

PART IV

THE BILLS INTRODUCED

BILLS INTRODUCED

(Second Week)

17 - 19 August 1976

<i>Serial No.</i>	<i>Title</i>	<i>Sponsor</i>
130	Local Government 1976 . . . . .	Mr Perron
131	Litter 1976 . . . . .	Mr Perron
132	Licensing 1976 . . . . .	Mr Pollock
134	Registration of Dogs 1976 . . . . .	Mr Pollock
137	Soil Conservation and Land Utilization 1976	Mr Tuxworth
139	Fire Brigades 1976 . . . . .	Mr Ryan
140	Interpretation 1976 . . . . .	Dr Letts
141	Administrator's Council 1976 . . . . .	Dr Letts
142	Local Government (Post Cyclone Elections) 1976 . . . . .	Mr Perron
143	Traffic 1976 . . . . .	Mr Ryan

THE NORTHERN TERRITORY OF  
AUSTRALIA  
A BILL  
for  
AN ORDINANCE

To amend the Local Government Ordinance

**B**E it ordained by the Legislative Assembly for the Northern Territory of Australia as follows:

1. This Ordinance may be cited as the Local Government Ordinance 1976. Short title
2. The Local Government Ordinance is in this Ordinance referred to as the Principal Ordinance. Principal Ordinance
3. Section 307 of the Principal Ordinance is amended by adding at the end the following sub-sections:  
Certain Roads may be vested in Commonwealth  
"(2) Notwithstanding a declaration made under sub-section (1) relating to a road within the boundaries of a municipality, a by-law made by the council of that municipality, pursuant to its powers under section 349, relating to the use of roads by persons with or without a motor vehicle, applies to that road.  
"(3) In this section 'motor vehicle' has the same meaning as it has under section 354A."  
4. Section 354B of the Principal Ordinance is amended by omitting sub-section (1) and substituting the following sub-section:  
"1) In this section, 'official traffic sign' means -  
Averments as to official traffic signs  
(a) a traffic sign within the meaning of the Traffic Ordinance; or

(b) a notice, sign or device marked placed or erected on or at the side of a road, or in a public place, in a municipality, by authority of the council of the municipality, for the purpose of regulating traffic or guiding, directing or warning persons in charge of motor vehicles."

---

---

# THE NORTHERN TERRITORY OF AUSTRALIA

## A BILL

for

## AN ORDINANCE

To amend the Litter Ordinance

**B**E it ordained by the Legislative Assembly for the Northern Territory of Australia as follows:

- |  |                     |
|--|---------------------|
| 1. This Ordinance may be cited as the <u>Litter Ordinance</u> 1976.  | Short title         |
| 2. The <u>Litter Ordinance</u> is in this Ordinance referred to as the Principal Ordinance.  | Principal Ordinance |
| 3. This Ordinance shall come into operation on a date to be fixed by the Administrator by notice in the <u>Gazette</u> .   | Commencement        |
| 4. Section 3 of the Principal Ordinance is amended by omitting paragraph (b) from the definition of "officer" and substituting:<br><br>"(b) employed by -<br><br>(i) the Northern Territory Reserves Board;<br><br>(ii) the Northern Territory Port Authority;<br>or<br><br>(iii) the council of a municipality,<br><br>for the purpose of enforcing by-laws made by that Board or Authority or the council of that municipality;" | Definitions         |
| 5. Section 5 of the Principal Ordinance is amended by adding at the end the following sub-section:<br><br>"(3) No officer appointed under this section   | Offences            |

shall be empowered to issue notices under section 9A unless, on appointment by the Administrator, he is specifically authorized so to do."

Notices

6. The Principal Ordinance is amended by inserting after section 9 the following section:

"9A.(1) Where an officer has reason to believe that an offence has been committed against section 6, he may serve or cause to be served a notice in accordance with this section.

"(2) A notice under sub-section (1) may be served-

(a) by handing the notice personally to the person who appears to have committed the offence; or

(b) in a case where section 8(1) applies -

(i) by handing it personally to the driver of the motor vehicle or boat;

(ii) by securely placing or affixing the notice upon the motor vehicle or boat in a conspicuous position;

(iii) by handing the notice personally to the owner of the motor vehicle or boat or by leaving it at his last known place of residence or business with a person apparently over the age of 16 years and apparently an occupant of or employed at that place;

(iv) by sending it by prepaid post to the owner of the motor vehicle or boat addressed to him -

(A) at his last-known place of residence or business; or

(B) in the case of the owner of a motor vehicle or boat registered under a law of a State or of the Australian Capital Territory - at the latest address of the owner in the record of registration of the motor vehicle or boat; or

- (v) where the owner of a motor vehicle or boat has furnished a statutory declaration in accordance with section 8(7) - by handing the notice personally to, or by sending it by prepaid post addressed to, the person whose name is specified in the statutory declaration as being in charge of the motor vehicle or boat at the time of the alleged offence or by leaving it at his last-known place of residence or business with a person apparently over the age of 16 years and apparently an occupant of or employed at that place.

