

Serial 24  
Cullen Bay Marina Amendment Bill 2001  
Dr Toyne

**A BILL  
for  
AN ACT**

to amend the *Cullen Bay Marina Act*

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NORTHERN TERRITORY OF AUSTRALIA  
CULLEN BAY MARINA AMENDMENT ACT 2001

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No. of 2001

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SCHEDULE

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# NORTHERN TERRITORY OF AUSTRALIA

No. of 2001

## AN ACT

to amend the *Cullen Bay Marina 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 *Cullen Bay Marina Amendment Act 2001*.

**2. Commencement**

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

**3. Principal Act**

The *Cullen Bay Marina Act* is in this Act referred to as the Principal Act.

**4. Maintenance of revetment**

Section 13 of the Principal Act is amended by omitting from subsection (4) all the words after "Penalty:" and substituting the following:

"If the offender is a natural person – 100 penalty units and 2 penalty units for each day during which the offence continues.

If the offender is a corporation – 500 penalty units and 10 penalty units for each day during which the offence continues."

*Cullen Bay Marina Amendment Act 2001*

**5. By-laws for development area**

Section 15 of the Principal Act is amended –

- (a) by omitting from subsection (1) all the words from and including "Subject" to and including "common property," and substituting "The Management Corporation may, by special resolution as prescribed, in respect of the development area,";
- (b) by omitting from subsection (1)(a) "common property" and substituting "development area";
- (c) by inserting after subsection (1)(a) the following:

"(aa) the health and safety of persons;"
- (d) by omitting from subsection (2) "\$2,000" and "\$50" and substituting "100 penalty units" and "one penalty unit" respectively; and
- (e) by inserting after subsection (3) the following:

"(3A) Nothing in the By-laws limits or otherwise affects the operation of any other law of the Territory."

**6. Further amendments**

The Principal Act is amended as set out in the Schedule.

**7. Transitional provision**

- (1) In this section, "commencement date" means the date on which this Act comes into operation.
- (2) Subject to subsection (3), on and after the commencement date –
  - (a) the By-laws in force immediately before the commencement date have effect as if they had been made immediately after the commencement of this Act; and
  - (b) a reference in the By-laws to the common property is to be read, with the necessary modifications, as if it were a reference to the development area.
- (3) Subsection (2) does not affect an act or omission done or made, or a right, privilege, obligation or liability acquired, accrued or incurred, under the By-laws before the commencement date.

*Cullen Bay Marina Amendment Act 2001*

**SCHEDULE**

Section 6

Provision	Amendment	
	omit	substitute
Section 4(1)	section 4(2)	section 3(2)
Section 9(2)	section 6	section 5
Section 16(2)(g)	\$2,000	100 penalty units

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