



Northern Territory (Self-Government) Act 1978

Act No. 58 of 1978 as amended

This compilation was prepared on 8 December 2011
taking into account amendments up to Act No. 166 of 2011

The text of any of those amendments not in force
on that date is appended in the Notes section

The operation of amendments that have been incorporated may be
affected by application provisions that are set out in the Notes section

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An Act to provide for the Government of the Northern Territory of Australia, and for related purposes

WHEREAS the Northern Territory Acceptance Act 1910 provided for the ratifying of an Agreement between the Commonwealth and the State of South Australia for the surrender to and acceptance by the Commonwealth of the Northern Territory and provided for the acceptance by the Commonwealth of the Northern Territory:

AND WHEREAS by the Constitution it is provided that the Parliament may make laws for the government of any Territory surrendered by any State to and accepted by the Commonwealth:

AND WHEREAS the Parliament has made provision for the government of the Northern Territory by the Northern Territory (Administration) Act 1910 and for a Supreme Court of the Northern Territory of Australia by the Northern Territory Supreme Court Act 1961: [see Note 1]

AND WHEREAS the Parliament considers it desirable, by reason of the political and economic development of the Northern Territory, to confer self-government on the Territory, and for that purpose to provide, among other things, for the establishment of separate political, representative and administrative institutions in the Territory and to give the Territory control over its own Treasury:

BE IT THEREFORE ENACTED by the Queen, and the Senate and House of Representatives of the Commonwealth of Australia, as follows:

Part I—Preliminary

1 Short title [see Note 1]

This Act may be cited as the *Northern Territory (Self-Government) Act 1978*.

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2 Commencement [see Note 1]

- (1) Sections 1, 2 and 70 shall come into operation on the day on which this Act receives the Royal Assent.
- (2) The remaining provisions of this Act shall come into operation on 1 July 1978.

3 Repeals

The Acts specified in Schedule 1 are repealed.

4 Interpretation

- (1) In this Act, unless the contrary intention appears:

Acting Administrator means a person appointed under section 40 to act in the office of Administrator.

Administrator means the Administrator of the Territory, and includes an Acting Administrator.

Council means the Executive Council of the Northern Territory of Australia.

enactment means:

- (a) a law (however described or entitled) passed by the Legislative Assembly and assented to under section 7 or 8; or
- (b) an Ordinance made under the *Northern Territory (Administration) Act 1910* and continued in force by this Act; and includes part of any such law or Ordinance.

Finance Minister means the Minister administering the *Financial Management and Accountability Act 1997*.

Legislative Assembly means the Legislative Assembly of the Northern Territory of Australia.

Ministerial office means an office referred to in section 34.

Minister of the Territory means a person holding office under section 36.

Speaker means the Speaker of the Legislative Assembly.

Territory means the Northern Territory of Australia.

- (2) A reference in this Act to the powers or functions of the Speaker shall be read as including a reference to the powers or functions of the Speaker under any law in force in the Territory.

Part II—Northern Territory of Australia

5 Establishment of body politic

The Northern Territory of Australia is hereby established as a body politic under the Crown by the name of the Northern Territory of Australia.

Part III—Legislative Assembly

Division 1—Powers of Legislative Assembly

6 Legislative power

Subject to this Act, the Legislative Assembly has power, with the assent of the Administrator or the Governor-General, as provided by this Act, to make laws for the peace, order and good government of the Territory.

7 Assent to proposed laws

- (1) Every proposed law passed by the Legislative Assembly shall be presented to the Administrator for assent.
- (2) Upon the presentation of a proposed law to the Administrator for assent, the Administrator shall, subject to this section, declare:
 - (a) in the case of a proposed law making provision only for or in relation to a matter specified under section 35:
 - (i) that he or she assents to the proposed law; or
 - (ii) that he or she withholds assent to the proposed law; or
 - (b) in any other case:
 - (i) that he or she assents to the proposed law;
 - (ii) that he or she withholds assent to the proposed law; or
 - (iii) that he or she reserves the proposed law for the Governor-General's pleasure.
- (3) The Administrator may return the proposed law to the Legislative Assembly with amendments that he or she recommends.
- (4) The Legislative Assembly shall consider the amendments recommended by the Administrator and the proposed law, with those or any other amendments or without amendments, may be again presented to the Administrator for assent, and subsection (2) applies accordingly.

8 Signification of pleasure on proposed law reserved

- (1) Where the Administrator reserves a proposed law for the Governor-General's pleasure, the Governor-General shall, subject to this section, declare:
 - (a) that he or she assents to the proposed law;
 - (b) that he or she withholds assent to the proposed law; or
 - (c) that he or she withholds assent to part of the proposed law and assents to the remainder of the proposed law.
- (2) The Governor-General may return the proposed law to the Administrator with amendments that he or she recommends.
- (3) The Legislative Assembly shall consider the amendments recommended by the Governor-General and the proposed law, with those or any other amendments or without amendments, may be again presented to the Administrator for assent, and subsection 7(2) applies accordingly.
- (4) Where the Governor-General makes a declaration in respect of a proposed law in accordance with subsection (1), the Administrator shall, as soon as practicable after the declaration is made, cause to be published in the *Government Gazette* of the Territory a notice of the declaration.
- (5) The assent of the Governor-General to a proposed law or part of a proposed law is of no effect until notification of the Governor-General's declaration in respect of the proposed law is published in the *Government Gazette* of the Territory.

10 Reason for withholding assent etc. to be tabled in Legislative Assembly

Where the Administrator withholds assent to a proposed law, or the Governor-General withholds assent to a proposed law or part of a proposed law, a message of the Administrator stating the reasons for the withholding of assent shall be laid before the Legislative Assembly within 6 sitting days of the Legislative Assembly after the date on which the assent was withheld.

11 Proposal of money votes

An enactment, vote, resolution or question, the effect of which is to dispose of or charge any revenues, loans or other moneys received by the Territory, shall not be proposed in the Legislative Assembly unless the purpose for which such revenues, loans or other moneys are to be disposed of or charged by reason of the enactment, vote, resolution or question, as the case may be, has in the same session been recommended by message of the Administrator to the Legislative Assembly.

12 Powers, privileges and immunities of Legislative Assembly

The power of the Legislative Assembly conferred by section 6 in relation to the making of laws extends to the making of laws:

- (a) declaring the powers (other than legislative powers), privileges and immunities of the Legislative Assembly and of its members and committees, but so that the powers, privileges and immunities so declared do not exceed the powers, privileges and immunities for the time being of the House of Representatives, or of the members or committees of that House, respectively; and
- (b) providing for the manner in which powers, privileges and immunities so declared may be exercised or upheld.

