

## EXPLANATORY STATEMENT

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

### A.C.T. Self-Government (Consequential Provisions) Act 1988

### A.C.T. Self-Government (Consequential Provisions) Regulations (Amendment)

1989 No. 397

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 any matter arising from, connected with or consequential upon the establishment of the Territory as a body politic under the Crown.

Subsection 31(2) provides that regulations made under subsection 31(1) may be expressed to commence on and from a date earlier than the making of the regulations not being a date earlier than Self-Government day, that is 11 May 1989.

The Regulations provide for the modification of the Trade Practices Act 1974 .

The purpose of the Regulations is to enable Enactments and Regulations of the Australian Capital Territory to allow what would otherwise be a contravention of the Trade Practices Act 1974, in the same way that laws of the States and Ordinances and Regulations of the Territories, may allow what would otherwise be a contravention of the Act.

The details of the Regulations are in the attachment. The Regulations modify the principal Act to place the Australian Capital Territory in the same position as the States and the Northern Territory.

## ATTACHMENT

### Details of the A.C.T. Self-Government (Consequential Provisions) Regulations (Amendment)

Regulation 1 provides that the following modifications to the Trade Practices Act 1974 are to be taken to have commenced on 11 May 1989 (ACT Self-Government Day).

Regulation 2 provides that the following modifications to the Act are inserted in Schedule 1 of the ACT Self-Government (Consequential Provisions) Regulations:

Subsection 51(1) is modified by the addition of paragraph 51(1)(d) which provides that a contravention of this Act has not occurred if the contravention is approved by an enactment or a regulation of the Australian Capital Territory unless a Commonwealth Regulation, made under this Act, provides otherwise. (Presently Acts and Regulations of the Commonwealth and of the States and Ordinances and Regulations of the Territories may approve what would otherwise be a contravention of this Act.)

This modification is necessary as most of the laws operating in the Australian Capital Territory and the laws passed by the Australian Capital Territory Legislative Assembly are now Enactments.