

Serial 196  
Electoral (Consequential Amendments) Bill 2003  
Ms Martin

**A BILL  
for  
AN ACT**

to amend legislation consequent on the enactment of the *Electoral Act 2003*



NORTHERN TERRITORY OF AUSTRALIA  
ELECTORAL (CONSEQUENTIAL AMENDMENTS) ACT 2003

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No. of 2003

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TABLE OF PROVISIONS

Section

1. Short title
2. Commencement
3. Amendments of *Interpretation Act*
4. Amendment of *Local Government Act*
  43. Roll of electors
5. Amendment of *Public Sector Employment and Management Act*
6. Further amendments of Acts
7. Amendments of subordinate legislation

SCHEDULE 1

SCHEDULE 2





# NORTHERN TERRITORY OF AUSTRALIA

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No. of 2003

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## AN ACT

to amend legislation consequent on the enactment of the *Electoral Act 2003*

[Assented to 2003]  
[Second reading 2003]

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

**1. Short title**

This Act may be cited as the *Electoral (Consequential Amendments) Act 2003*.

**2. Commencement**

This Act comes into operation on the day on which Part 18 of the *Electoral Act 2003* commences.

**3. Amendments of *Interpretation Act***

Section 18 of the *Interpretation Act* is amended by inserting after the definition of "department" the following:

" 'Electoral Commission' means the Electoral Commission established by the *Electoral Act*;

'Electoral Commissioner' means the person holding office as the Electoral Commissioner under the *Electoral Act*;"

**4. Amendment of *Local Government Act***

Section 43 of the *Local Government Act* is repealed and the following substituted:

**"43. Roll of electors**

"(1) The Electoral Commission must keep a roll of electors for each municipality.

"(2) Each roll must contain the following information for each elector for the municipality:

- (a) surname;
- (b) each given name;
- (c) sex;
- (d) occupation;
- (e) residential address.

"(3) However, if, under section 104 of the *Commonwealth Electoral Act 1918* of the Commonwealth, the person's address is not included on a roll for a Subdivision under that Act, the person's address must not be included in the roll."

**5. Amendment of *Public Sector Employment and Management Act***

Section 4 of the *Public Sector Employment and Management Act* is amended by omitting subsection (3)(a) and substituting the following:

- "(a) the Electoral Commissioner or the holder of an office mentioned in Schedule 1; or"

**6. Further amendments of Acts**

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

**7. Amendments of subordinate legislation**

(1) The subordinate legislation specified in Schedule 2 is amended as set out in that Schedule.

(2) Subordinate legislation amended as set out in Schedule 2 may be amended or repealed by subordinate legislation as if the amendments had been made by subordinate legislation.

**SCHEDULE 1**

Section 6

**AMENDMENTS OF ACTS**

Provision	Amendment	
	omit	substitute
<b><i>Juries Act</i></b>		
Section 5(1)		
– definition of "Electoral District"	the whole definition	
<b><i>Legislative Assembly Members (Miscellaneous Provisions) Act</i></b>		
Long title	Election Tribunal	Court of Disputed Returns
Section 2(1)(a)	Part X	section 131
Section 2(1)(b)	Election Tribunal	Court of Disputed Returns
Section 2(1)(c)	Election Tribunal's Part X of	Court's
Section 2(1)(d)	Election Tribunal	Court
Section 2(1)	Election Tribunal had	Court had
<b><i>Licensed Surveyors Act</i></b>		
Section 6(1)	<i>Northern Territory</i>	
<b><i>Local Government Act</i></b>		
Section 3		
– definition of "Chief Electoral Officer"	the whole definition	
– definition of "returning officer"	50	44

*Electoral (Consequential Amendments) Act 2003*

Sections 11(4)(b), 13(3)  
and 109

Chief Electoral Officer

Electoral Commission

***Local Government  
Amendment Act 2003***

Section 20

– new section 38(3)

Chief Electoral Officer

Electoral Commission

***Ombudsman (Northern  
Territory) Act***

Section 19(1)(c)

district

division

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**SCHEDULE 2**

Section 7

**AMENDMENTS OF SUBORDINATE LEGISLATION**

Provision	Amendment	
	omit	substitute
<b>Alpurrurulam Community Government Scheme</b>		
Clause 2		
– definition of "clerk"	Chief Electoral Officer	Electoral Commission
Clause 14(1)	of an electoral roll	of a roll
<b>Anmatjere Community Government Scheme</b>		
Clause 2		
– definition of "clerk"	Chief Electoral Officer	Electoral Commission
Clause 17(1)	of an electoral roll	of a roll
<b>Arltarlpilta Community Government Scheme</b>		
Clause 2		
– definition of "clerk"	Chief Electoral Officer	Electoral Commission
Clause 14(a)	<i>Northern Territory</i>	
Clause 15(1)	an electoral roll under the <i>Northern Territory</i>	a roll under the
<b>Belyuen Community Government Scheme</b>		
Clause 2		
– definition of "Chief Electoral Officer"	the whole definition	