Division 2—Constitution and membership of Legislative Assembly

13 Legislative Assembly

- (1) There shall be a Legislative Assembly of the Northern Territory of Australia.
- (2) The Legislative Assembly shall consist of such number of members as is provided by enactment.
- (3) Subject to this Act, the members of the Legislative Assembly shall be elected as provided by enactment.
- (4) For the purposes of the election of members of the Legislative Assembly, the Territory shall be distributed into as many electoral divisions as there are members to be elected, and a quota shall be calculated by dividing the whole number of electors in the Territory, as nearly as can be ascertained, by the number of members to be elected.
- (5) For the purposes of subsection (4), each electoral division shall contain a number of electors not exceeding, or falling short of, the quota calculated under that subsection by more than one-fifth of the quota.
- (6) A member of the Legislative Assembly shall, before taking his or her seat, make and subscribe an oath or affirmation of allegiance in the form in Schedule 2 and also an oath or affirmation of office in the form in Schedule 3.
- (7) An oath or affirmation under subsection (6) shall be made before the Administrator or a person authorized by the Administrator to administer such oaths or affirmations.

14 Qualifications of electors

- (1) Subject to subsection (2), all persons who are, under the *Commonwealth Electoral Act 1918*, qualified to vote at an election of a member of the House of Representatives for the Northern Territory, shall be qualified to vote at an election of members of the Legislative Assembly.

- (2) Subsection (1) does not apply to persons who are qualified to vote at an election of a member of the House of Representatives for the Northern Territory by reason only of the amendments of the *Commonwealth Electoral Act 1918* made by the provisions of Part II of the *Cocos (Keeling) Islands Self-Determination (Consequential Amendments) Act 1984* or by the provisions of Part III of the *Christmas Island Administration (Miscellaneous Amendments) Act 1984*.

15 Writs for elections

Writs for the election of members of the Legislative Assembly shall be issued by the Administrator.

16 Term of office of member

Subject to this Act, the term of office of a member of the Legislative Assembly commences on the date of his or her election and ends immediately before the date of the next general election of members of the Legislative Assembly.

17 Dates of elections

- (1) A general election of members of the Legislative Assembly shall be held on a date determined by the Administrator.
- (2) The period from the first meeting of the Legislative Assembly after a general election of members of the Assembly to the date of the next succeeding general election shall not be more than 4 years.

18 Resignation of members of Legislative Assembly

A member of the Legislative Assembly may resign his or her office by writing signed by him or her and delivered to the Speaker or, if there is no Speaker or the Speaker is absent from the Territory, to the Administrator, and on the receipt of the resignation by the Speaker or the Administrator, as the case may be, his or her office shall become vacant.

19 Filling of casual vacancy

Where a casual vacancy occurs in the office of a member of the Legislative Assembly less than 3 years and 6 months after the first

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meeting of the Assembly following the last preceding general election, an election shall be held in the electoral division in respect of which the vacancy occurred for the purpose of filling the vacant office for the remainder of the term of office of the member who last held that office.

20 Qualifications for election

Subject to section 21, a person is qualified to be a candidate for election as a member of the Legislative Assembly if, at the date of nomination:

- (a) he or she is an Australian citizen;
- (b) he or she has attained the age of 18 years;
- (c) he or she is entitled, or qualified to become entitled, to vote at elections of members of the Legislative Assembly; and
- (d) he or she has been resident within the Commonwealth for at least 6 months and within the Territory for at least 3 months.

21 Disqualifications for membership of Legislative Assembly

- (1) A person is not qualified to be a candidate for election as a member of the Legislative Assembly if, at the date of nomination:
 - (a) he or she:
 - (i) holds an office or appointment (other than a prescribed office or appointment) under a law of the Commonwealth (including this Act) or a law of a State or Territory; or
 - (ii) not being the holder of any office or appointment under such a law, is employed by the Commonwealth, by a State or Territory or by a body corporate established for a public purpose by such a law;and he or she is entitled to any remuneration or allowance (other than reimbursement of expenses reasonably incurred) in respect of that office, appointment or employment;
 - (b) he or she is an undischarged bankrupt; or
 - (c) he or she has been convicted and is under sentence of imprisonment for one year or longer for an offence against the law of the Commonwealth or of a State or Territory.

- (1A) In subparagraph (1)(a)(i), *prescribed office or appointment* means:
- (a) the office of member of the Legislative Assembly, member of the Council, Minister of the Territory or Speaker of the Legislative Assembly; or
 - (b) an appointment under section 25 or 26.
- (2) A member of the Legislative Assembly vacates his or her office if:
- (a) he or she becomes a person to whom any of the paragraphs of subsection (1) applies;
 - (b) he or she ceases to be an Australian citizen;
 - (c) he or she fails to attend the Legislative Assembly for 3 consecutive sitting days of the Assembly without the permission of the Assembly;
 - (d) he or she ceases to be entitled, or qualified to become entitled, to vote at elections of members of the Legislative Assembly; or
 - (e) he or she takes or agrees to take, directly or indirectly, any remuneration, allowance or honorarium for services rendered in the Legislative Assembly, otherwise than in accordance with an enactment that provides for remuneration and allowances to be paid to persons in respect of their services as members of the Legislative Assembly, members of the Executive Council or Ministers of the Territory.
- (3) A member of the Legislative Assembly who is a party to, or has a direct or indirect interest in, a contract made by or on behalf of the Territory under which goods or services are to be supplied to the Territory shall not take part in a discussion of a matter, or vote on a question, in the Legislative Assembly where the matter or question relates directly or indirectly to that contract.
- (4) Any question concerning the application of subsection (3) shall be decided by the Legislative Assembly, and a contravention of that subsection does not affect the validity of anything done by the Legislative Assembly.

Division 3—Procedure of Legislative Assembly

22 Sessions of Legislative Assembly

- (1) The Administrator may, by notice published in the *Government Gazette* of the Territory, appoint such times for holding the sessions of the Legislative Assembly as he or she thinks fit and may also, from time to time, in like manner, prorogue the Legislative Assembly.
- (2) At the request of such number of members of the Legislative Assembly as is prescribed by enactment, the Administrator shall, by notice published in the *Government Gazette* of the Territory, appoint a time, being not later than 14 days after the day on which he or she receives the request, for holding a session of the Legislative Assembly.

23 Quorum

The number of members necessary to constitute a meeting of the Legislative Assembly for the exercise and performance of its powers and functions shall be as prescribed by enactment.

24 Election of Speaker

- (1) The Legislative Assembly shall, before proceeding to the despatch of any other business, choose a member of the Legislative Assembly to be the Speaker of the Legislative Assembly and, as often as the office of Speaker becomes vacant, the Legislative Assembly shall again choose a member to be the Speaker.
- (2) The Speaker continues to hold his or her office until:
 - (a) the Legislative Assembly first meets after a general election of the Legislative Assembly that takes place after his or her election under subsection (1);
 - (b) he or she resigns his or her office by writing signed by him or her and delivered to the Administrator;
 - (c) he or she ceases to be a member of the Legislative Assembly otherwise than by reason of the dissolution of the Legislative Assembly; or

(d) he or she is removed from office by the Legislative Assembly;
whichever first happens.

25 Acting Speaker—appointment by Legislative Assembly

- (1) Before or during any absence of the Speaker, or during any inability of the Speaker, for any reason, to exercise the powers or perform the functions of the Speaker, the Legislative Assembly may appoint a member to exercise those powers and perform those functions during the absence or inability of the Speaker.
- (2) A reference in this Act or in any other law in force in the Territory to the Speaker shall be read as including a reference to a person appointed under subsection (1).
- (3) An appointment under subsection (1) remains in force until:
 - (a) the absence or inability of the Speaker ceases;
 - (b) the appointment is revoked by the Legislative Assembly;
 - (c) the person appointed resigns his or her appointment by writing signed by him or her and delivered to the Administrator;
 - (d) the person appointed ceases to be a member of the Legislative Assembly otherwise than by reason of the dissolution of the Legislative Assembly; or
 - (e) the Legislative Assembly first meets after a general election of the Legislative Assembly that takes place after the appointment takes effect;whichever first happens.

