

AUSTRALIAN CAPITAL TERRITORY

Self-Government (Consequential Amendments) Ordinance 1989

No. 38 of 1989

TABLE OF PROVISIONS

Section

PART I—PRELIMINARY

1. Short title
2. Commencement

PART II—AMENDMENTS OF ORDINANCES

Division 1—Administration and Probate Ordinance 1975

3. Manner of distribution to the Territory
Division 2—Australian National University (Leases) Ordinance 1967
4. Principal Ordinance
5. Grant of leases to the University
6. Covenants and conditions

Division 3—Building Ordinance 1972

7. Principal Ordinance
8. Treatment and removal of loose asbestos by the Territory
9. Additional powers of the Territory
10. Liability of the Territory
11. Obstruction of the Territory

Division 4—Building (Amendment) Ordinance (No. 3) 1988

12. Review by Tribunal
Division 5—Buildings (Design and Siting) Ordinance 1964
13. Review of decisions

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TABLE OF PROVISIONS—continued

Section

- Division 6—Canberra College of Advanced Education (Leases)
Ordinance 1977*
14. Principal Ordinance
15. Grant of leases to the College
16. Covenants and conditions
Division 7—Canberra Theatre Trust Ordinance 1965
17. Right to occupy and use the Canberra Theatre Centre
Division 8—Children’s Services Ordinance 1986
18. Administrative review
Division 9—Community and Health Service Ordinance 1985
19. Insertion—
Division 6—Equal employment opportunity programs
- 69A. Interpretation
- 69B. Application
- 69C. Development, implementation and review of programs
Division 10—Education Ordinance 1937
20. Educational trusts—transfer to Territory
Division 11—Electricity and Water Ordinance 1988
21. Insertion—
PART IVA—EQUAL EMPLOYMENT OPPORTUNITY PROGRAMS
- 32A. Interpretation
- 32B. Application
- 32C. Development, implementation and review of programs
Division 12—Lakes Ordinance 1976
22. Rights in lake waters etc.
*Division 13—Land Rent and Rates (Deferment and Remission)
Ordinance 1970*
23. Revocation of determinations on discharge of debt and on request
Division 14—Leases Ordinance 1918
24. Long title
Division 15—Legal Aid Ordinance 1977
25. Principal Ordinance
26. Legal assistance—interests adverse to the Territory
27. Liabilities of the Commission and of the Territory
Division 16—Liquor Ordinance 1975
28. Principal Ordinance
29. Manual—delivery to Minister
30. Insertion—

TABLE OF PROVISIONS—continued

Section	
	20A. Publication, tabling and disallowance of Manual <i>Division 17—Magistrates Court (Civil Jurisdiction) Ordinance 1982</i>
31.	Insertion— 307A. Rules of Court <i>Division 18—Milk Authority Ordinance 1971</i>
32.	Payments to Territory <i>Division 19—Motor Traffic Ordinance 1936</i>
33.	Principal Ordinance
34.	Rights sold by Territory
35.	Liability of drivers of Territory and Commonwealth motor vehicles <i>Division 20—Parole Ordinance 1976</i>
36.	Chief Minister may make arrangements with the State <i>Division 21—Pounds Ordinance 1928</i>
37.	Driving charges etc. payable to Territory <i>Division 22—Public Baths and Public Bathing Ordinance 1956</i>
38.	Protection to Territory, managers and other persons <i>Division 23—Real Property Ordinance 1925</i>
39.	Principal Ordinance
40.	Right of Territory where determination is revoked and amount secured is not paid
41.	Damages and costs to be paid by the Territory
42.	Moneys paid by the Territory may be recovered against estate of deceased or bankrupt person
43.	Territory only liable in certain cases <i>Division 24—Real Property (Conversion of Titles) Ordinance 1967</i>
44.	Actions against the Territory and officers <i>Division 25—Recovery of Lands Ordinance 1929</i>
45.	Notice by Territory or Minister <i>Division 26—Roads and Public Places Ordinance 1937</i>
46.	Principal Ordinance
47.	Removal of objects by the Territory
48.	Disposal of objects by the Territory <i>Division 27—Sewerage Rates Ordinance 1968</i>
49.	Increased sewerage rates—residential units owned by the Territory <i>Division 28—Trespass on Commonwealth Lands Ordinance 1932</i>
50.	Principal Ordinance
51.	Trespass on Territory land
52.	Camping etc. on Territory land <i>Division 29—Unlawful Games Ordinance 1984</i>

TABLE OF PROVISIONS—continued

Section

53. Instruments or articles to be forfeited to Territory
Division 30—Venereal Diseases Ordinance 1956
54. No action against Territory etc.
- PART III—AMENDMENTS OF CONTINUED STATE
LAWS
- Division 1—Arbitration Act 1902 (N.S.W.)*
55. Territory and Commonwealth to be bound
*Division 2—Dedication by User Limitation Act
1902 (N.S.W.)*
56. No dedication of right-of-way against Territory or Commonwealth
Division 3—Dangerous Goods Regulation 1978 (N.S.W.)
57. Review
- PART IV—AMENDMENTS OF TERRITORY
REGULATIONS
- Division 1—Motor Omnibus Regulations*
58. Application of Regulations to Territory and Commonwealth omnibuses
Division 2—Pounds Regulations
59. Payment of fees to Territory
- PART V—OTHER AMENDMENTS
60. Ordinances
61. Continued State laws
62. Territory regulations
- PART VI—REPEALS
63. Repeals
- SCHEDULE 1
AMENDMENTS OF ORDINANCES
- SCHEDULE 2
AMENDMENTS OF CONTINUED STATE LAWS
- SCHEDULE 3
AMENDMENTS OF TERRITORY REGULATIONS
- SCHEDULE 4
REPEAL OF ORDINANCES

AUSTRALIAN CAPITAL TERRITORY

Self-Government (Consequential Amendments) Ordinance 1989

No. 38 of 1989

I, THE GOVERNOR-GENERAL of the Commonwealth of Australia, acting with the advice of the Federal Executive Council, hereby make the following Ordinance under the *Seat of Government (Administration) Act 1910*.

Dated 9 May 1989.

BILL HAYDEN
Governor-General

By His Excellency's Command,

CLYDE HOLDING
Minister of State for the Arts
and Territories

An Ordinance to amend certain laws of the Territory consequent upon the establishment of the Territory as a body politic under the Crown and for other purposes

PART I—PRELIMINARY

Short title

1. This Ordinance may be cited as the *Self-Government (Consequential Amendments) Ordinance 1989*.¹

Commencement

2. (1) Section 1 and this section commence on the day on which this Ordinance is notified in the Gazette.
- (2) The remaining provisions commence on the date of commencement of section 22 of the Australian Capital Territory (Self-Government) Act 1988 of the Commonwealth.

PART II—AMENDMENTS OF ORDINANCES***Division 1—Administration and Probate Ordinance 1975*****Manner of distribution to the Territory**

3. Section 49CA of the Administration and *Probate Ordinance 1975* is amended—
 - (a) by omitting “Commonwealth” (first occurring) and substituting “Territory”;
 - (b) by omitting from paragraph (a) “Commonwealth” and substituting “Territory”; and
 - (c) by omitting from subparagraphs (b) (i) and (ii) “Commonwealth” and substituting “Territory”.

Division 2—Australian National University (Leases) Ordinance 1967**Principal Ordinance**

4. In this Division, “Principal Ordinance” means the *Australian National University (Leases) Ordinance 1967*.

Grant of leases to the University

5. Section 4 of the Principal Ordinance is amended by omitting from subsection (2) “in perpetuity” and substituting “for a period of 999 years”.

Covenants and conditions

6. Section 5 of the Principal Ordinance is amended by omitting “in perpetuity”.

Division 3—Building Ordinance 1972

Principal Ordinance

7. In this Division, “Principal Ordinance” means the *Building Ordinance 1972*.

Treatment and removal of loose asbestos by the Territory

8. Section 51A of the Principal Ordinance is amended by omitting “Commonwealth” and substituting “Territory”.

Additional powers of the Territory

9. Section 51B of the Principal Ordinance is amended by omitting “Commonwealth” and substituting “Territory”.

Liability of the Territory

10. Section 51G of the Principal Ordinance is amended—

- (a) by omitting “Commonwealth” (first occurring) and substituting “Territory”; and
- (b) by omitting from paragraph (b) “Commonwealth” and substituting “Territory”.

Obstruction of the Territory

11. Section 51H of the Principal Ordinance is amended—

- (a) by omitting “Commonwealth” and substituting “Territory”; and
- (b) by omitting “Commonwealth’s” and substituting “Territory’s”.

Division 4—Building (Amendment) Ordinance (No. 3) 1988

Review by Tribunal

12. Section 11 of the *Building (Amendment) Ordinance (No. 3) 1988* is amended by amending new section 60 of the *Building Ordinance 1972*—

- (a) by omitting from subsection (1) “Administrative Appeals”;
- (b) by omitting from paragraph (4) (a) “*Administrative Appeals Tribunal Act 1975*” and substituting “*Administrative Appeals Tribunal Act 1989*”;
- (c) by omitting from paragraph (4) (a) “Administrative Appeals”;

- (d) by omitting from paragraph (4) (b) “28 (4)” and substituting “26 (11)”; and
- (e) by omitting from paragraph (4) (b) “28” (last occurring) and substituting “26”.

Division 5—Buildings (Design and Siting) Ordinance 1964

Review of decisions

13. Section 11 of the *Buildings (Design and Siting) Ordinance 1964* is amended—

- (a) by inserting in subsection (1) “Australian Capital Territory” before “Administrative”; and
- (b) by omitting from subsection (2) “27 of the *Administrative Appeals Tribunal Act 1975*” and substituting “25 of the *Administrative Appeals Tribunal Act 1989*”.

Division 6—Canberra College of Advanced Education (Leases) Ordinance 1977

Principal Ordinance

14. In this Division, “Principal Ordinance” means the *Canberra College of Advanced Education (Leases) Ordinance 1977*.

Grant of leases to the College

15. Section 3 of the Principal Ordinance is amended by omitting from subsection (2) “in perpetuity” and substituting “for a period of 999 years”.

Covenants and conditions

16. Section 4 of the Principal Ordinance is amended by omitting “in perpetuity”.

Division 7—Canberra Theatre Trust Ordinance 1965

Right to occupy and use the Canberra Theatre Centre

17. Section 19 of the *Canberra Theatre Trust Ordinance 1965* is amended—

- (a) by omitting from subsection (1) “, on behalf of the Commonwealth,”; and
- (b) by omitting “Commonwealth” (last occurring) and substituting “Territory”.

Division 8—Children’s Services Ordinance 1986

Administrative review

18. Section 148 of the *Children’s Services Ordinance 1986* is amended by adding at the end the following subsection:

“(3) In this section, ‘Tribunal’ means the Australian Capital Territory Administrative Appeals Tribunal.”

Division 9—Community and Health Service Ordinance 1985

Insertion

19. After section 69 of the *Community and Health Service Ordinance 1985* the following division is inserted in Part VII:

“Division 6—Equal employment opportunity programs

Interpretation

“69A. (1) In this Division, unless the contrary intention appears—

‘appropriate staff organisation’, in relation to an office, or to employment in a particular capacity, in the Service, means an organisation—

- (a) that is an organisation within the meaning of the *Industrial Relations Act 1988* of the Commonwealth;
- (b) for membership of which the person holding that office or employed in that capacity would be eligible; and
- (c) that is a party to an industrial award that applies in relation to the salary payable in respect of the office, or in respect of employment in that capacity, being an industrial award to which the Minister is also a party;

‘employment matters’, in relation to the Service, means—

- (a) the selection of persons for appointment as officers in, or for engagement as temporary employees in relation to, the Service;
- (b) the promotion and transfer of officers to offices in the Service;
- (c) the transfer of temporary employees to positions in the Service;

- (d) training and staff development for officers and temporary employees in the Service;
- (e) conditions of service of officers and temporary employees in the Service; and
- (f) any other matter related to the employment of officers and temporary employees in the Service;

‘equal employment opportunity program’, in relation to the Service, means a program designed to ensure that—

- (a) appropriate action is taken to eliminate unjustified discrimination against women and persons in designated groups in relation to employment matters in the Service; and
- (b) measures are taken to enable women and persons in designated groups to—
 - (i) compete, if they are officers, for promotion and transfer in the Service;
 - (ii) compete, if they are temporary employees, for transfer in the Service; and
 - (iii) pursue careers in the Service;as effectively as other persons;

‘program’ includes—

- (a) the particular objectives to be achieved by the program;
- (b) the policies to be adopted, and the procedures to be followed, to achieve those objectives;
- (c) the quantitative or other indicators against which the effectiveness of the program is to be assessed; and
- (d) the allocation of staff and other resources to the task of giving effect to the program;

‘unjustified discrimination’ includes discrimination that is unlawful under the *Racial Discrimination Act 1975* of the Commonwealth or the *Sex Discrimination Act 1984* of the Commonwealth.

“(2) Without limiting the generality of the definition of ‘equal employment opportunity program’, an equal employment opportunity program for the Service shall include provision for action to be taken to—

- (a) examine practices in relation to employment matters in the Service to identify—
 - (i) any practices that unjustifiably discriminate against women or persons in designated groups; and
 - (ii) any patterns (whether ascertained statistically or otherwise) of inequality of opportunity in respect of women or persons in designated groups;
- (b) eliminate any practices, and eliminate or ameliorate any patterns, identified in pursuance of paragraph (a);
- (c) inform officers and temporary employees of the Service, and appropriate staff organisations in relation to offices and employment in particular capacities in the Service, of the contents of the program and of the result of any review of the program under subsection 69C (1);
- (d) collect and record information, including statistical information, relevant to the operation of the program;
- (e) assess the effectiveness of the program by comparing information collected in relation to the results of the program with the indicators against which the effectiveness of the program is to be assessed; and
- (f) give effect to any guidelines in force under subsection 69C (7).

Application

“69B. This Division applies in relation to the equal employment opportunity program for the Service in force immediately before self-government day as reviewed from time to time under subsection 69C (1).

Development, implementation and review of programs

“69C. (1) The General Manager shall—

- (a) from time to time, after giving appropriate staff organisations in relation to offices and employment in particular capacities in the Service and such other persons as the General Manager considers appropriate an opportunity to put their views, cause the equal employment opportunity program for the Service to be reviewed;

- (b) cause to be prepared a written statement setting out the results of any review (including particulars of any alteration to be made to the program); and
- (c) give a copy of the statement to the Head of Administration.

“(2) The General Manager shall take any action necessary to give effect to the equal employment opportunity program for the Service and any person who exercises powers in relation to employment matters in the Service shall have regard to the program in exercising those powers.

“(3) The Head of Administration may, by notice in writing to the General Manager, require the General Manager to give the Head of Administration, within the time specified in the notice, a written report in relation to the development, implementation or review of the equal employment opportunity program for the Service.

“(4) A notice under subsection (3) may specify the particular aspects of the equal employment opportunity program for the Service that are to be dealt with in the report.

“(5) Where the Head of Administration receives a statement under subsection (1) or a report under subsection (3), the Head of Administration, after considering the statement or report, may make recommendations to the General Manager on the action that should or could be taken to improve the effectiveness of the equal employment opportunity program for the Service.

“(6) If the General Manager does not concur in or adopt a recommendation made by the Head of Administration under subsection (5) on the action that should be taken to improve the effectiveness of the equal employment opportunity program for the Service, the General Manager shall, within a reasonable time, inform the Minister, in writing, of his or her reasons for not concurring in or adopting the recommendation and give a copy of a statement of those reasons to the Head of Administration.

“(7) The Head of Administration may from time to time, by notice in writing to the General Manager, issue guidelines on the provisions to be made by, and the development, implementation and review of, equal employment opportunity programs for the Service.

“(8) The Head of Administration shall, at least once in each year, prepare and furnish to the Chief Minister for presentation to the Legislative Assembly, a report concerning the operation of this section in relation to officers and temporary employees of the Service.”.

Division 10—Education Ordinance 1937

Educational trusts—transfer to Territory

20. Section 35B of the *Education Ordinance 1937* is amended by omitting “Commonwealth” and substituting “Territory”.

Division 11—Electricity and Water Ordinance 1988

Insertion

21. After Part IV of the *Electricity and Water Ordinance 1988* the following Part is inserted:

“PART IVA—EQUAL EMPLOYMENT OPPORTUNITY PROGRAMS

Interpretation

“32A. (1) In this Part, unless the contrary intention appears—

‘appropriate staff organisation’, in relation to an office, or to employment in a particular capacity, in the Authority, means an organisation—

- (a) that is an organisation within the meaning of the *Industrial Relations Act 1988* of the Commonwealth;
- (b) for membership of which the person holding that office or employed in that capacity would be eligible; and
- (c) that is a party to an industrial award that applies in relation to the salary payable in respect of the office, or in respect of employment in that capacity, being an industrial award to which the Minister is also a party;

‘employment matters’, in relation to the Authority, means—

- (a) the selection of persons for appointment as officers in, or for engagement as employees in relation to, the Authority;
- (b) the promotion and transfer of officers to offices in the Authority;
- (c) the transfer of employees to positions in the Authority;
- (d) training and staff development for officers and employees in the Authority;
- (e) conditions of service of officers and employees in the Authority; and

- (f) any other matter related to the employment of officers and employees in the Authority;

‘equal employment opportunity program’, in relation to the Authority, means a program designed to ensure that—

- (a) appropriate action is taken to eliminate unjustified discrimination against women and persons in designated groups in relation to employment matters in the Authority; and
- (b) measures are taken to enable women and persons in designated groups to—
 - (i) compete, if they are officers, for promotion and transfer in the Authority;
 - (ii) compete, if they are employees, for transfer in the Authority; and
 - (iii) pursue careers in the Authority;as effectively as other persons;

‘program’ includes—

- (a) the particular objectives to be achieved by the program;
- (b) the policies to be adopted, and the procedures to be followed, to achieve those objectives;
- (c) the quantitative or other indicators against which the effectiveness of the program is to be assessed; and
- (d) the allocation of staff and other resources to the task of giving effect to the program;

‘unjustified discrimination’ includes discrimination that is unlawful under the *Racial Discrimination Act 1975* of the Commonwealth or the *Sex Discrimination Act 1984* of the Commonwealth.

“(2) Without limiting the generality of the definition of ‘equal employment opportunity program’, an equal employment opportunity program for the Authority shall include provision for action to be taken to—

- (a) examine practices in relation to employment matters in the Authority to identify—

- (i) any practices that unjustifiably discriminate against women or persons in designated groups; and
 - (ii) any patterns (whether ascertained statistically or otherwise) of inequality of opportunity in respect of women or persons in designated groups;
- (b) eliminate any practices, and eliminate or ameliorate any patterns, identified in pursuance of paragraph (a);
 - (c) inform officers and employees of the Authority, and appropriate staff organisations in relation to offices and employment in particular capacities in the Authority, of the contents of the program and of the result of any review of the program under subsection 32C (1);
 - (d) collect and record information, including statistical information, relevant to the operation of the program;
 - (e) assess the effectiveness of the program by comparing information collected in relation to the results of the program with the indicators against which the effectiveness of the program is to be assessed; and
 - (f) give effect to any guidelines in force under subsection 32C (7).

Application

“32B. This Part applies in relation to the equal employment opportunity program for the Authority in force immediately before self-government day as reviewed from time to time under subsection 32C (1).

Development, implementation and review of programs

“32C. (1) The Chairperson shall—

- (a) from time to time, after giving appropriate staff organisations in relation to offices and employment in particular capacities in the Authority and such other persons as the Chairperson considers appropriate an opportunity to put their views, cause the equal employment opportunity program for the Authority to be reviewed;
- (b) cause to be prepared a written statement setting out the results of any review (including particulars of any alteration to be made to the program); and
- (c) give a copy of the statement to the Head of Administration.

“(2) The Chairperson shall take any action necessary to give effect to the equal employment opportunity program for the Authority and any person who

exercises powers in relation to employment matters in the Authority shall have regard to the program in exercising those powers.

“(3) The Head of Administration may, by notice in writing to the Chairperson, require the Chairperson to give the Head of Administration, within the time specified in the notice, a written report in relation to the development, implementation or review of the equal employment opportunity program for the Authority.

“(4) A notice under subsection (3) may specify the particular aspects of the equal employment opportunity program for the Authority that are to be dealt with in the report.

“(5) Where the Head of Administration receives a statement under subsection (1) or a report under subsection (3), the Head of Administration, after considering the statement or report, may make recommendations to the Chairperson on the action that should or could be taken to improve the effectiveness of the equal employment opportunity program for the Authority.

“(6) If the Chairperson does not concur in or adopt a recommendation made by the Head of Administration under subsection (5) on the action that should be taken to improve the effectiveness of the equal employment opportunity program for the Authority, the Chairperson shall, within a reasonable time, inform the Minister, in writing, of his or her reasons for not concurring in or adopting the recommendation and give a copy of a statement of those reasons to the Head of Administration.

“(7) The Head of Administration may from time to time, by notice in writing to the Chairperson, issue guidelines on the provisions to be made by, and the development, implementation and review of, equal employment opportunity programs for the Authority.

“(8) The Head of Administration shall, at least once in each year, prepare and furnish to the Chief Minister for presentation to the Legislative Assembly, a report concerning the operation of this section in relation to officers and employees of the Authority.”.

Division 12—Lakes Ordinance 1976

Rights in lake waters etc.

22. Section 11 of the *Lakes Ordinance 1976* is amended by omitting from subsection (1) “Commonwealth” and substituting “Territory”.

Division 13—Land Rent and Rates (Deferment and Remission) Ordinance 1970

Revocation of determinations on discharge of debt and on request

23. Section 9 of the *Land Rent and Rates (Deferment and Remission) Ordinance 1970* is amended by omitting from paragraph (a) “Commonwealth” (wherever occurring) and substituting “Territory”.

Division 14—Leases Ordinance 1918

Long title

24. The title of the *Leases Ordinance 1918* is repealed and the following title substituted:

“An Act relating to the leasing of Territory Land”.

