EXPLANATORY STATEMENT

Northern Territory National Emergency Response (Other Areas) Declaration 2008 (No. 1)

Summary

The Northern Territory National Emergency Response Act 2007 (the Emergency Response Act) provides for special emergency measures to apply in prescribed areas. These measures relate to the sale and consumption of alcohol, the requirement to audit publicly funded computers and the licensing of community stores. Additional measures dealing with prohibited material, in Part 10 of the Classification (Publications, Films and Computer Games) Act 1995, also apply in prescribed areas.

The measures relating to the income management regime as introduced in the Social Security and Other Legislation Amendment (Welfare Payment Reform) Act 2007 can be activated in a prescribed area by a declaration under subsection 123TE(1) of that Act.

The term ‘prescribed area’ is defined in section 4 of the Emergency Response Act and covers the areas set out in subsection 4(2). Paragraph 4(4)(b) provides that the Commonwealth Minister may declare that an area in the Northern Territory that is not covered by subsection 4(2) is a prescribed area.

Explanation of the provisions

Section 1 of the Declaration provides that it is called the Northern Territory National Emergency Response (Other Areas) Declaration 2008 (No. 1).

Section 2 provides that the Declaration commences on the day after it is registered on the Federal Register of Legislative Instruments.

Section 3 of the Declaration provides that the area listed in Schedule 1 is a ‘prescribed area’ for the purposes of the Emergency Response Act.

Schedule 1 provides that the area known as Kybrook Farm is a prescribed area.

Consultation

The FaHCSIA NT SO, the NT Emergency Response Operations Centre, the Commercial and Indigenous Law Branch of FaHCSIA were consulted in the preparation of this Declaration.