

Serial 90
Land Development Corporation Amendment Bill 2014
Mr Giles

A Bill for an Act to amend the *Land Development Corporation Act*

NORTHERN TERRITORY OF AUSTRALIA

LAND DEVELOPMENT CORPORATION AMENDMENT ACT 2014

Act No. [] of 2014

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NORTHERN TERRITORY OF AUSTRALIA

Act No. [] of 2014

An Act to amend the *Land Development Corporation Act*

[Assented to [] 2014]
[Second reading [] 2014]

The Legislative Assembly of the Northern Territory enacts as follows:

1 Short title

This Act may be cited as the *Land Development Corporation Amendment Act 2014*.

2 Act amended

This Act amends the *Land Development Corporation Act*.

3 Section 3 amended

(1) Section 3, definitions ***Chairperson*** and ***Deputy Chairperson***

omit

(2) Section 3

insert (in alphabetical order)

ordinary member means a member who is not the person appointed to be the Corporation under section 5(2).

(3) Section 3, definition **Board**

omit

the

insert

an

(4) Section 3, definition **member**

omit

means the Chairperson, Deputy Chairperson or other

insert

, in relation to a Board, means the person appointed to be the Corporation or an ordinary

4 Section 3A inserted

After section 3, in Part 1

insert

3A Application of Criminal Code

Part IIAA of the Criminal Code applies to an offence against this Act.

Note for section 3A

Part IIAA of the Criminal Code states the general principles of criminal responsibility, establishes general defences, and deals with burden of proof. It also defines, or elaborates on, certain concepts commonly used in the creation of offences.

5 Section 6 amended

Section 6(e)

omit, insert

(e) to carry out or facilitate other activities associated with the development, management or use of project land.

6 Sections 13 to 21 replaced

Sections 13 to 21

repeal, insert

13 Establishment of Advisory Board

- (1) The Minister may establish an Advisory Board to perform the functions mentioned in section 14.
- (2) A Board consists of the person appointed to be the Corporation and not more than 4 ordinary members appointed by the Minister.

14 Function of Board

The function of a Board is to advise the Corporation on any matter relating to the activities of the Corporation that the Minister or the Corporation refers to the Board.

15 Duration of appointment of ordinary member

- (1) An ordinary member holds office for the period specified in the instrument of appointment of the member.
- (2) An ordinary member is eligible for re-appointment.

16 Vacation of office of ordinary member

A person ceases to be an ordinary member if:

- (a) the person's term of office expires and the person is not re-appointed; or
- (b) the person resigns by giving written notice to the Minister.

17 Termination of appointment of ordinary member

- (1) The Minister may terminate the appointment of an ordinary member on the grounds of inability, inefficiency, misbehaviour or physical or mental incapacity.

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- (2) The Minister must terminate the appointment of an ordinary member if the member knowingly contravenes section 22.
- (3) An ordinary member's appointment terminates on either of the following occurring:
- (a) the member becomes bankrupt, applies to take the benefit of a law for the relief of bankrupt or insolvent debtors, compounds with creditors or makes an assignment of the member's remuneration for their benefit;
 - (b) the member is found guilty:
 - (i) by a court in the Territory of an offence punishable by imprisonment for 12 months or more; or
 - (ii) by a court outside the Territory of an offence which, if committed against a law in force in the Territory, would be an offence punishable by imprisonment for 12 months or more.
- (4) A termination of an appointment under subsection (1) or (2) must be in writing and a copy must be given to the member.

7 Section 22 amended

Section 22(1)

omit

by the Board

insert

by a Board

8 Section 23 amended

- (1) Section 23(1) and (2)

omit

the Board

insert

a Board

- (2) Section 23(3)

omit

9 Section 24 amended

(1) Section 24(1)

omit, insert

- (1) The person appointed to be the Corporation or, in that person's absence, the ordinary member elected by the ordinary members present from amongst their number, must preside at a meeting of a Board.

(2) Section 24(4)

omit

3 members constitute

insert

the number of members that is equal to half of the members plus one constitutes

10 Section 25 amended

Section 25(1)

omit

the Board

insert

a Board

11 Section 35 amended

Section 35(1)

omit, insert

- (1) A by-law may apply to:
- (a) the whole or a specified part of the Corporation land; or
 - (b) a specified class of persons or circumstances.

12 Section 44 amended

Section 44(2)(b)

omit

the Board

insert

a Board

13 Expiry of Act

This Act expires on the day after it commences.