

BILLS INTRODUCED

1 to 2 August 1978

<i>Serial No.</i>	<i>Title</i>	<i>Sponsor</i>
134	Dangerous Drugs (No. 2) 1978	Mr Tuxworth
132	Electrical Workers and Contractors (No. 2) 1978	Mr Steele
138	Financial Administration and Audit (No. 2) 1978	Mr Perron
127	Hire Purchase 1978	Mr Perron
140	Interpretation (No. 2) 1978	Mr Everingham
139	Law Officers (No. 2) 1978	Mr Everingham
137	Legislative Assembly (Remuneration of Members) (No. 2) 1978	Mr Everingham
131	Licensing (No. 2) 1978	Mr Tuxworth
129	Motor Vehicles (No. 5) 1978	Mr Steele
135	Northern Territory Disasters 1978 ...	Mr Everingham
133	Soccer Football Pools 1978	Mr Perron
130	Stamp Duty (No. 2) 1978	Mr Perron
141	Statute Law Revision 1978	Mr Everingham
128	Taxation (Administration) (No. 2) 1978	Mr Perron
136	Tourist Board (No. 2) 1978	Mr Steele

THE NORTHERN TERRITORY OF AUSTRALIA

A BILL FOR AN ACT

To amend the Dangerous Drugs Ordinance

BE it enacted by the Legislative Assembly of the Northern Territory of Australia, with the assent as provided by the *Northern Territory (Self-Government) Act 1978* of the Commonwealth, as follows:

1. This Act may be cited as the Dangerous Drugs Act (No. 2) 1978.

Short
title

2. The Dangerous Drugs Ordinance is in this Act referred to as the Principal Act.

Principal
Act

3. Section 29 of the Principal Act is amended by adding at the end the following sub-sections:

Forfeiture

"(10) Where a person is charged with an offence, any other person claiming ownership of, or an interest in, any money, money's worth, security, acknowledgement, note or other thing that may be the subject of an order under this section may, by leave of the court at the trial of the person charged, appear and show cause why that money, money's worth, security, acknowledgement, note or other thing should not be forfeited.

"(11) Upon hearing a person under sub-section (10), the court may order that the money, money's worth, security, acknowledgement, note or other thing be released or returned to that or any other person.

"(12) Where an order is made under sub-section (2) after a person has appeared before the court by leave of the court under sub-section (10), that person may appeal to the Supreme Court from the order as if he was a defendant."

THE NORTHERN TERRITORY OF AUSTRALIA

A BILL FOR AN ACT

To amend the Electrical Workers and Contractors Ordinance

BE it enacted by the Legislative Assembly of the Northern Territory of Australia, with the assent as provided by the *Northern Territory (Self-Government) Act 1978* of the Commonwealth, as follows:

1. This Act may be cited as the Electrical Workers and Contractors Act (No. 2) 1978. Citation
 2. In this Act, the Electrical Workers and Contractors Ordinance 1978 is referred to as the Principal Act. Interpretation
 3. The Principal Act is amended by omitting from section 33(1)(a) and (2)(b) respectively all words after "grade A". Applications
 4. Section 37 of the Principal Act is repealed and the following section substituted: Effect of licence

"37. An electrical contractor's licence issued under this Act licenses the holder to carry on the business of an electrical contractor."
 5. The Principal Act is amended by inserting after section 38 the following section: Lodging of applications for renewal

"38A. An application made under section 38 by a natural person for the renewal of his electrical contractor's licence shall be accompanied by -

 - (a) such evidence of the applicant's continued good repute and continued fitness to carry on business as an electrical contractor as the applicant wishes the Board to consider; and
 - (b) the prescribed fee."
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THE NORTHERN TERRITORY OF AUSTRALIA

A BILL FOR AN ACT

To amend the Financial Administration and Audit Ordinance

BE it enacted by the Legislative Assembly of the Northern Territory of Australia, with the assent as provided by the *Northern Territory (Self-Government) Act 1978* of the Commonwealth, as follows:

1. This Act may be cited as the Financial Administration and Audit Act (No. 2) 1978.

Short
title

2. The Financial Administration and Audit Ordinance is in this Act referred to as the Principal Act.

Principal
Act

3. Section 25 of the Principal Act is amended by omitting sub-section (2) and substituting the following sub-section:

Accountable
officers

"(2) The Treasurer may, by instrument, appoint a person for the time being holding or performing the functions specified in the instrument of appointment to be the accountable officer for those specified functions."

4. The Principal Act is amended by inserting after section 70 the following section:

"70A.(1) A prescribed statutory corporation has power to write off -

Losses and
waivers by
prescribed
statutory
corpor-
ations

(a) losses or deficiencies of moneys of the prescribed statutory corporation;

(b) irrecoverable amounts of revenue of the prescribed statutory corporation;

(c) irrecoverable debts and overpayments made by the prescribed statutory corporation; and