Division 15—Legal Aid Ordinance 1977

Principal Ordinance

25. In this Division, “Principal Ordinance” means the *Legal Aid Ordinance 1977*.

Legal assistance—interests adverse to the Territory

26. Section 29 of the Principal Ordinance is amended—

- (a) by omitting “Commonwealth” (wherever occurring) and substituting “Territory”; and
- (b) by omitting “or a law of a Territory”.

Liabilities of the Commission and of the Territory

27. Section 91 of the Principal Ordinance is amended by omitting from subsection (5) “Commonwealth” (wherever occurring) and substituting “Territory”.

Division 16—Liquor Ordinance 1975

Principal Ordinance

28. In this Division, “Principal Ordinance” means the *Liquor Ordinance 1975*.

Manual—delivery to Minister

29. Section 20 of the Principal Ordinance is amended—

- (a) by omitting from subsections (1) and (2) “and to the Speaker of the House of Assembly”; and
- (b) by omitting subsections (3), (4) and (5).

Insertion

30. After section 20 of the Principal Ordinance the following section is inserted:

Publication, tabling and disallowance of Manual

“20A. The Manual and each amendment are disallowable instruments for the purposes of section 10 of the *Subordinate Laws Act 1989*.”

Division 17—Magistrates Court (Civil Jurisdiction) Ordinance 1982

Insertion

31. After section 307 of the *Magistrates Court (Civil Jurisdiction) Ordinance 1982* the following section is inserted:

Rules of Court

“307A. The Attorney-General may make rules, not inconsistent with the *Workmen’s Compensation Ordinance 1951*, prescribing all matters which by that Ordinance are required or permitted to be prescribed by Rules of Court, or which are necessary or convenient to be prescribed by Rules of Court for giving effect to that Ordinance.”

Division 18—Milk Authority Ordinance 1971

Payments to Territory

32. Section 21C of the *Milk Authority Ordinance 1971* is amended by omitting from subsection (1) “Australia” and substituting “the Territory”.

Division 19—Motor Traffic Ordinance 1936

Principal Ordinance

33. In this Division, “Principal Ordinance” means the *Motor Traffic Ordinance 1936*.

Rights sold by Territory

34. Section 26L of the Principal Ordinance is amended by omitting from subsection (1) “Commonwealth” and substituting “Territory”.

Liability of drivers of Territory and Commonwealth motor vehicles

35. Section 163 of the Principal Ordinance is amended by inserting “Territory or” before “Commonwealth”.

Division 20—Parole Ordinance 1976

Chief Minister may make arrangements with the State

36. Section 26 of the *Parole Ordinance 1976* is amended by omitting “Governor-General” and substituting “Chief Minister”.

Division 21—Pounds Ordinance 1928

Driving charges etc. payable to Territory

37. Section 13 of the *Pounds Ordinance 1928* is amended by omitting “Commonwealth” and substituting “Territory”.

Division 22—Public Baths and Public Bathing Ordinance 1956

Protection to Territory, managers and other persons

38. Section 27 of the *Public Baths and Public Bathing Ordinance 1956* is amended by omitting “Commonwealth” and substituting “Territory”.

Division 23—Real Property Ordinance 1925

Principal Ordinance

39. In this Division, “Principal Ordinance” means the *Real Property Ordinance 1925*.

Right of Territory where determination is revoked and amount secured is not paid

40. Section 100A of the Principal Ordinance is amended by omitting from paragraph (1) (b) “Commonwealth” and substituting “Territory”.

Damages and costs to be paid by the Territory

41. Section 144 of the Principal Ordinance is amended by omitting “Commonwealth” (wherever occurring) and substituting “Territory”.

Moneys paid by the Territory may be recovered against estate of deceased or bankrupt person

42. Section 145 of the Principal Ordinance is amended by omitting from subsection (1) “Commonwealth” (wherever occurring) and substituting “Territory”.

Territory only liable in certain cases

43. Section 147 of the Principal Ordinance is amended by omitting “Commonwealth” and substituting “Territory”.

Division 24—Real Property (Conversion of Titles) Ordinance 1967**Actions against the Territory and officers**

44. Section 22 of the *Real Property (Conversion of Titles) Ordinance 1967* is amended by omitting from paragraph (1) (a) “Commonwealth” and substituting “Territory”.

Division 25—Recovery of Lands Ordinance 1929**Notice by Territory or Minister**

45. Section 10 of the *Recovery of Lands Ordinance 1929* is amended—

- (a) by omitting “the Commonwealth or the Minister” (first and second occurring) and substituting “Territory on behalf of the Commonwealth or by the Minister”; and
- (b) by omitting “Commonwealth” (third occurring) and substituting “Territory”.

Division 26—Roads and Public Places Ordinance 1937**Principal Ordinance**

46. In this Division, “Principal Ordinance” means the *Roads and Public Places Ordinance 1937*.

Removal of objects by the Territory

47. Section 15N of the Principal Ordinance is amended by omitting from paragraph (2) (b) “pays to the Commonwealth” and substituting “pays to the Territory”.

Disposal of objects by the Territory

48. Section 15P of the Principal Ordinance is amended by omitting from paragraph (1) (a) “Commonwealth” and substituting “Territory”.

Division 27—Sewerage Rates Ordinance 1968

Increased sewerage rates—residential units owned by the Territory

49. Section 12 of the *Sewerage Rates Ordinance 1968* is amended by omitting from subsection (1) “Commonwealth” and substituting “Territory”.

Division 28—Trespass on Commonwealth Lands Ordinance 1932

Principal Ordinance

50. In this Division, “Principal Ordinance” means the *Trespass on Commonwealth Lands Ordinance 1932*.

Trespass on Territory land

51. Section 4 of the Principal Ordinance is amended by omitting from subsection (1) “any lands belonging to, or in occupation of, the Commonwealth” and substituting “unleased Territory Land or land occupied by the Territory”.

Camping etc. on Territory land

52. Section 8A of the Principal Ordinance is amended by omitting from subsection (1) the definition of “unleased land” and substituting the following definition:

“ ‘unleased land’ means—

- (a) unleased Territory Land; or
- (b) land occupied by the Territory.”.

Division 29—Unlawful Games Ordinance 1984

Instruments or articles to be forfeited to Territory

53. Section 9 of the *Unlawful Games Ordinance 1984* is amended by omitting “Commonwealth” and substituting “Territory”.

Division 30—Venereal Diseases Ordinance 1956**No action against Territory etc.**

54. Section 17 of the *Venereal Diseases Ordinance 1956* is amended by omitting “Australia”, “Governor-General” and “he” and substituting “the Territory”, “Executive” and “the Executive”, respectively.

PART III—AMENDMENTS OF CONTINUED STATE LAWS***Division 1—Arbitration Act 1902 (N.S.W.)*****Territory and Commonwealth to be bound**

55. Section 26 of the Arbitration Act 1902 of the State of New South Wales in its application in the Territory is amended by inserting “Territory or” before “Commonwealth”.

Division 2—Dedication by User Limitation Act 1902 (N.S.W.)**No dedication of right-of-way against Territory or Commonwealth**

56. Section 3 of the Dedication by User Limitation Act 1902 of the State of New South Wales in its application in the Territory is amended—

- (a) by omitting paragraphs (a) and (b) and substituting the following paragraphs:
 - “(a) the Territory;
 - (b) the Commonwealth; or
 - (c) persons holding lands in trust for any public purpose;”;
- (b) by inserting “Territory or” before “Commonwealth” (last occurring).

Division 3—Dangerous Goods Regulation 1978 (N.S.W.)**Review**

57. Subclauses 374 (1) and (2) of the Dangerous Goods Regulation 1978 of the State of New South Wales in its application in the Territory are amended by omitting “Administrative Appeals”.

PART IV—AMENDMENTS OF TERRITORY REGULATIONS

Division 1—Motor Omnibus Regulations

Application of Regulations to Territory and Commonwealth omnibuses

58. Regulation 3 of the Motor Omnibus Regulations is amended by inserting in subregulation (1) “Territory or” before “Commonwealth”.

Division 2—Pounds Regulations

Payment of fees to Territory

59. Regulation 19 of the Pounds Regulations is amended by omitting “Receiver of Public Moneys, Department of the Capital Territory” and substituting “Territory”.

PART V—OTHER AMENDMENTS

Ordinances

60. The Ordinances specified in Schedule 1 are amended as set out in that Schedule.

Continued State laws

61. The laws specified in Schedule 2 are amended as set out in that Schedule.

Territory regulations

62. The regulations specified in Schedule 3 are amended as set out in that Schedule.

PART VI—REPEALS

Repeals

63. The Ordinances specified in Schedule 4 are repealed.

SCHEDULES

SCHEDULE 1

Section 60

AMENDMENTS OF ORDINANCES

A.C.T. Institute of Technical and Further Education Ordinance 1987

Subsection 6 (4)—

- (a) Omit “each House of the Parliament”, substitute “the Legislative Assembly”.
- (b) Omit “of that House”.

Paragraph 7 (1) (h)—

Insert “Territory or” before “Commonwealth”.

Paragraph 8 (3) (b)—

- (a) Omit “each House of Parliament”, substitute “the Legislative Assembly”.
- (b) Omit “of that House”.

Paragraph 8 (5) (a)—

Insert “Territory or” before “Commonwealth”.

Paragraph 8 (5) (c)—

Omit “Treasurer”, substitute “Minister for the time being administering the *Audit Act 1989*”.

Paragraph 9 (3) (b)—

- (a) Omit “each House of Parliament”, substitute “the Legislative Assembly”.
- (b) Omit “of that House”.

Paragraph 10 (3) (b)—

- (a) Omit “each House of Parliament”, substitute “the Legislative Assembly”.
- (b) Omit “of that House”.

Paragraph 19 (1) (b)—

Omit “*Commonwealth Teaching Service Act 1972*”, substitute “*Teaching Service Act 1972*”.

Subsection 20 (1)—

Omit “Parliament”, substitute “Legislative Assembly”.

Subsection 20 (2)—

Omit “for Finance”.

Paragraph 24 (3) (a)—

Omit “Treasurer”, substitute “Minister for the time being administering the *Audit Act 1989*”.

Paragraph 24 (3) (b)—

Insert “Territory or” before “Commonwealth”.

Paragraph 24 (3) (e)—

Omit “Treasurer”, substitute “Minister for the time being administering the *Audit Act 1989*”.

Sections 25, 26 and 27—

Repeal the sections, substitute the following section:

Borrowings

“25. (1) The Institute may borrow money subject to Part VII of the *Australian Capital Territory (Self-Government) Act 1988* of the Commonwealth.

“(2) In subsection (1), ‘borrow’ has the same meaning as in the *Australian Capital Territory (Self-Government) Act 1988* of the Commonwealth.”.

Paragraph 28 (a)—

Omit “under section 26”.

Paragraph 28 (c)—

Omit “under section 27”.

Section 29—

Repeal the section.

Paragraph 33 (2) (a)—

(a) Omit “*Administrative Appeals Tribunal Act 1975*”, substitute “*Administrative Appeals Tribunal Act 1989*”.

(b) Insert “Australian Capital Territory” before “Administrative”.

Paragraph 33 (2) (b)—

(a) Omit “subsection 28 (4)”, substitute “subsection 26 (11)”.

(b) Omit “section 28”, substitute “section 26”.

Subsection 35 (1)—

Omit “Minister”, substitute “Executive”.

Administration and Probate Ordinance 1929

Subsection 107 (1A)—

Omit “Commonwealth”, substitute “Territory”.

Subsection 107 (1B)—

Omit “Commonwealth”, substitute “Territory”.

Sixth Schedule, Part II, Item 4—

Omit “Commonwealth”, substitute “Territory”.

Administrative Appeals Tribunal Ordinance 1989

Section 64—

Omit “Minister”, substitute “Executive”.

SCHEDULE 1—continued***Adoption of Children Ordinance 1965*****Subsection 23 (1)**—

Omit “Attorney-General”, substitute “Minister”.

Paragraph 44 (3) (a)—

Omit “Attorney-General”, substitute “Minister”.

Subsection 44 (5)—

- (a) Omit “in right of the Commonwealth”.
- (b) Omit “Attorney-General”, substitute “Minister”.

Section 55—

Omit “Attorney-General” (wherever occurring), substitute “Minister”.

Section 64B—

- (a) Omit “Commonwealth”, substitute “Territory”.
- (b) Omit “Minister”, substitute “Executive”.

Section 65—

Omit “Minister”, substitute “Executive”.

Agents Ordinance 1968**Subsection 3 (2)**—

Omit “notice in the *Gazette*”, substitute “instrument”.

Subsections 3 (3), (4), (5) and (6)—

Omit the subsections, substitute the following subsection:

“(3) An instrument made under subsection (2) is a disallowable instrument for the purposes of section 10 of the *Subordinate Laws Act 1989*.”

Subsection 5 (1) (definition of “departmental member”)—

Omit the definition.

Subsection 5 (1)—

Insert the following definition:

“ ‘public service member’ means the member of the Board referred to in paragraph 9 (1) (a), or, if a person has been appointed to act in the place of that member, that person;”.

Subsection 6 (1)—

Omit “an officer of the Department”, substitute “a public servant”.

Paragraph 9 (1) (a)—

Omit the paragraph, substitute the following paragraph:

“(a) 1 shall be a public servant; and”

Subsections 9 (3), (4) and (5)—

Omit “departmental”, substitute “public service”.

Sections 14—

Omit “departmental”, substitute “public service”.

Subsections 15 (2)—

Omit all the words after “place of the”, substitute “public service member unless he or she is a public servant.”.

Subsection 19A (3)—

Omit “Commonwealth”, substitute “Territory”.

Subparagraphs 48 (1) (e) (i) and 49 (1) (i) (i)—

(a) Omit “Secretary” (wherever occurring), substitute “administrative head”.

(b) Omit “to the Department”.

Paragraph 49 (1) (i)—

Omit “(i)” (first occurring), substitute “(j)”.

Paragraphs 87 (1) (a) and (b)—

Omit “Commonwealth”, substitute “Territory”.

Subsections 87 (2) and (3)—

Omit “Commonwealth” (wherever occurring), substitute “Territory”.

Subsection 87 (4)—

Omit the subsection.

Subsection 88 (8)—

Omit “Attorney-General”, substitute “Minister”.

Paragraph 96 (2) (a)—

Omit “an officer of the Department”, substitute “public servant”.

Paragraph 96 (2) (b)—

Omit “Commonwealth”, substitute “Territory”.

Before section 98—

Insert the following section in Part XII:

Interpretation

“97A. In this Part, ‘Tribunal’ means the Australian Capital Territory Administrative Appeals Tribunal.”.

Subsections 98 (1) and (2)—

Omit “Administrative Appeals”.

Paragraph 98A (2) (a)—

(a) Omit “*Administrative Appeals Tribunal Act 1975*”, substitute “*Administrative Appeals Tribunal Act 1989*”.

(b) Omit “Administrative Appeals”.

Paragraph 98A (2) (b)—

(a) Omit “28 (4)”, substitute “26 (11)”.

(b) Omit “28” (last occurring), substitute “26”.

SCHEDULE 1—continued

Section 122—

Omit “Minister”, substitute “Executive”.

Air Pollution Ordinance 1984

Section 4 (definition of “Tribunal”)—

Insert “Australian Capital Territory” before “Administrative”.

Subsection 10 (1)—

Omit “, delegate to an officer or employee within the meaning of the *Public Service Act 1922* any of his”, substitute “or her, delegate to a public servant any of the Authority’s”.

Paragraph 45 (1) (a)—

(a) Omit “*Administrative Appeals Tribunal Act 1975*”, substitute “*Administrative Appeals Tribunal Act 1989*”.

(b) Omit “Administrative Appeals”.

Paragraph 45 (1) (b)—

(a) Omit “28 (4)”, substitute “26 (11)”.

(b) Omit “28” (last occurring), substitute “26”.

Subsection 49 (1)—

Omit “Minister”, substitute “Executive”.

Amendments Incorporation Ordinance 1929

Section 5—

Omit all the words after “inclusion”, substitute “of the enacting words or the dates or signatures (if any) accompanying those words.”.

Annual Holidays Ordinance 1973

Subsection 2 (1) (definition of “authorized officer”)—

Omit “person who is an officer within the meaning of the *Public Service Act 1922-1973* and”, substitute “public servant”.

Sections 16—

Omit “Minister”, substitute “Executive”.

Apiaries Ordinance 1928

Section 19—

Omit “Minister”, substitute “Executive”.

Architects Ordinance 1959

Subsection 5 (3)—

Omit “Minister of State for Finance”, substitute “Executive”.

Subsection 13A (2)—

Omit “an officer of the Department of the Capital Territory”, substitute “a public servant”.

Subsection 23 (4)—

Omit “Attorney-General”, substitute “Minister”.

Paragraph 37 (2) (a)—

Omit “an officer of the Department of the Interior”, substitute “a public servant”.

Paragraph 37 (2) (b)—

Omit “Commonwealth”, substitute “Territory”.

Section 40—

Omit “Minister”, substitute “Executive”.

Associations Incorporation Ordinance 1953

Section 25—

Omit “Minister”, substitute “Executive”.

Auctioneers Ordinance 1959

Paragraph 4 (2) (b)—

Omit “Commonwealth”, substitute “Territory”.

Section 18—

Omit “Minister”, substitute “Executive”.

Audit Ordinance 1989

Subsection 125 (1)—

Omit “Minister”, substitute “Executive”.

Australian Capital Territory Gaming and Liquor Authority Ordinance 1987

Subsection 8 (1)—

Omit “an officer of the Australian Public Service”, substitute “a public servant”.

Subsection 17 (3)—

Omit “Public Service Board”, substitute “Minister”.

Subsection 18 (1)—

Omit all the words after “shall be”, substitute “public servants”.

Subsection 18 (3)—

Omit “Public Service Board”, substitute “Minister”.

Subsection 18 (4)—

Omit “for Finance”.

Paragraph 19 (1) (a)—

Omit “, in consultation with the Minister for Finance,”.

Paragraph 19 (1) (b)—

- (a) Omit “for Finance”.
- (b) Omit “Parliament”, substitute “Legislative Assembly”.

Paragraph 19 (1) (e)—

Omit “Commonwealth”, substitute “Territory”.

SCHEDULE 1—continued**Subsection 19 (2)—**

- (a) Omit “Commonwealth”, substitute “Territory”.
- (b) Omit “, in consultation with the Minister for Finance,”.

Subsections 20 (1), (2) and (3)—

Omit the subsections, substitute the following subsections:

“(1) The Authority may, subject to Part VII of the *Australian Capital Territory (Self-Government) Act 1988* of the Commonwealth, borrow money.

“(2) The Authority shall not borrow money without the approval of the Minister.”.

Subsection 20 (4)—

Omit all the words from and including “Notwithstanding” to and including “from:”, substitute “The Authority shall not borrow money from—”.

Subsection 20 (5)—

Omit all the words after “assets”, substitute “for the repayment by the Authority of money borrowed by virtue of subsection (1) and the payment by the Authority of interest on money so borrowed.”.

Subsection 20 (6)—

Omit “moneys, or raise moneys otherwise than by borrowing,”, substitute “money”.

Subsection 20 (7)—

Omit the subsection, substitute the following subsection:

“(7) In this section—

‘borrow’ has the same meaning as in the *Australian Capital Territory (Self-Government) Act 1988* of the Commonwealth;

‘related corporation’ has the same meaning as in the *Companies Act 1981* of the Commonwealth.”.

Section 24—

Omit “Minister”, substitute “Executive”.

Section 32—

- (a) Omit “Australian Government Solicitor” (first and second occurring), substitute “Minister”.
- (b) Omit “or by an officer of the Attorney-General’s Department authorised by the Australian Government Solicitor”.

Australian National University (Leases) Ordinance 1967**Long title—**

Omit the title, substitute the following title:

“An Act relating to the grant of leases to the Australian National University”.

Betting (Totalizator Agency) Ordinance 1964**Section 4 (definition of “Secretary”)—**

Omit the definition.

Subsection 28 (1)—

Omit “Commonwealth”, substitute “Territory”.

Subsection 28 (2)—

Omit the subsection.

Paragraph 35E (1) (b)—

Omit the paragraph, substitute the following paragraph:

“(b) a public servant nominated by the administrative head; and”.

Paragraph 35L (2) (f)—

Omit “Secretary”, substitute “administrative head”.

Birth (Equality of Status) Ordinance 1988

Section 22—

Omit “Minister”, substitute “Executive”.

Blood Donation (Acquired Immune Deficiency Syndrome) Ordinance 1985

Subsections 5 (2) and (3)—

Omit the subsections, substitute the following subsection:

“(2) An instrument under paragraph (1) (a) is a disallowable instrument for the purposes of section 10 of the *Subordinate Laws Act 1989*.”.

Bookmakers Ordinance 1985

Section 3 (definition of “Tribunal”)—

Insert “Australian Capital Territory” before “Administrative”.

Paragraph 9 (1) (a)—

Omit the paragraph, substitute the following paragraph:

“(a) I shall be a public servant;”.

Subsection 29 (1)—

Omit “Commonwealth”, substitute “Territory”.

Subsection 30 (5)—

Omit “Commonwealth”, substitute “Territory”.

Subsection 51 (2)—

Omit “*Administrative Appeals Tribunal Act 1975*”, substitute “*Administrative Appeals Tribunals Act 1989*”.

Section 56—

Omit “Minister”, substitute “Executive”.

Building Ordinance 1972

Subsection 5 (1) (paragraph (d) of the definition of “owner”)—

Insert “the Territory or” before “the Commonwealth”.

SCHEDULE 1—continued**Subsection 5 (1)—**

Insert the following definition:

“ ‘Tribunal’ means the Australian Capital Territory Administrative Appeals Tribunal;”.

Subsection 6 (3)—

Omit all the words after “building”, substitute “by the Territory or the Commonwealth”.

Paragraph 24 (2) (b)—

Omit the paragraph, substitute the following paragraph:

“(b) a public servant;”.

Subsection 31A (1)—

Omit “Administrative Appeals”.

