

The following notes are on legislation set down for debate during the August sittings of Parliament.

Proposed amendments to the Firearms Bill are also listed for debate.

The government also intends the introduction and passage of urgent amendments to the *Local Government Act* concerning minimum rating of multi-unit allotments and the *Work Health Act* in respect of medical review panels.

The McArthur River agreement legislation is expected to be introduced this sitting for debate in the September sittings of parliament, as is the Equal Opportunity legislation.

**HOUSING ACT AMENDMENT (Serial 138)** -- This bill makes two amendments: (1) Housing Commission tenants have to notify the Commission within 28 days of any change in income; (2) The Commission will have two years in which to charge a person for an offence (eg claiming eligibility for Housing Commission premises when one is not eligible).

**MISUSE OF DRUGS AMENDMENT (Serial 146)** - This Bill picks up an oversight when the Misuse of Drugs bill was considered in 1990. Section 5 of the Act provides that where a commercial quantity (normally 40 grams plus) of a dangerous drug (heroin, cocaine, LSD, etc) is supplied by an adult, the penalty is life imprisonment. The logical question here is: what if the person who supplied the drug was a child? The effect of the amendment is that the penalty is 14 years maximum where the supplier is a child or the receiver is an adult. The penalty is life where the offender is an adult and the receiver is a child.

**STATUTE LAW REVISION BILL (Serial 147)** - This Bill amends 15 Acts and four sets of Regulations. Of interest to solicitors are amendments to the *Justice's Act*, allowing for payments made under restitution orders to be normally made to the Clerk of Courts; to the *Small Claims Act*, to allow for Rules concerning re-hearing of claims; and to the custody

# NOTES FROM PARLIAMENT

by GREG ROCHE

powers of the Sheriff under the *Sheriff Act*, the *Juvenile Justice Act* and the *Prisons (Correctional Services) Act*. Collectors of legal trivia will be saddened to learn that the procedure for making an application to marry your ward will no longer be in the Regulations under the *Justice's Act*.

**CRIMINAL CODE AMENDMENT (NO 2) (Serial 149)** - In criminal trials in the Territory, the defence is provided with the names and addresses of all potential jurors two days before the start of the trial. This is used to challenge potential jurors if, for example, they come from the same suburb as the victim. Last year, a juror in a drug trial was anonymously threatened. The Bill removes the defendant's right to access to the addresses of potential jurors.

**REGISTRATION ACT AMENDMENT (Serial 150)** - In order to help pay for the introduction of computer facilities at the Titles Office, there is, as practitioners would know, a \$5 surcharge on dealings in the Titles Office. The problem is there is no power in the *Registration Act* to do so. This amendment: (1) inserts the power into the Act; and (2) retrospectively validates the previous collection of the levy.

**LIQUOR AMENDMENT (NO 2) (Serial 151)** - This Bill tightens up the law on the power of the employees of licensees, or liquor inspectors, to remove intoxicated persons. It also

strengthens the licensees' powers to remove so-called "undesirables." Currently, only the licensee has the power to remove intoxicated persons. This amendment will give employees (including bouncers) the power to remove persons who might lead to the licensee being charged with a breach of the *Liquor Act*, or, in his opinion 'disrupt the business of the licensee or unreasonably interfere with with well-being of other persons lawfully on the premises.' They can use "reasonable force" to do so. Liquor inspectors will also have the power of removal.

## NT LITIGATION LAWYERS GROUP

Anyone interested in joining this group should contact Roger Bennett in Alice Springs or Hugh Bradley, Graham Hiley, Meredith Harrison or Judith Kelly in Darwin.

## CONGRATULATIONS

To John Lowndes SM, who not only completed a Master of Laws at but was also awarded the Sydney University Medal.