

Serial 61  
Justice and Licensing Legislation Further Amendment Bill 2022  
Mr Paech

A Bill for an Act to amend legislation administered by the Attorney-General  
and Minister for Justice and the Minister for Racing, Gaming and Licensing  
and for related purposes



NORTHERN TERRITORY OF AUSTRALIA

JUSTICE AND LICENSING LEGISLATION FURTHER AMENDMENT  
ACT 2022

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Act No. [ ] of 2022

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# NORTHERN TERRITORY OF AUSTRALIA

Act No. [ ] of 2022

An Act to amend legislation administered by the Attorney-General and Minister for Justice and the Minister for Racing, Gaming and Licensing and for related purposes

[Assented to [ ] 2022]  
[Introduced [ ] 2022]

The Legislative Assembly of the Northern Territory enacts as follows:

## Part 1 Preliminary matters

### 1 Short title

This Act may be cited as the *Justice and Licensing Legislation Further Amendment Act 2022*.

### 2 Commencement

- (1) Subject to subsection (2), this Act commences on the day fixed by the Administrator by *Gazette* notice.
- (2) If a provision of this Act does not commence before 29 August 2024, it commences on that day.

## Part 2 Amendment of justice legislation

### Division 1 Crimes at Sea Act 2000

#### 3 Act amended

This Division amends the *Crimes at Sea Act 2000*.

**4 Schedule amended (The Cooperative Scheme)**

- (1) Schedule, clauses 1(1), definition **Area A of the Zone of Cooperation** and 10  
*omit*
- (2) Schedule, clause 14(3)  
*omit, insert*
- (3) The **adjacent area** for Western Australia is:
- (a) so much of the area described in Schedule 1 to the *Offshore Petroleum and Greenhouse Gas Storage Act 2006* (Cth) in relation to Western Australia as is within the outer limits of the continental shelf; and
- (b) the space above and below the area described in paragraph (a).
- (3) Schedule, clause 14(4)(a)  
*omit, insert*
- (a) so much of the area described in Schedule 1 to the *Offshore Petroleum and Greenhouse Gas Storage Act 2006* (Cth) in relation to the Northern Territory as is within the outer limits of the continental shelf; and
- (4) Schedule, clause 16(1)  
*omit*  
this scheme.  
*insert*  
Schedule 1 to the *Crimes at Sea Act 2000* (Cth).
- (5) Schedule, Appendix 1  
*omit*

## **Division 2            Juries Act 1962**

### **5            Act amended**

This Division amends the *Juries Act 1962*.

### **6            Schedule 1 amended**

Schedule 1, heading

*omit*

#### **Repeal**

*insert*

#### **Repeals**

### **7            Schedule 3 amended**

Schedule 3, heading, after "3"

*insert*

#### **Jury precept**

### **8            Schedule 6 amended**

Schedule 6, heading, after "6"

*insert*

#### **Oaths**

### **9            Schedule 7 amended (Persons exempt from service as jurors)**

Schedule 7

*omit*

a person who is blind, deaf or dumb or otherwise incapacitated by disease or infirmity from discharging the duties of a juror

*insert*

a person with a disability as defined in section 2(1) of the *Disability Services Act 1993* who, as a result of that disability, is incapable of discharging the duties of a juror

### **Division 3 Northern Territory Civil and Administrative Tribunal Act 2014**

#### **10 Act amended**

This Division amends the *Northern Territory Civil and Administrative Tribunal Act 2014*.

#### **11 Section 21 replaced**

Section 21

*repeal, insert*

#### **21 Delegation**

- (1) Subject to subsection (2), the President may delegate any of the President's powers or functions under this Act or any other Act to a member or the Registrar.
- (2) The President cannot delegate the President's powers or functions under section 15(3)(c), 28(2) or (3), 58, 99A(1) or (6), 102(4), 135(1), 136(1) or (2), 139(1) or 151(1).

### **Division 4 Return to Work Regulations 1986**

#### **12 Regulations amended**

This Division amends the *Return to Work Regulations 1986*.

#### **13 Schedule 1 amended (Adjacent areas)**

- (1) Schedule 1, clause 1, definition ***Joint Petroleum Development Area***  
*omit*
- (2) Schedule 1, clause 2(3)  
*omit, insert*
- (3) The adjacent area for Western Australia is:
  - (a) so much of the scheduled area for Western Australia described in Schedule 1 to the *Offshore Petroleum and Greenhouse Gas Storage Act 2006* (Cth) as is within the outer limits of the continental shelf; and
  - (b) the space above and below the area described in paragraph (a).

(3)            Schedule 1, clause 2(4)(a)

*omit, insert*

(a) so much of the scheduled area for the Northern Territory described in Schedule 1 to the *Offshore Petroleum and Greenhouse Gas Storage Act 2006* (Cth) as is within the outer limits of the continental shelf; and

(4)            Schedule 1, clause 2(4)(b)

*omit*

7(1)

*insert*

8(1)

### **Part 3            Amendment of licensing legislation**

#### **Division 1        Associations Act 2003**

##### **14            Act amended**

This Division amends the *Associations Act 2003*.

##### **15            Section 4 amended (Definitions)**

(1)            Section 4, definition **Commissioner**

*omit*

(2)            Section 4

*insert*

**CEO** means the Chief Executive Officer.

**Director** means the person holding or occupying the office of Director mentioned in section 4A.

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

*omit*

by the Commissioner for use under this Act

*insert*

under section 4C

## **16        Sections 4A, 4B and 4C inserted**

Before section 5, in Part 2

*insert*

### **4A        Director**

- (1) The Minister must, in writing, appoint a public sector employee to be the Director.
- (2) The Minister may, in writing, determine that the Director be known by another name.
- (3) If the Minister determines under subsection (2) that the Director be known by another name, a reference in this Act to the Director is taken to be a reference to that name.
- (4) For subsection (1), the Minister may appoint:
  - (a) a public sector employee by name; or
  - (b) a public sector employee by reference to the office, position or designation held or occupied by the employee; or
  - (c) a public sector employee from time to time holding, acting in or performing the duties of a named office, position or designation.

### **4B        Delegation**

- (1) The Director may, in writing, delegate any of the Director's powers and functions under this Act:
  - (a) to another public sector employee; or
  - (b) with the consent of the Minister, to any other person.
- (2) The CEO may, in writing, delegate any of the CEO's powers and functions under this Act:
  - (a) to a public sector employee; or
  - (b) with the consent of the Minister, to any other person.

**4C            Approved forms**

The Director may approve forms for this Act.

**17            Part 14 inserted**

After section 128

*insert*

**Part 14            Transitional matters for Justice and Licensing  
Legislation Further Amendment Act 2022**

**129            Definitions**

In this Part:

***amending Act*** means Part 3, Division 1 of the *Justice and Licensing Legislation Further Amendment Act 2022*.

***commencement*** means the commencement of the amending Act.

***Commissioner*** means the Commissioner as defined in section 4 of this Act as in force immediately before the commencement.