"(3) A notice under this section shall -

- (a) clearly specify the date, time and place of the alleged offence;
- (b) if it is served -
  - (i) by being placed upon or affixed to a motor vehicle or boat - be addressed to 'the owner' of the motor vehicle or boat without further description of the owner; and
  - (ii) in any other manner clearly show on its face the full name, or surname and initials, and the address of the person on whom it is served;
- (c) clearly indicate the nature of the offence;
- (d) contain an indication to the person on whom it is served that, if he does not wish the matter to be dealt with by the Court, he may make a signed statement to that effect in the manner specified in the notice and pay the amount of the prescribed penalty within the period of 14 days after the date of the notice;
- (e) clearly specify the place at which, and the manner in which, the amount of the prescribed penalty may be so paid; and
- (f) contain such other particulars, if any, as the Administrator considers necessary.

"(4) Where a notice under this section has been served and, before the expiration of the specified

period of 14 days or, where the person in authority so allows, at any time before the service of a summons in respect of the alleged offence, the amount of the prescribed penalty is paid in accordance with the notice and a statement, signed by the person on whom the notice was served or by the owner of the motor vehicle, to the effect that he does not wish the matter to be dealt with by a court is received by the person in authority -

- (a) the liability of a person in respect of the alleged offence shall be deemed to be discharged;
- (b) no further proceedings shall be taken in respect of the alleged offence; and
- (c) no person shall be regarded as having been convicted for the alleged offence.

"(5) Nothing in this section -

- (a) prevents the service of more than one notice in respect of the same offence, but it is sufficient for the application of sub-section (4) to a person on whom more than one such notice has been served for that person to pay the amount of the prescribed penalty and to make the statement referred to in that sub-section in accordance with any notice so served on him;
- (b) prevents or affects (except as provided by sub-section (4) ) the institution of prosecution or proceedings in respect of an alleged offence or limits the amount of the fine that may be imposed by a court in respect of an offence under this Ordinance; or
- (c) shall be construed -
  - (i) as requiring the serving of a notice before a person is prosecuted under this Ordinance; or
  - (ii) as affecting the liability of a person to be prosecuted in a court in respect of an alleged offence in relation to which a notice has not been served.



"(6) Where the amount of the prescribed penalty in respect of an offence is paid by cheque, payment is to be deemed not to be made unless and until the cheque is cleared upon presentation.

"(7) For the purposes of this section, the prescribed penalty for an offence is 20 dollars.

"(8) For the purpose of sub-section (4), 'the person in authority' is the person named in the notice."

7. The Principal Ordinance is amended by inserting after section 11 the following section:

"11A.(1) Subject to sub-section (2), where, pursuant to section 399 of the Local Government Ordinance, this Ordinance has been prescribed to be a prescribed law within the meaning of that section with regard to a municipality, no prosecution for a breach of this Ordinance shall be commenced except by the town clerk of that municipality, or a person authorized by him in writing.

Prosecution  
where  
section 399  
Local  
Government  
Ordinance  
applies

"(2) Sub-section (1) does not apply to an area situated within a municipality which area is vested in, or under the control of, the Northern Territory Reserves Board or the Northern Territory Port Authority.

"(3) A written document purporting -

(a) to be signed by a town clerk of a municipality;  
and

(b) to be an authority in accordance with sub-section (1), is, in a prosecution under this Ordinance, evidence of the authorization of the person named in the document to commence a prosecution under this Ordinance."

=====  
=====

THE NORTHERN TERRITORY OF  
AUSTRALIA  
A BILL  
for  
AN ORDINANCE

To amend the Licensing Ordinance

**B**E it ordained by the Legislative Assembly for the Northern Territory of Australia as follows:

1. This Ordinance may be cited as the Licensing Ordinance 1976.

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

3.(1) Section 15A(1) of the Principal Ordinance is amended by omitting "but" and substituting "but, subject to sub-section (1A),".

