



# Statutory Rules

1978 No. *L*

*102/*

## REGULATIONS UNDER THE NORTHERN TERRITORY (SELF-GOVERNMENT) ACT 1978\*

I, THE GOVERNOR-GENERAL of the Commonwealth of Australia, acting with the advice of the Federal Executive Council, hereby make the following Regulations under the *Northern Territory (Self-Government) Act 1978*.

Dated this *twenty-seventh*  
day of *June* 1978.

*JOHN GOWEN*  
Governor-General

By His Excellency's Command,

*Frank Adams*  
Minister of State for the Northern Territory

## NORTHERN TERRITORY (SELF-GOVERNMENT) REGULATIONS

1. These Regulations may be cited as the Northern Territory (Self-Government) Regulations. Citation
2. These Regulations shall come into operation on 1 July 1978. Commence-  
ment
3. In these Regulations, unless the contrary intention appears— Interpre-  
tation
  - "the Act" means the *Northern Territory (Self-Government) Act 1978*;
  - "transferred contract" means a contract included in a class of prescribed contracts described in the Schedule, being prescribed contracts within the meaning of sub-section 71 (2) of the Act.
4. (1) Subject to sub-regulations (2) and (4), the Ministers of the Territory are to have executive authority under section 35 of the Act in respect of the following matters: Executive  
authority of  
Ministers  
of the  
Territory
  - Matters in respect of which enactments may be made under sections 12 and 13 and Part V of the Act

\* Notified in the *Commonwealth of Australia Gazette* on *L* 1978.  
12655/78 Cat. No. — Recommended retail price 20c

12/21.6.1978

*29 June/*

*Northern Territory (Self-Government) Regulations*

Matters in respect of which duties, powers, functions and authorities are imposed or conferred by or under another Act in force in the Territory on a Minister of the Territory

Taxation, including stamp duty

Provision of rural, industrial and home finance credit and assistance

The Public Service of the Territory

Maintenance of law and order and the administration of justice (including legal aid and correctional services)

Police

Private law

Administration of estates and trusts

Civil liberties

Inquiries and administrative reviews (including matters relating to a Territory ombudsman)

Markets and marketing

**Corporate affairs**

Marketable securities

Consumer affairs

Sales and leases of goods, supply of services, and security interests in or over goods

Prices and rent control

Industry (including forestry, fisheries, pastoral, agricultural, building and manufacturing)

Regulation of businesses and professions

Tourism

Printing and publishing

Labour relations (including training and apprenticeship and workers' compensation and compulsory insurance or indemnity therefor)

Industrial safety

Mining and minerals (including gases and hydrocarbon fuels)

Land, public and private (including internal waters)

Urban planning and development

Surface transport regulation (including traffic control, carriers, roads and bridges, vehicle registration and compulsory third party insurance, driver licensing and road safety)

Ports and harbours

Environment protection and conservation (including parks, reserves and gardens and preservation of historical objects and areas)

Flora and fauna  
 Fire prevention and control  
 Water resources  
 Energy planning and regulation  
 Public utilities  
 Public works  
 Registration of land titles, instruments, and births, deaths and marriages  
 Local government  
 Housing  
 Child, family and social welfare  
 Museums, libraries and art galleries  
 Scientific research  
 Recreation, entertainment and sport  
 Community, cultural and ethnic affairs  
 Lotteries, betting and gaming  
 Liquor  
 Firearms, explosives and hazardous and dangerous substances  
 Civil defence and emergency services  
 Censorship  
 Agreements between the Territory and the Commonwealth or a State or States  
 Matters incidental to the execution of any executive authority vested in the Ministers of the Territory.

(2) Matters specified in sub-regulation (1) shall not be construed as including or relating to—

- (a) the mining of uranium or other prescribed substances within the meaning of the *Atomic Energy Act* 1953 and regulations under that Act as in force from time to time;
- (b) Aboriginal land rights;
- (c) poisons or dangerous or prohibited drugs in so far as the possession or use of them relates to public health; or
- (d) the legal profession, the sheriff or juries.

(3) Subject to sub-regulations (2) and (4), the inclusion of any matter in sub-regulation (1) (whether with another matter or as a separate matter) does not derogate from or affect the generality of any other matter specified in that sub-regulation.

