to the following modifications:

- (a) those provisions are to be read as if co-operative were company;
- (b) references in those provisions to sections 128 and 129 of the Corporations Act 2001 are to be read as references to sections 43, 44, 45 and 47 of this Act;
- (c) references in those provisions to ASIC are to be read as references to the Registrar;
- (d) any other modifications (within the meaning of Part 4 of the *Corporations Reform (Northern Territory) Act*) prescribed by the Regulations."

32. Repeal of section 332

Section 332 of the Principal Act is repealed.

33. Repeal of section 333 and substitution

Section 333 of the Principal Act is repealed and the following substituted:

"333. Application of Part 5.7B of Corporations Act 2001

"A co-operative is declared to be an applied Corporations legislation matter for the purposes of Part 4 of the *Corporations Reform (Northern Territory) Act* in relation to the provisions of Part 5.7B (except section 588G) of the Corporations Act 2001, subject to the following modifications:

- (a) those provisions are to be read as if co-operative were company;
- (b) a reference in those provisions to any provision of section 286 of the Corporations Act 2001 is to be read as a reference to the equivalent provisions of the Regulations made under section 233 of this Act;
- (c) any other modifications (within the meaning of Part 4 of the *Corporations Reform (Northern Territory) Act*) prescribed by the Regulations."

34. Amendment of section 339

Section 339 of the Principal Act is amended by omitting subsection (2) and substituting the following:

"(2) A person appointed to administer a compromise or arrangement is declared to be an applied Corporations legislation matter for the purposes of Part 4 of the *Corporations Reform (Northern Territory) Act* in relation to section 536 of the Corporations Act 2001 as if –

- (a) the appointment were an appointment as a liquidator of the co-operative; and
- (b) a reference to a liquidator were a reference to that person."

35. Amendment of section 347

Section 347 of the Principal Act is amended by omitting from subsection (2)(b) "Corporations Law" and substituting "Corporations Act 2001".

36. Amendment of section 354

Section 354 of the Principal Act is amended by omitting subsections (3) and (4) and substituting the following:

"(3) A sum paid or consideration transferred to the Commission under subsection (2) is declared to be an applied Corporations legislation matter for the purposes of Part 4 of the *Corporations Reform (Northern Territory) Act* in relation to Part 9.7 of the Corporations Act 2001, subject to the following modifications:

- (a) a reference to unclaimed property in that Part includes any such sum or consideration;
- (b) a reference to ASIC is to be read as a reference to the Registrar;
- (c) a reference to the Commonwealth is to be read as a reference to the Territory;
- (d) any modification made under section 311;
- (e) any other modifications (within the meaning of Part 4 of the *Corporations Reform (Northern Territory) Act*) prescribed by the Regulations."

37. Amendment of section 358

Section 358 of the Principal Act is amended by omitting "Corporations Law" and substituting "Corporations Act 2001".



38. Amendment of section 396

Section 396 of the Principal Act is amended by omitting from subsection (3) "Corporations Law" and substituting "Corporations Act 2001".

39. Amendment of section 402

Section 402 of the Principal Act is amended by omitting from subsection (2) "Corporations Law" and substituting "Corporations Act 2001".

40. Amendment of section 410

Section 410 of the Principal Act is amended by omitting from paragraph (a) "accounts or accounting records" and substituting "financial records or financial statements".

41. Amendment of Schedule 1

Schedule 1 to the Principal Act is amended by omitting from item 18 in clause 1 "accounts" and substituting "financial records".

42. Amendment of Schedule 2

Schedule 2 to the Principal Act is amended by omitting from clause 16 "Corporations Law" and substituting "Corporations Act 2001".

43. Amendments of Schedule 3

Schedule 3 to the Principal Act is amended —

- (a) by omitting from the definition of "marketable security" in clause 1 "Corporations Law" and substituting "Corporations Act 2001";
- (b) by omitting from paragraph (a) of the definition of "relevant day" in clause 26 "Corporations Law (as adopted and" and substituting "Corporations Act 2001 (as";
- (c) by omitting from clause 27(1)(c) "Corporations Law as adopted and" and substituting "Corporations Act 2001 as";
- (d) by omitting from clause 28(1)(b) "Corporations Law (as adopted and" and substituting "Corporations Act 2001 (as"; and
- (e) by omitting from clause 31(1)(c) "Corporations Law (as adopted and" and substituting "Corporations Act 2001 (as".