- (d) the value of lost, deficient, condemned, unserviceable, abandoned or obsolete property of the prescribed statutory corporation.
 - (2) A prescribed statutory corporation has power -
 - (a) to waive the right of the prescribed statutory corporation -
 - (i) to the payment of an amount, or of an amount included in a class of amounts payable to the prescribed statutory corporation; or
 - (ii) to the recovery by the prescribed statutory corporation of any property or of property included in a class of property of the prescribed statutory corporation;
 - (b) to postpone the right (whether arising under a law of the Territory or otherwise) to payment of a debt payable to the prescribed statutory corporation in priority to another debt or to all other debts included in a class of debts; and
 - (c) subject to the regulations, to dispose of property by way of gift where it is satisfied that that course is the most appropriate action to be taken with respect to a unit of property of the prescribed statutory corporation."
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THE NORTHERN TERRITORY OF AUSTRALIA

A BILL FOR AN ACT

To amend the Hire-Purchase Ordinance

BE it enacted by the Legislative Assembly of the Northern Territory of Australia, with the assent as provided by the *Northern Territory (Self-Government) Act 1978* of the Commonwealth, as follows:

1. This Act may be cited as the Hire-Purchase Act 1978.

Short
title

2. The Hire-Purchase Ordinance is in this Act referred to as the Principal Act.

Principal
Act

3. Section 7(1) of the Principal Act is amended -

Form and
contents
of hire-
purchase
agreements

(a) by inserting in paragraph (e) after sub-paragraph (vii) the following sub-paragraph:

"(viiia) the amount of tax or stamp duty imposed by the Stamp Duty Act on the agreement and payable by the hirer;"; and

(b) by inserting in sub-paragraph (ix) after the symbols "(vii)" the symbols ", (viiia)".

THE NORTHERN TERRITORY OF AUSTRALIA

A BILL FOR AN ACT

To amend the Interpretation Ordinance

BE it enacted by the Legislative Assembly of the Northern Territory of Australia, with the assent as provided by the *Northern Territory (Self-Government) Act 1978* of the Commonwealth, as follows:

- | | |
|--|-----------------------------------|
| 1. This Act may be cited as the <u>Interpretation Act (No.2) 1978</u> . | Short title |
| 2. The <u>Interpretation Ordinance</u> is in this Act referred to as the Principal Act. | Principal Act |
| 3. Section 5(2) of the Principal Act is amended by omitting "is expressed to come into operation on a particular day, it shall come" and substituting "comes into operation on a particular day, it shall come or be deemed to have come". | Meaning of "commencement" |
| 4. Section 6(1) and (2) of the Principal Act is amended by omitting "immediately on the expiration of the day immediately preceding" and substituting "on". | Commencement of Acts |
| 5. Section 15 of the Principal Act is amended by adding at the end thereof the following sub-section:

"(2) Where a Commonwealth Act or regulation repeals and re-enacts, with or without modification, any provisions of a former Commonwealth Act or regulation, references in an Act to the provisions so repealed shall be construed as references to the provisions so re-enacted." | References to repealed provisions |
| 6. Section 34 of the Principal Act is repealed and the following section substituted:

"34.(1) A provision of an Act that confers upon | References to Administrator |

the Administrator a power to make regulations shall not be read as conferring upon him a power -

- (a) to make any regulation, except after having received the advice of the Executive Council; or
- (b) to make any regulation, the whole or any excisable word, phrase or other part of which makes provision only in relation to a matter in respect of which a Minister of the Territory has executive authority under section 35 of the Northern Territory (Self-Government) Act 1978 of the Commonwealth, except by and in accordance with the advice of the Executive Council.

"(2) Subject to sub-sections (1) and (3), a provision of an Act that confers upon the Administrator a power or function shall not be read as requiring, permitting or enabling the Administrator, except by and in accordance with the advice of the Executive Council, to exercise that power or perform that function by an instrument or by the use of words, the whole or any excisable word, phrase or other part of which makes provision only in relation to a matter in respect of which a Minister of the Territory has executive authority under section 35 of the Northern Territory (Self-Government) Act 1978 of the Commonwealth.

"(3) The Administrator may, without reference to the Executive Council -

- (a) exercise a power to fix a date for the bringing into operation of an Act or of a provision or part of an Act; or
- (b) exercise any other power or perform any function that the Administrator, by and in accordance with the advice of the Executive Council, determines, by notice in the Gazette, to be a power that may be exercised, or a function that may be performed, as the case may be, by the Administrator without reference to the Executive Council."

7. After section 38 of the Principal Act the following section is inserted:

Reference to
Commonwealth
Ministers,
&c.

"38A.(1) Notwithstanding section 38, where in a provision of an Act reference is made to a Commonwealth minister or department or to an office, officer, body corporate or body of persons established

by or under an Act of the Commonwealth, that reference shall be read as or as including a reference to such minister, department, office, officer or body, whether Commonwealth or Territory, as is determined by the Administrator by notice published in the Gazette.

"(2) Where in a provision of an Act reference is made to a Commonwealth minister or department and there is no longer any such minister or department and no determination has been made under sub-section (1), that reference shall be read as a reference to the minister for the time being administering the Northern Territory (Self-Government) Act 1978 of the Commonwealth, or to the department of that minister, as the case may be."

8.(1) Section 44(1) of the Principal Act is amended by inserting before "to remove" the words "to terminate such an appointment or"

Power to
appoint
includes
power to
terminate

(2) Section 44(2)(a) of the Principal Act is amended by inserting before "removed" the words "whose appointment has been terminated or who has been".

(3) Section 44(3) of the Principal Act is amended by inserting before "removal" the words "termination or".

