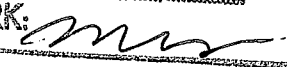


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ATTORNEY-GENERAL AND MINISTER FOR JUSTICE

**STATUTE LAW REVISION BILL 2016**

**SERIAL NO. 4**

**EXPLANATORY STATEMENT**

**GENERAL OUTLINE**

The purpose of this Bill is to make minor revisions and corrections to the laws of the Northern Territory in ways that do not amount to substantive changes in policy.

Amendments to various Acts and Regulations have been carried out to correct typographical and similar errors or omissions, generally tidy up relevant provisions and bring superseded references up to date.

**NOTES ON CLAUSES**

**Part 1 Preliminary matters**

**Clause 1. Short Title**

This is a formal clause which provides for the citation of the Bill. The Bill, when passed, may be cited as the *Statute Law Revision Act 2016*.

**Clause 2. Commencement**

This is a formal clause which provides a date when the Act will commence. The Act will commence on a day fixed by the Administrator by *Gazette* notice.

**Part 2                    Amendment of Cross-border Justice Regulations****Clause 3.                Regulations amended**

This is a formal clause which provides that the following amendments are made to the Cross-border Justice Regulations.

**Clause 4.                Regulation 37 amended**

Regulation 37 is amended by replacing the first reference to regulation 37 with '36A' to correct a referencing error.

**Clause 5.                Regulation 38 amended**

Regulation 38 is amended by replacing the first reference to regulation 37 with '36B' to correct a referencing error.

**Part 3                    Amendment of *Domestic and Family Violence Act*****Clause 6.                Act amended**

This is a formal clause which provides that the following amendments are made to the *Domestic and Family Violence Act*.

**Clause 7.                Section 15 replaced**

The existing section 15 is repealed and a new section 15 is inserted. The new section is redrafted to follow a standard wording format used to apply Part IIAA of the *Criminal Code* to the *Domestic and Family Violence Act*.

**Part 4                    Amendment of *Health Services Act*****Clause 8.                Act amended**

This is a formal clause which provides that the following amendments are made to the *Health Services Act*.

**Clause 9. Part 11 repealed**

The clause repeals Part 11 (which includes sections 98 and 99) from the *Health Services Act* which dealt with consequential amendments to the *National Health Funding Pool and Administration (National Uniform Legislation) Act*. Part 11 should have expired on the day after it commenced, but an expiry provision was mistakenly omitted.

**Part 5 Amendment of *Legal Profession Act*****Clause 10. Act amended**

This is a formal clause which provides that the following amendments are made to the *Legal Profession Act*.

**Clause 11. Section 4 amended**

This clause omits the definition of 'ADI' from section 4 of the *Legal Profession Act* as this is now a standardised term defined by the *Interpretation Act* and should be referred to in that Act for continuity.

A note is inserted by subclause (2) that directs readers to the *Interpretation Act*. It is now standard practice to include this note at the end of the definition section.

**Clause 12. Section 16 replaced**

The existing section 16 is repealed and a new section 16 is inserted. The new section is redrafted to follow a standard wording format used to apply Part IIAA of the *Criminal Code* to the *Legal Profession Act*.

**Clause 13. Section 758 amended**

This clause repeals section 758(5) of the *Legal Profession Act* which refers to transitional matters that are no longer relevant to the operation of the *Legal Profession Act*.

**Part 6**                      **Amendment of *Local Government Act*****Clause 14.**                **Act amended**

This is a formal clause which provides that the following amendments are made to the *Local Government Act*.

**Clause 15.**                **Section 3 amended**

The section 3 definition for '*authorised deposit account*' is replaced with '*authorised deposit account* means an account with an ADI.' as this is a standardised term defined by the *Interpretation Act* and should be referred to in that Act for continuity.

A note is also inserted by at the end of section 3 that directs readers to consider other sections of the *Interpretation Act* that may be relevant. It is now standard practice to include this note at the end of the definition section.

**Clause 16.**                **Part 1.5 inserted**

This clause inserts a new Part 1.5 into the *Local Government Act* to replace the existing Part 19.2. The new part is redrafted to follow a standard wording format used to apply Part IIAA of the *Criminal Code* to the *Local Government Act*.

**Clause 17.**                **Section 116(2)(b) amended**

Section 116(2)(b) is amended by replacing 'Justice' with 'justice of the peace' to correct a title.

**Clause 18.**                **Part 19.2 repealed**

This clause repeals Part 19.2 of the *Local Government Act* (which includes section 243) as Part 19.2 is being replaced by a new Part 1.5 in clause 16.

**Part 7**                    **Amendment of *Medicines, Poisons and Therapeutic Goods Act***

**Clause 19.**            **Act amended**

This is a formal clause which provides that the following amendments are made to the *Medicines, Poisons and Therapeutic Goods Act*.

**Clause 20.**            **Sections 6 and 13 repealed**

This clause repeals sections 6 and 13 as they now contain redundant definitions.

**Clause 21.**            **Act further amended**

This is a formal clause which provides that the laws specified in Schedule 1 are amended.

**Part 8**                    **Amendment of *Northern Territory Environment Protection Authority Act***

**Clause 22.**            **Act amended**

This is a formal clause which provides that the following amendments are made to the *Northern Territory Environment Protection Authority Act*.

**Clause 23.**            **Part 6 and Division 1 heading replaced**

Part 6, sections 41 and 42 expired on 1 January 2014. The Part 6, heading is amended by replacing the heading with 'Repeals' to update it accordingly.

The Part 6, Division 1 heading is omitted as the heading is no longer required.

**Clause 24. Part 6, 2 repealed**

Part 6, Division 2 (including sections 40, 41 and 42) is repealed as the sections in this division refer to transitional matters and are now obsolete.

**Part 9 Amendment of *Public Transport (Passenger Safety) Act*****Clause 25. Act amended**

This is a formal clause which provides that the following amendments are made to the *Public Transport (Passenger Safety) Act*.

