



## NORTHERN TERRITORY OF AUSTRALIA

### A BILL for AN ACT

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

**B**E it enacted by the Legislative Assembly of the Northern Territory of Australia, with the assent as provided by the *Northern Territory (Self-Government) Act 1978* of the Commonwealth, as follows:

#### PART 1 - PRELIMINARY

##### 1. SHORT TITLE

This Act may be cited as the *Statute Law Revision Act 1995*.

##### 2. AMENDMENT OF *BUSINESS FRANCHISE ACT*

Section 26A of the *Business Franchise Act* is amended by omitting all words after "Regulations," and substituting "the rebate shall be paid from the public moneys of the Territory and the Allocation for that purpose is hereby established or increased to the extent necessary".

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3. AMENDMENT OF CORONERS ACT

Section 3 of the *Coroners Act* is amended by inserting after the definition of "investigation" the following:

"'married' includes living in a defacto relationship within the meaning of the *De Facto Relationships Act*";

4. AMENDMENT OF EDUCATION ACT

(1) Section 10C of the *Education Act* is amended -

(a) by omitting from subsection (2)(b) "paragraph" and substituting "section"; and

(b) by omitting from subsection (5) -

(i) "a body prescribed for the purposes of this section" and substituting "a person, or a body prescribed for the purposes of this section,"; and

(ii) "the body," and substituting "the person, or the body,".

(2) Section 11(3)(b) of the *Education Act* is amended by omitting "an employee" and substituting "the Secretary or an employee".

(3) Section 11A of the *Education Act* is amended by omitting subsection (2) and substituting the following:

"(2) The Administrator shall not appoint a person to be a deputy member under subsection (1) unless -

(a) where the member in whose place the person is to act was appointed under section 11(3)(a), the person is drawn from the same interest group or body, referred to in that paragraph, as the member; or

(b) where the member in whose place the person is to act was appointed under section 11(3)(ab), (b) or (c), the person is eligible for appointment as a member under the relevant paragraph."

5. AMENDMENT OF MINERAL ROYALTY ACT

(1) Section 4 of the *Mineral Royalty Act* is amended by omitting from the definition of "Secretary" the words "departmental head of the Department for the time being primarily" and substituting "Chief Executive Officer of the Agency for the time being"

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(2) Section 45 of the *Mineral Royalty Act* is amended by omitting subsection (2) and substituting the following:

"(2) A refund payable under subsection (1)(b) by the Secretary shall be paid from the public moneys of the Territory and the Allocation for that purpose is hereby established or increased to the extent necessary."

6. AMENDMENT OF *PAY-ROLL TAX ACT*

Section 20A of the *Pay-roll Tax Act* is amended by omitting subsection (4) and substituting the following:

"(4) Amounts payable under subsection (1) shall be paid from the public moneys of the Territory and the Allocation for that purpose is hereby established or increased to the extent necessary."

7. AMENDMENT OF *PROSTITUTION REGULATION ACT*

Section 30 of the *Prostitution Act* is amended by inserting after subsection (4) the following:

"(4A) Where a licence has been renewed after the time when the licence would (but for subsection (5)) expire, the licence is deemed to have been renewed at the time when the licence would have expired and shall be taken to have effect as if renewed at that time."

8. AMENDMENT OF *SHERIFF ACT*

(1) Section 4 of the *Sheriff Act* is amended by omitting from the definition of "sheriff" the words ", in relation to" and inserting "means the sheriff or the acting sheriff and, in relation to".

(2) Section 5 of the *Sheriff Act* is amended -

(a) by omitting from subsection (2) "so appointed" and substituting "appointed under subsection (1)"; and

(b) by inserting after subsection (2) the following:

"(2A) The Chief Justice may appoint a person to be the acting sheriff and a person so appointed -

(a) has the same powers and functions as the sheriff; and

(b) holds office during the pleasure of the Chief Justice."

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9. AMENDMENT OF SUPREME COURT ACT

(1) Section 9 of the *Supreme Court Act* is amended by omitting from the definition of "Registrar" the word "Registrar" and substituting "Registrar or an acting Registrar".

(2) Section 48 of the *Supreme Court Act* is amended -

(a) by omitting "The" and substituting "(1) The";  
and

(b) by adding at the end the following:

"(2) The Chief Justice may appoint a person who is admitted or qualified to be admitted as a legal practitioner of the Court to be an acting Registrar of the Court.".

10. AMENDMENT OF VETERINARIANS ACT

(1) Section 5 of the *Veterinarians Act* is amended by omitting subsection (1) and substituting the following:

"(1) The Board shall consist of the following members-

(a) the Chief Inspector of Stock;

(b) 2 persons, who are registered veterinarians, elected by registered veterinarians, by a postal ballot, to be members to represent their interests; and

(c) 2 persons, who are appointed to be members by the Minister, of whom -

(i) one shall be a person who is not and has never been a registered veterinarian, appointed to represent the public interest; and

(ii) the other shall be a person who is a registered veterinarian.".