9. Section 46(1) of the Principal Act is amended by omitting all the words from and including "the power may be exercised" and substituting:

Indirect
exercise of
power, &c.

"the power may be exercised or the function performed -

- (a) in the case of a power or function conferred on a minister, by a person who has the authority of that minister; or
- (b) in any other case, by a person who, with the approval of the minister administering the provision conferring the power, or of a person authorized by that minister to give that approval, has the authority of that first-mentioned person".

10. Section 49(1)(c) of the Principal Act is amended by inserting after "short title" the words "or, in the case of an Ordinance, either by the words contained in its short title or by the words that would be contained in its short title if the word 'Ordinance' (last occurring in those words) was 'Act'".

Citation

Repeal of
section 51
Formal
amerdments

11. Section 51 of the Principal Act is repealed.
12. The Principal Act is further amended as set out in the Schedule.

SCHEDULE

Section 12

FORMAL AMENDMENTS

Section amended	Omit	Insert
Section 11	section 51(8)	section 63(10)
Section 17 (definition of "Justice of the Peace")	section 28A	section 32
Section 50(2)	section 39(1)(d)	section 49(1)(d)
Section 63(9)	sub-section (8)	sub-section (10)
Section 64	section 51	section 63

THE NORTHERN TERRITORY OF AUSTRALIA

A BILL FOR AN ACT

To amend the Law Officers Ordinance

BE it enacted by the Legislative Assembly of the Northern Territory of Australia, with the assent as provided by the *Northern Territory (Self-Government) Act 1978* of the Commonwealth, as follows:

- | | |
|---|-------------------------------|
| 1. This Act may be cited as the <u>Law Officers Act (No. 2) 1978</u> . | Short title |
| 2. The <u>Law Officers Ordinance</u> is in this Act referred to as the Principal Act. | Principal Act |
| 3. Section 7(2) of the Principal Act is amended by inserting after " <u>Legal Practitioners Ordinance</u> " the words "or the <u>Sheriff Ordinance</u> ". | Reference to Attorney-General |
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THE NORTHERN TERRITORY OF AUSTRALIA

A BILL FOR AN ACT

To amend the Legislative Assembly (Remuneration of Members)
Ordinance

BE it enacted by the Legislative Assembly of the Northern Territory of Australia, with the assent as provided by the *Northern Territory (Self-Government) Act 1978* of the Commonwealth, as follows:

1. This Act may be cited as the Legislative Assembly (Remuneration of Members) Act (No. 2) 1978.

Short
title

2. The Legislative Assembly (Remuneration of Members) Ordinance is in this Act referred to as the Principal Act.

Principal
Act

3. Sections 3 and 4 of the Principal Act are amended by omitting "Executive Council" (wherever occurring) and substituting "Administrator".

Amendments
to sections
3 and 4

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THE NORTHERN TERRITORY OF AUSTRALIA

A BILL FOR AN ACT

To amend the Licensing Ordinance

BE it enacted by the Legislative Assembly of the Northern Territory of Australia, with the assent as provided by the *Northern Territory (Self-Government) Act 1978* of the Commonwealth, as follows:

1. This Act may be cited as the Licensing Act (No. 2) 1978.

Short
title

2. The Licensing Ordinance is in this Act referred to as the Principal Act.

Principal
Act

3. Section 57(11)(d) of the Principal Act is amended by omitting sub-paragraph (ii) and substituting the following sub-paragraph:

5 days'
certificate

"(ii) on a Sunday, except between the hours of 12 o'clock noon and 10 o'clock in the evening;"

THE NORTHERN TERRITORY OF AUSTRALIA

A BILL FOR AN ACT

To amend the Motor Vehicles Ordinance

BE it enacted by the Legislative Assembly of the Northern Territory of Australia, with the assent as provided by the *Northern Territory (Self-Government) Act 1978* of the Commonwealth, as follows:

- | | |
|---|-----------------------------------|
| 1. This Act may be cited as the <u>Motor Vehicles Act (No. 5) 1978</u> . | Short title |
| 2. The <u>Motor Vehicles Ordinance</u> is in this Act referred to as the Principal Act. | Principal Act |
| 3. Section 26(3) of the Principal Act is amended by omitting "the fees specified in the Second Schedule, or such fees as are prescribed in lieu thereof, which are applicable to the case" and substituting "the prescribed fees". | Licences of public motor vehicles |
| 4. An action taken or purported to be taken under or in pursuance of the Principal Act before the commencement of this Act is as valid and effectual as if this Act had come into operation on the date of commencement of the <u>Motor Vehicles Ordinance (No. 2) 1978</u> . | Validation |
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THE NORTHERN TERRITORY OF AUSTRALIA

A BILL FOR AN ACT

To amend the Northern Territory Disasters Ordinance

BE it enacted by the Legislative Assembly of the Northern Territory of Australia, with the assent as provided by the *Northern Territory (Self-Government) Act 1978* of the Commonwealth, as follows:

1. This Act may be cited as the Northern Territory Disasters Act 1978.

Short
title

2. The Northern Territory Disasters Ordinance is in this Act referred to as the Principal Act.

Principal
Act

3. Section 6 of the Principal Act is amended by omitting sub-section (2) and substituting the following sub-section:

Counter
Disaster
Council

"(2) Subject to sub-section (5), the Council shall consist of -

- (a) the Permanent Head of the Department of the Chief Minister, who shall be Chairman of the Council;
- (b) the Director, who shall be the Executive Officer of the Council;
- (c) each person who is a Departmental Head of a Department within the meaning of the Public Service Ordinance ;
- (d) the Territory Co-ordinator;