**130            Delegation**

- (1) A delegation by the Commissioner of any of the Commissioner's powers or functions under this Act, other than a power or function under sections 67 to 70, that is in force immediately before the commencement is taken to be a delegation by the Director made under section 4B(1).
- (2) A delegation by the Commissioner of any of the Commissioner's powers or functions under sections 67 to 70 of this Act that is in force immediately before the commencement is taken to be a delegation by the CEO made under section 4B(2).

**131            Secrecy**

Despite the amendments to section 6 made by the amending Act, section 6, as in force immediately before the commencement, continues to apply to a person who was, at any time before the commencement:

- (a) engaged as a member of the staff of the Commissioner; or
- (b) authorised to perform a function or exercise a power of the Commissioner on behalf of the Commissioner.

**132 Protection from liability**

Despite the amendments to section 7 made by the amending Act, section 7, as in force immediately before the commencement, continues to apply to a person who was the Commissioner at any time before the commencement.

**133 Property vested in Commissioner**

If, immediately before the commencement, property is vested in the Commissioner under section 67 or a corresponding previous law of the Territory, on commencement the property is taken to vest in the CEO under section 67.

**134 Pending applications**

- (1) Subsection (2) applies in relation to an application if, before the commencement:
  - (a) the application had been made to the Commissioner under this Act; and
  - (b) the Commissioner had not made a decision on the application.
- (2) The application must be dealt with and decided in accordance with this Act as in force immediately before the commencement.
- (3) The decision made by the Commissioner on the application is taken to be a decision made by the Director under this Act.

**135 Pending appeals**

- (1) Subsection (2) applies in relation to an appeal if, before the commencement:
  - (a) the appeal had been commenced under this Act; and
  - (b) a decision on the appeal had not been made.
- (2) The appeal must be dealt with in accordance with this Act as in force immediately before the commencement.

**136 Appeals not yet commenced**

- (1) Subsection (2) applies in relation to a decision if, before the commencement:
  - (a) the decision had been made by the Commissioner and the period for appealing the decision had not expired; and
  - (b) an appeal had not been commenced.



- (2) A person who would have been entitled to appeal against the decision under this Act as in force immediately before the commencement may do so under this Act as in force after the commencement as if the decision had been made by the Director.

**137            Continuation of ongoing documents and actions**

- (1) On the commencement, an ongoing Director document continues with the same force and effect as if it had been issued by, or given to, the Director.
- (2) On the commencement, an ongoing Director action continues with the same force and effect as if it had been done by, or in relation to, the Director.
- (3) On the commencement, an ongoing CEO document continues with the same force and effect as if it had been issued by, or given to, the CEO.
- (4) On the commencement, an ongoing CEO action continues with the same force and effect as if it had been done by, or in relation to, the CEO.
- (5) This section applies subject to the other provisions of this Part.
- (6) In this section, a reference to something done before the commencement includes a reference to something done after the commencement in accordance with this Part as if it had been done before the commencement.
- (7) In this section:

***ongoing CEO action*** means an action or thing that:

- (a) was done by, or in relation to, the Commissioner before the commencement in or for the exercise of a power or performance of a function under this Act that, on the commencement, is conferred on the CEO; and
- (b) immediately before the commencement, had ongoing effect.

***ongoing CEO document*** means a document that:

- (a) was issued by, or given to, the Commissioner before the commencement in or for the exercise of a power or performance of a function under this Act that, on the commencement, is conferred on the CEO; and
- (b) immediately before the commencement, had ongoing effect.

**ongoing Director action** means an action or thing that:

- (a) was done by, or in relation to, the Commissioner before the commencement in or for the exercise of a power or performance of a function under this Act that, on the commencement, is conferred on the Director; and
- (b) immediately before the commencement, had ongoing effect.

**ongoing Director document** means a document that:

- (a) was issued by, or given to, the Commissioner before the commencement in or for the exercise of a power or performance of a function under this Act that, on the commencement, is conferred on the Director; and
- (b) immediately before the commencement, had ongoing effect.

### **138 Offence provisions – before and after commencement**

- (1) The offence provisions, as amended by the amending Act, apply only in relation to offences committed after the commencement.
- (2) The offence provisions, as in force before the commencement, continue to apply in relation to offences committed before the commencement.
- (3) For this section, if any of the conduct constituting an offence occurred before the commencement, the offence is taken to have been committed before the commencement.
- (4) In this section:

**offence provisions** means the provisions of this Act that create or relate to offences (including in relation to criminal responsibility, defences and penalties).

### **18 Act further amended**

Schedule 1 has effect.

## **Division 2 Commercial and Private Agents Licensing Act 1979**

### **19 Act amended**

This Division amends the *Commercial and Private Agents Licensing Act 1979*.

**20 Section 3 amended (Interpretation)**

(1) Section 3(1), definition **Commissioner**

*omit*

(2) Section 3(1)

*insert*

**approved form** means a form approved under section 33G.

**Director** means the person holding or occupying the office of Director mentioned in section 33B.

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

*insert*

*Note for section 3(1)*

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

**21 Part 7A inserted**

After section 33A

*insert*

**Part 7A Director**

**33B Director**

- (1) The Minister must, in writing, appoint a public sector employee to be the Director.
- (2) The Minister may, in writing, determine that the Director be known by another name.
- (3) If the Minister determines under subsection (2) that the Director be known by another name, a reference in this Act to the Director is taken to be a reference to that name.
- (4) For subsection (1), the Minister may appoint:
  - (a) a public sector employee by name; or
  - (b) a public sector employee by reference to the office, position or designation held or occupied by the employee; or

- (c) a public sector employee from time to time holding, acting in or performing the duties of a named office, position or designation.

### **33C Powers of entry**

- (1) Subject to subsection (2), the Director may, at any reasonable time for the purposes of ascertaining whether a provision of this Act or of the Regulations is being or has been complied with, enter any place which the Director knows or believes on reasonable grounds to be a place where:
  - (a) a person carries on a business as an agent; or
  - (b) a document or thing relating to any such business is kept.
- (2) The Director is not entitled to enter any place used for residential purposes except:
  - (a) with the consent of the occupier; or
  - (b) under the authority of a search warrant.
- (3) The Director may exercise the powers conferred by section 33E in relation to a place entered under subsection (1).

### **33D Powers exercisable after entry**

- (1) If the Director enters a place under section 33C, the Director may, as far as is applicable to that place, do any of the following:
  - (a) seize without payment, and detain, any goods which the Director believes on reasonable grounds to be in the possession of the agent as part of a business carried out under this Act;
  - (b) ask questions of any person found at the place;
  - (c) require the production of documents;
  - (d) require the production of passwords for the purposes of gaining access to computers or other electronic devices or documents;
  - (e) inspect and require explanations of any document;
  - (f) take copies of or extracts from any document or, if in the Director's opinion it is not appropriate for copies or extracts to be taken at the place, remove a document for a reasonable time to enable copies or extracts to be taken.

- (2) If the Director seizes goods under subsection (1)(a), the person from whom the goods were seized is, on application to the Director, entitled to their return, if:
- (a) the period during which prosecutions for an offence under this Act may be commenced has expired and no prosecutions have been commenced; or
  - (b) proceedings for an offence under this Act have been commenced and the defendant is not, on the determination of those proceedings, found guilty of an offence.

