

Serial 115
Licensing (Director-General) Repeal Bill 2019
Ms Fyles

A Bill for an Act to repeal the *Licensing (Director-General) Act 2014* and to amend the *Associations Act 2003*, the *Co-operatives (National Uniform Legislation) Act 2015*, the *Gaming Control Act 1993*, the *Gaming Machine Act 1995*, the *Kava Management Act 1998*, the *Private Security Act 1995*, the *Racing and Betting Act 1983*, the *Tobacco Control Act 2002*, the *Totalisator Licensing and Regulation Act 2000* and various subordinate legislation

NORTHERN TERRITORY OF AUSTRALIA

LICENSING (DIRECTOR-GENERAL) REPEAL ACT 2019

Act No. [] of 2019

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NORTHERN TERRITORY OF AUSTRALIA

Act No. [] of 2019

An Act to repeal the *Licensing (Director-General) Act 2014* and to amend the *Associations Act 2003*, the *Co-operatives (National Uniform Legislation) Act 2015*, the *Gaming Control Act 1993*, the *Gaming Machine Act 1995*, the *Kava Management Act 1998*, the *Private Security Act 1995*, the *Racing and Betting Act 1983*, the *Tobacco Control Act 2002*, the *Totalisator Licensing and Regulation Act 2000* and various subordinate legislation

[Assented to [] 2019]

[Introduced [] 2019]

The Legislative Assembly of the Northern Territory enacts as follows:

Part 1 Preliminary matters

1 Short title

This Act may be cited as the *Licensing (Director-General) Repeal Act 2019*.

2 Commencement

This Act commences on the day fixed by the Administrator by *Gazette* notice.

Part 2 Repeal of Licensing (Director-General) Act 2014

3 Act repealed

This *Licensing (Director-General) Act 2014* (Act No. 43 of 2014) is repealed.

Part 3 Amendment of Gaming Control Act 1993**4 Act amended**

This Part amends the *Gaming Control Act 1993*.

5 Section 3 amended (Definitions)

- (1) Section 3, definition ***Director-General***

omit

- (2) Section 3

insert

delegate decision, see section 68CA.

Director means the Director of Gaming Control appointed under section 3B.

reviewable decision, see section 68CA.

- (3) Section 3, definition ***affected person***

omit

68CB

insert

68CA

- (4) Section 3, definition ***approved***

omit

Director-General

insert

Director

6 Section 3B inserted

Before section 4, in Part 2

insert

3B Appointment of Director of Gaming Control

The Minister must, in writing, appoint a person to be the Director of Gaming Control.

7 Section 4 amended

(1) Section 4, heading

omit, insert

4 Functions of Director

(2) Section 4(1), (3), (4), (6), (7), (8) and (9)

omit (all references)

Director-General

insert

Director

8 Sections 5 to 7 inserted

After section 4

insert

5 Delegation

The Director may delegate any of the Director's powers or functions under this Act, other than a power under Part 5B, to a public sector employee.

6 Annual report

(1) The Director must, within 3 months after the end of each financial year, give the Minister a report on the operation of this Act during that year.

(2) The Minister must table a copy of the report in the Legislative Assembly within 6 sitting days after the Minister receives the report.

7 Approved forms

The Director may approve forms for this Act.

9 Section 14 amended (Regulatory principles)

Section 14

omit

Director-General

insert

Director

10 Section 15 amended (Gaming inspectors)

Section 15(1), (3), (4) and (7)

omit (all references)

Director-General

insert

Director

11 Part 5B replaced

Part 5B

repeal, insert

Part 5B Review of decisions**68CA Definitions**

In this Part:

affected person, for a reviewable decision, means a person to whom any of the following applies:

- (a) for a decision that relates to disciplinary action relating to a licence – the person is the licensee;
- (b) for a decision that was made in relation to an application – the person is the applicant;

- (c) the person made a submission, complaint or objection (however described) during the process that resulted in the decision being made.

delegate decision means a reviewable decision that is made by a delegate of the Director.

reviewable decision means a decision prescribed by regulation.

68CB Notice of delegate decision

- (1) As soon as practicable after making a delegate decision, a delegate of the Director must give written notice of the decision to each affected person.
- (2) The notice must state the following:
 - (a) the delegate decision and the reasons for it;
 - (b) that the affected person may apply for a review of the decision under section 68CC;
 - (c) the period allowed for applying for a review.

68CC Application for review

- (1) An affected person for a delegate decision may apply to the Director for a review of the decision.
- (2) The application must be made:
 - (a) within 28 days after written notice of the delegate decision is given to the affected person; or
 - (b) by any later date allowed by the Director.
- (3) The application must:
 - (a) be in the approved form; and
 - (b) be accompanied by the fee prescribed by regulation; and
 - (c) state the grounds on which it is made and the facts relied on to establish the grounds.

68CD Effect of application on delegate decision

- (1) The making of the application does not stay the operation of the delegate decision.

- (2) Despite subsection (1), the Director may stay the operation of the delegate decision pending completion of the review.

68CE Director to consider application

- (1) On receipt of the application, the Director must review the delegate decision.
- (2) Despite subsection (1), if satisfied the application is frivolous or vexatious, the Director may reject the application without reviewing the delegate decision.

68CF Conducting and deciding review

- (1) In reviewing the delegate decision, the Director must:
- (a) take into account any matter that this Act requires the Director to take into account in reviewing the decision; and
 - (b) follow the procedures for review determined by the Director; and
 - (c) comply with the rules of natural justice.
- (2) After reviewing the delegate decision, the Director must:
- (a) affirm the decision; or
 - (b) vary the decision; or
 - (c) set aside the decision and substitute a new decision.

68CG Notice of decision on review

- (1) As soon as practicable after making a decision under section 68CF, the Director must give written notice of the decision to the following persons:
- (a) the applicant;
 - (b) any other affected person.
- (2) The notice must state the following:
- (a) the Director's decision and the reasons for it;
 - (b) details of any right the person has under this Act to apply for a review of, or to appeal, the Director's decision.

68CH Application to NTCAT for review of Director's decision

- (1) Subject to subsection (2), an affected person for a reviewable decision may apply to NTCAT for review of the decision.
- (2) An affected person may only apply to NTCAT once the person has exhausted any other available avenue of review under this Division.

Note for section 68CH

A delegate decision must be reviewed by the Director under this Division before an application is made to NTCAT.

12 Section 79 amended

- (1) Section 79, heading
omit
of inspector , &c.
insert
from liability
- (2) Section 79(1), after "against"
insert
the Director,

13 Part 7, Division 6 inserted

After section 93

insert

**Division 6 Transitional matters for Licensing
(Director-General) Repeal Act 2019****94 Definitions**

In this Part:

commencement means the commencement of section 3 of the *Licensing (Director-General) Repeal Act 2019*.

Director-General means the Director-General of Licensing appointed under the repealed Act before its repeal.

repealed Act means the *Licensing (Director-General) Act 2014*.

95 Applications to be decided by Director

If an application is made to the Director-General for a decision to be made under this Act but the decision is not made before the commencement, the application must be decided by the Director as if it was made to the Director.

96 Director to complete delegate decision reviews

If an application is made to the Director-General for a review under Part 3 of the repealed Act of a delegate decision made under this Act, but the review is not completed before the commencement, the review must be conducted by the Director as if the application was made to the Director.

97 Continuation of instruments, appointments, documents etc.

- (1) A statutory instrument or other instrument, an appointment, an approved form or any other document made or issued by the Director-General under this Act or the repealed Act before the commencement continues in force and is taken after the commencement to have been made or issued by the Director.
- (2) Without limiting subsection (1), a delegation by the Director-General under this Act or the repealed Act in force immediately before the commencement is taken after the commencement to be a delegation by the Director and continues in force until amended or revoked under this Act.

