



Australian Capital Territory

Public Place Names Act 1989

A1989-31

Republication No 4

Effective: 12 April 2007 – 21 May 2013

Republication date: 12 April 2007

Last amendment made by [A2007-3](#)

Authorised by the ACT Parliamentary Counsel

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 12 April 2007. It also includes any amendment, repeal or expiry affecting the republished law to 12 April 2007.

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):

- 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 does not include amendments made under part 11.3 (see endnote 1).

Uncommenced provisions and amendments

If a provision of the republished law has not commenced or is affected by an uncommenced amendment, the symbol **U** appears immediately before the provision heading. The text of the uncommenced provision or amendment appears only in the last endnote.

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 *Legislation Act 2001*, section 95.

Penalties

The value of a penalty unit for an offence against this republished law at the republication date is—

- (a) if the person charged is an individual—\$100; or
- (b) if the person charged is a corporation—\$500.



Australian Capital Territory

Public Place Names Act 1989

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Australian Capital Territory

Public Place Names Act 1989

Act to provide for the naming of divisions and public places

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 or place that the public are entitled to use, and any unleased land.

3 Minister to determine names

- (1) The Minister may, in writing, determine the name of—
 - (a) a division of Territory land; or
 - (b) 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) 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.

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.

public place—see section 2.

Endnotes

1 About the endnotes

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 and expiries are listed in the legislation history and the amendment history. These details are underlined. Uncommenced provisions and amendments are not included in the republished law but are set out in the last endnote.

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

am = amended	ord = ordinance
amdt = amendment	orig = original
ch = chapter	par = paragraph/subparagraph
def = definition	pres = present
dict = dictionary	prev = previous
disallowed = disallowed by the Legislative Assembly	(prev...) = previously
div = division	pt = part
exp = expires/expired	r = rule/subrule
Gaz = gazette	renum = renumbered
hdg = heading	reloc = relocated
IA = Interpretation Act 1967	R[X] = Republication No
ins = inserted/added	RI = reissue
LA = Legislation Act 2001	s = section/subsection
LR = legislation register	sch = schedule
LRA = Legislation (Republication) Act 1996	sdiv = subdivision
mod = modified/modification	sub = substituted
o = order	SL = Subordinate Law
om = omitted/repealed	<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

4 Amendment history

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

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

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

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 *public place* ins [A2007-3](#) amdt 3.418

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	A2001-56	13 December 2001
3	A2002-54	21 December 2002

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