(2) Section 15A of the Principal Ordinance is amended by inserting after sub-section (1) the following sub-sections:

"(1A) Where a private hotel licence is granted in respect of premises -

(a) that are situated on a reserve within the meaning of the National Parks and Gardens Ordinance; and

(b) that are not within 30 kilometres by the shortest practicable route by land along or over a public road or thoroughfare of premises in respect of which a publican's, storekeeper's or roadside inn licence is in force,

the licensee may, subject to sub-section (1B), sell and dispose of liquor in the same manner, to the same persons and subject to the same conditions, as the holder of a publican's licence under section 15 can sell and dispose of liquor.

Short  
title

Principal  
Ordinance

Private  
hotel  
licence

"(1B) Liquor sold or disposed of on premises referred to in sub-section (1A) shall be sold or disposed of in open containers for consumption on those premises only."

Objections  
to  
renewals

4. Section 36 of the Principal Ordinance is amended by adding at the end the following new sub-section:

"(3) In addition to the grounds specified in sub-section (2), it shall be grounds for objecting to the renewal of a storekeepers licence that the quiet and good order of the neighbourhood in which the premises are situated has been, or will be, disturbed by the renewal of the licence."

=====

THE NORTHERN TERRITORY OF  
AUSTRALIA  
A BILL  
for  
AN ORDINANCE

To amend the Registration of Dogs Ordinance

**B**E it ordained by the Legislative Assembly for the Northern Territory of Australia as follows:

1. This Ordinance may be cited as the Registration of Dogs Ordinance 1976. Short title
2. The Registration of Dogs Ordinance is in this Ordinance referred to as the Principal Ordinance. Principal Ordinance
3. The Principal Ordinance is amended by inserting after section 6 the following new section:  

"6A.(1) A Registrar appointed by the Administrator under section 6(1) may, by instrument in writing, appoint a person to be his agent for the exercise of such of the Registrar's powers and functions under this Ordinance and the regulations as are specified in that instrument. Registrar may appoint agents

"(2) A reference in this Ordinance, or the regulations, to a Registrar shall be read as including a reference to an agent acting in accordance with the instrument under sub-section (1) appointing him to be an agent."

=====  
=====

THE NORTHERN TERRITORY OF  
AUSTRALIA  
A BILL  
for  
AN ORDINANCE

To amend the Soil Conservation and Control Ordinance

**B**E it ordained by the Legislative Assembly for the Northern Territory of Australia as follows:

1. This Ordinance may be cited as the Soil Conservation and Land Utilization Ordinance 1976. Short title
2. (1) The Soil Conservation and Control Ordinance is in this Ordinance referred to as the Principal Ordinance. Principal Ordinance
- (2) The Principal Ordinance, as amended by this Ordinance, may be cited as the Soil Conservation and Land Utilization Ordinance.
3. The title of the Principal Ordinance is amended by omitting "Control" and substituting "Land Utilization". Title
4. Section 2 of the Principal Ordinance is repealed. Repeal
5. Section 3 of the Principal Ordinance is amended- Definitions amended-
  - (a) by omitting the definition of "inspector";
  - (b) by inserting after the definition of "instrument of approval" the following definition:

" 'land' includes all land in the Territory of whatever title or tenure;"

(c) by inserting after the definition of "landholder" the following definition:

" 'Officer' means Soil Conservation Officer;"; and

(d) by omitting the definition of "work" and substituting the following definition:

" 'treatment' means structural or agronomic work for the purpose of the conservation of soil or reclamation of land,".

Soil Conservation Officers

6. Section 5 of the Principal Ordinance is amended-

(a) by omitting from sub-section (1) "Inspectors" and substituting "Officers"; and

(b) by omitting "inspector" (wherever occurring) and substituting "Officer".

Appointment of Commissioner and Officers

7. Section 6 of the Principal Ordinance is amended by omitting "inspector" and substituting "Officer".

8. The Principal Ordinance is amended by inserting before Part III the following Part:

"PART IIA - POWERS AND FUNCTIONS

Functions of Committee

"9A. The Committee shall have the following functions:

(a) to advise the Administrator in Council on matters relating to this Ordinance and the regulations, and in particular as to -

- (i) the state of erosion on land;
- (ii) the progress being made with erosion control;
- (iii) the measures which it recommends for further control of erosion or the reclamation of land; and

- (iv) matters relating to the future utilization of land;
- (b) to provide a forum for the discussion and consideration of matters concerning soil conservation;
- (c) to receive and consider reports and recommendations from the Commissioner on action taken by him under this Ordinance and, where necessary, approve of or ratify that action; and
- (d) to hear and consider submissions put before it by members of the public and, in particular, persons affected by the operation of this Ordinance.