14 Act further amended

Schedule 1 has effect.

Part 4 Amendment of Gaming Machine Act 1995**15 Act amended**

This Part amends the *Gaming Machine Act 1995*.

16 Section 3 amended (Definitions)

- (1) Section 3, definition ***Director-General***
omit
- (2) Section 3
insert
delegate decision, see section 166A.

Director means the Director of Gaming Machines appointed under section 9.

reviewable decision, see section 166A.

- (3) Section 3, definition **affected person**

omit

166B

insert

166A

- (4) Section 3, definition **seal**

omit

Director-General

insert

Director

17 Sections 9 to 12 inserted

Before section 17, in Part 2

insert

9 Appointment of Director of Gaming Machines

The Minister must, in writing, appoint a person to be the Director of Gaming Machines.

10 Delegation

The Director may delegate any of the Director's powers or functions under this Act, other than a power under Part 9A, Division 2, to a public sector employee.

11 Annual report

- (1) The Director must, within 3 months after the end of each financial year, give the Minister a report on the operation of this Act during that year.
- (2) The Minister must table a copy of the report in the Legislative Assembly within 6 sitting days after the Minister receives the report.

12 Approved forms

The Director may approve forms for this Act.

18 Section 17 amended

- (1) Section 17, heading

omit

Director-General

insert

Director

- (2) Section 17(1), (2) and (3)

omit (all references)

Director-General

insert

Director

- (3) Section 17(2) and (3)

omit

Director-General's

insert

Director's

19 Section 20 amended (Inspectors)

Section 20(1), (3), (4) and (7)

omit (all references)

Director-General

insert

Director

20 Section 21 amended (Authorised persons)

Section 21(1), (3)(a), (4) and (5)

omit (all references)

Director-General

insert

Director

21 Section 22A amended

(1) Section 22A, heading

omit

Director-General

insert

Director

(2) Section 22A(1), (3), (4), (6) and (7)

omit (all references)

Director-General

insert

Director

22 Sections 166A to 166D replaced

Sections 166A to 166D

repeal, insert

166A Definitions

In this Part:

affected person, for a reviewable decision, means a person to whom any of the following applies:

- (a) for a decision that relates to disciplinary action relating to a licence – the person is the licensee;
- (b) for a decision that was made in relation to an application – the person is the applicant;

- (c) the person made a submission, complaint or objection (however described) during the process that resulted in the decision being made.

delegate decision means a reviewable decision that is made by a delegate of the Director.

reviewable decision means a decision specified in the Schedule.

166B Notice of delegate decision

- (1) As soon as practicable after making a delegate decision, a delegate of the Director must give written notice of the decision to each affected person.
- (2) The notice must state the following:
 - (a) the delegate decision and the reasons for it;
 - (b) that the affected person may apply for a review of the decision under section 166C;
 - (c) the period allowed for applying for a review.

166C Application for review

- (1) An affected person for a delegate decision may apply to the Director for a review of the decision.
- (2) The application must be made:
 - (a) within 28 days after written notice of the delegate decision is given to the affected person; or
 - (b) by any later date allowed by the Director.
- (3) The application must:
 - (a) be in the approved form; and
 - (b) be accompanied by the fee prescribed by regulation; and
 - (c) state the grounds on which it is made and the facts relied on to establish the grounds.

166D Effect of application on delegate decision

- (1) The making of the application does not stay the operation of the delegate decision.

- (2) Despite subsection (1), the Director may stay the operation of the delegate decision pending completion of the review.

166E Director to consider application

- (1) On receipt of the application, the Director must review the delegate decision.
- (2) Despite subsection (1), if satisfied the application is frivolous or vexatious, the Director may reject the application without reviewing the delegate decision.

166F Conducting and deciding review

- (1) In reviewing the delegate decision, the Director must:
- (a) take into account any matter that this Act requires the Director to take into account in reviewing the decision; and
 - (b) follow the procedures for review determined by the Director; and
 - (c) comply with the rules of natural justice.
- (2) After reviewing the delegate decision, the Director must:
- (a) affirm the decision; or
 - (b) vary the decision; or
 - (c) set aside the decision and substitute a new decision.

166G Notice of decision on review

- (1) As soon as practicable after making a decision under section 166F, the Director must give written notice of the decision to the following persons:
- (a) the applicant;
 - (b) any other affected person.
- (2) The notice must state the following:
- (a) the Director's decision and the reasons for it;
 - (b) details of any right the person has under this Act to apply for a review of, or to appeal, the Director's decision.

166H Application to NTCAT for review of Director's decision

- (1) Subject to subsection (2), an affected person for a reviewable decision may apply to NTCAT for review of the decision.
- (2) An affected person may only apply to NTCAT once the person has exhausted any other available avenue of review under this Division.

Note for section 166H

A delegate decision must be reviewed by the Director under this Division before an application is made to NTCAT.

23 Section 184 amended (Protection from liability)

After section 184(1)(a)

insert

(b) the Director;

24 Part 13 inserted

After section 204

insert

Part 13 Transitional matters for Licensing (Director-General) Repeal Act 2019**205 Definitions**

In this Part:

commencement means the commencement of section 3 of the *Licensing (Director-General) Repeal Act 2019*.

Director-General means the Director-General of Licensing appointed under the repealed Act before its repeal.

repealed Act means the *Licensing (Director-General) Act 2014*.

206 Applications to be decided by Director

If an application is made to the Director-General for a decision to be made under this Act but the decision is not made before the commencement, the application must be decided by the Director as if it was made to the Director.

207 Director to complete delegate decision reviews

If an application is made to the Director-General for a review under Part 3 of the repealed Act of a delegate decision made under this Act, but the review is not completed before the commencement, the review must be conducted by the Director as if the application was made to the Director.

208 Continuation of instruments, appointments, documents etc.

- (1) A statutory instrument or other instrument, an appointment, an approved form or any other document made or issued by the Director-General under this Act or the repealed Act before the commencement continues in force and is taken after the commencement to have been made or issued by the Director.
- (2) Without limiting subsection (1), a delegation by the Director-General under this Act or the repealed Act in force immediately before the commencement is taken after the commencement to be a delegation by the Director and continues in force until amended or revoked under this Act.

25 Schedule amended (Reviewable decisions)

Schedule

omit

sections 166A and 166D

insert

section 166A

26 Act further amended

Schedule 2 has effect.

Part 5 Amendment of Kava Management Act 1998**27 Act amended**

This Part amends the *Kava Management Act 1998*.

28 Section 3 amended (Interpretation)

- (1) Section 3(1), definition ***Director-General***

omit

-
- (2) Section 3(1)
- insert*
- delegate decision***, see section 78.
- Director*** means the Director of Kava Management appointed under section 8A.
- reviewable decision***, see section 78.
- (3) Section 3(1), definition ***affected person***
- omit*
- 79
- insert*
- 78
- (4) Section 3(1), at the end
- insert*
- Note for subsection (1)*
- The Interpretation Act 1978 contains definitions and other provisions that may be relevant to this Act.*

29 Section 7 amended (Delegation)

- (1) Section 7, before "The"
- insert*
- (1)
- (2) Section 7(a)
- omit, insert*
- (a) the Director; or
- (3) Section 7, at the end
- insert*
- (2) The Director may delegate any of the Director's powers or functions under this Act, other than a power under Part 10, to a public sector employee.

30 Section 8 amended (Guidelines)

Section 8(1) and (2)

omit

Director-General

insert

Director

31 Part 1A inserted

After section 8

insert

Part 1A Administration**8A Appointment of Director of Kava Management**

The Minister must, in writing, appoint a person to be the Director of Kava Management.

8B Annual report

- (1) The Director must, within 3 months after the end of each financial year, give the Minister a report on the operation of this Act during that year.
- (2) The Minister must table a copy of the report in the Legislative Assembly within 6 sitting days after the Minister receives the report.