### **33E Warrants**

- (1) The Director may apply to a justice of the peace for a warrant to enter a place mentioned in section 33C(1).
- (2) A justice of the peace who is satisfied that, for the purpose specified in section 33C(1), there is reasonable cause to permit the Director to enter the place with a view to exercising the powers conferred by section 33D may issue a warrant directed to the Director to enter the place specified in the warrant for the purpose of exercising those powers.
- (3) A warrant issued under subsection (2) is, for a period of 1 month from its issue, sufficient authority:
- (a) to the Director, and to all persons acting in aid of the Director, to enter the place specified in the warrant; and
  - (b) to the Director, to exercise in respect of the place specified in the warrant the powers conferred on the Director by section 33D.
- (4) If it is impracticable for the Director to apply in person for a warrant under subsection (1), the Director may make the application by telephone, and the justice of the peace may issue the warrant on that application.
- (5) If a justice of the peace issues a warrant under subsection (4):
- (a) the justice of the peace must:
    - (i) complete and sign the warrant; and
    - (ii) inform the Director by telephone of its terms; and
    - (iii) record on the warrant the justice of the peace's reasons for issuing it; and

- (b) the Director must:
  - (i) complete in duplicate a form of warrant in the terms issued by the justice of the peace; and
  - (ii) write on the form of warrant the name of the justice of the peace and the date and time of its issue; and
  - (iii) forward a copy to the justice of the peace.
- (6) On receiving the copy referred to in subsection (5)(b)(iii), the justice of the peace must:
  - (a) compare it with the warrant signed by the justice of the peace; and
  - (b) if satisfied that they are in substance identical – note this fact on the warrant; and
  - (c) forward both the warrant and the copy to the Director.
- (7) A form of warrant prepared by the Director under subsection (5)(b) has, if it is in accordance with the terms of the warrant signed by the justice of the peace, the same authority as a warrant issued by a justice of the peace under subsection (2).
- (8) If an application has been made to a justice of the peace under subsection (4) and the application has been refused, subject to subsection (9) the Director must not make a further application to any justice of the peace under subsection (4) in respect of that matter.
- (9) If an application under subsection (4) has been made to a justice of the peace and the application has been refused, a further application may be made to a justice of the peace if the Director satisfies the justice of the peace that the Director has, since the time of the original application, received further information or evidence which is material to an application under subsection (4).

### **33F Delegation**

The Director may, in writing, delegate any of the Director's powers and functions under this Act:

- (a) to another public sector employee; or
- (b) with the consent of the Minister, to any other person.

**33G       Approved forms**

The Director may approve forms for this Act.

**22       Part 10 inserted**

After section 50

*insert*

**Part 10           Transitional matters for Justice and Licensing  
Legislation Further Amendment Act 2022**

**51       Definitions**

***amending Act*** means Part 3, Division 2 of the *Justice and Licensing Legislation Further Amendment Act 2022*.

***commencement*** means the commencement of the amending Act.

***Commissioner*** means the Commissioner as defined in section 3(1) as in force immediately before the commencement.

**52       Delegation**

A delegation by the Commissioner of any of the Commissioner's powers or functions under this Act that is in force immediately before the commencement is taken to be a delegation by the Director made under section 33F.

**53       Pending applications**

- (1) Subsection (2) applies in relation to an application if, before the commencement:
  - (a) the application had been made to the Commissioner under this Act; and
  - (b) the Commissioner had not made a decision on the application.
- (2) The application must be dealt with and decided in accordance with this Act as in force immediately before the commencement.
- (3) The decision made by the Commissioner on the application is taken to be a decision made by the Director under this Act.

**54            Pending appeals**

- (1) Subsection (2) applies in relation to an appeal if, before the commencement:
  - (a) the appeal had been commenced under this Act; and
  - (b) a decision on the appeal had not been made.
- (2) The appeal must be dealt with in accordance with this Act as in force immediately before the commencement.

**55            Appeals not yet commenced**

- (1) Subsection (2) applies in relation to a decision if, before the commencement:
  - (a) the decision had been made by the Commissioner and the period for appealing the decision had not expired; and
  - (b) an appeal had not been commenced.
- (2) A person who would have been entitled to appeal against the decision under this Act as in force immediately before the commencement may do so under this Act as in force after the commencement as if the decision had been made by the Director.

**56            Continuation of ongoing documents and actions**

- (1) On the commencement, an ongoing document continues with the same force and effect as if it had been issued by, or given to, the Director.
- (2) On the commencement, an ongoing action continues with the same force and effect as if it had been done by, or in relation to, the Director.
- (3) This section applies subject to the other provisions of this Part.
- (4) In this section, a reference to something done before the commencement includes a reference to something done after the commencement in accordance with this Part as if it had been done before the commencement.



(5) In this section:

**ongoing action** means an action or thing that:

- (a) was done by, or in relation to, the Commissioner before the commencement in or for the exercise of a power or performance of a function under this Act that, on the commencement, is conferred on the Director; and
- (b) immediately before the commencement, had ongoing effect.

**ongoing document** means a document that:

- (a) was issued by, or given to, the Commissioner before the commencement in or for the exercise of a power or performance of a function under this Act that, on the commencement, is conferred on the Director; and
- (b) immediately before the commencement, had ongoing effect.

## **57 Offence provisions – before and after commencement**

- (1) The offence provisions, as amended by the amending Act, apply only in relation to offences committed after the commencement.
- (2) The offence provisions, as in force before the commencement, continue to apply in relation to offences committed before the commencement.
- (3) For this section, if any of the conduct constituting an offence occurred before the commencement, the offence is taken to have been committed before the commencement.
- (4) In this section:

**offence provisions** means the provisions of this Act that create or relate to offences (including in relation to criminal responsibility, defences and penalties).

## **23 Act further amended**

Schedule 2 has effect.

## **Division 3 Consumer Affairs and Fair Trading Act 1990**

### **24 Act amended**

This Division amends the *Consumer Affairs and Fair Trading Act 1990*.

**25            Section 4 amended (Interpretation)**

(1)            Section 4(1)

*insert*

**Director** means the person holding or occupying the office of Director mentioned in section 13.

(2)            Section 4(1), definition **approved form**, after "section 9(5)"

*insert*

or 17A(7)

**26            Section 12 amended (Annual report)**

Section 12(2)

*omit*

**27            Part 2, Division 2 inserted**

After section 12

*insert*

**Division 2            Director**

**13            Director**

- (1) The Minister must, in writing, appoint a public sector employee to be the Director.
- (2) The Minister may, in writing, determine that the Director be known by another name.
- (3) If the Minister determines under subsection (2) that the Director be known by another name, a reference in this Act to the Director is taken to be a reference to that name.
- (4) For subsection (1), the Minister may appoint:
  - (a) a public sector employee by name; or
  - (b) a public sector employee by reference to the office, position or designation held or occupied by the employee; or
  - (c) a public sector employee from time to time holding, acting in or performing the duties of a named office, position or designation.

