

AUSTRALIAN CAPITAL TERRITORY

PUBLIC PLACE NAMES ACT 1989

PUBLIC PLACE NAMES 2003, NO. 5

DISALLOWABLE INSTRUMENT DI2003-13

EXPLANATORY STATEMENT

The *Public Place Names Act 1989* provides for the naming of divisions and, in particular, section 3 empowers the Minister, by notice published in the Gazette, to determine the name of a division or public place.

Pursuant to section 254A of the *Legislation Act 1989*, the Minister has delegated the power under the *Public Place Names Act 1989* to name a division or public place to the Executive Director, Planning and Land Management, Department of Urban Services.

Section 46 of the *Legislation Act 1967* specifies that where an Act confers a power on a person to make an instrument then, unless the contrary intention appears, that person has the further power to amend the instrument.

THIS INSTRUMENT REVOKES THE DETERMINATION of the names of public places that are Territory land, published in the Commonwealth of Australia Gazette No S24 on 8 February 1978 as outlined in the instrument.

The original determination naming the streets was made under the *National Memorials Ordinance 1928* ("the ordinance"), section 8A.

A determination under the ordinance, s 8A, continues in force under the *Public Place Names Act 1989* ("the Act"), s 7 (now repealed). Because of the effect of the Legislation Act, s 88, the repeal of the Act, s 7 does not undo its legal effect. The 1978 determination under the ordinance operates as if it had been made under the Act, s 3.