

NORTHERN TERRITORY OF AUSTRALIA

JUSTICE LEGISLATION AMENDMENT REGULATIONS 2024

Subordinate Legislation No. 20 of 2024

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NORTHERN TERRITORY OF AUSTRALIA

Subordinate Legislation No. 20 of 2024

Justice Legislation Amendment Regulations 2024

I, Hugh Crosby Heggie, Administrator of the Northern Territory of Australia, acting with the advice of the Executive Council, make the following regulations under the *Bail Act 1982*, the *Criminal Property Forfeiture Act 2002*, the *Cullen Bay Marina Act 1992* and the *Youth Justice Act 2005*.

Responsible Minister:

C. J. PAECH
Attorney-General and Minister for Justice

H. C. HEGGIE
Administrator

Date of making: 30 July 2024

Part 1 Preliminary matters**1 Title**

These Regulations may be cited as the *Justice Legislation Amendment Regulations 2024*.

2 Commencement

These Regulations commence on the day after the day on which they are made.

Part 2 Amendment of Bail Regulations 1983**3 Regulations amended**

This Part amends the *Bail Regulations 1983*.

4 Regulation 2A amended (Prescribed offences)

(1) Regulation 2A(a), after "186,"

insert

188(2),

(2) Regulation 2A(b)

omit

Part 3 Amendment of Criminal Property Forfeiture Regulations 2003**5 Regulations amended**

This Part amends the *Criminal Property Forfeiture Regulations 2003*.

6 Schedule 3 amended (Forms)

Schedule 3, Form 5

omit

for a period of [not exceeding 72 hours], expiring at AM/PM
on [date],

insert

until the expiration of 3 working days after the day on which this
order is made, such expiry being at midnight on [date],

**Part 4 Amendment of Cullen Bay Marina
Regulations 1993****7 Regulations amended**

This Part amends the *Cullen Bay Marina Regulations 1993*.

8 Regulation 2 amended (Interpretation)

- (1) Regulation 2, definitions **Chairman**, **ordinary resolution**,
resolution without dissent, **special resolution** and **unit**

omit

- (2) Regulation 2

insert

Chairperson means the person elected as Chairperson under
regulation 32.

ordinary resolution, see regulation 52(1).

resolution without dissent, see regulation 52(3).

special resolution, see regulation 52(2).

9 Regulation 50 amended (Voting by members)

- (1) Regulation 50, before "A"

insert

(1)

- (2) Regulation 50(b)

omit

where

insert

if

- (3) Regulation 50, at the end

insert

- (2) A person has one vote for each lot in respect of which the person is entitled to vote.

10 Regulations 51 and 52 replaced

Regulations 51 and 52

repeal, insert

51 Methods of voting

Voting at a general meeting must be by:

- (a) written vote:
- (i) if a poll is taken; or
 - (ii) if a person casts an absentee vote; or
- (b) otherwise – show of hands.

52 Resolutions

- (1) A motion is passed by an **ordinary resolution** if the motion is voted on at a general meeting of the Management Corporation and:
- (a) if a poll is not taken under regulation 57 – the votes counted in favour of the motion are more than the votes counted against it; or

- (b) if a poll is taken under regulation 57 – the lot entitlements of the lots for the votes counted in favour of the motion exceed the lot entitlements of the lots for the votes counted against it.
- (2) A motion is passed by a **special resolution** if the motion is voted on at a general meeting of the Management Corporation and:
 - (a) at least two-thirds of the votes cast are counted in favour of the motion; and
 - (b) the lot entitlements of the lots for the votes counted against the motion do not exceed 25% of the aggregate lot entitlement of all lots.
- (3) A motion is passed by a **resolution without dissent** if the motion is voted on at a general meeting of the Management Corporation and no vote is counted against it.

11 Regulation 57 amended (Polls)

- (1) Regulation 57(1)
 - omit*
 - Where
 - insert*
 - If
- (2) After regulation 57(1)
 - insert*
- (1A) The poll may be demanded:
 - (a) in person or, for absentee votes, on the voting paper; and
 - (b) whether or not the vote has already been carried out by a show of hands.
- (3) Regulation 57(3)
 - omit, insert*
- (3) If demanded, a poll must be taken in the manner directed by the Chairperson.
- (4) The result of the poll, which must be declared by the Chairperson as soon as it is ascertained, determines whether or not the motion for which the poll was taken has been carried.

12 Part 6 inserted

After regulation 72

insert

Part 6 Transitional matters for *Justice Legislation Amendment Regulations 2024***73 Chairperson and Deputy Chairperson continue**

- (1) The person who is the Chairman immediately before the commencement is taken to be the Chairperson for the remainder of the person's term of office.
- (2) The person who is the Deputy Chairman immediately before the commencement is taken to be the Deputy Chairperson for the remainder of the person's term of office.
- (3) In this regulation:

commencement means the commencement of regulation 13 of the *Justice Legislation Amendment Regulations 2024*.

13 Regulations further amended

The Schedule has effect.

Part 5 Amendment of Youth Justice Regulations 2006**14 Regulations amended**

This Part amends the *Youth Justice Regulations 2006*.

15 Regulation 3A amended (Prescribed offences)

Regulation 3A(1)(e)

omit

221(1)(c) or (d)

insert

222(1)(c) or (d)

Part 6 Repeal

16 Repeal of Regulations

These Regulations are repealed on the day after they commence.

Schedule Regulations further amended

regulation 13

Provision	Amendment	
	<i>omit</i>	<i>insert</i>
regulation 3(1)	Chairman,	Chairperson,
regulation 3(2)	Chairman	Chairperson
regulation 18, heading	books, &c	documents
regulation 18(3)(a)	Chairman,	Chairperson,
regulation 24, heading	repairs, &c.	acts
regulation 31(4)	Chairman	Chairperson
regulation 32, heading	Chairman,	Chairperson,
regulation 32(1)	Chairman (<i>all references</i>)	Chairperson
regulation 32(2)	Chairman, (<i>all references</i>)	Chairperson,
regulation 32(3)	Chairman (<i>all references</i>)	Chairperson
regulation 32(4)	Chairman,	Chairperson,
regulation 32(5)	Chairman	Chairperson
regulation 32(6)	Chairman (<i>all references</i>)	Chairperson
	Chairman.	Chairperson.
regulation 33, heading	Powers, &c.,	Powers and functions
regulation 40, heading	, &c.,	
regulation 48(1)	Chairman	Chairperson
regulation 49, heading	Chairman	Chairperson
regulation 49	Chairman	Chairperson

Provision	Amendment	
	<i>omit</i>	<i>insert</i>
regulation 53, heading	, &c.	
regulation 55, heading	moving motions, &c.	motions and nominations
regulation 55(2)	Chairman	Chairperson
regulation 56, heading	Chairman	Chairperson
regulation 56	Chairman	Chairperson
regulation 59, heading	whole heading	Limits on voting by proxy or as nominee
regulation 60, heading	Chairman	Chairperson
regulation 60	Chairman	Chairperson
regulation 62(2)	Chairman	Chairperson
regulation 65, heading	Amendment, &c.,	Amendment or revocation
Part 3, heading	, &c.,	
regulation 71	Chairman,	Chairperson,