

**EXPLANATORY STATEMENT**

**SEAT OF GOVERNMENT (ADMINISTRATION) (AMENDMENT)  
ORDINANCE 1986 No. 4, 1986  
NEW SOUTH WALES ACTS APPLICATION (AMENDMENT)  
ORDINANCE 1986**

Section 10 of the Seat of Government (Administration) Ordinance 1930 provides that Ordinances of the Australian Capital Territory are to be administered by various Departments of the Commonwealth as specified in that section and in the Second Schedule to the Ordinance.

Section 9 of the New South Wales Acts Application Ordinance 1984 provides that certain New South Wales Acts which apply in the Australian Capital Territory by virtue of the Seat of Government Acceptance Act 1909 are to be administered by Commonwealth Ministers, as specified in the First Schedule to that Ordinance.

Pending the introduction of self-government in the Territory the Prime Minister announced on 12 December 1985 that responsibility for various Commonwealth functions relating to the Australian Capital Territory would be transferred to an integrated portfolio administered by the Minister for Territories. In addition, the Prime Minister stated that responsibility for the National Memorials Ordinance 1928 would be transferred to the Minister for Arts, Heritage and Environment. The Seat of Government (Administration) (Amendment) Ordinance 1986 and the New South Wales Acts Application (Amendment) Ordinance 1986 ("the amending Ordinances") amend the Principal Ordinances to give effect to these changes in responsibilities of Ministers.

Because the Amending Ordinances are 'machinery of Government' measures which gave effect to the Prime Minister's announcement of the formation of the integrated Department they were made without prior reference to the ACT House of Assembly.

An explanation of sections of the Ordinances are set out in Attachments A and B.

**ATTACHMENT A - EXPLANATION OF SECTIONS**

**SEAT OF GOVERNMENT (ADMINISTRATION) (AMENDMENT) ORDINANCE 1986**

Sections 1 and 2 deal with citation and interpretation.

Section 3 amends section 10 of the Seat of Government (Administration) Ordinance 1930 ('the Principal Ordinance') by omitting sub-sections 3, 4A and 5 of the Principal Ordinance, which refer to Ordinances administered by the Ministers for Health, Education and Primary Industry respectively. The effect of these omissions is to transfer responsibility for the following Ordinances previously administered by these Ministers to the Minister for Territories.

MINISTER FOR HEALTH

Blood Donation (Acquired Immune Deficiency Syndrome) Ordinance 1985  
Cigarette Containers (Labelling) Ordinance 1972  
Dentists Registration Ordinance 1931  
Health Professions Boards (Elections) Ordinance 1980  
Health Professions Boards (Procedures) Ordinance 1980  
Health Services Ordinance 1975  
Inebriates Ordinance 1938  
Insane Persons and Inebriates (Committal and Detention) Ordinance 1936  
Meat Ordinance 1931  
Medical Practitioners Registration Ordinance 1930  
Mental Health Ordinance 1962  
Nurses Registration Ordinance 1933  
Optometrists Ordinance 1956  
Ordinances Revision (Health Commission) Ordinance 1975  
Pharmacy Ordinance 1931  
Physiotherapists Registration Ordinance 1977  
Poisons and Dangerous Drugs Ordinance 1933  
Poisons and Narcotic Drugs Ordinance 1978  
Public Health Ordinance 1928  
Public Health (Prohibited Drugs) Ordinance 1957  
Radiation Ordinance 1983  
Termination of Pregnancy Ordinance 1978  
Tobacco Ordinance 1927  
Transplantation and Anatomy Ordinance 1978  
Tuberculosis Ordinance 1950  
Venereal Diseases Ordinance 1956  
Veterinary Surgeons Registration Ordinance 1965

MINISTER FOR EDUCATION

Apprenticeship Ordinance 1936  
Education Ordinance 1937  
Schools Authority Ordinance 1976

MINISTER FOR PRIMARY INDUSTRY

Stock Diseases Ordinance 1933

Section 3 also inserts a new sub-section 3 in section 10 of the Principal Ordinance, providing that the National Memorials Ordinance 1928 shall be administered by the Minister for Arts, Heritage and Environment.

Section 4 amends the Second Schedule to the Principal Ordinance by omitting the Ordinances listed below from Part 1 of the Second Schedule to the Ordinance. Part 1 of the Second Schedule lists Ordinances administered by the Attorney-General. The effect of the amendment is that the Ordinances listed below, will become the responsibility of the Minister for Territories.

- . Classification of Publications Ordinance 1983;
- . Film Classification Ordinance 1971;
- . Public Trustee Ordinance 1985;
- . Instruments Ordinance 1933;

Section 4 also

- . deletes reference to the First Offenders (Women) Ordinance 1947, as that Ordinance has been repealed; and
- . omits Parts 2 and 4 of the Second Schedule ( which specifies certain Ordinances previously administered by the Ministers for Health and Education), amendments which are consequential to the amendments made by Section 3.