



Australian Capital Territory

# Public Place Names Act 1989

A1989-31

**Republication No 6**

**Effective: 27 January 2014 – 15 June 2017**

Republication date: 27 January 2014

Last amendment made by [A2013-40](#)

## About this republication

### The republished law

This is a republication of the *Public Place Names Act 1989* (including any amendment made under the *Legislation Act 2001*, part 11.3 (Editorial changes)) as in force on 27 January 2014. It also includes any commencement, amendment, repeal or expiry affecting this republished law to 27 January 2014.

The legislation history and amendment history of the republished law are set out in endnotes 3 and 4.

### Kinds of republications

The Parliamentary Counsel's Office prepares 2 kinds of republications of ACT laws (see the ACT legislation register at [www.legislation.act.gov.au](http://www.legislation.act.gov.au)):

- authorised republications to which the *Legislation Act 2001* applies
- unauthorised republications.

The status of this republication appears on the bottom of each page.

### Editorial changes

The *Legislation Act 2001*, part 11.3 authorises the Parliamentary Counsel to make editorial amendments and other changes of a formal nature when preparing a law for republication. Editorial changes do not change the effect of the law, but have effect as if they had been made by an Act commencing on the republication date (see *Legislation Act 2001*, s 115 and s 117). The changes are made if the Parliamentary Counsel considers they are desirable to bring the law into line, or more closely into line, with current legislative drafting practice.

This republication includes amendments made under part 11.3 (see endnote 1).

### Uncommenced provisions and amendments

If a provision of the republished law has not commenced, the symbol **U** appears immediately before the provision heading. Any uncommenced amendments that affect this republished law are accessible on the ACT legislation register ([www.legislation.act.gov.au](http://www.legislation.act.gov.au)). For more information, see the home page for this law on the register.

### Modifications

If a provision of the republished law is affected by a current modification, the symbol **M** appears immediately before the provision heading. The text of the modifying provision appears in the endnotes. For the legal status of modifications, see the *Legislation Act 2001*, section 95.

### Penalties

At the republication date, the value of a penalty unit for an offence against this law is \$140 for an individual and \$700 for a corporation (see *Legislation Act 2001*, s 133).



Australian Capital Territory

# Public Place Names Act 1989

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R6  
27/01/14

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Australian Capital Territory

## Public Place Names Act 1989

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Act to provide for the naming of divisions and public places

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## 1 Name of Act

This Act is the *Public Place Names Act 1989*.

## 1A Dictionary

The dictionary at the end of this Act is part of this Act.

*Note 1* The dictionary at the end of this Act defines certain terms used in this Act, and includes references (*signpost definitions*) to other terms defined elsewhere in this Act.

For example, the signpost definition '*public place*—see section 2.' means that the term 'public place' is defined in that section.

*Note 2* A definition in the dictionary (including a signpost definition) applies to the entire Act unless the definition, or another provision of the Act, provides otherwise or the contrary intention otherwise appears (see [Legislation Act](#), s 155 and s 156 (1)).

## 1B Notes

A note included in this Act is explanatory and is not part of this Act.

*Note* See the [Legislation Act](#) s 127 (1), (4) and (5) for the legal status of notes.

## 2 Meaning of *public place*

In this Act:

*public place* includes an avenue, road, street, geographical feature or place that the public is entitled to use, and any unleased land.

## 3 Minister to determine names

(1) The Minister—

- (a) must determine the name of a division of Territory land; and
- (b) may determine the name of a public place that is Territory land.

- (2) If the Minister is making a determination about the naming of a division, or the naming of a public place after a person mentioned in section 4 (2) (a) or (b), the Minister must consider—
  - (a) the number of women and men after whom divisions or public places have been named in the last 10 years; and
  - (b) whether the names of women are well-represented.
- (3) If the Minister is making a determination about the naming of a public place, the Minister must consider any guideline made under—
  - (a) section 4A (Guidelines about naming of public places); and
  - (b) the *Districts Act 2002*, section 14 (Guidelines about allocation of street addresses).
- (4) A determination is a disallowable instrument.

*Note* A disallowable instrument must be notified, and presented to the Legislative Assembly, under the *Legislation Act 2001*.

