

AUSTRALIAN CAPITAL TERRITORY

FISHING (AMENDMENT) ORDINANCE 1984
MOTOR TRAFFIC (AMENDMENT) ORDINANCE (No.4) 1984
PLUMBERS, DRAINERS AND GASFITTERS (AMENDMENT)
ORDINANCE 1984

EXPLANATORY STATEMENT

No. 46 of 1984

Section 12(10) of Seat of Government (Administration) Act ("the Act") defines "determination" to mean a determination made by a Minister pursuant to a provision of an Ordinance empowering him to determine by notice in writing published in the Gazette, fees or charges for the purposes of the Ordinance.

Section 12(9A) of the Act provides that every determination shall be laid before each House of Parliament within fifteen sitting days of that House after the day on which the determination is made and if not so laid before each House of the Parliament, shall be void and of no effect.

Section 12(9B) of the Act provides that sections 12(4) to 12(7) inclusive of the Act, which deal with the disallowance of Ordinances, shall apply to a determination laid before a House of the Parliament as if the references in these sub-sections to an Ordinance were references to a determination.

The Fishing (Amendment) Ordinance 1984, Motor Traffic (Amendment) Ordinance (No.4) 1984 and the Plumbers Drainers and Gasfitters Board (Amendment) Ordinance 1984 ("the amending Ordinances") amend the Fishing Ordinance 1967, Motor Traffic Ordinance 1936 and the Plumbers, Drainers and Gasfitters Board Ordinance 1982 ("the principal Ordinances") respectively as follows:

<u>Amending Ordinance</u>	<u>Nature of Amendment</u>
Fishing (Amendment) Ordinance 1984) Plumbers, Drainers and Gasfitters) Board (Amendment) Ordinance 1984)	Amends the principal Ordinances to empower the Minister to determine fees for the purposes of the principal Ordinances by notice in writing published in the Gazette.

Motor Traffic (Amendment) Ordinance
(No.4) 1984.

Whilst the principal Ordinance empowered the Minister to determine fees for the purposes of the Ordinance by notice in writing published in the Gazette, the fee for the replacement of a lost or destroyed registration label was still prescribed in the Motor Traffic Regulations. That fee was not prescribed in a determination because no power in relation to the issue of replacement labels was contained in the principal Ordinance. The amending Ordinance allows this fee to be determined by inserting a new provision into the principal Ordinance which empowers the Minister to determine fees for matters in respect of which he may make Regulations.

Details of the amending Ordinances are set out in Attachments A to C.

Ord. No. 64/84
Ord. No. 62/84
Ord. No. 63/84

ATTACHMENT C

PLUMBERS, DRAINERS AND GASFITTERS BOARD
(AMENDMENT) ORDINANCE 1984

Sections 1 and 3 deal with interpretation.

Section 2 provides that the amending Ordinance shall come into operation on 22 August 1984.

Section 4 amends section 3 of the principal Ordinance, which is a definition section, by inserting a definition of "determined fee". "Determined fee" means a fee determined by the Minister under new section 45A for the purposes of the provision in which the expression occurs.

Section 5 amends section 23(4) of the principal Ordinance which relates to inspecting or obtaining a copy of an entry in the Register by omitting "prescribed fee" and substituting "determined fee".

Section 6 amends section 24(2) of the principal Ordinance which relates to the fee to be lodged with an application for a certificate of competency by omitting "prescribed fee" and substituting "determined fee".

Section 7 amends section 25(2) of the principal Ordinance which relates to the fee for a licence by omitting "prescribed fee" and substituting "determined fee".

Section 8 amends section 29(2) of the principal Ordinance which relates to the fee for the renewal of a licence, by omitting "prescribed fee" and substituting "determined fee".

Section 10 inserts a new section 45A into the principal Ordinance which empowers the Minister to determine, by notice in writing published in the Gazette, fees for the purposes of the principal Ordinance.