



NORTHERN TERRITORY OF AUSTRALIA

Subordinate Legislation No. 5 of 2007*

Summary Offences Amendment Regulations 2007

I, EDWARD JOSEPH EGAN, the Administrator of the Northern Territory of Australia, acting with the advice of the Executive Council, make the following regulations under the *Summary Offences Act*.

Dated 12 March 2007.

E. J. EGAN
Administrator

By His Honour's Command

P. R. HENDERSON
Minister for Employment, Education and Training
acting for the
Minister for Justice and Attorney-General

* Notified in the *Northern Territory Government Gazette* on 21 March 2007.

1. Citation

These Regulations may be cited as the *Summary Offences Amendment Regulations 2007*.

2. Regulations amended

These Regulations amend the *Summary Offences Regulations*.

3. New regulations 9 and 10

After regulation 8

insert

9. Prescribed offences

An offence against any of the following provisions is prescribed for section 55A(10)(a) of the Act:

Criminal Code	sections 54, 55, 66, 73, 125B, 125E, 131A, 132, 156, 160, 165, 176, 177, 202B, 202C, 202D, 211, 212, 213, 228, 229, 231B and 231C
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sections 162 and 163 as in force immediately before the commencement of the *Criminal Code Amendment (Criminal Responsibility Reform) Act 2005*

<i>Firearms Act</i>	sections 61, 61A and 63A
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<i>Misuse of Drugs Act</i>	sections 5, 6, 7, 8, 9 and 11
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10. Review of decision to give notice

(1) A person who is given a notice under section 55A(1) of the Act may apply to the Local Court for a review of the notice.

(2) The applicant must do so within:

(a) 21 days after receiving the notice; or

(b) a longer period allowed by the Court.

(3) Subject to any order made by the Court, the application stays the operation of the notice until the application is decided.

(4) The Commissioner is a party to the proceedings for the review.

- (5) The Court may:
 - (a) conduct the review in any way it considers appropriate; and
 - (b) after considering evidence and representations brought before the Court:
 - (i) amend or revoke the notice if the Court considers it appropriate to do so; or
 - (ii) otherwise – refuse the application.
- (6) In conducting the review, the Court must consider the matter afresh and is not bound by anything considered by the Commissioner.
- (7) Without limiting subregulation (6), the Court may:
 - (a) admit evidence that was not considered by the Commissioner in giving the notice; and
 - (b) refuse to admit evidence that was considered by the Commissioner in giving the notice.
- (8) If another person specified in the notice has also been given a notice under section 55A(1) of the Act, the Court may amend or revoke that other notice if the Court considers it appropriate to do so.
- (9) The Commissioner cannot be compelled to give evidence relating to the giving of the notice or the basis on which the notice was given.