

AUSTRALIAN CAPITAL TERRITORY

HAWKERS (AMENDMENT) ORDINANCE 1983 NO 22,1983

DOG CONTROL (AMENDMENT) ORDINANCE 1983 NO 23,1983

WEIGHTS AND MEASURES (AMENDMENT) ORDINANCE 1983 NO 24,1983

BUILDING (AMENDMENT) ORDINANCE 1983 NO 20,1983

MOTOR TRAFFIC (AMENDMENT) ORDINANCE (NO.3) 1983 NO 21,1983

EXPLANATORY STATEMENT

Section 12(10) of the Seat of Government (Administration) Act 1910 ("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 the 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 reference in these sub-sections to an Ordinance were references to a determination.

The Hawkers (Amendment) Ordinance 1983, Dog Control (Amendment) Ordinance 1983, Weights and Measures (Amendment) Ordinance 1983, Building (Amendment) Ordinance 1983 and Motor Traffic (Amendment) ordinance (No.3) 1983 (the amending Ordinances) amend the Hawkers Ordinance 1936, Dog Control Ordinance 1975, Weights and Measures Ordinance 1929, Building Ordinance 1972 and the Motor Traffic Ordinance 1936 (the principal Ordinances) respectively to empower the Minister to determine fees for the purposes of the existing Ordinances by notice in writing published in the Gazette.

Details of the amending Ordinance are set out at Attachments A to E.

Ord. No. 31/83
Ord. No. 29/83
Ord. No. 30/83
Ord. No. 32/83
Ord. No. 33/83

ATTACHMENT A

DETAILS OF THE HAWKERS (AMENDMENT) ORDINANCE 1983

Sections 1, 2 and 3 deal with interpretation.

Section 4 amends section 10A of the principal Ordinance which relates to the fee payable to the Commonwealth for the issue of a permit for less than 6 months by omitting:

- (a) from section 10A(1) of the principal Ordinance the fees set out in Part 1 of Schedule 2 and inserting "of fees determined under section 27B of the existing Ordinance for the purposes of this sub-section";
- (b) from section 10A(2) the word "prescribed" and substituting "payable"; and
- (c) from section 10A(3) the reference to \$3 being the fee payable and substituting "the amount of the fee determined under section 27B for the purposes of this sub-section".

Section 5 amends section 11 of the principal Ordinance which relates to the fees and terms of a licence, by omitting the scale of fees as set out in Part 11 of Schedule 2 and substituting "scale of determined fees".

Section 6 amends section 12 of the principal Ordinance which relates to the granting by the Registrar of a hawker's licence for a period of less than 12 months by deleting both the prescribed fee for the issue of such a licence and omitting the minimum fee payable for the issue of such a licence and inserting reference to the determined fee.

Section 7 amends section 13 of the principal Ordinance which provides that a hawker's licence or permit shall be of no effect until the prescribed fee has been paid to the Registrar by deleting a reference to the prescribed fee and substituting "fee payable for the grant of the licence or permit".

Section 8 inserts a new section 27B into the principal Ordinance which empowers the Minister to determine fees for the purposes of the Ordinance, by notice in writing published in the Gazette.

Section 9 repeals Schedule 2 of the principal Ordinance.