

AUSTRALIAN CAPITAL TERRITORY

HOUSE OF ASSEMBLY (AMENDMENT) ORDINANCE (No.2) 1985

EXPLANATORY STATEMENT

No. 33 of 1985

The House of Assembly (Amendment) Ordinance (No.2) 1985 ("the amending Ordinance") amends the House of Assembly Ordinance 1936 ("the principal Ordinance") to provide definitions of the words "Division", "elector" and "roll".

Section 3 of the principal Ordinance provides that the words, "Division" "elector" and "roll" are to have the same meanings in the principal Ordinance as in the Australian Capital Territory Representation Regulations. However, the Australian Capital Territory Representation (House of Representatives) Act 1973 was repealed by section 151 of the Commonwealth Electoral Legislation (Amendment) Act 1983, so that the Australian Capital Territory Representation Regulations are no longer in force. Accordingly the definitions of "Division", "elector" and "roll" in the principal Ordinance no longer have any meaning. The amending Ordinance restores the legal position which existed before the repeal of the Australian Capital Territory Representation (House of Representatives) Act 1973 by providing that the words "Division", "elector" and "roll" have the meaning they are given by the Commonwealth Electoral Act 1918, which is the same as that which they had under the repealed legislation.

Details of the amending Ordinance are as follows:

Section 1 deals with citation of the Ordinance.

Section 2 deletes the definitions of "Division", "elector", "Registrar" and "roll"; and inserts a new sub-section 1A into section 3 of the principal Ordinance. The new sub-section 1A provides that references in the principal Ordinance to "a Division", "an elector" or "the roll" are to be read as having the same meanings as the terms "an Electoral Division of the Territory", "an elector of the Territory" or "the Roll for the Territory" have respectively in the Commonwealth Electoral Act 1918.

Ord. No. 39 /85