Paragraph 31A (2) (a)—

(a) Omit “*Administrative Appeals Tribunal Act 1975*”, substitute “*Administrative Appeals Tribunal Act 1989*”.

(b) Omit “Administrative Appeals”.

Paragraph 31A (2) (b)—

(a) Omit “28 (4)”, substitute “26 (11)”.

(b) Omit “(28)” (last occurring), substitute “(26)”.

Subsection 31A (4)—

Omit “27 of the *Administrative Appeals Tribunal Act 1975*”, substitute “25 of the *Administrative Appeals Tribunal Act 1989*”.

Section 51C—

Omit “Commonwealth” (first occurring), substitute “Territory”.

Paragraph 51C (g)—

Omit “an officer or employee of the Commonwealth”, substitute “a public servant”.

Subsections 51F (1) and (2)—

Omit “Commonwealth” (wherever occurring), substitute “Territory”.

Paragraph 58B (a)—

(a) Insert “the Territory or” before “the Commonwealth”.

(b) Omit “An Act or an Ordinance”, substitute “a Territory or Commonwealth Act”.

Section 61A—

Omit “Administrative Appeals”.

Paragraph 61B (3) (a)—

- (a) Omit “*Administrative Appeals Tribunal Act 1975*”, substitute “*Administrative Appeals Tribunal Act 1989*”.
- (b) Omit “Administrative Appeals”.

Paragraph 61B (3) (b)—

- (a) Omit “28 (4)”, substitute “26 (11)”.
- (b) Omit “28” (last occurring), substitute “26”.

Subsection 63A (2)—

Omit “Commonwealth”, substitute “Territory”.

Section 67—

Omit “Minister”, substitute “Executive”.

Building and Services Ordinance 1924

Section 3E—

Omit “Commonwealth” (wherever occurring), substitute “Territory”.

Section 3G—

- (a) Omit “Commonwealth”, substitute “Territory”.
- (b) Omit “Minister”, substitute “Executive”.

Subsection 4 (1)—

Omit “Minister”, substitute “Executive”.

Paragraph 4 (1) (b)—

Omit “Commonwealth in the”.

Buildings (Design and Siting) Ordinance 1964

Subsection 4 (2)—

Insert “the Territory or” before “the Commonwealth”.

Subparagraph 8 (b) (i)—

Insert “the Territory or” before “the Commonwealth”.

SCHEDULE 1—continued

Subsection 9 (1)—

Insert “the Territory or” before “the Commonwealth”.

Paragraph 10 (2) (a)—

- (a) Omit “*Administrative Appeals Tribunal Act 1975*”, substitute “*Administrative Appeals Tribunal Act 1989*”.
- (b) Insert “Australian Capital Territory” before “Administrative”.

Paragraph 10 (2) (b)—

- (a) Omit “28 (4)”, substitute “26 (11)”.
- (b) Omit “28” (last occurring), substitute “26”.

Section 14—

Omit “Minister”, substitute “Executive”.

Business Franchise (Tobacco and Petroleum Products) Ordinance 1984

Paragraph 37 (2) (a)—

- (a) Omit “*Administrative Appeals Tribunal Act 1975*”, substitute “*Administrative Appeals Tribunal Act 1989*”.
- (b) Insert “Australian Capital Territory” before “Administrative”.

Paragraph 37 (2) (b)—

- (a) Omit “28 (4)”, substitute “26 (11)”.
- (b) Omit “28” (last occurring), substitute “26”.

Section 38—

Insert “Australian Capital Territory” before “Administrative”.

Subsection 41 (4)—

Omit “Commonwealth”, substitute “Territory”.

Subsection 45 (1)—

Omit “Minister”, substitute “Executive”.

Business Names Ordinance 1963

Section 33—

Omit “Minister”, substitute “Executive”.

Canberra College of Advanced Education (Leases) Ordinance 1977

Long title—

Omit the title, substitute the following title:

“An Act relating to the grant of leases to the Canberra College of Advanced Education”.

Canberra Theatre Trust Ordinance 1965

Section 3 (definition of “approved bank”)—

Omit “Treasurer”, substitute “Minister”.

Section 5—

Omit all the words after “agent of”, substitute “the Territory”.

Subsection 23 (6)—

Omit “Commonwealth”, substitute “Territory”.

Subsection 25 (1)—

Omit the subsection, substitute the following subsection:

“(1) The Trust may, subject to Part VII of the *Australian Capital Territory Self-Government Act 1988* of the Commonwealth, borrow money from an approved bank.”.

After subsection 25 (3)—

Insert the following subsection:

“(4) In this section, ‘borrow’ has the same meaning as in the *Australian Capital Territory Self-Government Act 1988* of the Commonwealth.”.

Careless Use of Fire Ordinance 1936

Section 8—

Omit “Commonwealth”, substitute “Territory”.

Subsections 12 (1) and (2)—

Omit “Commonwealth”, substitute “Territory”.

Section 13—

Omit “officer, employee, servant or agent of the Commonwealth”, substitute “public servant or other person”.

Subsection 14 (1)—

Omit “Commonwealth”, substitute “Territory”.

SCHEDULE 1—continued

Section 17—

Omit “Minister”, substitute “Executive”.

Casino Control Ordinance 1988

Subsections 8 (3) and 11 (2)—

Omit all the words after “person is” (last occurring), substitute “a public servant”.

Section 19—

Omit “subsection (2)”, substitute “subsection 18 (4)”.

Section 21—

Omit “both Houses of the Parliament”, substitute “the Legislative Assembly”.

Paragraph 48 (1) (d)—

Insert “of the Commonwealth” after “Treasurer”.

Section 126—

Insert “Australian Capital Territory” before “Administrative”.

Paragraph 127 (2) (a)—

(a) Omit “*Administrative Appeals Tribunal Act 1975*”, substitute “*Administrative Appeals Tribunal Act 1989*”.

(b) Insert “Australian Capital Territory” before “Administrative”.

Paragraph 127 (2) (b)—

(a) Omit “28 (4)”, substitute “26 (11)”.

(b) Omit “28” (last occurring), substitute “26”.

Subsection 133 (1)—

Omit “Minister”, substitute “Executive”.

Further amendments—

The following provisions are amended by omitting “Commonwealth” and substituting “Territory”:

Subsection 3 (1) (paragraph (f) of the definition of “authorised person”), subsection 16 (3), paragraph 17 (b), subsection 47 (2), paragraphs 57 (c) and 75 (1) (c), subsection 87 (3), subparagraph 109 (1) (b) (ii) and subsection 109 (2).

Cemeteries Ordinance 1933

Subsection 4 (1)—

Add at the end “that is not National Land”.

Paragraph 20 (a)—

- (a) Omit “of State for Finance”.
- (b) Omit “Parliament”, substitute “Legislative Assembly”.

Section 23—

Omit “Minister”, substitute “Executive”.

Children’s Services Ordinance 1986

Subsection 7 (2)—

Omit all the words after “he or she is”, substitute “a public servant”.

Paragraph 13 (2) (f)—

Omit the paragraph.

Subsection 15 (3)—

Omit all the words after “before” (first occurring), substitute “the Legislative Assembly within 15 sitting days after its receipt by the Minister.”.

Subsection 19 (1)—

Omit “an officer or employee within the meaning of the *Public Service Act 1922*”, substitute “a public servant”.

Subsection 37 (5)—

Insert “of the Territory,” after “law”.

Paragraph 117 (3) (b)—

Omit “Department”, substitute “administrative head”.

Subsections 119 (5), (6) and (7)—

Omit the subsections, substitute the following subsection:

“(5) An instrument made under this section is a disallowable instrument for the purposes of section 10 of the *Subordinate Laws Act 1989*.”.

Section 132—

Omit all the words after “notice” (last occurring), substitute “to the administrative head”.

Subsection 133 (6)—

Omit all the words after “consent” (last occurring), substitute “to the administrative head”.

Subsection 155 (2)—

- (a) Omit “*Administrative Appeals Tribunal Act 1975*”, substitute “*Administrative Appeals Tribunal Act 1989*”.
- (b) Insert “Australian Capital Territory” before “Administrative Appeals”.

SCHEDULE 1—continued

Subsection 176 (2)—

Omit “each House of Parliament”, substitute “the Legislative Assembly”.

Subsection 177 (1)—

Omit “Minister”, substitute “Executive”.

Further amendments—

The following provisions are amended by omitting “Commonwealth” (wherever occurring) and substituting “Territory”:

Paragraphs 59 (2) (a), (3) (a), (b) and (c) and (5) (a), subsection 59 (5), paragraph 99 (3) (b) and subsection 116 (7).

Chiropractors Registration Ordinance 1983

Subsection 3 (1) (definition of “Tribunal”)—

Omit the definition, substitute the following definition:

“ ‘Tribunal’ means the Australian Capital Territory Administrative Appeals Tribunal”.

Subsection 57 (2)—

Omit “*Administrative Appeals Tribunal Act 1975*”, substitute “*Administrative Appeals Tribunal Act 1989*”.

Section 58—

Omit “Capital Territory Health Commission”, substitute “Australian Capital Territory Community and Health Service”.

Section 69—

Omit “Minister”, substitute “Executive”.

Church Land Leases Ordinance 1924

Subsection 3 (1)—

Insert “, on behalf of the Commonwealth,” after “may”.

Section 5—

Omit “in perpetuity”, substitute “for a period of 999 years”.

Subsection 7A (1)—

- (a) Omit “Commonwealth may”, substitute “Territory may, on behalf of the Commonwealth,”.
- (b) Omit “Commonwealth” (last occurring), substitute “Territory, on behalf of the Commonwealth,”.

City Area Leases Ordinance 1936

Subsection 3 (1) (definition of “the Secretary”)—

Omit the definition.

Subsection 3 (1)—

Insert the following definition:

“ ‘Tribunal’ means the Australian Capital Territory Administrative Appeals Tribunal”.

Subsection 3 (2)—

Insert “the Territory or” before “the Commonwealth” (wherever occurring).

Subsection 4 (1)—

Omit “land the property of the Commonwealth”, substitute “Territory Land”.

Subsection 11A (11)—

Omit all the words after “effected”, substitute “by serving the document on the administrative head”.

Subsection 11B (1)—

Omit “Administrative Appeals”.

Subsection 11B (2)—

(a) Omit “29 of the *Administrative Appeals Tribunal Act 1975*”, substitute “27 of the *Administrative Appeals Tribunal Act 1989*”.

(b) Omit “Administrative Appeals”.

Subsections 12A (1) and (2)—

Insert “on behalf of the Commonwealth,” after “offering,”.

Paragraph 12A (4) (b)—

Omit “Commonwealth may”, substitute “Territory may, on behalf of the Commonwealth,”.

Subsection 13 (2)—

Insert “, on behalf of the Commonwealth,” after “may”.

Paragraphs 13 (5) (b) and (13) (d)—

Omit “Commonwealth,” substitute “Territory, on behalf of the Commonwealth,”.

Subsection 13 (13)—

Omit “Commonwealth” (first occurring), substitute “Territory”.

Subsection 13 (13B)—

Omit “Commonwealth”, substitute “Territory, on behalf of the Commonwealth,”.

SCHEDULE 1—continued

Paragraph 14 (3) (b)—

Omit “Commonwealth”, substitute “Territory, on behalf of the Commonwealth.”.

Paragraph 14 (9) (d)—

Omit “Commonwealth”, substitute “Territory, on behalf of the Commonwealth.”.

Section 15—

Insert “on behalf of the Commonwealth,” after “may,”.

Subsection 17 (1)—

Insert “, on behalf of the Commonwealth,” after “may”.

Subsection 17A (7)—

Insert “, on behalf of the Commonwealth,” after “Minister”.

Subsection 17B (1)—

Insert “, on behalf of the Commonwealth” after “notice” (last occurring).

Paragraph 17B (2) (f)—

Insert “the Territory in the name of” before “the Commonwealth”.

Subsection 18B (1)—

Omit “post to or lodge with the Secretary”, substitute “serve on the administrative head”.

Subsection 18B (5)—

- (a) Omit “*Administrative Appeals Tribunal Act 1975*”, substitute “*Administrative Appeals Tribunal Act 1989*”.
- (b) Omit “Administrative Appeals”.

Subsection 18B (7)—

Omit “Administrative Appeals”.

Subsection 19A (5) (definition of “improvements”)—

Omit “the Commonwealth unless the Commonwealth”, substitute “the Territory or the Commonwealth unless the Territory or the Commonwealth, as the case requires.”.

Subsection 20 (5)—

Omit “Administrative Appeals”.

Paragraph 20 (6) (b)—

- (a) Omit “*Administrative Appeals Tribunal Act 1975*”, substitute “*Administrative Appeals Tribunal Act 1989*”.
- (b) Omit “Administrative Appeals”.

Subsection 22 (1)—

Omit “Commonwealth” (wherever occurring), substitute “Territory, on behalf of the Commonwealth,”.

Paragraph 28A (3) (a)—

Omit “Commonwealth” (last occurring), substitute “Territory”.

Subsection 28A (4)—

- (a) Insert “the Territory on behalf of” before “the Commonwealth” (first occurring).
- (b) Omit “Commonwealth” (last occurring), substitute “Territory”.

Paragraph 28B (7) (c)—

Omit the paragraph, substitute the following paragraph:

“(c) be served on the administrative head”.

Paragraph 30A (1) (b)—

Omit “held from the Commonwealth”.

Subsection 30A (6)—

Omit the subsection, substitute the following subsection:

“(6) This section binds the Crown in its capacity as a sub-lessee.”.

Subsection 31 (6)—

Omit the subsection, substitute the following subsections:

“(6) Proceedings under subsection (5) may be commenced at any time within 6 months after the commencement of the erection of the fence.

“(7) Subsection (5) applies only where both parcels of land are leased at the time of the commencement of the erection of the fence.”.

Subsections 31 (7), (8), (9) and (10)—

Omit the subsections.

Section 37—

Repeal the section, substitute the following section:

Application of *Leases Act 1918*

“37. The *Leases Act 1918*, other than section 2A of that Act, shall not apply to any land included in a lease under this Act or any repealed Act.”.

Section 38—

Omit “Minister”, substitute “Executive”.

Further amendments—

SCHEDULE 1—continued

The following provisions are amended by omitting “Commonwealth” (wherever occurring) and substituting “Territory”:

Paragraph 11A (8) (a), subsection 11A (9B), paragraphs 11A (9E) (b) and 11C (1) (b), subsection 13 (10), paragraph 13 (13) (c), subsections 13 (13A) and (13C), subparagraph 13 (13D) (b) (ii), subsections 13 (13E) and 14 (6), paragraphs 14 (7) (a) and (b) and 14 (9) (a), (b) and (c), subsection 14 (13), paragraphs 17A (3) (a) and (b), subsections 17B (6), 18 (4), 19 (6A), 19AA (3) and 19A (1), (2), (3) and (4) and paragraphs 28DA (3) (b) and 38 (g).

Collections Ordinance 1959**Section 11—**

Omit “Minister”, substitute “Executive”.

Commercial Arbitration Ordinance 1986**Section 5—**

Omit “Commonwealth”, substitute “Territory”.

Section 58—

Omit “Minister”, substitute “Executive”.

Community and Health Service Ordinance 1985**Paragraph 6 (2) (o)—**

Insert “the Territory or” before “the Commonwealth”.

Paragraph 7 (1) (d)—

Insert “the Territory or” before “the Commonwealth”.

Paragraph 7 (1) (h)—

Insert “the Territory,” before “the Commonwealth.”.

Paragraph 48 (1) (a)—

- (a) Omit “*Administrative Appeals Tribunal Act 1975*”, substitute “*Administrative Appeals Tribunal Act 1989*”.
- (b) Insert “Australian Capital Territory” before “Administrative”.

Paragraph 48 (1) (b)—

- (a) Omit “28 (4)”, substitute “26 (11)”.
- (b) Omit “28” (last occurring), substitute “26”.

Section 49—

Insert “Australian Capital Territory” before “Administrative”.

Subsection 50 (1)—

Omit “*Conciliation and Arbitration Act 1904*”, substitute “*Industrial Relations Act 1988* of the Commonwealth”.

Paragraph 70 (a)—

Omit “Parliament”, substitute “Legislative Assembly”.

Section 85—

Omit “Minister”, substitute “Executive”.

Community Development Fund Ordinance 1981

Subsection 3 (1) (definition of “fund”)—

Omit all the words after “Fund”, substitute “Trust Account”.

Subsection 5 (3)—

Omit “Commonwealth”, substitute “Territory”.

Subsection 7 (4)—

Omit the subsection.

Paragraph 7 (6) (d)—

Omit “Commonwealth”, substitute “Territory”.

Subsection 7 (8)—

Omit “Commonwealth”, substitute “Territory”.

Section 8—

Omit “to the Commonwealth for the purpose of”, substitute “into”.

Section 9—

Repeal the section.

Consumer Affairs Ordinance 1973

Subsection 3 (1) (definition of “Legislative Assembly”)—

Omit the definition.

Subsection 3 (1)—

Insert the following definition:

“ ‘Tribunal’ means the Australian Capital Territory Administrative Appeals Tribunal.”.

Subsection 5 (1)—

Omit all the words after “consumers”.

Subsection 5 (3)—

SCHEDULE 1—continued

Omit all the words after “shall be a”, substitute “public servant”.

Subsection 8 (4)—

Omit the subsection.

Subsection 12 (3)—

Omit “an officer of the Department of the Capital Territory”, substitute “a public servant”.

Section 13—

Omit “an officer of the Department of the Capital Territory”, substitute “a public servant”.

Paragraph 15 (3) (a)—

Omit the paragraph, substitute the following paragraphs:

- “(a) a public servant;
- (ab) an officer of a body established by or under a law of the Territory;
- (ac) an organisation or corporation, wherever situated, that is concerned with the interests of consumers;”.

Subsection 15F (12)—

Omit “Commonwealth”, substitute “Territory”.

Subparagraph 15FA (3) (a) (i)—

Omit the subparagraph, substitute the following subparagraphs:

- “(i) a public servant;
- (ia) an officer of a body established by or under a law of the Territory;
- (ib) an organisation or corporation, wherever situated, that is concerned with the interests of consumers;”.

Subsection 15FJ (5)—

- (a) Omit “*Administrative Appeals Tribunal Act 1975*”, substitute “*Administrative Appeals Tribunal Act 1989*”.
- (b) Omit “Administrative Appeals”.

Subsections 15FK (1) and (2)—

Omit “Administrative Appeals” (last occurring).

Subsection 17 (2)—

Omit “the last preceding sub-section to be laid before each House of the Parliament”, substitute “subsection (1) to be laid before the Legislative Assembly”.

Section 18—

Omit “Minister”, substitute “Executive”.

Co-operative Societies Ordinance 1939

Subsection 14ABA (1)—

Omit “notice published in the *Gazette*”, substitute “instrument”.

Subsections 14ABA (2), (3), (4) and (5)—

Omit the subsections, substitute the following subsection:

“(2) An instrument made under this section is a disallowable instrument for the purposes of section 10 of the *Subordinate Laws Act 1989*.”.

Subsections 17 (3) and (3A), 32 (1) and 38A (3)—

Omit “Attorney-General”, substitute “Minister”.

Subsection 58 (10)—

Omit the subsection.

Subsection 58B (11)—

Omit “Commonwealth”, substitute “Territory”.

Subsection 58B (14) (definition of “public servant”)—

Omit the definition.

Subsection 59 (4)—

Omit “Attorney-General”, substitute “Minister”.

Before section 80—

Insert the following section in Part VIII:

Interpretation

“80AA. In this Part ‘Tribunal’ means the Australian Capital Territory Administrative Appeals Tribunal.”.

Subsections 80A (1) and (2)—

Omit “Administrative Appeals”.

Paragraph 80B (3) (a)—

(a) Omit “*Administrative Appeals Tribunal Act 1975*”, substitute “*Administrative Appeals Tribunal Act 1989*”.

(b) Omit “Administrative Appeals”.

SCHEDULE 1—continued**Paragraph 80B (3) (b)—**

- (a) Omit “28 (4)”, substitute “26 (11)”.
- (b) Omit “28” (last occurring), substitute “26”.

Section 81—

Omit “Minister”, substitute “Executive”.

Credit Ordinance 1985**Subsection 5 (1) (definition of “bank”)—**

Insert “the Territory or” before “a State”.

Section 17—

Omit “Governor-General” (wherever occurring), substitute “Chief Minister”.

Subsection 19 (1)—

- (a) Omit “notice published in the *Gazette*”, substitute “instrument”.
- (b) Omit “notice” (last occurring), substitute “instrument”.

Subsection 19 (1A)—

Omit the subsection.

Subsection 19 (2)—

Omit “A notice given”, substitute “An instrument made”.

Paragraph 19 (2) (b)—

Omit “notice”, substitute “instrument”.

Section 19A—

Repeal the section, substitute the following section:

Publication, tabling and disallowance of instruments of variation

“19A. An instrument made under subsection 19 (1) is a disallowable instrument for the purposes of section 10 of the *Subordinate Laws Act 1989*.”.

Subsections 190 (1) and (2)—

Omit all the words from and including “in writing” to and including “1922,”, substitute “, appoint a public servant”.

Subsection 228 (2)—

Omit “Commonwealth”, substitute “Territory”.

Section 241—

- (a) Omit “as soon as practicable”.
- (b) Omit “to be laid before the House of Assembly and each House of the Parliament”, substitute “for presentation to the Legislative Assembly”.

Section 255—

Omit “Attorney-General”, substitute “Minister”.

Subsection 262 (2)—

Insert “Australian Capital Territory” before “Administrative”.

Subsection 262 (3)—

- (a) Omit “*Administrative Appeals Tribunal Act 1975*”, substitute “*Administrative Appeals Tribunal Act 1989*”.
- (b) Insert “Australian Capital Territory” before “Administrative”.

Subsection 266 (1)—

Omit “Minister”, substitute “Executive”.

Cremation Ordinance 1966

Subsection 10 (1)—

Omit “Attorney-General”, substitute “Minister”.

Section 27—

Omit “Minister”, substitute “Executive”.