8C Approved forms

The Director may approve forms for this Act.

8D Protection from liability

- (1) A person is not civilly or criminally liable for an act done or omitted to be done by the person in good faith in the exercise of a power or performance of a function under this Act as the Director or a delegate of the Director.
- (2) Subsection (1) does not affect any liability the Territory would, apart from that subsection, have for the act or omission.

(3) In this section:

exercise of a power includes the purported exercise of the power.

performance of a function includes the purported performance of the function.

32 Part 6, Division 1 heading replaced

Part 6, Division 1, heading

omit, insert

Division 1 Director

33 Sections 78 to 81 replaced

Sections 78 to 81

repeal, insert

78 Definitions

In this Part:

affected person, for a reviewable decision, means a person to whom any of the following applies:

- (a) for a decision that relates to disciplinary action relating to a licence – the person is the licensee;
- (b) for a decision that was made in relation to an application – the person is the applicant;
- (c) the person made a submission, complaint or objection (however described) during the process that resulted in the decision being made.

delegate decision means a reviewable decision that is made by a delegate of the Director.

reviewable decision means a decision specified in Schedule 2.

79 Notice of delegate decision

- (1) As soon as practicable after making a delegate decision, a delegate of the Director must give written notice of the decision to each affected person.

- (2) The notice must state the following:
 - (a) the delegate decision and the reasons for it;
 - (b) that the affected person may apply for a review of the decision under section 80;
 - (c) the period allowed for applying for a review.

80 Application for review

- (1) An affected person for a delegate decision may apply to the Director for a review of the decision.
- (2) The application must be made:
 - (a) within 28 days after written notice of the delegate decision is given to the affected person; or
 - (b) by any later date allowed by the Director.
- (3) The application must:
 - (a) be in the approved form; and
 - (b) be accompanied by the fee prescribed by regulation; and
 - (c) state the grounds on which it is made and the facts relied on to establish the grounds.

81 Effect of application on delegate decision

- (1) The making of the application does not stay the operation of the delegate decision.
- (2) Despite subsection (1), the Director may stay the operation of the delegate decision pending completion of the review.

82 Director to consider application

- (1) On receipt of the application, the Director must review the delegate decision.
- (2) Despite subsection (1), if satisfied the application is frivolous or vexatious, the Director may reject the application without reviewing the delegate decision.

82A Conducting and deciding review

- (1) In reviewing the delegate decision, the Director must:
 - (a) take into account any matter that this Act requires the Director to take into account in reviewing the decision; and
 - (b) follow the procedures for review determined by the Director; and
 - (c) comply with the rules of natural justice.
- (2) After reviewing the delegate decision, the Director must:
 - (a) affirm the decision; or
 - (b) vary the decision; or
 - (c) set aside the decision and substitute a new decision.

82B Notice of decision on review

- (1) As soon as practicable after making a decision under section 82A, the Director must give written notice of the decision to the following persons:
 - (a) the applicant;
 - (b) any other affected person.
- (2) The notice must state the following:
 - (a) the Director's decision and the reasons for it;
 - (b) details of any right the person has under this Act to apply for a review of, or to appeal, the Director's decision.

82C Application to NTCAT for review of Director's decision

- (1) Subject to subsection (2), an affected person for a reviewable decision may apply to NTCAT for review of the decision.
- (2) An affected person may only apply to NTCAT once the person has exhausted any other available avenue of review under this Division.

Note for section 82C

A delegate decision must be reviewed by the Director under this Division before an application is made to NTCAT.

34 Part 14 inserted

After section 100

insert

**Part 14 Transitional matters for Licensing
(Director-General) Repeal Act 2019****101 Definitions**

In this Part:

commencement means the commencement of section 3 of the *Licensing (Director-General) Repeal Act 2019*.

Director-General means the Director-General of Licensing appointed under the repealed Act before its repeal.

repealed Act means the *Licensing (Director-General) Act 2014*.

102 Applications to be decided by Director

If an application is made to the Director-General for a decision to be made under this Act but the decision is not made before the commencement, the application must be decided by the Director as if it was made to the Director.

103 Director to complete delegate decision reviews

If an application is made to the Director-General for a review under Part 3 of the repealed Act of a delegate decision made under this Act, but the review is not completed before the commencement, the review must be conducted by the Director as if the application was made to the Director.

104 Continuation of instruments, appointments, documents etc.

- (1) A statutory instrument or other instrument, an appointment, an approved form or any other document made or issued by the Director-General under this Act or the repealed Act before the commencement continues in force and is taken after the commencement to have been made or issued by the Director.
- (2) Without limiting subsection (1), a delegation by the Director-General under this Act or the repealed Act in force immediately before the commencement is taken after the commencement to be a delegation by the Director and continues in force until amended or revoked under this Act.

35 Schedule 2 amended (Reviewable decisions)

Schedule 2

omit

sections 78 and 81

insert

section 78

36 Act further amended

Schedule 3 has effect.

Part 6 Amendment of Private Security Act 1995**37 Act amended**

This Part amends the *Private Security Act 1995*.

38 Section 3 amended (Definitions)

(1) Section 3, definition ***Director-General***

omit

(2) Section 3

insert

delegate decision, see section 53E.

Director means the Director of Private Security Regulation appointed under section 10.

reviewable decision, see section 53E.

(3) Section 3, definition ***decision notice***, paragraph (b)

omit

or the *Licensing (Director-General) Act 2014*

(4) Section 3, definition ***affected person***

omit

53F

insert

53E

- (5) Section 3, at the end

insert

Note for section 3

The Interpretation Act 1978 contains definitions and other provisions that may be relevant to this Act.

39 Section 8 amended (Act may be declared to apply to certain persons)

Section 8(1) and (3)(a)

omit

Director-General

insert

Director

40 Part 1A inserted

After section 9

insert

Part 1A Administration

10 Appointment of Director of Private Security Regulation

The Minister must, in writing, appoint a person to be the Director of Private Security Regulation.

10A Delegation

The Director may delegate any of the Director's powers or functions under this Act, other than a power under Part 6B, to a public sector employee.

10B Annual report

- (1) The Director must, within 3 months after the end of each financial year, give the Minister a report on the operation of this Act during that year.

-
- (2) The Minister must table a copy of the report in the Legislative Assembly within 6 sitting days after the Minister receives the report.

41 Section 11 amended

- (1) Section 11, heading

omit

Director-General

insert

Director

- (2) Section 11(1), (2) and (3)

omit

Director-General shall

insert

Director must

- (3) Section 11(1), (4) and (5)

omit

Director-General

insert

Director

- (4) Section 11(4)(b)

omit

or the *Licensing (Director-General) Act 2014*

42 Sections 53E to 53G replaced

Sections 53E to 53G

repeal, insert

53E Definitions

In this Part:

affected person, for a reviewable decision, see the Schedule.

delegate decision means a reviewable decision that is made by a delegate of the Director.

reviewable decision, see the Schedule.

53F Notice of delegate decision

- (1) As soon as practicable after making a delegate decision, a delegate of the Director must give written notice of the decision to each affected person.
- (2) The notice must state the following:
 - (a) the delegate decision and the reasons for it;
 - (b) that the affected person may apply for a review of the decision under section 53G;
 - (c) the period allowed for applying for a review.

53G Application for review

- (1) An affected person for a delegate decision may apply to the Director for a review of the decision.
- (2) The application must be made:
 - (a) within 28 days after written notice of the delegate decision is given to the affected person; or
 - (b) by any later date allowed by the Director.
- (3) The application must:
 - (a) be in the approved form; and
 - (b) be accompanied by the fee prescribed by regulation; and
 - (c) state the grounds on which it is made and the facts relied on to establish the grounds.

