

TERRITORY PARKS AND WILDLIFE CONSERVATION ORDINANCE 1978

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No. 56 of 1978

An Ordinance to amend the *Territory Parks and Wildlife Conservation Ordinance* and for other purposes

[Assented to 1 July 1978]

BE it ordained by the Legislative Assembly for the Northern Territory of Australia as follows:

1. This Ordinance may be cited as the *Territory Parks and Wildlife Conservation Ordinance* 1978. Short title

2. The *Territory Parks and Wildlife Conservation Ordinance* is in this Ordinance referred to as the Principal Ordinance. Principal Ordinance

3. Section 9(1) of the Principal Ordinance is amended— Interpretation

- (a) by omitting from the definition of “honorary conservation officer” the symbols “(i)” and “(ii)” and substituting “(a)” and “(b)” respectively;
- (b) by inserting in the definition of “sanctuary” after “by” the words “or under”; and
- (c) by omitting the definition of “Service”.

4. Section 12 of the Principal Ordinance is amended by omitting sub-sections (1) and (2) and substituting the following sub-sections: Parks and reserves established by Administrator in Council

“(1) Subject to this section and to section 14, the Administrator in Council may—

- (a) by notice in the *Gazette*, declare—
 - (i) an area of land in respect of which all right, title and interest is vested in the Commonwealth; or
 - (ii) an area of land in respect of which the Commission, as lessee, holds a lease in perpetuity at a nominal rental, being the area specified in the notice,to be a park or reserve; and
- (b) by the same or by another notice in the *Gazette*, declare the whole or a specified part of the park or reserve to be a wilderness zone.

“(2) The Commission may, after receiving a report from the Place Names Committee, assign a name to a park or reserve or a proposed park or proposed reserve.”

Revocation
of parks,
reserves
or sanc-
tuaries

5.(1) Section 13 of the Principal Ordinance is amended—

- (a) by omitting from sub-section (1)(b) “by this Ordinance” and substituting “by or under section 25A”;
- (b) by inserting in sub-section (3) after “any land” the words, “other than land leased by the Commission as lessee,”; and
- (c) by adding the following sub-section:

“(4) If, by virtue of a notice given under sub-section (1), any land leased by the Commission as lessee ceases to be land within a park or reserve, the lease of that land is, by force of this sub-section, surrendered.”.

Report by
Commission

6. Section 14(1) of the Principal Ordinance is amended by omitting “section 12 or 13” and substituting “section 12, 13 or 25A”.

Repeal of
section 15

7. Section 15 of the Principal Ordinance is repealed.

Mining works,
forestry, &c.,
in parks,
reserves and
wilderness
zones

8. Section 17 of the Principal Ordinance is amended—

- (a) by omitting from sub-section (6)—
 - (i) “scientific research authorized by the Commission and such other”; and
 - (ii) “sanctuary or”; and
- (b) by omitting from sub-section (7) “place” (wherever occurring) and substituting “park or reserve”.

Sanctuaries

9. Section 25A of the Principal Ordinance is amended by adding the following sub-sections:

“(2) Subject to section 14, the Administrator in Council may, by notice in the *Gazette*, declare—

- (a) any area of unoccupied Crown land in the Northern Territory; or
- (b) an area of land in respect of which the Commission, as lessee, holds a lease in perpetuity at a nominal rental, to be a sanctuary.

“(3) The Commission may, after a receiving a report from the Place Names Committee, assign a name to a proposed sanctuary.”.

10. The Principal Ordinance is amended by inserting after section 64 the following section:

Transaction of
business by
circulation
of papers

“64A. The Commission may, if it thinks fit, transact any of its business by the circulation of papers amongst the members, and a resolution in writing approved in writing by a majority of the members shall be as valid and effectual as if it had been passed at a meeting of the Commission by the votes of the members so approving the resolution.”.

11. Section 66(1) of the Principal Ordinance is amended— Functions
- (a) by omitting from paragraph (a) “parks and reserves;” and substituting “parks, reserves, sanctuaries and protected areas;”; and
- (b) by omitting from paragraph (g)(i) “and naming of parks and reserves” and substituting “of parks, reserves, sanctuaries and protected areas”.
12. Section 91(1) of the Principal Ordinance is amended by omitting “officers of employees” and substituting “officers or employees”. Officers and employees of Australia and government authorities
13. Section 110 of the Principal Ordinance is amended by omitting “warden” and substituting “conservation officer”. Saving
14. Section 113(1) of the Principal Ordinance is amended by omitting “protected area, sanctuary or wilderness area” and substituting “protected area or sanctuary”. Authorized destruction of animals in sanctuary, &c.
15. Section 115 of the Principal Ordinance is amended— Averment in relation to parks
- (a) by omitting from paragraph (a) “park or reserve;” and substituting “park, reserve, sanctuary or protected area;”; and
- (b) by omitting from paragraph (c) “park or reserve,” and substituting “park, reserve, sanctuary or protected area,”.
16. The Schedule to the Principal Ordinance is amended— The Schedule
- (a) by inserting after—
- “No. 59 of 1974 *National Parks and Gardens Ordinance (No. 2) 1974*”
- the following—
- “No. 35 of 1976 *National Parks and Gardens Ordinance 1976*”; and
- (b) by adding at the end thereof—
- “No. 4 of 1976 *Wildlife Conservation and Control Ordinance 1975*”.
17. Section 17 (b) of the *Territory Parks and Wildlife Conservation Ordinance (No. 2) 1976* is amended by omitting “warden or ranger” and substituting “warden or a ranger”. Amendment of Territory Parks and Wildlife Conservation Ordinance (No. 2) 1976
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