#### **14 Power of Director to obtain information**

- (1) The Director may, for the purpose of carrying out the Director's functions under this Act, require a person to give the Director any information the Director requires or to answer any question put by the Director.
- (2) The Director may require that the information be given, or the question answered:
  - (a) orally, at a place and time specified by the Director; or
  - (b) in writing, within a period specified by the Director.
- (3) The Director may require information or an answer that is given orally to be given on oath.

#### **15 Self-incrimination**

- (1) A person is not excused from giving any information or answering any question, if required to do so under section 14, on the ground that the information or answer might tend to incriminate the person or make the person liable to a penalty.
- (2) However, the information or answer mentioned in subsection (1) is not admissible in evidence against the person in any criminal proceeding other than a proceeding for an offence against this Act.

#### **16 Offence to fail to provide information**

- (1) A person commits an offence if:
  - (a) the Director requests information from, or asks a question of, the person under section 14; and
  - (b) the Director informs the person that it is an offence not to give the requested information or answer the asked question; and
  - (c) the person fails to give the requested information or answer the asked question.

Maximum penalty: 400 penalty units or imprisonment for 2 years.

- (2) If a person is found guilty of an offence under subsection (1), the court may order that the person provide the information, or answer the question, that was the subject of the offence.

## **17 Offence to give misleading information or document**

- (1) A person commits an offence if:
- (a) the Director requests information from, or asks a question of, the person under section 14; and
  - (b) the person gives the Director information or an answer that is false or misleading in a material particular.

Maximum penalty: 400 penalty units or imprisonment for 2 years.

- (2) A person commits an offence if:
- (a) the Director requests information from the person under section 14; and
  - (b) the person gives the Director a document containing information that is false or misleading in a material particular.

Maximum penalty: 400 penalty units or imprisonment for 2 years.

- (3) Subsection (2) does not apply if the person, when giving the document to the Director:
- (a) draws the misleading aspect of the document to the Director's attention; and
  - (b) to the extent to which the person can reasonably do so – gives the Director the information necessary to remedy the misleading aspect of the document.

## **17A Other powers of Director**

- (1) The Director may, with the approval of the Minister, arrange with an Agency, a statutory corporation or a local government council for the use of the services of any staff, or the use of any facilities, of the Agency, corporation or council.
- (2) The terms and conditions of an arrangement under subsection (1) must be approved by the Commissioner for Public Employment under the *Public Sector Employment and Management Act 1993*.
- (3) The Director may, for a particular purpose and otherwise than under a contract of service, appoint and employ any person, body or organisation considered to be capable of providing information, services or advice that would assist in the performance of the Director's functions.

- (4) An arrangement under subsection (3) may only be made:
  - (a) with the approval of the Minister; and
  - (b) on terms and conditions determined by the Minister.
- (5) The Director may, at the Director's discretion, institute and defend proceedings in a court of competent jurisdiction for or on behalf of a consumer or class of consumers in relation to Part 10 or 14.
- (6) If a dispute in relation to Part 10 or 14 arises concerning a consumer, the Director may:
  - (a) if the dispute is governed by an arbitration agreement that appoints the Director as arbitrator or empowers the Director to appoint an arbitrator – act as arbitrator or appoint an arbitrator; or
  - (b) in the absence of an arbitration agreement, with the consent in writing of all the parties to the dispute – act as arbitrator in the dispute or nominate a person to act as arbitrator.
- (7) The Director may approve forms for Part 10 or 14.

## **17B Delegation**

The Director may, in writing, delegate any of the Director's powers and functions under this Act:

- (a) to another public sector employee; or
- (b) with the consent of the Minister, to any other person.

## **28 Section 18 amended (Authorised officers)**

- (1) Section 18(1)  
*omit, insert*
  - (1) The Commissioner is an authorised officer for this Act, other than Parts 10 and 14.
  - (1A) The Director is an authorised officer for Parts 10 and 14.
- (2) Section 18(3) and (4)  
*omit, insert*
  - (3) The Commissioner may, in writing, appoint a person to be an authorised officer for this Act, other than Parts 10 and 14.

- (4) The Director may, in writing, appoint a person to be an authorised officer for Parts 10 and 14.
- (5) An authorised officer is, in the exercise of the officer's powers:
  - (a) if appointed under subsection (3) – subject to the direction of the Commissioner; or
  - (b) if mentioned in subsection (2) or appointed under subsection (4) – subject to the direction of the Director.
- (6) For subsections (3) and (4), the Commissioner or Director, as appropriate, may appoint:
  - (a) a public sector employee by name; or
  - (b) a public sector employee by reference to the office, position or designation held or occupied by the employee; or
  - (c) a public sector employee from time to time holding, acting in or performing the duties of a named office, position or designation.

## **29 Section 19 replaced**

Section 19

*repeal, insert*

### **19 Issue of identity card**

- (1) The Commissioner must issue to each person appointed as an authorised officer under section 18(3) an identity card stating the person's name and that the person is an authorised officer.
- (2) The Director must issue to each person appointed as an authorised officer under section 18(4) an identity card stating the person's name and that the person is an authorised officer.
- (3) The identity card must:
  - (a) display a recent photograph of the authorised officer; and
  - (b) state the card's date of issue; and
  - (c) be signed by the authorised officer.

**19A Return of identity card**

A person who ceases to be an authorised officer (other than a police officer) must return the person's identity card to the Commissioner or Director, as appropriate, within 21 days after the cessation.

Maximum penalty: 20 penalty units.

**19B Production of identity card**

An authorised officer appointed under section 18(3) or (4) who is exercising or proposing to exercise a power under this Act must, on request, produce the officer's identity card for inspection.

**30 Section 20 amended (Powers of entry of authorised officers)**

- (1) Section 20(5) and (6)

*omit*

Where

*insert*

If

- (2) Section 20(6)(a) and (b) and (7)

*omit (all references)*

shall

*insert*

must

- (3) After section 20(8)

*insert*

- (9) If an application has been made to a justice of the peace under subsection (5) and the application has been refused, subject to subsection (10), neither of the following may make a further application under subsection (5) to any justice of the peace in respect of that matter:

- (a) the authorised officer who made the application;
- (b) any other authorised officer who has any cause to suspect that the application has been made.

- (10) If an application under subsection (5) has been made to a justice of the peace and the application has been refused, a further application may be made to a justice of the peace if an authorised officer satisfies the justice of the peace that the officer has, since the time of the original application, received further information or evidence which is material to an application under subsection (5).

**31 Section 21 amended (Powers exercisable after entry)**

After section 21(4)(b)

*insert*

- (ba) require the production of passwords for the purposes of gaining access to computers or other electronic devices or documents; and

**32 Section 252 amended (Commissioner to advise Police Commissioner etc.)**

- (1) Section 252, heading

*omit (first reference)*

**Commissioner**

*insert*

**Director**

- (2) Section 252(1)

*omit, insert*

- (1) If the Director receives an application for a licence under section 251, the Director must send a copy of it to the Commissioner of Police, together with copies of any accompanying documents other than statements relating to the material and financial resources of the applicant.

