

Serial 171  
Statute Law Revision Act (No. 2) 1999  
Mr Burke

**A BILL  
for  
AN ACT**

to revise and correct the law of the Territory in minor respects



NORTHERN TERRITORY OF AUSTRALIA  
STATUTE LAW REVISION ACT (NO. 2) 1999

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No. of 1999

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# NORTHERN TERRITORY OF AUSTRALIA

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No. of 1999

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## AN ACT

to revise and correct the law of the Territory in minor respects

[Assented to 1999]  
[Second reading 1999]

**The Legislative Assembly of the Northern Territory enacts as follows:**

**1. Short title**

This Act may be cited as the *Statute Law Revision Act (No. 2) 1999*.

**2. Amendment of *Instruments Act***

Section 9A of the *Instruments Act* is amended by omitting subsection (2) and substituting the following:

"(2) The effect of registration of a bill of sale may be extended one or more times, for a further period of 5 years, by the grantee of the bill of sale —

- (a) applying for the extension, in a form approved by the Registrar-General, before the expiry of the then effective period of registration; and
- (b) paying the prescribed fee."

**3. Revision of other Acts**

The Acts specified in Schedule 1 are amended as set out in that Schedule.

**4. Revision of Regulations**

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(2) A regulation amended as set out in Schedule 2 may be amended or repealed by a regulation as if the amendment had been made by a regulation.

**5. Savings and validation: memorandum and articles of certain companies**

(1) If, immediately before the commencement of this Act, the memorandum and articles of a proposed company have been submitted for approval, or have been approved, as required by —

- (a) section 51(4)(a) of the *Dental Act*;
- (b) section 6(1) of the *Legal Practitioners (Incorporation) Act*; or
- (c) section 54(3) of the *Medical Act*,

the memorandum and articles are, on and from the commencement of this Act, to be taken together to make up the constitution of the proposed company.

(2) If, immediately before the commencement of this Act, a company that was incorporated in accordance with —

- (a) section 51(4)(a) of the *Dental Act*;
- (b) section 6(1) of the *Legal Practitioners (Incorporation) Act*; or
- (c) section 54(3) of the *Medical Act*,

is registered under the Corporations Law, the memorandum and articles of the company are, on and from 1 July 1998, to be taken together to make up the constitution of the company.

(3) Every approval of the constitution of a proposed company, or of an alteration to the constitution of a company, under the *Dental Act*, *Legal Practitioners (Incorporation) Act* or *Medical Act* during the period commencing on 1 July 1998 and ending on the day before the day of commencement of this Act is as valid as if the constitution were the memorandum and articles of the company.

(4) Every acceptance of the constitution of a company under section 14B(1)(b) of the *Architects Act* during the period commencing on 1 July 1998 and ending on the day before the day of commencement of this Act is as valid as if the constitution were the memorandum of the company.

**SCHEDULE 1**

Section 3

**AMENDMENTS OF ACTS**

Provision	Amendment	
	omit	substitute
<i>Architects Act</i>		
Section 14B(1)(b)	"memorandum" (twice occurring)	"constitution"
Section 20C(1)(a)	"memorandum"	"constitution"
<i>Commercial Passenger (Road) Transport Act</i>		
Section 9(4)(a)	"objects"	"constitution, objects"
<i>Companies (Trustees and Personal Representatives) Act</i>		
Sections 7(1)(b) and 41(1)(b)	"is empowered by its objects"	"has the power"
<i>Co-operatives Act</i>		
Section 10(2)(a)	"articles or memorandum of association"	"a constitution"
Section 23(1)	"articles of association" (first occurring)	"constitution"
Sections 23(1)(b) and 24(c)(iii)	"memorandum and articles of association"	"constitution"
Sections 302(1)(c) and 305(1)	"memorandum or articles of association"	"constitution"
<i>Criminal Code</i>		
Section 269	"memorandum or articles of association"	"constitution"

*Dental Act*

Section 3 – definition of "dental company"	"memorandum or articles of association"	"constitution"
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Section 51(4)(a) and (b)	"memorandum and articles of association"	"constitution"
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*Gaming Machine Act*

Section 3 – definition of "non- proprietary club"	"memorandum and articles of association,"	
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Sections 24(3)(d)(ii) and 62(1)(e)(ii)	"memorandum and articles of association,"	
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*Legal Practitioners  
(Incorporation) Act*

Section 5(1) and (2)	"memorandum and articles"	"constitution"
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Section 6(1)	"memorandum and articles"	"a constitution"
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Section 6(2)	"memorandum or articles"	"constitution"
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*Marine Act*

Section 134(4)(a)	"memorandum of association"	"constitution"
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*Marketable Securities Act*

Section 8(3)(b)	"memorandum and articles or by the constitution"	"constitution or rules"
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Sections 11(4) and 12	"articles,"	"articles, constitution,"
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Section 13	"memorandum or articles"	"constitution or rules"
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*Statute Law Revision Act (No. 2) 1999*

Schedule 2 – Forms 4, 9 and 11	"memorandum and articles or by the constitution"	"constitution or rules"
<i>Medical Act</i>		
Section 3(1) – definition of "medical company"	"memorandum or articles of association"	"constitution"
Section 54(3)	"memorandum and articles of association"	"constitution"
Section 54(4)	"memorandum or articles of association"	"constitution"
Section 54(5)	"memorandum and articles of association"	"constitution"
<i>Taxation (Administration) Act</i>		
Section 56C(1) – paragraph (a) of the definition of "acquire"	"initial allotment of shares to a subscriber to a memorandum"	"issue of a share to a member on registration"
Section 56C(6)(a)	"memorandum and articles of association"	"constitution or rules"
	"memorandum, articles"	"constitution or rules"
Section 56C(6)(b)(i)	"memorandum or articles of association"	"constitution or rules"
Section 56T(3)(d)	"memorandum and articles of association"	"constitution or rules"
<i>Yulara Tourist Village Management Act</i>		
Section 4(1)	"memorandum and articles of association"	"constitution or rules"
Section 4(2)	"memorandum or articles of association"	"constitution or rules"

**SCHEDULE 2**

Section 4

**AMENDMENTS OF REGULATIONS**

Provision	Amendment	
	omit	substitute
Kava Management Regulations		
Regulation 6(b)(v)	"memorandum of association and the articles of association of the applicant or the"	"constitution or"
Northern Territory Treasury Corporation Inscribed Stock Regulations		
Regulation 10(4)(a)	"Articles of Association"	"Constitution"

**ALTERATION TO SECTION HEADING**

On the day on which the *Legal Practitioners (Incorporation) Act* is amended by this Act, the heading to section 6 of that Act is altered by omitting "MEMORANDUM AND ARTICLES" and substituting "CONSTITUTION".