

AGE OF MAJORITY ORDINANCE 1974

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No. 37 of 1974

An Ordinance relating to the Age of Majority

[Assented to 23 September 1974]

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

1. This Ordinance may be cited as the *Age of Majority Ordinance* 1974. Short title
 2. This Ordinance shall come into operation on a date to be fixed by the Administrator by notice published in the *Gazette*.^{*} Commencement
 3. In this Ordinance "date of commencement" means the date fixed by the Administrator in accordance with section 2. Definition
 4. Subject to this Ordinance, a person attains full age for all purposes of the law of the Territory when he attains the age of 18 years. Age of majority eighteen years
 - (2) A person who has attained the age of 18 years is not subject to any want of legal capacity by reason only of his age.
 - (3) Where, on the date of commencement, a person had attained the age of 18 years but had not attained the age of 21 years, the provisions of this Ordinance apply to, and in relation to, that person as if he had attained the age of 18 years on that date.
 5. This section applies to— Construction of laws and instruments made after the date of commencement
 - (a) a law of the Territory made before or after the date of commencement; and
 - (b) an instrument (including a will or codicil) executed on or after that date.
- (2) Subject to section 6(2), unless the contrary intention appears, the expressions "majority", "full age", "*sui juris*",

^{*} The date fixed was 1 November, 1974 (see *Northern Territory Government Gazette* No. 42 of 17 October, 1974, page 475).

“minor”, “minority”, “infant”, “infancy”, “nonage”, and any similar expressions, when used in a law or instrument to which this section applies, shall be construed in accordance with section 4.

(3) Subject to sections 10 and 11, nothing in this Ordinance affects a reference in a law or instrument to an age expressed in years.

(4) Nothing in this Ordinance—

(a) affects the validity or operation of a settlement or disposition of property made before the date of commencement; or

(b) affects the operation of any rule of law by which the validity or operation of such a settlement or disposition is to be determined.

Construction
of wills made
before the date
of commencement

6.(1) Nothing in this Ordinance affects the construction of a will or codicil made before the date of commencement.

(2) Unless the contrary intention appears, a codicil made after the date of commencement, being a codicil to a will made before that date, shall be construed as if this Ordinance had not been made.

Distribution
on intestacy

7. Where a person died intestate before the date of commencement, the administrator of the estate of the intestate is not, by reason only of this Ordinance, obliged to distribute any portion of the estate to a person before that person attains the age of 21 years.

Moneys payable
under
judgments,
&c.

8. An order or direction in force immediately before the date of commencement in relation to money recovered by a minor in proceedings in a court or payable to a minor as a result of proceedings in a court has effect, on and after that date, as if a reference to the attainment by a minor of the age of 21 years (however expressed) were a reference to the attainment of the age of 18 years.

Time in
which action
may be
brought
not reduced

9. Nothing in this Ordinance affects the time for bringing proceedings in a court in respect of a cause of action that arose before the date of commencement.

Amendments
of Ordinances

10. Each of the Ordinances specified in the First Schedule is amended by omitting from the provision, or each of the provisions, as the case may be, of that Ordinance specified in that Schedule “21 years” (wherever occurring) and substituting “18 years”.

11. Each of the Ordinances specified in the Second Schedule is amended by omitting from the provisions of that Ordinance specified in that Schedule the words or provisions specified. Repeal of provisions in Ordinances

12. The *Infants (Housing Contracts) Ordinance* 1969 is repealed. Repeal

13.(1) Nothing in this Ordinance affects a want of legal capacity arising otherwise than by reason of the age of a person. Savings

(2) Nothing in this Ordinance affects the construction or operation of an industrial award or agreement.

(3) Nothing in this Ordinance affects the rights or obligations arising from a contract of employment.

FIRST SCHEDULE

Section 10

Ordinance	Provisions amended
<i>Administration and Probate Ordinance</i>	Sections 22(3), 30(1), 34(1)(a), 63 and 79(2)
<i>Adoption of Children Ordinance</i>	Sections 6(1), 11(1), 13(a), 14(2), 18(1)(a) and 21(6)
<i>Apprentices Ordinance</i>	Section 24
<i>Auctioneers' Ordinance</i>	Sections 5(1), 7(2)(a)(i) and 8r(2)(a)
<i>Co-operative Societies Ordinance</i>	Sections 15(3) and 16(1)
<i>Firearms Ordinance</i>	Sections 9A(1)(b)(i), 18A(2)(c), 19(2)(a)(iii), 20(1)(a), 22B(2)(c), 22c(1)(a), 44(1)(d)
<i>Licensing Ordinance</i>	Sections 13(8), 70 and 149(1)
<i>Lottery and Gaming Ordinance</i>	Sections 35, 37, 38, 85(1), 93(4), 94AF(b)(i), 94AL(b) and 94r(a)
<i>Maintenance Ordinance</i>	Section 6(1)
<i>Mining Ordinance</i>	Section 185
<i>Registration of Births, Deaths and Marriages Ordinance</i>	Section 20
<i>Spear-Guns Control Ordinance</i>	Section 5(3)(a)
<i>The Criminal Law Consolidation Act and Ordinance</i>	Section 62
<i>Tuberculosis Ordinance</i>	Sections 7(3), 8(3) and 10(3)

SECOND SCHEDULE

Section 11

Ordinance	Words or provisions omitted
<i>Darwin Town Area Leases Ordinance</i> Section 5A	and, if granted, transferred or assigned to a minor, shall be binding on him to the same extent as if he were of full age
<i>Crown Lands Ordinance</i> Section 34	, and if granted, transferred or assigned to a minor shall be binding on him to the same extent as if he were of full age
<i>Guardianship of Infants Ordinance</i> Section 3	The whole
<i>Motor Vehicles Ordinance</i> Section 25B(1)(a)	The whole
<i>Veterinary Surgeons Ordinance</i> Section 16(1)(a)	The whole