**Clause 26. Section 3 amended**

This clause amends the definition of 'dangerous drug' in section 3 of the *Public Transport (Passenger Safety) Act* to provide a standard definition of '*dangerous drug*'.

A note is also inserted by subclause (2) that directs readers to consider other sections of the *Interpretation Act* that may be relevant. It is now standard practice to include this note at the end of the definition section.

**Clause 27. Section 5A inserted**

This clause inserts a new section 5A into the *Public Transport (Passenger Safety) Act* to replace existing section 31. The new section is redrafted to follow a standard wording format used to apply Part IIAA of the *Criminal Code* to the *Public Transport (Passenger Safety) Act*.

**Clause 28. Section 31 repealed**

The existing section 31 is repealed. Section 31 is being replaced by a new section 5A in clause 27.

**Part 10**                    **Amendment of *Surveillance Devices Act***

**Clause 29.**                **Act amended**

This is a formal clause which provides that the following amendments are made to the *Surveillance Devices Act*.

**Clause 30.**                **Section 4 amended**

This clause amends the definition of 'serious drug offence' to direct the reader to the correct section of the *Misuse of Drugs Act* that defines 'serious drug offence' and makes the cross reference more specific.

A note is also inserted by subclause (2) that directs readers to consider other sections of the *Interpretation Act* that may be relevant. It is now standard practice to include this note at the end of the definition section.

**Clause 31.**                **Section 7 replaced**

The new section is redrafted to follow a standard wording format used to apply Part IIAA of the *Criminal Code* to the *Surveillance Devices Act*.

**Part 11**                    **Amendment of *Unit Title Schemes Act***

**Clause 32.**                **Act amended**

This is a formal clause which provides that the following amendments are made to the *Unit Title Schemes Act*.

**Clause 33.**                **Section 8 replaced**

The new section is redrafted to follow a standard wording format used to apply Part IIAA of the *Criminal Code* to the *Unit Title Schemes Act*.

This clause inserts new section 8A into the *Unit Title Schemes Act* to replace section 8(2) which was removed by the changes to section 8. This ensures the continued application of the former section

8(2) by inserting those provisions into a new section 8A that operates in the same way as the former section 8(2).

**Part 12                    Amendment of other laws**

**Clause 34.                Other laws amended**

This is a formal clause which provides that the laws specified in Schedule 2 are amended.

**Part 13                    Repeal of Acts**

**Clause 35.                Acts repealed**

This is a formal clause which provides that the laws specified in Schedule 3 are repealed.

**Part 14                    Expiry of Act**

**Clause 36.                Expiry of Act**

This is a standard clause which provides that the *Statute Law Revision Act 2016* expires the day after it commences. As this is an amending Act, there is no need to retain the Act on the statute book, once all the amendments to other Acts have been effected.



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**Schedule 1 Medicines, Poisons and Therapeutic Goods Act**

***Medicines, Poisons and Therapeutic Goods Act***

Sections 3(1)(a), 3(1)(b), 4(1) to 4(3), 4(4)(a) to 4(4)(d) and 4(5), replace 'regulated' with 'Scheduled' to correspond to a formal change to the Poisons Standard that impacts on the terminology of the Act.

The section 5 definitions for '*Appendix C substance*' and '*regulated substance*' are omitted to remove outdated terms no longer used by the Act.

Section 5, definitions for '*addiction*', '*deal with*' and '*use*', replace 'regulated' with 'Scheduled' to reflect a recent change in the terms used by the Act.

A note is also inserted that directs readers to consider other provisions of the *Interpretation Act* that may be relevant. It is now standard practice to include this note at the end of the definition section.

The note in section 7 is amended by inserting a further subparagraph (i) to the existing list which describes Schedule 10 substances which are the former Appendix C substances.

Section 12(b) is amended by omitting 'an Appendix C' and substituting 'a Schedule 10' to reflect a recent change where Appendix C substances were renamed as Schedule 10 substances in the Act.

Part 1.2, Division 2, Subdivision 3, heading replace 'regulated' with 'Scheduled' to reflect a recent change in the terms used by the Act.

Sections 17, 20, 21(1) to 21(3), 22(1) and 22(2) replace 'regulated' with 'Scheduled' to reflect a recent change in the terms used by the Act.

Part 1.2, Division 2, Subdivision 4, heading replace 'regulated' with 'Scheduled' to reflect a recent change in the terms used by the Act.

Section 23(4)(b) is amended by omitting 'practices' and substituting 'practises' to correct a grammatical error.

Section 31 replace 'regulated' with 'Scheduled' to reflect a recent change in the terms used by the Act.

Section 31, note replace 'regulated' with 'Scheduled' to reflect a recent change in the terms used by the Act.

Section 32 replace 'regulated' with 'Scheduled' to reflect a recent change in the terms used by the Act.

The section 33, heading is amended by omitting 'Part IIAA' to follow a standard wording format used to apply Part IIAA of the *Criminal Code* to the *Medicines, Poisons and Therapeutic Goods Act*.

Section 33, note 2 replace 'regulated' with 'Scheduled' to reflect a recent change in the terms used by the Act.

Chapter 2, heading, and section 34, heading replace 'regulated' with 'Scheduled' to reflect a recent change in the terms used by the Act.

Section 34(1)(a) replace 'regulated' with 'Scheduled' to reflect a recent change in the terms used by the Act.

Section 35, heading replace 'regulated' with 'Scheduled' to reflect a recent change in the terms used by the Act.

Section 35(1)(a) replace 'regulated' with 'Scheduled' to reflect a recent change in the terms used by the Act.

Part 2.2, heading replace 'regulated' with 'Scheduled' to reflect a recent change in the terms used by the Act.

Section 57(1)(e) is amended by omitting '1912' and substituting '2012' to correct a typographical error.

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Sections 73(1) and 73(2) replace 'regulated' with 'Scheduled' to reflect a recent change in the terms used by the Act.

