

NORTHERN TERRITORY OF AUSTRALIA
TERRORISM (EMERGENCY POWERS) ACT

As in force at 16 September 2009

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This reprint shows the Act as in force at 16 September 2009. Any amendments that commence after that date are not included.

TERRORISM (EMERGENCY POWERS) ACT

An Act to provide powers to prevent and respond to terrorist acts

Part 1 Preliminary

1 Short title

This Act may be cited as the *Terrorism (Emergency Powers) Act*.

2 Commencement

This Act comes into operation on the date fixed by the Administrator by notice in the *Gazette*.

3 Act binds the Crown

This Act binds the Crown in right of the Territory and, to the extent that the legislative powers of the Legislative Assembly permit, the Crown in all its other capacities.

Part 4 Other powers

Division 1 Enforcement

28 Use of force

- (1) Subject to this section, it is lawful for a police officer exercising a power under this Act in relation to a person, premises, vehicle or thing, and for a person assisting a police officer in the exercise of such a power, to use the force that is reasonably necessary to exercise the power.
- (2) It is lawful for a police officer, and a person assisting a police officer, to use the force that is reasonably necessary to ensure that

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a person ceases to contravene or to fail to comply with a direction given under this Act.

- (3) It is lawful for a police officer, and a person assisting a police officer, to use the force that is reasonably necessary to ensure that:
 - (a) a person leaves an area or place that the person is required to leave or not to enter under section 22 or 30; or
 - (b) a person ceases to tamper with, or to remove, a tape or other barrier in contravention of section 22 or 30.
- (4) In exercising a power under this Act a police officer, and a person assisting the officer in the exercise of the power, may only cause damage to a thing or premises if it is reasonably necessary to do so to enable the effective exercise of the power.