

Serial 8
Fines and Penalties (Recovery) Amendment (Validation) Bill 2024
Mr Burgoyne

A Bill for an Act to amend the *Fines and Penalties (Recovery) Act 2001*

NORTHERN TERRITORY OF AUSTRALIA

**FINES AND PENALTIES (RECOVERY) AMENDMENT (VALIDATION) ACT
2024**

Act No. [] of 2024

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NORTHERN TERRITORY OF AUSTRALIA

Act No. [] of 2024

An Act to amend the *Fines and Penalties (Recovery) Act 2001*

[Assented to [] 2024]
[Introduced [] 2024]

The Legislative Assembly of the Northern Territory enacts as follows:

1 Short title

This Act may be cited as the *Fines and Penalties (Recovery) Amendment (Validation) Act 2024*.

2 Commencement

This Act commences on the day after the day on which the Administrator's assent to this Act is declared.

3 Act amended

This Act amends the *Fines and Penalties (Recovery) Act 2001*.

4 Part 5, Division 12 inserted

After section 99

insert

Division 12 Validation of certain enforcement orders and enforcement action**99A Enforcement orders**

- (1) This section applies in relation to an enforcement order, or a purported enforcement order, referred to in a notice of making of enforcement order under Division 5 that was dated before 28 June 2024.
- (2) A penalty enforcement order to which this section applies is taken to have been validly made under section 38 even if sections 37 and 38 were not complied with in relation to the order.
- (3) A fine enforcement order to which this section applies is taken to have been validly made under section 50 even if section 50 was not complied with in relation to the order.
- (4) An enforcement order to which this section applies is taken to have been made on the same date as the notice of making of the order.
- (5) To avoid doubt:
 - (a) Division 3 continues to have effect in relation to a penalty enforcement order to which this section applies; and
 - (b) section 58 continues to have effect in relation to an enforcement order to which this section applies.
- (6) Any purported enforcement action taken under this Part in reliance on an enforcement order, or purported enforcement order, to which this section applies is taken to be valid.

99B Enforcement action taken under Division 7

Any purported enforcement action that was taken by the Fines Recovery Unit under Division 7 before 28 June 2024 that should, under Division 7, have been taken by the Registrar of Motor Vehicles on the request of the Fines Recovery Unit is taken to be valid.

5 Repeal of Act

This Act is repealed on the day after it commences.