

# THE TERRITORY FOR THE SEAT OF GOVERNMENT.

No. 7 of 1929.

## AN ORDINANCE

### To amend the Interpretation Ordinance 1914-1927.

BE it ordained by the Governor-General of the Commonwealth of Australia, with the advice of the Federal Executive Council, in pursuance of the powers conferred by the *Seat of Government Acceptance Act* 1909 and the *Seat of Government (Administration) Act* 1910, as follows :--

1.—(1.) This Ordinance may be cited as the *Interpretation Ordinance* 1929. Short title and citation.

(2.) The *Interpretation Ordinance* 1914-1927 is in this Ordinance referred to as the Principal Ordinance.

(3.) The Principal Ordinance, as amended by this Ordinance, may be cited as the *Interpretation Ordinance* 1914-1929.

2. Section three of the Principal Ordinance is amended— Definitions.

(a) by omitting the definition of "The Federal Capital Commission" and inserting in its stead the following definition :—

“ ‘The Commission’ shall mean The Federal Capital Commission appointed under the *Seat of Government (Administration) Act* 1924-1928 ; ” ;

(b) by omitting the definition of "The Minister" and inserting in its stead the following definition :—

“ ‘The Minister’ shall mean the Minister for the time administering the *Seat of Government Acceptance Act* 1909 and the *Seat of Government (Administration) Act* 1910 ; ” ; and

(c) by inserting, after the definition of "Prescribed", the following definition :—

“ ‘Regulations’ shall mean Regulations under the Ordinance ; ” .

3. After section six of the Principal Ordinance the following sections are inserted :—

Effect of State laws ceasing to apply.

“ 7. Where an Ordinance repeals in whole or in part any law of the State of New South Wales in its application to the Territory, or provides that any such law shall cease to apply to the Territory, then, unless the contrary intention appears, the repeal or the ceasing of the application shall not—

- (a) affect the previous operation of any law so repealed or ceasing to apply, or anything duly done or suffered under any law so repealed or ceasing to apply ; or
- (b) affect any right, privilege, obligation or liability, acquired, accrued or incurred under any law so repealed or ceasing to apply ; or
- (c) affect any penalty, forfeiture or punishment incurred in respect of any offence committed against any law so repealed or ceasing to apply ; or
- (d) affect any investigation, legal proceeding or remedy in respect of any such right, privilege, obligation, liability, penalty, forfeiture or punishment as aforesaid,

and any such investigation, legal proceeding or remedy may be instituted, continued or enforced, and any such penalty, forfeiture or punishment may be imposed, as if the Ordinance by which the law is repealed or ceases to apply had not been made.

Effect of repeal of Ordinance.

“ 8. The repeal of an Ordinance or part thereof which provided that a law of the State of New South Wales or part of that law was repealed or ceased to apply to the Territory, shall not, unless the contrary intention appears, have the effect of reviving the application of that law or part thereof without express words.

Reference to repealed provisions of State laws.

“ 9. Where an Ordinance repeals any provisions of a law of the State of New South Wales or provides that any such provisions shall cease to apply to the Territory, and re-enacts any such provisions with or without modification, references in any other law of the State of New South Wales in force in the Territory or in any other Ordinance to the provisions so repealed or ceasing to apply shall, unless the contrary intention appears, be construed as references to the provisions so re-enacted.

Reference to amended Commonwealth or State laws.

“ 10. Where, in any Ordinance, reference is made to any law of the Commonwealth, or to any law of the State of New South Wales in force in the Territory, and that law of the Commonwealth is subsequently amended, or that law of the State of New South Wales is subsequently amended in its application to the Territory, then, unless the contrary intention appears, the reference shall, from the date of the amendment, be deemed to be to that law as so amended.

“ 11. Every Ordinance amending a law of the State of New South Wales in force in the Territory shall, unless the contrary intention appears, be construed with that law and as part thereof. Amending Ordinance to be construed with amended State law.

“ 12. Where an Ordinance confers power to make Regulations, the repeal of any Regulations which have been made under the Ordinance shall not, unless the contrary intention appears in the Ordinance or Regulations effecting the repeal— Effect of repeal of regulations.

- (a) affect any right, privilege, obligation or liability, acquired, accrued or incurred under any Regulations so repealed ; or
- (b) affect any penalty, forfeiture or punishment incurred in respect of any offence committed against any Regulations so repealed ; or
- (c) affect any investigation, legal proceeding or remedy in respect of any such right, privilege, obligation, liability, penalty, forfeiture or punishment as aforesaid,

and any such investigation, legal proceeding or remedy may be instituted, continued or enforced, and any such penalty, forfeiture or punishment may be imposed, as if the repealing Ordinance or Regulations had not been made.

“ 13. Where an Ordinance confers power to make, grant or issue any instrument (including rules, regulations or by-laws), then, unless the contrary intention appears, this Ordinance shall, so far as it is applicable, apply to the interpretation of expressions used in the instrument as if the instrument were an Ordinance.” Expressions in instrument under Ordinance.

Dated this twenty-third day of May, One thousand nine hundred and twenty-nine.

STONEHAVEN

Governor-General.

By His Excellency's Command,

C. L. A. ABBOTT

Minister of State for Home Affairs.

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