

BILLS INTRODUCED

22-24 April 1975

<i>Serial No.</i>	<i>Title</i>	<i>Sponsor</i>
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THE NORTHERN TERRITORY OF AUSTRALIA

A BILL

for

AN ORDINANCE

To amend the *Police and Police Offences Ordinance 1923* as amended

BE it ordained by the Legislative Assembly for the Northern Territory of Australia as follows:

1. This Ordinance may be cited as the *Police and Police Offences Ordinance 1975*. Short title
2. The *Police and Police Offences Ordinance 1923* as amended is in this Ordinance referred to as the Principal Ordinance. Principal Ordinance
3. Section 95(1) of the Principal Ordinance is amended by omitting ", in case the rightful owner thereof cannot be ascertained,". Power to dispose of goods stolen or fraudulently obtained

THE NORTHERN TERRITORY OF AUSTRALIA

A BILL

for

AN ORDINANCE

To amend the *Justices Ordinance* 1928 as amended

BE it ordained by the Legislative Assembly for the Northern Territory of Australia as follows:

1. This Ordinance may be cited as the *Justices Ordinance* 1975. Short title
2. The *Justices Ordinance* 1928 as amended is in this Ordinance referred to as the Principal Ordinance. Principal Ordinance
3. Section 130B(1) of the Principal Ordinance is amended by omitting " , if the owner cannot be ascertained, " . Power of court to order delivery of property

THE NORTHERN TERRITORY OF AUSTRALIA

Serial 34
Firearms
Mr Withnall

A BILL for AN ORDINANCE

To amend the *Firearms Ordinance* 1956 as amended

BE it ordained by the Legislative Assembly for the Northern Territory as follows:

1. This Ordinance may be cited as the *Firearms Ordinance* 1975. Short title

2. The *Firearms Ordinance* 1956 as amended is in this Ordinance referred to as the Principal Ordinance. Principal Ordinance

3. Section 6 of the Principal Ordinance is amended by omitting from the definition of "high powered firearm" the words "in accordance with the regulations made under this Ordinance not to be a high powered firearm" and inserting in their stead the words "in accordance with the Third Schedule or with the regulations, not to be a high powered firearm". Definitions

4. After the Second Schedule the following Schedule is added. The Schedules

THIRD SCHEDULE

The following firearms are deemed not to be high powered firearms:

Rifles of the classes commonly known as:

(a)–

- (i) .38 Special;
- (ii) .44 Magnum; and
- (iii) .357 Magnum,

where the decimal point and the figures appearing thereafter, indicate in inches the calibre of the rifle; and

(b) Rifles of any of the classes commonly known as:

- (i) .32/40;
- (ii) .25/20;
- (iii) .44/40;
- (iv) .32/40;
- (v) .38/40;
- (vi) .38/55; and
- (vii) .45/70,

where, in each class, the decimal point and the first two figures indicate in inches the calibre of a rifle of the class and the last two figures indicate in grains the weight of the propellant charge commonly used to fire a bullet from such a rifle.

Published by authority of the Clerk of the Legislative Assembly

THE NORTHERN TERRITORY OF AUSTRALIA

A BILL

for

AN ORDINANCE

To amend the *Crown Lands Ordinance* 1931 as amended

BE it ordained by the Legislative Assembly for the Northern Territory of Australia as follows:

1. This Ordinance may be cited as the *Crown Lands Ordinance* 1975. Short title
2. The *Crown Lands Ordinance* 1931 as amended is in this Ordinance referred to as the Principal Ordinance. Principal Ordinance
3. Section 37(c) of the Principal Ordinance is amended—Terms and conditions of pastoral leases
 - (a) by inserting after “that” (first occurring) “, subject to any limitations imposed by virtue of the operation of the *Soil Conservation Ordinance*,”; and
 - (b) by omitting all the words from and including “but that”.
4. Section 39 of the Principal Ordinance is amended by omitting sub-section (2) and substituting: Stocking of land

“(2) The Administrator may, if he is satisfied that a term, covenant or condition prescribing a minimum number of stock which may be depastured on the land comprised in a lease is too onerous, vary that term, covenant or condition by agreement with the lessee or, without such agreement, to make it less onerous.

“(3) Pending the consideration of a variation of a term, covenant or condition under sub-section (2), the Administrator may suspend that term, covenant or condition.

“(4) Where, by virtue of the operation of the *Soil Conservation Ordinance*, a lessee is unable to comply with a term, covenant or condition of his lease prescribing a minimum number of stock which may be depastured on the land comprised in the lease, the Administrator shall consider varying that term, covenant or condition.”.
5. After section 68L of the Principal Ordinance the following section is inserted: Surrender of lease or part of lease

“68M. A lessee of town lands may, at any time, on payment of the rent due, surrender—

 - (a) the lease; or

- (b) with the consent of the Administrator, the lease in respect of part of the land the subject of the lease.”

6. After section 74F of the Principal Ordinance the following section is inserted:

Surrender of
lease or parts of
lease

“74G. The holder of a miscellaneous lease may, at any time, on payment of the rent due, surrender—

- (a) the lease; or
(b) with the consent of the Administrator, the lease in respect of part of the land the subject of the lease.”

Occupation
licences

7. Section 108(i) of the Principal Ordinance is amended by omitting all the words from and including “for the purpose” and substituting “for such purposes as the Administrator thinks fit”.

