

NORTHERN TERRITORY OF AUSTRALIA
SERIOUS CRIME CONTROL REGULATIONS

Subordinate Legislation No. 52 of 2011

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NORTHERN TERRITORY OF AUSTRALIA

Subordinate Legislation No. 52 of 2011*

Serious Crime Control Regulations

I, Sally Gordon Thomas, Administrator of the Northern Territory of Australia, acting with the advice of the Executive Council, make the following regulations under the *Serious Crime Control Act*.

Dated 19 December 2011

S. G. THOMAS
Administrator

By Her Honour's Command

K. VATSKALIS
Minister for Health
acting for
Minister for Justice and Attorney-General

* Notified in the *Northern Territory Government Gazette* on 20 December 2011.

1 Citation

These Regulations may be cited as the *Serious Crime Control Regulations*.

2 Corresponding law

For the definition **corresponding law** in section 6 of the Act, each of the following is a corresponding law:

- (a) *Crimes (Criminal Organisations Control) Act 2009* (NSW);
- (b) *Criminal Organisation Act 2009* (Qld);
- (c) *Serious and Organised Crime (Control) Act 2008* (SA).

3 Rank of senior police officer

For paragraph (d) of the definition **senior police officer** in section 6 of the Act, the rank of Senior Sergeant is prescribed.

4 Suspension of authority

For section 27(7) of the Act, unless the Supreme Court orders otherwise, an authority suspended under a control order is taken to have been suspended under the Act (the **other Act**) under which the authority was granted but:

- (a) the suspension has effect until the control order is revoked; and
- (b) any right of appeal that would otherwise apply to the suspension under the other Act does not apply to the suspension.

5 Permitted associations

(1) For section 36(3)(c) of the Act, the following courses of training or education are prescribed:

- (a) a course of training or education provided by a school registered, or college declared, under the *Education Act*;
- (b) a course of training or education provided by:
 - (i) Charles Darwin University; or
 - (ii) Batchelor Institute of Indigenous Tertiary Education; or
 - (iii) another university as defined in section 4 of the *Higher Education Act*;

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- (c) a higher education course accredited under Part 5 of the *Higher Education Act*;
 - (d) an accredited course or approved apprenticeship under the *Northern Territory Employment and Training Act*;
 - (e) a course of training or education required to be undertaken by a person as a condition of a parole order under the *Parole of Prisoners Act*;
 - (f) a course of training or education in relation to which a detainee is permitted to be absent from a detention centre under section 165 of the *Youth Justice Act*.
- (2) For section 36(3)(d) of the Act, the following rehabilitation, counselling or therapy sessions are prescribed:
- (a) a rehabilitation, counselling or therapy session provided by a charitable organisation;
 - (b) a rehabilitation, counselling or therapy session provided in the course of the provision of a medical service;
 - (c) a rehabilitation, counselling or therapy session in relation to which a detainee is permitted to be absent from a detention centre under section 165 of the *Youth Justice Act*.
- (3) For section 36(3)(f) of the Act, the following associations are prescribed:
- (a) associations between persons residing (whether permanently or temporarily) in:
 - (i) an approved treatment facility, or approved temporary treatment facility, as defined in section 4 of the *Mental Health and Related Services Act*; or
 - (ii) a facility providing emergency housing operated by the Territory or Commonwealth government, a local government or charitable organisation;
 - (b) associations occurring between members of a Registered political party as defined in section 4(1) of the *Commonwealth Electoral Act 1918* (Cth), or registered party as defined in section 3 of the *Electoral Act*, at an official meeting of the party or a branch of the party;
 - (c) associations occurring in the course of legal proceedings;

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- (d) associations occurring in the course of the provision of a medical service;
 - (e) associations occurring in the course of complying with a lawful direction of a person exercising a power, or carrying out official duties, under an Act (whether of the Territory or another jurisdiction).
- (4) In this regulation:

charitable organisation means an organisation, society, institution or body carried on for a religious, educational, benevolent or charitable purpose, provided that it is not also carried on for the purpose of securing pecuniary benefit for its members.

medical services, see section 5 of the *Medical Services Act*.