

Serial 109
Personal Injuries (Liabilities and Damages)
(Consequential Amendments) Bill 2002
Dr Toyne

**A BILL
for
AN ACT**

to amend various Acts and Rules consequential on the enactment of the
Personal Injuries (Liabilities and Damages) Act



NORTHERN TERRITORY OF AUSTRALIA
PERSONAL INJURIES (LIABILITIES AND DAMAGES)
(CONSEQUENTIAL AMENDMENTS) ACT 2002

No. of 2002

TABLE OF PROVISIONS

Section

1. Short title
2. Commencement
3. Amendment of *Law Reform (Miscellaneous Provisions) Act*
4. Amendment of *Local Court Act*
5. Amendment of Local Court Rules
6. Amendments of *Supreme Court Act*



11-1-8



11-1-8





NORTHERN TERRITORY OF AUSTRALIA

No. of 2002

AN ACT

to amend various Acts and Rules consequential on the enactment of the
Personal Injuries (Liabilities and Damages) Act

[Assented to 2002]

[Second reading 2002]

The Legislative Assembly of the Northern Territory enacts as follows:

1. Short title

This Act may be cited as the *Personal Injuries (Liabilities and Damages) (Consequential Amendments) Act 2002*.

2. Commencement

This Act comes into operation on the date, or respective dates, fixed by the Administrator by notice in the *Gazette*.

3. Amendment of *Law Reform (Miscellaneous Provisions) Act*

(1) Sections 10 and 10A of the *Law Reform (Miscellaneous Provisions) Act* are repealed.

(2) The repeal effected by subsection (1) does not apply in relation to an act or omission of an occupier causing a personal injury to a person –

(a) that occurred before the commencement of this section; and

*Personal Liabilities (Liabilities and Damages)
(Consequential Amendments) Act 2002*

(b) that, but for section 10A of the *Law Reform (Miscellaneous Provisions) Act*, may have given rise to a breach of the common law duty of care.

(3) In this section –

"personal injury" includes a fatal injury, a prenatal injury, a psychological or psychiatric injury, a disease and the aggravation, exacerbation or acceleration of a pre-existing injury.

4. Amendment of *Local Court Act*

Section 21 of the *Local Court Act* is amended by omitting from subsection (2)(f) "provide" and substituting "subject to Part 4 of the *Personal Injuries (Liabilities and Damages) Act*, provide".

5. Amendment of Local Court Rules

(1) Rule 39.03 of the Local Court Rules is amended by inserting after subrule (1) the following:

"(1A) Subrule (1) applies subject to Part 4 of the *Personal Injuries (Liabilities and Damages) Act*".

(2) The rule amended by subsection (1) may be amended or repealed by a rule as if the amendment had been made by a rule.

6. Amendments of *Supreme Court Act*

(1) Section 29 of the *Supreme Court Act* is amended by omitting from paragraph (c)(i) "order" and substituting "subject to Part 4 of the *Personal Injuries (Liabilities and Damages) Act*, order".

(2) Section 84 of the *Supreme Court Act* is amended by inserting after subsection (1) the following:

"(1A) Subsection (1) applies subject to Part 4 of the *Personal Injuries (Liabilities and Damages) Act*".