44. Amendments of Schedule 4

Schedule 4 to the Principal Act is amended —



Corporations Reform (Consequential Amendments NT) Act 2001

- (a) by omitting from the definition of "administrator" in clause 1 "Corporations Law, as adopted and" and substituting "Corporations Act 2001 as";
- (b) by omitting from clause 3(1)(d) "Corporations Law" and substituting "Corporations Act 2001";
- (c) by omitting from clause 11(1)(d) "accounting records" and substituting "financial records";
- (d) by omitting from clause 24(2)(a) "section 562 of the Corporations Law (as adopted and" and substituting "section 556 of the Corporations Act 2001 as"; and
- (e) by omitting from clause 24(2)(c), (3) and (7) "Corporations Law (as adopted and" and substituting "Corporations Act 2001 (as".

SCHEDULE 2

Section 20

AMENDMENTS OF OTHER ACTS

Provision	Amendment	
	omit	substitute

Agents Licensing Act

Section 5(1)

— definitions of
"company" and
"registered company
auditor"

"Corporations Law"

"Corporations Act 2001"

Annual Leave Act

Section 7(7)

"Corporations Law"

"Corporations Act 2001"

Architects Act

Section 13(1)(b)

"Corporations Law"

"Corporations Act 2001"

Corporations Reform (Consequential Amendments NT) Act 2001

Audit Act

Sections 10(a)(i) and 27(1)	"Corporations Law"	"Corporations Act 2001"
-----------------------------	--------------------	-------------------------

AustralAsia Railway Corporation Act

Section 27(1)(a)	"Corporations Law"	"Corporations Act 2001"
------------------	--------------------	-------------------------

Section 27(9)	"Corporations Law and that Law"	"Corporations Act 2001 and that Act"
---------------	---------------------------------	--------------------------------------

Section 28(1)	"Corporations Law"	"Corporations Act 2001"
---------------	--------------------	-------------------------

Section 31(1)	"Corporations Law"	"Corporations Act 2001"
---------------	--------------------	-------------------------

	"that Law"	"that Act"
--	------------	------------

Section 31(2)	"Corporations Law" (wherever occurring)	"Corporations Act 2001"
---------------	---	-------------------------

Section 32(1)	"annual report"	"financial report and directors' report"
---------------	-----------------	--

AustralAsia Railway (Third Party) Access Act

Section 3(1)

– definition of "associate"	"given by the <i>Corporations Law</i> "	"within Division 2 of Part 1.2 of the Corporations Act 2001"
-----------------------------	---	--

– definition of "related body corporate"	"meaning given by the Corporations Law"	"same meaning as in section 9 of the Corporations Act 2001"
--	---	---

Bank of South Australia (Merger with Advance Bank) Act

Clause 3 of Part 1 of the Schedule

– definition of "ABAL subsidiary"	"Corporations Law"	"Corporations Act 2001"
-----------------------------------	--------------------	-------------------------



***Batchelor Institute of
Indigenous Tertiary
Education Act***

Section 8(2)(s)	"whether incorporated in the Territory or elsewhere"	"whether to be registered in the Territory or elsewhere by virtue of section 119A of the Corporations Act 2001"
-----------------	--	---

Bushfires Act

Section 25	all the words from and including "the generality" to and including "company"	"section 24, a member who owns or controls a share in, is a member of the governing body of, or is an employee of, a company"
------------	--	---

Business Franchise Act

Section 3(1) — definitions of "corporation" and "voting share"	"Corporations Law"	"Corporations Act 2001"
Sections 5(3) and 6	"Corporations Law"	"Corporations Act 2001"
Section 8(4)	"that is, by reason of section 6(5) of the <i>Companies Act</i> , to be deemed for the purposes of that Act to be related to it,"	", which, by virtue of section 50 of the Corporations Act 2001, is related to it,"

***Catholic Church in the
Northern Territory Act***

Section 23	"Corporations Law" (wherever occurring)	"Corporations Act 2001"
------------	--	-------------------------

Cemeteries Act

Section 34(1)(a)	"Corporations Law"	"Corporations Act 2001"
------------------	--------------------	-------------------------



***Commercial Passenger
(Road) Transport Act***

Section 9(4)(c)	"Corporations Law"	"Corporations Act 2001"
-----------------	--------------------	-------------------------

***Companies (Unclaimed
Assets and Moneys) Act***

Section 5(1)

– paragraph (a) of the definition of "company"	"Corporations Law"	"Corporations Act 2001"
---	--------------------	-------------------------

– paragraph (b) of the definition of "company"	"society registered under the <i>Co-operative Trading Societies Act</i> "	"registered under the <i>Co- operatives Act</i> "
---	--	---

***Competition Policy
Reform (Northern
Territory) Act***

Section 8(1)(b)	"incorporated or registered under the law of this jurisdiction"	"taken to be registered in the Territory by virtue of section 119A of the Corporations Act 2001"
-----------------	---	---