Dangerous Goods Ordinance 1984

Section 11—

Repeal the section, substitute the following section:

Interpretation

“11. In the application in the Territory of the Dangerous Goods Act, a reference in that Act to regulations made under that Act shall be read as a reference to the Dangerous Goods Regulation in its application in the Territory.”.

Subsection 13 (1)—

Omit “Minister”, substitute “Executive”.

Dental Technicians and Dental Prosthetists Registration Ordinance 1988

Subsection 3 (1) (definition of “Tribunal”)—

Omit the definition, substitute the following definition:

SCHEDULE 1—continued

“ ‘Tribunal’ means the Australian Capital Territory Administrative Appeals Tribunal”.

Subsection 55 (1)—

Omit “Attorney-General”, substitute “Minister”.

Paragraph 64 (2) (a)—

Omit “*Administrative Appeals Tribunal Act 1975*”, substitute “*Administrative Appeals Tribunal Act 1989*”.

Paragraph 64 (2) (b)—

- (a) Omit “28 (4)”, substitute “26 (11)”.
- (b) Omit “28” (last occurring), substitute “26”.

Section 74—

Omit “Minister”, substitute “Executive”.

Dentists Registration Ordinance 1931

Subsection 4 (1) (definition of “the Tribunal”)

Omit the definition, substitute the following definition:

“ ‘Tribunal’ means the Australian Capital Territory Administrative Appeals Tribunal”.

Paragraph 4 (2) (a)—

Omit the paragraph, substitute the following paragraph:

“(a) a public servant; or”.

Paragraph 34 (1B) (a)—

Omit the paragraph, substitute the following paragraph:

“(a) is a public servant designated by the Australian Capital Territory Community and Health Service as a dental therapist; or”.

Paragraph 34 (1B) (b)—

Omit “*Health Commission*”, substitute “*Community and Health Service*”.

Subsection 39 (2)—

Omit “*Administrative Appeals Tribunal Act 1975*”, substitute “*Administrative Appeals Tribunal Act 1989*”.

Section 43—

Omit “Minister”, substitute “Executive”.

Districts Ordinance 1966

Subsections 6 (7) and (8)—

Omit “sub-section 7 (2) of the *National Memorials Ordinance 1928-1972*”, substitute “paragraph 4 (a) of the *Public Place Names Act 1989*”.

Dividing Fences Ordinance 1981

Subsection 2 (1) (paragraph (c) of the definition of “occupier”)—

Omit the paragraph, substitute the following paragraph:

- “(c) where neither paragraph (a) nor (b) applies—
- (i) in the case of Territory Land—the Territory; and
 - (ii) in the case of National Land—the Commonwealth”.

Subparagraph 2 (2) (c) (i)—

Insert “and Water” after “Electricity”.

Subsection 11 (1)—

Omit “Subject to this section, where”, substitute “Where”.

Paragraphs 11 (1) (a) and 11 (2) (a)—

Omit “erected”, substitute “commenced erecting”.

Paragraph 18 (1) (a)—

Omit the paragraph, substitute the following paragraphs:

- “(a) where the occupier is the Territory—by sending the notice by post to the administrative head;
- (aa) where the occupier is the Commonwealth—by sending the notice by post to the Secretary to the Department of the Commonwealth for the time being responsible for the administration of National Land; and”.

Dog Control Ordinance 1975

Subsection 31 (2)—

Omit “Australia”, substitute “the Territory”.

Section 41—

Omit “Minister”, substitute “Executive”.

Domestic Violence Ordinance 1986

Subparagraphs 24 (2) (b) (i), (ii) and (iii)—

Omit “Commonwealth”, substitute “Territory”.

SCHEDULE 1—continued

Subsection 30 (3)—

Omit “, the Attorney-General or”.

Door-to-door Sales Ordinance 1969

Section 16—

Omit “Governor-General”, substitute “Executive”.

Drugs of Dependence Ordinance 1989

Subsection 3 (1) (definition of “Tribunal”)—

Insert “Australian Capital Territory” before “Administrative”.

Subsections 190 (1) and (2)—

Omit “Commonwealth”, substitute “Territory”.

Sections 191 and 196—

Omit “Commonwealth”, substitute “Territory”.

Paragraph 198 (2) (a)—

Omit “*Administrative Appeals Tribunal Act 1975*”, substitute “*Administrative Appeals Tribunal Act 1989*”.

Paragraph 198 (2) (b)—

- (a) Omit “28 (4)”, substitute “26 (11)”.
- (b) Omit “28” (last occurring), substitute “26”.

Paragraph 200 (a)—

Omit the paragraph, substitute the following paragraph:

“(a) public servants; or”.

Section 202—

Omit “Parliament”, substitute “Legislative Assembly”.

Section 206—

Omit “Minister”, substitute “Executive”.

Education Ordinance 1937

Section 5 (definition of “authorized person”)—

Omit “Secretary”, substitute “administrative head”.

Section 5 (definitions of “high school level”, “primary school level” and “secondary college level”)—

Omit “in the Territory”.

Section 5 (definition of “Secretary”)—

Omit the definition.

Section 5 (definition of “Tribunal”)—

Omit the definition, substitute the following definition:

“ ‘Tribunal’ means the Australian Capital Territory Administrative Appeals Tribunal;”.

Subsection 8 (1)—

Omit “in the Territory” (last occurring).

Paragraph 12 (1) (c)—

Omit “in the Territory”.

Subsection 16 (1)—

Omit “Secretary” (first occurring), substitute “administrative head”.

Paragraph 16 (1) (d)—

- (a) Omit “in the Territory”.
- (b) Omit “Secretary”, substitute “administrative head”.

Paragraph 30A (2) (a)—

- (a) “*Administrative Appeals Tribunal Act 1975*”, substitute “*Administrative Appeals Tribunal Act 1989*”.
- (b) Omit “Administrative Appeals”.

Paragraph 30A (2) (b)—

- (a) Omit “28 (4)”, substitute “26 (11)”.
- (b) Omit “28” (last occurring), substitute “26”.

Subsection 32 (1)—

Omit “in the Territory” (last occurring).

Section 37—

Omit “Minister”, substitute “Executive”.

Further amendments—

The following provisions are amended by omitting “Commonwealth” (wherever occurring) and substituting “Territory”:

Section 5 (paragraphs (a), (b) and (c) of the definition of “appropriate government school” and definitions of “high school level”, “primary school level” and “secondary college level”), subsection 8 (1), paragraph 12 (1) (c), section 14, paragraph 16 (1) (d), subsection 19 (1),

SCHEDULE 1—continued

paragraph 20 (a), subsection 32 (1), paragraphs 35C (1) (a) and (b) and subsections 35C (2), (3) and (4).

Egg Industry Ordinance 1975**Subsection 3 (1) (definition of “Secretary”)—**

Omit the definition.

Subsection 3 (1) (definition of “Tribunal”)—

Omit the definition, substitute the following definition:

“ ‘Tribunal’ means the Australian Capital Territory Administrative Appeal Tribunal”.

Subsection 26 (1)—

Omit “Minister”, substitute “Executive”.

Further amendments—

The following provisions are amended by omitting “Secretary” and substituting “administrative head”:

Subsections 5 (1), (4), (6) and (7) and 6 (1) and (2) and paragraphs 11 (2) (a), 16 (8) (a) and 17 (6) (a).

Electricity Ordinance 1971**Subsection 32 (1) (definition of “Tribunal”)—**

Omit the definition, substitute the following definition:

“ ‘Tribunal’ means the Australian Capital Territory Administrative Appeals Tribunal;”.

Paragraph 32ZE (1) (a)—

Omit the words from and including “, the findings” to and including “based;”.

Paragraph 32ZE (1) (b)—

Omit “*Administrative Appeals Tribunal Act 1975*”, substitute “*Administrative Appeals Tribunal Act 1989*”.

Paragraph 33 (4) (c)—

Insert “the Territory or” before “the Commonwealth”.

Section 44—

Omit “Minister”, substitute “Executive”.

Electricity and Water Ordinance 1988**Paragraph 6 (1) (m)—**

Insert “the Territory or” before “the Commonwealth”.

Subsection 6 (3)—

Omit all the words after “authorise”, substitute:

“the Authority to do anything, or cause anything to be done—

- (a) on Territory Land otherwise than with the consent of the Territory or that of a body established under a law of the Territory having control of that land;
- (b) on National Land otherwise than with the consent of the Commonwealth or that of a body established under a law of the Commonwealth having control of that land; or
- (c) on land other than Territory Land or National Land otherwise than in pursuance of rights conferred on the Authority by agreement or by a law in force in the Territory”.

Paragraph 8 (2) (a)—

Omit “for Finance and the Attorney-General”, substitute “administering the *Audit Act 1989*”.

Paragraph 8 (5) (a)—

Insert “the Territory or” before “the Commonwealth”.

Subsection 8 (5)—

Omit “Treasurer”, substitute “Minister administering the *Audit Act 1989*”.

Subsection 31 (3)—

- (a) Insert “administrative head,” before “the Secretary”.
- (b) Omit “, an authority of the Commonwealth that is not such a Department”.

Paragraph 31 (3) (a)—

Omit all the words from and including “for” to and including “person”, substitute “for the services of a public servant, an officer or employee employed in that Department or an officer or employee of that other person”.

Paragraph 31 (3) (b)—

Omit “the Department, of the authority or of the”, substitute “the Territory, that Department or that”.

Paragraph 39 (1) (a)—

Omit “, in consultation with the Minister for Finance,”.

Paragraph 39 (1) (b)—

Omit “Minister for Finance out of moneys appropriated by the Parliament”, substitute “Minister out of moneys appropriated by the Legislative Assembly, or by the Commonwealth Minister for Finance out of moneys appropriated by the Parliament of the Commonwealth,”.

SCHEDULE 1—continued**Paragraph 39 (1) (e)—**

Insert “the Territory or” before “the Commonwealth”.

Subsection 39 (2)—

Omit “, in consultation with the Minister for Finance,”.

Subsection 40 (1)—

Omit “for Finance”.

Paragraphs 41 (2) (b) and (4) (c)—

Omit “Commonwealth’s”, substitute “Territory’s”.

Section 42—

Repeal the section, substitute the following section:

Borrowing

“42. (1) The Authority may, subject to part VII of the *Australian Capital Territory (Self-Government) Act 1988* of the Commonwealth, borrow money—

- (a) from the Commonwealth; or
- (b) with the approval of the Minister administering the *Audit Act 1989*—from any other person.

“(2) In this section, ‘borrow’ has the same meaning as in the *Australian Capital Territory (Self-Government) Act 1988* of the Commonwealth.”.

Section 47—

Repeal the section.

Section 61—

Repeal the section, substitute the following section:

Application to the Crown

“61. This Division binds the Crown.”.

Subsection 72 (1)—

Omit “both Houses of the Parliament”, substitute “the Legislative Assembly”.

Subsection 72 (2)—

Omit all the words from and including “either” to and including “that House” (last occurring), substitute “the Legislative Assembly, within 15 sitting days after a copy of the emergency plan has been laid before it”.

Subsection 72 (4)—

Omit “both Houses of the Parliament”, substitute “the Legislative Assembly”.

Subsection 73 (1)—

Omit all the words from and including “either” to and including “that House” (last occurring), substitute “the Legislative Assembly, within 15 sitting days after a copy of a notice referred to in subsection 70 (4), 72 (3), or 74 (1) has been laid before it”.

Subsection 73 (2)—

Omit the subsection, substitute the following subsection:

“(2) If, before the expiration of 15 sitting days after a copy of a notice referred to in subsection 70 (4), 72 (3), or 74 (1) has been laid before the Legislative Assembly—

- (a) the Legislative Assembly is dissolved; and
- (b) a resolution for the disallowance of the adoption, revocation or amendment to which the notice relates has not been passed by the Legislative Assembly;

the notice shall, for the purposes of this section, be deemed to have been laid before the Legislative Assembly on the first sitting day after its dissolution.”.

Subsection 73 (3)—

Omit “either House of the Parliament”, substitute “the Legislative Assembly”.

Subsection 73 (4)—

- (a) Omit “neither House of Parliament passes”, substitute “the Legislative Assembly does not pass”.
- (b) Omit “either House”, substitute “the Legislative Assembly”.

Paragraph 73 (4) (a)—

Omit “that House”, substitute “it”.

Paragraph 78A (2) (a)—

- (a) Omit “*Administrative Appeals Tribunal Act 1975*”, substitute “*Administrative Appeals Tribunal Act 1989*”.
- (b) Insert “Australian Capital Territory” before “Administrative” (last occurring).

Paragraph 78A (2) (b)—

- (a) Omit “28 (4)”, substitute “26 (11)”.
- (b) Omit “28” (last occurring), substitute “26”.

Section 78B—

Insert “Australian Capital Territory” before “Administrative”.

Subsection 79A (1)—

SCHEDULE 1—continued

Insert “for presentation to the Legislative Assembly” after “report”.

Subsection 79A (2)—

Omit the subsection.

Section 82—

Omit “the Minister”, substitute “the Executive”.

Subsections 87 (3) and 88 (2)—

Omit the subsections.

Further amendments—

The following provisions are amended by omitting “Commonwealth” and substituting “Territory”:

Paragraph 35 (1) (a), subsections 37 (1), 38 (1), 39 (2) and 40 (1), paragraphs 41 (1) (a), (1) (b) and (4) (b) and subsection 41 (5).

Enquiry Ordinance 1938

Subsection 15 (1)—

Omit all the words after “expenses”, substitute “as the Minister determines”.

Paragraph 15 (2) (a)—

Omit “an officer of the Department of the Interior”, substitute “a public servant”.

Paragraph 15 (2) (b)—

Omit “Commonwealth”, substitute “Territory”.

Evidence Ordinance 1971

Section 6—

Insert the following definitions:

“ ‘Act of the Territory’ means—

- (a) an Act passed by the Legislative Assembly for the Territory;
- (b) a law that is an enactment within the meaning of the *Australian Capital Territory (Self-Government) Act 1988*, by virtue of section 34 of that Act; or
- (c) a law that is to be taken to be an enactment by virtue of subsection 10 (3) or 12 (2) or (3) of the *A.C.T. Self-Government (Consequential Provisions) Act 1988*;

‘Territory public servant’ means—

- (a) a member of the Territory Public Service; or

- (b) a member of the transitional staff within the meaning of the *A.C.T. Self-Government (Consequential Provisions) Act 1988*;

‘Territory Public Service’ means the Public Service established by section 54 of the *Australian Capital Territory (Self-Government) Act 1988* of the Commonwealth.”.

Paragraph 10 (1) (c)—

Omit “order”, substitute “instrument”.

Subsection 15 (1) (definition of “document”)—

Omit paragraph (a), substitute the following paragraph:

- “(a) a document that, under a law in force in the Territory has been lodged with, or registered or issued by—
- (i) an administrative unit of the Territory Public Service;
 - (ii) a Department of State of the Commonwealth;
 - (iii) an authority established by or under a law in force in the Territory;
 - (iv) a Territory public servant; or
 - (v) an officer of the Commonwealth;”.

Subsection 15 (1) (definition of “the appropriate officer”)—

Omit the definition, substitute the following definition:

“ ‘the appropriate officer’ means—

- (a) in relation to a document lodged with, or registered or issued by—
- (i) an administrative unit of the Territory Public Service;
 - (ii) a Department of State of the Commonwealth or of a State; or
 - (iii) an authority established by or under a law in force in the Territory, a State or another Territory;
- the person having custody of the official records of the administrative unit, Department or authority; and
- (b) in relation to a document lodged with, or registered or issued by, a person who is a Territory public servant or an officer of the Commonwealth, a State or another Territory—that person.”.

Subparagraphs 15 (3) (a) (i) and (ii)—

Omit the subparagraphs, substitute the following subparagraphs:

- “(i) in the case of a machine copy—that the machine copy of the document was made while the document was in the control or custody of the administrative unit, the Department of State, the authority or the officer; or

SCHEDULE 1—continued

- (ii) in the case of a reproduction—that the reproduction is a print made from a transparent photograph of the document taken while the document was in the control or custody of the administrative unit, the Department of State, the authority or the officer; or”.

Paragraph 29 (4) (b)—

- (a) Insert “an administrative unit of the Territory Public Service,” before “a Department of State”.
- (b) Omit “, an Ordinance”, substitute “of the Territory, an Ordinance, an Act of the Commonwealth”.

Section 33—

Insert “or of an Act of the Territory” after “Territory,”.

Subparagraphs 42 (a) (iii) and (iv)—

Omit the subparagraphs, substitute the following subparagraphs:

- “(iii) by an administrative unit of the Territory Public Service, or a Department of State of the Commonwealth or of a State; or
- (iv) by an authority established by or under an Act of the Territory, an Ordinance, an Act of the Commonwealth, a State Act or a law in force in another Territory;”.

Paragraph 66 (3) (b)—

Omit “*Children’s Services Ordinance 1986*”, substitute “*Children’s Services Act 1986* of the Territory”.

Paragraph 66 (3) (c)—

Omit the paragraph, substitute the following paragraph:

- “(c) with an offence that is a domestic violence offence within the meaning of the *Domestic Violence Act 1986* of the Territory or an offence under section 27 of that Act;”.

Financial Institutions Duty Ordinance 1987

Subsection 3 (1) (paragraph (b) of the definition of “approved superannuation scheme”)—

Omit “Commonwealth or of”, substitute “Territory, the Commonwealth,”.

Subparagraph 6 (2) (h) (i)—

Omit “a State or in”, substitute “the Territory, a State or”.

Subsection 18 (1)—

Insert “the Territory,” before “the Commonwealth” (wherever occurring).

Subsection 18 (3)—

Insert “the Territory,” before “the Commonwealth”.

Section 26—

Insert “Australian Capital Territory” before “Administrative”.

Paragraph 27 (2) (a)—

- (a) Omit “*Administrative Appeals Tribunal Act 1975*”, substitute “*Administrative Appeals Tribunal Act 1989*”.
- (b) Insert “Australian Capital Territory” before “Administrative”.

Paragraph 27 (2) (b)—

- (a) Omit “28 (4)”, substitute “26 (11)”.
- (b) Omit “28” (last occurring), substitute “26”.

Section 28—

Omit “Minister”, substitute “Executive”.

Fire Brigade Ordinance 1957

Subsection 7 (4)—

Omit “Australia”, substitute “the Territory”.

Section 15—

Omit “Australia”, substitute “the Territory”.

Section 16—

Omit “Minister”, substitute “Executive”.

Fire Brigade (Administration) Ordinance 1974

Subsection 51 (4)—

Omit all the words after “shall be a”, substitute “public servant”.

Section 81—

Omit “Minister”, substitute “Executive”.

Fishing Ordinance 1967

Subsection 5 (1) (definition of “Secretary”)—

Omit the definition.

Subsections 22 (1) and 31 (1)—

Omit “Secretary” (wherever occurring), substitute “administrative head”.

SCHEDULE 1—continued

Section 35—

Omit “Commonwealth”, substitute “Territory”.

Section 37—

Omit “Secretary” (wherever occurring), substitute “administrative head”.

Section 40—

Omit “Minister”, substitute “Executive”.

Fuels Control Ordinance 1979

Subsection 4 (1)—

Omit “an officer of the Department of the Capital Territory”, substitute “a public servant”.

Section 20—

Omit “Minister”, substitute “Executive”.

Gaming Machine Ordinance 1987

Subsection 6 (1)—

Omit all the words after “shall be” (last occurring), substitute “a public servant appointed in writing by the administrative head”.

Subsections 7 (1) and (3)—

- (a) Omit “Secretary to the Department”, substitute “administrative head”.
- (b) Omit “the Secretary” (last occurring), substitute “he or she”.

Section 58—

- (a) Omit “Commonwealth”, substitute “Territory”.
- (b) Omit “established as a Trust Account under section 62A of the Audit Act”, substitute “Trust Account”.

Section 67—

Omit “Minister”, substitute “Executive”.

Gun Licence Ordinance 1937

Subsection 3 (1) (definition of “Tribunal”)—

Omit the definition, substitute the following definition:

“ ‘Tribunal’ means the Australian Capital Territory Administrative Appeals Tribunal”.

Paragraph 5 (5) (a)—

- (a) Omit “any part of the Commonwealth”, substitute “Territory”.

- (b) Omit “any officer or employee of the Department of the Interior”, substitute “a public servant”.

SCHEDULE 1—continued**Subsections 5 (7) and (8)—**

Omit the subsections, substitute the following subsection:

“(7) Where—

- (a) a public servant (in this subsection called ‘the licensee’) holds a pistol licence in respect of a particular pistol;
- (b) another public servant performs the duties of the licensee, being the licensee’s duties as a public servant, or assists the licensee in the performance of those duties; and
- (c) that other public servant is engaged in performing his or her duties as a public servant;

that other public servant shall be deemed to be licensed to use, carry or possess that pistol.”.

Subsection 7Q (2)—

Insert “a public servant or” before “an officer”.

Section 16—

Omit “King”, substitute “Territory”.

Section 26—

Omit “Minister”, substitute “Executive”.

Hawkers Ordinance 1936**Subsection 25B (1)—**

Omit “Commonwealth”, substitute “Territory”.

Subsection 27A (1)—

Insert “Australian Capital Territory Administrative Appeals” before “Tribunal”.

Subsection 27A (2)—

Omit the subsection.

Section 28—

Omit “Minister”, substitute “Executive”.

Health Professions Boards (Elections) Ordinance 1981**Subsection 26 (3)—**

Insert “Australian Capital Territory Administrative Appeals” before “Tribunal”.

Subsection 26 (4)—

Omit the subsection.

Health Professions Boards (Procedures) Ordinance 1981

Subsection 32 (1)—

Omit “Attorney-General”, substitute “Minister”.

Housing Assistance Ordinance 1987

Subsection 3 (1) (definition of “public servant”)—

Omit the definition.

Subsection 8 (1)—

Omit “Commonwealth”, substitute “Territory”.

Paragraph 9 (1) (a)—

Insert “the Territory on behalf of” before “the Commonwealth” (last occurring).

Paragraph 11 (2) (b)—

Omit “Commonwealth”, substitute “Territory”.