Northern Territory Disasters

- (e) the senior member of the Australian Defences Forces resident in the Territory; and
 - (f) such other members appointed by the Minister pursuant to this section.
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Serial 133
Soccer Football Pools
Mr Perron

THE NORTHERN TERRITORY OF AUSTRALIA

SOCGER FOOTBALL POOLS BILL
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-

THE NORTHERN TERRITORY OF AUSTRALIA

A BILL FOR AN ACT

To provide for the promotion, conduct and operation of soccer football pools

BE it enacted by the Legislative Assembly of the Northern Territory of Australia, with the assent as provided by the *Northern Territory (Self-Government) Act 1978* of the Commonwealth, as follows:

PART I - PRELIMINARY

1. This Act may be cited as the Soccer Football Pools Act 1978.

Short
title

2. This Act shall come into operation on a date to be fixed by proclamation.

Commence-
ment

3. In this Act, unless the contrary intention appears -

Interpre-
tation

"approved representative", in relation to a licensee, means a person appointed under section 14(2);

"corresponding law" means a law of another State or a Territory of the Commonwealth under which a person is authorized to promote, conduct or operate soccer football pools;

"entry form" means an entry form required by the rules to enable a person to enter a soccer football pool;

"inspector" means a person appointed under section 22;

"licence" means a licence in force under this Act;

"licensee" means the holder of a licence;

"participating State" means a State or Territory of the Commonwealth in which a person is authorized to promote, conduct or operate soccer football pools under a corresponding law;

Soccer Football Pools

"prize fund" means the fund represented by a bank account referred to in section 21;

"rules", in relation to a soccer football pool, means rules made by a licensee in relation to soccer football pools promoted, conducted or operated by him and in force under section 12;

"soccer football pool" means a game the results of which depend on the outcome of soccer football matches.

PART II - LICENCES

Appli- 4. A person may apply to the Minister for a licence to pro-
cation mote, conduct and operate soccer football pools.

Minister 5.(1) The Minister may, by instrument in writing -
may
require (a) require a person who makes an application under section
bond or 4 to lodge a bond with the Minister within the time
reject specified in the instrument; or

(b) refuse to grant an application under section 4.

(2) The Minister may extend the time for lodgment of the bond under sub-section (1).

(3) The bond referred to in sub-section (1) is a bond -

(a) in a form; and

(b) executed by an insurer,

approved by the Minister, binding the insurer -

(c) to pay to the Minister any amount of duty required under section 19(1)(b) that the licensee fails to pay; and

(d) in addition, if the licence is revoked under section 11, to pay to the Minister such amount as may be demanded by the Minister not exceeding an amount equal to the amount that became payable (whether or not it was paid) to the Minister under section 19(1)(b) during the period of 2 months that last preceded the revocation of the licence,

but so that the insurer will not be required under the bond to meet a total liability in respect of the matters referred to in paragraphs (c) and (d) that exceeds \$250,000.

Duty to 6. A licensee shall not do any thing which causes a bond
maintain lodged in accordance with section 5 not to be in force during
bond any period while his licence is in force.

Penalty: \$10,000.

Soccer Football Pools

7.(1) Subject to this section, the Minister shall grant a licence to a person who -

Minister
shall
grant
licence

- (a) made an application under section 4;
- (b) was required under section 5 to lodge a bond with the Minister; and
- (c) lodged the bond required within the time specified under section 5(1)(a) or (2).

(2) The Minister shall not, while a licence is in force, grant another licence.

8.(1) A licence issued under this Act shall be subject to such conditions as the Minister considers appropriate to control the conduct of the soccer football pool.

Condition

(2) Without limiting the generality of sub-section (1), the conditions of a licence may include conditions relating to -

- (a) the opening by the licensee of an office in the Territory and the days on which and the times between which that office shall be open for business;
- (b) the subsidizing by the licensee of the prize fund, to the extent necessary to enable prizes to be maintained at such level as the Minister specifies, for a period not exceeding 5 years from the day of commencement of the period the licence is in force;
- (c) the rate of commission to be paid by the licensee to approved representatives;
- (d) the rules in accordance with which soccer football pools shall be promoted, conducted or operated by the licensee;
- (e) the maximum amount that a person may subscribe in respect of one entry in a soccer football pool promoted, conducted or operated by the licensee;
- (f) the printing in entry forms for a soccer football pool promoted, conducted or operated by the licensee of such of the rules, or extracts from the rules, as are specified in the conditions; and
- (g) the frequency with which soccer football pools shall be promoted, conducted or operated by the licensee.

9. Subject to this Act, a licence is in force for 10 years from the date on which it was granted.

Life of
licence

Soccer Football Pools

Alter-
ation
of con-
ditions

10.(1) Subject to this section, the Minister may alter the conditions to which a licence is subject by -

- (a) imposing an additional condition on that licence;
- (b) amending a condition of that licence;
- (c) substituting one condition for another condition in that licence; or
- (d) revoking any condition of that licence.