(2) Schedule 4 to the *Veterinarians Act* is amended by omitting clause 3.

11. AMENDMENT OF DARWIN CITY COUNCIL BY-LAWS

The Darwin City Council By-laws are amended by inserting in Schedule 4, after the item relating to the Darwin (Control of Public Places) By-Laws, the following:

"Darwin (Control of Dogs) 1992 13".

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## 12. REVISION OF OTHER ACTS

The provisions of the acts specified in the Schedule are amended as provided for in that schedule.

SCHEDULE		Section 12
AMENDMENTS OF OTHER ACTS		
Provision	Amendment	
	omit	substitute
<i>Anti-Discrimination Act</i>		
Section 93(1)	"prescribed"	"fixed by or determined in accordance with the Regulations"
<i>Bail Act</i>		
Section 8(1)(a)(iii)	"(3) or (4)"	"(3), (4), (6), (7) or (8)"
Section 23A	"Court of Appeal"	"Court of Criminal Appeal"
<i>Biological Control Act</i>		
Section 3 - definition of "Council"	"Australian Agricultural Council"	"Agriculture Resource Management Council of Australia and New Zealand"
<i>Building Act</i>		
Section 4 - definition of "fire upgrading report"	"section 115"	"section 116"
Section 15	"section 14(a)"	"section 14(1)(a)"
Section 19(1)(b)	"section 130"	"section 131"
Section 39	"section 39(1)"	"section 38(1)"
Section 59(1)(b)	"clause 4"	"clause 5"

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Schedule 2 - clause 7(3)	"sections 133 and 134"	"sections 132 and 133"
<i>Human Tissue Transplant Act</i>		
Section 4 - definition of "person in charge"	"section 15 of the <i>Hospitals and Medical Services Act</i> "	"section (2)(a) of the <i>Medical Services Act</i> "
<i>Justices Act</i>		
Section 27	"this Act"	"this Act or the <i>Domestic Violence Act</i> "
<i>Juvenile Justice Act</i>		
Section 97(1)	"an employee of the Public Service of the Territory"	"a Chief Executive Officer, or an employee, as defined in the <i>Public Sector Employment and Management Act</i> "
Section 97(1)(a)	"or employee"	", Chief Executive Officer or employee"
Section 97(2)	"an employee of the Public Service of the Territory"	"a Chief Executive Officer, or an employee, as defined in the <i>Public Sector Employment and Management Act</i> "
<i>Lands Acquisition Act</i>		
Section 88E(1)	"changes"	"changes (which may include the adoption of procedures)"
Section 88E(2)	"changes"	"changes and adoption of procedures"

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Local Court  
Act

Section 3 - definition of "Registrar"	"Registrar"	"Judicial Registrar, acting Judicial Registrar, Registrar"
	"Court"	"Court, as the case may require"
Section 9(1)	"Registrar"	"Judicial Registrar, Registrar"
Section 9(2)	"Registrar" (first occurring)	"Judicial Registrar, Registrar"
	"Registrar" (second occurring)	"him or her"
Section 9(3)	"Registrar" (first occurring)	"Judicial Registrar or an acting Registrar"
	"Registrar" (second occurring)	"Judicial Registrar or a Registrar, as the case may be"
Section 36(1) and (2)	"Consolidated Fund"	"Consolidated Revenue Account"

Medical Act

Section 56(1)	"31"	"31(1) "
	"34"	"34(3) "

Mine Management  
Act

Section 40(1)	"persons"	"employees"
Section 40(7)	"person"	"employee"

Mining Act

Section 8D(1)	"changes"	"changes (which may include the adoption of procedures) "
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Section 8D(2)	"changes"	"changes and adoption of procedures"
<i>Misuse of Drugs Act</i>		
Section 34(13)(a)	"section 30(b) or (c)"	"section 120BA of the <i>Police Administration Act</i> "
<i>Police Administration Act</i>		
Section 166AA(1)(b)	the whole paragraph	
<i>Prisons (Correctional Services) Act</i>		
Section 4(3)	the whole subsection	
Section 5 - definition of "visiting magistrate"	the whole definition	
Part VII	the whole Part	
Section 39(b)	the whole paragraph	
<i>Public Sector Employment and Management Act</i>		
Section 7(1)	"Administration"	"Administrative"
Section 7(2)	"by or under an Act"	"by or under an Act (other than the repealed Act or the <i>Public Sector Employment and Management (Transitional and Savings) Act</i> )"
<i>Registration of Interests in Motor Vehicles and Other Goods Act</i>		
Section 8(1)	"interest"	"interest in prescribed goods"



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*Sexual Offences  
(Evidence and  
Procedure) Act*

Section 4(5)(a)	"that the law"	"that it is unsafe to convict on the uncorroborated evidence of a complainant because the law"
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*Stock Diseases  
Act*

Section 7(2)	"Veterinary Surgeons Act"	"Veterinarians Act"
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*Superannuation  
Act*

Section 39(2)(b)(iii)	"Consolidated Fund"	"Consolidated Revenue Account"
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