After subsection 12 (9)—

Insert the following subsection:

“(9A) A relevant instrument is a disallowable instrument for the purposes of section 10 of the *Subordinate Laws Act 1989*.”.

Sections 13 and 14—

Repeal the sections.

Subsections 17 (1) and (3)—

Omit “Commonwealth”, substitute “Territory”.

Sections 19 and 21—

Omit “of the State for Finance”.

Section 21—

Omit “Parliament”, substitute “Legislative Assembly”.

Imperial Acts Application Ordinance 1986

Subsection 3 (1) (definition of “Territory Minister”)—

Omit the definition.

Sections 6E and 10—

Repeal the sections.

SCHEDULE 1—continued

Schedules 1 and 2—

Omit column 4.

Imperial Acts (Substituted Provisions) Ordinance 1986

Subsection 2 (1) (definition of “Territory Minister”)—

Omit the definition.

Section 9—

Repeal the section.

Schedule 1—

Omit column 5.

Schedule 2 (Part 18, clause 3)—

Omit the clause, substitute the following clause:

Notice to Minister

“3. (1) Notice of an application under clause 1 shall be served on the Minister.

“(2) The Minister may be represented in the hearing of an application.”.

Infants’ Custody and Settlements Ordinance 1956

Section 8—

Omit “Commonwealth”, substitute “Territory”.

Paragraph 9 (b)—

Omit “Commonwealth”, substitute “Territory”.

Institute for the Study of Man and Society Incorporation Ordinance 1968

Section 8—

Omit “Commonwealth”, substitute “Territory”.

Instruments Ordinance 1933

Section 38—

Omit “Minister”, substitute “Executive”.

Interim Territory Planning Ordinance 1988

Subsection 17 (1)—

Insert “for presentation to the Legislative Assembly” after “Minister”.

Subsection 17 (2)—

Omit the subsection.

Lakes Ordinance 1976

Section 4 (definition of “associated work”)—

Insert “the Territory or” before “the Commonwealth”.

Section 4 (definition of “foreshores”)—

Insert “the Territory or” before “the Commonwealth” (last occurring).

Subsection 4 (2)—

Omit the subsection.

After section 4—

Insert the following section:

Application

“4A. This Act applies only in relation to Territory Land.”.

Paragraph 14 (1) (a)—

Omit “Commonwealth”, substitute “Territory”.

Subsection 14 (3)—

Omit “Commonwealth”, substitute “Territory”.

Section 22A—

Insert “the Territory or” before “the Commonwealth” (last occurring).

Paragraph 27 (3) (b)—

Omit “Capital Territory Health Commission”, substitute “Australian Capital Territory Community and Health Service”.

Subsection 27 (3)—

Insert “the Territory or” before “the Commonwealth”.

Subsection 30 (3)—

Omit “Commonwealth”, substitute “Territory”.

Section 33—

Omit “Commonwealth”, substitute “Territory”.

Subsection 51 (1)—

Insert “Australian Capital Territory Administrative Appeals” before “Tribunal”.

SCHEDULE 1—continued

Subsection 51 (2)—

Omit the subsection.

Section 54—

Omit “Minister”, substitute “Executive”.

Landlord and Tenant Ordinance 1949

Section 5—

Omit all the words after “Crown”.

Section 86—

(a) Omit “Attorney-General”, substitute “Minister”.

(b) Omit “Commonwealth”, substitute “Territory”.

Land Valuation Ordinance 1936

Subsections 6 (1) and (3)—

Omit “Governor-General”, substitute “Chief Minister”.

Paragraph 15A (2) (a)—

Omit “an officer of the Department of the Interior”, substitute “a public servant”.

Section 32—

Omit “Minister”, substitute “Executive”.

Land Rent and Rates (Deferment and Remission) Ordinance 1970

Section 2 (definition of “lease”)—

Omit “in the name”, substitute “on behalf”.

Section 2 (definitions of “Department” and “Secretary”)—

Omit the definitions.

Section 2 (definition of “Tribunal”)—

Omit the definition, substitute the following definition:

“ ‘Tribunal’ means the Australian Capital Territory Administrative Appeals Tribunal;”.

Section 2AB—

Repeal the section, substitute the following section:

Rates other than land rates—application

“2AB. In the application, after 30 June 1988, of this Act to rates other than land rates, a reference to the Minister, the administrative head or the Territory shall be read as a reference to the Australian Capital Territory Electricity and Water Authority.”.

Paragraph 11 (c)—

Omit “paragraph 10 (5) (a)”, substitute “subsection 10 (5)”.

Subparagraph 11 (c) (i)—

Omit “29 of the *Administrative Appeals Tribunal Act 1975*”, substitute “27 of the *Administrative Appeals Tribunal Act 1989*”.

Subsections 21B (1) and (2)—

Omit “Secretary”, substitute “administrative head”.

Paragraph 21K (b)—

Omit “Secretary”, substitute “administrative head”.

Section 21K—

Omit “Secretary”, substitute “administrative head”.

Section 24—

Omit “Minister”, substitute “Executive”.

Schedule 1 (Forms 1 and 2)—

Omit “the Minister of State for Territories and Local Government”, substitute “a Minister for the Territory”.

Further amendments—

The following provisions are amended by omitting “Commonwealth” (wherever occurring) and substituting “Territory”:

Subsections 2B (3) and 4 (1), (2) and (3), section 6, subsections 15 (1) to (5) (inclusive), paragraph 15 (3) (a), sections 16 and 18, paragraph 21J (2) (c) and subsections 21J (3) and (4).

Law Reform (Manufacturers Warranties) Ordinance 1977

Section 10—

Omit “Minister”, substitute “Executive”.

Lay-by Sales Agreement Ordinance 1963

Section 20—

Omit “Minister”, substitute “Executive”.

Leases Ordinance 1918

Section 2—

SCHEDULE 1—continued

Repeal the section, substitute the following sections:

Power to grant leases

“2. The Minister may, on behalf of the Commonwealth grant leases of any Territory land.

Exercise of powers and duties under leases

“2A. Where, in a lease granted under a law of the Territory, a power is conferred or a duty imposed on the former Federal Capital Commission, the Commonwealth, the Territory or a Minister of State for the Commonwealth, the Minister responsible for the administration of this Act may exercise that power or perform that duty as fully and effectually as if the power were conferred or the duty imposed on him or her by the lease.”.

Section 3—

Omit “and the *Land Valuation Ordinance 1936*”.

Subsection 3A (3)—

Omit “Commonwealth”, substitute “Territory”.

Subsection 4AA (1)—

Insert “, on behalf of the Commonwealth,” after “not”.

Subsection 4AA (3)—

Omit “by the Minister”.

Subsection 4A (3)—

Insert “, on behalf of the Commonwealth,” after “Minister” (last occurring).

Section 5—

Omit “Minister”, substitute “Executive”.

Leases (Special Purposes) Ordinance 1925

Long title—

Omit “Commonwealth”, substitute “Territory”.

After section 2—

Insert the following section:

Interpretation

“2A. In this Ordinance, ‘Tribunal’ means the Australian Capital Territory Administrative Appeals Tribunal.”.

Subsections 3 (1) and (3)—

- (a) Insert “, on behalf of the Commonwealth,” before “grant”.
- (b) Omit “land”, substitute “Territory Land”.

Subsection 3 (2)—

SCHEDULE 1—continued

Omit the subsection.

Subsection 5AA (1)—

Insert “the Minister, on behalf of” before “the Commonwealth” (wherever occurring).

Paragraph 5AB (4) (c)—

Insert “the Territory on behalf of” before “the Commonwealth” (wherever occurring).

Paragraph 5AD (1) (a)—

Insert “the Territory or” before “the Commonwealth” (wherever occurring).

Subsection 5B (2)—

Omit the subsection.

Subsection 5BB (5)—

Omit “Administrative Appeals”.

Paragraph 5BB (6) (b)—

- (a) Omit “*Administrative Appeals Tribunal Act 1975*”, substitute “*Administrative Appeals Tribunal Act 1989*”.
- (b) Omit “Administrative Appeals”.

Subsection 6 (5)—

Omit the subsection.

Section 9—

Repeal the section, substitute the following section:

Application of other leasing laws

“9. The *Leases Act 1918* (other than section 2A of that Act) and the *City Area Leases Act 1936* do not apply to any land, or to a lease of any land, leased pursuant to this Act.”.

Section 10—

Omit “Minister”, substitute “Executive”.

Further amendments—

The following provisions are amended by omitting “Commonwealth” (wherever occurring) and substituting “Territory”:

Subsections 5AB (5) and 5BA (1), (2), (5), (6) and (7) (definition of “improvements”) and section 8.

Legal Aid Ordinance 1977

Subsection 5 (1) (definition of “approved auditor”)—

Omit “of State for Finance”.

Paragraph 7 (1) (a)—

Omit the paragraph, substitute the following paragraph:

“(a) a President and a Commissioner, each nominated by the Minister;”.

Paragraph 7 (1) (c)—

Omit the paragraph.

Paragraph 10 (1) (g)—

Omit the paragraph, substitute the following paragraph:

“(a) provide officers and agencies of the Commonwealth with statistical and other information as they may reasonably require;”.

Paragraph 41 (2) (c)—

Omit “Parliament”, substitute “Legislative Assembly”.

Subsection 41 (4)—

Omit “Parliament”, substitute “Legislative Assembly”.

Subsection 42 (5)—

Omit “Treasurer of the Commonwealth”, substitute “Minister”.

Subsection 48 (2)—

Omit the subsection.

Subsection 50 (2)—

Omit “(c) or”.

Subsection 52 (3)—

Omit the subsection.

Subsection 60 (4)—

(a) Omit “*Administrative Appeals Tribunal Act 1975*”, substitute “*Administrative Appeals Tribunal Act 1989*”.

(b) Insert “Australian Capital Territory” before “Administrative”.

After section 60—

Insert the following section:

Review of decision to remove from office

SCHEDULE 1—continued

“60A. Application may be made to the Australian Capital Territory Administrative Appeals Tribunal for review of a decision of the Commission under subsection 60 (1).”.

Subsection 64 (7)—

Omit “Public Service Board”, substitute “Head of Administration”.

Section 68—

Omit “Public Service Board”, substitute “Head of Administration”.

Subsection 91 (5)—

Omit “Commonwealth” (wherever occurring), substitute “Territory”.

Subsection 91A (3)—

Omit “Parliament”, substitute “Legislative Assembly”.

Section 91B—

Repeal the section.

Subsection 97 (1)—

- (a) Insert “for presentation to the Legislative Assembly” after “Minister” (first occurring).
- (b) Insert “the report referred to in subsection (3) and” after “together with”.
- (c) Omit “of State for Finance”.

Subsections 97 (2) and (4)—

Omit the subsections.

Section 99—

Omit “Minister”, substitute “Executive”.

Legal Practitioners Ordinance 1970**Subparagraph 124 (2) (b) (i)—**

Omit the subparagraph, substitute the following subparagraph:

“(i) is a public servant within the meaning of the *Interpretation Act 1967* of the Territory; and”.

Liquor Ordinance 1975**Subsections 15 (1) and (3)—**

Omit “person who is an officer or employee within the meaning of the *Public Service Act 1922*”, substitute “public servant”.

Paragraph 60 (2) (b)—

Omit “Australia”, substitute “the Territory”.

Section 106—

Omit “Minister”, substitute “Executive”.

Further amendments—

The following provisions are amended by omitting “Commonwealth” and substituting “Territory”:

Paragraphs 5 (4) (b), (4A) (b) and (7) (b), subsection 17A (8), paragraph 62 (b), subsection 94 (1), paragraphs 94 (2) (a) and (b), subsection 94 (3), paragraph 94A (2) (a) and subsections 94A (2) and 101A (2).

Litter Ordinance 1977

Section 2 (definitions of “Department” and “Secretary”)—

Omit the definitions.

Paragraph 7 (c)—

Omit “by the Department”, substitute “from a public servant, where the public servant issues the invitation in the performance of his or her duties”.

Paragraph 10 (5) (b)—

Omit “Secretary”, substitute “administrative head”.

Subsections 10 (5A), (5B) and (5C)—

Omit “Secretary”, substitute “administrative head”.

Paragraph 10 (5D) (a)—

Omit “Secretary”, substitute “administrative head”.

Subsection 11 (1)—

Omit “Secretary”, substitute “Territory”.

Section 12—

Omit “Minister”, substitute “Executive”.

Long Service Leave Ordinance 1976

Subsection 2 (1) (definition of “determination”)—

Omit the definition, substitute the following definition:

“ ‘determination’ includes a variation, suspension, interpretation or cancellation of a determination;”.

Section 18—

Omit “Minister”, substitute “Executive”.

SCHEDULE 1—continued***Long Service Leave (Building and Construction Industry) Ordinance 1981*****Subsection 3 (1) (definition of “determination”)—**

Omit the definition, substitute the following definition:

“ ‘determination’ includes a variation, suspension, interpretation or cancellation of a determination;”.

Subsection 3 (1) (definitions of “employer” and “employee”)—

Insert “the Territory,” before “the Commonwealth”.

Subsection 3 (1)—

Insert the following definition:

“ ‘Tribunal’ means the Australian Capital Territory Administrative Appeals Tribunal;”.

Section 5—

Omit “Executive Government of the Commonwealth”, substitute “Territory”.

Subsections 7A (1) and 17 (1) and (3)—

Omit “person who is an officer or employee within the meaning of the *Public Service Act 1922*”, substitute “public servant”.

Subsection 18 (2)—

Omit the subsection, substitute the following subsection:

“(2) The Registrar shall not appoint a person who is not a public servant as an inspector.”.

Subsection 22 (1)—

Omit “Treasurer”, substitute “Minister”.

Subsections 59 (1) and (2)—

Omit “Administrative Appeals”.

Paragraph 59A (2) (a)—

(a) Omit “*Administrative Appeals Tribunal Act 1975*”, substitute “*Administrative Appeals Tribunal Act 1989*”.

(b) Omit “Administrative Appeals”.

Paragraph 59A (2) (b)—

(a) Omit “28 (4)”, substitute “26 (11)”.

(b) Omit “28” (last occurring), substitute “26”.

Section 66—

Omit “Minister”, substitute “Executive”.

Lotteries Ordinance 1964

Section 20—

Omit “Minister”, substitute “Executive”.

Machinery Ordinance 1949

Section 4B—

- (a) Omit “Commonwealth”, substitute “Territory”.
- (b) Omit “Minister”, substitute “Executive”.

Subsection 5 (1)—

Omit “Minister”, substitute “Executive”.

Magistrates Courts (Civil Jurisdiction) Ordinance 1982

Paragraph 208 (1) (e)—

Omit “Crown” (wherever occurring), substitute “Territory or Commonwealth”.

Maintenance Ordinance 1968

Subsection 12 (5)—

Insert “Territory or” before “Commonwealth”.

Subsection 46 (1)—

Omit “the Governor-General may”, substitute “the Executive may”.

Paragraph 46 (1) (c)—

Omit “Governor-General”, substitute “Executive”.

Subsection 46 (4)—

Omit the subsection.

Subsection 65 (1) (definition of “the Secretary”)—

Omit the definition.

Subsection 77 (1)—

- (a) Omit “to the Secretary—”, substitute “to the administrative head—”.
- (b) Omit “and the Secretary shall”, substitute “and the administrative head shall”.

Subsection 81 (1)—

Omit “the Secretary shall”, substitute “the administrative head shall”.

Subsection 117 (2)—

Omit “Attorney-General”, substitute “Director of Public Prosecutions”.

SCHEDULE 1—continued**Section 122—**

Omit “Minister”, substitute “Executive”.

Further amendments—

The following provisions are amended by omitting “Secretary” (wherever occurring) and substituting “administrative head”:

Subsection 65 (1) (paragraph (a) of the definition of “certified copy”), paragraph 77 (1) (d), subsection 78 (4), section 79, subsections 80 (1), (2), (3) and (4), paragraphs 81 (1) (b) and (c), subsection 81 (2) and section 84.

Meat Ordinance 1931**Paragraph 9 (2) (a)—**

- (a) Omit “*Administrative Appeals Tribunal Act 1975*”, substitute “*Administrative Appeals Tribunal Act 1989*”.
- (b) Insert “Australian Capital Territory” before “Administrative”.

Paragraph 9 (2) (b)—

- (a) Omit “subsection 28 (4)”, substitute “subsection 26 (11)”.
- (b) Omit “section 28”, substitute “section 26”.

Subsection 11 (1B)—

Omit “Commonwealth”, substitute “Territory”.

Section 19C—

- (a) Omit “Commonwealth”, substitute “Territory”.
- (b) Omit “Minister”, substitute “Executive”.

Section 20—

Omit “Minister”, substitute “Executive”.

Medical Practitioners Registration Ordinance 1930**Subsection 4 (1) (definition of “the Tribunal”)—**

Omit the definition.

Subsection 4 (1)—

Insert the following definition:

“ ‘Tribunal’ means the Australian Capital Territory Administrative Appeals Tribunal.”.

Paragraph 4 (3) (a)—

Omit the paragraph, substitute the following paragraph:

“(a) a public servant; or”.

Subsection 39D (2)—

Omit “*Administrative Appeals Tribunal Act 1975*”, substitute “*Administrative Appeals Tribunal Act 1989*”.

Section 44—

Omit “Minister”, substitute “Executive”.

Mental Health Ordinance 1962

Paragraph 5 (1) (a)—

Omit “of the Territory”, substitute “in force in the Territory”.

Section 8—

Omit “Minister”, substitute “Executive”.

Mental Health Ordinance 1983

Subsection 11 (1)—

Omit “an officer or employee within the meaning of the *Public Service Act 1922*”, substitute “a public servant”.

Subsection 68 (2)—

(a) Omit “*Administrative Appeals Tribunal Act 1975*”, substitute “*Administrative Appeals Tribunal Act 1989*”.

(b) Insert “Australian Capital Territory” before “Administrative”.

Section 82—

Repeal the section.

Section 83—

Omit “Minister”, substitute “Executive”.

Milk Authority Ordinance 1971

Subsections 7 (1A) and (5)—

Omit the subsections.

Subsection 11 (3)—

Omit the subsection.

SCHEDULE 1—continued**Subsection 13 (1)—**

Omit the subsection.

Subsection 13 (2)—

Omit “another”, substitute “a”.

Subsection 14A (2)—

Omit “Public Service Board”, substitute “Minister”.

Section 21B—

- (a) Omit “of State for Finance”.
- (b) Omit “Australia”, substitute “the Territory”.

Subsection 21C (1)—

Omit “, in consultation with the Minister of State for Finance,”.

Subsection 21C (2)—

- (a) Omit “Australia”, substitute “the Territory”.
- (b) Omit “, in consultation with the Minister of State for Finance,”.

Subsection 21D (1)—

- (a) Omit “, with the approval of the Treasurer, borrow moneys”, substitute “, subject to Part VII of the *Australian Capital Territory (Self-Government) Act 1988* of the Commonwealth, borrow money”.
- (b) Insert “or her” before “opinion”.

Subsections 21D (2) and (4)—

Omit the subsections, substitute the following subsection:

“(4) In this section, ‘borrow’ has the same meaning as in the *Australian Capital Territory (Self-Government) Act 1988* of the Commonwealth.”.

Section 21K—

Omit “Australia”, substitute “the Territory”.

Subsection 21L (2)—

Omit “, in consultation with the Minister of State for Finance,”.

Section 21M—

Omit “of the Territory”, substitute “in force in the Territory”.

Section 54—

Omit “Minister”, substitute “Executive”.

Mining Ordinance 1930

Subsections 34 (1) and (2)—

Omit “Crown”, substitute “Territory”.

Subsection 37 (2)—

Omit “Crown and paid into the Consolidated Revenue Fund”, substitute “Territory”.

Subsection 39 (2)—

Omit “Department of the Interior”, substitute “administrative unit of the Public Service responsible for matters under this Act”.

Subsection 50 (2)—

Omit “outside the office of the Department of the Interior”, substitute “inside the office of the Registrar of Titles”.

Subsection 51 (1)—

Omit “Crown”, substitute “Territory”.

Section 64—

Omit “Minister”, substitute “Executive”.

Motor Omnibus Services Ordinance 1955

Subsection 2 (1) (definition of “Director”)—

Omit the definition.

Subsection 4E (2)—

Omit “Commonwealth”, substitute “Territory”.

Section 7—

Omit “Minister”, substitute “Executive”.

Motor Traffic Ordinance 1936

Subsection 4 (1)—

Insert the following definitions:

“ ‘Commonwealth authority’ means a body, whether incorporated or not, established by or under a Commonwealth Act;

‘Tribunal’ means the Australian Capital Territory Administrative Appeals Tribunal.”.

Section 5—

Repeal the section, substitute the following section:

SCHEDULE 1—continued**Position of the Crown**

“5. (1) This Ordinance binds the Crown.

“(2) The provisions of this Ordinance in relation to the registration of motor vehicles and trailers and the issue of labels shall not apply to motor vehicles or trailers owned by—

- (a) the Territory or a Territory authority; or
- (b) the Commonwealth or a Commonwealth authority.

“(3) A person referred to in paragraph 2 (a) or (b) may apply to register a motor vehicle or trailer or for the issue of a label.”.

Subsection 26P (1)—

Omit “Administrative Appeals”.

Paragraph 26P (2) (a)—

- (a) Omit “*Administrative Appeals Tribunal Act 1975*”, substitute “*Administrative Appeals Tribunal Act 1989*”.
- (b) Omit “Administrative Appeals”.

Paragraph 26P (2) (b)—

- (a) Omit “subsection 28 (4)”, substitute “subsection 26 (11)”.
- (b) Omit “section 28”, substitute “section 26”.

Paragraph 27A (2) (a)—

- (a) Omit “*Administrative Appeals Tribunal Act 1975*”, substitute “*Administrative Appeals Tribunal Act 1989*”.
- (b) Omit “Administrative Appeals”.

Paragraph 27A (2) (b)—

- (a) Omit “subsection 28 (4)”, substitute “subsection 26 (11)”.
- (b) Omit “section 28”, substitute “section 26”.