- (3) Section 252(2)

*omit*

pursuant to subsection (1)(a), is to lodge with the Commissioner

*insert*

under subsection (1), must lodge with the Director



(4)       Section 252(2A)

*omit*

Commissioner

*insert*

Director

**33       Section 338A repealed**

Section 338A

*repeal*

**34       Schedule 3 amended (Savings and transitional provisions)**

Schedule 3, at the end

*insert*

**Part 4   Transitional matters for *Justice and Licensing Legislation Further Amendment Act 2022***

**1       Definitions**

In this Part:

***amending Act*** means Part 3, Division 3 of the *Justice and Licensing Legislation Further Amendment Act 2022*.

***commencement*** means the commencement of the amending Act.

**2       Delegations**

A delegation by the Commissioner of any of the Commissioner's powers or functions under Part 10 or 14, other than a power or function under section 162, that is in force immediately before the commencement, is taken to be a delegation by the Director made under section 17B.

**3       Authorised officers**

- (1) A person who, immediately before the commencement, is an authorised officer for Parts 10 and 14 is taken to have been appointed by the Director in relation to those Parts under section 18(4) as in force after the commencement.

- (2) A person who, immediately before the commencement, is an authorised officer for this Act is taken to have been appointed by the Commissioner in relation to this Act, other than Parts 10 and 14, under section 18(3) as in force after the commencement.

#### **4 Pending applications**

- (1) Subparagraph (2) applies in relation to an application if, before the commencement:
- (a) the application had been made to the Commissioner under Part 10 or 14 (other than section 162); and
  - (b) the Commissioner had not made a decision on the application.
- (2) The application must be dealt with and decided in accordance with this Act as in force immediately before the commencement.
- (3) The decision made by the Commissioner on the application is taken to be a decision made by the Director under this Act.

#### **5 Pending appeals**

- (1) Subparagraph (2) applies in relation to an appeal if, before the commencement:
- (a) the appeal had been commenced under this Act; and
  - (b) a decision on the appeal had not been made.
- (2) The appeal must be dealt with in accordance with this Act as in force immediately before the commencement.

#### **6 Appeals not yet commenced**

- (1) Subparagraph (2) applies in relation to a decision if, before the commencement:
- (a) the decision had been made by the Commissioner and the period for appealing the decision had not expired; and
  - (b) an appeal had not been commenced.
- (2) A person who would have been entitled to appeal against the decision under this Act as in force immediately before the commencement may do so under this Act as in force after the commencement as if the decision had been made by the Director.

## **7 Continuation of ongoing documents and actions**

- (1) On the commencement, an ongoing document continues with the same force and effect as if it had been issued by, or given to, the Director.
- (2) On the commencement, an ongoing action continues with the same force and effect as if it had been done by, or in relation to, the Director.
- (3) This paragraph applies subject to the other provisions of this Part.
- (4) In this paragraph, a reference to something done before the commencement includes a reference to something done after the commencement in accordance with this Part as if it had been done before the commencement.
- (5) In this paragraph:

***ongoing action*** means an action or thing that:

- (a) was done by, or in relation to, the Commissioner before the commencement in or for the exercise of a power or performance of a function under this Act that, on the commencement, is conferred on the Director; and
- (b) immediately before the commencement, had ongoing effect.

***ongoing document*** means a document that:

- (a) was issued by, or given to, the Commissioner before the commencement in or for the exercise of a power or performance of a function under this Act that, on the commencement, is conferred on the Director; and
- (b) immediately before the commencement, had ongoing effect.

## **8 Offence provisions – before and after commencement**

- (1) The offence provisions, as amended by the amending Act, apply only in relation to offences committed after the commencement.
- (2) The offence provisions, as in force before the commencement, continue to apply in relation to offences committed before the commencement.
- (3) For this paragraph, if any of the conduct constituting an offence occurred before the commencement, the offence is taken to have been committed before the commencement.

(4) In this paragraph:

**offence provisions** means the provisions of this Act that create or relate to offences (including in relation to criminal responsibility, defences and penalties).

**35            Act further amended**

Schedule 3 has effect.

**Division 4            Sex Industry Act 2019**

**36            Act amended**

This Division amends the *Sex Industry Act 2019*.

**37            Section 4 amended (Definitions)**

(1)            Section 4, definition **Commissioner**

*omit*

(2)            Section 4

*insert*

**Director** means the person holding or occupying the office of Director mentioned in section 26A.

(3)            Section 4, at the end

*insert*

*Note for section 4*

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

**38            Sections 22A and 22B inserted**

Before section 23, in Part 5

*insert*

**22A            Director**

(1) The Minister must, in writing, appoint a public sector employee to be the Director.

(2) The Minister may, in writing, determine that the Director be known by another name.

- (3) If the Minister determines under subsection (2) that the Director be known by another name, a reference in this Act to the Director is taken to be a reference to that name.
- (4) For subsection (1), the Minister may appoint:
- (a) a public sector employee by name; or
  - (b) a public sector employee by reference to the office, position or designation held or occupied by the employee; or
  - (c) a public sector employee from time to time holding, acting in or performing the duties of a named office, position or designation.

## **22B        Delegation**

The Director may, in writing, delegate any of the Director's powers and functions under this Act:

- (a) to another public sector employee; or
- (b) with the consent of the Minister, to any other person.

## **39        Part 7 inserted**

After section 28

*insert*

## **Part 7                    Transitional matters for Justice and Licensing Legislation Further Amendment Act 2022**

### **29        Definitions**

In this Part:

***commencement*** means the commencement of Part 3, Division 4 of the *Justice and Licensing Legislation Further Amendment Act 2022*.

***Commissioner*** means the Commissioner as defined in section 4 as in force immediately before the commencement.

### **30        Delegations**

A delegation by the Commissioner of any of the Commissioner's powers or functions under this Act that is in force immediately before the commencement is taken to be a delegation by the Director made under section 22B.

### **31 Pending applications**

- (1) Subsection (2) applies in relation to an application if, before the commencement:
  - (a) the application had been made to the Commissioner under this Act; and
  - (b) the Commissioner had not made a decision on the application.
- (2) The application must be dealt with and decided in accordance with this Act as in force immediately before the commencement.
- (3) The decision made by the Commissioner on the application is taken to be a decision made by the Director under this Act.

### **32 Pending reviews**

- (1) Subsection (2) applies in relation to a review if, before the commencement:
  - (a) the review had been commenced under this Act; and
  - (b) a decision on the review had not been made.
- (2) The review must be dealt with in accordance with this Act as in force immediately before the commencement.

### **33 Reviews not yet commenced**

- (1) Subsection (2) applies in relation to a decision if, before the commencement:
  - (a) the decision had been made by the Commissioner and the period for applying for a review of the decision had not expired; and
  - (b) an application for review had not been made.
- (2) A person who would have been entitled to apply for a review of the decision under this Act as in force immediately before the commencement may do so under this Act as in force after the commencement as if the decision had been made by the Director.

### **34 Continuation of ongoing documents and actions**

- (1) On the commencement, an ongoing document continues with the same force and effect as if it had been issued by, or given to, the Director.