"9B.(1) Where an Officer has reasonable cause to suspect that -

Officer's  
power to  
enter on  
land

- (a) soil erosion is occurring on land; or
- (b) there is a danger of soil erosion occurring on land because of the use to which that land has been put by the landowner or some other person, the Officer may -
- (c) enter upon that land together with any other persons or any animals, plant, machinery and equipment; and
- (d) dig or bore into the land, make surveys, place marks and carry out investigations.

"(2) A person shall not enter upon any land under this section unless reasonable notice in writing of his intention to enter has been served on the occupier."

10. Section 11 of the Principal Ordinance is amended -

Carrying  
out of  
treatment

- (a) by omitting from sub-section (1) all words from and including "(a) construct" and substituting the following paragraphs:

"(a) carry out treatment; or

(b) provide assistance in the carrying out of treatment,

on land of which a person is a landholder.";

(b) by adding after sub-section (1) the following sub-section:

"(1A) The Commissioner may share in the cost of -

(a) carrying out a treatment; or

(b) providing assistance in the carrying out of a treatment, under sub-section (1)."; and

(c) by omitting sub-section (2) and substituting the following sub-section:

"(2) The assistance that may be provided under sub-section (1) includes -

(a) the preparation of maps, plans and specifications;

(b) the supervision of the carrying out of treatment; and

(c) the hiring to the landowner of equipment (including plant and machinery).".

Commission may carry out treatment

11. Section 12 of the Principal Ordinance is amended -

(a) by omitting from sub-section (1) "works" and substituting "treatment";

(b) by omitting from sub-section (2)(a) "works" and substituting "treatment";

(c) by omitting from sub-section (2)(b) -

(i) "works" (first occurring) and substituting "treatment"; and

(ii) "those works" (twice occurring) and substituting "that treatment";



- (d) by omitting from sub-section (3) "a work" and substituting "treatment"; and
- (e) by omitting "work" (last occurring) and substituting "treatment".

12. Section 14 of the Principal Ordinance is amended-

Commissioner  
may issue  
soil  
Conservation  
Order

- (a) by omitting sub-section (1)(c) and substituting the following:

"(c) the number of livestock carried on an area of land exceeds a particular number, or were to increase beyond a particular number,";

- (b) by omitting sub-section (2)(c) and substituting the following:

"(c) not to increase the number of livestock carried on an area of land specified in the order beyond a number specified in that order or to reduce the number of livestock carried on an area of land specified in the order below a number specified in that order.";

- (c) by inserting after sub-section (2) the following sub-section:

"(2A) The Commissioner may, under a Soil Conservation Order, require a landowner to produce a plan of the existing use of land referred to in that order and of his proposals for the future use of that land."; and

- (d) by omitting from sub-section (4) "100 dollars" and substituting "1,000 dollars".

13. Section 15 of the Principal Ordinance is amended -

Commissioner  
may order  
offender to  
reduce  
danger of  
erosion

- (a) by omitting from sub-section (1) "are specified in the order" and substituting "he specifies"; and

- (b) by omitting from sub-section (2) "100 dollars" and substituting "1,000 dollars".

14. The Principal Ordinance is amended by inserting after section 16 in Division 2 the following section:

Entry of  
Memorandum  
of Soil  
Conserva-  
tion Order  
in Register  
Book

"16A.(1) Upon serving a Soil Conservation Order under section 14, the Commissioner may produce to the Registrar-General -

- (a) a copy of the order certified by the Commissioner to be a true copy of that order; and
- (b) a written declaration by the Commissioner-

- (i) stating that the order was served and specifying the date of service; and

- (ii) identifying the land referred to in the Register Book with that to which the order relates,

whereupon the Registrar-General shall enter in the Register Book a memorandum of the day and hour of the production to him of the documents referred to and of the making of a Soil Conservation Order relating to the land.

"(2) Where a memorandum of a Soil Conservation Order has been entered in the Register Book in accordance with sub-section (1), the obligation to comply with the order is an obligation binding on the registered proprietor from time to time of the land.

"(3) When the terms and conditions of a Soil Conservation Order have been complied with, the Commissioner shall in writing so inform the registered proprietor for the time being of the land the subject of the order.

"(4) The effect of the Commissioner complying with sub-section (3) is to discharge the registered proprietor for the time being of the land and all other persons affected by the Order from any further obligations under the Order.