(2) The Minister shall, before altering the conditions of a licence under this section -

- (a) give the licensee a notice in writing -
 - (i) setting out the terms of the proposed alteration; and
 - (ii) inviting the licensee to make representations to the Minister concerning the proposed alteration within the period specified in the notice; and
- (b) after the expiration of that period, consider any representations made to him by or on behalf of the licensee.

Revo-
cation
of
licence

11.(1) The Minister may, by notice in writing given to a licensee, revoke a licence if the licensee -

- (a) fails to comply with -
 - (i) this Act or a regulation;
 - (ii) the rules; or
 - (iii) any condition of the licence; or
- (b) applies to the Minister for the revocation of the licence; or
- (c) is a corporation and a dealing with or in respect of shares of, or other instruments issued by, the corporation that, in the opinion of the Minister, affects the control of the corporation, takes place without the consent in writing of the Minister.

(2) The revocation of a licence under sub-section (1) takes effect -

- (a) subject to paragraph (b), on the day on which the notice of revocation is given to the licensee; or
- (b) if a later day is specified in the notice of revocation, that later day.

Soccer Football Pools

PART III - CONDUCT OF POOLS

12.(1) A licensee may make rules not inconsistent with this Act for or with respect to the promotion, conduct and operation by him of soccer football pools.

Rules

(2) A rule made pursuant to sub-section (1) shall be approved in writing by the Minister.

(3) A rule made under sub-section (1) shall -

(a) be notified in the Gazette; and

(b) take effect on and from -

(i) the date of notification in the Gazette; or

(ii) a later date specified in the rule.

13. A person shall not promote, conduct or operate a soccer football pool unless he is a licensee.

Persons not to conduct pools unless licensed

Penalty: \$2,000.

14.(1) The Minister may by notice in writing approve of -

Approved representatives

(a) a person; or

(b) a class of persons,

to be approved representatives of a licensee.

(2) A licensee may, by instrument in writing, appoint a person -

(a) approved under sub-section (1); or

(b) within a class of persons so approved,

to be an approved representative of the licensee for the collection of entry forms for, and subscriptions in respect of, soccer football pools promoted conducted or operated by that licensee.

15. A person who is not an approved representative of a licensee shall not receive on behalf of the licensee entry forms for, and subscriptions in respect of, soccer football pools promoted, conducted or operated by that licensee.

Persons not to receive entry forms, &c.

16. A licensee shall not pay a commission to a person unless that person is an approved representative of the licensee.

Commission

Soccer Football Pools

Infants 17.(1) A licensee or an approved representative of a licensee shall not accept from a person who is an infant an entry form for, and a subscription in respect of, a soccer football pool.

(2) It is a defence to a prosecution for an offence against sub-section (1) if the defendant -

- (a) had no reason to believe; and
- (b) did not believe,

that the person from whom he accepted an entry form and subscription was an infant.

(3) An infant shall not enter a soccer football pool.

Penalty: \$100.

Exculpation from other offences 18.(1) A person is not guilty of an offence under any law other than this Act by reason only that -

- (a) he enters a soccer football pool by means of an entry form;
- (b) if he is a licensee, he promotes, conducts or operates a soccer football pool in accordance with this Act and with the conditions of his licence;
- (c) he is concerned in the promotion, conduct or operation of a soccer football pool promoted, conducted or operated by a licensee in accordance with this Act and with the conditions of his licence;
- (d) he prints or publishes any thing relating to a soccer football pool promoted, conducted or operated by a licensee in accordance with this Act and with the conditions of his licence;
- (e) he is the owner or occupier of any house, office, room or other place used for the purpose of, or in connexion with, a soccer football pool promoted, conducted or operated by a licensee in accordance with this Act and with the conditions of his licence; or
- (f) he prints or publishes the results of, or information as to the prize money payable in respect of, a soccer football pool promoted, conducted or operated under a corresponding law.

Soccer Football Pools

PART IV - APPLICATION OF SUBSCRIPTIONS

19.(1) Out of the subscriptions received by him in respect of soccer football pools promoted, conducted or operated by him, whether in the Territory or elsewhere, the licensee shall -

Application
of sub-
scriptions

- (a) pay into the prize fund an amount equal to -
 - (i) 37 per cent; or
 - (ii) if a greater percentage is prescribed, that greater percentage; and
- (b) pay to the Minister as duty an amount equal to 30 per cent,

of the subscriptions.

(2) A licensee shall, within 7 days of the end of each month -

- (a) pay to the Minister the amount of duty owed under this Act by that licensee in respect of subscriptions received by that licensee during that month; and
- (b) forward with that payment such financial, statistical or other statements relating to the soccer football pool as the Minister directs, either generally or in respect of a particular soccer football pool, in a notice in writing given to the licensee.

(3) If payment of the duty referred to in sub-section (1) is not made within the time specified in sub-section (2) the licensee shall, in addition to that duty, pay to the Minister as additional duty an amount that is equal to 10 per cent of the amount of the unpaid duty in respect of each month, calculated from the expiration of the time referred to in sub-section (2), during which the duty remains unpaid.

(4) Notwithstanding sub-section (3), the Minister may in any case in which he sees fit to do so, forgo the whole or any part of the additional duty referred to in that sub-section, or allow further time for the payment thereof.