***Consumer Affairs and
Fair Trading Act***

Section 4(1)

– definition of "officer"	"the <i>Companies (Northern Territory) Code</i> "	"section 82A of the Corporations Act 2001"
---------------------------	---	---

Section 259(k)(i) and (ii)	"Corporations Law"	"Corporations Act 2001"
----------------------------	--------------------	-------------------------

Debits Tax Act

Section 18(2)	"Corporations Law"	"Corporations Act 2001"
---------------	--------------------	-------------------------

Dental Act

Section 3

– definition of "dental company"	"incorporated in the Territory "	"taken to be registered in the Territory by virtue of section 119A of the Corporations Act 2001"
-------------------------------------	-------------------------------------	---



Section 51(1)	"Corporations Law"	"Corporations Act 2001"
<i>Electricity Reform Act</i>		
Section 4(1)		
— definition of "related body corporate"	"Corporations Law" (wherever occurring)	"Corporations Act 2001"
Section 110(2)	"Corporations Law"	"Corporations Act 2001"
<i>Energy Pipelines Act</i>		
Section 43(2)(b)(iii)	"Corporations Law"	"Corporations Act 2001"
<i>Energy Resource Consumption Levy Act</i>		
Section 4(1), (4) and (7)	"Corporations Law"	"Corporations Act 2001"
<i>Evidence Act</i>		
Section 42B(6)		
— definition of "public company"	"of a law"	"of the Corporations Act 2001 or a law"
	"incorporated"	"registered or incorporated"
<i>Financial Institutions Duty Act</i>		
Section 7(2)(g)(i)	"Corporations Law"	"Corporations Act 2001"
<i>Fire and Emergency Act</i>		
Section 46(d)	"Corporations Law"	"Corporations Act 2001"
<i>Firearms Act</i>		
Section 106(1)(d)	"Corporations Law"	"Corporations Act 2001"
<i>Fisheries Act</i>		
Section 12C(9)(a)	The whole paragraph	"(a) 'corporation' has the same meaning as in the Corporations Act 2001;



Corporations Reform (Consequential Amendments NT) Act 2001

(aa) 'share' means a share in the share capital of the corporation and includes stock except where a distinction between stock and shares is express or implied;"

Gaming Machine Act

Sections 44(4)(d) and 74(4)(d)	"are substantial shareholders of the body corporate under section 708 of the Corporations Law"	"have a substantial holding (within the meaning of section 9 of the Corporations Act 2001) in the body corporate"
--------------------------------	--	---

Section 146(1)(c) and 188(d)	"Corporations Law"	"Corporations Act 2001"
------------------------------	--------------------	-------------------------

Health and Community Services Complaints Act

Section 103(d)	"Corporations Law"	"Corporations Act 2001"
----------------	--------------------	-------------------------

Hospital Management Boards Act

Section 14(a)	"is a substantial shareholder within the meaning of section 708 of the Corporations Law"	"has a substantial holding (within the meaning of section 9 of the Corporations Act 2001)"
---------------	--	--

Section 14(b)	"that Law"	"that Act"
---------------	------------	------------

Land Title Act

Section 206(1)(b)(ii)	"Corporations Law"	"Corporations Act 2001"
-----------------------	--------------------	-------------------------

Law of Property Act

Sections 20(2), 48(6)(b), and 57(4)(b)	"Corporations Law"	"Corporations Act 2001"
--	--------------------	-------------------------



Legal Practitioners Act

Sections 68(1)(a) and (2)(a), 75(2), 84(1) and 89(2)	"Corporations Law"	"Corporations Act 2001"
--	--------------------	-------------------------

***Legal Practitioners
(Incorporation) Act***

Section 2	the whole section	
Section 5(1)(a), (b), (c) and (d)	"provide"	"provides"
Section 5(1)(e)	"contain"	"contains"
Section 5(3)	"Corporations Law"	"Corporations Act 2001"

Local Government Act

Sections 174(2)(b) and 177(6)	"Corporations Law"	"Corporations Act 2001"
----------------------------------	--------------------	-------------------------

Long Service Leave Act

Section 12(7)	"Corporations Law"	"Corporations Act 2001"
---------------	--------------------	-------------------------

Marine Act

Section 134(3)(c) and (4)(c)	"Corporations Law"	"Corporations Act 2001"
Section 142A(2)	"sections 220 and 363 of the Corporations Law"	"sections 109X and 601X of the Corporations Act 2001"

Medical Act

Section 54(1) and (2)	"Corporations Law"	"Corporations Act 2001"
-----------------------	--------------------	-------------------------