53GA Effect of application on delegate decision

- (1) The making of the application does not stay the operation of the delegate decision.
- (2) Despite subsection (1), the Director may stay the operation of the delegate decision pending completion of the review.

53GB Director to consider application

- (1) On receipt of the application, the Director must review the delegate decision.
- (2) Despite subsection (1), if satisfied the application is frivolous or vexatious, the Director may reject the application without reviewing the delegate decision.

53GC Conducting and deciding review

- (1) In reviewing the delegate decision, the Director must:
 - (a) take into account any matter that this Act requires the Director to take into account in reviewing the decision; and
 - (b) follow the procedures for review determined by the Director; and
 - (c) comply with the rules of natural justice.
- (2) After reviewing the delegate decision, the Director must:
 - (a) affirm the decision; or
 - (b) vary the decision; or
 - (c) set aside the decision and substitute a new decision.

53GD Notice of decision on review

- (1) As soon as practicable after making a decision under section 53GC, the Director must give written notice of the decision to the following persons:
 - (a) the applicant;
 - (b) any other affected person.
- (2) The notice must state the following:
 - (a) the Director's decision and the reasons for it;
 - (b) details of any right the person has under this Act to apply for a review of, or to appeal, the Director's decision.

53GE Application to Tribunal for review of Director's decision

- (1) Subject to subsection (2), an affected person for a reviewable decision may apply to the Tribunal for review of the decision.

- (2) An affected person may only apply to the Tribunal once the person has exhausted any other available avenue of review under this Division.
- (3) Subsection (2) does not apply to:
 - (a) a decision under section 18 to refuse to grant a licence on the ground that the applicant is not an appropriate person to hold the licence under section 15(7); or
 - (b) a decision prescribed by regulation.
- (4) For subsection (3)(b), a regulation may not prescribe a decision specified in the Schedule.

43 Section 53H amended (Licence refused because of disqualifying offence)

Section 53H(1)(c) and (4)

omit (all references)

Director-General

insert

Director

44 Section 53J repealed (Delegate decisions)

Section 53J

repeal

45 Section 59 amended (Protection of liability)

Before section 59(1)(b)

insert

- (a) the Director; or

46 Section 61 amended (Approved forms)

Section 61

omit

Director-General

insert

Director

47 Part 9 inserted

After section 80

insert

**Part 9 Transitional matters for Licensing
(Director-General) Repeal Act 2019**

81 Definitions

In this Part:

commencement means the commencement of section 3 of the *Licensing (Director-General) Repeal Act 2019*.

Director-General means the Director-General of Licensing appointed under the *Licensing (Director-General) Act 2014* before its repeal.

repealed Act means the *Licensing (Director-General) Act 2014*.

82 Applications to be decided by Director

If an application is made to the Director-General for a decision to be made under this Act but the decision is not made before the commencement, the application must be decided by the Director as if it was made to the Director.

83 Director to complete delegate decision reviews

If an application is made to the Director-General for a review under Part 3 of the repealed Act of a delegate decision made under this Act, but the review is not completed before the commencement, the review must be conducted by the Director as if the application was made to the Director.

84 Continuation of instruments, appointments, documents etc.

- (1) A statutory instrument or other instrument, an appointment, an approved form or any other document made or issued by the Director-General under this Act or the repealed Act before the commencement continues in force and is taken after the commencement to have been made or issued by the Director.

- (2) Without limiting subsection (1), a delegation by the Director-General under this Act or the repealed Act in force immediately before the commencement is taken after the commencement to be a delegation by the Director and continues in force until amended or revoked under this Act.

85 Suspension, cancellation or refusal to renew

If the Director-General gives a licensee a show cause notice under section 27 before the commencement, the Director may take any other action or make any decision under that section after the commencement as if the Director had given the notice.

48 Schedule amended (Reviewable decisions and affected persons)

Schedule

omit

sections 53E, 53F(1) and 53J

insert

section 53E

49 Act further amended

Schedule 4 has effect.

Part 7 Amendment of Tobacco Control Act 2002

50 Act amended

This Part amends the *Tobacco Control Act 2002*.

51 Section 5 amended (Definitions)

- (1) Section 5, definition ***Director-General***

omit

- (2) Section 5

insert

approved form means a form approved under section 54C.

delegate decision, see section 41.

Director means the Director of Tobacco Control appointed under section 54A.

reviewable decision, see section 41.

(3) Section 5, definition **affected person**

omit

41A

insert

41

52 Sections 41 to 41C replaced

Sections 41 to 41C

repeal, insert

41 Definitions

In this Part:

affected person, for a reviewable decision, means a person to whom any of the following applies:

- (a) for a decision that relates to disciplinary action relating to a licence – the person is the licensee;
- (b) for a decision that was made in relation to an application – the person is the applicant;
- (c) the person made a submission, complaint or objection (however described) during the process that resulted in the decision being made.

delegate decision means a reviewable decision that is made by a delegate of the Director.

reviewable decision means a decision specified in the Schedule.

41A Notice of delegate decision

- (1) As soon as practicable after making a delegate decision, a delegate of the Director must give written notice of the decision to each affected person.

- (2) The notice must state the following:
 - (a) the delegate decision and the reasons for it;
 - (b) that the affected person may apply for a review of the decision under section 41B;
 - (c) the period allowed for applying for a review.

41B Application for review

- (1) An affected person for a delegate decision may apply to the Director for a review of the decision.
- (2) The application must be made:
 - (a) within 28 days after written notice of the delegate decision is given to the affected person; or
 - (b) by any later date allowed by the Director.
- (3) The application must:
 - (a) be in the approved form; and
 - (b) be accompanied by the fee prescribed by regulation; and
 - (c) state the grounds on which it is made and the facts relied on to establish the grounds.

41C Effect of application on delegate decision

- (1) The making of the application does not stay the operation of the delegate decision.
- (2) Despite subsection (1), the Director may stay the operation of the delegate decision pending completion of the review.

41D Director to consider application

- (1) On receipt of the application, the Director must review the delegate decision.
- (2) Despite subsection (1), if satisfied the application is frivolous or vexatious, the Director may reject the application without reviewing the delegate decision.

41E Conducting and deciding review

- (1) In reviewing the delegate decision, the Director must:
 - (a) take into account any matter that this Act requires the Director to take into account in reviewing the decision; and
 - (b) follow the procedures for review determined by the Director; and
 - (c) comply with the rules of natural justice.
- (2) After reviewing the delegate decision, the Director must:
 - (a) affirm the decision; or
 - (b) vary the decision; or
 - (c) set aside the decision and substitute a new decision.

41F Notice of decision on review

- (1) As soon as practicable after making a decision under section 41E, the Director must give written notice of the decision to the following persons:
 - (a) the applicant;
 - (b) any other affected person.
- (2) The notice must state the following:
 - (a) the Director's decision and the reasons for it;
 - (b) details of any right the person has under this Act to apply for a review of, or to appeal, the Director's decision.

41G Application to NTCAT for review of Director's decision

- (1) Subject to subsection (2), an affected person for a reviewable decision may apply to NTCAT for review of the decision.
- (2) An affected person may only apply to NTCAT once the person has exhausted any other available avenue of review under this Division.

Note for section 41G

A delegate decision must be reviewed by the Director under this Division before an application is made to NTCAT.

53 Section 53 amended (Wholesalers to provide information about retailers)

Section 53(1)

omit (all references)

Director-General

insert

Director

54 Section 54 amended (Misleading information)

Section 54(5), definition *relevant officer*

omit

Director-General

insert

Director

55 Sections 54A to 54C inserted

After section 54

insert

54A Appointment of Director of Tobacco Control

The Minister must, in writing, appoint a person to be the Director of Tobacco Control.

54B Annual report

- (1) The Director must, within 3 months after the end of each financial year, give the Minister a report on the operation of Director's powers and functions under this Act during that year.
- (2) The Minister must table a copy of the report in the Legislative Assembly within 6 sitting days after the Minister receives the report.