Sections 79(1)(a), 79(2)(a) and 79(3), definition of '*authorised supplier*' replace 'regulated' with 'Scheduled' to reflect a recent change in the terms used by the Act.

Section 80, heading replace 'regulated' with 'Scheduled' to reflect a recent change in the terms used by the Act.

Sections 80(1) to 80(3) and 80(4), definition of '*waste disposer*', and 86(1) and 86(2) replace 'regulated' with 'Scheduled' to reflect a recent change in the terms used by the Act.

Part 2.6, heading replace 'regulated' with 'Scheduled' to reflect a recent change in the terms used by the Act.

Section 98(1)(a) replace 'regulated' with 'Scheduled' to reflect a recent change in the terms used by the Act.

Part 2.7, heading, and section 101, heading replace 'regulated' with 'Scheduled' to reflect a recent change in the terms used by the Act.

Section 101(1)(a) replace 'regulated' with 'Scheduled' to reflect a recent change in the terms used by the Act.

Section 102, heading replace 'regulated' with 'Scheduled' to reflect a recent change in the terms used by the Act.

Section 102(1)(a) replace 'regulated' with 'Scheduled' to reflect a recent change in the terms used by the Act.

Section 103, heading replace 'regulated' with 'Scheduled' to reflect a recent change in the terms used by the Act.

Section 103(1)(a) replace 'regulated' with 'Scheduled' to reflect a recent change in the terms used by the Act.

Section 104, heading replace 'regulated' with 'Scheduled' to reflect a recent change in the terms used by the Act.

Sections 104(1)(b) and 105, definition of '*vending machine*' replace 'regulated' with 'Scheduled' to reflect a recent change in the terms used by the Act.

Section 113, heading, and Chapter 3, heading replace 'regulated' with 'Scheduled' to reflect a recent change in the terms used by the Act.

Sections 118(1)(a), 118(1)(b), 118(2)(a)(ii), 118(3)(a), 119(2)(a), 121(a), 122(a) and 134(2)(b) replace 'regulated' with 'Scheduled' to reflect a recent change in the terms used by the Act.

Section 134(2)(d), note replace all references to 'regulated' with 'Scheduled' to reflect a recent change in the terms used by the Act.

Sections 135, 135(a)(i), 135(a)(ii), 136(a)(i) and 142 replace all references to 'regulated' with 'Scheduled' to reflect a recent change in the terms used by the Act.

Section 143(1)(b), examples 1 and 2(a) replace 'regulated' with 'Scheduled' to reflect a recent change in the terms used by the Act.

Sections 144, 203(1), 206(1), 219(1)(d) and 219(1)(g) replace 'regulated' with 'Scheduled' to reflect a recent change in the terms used by the Act.

Part 7.2, Division 1, heading replace 'regulated' with 'Scheduled' to reflect a recent change in the terms used by the Act.

Sections 251(3) and 257(2), definition of '*substance information*', 279(1)(a)(i), 281(2)(a) to 281(2)(c) and 281(2)(e) and 283, definition of '*corresponding authority*' replace all references to 'regulated' with 'Scheduled' to reflect a recent change in the terms used by the Act.

## Schedule 2      Other laws amended

### ***Agents Licensing Act***

Section 9, heading, replace 'Chairman' with 'Chairperson' to modernise language.

Section 9, replace all words from 'There' to 'be the' with 'The' and replace '(b).' with '(b) is to be the Chairperson of the Board.' to modernise language.

Section 50(1), replace 'shall' with 'must' to modernise language, omit ', being an account' to modernise language, and omit 'or the Territory Insurance Office' as this is no longer relevant to the operation of the Act following passage of the *Territory Insurance Office (Sale) Act 2014*.

Section 50(1)(a), replace '(Cth)' with '(Cth,)' to correct a typographical error.

Section 50(1)(c), replace 'in which' with 'that holds', replace 'within the meaning' with 'as defined in section 63', replace 'or the' with 'or section 4 of the', and replace ', are held,' with '-' to modernise language.

Section 50(2), replace 'shall maintain an account so opened' with 'must maintain an account opened in accordance with subsection (1)' to modernise language.

Section 50(3), replace 'referred to' with 'mentioned' to modernise language, and omit 'or the Territory Insurance Office' as this is no longer relevant to the operation of the Act following passage of the *Territory Insurance Office (Sale) Act 2014*.

Section 50(4) is omitted in order to move the definition of 'account' by to the end of the section, which is standard drafting practice.

Section 50(5), replace 'approved under subsection (4)' with 'for this section' to conform to modern drafting practice, and omit 'or the Territory Insurance Office' as this is no longer relevant to the operation of the Act following passage of the *Territory Insurance Office (Sale) Act 2014*.

Section 50(6), replace '(4) and (5)' with '(5) and (7)' to correct referencing.

Insert after section 50(6), a new section 50(7) which contains a definition of 'account', replacing section 50(4).

Section 51, replace 'shall' with 'must', replace 'he or she' with 'the agent' and, replace 'in pursuance of' with 'under' to modernise language.

Section 51(a), omit ', or the branch of the Territory Insurance Office' as this is no longer relevant to the operation of the Act following passage of the *Territory Insurance Office (Sale) Act 2014*.

Section 54(1), replace 'or the Territory Insurance Office, the ADI or Territory Insurance Office, as the case may be,' with 'ADI' as this is no longer relevant to the operation of the Act following passage of the *Territory Insurance Office (Sale) Act 2014*.

Section 54(2), replace all words from 'Nothing' to 'Office' with 'Subsection (1) does not authorise an ADI' and, replace 'referred to' with 'mentioned', to modernise language.

Section 54(3), replace 'shall' with 'will' to modernise language, and omit 'or the Territory Insurance Office' as this is no longer relevant to the operation of the Act following passage of the *Territory Insurance Office (Sale) Act 2014*.

Section 54(4), omit 'or the Territory Insurance Office' as this is no longer relevant to the operation of the Act following passage of the *Territory Insurance Office (Sale) Act 2014*.

