

NT Copyright Policy

The NT recently adopted a new policy in respect of copyright in legislation. Details as published in the Government Gazette follow:

For the information of the public, the Northern Territory has adopted the following policy in respect of copyright in legislation with effect from 8 October 1996:

1. Copyright legislation in Northern Territory Legislation is owned by the Attorney-General. The Attorney-General asserts copyright on behalf of the Northern Territory.
2. 'Legislation' includes
 - Bills introduced by Ministers into the Parliament of the Northern Territory
 - Acts of the Parliament of the Northern Territory
 - regulations, rules, by-laws, codes of practice and instruments made under an Act of the Northern Territory.
 - any explanatory material published in connection with legislation.
3. The Northern Territory grants permission to any person to publish or deal with any legislation of the Northern Territory in accordance with the following conditions, and the Northern Territory will not assert rights of copyright in any legislation where these conditions are met:
 - the publication must not indicate directly or indirectly that it is an official version of the material;
 - the arms of the Northern Territory must not be used in connection with the publication of the material; and
 - the material must be accurately reproduced in a context that does not mislead.
4. The Northern Territory reserves the right to revoke, vary or withdraw its permission on reasonable notice, in general or:
 - in relation to specified publishers or classes of publishers; or
 - in relation to specified legislation of the Northern Territory or classes of such legislation.
5. Requests to reproduce non-legislative material, for which the Northern Territory owns copyright, should be sent to the Attorney-General. An applicant for waiver of copyright will generally be required to provide an undertaking that he or she will reproduce the material accurately and acknowledge that the reproduction of the material is by permission of the Northern Territory.

Can Counsel Sue for Their Fees?

cont from page 7

necessarily authority for anything since neither the acting Chief Justice nor Rowland J reached a concluded view. However there is comment in both the written reasons suggesting that the time has now arrived for a review of the basic policy position. If the court finds that policy considerations no longer justify a barrister being unable to sue then there may be a very interesting situation created. It is not beyond the realm of possibility that the trial judge could find that although a Barrister can sue Counsel will be subject to the requirements of part 6 of the Legal practitioners' Act and therefore required to endorse the account with the advice contained in the section 65 of the Act. Failure to comply with requirements for section 65 could be fatal to an action for recovery: *Bowen Buchbinder Vitensky v Vanning [Library No 960325]*. There are other interesting issues to be raised and ultimately dealt with by the court. For example, the Plaintiff is arguing that his action is based on contract but if that is the case then presumably there must be an argument about whether:

- (a) section 59 of the Legal Practitioners' Act applies; and
- (b) if it does whether or not such agreement has been reached as complies with the requirements of the section.

The outcome of the judgment will obviously be awaited with considerable interest by practitioners throughout Australia.



Member Services Update

The Law Society is pleased to announce a new discount package for its members.

Beach Bums of Fannie Bay now offers members of the Law Society a VIP card entitling them to a 10% discount on items in the store. The card may be obtained on production of a current Law Society members' card.

Beach Bums stocks a wide range of casual clothes for all ages and is the place to go for popular surf clothing brands such as *Hot Tuna*, *Diesel*, and *Mambo*.

In addition they carry the latest in hats, back packs, watches, reef sandals and other accessories.

**2/5 Fannie Bay Place
Telephone: 8981 6220.**

A long-standing participant in the scheme, *Tyrepower/Independant(sic) Battery Distributors* (formerly *Independant Battery Distributors/Appollo Batteries*), has renewed its association with the Law Society and now offers members 15% off all tyres and batteries.

This very practical member services discount can also be obtained on production of a current Law Society members' card.

Please note a change of location for this participant. *Tyrepower/Independant Battery Distributors* can be found at:

**131 Stuart Highway, Stuart Park.
Telephone: 8981 6911**

BALANCE

Published by
The Law Society of the NT
GPO Box 2388
DARWIN NT 0801

Ph: (08) 8981 5104 Fax: (08) 89 41 1623

Balance is published 11 times per year by the Law Society of the Northern Territory. All contributions, letters and enquiries to the Editor, *Balance*, Law Society of the Northern Territory, GPO Box 2388, DARWIN NT 0801.

Views expressed in *Balance* and in advertising material included are not necessarily endorsed by the Society.