54C Approved forms

The Director may approve forms for this Act.

56 Section 55 amended

(1) Section 55, heading

omit

Director-General

insert

Director

(2) Section 55(1) and (2)

omit (all references)

Director-General

insert

Director

57 Section 56 amended (Legal immunity)

Section 56(1)(b)

omit, insert

(b) the Director; or

58 Part 11 inserted

After section 68

insert

**Part 11 Transitional matters for Licensing
(Director-General) Repeal Act 2019****69 Definitions**

In this Part:

commencement means the commencement of section 3 of the *Licensing (Director-General) Repeal Act 2019*.

Director-General means the Director-General of Licensing appointed under the repealed Act before its repeal.

repealed Act means the *Licensing (Director-General) Act 2014*.

70 Applications to be decided by Director

If an application is made to the Director-General for a decision to be made under this Act but the decision is not made before the commencement, the application must be decided by the Director as if it was made to the Director.

71 Director to complete delegate decision reviews

If an application is made to the Director-General for a review under Part 3 of the repealed Act of a delegate decision made under this Act, but the review is not completed before the commencement, the review must be conducted by the Director as if the application was made to the Director.

72 Continuation of instruments, appointments, documents etc.

- (1) A statutory instrument or other instrument, an appointment, an approved form or any other document made or issued by the Director-General under this Act or the repealed Act before the commencement continues in force and is taken after the commencement to have been made or issued by the Director.
- (2) Without limiting subsection (1), a delegation by the Director-General under this Act or the repealed Act in force immediately before the commencement is taken after the commencement to be a delegation by the Director and continues in force until amended or revoked under this Act.

59 Schedule amended (Reviewable decisions)

Schedule

omit

sections 41 and 41C

insert

section 41

60 Act further amended

Schedule 5 has effect.

Part 8 Amendment of Totalisator Licensing and Regulation Act 2000

61 Act amended

This Part amends the *Totalisator Licensing and Regulation Act 2000*.

62 Section 3 amended (Interpretation)

- (1) Section 3(1), definition **Director-General**

omit

- (2) Section 3(1)

insert

approved form means a form approved under section 8B.

delegate decision, see section 82.

Director means the Director of Totalisator Licensing and Regulation appointed under section 5.

reviewable decision, see section 82.

- (3) Section 3(1), definition **affected person**

omit

83

insert

82

- (4) Section 3(1), definition **decision notice**, paragraph (b)

omit

or the *Licensing (Director-General) Act 2014*

- (5) Section 3(1), at the end

insert

Note for subsection (1)

The Interpretation Act 1978 contains definitions and other provisions that may be relevant to this Act.

63 Section 5 inserted

Before section 6, in Part 2

insert

5 Appointment of Director of Totalisator Licensing and Regulation

The Minister must, in writing, appoint a person to be the Director of Totalisator Licensing and Regulation.

64 Section 6 amended

(1) Section 6, heading

omit

Director-General

insert

Director

(2) Section 6

omit

Director-General

insert

Director

65 Section 7 amended

(1) Section 7, heading

omit

Director-General

insert

Director

(2) Section 7(1), (2), (3) and (4)

omit (all references)

Director-General

insert

Director

66 Section 8 replaced

Section 8

repeal, insert

8 Delegation

The Director may delegate any of the Director's powers or functions under this Act, other than the following, to a public sector employee:

- (a) grant a licence;
- (b) make Rules;
- (c) a power under Part 8, Division 2.

8A Annual report

- (1) The Director must, within 3 months after the end of each financial year, give the Minister a report on the operation of this Act during that year.
- (2) The Minister must table a copy of the report in the Legislative Assembly within 6 sitting days after the Minister receives the report.

8B Approved forms

The Director may approve forms for this Act.

67 Section 10 amended (Disclosure of interest)

Section 10(1) and (4)

omit (all references)

Director-General

insert

Director

68 Section 12 amended (Determination of events, sports and activities)

Section 12(1), (2) and (3)

omit

Director-General

insert

Director

69 Section 75 amended

(1) Section 75, heading

omit

Director-General

insert

Director

(2) Section 75(1) and (2)

omit (all references)

Director-General

insert

Director

(3) Section 75(3)(b)

omit

Part 3 of the *Licensing (Director-General) Act 2014*

insert

Part 8, Division 3

70 Part 8 replaced

Part 8

repeal, insert

Part 8 Review of decisions**82 Definitions**

In this Part:

affected person, for a reviewable decision, means a person to whom any of the following any of the following applies:

- (a) for a decision that relates to disciplinary action relating to a licence – the person is the licensee;
- (b) for a decision that was made in relation to an application – the person is the applicant;
- (c) the person made a submission, complaint or objection (however described) during the process that resulted in the decision being made;
- (d) the person is otherwise declared by or under this Act to be an affected person.

delegate decision means a reviewable decision that is made by a delegate of the Director, other than a decision prescribed by Regulation.

reviewable decision means a decision of the Director under this Act, other than a decision to grant or refuse to grant a licence.

83 Notice of delegate decision

- (1) As soon as practicable after making a delegate decision, a delegate of the Director must give written notice of the decision to each affected person.
- (2) The notice must state the following:
 - (a) the delegate decision and the reasons for it;
 - (b) that the affected person may apply for a review of the decision under section 84;
 - (c) the period allowed for applying for a review.

84 Application for review

- (1) An affected person for a delegate decision may apply to the Director for a review of the decision.
- (2) The application must be made:
 - (a) within 28 days after written notice of the delegate decision is given to the affected person; or
 - (b) by any later date allowed by the Director.
- (3) The application must:
 - (a) be in the approved form; and
 - (b) be accompanied by the fee prescribed by regulation; and
 - (c) state the grounds on which it is made and the facts relied on to establish the grounds.

85 Effect of application on delegate decision

- (1) The making of the application does not stay the operation of the delegate decision.
- (2) Despite subsection (1), the Director may stay the operation of the delegate decision pending completion of the review.

86 Director to consider application

- (1) On receipt of the application, the Director must review the delegate decision.
- (2) Despite subsection (1), if satisfied the application is frivolous or vexatious, the Director may reject the application without reviewing the delegate decision.

87 Conducting and deciding review

- (1) In reviewing the delegate decision, the Director must:
 - (a) take into account any matter that this Act requires the Director to take into account in reviewing the decision; and
 - (b) follow the procedures for review determined by the Director; and
 - (c) comply with the rules of natural justice.

- (2) After reviewing the delegate decision, the Director must:
- (a) affirm the decision; or
 - (b) vary the decision; or
 - (c) set aside the decision and substitute a new decision.

88 Notice of decision on review

- (1) As soon as practicable after making a decision under section 87, the Director must give written notice of the decision to the following persons:
- (a) the applicant;
 - (b) any other affected person.
- (2) The notice must state the following:
- (a) the Director's decision and the reasons for it;
 - (b) details of any right the person has under this Act to apply for a review of, or to appeal, the Director's decision.

89 Application to NTCAT for review of Director's decision

- (1) Subject to subsection (2), an affected person for a reviewable decision may apply to NTCAT for review of the decision.
- (2) An affected person may only apply to NTCAT once the person has exhausted any other available avenue of review under this Division.

Note for section 89

A delegate decision must be reviewed by the Director under this Division before an application is made to NTCAT.

71 Section 124 amended (Limitation of legal liability)

After section 124(1)(e)

insert

- (ea) doing or omitting to do an act or thing by a person in the person's capacity as the Director in the exercise or purported exercise of a power or the performance or purported performance of a function under this Act of the Director;

72 Section 126 amended (Duplicate licence)

Section 126(1) and (2)(a)

omit (all references)

Director-General

insert

Director

73 Section 127 amended (Regulations)

Section 127(2)(b) and (3)(a) and (b)

omit

Director-General

insert

Director

74 Part 14 inserted

After section 142

insert

**Part 14 Transitional matters for Licensing
(Director-General) Repeal Act 2019****143 Definitions**

In this Part:

commencement means the commencement of section 3 of the *Licensing (Director-General) Repeal Act 2019*.