"(5) Upon production to the Registrar-General of a document purporting to be signed by the Commissioner stating that the terms and conditions on a Soil Conservation Order entered in the Register Book has

been complied with, the Registrar-General shall enter in the Register Book a memorandum of the day and hour of the production to him of the document and of the fact that the Soil Conservation Order is discharged.

"(6) The fees chargeable by the Registrar-General under sub-section (5) shall be such as he may charge for the registration of a discharge of a mortgage."

15. Section 17(3) of the Principal Ordinance is amended by omitting "a work to be executed" and substituting "treatment to be carried out".

Declaration of area of erosion hazard

16. Section 18(2)(b) of the Principal Ordinance is amended -

Notice of proposal to create area of erosion hazard

(a) by omitting "a work should be required to be executed" and substituting "treatment should be carried out"; and

(b) by omitting "executing that work" and substituting "carrying out that treatment".

17. The Principal Ordinance is amended by inserting after section 20 in Part III the following Division:

"Division 4 - Control of Public on Restricted Use Areas"

"20A. In this Division unless the contrary intention appears -

Interpretation

'Crown Land' means Crown Land within the meaning of the Crown Lands Ordinance but includes reserved or dedicated land;

'exempted road' means a road exempted pursuant to section 20B (8);

'open land' means land held by a landholder under any tenure and over which members of the public, whether lawfully or not, pass or may pass;

'motor vehicle' means any motor car, motor carriage, motor cycle, motor lorry, motor

omnibus, motor tractor, or other vehicle propelled wholly or partly by any volatile spirit or by steam, gas, oil, or electricity, or by any means other than human or animal power;

'proper authority' means -

- (a) in relation to Crown Land vested in, or under the management or control of, a person or body - that person or body; and
- (b) in relation to any other land - the Commissioner;

'public land' means land -

- (a) which is not within -
  - (i) a municipality; or
  - (ii) a town within the meaning of the Crown Lands Ordinance; and
- (b) which is unalienated Crown Land,

and includes Crown Land vested in, or under the management or control, of a proper authority."

Declaration  
by  
Administra-  
tor

"20B(1) The Committee may recommend to the Administrator in Council that an area of land be declared a Restricted Use Area.

"(2) If the Administrator in Council is satisfied, on the recommendation of the Committee, that an area of land is likely to become subject to soil erosion through use or continued use of it by the public, the Administrator in Council may, by notice in the Gazette, declare the area to be a Restricted Use Area.

"(3) A landholder may request the Committee to recommend that the Administrator make a declaration in accordance with sub-section (1) in relation to -

- (a) open land of which he is a landholder; or
- (b) open land adjacent to land of which he is the landholder.

"(4) A proper authority may request the Committee to recommend that the Administrator make a declaration in accordance with sub-section (1) in relation to -

- (a) public land vested in, or under the management or control, of that proper authority; or
- (b) public land adjacent to land vested in, or under the management or control of, that proper authority.

"(5) The Committee shall not make a recommendation under sub-section (1) in respect of land vested in, or under the control of, a proper authority except at the request of that proper authority.

"(6) A declaration under sub-section (1) shall -

- (a) define the land to which it relates by reference to a map or plan; and
- (b) indicate where the map or plan may be inspected.

"(7) The map or plan shall be kept and displayed-

- (a) at the place indicated in the declaration;
- (b) by the proper authority where there is one; and
- (c) at all police stations in the vicinity of the area to which the declaration relates, and shall at all reasonable times be open for inspection without fee by a member of the public.

"(8) The Administrator may exempt from the effect of a declaration made under sub-section (2) such roads in the area of land to which the declaration relates as he shall define in the declaration and may in the declaration stipulate -

- (a) the persons or classes of persons who may use those roads; or
- (b) the types of vehicles that may be used on those roads.

"20C.(1) Except with the written permission of Offence

relating  
to use of  
Restricted  
Use Area

the proper authority, a person within a Restricted Use Area shall not -

- (a) unless he is on an exempted road, have in his possession or use a motor vehicle;
- (b) remove or damage any vegetation;
- (c) take or remove any sand, gravel, rock, clay or earth;
- (d) interfere with any erosion prevention works; or
- (e) cause water or other fluid to be drained or to flow over the area.

Penalty: 500 dollars

"(2) Where permission is granted under sub-section (1) by the proper authority, that authority-

- (a) may limit the use to a use of part of the Restricted Use Area by a motor vehicle, or a class of motor vehicle; or
- (b) may impose such other conditions as to the use of the Restricted Use Area as it sees fit."