26 Acting Speaker—appointment by Administrator

- (1) Where:
 - (a) the office of Speaker has become vacant and the Legislative Assembly has not chosen another Speaker to fill the vacancy;
 - (b) the Speaker is absent or is unable, for any reason, to exercise the powers or perform the functions of the Speaker and the Legislative Assembly has not appointed a person under subsection 25(1);
 - (c) the appointment of a person under subsection 25(1) has ceased to be in force, otherwise than by reason of the absence

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or inability of the Speaker ceasing, and the Legislative Assembly has not appointed another member under that subsection; or

- (d) a person appointed under subsection 25(1) is absent or is unable, for any reason, to exercise the powers or perform the functions of the Speaker and the Legislative Assembly has not appointed another person under that subsection;

the Administrator may, by instrument in writing, appoint a member of the Legislative Assembly to exercise the powers and perform the functions of the Speaker.

- (2) A reference in this Act or in any other law in force in the Territory to the Speaker shall be read as including a reference to a person appointed under subsection (1).
- (3) An appointment under subsection (1) remains in force until:
- (a) the next meeting of the Legislative Assembly is held;
 - (b) the Administrator, by instrument in writing, revokes the appointment;
 - (c) the person appointed resigns his or her appointment by writing signed by him or her and delivered to the Administrator;
 - (d) the person appointed ceases to be a member of the Legislative Assembly otherwise than by reason of the dissolution of the Legislative Assembly;
 - (e) in the case of the absence or inability of the Speaker—that absence or inability ceases; or
 - (f) in the case of the absence or inability of a person appointed under subsection 25(1)—that absence or inability ceases or, if the absence or inability of the Speaker ceases before the absence or inability of that person ceases, the absence or inability of the Speaker ceases;

whichever first happens.

27 Voting in Legislative Assembly

- (1) Questions arising in the Legislative Assembly shall be determined by a majority of votes.

- (2) Subject to subsection 21(3), the Speaker or other member presiding at any meeting of the Legislative Assembly shall in all cases be entitled to vote and shall also, where there is an equality of votes on any question, have a casting vote.

28 Validation of acts of Legislative Assembly

Where a person who has, whether before or after the commencement of this section, purported to sit or vote as a member of the Legislative Assembly at a meeting of the Legislative Assembly or of a Committee of the Legislative Assembly:

- (a) was not a duly elected member by reason of his or her not having been qualified for election or of any other defect in his or her election; or
(b) had vacated his or her office as a member;

all things done or purporting to have been done by the Legislative Assembly or that Committee shall be deemed to be as validly done as if that person had, when so sitting or voting, been a duly elected member of the Legislative Assembly, or had not vacated his or her office, as the case may be.

29 Minutes of proceedings

- (1) The Legislative Assembly shall cause minutes of its proceedings to be kept.
- (2) A copy of any minutes so kept shall, on request made by any person, be made available for inspection by him or her or, on payment of such fee as is fixed by or under enactment, be supplied to him or her.

30 Standing rules and orders

The Legislative Assembly may make standing rules and orders, not inconsistent with a law of the Territory, with respect to the order and conduct of its business and proceedings.

Part IV—The Administration

31 Extent of executive power

The duties, powers, functions and authorities of the Administrator, the Executive Council and the Ministers of the Territory imposed or conferred by or under this Part extend to the execution and maintenance of this Act and the laws of the Territory and to the exercise of the prerogatives of the Crown so far as they relate to those duties, powers, functions and authorities.

32 Office of Administrator

- (1) There shall be an Administrator of the Territory, who shall be appointed by the Governor-General by Commission under the Seal of Australia and shall hold office during the pleasure of the Governor-General.
- (2) The Administrator is charged with the duty of administering the government of the Territory.
- (3) Subject to this Act, the Administrator shall exercise and perform all powers and functions that belong to his or her office, or that are conferred on him or her by or under a law in force in the Territory, in accordance with the tenor of his or her Commission and (in the case of powers and functions other than powers and functions relating to matters specified under section 35 and powers and functions under sections 34 and 36) in accordance with such instructions as are given to him or her by the Minister.

33 The Executive Council

- (1) There shall be an Executive Council of the Northern Territory of Australia to advise the Administrator in the government of the Territory in relation to matters in respect of which the Ministers of the Territory have executive authority under section 35.
- (2) The Council shall consist of the persons for the time being holding Ministerial office.

- (3) The Administrator is entitled to attend all meetings of the Council, and shall preside at all meetings at which he or she is present.
- (4) The Administrator may introduce into the Council any matter for discussion in the Council.
- (5) Meetings of the Council shall be convened by the Administrator and not otherwise.
- (6) Subject to the preceding provisions of this section and to any provision made by the regulations, the procedure of the Council shall be as the Council determines.

34 Ministerial offices

There shall be such number of offices of Minister of the Territory, having such respective designations, as the Administrator from time to time determines.

35 Transfer of functions to Executive

The regulations may specify the matters in respect of which the Ministers of the Territory are to have executive authority.

36 Appointment of Ministers

The Administrator may appoint a member of the Legislative Assembly to a Ministerial Office, and may, at any time, terminate the appointment.

37 Tenure of office

The appointment of a person to a Ministerial office takes effect on the day specified in the instrument of appointment and terminates when:

- (a) he or she ceases, by reason of his or her resignation or by reason of the provisions of section 21, to be a member of the Legislative Assembly;
- (b) his or her appointment is terminated by the Administrator;
- (c) he or she resigns his or her office by writing signed by him or her and delivered to the Administrator and the resignation is accepted by the Administrator; or

- (d) the Legislative Assembly first meets after a general election of the Legislative Assembly that takes place after the appointment takes effect.

38 Oath to be taken by Member of Council and Minister

- (1) A member of the Council shall, before entering on the duties of his or her office, make and subscribe an oath or affirmation in accordance with the form in Schedule 4.
- (2) A person who is appointed to a Ministerial office shall, before entering on the duties of his or her office, make and subscribe an oath or affirmation in accordance with the form in Schedule 5.
- (3) An oath or affirmation under subsection (1) or (2) shall be made before the Administrator or a person authorized by the Administrator to administer such oaths or affirmations.

40 Acting Administrator

- (1) The Governor-General may, by Commission under the Seal of Australia, appoint one or more persons to act in the office of Administrator and to administer the government of the Territory during any vacancy in the office of Administrator or whenever the Administrator is absent from duty or from the Territory or is, for any other reason, unable to exercise and perform the powers and functions of his or her office.
- (2) An appointment of a person under subsection (1) may be expressed to have effect only in such circumstances as are specified in the instrument of appointment.
- (4) An Acting Administrator administering the government of the Territory has, and may exercise and perform, all the powers and functions of the Administrator.
- (5) The exercise or performance by an Acting Administrator of the powers or functions of the Administrator during the absence of the Administrator from the Territory does not prevent the exercise or performance by the Administrator of any of those powers or functions.

