



AUSTRALIAN CAPITAL TERRITORY

## Interpretation Amendment Act 1999

No. 75 of 1999

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### **An Act to amend the *Interpretation Act 1967***

*[Notified in ACT Gazette S67: 10 December 1999]*

The Legislative Assembly for the Australian Capital Territory enacts as follows:

**1 Name of Act**

This Act is the *Interpretation Amendment Act 1999*.

**2 Commencement**

This Act commences on the day it is notified in the Gazette.

**3 Act amended**

This Act amends the *Interpretation Act 1967*.

**4 Insertion**

After section 27 the following section is inserted:

**“27A Compliance with authorisation or requirement to do something by notice in the Gazette**

“(1) If a provision of an Act or regulation authorises or requires something to be done by notice in the Gazette (however the provision is expressed), it is sufficient if—

- (a) it is done by an instrument; and

- (b) notice is published in the Gazette of—
  - (i) the making of the instrument; and
  - (ii) the place or places where copies of the instrument can be purchased.

“(2) Subsection (1) applies to an instrument whether or not the instrument is a subordinate law for section 6 of the *Subordinate Laws Act 1989*.

“(3) Nothing in this section or section 6 of the *Subordinate Laws Act 1989* prevents a single notice published in the Gazette having effect for both sections.

“(4) On the day of publication of a notice under subsection (1) (the ***notification day***) or as soon as practicable after the notification day, copies of the instrument mentioned in the notice must be available for purchase at the place, or each of the places, stated in the notice.

“(5) If, on the notification day, no copies of the instrument mentioned in the notice are available for purchase at the place, or any of the places, stated in the notice, the relevant Minister must present to the Legislative Assembly within 14 sitting days a statement—

- (a) that copies of the instrument were not so available; and
- (b) explaining why they were not available.

“(6) Nothing in this section or section 6 of the *Subordinate Laws Act 1989* prevents a single statement by the relevant Minister having effect for both sections.

“(7) Failure to comply with subsection (4) or (5) is not to be taken as a failure to comply with subsection (1).

“(8) If—

- (a) a provision of an Act authorised or required something to be done by notice in the Gazette (however the provision was expressed); and
- (b) the thing was done before the commencement of this section by an instrument, but was not done by notice in the Gazette; and
- (c) notice of the making of the instrument was published in the Gazette before the commencement, or is published in the Gazette after the commencement;

then, to remove any doubt, it is declared that the thing was not invalidly done merely because it was done by an instrument rather than by notice in the Gazette.

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“(9) This section does not apply to the fixing of a day or time for the commencement of an Act or regulation or a provision of an Act or regulation.

“(10) In this section—

*relevant Minister* means—

- (a) the Minister administering the Act or regulation under which, or the part of the Act or regulation for which, the instrument was made; or
- (b) if there are 2 or more such Ministers—either or any of them.”.

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**Endnote**

**Act amended**

- 1 Republished as in force on 10 November 1999 (Republication No 6).

*[Presentation speech made in Assembly on 9 December 1999]*

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