- (2) On the commencement, an ongoing action continues with the same force and effect as if it had been done by, or in relation to, the Director.
- (3) This section applies subject to the other provisions of this Part.
- (4) In this section, a reference to something done before the commencement includes a reference to something done after the commencement in accordance with this Part as if it had been done before the commencement.
- (5) In this section:

**ongoing action** means an action or thing that:

- (a) was done by, or in relation to, the Commissioner before the commencement in or for the exercise of a power or performance of a function under this Act that, on the commencement, is conferred on the Director; and
- (b) immediately before the commencement, had ongoing effect.

**ongoing document** means a document that:

- (a) was issued by, or given to, the Commissioner before the commencement in or for the exercise of a power or performance of a function under this Act that, on the commencement, is conferred on the Director; and
- (b) immediately before the commencement, had ongoing effect.

#### **40 Act further amended**

Schedule 4 has effect.

### **Division 5 Associations (Model Constitution) Regulations 2004**

#### **41 Regulations amended**

This Division amends the *Associations (Model Constitution) Regulations 2004*.

#### **42 Regulation 3 amended (Filing with Commissioner)**

- (1) Regulation 3, heading

*omit*

**Commissioner**

*insert*

**Director**

(2) Regulation 3(1) and (2)

*omit*

Commissioner

*insert*

Director

#### **43 Regulation 5 inserted**

After regulation 4

*insert*

#### **5 Transitional matter for *Justice and Licensing Legislation Further Amendment Act 2022***

If an association adopted the model constitution before the commencement of Part 3, Division 5 of the *Justice and Licensing Legislation Further Amendment Act 2022*, a reference in the constitution to the Commissioner for Consumer Affairs is taken to be a reference to the Director.

#### **44 Schedule amended (Model Constitution)**

Schedule, clause 38(1)

*omit*

Commissioner of Consumer Affairs

*insert*

Director

### **Division 6 Consumer Affairs and Fair Trading (Infringement Notice Offences) Regulations 2012**

#### **45 Regulations amended**

This Division amends the *Consumer Affairs and Fair Trading (Infringement Notice Offences) Regulations 2012*.



**46 Regulation 2 amended (Definitions)**

Regulation 2, definition *infringement notice*

*omit, insert*

*infringement notice* means a notice given under regulation 4(1) or (2).

**47 Regulation 4 replaced**

Regulation 4

*repeal, insert*

**4 When infringement notice may be given**

- (1) If the Commissioner believes on reasonable grounds that a person has committed an offence against a provision of the Act, other than Part 10 or 14 of the Act, that is specified in the Schedule, the Commissioner may give an infringement notice to the person.
- (2) If the Director believes on reasonable grounds that a person has committed an offence against a provision of Part 10 or 14 of the Act that is specified in the Schedule, the Director may give an infringement notice to the person.

**48 Regulation 7 amended (Withdrawal of infringement notice)**

Regulation 7(1), after "Commissioner"

*insert*

or the Director, as appropriate,

**49 Regulation 10 inserted**

After regulation 9

*insert*

**10 Transitional matter for *Justice and Licensing Legislation Further Amendment Act 2022***

- (1) An infringement notice issued by the Commissioner in relation to an offence, other than an offence against a provision of Part 10 or 14 of the Act, that is in force immediately before the commencement is taken to have been issued under regulation 4(1) as in force after the commencement.

(2) An infringement notice issued by the Commissioner in relation to an offence against a provision of Part 10 or 14 of the Act that is in force immediately before the commencement is taken to be a notice issued by the Director under regulation 4(2) as in force after the commencement.

(3) In this regulation:

**commencement** means the commencement of Part 3, Division 6 of the *Justice and Licensing Legislation Further Amendment Act 2022*.

## **Division 7           Consequential amendments**

### **50           Other laws amended**

Schedule 5 has effect.

## **Part 4           Amendment of other legislation**

### **Division 1           Companies (Unclaimed Assets and Moneys) Act 1963**

#### **51           Act amended**

This Division amends the *Companies (Unclaimed Assets and Moneys) Act 1963*.

#### **52           Section 5 amended (Definitions)**

(1) Section 5

*omit*

, unless the contrary intention appears

(2) Section 5, definition **Commissioner**

*omit*

(3) Section 5, at the end

*insert*

*Note for section 5*

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

**53           Section 6 replaced**

Section 6

*repeal, insert*

**6           Unclaimed assets in hands of liquidator**

- (1) If a liquidator of a company has in the liquidator's hands or under the liquidator's control either of the following amounts, the liquidator must immediately pay the amount to the Treasurer, and give the Treasurer full particulars of the amount:
  - (a) a dividend, or moneys, that have remained unclaimed for more than 6 months from the date when the dividend or moneys became payable;
  - (b) an unclaimed or undistributed amount arising from the property of the company after a final distribution is made.
- (2) The Minister may authorise an employee to give a receipt to a liquidator in respect of moneys paid under subsection (1).
- (3) A receipt given to the liquidator by an authorised employee is an effectual discharge of moneys paid under subsection (1).
- (4) On the application of the Chief Executive Officer, the Supreme Court may do any of the following:
  - (a) order a liquidator to provide to the Court by affidavit an account of any unclaimed or undistributed funds or dividends in the liquidator's hands or under the liquidator's control;
  - (b) order an audit of an account mentioned in paragraph (a);
  - (c) order the liquidator to pay to the Treasurer some or all of the amounts mentioned in paragraph (a).
- (5) The Treasurer must pay all moneys paid to the Treasurer under this section into the Northern Territory Government Account.

**Division 2           Mental Health and Related Services Act 1998**

**54           Act amended**

This Division amends the *Mental Health and Related Services Act 1998*.

**55           Section 37 amended (Assessment warrant)**

Section 37(12)

*omit*

by the President.

*insert*

by:

- (a) the President; or
- (b) a Deputy President; or
- (c) a member appointed with reference to section 16(2)(a) of the NTCAT Act.

**56           Section 121 amended (Nomination of Tribunal members)**

Section 121(2)(a)(ii)

*omit*

the

*insert*

a

**57           Section 150 amended (Interstate mental health orders)**

Section 150(7)

*omit*

by the President.

*insert*

by:

- (a) the President; or
- (b) a Deputy President; or
- (c) a member appointed with reference to section 16(2)(a) of the NTCAT Act.

**Part 5 Acts repealed**

**58 Acts repealed**

The Acts specified in Schedule 6 are repealed.

**Part 6 Repeal**

**59 Repeal of Act**

This Act is repealed on the day after it commences.

