

# AUSTRALIAN CAPITAL TERRITORY

---

## Self-Government (Citation of Laws) Ordinance 1989

No. 21 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 27 April 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 with respect to the citation of laws consequential upon the establishment of the Territory as a body politic under the Crown

### Short title

1. This Ordinance may be cited—
  - (a) before self-government day—as the *Self-Government (Citation of Laws) Ordinance 1989*<sup>1</sup>; and
  - (b) on and after that day—as the *Self-Government (Citation of Laws) Act 1989*.

**Commencement**

**2. (1)** Section 1 and this section commence on the day on which this Ordinance is notified in the *Gazette*.

**(2)** Subject to subsections 5 (9), 6 (7), 7 (9), (10) and (11), 8 (7) and (8) and 9 (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.

**Interpretation**

**3. (1)** In this Ordinance—

“converted Commonwealth Act” means a Commonwealth Act specified in Schedule 2 to the Self-Government Act;

“reserved law” means a law specified in Schedule 3 to the Self-Government Act;

“Self-Government Act” means the *Australian Capital Territory (Self-Government) Act 1988* of the Commonwealth.

**(2)** In this Ordinance, a reference to an Ordinance by its short title shall be read as a reference to the enactment that, immediately before self-government day, was the Ordinance cited by that short title.

**References to Ordinances or Commonwealth Acts**

**4.** In this Ordinance, a reference to an Ordinance or a Commonwealth Act referred to (by its short title or otherwise) in an enactment, subordinate law, reserved law or converted Commonwealth Act shall be read as a reference to an Ordinance or a Commonwealth Act that is in force.

**Amendments of enactments**

**5. (1)** Each enactment that, immediately before self-government day, was an Ordinance is amended by omitting from its short title “*Ordinance*” and substituting “*Act*”.

**(2)** Each enactment that—

- (a) immediately before self-government day, was an Ordinance; and
- (b) contains a reference to the short title of another Ordinance;

is amended by omitting from that reference “*Ordinance*” and substituting “*Act*”.

(3) Each enactment (other than an enactment referred to in subsection (2)) that contains a reference to the short title of an Ordinance is amended by omitting from that reference “*Ordinance*” and substituting “*Act*”.

(4) Each enactment that contains a reference to a particular Ordinance otherwise than by its short title is amended by omitting from that reference “*Ordinance*” and substituting “*Act*”.

(5) Each enactment that contains a reference to an Ordinance or Ordinances (not being a reference to a particular Ordinance or Ordinances) is amended by omitting from that reference “*Ordinance*” or “*Ordinances*” and substituting “*Act*” or “*Acts*” (as the case requires).

(6) Each enactment that contains a reference to the short title of a Commonwealth Act (not being a converted Commonwealth Act) is amended by inserting “of the Commonwealth” after that reference.

(7) Each enactment that contains a reference to a particular Commonwealth Act (not being a converted Commonwealth Act) otherwise than by its short title is amended by inserting “Commonwealth” at the beginning of that reference.

(8) Where an enactment described in any of subsections (2) to (7) (inclusive) contains 2 or more references of the kind described in that subsection, that subsection has effect in relation to each of those references.

(9) If an Ordinance referred to in a particular enactment is not itself an enactment on self-government day, the amendment effected by subsection (2), (3) or (4) takes effect, in relation to that reference, on the day on which that Ordinance becomes an enactment.

#### **Amendments of subordinate laws**

6. (1) Each subordinate law that contains a reference to the short title of an Ordinance is amended by omitting from that reference “*Ordinance*” and substituting “*Act*”.

(2) Each subordinate law that contains a reference to a particular Ordinance otherwise than by its short title is amended by omitting from that reference “*Ordinance*” and substituting “*Act*”.

(3) Each subordinate law that contains a reference to an Ordinance or Ordinances (not being a reference to a particular Ordinance or Ordinances) is amended by omitting from that reference “*Ordinance*” or “*Ordinances*” and substituting “*Act*” or “*Acts*” (as the case requires).

(4) Each subordinate law that contains a reference to the short title of a Commonwealth Act (not being a converted Commonwealth Act) is amended by inserting “of the Commonwealth” after that reference.

(5) Each subordinate law that contains a reference to a particular Commonwealth Act (not being a converted Commonwealth Act) otherwise than by its short title is amended by inserting “Commonwealth” at the beginning of that reference.

(6) Where a subordinate law described in any of subsections (1) to (5) (inclusive) contains 2 or more references of the kind described in that subsection, that subsection has effect in relation to each of those references.

(7) If an Ordinance referred to in a particular subordinate law is not an enactment on self-government day, the amendment effected by subsection (1) or (2) takes effect, in relation to that reference, on the day on which that Ordinance becomes an enactment.