***Menzies School of
Health Research Act***

Section 35	"incorporation"	"registration"
------------	-----------------	----------------



***Motor Accidents
(Compensation) Act***

Section 4(1)

— paragraph (b)(ii) of the definition of "Territory motor vehicle"

"company or corporation incorporated in the Territory"

"body corporate incorporated in the Territory or taken to be registered in the Territory by virtue of section 119A of the Corporations Act 2001"

Motor Vehicles Act

Section 102(2)(ab) and (ac)

"Corporations Law"

"Corporations Act 2001"

"that Law"

"that Act"

***National Trust
(Northern Territory)
Act***

Section 13(2)(g)

"Corporations Law"
(twice occurring)

"Corporations Act 2001"

***Northern Territory
University Act***

Section 42

"incorporation"

"registration"

Partnership Act

Sections 5(2)(a) and 14(2)

"Corporations Law"

"Corporations Act 2001"

Pastoral Land Act

Sections 34(2)(f)(v)(B) and (3) and 125(1)(b)

"Corporations Law"

"Corporations Act 2001"

Pay-roll Tax Act

Section 3(1)

— definition of "voting share"

"section 9(1) of the Corporations Law"

"section 9 of the Corporations Act 2001"



Corporations Reform (Consequential Amendments NT) Act 2001

Sections 17B, 17D(4) and 17H(2) and 26(7)(b)	"Corporations Law"	"Corporations Act 2001"
---	--------------------	-------------------------

Petroleum Act

Section 96A	the whole section	
-------------	-------------------	--

Petroleum (Submerged Lands) Act

Section 92(4)(a)(i) and (7)(a)(i)	"Corporations Law"	"Corporations Act 2001"
--------------------------------------	--------------------	-------------------------

Planning Act

Section 99(1)(a)	"is a substantial shareholder within the meaning of section 708 of the Corporations Law"	"has a substantial holding (within the meaning of section 9 of the Corporations Act 2001)"
------------------	--	--

Sections 99(1)(b) and 139(1)(b)	"Corporations Law"	"Corporations Act 2001"
------------------------------------	--------------------	-------------------------

Public Trustee Act

Section 67A(4)	"Commission by the Corporations Law"	"and Investments Commission by the Corporations Act 2001"
----------------	---	---

***Registration of Interests
in Motor Vehicles and
Other Goods Act***

Sections 12(5)(b), 13(6)(a) and (b) and 21	"Corporations Law"	"Corporations Act 2001"
---	--------------------	-------------------------

Retirement Villages Act

Section 36(6)(b)(ii)	"Corporations Law"	"Corporations Act 2001"
----------------------	--------------------	-------------------------

***Soccer Football Pools
Act***

Section 23(5)	"Corporations Law"	"Corporations Act 2001"
---------------	--------------------	-------------------------



***Soil Conservation and
Land Utilization Act***

Section 44(2)	"Corporations Law"	"Corporations Act 2001"
---------------	--------------------	-------------------------

***State Bank of South
Australia (Transfer of
Undertaking) Act***

Section 3

– definition of "BSAL"	"Corporations Law"	"Corporations Act 2001"
------------------------	--------------------	-------------------------

***Totalisator Licensing
and Regulation Act***

Section 108(1)

– paragraph (a) of the definition of "associate"	"Part 1.1 of the Corporations Law"	"Part 1.2 of the Corporations Act 2001"
---	---------------------------------------	--

– paragraph (a) of the definition of "body corporate"	"Corporations Law"	"Corporations Act 2001"
---	--------------------	-------------------------

– definition of "voting share"	"Corporations Law" (wherever occurring)	"Corporations Act 2001"
-----------------------------------	--	-------------------------

Section 108(2)	"Corporations Law" (twice occurring)	"Corporations Act 2001"
----------------	---	-------------------------

***Unclaimed
Superannuation
Benefits Act***

Section 3(a)	"Corporations Law"	"Corporations Act 2001"
--------------	--------------------	-------------------------

	"that Law"	"that Act"
--	------------	------------

***Utilities Commission
Act***

Section 43(2)	"Corporations Law"	"Corporations Act 2001"
---------------	--------------------	-------------------------

***Waste Management and
Pollution Control Act***

Section 113(1)(b)	"Corporations Law"	"Corporations Act 2001"
-------------------	--------------------	-------------------------



Water Act

Section 106(3)	"Corporations Law"	"Corporations Act 2001"
----------------	--------------------	-------------------------

**Water Supply and
Sewerage Services Act**

Section 117(2)	"Corporations Law"	"Corporations Act 2001"
----------------	--------------------	-------------------------