**Schedule 1 Associations Act 2003 further amended**

section 18

Provision	Amendment	
	<i>omit</i>	<i>insert</i>
section 5, heading	<b>Commissioner</b>	<b>Director</b>
section 5(1), (2) and (3)	Commissioner ( <i>all references</i> )	Director
section 5(1A)(a)	Commissioner's	Director's
section 6(1)(b)	whole paragraph	
sections 6(1)(c) and (3)(d) and (da), 7(1), 8(1) and 9(1), (3) and (4)	Commissioner ( <i>all references</i> )	Director
section 10, heading	<b>Commissioner</b>	<b>Director</b>
sections 10(1) and (2) and 17(1), (2) and (3)	Commissioner ( <i>all references</i> )	Director
section 18, heading	<b>Commissioner</b>	<b>Director</b>
sections 18, 22(1) and (2) and 23(1), (4)(b), (5), (6) and (7)	Commissioner ( <i>all references</i> )	Director
section 24, heading	<b>Commissioner</b>	<b>Director</b>
sections 24, 28(1) and (3) and 30(1), (2), (4) and (5)	Commissioner ( <i>all references</i> )	Director
section 40(1)	Commissioner ( <i>first and third references</i> )	Director
section 40(3)	Commissioner	Director
section 40(5A)	Commissioner's	Commissioner of Police's
section 44(b)(ii) and (iv)	Commissioner	Director

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section 45, heading	<b>Commissioner</b>	<b>Director</b>
sections 45(1), 47(2)(c), 48(2)(b), (9)(a) and (b) and (10), 52(1)(b) and (2), 54(2)(a) and (b)(ii), (6)(c) and (7)(a) and 56(2)	Commissioner ( <i>all references</i> )	Director
section 63, heading	<b>Commissioner</b>	<b>Director</b>
sections 63(1) to (4) and 65(1), (2), (4), (5) and (7)	Commissioner ( <i>all references</i> )	Director
section 66, heading	<b>Commissioner</b>	<b>Director</b>
section 66(1), (2) and (3)	Commissioner ( <i>all references</i> )	Director
section 67, heading	<b>Commissioner</b>	<b>CEO</b>
section 67(1)	Commissioner	CEO
section 68, heading	<b>Commissioner</b>	<b>CEO</b>
section 68(1) to (5)	Commissioner ( <i>all references</i> )	CEO
section 69, heading	<b>Commissioner</b>	<b>CEO</b>
section 69(1) and (2)	Commissioner ( <i>all references</i> )	CEO
section 70, heading	<b>Commissioner</b>	<b>CEO</b>
section 70	Commissioner	CEO
section 71(3), (4) and (5)	Commissioner	Director
section 73, heading	<b>Commissioner</b>	<b>Director</b>
sections 73(1), (2) and (3), 74(1), 76(2) and (4), 78(1) and (3), 80(2), (4), (5) and (6) and 81(2)(a) and (b)	Commissioner ( <i>all references</i> )	Director
section 83, heading	<b>Commissioner</b>	<b>Director</b>

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sections 83(1) to (4) and 84(1), (2) and (3)	Commissioner ( <i>all references</i> )	Director
section 85, heading	<b>Commissioner</b>	<b>Director</b>
sections 85, 86(2), definition <b>appropriate officer</b> , paragraph (e) and 91(1)	Commissioner ( <i>all references</i> )	Director
section 93(1)	Commissioner ( <i>all references</i> )	Director
	Commissioner's	Director's
section 93(2)	Commissioner	Director
section 94, heading	<b>Commissioner</b>	<b>Director</b>
section 94	Commissioner ( <i>all references</i> )	Director
section 95, heading	<b>Commissioner</b>	<b>Director</b>
sections 95(1), (2) and (3), 96(1), (2)(a) and (b), (3) and (4), 97(1), (2) and (3), 99(1), (2)(a) and (3), 100(1)(b) and (2), 104(1)(c) and (2)(b), 106(2), 109(8), (10) and (11), 110(7), 112(1)(a) and (b) and (2), 113(1)(a) and (b), (2) and (4) and 115(1) and (4)(a) and (b)	Commissioner ( <i>all references</i> )	Director
section 116, heading	<b>Commissioner</b>	<b>Director</b>
sections 116(1), 117(1), (2) and (3) and 119(2)(c)	Commissioner ( <i>all references</i> )	Director

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## Schedule 2 Commercial and Private Agents Licensing Act 1979 further amended

section 23

Provision	Amendment	
	<i>omit</i>	<i>insert</i>
section 7(1)	Commissioner	Director
section 7(4)(a)	a form approved by the Commissioner	an approved form
section 8, heading	<b>Commissioner</b>	<b>Director</b>
section 8(1), (2) and (3)	Commissioner ( <i>all references</i> )	Director
section 9(1)	Commissioner ( <i>first reference</i> )	Director
section 9(4)	Commissioner ( <i>second reference</i> )	Director
section 10, heading	<b>Commissioner</b>	<b>Director</b>
sections 10, 11(1) and (2), 12(1) and (2), 13(1), (2) and (3), 14(1) and 15(1)	Commissioner ( <i>all references</i> )	Director
section 16, heading	<b>Commissioner's</b>	<b>Director's</b>
section 16(1), (2)(a) and (b), (3) and (4)(a)	Commissioner ( <i>all references</i> )	Director
section 17(1)	Commissioner Commissioner's	Director Director's
sections 17(3)(a), 17A(1) and (2) and 17C(1), (2) and (3)	Commissioner ( <i>all references</i> )	Director
section 17C(4)	a form approved by the Commissioner	an approved form

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sections 17C(6) and (8) and 17D(1) and (2)	Commissioner	Director
section 17E, heading	<b>Commissioner</b>	<b>Director</b>
sections 17E(1)(a) and (b), (2)(a) to (f), (h) and (j), 17F(1), (2), (3) and (5) and 17G(1)	Commissioner <i>(all references)</i>	Director
section 17G(3)	Commissioner <i>(first reference)</i>	Director
section 17G(4)	Commissioner <i>(second reference)</i>	Director
section 17J(1)	Commissioner	Director
section 17K, heading	<b>Commissioner</b>	<b>Director</b>
sections 17K(1) and (2), 17L(1), (2), (3)(a) to (d) and (4) and 17M(1) and (2)	Commissioner <i>(all references)</i>	Director
section 17N(1)	Commissioner Commissioner's	Director Director's
sections 17N(3)(a), 17P(1) and (2), 23(4), 26(1), (2) and (3) and 27(1)	Commissioner <i>(all references)</i>	Director
section 28(1)	Commissioner <i>(all references)</i> Commissioner's	Director Director's
sections 28(2), 28A(1) and (2) and 29(2) to (5)	Commissioner <i>(all references)</i>	Director
section 34, heading	<b>Commissioner</b>	<b>Director</b>
sections 34(1) and (2) and 46A(1) and (2)(d), (e), (f)(i) and (iv) and (g)	Commissioner <i>(all references)</i>	Director

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### Schedule 3 Consumer Affairs and Fair Trading Act 1990 further amended

section 35

Provision	Amendment	
	<i>omit</i>	<i>insert</i>
Part 2, heading, at the end		<b>and Director</b>
Part 10, Division 1, heading, at the end		<b>matters</b>
section 132(1)	Commissioner	Director
section 133, heading	<b>Commissioner</b>	<b>Director</b>
section 133(1) and (2)	Commissioner <i>(all references)</i>	Director
section 134(1)	Commissioner <i>(first reference)</i>	Director
section 134(2)	Commissioner <i>(second reference)</i>	Director
section 134(2A)	Commissioner	Director
section 135, heading	<b>Commissioner</b>	<b>Director</b>
sections 135, 136(1) to (5), 137(1) to (5) and 138(1) and (3)	Commissioner <i>(all references)</i>	Director
section 139, heading	<b>Commissioner's</b>	<b>Director's</b>
sections 139(1) to (4), 141(1)(a) and (b), (2) and (4), 143 and 144(1), (2) and (4)	Commissioner <i>(all references)</i>	Director
section 144(4), penalty provision	whole penalty provision	Maximum penalty: 500 penalty units.
section 145, heading	<b>Commissioner</b>	<b>Director</b>