#### **Amendments of reserved Ordinances, State Acts and Imperial Acts**

7. (1) Each law specified in Part 1 of Schedule 3 to the Self-Government Act is amended by omitting from its short title “*Ordinance*” and substituting “*Act*”.

(2) Each law specified in Part 1 of Schedule 3 to the Self-Government Act that contains a reference to the short title of another Ordinance is amended by omitting from that reference “*Ordinance*” and substituting “*Act*”.

(3) Each law specified in Part 2 or 3 of Schedule 3 to the Self-Government Act that contains a reference to the short title of an Ordinance is amended by omitting from that reference “*Ordinance*” and substituting “*Act*”.

(4) Each reserved law that contains a reference to a particular Ordinance otherwise than by its short title is amended by omitting from that reference “*Ordinance*” and substituting “*Act*”.

(5) Each reserved law that contains a reference to an Ordinance or Ordinances (not being a reference to a particular Ordinance or Ordinances) is amended by omitting from that reference “*Ordinance*” or “*Ordinances*” and substituting “*Act*” or “*Acts*” (as the case requires).

(6) Each reserved law that contains a reference to the short title of a Commonwealth Act (not being a converted Commonwealth Act) is amended by inserting “of the Commonwealth” after that reference.

(7) Each reserved law that contains a reference to a particular Commonwealth Act (not being a converted Commonwealth Act) otherwise than by its short title is amended by inserting “Commonwealth” at the beginning of that reference.

(8) Where a law described in any of subsections (2) to (7) (inclusive) contains 2 or more references of the kind described in that subsection, that subsection has effect in relation to each of those references.

(9) The amendment effected by subsection (1) takes effect, in relation to a particular law, on the day on which that law becomes an enactment.

(10) The amendment effected by subsection (2), (3) or (4) takes effect, in relation to a particular reference, on the day on which—

- (a) the relevant law becomes an enactment; or
- (b) the Ordinance referred to becomes an enactment;

whichever occurs later.

(11) The amendment effected by subsection (5), (6) or (7) takes effect, in relation to a particular law, on the day on which that law becomes an enactment.

### **Modifications of converted Commonwealth Acts**

8. (1) Each converted Commonwealth Act that contains a reference to the short title of an Ordinance is modified by omitting from that reference “*Ordinance*” and substituting “*Act*”.

(2) Each converted Commonwealth Act that contains a reference to a particular Ordinance otherwise than by its short title is modified by omitting from that reference “*Ordinance*” and substituting “*Act*”.

(3) Each converted Commonwealth Act that contains a reference to an Ordinance or Ordinances (not being a reference to a particular Ordinance or Ordinances) is modified by omitting from that reference “*Ordinance*” or “*Ordinances*” and substituting “*Act*” or “*Acts*” (as the case requires).

(4) Each converted Commonwealth Act that contains a reference to the short title of another Commonwealth Act (not being a converted Commonwealth Act) is modified by inserting “of the Commonwealth” after that reference.

(5) Each converted Commonwealth Act that contains a reference to a particular Commonwealth Act (not being a converted Commonwealth Act)

otherwise than by its short title is modified by inserting “Commonwealth” at the beginning of that reference.

(6) Where a converted Commonwealth Act described in any of subsections (1) to (5) (inclusive) contains 2 or more references of the kind described in that subsection, that subsection has effect in relation to each of those references.

(7) The amendment effected by subsection (1) or (2) takes effect, in relation to a particular reference, on the day on which—

- (a) the relevant converted Commonwealth Act becomes an enactment; or
- (b) the Ordinance referred to becomes an enactment;

whichever occurs later.

(8) The amendment effected by subsection (3), (4) or (5) takes effect, in relation to a particular converted Commonwealth Act, on the day on which that converted Commonwealth Act becomes an enactment.

#### **General references to Commonwealth Acts**

9. (1) In an enactment, subordinate law, reserved law or converted Commonwealth Act, a reference to an Act or Acts (being a reference that existed before self-government day but not being a reference to a particular Act or Acts) shall be read as a reference to a Commonwealth Act or Commonwealth Acts (as the case requires).

(2) Subsection (1) takes effect, in relation to a particular reserved law or converted Commonwealth Act, on the day on which it becomes an enactment.

#### **Corrected references to Commonwealth Acts**

10. Subsection 5 (6) or (7), 6 (4) or (5), 7 (6) or (7) or 8 (4) or (5) does not apply if the provision that would, but for this section, be amended or modified by that subsection already contains in the appropriate place the phrase or word that would be inserted by such an amendment or modification.

---

#### **NOTE**

1. Notified in the *Commonwealth of Australia Gazette* on 3 May 1989.