



Serial 46
Law Reform
(Miscellaneous
Provisions)
Amendment
Mr Manzie

NORTHERN TERRITORY OF AUSTRALIA

A BILL for AN ACT

to amend the *Law Reform (Miscellaneous Provisions) 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 *Law Reform (Miscellaneous Provisions) Amendment Act 1991*.

2. COMMENCEMENT

This Act shall come into operation on a date to be fixed by the Administrator by notice in the *Gazette*.

3. NEW PART

The *Law Reform (Miscellaneous Provisions) Act* is amended by inserting after Part VIII the following:

"PART VIIIA - LIABILITY FOR DAMAGE TO PROPERTY CAUSED BY CHILDREN

"29A. LIABILITY FOR DAMAGE TO PROPERTY CAUSED BY CHILDREN

"(1) In this section, 'child' means a person who has not attained the age of 17 years.

"(2) Where, after the commencement of this section, a child intentionally causes damage to property, a parent of the child is, subject to this section, jointly and severally liable with the child for the damage caused to the property where, at the time the damage was caused, the child was -

(a) ordinarily resident with that parent; and

Law Reform (Miscellaneous Provisions) Amendment

(b) not in full time employment.

"(3) Where, after the commencement of this section, a detainee, within the meaning of the *Juvenile Justice Act*, intentionally causes damage to property, the Territory is, subject to this section, jointly and severally liable with the detainee for the damage caused to the property.

"(4) The liability of a parent under subsection (2), or the Territory under subsection (3), shall not exceed \$5,000.

"(5) Nothing in this section shall be construed as -

- (a) effecting or limiting a cause of action which may otherwise lie in or in relation to damage caused to property by a child or detainee; or
 - (b) imposing liability on a parent under subsection (2) in respect of an act of a detainee referred to in subsection (3)."
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