

EXPLANATORY STATEMENT

AUSTRALIAN CAPITAL TERRITORY

PUBLIC PLACE NAMES ORDINANCE 1989

ORDINANCE NO. 31 OF 1989

The Public Place Names Ordinance 1989 (the Ordinance) enables the appropriate ACT Minister to name the suburbs and public places of the ACT which comprise land in the ACT not reserved by the Commonwealth for its own purposes (ie Territory land). The location and character of national memorials and the naming of suburbs and public places in that part of the ACT reserved by the Commonwealth continue to be determined by the Commonwealth under the National Memorials Ordinance 1928.

Details of the Ordinance are as follows.

Section 1 provides for the citation of the Ordinance.

Section 2 provides that sections 1 and 2 of the Ordinance commence on the day it is gazetted and the remainder commences on the day the ACT Legislative Assembly is able to make laws.

Section 3 contains a definition of 'public place' to include an avenue, road, street or place which the public may use and any unleased land.

Section 4 provides that the Minister may by notice in the ACT Gazette determine the name of the suburbs and public places comprising Territory land.

Section 5 provides that the Minister's determination of a name is a disallowable instrument for the purposes of section 11 of the Subordinate Laws Ordinance 1989. Characterisation as a disallowable instrument means that the determination must be notified in the Territory Gazette, must be tabled in the Legislative Assembly with 15 sitting days after notification in the Gazette and may be disallowed by the Assembly.

Subsection 6(1) requires the Minister when naming a suburb to have regard to the names of persons who have made notable contributions to the existence of Australia as a nation.

Subsection 6(2) similarly requires the Minister when naming a public place to have regard to the following categories of names:

- . persons famous in Australian exploration, navigation, pioneering, colonization, administration, politics, education, science or letters;
- . persons who have made notable contributions to the existence of Australia as a nation;

- . Australian flora;
- . things characteristic of Australia or Australians; and
- . the vocabulary of the Australian Aborigines.

Section 7 preserves existing determinations made under the National Memorials Ordinance 1928 in respect of Territory land as if they had been made under the Ordinance.

**ISSUED WITH THE AUTHORITY
OF THE MINISTER FOR THE ARTS
AND TERRITORIES**