#### **4 Regard given to certain names**

- (1) When making a determination in respect of the naming of a division, the Minister shall have regard to the names of persons who have made notable contributions to the existence of Australia as a nation.
- (2) When making a determination in respect of the naming of a public place, the Minister shall have regard to—
  - (a) the names of persons famous in Australian exploration, navigation, pioneering, colonisation, administration, politics, education, science or letters;
  - (b) the names of persons who have made notable contributions to the existence of Australia as a nation;
  - (c) the names of Australian flora;

- (d) the names of things characteristic of Australia or Australians;  
and
  - (e) Aboriginal or Torres Strait Islander vocabulary.
- (3) Before having regard to Aboriginal or Torres Strait Islander vocabulary under subsection (2) (e), the Minister must consult with each entity prescribed under the regulations as an entity that represents the interests of Aboriginals and Torres Strait Islanders.

#### **4A Guidelines about naming of public places**

- (1) The Minister may make guidelines about the naming of public places.
- (2) A guideline may make provision about a matter by applying, adopting or incorporating an Australian Standard, or a provision of an Australian Standard, as in force from time to time.
- (3) The [Legislation Act](#), section 47 (5) or (6) does not apply to an Australian Standard, or a provision of an Australian Standard, applied, adopted or incorporated in a guideline.

*Note* An Australian Standard does not need to be notified under the [Legislation Act](#) because s 47 (5) and (6) do not apply (see [Legislation Act](#), s 47 (7)). The standard may be purchased at [www.standards.org.au](http://www.standards.org.au).

- (4) A guideline is a notifiable instrument.

*Note* A notifiable instrument must be notified under the [Legislation Act](#).

#### **5 Regulation-making power**

The Executive may make regulations for this Act.

*Note* Regulations must be notified, and presented to the Legislative Assembly, under the [Legislation Act 2001](#).

## Dictionary

(see s 1A)

*Note 1* The [Legislation Act](#) contains definitions and other provisions relevant to this Act.

*Note 2* For example, the [Legislation Act](#), dict, pt 1, defines the following terms:

- Executive
- Minister (see s 162)
- territory land.

*division*, in relation to land means a division under the [Districts Act 2002](#), section 6.

*public place*—see section 2.

## Endnotes

1 About the endnotes

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## Endnotes

### 1 About the endnotes

Amending and modifying laws are annotated in the legislation history and the amendment history. Current modifications are not included in the republished law but are set out in the endnotes.

Not all editorial amendments made under the *Legislation Act 2001*, part 11.3 are annotated in the amendment history. Full details of any amendments can be obtained from the Parliamentary Counsel's Office.

Uncommenced amending laws are not included in the republished law. The details of these laws are underlined in the legislation history. Uncommenced expiries are underlined in the legislation history and amendment history.

If all the provisions of the law have been renumbered, a table of renumbered provisions gives details of previous and current numbering.

The endnotes also include a table of earlier republications.

### 2 Abbreviation key

A = Act	NI = Notifiable instrument
AF = Approved form	o = order
am = amended	om = omitted/repealed
amdt = amendment	ord = ordinance
AR = Assembly resolution	orig = original
ch = chapter	par = paragraph/subparagraph
CN = Commencement notice	pres = present
def = definition	prev = previous
DI = Disallowable instrument	(prev...) = previously
dict = dictionary	pt = part
disallowed = disallowed by the Legislative Assembly	r = rule/subrule
div = division	reloc = relocated
exp = expires/expired	renum = renumbered
Gaz = gazette	R[X] = Republication No
hdg = heading	RI = reissue
IA = Interpretation Act 1967	s = section/subsection
ins = inserted/added	sch = schedule
LA = Legislation Act 2001	sdiv = subdivision
LR = legislation register	SL = Subordinate law
LRA = Legislation (Republication) Act 1996	sub = substituted
mod = modified/modification	<u>underlining</u> = whole or part not commenced or to be expired

### 3 Legislation history

This Act was originally a Commonwealth ordinance—the *Public Place Names Ordinance 1989* A1989-31 (Cwlth).

The *Australian Capital Territory (Self-Government) Act 1988* (Cwlth), s 34 (4) converted most former Commonwealth ordinances in force in the ACT into ACT enactments. This allowed the ACT Legislative Assembly to amend and repeal the laws. This Act was converted into an ACT enactment on 11 May 1989 (self-government day).

As with most ordinances in force in the ACT, the name was changed from *Ordinance to Act* by the *Self-Government (Citation of Laws) Act 1989* A1989-21, s 5 on 11 May 1989 (self-government day).

