

# AUSTRALIAN CAPITAL TERRITORY

## ORDINANCES CITATION BILL 1976

### EXPLANATORY MEMORANDUM

No. 30 of 1976

The purpose of this Bill is to amend the Interpretation Ordinance of the Australian Capital Territory to introduce a simplified method of citation of Ordinances of the Territory that have been amended. Under the present system when an Ordinance is amended it is given a new citation which includes a reference both to the year in which the Ordinance was first made and the year in which the amendment is made. Under the proposed new system the short title of an Ordinance will include only the year in which it is first made but references to it in other Ordinances will be construed as including references to the original Ordinance as amended or re-made from time to time.

The provisions relating to the citation of Ordinances have always followed those applying to Acts of the Commonwealth Parliament. On 1 July 1976 changes in the method of citing Acts will come into operation as a result of the Acts Citation Act 1976. The Ordinances Citation Bill introduces the changes necessary to keep the citation of Ordinances of the Territory in line with the method employed for Acts.

Clause 2 of the Bill provides that the Ordinance is to come into operation on 1 July 1976 so as to coincide with the commencement of the Acts Citation Act.

Clause 4 of the Bill will re-make section 41 of the Interpretation Ordinance so as to provide in effect that a reference in an Ordinance to another Ordinance by its original short title, for example "Interpretation Ordinance 1967", is to be construed, except so far as the contrary intention appears, as including a reference to that other Ordinance as amended or re-made from time to time. The provision also covers references to Ordinances by an altered short title so as to take account of changes in the names of Ordinances. Sub-section (2) of new section 41 makes similar provision with respect to references in Ordinances to Acts of the Commonwealth Parliament. New section 41 also replaces section 39 of the Interpretation Ordinance which is repealed by clause 3 of the Bill.

Under the present system, by virtue of the Amendments Incorporation Ordinance, where an Ordinance has been given a double-year citation, the short title of the amended Ordinance has been deemed to be amended accordingly. The result is that at present the short titles of almost all amended Ordinances contain references to two years. Clause 7 of the Bill will bring the short titles into the new form by omitting the reference to the second year and clauses 5 and 6 will make consequential amendments to the Amendments Incorporation Ordinance.

Despite the changes made by the Bill every amending Ordinance will continue to list in a footnote all the previous amending Ordinances and every reprint of an

Ordinance will show the date as at which the reprint is prepared and will list all amending Ordinances in force up to that date. There are innumerable existing references in Ordinances to other Ordinances by the use of double-year citations but it is not proposed to alter these references except when the provisions in which they occur are being amended for other reasons. The provisions of the Bill will ensure that these references will continue to be effective.

R. J. Ellicott  
Attorney-General