

Serial 328

Law Reform (Miscellaneous Provisions) Amendment Bill (No. 2) 2001

Mr Burke

**A BILL
for
AN ACT**

to amend the *Law Reform (Miscellaneous Provisions) Act*

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NORTHERN TERRITORY OF AUSTRALIA

No. of 2001

AN ACT

to amend the *Law Reform (Miscellaneous Provisions) Act*

[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 *Law Reform (Miscellaneous Provisions) Amendment Act (No. 2) 2001*.

2. New Part

The *Law Reform (Miscellaneous Provisions) Act* is amended by inserting after Part II the following:

"PART III – LIMITATION OF OCCUPIER'S DUTY OF CARE

"10. Definitions

"In this Part –

'dwelling-house' means a building or part of a building kept by the owner or occupier for his or her residence or the residence of his or her family, guests or employees, whether or not it is uninhabited from time to time, and includes a curtilage of the dwelling-house;

'occupier' means a person occupying or having control of a dwelling-house or commercial premises.

"10A. Limitation of occupier's duty of care

"The occupier or owner of a dwelling-house or commercial premises does not owe a common law duty of care to a person who —

- (a) is entering or has entered the dwelling-house or commercial premises; and
 - (b) has the intention of committing, is committing, or has committed in that dwelling-house or on those premises an offence punishable by imprisonment."
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