Work Health Act

Sections 41A(2), 83(2) and 171(3)	"Corporations Law"	"Corporations Act 2001"
--------------------------------------	--------------------	-------------------------

SCHEDULE 3

Section 21

AMENDMENTS OF REGULATIONS

Provision	Amendment	
	Omit	substitute
Animal Welfare Regulations		
Regulation 6(2)(a)	"incorporated in the Territory"	"incorporated in the Territory or taken to be registered in the Territory by virtue of section 119A of the Corporations Act 2001"
Business Names Regulations		
Second Schedule		
— Forms 1, 3, 4, 5, 6 and 8	"a director or manager or the secretary of the corporation or, in the case of a corporation registered under	"an officer of the corporation"



Division 3 of Part XI of the *Companies Act*, it may be signed by the agent of the corporation appointed for the purpose of that Division"

— Form 9

"a director or manager or secretary of the corporation or in the case of a corporation registered under Division 3 of Part XI of the *Companies Ordinance 1963* of that Ordinance as amended from time to time, it may be signed by the agent of the corporation appointed for the purpose of that Division"

"an officer of the corporation"

**Consumer Affairs and Fair Trading
(Pawnbrokers and Second-hand Dealers)
Regulations**

Regulation 9(b)(ii) and (iii)

"Corporations Law"

"Corporations Act 2001"

**Electrical Workers and Contractors
Regulations**

Schedule 3

— Part A of Form 5

"*Companies (Northern Territory) Code*"

"Corporations Act 2001"

**Gaming Control
(Internet Gaming)
Regulations**

Regulation 40

"Corporations Law"

"Corporations Act 2001"



Housing Regulations

Regulation 6(d)	"incorporated in accordance with a law of the Territory"	"taken to be registered in the Territory by virtue of section 119A of the Corporations Act 2001"
-----------------	--	--

Kava Management Regulations

Regulation 3

— definition of "associate"	"Corporations Law"	"Corporations Act 2001"
— definition of "company"	"Corporations Law or a society registered under the <i>Co-operatives Societies Act</i> "	"Corporations Act 2001 or a co-operative registered under the <i>Co-operatives Act</i> "

Legal Practitioners Regulations

Regulation 2A(1)(b) and (3)(a)	" <i>Companies (Northern Territory) Code</i> "	"Corporations Act 2001"
--------------------------------	--	-------------------------

Motor Vehicle Dealers Regulations

Schedule 3

— Items 7 and 16 of Form 1 and items 3 and 5 of Form 7	"Corporations Law"	"Corporations Act 2001"
--	--------------------	-------------------------

Stock Diseases Regulations

Regulation 11(b)(iv)	"Corporations Law"	"Corporations Act 2001"
----------------------	--------------------	-------------------------

Supreme Court Rules

Rule 6.001	"Corporations Law" (first occurring)	"Corporations Act 2001"
	"section 220 of the Corporations Law"	"section 109X of the Corporations Act 2001"
Rule 6.06(1)(c)	"Corporations Law"	"Corporations Act 2001"



Corporations Reform (Consequential Amendments NT) Act 2001

Rule 6.06(2)(c)(i)	"Corporations Law" (first occurring)	"Corporations Act 2001"
	"section 220 of the Corporations Law"	"section 109X of the Corporations Act 2001"
Rule 62.02(1)(f)	"Corporations Law"	"Corporations Act 2001"
Volunteer Bushfire Brigades Regulations		
Schedule 1		
— clause 11(1)(b)	whole paragraph	"appointed in accordance with Part 2M.4 of the Corporations Act 2001"



ALTERATIONS TO PROVISION HEADINGS

On the day on which the laws specified in the following table are amended by this Act, in addition to any alteration to provision headings indicated in the text of this Act, the headings to the provisions specified in the table are altered as set out in the table.

Provision	Amendment	
	Omit	substitute
<i>Associations Incorporation Act</i>		
Section 25AR	"Corporations Law"	"Corporations Act 2001"
<i>AustralAsia Railway Corporation Act</i>		
Section 31	"Corporations Law"	"Corporations Act 2001"
<i>Catholic Church in the Northern Territory Act</i>		
Section 23	"Corporations Law"	"Corporations Act 2001"
<i>Companies (Trustees and Personal Representatives) Act</i>		
Section 8	"Recognized company"	"Company"
<i>Co-operatives Act</i>		
Sections 339 and 358	"Corporations Law"	"Corporations Act 2001"
<i>Territory Insurance Office Act</i>		
Section 28A	"Corporations Law"	"Corporations Act 2001"