Section 27B—

Omit “Administrative Appeals”.

Section 49 (definition of “uninsured motor vehicle”)—

Omit the definition, substitute the following definition:

“ ‘uninsured motor vehicle’ means a motor vehicle or trailer—

- (a) other than a motor vehicle or trailer—
 - (i) owned by the Territory or a Territory authority;

- (ii) owned by the Commonwealth or a Commonwealth authority; or
 - (iii) in respect of which a person is exempt from the provisions of subsection 51 (1); and
- (b) that is not an insured motor vehicle.”.

Section 50—

Repeal the section, substitute the following section:

Application of Part to Territory and Commonwealth motor vehicles

“50. (1) A third-party policy or a policy referred to in section 83 is not required to be taken out in relation to the use of a motor vehicle owned by—

- (a) the Territory or a Territory authority; or
- (b) the Commonwealth or a Commonwealth authority.

“(2) A person referred to in paragraph (1) (a) or (b) shall, in relation to the use of a motor vehicle in respect of which a policy referred to in subsection (1) is not in force, be under the same liabilities and have the same rights as an authorised insurer would be under or have if the insurer had issued to that person such a policy in relation to the use of that vehicle.”.

Paragraph 90 (b)—

Omit “Motor Vehicle Registry, Department of the Interior, Canberra,”, substitute “Motor Registry”.

Subsection 109 (6)—

Insert “Territory or” before “Commonwealth” (second occurring).

Subsection 133A (1) (paragraph (b) of the definition of “exempt vehicle”)—

Omit “the property of Australia”, substitute “owned by the Territory or Commonwealth”.

Subsection 149 (1) (definition of “Tribunal”)—

Omit the definition.

Subsections 150B (6) and 150C (3)—

Omit “*Administrative Appeals Tribunal Act 1975*”, substitute “*Administrative Appeals Tribunal Act 1989*”.

Section 157—

- (a) Omit the penalty at the foot of the section.
- (b) Add at the end the following subsection and penalty:

“(5) A person shall not, except in accordance with a permit, place an object in a loading zone in such a position, in such a condition, or in such circumstances, as to be likely to cause danger, destruction or unreasonable inconvenience to other persons using or intending to use the loading zone.

SCHEDULE 1—continued

Penalty: \$200.”.

Subsection 164G (1)—

Omit the subsection.

Section 170—

Omit “Commonwealth” (last occurring), substitute “Territory”.

Section 217B—

Omit “Minister”, substitute “Executive”.

Section 218—

Omit “Minister”, substitute “Executive”.

Further amendments—

1. The following provisions are amended by omitting “Commonwealth” and substituting “Territory”:

Subsection 10 (6A), section 14, subsection 20 (2), subparagraph 26E (b) (ii), subsection 26L (4), paragraphs 26M (2) (c) and (e), 26N (2) (b) and (c), 26Q (2) (b) and 26R (1) (d), subsections 26S (1), 27 (4), 28 (4), 29 (5), 33 (4), (5) and (11), 34 (2), 43 (2), 98 (2), 102 (3), 105 (4), 201 (1), 209 (3), 210 (1), 213 (6), 215 (4) and 216 (1) and section 217B.

2. The following provisions are amended by inserting “Territory or” before “Commonwealth” (wherever occurring):

Subsections 86 (1), (2), (3), (4) and (5), 87 (2) and (3) and 149 (1) (paragraph (a) of the definition of “Class A class of motor vehicles”) and section 212.

Motor Traffic (Alcohol and Drugs) Ordinance 1977

Subsection 18 (5)—

Omit “Commonwealth”, substitute “Territory”.

Paragraph 29 (1) (f)—

Omit “Commonwealth”, substitute “Territory”.

Subsection 44 (1) (definition of “Minister”)—

Omit the definition.

Subsection 52 (1)—

Omit “Minister”, substitute “Executive”.

Schedule 2—

(a) Omit “the Minister of State for the Capital Territory”, substitute “*(insert name and official description of appropriate Minister)*”.

(b) Omit “of State for the Capital Territory” (second occurring).

National Exhibition Centre Trust Ordinance 1976

Section 2 (definitions of “House of Assembly” and “Public Service Board”)—

Omit the definitions.

Paragraphs 8 (1) (aa), (ab) and (b)—

Omit the paragraphs, substitute the following paragraphs:

“(b) a public servant; and

(c) not less than 5 or more than 7 other members.”.

Subsections 8 (4), (5) and (5A)—

Omit the subsections, substitute the following subsection:

“(4) Subject to this Ordinance, the member referred to in paragraph (1) (b) ceases to be a member if he or she ceases to be a public servant.”.

Subsection 8 (6)—

Omit “(b)”, substitute “(c)”.

Subsection 12 (3)—

Omit “paragraph 8 (1) (ab)”, substitute “paragraph 8 (1) (b)”.

Subsection 16 (4)—

Omit the subsection.

Subsection 18 (2)—

Omit “Public Service Board”, substitute “Minister”.

Subsection 26 (2)—

Omit “of State for the Capital Territory, in consultation with the Minister of State for Finance,”.

Subsection 26 (3)—

Omit “of State for the Capital Territory”.

Section 31—

Omit “Minister”, substitute “Executive”.

Nature Conservation Ordinance 1980

Section 5 (definition of “Department”)—

Omit the definition.

SCHEDULE 1—continued**Section 5 (definition of “Tribunal”)—**

Omit the definition, substitute the following definition:

“ ‘Tribunal’ means the Australian Capital Territory Administrative Appeals Tribunal;”.

Section 5 (paragraph (b) of the definition of “unleased land”)—

Insert “Territory or” before “Commonwealth”.

Paragraph 42 (2) (f)—

Omit “an officer or employee of the Department”, substitute “a public servant”.

Paragraph 43 (1) (b)—

Insert “Territory or” before “Commonwealth”.

Subsections 43 (5) and (6)—

Omit “Commonwealth”, substitute “Territory”.

Subsection 46 (3)—

- (a) Insert “Territory or” before “Commonwealth” (first occurring).
- (b) Omit “Commonwealth” (second occurring), substitute “Territory”.

Subsection 51 (6)—

Insert “Territory or” before “Commonwealth” (second occurring).

Paragraph 52 (3) (b)—

Insert “Territory or” before “Commonwealth”.

Section 52A—

Repeal the section.

Subsection 52F (1)—

Omit the subsection.

Subsections 52F (2) and (3)—

Omit “both Houses of the Parliament”, substitute “the Legislative Assembly”.

Subsection 52G (1)—

- (a) Omit “either House of the Parliament”, substitute “the Legislative Assembly”.
- (b) Omit “of that House”.
- (c) Omit “that House” (second occurring), substitute “the Assembly”.

Subsection 52G (3)—

Omit “both Houses of the Parliament”, substitute “the Legislative Assembly”.

Subsection 52H (1)—

- (a) Omit “either House of the Parliament”, substitute “the Legislative Assembly”.
- (b) Omit “of that House”.
- (c) Omit “that House” (second occurring), substitute “the Assembly”.

Subsection 52H (2)—

- (a) Omit “a House of the Parliament”, substitute “the Legislative Assembly”.
- (b) Omit “has been laid before that House”, substitute “has been laid before the Assembly”.
- (c) Omit all the words after “have been laid before”, substitute “the Legislative Assembly on its first sitting day after the dissolution or general election, as the case may be”.

Paragraph 52H (2) (a)—

Omit the paragraph, substitute the following paragraph:

“(a) the Legislative Assembly is dissolved or a general election is held; and”.

Paragraph 52H (2) (b)—

Omit “that House,”, substitute “the Legislative Assembly;”.

Subsection 52H (3)—

Omit “either House of the Parliament”, substitute “the Legislative Assembly”.

Subsection 52H (4)—

- (a) Omit “neither House of the Parliament passes”, substitute “the Legislative Assembly does not pass”.
- (b) Omit “either House”, substitute “the Legislative Assembly”.

Paragraph 52H (4) (a)—

Omit “that House”, substitute “the Legislative Assembly”.

Subsection 60 (1)—

Omit “Commonwealth” (wherever occurring), substitute “Territory”.

Subsection 60 (2)—

Omit “Commonwealth”, substitute “Territory”.

Subparagraph 61 (2) (a) (ii)—

Insert “Territory or” before “Commonwealth”.

Subsection 63 (2)—

Omit “Commonwealth”, substitute “Territory or Commonwealth, as the case may be”.

SCHEDULE 1—continued

Paragraph 67 (c)—

Insert “Territory or” before “Commonwealth”.

Subsection 75 (2)—

Omit “Commonwealth”, substitute “Territory”.

Subparagraph 75 (4) (b) (ii)—

Insert “Territory or” before “Commonwealth”.

Subsection 79 (5)—

Omit “Commonwealth”, substitute “Territory”.

Subsection 79 (6)—

Omit “Commonwealth”, substitute “Territory”.

Subsection 80 (6)—

Omit “Commonwealth”, substitute “Territory”.

Subsection 84 (1)—

Omit “Minister”, substitute “Executive”.

New South Wales Acts Application Ordinance 1984

Subsection 2 (1)—

Omit the subsection.

Paragraph 7 (c)—

Omit the paragraph.

Section 9—

Repeal the section.

Schedule 1, column 2—

Omit the column.

New South Wales Acts Ordinance 1986

Paragraph 7 (c)—

Omit the paragraph.

Subsections 9 (1) and (3)—

Omit the subsections.

Schedule 1, column 2—

Omit the column.

Noise Control Ordinance 1988

Subsection 3 (2)—

Omit “(whether in right of the Commonwealth or a State)”.

Subsection 5 (1) (definition of “Tribunal”)—

Insert “Australian Capital Territory” before “Administrative”.

Section 20—

Repeal the section, substitute the following section:

Disallowable instrument

“20. The Manual is a disallowable instrument for the purposes of section 10 of the *Subordinate Laws Act 1989*.”.

Paragraph 45 (2) (a)—

- (a) Omit “*Administrative Appeals Tribunal Act 1975*”, substitute “*Administrative Appeals Tribunal Act 1989*”.
- (b) Omit “Administrative Appeals”.

Paragraph 45 (2) (b)—

- (a) Omit “subsection 28 (4)”, substitute “subsection 26 (11)”.
- (b) Omit “section 28”, substitute “section 26”.

Section 50—

Omit “Minister”, substitute “Executive”.

Notaries Public Ordinance 1984

Section 17—

Repeal the section.

Nurses Ordinance 1988

Subsection 3 (1)—

Add at the end of the following definition:

“ ‘Tribunal’ means the Australian Capital Territory Administrative Appeals Tribunal.”.

Paragraph 54 (3) (a)—

- (a) Omit “*Administrative Appeals Tribunal Act 1975*”, substitute “*Administrative Appeals Tribunal Act 1989*”.
- (b) Omit “Administrative Appeals”.

SCHEDULE 1—continued

Paragraph 54 (3) (b)—

- (a) Omit “subsection 28 (4)”, substitute “subsection 26 (11)”.
- (b) Omit “section 28”, substitute “section 26”.

Subsections 55 (1) and (2)—

Omit “Administrative Appeals”.

Section 61—

Omit “Minister”, substitute “Executive”.

Oaths and Affirmations Ordinance 1984

Subsection 24 (2)—

Omit “Attorney-General”, substitute “Minister”.

Section 28—

Repeal the section.

Ombudsman Ordinance 1989

Section 38—

Omit “Minister”, substitute “Executive”.

Optometrists Ordinance 1956

Subsection 4 (1) (definition of “Tribunal”)—

Omit the definition, substitute the following definition:

“ ‘Tribunal’ means the Australian Capital Territory Administrative Appeals Tribunal.”.

Subsection 26A (2)—

Omit “*Administrative Appeals Tribunal Act 1975*”, substitute “*Administrative Appeals Tribunal Act 1989*”.

Section 48—

Omit “Minister”, substitute “Executive”.

Parole Ordinance 1976

Subsection 5 (1) (definition of “House of Assembly”)—

Omit the definition.

Subsection 7 (4)—

Insert “of the Commonwealth” after “Attorney-General”.

Paragraphs 9 (2) (a), (b) and (c)—

Omit the paragraphs, substitute the following paragraphs:

- “(a) the Chairperson; and
- (b) 4 other members.”.

Subsection 9A (1)—

Omit “, other than a member referred to in sub-section (2) or (2A),”.

Subsections 9A (2) and (2A)—

Omit the subsections.

Paragraph 12 (2) (a)—

Add “or” at the end of the paragraph.

Paragraph 12 (2) (b)—

Omit “or”.

Paragraph 12 (2) (c)—

Omit the paragraph.

Subsection 27A (1)—

Insert “, for presentation to the Legislative Assembly,” after “Minister”.

Subsection 27A (2)—

- (a) Omit “each House of the Parliament”, substitute “the Legislative Assembly”.
- (b) Omit “that House”, substitute “the Assembly”.

Section 28—

Omit “Minister”, substitute “Executive”.

Parole Orders (Transfer) Ordinance 1983

Subsection 5 (2)—

Omit “an officer or employee within the meaning of the *Public Service Act 1922*”, substitute “a public servant”.

Payroll Tax Ordinance 1987

Subsection 3 (1)—

Insert the following definition:

“ ‘Tribunal’ means the Australian Capital Territory Administrative Appeals Tribunal;”.

SCHEDULE 1—continued**Section 19—**

Omit “Administrative Appeals”.

Paragraph 20 (2) (a)—

- (a) Omit “*Administrative Appeals Tribunal Act 1975*”, substitute “*Administrative Appeals Tribunal Act 1989*”.
- (b) Omit “Administrative Appeals”.

Paragraph 20 (2) (b)—

- (a) Omit “subsection 28 (4)”, substitute “subsection 26 (11)”.
- (b) Omit “section 28”, substitute “section 26”.

Section 22—

Omit “Minister”, substitute “Executive”.

Pharmacy Ordinance 1931**Subsection 5 (1) (definition of “Tribunal”)—**

Omit the definition, substitute the following definition:

“ ‘Tribunal’ means the Australian Capital Territory Administrative Appeals Tribunal;”.

Paragraph 5 (2) (a)—

Omit the paragraph, substitute the following paragraph:

“(a) a public servant; or”.

Subsection 46 (5)—

Omit “Director-General of Health”, substitute “Secretary of the Department of Community Services and Health of the Commonwealth”.

Subsection 53 (2)—

Omit “*Administrative Appeals Tribunal Act 1975*”, substitute “*Administrative Appeals Tribunal Act 1989*”.

Section 54—

Omit “Minister”, substitute “Executive”.

Physiotherapists Registration Ordinance 1977**Subsection 3 (1) (definition of “Tribunal”)—**

Omit the definition, substitute the following definition:

“ ‘Tribunal’ means the Australian Capital Territory Administrative Appeals Tribunal.”.

Paragraph 3 (3) (a)—

Omit the paragraph, substitute the following paragraph:

“(a) a public servant; or”.

Section 45—

Omit “Minister”, substitute “Executive”.

Perpetuities and Accumulations Ordinance 1985

Section 23—

Repeal the section.

Plant Diseases Ordinance 1934

Section 14—

Omit “Minister”, substitute “Executive”.

Plumbers, Drainers and Gasfitters Board Ordinance 1982

Section 3 (definition of “Tribunal”)—

Omit the definition, substitute the following definition:

“ ‘Tribunal’ means the Australian Capital Territory Administrative Appeals Tribunal.”.

Paragraph 5 (1) (f)—

Omit the paragraph, substitute the following paragraph:

“(f) a public servant; and”.

Paragraphs 28 (1) (b) and 33 (1) (b)—

Omit “*Administrative Appeals Tribunal Act 1975*”, substitute “*Administrative Appeals Tribunal Act 1989*”.

Subsection 36 (8)—

Omit “Attorney-General”, substitute “Minister”.

Paragraph 42 (2) (b)—

Omit “Commonwealth”, substitute “Territory”.

Subsections 42 (3) and (4)—

Omit “Commonwealth”, substitute “Territory”.

Section 46—

Omit “Minister”, substitute “Executive”.

SCHEDULE 1—continued***Poisons Ordinance 1933*****Section 12—**

Omit “Gazette”, substitute “*Gazette*”.

Section 54—

Omit “Minister”, substitute “Executive”.

Poisons and Drugs Ordinance 1978**Subsection 3 (1) (definition of “Tribunal”)—**

Insert “Australian Capital Territory” before “Administrative”.

Subsection 49 (2)—

Omit “*Administrative Appeals Tribunal Act 1975*”, substitute “*Administrative Appeals Tribunal Act 1979*”.

Subsections 53 (1) and (2)—

Omit “Commonwealth”, substitute “Territory”.

Section 55—

Omit “Minister”, substitute “Executive”.

Police Offences Ordinance 1930**Section 19B—**

Omit “Attorney-General” (wherever occurring), substitute “Minister”.

Section 89—

Omit “Attorney-General”, substitute “Executive”.

Pool Betting Ordinance 1964**Subsection 13A (1)—**

Omit “Commonwealth” (wherever occurring), substitute “Territory”.

Section 13B—

Omit “Commonwealth”, substitute “Territory”.

Subsections 13C (1) and (2)—

Omit “Commonwealth” substitute “Territory”.

Section 13D—

Omit “Commonwealth”, substitute “Territory”.

Section 15—

Omit “Minister”, substitute “Executive”.

Pounds Ordinance 1928

Subsection 5 (1) (definition of “Occupier of land”)—

- (a) Omit “Commission”, substitute “Territory”.
- (b) Omit “Commonwealth” (last occurring), substitute “Territory or, in the case of National Land, the Commonwealth”.

Subsection 17 (3)—

Omit “offices of the Department of the Interior in Canberra”, substitute “Public Service”.

Section 41—

Omit “Minister”, substitute “Executive”.

Further amendments—

The following provisions are amended by omitting “Commonwealth” and substituting “Territory”:

Section 10, subsections 11 (3) and 18 (3), sections 31 and 32 and subsections 33 (2) and (3).

Presbyterian Church (Proposals for Union with other Churches) Ordinance 1972

Section 10—

Omit “Minister”, substitute “Executive”.

Prevention of Cruelty to Animals Ordinance 1959

Section 4 (definition of “Tribunal”)—

Insert “Australian Capital Territory” before “Administrative”.

Subsection 12C (2)—

Omit “*Administrative Appeals Tribunal Act 1975*”, substitute “*Administrative Appeals Tribunal Act 1989*”.

Printing and Newspapers Ordinance 1961

Subsection 4 (1) (definition of “newspaper” and paragraph (a) of the definition of “printing press”)—

Omit “Commonwealth”, substitute “Territory”.

Subsection 29 (3)—

Omit “Crown”, substitute “Territory”.

Section 35—

SCHEDULE 1—continued

Omit “Minister”, substitute “Executive”.

Protection of Lands Ordinance 1937

Long title—

Omit “Protection of Commonwealth Lands”, substitute “protection of Territory Land”.

Section 2 (definition of “lands”)—

Omit the definition, substitute the following definition:

“ ‘lands’ means Territory Land;”.

Subsections 6A (3) and (4)—

Omit “Commonwealth”, substitute “Territory”.

Paragraph 14 (b)—

Omit “Australia”, substitute “the Territory”.

Section 14—

Omit “to vest in Australia”, substitute “to vest in the Territory”.

Section 15—

Omit “Australia”, substitute “The Territory”.

Section 16—

Omit “Secretary”, substitute “administrative head”.

Public Baths and Public Bathing Ordinance 1956

Subsection 15 (1)—

Omit “Commonwealth”, substitute “Territory”.

Subsection 26 (1)—

Omit “Commonwealth”, substitute “Territory”.

Section 37—

Omit “Minister”, substitute “Executive”.

Public Health Ordinance 1928

Section 12—

Omit “Minister”, substitute “Executive”.

Public Health (Prohibited Drugs) Ordinance 1957

Section 7—

Omit “Minister”, substitute “Executive”.

Public Parks Ordinance 1928

Subsection 10 (2)—

Omit “Commonwealth” (wherever occurring), substitute “Territory”.

Subsection 10 (5)—

Omit “Commonwealth”, substitute “Territory”.

Section 12—

Omit “Minister”, substitute “Executive”.

Public Trustee Ordinance 1985

Subsection 4 (1) (definition of “public servant”)—

Omit the definition.

Subsection 45 (3)—

Omit “by the Commonwealth”, substitute “by the Territory”.

Section 76—

Omit “Minister”, substitute “Executive”.

Further amendments—

The following provisions are amended by omitting “Commonwealth” and substituting “Territory”:

Paragraph 12 (b), subsections 31 (1), (2) and (3), paragraphs 43 (2) (e), (3) (d), (5) (e) and (6) (d) and 44 (1) (d), subsections 44 (2) and 45 (1) and paragraphs 45 (3) (a) and (b).

Rabbit Destruction Ordinance 1919

Section 14—

Omit “Crown”, substitute “Territory”.

Subsection 24 (2)—

Omit “Australia”, substitute “the Territory”.

Subsection 25 (3)—

Omit “Australia”, substitute “the Territory”.

SCHEDULE 1—continued

Section 35—

Omit “Commonwealth”, substitute “Territory”.

Section 41—

Omit “Parliament”, substitute “the Legislative Assembly”.

Section 47B—

- (a) Omit “Commonwealth”, substitute “Territory”.
- (b) Omit “Minister”, substitute “Executive”.

Section 48—

Omit “Minister”, substitute “Executive”.

Radiation Ordinance 1983

Subsection 5 (1)—

Insert the following definition:

“ ‘Tribunal’ means the Australian Capital Territory Administrative Appeals Tribunal;”.

Section 72—

Omit “Administrative Appeals”.

Paragraphs 73 (1) (j) and (2) (o)—

- (a) Omit “*Administrative Appeals Tribunal Act 1975*”, substitute “*Administrative Appeals Tribunal Act 1989*”.
- (b) Omit “Administrative Appeals”.

Subsection 74 (1)—

Insert “, for presentation to the Legislative Assembly,” after “Minister”.

Subsection 74 (2)—

Omit the subsection.