- (6) The appointment of an Acting Administrator, and any act done by a person purporting to act under this section, shall not be called in question by reason of any defect or irregularity in or in connexion with his or her appointment or on the ground that the occasion for his or her so acting had not arisen or had ceased.

41 Deputies of Administrator

- (1) The Administrator may appoint a person, or persons jointly or severally, to be the deputy or deputies of the Administrator in the Territory, or a part of the Territory, and in that capacity to exercise during the pleasure of the Administrator such powers and functions of the Administrator as he or she assigns to the deputy or deputies.
- (2) The appointment of a deputy does not affect the exercise of a power or performance of a function by the Administrator.

42 Oath to be taken by Administrator etc.

- (1) The Administrator, and Acting Administrator or a deputy of the Administrator shall, before entering on the duties of his or her office, make and subscribe an oath or affirmation of allegiance in the form in Schedule 2 and also an oath or affirmation of office in the form in Schedule 6.
- (2) An oath or affirmation under this section shall be made before the Governor-General, a Judge of the Supreme Court of the Northern Territory of Australia or a person authorized by the Governor-General to administer the oath or affirmation.

Part V—Finance

43 Interpretation

In this Part:

public moneys of the Territory means revenues, loans and other moneys received by the Territory.

Territory authority means a body corporate established for a public purpose by or under an enactment, being an authority that is empowered by enactment to borrow moneys.

44 Public moneys

- (1) The public moneys of the Territory shall be available to defray the expenditure of the Territory.
- (2) The receipt, expenditure and control of public moneys of the Territory shall be regulated as provided by enactment.

45 Withdrawals of public moneys

- (1) No public moneys of the Territory shall be issued or expended except as authorized by enactment.
- (2) The public moneys of the Territory may be invested in such manner as is provided by enactment.

46 Borrowing from Commonwealth

The Finance Minister may, on behalf of the Commonwealth, out of money appropriated by the Parliament for the purpose, lend money to the Territory or to a Territory authority on such terms and conditions as the Finance Minister, in writing, determines.

48 Commonwealth Auditor-General may audit Territory accounts

It is lawful for the Auditor-General for the Commonwealth to accept appointment as auditor under any enactment relating to the audit of the accounts of the Territory or the audit of the accounts of a body corporate established for a public purpose by or under any other enactment.

Part VI—Miscellaneous

49 Trade and commerce with States to be free

Trade, commerce and intercourse between the Territory and the States, whether by means of internal carriage or ocean navigation, shall be absolutely free.

50 Acquisition of property to be on just terms

- (1) The power of the Legislative Assembly conferred by section 6 in relation to the making of laws does not extend to the making of laws with respect to the acquisition of property otherwise than on just terms.
- (2) Subject to section 70, the acquisition of any property in the Territory which, if the property were in a State, would be an acquisition to which paragraph 51(xxxi) of the Constitution would apply, shall not be made otherwise than on just terms.

50A Laws concerning euthanasia

- (1) Subject to this section the power of the Legislative Assembly conferred by section 6 in relation to the making of laws does not extend to the making of laws which permit or have the effect of permitting (whether subject to conditions or not) the form of intentional killing of another called euthanasia (which includes mercy killing) or the assisting of a person to terminate his or her life.
- (2) The Legislative Assembly does have power to make laws with respect to:
 - (a) the withdrawal or withholding of medical or surgical measures for prolonging the life of a patient but not so as to permit the intentional killing of the patient; and
 - (b) medical treatment in the provision of palliative care to a dying patient, but not so as to permit the intentional killing of the patient; and

- (c) the appointment of an agent by a patient who is authorised to make decisions about the withdrawal or withholding of treatment; and
- (d) the repealing of legal sanctions against attempted suicide.

51 Acts that bind States to bind Northern Territory

- (1) Where an Act (whether or not by express provision) binds each of the States or the Crown in right of each of the States, that Act, by force of this subsection, binds the Territory or the Crown in right of the Territory, unless that Act specifically provides otherwise.
- (2) Nothing in subsection (1) shall be taken to affect the application of any law of the Commonwealth in and in relation to the Territory otherwise than as provided in that subsection.

53 Application of *Fair Work Act 2009*

- (3) Until provision to the contrary is made by an Act, the powers of Fair Work Australia do not extend to employment in respect of which a tribunal established by an enactment before 1 July 1978 has power to hear and determine disputes, claims or matters relating to the terms and conditions of the employment.
- (4) Provision may be made by enactment for a member of Fair Work Australia to constitute, or to be a member of, a tribunal established by an enactment before 1 July 1978, and nothing in this section or the *Fair Work Act 2009* prevents a member of Fair Work Australia from accepting appointment or performing duties as, or as a member of, such a tribunal.
- (5) The power of the Legislative Assembly conferred by section 6 in relation to the making of laws does not extend to the making of a law conferring on any court, tribunal, board, body, person or other authority any power in relation to the hearing and determining of disputes, claims or matters relating to terms and conditions of employment.
- (6) Subsection (5) does not prevent the making of:
 - (a) a law conferring the power to make determinations by way of the ascertainment of rights or obligations conferred or imposed on persons by law; or

Section 54

- (b) a law conferring power on the Public Service Commissioner of the Territory, on a body established by enactment, or on the holder of an office established by enactment, to make determinations by way of the fixing of terms and conditions of employment of persons employed in the Public Service of the Territory or employed by that body or by the holder of that office, as the case may be.

Note: See section 40 of the *Fair Work Act 2009* and regulations made under subsection (2) of that section for the interaction between determinations made under paragraph (6)(b) of this section and fair work instruments (within the meaning of that Act).

54 Power to confer jurisdiction on Remuneration Tribunal in relation to members etc.

- (1) Provision may be made by enactment to confer on the Remuneration Tribunal established by the *Remuneration Tribunal Act 1973* the function of inquiring into, and reporting on or determining, remuneration and allowances to be paid, and other entitlements to be granted, to persons in respect of their services as members of the Legislative Assembly, members of the Executive Council and Ministers of the Territory.
- (2) Nothing in subsection (1) shall be taken to limit the power to make other provision by enactment for and in relation to remuneration, allowances and other entitlements referred to in that subsection.

55 Regulations

The Governor-General may make regulations, not inconsistent with this Act, prescribing all matters required or permitted by this Act to be prescribed, or necessary or convenient to be prescribed for carrying out or giving effect to this Act.

Part VII—Transitional provisions

56 Interpretation

In this Part, unless the contrary intention appears:

commencing date means 1 July 1978.

existing Legislative Assembly means the Legislative Assembly established by section 4 of the previous Act.

instrument includes rules, regulations or by-laws.

interest includes any right, title, estate, power, privilege, claim, demand, charge, lien or encumbrance, whether at law or in equity.

Ordinance means an Ordinance made under the previous Act.

previous Act means the *Northern Territory (Administration) Act 1910*.