Section 73(1)(a), omit 'by instrument' to modernise language, and omit 'or Territory Insurance Office' as this is no longer relevant to the operation of the Act following passage of the *Territory Insurance Office (Sale) Act 2014*.

Section 73(2), replace 'Where' with 'If' to modernise language.

Section 73(2)(a), omit 'or the Territory Insurance Office shall' as this is no longer relevant to the operation of the Act following passage of the *Territory Insurance Office (Sale) Act 2014*.

Section 73(2)(b), replace 'notice in writing' with 'written notice' to modernise language, and omit 'or Territory Insurance Office' as this is no longer relevant to the operation of the Act following passage of the *Territory Insurance Office (Sale) Act 2014*.

Section 73(4), replace 'shall' with 'must' to modernise language.

### ***Agricultural and Veterinary Chemicals (Control of Use) Act***

Section 86(1)(c) is amended by inserting 'Australian Pesticides and Veterinary Medicines Authority continued by section 6 of the *Agricultural and Veterinary Chemicals (Administration) Act 1992 (Cth)*' after 'with the' so as to insert a missing reference to the Australian Pesticides and Veterinary Medicines Authority.

Section 86(2) is amended by replacing 'his or her' with 'the Chemicals Coordinator's' to modernise language.

***Animal Welfare Act***

Section 17(1) is omitted to move the reference to the end of the section, which is standard drafting practice.

Section 17(2) is amended by inserting 'Maximum penalty: 100 penalty units or imprisonment for 12 months.' at the end of the subsection to make it clear that it is an offence. The penalty is taken from section 75 of the Act which is a general penalty provision, but general penalty provisions are no longer considered appropriate policy.

A new subsection (3) is inserted after section 17(2) to insert the definition of '*poison*' and to replace section 17(1).

***Associations Act***

Section 110(6), replace 'in pursuance of' with 'under' to modernise language.

Section 110(6)(b), replace 'pursuant to' with 'under' to modernise language.

Section 110(6)(d), omit ', so as' to modernise language.

Section 110(6)(d)(ii), omit 'or the Territory Insurance Office' as this is no longer relevant to the operation of the Act following passage of the *Territory Insurance Office (Sale) Act 2014*.

Section 110(7), replace 'in pursuance of' with 'under' to modernise language.

Section 110(8)(d), omit ', so as' to modernise language.

Section 110(8)(d)(ii), omit 'or the Territory Insurance Office' as this is no longer relevant to the operation of the Act following passage of the *Territory Insurance Office (Sale) Act 2014*.



## **Associations (Model Constitution) Regulations**

In the schedule, clause 4, the definition for '*financial institution*' is amended by replacing all words after 'means an' with 'ADI' to reflect a standardised term now in use.

## ***AustralAsia Railway Corporation Act***

Section 23 is amended by replacing all words after 'more' with 'ADIs' to reflect a standardised term now in use.

## ***Bail Act***

Section 14(1) is amended by omitting 'that he' to correct a typographical error.

## ***Batchelor Institute of Indigenous Tertiary Education Act***

The section 3(1), definition for '*Council*' is amended by replacing '10' with '9' to correct a referencing error.

A note is also inserted by at the end of section 3(1) that directs readers to consider other sections of the *Interpretation Act* that may be relevant. It is now standard practice to include this note at the end of the definition section.

Section 37(1), omit 'or the Territory Insurance Office' as this is no longer relevant to the operation of the Act following passage of the *Territory Insurance Office (Sale) Act 2014*.

## **Bushfires Management (Volunteer Bushfire Brigades) Regulations**

In the schedule, clause 4, the definition for '*financial institution*' is amended by replacing all words after 'means an' with 'ADI' to reflect a standardised term now in use.

***Care and Protection of Children Act***

Sections 60(2)(a) and 60(2)(c) are amended by replacing '3' with '3(1)' to correct referencing errors.

***Charles Darwin University Act***

Section 32(1), omit 'or with the Territory Insurance Office' as this is no longer relevant to the operation of the Act following passage of the *Territory Insurance Office (Sale) Act 2014*.

***Commercial and Private Agents Licensing Act***

Section 4(1)(a), replace 'his or her' with 'the police officer or member's' to modernise language.

Section 4(1)(b), replace all words from 'employee' to 'that Act' with 'public sector employee while acting in the performance of the Chief Executive Officer or employee's functions under the *Public Sector Employment and Management Act*' to provide a correct reference to the referred Act.

Sections 4(1)(c) and 4(1)(ca), replace 'his or her' with 'the employee's' to modernise language, and omit 'such' to modernise language.

Section 4(1)(d), replace 'his or her' with 'the practitioner's' to modernise language.

Section 4(1)(e), replace 'his or her' with 'the clerk's', and omit the second reference to 'legal' to modernise language.

Section 4(1)(f), replace 'his or her' with 'the accountant's' to modernise language.

Section 4(1)(g), replace 'his or her' with 'the officer's' to modernise language.

Section 4(1)(h), replace 'his or her' with 'the employee's', and omit ', the Territory Insurance Office' as this is no longer relevant to the operation of the Act following passage of the *Territory Insurance Office (Sale) Act 2014*.

Section 23(2), omit 'or the Territory Insurance Office' as this is no longer relevant to the operation of the Act following passage of the *Territory Insurance Office (Sale) Act 2014*.

Section 27(1), replace 'notice in writing' with 'written notice' to modernise language, and omit 'or the Territory Insurance Office' as this is no longer relevant to the operation of the Act following passage of the *Territory Insurance Office (Sale) Act 2014*.

Section 28(1), replace 'notice in writing' with 'written notice', replace 'his or her' with 'the agent's', replace 'he or she' with 'the Commissioner' to modernise language, and omit ', or the Territory Insurance Office,' as this is no longer relevant to the operation of the Act following passage of the *Territory Insurance Office (Sale) Act 2014*.

