

**EXPLANATORY STATEMENT**

**A.C.T. SELF-GOVERNMENT (CONSEQUENTIAL PROVISIONS) ACT 1988**

**A.C.T. SELF-GOVERNMENT (CONSEQUENTIAL PROVISIONS)  
REGULATIONS (AMENDMENT)**

1989 No. 304

Subsection 31(1) of the A.C.T. Self-Government (Consequential Provisions) Act 1988 provides that the Governor-General may make regulations making provision (including provision by way of modifications of an Act) in relation to:

- (a) any matter arising from, connected with or consequential upon the establishment of the Territory as a body politic under the Crown; or
- (b) any matter arising from, connected with or consequential upon the conversion of a law into an enactment.

The proposed Regulation provides for modifications of the following Commonwealth Acts as a consequence of the provision of self-government for the Australian Capital Territory:

- . Air Accidents (Commonwealth Government Liability) Act 1963;  
and
- . Commonwealth Motor Vehicles (Liability) Act 1959.

The details of the proposed Regulations are as follows:

The Regulation provides that the proposed modifications to the Air Accidents (Commonwealth Government Liability) Act 1963 and to the Commonwealth Motor Vehicles (Liability) Act 1959 are to be inserted, in the appropriate alphabetical order, in Schedule 1 of the ACT Self-Government (Consequential Provisions) Regulations.

The Schedule provides that section 11 of the Air Accidents (Commonwealth Government Liability) Act 1963 will be modified to provide that:

- . by the insertion of a new subsection 11(3A), Part III of the Act will apply to the carriage in an aircraft operated by a person other than the Commonwealth or a Commonwealth authority of a passenger being a person who is

travelling in the course of his employment by the Australian Capital Territory;

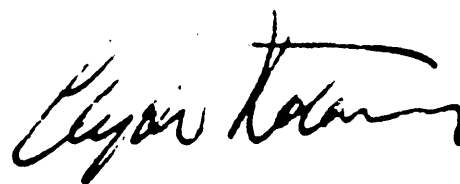
a person the cost of whose carriage has been, or is to be, borne by the Australian Capital Territory; or



a person travelling by air for the purpose of the Australian Capital Territory in pursuance of arrangements made or authority given by the Australian Capital Territory; and

- . by the insertion of a new subsection 11(3B), the succeeding provisions of Part III will apply as if references in those provisions to the Commonwealth were references to the Australian Capital Territory, to the effect that the Australian Capital Territory will assume liability for damage sustained by reason of the death or personal injury of such passengers.

The Schedule further provides that subsection 3(1) of the Commonwealth Motor Vehicles (Liability) Act 1959 will be modified to provide that the definition of "Commonwealth authority" does not include the Australian Capital Territory or a body corporate incorporated for a public purpose by a law of the Australian Capital Territory, to the effect that the Commonwealth will not be liable for damages in respect of the death of or personal injury to, a person caused by, or arising out of the use of, an uninsured motor vehicle owned by the Australian Capital Territory or by a body corporate incorporated for a public purpose under a law of the Australian Capital Territory.



ISSUED UNDER THE AUTHORITY OF  
THE MINISTER FOR THE ARTS,  
TOURISM AND TERRITORIES