



Australian Capital Territory

# **Administration Act 1989    No 41**

## **Republication No 3**

Republication date: 4 February 2002

Last amendment made by Act 2001 No 44

Amendments incorporated to 12 September 2001

Authorised by the ACT Parliamentary Counsel

## About this republication

### The republished law

This is a republication of the *Administration Act 1989* as in force on 4 February 2002. It includes any amendment, repeal or expiry affecting the republished law to 12 September 2001 and any amendment made under the *Legislation Act 2001*, part 11.3 (Editorial changes).

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 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—

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

Amendments incorporated to  
12 September 2001



Australian Capital Territory

# Administration Act 1989

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Amendments incorporated to  
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Australian Capital Territory

## **Administration Act 1989**

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An Act to provide for the exercise and delegation of certain powers consequentially upon the establishment of the Territory as a body politic under the Crown

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## **1 Short title**

This Act may be cited as the *Administration Act 1989*.

## **3A Exercise of powers of Executive**

- (1) Where an Act confers a power or imposes a duty on the Executive, the power may be exercised or the duty performed by any 2 Ministers, being members of the Executive, acting in concert.
- (2) The exercise of a power or the performance of a duty by 2 Ministers in accordance with subsection (1) shall, for all purposes, be taken to be the exercise of that power or the performance of that duty by the Executive.
- (3) Without limiting the generality of subsection (1), where, by an Act, the Executive is empowered or required to execute or make any instrument (however described), it is sufficient if the instrument is signed by any 2 Ministers who are members of the Executive.

## **4 Administration of matters not allocated**

While, at any time, a matter relating to the powers of the Executive is not allocated under the *Australian Capital Territory (Self-Government) Act 1988* (Cwlth), section 43 (1), the Chief Minister shall administer that matter.

## **5 Delegations**

- (1) A Minister may, by instrument, delegate to any person all or any of his or her powers under an Act or subordinate law.
- (3) Subsection (1) has effect subject to any contrary intention—
  - (a) in the case of a power under an Act—in the Act; or
  - (b) in the case of a power under a subordinate law—in the subordinate law, or in the Act under which the subordinate law is made.

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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 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 endnotes.

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.

If the republished law includes penalties, current information about penalty unit values appears on the republication inside front cover.

### 2 Abbreviation key

am = amended	ord = ordinance
amdt = amendment	orig = original
ch = chapter	p = page
cl = clause	par = paragraph
def = definition	pres = present
dict = dictionary	prev = previous
disallowed = disallowed by the Legislative Assembly	(prev...) = previously
div = division	prov = provision
exp = expires/expired	pt = part
Gaz = Gazette	r = rule/subrule
hdg = heading	reg = regulation/subregulation
ins = inserted/added	renum = renumbered
LA = Legislation Act 2001	reloc = relocated
LR = legislation register	R[X] = Republication No
LRA = Legislation (Republication) Act 1996	s = section/subsection
mod = modified / modification	sch = schedule
No = number	sdiv = subdivision
o = order	sub = substituted
om = omitted/repealed	SL = Subordinate Law
	<u>underlining</u> = whole or part not commenced

## Endnotes

3 Legislation history

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### 3 Legislation history

The *Administration Act 1989* was originally the *Administration Ordinance 1989*. It became an ACT Act on self-government (11 May 1989).

After 11 May 1989 and before 10 November 1999, Acts commenced on their notification day unless otherwise stated (see *Australian Capital Territory (Self-Government) Act 1988* (Cwlth) s 25).

#### Legislation before self-government

##### **Administration Act 1989 No 41**

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 see Cwlth Gaz 1989 No S164)

as amended by

#### Legislation after self-government

##### **Administration (Amendment) Act 1989 No 5**

notified 20 July 1989

commenced 20 July 1989

##### **Administration (Amendment) Act 1991 No 17**

notified 10 May 1991 (Gaz 1991 No S36)

commenced 10 May 1991

##### **Public Sector Management (Consequential and Transitional Provisions) Act 1994 No 38 sch 1 pt 1**

notified 30 June 1994 (Gaz 1994 No S121)

s 1, s 2 commenced 30 June 1994 (s 2 (1))

sch 1 pt 1 commenced 1 July 1994 (s 2 (2) and Gaz 1994 No S142)

##### **Legislation (Consequential Amendments) Act 2001 No 44 pt 2**

notified 26 July 2001 (Gaz 2001 No 30)

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

pt 2 commenced 12 September 2001 (s 2 and Gaz 2001 No S65)



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## 4 Amendment history

**Commencement**

s 2 om 2001 No 44 amdt 1.21

**Interpretation**

s 3 om 1994 No 38 sch 1 pt 1

**Exercise of powers of Executive**

s 3A ins 1991 No 17 s 3

**Delegations**

s 5 am 1989 No 5 s 2; 1994 No 38 sch 1 pt 1

**Effect on delegations of changes of occupancy of office**

s 6 om 1994 No 38 sch 1 pt 1

**Effect on delegation of changes in administration**

s 7 om 1994 No 38 sch 1 pt 1

## 5 Earlier republications

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

Republication No	Amendments to	Republication date
1	1991 No 17	31 May 1991
2	1994 No 38	31 January 1995

Authorised when accessed at [www.legislation.act.gov.au](http://www.legislation.act.gov.au) or in authorised printed form

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