Director-General means the Director-General of Licensing appointed under the repealed Act before its repeal.

repealed Act means the *Licensing (Director-General) Act 2014*.

144 Applications to be decided by Director

If an application is made to the Director-General for a decision to be made under this Act but the decision is not made before the commencement, the application must be decided by the Director as if it was made to the Director.

145 Director to complete delegate decision reviews

If an application is made to the Director-General for a review under Part 3 of the repealed Act of a delegate decision made under this Act, but the review is not completed before the commencement, the review must be conducted by the Director as if the application was made to the Director.

146 Continuation of instruments, appointments, documents etc.

- (1) A statutory instrument or other instrument, an appointment, an approved form or any other document made or issued by the Director-General under this Act or the repealed Act before the commencement continues in force and is taken after the commencement to have been made or issued by the Director.
- (2) Without limiting subsection (1), a delegation by the Director-General under this Act or the repealed Act in force immediately before the commencement is taken after the commencement to be a delegation by the Director and continues in force until amended or revoked under this Act.

147 Complaints about licensee to be considered and decided by Director

If the Director-General receives a complaint under section 69 that is not considered and decided under section 70 before the commencement, the complaint must be considered and decided under section 70 as if it was made to the Director.

75 Act further amended

Schedule 6 has effect.

Part 9 Amendment of other Acts

Division 1 Amendment of Associations Act 2003

76 Act amended

This Division amends the *Associations Act 2003*.

77 Section 6 amended (Secrecy)

Section 6(3)(c)(vi)

omit, insert

(vi) the Liquor Commission established by section 5 of the *Liquor Commission Act 2018*; or

Division 2 Amendment of Co-operatives (National Uniform Legislation) Act 2015

78 Act amended

This Division amends the *Co-operatives (National Uniform Legislation) Act 2015*.

79 Section 8 amended (Meaning of generic terms)

Section 8, definition **Registrar**

omit, insert

Registrar means the Commissioner as defined in section 4(1) of the *Consumer Affairs and Fair Trading Act 1990*.

Division 3 Amendment of Racing and Betting Act 1983

80 Act amended

This Division amends the *Racing and Betting Act 1983*.

81 Section 89A amended (Licensing under this Part of person holding licence under *Totalisator Licensing and Regulation Act 2000*)

(1) Section 89A(4)(a), (b) and (c)(i), (5), (6), (7) and (8)(a)

omit (all references)

Director-General

insert

Director

(2) Section 89A(9), definition **Director-General**

omit, insert

Director means the Director of Totalisator Licensing and Regulation appointed under section 5 of the *Totalisator Licensing and Regulation Act 2000*.

82 Part X, Division 4 inserted

After section 168

insert

**Division 4 Transitional matters for Licensing
(Director-General) Repeal Act 2019**

169 Definitions

In this Part:

commencement means the commencement of section 3 of the *Licensing (Director-General) Repeal Act 2019*.

Director-General means the Director-General of Licensing appointed under the *Licensing (Director-General) Act 2014* before its repeal.

repealed Act means the *Licensing (Director-General) Act 2014*.

170 Applications to be decided by Director

If an application is made to the Director-General for a decision to be made under this Act but the decision is not made before the commencement, the application must be decided by the Director as if it was made to the Director.

171 Continuation of instruments, appointments, documents etc.

An instrument, an appointment, an approved form or any other document made or issued by the Director-General under this Act or the repealed Act before the commencement continues in force and is taken after the commencement to have been made or issued by the Director.

Part 10 **Amendment of subordinate legislation****Division 1** **Amendment of Gaming Control (Gaming Machines) Regulations 1995****83** **Regulations amended**

This Division amends the *Gaming Control (Gaming Machines) Regulations 1995*.

84 **Regulation 7 repealed (Gaming machine turnover levy)**

Regulation 7

repeal

Division 2 **Amendment of Gaming Control (Reviewable Decisions) Regulations 2014****85** **Regulations amended**

This Division amends the *Gaming Control (Reviewable Decisions) Regulations 2014*.

86 **Regulations 3 and 4 replaced**

Regulations 3 and 4

repeal, insert

3 **Reviewable decision**

For section 68CA of the Act, definition ***reviewable decision***, a decision specified in the Schedule is a reviewable decision.

Division 3 **Other subordinate legislation amended****87** **Other subordinate legislation amended**

Schedule 7 amends the subordinate legislation mentioned in it.

Part 11 **Repeal of Act****88** **Repeal of Act**

This Act is repealed on the day after it commences.

Schedule 1 Gaming Control Act 1993 further amended

section 14

| Provision | Amendment | |
|---|---|-----------------|
| | <i>omit</i> | <i>insert</i> |
| sections 20(2)(d), 26(2), 27(3)(b), 31(1), (2), (3) and (4), 33(6) and (7), 35(1), (3) and (4), 35A(1) and (4), 40(3), (4), (8) and (9), 46F(2)(d), 46P(1), (2), (3) and (4), 46Q(1) and (2), 47F(2)(d), 47P(1), (2), (3), (4), (7) and (8), 47Q(1) and (2), 48, 49(2), 51(1) and (2), 53(2)(b)(ii), 68(4), 68A(1), 68B(1), (2), (5) and (6), 68C(1)(a), (aa), and (b), (3)(a), (4) and (5), 76, 78(1) and 80(2)(n) | Director-General <i>(all references)</i> | Director |
| sections 27(3)(b) and 68B(2) and (6) | Director-General's | Director's |
| sections 31, 35, 46P, 46Q, 47P, 47Q, 51 and 68B, headings | Director-General | Director |
| section 77(1) | Chairperson or the Director-General | Director |

Schedule 2 Gaming Machine Act 1995 further amended

section 26

| Provision | Amendment | |
|--|---|---------------|
| | <i>omit</i> | <i>insert</i> |
| sections 22C, 24(3)(a), (b), (f)(i), (n) and (p), 24A(1)(a) and (b) and (2)(d), (e) and (f), 25(1), (3), (3A), (4), (5), (6), (7), (8A), (9), (10), (11), (12), (13) and (15), 26, 27(1) and (2), 28(1) and (2), 29(1), (2)(ba), (3) and (5), 31(1), 33(1)(b), 34(1), (2), (4) and (5), 35(1), 36(2), 37B, 37C(1)(a) and (b), 38(1)(f) and (2), 38A(1)(a) and (b) and (2), 38B(1) and (2), 38C(1) and (2), 39, 39A(1), (2) and (3), 39B(1) and (3), 40A(1) and (2), 41(2)(a), (ca), (d) and (e), (3), (4), (5), (6), (7) and (9), 41A(1)(b) and (c) and (2), 41B(1)(a) and (b) and (2)(d), (e) and (f), 42(1), (1A), (2), (3), (4), (4A), (5) and (6)(a) and (b), 42B(2)(a), 42C(1)(g) and (2), 42D(1) and (2), 42E(1) and (2), 42F(1) and (2), 42G(1), 42H(1), (2) and (3), 42J(1) and (2), 43(1), (4), (6), (8), (9) and (11), 44(1), (2) and (4), 45(1), (2) and (3), 46, 47(1), (1A), (3), (4), (5), (6) and (7), 49(1)(b)(vi) and (c), (2), | Director-General <i>(all references)</i> | Director |