### ***Correctional Services Act***

Section 194(1) is amended by inserting a further subparagraph (ab) to the existing list (also amending subparagraph (1) for continuity by replacing 'either or both' with 'any') to correct an accidental omission.

### ***Criminal Code***

Section 428(3) is amended by replacing 'shall' with 'must' to modernise language, and replacing 'such charges as may be prescribed by the Administrator in Council' with 'the charges prescribed by regulation' to correctly reflect the process.

### ***Criminal Property Forfeiture Act***

The section 5 definition for '*document*' is omitted as this is a standardised term defined by the *Interpretation Act* and should be referred to in that Act for continuity.

The section 5 definition for '*financial institution*', paragraph (d) is omitted as this is no longer relevant to the operation of the Act following passage of the *Territory Insurance Office (Sale) Act 2014*.

A note is also inserted by at the end of section 5 that directs readers to consider other sections of the *Interpretation Act* that may be relevant. It is now standard practice to include this note at the end of the definition section.

### **Dangerous Goods Regulations**

The Part 7, heading is omitted as regulation 224 is expired and the heading is obsolete.

### ***Disability Services Act***

Sections 27(3)(a) and 27(3)(c) are amended by replacing '3' with '3(1)' to correct referencing errors.

### ***Environment Protection (Beverage Containers and Plastic Bags) Act***

Section 5 is amended by omitting 'of Part IIAA' from the heading to follow a standard wording format used to apply Part IIAA of the *Criminal Code* to the *Environment Protection (Beverage Containers and Plastic Bags) Act*.

### ***Financial Sector Reform (Northern Territory) Act***

The Part 3, heading is amended by replacing 'Authorised deposit taking institutions' with 'ADIs' to reflect a standardised term now in use.

Section 47 is amended by replacing all words after 'to an' with 'ADI.' to reflect a standardised term now in use.

### **Fines and Penalties (Recovery) Regulations**

Regulations 11B(1) and 11C(1) are amended to by replacing 'Proceedings' with 'Jurisdiction' correct a reference.

### **Gaming Control (Internet Gaming) Regulations**

Regulation 17(1) is amended by inserting 'employee' after 'key' to correct a reference to a defined term.

### **Gaming Machine Act**

Section 3, omit ', unless the contrary intention appears' to comply with modern drafting practice.

The section 3, definition for 'financial institution' is amended by replacing the whole of paragraph (b) with '(b) an ADI;' to reflect a standardised term now in use.

The section 3 definition for 'financial institution' is amended by replacing 'of the Commonwealth' in paragraph (c) with '(Cth)' to comply with modern drafting practice.

The section 3 definition for 'financial institution' is amended by omitting paragraph (f) as this is no longer relevant to the operation of the Act following passage of the *Territory Insurance Office (Sale) Act 2014*.

A note is also inserted by at the end of section 3 that directs readers to consider other sections of the *Interpretation Act* that may be relevant. It is now standard practice to include this note at the end of the definition section.

Section 119(1), replace 'shall' with 'must' to modernise language.

Section 119(1)(a)(i) to 119(1)(a)(iv), insert 'or' at the end of each paragraph to reflect modern drafting style.

Section 119(1)(a)(v), replace 'by the Commission or the Director and the Commission' with 'under this Act and the Director-General' to correct a title, and replace 'refusals jeopardise' with 'refusal jeopardises' to correct a grammatical error.

### ***Guardianship of Adults Act***

Section 44(1)(b) is amended by replacing, 'in' with 'is' to correct a typographical error.

### ***Housing Act***

Section 5A is amended by replacing 'Declared offences for' with 'Application of' in the heading to follow a standard wording format used to apply Part IIAA of the *Criminal Code* to the *Housing Act*.

### ***Information Act***

In schedule 1, the entry for *Sexual Offences (Evidence and Procedure) Act* is amended by replacing 'section 11(1) and (2)' with 'sections 11, 11A and 11B(1)' to correct referencing errors.

### ***Interpretation Act***

In section 17, the definition for 'ADI' is amended by replacing 'within the meaning' with 'as defined in section 5(1)' to provide a correct reference.

### ***Land Title Act***

Section 4 is amended by omitting ', unless the contrary appears' to comply with modern drafting practice.

The section 4, definition for '*instrument*' is amended by inserting a further subparagraph (j) to the existing list to correct an accidental omission.

A note is also inserted by at the end of section 4 that directs readers to consider other sections of the *Interpretation Act* that may be relevant. It is now standard practice to include this note at the end of the definition section.

### ***Law of Property Act***

The section 34, heading is amended by replacing 'body corporates' with 'bodies corporate' to correct a grammatical error.

The section 68(2), definition for '*bank*' is amended by replacing all words from 'authorised' to 'Commonwealth' with 'ADI to reflect a standardised term now in use, and by omitting ', the Territory Insurance Office' as this is no longer relevant to the operation of the Act following passage of the *Territory Insurance Office (Sale) Act 2014*.

### ***Liquor Act***

Section 5(1)(b), replace 'student.' with 'student.)' to correct a typographical error.

Section 31A(2)(b), replace the Roman numeral 'III' with '3' to modernise format.

Section 49A(1), replace 'within the meaning' with 'as defined in section 11A' to provide a correct reference.

Section 68(7), replace 'Director' with 'Director-General' to correct a title.

### ***Litter Act***

Section 4(2), replace 'notice published in the *Gazette*' with '*Gazette* notice' to modernise language, replace 'that that' with 'that' to correct a typographical error, and omit ', as the case may be, and thereupon this Act has that extended application accordingly' to modernise language.

Section 4(3), omit 'that' to correct a typographical error.

### ***Local Court Act***

In the section 85, table, item 8 is amended by replacing '54A' with '59A' to correct a referencing error.

### ***Local Court (Criminal Procedure) Act***

Section 60AL(b) is amended by inserting 'the' after 'sentencing of' to correct a typographical error.

### **Local Government (Darwin Parking Local Rates) Regulations**

Regulation 9(1), replace 'shall forthwith' with 'must immediately' to modernise language.

