Reserved Laws (Interpretation) Ordinance 1989

No. 25 of 1989


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 to provide for the interpretation of reserved laws and for related purposes

Short title

1. This Ordinance may be cited as the Reserved Laws (Interpretation) 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) Subject to subsection 7 (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. In this Ordinance—

   “enactment” means a law that is—

   (a) an enactment within the meaning of the *Australian Capital Territory (Self-Government) Act 1988* of the Commonwealth; or

   (b) 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* of the Commonwealth;

   “reserved law” means—

   (a) a law specified in Schedule 3 or 5 to the *Australian Capital Territory (Self-Government) Act 1988* of the Commonwealth;

   (b) a provision of a law, being a provision specified in Schedule 3 to that Commonwealth Act;

   (c) an Ordinance; or

   (d) a regulation, rule or by-law made under—

      (i) a law that is a reserved law by virtue of paragraph (a); or

      (ii) an Ordinance.

*Interpretation Ordinance 1967—application*

4. (1) The provisions of the *Interpretation Ordinance 1967* as in force immediately before the commencement of this section apply, unless the contrary intention appears, in relation to a reserved law subject to the modifications, if any, prescribed in this Ordinance.

(2) In the application, by virtue of subsection (1), of the provisions referred to in that subsection—
(a) a reference in those provisions to an Ordinance shall, if the context permits, be read as including a reference to an enactment; and

(b) a reference in those provisions to a particular law, other than the Interpretation Ordinance 1967, that has become an enactment shall be read as a reference to that enactment.

**Imperial Acts Application Act 1986 of the Territory—application**

5. The provisions of the Imperial Acts Application Act 1986 of the Territory apply, unless the contrary intention appears, in relation to a reserved law that is an Imperial Act in force in the Territory.

**Construing reserved provisions**

6. A provision of a law (being a provision specified in Schedule 3 to the Australian Capital Territory (Self-Government) Act 1988 of the Commonwealth) shall, unless the contrary intention appears, be construed as part of that law.

**Amendments re citation of certain laws**

7. (1) Each reserved law that contains a reference to the short title of an Ordinance that becomes an enactment is amended—

   (a) by omitting from that reference “Ordinance” and substituting “Act”;

   and

   (b) by inserting “of the Territory” after that reference.

   (2) The amendment effected by subsection (1) takes effect, in relation to a particular reference, on the day on which the Ordinance referred to becomes an enactment.

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**NOTE**