20.(1) If a licensee proposes to promote, conduct and operate soccer football pools in the Territory and also in a participating State, the Minister may enter into an agreement with the appropriate Minister or other appropriate authority of that participating State with respect to -

Agreements

- (a) the division between him and that appropriate Minister or authority of the amount referred to in section 19(1)(b);
or

Soccer Football Pools

(b) the exclusion from the subscriptions by reference to which the amount referred to in section 19(1)(b) is to be calculated of such subscriptions as may be specified in the agreement.

(2) If an agreement referred to in sub-section (1)(b) has been entered into, the obligation of the licensee under section 19 to pay the amount referred to in section 19(1)(b) shall be limited to paying to the Minister 30 per cent of such of the subscriptions referred to in section 19 as are not excluded by the agreement from the subscription so referred to.

Prize
Fund

21.(1) The part of the subscriptions referred to in section 19(1)(a) shall -

- (a) subject to paragraph (b), be paid into a bank account kept by the licensee at a bank in the Territory being an account and bank approved in writing by the Minister; or
- (b) if the licensee by whom the subscriptions are received also promotes, conducts or operates soccer football pools in a participating State and the Minister in writing approves of that part of the subscriptions being paid into a bank account kept by the licensee in a bank in that State, be paid into that bank account.

(2) Any moneys kept in a bank account referred to in sub-section (1)(a) that are not immediately required for the payment of prizes may be invested by the licensee in such manner as the Minister in writing approves, and any interest accruing therefrom shall be paid into that account and form part of the prize fund.

(3) Subject to sub-section (2), the moneys kept in a bank account referred to in sub-section (1) may be applied only -

- (a) towards the payment by the licensee of prizes won in soccer football pools promoted, conducted and operated by him in the Territory or, if a soccer football pool is promoted, conducted and operated by him in the Territory and in a participating State, in the Territory and in that participating State;
- (b) if the licence granted to the licensee contains a condition referred to in section 8(2)(b), towards the reimbursement of the licensee for any amount by which he subsidizes the prize fund; and
- (c) if the Minister so approves in writing, towards the reimbursement of the licensee for any amount which before the commencement of this Act, he paid, under a corresponding law under which he was authorized to promote, conduct or operate soccer football pools, as a subsidy into a prize fund kept under that law.

Soccer Football Pools

PART V - INSPECTION AND AUDIT

22. The Minister may appoint an officer employed under the Public Service Ordinance to be an inspector for the purposes of this Act.

Appoint-
ment of
inspectors

23.(1) For the purposes of this Act and the regulations, an inspector may, at any reasonable time -

Powers
of inspector

- (a) enter any part of the premises of a licensee;
 - (b) enter any part of the premises (other than a dwelling-house) of an approved representative;
 - (c) enter any part of the premises (other than a dwelling-house) of a person who is not a licensee and whom the inspector reasonably suspects of promoting, conducting or operating a soccer football pool;
 - (d) enter any part of the premises, (other than a dwelling-house), of a person, -
 - (i) who is not an approved representative; but
 - (ii) whom the inspector reasonably suspects of receiving entry forms for, or subscriptions in respect of, a soccer football pool;
 - (e) require any person whom the inspector reasonably suspects of having the custody, possession or control of any registers, books, records or documents which relate to, or which the inspector reasonably suspects relate to, the promotion, conduct or operation of a soccer football pool to -
 - (i) produce to him those registers, books, records or documents; and
 - (ii) answer any question with respect to those registers, books, records or documents, within such reasonable time as may be specified in the requirement; or
 - (f) make copies of, or take extracts from, any entries in any such register, book, record or document.
- (2) A person shall not -
- (a) prevent an inspector from exercising any power conferred on him by sub-section (1);
 - (b) hinder or obstruct an inspector in the exercise of any such power;

Soccer Football Pools

(c) fail to comply with a requirement of an inspector under sub-section (1)(e); or

(d) wilfully furnish to an inspector information which is false or misleading in a material particular.

(3) It is a defence to a prosecution for an offence against sub-section (2)(c) by reason of the failure of the defendant to answer a question referred to in sub-section (1)(e)(ii) if he proves that he did not know, and could not with reasonable diligence ascertain, the answer to the question.

(4) A person is not excused from answering any question if required to do so under sub-section (1)(e) on the ground that the answer might tend to incriminate him or make him liable to a penalty but the information furnished by him shall not be admissible against him in any proceedings, civil or criminal, other than proceedings for an offence under sub-section (2).

(5) If an answer to a question referred to in sub-section (1)(e)(ii), or any information whatsoever, is given to an inspector by an officer of a corporation within the meaning of the Companies Ordinance, that is concerned in the promotion, conduct or operation of a soccer football pool, the answer and information are, for the purposes of any proceedings against the corporation under any of the provisions of this Act, binding upon and admissible in evidence against the corporation unless it is proved that the answer or information was given in relation to a matter in respect of which the officer had no authority to bind the corporation.

(6) The provisions of sub-section (5) are in addition to and not in derogation of any rule of law relating to the binding effect and admissibility in evidence of statements made by any officer or employee of a corporation.

**Pro-
tection
of in-
spectors** 24. Any matter or thing done by an inspector *bona fide* for the purpose or purported purpose of executing this Act shall not subject the inspector personally to any action, liability, claim or demand.

Audit 25.(1) The Minister may request the Auditor-General for the Northern Territory to audit or inspect such of the accounts of a licensee as relate to the application of subscriptions and the payment of prizes and to furnish him with a report thereon.