57 Continuance of laws

- (1) Subject to this Act, on and after the commencing date, all existing laws of the Territory have the same operation as they would have had if this Act had not been enacted, subject to alteration or repeal by or under enactment.
- (2) Where any existing law of the Territory, the operation of which is preserved by this section, is a law of the State of South Australia, any power or function which by that law is vested in the Governor of the State of South Australia, in the Governor of that State with the advice of his or her Executive Council or in any authority of that State shall, in relation to the Territory, be vested in and exercised or performed by the Administrator, the Administrator acting with the advice of the Council or the authority exercising similar powers and functions in the Territory, as the case may be, or as the Administrator directs.

Section 58

- (3) In this section, *existing law of the Territory* means:
- (a) any law in force in the Territory immediately before the commencing date, other than an Act or an instrument (not being an Ordinance or an instrument made under an Ordinance) made under an Act; or
 - (b) an Ordinance, or an instrument under an Ordinance, in force immediately before the commencing date or made and assented to before that date but not in force before that date.

58 Administrator etc. to continue in office

- (1) Where, immediately before the commencing date, a person holds office by virtue of a provision of the previous Act as the Administrator, an Acting Administrator or a deputy Administrator, he or she continues on and after that date, but subject to this Act, to hold office for the remainder of his or her term of office as if he or she had been appointed under the corresponding provision of this Act, and any instrument by which his or her appointment was made continues in force accordingly.
- (2) Section 42 does not apply for the purposes of the continuance in office of a person by virtue of subsection (1) of this section.

59 Legislative Assembly etc. to continue

- (1) Notwithstanding the repeal of the previous Act, but subject to this Act, until the day of the first general election of members of the Legislative Assembly after the commencing date:
 - (a) the existing Legislative Assembly continues in existence and shall, for the purposes of this Act, be deemed to be the Legislative Assembly referred to in section 13;
 - (b) the members of the existing Legislative Assembly holding office immediately before the commencing date continue to hold office; and
 - (c) the Speaker holding office immediately before the commencing date continues to hold office.
- (2) Notwithstanding subsection 17(2) of this Act and the repeal of the previous Act, until the day of the first general election of members of the Legislative Assembly after the commencing date, subsections 4G(2) and (3) of the previous Act shall be deemed to continue in force in relation to the existing Legislative Assembly.

- (3) Notwithstanding the repeal of the previous Act, the standing rules and orders of the existing Legislative Assembly in force immediately before the commencing date continue in force, but may be altered or repealed in accordance with this Act.
- (4) Until provision is made by enactment for the purposes of subsection 13(2), the Legislative Assembly consists of 19 members.
- (5) Subsection 13(6) does not apply for the purposes of the continuance in office of a member of the existing Legislative Assembly by virtue of subsection (1) of this section.

60 Functions performed by Legislative Assembly and Executive Council

An act done or decision made by, on behalf of, or in the name of, the existing Legislative Assembly or the Executive Council under the previous Act before the commencing date has effect on and after that date as if it had been done or made by, on behalf of, or in the name of, the Legislative Assembly or the Executive Council under this Act.

61 Functions performed by specified persons

An act done or decision made by, on behalf of, or in the name of, a person under a provision of the previous Act before the commencing date has effect on and after that date as if it had been done or made by, on behalf of, or in the name of, the appropriate person under the corresponding provision of this Act.

63 Sessions of Legislative Assembly

Until provision is made by enactment for the purposes of subsection 22(2), the number of members of the Legislative Assembly required for the purposes of that subsection is 10.

64 Quorum

Until provision is made by enactment for the purposes of section 23, the number of members of the Legislative Assembly required for the purposes of that section is 10.

65 Remuneration and allowances

Notwithstanding the repeal of the previous Act, until a person receives remuneration, allowances and other entitlements in accordance with an enactment, he or she shall receive in respect of his or her services as a member of the Legislative Assembly, a member of the Council or a Minister of the Territory, as the case may be, remuneration, allowances and other entitlements in accordance with the relevant determination by the Remuneration Tribunal in force immediately before the commencing date, and paragraph 21(2)(e) does not apply in relation to remuneration, allowances and other entitlements so received.

66 Ordinances made but not assented to before commencing date

- (1) An Ordinance made by the existing Legislative Assembly before the commencing date but not assented to before that date (other than an Ordinance to which subsection (2) applies) shall, for the purposes of this Act, be deemed to be a proposed law passed by the Legislative Assembly under this Act.
- (2) Where, before the commencing date, the Administrator had, in accordance with section 4V or 4W of the previous Act, reserved an Ordinance for the Governor-General's pleasure and the Governor-General had not made a declaration under subsection 4X(1) of that Act in relation to the Ordinance, the Ordinance shall, for the purposes of this Act, be deemed to be a proposed law passed by the Legislative Assembly under this Act and to have been reserved for the Governor-General's pleasure in accordance with section 7 of this Act.

67 References in other laws

In any law of the Commonwealth or of the Territory or any instrument having effect under such a law (including a law or instrument that came into operation before the commencing date), except so far as the context otherwise requires:

- (a) a reference, however expressed, to the Legislative Assembly for the Territory shall be read as a reference to the Legislative Assembly of the Northern Territory of Australia;
- (b) a reference, however expressed, to an Ordinance shall be read as including a reference to an enactment;

- (c) a reference, however expressed, to the Executive Council established by the previous Act shall be read as including a reference to the Executive Council of the Northern Territory of Australia; and
- (d) a reference, however expressed, to a person holding office under a provision of the previous Act shall be read as including a reference to a person holding office under the corresponding provision of this Act.

68 Certain provisions of previous Act to continue to operate

Notwithstanding the repeal of the previous Act, the provisions of sections 11, 12, 13, 14, 15, 16, 19, 19A and 20 of the previous Act continue to have effect, by virtue of this Act and except so far as they are inconsistent with a provision of this Act, as if that Act had not been repealed.

69 Transfers of property etc.

- (1) In this section:

mineral means a naturally occurring substance or mixture of substances, whether in a solid, liquid or gaseous state.

personal property does not include:

- (a) money;
 - (b) things in action (other than rights in relation to inventions, trade marks or designs); or
 - (c) leasehold interests in land.
- (2) All interests of the Commonwealth in land in the Territory, other than interests referred to in subsection (5), are, by force of this section, vested in the Territory on the commencing date.
- (3) All interests in land in the Territory held from the Commonwealth immediately before the commencing date are, by force of this section, held from the Territory on and after that date on the same terms and conditions as those on which they were held from the Commonwealth.

Section 70

- (4) All interests of the Commonwealth in respect of minerals in the Territory (other than prescribed substances within the meaning of the *Atomic Energy Act 1953* and the regulations made under that Act and in force immediately before the commencing date) are, by force of this section, vested in the Territory on that date.
- (5) On, or as soon as practicable after, the date when a matter is specified under section 35, the Minister shall transfer or cause to be transferred to the Territory:
 - (a) all interests held by the Commonwealth immediately before that date in land in the Territory, being:
 - (i) interests under easements, rights of way or mortgages;
or
 - (ii) interests as lessee or sub-lessee; and
 - (b) all personal property held by the Commonwealth immediately before that date;
being interests and property that, in the opinion of the Minister, were so held for the purposes of the Commonwealth in connexion with that matter.
- (6) Where an interest is transferred to the Territory under paragraph (5)(a), being an interest derived from a contract, the Territory is, by force of this section, substituted for the Commonwealth as a party to the contract.
- (7) The Commonwealth is not liable to pay to the Territory any duties, fees or other charges in respect of anything done under subsection (5).