*Electoral (Consequential Amendments) Act 2003*

– definition of "clerk"      Chief Electoral Officer      Electoral Commission

**Binjari Community  
Government Scheme**

Clause 2

– definition of "clerk"      Chief Electoral Officer      Electoral Commission

Clause 14(1)      of an electoral roll      of a roll

**Borrooloola Community  
Government Scheme**

Clause 2

– definition of "Chief  
Electoral Officer"      the whole definition

– definition of "clerk"      Chief Electoral Officer      Electoral Commission

**Coomalie Community  
Government Scheme**

Clause 2

– definition of "Chief  
Electoral Officer"      the whole definition

– definition of "clerk"      Chief Electoral Officer      Electoral Commission

**Court Security  
Regulations**

Regulation 2(1)(c)      the whole paragraph      (c) the Court of  
Disputed Returns  
established by  
section 232 of the  
*Electoral Act*;  
(d) the Family Matters  
Court established  
by section 24 of  
the *Community  
Welfare Act*.

Regulation 2(2)(a)      the whole paragraph

*Electoral (Consequential Amendments) Act 2003*

**Cox Peninsula  
Community  
Government Scheme**

Clause 2

– definition of "clerk"	Chief Electoral Officer	Electoral Commission
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Clause 14(1)	of an electoral roll	of a roll
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**Daguragu Community  
Government Scheme**

Clause 5

– definition of "Chief Electoral Officer"	the whole definition	
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– definition of "clerk"	Chief Electoral Officer	Electoral Commission
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**Elliott District  
Community  
Government Scheme**

Clause 3

– definition of "clerk"	Chief Electoral Officer	Electoral Commission
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Clause 13(a)	<i>Northern Territory</i>	
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Clause 14(1)	an electoral roll under the <i>Northern Territory</i>	a roll under the
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**Jilkminggan  
Community  
Government Scheme**

Clause 2

– definition of "clerk"	Chief Electoral Officer	Electoral Commission
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Clause 14(1)	of an electoral roll	of a roll
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**Juries Regulations**

Regulation 3	<i>Northern Territory</i>	
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*Electoral (Consequential Amendments) Act 2003*

**Kunbarllanjnja  
Community  
Government Scheme**

Clause 2

– definition of "clerk"	Chief Electoral Officer	Electoral Commission
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Clause 13(1)	of an electoral roll	of a roll
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**Lajamanu Community  
Government Scheme**

Clause 5

– definition of "Chief Electoral Officer"	the whole definition	
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– definition of "clerk"	Chief Electoral Officer	Electoral Commission
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**Local Government  
(Electoral) Regulations**

Regulation 6	the whole regulation	
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Regulations 7, 8 and 10	Chief Electoral Officer (all references)	Electoral Commission
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Regulation 18A	section 43 of the <i>Northern Territory</i>	section 58 of the
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**Ltyentye Purte  
Community  
Government Scheme**

Clause 2

– definition of "clerk"	Chief Electoral Officer	Electoral Commission
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Clause 14(1)	of an electoral roll	of a roll
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**Marngarr Community  
Government Scheme**

Clause 2

– definition of "clerk"	Chief Electoral Officer	Electoral Commission
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Clause 16(1)	of an electoral roll	of a roll
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*Electoral (Consequential Amendments) Act 2003*

**Mataranka  
Community  
Government Scheme**

Clause 3

- |                         |                         |                      |
|-------------------------|-------------------------|----------------------|
| – definition of "clerk" | Chief Electoral Officer | Electoral Commission |
|-------------------------|-------------------------|----------------------|

Clause 13(a)	<i>Northern Territory</i>
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- |              |  |                  |
|--------------|--|------------------|
| Clause 14(1) | an electoral roll under<br>the <i>Northern Territory</i> | a roll under the |
|--------------|--|------------------|

