

EXPLANATORY STATEMENT

AUSTRALIAN CAPITAL TERRITORY

INTERPRETATION (AMENDMENT) ORDINANCE 1986

No 92, 1986

The purpose of this Ordinance is to amend the Interpretation Ordinance 1967 ('the Principal Ordinance') to provide time limits for the presentation of periodic reports to Ministers or to the Parliament.

In its Report on the A.C.T. Registrar of Co-operative Societies Annual Report 1983-4 (May 1986) the Senate Standing Committee on Finance and Government Operations ('the Senate Committee') recommended that the Principal Ordinance be amended to "embody ... the same provisions as in section 34C of the Acts Interpretation Act [1901]". The Ordinance implements that recommendation. It also inserts two definitions, based on definitions found in the Acts Interpretation Act, in the Principal Ordinance.

Details of the Ordinance are as follows:

Section 1 provides that the Ordinance may be cited as the Interpretation (Amendment) Ordinance 1986.

Section 2 provides that 'Principal Ordinance' means the Interpretation Ordinance 1967.

Section 3 amends section 14 of the Principal Ordinance to include definitions of 'estate' and 'foreign country' similar to those found in section 22 of the Acts Interpretation Act.

Section 4 inserts a new section 30A in the Principal Ordinance.

New sub-section 30A(2) provides that where an Ordinance requires a person to furnish a periodic report to a Minister, but does not specify the period within which the report is to be furnished, the report is to be furnished as soon as practicable, but in any event within 6 months of the end of the period to which it relates.

New sub-section 30A(3) provides that where a person is required to furnish a report to a Minister for presentation to the Parliament, but does not specify a period within which it is to be presented, the Minister shall cause a copy to be laid before each House within 15 sitting days of receiving the report.

New sub-section 30A(4) provides that a person who is required by any Ordinance to furnish a report to a Minister within a specified period, and who considers it is not reasonably practicable to furnish it within that period, may apply to the Minister for an extension of time, giving a statement of reasons why it will not be reasonably practicable to comply with the requirement.

New sub-sections 30A(5) and (6) provide that the Minister may grant an extension, but where doing so, he or she shall cause to be laid before each House a copy of the statement of the person seeking the extension and a statement of the Minister's reasons for granting the extension, within 3 sitting days of granting the extension. The Minister is also to lay a copy of the report before each House within 15 sitting days of receiving the report.

New sub-section 30A(7) provides that where a person fails to furnish a periodic report within the specified period or a period as extended, that person shall within 14 sitting days of the expiry of that period, give the Minister a written statement of the reasons why the report was not furnished as required, and the Minister shall cause a copy of that statement to be laid before each House within 3 sitting days of receiving the statement.

Authorised by the
Attorney-General

10.1.2011