(2) The Auditor-General may appoint some other person to carry out an audit or inspection referred to in sub-section (1).

(3) For the purposes of an audit or inspection referred to in sub-section (1), the person carrying out the audit or inspection shall be deemed to be an inspector and shall have all the powers and authorities of an inspector except those powers and authorities that relate to persons who are not licensees or approved representatives.

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PART VI MISCELLANEOUS

26.(1) An amount that is payable by a person to the Minister under this Act but is not paid may be recovered from that person as a debt due to the Territory in any court of competent jurisdiction.

Recoveries

(2) For the purpose of any action to recover any such amount a certificate of the Minister certifying the amount alleged to be payable by a person and that that amount has not been paid is evidence that the amount so specified is payable to the Minister in accordance with this Act and has not been paid.

27. A notice or order that is required to be served on or given to a licensee under this Act may -

Service

- (a) except in the case of a notice or revocation, be served by post on the licensee; or
- (b) be left for the licensee with some person apparently in the service of the licensee and apparently over the age of 16 years,

at the address at which the licensee carries on business in the Territory or, if the licensee carries on business at more than one place in the Territory, at the address that is, in the opinion of the Minister, the principal place of business of the licensee in the Territory.

28.(1) A person who contravenes or fails to comply with a provision of this Act is guilty of an offence.

Offences

(2) Except where some other penalty is in this Act provided -

- (a) a licensee who is convicted of an offence against this Act is liable to a penalty not exceeding \$2,000; and
- (b) a person, not being a licensee, who is convicted of an offence against this Act is liable to a penalty not exceeding \$500.

(3) It is a defence to a prosecution for an offence against this Act (section 23(2) excepted) if the defendant -

- (a) was employed by a licensee or an approved representative of a licensee; and
- (b) committed the offence in the course of his employment,

and the licensee or approved representative is guilty of that offence.

Soccer Football Pools

Regulat- 29.(1) The Administrator may make regulations for or with
ions respect to -

- (a) the displaying in those parts to which the public has access of the premises of a licensee or an approved representative of the rules relating to soccer football pools or of extracts from those rules;
- (b) the days on which and the hours between which a licensee or an approved representative may not accept entry forms for, or subscriptions in respect of, a soccer football pool;
- (c) advertisements relating to soccer football pool; and
- (d) any matter that by this Act is required or permitted to be prescribed or that is necessary or convenient to be prescribed for carrying out or giving effect to this Act.

(2) Regulations may be made so as to apply differently according to such factors as are specified in the regulations.

(3) A regulation may impose a penalty not exceeding \$250 for any breach thereof.

THE NORTHERN TERRITORY OF AUSTRALIA

A BILL FOR AN ACT

To amend the Stamp Duty Ordinance

BE it enacted by the Legislative Assembly of the Northern Territory of Australia, with the assent as provided by the *Northern Territory (Self-Government) Act 1978* of the Commonwealth, as follows:

1. This Act may be cited as the Stamp Duty Act (No. 2) 1978.

Short
title

2. The Stamp Duty Ordinance is in this Act referred to as the Principal Act.

Principa
Act

3.(1) Item 12 of Schedule 1 of the Principal Act is amended by omitting sub-item (1) and substituting the following sub-item:

Schedule
1

"(1) In respect of the total rent payable during the term without any consideration by way of premium, fine or foregift -

Where such rent does not exceed \$100.....\$0.50

Exceeds \$100 - for every \$100 and also for any remaining - fractional part of \$100 of that rent.....\$0.50".

(2) Item 15 of Schedule 1 of the Principal Act is amended by omitting sub-item (2)(b) and substituting the following sub-item:

"(b) upon a consideration in money's worth of less than the unencumbered value of the mortgage

The same duty as is payable under paragraph (1) under the heading 'Conveyances of Real Property' herein on the conveyance of the mortgage".

(3) Item 20 of Schedule 1 of the Principal Act is amended -

(a) by omitting from sub-paragraph (c)(i) the symbol and figures "\$2.00" (twice occurring) and substituting "\$1.00";

(b) by omitting from sub-paragraph (c)(i) the symbol and figures "\$0.10" and substituting "\$0.05";

(c) by omitting from sub-paragraph (d)(i) the symbol and figures "\$2.00" (twice occurring) and substituting "\$1.00"; and

(d) by omitting from sub-paragraph (d)(i) the symbol and figures "\$0.10" and substituting "\$0.05".

Validation

4. An action taken or purported to be taken under or in pursuance of the Principal Act before the commencement of this Act is as valid and effectual as if this Act had come into operation on 1 July 1978.