70 Acquisition of certain land etc.

- (1) The Minister may, from time to time, recommend to the Governor-General that any interest in land vested or to be vested in the Territory by subsection 69(2) (including an interest less than, or subsidiary to, such an interest) be acquired from the Territory by the Commonwealth under this section.
- (2) The Governor-General may, on the recommendation of the Minister under subsection (1), authorize the acquisition of the interest for a public purpose approved by the Governor-General.
- (3) The Minister may cause to be published in the *Gazette* notice of the authorization by the Governor-General and, in the notice, declare

that the interest is acquired under this section for the public purpose approved by the Governor-General.

- (4) Upon publication of the notice in the *Gazette* or immediately after the commencement of section 69, whichever is the later, the interest to which the notice relates is, by force of this section:
- (a) vested in the Commonwealth; and
 - (b) freed and discharged from any restriction, dedication or reservation made by or under any enactment (not being an interest to which subsection (6) applies);
- to the intent that the legal estate in the interest, and all rights and powers incident to that estate or conferred by the *Lands Acquisition Act 1989* in relation to that estate, are vested in the Commonwealth.
- (5) An interest that may be acquired under this section may be an interest that did not previously exist as such.
- (6) Upon the acquisition of an interest by the Commonwealth under this section, all interests that were held from the Territory immediately before the acquisition, being interests derived from the first-mentioned interest, are, by force of this section, held from the Commonwealth on the same terms and conditions as those on which they were held from the Territory.
- (7) The Secretary of the Department shall lodge with the registrar of titles of the Territory a copy of a notice published under this section, certified by writing signed by the Secretary.
- (8) Upon the lodgment of a copy of a notice in accordance with subsection (7), the registrar of titles shall register the acquisition to which the notice relates in the manner as nearly as may be in which dealings with land are registered, and shall deal with and give effect to the copy of the notice as if it were a grant, conveyance, memorandum or instrument of transfer of the land or interest, as the case may be, to the Commonwealth duly executed under the laws in force in the Territory.
- (9) The Commonwealth is not liable to pay to the Territory:
- (a) any compensation in respect of an acquisition made under this section; or
 - (b) any duties, fees or other charges in respect of anything done under subsection (7) or (8).

Section 71

- (10) A notice shall not be published under this section after the expiration of one year after the commencing date.
- (11) Where subsection (4) has effect in relation to an interest in land, that subsection has the like effect in relation to any interest vested in the Territory by subsection 69(4) in respect of minerals in or on that land.
- (12) This section has effect despite anything contained in the *Lands Acquisition Act 1989*.

71 Contracts

- (1) The regulations may make provision for and in relation to:
 - (a) the substitution of the Territory for the Commonwealth as a party to a prescribed contract or a contract included in a class of prescribed contracts; and
 - (b) matters arising from, connected with or consequential upon any such substitution.
- (2) In subsection (1), *prescribed contract* means a contract:
 - (a) which was subsisting immediately before the commencing date or was entered into on or after that date and before the date of commencement of the *Northern Territory (Self-Government) Amendment Act 1982*;
 - (b) to which the Commonwealth is a party; and
 - (c) which relates to a matter specified under section 35; other than a contract referred to in subsection 69(6).

72 Commonwealth to indemnify Territory

- (1) The Commonwealth shall indemnify the Territory, and keep the Territory indemnified, against any action, claim or demand brought or made against the Territory in respect of any act done or omitted to be done by or on behalf of the Commonwealth, being an action, claim or demand that, but for the operation of this Act, could be brought or made against the Commonwealth.
- (2) The indemnification under subsection (1) extends to damages, expenses and costs arising from, connected with or consequential upon an action, claim or demand referred to in that subsection.

73 Validity of Ordinances

For the avoidance of doubt, it is hereby declared that an Ordinance made by the existing Legislative Assembly under the previous Act (including an Ordinance that was not assented to before the commencing date) is as valid as if it had been passed by the Legislative Assembly under this Act.

74 Agency arrangements

The Minister may arrange with the Administrator for the Territory to perform functions on behalf of the Commonwealth or for the Commonwealth to perform functions on behalf of the Territory.

75 Regulations

- (1) With the consent of the Administrator for the Territory acting with the advice of the Council, the regulations may make provision (including provision by way of modifications and adaptations of any Act) for and in relation to any matter arising from, consequential upon or otherwise connected with the establishment of the Territory as a body politic under the Crown.
- (2) The power to make regulations under subsection (1) extends to the making of regulations expressed to take effect on and from a date earlier than the date of the making of the regulations, not being a date earlier than the commencing date.
- (3) Regulations shall not be made under this section after 30 June 1979.

Schedule 1—Acts repealed

Section 3

Northern Territory (Administration) Act 1910
Northern Territory (Administration) Act 1926
Northern Territory (Administration) Act 1931
Northern Territory (Administration) Act (No. 2) 1931
Northern Territory (Administration) Act 1933
Northern Territory (Administration) Act 1939
Northern Territory (Administration) Act 1940
Northern Territory (Administration) Act (No. 2) 1940
Northern Territory (Administration) Act 1947
Northern Territory (Administration) Act 1949
Northern Territory (Administration) Act 1952
Northern Territory (Administration) Act 1953
Northern Territory (Administration) Act 1955
Northern Territory (Administration) Act 1956
Northern Territory (Administration) Act (No. 2) 1956
Northern Territory (Administration) Act 1959
Northern Territory (Administration) Act 1961
Northern Territory (Administration) Act 1962
Northern Territory (Administration) Act 1965
Northern Territory (Administration) Act 1968
Northern Territory (Administration) Act (No. 2) 1968
Northern Territory (Administration) Act 1969
Northern Territory (Administration) Act 1972
Northern Territory (Administration) Act 1973
Northern Territory (Administration) Act 1974
Northern Territory (Administration) Amendment Act 1976

34 *Northern Territory (Self-Government) Act 1978*

Schedule 2

Subsections 13(6) and 42(1)

OATH

I, *A.B.*, do swear that I will be faithful and bear true allegiance to Her Majesty Queen Elizabeth, Her heirs and successors according to law: So help me God!

AFFIRMATION

I, *A.B.*, do solemnly and sincerely affirm and declare that I will be faithful and bear true allegiance to Her Majesty Queen Elizabeth, Her heirs and successors according to law.

Schedule 3

Subsection 13(6)

OATH

I, *A.B.*, do swear that I will render true and faithful service as a member of the Legislative Assembly for the Northern Territory of Australia: So help me God!

AFFIRMATION

I, *A.B.*, do solemnly and sincerely promise and declare that I will render true and faithful service as a member of the Legislative Assembly for the Northern Territory of Australia.

Schedule 4

Subsection 38(1)

OATH

I, *A.B.*, do swear that, except as may be required by law, I will not divulge any information (including the contents of any document) of which I have become aware by reason of my membership of the Executive Council of the Northern Territory of Australia: So help me God!

