

Serial 19  
Attorney-General Legislation Amendment Bill 2025  
Ms Boothby

A Bill for an Act to amend legislation administered by the Attorney-General



NORTHERN TERRITORY OF AUSTRALIA

ATTORNEY-GENERAL LEGISLATION AMENDMENT ACT 2025

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Act No. [ ] of 2025

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# NORTHERN TERRITORY OF AUSTRALIA

Act No. [ ] of 2025

5

An Act to amend legislation administered by the Attorney-General

[Assented to [ ] 2025]  
[Introduced [ ] 2025]

The Legislative Assembly of the Northern Territory enacts as follows:

## 10 Part 1 Preliminary matters

### 1 Short title

This Act may be cited as the *Attorney-General Legislation Amendment Act 2025*.

### 2 Commencement

- 15
- (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 17 March 2027, it commences on that day.

## 20 Part 2 Amendment of Health Care Decision Making Act 2023

### 3 Act amended

This Part amends the *Health Care Decision Making Act 2023*.

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**4 Section 54A inserted**

After section 54

*insert*

**54A Delegation**

- 5 (1) The Senior Practitioner may delegate the Senior Practitioner's powers and functions under this Act to a public sector employee.
- 10 (2) The Senior Practitioner must be satisfied that the employee has the qualifications, clinical experience and personal qualities necessary to exercise the Senior Practitioner's powers and perform the Senior Practitioner's functions.

**Part 3 Amendment of Justices of the Peace Act 1991****5 Act amended**

This Part amends the *Justices of the Peace Act 1991*.

**6 Section 5 amended (Appointment of justice of the peace)**

15 After section 5(1)

*insert*

- (1A) The Administrator must not appoint a person under subsection (1) unless the Administrator is satisfied that the person is a fit and proper person to be a justice of the peace.
- 20 (1B) In deciding whether the person is a fit and proper person to be a justice of the peace, the Administrator must have regard to:
- (a) whether the person has been convicted of an offence in Australia or a foreign country, and if so:
    - 25 (i) the nature of the offence; and
    - (ii) how long ago the offence was committed; and
    - (iii) the person's age when the offence was committed; and
  - (b) any other matter the Administrator considers relevant to the decision.



**7 Section 13 amended (Clerk of the peace)**

Section 13(1)

*omit*

Departmental Head of the department primarily responsible for the administration of this Act shall

*insert*

Chief Executive Officer must

**Part 4 Amendment of Land Title Act 2000**

**8 Act amended**

This Part amends the *Land Title Act 2000*.

**9 Section 44 amended (Issuing of certificates as to title)**

Section 44(1)

*omit*

must,

*insert*

may,

**Part 5 Amendment of Legal Profession Act 2006**

**10 Act amended**

This Part amends the *Legal Profession Act 2006*.

**11 Sections 692A and 692B inserted**

Before section 693, in Part 8.1, Division 4

*insert*

**692A Rules not required to be numbered**

Section 57 of the *Interpretation Act 1978* does not apply to legal profession rules.

**692B Publication of rules**

The Law Society must publish legal profession rules on the Society's website as soon as practicable after the rules are made.

**Part 6 Amendment of Misuse of Drugs Act 1990**

5 **12 Act amended**

This Part amends the *Misuse of Drugs Act 1990*.

**13 Schedule 1 amended (Dangerous drugs)**

(1) Schedule 1

*omit*

Amphetamine	2.00 g	40.00 g
Heroin	2.00 g	40.00 g
Ketamine	0.002 g	0.10 g
Cocaine	2.00 g	40.00 g
Phencyclidine	2.00 g	40.00 g

10 *insert*

Acetyl-a-methylfentanyl	0.005 g	0.25 g
Alfentanil	0.005 g	0.25 g
Amphetamine	2.00 g	40.00 g
Butonitazene	0.005 g	0.25 g
Clonitazene	0.005 g	0.25 g
Cocaine	2.00 g	40.00 g
Etodesnitazene	0.005 g	0.25 g
Etonitazene	0.005 g	0.25 g
Etonitazepipne	0.005 g	0.25 g
Etonitazepyne	0.005 g	0.25 g
Fentanyl	0.005 g	0.25 g
Flunitazene	0.005 g	0.25 g
Heroin	2.00 g	40.00 g
Isotonitazene	0.005 g	0.25 g
Ketamine	0.002 g	0.10 g

(2) Schedule 1, after entry for Methylendioxyamphetamine (MDMA)

*insert*

Metodesnitazene	0.005 g	0.25 g
Metonitazene	0.005 g	0.25 g
Phencyclidine	2.00 g	40.00 g
Protonitazene	0.005 g	0.25 g
Sufentanil	0.005 g	0.25 g

**14 Schedule 2 amended (Other dangerous drugs)**

5 Schedule 2

*omit*

Acetyl-a-methylfentanyl	0.005 g	0.25 g
Alfentanil	0.005 g	0.25 g
Clonitazene	5.00 g	250.00 g
Etonitazene	5.00 g	250.00 g
Fentanyl	0.005 g	0.25 g
Sufentanil	0.005 g	0.25 g

**Part 7 Amendment of Northern Territory Civil and Administrative Tribunal legislation**

**Division 1 Northern Territory Civil and Administrative Tribunal Act 2014**

10

**15 Act amended**

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

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**16 Section 131 amended (Parties bear own costs)**

Section 131

*omit*

sections 132 and 134,

5 *insert*

this Division,

**17 Section 132 amended (Tribunal may make costs orders)**

(1) After section 132(1)

*insert*

10 (1A) If a party is substantially successful against another party in a proceeding, the Tribunal may make a costs order under subsection (1) requiring the other party to pay the following costs to the successful party:

15 (a) any fee paid by the successful party that was required to be paid under this Act;

(b) any fee paid by the successful party to serve documents, conduct a search or obtain a similar service that was reasonably necessary to be paid for the purpose of the proceeding.