Section 78—

Repeal the section.

Section 79—

Omit “Minister”, substitute “Executive”.

Rates and Land Tax Ordinance 1926

Subsection 4 (1)—

Insert the following definition:

“ ‘Office’ means the office of the administrative unit of the Public Service responsible for matters under this Act;”.

Subsection 4 (1) (definition of “Secretary”)—

Omit the definition.

Subparagraphs 5 (1) (a) (i) and (ii)—

Insert “Territory or” before “Commonwealth” (wherever occurring).

Section 5A—

Insert “Territory or” before “Commonwealth”.

Paragraph 6 (1) (e)—

Insert “Territory or” before “Commonwealth”.

Subsection 8 (2)—

Insert “*Commonwealth*” before “*Gazette*” (first occurring).

Paragraph 12 (a)—

Omit “Department”, substitute “Office”.

Paragraph 15A (3) (a)—

Omit “Department”, substitute “Office”.

Section 16—

Insert “Territory or” before “Commonwealth”.

Subsection 18 (6)—

Omit all the words after “section,”, substitute the following:

“at the expiration of that period—

- (a) the land shall vest absolutely in the Commonwealth; and
- (b) the rents and moneys received by the Territory in respect of that land shall vest in the Territory.”.

Paragraph 22B (1) (d)—

Insert “Territory or” before “Commonwealth”.

Subsection 22B (3)—

Insert “Territory or” before “Commonwealth”.

Subparagraph 26 (1) (c) (ii)—

Omit “Department”, substitute “Office”.

Subsection 30A (2)—

SCHEDULE 1—continued

Omit the subsection, substitute the following subsection:

“In subsection (1), ‘Tribunal’ means the Australian Capital Territory Administrative Appeals Tribunal.”

Paragraph 34 (1) (a)—

Omit “Department”, substitute “Office”.

Subsection 35 (1)—

Omit “The Secretary”, substitute “The administrative head”.

Section 48—

Omit “Minister”, substitute “Executive”.

Further amendments—

1. The following provisions are amended by omitting “Commonwealth” and substituting “Territory”:

Subsections 15 (1) and (2), paragraphs 18 (2) (a) and (b), subsections 18 (4) and (5), 22 (1) and 22E (1) and (2) and section 24.

2. The following provisions are amended by omitting “Secretary” and substituting “administrative head”:

Section 25, subsection 29 (1) and paragraphs 35 (1) (b), (c) and (d) and (4) (b).

Real Property Ordinance 1925

Paragraph 3A (b)—

Insert “*Commonwealth*” before “*Gazette*”.

Subsection 17 (1)—

Omit “Commission”, substitute “Territory”.

Section 23—

Insert “in the *Commonwealth Gazette*” after “*Gazette*,” (first occurring).

Subsection 51 (3)—

Omit “paragraph 17 (a), (b), (c) or (d)”, substitute “paragraph 17 (1) (a), (b), (c), (ca) or (d)”.

Subsection 72A (4)—

Omit “of State”.

Subsection 86 (2)—

(a) Omit “witness:”, substitute “witness.”.

- (b) Omit all the words from and including “Provided that” to and including “the surrender.”.

Section 86—

Insert after subsection (2) the following subsection:

“(2A) Where the Commonwealth is the lessor, the endorsement or memorandum of surrender may be signed—

- (a) in the case of National Land—by the Commonwealth Minister for the time being administering the *National Land Ordinance 1989*; and
- (b) in the case of Territory Land—by the Minister for the time being administering the Acts relating to the leasing of Crown land in the Territory;

and that signature shall constitute and be evidence of the acceptance by the Commonwealth of the surrender.”.

Subsection 87B (1)—

Omit “of the Territory”, substitute “in force in the Territory”.

Subsection 87B (2)—

- (a) Insert “*Commonwealth*” before “*Gazette*” (wherever occurring).
- (b) Omit “conclusive proof”, substitute “evidence”.

Section 87B—

Add at the end the following subsection:

“(3) Where a resumption or withdrawal is effected by the Territory on behalf of the Commonwealth and is notified in the *Gazette*, the production of a copy of the *Gazette* containing the notification shall be evidence of the resumption or withdrawal.”.

Subsection 100A (1)—

Omit “the Commonwealth shall be deemed”, substitute “the Territory shall be deemed”.

Subsection 117 (2)—

- (a) Omit “Commonwealth” (first occurring), substitute “Territory”.
- (b) Omit “Commonwealth of Australia”, substitute “Territory”.

Section 179—

Omit “Minister”, substitute “Executive”.

Further amendments—

The following provisions are amended by omitting “Commonwealth” (wherever occurring) and substituting “Territory”:

Paragraph 58 (e), subsection 94 (7), paragraph 100A (1) (d), subsection 100A (2), paragraphs 100A (3) (a) and (b), sections 108B and 143, subsection 146 (1), section 151,

SCHEDULE 1—continued

paragraph 152 (1) (ba), subsections 153 (6) and (7) and 154 (2), sections 155, 156 and 158 and subsection 170 (3A).

Real Property (Conversion of Titles) Ordinance 1967**Section 26—**

Omit “Minister”, substitute “Executive”.

Real Property (Unit Titles) Ordinance 1970**Subsection 9 (2)—**

Omit “Secretary to the Department of the Capital Territory”, substitute “administrative head”.

Section 17—

Omit “Secretary to the Department of the Capital Territory”, substitute “administrative head”.

First Schedule, Forms 1 to 5 (inclusive)—

Omit “of State for the Capital Territory”.

Recovery of Lands Ordinance 1929**After section 1—**

Insert the following section:

Application

“2. This Ordinance applies only in relation to Territory Land.”.

Section 3—

- (a) Insert “the Territory on behalf of” before “the Commonwealth” (first, second and third occurring).
- (b) Omit “Commonwealth” (last occurring), substitute “Territory”.

Section 4—

Omit “Commonwealth” (wherever occurring), substitute “Territory”.

The Schedule, Form A—

- (a) Insert “the Territory on behalf of” before “the Commonwealth” (first occurring).
- (b) Omit “Commonwealth” (second, third, fourth and fifth occurring), substitute “Territory”.

The Schedule, Form B—

Omit “Commonwealth” (wherever occurring), substitute “Territory”.

The Schedule, Form C—

- (a) Omit “Commonwealth” (first occurring), substitute “Territory”.
- (b) Insert “the Territory on behalf of” before “the Commonwealth” (third occurring).
- (c) Omit “by or on behalf of”, substitute “on behalf of”.
- (d) Omit “Commonwealth” (fifth and sixth occurring), substitute “Territory”.

The Schedule, Form D—

Omit “Commonwealth” (wherever occurring), substitute “Territory”.

Registration of Births, Deaths and Marriages Ordinance 1963

Paragraph 20 (2) (d)—

Omit “Commonwealth”, substitute “Territory”.

Remand Centres Ordinance 1976

Subsection 6A (1A)—

Omit “an officer or employee within the meaning of the *Public Service Act 1922* or employed by a Commonwealth authority”, substitute “a public servant”.

Subsection 11 (2)—

Omit the subsection, substitute the following subsection:

“(2) In subsection (1), ‘most senior’, in relation to a custodial officer, means—

- (a) the person who, at that time, has occupied an office under the *Public Service Act 1922* of Chief Custodial Officer; or
- (b) if there is no such person, the person who has been a public servant;

for the greatest length of time.”.

Subparagraphs 15 (1) (g) (ii) and (iv)—

Insert “Commonwealth” before “Minister”.

Paragraph 15 (1) (h)—

Insert “Commonwealth” before “Minister”.

Subsection 21A (2)—

Omit “and the Commonwealth as if”, substitute “and the Territory as if”.

SCHEDULE 1—continued**Paragraph 21A (2) (a)—**

Omit “Commonwealth”, substitute “Territory”.

Section 29—

Omit “Minister”, substitute “Executive”.

Roads and Public Places Ordinance 1937**Long title—**

Add at the end “that are Territory Land”.

Section 2 (definition of “authorized officer”)—

Omit “an officer”, substitute “a person”.

Section 2 (definition of “public place”)—

Insert “that is Territory Land” after “any place”.

Section 2 (definition of “public road”)—

Insert “that is Territory Land” after “or place”.

Section 11—

Omit “(proof whereof shall lie upon the person accused)”.

Section 12—

Omit “(proof whereof shall lie upon the person accused)”.

Subsection 15G (2)—

Omit the subsection.

Subsection 15G (3) (definition of “presidential member”)—

Omit the definition.

Subsection 15G (3) (definition of “Tribunal”)—

Omit the definition, substitute the following definition:

“ ‘Tribunal’ means the Australian Capital Territory Administrative Appeals Tribunal.”.

Subsection 15P (1)—

Omit “to vest in the Commonwealth”, substitute “to vest in the Territory”.

Subsection 15P (2)—

Omit “sold by the Commonwealth”, substitute “sold by the Territory”.

Paragraph 15P (2) (a)—

Omit “repaying to the Commonwealth”, substitute “repaying to the Territory”.

Sections 15S and 15T—

Repeal the sections.

Section 16—

Omit “Minister”, substitute “Executive”.

Further amendments—

The following provisions are amended by omitting “Commonwealth” and substituting “Territory”:

Sections 7 and 12, paragraph 14 (1) (a), subparagraphs 15N (2) (b) (i) and (ii) and (c) (i), paragraphs 15N (3) (a) and (b) and subparagraphs 15P (2) (a) (ii) and (iii).

Rural Workers Accommodation Ordinance 1938

Subsection 6 (3)—

Omit “Commonwealth”, substitute “Territory”.

Subsection 6 (4)—

Omit “Commonwealth” (wherever occurring), substitute “Territory”.

Subsection 10 (1)—

Omit “Secretary to the Department of the Interior, Canberra”, substitute “administrative head”.

Section 14—

Omit “Minister”, substitute “Executive”.

Sale of Goods (Vienna Convention) Ordinance 1987

Subsection 7 (1)—

Omit “Attorney-General and published in the *Gazette*”, substitute “Minister and published in the *Gazette*, a document purporting to be a notice issued by a Commonwealth Minister and published in the *Commonwealth Gazette*”.

Sale of Motor Vehicles Ordinance 1977

Subsection 3 (1) (definition of “Tribunal”)—

Omit the definition, substitute the following definition:

“ ‘Tribunal’ means the Australian Capital Territory Administrative Appeals Tribunal.”.

SCHEDULE 1—continued**Subsections 5 (1) and (4)—**

Omit “an officer or employee of the Public Service”, substitute “a public servant”.

Paragraphs 23 (1) (a) and (d)—

Insert “Territory or” before “Commonwealth”.

Subsection 49 (8)—

Omit “Attorney-General”, substitute “Minister”.

Paragraph 55 (2) (b)—

Omit “Commonwealth”, substitute “Territory”.

Subsections 55 (3) and (4)—

Omit “Commonwealth”, substitute “Territory”.

Subsections 57 (2) and (3)—

Omit the subsections.

Section 92—

Omit “Minister”, substitute “Executive”.

Schedule, Form 2—

- (a) Omit “for the Capital Territory”, substitute “*(here insert official description of appropriate Minister)*”.
- (b) Omit “*Australian Government*”.

Scaffolding and Lifts Ordinance 1957**Section 6A—**

Omit “Commonwealth”, substitute “Territory”.

Paragraph 8 (c)—

Omit “*Commonwealth of Australia*”, substitute “*Australian Capital Territory*”.

Subsection 9 (1)—

Omit “Minister”, substitute “Executive”.

The Schedule, Part I—

Omit from paragraph (b) in the third column of item 17 “Minister”, substitute “Executive”.

Schools Authority Ordinance 1976**Subsection 6 (4)—**

Omit the subsection and substitute the following subsection:

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“(4) A school that was, immediately before self-government day, to be deemed to be conducted by the Authority on behalf of the Commonwealth shall, on and after that date, be conducted by the Authority on behalf of the Territory.”.

Section 28—

Omit “*Commonwealth*”.

Paragraph 29 (1) (a)—

Omit “Parliament”, substitute “Legislative Assembly”.

Subsection 29 (4)—

Omit “Minister of State for Finance”, substitute “Executive”.

Paragraph 33 (1) (c)—

Omit “Treasurer”, substitute “Chief Minister”.

Subsection 36 (1) (definition of “full-time teacher”)—

Omit “*Commonwealth*”.

Section 54—

Omit “an officer of the Australian Public Service”, substitute “a public servant”.

Subsection 57 (1)—

Omit “Minister”, substitute “Executive”.

Further amendments—

The following provisions are amended by omitting “Commonwealth” and substituting “Territory”:

Section 4 (definition of “non-government school”), paragraphs 6 (1) (a), (b) and (c) and 7 (1) (c) and (i), subsection 7A (1) and paragraph 29 (1) (b).

Sewerage Rates Ordinance 1968

Paragraph 6 (1) (c)—

Omit “the land”, substitute “Territory Land”.

Subsection 12 (3)—

Omit “Commonwealth” (first occurring), substitute “Territory”.

Subparagraph 24 (1) (b) (i)—

Omit “land”, substitute “Territory Land”.

Section 29—

Omit “Minister”, substitute “Executive”.

SCHEDULE 1—continued**Further amendments—**

The following provisions are amended by omitting “Commonwealth” and substituting “Territory”:

Subsection 8 (2), subparagraph 10 (1) (a) (iii), paragraphs 10A (1) (b) and (2) (b), subsection 12 (2), paragraphs 12 (3) (b) and 14 (1) (d) and section 15.

Soil Conservation Ordinance 1960**Subsection 4 (3)—**

Omit “Commonwealth” (wherever occurring), substitute “Territory”.

Paragraph 4 (4) (b)—

Omit “Commonwealth” (wherever occurring), substitute “Territory”.

Paragraph 6 (1) (b)—

Omit “Commonwealth”, substitute “Territory”.

Subsection 6 (2)—

Omit “Commonwealth”, substitute “Territory”.

Subsection 6 (3)—

Omit “Commonwealth”, substitute “Territory”.

Stamp Duties and Taxes Ordinance 1987**Subsection 4 (1)—**

Insert the following definition:

“ ‘Tribunal’ means the Australian Capital Territory Administrative Appeals Tribunal;”.

Subsection 15 (2)—

Omit “Commonwealth”, substitute “Territory”.

Section 65—

Omit “Administrative Appeals”.

Paragraph 66 (1) (a)—

- (a) Omit “*Administrative Appeals Tribunal Act 1975*”, substitute “*Administrative Appeals Tribunal Act 1989*”.
- (b) Omit “Administrative Appeals”.

Paragraph 66 (1) (b)—

- (a) Omit “subsection 28 (4)”, substitute “subsection 26 (11)”.
- (b) Omit “section 28”, substitute “section 26”.

Section 67—

Omit “Minister”, substitute “Executive”.

Schedule 1—

- (a) Insert in paragraph (a) “Territory or” before “Commonwealth”.
- (b) Add at the end of paragraph (m) “or”.
- (c) Omit paragraph (n).

Schedule 6—

Insert in paragraph (d) “of the Commonwealth” after “Security”.

Stock Diseases Ordinance 1933

Section 3 (definition of “public servant”)—

Omit the definition.

Section 12—

Omit “Minister”, substitute “Executive”.

Stock Ordinance 1934

Section 4 (definition of “Occupier”)—

Insert “Territory or” before “Commonwealth” (first occurring).

Section 4 (definition of “Travelling stock reserve”)—

Omit “land”, substitute “Territory Land”.

Subsection 13 (2)—

Omit “Department of the Interior”, substitute “Territory”.

Subsection 13 (3)—

Insert “Territory or” before “Commonwealth” (first occurring).

Section 39—

Omit “Minister”, substitute “Executive”.

Supervision of Offenders (Community Service Orders) Ordinance 1985

Subsection 4 (2)—

Omit “an officer or employee within the meaning of the *Public Service Act 1922*”, substitute “a public servant”.

Paragraph 10 (2) (a)—

Omit “Commonwealth”, substitute “Territory”.

SCHEDULE 1—continued

Paragraphs 10 (3) (a), (b) and (c)—

Omit “Commonwealth”, substitute “Territory”.

Paragraph 10 (5) (a)—

Omit “Commonwealth”, substitute “Territory”.

Subsection 10 (5)—

- (a) Omit “the Commonwealth shall not be liable”, substitute “the Territory shall not be liable”.
- (b) Omit “payable by the Commonwealth”, substitute “payable by the Territory”.

Surveyors Ordinance 1967

Section 4 (definitions of “Department” and “Secretary”)—

Omit the definitions.

Section 14—

Omit “Secretary”, substitute “administrative head”.

Subsection 26 (4)—

Omit “Attorney-General”, substitute “Minister”.

Paragraph 44 (2) (b)—

Omit “Commonwealth”, substitute “Territory”.

Paragraph 47 (7) (c)—

Omit “Commonwealth”, substitute “Territory”.

Subsection 49A (10)—

Insert “Australian Capital Territory Administrative Appeals” before “Tribunal”.

Subsection 49A (11)—

Omit the subsection.

Section 53—

Omit “Minister”, substitute “Executive”.

Taxation (Administration) Ordinance 1987

Subsection 4 (1) (definition of “public servant”)—

Omit the definition.

Subsection 4 (1) (definition of “tax liability”)—

Omit “Commonwealth”, substitute “Territory”.

Subsection 4 (1) (definition of “Tribunal”)—

Insert “Australian Capital Territory” before “Administrative”.

Subsection 11 (2)—

- (a) Omit “each House of the Parliament”, substitute “the Legislative Assembly”.
- (b) Omit “that House”, substitute “the Assembly”.

Subsection 12A (3)—

Omit “Commonwealth”, substitute “Territory”.

Subsection 34 (1)—

Omit “Commonwealth”, substitute “Territory”.

Section 41—

Omit “Commonwealth”, substitute “Territory”.

Paragraph 92 (1) (a)—

- (a) Omit “*Administrative Appeals Tribunal Act 1975*”, substitute “*Administrative Appeals Tribunal Act 1989*”.
- (b) Omit “Administrative Appeals”.

Paragraph 92 (1) (b)—

- (a) Omit “Subsection 28 (4)”, substitute “Subsection 26 (11)”.
- (b) Omit “section 28”, substitute “section 26”.

Subsections 99 (2) to (5) (inclusive)—

Omit the subsections, substitute the following subsection:

“(2) A determination is a disallowable instrument for the purposes of section 10 of the *Subordinate Laws Act 1989*.”.

Section 100—

Omit “Minister”, substitute “Executive”.

Testamentary Guardianship Ordinance 1984

Section 10—

Repeal the section.

Theatres and Public Halls Ordinance 1928

Section 32—

Omit “Minister”, substitute “Executive”.

Trading Hours Ordinance 1962

SCHEDULE 1—continued

Section 18—

Omit “Minister”, substitute “Executive”.

Traffic Ordinance 1937

Section 41—

Omit “Minister”, substitute “Executive”.

Transplantation and Anatomy Ordinance 1978

Paragraph 29 (1) (c)—

Insert “of the Commonwealth” after “Attorney-General”.

Paragraph 34 (1) (c)—

Insert “of the Commonwealth” after “Attorney-General”.

Paragraph 36 (a)—

Insert “Territory or” before “Commonwealth”.

Paragraph 40 (1) (c)—

Insert “of the Commonwealth” after “Attorney-General”.

Section 51—

Omit “Minister”, substitute “Executive”.

Trespass on Commonwealth Lands Ordinance 1932

Long title—

Omit “Trespass on Lands belonging to, or in the occupation of, the Commonwealth within the Territory”, substitute “trespass on Territory land”.

Section 1—

Omit “*Commonwealth Lands*”, substitute “*Territory Land*”.

Sections 3B and 3C—

Repeal the sections.

Paragraph 4 (2) (a)—

Omit “any land belonging to, or in the occupation of the Commonwealth—”, substitute “unleased Territory Land or land occupied by the Territory—”.

Subparagraph 4 (2) (a) (ii)—

Omit “in the Department of the Interior”, substitute “held by the Territory”.

Paragraph 4 (2) (b)—

Omit “belonging to, maintained by, or under the control of, the Commonwealth,” substitute “on unleased Territory Land or land occupied by the Territory;”.

Paragraph 6 (a)—

Omit “of State for the Interior”.

Section 7—

Omit “belonging to, maintained by or under the control of the Commonwealth,” substitute “on unleased Territory Land or land occupied by the Territory”.

Paragraph 8A (2) (c)—

Omit “Commonwealth”, substitute “Territory”.

Paragraph 8A (2) (e)—

Omit the paragraph, substitute the following paragraph:

- “(e) that person camps, erects a structure, or occupies or is in a structure, on that land in the performance of his or her duties as a public servant or an officer or employee of a Territory authority or in the discharge of an obligation on his or her part, or on the part of his or her employer, to the Territory or that authority.”.

Paragraph 8A (3) (c)—

Omit the paragraph, substitute the following paragraph:

- “(c) that person parks or leaves the vehicle on that land in the performance of his or her duties as a public servant or an officer or employee of a Territory authority or in the discharge of an obligation on his or her part, or on the part of his or her employer, to the Territory or that authority; or”.

Subsection 8B (1)—

- (a) Omit “An officer of the Department of the Interior”, substitute “A public servant”.
- (b) Omit “unleased land belonging to the Commonwealth”, substitute “unleased Territory Land or land occupied by the Territory”.

Subsection 8C (1)—

Omit the subsection, substitute the following subsection:

“(1) A public servant authorised in writing by the Minister may, by instrument, certify that land described in the instrument or by reference to a plan on, or annexed to, the instrument—

- (a) is unleased Territory Land or land occupied by the Territory;
- (b) is within the City Area; and
- (c) is not within an area for the time being declared by the Minister, by notice published in the *Gazette*, to be a camping area for the purposes of this Ordinance.”.

Subsection 9 (1)—

SCHEDULE 1—continued

Omit “Commonwealth”, substitute “Territory”.

Trustee Ordinance 1957

Second Schedule, item 11, column 3, paragraph (a)—

Omit from subparagraph (1) (c) (ii) “Attorney-General”, substitute “Minister”.