AFFIRMATION

I, *A.B.*, do solemnly and sincerely promise and declare that, except as may be required by law, I will not divulge any information (including the contents of any document) of which I have become aware by reason of my membership of the Executive Council of the Northern Territory of Australia.

Schedule 5

Subsection 38(2)

OATH

I, *A.B.*, do swear that, except in the course of my duties or as may be required by law, I will not divulge any information (including the contents of any document) of which I have become aware by reason of my holding Ministerial office: So help me God!

AFFIRMATION

I, *A.B.*, do solemnly and sincerely promise and declare that, except in the course of my duties or as may be required by law, I will not divulge any information (including the contents of any document) of which I have become aware by reason of my holding Ministerial office.

Schedule 6

Subsection 42(1)

OATH

I, *A.B.*, do swear that I will well and truly serve our Sovereign Lady the Queen in the office of Administrator (*or* Acting Administrator, *or* Deputy Administrator) of the Northern Territory of Australia, and that I will do right to all manner of people according to law, without fear or favour, affection or ill-will: So help me God!

AFFIRMATION

I, *A.B.*, do solemnly and sincerely promise and declare that I will well and truly serve our Sovereign Lady the Queen in the office of Administrator (*or* Acting Administrator, *or* Deputy Administrator) of the Northern Territory of Australia, and that I will do right to all manner of people according to law, without fear or favour, affection or ill-will.

Table of Acts

Notes to the *Northern Territory (Self-Government) Act 1978***Note 1**

The *Northern Territory (Self-Government) Act 1978* as shown in this compilation comprises Act No. 58, 1978 amended as indicated in the Tables below.

The *Northern Territory (Self-Government) Act 1978* was amended by the *Workplace Relations Amendment (Work Choices) (Consequential Amendments) Regulations 2006 (No. 1)* (SLI 2006 No. 50). The amendments are incorporated in this compilation.

Preamble—The *Northern Territory Supreme Court Act 1961* was repealed by the *Northern Territory Supreme Court (Repeal) Act 1979* (No. 85, 1979).

All relevant information pertaining to application, saving or transitional provisions prior to 27 March 1997 is not included in this consolidation. For subsequent information *see* Table A.

Table of Acts

Act	Number and year	Date of Assent	Date of commencement	Application, saving or transitional provisions
<i>Northern Territory (Self-Government) Act 1978</i>	58, 1978	22 June 1978	Ss. 1, 2 and 70: Royal Assent Remainder: 1 July 1978	
<i>Northern Territory (Self-Government) Amendment Act 1982</i>	130, 1982	14 Dec 1982	S. 11: 22 June 1978 Remainder: Royal Assent	—
<i>Australian Government Solicitor (Consequential Amendments) Act 1984</i>	10, 1984	10 Apr 1984	S. 3: 1 July 1984 (<i>see Gazette</i> 1984, No. S231) (a)	S. 4(1)
<i>Cocos (Keeling) Islands Self-Determination (Consequential Amendments) Act 1984</i>	46, 1984	25 June 1984	Part VII (ss. 22–26): 6 Apr 1984 Remainder: Royal Assent	—
<i>Christmas Island Administration (Miscellaneous Amendments) Act 1984</i>	120, 1984	18 Oct 1984	Ss. 27–31: 1 Oct 1984 Remainder: Royal Assent	—

Table of Acts

Act	Number and year	Date of Assent	Date of commencement	Application, saving or transitional provisions
<i>Statute Law (Miscellaneous Provisions) Act (No. 1) 1985</i>	65, 1985	5 June 1985	S. 3: 3 July 1985 (b)	—
<i>Statute Law (Miscellaneous Provisions) Act (No. 1) 1986</i>	76, 1986	24 June 1986	S. 3: Royal Assent (c)	S. 9
<i>Industrial Relations (Consequential Provisions) Act 1988</i>	87, 1988	8 Nov 1988	Ss. 1 and 2: Royal Assent Remainder: 1 Mar 1989 (see s. 2(2) and <i>Gazette</i> 1989, No. S53)	—
<i>Lands Acquisition (Repeal and Consequential Provisions) Act 1989</i>	21, 1989	20 Apr 1989	9 June 1989 (see s. 2 and <i>Gazette</i> 1989, No. S185)	—
<i>Arts, Sport, Environment, Tourism and Territories Legislation Amendment Act 1991</i>	33, 1991	21 Mar 1991	(d)	S. 5
<i>Statute Law Revision Act 1996</i>	43, 1996	25 Oct 1996	Schedule 4 (items 1, 113): Royal Assent (e)	—
<i>Workplace Relations and Other Legislation Amendment Act 1996</i>	60, 1996	25 Nov 1996	Schedule 19 (item 34): Royal Assent (f)	S. 2(2), (6) (am. by 77, 1996, Sch. 3 [items 1, 2])
as amended by				
<i>Workplace Relations and Other Legislation Amendment Act (No. 2) 1996</i>	77, 1996	19 Dec 1996	Schedule 3 (items 1, 2): (g)	—
<i>Euthanasia Laws Act 1997</i>	17, 1997	27 Mar 1997	27 Mar 1997	Sch. 1 (item 2) [see Table A]
<i>Judiciary Amendment Act 1999</i>	7, 1999	31 March 1999	Schedule 3 (items 28, 29): 1 Sept 1999 (see <i>Gazette</i> 1999, No. S395) Remainder: Royal Assent	—
<i>Criminal Code Amendment (Theft, Fraud, Bribery and Related Offences) Act 2000</i>	137, 2000	24 Nov 2000	Ss. 1–3 and Schedule 1 (items 1, 4, 6, 7, 9–11, 32): Royal Assent Remainder: 24 May 2001	Sch. 2 (items 418, 419) [see Table A]
<i>Statute Law Review Act 2008</i>	73, 2008	3 July 2008	Schedule 4 (items 406–408): 4 July 2008	—

Table of Acts

Act	Number and year	Date of Assent	Date of commencement	Application, saving or transitional provisions
<i>Fair Work (State Referral and Consequential and Other Amendments) Act 2009</i>	54, 2009	25 June 2009	Schedule 5 (items 43–47): (h)	—
<i>Statute Law Revision Act 2011</i>	5, 2011	22 Mar 2011	Schedule 5 (items 170, 171) and Schedule 7 (item 105): 19 Apr 2011	—
<i>Territories Self-Government Legislation Amendment (Disallowance and Amendment of Laws) Act 2011</i>	166, 2011	4 Dec 2011	S. 4 and Schedule 2: Royal Assent	S. 4 [see Table A]