20 (2) Section 132(2)

*omit*

the costs order the

*insert*

any other costs order under subsection (1), the

25 (3) Section 132(2)(ba)

*omit*

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**Division 2 Northern Territory Civil and Administrative Tribunal Regulations 2014****18 Regulations amended**

5

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

**19 Schedule amended (Fees)**

Schedule, item 1.6

*omit*

*2016*

10

*insert*

*2016, Health Care Decision Making Act 2023*

**Part 8 Amendment of Oaths, Affidavits and Declarations Act 2010****20 Act amended**

15

This Part amends the *Oaths, Affidavits and Declarations Act 2010*.

**21 Section 23 amended (Commissioners for oaths)**

After section 23(2)

*insert*

20

(3) The Minister must not appoint a person under subsection (2) unless the Minister is satisfied that the person is a fit and proper person to be a commissioner for oaths.

(4) In deciding whether the person is a fit and proper person to be a commissioner for oaths, the Minister must have regard to:

25

(a) whether the person has been convicted of an offence in Australia or a foreign country, and if so:

(i) the nature of the offence; and

(ii) how long ago the offence was committed; and

(iii) the person's age when the offence was committed; and

- (b) any other matter the Minister considers relevant to the decision.

## **Part 9 Amendment of Residential Tenancies Act 1999**

### **22 Act amended**

5 This Part amends the *Residential Tenancies Act 1999*.

### **23 Section 7 amended (Exemptions)**

Section 7(5), after "Sections"

*insert*

18A, 18B,

### **24 Section 16 amended (Tenancy Trust Account)**

Section 16(1)(a) and (b)

*omit*

; and

*insert*

15 ; or

## **Part 10 Amendment of Sentencing Act 1995**

### **25 Act amended**

This Part amends the *Sentencing Act 1995*.

### **26 Section 3 amended (Interpretation)**

20 (1) Section 3(1), definition *home detention condition*, paragraph (a)(i)

*omit*

order

*insert*

condition

- (2) Section 3(1), definition **home detention condition**, paragraph (a)(ii)

*omit, insert*

- 5 (ii) a period of time per day determined by the Commissioner for each day the condition is in force; and

## **27 Section 48 amended (Conditions of order imposed by court)**

After section 48(1)

*insert*

- 10 (1A) The court may impose a home detention condition under subsection (1)(a) for all or part of the duration of the intensive community correction order.

## **28 Section 53 amended (Fixing of non-parole period by sentencing court)**

Section 53(1)

15 *omit*

53A, 54,

*insert*

53AA, 53A,

## **29 Section 53AA inserted**

20 After section 53

*insert*

### **53AA Non-parole periods generally**

- (1) This section applies in relation to the sentencing of an offender if:
- 25 (a) the offender has committed an offence that is not an offence to which section 53A, 55, 55A or 148 applies; and
- (b) a court sentences the offender to be imprisoned for 12 months or longer that is not suspended in whole or in part.
- (2) The court may fix a non-parole period under section 53(1) of 50% of
- 30 the period of imprisonment that the offender is to serve under the sentence.

- 
- (3) If the court fixes a non-parole period of less or more than the period specified in subsection (2), the court must give reasons for doing so.

5 **30 Section 54 repealed (Fixed non-parole period for certain offences)**

Section 54

*repeal*

10 **31 Section 55A amended (Fixed non-parole periods for offences against persons under 16 years)**

Section 55A, heading

*omit*

**Fixed**

*insert*

**Minimum**

15 **32 Section 57 amended (Fixing of new non-parole period in respect of multiple sentences)**

Section 57(2)(c)

*omit*

53A, 54,

*insert*

53AA, 53A,

**Part 11 Amendment of other laws**

**33 Other laws amended**

The Schedule amends the laws mentioned in it.



## **Part 12 Repeal**

### **34 Repeal of Act**

This Act is repealed on the day after it commences.

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**Schedule Other laws amended**

section 33

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Provision	Amendment	
	<i>omit</i>	<i>insert</i>
<b>Bail Regulations 1983</b>		
regulation 8(1), definition <b>analyst</b> , paragraph (a)	whole paragraph	(a) a person authorised to be an analyst under section 19C of the <i>Traffic Act 1987</i> ;
regulation 18(a)(ii)	whole subparagraph	(ii) the person is authorised to be an analyst under section 19C of the <i>Traffic Act 1987</i> ;
<b>Criminal Code</b>		
section 1, definition <b>encourage</b>	whole definition	
<b>Evidence (National Uniform Legislation) Act 2011</b>		
section 81, note	860	86).
<b>Information Act 2002</b>		
section 49A(b)(ii)	and Community Services	
<b>Local Court Surrogacy Rules 2022</b>		
rule 1	<i>Surrogacy</i>	<i>(Surrogacy)</i>

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