

EXPLANATORY MEMORANDUM
AUSTRALIAN CAPITAL TERRITORY
TRUSTEE ORDINANCE 1957.

No. 14 of 1957

The purpose of this Ordinance is to adopt the Trustee Act, 1925-1942, of the State of New South Wales, as a law of the Territory, with such modifications as are necessary or desirable for the circumstances of the Territory.

(There are obvious objections to legislation by reference, but it was considered that in the case of this law there were undoubted advantages in adopting the New South Wales Act rather than drafting a complete new Ordinance, at this stage. To begin with, the provisions of the New South Wales Act run to 106 sections, and to redraft them would be a task of some magnitude; it was doubtful whether the time and cost involved in the drafting and printing of such a lengthy Ordinance would be justified. Moreover, the few persons having recourse to the legislation, the Judge of the Supreme Court, solicitors, trustee companies and possibly a few lay trustees, are probably all more or less familiar with the New South Wales Act and the annotated text book in the Act, and would prefer the adoption of the Act).