Regulation 9(1)(a), insert 'or' at the end to comply with modern drafting practice.

Regulation 9(1)(c), replace 'a certificate of occupancy' with 'occupancy certification' to correctly refer to a defined term, and replace 'on,' with 'on;' to correct a typographical error.

Regulation 9(1) is amended by replacing the penalty provision with 'Maximum penalty: 20 penalty units.' at the end of the subsection. The provision is redrafted in accordance with current drafting style, and the penalty is substantively unchanged. Bodies corporate no longer need to be referred to in penalty provisions where section 38DB of the *Interpretation Act* applies.



***Marine Safety (Domestic Commercial Vessel) (National Uniform Legislation) Act***

The Part 8, heading is amended by omitting 'and transitional provisions' as transitional sections have expired and the heading is now obsolete.

***Medical Services Act***

Section 3(1), replace 'the Schedule' with 'Schedule 1' to correct a referencing error.

Section 5, omit ', unless the contrary appears' to comply with modern drafting practice.

Section 5, omit the definition for 'Secretary' to remove an obsolete reference.

Section 5, insert a new definition for 'CEO' to remove an obsolete reference.

Section 5, in the definition for 'attendant', replace 'authorized' with 'authorised' to maintain consistent spelling, and replace 'Secretary' with 'CEO' to remove an obsolete reference.

Section 5, in the definition for 'salaried dentist or salaried medical practitioner', paragraph (b), replace 'such period as he' with 'the period the dentist or medical practitioner' to modernise language.

Section 5, definition 'visiting dentist or visiting medical practitioner' replace 'Secretary' with 'CEO' to remove an obsolete reference.

A note is also inserted by at the end of section 5 that directs readers to consider other sections of the *Interpretation Act* that may be relevant. It is now standard practice to include this note at the end of the definition section.

Section 6(2)(a)(iv), replace 'he' with 'the Minister' to modernise language.

Section 7, heading replace 'Secretary' with 'CEO' to remove an obsolete reference.

Section 7(1), replace 'Secretary shall be' with 'CEO is' to remove an obsolete reference, and replace 'which' with 'that' to modernise language.

Section 7(2), replace 'Secretary may' with 'CEO may do any of the following' to remove an obsolete reference.

Section 7(2)(c), replace 'authorize' with 'authorise', to maintain consistent spelling, and omit 'and' to comply with modern drafting practice.

Section 7(2)(d), omit 'or fails to comply with' to comply with modern drafting practice.

Section 8, replace all words from 'Secretary' to 'delegation' with 'CEO may delegate any of the CEO's powers and functions under this or another Act to a person' to improve consistency with delegation provisions in other Acts.

Section 9(1), replace 'Secretary' with 'CEO' to remove an obsolete reference, and replace 'he' with 'the CEO' to modernise language.

Section 9(2), replace 'Where' with 'If' to modernise language, replace 'authorize' with 'authorise' to maintain consistent spelling, and replace all references to 'Secretary' with 'CEO' to remove an obsolete reference.

Section 9(2)(a), replace 'his' with 'that person' to modernise language.

Section 9(3), replace 'Where' with 'If' to modernise language, replace 'authorized' with 'authorised', replace 'authorize' with 'authorise' to maintain consistent spelling, and replace all references to 'Secretary' with 'CEO' to remove an obsolete reference.

Section 9(4) is omitted and a new subsection 9(4) is inserted in order to clarify the wording used in that subsection.

Section 9(5), replace 'Where' with 'If', replace 'shall be deemed' with 'is taken' to modernise language, and replace all references to 'authorized' with 'authorised' to maintain consistent spelling.

Section 10, replace 'Where' with 'If', replace 'whom he' with 'whom that person' to modernise language, and replace 'authorized' with 'authorised' to maintain consistent spelling.

Section 10(a) and 10(b), replace 'he' with 'the person' to modernise language.

Section 12(2), replace 'referred to' with 'mentioned' to modernise language, and replace 'Secretary' with 'CEO' to remove an obsolete reference.

Section 13(2), replace 'where' with 'if', and replace 'he' with 'the person' to modernise language.

Section 13(3), replace 'Where' with 'If', and replace 'his' with 'the infant's' to modernise language.

Section 15(2), replace 'by virtue' with 'because' to modernise language, and replace 'Secretary' with 'CEO' to remove an obsolete reference.

Section 16(1)(a), insert 'and' at the end to comply with modern drafting practice.

Section 16(1)(c), replace 'Secretary' with 'CEO' to remove an obsolete reference.

Section 17(2), replace 'his' with 'the CEO's', replace 'he' with 'the dentist' to modernise language, and replace 'Secretary' with 'CEO' to remove an obsolete reference.

Section 17(3), replace 'his' with 'the CEO's', replace 'he' with 'the practitioner' to modernise language, and replace 'Secretary' with 'CEO' to remove an obsolete reference.

Section 17(5), omit 'shall', replace 'he' with 'the practitioner' to modernise language, and replace 'Secretary' with 'CEO' to remove an obsolete reference.

Section 17(8), replace 'he' with 'the dentist or practitioner' to modernise language.

Section 17(10), replace 'him' with 'the CEO' to modernise language, and replace 'Secretary' with 'CEO' to remove an obsolete reference.

### ***Medicines, Poisons and Therapeutic Goods Regulations***

Regulation 3, definition of '*maintain*' replace 'regulated' with 'Scheduled' to reflect a recent change in the terms used by the Act.

Regulation 3, definition of '*regulated substance register*' replace 'regulated' with 'Scheduled' to reflect a recent change in the terms used by the Act.

Part 2, heading, and Regulation 32, heading replace 'regulated' with 'Scheduled' to reflect a recent change in the terms used by the Act.

Regulations 32(1)(b), 33(1) and 34(1) replace 'regulated' with 'Scheduled' to reflect a recent change in the terms used by the Act.

Part 3, heading replace 'regulated' with 'Scheduled' to reflect a recent change in the terms used by the Act.

