

AUSTRALIAN CAPITAL TERRITORY

ORDINANCES REVISION ORDINANCE 1959

EXPLANATORY MEMORANDUM

No. 21 of 1959

The Ordinances and Regulations of the Australian Capital Territory are being reprinted in consolidated form as at the 31st December, 1959. The legislation has been reviewed in preparation for this reprint and this Ordinance repeals or amends a number of Ordinances to –

- (a) repeal Ordinances or amend provisions no longer operative;
- (b) omit transition provisions;
- (c) provide for action to be taken by the Minister instead of the Governor-General under some earlier Ordinances where, in more recent legislation, power to take similar types of action is given to the Minister;
- (d) omit sections providing for a power of delegation as the Seat of Government (Administration) Act 1910-1959 gives such a power under any Ordinance;
- (e) omit out of date references or bring them up to date;
- (f) omit provisions superseded by later legislation;
- (g) omit provisions which require the making of a special Form where the Form is for administrative purposes only and the rights of members of the public are not prejudiced by its absence;
- (h) make amendments consequential upon other amendments or repeals;  
and
- (i) make verbal corrections.

Amendments which do not fall under the above headings are :-

Apiaries Ordinance 1928-1937

When this ordinance was first made, it was convenient to use inspectors from New South Wales. This is not done now, and provision for them is unnecessary.

Careless Use of Fire Ordinance 1936-1954

Variations in the danger period for bush fires cannot be made at short notice if they have to be gazetted. The newspaper advertisement is more effective so far as the public is concerned.

Cemeteries Ordinance 1933-1942

The Trustees will be required to submit a statement of accounts to the Minister in May instead of April in each year to facilitate administration.

Billiard Saloon Ordinance 1926

There are no public billiard saloons in the Territory nor any prospect of any being started. The Ordinance providing for their registration is therefore being repealed. If a control of this nature is needed in the future, a new Ordinance can be introduced.

Cotter River Ordinance 1914-1938

Powers at present confined to authorised persons are given to the police, as is usual in legislation of this nature.

Districts Ordinance 1927-1949

Provision has been made in other Ordinances for some area other than the Canberra City District to be called the "City Area". It is undesirable to have a general provision of the nature of section 16 of the Districts Ordinance when the exact significance of the term "City Area" can be defined in the Ordinance in which it is used. Section 16 is repealed.

### Explosives Ordinance 1917

This Ordinance authorises the making of an arrangement with the State of New South Wales which has never been made and is not likely to be. The Ordinance is therefore repealed.

### Liquor Ordinance 1929-1956

Amendments have been made to sections 6A and 30 to bring their provisions into line with other similar provisions in the Ordinance. These were apparently overlooked in previous amendments.

### Rationing Control Ordinances 1942

These Ordinances are being repealed because the evils which were designed to suppress have disappeared and the control is no longer necessary.