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sections 145 and 147(1)	Commissioner	Director
section 147(3)	Where Commissioner a <i>(all references)</i> Commissioner shall shall,	If Director a Director must must,
section 148, heading	<b>Commissioner's</b>	<b>Director's</b>
sections 148, 149(1) to (4) and 150(1), (2) and (3)	Commissioner <i>(all references)</i>	Director
section 150(3), penalty provision	whole penalty provision	Maximum penalty: 100 penalty units.
sections 151(1) and (2), 152, 153(2)(a) and (b), 154, 155 and 157(1) and (3)	Commissioner <i>(all references)</i>	Director
section 157(3), penalty provision	whole penalty provision	Maximum penalty: 20 penalty units.
section 161(1)	Commissioner	Director
section 161(1), (2) and (3), penalty provisions	whole penalty provision	Maximum penalty: 100 penalty units.
section 169(4)(b)(ii)	Commissioner	Director
Part 10, Division 6, heading, at the end		<b>matters</b>
section 176, heading	<b>Commissioner</b>	<b>Director</b>
section 176(1)(a) and (2)(a) to (d), (f) and (h)	Commissioner <i>(all references)</i>	Director
section 178, heading	<b>Commissioner</b>	<b>Director</b>
section 178	Commissioner	Director
section 180, heading	<b>Commissioner's</b>	<b>Director's</b>

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section 180(1) and (2)	Commissioner or Deputy Commissioner	Director
section 182, heading	<b>Commissioner</b>	<b>Director</b>
section 182	Commissioner	Director
Part 14, Division 1, heading, at the end		<b>matters</b>
sections 250(1) and (2), 251(a), 254(c), 255(1)(a) and (2), 258(1) and (2), 259, 260, 261, 262(1) and (2), 263(1), 264(1) and (3), 266 and 267(1) to (4)	Commissioner <i>(all references)</i>	Director
section 267(4), penalty provision	whole penalty provision	Maximum penalty: 20 penalty units.
section 268, heading	<b>Commissioner</b>	<b>Director</b>
section 268(1) and (2)	Commissioner	Director
section 269(1)	Commissioner's	Director's
sections 269(2), (3)(a), (4)(a) and (b) and (5), 270(1) and (2), 272(1)(a) and 273	Commissioner <i>(all references)</i>	Director
section 318(1)	Commissioner may	Commissioner of Police may
Part 14, Division 5, heading, at the end		<b>matters</b>
section 327(2)	Commissioner	Director
section 329(b)(i) and (c)(ii)	Commissioner, Deputy Commissioner or Commissioner's	Director or Director's
section 329(c)(i)	Commissioner or Deputy Commissioner	Director

Part 15, heading, at the end

**matters**

section 332(2)

Commissioner is an enforcement agency

Commissioner and the Director are enforcement agencies

section 335(2), after "Commissioner"  
*(all references)*

or the Director

after section 336(1)(b)

(ba) the Director;

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## Schedule 4 Sex Industry Act 2019 further amended

section 40

Provision	Amendment	
	<i>omit</i>	<i>insert</i>
sections 18(3), 19(1) and (3), 20(b) and 21(1) and (2)	Commissioner <i>(all references)</i>	Director
section 21(2)(a)	Commissioner's	Director's
Part 5, heading, at the end		<b>matters</b>

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**Schedule 5 Other laws amended**

section 50

Provision	Amendment	
	<i>omit</i>	<i>insert</i>
<b><i>Associations Regulations 2004</i></b>		
regulation 6(1)	Commissioner <i>(all references)</i>	Director
regulation 6(2)	Commissioner Commissioner's	Director Director's
regulation 7	Commissioner	Director
regulation 15, heading	<b>Commissioner</b>	<b>CEO</b>
regulation 17(1) and (2) and Schedule 3, items 4 to 8 and 10	Commissioner <i>(all references)</i>	Director
<b><i>Bushfires Management (Volunteer Bushfire Brigades) Regulations 2006</i></b>		
regulation 8(2), note	(2): <i>Commissioner</i>	(2) <i>Director</i>
Schedule, clause 38(1)	Commissioner of Consumer Affairs	Director
Schedule, clause 38(1), note	(1): <i>Commissioner</i>	(1) <i>Director</i>
Schedule, clause 58(1)	Commissioner pursuant to	Director under
<b><i>Commercial and Private Agents Licensing Regulations 2001</i></b>		
regulation 4(1)	Commissioner	Director
regulation 4(3)	Commissioner a form that he or she approves	Director an approved form
regulation 5, heading	<b>Commissioner</b>	<b>Director</b>



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regulations 5(1) and (2), 6(1) and (2), 7(1), (2) and (3)(a), 8(2) and 9(1), (2) and (3)(a)	Commissioner ( <i>all references</i> )	Director
regulation 10(1)	Commissioner Commissioner's	Director Director's
regulation 10(3)(a)	Commissioner	Director
regulation 16(1)(b), after "the amount"		equal to the monetary value of the number of penalty units
regulation 16(2)	Commissioner	Director
<b><i>Consumer Affairs and Fair Trading (Motor Vehicle Dealers) Regulations 1992</i></b>		
regulations 4(b), 10, 10A(1) and (2), 10B(1), (2) and (3) and 12(1), (3), (5) and (6)	Commissioner ( <i>all references</i> )	Director
regulation 12(2)	shall Commissioner ( <i>all references</i> )	must Director
regulation 12(4)	Where the Commissioner Commissioner shall	If the Director Director must
regulations 13 and 14(2)	Commissioner ( <i>all references</i> )	Director
regulation 16, heading	<b>Commissioner</b>	<b>Director</b>
regulation 16	Where Commissioner	If Director
Schedule 1, item 8	Commissioner's Register	Register of Motor Vehicle Dealers
Schedule 1, item 12	Commissioner's	Director's

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Schedule 2, items 1 and 2	Commissioner, or member of the Police Force of the Northern Territory	Director, or a police officer
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***Consumer Affairs and Fair Trading (Pawnbrokers and Second-hand Dealers) Regulations 1998***

regulations 4(1)(c) and (2)(c), 8 and 9(f)	Commissioner	Director
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***Gaming Control (Community Gaming) Regulations 2006***

regulation 44(1)(d)(vi)	Commissioner within the meaning	Director as defined in section 4
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***Gaming Machine Act 1995***

section 24(3)(d)(ii)	Commissioner of Consumer Affairs	Director as defined in section 4 of that Act
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**Schedule 6 Repealed Acts**

section 58

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<i>Observance of Law Ordinance 1921</i>	Act No. 13 of 1921
<i>Observance of Law Ordinance 1930</i>	Act No. 1 of 1930
<i>Observance of Law Ordinance (No. 2) 1930</i>	Act No. 8 of 1930
<i>Observance of Law Ordinance 1958</i>	Act No. 22 of 1958

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