

Serial 146
Statute Law Revision Bill 2003
Dr Toyne

**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) 2003

No. of 2003

TABLE OF PROVISIONS

Section

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SCHEDULE 1

SCHEDULE 2



NORTHERN TERRITORY OF AUSTRALIA

No. of 2003

AN ACT

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

[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 *Statute Law Revision Act (No. 2) 2003*.

2. Amendment of *Crimes (Victims Assistance) Act*

Section 17 of the *Crimes (Victims Assistance) Act* is amended by omitting subsection (3) and substituting the following:

"(3) In proceedings under this Act, all evidence other than the evidence referred to in subsection (4) is to be given by affidavit.

"(4) Evidence included in a sworn statement, a medical report, or any other report relevant to the victim's injury, filed at the Court in accordance with rules or practice directions referred to in section 15(1) or with an order of the Court, is not required to be given by affidavit, whether filed –

- (a) before or after the commencement of this subsection; or
- (b) in accordance with rules or practice directions in force before or after the commencement of the *Crimes (Victims Assistance) Rules*.

Statute Law Revision Act (No. 2) 2003

- (d) declared by the Regulations not to be a discretionary trust;";
- (b) by omitting from paragraph (e) of the definition of "hiring arrangement" in subsection (1) "(within the meaning of the *Caravan Parks Act*)";
- (c) by omitting from subsection (1) the definition of "recipient"; and
- (d) by omitting subsection (2A)(a) and substituting the following:
 - "(a) related bodies corporate within the meaning of the Corporations Act 2001;".
 - (2) Section 4A of the *Taxation (Administration) Act* is amended by omitting from subsection (1) "subsection" and substituting "section".
 - (3) Section 56BAA of the *Taxation (Administration) Act* is amended by omitting the definition of "discretionary trust".
 - (4) Section 56C of the *Taxation (Administration) Act* is amended by omitting from subsection (1) the definition of "discretionary trust".
 - (5) Section 83A of the *Taxation (Administration) Act* is amended by omitting from subsection (2)(c) "Law" and substituting "Act 2001".

5. Revision of other Acts

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

6. Revision of By-laws, Regulations and Rules

- (1) The By-laws, Regulations and Rules specified in Schedule 2 are amended as set out in that Schedule.
 - (2) A by-law amended as set out in Schedule 2 may be amended or repealed by a by-law as if the amendment had been made by a by-law.
 - (3) 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.
 - (4) A rule amended as set out in Schedule 2 may be amended or repealed by a rule as if the amendment had been made by a rule.
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Sections 118 and 119	his	his or her
<i>Cemeteries Act</i>		
Section 14(2)	cremetorium	crematorium
<i>Community Welfare Act</i>		
Section 77	by him –	by him or her –
Section 97(2)	duties under	functions under
<i>Consumer Affairs and Fair Trading Act</i>		
Section 160(1)	penalty.	penalty units.
<i>Consumer Affairs and Fair Trading Amendment Act 2002</i>		
Section 59(c)	5 000	2 500
	2 500	5 000
<i>Criminal Code</i>		
Sections 318 and 383(1)	section 35	section 43C
<i>Licensed Surveyors Act</i>		
Section 6(1)	<i>Electoral</i>	<i>Northern Territory Electoral</i>
<i>Mineral Royalty Act</i>		
Section 4B(1)(q)	174B or	
<i>Mining Act</i>		
Section 4(1)		
– definition of "park or reserve"	<i>Land and Sanctuary</i>	<i>Land, Sanctuary and Marine Park</i>
Section 176(2)(c) and (3)	<i>Land and Sanctuary</i>	<i>Land, Sanctuary and Marine Park</i>

SCHEDULE 2

Section 6

Provision	Amendment	
	omit	substitute
Alice Springs (Control of Public Places) By-laws		
By-law 56(1)	authorized	authorised
Alice Springs (Garbage Dumps) By-laws		
By-law 8(2)(e)	on a	on
Commercial and Private Agents Licensing Regulations		
Regulation 9(3)	(b) inform	(c) inform
Cullen Bay Marina Regulations		
Regulation 14(6)(b)	regulation;	regulation
Dangerous Goods Regulations		
Regulation 55(b)	section 17	section 17 of the Act
Regulation 62	area of the Port of Darwin as described in Schedule 1 of the <i>Darwin Port Authority Act</i>	Port within the meaning of the <i>Darwin Port Corporation Act</i>
Darwin City Council By-laws		
By-law 118(1)	(e)	(d)

Supreme Court Rules

Rule 86.03	it has been contended that he was not responsible according to law for his actions on the ground referred to in section 35(1)	the defence of mental impairment has been raised under Part IIA
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Schedule 2

- item 12	plead insanity	be tried mental impairment
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Taxis Regulations

Regulation 5(3)	issued under subsection (2)	
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Unit Titles Regulations

Schedule 4

- Form 9	(NOTE 5) (second reference)	(NOTE 6)
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Work Health Regulations

Regulation 6	(1) For (2)	For
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