(4) A matter specified in sub-regulation (1) shall be construed subject to the provisions of this regulation, the Act and any

other Act and regulations under another Act in force in the Territory, and so as not to be inconsistent with those provisions, to the intent that, where such a matter would, but for this sub-regulation, have been construed as being so inconsistent, it shall nevertheless be a matter for executive authority under section 35 of the Act to the extent to which it is not so inconsistent.

References  
to the Com-  
monwealth  
in transferred  
contracts

5. For each reference in a transferred contract to the Commonwealth (being a reference to the Commonwealth as a party to the contract or a reference to an authority, Department or other body, or to an officer, of the Commonwealth representing the Commonwealth as a party to the contract) there shall be substituted a reference to the Northern Territory of Australia.

References  
to Com-  
monwealth  
officers,  
&c., in  
transferred  
contracts

6. (1) Where in a transferred contract there is a reference to an officer of the Commonwealth, or to an officer of an authority or other body of the Commonwealth, being a reference to such an officer otherwise than as representing the Commonwealth as a party to the contract, the reference shall be read as a reference to the person who is, for the time being, holding, or exercising the powers and functions of, the corresponding office, if any, of the Territory or of an authority or body of the Territory.

(2) Where in a transferred contract there is a reference to an authority or other body of the Commonwealth otherwise than as representing the Commonwealth as a party, the reference shall be read as a reference to the corresponding authority or body, if any, of the Territory.

(3) Where there is no such office, authority or other body corresponding to the reference in the transferred contract, the reference shall be read as a reference to such office, authority or body of the Territory as the Administrator, by instrument in writing, directs.

Rights,  
&c., under  
transferred  
contracts or  
collateral  
documents

7. (1) Rights, obligations and liabilities of the Commonwealth under a transferred contract, and under any document that is collateral to such a transferred contract, become, on and after 1 July 1978, rights, obligations, and liabilities of the Northern Territory of Australia.

(2) Where, immediately before 1 July 1978, an amount of money was due to or by the Commonwealth under a transferred contract, that amount of money remains due to or by the Commonwealth until it is paid.

SCHEDULE

Regulations 5, 6 and 7

CLASSES OF TRANSFERRED CONTRACTS

Agreements with applicants for advances under Part II or Part III of the *Mining Assistance Ordinance* 1939 of the Northern Territory or that Ordinance as amended

Contracts with veterinary surgeons for the testing of cattle for tuberculosis

Contracts with collectors of blood samples from cattle for serological testing for brucellosis

Contracts with laboratories for serological testing for brucellosis of blood or other samples taken from cattle

Agreements under the *Water Supplies Development Ordinance* 1960 of the Northern Territory, or that Ordinance as amended, with landholders relating to the conditions of advances in respect of work for the development or improvement of a water supply or for the development of land for irrigation or relating to the conditions on which information or advice is provided to landholders on problems of water development

Agreements with borrowers from the Darwin Business Relief Loan Fund with respect to the repayment of principal and payment of interest and other charges in respect of relief loans from the Fund and the giving of securities for them

Contracts entered into by the Department of Administrative Services on behalf of the Commonwealth with lessors for the leasing of premises of which, on 1 July 1978, a Department or authority of the Territory is the lessee, and for incidental maintenance, cleaning, security and other services of or in respect of those premises

Contracts entered into by the Department of Administrative Services on behalf of the Commonwealth with contractors for the maintenance, cleaning, security and other services of or in respect of premises of which, on 1 July 1978, a Department or authority of the Territory is the lessee

Contracts entered into by or on behalf of the Commonwealth for supplies (including works, stores and services) for or by a Department or authority of the Commonwealth in the Northern Territory, or part of such a Department or authority, in connection with the exercise of powers and functions in relation to matters specified under section 35 of the Act, being contracts tenders for which were considered by a Departmental Tender Board or contracts summaries of the provisions of which were published in the *Government Gazette* of the Territory

Contracts entered into on behalf of the Commonwealth by the Department of Construction (or that Department under a former name) or by an officer of that Department with consultants or contractors with respect to matters that are, on 1 July 1978, within the functions and powers of the Northern Territory Electricity Commission

Contracts entered into on behalf of the Commonwealth by the Department of Construction (or that Department under a former name) or by an officer of that Department with consultants or contractors for works in relation to matters specified under section 35 of the Act.