Regulation 42(e) replace 'regulated' with 'Scheduled' to reflect a recent change in the terms used by the Act.

Part 4, heading replace 'regulated' with 'Scheduled' to reflect a recent change in the terms used by the Act.

Part 4, Division 1, heading replace 'regulated' with 'Scheduled' to reflect a recent change in the terms used by the Act.

Regulations 60 and 61 replace 'regulated' with 'Scheduled' to reflect a recent change in the terms used by the Act.

Part 4, Division 2, heading replace 'regulated' with 'Scheduled' to reflect a recent change in the terms used by the Act.

Regulations 62(1), 63(1)(a), 64(a), 65(1), 65(2)(a), 65(3), 65(4), 66(1)(b)(ii), 67(1)(b), 68(1)(b), 69(1)(b), 70(1) and 70(1)(a) replace all references to 'regulated' with 'Scheduled' to reflect a recent change in the terms used by the Act.

Regulation 71, heading replace 'regulated' with 'Scheduled' to reflect a recent change in the terms used by the Act.

Regulations 71(1), 72(1), 72(3) and 72(4) replace all references to 'regulated' with 'Scheduled' to reflect a recent change in the terms used by the Act.

Regulation 73, heading replace 'regulated' with 'Scheduled' to reflect a recent change in the terms used by the Act.

Regulations 73(2) and 89(g) replace 'regulated' with 'Scheduled' to reflect a recent change in the terms used by the Act.

### ***Menzies School of Health Act***

Section 25(1) is amended by replacing 'shall' with 'must', replacing 'such' with 'the' to modernise language, and omitting 'or the Territory Insurance Office' as this is no longer relevant to the operation of the Act following passage of the *Territory Insurance Office (Sale) Act 2014*.

### ***Misuse of Drugs Act***

Section 26(1), omit 'Division 1' to correct a reference.

Section 26(3), replace 'the the' with 'the' to correct a typographical error.

### ***Motor Accidents (Compensation) Act***

Section 4E is amended by omitting 'of Part IIAA' from the heading to follow a standard wording format used to apply Part IIAA of the *Criminal Code* to the *Motor Accidents (Compensation) Act*.

### ***Motor Accidents (Compensation) Commission Act***

Section 4 is amended by omitting 'of Part IIAA' from the heading to follow a standard wording format used to apply Part IIAA of the *Criminal Code* to the *Motor Accidents (Compensation) Commission Act*.

The Part 2, heading is amended by replacing 'Accident' with 'Accidents' to correct a typographical error.

### ***Motor Vehicles (Standards) Regulations***

The Part 3, heading is amended by replacing 'Standard' with 'Standards' to correct a typographical error.

In schedule 6, rules 34(3)(e) and 118(1)(e) are amended by replacing 'an Australian Customs Vehicle' with 'a vehicle in the service of the Australian Border Force (as defined in section 4(1) of the *Australian*

*Border Force Act 2015 (Cth)* to reflect a change in terminology resulting from the integration of Australian Customs into the Department of Immigration and Border Protection in 2015.

***Northern Territory Civil and Administrative Tribunal Act***

Section 34(1), replace 'apples' with 'applies' to correct a typographical error.

Section 36(4), insert 'to' after 'maker' to correct a typographical error.

***Personal Violence Restraining Orders Act 2016***

Section 3, definition of '*economic abuse*' replace '3D' with '7' to correct a referencing error.

Section 3, definition of '*interim personal violence restraining order*' replace '14A' with '19(1)' to correct a referencing error.

Section 3, definition of '*intimidation*' replace '3B' with '5(1)' to correct a referencing error.

Section 3, definition of '*personal violence offence*' replace '3A' with '4' to correct a referencing error.

Section 3, definition of '*stalking*' replace '3C' with '6' to correct a referencing error.

Section 8, note replace '4' with '8' to correct a referencing error.

Section 23 is amended by inserting 'order' to the end of the heading to correct a typographical error.

***Petroleum (Submerged Lands) (Application of Commonwealth Laws) Regulations***

Regulation 4(b) is amended by replacing 'V' with '5' to correct an incorrect reference.

**Planning Act**

The Part 14, heading is amended by renaming the heading to 'Division 3 Unit Title Schemes Act 2009' to correct an incorrect heading.

The Part 14, Division 3, heading is amended by replacing '3' with '4' to renumber and reflect the change to Part 14.

The Part 14, Division 4, heading is amended by replacing '4' with '5' to renumber and reflect the change to Part 14.

**Police Administration Act**

Section 120A, definition '*dangerous drug*' paragraph (a), replace '3' with '3(1)' to correct a referencing error.

Section 120A, definition '*manufacture*', replace 'has the same meaning as in' with 'see section 3(1) of' to provide a correct reference.

Section 133AC(2)(a), insert 'the person' after 'search' to clarify the provision.

Section 137(2), replace 'Notwithstanding' with 'Despite', replace 'he' with 'the member', replace 'shall' with 'must', replace 'III' with '3', and replace 'he or she' with 'the person' to modernise language.

Section 137(2)(b), replace 'out,' with 'out;' to correct a typographical error.

Section 137(2)(d), replace 'Territory,' with 'Territory;' to correct a typographical error.

Section 162(10)(b), replace 'unforseen' with 'unforeseen' to correct a typographical error.



### ***Private Security Act***

Section 56(3)(a), replace 'very' with 'every' to correct a typographical error.

Section 56(3)(b), omit 'the purposes of' to modernise language.

Section 56(3), replace 'for the purposes of' with 'under' to modernise language.

### ***Prostitution Regulation Act***

Section 41(4), replace 'shall' with 'must' to modernise language.

Section 41(4)(c), omit the second reference to 'any' to correct a typographical error.

### ***Public Trustee Act***

Section 14(1), replace 'shall' with 'must' to modernise language, and omit 'the Territory Insurance Office or' as this is no longer relevant to the operation of the Act following passage of the *Territory Insurance Office (Sale) Act 2014*.

