

AUSTRALIAN CAPITAL TERRITORY
 MACHINERY (AMENDMENT) ORDINANCE 1983
 FLAMMABLE LIQUIDS (AMENDMENT) ORDINANCE 1983
 LAKES (AMENDMENT) ORDINANCE 1983
 BUILDING AND SERVICES (AMENDMENT) ORDINANCE 1983
 ARCHITECTS (AMENDMENT) ORDINANCE 1983
 SCAFFOLDING AND LIFTS (AMENDMENT) ORDINANCE 1983
 POUNDS (AMENDMENT) ORDINANCE 1983
 WATER RATES (AMENDMENT) ORDINANCE 1983
 RACE COURSES (AMENDMENT) ORDINANCE 1983
 SALE OF MOTOR VEHICLES (AMENDMENT) ORDINANCE (NO.2) 1983
 REAL PROPERTY (AMENDMENT) ORDINANCE 1983
 REGISTRATION OF DEEDS (AMENDMENT) ORDINANCE 1983
 REGISTRATION OF BIRTHS, DEATHS AND MARRIAGES
 (AMENDMENT) ORDINANCE 1983
 ADOPTION OF CHILDREN (AMENDMENT) ORDINANCE 1983
 NATURE CONSERVATION (AMENDMENT) ORDINANCE 1983
 LOTTERIES (AMENDMENT) ORDINANCE 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 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 amending Ordinances set out in Column 1 of the Table will amend the principal Ordinances set out in Column 2 of the Table opposite to those amending Ordinances to empower the Minister to determine fees for the purposes of the existing Ordinance by notice in writing published in the Gazette.

TABLE

<u>COLUMN 1</u>	<u>COLUMN 2</u>
<u>AMENDING ORDINANCE</u>	<u>PRINCIPAL ORDINANCE</u>
Machinery (Amendment) Ordinance 1983	Machinery Ordinance 1949
Flammable Liquids (Amendment) Ordinance 1983	Flammable Liquids Ordinance 1976

COLUMN 1

COLUMN 2

AMENDING ORDINANCE

PRINCIPAL ORDINANCE

Lakes (Amendment) Ordinance
1983

Lakes Ordinance 1976

Building and Services (Amendment)
Ordinance 1983

Building and Services Ordinance 1924

Architects (Amendment)
Ordinance 1983

Architects Ordinance 1959

Scaffolding and Lifts
(Amendment) Ordinance 1983

Scaffolding and Lifts
Ordinance 1957

Pounds (Amendment) Ordinance
1983

Pounds Ordinance 1928

Water Rates (Amendment)
Ordinance 1983

Water Rates Ordinance 1959

Race Courses (Amendment)
Ordinance 1983

Race Courses Ordinance 1935

Sale of Motor Vehicles
(Amendment) Ordinance 1983

Sale of Motor Vehicles
Ordinance 1977

Real Property (Amendment)
Ordinance 1983

Real Property Ordinance 1925

Registration of Deeds
(Amendment) Ordinance 1983

Registration of Deeds
Ordinance 1957

Registration of Births, Deaths
and Marriages (Amendment)
Ordinance 1983

Registration of Births, Deaths
and Marriages Ordinance 1963

Adoption of Children (Amendment)
Ordinance 1983

Adoption of Children Ordinance 1965

Nature Conservation (Amendment)
Ordinance 1983

Nature Conservation
Ordinance 1980

Lotteries (Amendment)
Ordinance 1983

Lotteries Ordinance 1964

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

Ord. No. 48/83
Ord. No. 45/83
Ord. No. 34/83
Ord. No. 47/83
Ord. No. 44/83

Ord. No. 49/83
Ord. No. 35/83
Ord. No. 40/83
Ord. No. 37/83
Ord. No. 38/83
Ord. No. 39/83
Ord. No. 41/83
Ord. No. 36/83
Ord. No. 42/83
Ord. No. 43/83
Ord. No. 56/83

POUNDS (AMENDMENT) ORDINANCE 1983

No.35,1983

Sections 1, 2, 3 and 4 deal with interpretation and commencement.

Section 5 inserts a new section 7 into the Principal Ordinance which empowers the Minister to determine fees, charges and rates for the purposes of the Ordinance by notice in writing in the Gazette.

Section 6 amends section 10 of the Principal Ordinance by omitting the reference to prescribed fees and inserting reference to determined fees.

Section 7 amends section 11 of the Principal Ordinance, which relates to driving charges, sustenance and deterrence fees and trespass rates, to change the references to prescribed fees, fees fixed by the Minister from time to time, and fees fixed in pursuance of the section, to determined fees.

Section 8 repeals section 12 of the Principal Ordinance, which related to an additional trespass rate in respect of the trespass of any entire horse, any bull or any ram.

Section 9 amends section 16 of the principal Ordinance, which relates to the keeping of a pound book, by inserting in sub-section 16(1) a reference to a register of brands.

Section 10 amends section 18(3) of the principal Ordinance, which relates to impounding on private premises, by removing the reference to "prescribed" trespass rates.

Section 11 amends section 19 of the principal Ordinance, which relates to an occupier sending trespassing cattle to the owner and demanding payment of driving rates and trespass rates, by removing the reference to "prescribed" driving charges and trespass rates.

Section 12 amends section 20 of the principal Ordinance, which provides for an occupier to be able to recover trespass rates, to change the reference to "prescribed" trespass rates to a reference to "determined" trespass rates.

Section 13 amends section 21 of the principal Ordinance, which relates to the detention of cattle by an occupier, to change the reference to "prescribed" trespass rates and costs of notice to "determined" trespass rates and costs of notice.

Section 14 amends section 24 of the principal Ordinance, which relates to restoration of cattle to their owners on tender of trespass rates, to change the reference to "prescribed" driving charges and trespass rates to a reference to driving charges and trespass rates "payable".

Section 15 amends section 25(1) of the principal Ordinance, which relates to the impounding of cattle, by changing the reference to "prescribed" trespass rates to a reference to trespass rates claimed.

Section 16 amends section 26 of the principal Ordinance, which relates to the detention of cattle in pounds, to omit the reference to "prescribed fees, rates and charges" and substitute "fees, rates and charges payable under this Ordinance".

Section 17 amends section 27(1) of the principal Ordinance, relating to the registration of brands and marks, to change the reference to a "prescribed" fee to a reference to a "determined" fee.

Section 18 amends section 30(1) of the principal Ordinance, which relates to the application of the proceeds of pound sales, by omitting the reference to "prescribed fees and charges" and substituting "fees and charges payable under this Ordinance".

Section 19 amends section 32 of the principal Ordinance, which relates to notice of an illegal impounding, by omitting the reference to "prescribed fees and charges" and substituting "fees and charges payable under this Ordinance".

Section 20 amends section 33 of the principal Ordinance, which deals with the hearing of complaints against illegal impounding or excessive trespass rates by the Court of Petty Sessions, by omitting the reference to "prescribed" fees, rates and charges.

Section 21 amends section 36(1) of the principal Ordinance which deals with liability for trespass rates in the case of lands enclosed by a ring fence, by omitting the reference to "the prescribed" trespass rates.

Section 22 amends section 41 of the principal Ordinance by removing the reference to fees for inspection of books and for notices from the regulation making power.