THE NORTHERN TERRITORY OF AUSTRALIA

A BILL FOR AN ACT

Relating to the revision of certain statutes

BE it enacted by the Legislative Assembly of the Northern Territory of Australia, with the assent as provided by the *Northern Territory (Self-Government) Act 1978* of the Commonwealth, as follows:

1. This Act may be cited as the Statute Law Revision Act 1978. Short title
2. The Control of Roads Ordinance is amended by omitting from sections 17(2), (3) and 22 "Administrator's Council" (wherever occurring) and substituting "Administrator". Control of Roads
3. The Crown Lands Ordinance is amended - Crown Lands
 - (a) by omitting from the definition of "Crown Lands" in section 5 "Crown or the Commonwealth in the Northern Territory" and substituting "Territory";
 - (b) by omitting from sections 19A, 48(4) and 68J "Administrator" (wherever occurring) and substituting "Minister";
 - (c) by omitting from section 35 "Crown" (wherever occurring) and substituting "Territory"; and
 - (d) by omitting from section 40(1) "in Council" (wherever occurring).
4. The Special Purposes Leases Ordinance is amended - Special Purposes Leases
 - (a) by omitting from section 4(1) "in the name of the Queen" and substituting "in the name of the Territory";
 - (b) by omitting from section 4(1)(b) "outside the Territory" and substituting "outside the Commonwealth"; and

Statute Law Revision

(c) by omitting section 4(1)(e) and substituting:

"(e) to a statutory corporation established under a law of the Commonwealth or of a State or Territory, if the special purpose is within the powers of the corporation."

- | | |
|--|---|
| Freehold
Titles | 5. The <u>Freehold Titles Ordinance</u> is amended by omitting from section 27 "Administrator in Council" and substituting "Administrator". |
| Church
Lands
Leases | 6. The <u>Church Lands Leases Ordinance</u> is amended -

(a) by omitting from section 3(1) "Australia" and substituting "Territory"; and

(b) by omitting from section 13 "Administrator in Council" and substituting "Administrator". |
| Unit
Titles | 7. The <u>Unit Titles Ordinance</u> is amended by omitting from section 110 "Administrator in Council" and substituting "Administrator". |
| Agricultural
Development
Leases | 8. The <u>Agricultural Development Leases Ordinance</u> is amended by omitting from the definition of "Crown Land" in section 3 "Crown or of the Commonwealth" and substituting "Territory". |
| Child
Welfare | 9. The <u>Child Welfare Ordinance</u> is amended by omitting from section 10(3)(e) "Administrator" and substituting "Minister". |
| Electricity
Commission | 10. The <u>Electricity Commission Ordinance</u> is amended by omitting from section 23(2) "sub-section (6)" and substituting "sub-section (1)". |
| Forestry | 11. The <u>Forestry Ordinance</u> is amended by omitting from section 6 "Administrator" and substituting "Minister". |
| Territory
Parks and
Wildlife
Conservation | 12. The <u>Territory Parks and Wildlife Conservation Ordinance</u> is amended by omitting from section 25A(2) "Administrator in Council" and substituting "Administrator". |
| First
Schedule | 13. The Acts specified in the First Schedule are repealed. |
| Second
Schedule | 14. The Acts listed in the Second Schedule are amended by omitting from the sections specified therein "Administrator in Council" (wherever occurring) and substituting "Administrator". |

THE NORTHERN TERRITORY OF AUSTRALIA

A BILL FOR AN ACT

To amend the Taxation (Administration) Ordinance

BE it enacted by the Legislative Assembly of the Northern Territory of Australia, with the assent as provided by the *Northern Territory (Self-Government) Act 1978* of the Commonwealth, as follows:

- | | |
|---|------------------|
| 1. This Act may be cited as the <u>Taxation (Administration) Act (No. 2) 1978.</u> | Short
title |
| 2. The <u>Taxation (Administration) Ordinance</u> is in this Act referred to as the Principal Act. | Principal
Act |
| 3. Section 4(1) of the Principal Act is amended - | Definitions |
| (a) by omitting the definition of "loan instrument";
and | |
| (b) by omitting the definition of "loan security"
and substituting the following definition: | |
| "loan security" means a mortgage, bond or
debenture;" | |
| 4. An action taken or purported to be taken under or in pursuance of the Principal Act before the commencement of this Act is as valid and effectual as if this Act had come into operation on 1 July 1978. | Validation |
-
-

THE NORTHERN TERRITORY OF AUSTRALIA

A BILL FOR AN ACT

To amend the Tourist Board Ordinance

BE it enacted by the Legislative Assembly of the Northern Territory of Australia, with the assent as provided by the *Northern Territory (Self-Government) Act 1978* of the Commonwealth, as follows:

1. This Act may be cited as the Tourist Board Act (No. 2) 1978. Short
title
 2. The Tourist Board Ordinance is in this Act referred to as the Principal Act. Principal
Act
 3. The Principal Act is amended by omitting from section 6(1) the figure "8" and substituting the figure "10". Constitution
of the
Board
-
-

Statute Law Revision

FIRST SCHEDULE

Section 13

ORDINANCES REPEALED

Alice Springs Administration Ordinance
Repeal Ordinance 1977
Alsatian Dogs Ordinance
Repeal Ordinance 1978
Australian Constitutional Commission
Representation Ordinance 1974
Katherine Town Management Ordinance 1960
Katherine Town Management Ordinance 1963
Katherine Town Management Ordinance 1964
Katherine Town Management Ordinance 1972
Land Tenure (Transitional Provisions)
Ordinance Repeal Ordinance 1975
Matrimonial Causes Ordinance
Repeal Ordinance 1978
Succession Duties Repeal Ordinance 1978
Tennant Creek Town Management Ordinance 1961
Tennant Creek Town Management Ordinance 1964
Tennant Creek Town Management Ordinance 1968
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Vaccination Repeal Ordinance 1973

SECOND SCHEDULE

Section 14

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