Failure to  
perform  
obligation

18. Section 22(2)(b) of the Principal Ordinance is amended by omitting "10,000 dollars" and substituting "20,000 dollars".

Repeal

19. Section 24 of the Principal Ordinance is repealed.

Amendment  
to heading  
Part V

20. The Principal Ordinance is amended by omitting the heading to Part V and substituting the following heading:  
"LOANS FOR SOIL CONSERVATION TREATMENT OR EQUIPMENT".

Application  
for  
advance

21. Section 25 of the Principal Ordinance is amended -

- (a) by omitting from sub-section (1) "a work" and substituting "treatment";
- (b) by omitting sub-section (3);

(c) by omitting from sub-section (4) -

- (i) "a work to be constructed" (wherever occurring) and substituting "treatment to be carried out"; and
- (ii) "work is to be constructed" and substituting "treatment is to be carried out"; and

(d) by adding at the end the following new sub-section -

"(5) An application under this section may be for, or include, the purchase or hire of equipment to carry out treatment on land of which the person is the landholder."

22. Section 26 of the Principal Ordinance is repealed and the following section substituted -

"26.(1) On receipt of the application, the Commissioner shall obtain such information as he considers necessary concerning the application and shall then submit the application to the Committee together with -

Procedure  
by  
Commissioner  
on receipt  
of  
application

- (a) a report as to the desirability of the treatment proposed;
- (b) an estimate of the cost of the treatment;
- (c) the Commissioner's views on whether or not a loan should be recommended; and
- (d) if the Commissioner is of the view that a loan should be recommended, a statement setting out the extent and estimated cost of the treatment (as the case may be) in respect of which he is of the view that a loan should be recommended.

"(2) The Committee shall consider the matter and, if it recommends that a loan be approved, shall forward its recommendations to the Administrator together with all reports, estimates and other documentation received from the Commissioner."

23. Section 28 of the Principal Ordinance is Where

consent of  
Minister  
required  
Interest  
on loan

amended by omitting "10,000 dollars" (wherever occurring) and substituting "20,000 dollars".

24. Section 30 of the Principal Ordinance is amended by adding at the end the following sub-section:

"(3) In determining the rate of interest payable on a loan, the Administrator shall act on the recommendation of the Commissioner."

Advance not  
to 90 per  
cent of cost  
of work or  
equipment

25. Section 32 of the Principal Ordinance is amended -

(a) by omitting from sub-section (1) "constructing the work" and substituting "carrying out the treatment";

(b) by omitting from sub-section (2) "constructing a work" and substituting "carrying out the treatment";

(c) by omitting from sub-section (3) -

(i) "constructs all or part of the work" and substituting "carries out all or part of the treatment";

(ii) "constructing the work" and substituting "carrying out the treatment".

(iii) "work or part of the work constructed" (first and second occurring) and substituting "treatment or part of the treatment carried out"; and

(iv) "construct the work or part of the work constructed" and substituting "carry out the treatment of part of the treatment carried out".

26. Section 33 of the Principal Ordinance is repealed and the following section substituted:

Administra-  
tor to be  
satisfied as  
to certain  
matters  
before

"33. The Administrator shall not approve a loan unless he is satisfied that the work in respect of which the loan is applied for is, having regard to the state of development of the Territory and of the land to which the application relates, desirable for the



maintenance of stability or of the productive capacity of the land."

27. Section 35(2) of the Principal Ordinance is amended -

Commissioner to inform applicant where loan is approved

- (a) by omitting from sub-section (2) "work" and substituting "treatment";
- (b) by omitting from paragraphs (a) and (b) of sub-section 3 "work" (wherever occurring) and substituting "treatment"; and
- (c) by omitting from sub-section 3(c) -
  - (i) "work is to be constructed" and substituting "treatment is to be carried out"; and
  - (ii) "the work" and substituting "that treatment".

28. Section 36(3) of the Principal Ordinance is amended -

Notice of acceptance, &c.

- (a) by omitting "work to be constructed" and substituting "treatment to be carried out"; and
- (b) by omitting "the work" (wherever occurring) and substituting "that treatment".

29. Section 39(3) of the Principal Ordinance is amended by omitting "100 dollars" and substituting "500 dollars".

Commissioner may require person to furnish information

30. Section 40 of the Principal Ordinance is repealed.

Repeal

31. Section 41 of the Principal Ordinance is amended by omitting "100 dollars" and substituting "500 dollars".

Obstruction of authorized persons, &c.