(4), (6), (7), (8), (9),
(10), (11), (13), (15)
and (16), 50(1) and (2),
51(b), 53(2), 54(1) and
(2), 55(2), 56(1) and
(2), 59(1), (2) and
(6)(d), 59A(1), (2), (3),
(4), (7) and (8), 60(4)
and (6), 61(1), (2), (4)
and (6), 62(1)(a), (b),
(d), (g) and (h) and (2),
63(1) and (2), 64(1),
(1A), (2) and (3), 65(1),
(2) and (3), 66, 67(1),
69(b), 70(1), (2), (4)
and (5), 71(1), (2)(a),
(b) and (d), (3), (5),
(5A) and (6), 73, 74(1),
(2), (4) and (5)(a),
75(1), (2) and (3), 76,
77(2), (3), (4), (5), (6),
(7), (9) and (10)(a),
78(1), (3), (4), (5), (7)
and (8)(a) and (b),
79(1)(b)(vi) and (c), (2),
(3), (5), (6), (7), (8), (9),
(10), (11), (13), (14),
(15) and (16), 80(1) and
(2), 81(b), 82(1), (2),
(3), (5) and (6), 82A(1),
(2) and (4), 83(2),
85(4), 87(1)(a), 89(1)
and (2), 96(3)(b) and
(4)(b), 98(1) and (2),
99(n), 100(1), 101(2),
102, 116(1), (2), (3)(b)
and (4), 117(1), (2),
(3)(b) and (4), 118(1),
(2) and (3), 119(1) and
(2), 120(3A),
121(1)(b)(i), (2), (3)(a)
and (d) and (4),
122(2)(a) and (d),
123(d)(i) and (ii),
125(4)(a) and (b),
126(3)(a) and (b), (4)
and (5), 127(1), 128,
129(1), (3), (3A), (3B),

(5), (6) and (7), 131(1),
 (2), (3), (4), (5), (6), (7),
 (8), (9), (10) and
 (11)(b), 132(1), 133,
 134(1), (2)(a), (b) and
 (d), (4), (6), (9), (10)
 and (11), 135(1), (2),
 (3), (4), (6), (7) and (8),
 136(2) and (3)(b),
 136A, 137(1)(c) and
 (2)(c), 138(2)(a) and
 (b), (3), (4) and (5)(a)
 and (b), 141(2) and (3),
 142(2), 143(1) and (2),
 144(1) and (2)(a),
 146(1)(d)(ii) and (3),
 148(1) and (2)(a) and
 (b), 149(1), 149A(1), (5)
 and (6), 150(1), 152(1),
 (2) and (3), 153(1), 154,
 155(1) and (2), 156(1)
 and (3), 157(2),
 158(1)(b) and (c) and
 (2)(a) and (b), 161(1),
 161A, 162(1)(m), 164,
 165(1), (2), (3), (4), (7),
 (8) and (11), 166(1),
 168(1) and (2), 169(b),
 170(4) and (5), 171(1)
 and (2), 172(1) and (2),
 174(1)(c), (2)(c), (3)(c)
 and (d) and (5), 175(1)
 and (2), 186, 189(1)(b),
 191, 192(1) and (2) and
 194(4)(h), (i) and (n)
 and (5)(a) and (b)

sections 25(4), 42(1A)
 and (4)(a)(ii), 60(7),
 65(2)(a), 131(7)(b) and
 (8), 149A(4), 156(2)
 and 194(2)(s)

Director-General's

Director's

sections 39A and 42H,
 note

Director-General
Director-General's

Director
Director's

sections 40A, 131,
136A, 155 and 161A,
heading

Director-General

Director

Schedule 3 Kava Management Act 1998 further amended

section 36

| Provision | Amendment | |
|--|---|-----------------|
| | <i>omit</i> | <i>insert</i> |
| sections 11(3) and (4), 28(2)(c), 28A(1), (2) and (3), 28B, 30(1) and (3), 31(2), 37(1), 46, 47, 49(1) and (3), 50(2), 51(2)(a), 52(1), 58A(2), 58C(2), (3), (3A) and (4), 58D(2), (3), (4), (4B) and (5), 59(1), 59A(1)(a) and (b), (2) and (3), 60(1) and (3)(a) and (b), 61(1)(a) and (b), (2)(d) and (e) and (3), 62(2)(c) and (3), 63(1), (2), (3) and (4), 64(1), (2), (3), (4), (5) and (6), 65(1A), (2)(a) and (b)(i) and (ii), (3), (3AA), (3A) and (6), 67, 68(b), 71(1), (2) and (3), 72(1), (2)(a), (3) and (5)(b), 73(1), (3), (4) and (5), 75, 76(1) and (4), 77(2) and (3), 83, 83A, 85(1A) and 89(2)(f) and (5)(a) and (b) | Director-General <i>(all references)</i> | Director |
| sections 28A, 28B, 46, 64, 67 and 75, heading | Director-General | Director |
| section 68, note | whole note | |
| section 72(1) | Director-General's | Director's |

Schedule 4 Private Security Act 1995 further amended

section 49

| Provision | Amendment | |
|---|---|-----------------|
| | <i>omit</i> | <i>insert</i> |
| sections 14(1), (3), (4) and (5), 15(3)(b), (4)(b) and (c), (5), (6) and (8), 16(1), (2) and (3), 17(3), 18(2), (3), (5), (6), (7) and (8), 19(1), 20(1), (2), (2A), (2C), (3) and (5), 21(1) and (2), 23(4), 24(1), (2)(c), (3) and (4), 25(1), (2), (3) and (4), 27(1), (2), (3) and (6), 28(1) and (3), 29(2), 35(1), (2) and (3), 36(1) and (3), 45(1) and (2)(a) and (b), 48(1), (2), (3) and (7), 49(1), 50(1) and (2), 51(1) and (2), 52, 53(2), (2A) and (4), 53A(2)(d), 53B, 53C(1), (2) and (3), 53D(1) and (2), 56(1) and (3)(b), 58(4)(a), 60(3) and (4), 65 and 66(2)(b) | Director-General <i>(all references)</i> | Director |
| sections 15(8), 27(1)(c) and 53D(1)(a) | Director-General's | Director's |
| section 53C, heading | Director-General | Director |

Schedule 5 Tobacco Control Act 2002 further amended

section 60

| Provision | Amendment | |
|---|---|-----------------|
| | <i>omit</i> | <i>insert</i> |
| sections 11(4A)(b), 29(1)(a), (2), (3) and (4), 34, 35(1)(a), (2), (3) and (5), 36(1)(a), (2), (4), (5) and (6), 37, 38(1), 39(1) and (2) and 40(1) | Director-General <i>(all references)</i> | Director |
| section 37, heading | Director-General | Director |
| section 39(1)(b) | Director-General's | Director's |

Schedule 6 Totalisator Licensing and Regulation Act 2000 further amended

section 75

| Provision | Amendment | |
|---|---|-----------------|
| | <i>omit</i> | <i>insert</i> |
| sections 13(1), 14(1) and (2), 15(1), (2) and (3)(b), 16(1) and (3), 17(1) and (2), 18(1) and (2), 19(1) and (2), 20(1), (2), (3), (4) and (5), 21, 22(1), 23(1)(a) and (2)(a) and (b), 26(1)(a) and (2)(a) and (c), 27(1), (2), (3) and (4), 28(2), (3), (4), (5) and (6), 30(1), (2), (3) and (4), 31(1) (2), (3), (4) and (5), 38(1) and (2), 39(1) and (3), 41(1), 42(2), (3) and (4), 43(1), 44(1), 45(4)(b) and (c) and (5)(a) and (b), 46(1), (2), (3) and (4), 48, 50(1) and (2), 51(1) and (2), 52(2), 53(1) and (4), 54, 59(2)(e), 61, 62, 63, 64, 65(1) and (2), 66(1), 67, 69(2)(a) and (c), 70(1), (2), (3) and (4), 71(1) and (2), 72(1) and (4), 73(2), (3) and (4), 79(1), 80(1) and (2), 81(1)(b) and (c), 103(1) and (2) and 112(1) | Director-General <i>(all references)</i> | Director |
| sections 17, 54, 62, 70 and 71, heading | Director-General | Director |
| sections 27(1)(a), 70(2), 79(1) and 103(2) | Director-General's | Director's |

