



Serial 172
Yulara Tourist
Village Management
Amendment (No. 2)
Mr Hatton

NORTHERN TERRITORY OF AUSTRALIA

A BILL for AN ACT

to amend the *Yulara Tourist Village Management Act*

BE 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:

1. SHORT TITLE

This Act may be cited as the *Yulara Tourist Village Management Amendment Act (No. 2) 1992*.

2. PRINCIPAL ACT

The *Yulara Tourist Village Management Act* is in this Act referred to as the Principal Act.

3. COMMENCEMENT AND EXPIRATION

Section 2 of the Principal Act is amended by adding at the end the following:

"(2) The various provisions of Part III shall expire on such dates as are respectively fixed by the Administrator by notice in the *Gazette* in relation to those provisions."

4. REGULATIONS

Section 20 of the Principal Act is amended by adding at the end the following:

"(2) Without limiting the generality of subsection (1), the Regulations may -

- (a) provide that By-laws in force immediately before the expiration of section 12 shall continue in force but may be repealed or amended by a community government council established under the *Local Government Act* for Yulara as if those

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By-laws were duly made under that Act by the council and the council had the power to make them;

- (b) nominate the officers or employees of the community government council who have specific powers under those By-laws in place of persons specified in the By-laws;
- (c) provide that moneys owing to the management company for rates, charges, fines or penalties pursuant to Part III are moneys owing to the community government council and may be recovered accordingly;
- (d) provide that proceedings before a court for the recovery of such rates, charges, fines, penalties, or other moneys or things, in process may be continued in the name of the community government council and those proceedings may be continued accordingly;
- (e) provide for the transfer of such moneys (and other assets or liabilities of the management company in relation to its local government activities) to the community government council;
- (f) provide that contracts and other agreements to which the management company is a party shall be novated in the name of the community government council in place of the management company and that the council shall be bound accordingly; and
- (g) provide for such other matters as are, in the opinion of the Administrator, convenient or necessary for the effective transfer of local government responsibility for Yulara from the management company to the community government council.

"(3) The Administrator shall not make a regulation pursuant to subsection (2) unless satisfied that the proposal has been discussed with the community government council and that the Minister has considered the views, if any, expressed by the council.

"(4) Nothing in this section shall be construed as limiting the power of the community government council and the management company from achieving by arrangement between themselves anything that is or may be the subject of a regulation, unless the Regulation specifically or by necessary implications precludes such an arrangement."
