

NORTHERN TERRITORY
(ADMINISTRATION) (No. 2).

No. 110 of 1956.

An Act to amend the *Northern Territory (Administration) Act 1910-1955*, as amended by the *Northern Territory (Administration) Act 1956*.

[Assented to 15th November, 1956.]

BE it enacted by the Queen's Most Excellent Majesty, the Senate, and the House of Representatives of the Commonwealth of Australia, as follows :—

1.—(1.) This Act may be cited as the *Northern Territory (Administration) Act (No. 2) 1956*.

Short title
and citation.

(2.) The *Northern Territory (Administration) Act 1910-1955*,* as amended by the *Northern Territory (Administration) Act 1956*,† is in this Act referred to as the Principal Act.

(3.) Section one of the *Northern Territory (Administration) Act 1956* is amended by omitting sub-section (2.).

(4.) The Principal Act, as amended by this Act, may be cited as the *Northern Territory (Administration) Act 1910-1956*.

* Act No. 27, 1910, as amended by Nos. 16 and 19, 1926; Nos. 5 and 7, 1931; No. 18, 1933; No. 85, 1939; Nos. 29 and 37, 1940; Nos. 10 and 39, 1947; No. 53, 1949; No. 71, 1952; No. 89, 1953; and No. 71, 1955.

† Act No. 50, 1956.

Commencement. 2. This Act shall come into operation on the day on which it receives the Royal Assent.

Application of Commonwealth Electoral Act.

3. Section four E of the Principal Act is amended—

(a) by omitting sub-section (1.) and inserting in its stead the following sub-section :—

“(1.) Subject to this Act, the provisions of the *Commonwealth Electoral Act* 1918–1953 apply, with such exceptions and subject to such modifications as are prescribed, to and in relation to the election of the elected members of the Council, disputed elections of such members, disputed returns in connexion with elections of such members and questions respecting the qualifications of such members or respecting vacancies in the offices of such members in like manner as if—

(a) each Electoral District into which the Territory is divided were an Electoral Division of a State; and

(b) the election of a member of the Council were the election of a member to represent, in the House of Representatives, an Electoral Division of a State.”; and

(b) by adding at the end thereof the following sub-sections :—

“(3.) For the purposes of the application of the provisions of Part XVIII. of the *Commonwealth Electoral Act* 1918–1953 in accordance with this section, the Supreme Court of the Northern Territory shall be deemed to be the Court of Disputed Returns.

“(4.) The regulations may make provisions in substitution for any of the provisions of the *Commonwealth Electoral Act* 1918–1953 as applied by this section.”.

4. After section four E of the Principal Act the following section is inserted :—

Writs for elections.

“4EA. Writs for the election of elected members of the Council shall be issued by the Administrator.”.

Disqualification for membership of or voting in, Council.

5. Section four KA of the Principal Act is amended—

(a) by adding at the end of paragraph (b) of sub-section (1.) the word “or”;

(b) by omitting from paragraph (c) of sub-section (1.) the word “or” (last occurring);

(c) by omitting paragraph (d) of sub-section (1.); and

(d) by adding at the end thereof the following sub-sections :—

“(3.) For the purposes of this section, a person employed under the law relating to the Public Service of the Territory or of the Commonwealth as a temporary employee or as

an officer or employee to whom any provisions of that law do not apply shall be deemed to be employed in the Public Service of the Territory or of the Commonwealth, as the case may be.

“(4.) An elected member of the Council who is a party to, or has a direct or indirect interest in, a contract made by or on behalf of the Commonwealth under which goods or services are to be supplied to the Commonwealth shall not take part in a discussion of a matter, or vote on a question, in the Council where the matter or question relates directly or indirectly to that contract.

“(5.) All questions concerning the application of the last preceding sub-section shall be decided by the Council, and a contravention of that sub-section does not affect the validity of anything done by the Council.”

6. After section four Q of the Principal Act the following section is inserted :—

“4QA. Where a person who has (whether before or after the commencement of this section) purported to sit or vote as an elected member of the Council at a meeting of the Council or of a Committee of the Council—

Validation
of acts of
Council.

(a) was not a duly elected member, by reason of his not having been qualified for election or of any other defect in his election ; or

(b) had vacated his office as a member,

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