Summary

The Northern Territory National Emergency Response Act 2007 (the Emergency Response Act) provides for special emergency measures to apply in prescribed areas. The term 'prescribed area' is defined in section 3 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.

The special emergency response measures set out in the Emergency Response Act 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.

Another measure, 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.

NT Portion 1068 which is within the township of Yuendumu is not a prescribed area, because it does not fall within the definition of Aboriginal land used in section 4 of the Emergency Response Act. This declaration makes that Portion 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. 4).

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 a Portion of land in the locality of Yuendumu is a prescribed area.
Consultation

No consultation has been undertaken as the site is wholly within a prescribed area and has generally believed by the community to already be prescribed. It is only due to a technicality that this small parcel of the community is not currently prescribed.