#### **Public Place Names Act 1989 A1989-31**

notified 10 May 1989

s 1, s 2 commenced 10 May 1989 (s 2 (1))

remainder (ss 3-7) commenced 11 May 1989 (s 2 (2) and [Gaz 1989 No S164](#))

as amended by

#### **[Legislation \(Consequential Amendments\) Act 2001 A2001-44 pt 314](#)**

notified 26 July 2001 ([Gaz 2001 No 30](#))

s 1, s 2 commenced 26 July 2001 (IA s 10B)

pt 314 commenced 12 September 2001 (s 2 and [Gaz 2001 No S65](#))

#### **[Statute Law Amendment Act 2001 \(No 2\) A2001-56 pt 1.5](#)**

notified 5 September 2001 ([Gaz 2001 No S65](#))

s 1, s 2 commenced 5 September 2001 (IA s 10B)

amnds 1.42, 1.43, 1.46 commenced 12 September 2001 (s 2 (2))

pt 1.5 remainder commenced 5 September 2001 (s 2 (1))

#### **[Public Place Names Amendment Act 2002 A2002-54](#)**

notified LR 20 December 2002

s 1, s 2 commenced 20 December 2002 (LA s 75 (1))

remainder commenced 21 December 2002 (s 2)

#### **[Statute Law Amendment Act 2007 A2007-3 sch 3 pt 3.79](#)**

notified LR 22 March 2007

s 1, s 2 taken to have commenced 1 July 2006 (LA s 75 (2))

sch 3 pt 3.79 commenced 12 April 2007 (s 2 (1))

## Endnotes

3      Legislation history

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**Planning, Building and Environment Legislation Amendment Act 2013 A2013-15 pt 9**

notified LR 21 May 2013

s 1, s 2 commenced 21 May 2013 (LA s 75 (1))

pt 9 commenced 22 May 2013 (s 2)

**Planning, Building and Environment Legislation Amendment Act 2013 (No 2) A2013-40 pt 7**

notified LR 6 November 2013

s 1, s 2 commenced 6 November 2013 (LA s 75 (1))

pt 7 commenced 27 January 2014 (s 2 and [CN2014-1](#))

## 4 Amendment history

### Name of Act

s 1 sub [A2001-56](#) amdt 1.41

### Dictionary

s 1A ins [A2007-3](#) amdt 3.417

### Notes

s 1B ins [A2007-3](#) amdt 3.417

### Meaning of *public place*

s 2 om [A2001-44](#) amdt 1.3459  
ins [A2001-56](#) amdt 1.42  
am [A2013-15](#) s 17

### Minister to determine names

s 3 orig s 3 om [A2001-56](#) amdt 1.42  
pres s 3 (prev s 4) am [A2001-44](#) amdt 1.3460, amdt 1.3461  
renum [A2001-56](#) amdt 1.43  
am [A2002-54](#) s 4, s 5; [A2013-15](#) s 18; [A2013-40](#) s 17;  
ss renum R6 LA

### Regard given to certain names

s 4 orig s 4 am [A2001-44](#) amdt 1.3460, amdt 1.3461  
renum as s 3 [A2001-56](#) amdt 1.43  
pres s 4 (prev s 6) am [A2001-56](#) amdt 1.44, amdt 1.45  
renum [A2001-56](#) amdt 1.46

### Guidelines about naming of public places

s 4A ins [A2013-40](#) s 18

### Regulation-making power

s 5 orig s 5 om [A2001-44](#) amdt 1.3462  
ins [A2001-56](#) amdt 1.47

### Regard given to certain names

s 6 renum as s 4 [A2001-56](#) amdt 1.46

### Savings

s 7 om [A2001-56](#) amdt 1.47

### Dictionary

dict ins [A2007-3](#) amdt 3.418  
def *division* ins [A2013-15](#) s 19  
def *public place* ins [A2007-3](#) amdt 3.418

## Endnotes

5 Earlier republications

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### 5 Earlier republications

Some earlier republications were not numbered. The number in column 1 refers to the publication order.

Since 12 September 2001 every authorised republication has been published in electronic pdf format on the ACT legislation register. A selection of authorised republications have also been published in printed format. These republications are marked with an asterisk (\*) in column 1. Electronic and printed versions of an authorised republication are identical.

Republication No	Amendments to	Republication date
1	not amended	31 July 1991
2	<a href="#">A2001-56</a>	13 December 2001
3	<a href="#">A2002-54</a>	21 December 2002
4	<a href="#">A2007-3</a>	12 April 2007
5	<a href="#">A2013-15</a>	22 May 2013

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