Act Notes

- (a) The *Northern Territory (Self-Government) Act 1978* was amended by section 3 only of the *Australian Government Solicitor (Consequential Amendments) Act 1984*, subsection 2(1) of which provides as follows:
- (1) Subject to subsection (2), this Act shall come into operation, or shall be deemed to have come into operation, as the case requires, on the day on which section 7 of the *Judiciary Amendment Act (No. 2) 1984* comes into operation.
- (b) The *Northern Territory (Self-Government) Act 1978* was amended by section 3 only of the *Statute Law (Miscellaneous Provisions) Act (No. 1) 1985*, subsection 2(1) of which provides as follows:
- (1) Subject to this section, this Act shall come into operation on the twenty-eighth day after the day on which it receives the Royal Assent.
- (c) The *Northern Territory (Self-Government) Act 1978* was amended by section 3 only of the *Statute Law (Miscellaneous Provisions) Act (No. 1) 1986*, subsection 2(1) of which provides as follows:
- (1) Subject to this section, this Act shall come into operation on the day on which it receives the Royal Assent.
- (d) The *Northern Territory (Self-Government) Act 1978* was amended by section 3 only of the *Arts, Sport, Environment, Tourism and Territories Legislation Amendment Act 1991*, subsection 2(2) of which provides as follows:
- (2) Section 5, the amendment of section 3 of the *Australian Capital Territory (Self-Government) Act 1988* made by this Act and the repeal of sections 61, 62 and 63 of the *Australian Capital Territory (Self-Government) Act 1988* and sections 47, 47A, 47B and 47C of the *Northern Territory (Self-Government) Act 1978* effected by this Act commence on 1 July 1991.
- (e) The *Northern Territory (Self-Government) Act 1978* was amended by Schedule 4 (items 1 and 113) only of the *Statute Law Revision Act 1996*, subsection 2(1) of which provides as follows:
- (1) Subject to subsections (2) and (3), this Act commences on the day on which it receives the Royal Assent.
- (f) The *Northern Territory (Self-Government) Act 1978* was amended by Schedule 19 (item 34) only of the *Workplace Relations and Other Legislation Amendment Act 1996*, subsection 2(1) of which provides as follows:
- (1) Subject to this section, this Act commences on the day on which it receives the Royal Assent.
- (g) The *Workplace Relations and Other Legislation Amendment Act 1996* was amended by Schedule 3 (items 1 and 2) only of the *Workplace Relations and Other Legislation Amendment Act (No. 2) 1996*, subsection 2(4) of which provides as follows:
- (4) The items of Schedule 3 are taken to have commenced immediately after the *Workplace Relations and Other Legislation Amendment Act 1996* received the Royal Assent.
- The *Workplace Relations and Other Legislation Amendment Act 1996* received the Royal Assent on 25 November 1996.

Act Notes

(h) Subsection 2(1) (item 13) of the *Fair Work (State Referral and Consequential and Other Amendments) Act 2009* provides as follows:

- (1) Each provision of this Act specified in column 1 of the table commences, or is taken to have commenced, in accordance with column 2 of the table. Any other statement in column 2 has effect according to its terms.

Commencement information		
Column 1	Column 2	Column 3
Provision(s)	Commencement	Date/Details
13. Schedule 5, items 32 to 64	Immediately after the commencement of Part 2-4 of the <i>Fair Work Act 2009</i> .	1 July 2009

Table of Amendments**Table of Amendments**

ad. = added or inserted am. = amended rep. = repealed rs. = repealed and substituted

Provision affected	How affected
Part I	
S. 4	am. No. 5, 2011
Part III	
Division 1	
Ss. 7, 8	am. No. 130, 1982; No. 73, 2008
S. 9	am. No. 73, 2008 rep. No. 166, 2011
S. 10	am. No. 166, 2011
S. 11	am. No. 130, 1982
Division 2	
S. 13	am. No. 73, 2008
S. 14	am. Nos. 46 and 120, 1984
S. 16	am. No. 73, 2008
S. 18	am. No. 73, 2008
S. 19	am. No. 130, 1982
S. 20	am. No. 65, 1985; No. 73, 2008
S. 21	am. No. 130, 1982; No. 65, 1985; No. 73, 2008
Division 3	
S. 22	am. No. 73, 2008
Ss. 24–26	am. No. 73, 2008
Ss. 28, 29	am. No. 73, 2008
Part IV	
Ss. 32, 33	am. No. 73, 2008
Ss. 37, 38	am. No. 73, 2008
S. 39	rep. No. 65, 1985
S. 40	am. No. 130, 1982; No. 73, 2008
Ss. 41, 42	am. No. 73, 2008
Part V	
S. 46	rs. No. 76, 1986 am. No. 5, 2011
S. 47	am. No. 130, 1982 rs. No. 76, 1986 rep. No. 33, 1991
Ss. 47A–47C	ad. No. 76, 1986 rep. No. 33, 1991
Part VI	
S. 50A	ad. No. 17, 1997
S. 52	rep. No. 137, 2000

Table of Amendments

ad. = added or inserted am. = amended rep. = repealed rs. = repealed and substituted

Provision affected	How affected
Heading to s. 53	am. No. 60, 1996; No. 54, 2009
S. 53	rs. No. 87, 1988 am. No. 60, 1996; SLI 2006 No. 50; No. 54, 2009
Note to s. 53(6)	ad. No. 54, 2009
S. 54	am. No. 43, 1996
Part VII	
Ss. 57, 58	am. No. 73, 2008
S. 62	rep. No. 130, 1982
S. 65	am. No. 73, 2008
S. 70	am. No. 130, 1982; No. 10, 1984; No. 21, 1989; No. 7, 1999; No. 5, 2011
S. 71	am. No. 130, 1982

Table A

Application, saving or transitional provisions

Euthanasia Laws Act 1997 (No. 17, 1997)

Schedule 1

2 Application

For the avoidance of doubt, the enactment of the Legislative Assembly called the *Rights of the Terminally Ill Act 1995* has no force or effect as a law of the Territory, except as regards the lawfulness or validity of anything done in accordance therewith prior to the commencement of this Act.

Criminal Code Amendment (Theft, Fraud, Bribery and Related Offences) Act 2000 (No. 137, 2000)

Schedule 2

418 Transitional—pre-commencement offences

- (1) Despite the amendment or repeal of a provision by this Schedule, that provision continues to apply, after the commencement of this item, in relation to:
 - (a) an offence committed before the commencement of this item; or
 - (b) proceedings for an offence alleged to have been committed before the commencement of this item; or
 - (c) any matter connected with, or arising out of, such proceedings;as if the amendment or repeal had not been made.
- (2) Subitem (1) does not limit the operation of section 8 of the *Acts Interpretation Act 1901*.

Table A

419 Transitional—pre-commencement notices

If:

- (a) a provision in force immediately before the commencement of this item required that a notice set out the effect of one or more other provisions; and
 - (b) any or all of those other provisions are repealed by this Schedule; and
 - (c) the first-mentioned provision is amended by this Schedule;
- the amendment of the first-mentioned provision by this Schedule does not affect the validity of such a notice that was given before the commencement of this item.

Territories Self-Government Legislation Amendment (Disallowance and Amendment of Laws) Act 2011 (No. 166, 2011)

4 Objects of Act

The objects of this Act are:

- (a) to remove the Governor-General's power, under section 35 of the *Australian Capital Territory (Self-Government) Act 1988*, to disallow an enactment (or part of an enactment) of the Legislative Assembly for the Australian Capital Territory or to recommend amendments of any enactments; and
- (b) to remove the Governor-General's power, under section 9 of the *Northern Territory (Self-Government) Act 1978*, to disallow a law (or part of a law) of the Legislative Assembly of the Northern Territory or to recommend amendments of any laws of the Northern Territory.