Second Schedule, item 14, column 3—

Insert in paragraph (2) (c) “Territory or” before “Commonwealth” (wherever occurring).

Second Schedule, item 29, column 3, paragraph (a)—

Omit “Five thousand pounds”, substitute “\$10,000”.

Second Schedule, item 31, column 3, paragraph (b)—

- (a) Omit from paragraphs (3) (a) and (b) “Two hundred and fifty pounds”, substitute “\$500”.
- (b) Omit from paragraph (3) (b) “One thousand pounds”, substitute “\$2,000”.
- (c) Omit from subsection (3A) “Treasurer” (wherever occurring), substitute “Minister”.
- (d) Omit from subsection (3B) “Secretary to the Department of the Treasury”, substitute “administrative head”.
- (e) Omit from subsection (3C) “Treasurer”, substitute “Minister”.
- (f) Omit from subsection (3D) “Treasurer” (wherever occurring), substitute “Minister”.
- (g) Omit from paragraph (3E) (b) “Treasurer”, substitute “Minister”.
- (h) Omit subsection (3F).

Second Schedule, item 33, column 3—

Omit from subsection (2) “*Commonwealth of Australia*”.

Second Schedule, item 36—

Omit the item, substitute the following items:

- “36. Section 64
- (a) Omit from subsection (1) ‘New South Wales’, substitute ‘the Territory’.
 - (b) Omit from subsection (2) ‘New South Wales’, substitute ‘the Territory’.
 - (c) Omit from subsection (3A) ‘This subsection shall be deemed to have commenced on the first day of March, one thousand nine hundred and twenty-six.’.
 - (d) Omit from subsection (4) ‘New South Wales’, substitute ‘The Territory’.

- (e) Omit from subsection (5) ‘New South Wales’, substitute ‘The Territory’.

“36A. Section 65 Omit from subsection (1) ‘New South Wales’, substitute ‘the Territory’.”.

Second Schedule, item 44, column 3, paragraph (a)—

Omit “One thousand pounds”, substitute “\$2,000”.

Second Schedule, item 48, column 3, paragraph (b)—

Omit the paragraph, substitute the following paragraphs:

“(b) Omit from subsection (3) ‘New South Wales’, substitute ‘the Territory’.

(c) Omit subsection (4).”.

Tuberculosis Ordinance 1950

Section 13—

Omit “Minister”, substitute “Executive”.

Trustee Companies Ordinance 1947

Section 35—

Omit “Minister”, substitute “Executive”.

Unclaimed Moneys Ordinance 1950

Subsection 3A (1)—

Omit “person who is an officer within the meaning of the *Public Service Act 1922-1973*”, substitute “public servant”.

Subsection 5 (4)—

Omit the subsection.

Subsection 13 (3)—

Omit “the Commonwealth shall pay”, substitute “the Territory shall pay”.

Subsection 13 (4)—

Omit the subsection.

Further amendments—

The following provisions are amended by omitting “Commonwealth” and substituting “Territory”:

Subsection 4 (1), paragraph 4 (3) (c), subsections 4 (4) and (5), 5 (1) and (2), 10 (1), 11 (1) and 13 (1) and (2) and paragraph 13 (3) (a).

Unit Titles Ordinance 1970

SCHEDULE 1—continued

Section 5—

Insert the following definition:

“ ‘Tribunal’ means the Australian Capital Territory Administrative Appeals Tribunal;”.

Paragraph 16 (6) (b)—

(a) Omit “Administrative Appeals Tribunal Act 1975”, substitute “*Administrative Appeals Tribunal Act 1989*”.

(b) Omit “Administrative Appeals”.

Subsections 16 (8) and (9)—

Omit “Administrative Appeals”.

Subsections 18A (2) and (3)—

Omit “Australia”, substitute “the Territory”.

Subsection 97 (5)—

Insert “Territory or” before “Commonwealth”.

Paragraphs 105 (b) and 108 (2) (a)—

Omit “Commonwealth”, substitute “Territory”.

Subsection 108 (6)—

Omit “Commonwealth”, substitute “Territory”.

Section 117—

Omit “Minister”, substitute “Executive”.

Unlawful Games Ordinance 1984

Subsection 8 (1)—

Omit “Commonwealth”, substitute “Territory”.

Section 10—

Omit “Minister”, substitute “Executive”.

Venereal Diseases Ordinance 1956

Section 21—

Omit “Minister”, substitute “Executive”.

Veterinary Surgeons Registration Ordinance 1965

Subsection 4 (1) (definition of “the Tribunal”)—

Omit the definition.

Subsection 4 (1)—

Insert the following definition:

“ ‘Tribunal’ means the Australian Capital Territory Administrative Appeals Tribunal;”.

Paragraph 4A (a)—

Omit the paragraph, substitute the following paragraph:

“(a) a public servant; or”.

Paragraph 6 (1) (a)—

Omit “an officer of the Australian Public Service”, substitute “a public servant”.

Subsection 28A (2)—

Omit “*Administrative Appeals Tribunal Act 1975*”, substitute “*Administrative Appeals Tribunal Act 1989*”.

Section 43—

Omit “Minister”, substitute “Executive”.

Water Pollution Ordinance 1984

Subsection 5 (1) (definition of “Tribunal”)—

Insert “Australian Capital Territory” before “Administrative”.

Subsection 41 (2)—

Omit “*Administrative Appeals Tribunal Act 1975*”, substitute “*Administrative Appeals Tribunal Act 1989*”.

Section 47—

Omit “Minister”, substitute “Executive”.

Water Rates Ordinance 1959

Paragraph 12 (2) (b)—

Omit “Commonwealth” (last occurring), substitute “Territory”.

Section 34—

Omit “Minister”, substitute “Executive”.

SCHEDULE 1—continued

Further amendments—

The following provisions are amended by omitting “Commonwealth” and substituting “Territory”:

Paragraphs 12 (1) (b) and (1A) (b), subsection 14 (1), paragraphs 15 (1) (e) and (f), subparagraph 17 (1) (b) (i) and paragraph 17 (3) (c).

Weights and Measures Ordinance 1929

Subsection 41 (2)—

Omit “Crown”, substitute “Territory”.

Subsection 48 (1)—

Omit “Minister”, substitute “Executive”.

Weights and Measures (Packaged Goods) Ordinance 1970

Section 28—

Omit “Minister”, substitute “Executive”.

Workmen’s Compensation Ordinance 1951

Subsection 6 (1) (paragraph (d) of the definition of “workman”)—

Omit “Commonwealth”, substitute “Territory”.

Subsection 6 (3B)—

Omit “Commonwealth”, substitute “Territory”.

Section 27—

Repeal the section.

Section 28—

Omit “Minister”, substitute “Executive”.

Third Schedule, clause 13 of the form of Employer’s Indemnity Policy—

Omit “Minister of State for the Interior”, substitute “(here insert official description of appropriate Minister)”.

Workmen’s Compensation Supplementation Fund Ordinance 1980

Section 43—

Omit “Minister”, substitute “Executive”.

SCHEDULE 2

Section 61

AMENDMENTS OF CONTINUED STATE LAWS

PART I—ACTS

Conveyancing and Law of Property Act 1898 of the State of New South Wales in its application in the Territory**Subsection 37 (1)—**

Omit “Act of the Commonwealth”, substitute “Act, Commonwealth Act”.

Subsections 117 (3) and (4)—

Omit “Attorney-General of the Commonwealth”, substitute “Minister”.

Crown Lands Act 1884 of the State of New South Wales in its application in the Territory**Section 111—**

Omit “Commonwealth of Australia”.

Dangerous Goods Act 1975 of the State of New South Wales in its application in the Territory**Section 4—**

Insert the following definition:

“ ‘Tribunal’ means the Australian Capital Territory Administrative Appeals Tribunal;”.

Section 5A—

Omit all the words after “Crown”.

Paragraph 28 (3) (a)—

Omit “any other law of the Commonwealth or of”, substitute “a law of the Commonwealth,”.

Paragraph 29 (1) (i)—

(a) Omit “*Administrative Appeals Tribunal Act 1975*”, substitute “*Administrative Appeals Tribunal Act 1989*”.

(b) Omit “Administrative Appeals”.

Section 29A—

Omit “Administrative Appeals”.

SCHEDULE 2—continued**Subsections 31 (4) and 38 (1)**—

Omit “Commonwealth”, substitute “Territory”.

Subsection 41 (1)—

Omit “Minister”, substitute “Executive”.

Defamation (Amendment) Act 1909 of the State of New South Wales in its application in the Territory

Paragraph 5 (a)—

Omit all the words after “proceedings of”, substitute “the Legislative Assembly or either House of the Parliament or of the Parliament of a State;”.

Paragraph 5 (b)—

Insert “the Legislative Assembly or” before “any such House”.

Paragraph 5 (f)—

- (a) Omit “an Act of the Commonwealth”, substitute “an Act or a Commonwealth Act”.
- (b) Insert “Territory or” before “Commonwealth” (last occurring).

Paragraph 5 (g)—

- (a) Insert “an administrative unit of the Public Service,” after “issued by”.
- (b) Insert “a public servant,” after “Service,”.
- (c) Omit “department,”, substitute “administrative unit, department, public servant,”.

Paragraphs 5A (3) (a), (b) and (c)—

Omit the paragraphs, substitute the following paragraphs:

- “(a) the Legislative Assembly;
- (b) either House of the Parliament;
- (c) the Parliament, or a House of the Parliament, of a State; and
- (d) the Legislative Assembly of the Northern Territory.”.

Fertilizers Act 1904 of the State of New South Wales in its application in the Territory

Section 4—

Omit “Minister”, substitute “Executive”.

SCHEDULE 2—continued

Gaming and Betting Act 1906 of the State of New South Wales in its application in the Territory

Section 10—

Omit “*Commonwealth of Australia*” (wherever occurring).

Public Instruction Act 1880 of the State of New South Wales in its application in the Territory

Section 39 (definition of “School”)—

Omit “on behalf of the Commonwealth”.

Public Roads Act 1902 of the State of New South Wales in its application in the Territory

Section 18—

- (a) Omit “*Commonwealth of Australia*”.
- (b) Insert “Territory or” before “Commonwealth”.

Subsections 19 (1) and 20 (1)—

Omit “*Commonwealth of Australia*”.

Subsections 25 (1) and (4)—

Omit “*Commonwealth of Australia*”.

Section 29—

Insert “Territory or” before “Commonwealth”.

Subsection 35 (1)—

Omit “*Commonwealth of Australia Gazette*”, substitute “*Gazette or Commonwealth Gazette*”.

Subsection 35 (2)—

Omit “*Commonwealth of Australia Gazette*”, substitute “*Gazette or Commonwealth Gazette* (as the case requires)”.

PART II—REGULATIONS

Dangerous Goods Regulation 1978 of the State of New South Wales in its application in the Territory

Subclause 4 (1) (definition of “public reservoir”)—

Insert “the Territory,” before “the Commonwealth”.

SCHEDULE 2—continued**Subclause 45 (1)**—

Insert “the Territory or” before “the Commonwealth”.

Paragraphs 192 (g) and 217 (3) (c)—

Insert “the Territory or” before “the Commonwealth”.

Clause 247—

Insert “the Territory or” before “the Commonwealth”.

Subclause 373 (2)—

- (a) Omit “*Administrative Appeals Tribunal Act 1975*”, substitute “*Administrative Appeals Tribunal Act 1989*”.
- (b) Omit “Administrative Appeals”.

Regulations under the Scaffolding and Lifts Act 1912-1948 of the State of New South Wales in their application in the Territory

Regulation 163—

Omit “Commonwealth”, substitute “Territory”.

SCHEDULE 3

Section 62

AMENDMENTS OF TERRITORY REGULATIONS

Apiaries Regulations

Schedule (Forms A and C)—

Omit “The Secretary, Department of the Capital Territory”, substitute “Head of Administration”.

Schedule (Form B)—

Omit “of State for the Capital Territory”.

City Area Leases Regulations

Regulation 5—

Omit “Commonwealth” (wherever occurring), substitute “Territory”.

Subregulation 10 (1)—

Omit “, Canberra,”.

Subregulations 10 (1) and (2)—

Omit “Secretary, Department of the Capital Territory,”, substitute “administrative head”.

The Schedule—

- (a) Omit “THE COMMONWEALTH OF AUSTRALIA”.
- (b) Omit “RESERVING unto the Commonwealth”, substitute “RESERVING unto the Territory”.

The Schedule (paragraph 2 (a))—

Omit “Commonwealth” (first occurring), substitute “Territory”.

The Schedule (paragraphs 3 (b))—

Omit “Commonwealth” (first occurring), substitute “Territory”.

The Schedule (paragraph 3 (d))—

Omit the paragraph, substitute the following paragraph:

- “(d) That in this lease, ‘Minister’ means—
 - (i) the Minister administering the *City Area Leases Act 1936*; or
 - (ii) the Minister for the time being acting on behalf of that Minister;”.

SCHEDULE 3—continued**The Schedule—**

Omit “thereto authorized by and under the *City Area Leases Ordinance 1936*”, substitute “authorised by the Executive”.

Fire Brigade Regulations**Regulation 6—**

Omit “Commonwealth”, substitute “Territory”.

Garbage Regulations

The following provisions are amended by omitting “Commonwealth” (wherever occurring) and substituting “Territory”:

Regulation 3AA, subregulations 3A (4) and (5) and 10 (2), regulation 11 and subregulation 12 (1).

Leases Regulations**Regulation 3 (definition of “Land”)—**

Omit the definition, substitute the following definition:

“ ‘land’ means Territory Land and includes all improvements on the land;”.

Regulation 3 (definitions of “Returned Soldier” and “The Minister”)—

Omit the definitions.

Regulation 3—

Insert the following definition:

“ ‘veteran’ has the same meaning as in the *Veterans Entitlements Act 1986* of the Commonwealth”.

Regulation 4—

Omit “Commonwealth”, substitute “Territory”.

Paragraph 9 (1) (d)—

Omit “returned soldier”, substitute “veteran”.

Regulation 10—

Omit “if he thinks fit”, substitute “on behalf of the Commonwealth”.

Subregulation 12 (3)—

Insert “, on behalf of the Commonwealth,” after “may”.

Subregulation 12 (4)—

Insert “, on behalf of the Commonwealth,” after “prepared”.

Regulation 14—

Insert “, on behalf of the Commonwealth,” after “bound”.

Regulation 15—

Insert “on behalf of the Commonwealth,” after “may,”.

Regulation 22—

Insert “, on behalf of the Commonwealth,” after “may”.

Regulation 23—

- (a) Omit “Commonwealth or State”, substitute “Territory”.
- (b) Omit “Commonwealth”, substitute “Territory”.

Subregulation 24 (1)—

Insert “, on behalf of the Commonwealth,” after “may”.

Subregulations 24 (1) and (2)—

Omit “Commonwealth”, substitute “Territory”.

Subregulation 25 (1)—

Insert “on behalf of the Commonwealth,” after “may,”.

Meat Regulations

Paragraph 7 (2) (a)—

- (a) Omit “*Administrative Appeals Tribunal Act 1975*”, substitute “*Administrative Appeals Tribunal Act 1989*”.
- (b) Insert “Australian Capital Territory” before “Administrative”.

Paragraph 7 (2) (b)—

- (a) Omit “subsection 28 (4)”, substitute “subsection 26 (11)”.
- (b) Omit “section 28”, substitute “section 26”.

Regulation 8—

Insert “Australian Capital Territory” before “Administrative”.

Mining Regulations

Regulation 45—

Omit “On any day on which an election is held of a Member of the Advisory Council under the *Advisory Council Ordinance 1930-1931*”.

SCHEDULE 3—continued***Motor Omnibus Regulations*****Subregulation 3 (2)**—

Insert “Territory or” before “Commonwealth”.

Subregulation 40 (4)—

Omit “Commonwealth” (wherever occurring), substitute “Territory”.

Motor Omnibus Services Regulations**Subregulation 3 (1) (definition of “Secretary”)**—

Omit the definition.

Regulation 3A—

Omit “Secretary”, substitute “administrative head”.

Motor Vehicle (Third Party Insurance) Regulations**Paragraph 11 (a)**—

Omit “prescribed under the Health Commission (Charges) Regulations”, substitute “determined under section 75 of the *Community and Health Service Act 1985*”.

Parole Board (Fees) Regulations**Subregulation 2 (3)**—

Insert “Territory or” before “Commonwealth” (wherever occurring).

Pounds Regulations**Subregulation 16 (2)**—

Omit “Commonwealth”, substitute “Territory”.

Subregulation 20 (1)—

Omit “Receiver of Public Moneys”, substitute “Territory”.

Subregulation 20 (2)—

Omit “Receiver”, substitute “Territory”.

Regulation 26—

Omit “Commonwealth”, substitute “Territory”.

Regulation 29—

Omit “Commonwealth”, substitute “Territory”.

Public Health (Dairy) Regulations

Subregulation 21 (5)—

Omit “Commonwealth”, substitute “Territory”.

Subregulation 89 (1)—

Omit “Commonwealth” (wherever occurring), substitute “Territory”.

Subregulation 101 (2)—

Omit “Commonwealth”, substitute “Territory”.

Public Health (General Sanitation) Regulations

Paragraph 18 (b)—

Omit “Commonwealth”, substitute “Territory”.

Public Health (Infectious and Notifiable Diseases) Regulations

Subregulation 22 (2)—

Omit “Commonwealth”, substitute “Territory”.

Public Health (Medical and Dental Inspection of School Children) Regulations

Regulation 2 (definition of “Dental therapist”)—

- (a) Omit “person”, substitute “public servant”.
- (b) Omit “under the *Public Service Act 1922-1968*”.

Public Health (Private Hospitals) Regulations

Regulation 3 (definition of “Private hospital”)—

Omit “Commonwealth”, substitute “Territory”.

Public Health (Sale of Food and Drugs) Regulations

Regulation 3 (definition of “Owner”)—

Insert “Territory or” before “Commonwealth”.

Public Parks Regulations

Subregulations 12 (3) and 13 (2)—

Omit “Commonwealth”, substitute “Territory”.

Paragraph 16 (a)—

Insert “the Territory,” before “the Commonwealth”.

SCHEDULE 3—continued***Rabbit Destruction Regulations*****Regulation 4—**

Omit “of the Commonwealth”.

Registrar of Titles (Office Hours) Regulations**Subregulation 2 (2)—**

Omit “public offices of the Commonwealth in Canberra”, substitute “Public Service”.

Remand Centres Regulations**Subregulation 19 (7)—**

Omit “Commonwealth”, substitute “Territory”.

Schools Authority (Allowances) Regulations**Regulation 3—**

- (a) Omit “Board”, substitute “Commissioner”.
- (b) Omit “a Chief Officer of a Department”, substitute “the Secretary of a Department of the Commonwealth”.

Stock Regulations**Schedule 2, Notice of Appeal Against Assessment—**

Omit “the Minister of State for the Capital Territory”, substitute “*(insert name and official description of appropriate Minister)*”.

Weights and Measures Regulations**Paragraph 2 (o)—**

Omit “the office of an Inspector at the Department of the Interior”, substitute “the office of the administrative unit of the Public Service responsible for matters under the Act”.

Workmen’s Compensation Regulations**Regulation 12—**

Insert “the Legislative Assembly or the” before “Parliament”.

Schedule 1, Form 1—

Insert in note ‡ “the Legislative Assembly or the” before “Parliament”.

Schedule 2, Form 2—

Insert in note ‡ “the Legislative Assembly or the” before “Parliament”.

SCHEDULE 4

Section 63

REPEAL OF ORDINANCES

Advisory Council Ordinance 1986
Advisory Council (Amendment) Ordinance 1987
Canberra Commercial Development Authority (Amendment) Ordinance 1983
Canberra Retail Markets (Amendment) Ordinance 1986
Cigarette Containers (Labelling) Ordinance 1976
Cigarette Containers (Labelling) (Amendment) Ordinance 1982
Commonwealth Dwellings (Rent) Ordinance 1961
Commonwealth Dwellings (Rent) (Amendment) Ordinance 1982
Festival Australia Incorporation Ordinance 1973
Festival Australia Incorporation Ordinance 1975
Festival Australia Incorporation Ordinance 1976
Festival Australia Incorporation (Amendment) Ordinance 1976
Festival Australia Incorporation (Amendment) Ordinance 1978
Flammable Liquids (Amendment) Ordinance 1983
Health Commission (Amendment) Ordinance 1982
House of Assembly (Remuneration) Ordinance 1979
Housing Ordinance (No. 2) 1928
Housing Ordinance 1930
Housing Ordinance (No. 2) 1930
Housing Ordinance 1940
Housing Ordinance 1947
Housing Ordinance 1957
Housing Ordinance 1969
Industrial Board Ordinance 1936
Industrial Board Ordinance (No. 2) 1936
Industrial Board Ordinance (No. 3) 1936
Industrial Board Ordinance 1937
Industrial Board Ordinance 1938
Industrial Board Ordinance (No. 2) 1938
Industrial Board Ordinance (No. 3) 1938
Industrial Board Ordinance 1939
Industrial Board Ordinance 1940
Industrial Board Ordinance 1941
Industrial Board Ordinance (No. 2) 1941

SCHEDULE 4—continued

Industrial Board Ordinance 1944
Industrial Board Ordinance 1945
Industrial Board Ordinance 1946
Industrial Board Ordinance (No. 2) 1946
Industrial Board Ordinance 1947
Industrial Board Ordinance 1949
Land Rent (Validation and Re-appraisal) Ordinance 1970
Lunacy Ordinance 1938
Queanbeyan Lease Ordinance 1929
Queanbeyan Lease Ordinance 1936
Queanbeyan Water Supply Ordinance 1925
Queanbeyan Water Supply Ordinance 1936
Referendum (Self-Government) Ordinance 1978
Seat of Government Railway Ordinance 1923
Seat of Government Railway Ordinance 1975
Statutory Authorities (Temporary Provisions) Ordinance 1986
World Cup Athletics (Security Arrangements) Ordinance 1985

NOTE

1. Notified in the *Commonwealth of Australia Gazette* on 10 May 1989.