32. Section 44 of the Principal Ordinance is amended by adding at the end the following sub-section:

Service of notice

"(2) An order or notice under this Ordinance may be served on a company in the same manner as a document

within the meaning of the Companies Ordinance may be served under that Ordinance."

=====  
=====

THE NORTHERN TERRITORY OF  
AUSTRALIA  
A BILL  
for  
AN ORDINANCE

To amend the Fire Brigades Ordinance

**B**E it ordained by the Legislative Assembly for the Northern Territory of Australia as follows:

- |       |   |                                    |
|-------|---|------------------------------------|
| 1.    | This Ordinance may be cited as the <u>Fire Brigades Ordinance 1976</u> .  | Short title                        |
| 2.    | The <u>Fire Brigades Ordinance</u> is in this Ordinance referred to as the Principal Ordinance.   | Principal Ordinance                |
| 3.(1) | Section 9 of the Principal Ordinance is amended -   | Chief Fire Officer may direct      |
| (a)   | by inserting after "The Chief Fire Officer" the words "or Station Officer, or a person authorized to do so by the Chief Fire Officer or Station Officer,"; and  | brigade to proceed to any location |
| (b)   | by adding at the end thereof "or dealing with an emergency".  |                                    |
| (2)   | Section 9 of the Principal Ordinance is amended by adding at the end thereof the following sub-section:   |                                    |
| "(2)  | Where the Chief Fire Officer, or Station Officer or authorized person, directs 2 or more of the members of a fire brigade to proceed to a location, he may direct one of those members to be the senior member. |                                    |
| "(3)  | Where the Chief Fire Officer, or Station Officer or authorized person, does not direct a person to be the senior member in pursuance of sub-section (2), the highest ranking member of the fire brigade         |                                    |

directed to proceed to the location, or, if 2 or more members so directed are equal in rank and no other member so directed is higher in rank than them, the member so directed who has held that highest rank for the longest time, shall be the senior member."

Powers of Chief Fire Officer at a fire or emergency

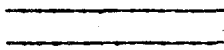
4.(1) Section 10(1) of the Principal Ordinance is amended -

(a) by inserting after "Station Officer" (wherever occurring) the words "or the senior member of the fire brigade who is directed to proceed to the location"; and

(b) by omitting paragraph (b)(i) and substituting the following sub-paragraph:

"(i) so much of the fire brigade as has been despatched to the location; and"

(2) Section 10(2) and (3) of the Principal Ordinance are amended by inserting after "Station Officer" (wherever occurring) the words "or the senior member of the fire brigade who is directed to proceed to the location".



THE NORTHERN TERRITORY OF  
AUSTRALIA  
A BILL  
for  
AN ORDINANCE

To amend the Interpretation Ordinance and for  
other purposes

**B**E it ordained by the Legislative Assembly for the Northern Territory  
of Australia as follows:

- |  |                        |
|--|------------------------|
| 1. This Ordinance may be cited as the <u>Interpretation Ordinance 1976</u> .   | Short<br>title         |
| 2. The <u>Interpretation Ordinance</u> is in this Ordinance referred to as the Principal Ordinance.  | Principal<br>Ordinance |
| 3. This Ordinance shall come into operation upon the commencement of the <u>Northern Territory (Administration) Amendment Act 1976</u> .   | Commencement           |
| 4. The <u>Interpretation Ordinance 1975</u> is repealed.   | Repeal                 |
| 5. Section 5 of the Principal Ordinance is amended by inserting before the definition of "Justice of the Peace" the following definitions:   | Definitions            |
| '"Administrator's Council' means the<br>Executive Council;   |                        |
| 'Executive Council' means the Executive Council<br>of the Northern Territory of Australia;   |                        |
| 'executive member' means a person holding<br>an office, under the <u>Northern Territory<br/>    (Administration) Act 1910</u> , of executive member<br>of the Legislative Assembly, and 'the Executive<br>Member' means the executive member for the time<br>being administering that Ordinance; |                        |

'executive office' means an office, created  
under the Northern Territory (Administration)  
Act 1910, of executive member of the  
Legislative Assembly;".