**Naiyu Nambiyu  
Community  
Government Scheme**

Clause 2

- |  |                         |                      |
|--|-------------------------|----------------------|
| – definition of "Chief<br>Electoral Officer" | the whole definition    |                      |
| – definition of "clerk"                      | Chief Electoral Officer | Electoral Commission |

**Numbulwar  
Numburindi  
Community  
Government Scheme**

Clause 2

- |  |                         |                      |
|--|-------------------------|----------------------|
| – definition of "Chief<br>Electoral Officer" | the whole definition    |                      |
| – definition of "clerk"                      | Chief Electoral Officer | Electoral Commission |

**Nyirrangulung  
Mardrulk Ngadberre  
Community  
Government Scheme**

Clause 2

- |                       |                         |                      |
|-----------------------|-------------------------|----------------------|
| – definition of "CEO" | Chief Electoral Officer | Electoral Commission |
|-----------------------|-------------------------|----------------------|

**Pine Creek  
Community  
Government Scheme**

Clause 2

- |   |                         |                      |
|---|-------------------------|----------------------|
| – definition of "Chief Electoral Officer" | the whole definition    |                      |
| – definition of "clerk"                   | Chief Electoral Officer | Electoral Commission |

**Tapatjatjaka  
Community  
Government Scheme**

Clause 2

- |                         |                         |                      |
|-------------------------|-------------------------|----------------------|
| – definition of "clerk" | Chief Electoral Officer | Electoral Commission |
|-------------------------|-------------------------|----------------------|

Clause 14(1)	of an electoral roll	of a roll
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**Thamarrurr  
Community  
Government  
Constitution**

Clause 2

- |                         |                         |                      |
|-------------------------|-------------------------|----------------------|
| – definition of "clerk" | Chief Electoral Officer | Electoral Commission |
|-------------------------|-------------------------|----------------------|

**Timber Creek  
Community  
Government Scheme**

Clause 4

- |                         |   |                      |
|-------------------------|---|----------------------|
| – definition of "clerk" | Chief Electoral Officer<br>within the meaning of<br>the <i>Northern Territory<br/>Electoral Act</i> | Electoral Commission |
|-------------------------|---|----------------------|

Clause 16	<i>Northern Territory</i>	
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Clause 17(1)	an electoral roll under the <i>Northern Territory</i>	a roll under the
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*Electoral (Consequential Amendments) Act 2003*

**Tiwi Islands Local  
Government  
Constitution**

Clause 3

- |   |                         |                      |
|---|-------------------------|----------------------|
| – definition of "chief executive officer" | Chief Electoral Officer | Electoral Commission |
|---|-------------------------|----------------------|

Clause 5(1)	of an electoral roll	of a roll
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Schedule 4, Parts A, B, C and D, clause 1

- |   |                         |                      |
|---|-------------------------|----------------------|
| – definition of "chief executive officer" | Chief Electoral Officer | Electoral Commission |
|---|-------------------------|----------------------|

**Walangeri Ngumpinku  
Community  
Government Scheme**

Clause 2

- |                         |                         |                      |
|-------------------------|-------------------------|----------------------|
| – definition of "clerk" | Chief Electoral Officer | Electoral Commission |
|-------------------------|-------------------------|----------------------|

Clause 15(1)	of an electoral roll	of a roll
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**Wallace Rockhole  
Community  
Government Scheme**

Clause 6

- |                         |                         |                      |
|-------------------------|-------------------------|----------------------|
| – definition of "clerk" | Chief Electoral Officer | Electoral Commission |
|-------------------------|-------------------------|----------------------|

Clause 15(1)	of an electoral roll	of a roll
--------------	----------------------	-----------

**Watiyawanu  
Community  
Government Scheme**

Clause 2

- |                         |                         |                      |
|-------------------------|-------------------------|----------------------|
| – definition of "clerk" | Chief Electoral Officer | Electoral Commission |
|-------------------------|-------------------------|----------------------|

Clause 14(1)	of an electoral roll	of a roll
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*Electoral (Consequential Amendments) Act 2003*

**Yuendumu  
Community  
Government Scheme**

Clause 2

– definition of "clerk"      Chief Electoral Officer      Electoral Commission

Clause 14(1)      of an electoral roll      of a roll

**Yugul Mangi  
Community  
Government Scheme**

Clause 34

– definition of "clerk"      the whole definition      "clerk" includes the  
Electoral  
Commission.

Clause 36(1)(a)      *Northern Territory*

Clause 37(1)      of electors within the  
meaning of the *Northern  
Territory*      a roll within the meaning  
of the

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