Section 14(2), omit 'such' to modernise language, and omit 'the Territory Insurance Office or at' as this is no longer relevant to the operation of the Act following passage of the *Territory Insurance Office (Sale) Act 2014*.

Section 16(2), replace 'referred to' with 'mentioned' to modernise language, and omit 'the Territory Insurance Office, with' as this is no longer relevant to the operation of the Act following passage of the *Territory Insurance Office (Sale) Act 2014*.

Section 27(1), replace 'him or her' with 'the Public Trustee' to modernise language, and omit 'or from the Territory Insurance Office'

as this is no longer relevant to the operation of the Act following passage of the *Territory Insurance Office (Sale) Act 2014*.

Section 27(4) is amended by omitting the whole of subsection 27(4) and inserting a new subsection 27(4) in order to standardise the definition format used in that section.

### ***Racing and Betting Act***

Section 32, heading, replace ‘&c.’ with ‘etc.’ to conform to current drafting style.

Section 32(1), replace ‘shall’ with ‘must’ to modernise language.

Subsection 32(1) is amended by inserting ‘Maximum penalty: 17 penalty units.’ at the end of the subsection. The provision is redrafted in accordance with current drafting style, placing penalty provisions within each penalty section.

Section 32 is amended by omitting the whole of subsection 32(2) and inserting a new subsection 32(2) in order to clarify the wording used in that subsection.

Section 32(3), replace ‘shall’ with ‘must’ to modernise language.

Part VII, heading replace ‘&c.’ with ‘etc.’ to conform to current drafting style.

Section 145A is amended by omitting the whole of subsection 145A(1) and inserting a new subsection 145A(1) in order to correct a series of references to sections of the *Racing and Betting Act* that have been repealed.

### ***Residential Tenancies Act***

Section 88A(1) is amended by replacing ‘within the meaning’ with ‘as defined in section 11A’ to provide a correct reference.

## ***Salvation Army (Northern Territory) Property Trust Act***

Section 23(a) is amended by inserting 'and' at the end to comply with modern drafting practice.

Section 23(b) is amended by omitting 'or the Territory Insurance Office' as this is no longer relevant to the operation of the Act following passage of the *Territory Insurance Office (Sale) Act 2014*.

## ***Serious Crime Control Act***

Section 4 is amended by omitting 'of Part IIAA' from the heading to follow a standard wording format used to apply Part IIAA of the *Criminal Code* to the *Serious Crime Control Act*.

## ***Sheriff Regulations***

Regulation 9 is amended by replacing 'When any person has been' with 'If a person is', replacing all references to 'he shall' with 'the person must', and replacing 'his' with 'the person's' to modernise language.

## ***Superannuation Act***

Section 39(1) is amended by replacing 'shall' with 'must', replacing 'such account' with 'an account', replacing 'such ADI' with 'the ADI' to modernise language, and by omitting 'or the Territory Insurance Office' as this is no longer relevant to the operation of the Act following passage of the *Territory Insurance Office (Sale) Act 2014*.

Section 39(2) replace 'shall' with 'must' to modernise language.

Section 39(2)(a) and 39(2)(b) replace 'referred to' with 'mentioned' to modernise language.

### ***Termination of Unit Plans and Unit Title Schemes Act***

Section 19(1)(b) is amended by replacing 'tthe' with 'the' to correct a typographical error and replacing 'proponent gives' with 'body corporate gives' to remain consistent with the *Land Title Act*.

### **Totalisator Licensing and Regulation Regulations**

Regulation 9(2) is amended by replacing 'subsection' with 'subregulation' to correct language.

### ***Traffic Act***

Section 33A(11) is amended by replacing 'For the purposes of' with 'In' to modernise language.

The section 33A(11), definition of '*heavy vehicle*' is amended by replacing 'the *Road Transport Charges (Northern Territory) Act*' with 'section 5(1) of the *Motor Vehicles Act*' to provide a correct reference.

### ***Transplantation and Anatomy Act***

Section 5 is amended by omitting 'of Part IIAA' from the heading to follow a standard wording format used to apply Part IIAA of the *Criminal Code* to the *Transplantation and Anatomy Act*.

Section 16, heading, insert 'is' after 'consent' to clarify the heading.

Section 20, heading, omit 'a' to clarify the heading.

Section 21, heading, insert 'are' after 'certificates' to clarify the heading.

### ***Unit Titles Act***

Section 35(1) is amended by replacing 'shall' with 'must' to modernise language and by omitting 'the Territory Insurance Office or with' as this is no longer relevant to the operation of the Act following passage of the *Territory Insurance Office (Sale) Act 2014*.

## **Unit Titles (Management Modules) Regulations**

Schedule 1, clause 9(4), definition, '*code of conduct*' is amended by replacing '80' with '8' to correct a referencing error.

### ***Victims of Crime Act***

Section 48(1)(a) is amended by replacing 'notified under section 31(4)' with 'under section 31(2)' to correct a referencing error and remove an incorrect word which does not apply to that section.

### ***Victims of Crime Rights and Services Act***

Section 4 is also amended by omitting ', unless the contrary intention appears' to comply with modern drafting practice.

A note is also inserted by at the end of section 4 that directs readers to consider other sections of the *Interpretation Act* that may be relevant. It is now standard practice to include this note at the end of the definition section.

### ***Youth Justice Act***

Section 134(1) is amended by omitting 'or monetary recognizance' to remove obsolete language as recognizances are no longer part of the administration of justice in the NT.

**Schedule 3      Acts repealed*****Places of Public Entertainment Act Repeal Act 2013***

The *Places of Public Entertainment Act Repeal Act 2013* was enacted to repeal the *Places of Public Entertainment Act* and is now spent.

***Year 2000 Information Disclosure Act 1999***

The *Year 2000 Information Disclosure Act 1999* was enacted to facilitate information sharing regarding potential computing issues leading up to the year 2000 deadline and no longer serves any purpose.