---

---

THE NORTHERN TERRITORY OF  
AUSTRALIA  
A BILL  
for  
AN ORDINANCE

To amend the Administrator's Council Ordinance

**B**E it ordained by the Legislative Assembly for the Northern Territory of Australia as follows:

1. This Ordinance may be cited as the Administrator's Council Ordinance 1976. Short title
2. The Administrator's Council Ordinance is in this Ordinance referred to as the Principal Ordinance. Principal Ordinance
3. This Ordinance shall come into operation upon the commencement of the Northern Territory (Administration) Amendment Act 1976. Commencement
4. Section 4 of the Principal Ordinance is repealed. Repeal

=====  
=====

THE NORTHERN TERRITORY OF  
AUSTRALIA

A BILL

for

AN ORDINANCE

To amend the Local Government (Post Cyclone Elections) Ordinance

**B**E it ordained by the Legislative Assembly for the Northern Territory of Australia as follows:

1. This Ordinance may be cited as the Local Government (Post Cyclone Elections) Ordinance 1976. Short title

2. The Local Government (Post Cyclone Elections) Ordinance is in this Ordinance referred to as the Principal Ordinance. Principal Ordinance

3. Section 4 of the Principal Ordinance is repealed and the following section substituted:

"4. For the purposes of the first supplementary election to which this Ordinance applies, the enrolment day shall be 5 September 1976, the nomination day shall be 12 September, 1976 and the polling day shall be 9 October 1976." Supplementary election

4. Section 5 of the Principal Ordinance is repealed. Repeal of section 5

5. Section 6 of the Principal Ordinance is repealed. Repeal of section 6

=====  
=====



THE NORTHERN TERRITORY OF  
AUSTRALIA  
A BILL  
for  
AN ORDINANCE

To amend the Traffic Ordinance

**B**E it ordained by the Legislative Assembly for the Northern Territory of Australia as follows:

- |   |                           |
|---|---------------------------|
| 1. This Ordinance may be cited as the <u>Traffic Ordinance 1976.</u>  | Short title               |
| 2. The <u>Traffic Ordinance</u> is in this Ordinance referred to as the Principal Ordinance.  | Principal Ordinance       |
| 3. This Ordinance shall come into operation on a date to be fixed by the Administrator by notice in the <u>Gazette.</u>   | Commencement              |
| 4.(1) Section 55B of the Principal Ordinance is amended by inserting after sub-section (1) the following sub-sections:  | Special licences to drive |
| "(1A) The court may, at the time of the disqualification referred to in sub-section (1) -   |                           |
| (a) accept an application under that sub-section and set a date for the hearing of the application; or  |                           |
| (b) direct that an application under that sub-section shall not be made for such period as the court specifies.   |                           |
| "(1B) Where the court rejects an application made under sub-section (1), it may direct that the applicant may apply again at the end of such period as the court specifies. |                           |
| "(1C) Notice of an application made under   |                           |

sub-section (1) shall, unless the court otherwise orders, be given by the Clerk of the Court, by post or otherwise, to the Registrar, and the Registrar or his agent may appear and give evidence and call, examine and cross-examine witnesses on the hearing of the application."

(2) Section 55B(2) of the Principal Ordinance is amended by omitting paragraphs (a), (b) and (c) and substituting -

"(a) if it is satisfied that it is necessary for the purposes of earning a livelihood that the applicant drive a motor vehicle at certain times; and

(b) if it is satisfied that, if a special licence is granted to him in pursuance of an order made under this section, the applicant will be likely to drive without danger to the public,".

(3) Section 55B (2) of the Principal Ordinance is amended by omitting "in the course of his employment to drive a motor vehicle of such a class," and substituting "to drive a motor vehicle of such a class, for such purposes,".

(4) Section 55B(4) of the Principal Ordinance is amended by omitting "a fee of One dollar" and substituting "the fee prescribed by or under the Motor Vehicles Ordinance for the issue of a licence to drive a motor vehicle of the class for which the special licence is issued".

(5) Section 55B of the Principal Ordinance is amended by adding at the end the following sub-sections:

"(7) Notwithstanding sections 10 and 10A of the Motor Vehicles Ordinance, the Registrar may, subject to any provisions of an order made by a court, upon the expiration of a period of suspension of, or disqualification from holding or obtaining, a licence, grant a licence under the Motor Vehicles Ordinance to drive a motor omnibus or a licence to drive a public or private hire car to a person who, immediately prior to the expiration of that period, held a special licence to drive a motor omnibus or a special licence to drive a public or private hire car, as the case may be.

"(8) Subject to any provisions of an order made by a court, a licence granted by reference to sub-section (7) shall not be a provisional licence to drive a motor omnibus or a provisional licence to drive a public or private hire car, as the case may be, but it shall be a provisional licence insofar as it licenses the holder to drive any other class of motor vehicle."

---

---