Schedule 7 Subordinate legislation amended

section 87

| Provision | Amendment | |
|---|---|---|
| | <i>omit</i> | <i>insert</i> |
| <i>Criminal Records (Spent Convictions) Regulations 1993</i> | | |
| regulation 3, heading | of Director-General of Licensing | under <i>Private Security Act 1995</i> |
| <i>Gaming Control (Community Gaming) Regulations 2006</i> | | |
| regulations 2, definition <i>association</i> , paragraph (b), 3(1), 9(2), 14(1) and (2), 16(2), 22(1) and (5), 23(1) and (2), 25(1) and (2), 26(1), (3) and (4), 28, 29(2) and (3), 30(1), (2), (3) and (4), 31(1) and (3), 32(1) and (2), 34(1) and (2), 36(1)(j) and (2), 37, 39(1)(h) and (2), 40, 42(1) and (4), 43(1), (2), (3)(c) and (4), 44(1)(a), (c), (d) and (e) and (2), 45(1) and (2), 46(1), (2), (3) and (5) and 47(1), (3) and (6) | Director-General <i>(all references)</i> | Director |
| regulations 9(3), 29(2)(b) and 46(5) | Director-General's | Director's |
| regulation 28, heading | Director-General | Director |
| <i>Gaming Control (Gaming Machines) Regulations 1995</i> | | |
| regulations 2, definition <i>non-commercial gaming machine</i> , 3(1) and (2)(b), 4(1), (4), (5) and (6)(a) and (b), 6(6) and 8(d) | Director-General <i>(all references)</i> | Director |

| | | |
|-----------------|--------------------|------------|
| regulation 6(6) | Director-General's | Director's |
|-----------------|--------------------|------------|

Gaming Control (Internet Gaming) Regulations 1998

| | | |
|---|--------------------------------------|----------|
| regulations 2, definition approved computer system , 3, 4(1), (2), (3), (4) and (5), 5(2), 8(1), 9(1)(a) and (b) and (2), 10(1), (2), (3), (4), (5), (6) and (7), 11(1), 12(1)(d) and (2), 13(3), 14(1), (2)(b) and (g), (5), (6) and (7), 15(1), (3) and (4), 16(1), (2), (3), (4) and (5), 17(1), (2), (4), (5)(c), (6), (7), (8) and (9)(c), 18(1) and (2), 19(1)(b), (2) and (3), 21(1), (2), (3), (4) and (5), 23(2), (4) and (5), 24(1), (2)(b), (3) and (5), 25(1) and (3), 26(1) and (2), 27, 29(1) and (2), 30, 31(1), 32(1) and (2)(a) and (b), 33(1) and (2), 34(1), 37(1), (2), (4) and (6), 39, 41(1)(b), 42(1), 43(1) and (2), 48(1), 49(2), 50(5), 58(2)(b), 59(4)(b), 60(4)(d) and (5), 62(2)(d), 63(2)(b), (3), (4) and (5), 66(1)(b) and (2) and 67(2)(a) and (3) | Director-General (all references) | Director |
|---|--------------------------------------|----------|

| | | |
|--|--------------------|------------|
| regulations 4(4), 10(5), 17(8), 21(4)(d), 43(3) and 69 | Director-General's | Director's |
|--|--------------------|------------|

| | | |
|-------------------------------|-------------------------|-----------------|
| regulations 8 and 27, heading | Director-General | Director |
|-------------------------------|-------------------------|-----------------|

Gaming Control (Licensing) Regulations 1995

| | | |
|---|--------------------------------------|----------|
| regulations 4(1), (2)(b) and (g), (3) and (4), 5(1) and (3), 6(1), (2), (3) and (4), 7(1), (2), (3)(b), (5), (6) and (7)(c), 8(1), (2), (3) and (4), 9(3) and (4), 10(1) and (3), 11(1), (2)(b), (3) and (4), 12(1), (2), (3) and (4), 13(1), (2), (3), (4) and (5), 14(1) and (2) and 15 | Director-General (all references) | Director |
|---|--------------------------------------|----------|

Gaming Machine Regulations 1995

| | | |
|---|--------------------------------------|----------|
| regulations 3A(1) and (2), 6(a), 6E(1), (2)(b) and (3), 8(b), 12(1)(a), 12A(2), 14(1) and (3), 15(4), 18A, 20(1)(b), (2) and (3), 22(b), 24, 24A(1) and (2), 26(2), 27(1) and (3)(b), 28(1) and (2)(b)(i), 32A, 37(2)(a), 38(1), (2) and (3), 38A(2) and 39(1A), (2), (3)(b) and (6) and Schedule 1, clauses 4 and 12, Schedule 3, clauses 3, 4, 5 and 8(a) and (b) and Schedule 6, clauses 1 and 8 | Director-General (all references) | Director |
|---|--------------------------------------|----------|

| | | |
|-----------------|------------------|----------|
| Part 7, heading | Director-General | Director |
|-----------------|------------------|----------|

Gaming Machine Rules 2001

| | | |
|--------|------------------|----------|
| rule 5 | Director-General | Director |
|--------|------------------|----------|

Kava Management Regulations 1998

| | | |
|---|--------------------------------------|----------|
| regulations 6, 7(2), 9(1), 10(2)(a), 11(1) and 12(2)(a) | Director-General (all references) | Director |
|---|--------------------------------------|----------|

Private Security (Crowd Controllers) Regulations 1996

| | | |
|-------------------------------------|--------------------------------------|----------|
| regulations 6(b), 8(b) and 10(2) | Director-General (all references) | Director |
|-------------------------------------|--------------------------------------|----------|

Private Security (Miscellaneous Matters) Regulations 2006

| | | |
|--------------|------------------|----------|
| regulation 7 | Director-General | Director |
|--------------|------------------|----------|

Private Security (Security Firms) Regulations 1998

| | | |
|------------------------------------|------------------|----------|
| regulation 6(2), (3) and (5)(b) | Director-General | Director |
|------------------------------------|------------------|----------|

Private Security (Security Officers) Regulations 1998

| | | |
|------------------------------|------------------|----------|
| regulations 5(b) and 7(2) | Director-General | Director |
|------------------------------|------------------|----------|

Tobacco Control Regulations 2002

| | | |
|---|--------------------------------------|----------|
| regulations 8, 8A(1)(b), 15C(1), (2), (3)(a), (4), (5), (6) and (8) and 25A(2)(a) and Schedule 2, entry for section 37 | Director-General (all references) | Director |
|---|--------------------------------------|----------|

| | | |
|---|--|--|
| regulation 36(1), after "Director-General" | | under the <i>Director- General (Licensing) Act 2014</i> before its repeal or the Director |
|---|--|--|

Totalisator Licensing and Regulation Regulations 2000

| | | |
|-----------------------|-------------------------|-----------------|
| regulation 4, heading | Director-General | Director |
|-----------------------|-------------------------|-----------------|

| | | |
|------------------------|--------------------------------------|----------|
| regulations 5(d) and 8 | Director-General (all references) | Director |
|------------------------|--------------------------------------|----------|

Totalisator Licensing and Regulation (Arbitration) Regulations 2000

| | | |
|---|--------------------------------------|----------|
| regulations 2, definition party , 3(1) and (2), 7(2) and 14(c) | Director-General (all references) | Director |
|---|--------------------------------------|----------|

Totalisator Licensing and Regulation (Wagering) Rules 2011

| | | |
|--------------|------------------|----------|
| rule 2(4)(b) | Director-General | Director |
|--------------|------------------|----------|