Licences in
respect of
reserved land

8. Section 109A(1) of the Principal Ordinance is amended by omitting “(xiii)” and substituting “(xiv)”.

THE NORTHERN TERRITORY OF AUSTRALIA

A BILL

for

AN ORDINANCE

To amend the *Control of Roads Ordinance* 1953 as amended

BE it ordained by the Legislative Assembly for the Northern Territory of Australia as follows:

1. This Ordinance may be cited as the *Control of Roads Ordinance* 1975. Short title
2. The *Control of Roads Ordinance* 1953 as amended is in this Ordinance referred to as the Principal Ordinance. Principal Ordinance
3. Section 7B(1) of the Principal Ordinance is amended by omitting "to a person". Delegation
4. Section 1A of the Principal Ordinance (occurring after section 11) is amended by omitting "1A" and substituting "11A". Temporary closure of road where flooding, etc.
5. Section 45 (1) of the Principal Ordinance is amended by adding at the end the following: Vehicle or trailer with pneumatic tyres
"Penalty: 400 dollars or imprisonment for 6 months."

THE NORTHERN TERRITORY OF AUSTRALIA

A BILL

for

AN ORDINANCE

To amend the *Cyclone Disaster Emergency Ordinance 1975* as amended

BE it ordained by the Legislative Assembly for the Northern Territory of Australia as follows:

1. This Ordinance may be cited as the *Cyclone Disaster Emergency Ordinance (No. 3) 1975*. Short title

2. The *Cyclone Disaster Emergency Ordinance 1975* as amended is in this Ordinance referred to as the principal Ordinance. Principal Ordinance

3. Section 2 (1) of the Principal Ordinance is amended by omitting "and 15" and substituting "3A, 15 and 15A". Duration of Ordinance

4. After section 3 of the Principal Ordinance the following section is inserted:

"3A. (1) A member of the Armed Services or a person acting under ructions from the Director or of a member of the Armed Services who entered into any apparently unoccupied land, building or structure within the cyclone disaster area during the period from and including the date of commencement of the *Cyclone Disaster Emergency Ordinance (No. 2) 1975* to and including the date of commencement of the *Cyclone Disaster Emergency Ordinance (No. 3) 1975* shall not, by reason of anything done by him, be liable in any proceedings if the doing of that thing could validly have been done had the *Cyclone Disaster Emergency Ordinance (No. 3) 1975* been in force during that period and he had authority under this Ordinance. Action after 31 March 1975 and before commencement of *Cyclone Disaster Emergency Ordinance (No. 3) 1975*

"(2) A person referred to in sub-section (1) who entered into any apparently unoccupied land building or structure within the cyclone disaster area during the period referred to in sub-section (1) shall be deemed to have been an authorized person during that period.

"(3) Where, during the period referred to in sub-section (1), a person referred to in sub-section (1) who had, while on any apparently unoccupied land, building or structure within the cyclone disaster area, done any act or thing that could have been validly done if the *Cyclone Disaster Emergency Ordinance (No. 3) 1975* had then been in force and he had authority to do so under this Ordinance, that act or thing shall be deemed to have been done as validly and effectually, and he shall be deemed to have been validly authorized to do so, as if that Ordinance had been in force."

Powers of Director

5. (1) Section 10 (1) of the Principal Ordinance is amended—

- (a) by inserting after paragraph (a) the following paragraph:
 “(b) enter or authorize the entry into any apparently unoccupied land, building or structure within the cyclone disaster area;”;
 and
- (b) by inserting after paragraph (i) the following paragraph:
 “(m) authorize the carrying out of works, clearing of streets and premises and disposal of dangerous structures and materials;”.

(2) Section 10 of the Principal Ordinance is amended by adding at the end thereof the following sub-section:

“(4) A person who is clearing premises in pursuance of an authority given under sub-section (1) may—

- (a) collect and secure or remove from the premises and deliver to the Administrator for storing any valuable property, including fixtures; and
- (b) dispose of, in such manner as he sees fit, any property, including buildings, structures and fixtures, that, in his opinion, has no worthwhile value.”.

6. After section 15 of the Principal Ordinance the following section is inserted:

Administrator may hold goods for owner.

“15A.(1) Where, in pursuance of this Ordinance, property is delivered to the Administrator for storing, the Administrator may—

- (a) store that property; and
- (b) deliver it to any person who apparently has a right to the lawful possession of that property.

“(2) The Administrator may, where a person claims a right to the lawful possession of property or where, in the opinion of the Administrator, it is no longer economical to store the property, apply to a court of summary jurisdiction for an order in relation to that property.

“(3) A court of summary jurisdiction may, upon application under sub-section (2), make such order in relation to the property as it thinks fit.”.

THE NORTHERN TERRITORY OF AUSTRALIA

A BILL

for

AN ORDINANCE

To permit nudity in certain areas

BE it ordained by the Legislative Assembly for the Northern Territory of Australia as follows:

1. This Ordinance may be cited as the *Nudity Ordinance 1975*. Short title
 2. In this Ordinance, "free area" means an area declared by regulations under this Ordinance to be an area where nudity is permitted. Definition
 3. The Regulations may declare that a secluded area is an area where nudity is permitted. Declaration of free areas
 4. The Administrator shall cause the boundaries of, and the approaches to, a free area to be clearly marked with signs indicating that nudity is permitted within that area. Approaches to free area
 5. A person shall not be held to be guilty of an offence against a law in force in the Northern Territory by reason only that he was nude in, or whilst swimming at, a free area. Nakedness in a free area
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